



# County of Santa Cruz

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## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

March 29, 2001

AGENDA: April 17, 2001

Board of Supervisors  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, California 95060

**SUBJECT: PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S  
RECOMMENDATIONS REGARDING GENERAL PLAN/LOCAL COASTAL  
PROGRAM LAND USE PLAN AMENDMENTS RELATED TO GEOLOGIC HAZARDS**

Members of the Board:

Background

On March 9, 1999, the Board of Supervisors accepted modifications approved by the Coastal Commission to certain amendments to the General Plan /Local Coastal Program (GP/LCP) and County Code Chapter 16.10 relating to geologic hazards and their review. These policy and ordinance amendments were prepared to recognize changes in Federal Emergency Management Agency (FEMA) floodplain regulations and to streamline the processing of development review subject to geologic hazard evaluation. In addition to the modifications to the proposed policies and ordinances, the Coastal Commission also requested that the County amend two sections of the GP/LCP for consistency with the-approved amendments. Staff presented these proposed minor amendments to the Board of Supervisors, in conceptual form, on April 25, 2000. The Board accepted the conceptual ordinances and directed that the amendments be processed.

On February 28, 2001, the Planning Commission considered the proposed amendments and, following a public hearing, adopted a Resolution recommending that your Board approve the proposed amendments (see Attachment 3 - Planning Commission minutes and Attachment 4 - Planning Commission Resolution). The matter is now before your Board for consideration.

Proposed Amendments

The two amendments proposed to comply with the Coastal Commission's request are both minor, and are described as follows:

1. The first of the proposed amendments would revise Figure 2-2 (Special Land Division and Density Requirements) of the GP/LCP by substituting the phrase "except *that no density credit*

*will be given for land in the 100-year floodplain and the floodway*” for the phrase “*excluding floodway area*” (see Exhibit A of Attachment 1). This amendment will make the language of Figure 2-2 consistent with the language of GP/LCP Policy 6.4.6 (“in all areas exclude the portion of the property designated within the 100-year floodplain from density calculations”). There will be no change to the planning practice as a result of making the table consistent with the written policy.

2. The second amendment would delete the term “Development Activity” from the title of the Table illustrating the definition of Development/Development Activity in the GP/LCP Glossary (Exhibit B of Attachment 1). This amendments would delete a term that has been superceded by the previous geologic hazards amendments. This, also, will not lead to any changes in planning practice.

Staff has determined that the proposed amendments are categorically exempt from the California Environmental Quality Act (minor changes to land use limitations) and an exemption form is attached (Attachment 2).

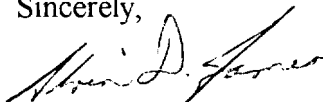
#### Discussion/Recommendation

The Coastal Commission adopted a set of major amendments to the Geologic Hazards ordinance in 1999, predicated upon the County making these minor amendments to the General Plan. Staff has prepared the amendments to meet this obligation and the Planning Commission has forwarded its recommendation for approval. The proposed amendments are consistent with the County General Plan and Local Coastal Program Land Use Plan.

It is, therefore, RECOMMENDED that your Board:

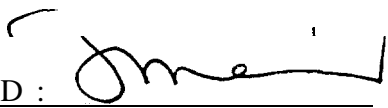
1. Adopt the Resolution Approving the Amendments to the County General Plan/Local Coastal Program Land Use Plan Relating to the Definition of Development and Development within Floodplains (Attachment 1); and
2. Certify the CEQA exemption (Attachment 2); and
3. Direct the Planning Department to transmit these amendments to the California Coastal Commission as a part of the next round of Local Coastal Program Land Use Plan amendments.

Sincerely,



Alvin D. James  
Planning Director

RECOMMENDED :



Susan A. Mauriello, CAO

Attachments:      1. Resolution Approving General Plan/Local Coastal Program Land Use Plan  
                             Amendments to Figure 2-2 and the Definition of Development  
                             2. CEQA Exemption  
                             3. Planning Commission Minutes of February 28, 2001  
                             4. Planning Commission Resolution No. 1-01  
                             5. Planning Commission Staff Report

cc:      County Counsel  
            California Coastal Commission

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the Motion of Supervisor  
duly seconded by Supervisor  
the following Resolution is adopted:

RESOLUTION TO AMEND THE GENERAL PLAN/LOCAL COASTAL PROGRAM LAND  
USE PLAN RELATING TO THE DEFINITION OF DEVELOPMENT AND DEVELOPMENT  
WITHIN FLOODPLAINS

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WHEREAS, the Board of Supervisors, on October 27, 1998, adopted changes to the County General Plan/Local Coastal Program and Geologic Hazards Ordinance to comply with modifications requested by the Federal Emergency Management Agency regarding development activities within floodplains and to streamline the review process for geologic hazards assessments; and

WHEREAS, on February 3, 1999, the California Coastal Commission considered and denied the Local Coastal Program and implementing ordinance amendments regarding development activities within floodplains and the review process for geologic hazards assessments, and recommended that modifications be adopted by the County for consistency with the Coastal Act and the Local Coastal Program; and

WHEREAS, the Board of Supervisors, on March 9, 1999, approved modifications to the Local Coastal Program Land Use Plan and implementing ordinance amendments regarding development activities within floodplains and to streamline the review process for geologic hazards assessments; and

WHEREAS, on July 14, 1999, the California Coastal Commission considered and certified the Local Coastal Program and implementing ordinance amendments regarding development activities within floodplains and the review process for geologic hazards assessments as modified by the County and requested that additional minor amendments be adopted by the County to fully implement the changes to the Local Coastal Program Land Use Plan and implementing ordinances; and

