



# 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  
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

### NOTICE OF ENVIRONMENTAL REVIEW PERIOD

#### SANTA CRUZ COUNTY

APPLICANT: County of Santa Cruz

APPLICATION NO.: Minor Exceptions from Zoning Site Standards

PARCEL NUMBER (APN): County Wide

The Environmental Coordinator has reviewed the Initial Study for your application and made the following preliminary determination:

XX Negative Declaration  
(Your project will not have a significant impact on the environment.)

       Mitigations will be attached to the Negative Declaration.

XX No mitigations will be attached.

       Environmental Impact Report  
(Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

As part of the environmental review process required by the California Environmental Quality Act (CEQA), this is your opportunity to respond to the preliminary determination before it is finalized. Please contact Matt Johnston, Environmental Coordinator at (831) 454-3201, if you wish to comment on the preliminary determination. Written comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: January 19, 2011

Staff Planner: Annie Murphy

Phone: (831) 454-3111

Date: December 21, 2010





# County of Santa Cruz

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## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ENVIRONMENTAL REVIEW INITIAL STUDY

Date: **December 15, 2010**  
Staff Planner: **Annie Murphy**

Application Number: **n/a**

### I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

**APPLICANT:** County of Santa Cruz

**APN(s):** n/a

**OWNER:** n/a

**SUPERVISORAL DISTRICT:** Countywide

**PROJECT LOCATION:** Countywide

**SUMMARY PROJECT DESCRIPTION:** This project consists of proposed amendments to the County Zoning Ordinance (Chapter 13.10) that would streamline the permit process for the unincorporated areas of the county. The project consists of two sections:

Section I: Implement provisions in state law regarding variances by amending Chapter 13.10 of the Santa Cruz County Code to allow consideration of minor exceptions from zoning site standards for height, setbacks, distance between structures, lot coverage and floor area ratio without requiring a public hearing.

Section II: Modify the zoning ordinance to add specific, limited exceptions to zoning site standards, consisting of the following:

- a. Add setback and height exceptions for residential garages to facilitate improved residential design and siting.
- b. Add height exceptions for parapets on non-residential structures to facilitate improved designs and fire safety.
- c. Provide a discretionary design review process to consider height exceptions for commercial or industrial structures to facilitate innovative designs.
- d. Add a front setback exception for structures in all zone districts to allow for greater protection of the environment and improved public safety.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.

- |   |   |
|---|---|
| <input type="checkbox"/> Geology/Soils                            | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Hydrology/Water Supply/Water Quality     | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources                     | <input type="checkbox"/> Greenhouse Gas Emissions           |
| <input type="checkbox"/> Agriculture and Forestry Resources       | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Mineral Resources                        | <input type="checkbox"/> Recreation                         |
| <input checked="" type="checkbox"/> Visual Resources & Aesthetics | <input type="checkbox"/> Utilities & Service Systems        |
| <input type="checkbox"/> Cultural Resources                       | <input checked="" type="checkbox"/> Land Use and Planning   |
| <input type="checkbox"/> Hazards & Hazardous Materials            | <input type="checkbox"/> Population and Housing             |
| <input type="checkbox"/> Transportation/Traffic                   | <input type="checkbox"/> Mandatory Findings of Significance |

**DISCRETIONARY APPROVAL(S) BEING CONSIDERED:**

- |   |   |
|---|---|
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Coastal Development Permit                   |
| <input type="checkbox"/> Land Division          | <input type="checkbox"/> Grading Permit                               |
| <input type="checkbox"/> Rezoning               | <input type="checkbox"/> Riparian Exception                           |
| <input type="checkbox"/> Development Permit     | <input checked="" type="checkbox"/> Other: Zoning Ordinance amendment |

**NON-LOCAL APPROVALS**

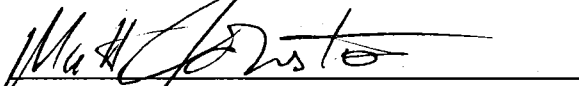
Other agencies that must issue permits or authorizations: N/A

**DETERMINATION:** (To be completed by the lead agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Matthew Johnston  
Environmental Coordinator

12/21/10  
Date

## **II. BACKGROUND INFORMATION**

### **EXISTING SITE CONDITIONS**

Parcel Size: Various

Existing Land Use: All

Vegetation: Varied

Slope in area affected by project: ☒ 0 - 30% ☒ 31 – 100%

Nearby Watercourse: Various

Distance To: Varied

### **ENVIRONMENTAL RESOURCES AND CONSTRAINTS**

Water Supply Watershed: Mapped

Groundwater Recharge: Mapped

Timber or Mineral: Mapped

Agricultural Resource: Mapped

Biologically Sensitive Habitat: Mapped

Fire Hazard: Mapped

Floodplain: Mapped

Erosion: Mapped

Landslide: Mapped

Liquefaction: Mapped

Fault Zone: Mapped

Scenic Corridor: Mapped

Historic: Numerous

Archaeology: Mapped

Noise Constraint: Mapped

Electric Power Lines: No Issues

Solar Access: Varied

Solar Orientation: Varied

Hazardous Materials: No Issues

Other: n/a

### **SERVICES**

Fire Protection: All

School District: All

Sewage Disposal: Sewer and Septic

Drainage District: All

Project Access: N/A

Water Supply: Water Districts, Private wells

### **PLANNING POLICIES**

Zone District: All zone districts

General Plan: All General Plan

Designations

Urban Services Line: ☒ Inside

☒ Outside

Coastal Zone: ☒ Inside

☒ Outside

Special Designation: n/a

### **ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:**

The proposed ordinance amendments involving minor exceptions and other specific exceptions would apply to all zone districts in the unincorporated portion of the county and therefore to all of the various environments of the county. Surrounding land uses would be all of the land uses found in the unincorporated portion of the County.

### **PROJECT BACKGROUND:**

This project consists of two sections involving exceptions to zoning site standards. Section One would classify a subset of variances involving minor deviations from the zoning standards as "minor exceptions" and allow these exceptions to be reviewed and

decided upon without a public hearing, in conformance with Section 65901 of the California Government Code.

In June 2010, the Board of Supervisors directed planning staff to develop ordinance amendments to establish a more reasonable and streamlined review process for considering minor deviations from site standards that are unlikely to impact neighboring properties. Planning staff brought a draft ordinance implementing a minor exception process to the Board of Supervisors in November 2010. At the public hearing, the Board reviewed the draft ordinance, heard public testimony, and directed planning staff to address CEQA issues, narrow the scope of the minor exceptions, address several other issues, and return with revised recommendations. The revised ordinance (Attachment 1) addresses the concerns raised by the Board, by requiring minor exceptions to comply with the variance findings to limit their applicability, and by further limiting the extent of deviations from site standards that would be allowed through the minor exception process.

Section Two of the project adds a number of specific and limited exceptions to the Santa Cruz County Code. The specific exception for garages was developed at the direction of the Board of Supervisors, who in 2009 directed staff to develop provisions that would allow different side and rear setbacks for garages located at the rear of residential properties. In response to public comment regarding the proposed "garages in rear setback" ordinance, provisions modifying setback provisions under certain circumstances were revised and are also addressed by this initial study. The other specific exceptions in this Section were developed in response to comments from the Board of Supervisors at the November hearing, directing Planning Staff to consider shifting certain height exceptions to the existing height exceptions portion of the County Code, and to consider other situations where more specific or limited exceptions to zoning standards would be appropriate. The goals of these more specific exceptions are to provide additional flexibility to applicants for certain types of projects, facilitate improved residential and commercial designs, and to allow for improved environmental protection and public safety.

