



# 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  
<http://www.sccoplanning.com/>

### NEGATIVE DECLARATION

**Project:** REVISIONS TO COUNTY CODE CHAPTER 13.20

**APN(S):** Applies to all lands within the Coastal Zone

**Application #:** N/A

**Project Description:** This project consists of the following: Revisions to County Code Chapter 13.20, the County's coastal regulations, to make the chapter consistent with the Coastal Act, the Public Resources Code, and the County's certified Land Use Plan; and companion revisions to other chapters of County Code to ensure internal County Code consistency.

- a. Substantive changes include 1) modifying the exemption from Coastal Development permits to additions to single family residences by deleting the limitation on square footage of additions; 2) changing the boundaries of the East Cliff tourist area special community and the Rio del Mar Esplanade tourist area special community to accurately reflect tourist uses and commercial zoning; and 3) incorporating provisions allowing for issuance of administrative coastal development permits consistent with state regulations.
- b. Most of the revisions are non-substantive changes and consist largely of replacing the phrase "coastal zone approval" or other similar wording with the correct wording "coastal development permit." Additional non-substantive changes to other chapters of the County Code are proposed to ensure consistency in terminology.

**Owner:** N/A

**Applicant:** COUNTY OF SANTA CRUZ

**Staff Planner:** STEVEN GUINEY, (831) 454-3182

**Email:** [PLN950@CO.SANTA-CRUZ.CA.US](mailto:PLN950@CO.SANTA-CRUZ.CA.US)

The project will be considered at a public hearing by the County of Santa Cruz Planning Commission. The time, date, and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.

#### California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and, that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment. The expected environmental impacts of the project are documented in the attached Initial Study on file with the County of Santa Cruz Planning Department located at 701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz, California.

Review Period Ends: February 19, 2013

*Note: This Document is considered Draft until it is Adopted by the Appropriate County of Santa Cruz Decision-Making Body*

Date: \_\_\_\_\_

\_\_\_\_\_  
MATT JOHNSTON, Environmental Coordinator  
(831) 454-3201



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KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

### NOTICE OF ENVIRONMENTAL REVIEW PERIOD

#### SANTA CRUZ COUNTY

APPLICANT: County of Santa Cruz

APPLICATION NO.: N/A

PARCEL NUMBER (APNs): Countywide

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

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

       Mitigations will be attached to the Negative Declaration.

X 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: February 19, 2013

Staff Planner: Steve Guiney

Phone: 831-454-3182

Date: January 28, 2013



# County of Santa Cruz

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

**Date:** January 14, 2013

**Application Number:** N/A

**Staff Planner:** Steven Guiney

### **I. OVERVIEW AND ENVIRONMENTAL DETERMINATION**

**APPLICANT:** County of Santa Cruz

**APN(s):** Applies to all lands within the coastal zone

**OWNER:** N/A

**SUPERVISORAL DISTRICT:** All

**PROJECT LOCATION:** N/A

**SUMMARY PROJECT DESCRIPTION:** The project consists of the following:

Revisions to County Code chapter 13.20, the County's coastal regulations, to make the chapter consistent with the Coastal Act, the Public Resources Code, and the County's certified Land Use Plan; and companion revisions to other chapters of County Code to ensure internal County Code consistency.

- a. Substantive changes include 1) modifying the exemption from coastal development permits for additions to single family residences by deleting the limitation on square footage of additions, which is not required by the state coastal regulations; 2) changing the boundaries of the East Cliff tourist area special community and the Rio del Mar Esplanade tourist area special community to accurately reflect tourist uses and commercial zoning; and 3) incorporating provisions allowing for issuance of administrative coastal developments permits consistent with state regulations.
- b. Most of the revisions are non-substantive and consist largely of replacing the phrase "coastal zone approval" or other similar wording with the correct wording "coastal development permit." Additional non-substantive changes to other chapters of the County Code are proposed to ensure consistency in terminology.