WHEREAS, the Board of Supervisors, on April 25, 2000, approved, in concept, the proposed minor amendments to the Local Coastal Program Land Use Plan; and

WHEREAS, on February 28, 2001, the Planning Commission held a duly noticed public hearing to consider the amendments to the General Plan/Local Coastal Program Land Use Plan relating to the definition of development and development within floodplains, the staff report, and all testimony and evidence received at the public hearing; and

WHEREAS, on February 28, 2001, the Planning Commission adopted a Resolution recommending that the Board of Supervisors adopt an amendment to the General Plan' Local Coastal

Program Land Use Plan relating to the definition of development and development within floodplains;  
and

WHEREAS, the Board of Supervisors, on April 17, 2001, held a duly noticed public hearing to consider the amendments to the General Plan/Local Coastal Program Land Use Plan relating to the definition of development and development within floodplains, the staff report and all testimony and evidence at the public hearing; and

WHEREAS, the Board of Supervisors finds that the proposed General Plan/Local Coastal Program Land Use Plan amendment relating to the definition of development and development within floodplains will be consistent with the policies of the General Plan and Local Coastal Program Land Use Plan, and will be consistent with the objectives and land-use designations of the adopted General Plan/Local Coastal Program Land Use Plan; and

WHEREAS, the proposed amendments to the General Plan/Local Coastal Program Land Use Plan have been found to be categorical exempt, consistent with applicable provisions of the California Environmental Quality Act and the County of Santa Cruz Environmental Review Guidelines; and

WHEREAS, the Board of Supervisors finds that the proposed amendments are consistent with the California Coastal Act.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Santa Cruz adopts the amendments to the County General Plan/Local Coastal Program Land Use Plan and implementing ordinances, as set forth in Exhibits A and B.

BE IT FURTHER RESOLVED AND ORDERED that these amendments to the General Plan and County Code shall become effective following California Coastal Commission review and certification.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

AYES: SUPERVISORS  
NOES: SUPERVISORS  
ABSENT: SUPERVISORS  
ABSTAIN: SUPERVISORS

\_\_\_\_\_  
Chairperson of the Board of Supervisors

ATTEST: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
County Counsel

DISTRIBUTION: County Counsel  
Planning

**Figure 2-2 (Page 1 of 2)**  
**Special Land Division and Density Requirements (1)**

Type of Resource	Land Division Requirements (minimum average area required PER PARCEL) (2)	Density Requirements (minimum average site area PER RESIDENTIAL UNIT (3))
<b>AGRICULTURAL LANDS</b> (Section 5.13): Type 1 Commercial Agricultural land Type 2 Commercial Agricultural land *Type 3 Commercial Agricultural land	(only under special conditions) 10 arable acres 20 arable acres 20 arable acres	1 unit per parcel 1 unit per parcel 1 unit per parcel
<b>NON-COMMERCIAL AGRICULTURAL LANDS</b> (Section 5.14) Land designated Agricultural on land use maps, not designated as Agricultural resource land	10 - 40 net developable acres, or 2 ½ - 20 acres net developable acres with Special Findings; based on Rural Density Matrix	10 - 40 net developable acres, or 2 ½ - 20 acres net developable acres with Special Findings; based on Rural Density Matrix
<b>SPECIAL FORESTS</b> (Section 5.1)	No division of mapped special forest habitat	The lowest density in the range allowable by the applicable General Plan designation for land outside mapped habitat area. Otherwise 1 unit per parcel.
<b>*MAPPED GRASSLANDS</b> in the Coastal Zone (Sections 5.1 and 5.10)	No division of mapped grassland	The lowest density in the range allowable by the applicable General Plan designation for land outside mapped habitat area. Otherwise 1 unit per parcel.
<b>TIMBER RESOURCE LANDS</b> (Section 5.12): Land with Timber Production Zone District within the Coastal Zone  Land with Timber Production Zone District outside the Coastal Zone  Parcels over 20 acres in size in designated timber resource areas, not zoned Timber Production	160 gross acres, or 40 gross acres if clustered and a joint Timber Management Plan has been approved  40 gross acres, or 10 acres if clustered and a joint Timber Management Plan has been approved  Same requirements as Timber Production zoned lands if found to have equivalent resources	160 gross acres, or 40 gross acres if clustered and a joint Timber Management Plan has been approved  40 gross acres unless clustered, then 10 acres  Same density as Timber Production zoned lands if found to have equivalent resources

\*Denotes policies which apply only inside the Coastal Zone

(1) This table summarizes special land division and density requirements of General Plan and LCP resources and Constraints policies. More specific requirements are found in the General Plan and LCP Land Use Plan sections noted.

(2) These acreages are expressed as minimums. The maximum number of parcels resulting from any land division shall not exceed the total number of allowed units on one parcel based on this table and the Rural Residential Density Determination Matrix.

(3) These acreages are expressed as minimums. The maximum number of dwelling units on an existing parcel shall not exceed the total number of potential parcels and/or units as determined by this table and the Rural Residential Density Determination Matrix.