## **DETAILED PROJECT DESCRIPTION:**

### **Section I: Minor Exceptions**

State law (Government Code Section 65901) allows local governments to define a subset of variances that may be decided upon without a public hearing. Consistent with state law, the proposed amendment to Chapter 13.10 would allow certain minor exceptions from the zoning district site standards for height, setbacks, separation between structures, lot coverage, and floor area ratio to be considered under an administrative discretionary review process without a public hearing (Attachment 1). These exceptions would apply to zoning standards only, and would not apply to or supercede limits or building setbacks required in other sections of the County Code, such as for riparian corridors, geologic hazards, sensitive habitats, or agricultural buffers. Notices on minor exceptions would be mailed to neighbors adjacent to or across the street from the subject parcel. The Planning Director could refer controversial

projects for a public hearing to ensure all issues would be addressed. The determination on minor exceptions could be appealed by the applicant or by a member of the public.

The minor exceptions amendment would modify the process by which this subset of variances are reviewed, by modifying the noticing requirements and by eliminating the requirement for public hearing, as allowed under state law. However, the amendment would not change the requirements that must be met in order for this subset of variances to be approved, including all environmental regulations. Therefore, the applicability of minor exceptions would be limited to those parcels that could qualify for a variance. The same state-mandated findings that apply to regular variances would be required for minor exceptions, including that "special circumstances" apply to the property, such as size, shape, topography, location or surroundings, such that the strict application of site standards would deprive the property of privileges enjoyed by other properties in the vicinity and under the same zoning classification. Additionally, the granting of a minor exception could not result in a special privilege for the property owner. Therefore, the minor exceptions amendment amounts to a procedural change only for processing certain variances that can already be applied for under the existing zoning ordinance.

## **Section II: Specific Exceptions**

These amendments would add a number of specific, limited exceptions to Chapter 13.10 of the Santa Cruz County Code. The goals of these additional exceptions are to bring additional flexibility to the zoning ordinance in limited circumstances, facilitate better design and siting, and allow for greater protection of the environment and public safety.

### **II a: Garages within Required Rear and Side Yards.**

Consistent with other sections of the zoning ordinance that encourage reduced prominence of garages, the exceptions for garages would facilitate the placement of garages toward the rear of the parcel by allowing reductions in the required rear and side yards. One exception would allow reductions up to 50% of the required side and rear yards for garages meeting certain requirements, including a set back of at least 40 feet from the front property line. Discretionary review would not be required.

To provide greater flexibility, additional exceptions would allow garages to exceed 17 feet in height or one story, or to have zero side or rear setbacks, subject to administrative discretionary review and public notice. This category of garage exceptions would require discretionary review, including neighborhood noticing, and could be approved by planning staff only if it could be found that the garage would not be detrimental to adjacent residences.

### **II b: Height exception for parapets**

Under Section 13.10.510 of the Santa Cruz County Code, certain building features such as cooling towers or non-commercial television or radio antennas may exceed the height limit by up to 25 feet. However, there is currently no exception allowed for screening of mechanical features. To facilitate improved designs of commercial buildings, this exception would allow parapets (a low screen or barrier wall) used for screening purposes to exceed the height limit by up to 3.5 feet. To promote fire safety,



the exception would also allow parapets required under the building code for fire safety purposes to exceed the height limit by up to 3 feet.

II c: Height Exception for non-residential structures

To facilitate innovative design for non-residential buildings, such as green buildings that require additional height for special ventilation systems, and to be consistent with the existing height exception process available for residential buildings, this exception would allow commercial or industrial buildings to exceed the height limit by up to 5 feet, subject to discretionary approval with design review and a public hearing.

II d: Front setback exception for protection of the environment and public safety

The proposed exception would allow a 25% reduction in the required front setbacks (which are typically 20 feet but can vary from 10 to 30 feet depending on the zone district and parcel size) in circumstances where the setback reduction would afford better protection to the environment or public safety than would be possible without the exception. The exception would be subject to administrative discretionary review, to allow planning staff to verify that the exception would provide greater protection to the environment or public safety. Public notice would not be required, since a reduction in front setback is unlikely to impact neighboring properties. This exception is similar in scope to an existing regulation allowing residential front yard averaging with front setbacks as small as 10 feet without requiring discretionary review or noticing.

By allowing the front zoning setback to be reduced, planning staff could allow or require that the project be modified to provide greater protection to public safety or the environment. As an example, the Santa Cruz County Code requires structures to be set back a certain distance from riparian corridors to protect the riparian area and watershed. However, under the minor riparian exception provision in Chapter 16.30, additions less than 500 square feet within a previously disturbed area may under certain circumstances be located within the required riparian buffer area. Under the proposed front setback exception, planning staff could require an owner of a parcel with a riparian corridor at the rear who is applying to construct an addition within the riparian buffer area to locate the proposed addition partially within the front setback area, affording greater protection to the riparian corridor. Any use of this provision would not increase the allowable lot coverage or floor area ratio, meaning that a larger structure would not result.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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### III. ENVIRONMENTAL REVIEW CHECKLIST

**Note:** The "General Discussions" below analyze potential impacts for the entire project. "Specific Discussions" provide a more in-depth analysis of potential impacts for the specific ordinance amendment referenced.

#### A. GEOLOGY AND SOILS

Would the project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   |                          |                          |                                     |                          |
| A. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Strong seismic ground shaking?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Landslides?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**1A- 1D above:**

#### General Discussion:

The proposed amendments could affect parcels county-wide, but would not result in any change in the seismic risk to residents or structures. All of Santa Cruz County is subject to some hazard from earthquakes. Any new development that would result from the proposed policy change will be subject to County Code Chapter 16.10 (Geologic Hazards Ordinance) and would require geologic/geotechnical investigations to minimize potential adverse impacts if it could potentially result in a geologically-related hazard. The proposed project does not constitute a significant additional seismic or landslide risk to County residents or structures.

**Specific Discussion:** Amendment II d: Front setback exception for protection of the

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environment and public safety:

This amendment has the potential to reduce the exposure of people or structures to seismic risks, to the extent that it would allow planning staff to require a project be moved closer to the front property and further away from a fault, landslide area, or other potential geologic hazard.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** Parcels with unstable soils exist throughout Santa Cruz County. The project would not, in and of itself, result in any change in the risks related to unstable soils for County residents or structures. Any new residential development that would result from the proposed policy change will be subject to County Code Chapter 16.10 (Geologic Hazards Ordinance) and would require geologic/geotechnical investigations to minimize potential adverse impacts if the development could potentially result in a geologically-related hazard. Therefore, the proposed amendments do not constitute a significant landslide risk to County residents or structures.

**Specific Discussion:** Amendment II d: Front setback exception for protection of the environment and public safety:

This amendment has the potential to reduce the exposure of people or structures to unstable soils, because it would allow planning staff to require a project be moved closer to the front property to avoid a landslide area, unstable soils, or other potential geologic hazard.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Develop land with a slope exceeding 30%? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** Any new development resulting from the proposed ordinance amendments would be required to meet all requirements of the General Plan, County Code Chapter 16.10, and California Building Code relating to development on slopes exceeding 30%. As local policies and regulations essentially prohibit development on slopes exceeding 30%, no adverse impact is anticipated from the adoption and enforcement of the proposed ordinance.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** To the extent that any new development results from the proposed ordinance amendments, standard erosion controls would be required as discussed below as a condition for projects with erosion control potential. Therefore,

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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there would be a less than significant impact for substantial soil erosion or loss of topsoil.

### **Specific Discussion: Amendment I: Minor Exceptions**

Although the minor exceptions amendment would change the way this subset of variances with minor deviations from site standards are processed, the same requirements for approving variances would continue to apply. Required findings include that special circumstances apply to the property, and that the granting of a variance would not result in a special privilege for the property owner. Since the code amendment would not change the number or type of parcels that could potentially qualify for a variance, this amendment is not expected to significantly increase the amount of development.

It is conceivable however, that the reduced processing time and costs for this subset of variances would lead some property owners to apply for a variance, and that the number of variances approved could potentially increase initially due to a potential increase in number of applications received. However, any additional development resulting from this amendment would be subject to all policies and regulations for controlling erosion. Additionally, National Pollutant Discharge Elimination System (NPDES) regulations will be implemented in the County in 2011, further controlling runoff resulting from new development. Therefore, the potential for loss of topsoil or substantial soil erosion is less than significant.

### **Specific Discussions:**

#### **Amendment II a: Garages within Required Rear and Side Yards**

This amendment would allow residential garages to encroach into required rear and side yards.

Although the amendment is expected to provide greater flexibility in the location of garages, it is not anticipated to result in a significant number of new garages. Lot coverage is generally the limiting factor in determining whether a garage can be constructed on a parcel. Since this proposed amendment would not authorize an increase in lot coverage, approval of the amendment is not anticipated to result in a large number of parcels qualifying for garages that did not do so previously.

It is conceivable that a few lots that currently cannot accommodate a garage could do so under the proposed amendment, due to allowed setback reductions. However, any new garages resulting from this amendment would be subject to the erosion control policies cited in the discussion section above. Additionally, National Pollutant Discharge Elimination System (NPDES) regulations will be implemented in the County in 2011, further controlling runoff resulting from new development. Therefore, this amendment is anticipated to result in a less than significant loss of topsoil or potential for substantial soil erosion.

#### **Amendment II d: Front setback exception for protection of the environment and public safety:**

This amendment allows planning staff to require or allow a reduction in the front zoning

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setback for any proposed project in order to minimize grading on the parcel. Therefore, this amendment could potentially reduce soil erosion and topsoil loss in the County.

5. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?
- ☐ ☐ ☒ ☐

**General Discussion:** Expansive soils have the potential for shrinking and swelling with changes in moisture content, which can cause damage to overlying structures. The amount and type of clay in the soil influences the changes. The problems resulting from expansive soils can be controlled by proper engineering and construction practices. The presence or absence of expansive soils is therefore not considered a critical factor in overall land planning.

Any new construction resulting from this amendment would be subject to all requirements of the General Plan, County Code Chapter 16.10, and California Building Code relating to soil safety issues. Therefore, no significant impact is anticipated from the adoption and enforcement of the proposed ordinance.

6. Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems where sewers are not available?
- ☐ ☐ ☒ ☐

**General Discussion:** The proposed project would not result in any changes to County regulations and requirements for new or existing septic systems. Any development resulting from the proposed ordinance amendments would be subject to Environmental Health review and permitting.

No additional dwelling units are anticipated from the adoption and enforcement of the proposed ordinance, since these amendments do not authorize a change in density, or affect policies that determine whether a parcel may be developed. Therefore, these proposed amendments are not expected to generate the need for any new sewage disposal systems, and no significant impact is anticipated from the adoption and enforcement of the proposed ordinance.

7. Result in coastal cliff erosion?
- ☐ ☐ ☒ ☐

**General Discussion:** Any future development resulting from the proposed amendments would be required to comply with coastal protection policies including those regulations in Chapter 16.10 prohibiting erosion to coastal cliffs and bluffs. Therefore, no significant impact is anticipated from the adoption and enforcement of the proposed ordinance.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Specific Discussion:** Amendment II d: Front setback exception for protection of the environment and public safety:

This amendment allows planning staff to require or allow development to be moved closer to the front of the property in order to minimize grading on the parcel. As coastal cliffs typically occur at the rear of a property, this amendment could provide additional protection to coastal bluffs and facilitate conformance with regulations protecting coastal bluffs.

## B. HYDROLOGY, WATER SUPPLY, AND WATER QUALITY

Would the project:

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. | Place development within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. | Place within a 100-year flood hazard area structures that would impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. | Be inundated by a seiche, tsunami, or mudflow?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**General Discussion (B1- B3 above):** The proposed project would not result in any change in flooding or inundation risk to residents or structures. Any new development that would result from the proposed ordinance amendments will be subject to County Code Chapter 16.10 (Geologic Hazards Ordinance). The proposed project may affect multiple parcels Countywide but would not, in and of itself, result in a significant additional flooding/inundation risk to County residents or structures.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** No increase in residential density is anticipated, nor would these amendments change regulations determining whether a particular parcel may be developed. Therefore, the proposed amendments are not anticipated to lead to a growth in population, and would not result in a significant depletion of groundwater

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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supplies or interference with groundwater recharge.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. | Substantially degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** The proposed project would not affect the County's regulations regarding water quality protection, and thus could result in only minimal, if any, additional water quality degradation.

- |    |                                    |                          |                          |                          |                                     |
|----|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | Degrade septic system functioning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** No degradation of septic systems functions could result from the proposed ordinance amendments, as all applicable requirements of the County of Santa Cruz EHS will remain in effect. The proposed project is not expected to generate any increased demand on existing septic systems, and would not result in the installation of any additional septic systems that do not comply with the County of Santa Cruz EHS requirements for individual septic systems or alternative systems.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 7. | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding, on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** The proposed amendments would not affect the County's regulations regarding drainage or erosion control, and all future development would be subject to these regulations. Therefore, the project would result in only minimal, if any, additional drainage or erosion-related impacts.

#### **Specific Discussion: Amendment 1: Minor Exceptions**

The minor exceptions amendment would allow property owners to apply for minor increases in lot coverage, subject to discretionary review and variance findings, and consistency with policies in the General Plan regulating drainage and erosion control. Since the code amendment would continue to require variance findings and would not change the number or type of parcels that could potentially qualify for a variance, this amendment is anticipated to result in minimal new development, and no significant change in drainage patterns.

To the extent that more applications for variances requesting an increase in lot coverage are received due to reduced processing time and costs, there is a potential

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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for a slight increase in the number of variances for minor increases in lot coverage that could be approved. This could in turn result in an increase in impervious surface on some parcels, which could in turn result in a small increase in stormwater runoff. Therefore, the proposed ordinance amendment includes the following mandatory finding for any minor exception involving an increase in lot coverage:

That there is no increase in stormwater leaving the property as a result of additional impermeable area allowed by a minor exception to increase lot coverage. Projects shall be conditioned to direct runoff to the landscape, use permeable paving material, reduce existing impermeable area, or incorporate other low impact drainage design practices to control stormwater runoff.

The above finding ensures that there are no significant increases in stormwater runoff for parcels with a minor increase in lot coverage.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 8. | Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems, or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** The proposed project would not affect the County's regulations regarding drainage or erosion control, under which all development is now required to restrict project-related runoff to pre-project or otherwise negligible levels.

**Specific Discussion:** Amendment 1: Minor Exceptions

See discussion for minor exceptions under 7 above.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 9. | Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed ordinance would not increase the number of existing structures currently subject to an increased risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. Any new structures resulting from the proposed ordinance must comply with all required flood hazard requirements of County Code. The regulations in the County Code protect people and structures from significant risks related to flooding. No adverse impacts are anticipated.