**Figure 2-2 (Page 2 of 2)**  
**Special Land Division and Density Requirements (1)**

Type of Resource	Land Division Requirements (minimum average area required PER PARCEL) (2)	Density Requirements (minimum average site area PER RESIDENTIAL UNIT (3)
<b>WATERSHEDS</b> (Section 5.5) Water supply watersheds in Coastal Zone Water supply watersheds outside coastal Zone (except San Lorenzo River watershed and under other circumstances) Least disturbed watersheds Proposed reservoir protection areas	20 gross acres 10 gross acres  40 gross acres No division of parcel	20 gross acres 10 gross acres  40 gross acres 1 unit per parcel
<b>GROUNDFWATER RECHARGE AREAS</b> (Section 5.8)	10 gross acres	10 gross acres
<b>*COASTAL HAZARD AREAS -</b> bluffs and beaches (Section 6.2)	New parcels must provide building sites outside areas of coastal hazards	Density consistent with General Plan designation
<b>CRITICAL FIRE HAZARD AREAS</b> (Section 6.5): Building site in Critical Fire Hazard Area - with through road or secondary access  - with dead end road  Mitigable Critical Fire Hazard Areas if all mitigations approved	- Parcel size consistent with the lowest density in the range allowable by the applicable General Plan designation - No division allowed  Parcel size consistent with General Plan land use designation	- The lowest density in the range allowable by the applicable General Plan designation  - 1 unit per parcel  Density consistent with General Plan Land Use designation
<b>100 YEAR FLOODPLAIN</b> (Section 6.4)	Permitted only under special conditions	Density consistent with General Plan designation <del>excluding</del> <del>- floodway area except that no density</del> <del>credit will be given for land in the</del> <b>100-year floodplain and the floodway</b>
<b>SEISMIC REVIEW ZONES -</b> fault zones (Section 6.1)	20 net developable acres outside USL. Consistent with General Plan designation inside USL	Density consistent with the General Plan designation and Geologic Report

\*Denotes policies which apply only inside the Coastal Zone

(1) This table summarizes special land division and density requirements of General Plan and LCP resources and Constraints policies. More specific requirements are found in the General Plan and LCP Land Use Plan sections noted.

(2) These acreages are expressed as minimums. The maximum number of parcels resulting from any land division shall not exceed the total number of allowed units on one parcel based on this table and the Rural Residential Density Determination Matrix.

(3) These acreages are expressed as minimums. The maximum number of dwelling units on an existing parcel shall not exceed the total number of potential parcels and/or units as determined by this table and the Rural Residential Density Determination Matrix.

**Developable Land, net**

The amount of developable land minus public or private road rights-of-way.

**Development**

(LCP) Inside the coastal zone, "Development" means, on land in or under water, the placement or erection of any solid material or structure; discharge **or** disposal of any dredged material or of any gaseous, liquid, **solid** or thermal waste; grading, **removing, dredging,** mining, or extraction of any **materials;** change **in** the density or intensity of use of land, including, but not **limited** to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government **Code**), and any other division of land, including lot splits, **except where the land division is brought about in**

connection **with** the purchase of such land by a public **agency for public recreational use; change in the intensity** of use of water or of access thereto; **construction,** reconstruction, demolition, or alteration of the **size** of any structure, including any facility of any private, **public, or municipal utility; and the removal or harvesting** of major vegetation other than for **agricultural purposes,** kelp harvesting, and **timber** operations which are **in** accordance with a timber harvesting plan submitted pursuant **to** the provisions of the **Z'berg-Nejedly Forest Practice** Act of 1973 (commencing with Section 45 11).

As used in this section, "structure" includes, but is not limited to, **any** building, road, pipe, flume, conduit, **siphon, aqueduct,** telephone line, and **electrical** power **transmission** and distribution line.

**Development/Development Activities (LCP)**

**What is Development?**

*Physical/Visible Alterations*

<u>Action on Land &amp; Water</u>	<u>Object Being Altered</u>	<u>Type of Objects</u>
placement	any solid <b>material</b>	
erection, <b>reconstruction, alteration in size</b>	any structure or facility	public, private, municipal utility
<b>discharge</b>	any dredged material	wastes; gaseous, liquid, solid, thermal
<b>grading, dredging, mining, extraction</b>	<b>any material</b>	
removal	major vegetation	not for agriculture
disturbance	plant or animal <b>or</b> its habitat	rare, endangered, locally unique

*Non-Physical/Non-Visible Alterations*

<u>Action</u>	<u>Examples</u>
Change in density or <b>intensity</b> of land use	subdivision per Sub Map Act, any division of land, lot splits

**What is NOT Development?**

<u>Action</u>	<u>Object</u>	<u>Type</u>
removal	major vegetation	for <b>ag</b> purposes
harvesting	kelp	
harvesting	timber, in accordance with a Timber Harvest Plan submitted <b>per Z'berg-Nejedly Forest Practice Act of 1973</b>	

Any land division which is brought about in connection with the purchase of such land by a public agency for public **recreation**



**NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

07/23  
0783  
**ATTACHMENT**

**2**

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

Application No. n/a

Assessor Parcel No. n/a

Project Location: County-wide

Project Description: Amend Figure 2-2 and the definition of development in the General Plan/Local Coastal Program Land Use Plan

Person or Agency Proposing Project: County of Santa Cruz (M. Deming)

Phone Number: (83 1) 454-3 183

A. \_\_\_\_\_ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.

B. \_\_\_\_\_ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgement.

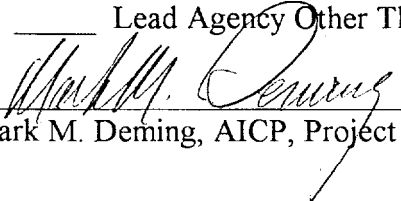
C. \_\_\_\_\_ Statutory Exemption other than a Ministerial Project.