- |     |  |                          |                          |                          |                                     |
|-----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 10. | Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** Any future development resulting from the proposed amendments would be required to comply with regulations in Chapter 16.22 (Erosion Control) controlling particulate contamination, as well as controlling runoff from



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projects. Therefore, there is no potential for a substantial degradation of water quality as a result of the adoption of the proposed ordinance.

Additionally, any future development resulting from the proposed amendments that requires a discretionary approval would be subject to the County's environmental review process; and therefore, future residential development would be evaluated on an individual basis for conformance with water quality standards or waste discharge requirements.

### C. BIOLOGICAL RESOURCES

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** Any future development resulting from the proposed amendments would be required to comply with regulations in Chapter 16.32 (Sensitive Habitat Protection) and Chapter 16.30 (Riparian Corridor and Wetlands Protection) protecting sensitive biotic communities. Therefore, there is no potential for a substantial adverse effect from the adoption and enforcement of the proposed ordinance.

#### Specific Discussions:

##### Amendment I: Minor Exceptions

The exceptions allowing for increases in lot coverage or reductions in required setbacks apply to zoning standards only. Therefore, special lot coverage limitations protecting sensitive habitats in Chapter 16.32 of the County Code, or special setback requirements in Chapter 16.30 protecting riparian corridors, would continue to remain in effect and could not be altered through the minor exception process.

Amendment II d: Front setback exception for protection of the environment and public safety:

This amendment has the potential to provide additional protection to the habitat of special status species, in that it would allow planning staff to require a project be moved closer to the front property and further away from any sensitive habitat.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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(e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**General Discussion:** Any structure proposed to be constructed would be subject to all requirements of County Code Chapter 16.30 and 16.32, Fish and Game, and USFWS regarding any riparian habitat or sensitive natural community. Therefore, there is no potential for a substantial adverse effect from the adoption and enforcement of the proposed ordinance.

**Specific Discussions:** See C-1 above.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** Any new development under the proposed amendments would be subject to all requirements of County General Plan and County Code Chapter 16.30 and 16.32, and CDFG, and USFWS regulations regarding wildlife movement and habitat. Therefore, there is no potential for a substantial adverse effect from the adoption and enforcement of the proposed ordinance.

**Specific Discussions:** See C-1 above.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Produce nighttime lighting that would substantially illuminate wildlife habitats? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** Any new development under the proposed amendments would be subject to all requirements of County Code, and Fish and Game, and USFWS regulations regarding nighttime lighting and wildlife habitats. No adverse impacts are anticipated.

**Specific Discussions:** See C-1 above.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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hydrological interruption, or other means?

**General Discussion:** Any new development under the proposed amendments would be subject to all requirements of County Code Chapter 16.30, Riparian Corridor and Wetland Protection, the General Plan, as well as CDFG, USFWS, and the U.S. Army Corps of Engineers regarding wetland impacts as applicable. Therefore, there is no potential for a substantial adverse effect from the adoption and enforcement of the proposed ordinance.

**Specific Discussions:** See C-1 above.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | Conflict with any local policies or ordinances protecting biological resources (such as the Sensitive Habitat Ordinance, Riparian and Wetland Protection Ordinance, and the Significant Tree Protection Ordinance)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** Any new development under the proposed amendments would be subject to all requirements of the General Plan and County Code regarding protection of biological resources. Local regulations protecting biological resources include Chapter 16.10, Chapter 16.30, Chapter 16.32, Chapter 16.34. The County of Santa Cruz General Plan has been developed with resource protection policies and objectives. The following General Plan objectives are applicable to sensitive species and their habitats: Objective 5.1, Biological Diversity; Objective 5.2, Riparian Corridors and Wetlands; Objective 5.3, Aquatic and Marine Habitats; and Objective 5.4, Monterey Bay and Coastal Water Quality and their associated policies.

**Specific Discussion:** Amendment II d: Front setback exception for protection of the environment and public safety:

This amendment has the potential to facilitate the implementation of local policies and ordinances protecting biological resources, as it would allow planning staff to require a project be moved closer to the front property and to provide additional protection to any sensitive environmental resources that exist at the rear of the property.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments would not conflict with the provisions of any adopted Habitat Conservation Plan Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Additionally, the amendments do not allow exceptions from any development standards required by any local, regional or state conservation plan. Therefore, no adverse impacts are

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anticipated.

#### D. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments do not alter existing local regulations in Chapter 16.50 of the Santa Cruz County Code prohibiting the conversion of prime agricultural land to non-agricultural use. No do they authorize uses that are not already allowed on agriculturally zoned parcels. Therefore, no adverse impact is anticipated.

#### **Specific Discussion:** Amendment I: Minor Exceptions

The exceptions allowing for reductions in required setbacks apply to only to the specific zoning standards identified in the Ordinance. Agricultural Buffer requirements in Chapter 16.50 of the Santa Cruz County Code, requiring structures on property adjacent to agricultural land be set back from the agricultural land to protect the agricultural use of the property, would continue to be required. The proposed amendment would not allow an exception from the agricultural buffer requirement. Furthermore, an application for a setback exception for a residence on agricultural land would be discretionary. Under existing regulations in Chapter 13.10 and 16.50, a setback reduction could be approved only if it would not negatively impact the agricultural use of the land, thereby further protecting the agricultural use of the property.

**Specific Discussion:** Amendment II d: Front setback exception for protection of the environment and public safety:

This amendment has the potential to provide additional protection to agricultural land, in that it would allow planning staff to allow or require a project be moved closer to the front of the property to facilitate the implementation of existing agricultural buffer

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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regulations.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments do alter any specific Williamson Act contract, no do they allow for the alteration of any existing Williamson Act contract, or alter existing regulations affecting Williamson Act contracts. Therefore, there is no significant impact anticipated.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** The proposed project may affect multiple parcels countywide, including parcels in or adjacent to timber harvest zones. However, the project would not affect access to the resource or access to harvest the resource in the future. The timber resource may only be harvested in accordance with California Department of Forestry timber harvest rules and regulations. Furthermore, the project would not cause the rezoning of parcels zoned as timber production. No significant impact is anticipated.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed project may affect multiple parcels Countywide, potentially including parcels in or adjacent to timber harvest zones. However, the project would not lead to the conversion of forest land to non-forest land, as local regulations protecting forest land would continue to apply. No adverse impact is anticipated.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments do not involve other changes to the environment that could result in the conversion of farmland or forest land. The

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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proposed amendment would not allow structures on non-agricultural properties to be located closer to commercial agricultural land, since existing agricultural buffer requirements in Chapter 16.50 of the County Code require that residential structures on properties adjacent to commercial agricultural land maintain a specified distance from the agricultural property. This buffer requirement protecting agricultural land would continue to apply and could not be altered through the minor exception process. Therefore, no impacts are anticipated.

### Specific Discussion: Amendment I: Minor Exceptions

Any minor exceptions for increases in lot coverage or reductions in required setbacks on or adjacent to forest land would require discretionary review, ensuring that the proposed exception would not conflict with regulations protecting land in timber production or agricultural production.

### E. MINERAL RESOURCES

Would the project:

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed project may affect multiple parcels Countywide, potentially including parcels in or adjacent to parcels containing mineral resources. However, any new development under the proposed amendments would be subject to all requirements the Santa Cruz County Code regulating mineral resources. No adverse impact is anticipated.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed project may affect multiple parcels Countywide, potentially including parcels in or adjacent to parcels containing mineral resources. However, any new development under the proposed amendments would be subject to all requirements of County Code Chapter 16.54 regulating mineral resources. No impact is anticipated.

### F. VISUAL RESOURCES AND AESTHETICS

Would the project:

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. | Have an adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** The project would not directly impact any public scenic resources, as designated in the County's General Plan (1994), or obstruct any public

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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views of these visual resources. All existing County policies protecting scenic resources continue to apply. No significant impact is anticipated.

### Specific Discussions:

#### I a: Minor exceptions

Any minor exception application for an increase in height would continue to be subject to the same variance findings requiring special circumstances on the property, limiting the applicability of minor exceptions for height to the same properties that currently could qualify. Additionally, these minor exceptions would be subject to discretionary review, requiring conformance with all regulations protecting scenic resources, including public viewsheds, scenic corridors, scenic highways, or ridgelines. No significant impact is anticipated.

#### II b: Height exception for parapets on non-residential buildings

Under the proposed exception, parapets used to screen features such as cooling towers that are allowed to exceed the height limit would also be allowed to exceed the height limit by up to 3.5 feet. Such parapets would be required to be set back at least 5 feet from the edge of the building, minimizing their visibility. As the parapets would be allowed to screen features that are already allowed to exceed the height limit, this exception is expected to improve public views by screening what might otherwise be unsightly features on non-residential buildings. Furthermore, parapets related to new construction would require discretionary review, ensuring that there is no negative impact on the public viewshed or scenic vista. No significant impact is anticipated.

Under the proposed exception, parapets required under the building code for non-residential buildings for fire safety purposes would be allowed to exceed the height limit by up to 3 feet. Furthermore, parapets related to new construction would require discretionary review, ensuring that there is no negative impact on the public viewshed or scenic vista. No significant impact is anticipated.

#### II c: Height exception for non-residential structures

Exceptions for non-residential structures to exceed the height limit by up to 5 feet would be subject to a public hearing and to design review requirements in Chapter 13.11, requiring conformance with all regulations protecting scenic resources, including public viewsheds, scenic corridors, scenic highways, or ridgelines. No significant impact is anticipated.

2. Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**See Section F-1 above.** No significant impact is anticipated.

- |  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less than<br>Significant<br>Impact  | No Impact                |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| 3. Substantially degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridgeline? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**See Section F-1 above.** No significant impact is anticipated.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**See Section F-1 above.** No adverse impact is anticipated.

## G. CULTURAL RESOURCES

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** To the extent that any new development results from the proposed ordinance amendments, regulations in Chapter 16.42 protecting historical resources would continue to apply. Therefore, no substantial adverse change to historical resources is anticipated.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** To the extent that any new development results from the proposed ordinance amendments, regulations in Chapter 16.40 protecting archaeological resources would continue to apply. Specifically, Pursuant to County Code Section 16.40.040, if at any time in the preparation for or process of excavating or otherwise disturbing the ground, any human remains of any age, or any artifact or other evidence of a Native American cultural site which reasonably appears to exceed 100 years of age are discovered, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in County Code Chapter 16.40.040.

Therefore, no substantial adverse change to archaeological resources is anticipated.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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**See Section G-2 above.**

No substantial adverse change to archaeological resources is anticipated.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Any development occurring as a result of the proposed amendments would be required to comply with local regulations in Chapter 16.44 of the County Code protecting paleontological resources.

A less than significant impact to paleontological resources is anticipated.

## H. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Create a significant hazard to the public or the environment as a result of the routine transport, use or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** To the extent that any new development results from the proposed ordinance amendments, regulations in the Santa Cruz County Code and state regulations for hazardous materials would continue to apply. These regulations protect the public and environment from significant hazards related to hazardous materials. Therefore, no impact is anticipated.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**See H-1 above.** No impact is anticipated.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**See H-1 above.** No impact is anticipated.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**See H-1 above.** No impact is anticipated.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** One municipal airport is located in Santa Cruz county within the City of Watsonville at the south end of the county. To the extent that any new development results from the proposed ordinance amendments, regulations in the Santa Cruz County Code regulating development near public and private airports would continue to apply. The following General Plan policies are applicable to airport safety: Policy 3.18.1, Prevention of Airspace Obstructions; Policy 3.18.2, Creation of New Parcels in the Runway Protection Zone Area; Policy 3.18.3, Land Use Limitation in Runway Protection (Clear or A) Zones; Policy 3.18.4, Land Use Limitation in Airport Approach (B) Zones; and Policy 3.18.5, Deed Recordation Acknowledging Airport Hazard. Additional regulations in Chapter 13.12 of the Santa Cruz County Code regulate development near airports. These regulations sufficiently protect the public from safety hazards near airports. No impact is anticipated.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** See H-5 above. No impacts are anticipated.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** To the extent that any new development results from the proposed ordinance amendments, the existing emergency response plan would continue to apply and would be unaffected by the proposed amendments. A less than significant impact is anticipated.

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|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 8. | Expose people to electro-magnetic fields associated with electrical | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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transmission lines?

**General Discussion:** The proposed amendments would not affect the County's regulations regarding electro-magnetic fields. Any new development occurring as a result of the proposed amendments must be consistent with the goals, policies, and standards established within the General Plan and Santa Cruz County Code that are intended to protect the safety of the community (e.g., Public Safety and Noise). The following General Plan policies are applicable to electro-magnetic fields: Policy 6.8.1, Prudent Avoidance; Policy 6.8.2, Measuring Ambient Magnetic Fields; and Policy 6.8.3, Development Mitigation Measures. Adherence to such requirements would ensure that potential impacts associated with this issue are less-than-significant.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 9. | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** To the extent that any new development results from the proposed ordinance amendments, all projects would be required to incorporate all applicable fire safety code requirements and includes fire protection devices as required by the local fire agency, and comply with building code and fire code requirements. A less than significant impact is anticipated.

## I. TRANSPORTATION/TRAFFIC

Would the project:

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments do conflict with any plan, ordinance or policy relating to the circulation system, do not authorize increases in density, and are not anticipated to lead to population growth in the area. Therefore, no impacts on the circulation system within the county are anticipated.

- |    |                                   |                          |                          |                          |                                     |
|----|-----------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Result in a change in air traffic | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

**Discussion:** The proposed amendments are not expected to lead to an increase in air traffic or affect the location of air traffic. Therefore, no impacts are anticipated.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments do not affect regulations for allowed uses. Any future development occurring as a result of the proposed amendments would be required to meet County regulations for egress, sight distance, and other regulations relating to potential traffic hazards. No impacts are anticipated.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** Any future development occurring as a result of the proposed amendments would be required to meet County standards for road access and be approved by the local fire agency or California Department of Forestry, as appropriate. Therefore, no impact is anticipated.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. Cause an increase in parking demand which cannot be accommodated by existing parking facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments do not authorize increases in density, and are not anticipated to lead to population growth in the area. The proposed minor exception amendment does not provide for exceptions to the parking requirements. Any project that results in an increased parking requirement would be required to provide the parking spaces required by the County Code before it would be approved by the County. Therefore, no impact is anticipated.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments would not affect current regulations to prevent potential hazards to motorists, bicyclists, and/or pedestrians. No impact is anticipated.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
7. Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the County General Plan for designated intersections, roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**General Discussion:** The proposed amendments do not authorize increases in density, and are not anticipated to lead to population growth in the area. Therefore, the proposed amendments are not anticipated generate additional traffic or to affect the existing levels of service on County roads.