Specify type:

D. Categorical Exemption

- |  |  |
|--|--|
| 1. Existing Facility   | _____ 17. Open Space Contracts or Easements                                  |
| 2. Replacement or Reconstruction   | _____ 18. Designation of Wilderness Areas                                    |
| 3. New Construction of Small Structure                                   | _____ 19. Annexation of Existing Facilities/Lots for Exempt Facilities       |
| 4. Minor Alterations to Land   | _____ 20. Changes in Organization of Local Agencies                          |
| <u>xx</u> 5. Alterations in Land Use Limitations                         | _____ 21. Enforcement Actions by Regulatory Agencies                         |
| _____ 6. Information Collection  | _____ 22. Educational Programs   |
| 7. Actions by Regulatory Agencies for Protection of the Environment      | _____ 23. Normal Operations of Facilities for Public Gatherings              |
| _____ 8. Actions by Regulatory Agencies for Protection of Nat. Resources | _____ 24. Regulation of Working Conditions                                   |
| 9. Inspection  | _____ 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| 10. Loans  |  |
| _____ 11. Accessory Structures   | _____ 26. Acquisition of Housing for Housing Assistance Programs             |
| 12. Surplus Govt. Property Sales   | _____ 27. Leasing New Facilities   |
| 13. Acquisition of Land for Wild-Life Conservation Purposes              | _____ 28. Small Hydroelectric Projects at Existing Facilities                |
| 14. Minor Additions to Schools   | _____ 29. Cogeneration Projects at Existing Facilities                       |
| 15. Minor Land Divisions   |  |
| _____ 16. Transfer of Ownership of Land to Create Parks                  |  |

E. \_\_\_\_\_ Lead Agency Other Than County:

  
\_\_\_\_\_  
Mark M. Deming, AICP, Project Planner

Date: 1/18/01

**84**

## COUNTY OF' SANTA CRUZ PLANNING COMMISSION MINUTES

**DATE:** February 28, 2001

**PLACE:** Board of Supervisors Chambers, Room 525  
County Government Center, 701 Ocean Street, Santa Cruz, CA

**COMMISSIONERS PRESENT:** ROBERT BREMNER, TED DURKEE, RENEE SHEPHERD  
DENISE HOLBERT (CHAIRPERSON), DENNIS OSMER,,  
TEALL MESSER.

**STAFF MEMBERS PRESENT:** CATHY GRAVES, DAVID JOHNSTON, MELISSA ALLEN,  
JOAN VANDERHOEVEN, FRANK BARRON, MARK DEMING

**COUNTY COTJNSEL PRESENT:** JIM LEWIS

All legal requirements for items set for public hearing on the Santa Cruz County Planning Commission agenda for this meeting have been fulfilled before the hearing including publication, mailing and posting as applicable.

- A. **ROLL CALL:**  
Commissioners Bremner, Durkee, Holbert, Osmer, and Shepherd present at 9:00 a.m.
- B. **PLANNING DIRECTOR'S REPORT:** None.
- C. **COUNTY COUNSEL'S REPORT:** None.
- D. **ADDITIONS AND CORRECTIONS TO THE AGENDA:** Corrections to Item G-2 will be read into the record. Item H-1 (Atherton Place) to be heard at 1:30 rather than the morning.
- E. **ORAL COMMUNICATIONS:** None.
- F. **CONSENT ITEMS:**
- F-1 **00-0308 3345 POLO DR APTOS APN(S): 041-181-20**  
Proposal to construct a two-story single-family dwelling with an attached carport. Requires a Riparian Exception and Variance to reduce the required 20' front yard setback to about 3'. Project is located on the northwest side of Polo Avenue, about 70' south of the intersection of Polo Avenue with North and South Drives.  
OWNER: DINYARI NAMVAR & SHIRIN H/W

**CATHY GRAVES:** Stated that the Environmental Coordinator required that the building sites be changed to accommodate the removal of fewer trees. Revised number of trees is only 23 trees, not 41.

**COMMISSIONER HOLBERT:** Feels that the “potentially significant impact” stated in the Initial Study for this project has now been reduced to less than that due to fewer number of trees proposed to be removed.

### **PUBLIC HEARING OPENED**

**JAMES WELLS:** Representing Paradise Park Masonic Club. Spoke of the easement granted as part of the Graham Hill Estates subdivision.

### **PUBLIC HEARING CLOSED**

### **MOTION**

COMMISSIONER SHEPHERD MOVED TO APPROVE STAFF RECOMMENDATION AND RESOLUTION IN THE NEW STAFF REPORT. SECONDED BY COMMISSIONER OSMER.

VOICE VOTE 5-0

MOTION CARRIED AND SO ORDERED. PASSED 5-0.

### **H. SCHEDULED ITEMS:**

H-2. General Plan/Local Coastal Program Land Use Plan Amendments; Revising Figure 2-2 (Special Land Division and Density Requirements) and deleting the term “Development Activity” from the title of the table illustrating the definition of “Development/Development Activity”.

APPLICANT: COUNTY OF SANTA CRUZ

PROJECT PLANNER: MARK DEMING, 454-3 183

**CATHY GRAVES:** Introduced item.

**MARK DEMING:** Presented staff report.

### **PUBLIC HEARING OPENED**

### **PUBLIC HEARING CLOSED**

### **MOTION**

COMMISSIONER DURKEE MOVED TO APPROVE STAFF RECOMMENDATION. SECONDED BY COMMISSIONER OSMER.

VOICE VOTE 5-O

MOTION CARRIED AND SO ORDERED. PASSED 5-O.