## J. NOISE

Would the project result in:

1. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

**General Discussion:** Any development occurring as a result of the proposed ordinance amendments could create an incremental increase in the existing noise environment. However, this increase would be small, and would be similar in character to noise generated by the surrounding existing uses. All existing and any proposed development is required by the General Plan to limit outdoor noise levels to 60 dB L<sub>dn</sub> (day/night average noise level), and indoor noise levels to 45 dB L<sub>dn</sub>. No substantial permanent increase in ambient noise levels is anticipated.

2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**General Discussion:** See J-1 above. A less than significant impact is anticipated.

3. Exposure of persons to or generation of noise levels in excess of standards established in the General Plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

**General Discussion:** See J-1 above. No significant impact is anticipated.

4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**General Discussion:** Any construction occurring as a result of the proposed ordinance

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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amendments could increase slightly the ambient noise levels for adjoining areas. Construction would be temporary, however, and no significant impacts are anticipated.

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- ☐ ☐ ☒ ☐

**General Discussion:** As these amendments would affect parcels countywide, some development could occur within two miles of a public airport. Any construction noise occurring as a result of the proposed amendments would be minor and temporary, however, and would be required to comply with noise limits established by the General Plan (see J-1 above). Excessive noise levels are not anticipated.

6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?
- ☐ ☐ ☒ ☐

**General Discussion:** See discussion under J-5 above. Excessive noise levels are not anticipated.

## K. AIR QUALITY

Where available, the significance criteria established by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) may be relied upon to make the following determinations. Would the project:

1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- ☐ ☐ ☒ ☐

**General Discussion:** The North Central Coast Air Basin does not meet state standards for ozone and particulate matter (PM<sub>10</sub>). Therefore, the regional pollutants of concern that would be emitted by the project are ozone precursors (Volatile Organic Compounds [VOCs] and nitrogen oxides [NO<sub>x</sub>]), and dust.

These amendments do not authorize any increase residential density, and are not expected to lead to a growth in population, so these amendments would not lead to a more residents or additional traffic. Therefore, there is no indication that new emissions of VOCs or NO<sub>x</sub> would exceed MBUAPCD thresholds for these pollutants and therefore there would not be a significant contribution to an existing air quality violation.

New construction that may occur as a result of the proposed amendments may result in a short-term, localized decrease in air quality due to generation of dust. However,

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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standard dust control best management practices, such as periodic watering, are required for projects during construction to reduce impacts to a less than significant level.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The project would not conflict with or obstruct implementation of the regional air quality plan. See K-1 above.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** See K-1 above. Less than significant impact.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** See K-1 above. Less than significant impact.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. | Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** See K-1 above. Less than significant impact.

## L. GREENHOUSE GAS EMISSIONS

Would the project:

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** Any development occurring as a result of the proposed amendments, like all development, would be responsible for an incremental increase in green house gas emissions by usage of fossil fuels during the site grading and construction. At this time, Santa Cruz County is in the process of developing a Climate Action Plan (CAP) intended to establish specific emission reduction goals and necessary actions to reduce greenhouse gas levels to pre-1990 levels as required under AB 32 legislation. Until the CAP is completed, there are no specific standards or criteria to apply to this project. All project construction equipment would be required to comply with the Regional Air Quality Control Board emissions requirements for

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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construction equipment. As a result, impacts associated with the temporary increase in green house gas emissions are expected to be less than significant.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** See the discussion under L-1 above. No impacts are anticipated.

## M. PUBLIC SERVICES

Would the project:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

- |                     |                          |                          |                                     |                          |
|---------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** The proposed amendments would not affect the provision of new or physically altered governmental facilities, and are not expected to lead to a growth in population or result in any other physical changes that would significantly impact the demand for public services such as fire protection, police protection, schools, parks, or other public facilities including roads. These amendments would not allow lots that are currently unbuildable to be developed, as all local regulations preventing certain lots from being developed (including lots less than 1 acre that are not served by a public sewer system, lots where the entire area exceeds 30% slope, or lots within certain sensitive habitats) would continue to apply and would not be affected by the proposed amendments. Moreover, any development occurring as a result of the proposed amendments would be required to meet all of the standards and requirements identified by the local fire agency or California Department of Forestry, as applicable, and pay all school, park, and transportation fees that would be used to offset the incremental increase in demand for school and recreational facilities and public roads. Therefore, a less than significant impact is anticipated.

- |                       |                          |                          |                                     |                          |
|-----------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-----------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

See discussion under M-1 above.

- |             |                          |                          |                                     |                          |
|-------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------|--------------------------|--------------------------|-------------------------------------|--------------------------|



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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See discussion under M-1 above

- d. Parks or other recreational activities?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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See discussion under M-1 above

- e. Other public facilities; including the maintenance of roads?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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See discussion under M-1 above

## N. RECREATION

Would the project:

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

**General Discussion:** The proposed amendments are not expected to lead to a growth in population or result in any other physical changes that would significantly impact the demand for neighborhood or regional parks. Therefore, a less than significant impact is anticipated.

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**General Discussion:** See discussion under N-1 above.

## O. UTILITIES AND SERVICE SYSTEMS

Would the project:

1. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

**General Discussion:** The proposed amendments would not affect the County's regulations regarding stormwater drainage, and all future development would be subject to these regulations. Therefore, the project would result in only minimal, if any, additional drainage or erosion-related impacts.

**Specific Discussion:** Amendment 1: Minor Exceptions

The minor exceptions amendment would allow property owners to apply for minor

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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increases in lot coverage, subject to discretionary review and variance findings. Since the code amendment would continue to require variance findings and would not change the number or type of parcels that could potentially qualify for a variance, this amendment is anticipated to result in minimal new development, and no significant change in drainage patterns.

To the extent that more applications for variances requesting an increase in lot coverage are received due to reduced processing time and costs, there is a potential for a slight increase in the number of variances for minor increases in lot coverage that could be approved. This could in turn result in an increase in impervious surface on some parcels, which could in turn result in a small increase in stormwater runoff. Therefore, the proposed ordinance amendment includes the following mandatory finding for any minor exception involving an increase in lot coverage:

That there is no increase in stormwater leaving the property as a result of additional impermeable area allowed by a minor exception to increase lot coverage. Projects shall be conditioned to direct runoff to the landscape, use permeable paving material, reduce existing impermeable area, or incorporate other low impact drainage design practices to control stormwater runoff.

The above finding ensures that there are no significant increases in stormwater runoff for parcels with a minor increase in lot coverage.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. | Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** These amendments do not authorize any increase residential density, and are not expected to lead to a growth in population, so these amendments would not in themselves result in a significant increase in the demand for wastewater treatment facilities or lead to the need for the construction of new wastewater treatment facilities.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** These amendments do not authorize any increase residential density, and are not expected to lead to a growth in population, so these amendments would not in themselves result in projects exceeding the wastewater treatment requirements of the Regional Water Quality Control Board.

- |    |                                |                          |                          |                                     |                          |
|----|--------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Have sufficient water supplies | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

**General Discussion:** These amendments do not authorize any increase residential density, and are not expected to lead to a growth in population, so these amendments would not lead to the requirement for new or expanded entitlements for water supplies.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. | Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** Any development project resulting from the proposed ordinance amendments would be subject to existing requirements regarding service from the relevant wastewater treatment provider. No significant impact is anticipated.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 6. | Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**General Discussion:** The proposed ordinance amendments would not lead to the construction of additional dwelling units, and would therefore not result in an increase in solid waste. No impact is anticipated.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. | Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** Any individual development project resulting from the proposed ordinance amendments would be subject to all federal, local and state requirements regarding solid waste. No impact is anticipated.

## P. LAND USE AND PLANNING

Would the project:

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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mitigating an environmental effect?