**H-3.** Public hearing to consider two sets of amendments to the Santa Cruz County General Plan/Local Coastal Program Land Use Plan and the Santa Cruz County Code related to the New Millennium High School Memorandum of Understanding (MOU), including provisions to prevent any further westward urban expansion by the City, in the form of limitations on wastewater and potable water pipeline extensions from the City to areas west of Highway One, as follows:

**A)** General Plan/Local Coastal Program Land Use Plan amendments to add: to the Land , Use Element, Policy 2.1.12 to maintain a stable urban/rural boundary in the San Andreas Planning Area; and Policy 2.1.13 to establish a wastewater and potable water Utility Prohibition Strip along the boundary of the City of Watsonville west of Highway One; and Policy 2.1.14 to minimize utility sizing for exceptions to the Utility Prohibition Strip established in Policy 2.1.13 above; and Policy 2.1.15 to establish Non-Access Strips around wastewater and potable water utility pipelines that cross County land or right-of-way; and Policy 2.1.16 which limits any future widening of Harkins Slough Road to the minimum capacity needed to serve permitted uses on the Edwards site (APN 018-281-19) (e.g., the New Millennium High School); and to the Conservation and Open Space Element, Policy 5.1.16 requiring habitat protection and enhancement measures to be included in any future Harkins Slough Road improvement project needed to serve permitted uses on the Edwards site (e.g., the New Millennium High School).

**B)** Santa Cruz County Code/Local Coastal Program Implementation Plan amendments to add: Section 13.10.490 through 13.10.493 creating the "W" Watsonville Utility Prohibition Combining Zone District, which establishes a wastewater and potable water pipeline Utility Prohibition Strip along the boundary of the City of Watsonville west of Highway One (and/or the Highway One right-of-way) and designates which parcels are affected; a rezoning of the parcels to add the "W" Watsonville Utility Prohibition Combining Zone District; and Section 17.02.081 restricting future improvements to Harkins Slough Road to the minimum capacity needed to serve permitted uses on the Edwards site (APN 018-281-19) (e.g., the New Millennium High School); and Section 16.32.090(c)(A)(11) requiring that habitat protection and enhancement measures to be included in any future Harkins Slough Road improvement needed to serve permitted uses on the Edwards site (e.g., the New Millennium High School).

APNs: 052-011-46; 052-011-57; 052-011-66; 052-011-67; 052-011-77; 052-021-15; 052-021-21; 052-021-30; 052-021-31; 052-081-37; 052-081-38; 052-081-39; 052-091-41; 052-091-42; 052-103-13; 052-103-14; 052-221-14; 052-221-15; 052-221-17; 052-222-10; 052-222-22; 052-271-03; 052-271-04; 052-272-01; 052-272-02; 052-511-01; 052-511-05; 052-511-06; 052-511-08; 052-511-10; 052-511-11; 052-511-12; 052-511-13; 052-581-09; 052-581-10; and 052-581-11.

SUPERVISORIAL DIST: 2

PROJECT PLANNER: FRANK BARRON, 454-2530

## Exhibit A

BEFORE THE PLANNING COMMISSION  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

## RESOLUTION NO. 1-01

On the motion of Commissioner  
duly seconded by Commissioner  
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION RECOMMENDING  
AMENDMENT TO THE GENERAL PLAN/ LOCAL COASTAL PROGRAM LAND USE  
PLAN RELATING TO THE DEFINITION OF DEVELOPMENT AND DEVELOPMENT  
WITHIN FLOODPLAINS

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WHEREAS, the Board of Supervisors, on October 27, 1998, adopted changes to the County General Plan/Local Coastal Program and Geologic Hazards Ordinance to comply with modifications requested by the Federal Emergency Management Agency regarding development activities within floodplains and to streamline the review process for geologic hazards assessments; and

WHEREAS, on February 3, 1999, the California Coastal Commission considered and denied the Local Coastal Program and implementing ordinance amendments regarding development activities within floodplains and the review process for geologic hazards assessments, and recommended that modifications be adopted by the County for consistency with the Coastal Act and the Local Coastal Program; and

WHEREAS, the Board of Supervisors, on March 9, 1999, approved modifications to the Local Coastal Program Land Use Plan and implementing ordinance amendments regarding development activities within floodplains and to streamline the review process for geologic hazards assessments; and

WHEREAS, on July 14, 1999, the California Coastal Commission considered and certified the Local Coastal Program and implementing ordinance amendments regarding development activities within floodplains and the review process for geologic hazards assessments as modified by the County and requested that additional minor amendments be adopted by the County to fully implement the changes to the Local Coastal Program Land Use Plan and implementing ordinances; and

WHEREAS, the Board of Supervisors, on April 25, 2000, approved, in concept, the proposed minor amendments to the Local Coastal Program Land Use Plan; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the amendments to the General Plan/Local Coastal Program Land Use Plan relating to the definition

## Exhibit A

of development and development within floodplains, the staff report, and all testimony and evidence received at the public hearing; and

WHEREAS, the Planning Commission finds that the proposed General Plan/Local Coastal Program amendments will be consistent with the policies of the General Plan and Local Coastal Program, and will be consistent with the objectives and land-use designations of the adopted General Plan and Local Coastal Program; and

WHEREAS, the proposed amendments to the General Plan/Local Coastal Program Land Use Plan have been found to be categorical exempt, consistent with applicable provisions of the California Environmental Quality Act and the County of Santa Cruz Environmental Review Guidelines; and

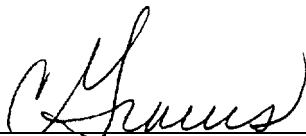
WHEREAS, the Planning Commission finds that the proposed amendments are consistent with the California Coastal Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the amendments to the General Plan/Local Coastal Program Land Use Plan relating to the definition of development and development within floodplains (Exhibits B and C) be approved by the Board of Supervisors and submitted to the Coastal Commission as part of the Local Coastal Program Update.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 28<sup>th</sup> day of February, 2001 by the following vote:

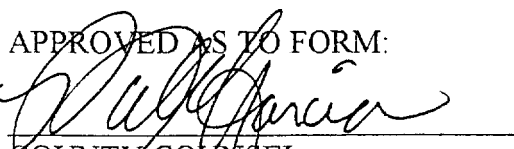
AYES: COMMISSIONERS  
 NOES: COMMISSIONERS  
 ABSENT: COMMISSIONERS  
 ABSTAIN: COMMISSIONERS

ATTEST:

  
 Cathy Graves, Secretary

  
 Rob Bremner, Chairperson

APPROVED AS TO FORM:

  
 COUNTY COUNSEL

cc: County Counsel  
 Planning Department



# County of Santa Cruz

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

January 18, 2001

AGENDA: February 28, 2001

Planning Commission  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, California 95060

### **SUBJECT: GENERAL PLAN/LOCAL COASTAL PROGRAM LAND USE PLAN AMENDMENTS RELATED TO GEOLOGIC HAZARDS**

Commissioners:

On March 9, 1999, the Board of Supervisors accepted modifications approved by the Coastal Commission to certain amendments to the General Plan /Local Coastal Program (GP/LCP) and County Code Chapter 16.10 relating to geologic hazards and their review. These policy and ordinance amendments were prepared to recognize changes in Federal Emergency Management Agency (FEMA) floodplain regulations and to streamline the processing of development review subject to geologic hazard evaluation. In addition to the modifications to the proposed policies and ordinances, the Coastal Commission also requested that the County amend two sections of the GP/LCP for consistency with the approved amendments. Staff presented these proposed minor amendments to the Board of Supervisors, in conceptual form, on April 25, 2000. The Board accepted the conceptual ordinances and directed that the amendments be processed.

The two amendments proposed to comply with the Coastal Commission's request are both minor, and are described as follows:

1. The first of the proposed amendments would revise Figure 2-2 (Special Land Division and Density Requirements) of the GP/LCP by substituting the phrase "*except that no density credit will be given for land in the 100-year floodplain and the floodway*" for the phrase "*excluding floodway area*" (see Exhibit B). This amendment will make the language of Figure 2-2 consistent with the language of GP/LCP Policy 6.4.6 ("in all areas exclude the portion of the property designated within the 100-year floodplain from density calculations"). There will be no change to the planning practice as a result of making the table consistent with the written policy.

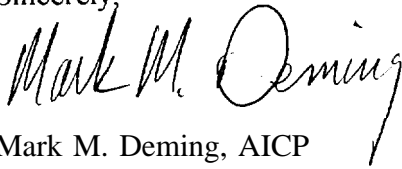
2. The second amendment would delete the term "Development Activity" from the title of the

Table illustrating the definition of Development/Development Activity in the GP/LCP Glossary (Exhibit C). This amendments would delete a term that has been superceded by the previous geologic hazards amendments. This, also, will not lead to any changes in planning practice.

The Coastal Commission adopted a set of major amendments to the Geologic Hazards ordinance, predicated upon the County making these minor amendments to the General Plan. Staff has prepared the amendments to meet this obligation. Staff has determined that the proposed amendments are categorically exempt from the California Environmental Quality Act (minor changes to land use limitations) and an exemption form is attached (Exhibit D).

It is, therefore, RECOMMENDED that your Commission adopt the Resolution Recommending Approval of the Proposed General Plan/Local Coastal Program Land Use Plan Amendments (Exhibit A).

Sincerely,



Mark M. Deming, AICP  
Principal Planner

- EXHIBITS:
- A. Resolution Recommending Approval of General Plan/Local Coastal Program Land Use Plan Amendments to Figure 2-2 and the Definition of Development
  - B. Revised Figure 2-2, 1994 General Plan/Local Coastal Program Land Use Plan
  - C. Revised Chart Defining Development
  - D. CEQA Exemption

cc: County Counsel  
California Coastal Commission



## Exhibit A

BEFORE THE PLANNING COMMISSION  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the motion of Commissioner  
duly seconded by Commissioner  
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION RECOMMENDING  
AMENDMENT TO THE GENERAL PLAN/ LOCAL COASTAL PROGRAM LAND USE  
PLAN RELATING TO THE DEFINITION OF DEVELOPMENT AND DEVELOPMENT  
WITHIN FLOODPLAINS

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WHEREAS, the Board of Supervisors, on October 27, 1998, adopted changes to the County General Plan/Local Coastal Program and Geologic Hazards Ordinance to comply with modifications requested by the Federal Emergency Management Agency regarding development activities within floodplains and to streamline the review process for geologic hazards assessments; and

WHEREAS, on February 3, 1999, the California Coastal Commission considered and denied the Local Coastal Program and implementing ordinance amendments regarding development activities within floodplains and the review process for geologic hazards assessments, and recommended that modifications be adopted by the County for consistency with the Coastal Act and the Local Coastal Program; and

WHEREAS, the Board of Supervisors, on March 9, 1999, approved modifications to the Local Coastal Program Land Use Plan and implementing ordinance amendments regarding development activities within floodplains and to streamline the review process for geologic hazards assessments; and

WHEREAS, on July 14, 1999, the California Coastal Commission considered and certified the Local Coastal Program and implementing ordinance amendments regarding development activities within floodplains and the review process for geologic hazards assessments as modified by the County and requested that additional minor amendments be adopted by the County to fully implement the changes to the Local Coastal Program Land Use Plan and implementing ordinances; and