**General Discussion:** The proposed amendments do not conflict with any regulations or policies adopted for the purpose of avoiding or mitigating an environmental effect.

**Specific Discussion:** Amendment II d: Front setback exception for protection of the environment and public safety:

This amendment has the potential facilitate the implementation of policies and regulations adopted for the purpose of avoiding environmental effects, by allowing the required front zoning setback to be reduced in order to protect sensitive environmental resources.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments do not conflict with any adopted conservation plans, and do not authorize any exceptions from standards contained within any habitat or community conservation plans.

**Specific Discussion:** Amendment II d: Front setback exception for protection of the environment and public safety:

This amendment has the potential facilitate the implementation of policies and regulations adopted for the purpose of avoiding environmental effects, by allowing the required front zoning setback to be reduced in order to protect sensitive environmental resources.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments do not include any element that would physically divide an established community. No impact is anticipated.

## Q. POPULATION AND HOUSING

Would the project:

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed project would not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area including, but limited to the following: new or extended infrastructure or public facilities; new commercial or industrial facilities; large-scale residential development; accelerated

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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conversion of homes to commercial or multi-family use; or regulatory changes including General Plan amendments, specific plan amendments, sewer or water annexations; or LAFCO annexation actions.

These amendments taken together would not allow lots that are currently unbuildable to be developed, as all local regulations preventing certain lots from being developed (including lots less than 1 acre that are not served by a public sewer system, lots where the entire area exceeds 30% slope, or lots within certain sensitive habitats) would continue to apply and would not be affected by the proposed amendments.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments would not lead to the displacement of any existing housing. No impact is anticipated.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**General Discussion:** The proposed amendments would not lead to the displacement of any existing housing. No impact is anticipated.

## R. MANDATORY FINDINGS OF SIGNIFICANCE

- |   | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation | Less than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| 1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>             | <input type="checkbox"/>                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**Discussion:** The potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in Section III of this Initial Study. There is no substantial evidence that significant negative impacts associated with this project would result (see Section C). In fact, Amendment II d, Front setback exception for protection of the environment and public safety, has the potential to facilitate environmental protection by allowing projects to encroach into the front setback for the purpose of protecting sensitive environmental resources. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- |  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with Mitigation | Less than<br>Significant<br>Impact  | No<br>Impact             |
|--|--------------------------------------|---|-------------------------------------|--------------------------|
| 2. Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/>             | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion:** This project consists of several different amendments relating to exceptions from zoning site standards. These are analyzed together within one initial study to determine any potential for cumulative impacts. The different amendments, including minor exceptions and specific exceptions, could potentially lead to new development including a slight increase in the number of garages constructed, or a slight increase in the number of variances applied for and potentially approved for minor exceptions from site standards. However, these increases would not be cumulatively considerable for the following reasons.

Minor exceptions (Section I) would require the same findings that are required for variance approvals, limiting the applicability of minor exceptions to those properties that currently would be eligible for a variance. Therefore, any increase in development resulting from the minor exception amendment would be temporary only. Furthermore, any minor exception allowing an increase in lot coverage with a corresponding increase in impervious surface would require measures to prevent additional stormwater runoff from the site, ensuring that there are no cumulative impacts for stormwater runoff.

Regarding specific exceptions (Section II), these different amendments would not result in impacts that are cumulatively considerable county-wide, since any additional development resulting from these amendments would be minor and would continue to be subject to local regulations protecting the environment.

These amendments taken together would not allow lots that are currently unbuildable to be developed, as all local regulations preventing certain lots from being developed (including lots less than 1 acre that are not served by a public sewer system, lots where the entire area exceeds 30% slope, or lots within certain sensitive habitats) would continue to apply and would not be affected by the proposed amendments. Therefore, no population growth is anticipated as a result of the adoption of the proposed amendments.

There are no other projects identified currently in the environmental review stage that would lead to cumulatively considerable impacts when considered with the project currently under review.

Additionally, Amendment II d allows the front zoning setback to be reduced in order to protect sensitive environmental resources on the site, with a potentially beneficial cumulative impact that could lead to better protection of the environment for various projects throughout the county. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** There is no substantial evidence that there are adverse effects to human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.



#### IV. TECHNICAL REVIEW CHECKLIST

	<u>REQUIRED</u>	<u>DATE COMPLETED</u>
Agricultural Policy Advisory Commission (APAC) Review	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Archaeological Review	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Biotic Report/Assessment	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Geologic Hazards Assessment (GHA)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Geologic Report	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Geotechnical (Soils) Report	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Riparian Pre-Site	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Septic Lot Check	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Other:	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____

## **V. REFERENCES USED IN THE COMPLETION OF THIS ENVIRONMENTAL REVIEW INITIAL STUDY**

County of Santa Cruz 1994.

*1994 General Plan and Local Coastal Program for the County of Santa Cruz, California.* Adopted by the Board of Supervisors on May 24, 1994, and certified by the California Coastal Commission on December 15, 1994.

## **VI. ATTACHMENTS**

1. *Proposed Ordinance amending Chapter 13.10 of the Santa Cruz County Code.*

# DRAFT

ORDINANCE No. \_\_\_\_\_

## ORDINANCE AMENDING CHAPTER 13.10 OF THE SANTA CRUZ COUNTY CODE TO CONFORM TO STATE LAW AND ESTABLISH A PROCESS TO ALLOW CONSIDERATION OF EXCEPTIONS FROM CERTAIN ZONING SITE STANDARDS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

### SECTION I

Subsection 13.10.230 (c)(1) of the Santa Cruz County Code is hereby amended to read as follows:

1. That because of special circumstances applicable to the property, including size, shape, topography, location or ~~and surroundings~~ existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The language in Section 13.10.230 relating to variance findings is being amended to conform to state law.

### SECTION II

Section 13.10.235 is hereby added to Chapter 13.10 of the Santa Cruz County Code to read as follows:

#### **13.10.235 Minor Exceptions**

a) Purpose. To provide a streamlined discretionary review process to allow consideration of minor variations from the zoning district site standards established for height, setbacks, separation between structures on the same property, lot coverage and floor area ratio.

b) Applicability. Minor exceptions apply to the zoning site standards contained in the site and structural dimensions charts for Agricultural districts (13.10.313(a)); Residential districts (13.10.323(b) and 13.10.323(e)6(c)); Commercial districts (13.10.333(a)); Industrial districts (13.10.343(a)); Parks, Recreation and Open Space Parks districts (13.10.353(a)); Public and Community Facilities districts (13.10.363(a)); Timber Production districts (13.10.373(a)); and Special Use districts (13.10.383(a)). Minor exceptions do not apply to special site standards contained in combining zone districts, specific plans or PUD's, unless specifically indicated.

Minor exceptions shall be limited to the following exceptions from site standards:

Height: Up to a 5% increase in the allowed height. For example, a 28-foot height limit could be increased by up to 16.8 inches ( $28' \times .05 = 1.4'$ ).

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Setbacks: Up to a 15% reduction in the required front, side or rear setback. For example, a 5-foot setback may be reduced by up to 9 inches (5' X .15 = .75').

Separation between structures: Up to a 15% exception from the 10-foot separation requirement between structures on the same property, allowing a reduction of up to 1.5 feet, or an 8.5-foot separation.

Floor Area Ratio: Up to a 7.5% increase in the total allowable 50% FAR for lots 4,000 square feet or less, allowing up to 57.5% FAR.