WHEREAS, the Board of Supervisors, on April 25, 2000, approved, in concept, the proposed minor amendments to the Local Coastal Program Land Use Plan; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the amendments to the General Plan/Local Coastal Program Land Use Plan relating to the definition

## Exhibit A

of development and development within floodplains, the staff report, and all testimony and evidence received at the public hearing; and

WHEREAS, the Planning Commission finds that the proposed General Plan/Local Coastal Program amendments will be consistent with the policies of the General Plan and Local Coastal Program, and will be consistent with the objectives and land-use designations of the adopted General Plan and Local Coastal Program; and

WHEREAS, the proposed amendments to the General Plan/Local Coastal Program Land Use Plan have been found to be categorical exempt, consistent with applicable provisions of the California Environmental Quality Act and the County of Santa Cruz Environmental Review Guidelines; and

WHEREAS, the Planning Commission finds that the proposed amendments are consistent with the California Coastal Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the amendments to the General Plan/Local Coastal Program Land Use Plan relating to the definition of development and development within floodplains (Exhibits B and C) be approved by the Board of Supervisors and submitted to the Coastal Commission as part of the Local Coastal Program Update.

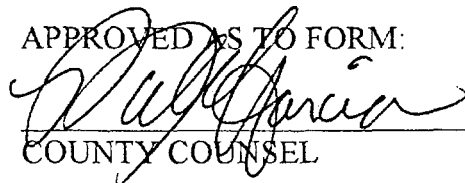
PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2001 by the following vote:

AYES: COMMISSIONERS  
 NOES: COMMISSIONERS  
 ABSENT: COMMISSIONERS  
 ABSTAIN: COMMISSIONERS

\_\_\_\_\_  
 Rob Bremner, Chairperson

ATTEST: \_\_\_\_\_  
 Cathy Graves, Secretary

APPROVED AS TO FORM:

  
 COUNTY COUNSEL

cc: County Counsel  
 Planning Department

**Figure 2-2 (Page 1 of 2)**  
**Special Land Division and Density Requirements (1)**

<b>Type of Resource</b>	<b>Land Division Requirements (minimum average area required PER PARCEL) (2)</b>	<b>Density Requirements (minimum average site area PER RESIDENTIAL UNIT (3))</b>
AGRICULTURAL LANDS (Section 5.13): Type 1 Commercial Agricultural land Type 2 Commercial Agricultural land *Type 3 Commercial Agricultural land	(only under special conditions) 10 arable acres 20 arable acres 20 arable acres	1 unit per parcel 1 unit per parcel 1 unit per parcel
NON-COMMERCIAL AGRICULTURAL LANDS (Section 5.14) Land designated Agricultural on land use maps, not designated as Agricultural Resource land	10 - 40 net developable acres, or 2 ½ - 20 acres net developable acres with Special Findings; based on Rural Density Matrix	10 - 40 net developable acres, or 2 ½ - 20 acres net developable acres with Special Findings; based on Rural Density Matrix
SPECIAL FORESTS (Section 5.1)	No division of mapped special forest habitat	The lowest density in the range allowable by the applicable General Plan designation for land outside mapped habitat area. Otherwise 1 unit per parcel.
*MAPPED GRASSLANDS in the Coastal Zone (Sections 5.1 and 5.10)	No division of mapped grassland	The lowest density in the range allowable by the applicable General Plan designation for land outside mapped habitat area. Otherwise 1 unit per parcel.
TIMBER RESOURCE LANDS (Section 5.12): Land with Timber Production Zone District within the Coastal Zone  Land with Timber Production Zone District outside the Coastal Zone  Parcels over 20 acres in size in designated timber resource areas, not zoned Timber Production	160 gross acres, or 40 gross acres if clustered and a joint Timber Management Plan has been approved  40 gross acres, or 10 acres if clustered and a joint Timber Management Plan has been approved  Same requirements as Timber Production zoned lands if found to have equivalent resources	160 gross acres, or 40 gross acres if clustered and a joint Timber Management Plan has been approved  40 gross acres unless clustered, then 10 acres  Same density as Timber Production zoned lands if found to have equivalent resources

\*Denotes policies which apply only inside the Coastal Zone

(1) This table summarizes special land division and density requirements of General Plan and LCP resources and Constraints policies. More specific requirements are found in the General Plan and LCP Land Use Plan sections noted.

(2) These acreages are expressed as minimums. The maximum number of parcels resulting from any land division shall not exceed the total number of allowed units on one parcel based on this table and the Rural Residential Density Determination Matrix.

(3) These acreages are expressed as minimums. The maximum number of dwelling units on an existing parcel shall not exceed the total number of potential parcels and/or units as determined by this table and the Rural Residential Density Determination Matrix.

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EXHIBIT B

**Figure 2-2 (Page 2 of 2)**  
**Special Land Division and Density Requirements (1)**

Type of Resource	Land Division Requirements (minimum average area required PER PARCEL) (2)	Density Requirements (minimum average site area PER RESIDENTIAL UNIT (3)
WATERSHEDS (Section 5.5) Water supply watersheds in Coastal Zone Water supply watersheds outside coastal Zone (except San Lorenzo River watershed and under other circumstances) Least disturbed watersheds Proposed reservoir protection areas	20 gross acres 10 gross acres  40 gross acres No division of parcel	20 gross acres 10 gross acres  40 gross acres 1 unit per parcel
GROUNDWATER RECHARGE AREAS (Section 5.8)	10 gross acres	10 gross acres
*COASTAL HAZARD AREAS - bluffs and beaches (Section 6.2)	New parcels must provide building sites outside areas of coastal hazards	Density consistent with General Plan designation
CRITICAL FIRE HAZARD AREAS (Section 6.5): Building site in Critical Fire Hazard Area - with through road or secondary access  - with dead end road  Mitigable Critical Fire Hazard Areas if all mitigations approved	- Parcel size consistent with the lowest density in the range allowable by the applicable General Plan designation -No division allowed  Parcel size consistent with General Plan land use designation	- The lowest density in the range allowable by the applicable General Plan designation  - 1 unit per parcel  Density consistent with General Plan Land Use designation
100 YEAR FLOODPLAIN (Section 6.4)	Permitted only under special conditions	Density consistent with General Plan designation <u>excluding</u> <u>-floodway area except that no density</u> <u>credit will be given for land in the</u> <u>100-year floodplain and the floodway</u>
SEISMIC REVIEW ZONES - fault zones (Section 6.1)	20 net developable acres outside USL. Consistent with General Plan designation inside USL	Density consistent with the General Plan designation and Geologic Report

\*Denotes policies which apply only inside the Coastal Zone

(1) This table summarizes special land division and density requirements of General Plan and LCP resources and Constraints policies. More specific requirements are found in the General Plan and LCP Land Use Plan sections noted.

(2) These acreages are expressed as minimums. The maximum number of parcels resulting from any land division shall not exceed the total number of allowed units on one parcel based on this table and the Rural Residential Density Determination Matrix.

(3) These acreages are expressed as minimums. The maximum number of dwelling units on an existing parcel shall not exceed the total number of potential parcels and/or units as determined by this table and the Rural Residential Density Determination Matrix.

## Santa Cruz County General Plan

### Developable Land, net

The amount of developable land minus public or private road rights-of-way.

### Development

(CP) Inside the coastal zone, "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; grading, **removing, dredging, mining, or extraction** of any materials, change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in

**connection** with the purchase of such land by a public agency for public **recreational** use; change in the intensity of use of water or of access thereto; construction, **reconstruction**, demolition, or alteration of the size of any structure, including any facility of any private, **public, or municipal utility; and the removal or harvesting** of major vegetation other than **for agricultural** purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Development/Development Activities (LCP)		
What is Development?		
Physical/Visible Alterations		
Action on Land & Water	Object Being Altered	Type of Objects
placement	any solid material	
erection, reconstruction, <b>alteration</b> in size	any structure or facility	public, private, municipal utility
discharge	any dredged <b>material</b>	wastes: gaseous, <b>liquid</b> , solid, thermal
grading, dredging, mining, extraction	ally <b>material</b>	
removal	major vegetation	not for <b>agriculture</b>
disturbance	plant or animal or its habitat	me, <b>endangered</b> , locally unique
Non-Physical/Non-Visible Alterations		
Action	Examples	
Change in density or intensity of land use	subdivision <b>per</b> Sub Map Act, any division of <b>land</b> , lot splits	
What is NOT Development?		
Action	Object	Type
removal	major vegetation	for ag purpose-s
harvesting	kelp	
harvesting	<b>timber</b> , in <b>accordance</b> with a Timber Harvest Plan submitted per <b>Z'berg-Nejedly</b> Forest Practice Act of 1973	
Any land division which is brought about <b>in connection</b> with the purchase of such land by a public agency for public recreation.		

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**NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**ATTACHMENT**

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The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

Application No. n/a

Assessor Parcel No. n/a

Project Location: County-wide

Project Description: Amend Figure 2-2 and the definition of development in the General Plan/Local Coastal Program Land Use Plan

Person or Agency Proposing Project: County of Santa Cruz (M. Deming)

Phone Number: (83 1) 454-3 183

A. \_\_\_\_\_ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.

B. \_\_\_\_\_ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgement.

C. \_\_\_\_\_ Statutory Exemption other than a Ministerial Project.

Specify type:

D. Categorical Exemption

- |   |  |
|---|--|
| 1. Existing Facility  | 17. Open Space Contracts or Easements                                  |
| 2. Replacement or Reconstruction                                    | 18. Designation of Wilderness Areas                                    |
| 3. New Construction of Small Structure                              | 19. Annexation of Existing Facilities/<br>Lots for Exempt Facilities   |
| 4. Minor Alterations to Land  | 20. Changes in Organization of Local Agencies                          |
| xx 5. Alterations in Land Use Limitations                           | 21. Enforcement Actions by Regulatory Agencies                         |
| 6. Information Collection   | 22. Educational Programs   |
| 7. Actions by Regulatory Agencies for Protection of the Environment | 23. Normal Operations of Facilities for Public Gatherings              |
| 8. Actions by Regulatory Agencies for Protection of Nat. Resources  | 24. Regulation of Working Conditions                                   |
| 9. Inspection   | 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| 10. Loans   |  |
| 11. Accessory Structures  | 26. Acquisition of Housing for Housing Assistance Programs             |
| 12. Surplus Govt. Property Sales                                    | 27. Leasing New Facilities   |
| 13. Acquisition of Land for Wild-Life Conservation Purposes         | 28. Small Hydroelectric Projects at Existing Facilities                |
| 14. Minor Additions to Schools                                      | 29. Cogeneration Projects at Existing Facilities                       |
| 15. Minor Land Divisions  |  |
| 16. Transfer of Ownership of Land to Create Parks                   |  |

E. \_\_\_\_\_ Lead Agency Other Than County:

  
Mark M. Deming, AICP, Project Planner

Date: 1/18/01

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**EXHIBIT D**