Lot Coverage: Up to a 15% increase of the total allowable lot coverage, resulting in the following maximum allowable increases:

<u>Allowable Lot Coverage</u>	<u>Maximum Additional Lot Coverage Allowed with a 15% Minor Exception</u>
<u>40%</u>	<u>6%</u>
<u>20%</u>	<u>3%</u>
<u>10%</u>	<u>1.5%</u>

Minor exceptions apply only to the zoning site standards noted above, and do not apply to or supercede limits or building setbacks required in other sections or chapters of the County Code, such as for riparian corridors, geologic hazards, sensitive habitats, or agricultural buffers.

## (c) Procedures

1) Application. The application for the minor exception shall contain such information as required by the Planning Department .

2) Application Review. The Planning Director or designee shall review and make a determination on the application for a minor exception. At the discretion of the Planning Director, the project may be referred to the Zoning Administrator or Planning Commission for a public hearing.

3) Noticing. Not less than 21 days prior to the County taking action on an application for a minor exception, a mailed notice shall be sent to owners and occupants of property adjacent to the subject parcel or across a right of way that overlap any part of the frontage of the subject parcel, notifying them of the date after which a decision will be made on the project, the final date on which comments will be accepted, and the appeal process. The contents of the notice shall be consistent with Section 18.10.222(d).

4) Required findings. Findings shall be in accordance with findings required for variance approvals in Section 13.10.230 (c), and in accordance with the findings required in Section 18.10.230 for discretionary approvals. In addition, the following finding shall be required for minor exceptions allowing an increase in lot coverage:

A. That there is no increase in stormwater leaving the property as a result of additional impermeable area allowed by a minor exception to increase lot coverage. Projects shall be conditioned to direct runoff to the

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landscape, use permeable paving material, reduce existing impermeable area, or incorporate other low impact drainage design practices to control stormwater runoff.

5) Project conditions. The project may be conditioned as needed to ensure compliance with County policies and ordinances, in accordance with Section 18.10.240.

6) Appeal. The determination on the minor exception may be appealed by any person whose interests are adversely affected. Appeals shall be heard at a public hearing before the Zoning Administrator, or by the Planning Commission if the Planning Director determines this to be in the public interest. A notice of the public hearing for the appeal shall be sent to all property owners and occupants within 300 feet of the subject property, and to local agencies that provide essential services to the subject parcel, at least 10 days prior to the hearing. A notice shall also be posted on site in accordance with Section 18.10.224. Appeals shall be conducted in accordance with Section 18.10.310.

## SECTION III

Subsection (e)6E of Section 13.10.323 of the Santa Cruz County Code is hereby amended to read as follows:

Distance from Alleys. Detached accessory structures including garages shall not be located within six three feet of any alley.

## SECTION IV

Section 13.10.323(e)6F is hereby added to the Santa Cruz County Code to read as follows:

Garages within Required Rear and Side Yards. An attached or detached garage ("garage" as defined under 13.10.700-G) may be located within side and rear setback areas with up to a 50% reduction of the required setback distances to the rear and interior side property lines, provided that:

- (i) There shall be no windows, doors or other openings on garage walls that are less than five (5) feet from the side or rear property lines;
- (ii) The garage shall be located a minimum of forty (40) feet from the front property line;
- (ii) Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).

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- (iii) The garage shall have a maximum depth of thirty (30) feet.
- (iv) The garage shall not exceed 17 feet in height or 1 story, unless a Level 4 approval is obtained pursuant to the provisions of Chapter 18.10, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.
- (v) A garage may be located up to zero (0) feet from the rear or interior side property line if a Level 4 approval is obtained pursuant to the provisions of Chapter 18.10, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

## SECTION V

Section 13.10.510(d)2, entitled Height Exceptions, is hereby amended to read as follows:

(2) Height Exceptions. Chimneys, church spires and steeples, water tanks, cooling towers, elevators, flagpoles, monuments, non-commercial radio and television antennas, fire towers, and similar structures not used for human habitation and not covering more than ten percent of the ground area covered by the structure, may be erected to a height of not more than twenty-five (25) feet above the height limit allowed in any district. Parapets (a low screen or barrier wall) for non-residential buildings located at least 5 feet from the edge of any exterior wall that are constructed for the purpose of screening mechanical equipment or other building features may exceed the height limit by up to 3.5 feet. Firewall parapets for non-residential buildings that are upward extensions of an exterior wall and are required by the Building Code for fire safety purposes may exceed the height limit by up to 3 feet. Utility and commercial poles and towers may not be subject to the height limits prescribed in the district regulations. Height limits on windpowered generators shall be established in Section 12.24. Non-commercial radio and television towers or free-standing antennas may exceed the height limits above by twenty-five (25) feet with the approval of a Level IV Use Approval. Flat plate solar collectors on existing structure shall be permitted to exceed height restrictions by ~~three~~ four feet.

In an RM-5 to RM-9 District, for multiple dwelling projects of five or more units which are designed to contain all the required parking spaces under the dwelling structures, a maximum height of thirty-five (35) feet is permitted, provided that one foot of additional side yard beyond the ten (10) foot required minimum side

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yard is added for every foot of height above twenty-eight (28) feet. Solar access on neighboring sites shall not be obstructed.

In any commercial or industrial zone district, a building may exceed the height limit as established by the zone district by up to 5 feet, subject to review and recommendation by the Urban Designer and approval by the Zoning Administrator following a public hearing. In addition to the findings required in Chapter 18.10 for discretionary approvals, the project shall be subject to the following additional findings:

- A. The additional height complements or completes the architectural design.
- B. For properties located in the Coastal Zone, the proposed project complies with LCP policies, including policies protecting scenic corridors and public viewsheds.

## SECTION VI

Subsection 13.10.510(f) of the Santa Cruz County Code is hereby deleted as follows:

~~(f) — Building Setback Lines. The Planning commission may establish building setback lines different from those required by the district standards of this Chapter when such district standards would impose a purposeless hardship on new buildings compared to the setback of existing buildings in the same block or area, or where the topography of the area may call for a building setback line contrary to the requirements of any district under this Chapter. This provision does not supersede any building setback which may be established under other chapters of the County Code, such as for riparian corridors, geologic hazards, sensitive habitats, or agricultural buffers. When building setback lines are established by the Planning Commission, they may be shown on the sectional district maps of such districts or on such other maps as may be designated.~~

## SECTION VII

Subsection 13.10.510(i) is hereby added to Section 13.10.510 to read as follows:

(i) Setback reductions to protect the environment or public safety.

Up to a 25% reduction in the required setback established by the zone district for front yards or other yards fronting on a street or vehicular right of way may be allowed, subject to review and approval by the Planning Director (Level 3 approval), for any of the following purposes:

- 1) To minimize grading on steep lots;
- 2) To protect environmentally sensitive resources such as significant trees or sensitive habitats such as riparian corridors; or
- 3) To facilitate conformance with regulations for geologic hazards (Chapter 16.10).

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In addition to the findings required in Section 18.10.230 for discretionary approvals, the following additional findings shall be required:

- 1) The reduced setback would result in an environmentally superior outcome or improved public safety, either by minimizing grading, affording better protection to an environmentally sensitive habitat or resource, or resulting in greater conformance with geologic hazard regulations.
- 2) The proposed project shall not unreasonably infringe on adequate light, air, or privacy of adjacent residential property.

## SECTION VIII

This Ordinance shall take effect on the 31<sup>st</sup> day after the date of final passage outside the Coastal Zone and on the 31<sup>st</sup> day after the date of final passage or upon certification by the California Coastal Commission, whichever date is later, inside the Coastal Zone.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the following vote:

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

\_\_\_\_\_  
Chair of the Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

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

Copies to:           County Counsel  
                          Planning Department