**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 checked="" 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 checked="" 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 Code Amendment |

**NON-LOCAL APPROVALS**

Other agencies that must issue permits or authorizations: California Coastal Commission

**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

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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

1/23/13  
Date

## **II. BACKGROUND INFORMATION**

### **EXISTING SITE CONDITIONS**

Parcel Size: N/A

Existing Land Use: N/A

Vegetation: N/A

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

Nearby Watercourse: N/A

Distance To: N/A

### **ENVIRONMENTAL RESOURCES AND CONSTRAINTS**

Water Supply Watershed: N/A

Groundwater Recharge: N/A

Timber or Mineral: N/A

Agricultural Resource: N/A

Biologically Sensitive Habitat: N/A

Fire Hazard: N/A

Floodplain: N/A

Erosion: N/A

Landslide: N/A

Liquefaction: N/A

Fault Zone: N/A

Scenic Corridor: N/A

Historic: N/A

Archaeology: N/A

Noise Constraint: N/A

Electric Power Lines: N/A

Solar Access: N/A

Solar Orientation: N/A

Hazardous Materials: N/A

Other: N/A

### **SERVICES**

Fire Protection: N/A

School District: N/A

Sewage Disposal: N/A

Drainage District: N/A

Project Access: N/A

Water Supply: N/A

### **PLANNING POLICIES**

Zone District: All

General Plan: All

Urban Services Line: ☒ Inside

Coastal Zone: ☒ Inside

Special Designation: All

☒ Outside

☐ Outside

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

The proposed amendments would apply throughout the coastal zone, which includes urban and rural areas and all types of land uses.

### **PROJECT BACKGROUND:**

Santa Cruz County's Local Coastal Program was initially certified by the Coastal Commission in 1981. Chapter 13.20 of the County Code, the Coastal Zone Regulations, has been amended only four times since then. Currently, Chapter 13.20 is

inconsistent with portions of the Coastal Act, the California Code of Regulations, and the County's certified Land Use Plan. The proposed amendments are intended to bring Chapter 13.20 into conformance with these regulations.

## **DETAILED PROJECT DESCRIPTION:**

Review of County Code Chapter 13.20, the County's Coastal Zone Regulations, by both County and Coastal Commission staff revealed several areas of inconsistency between Chapter 13.20 and the Coastal Act, Chapter 13.20 and the implementing regulations of the Coastal Act found in the California Code of Regulations, and Chapter 13.10 and the County's certified coastal Land Use Plan. In addition, there are portions of Chapter 13.20 that would more logically be located in other Chapters of the County Code without affecting the County's ability to implement the Coastal Act in a manner consistent with the requirement of the Coastal Act, and portions of the text that contain minor inaccuracies that should be corrected.

### Substantive Amendments:

The current ordinance exempts additions of less than 500 square feet to existing residential structures outside the Coastal Commission appeal jurisdiction (appealable area) and additions up to 10 percent or 250 square feet inside the appealable area from the requirement to obtain a coastal development permit. The proposed amendment would retain the 10 percent addition exemption inside the appealable area, but would delete the 500 square foot addition exemption outside the appealable area and the 250 square foot addition exemption inside the appealable area, which are not found in the Coastal Act or the California Code of Regulations. Any proposed additions would still be subject to all site standards of the applicable zone district, including limits on floor area ratio and lot coverage, and to the coastal design criteria in Chapter 13.20.

The existing ordinance language exempting "Natural gas, chilled water, and steam facilities;" "Repair, maintenance and replacement of distribution and transmission facilities, production and storage facilities, and accessory structures;" and "Electric utilities, telephone, cable TV, water, sewer, flood control and public works facilities" is proposed to be deleted and replaced by incorporating the Coastal Commission's 1978 document "Repair, Maintenance and Utility Hook-up Exclusions from Permit Requirements". An example of the difference between the existing code and the Coastal Commission document is that the current ordinance language states that these types of projects lose the exemption if they involve grading that will exceed 100 cubic yards, while the newly incorporated document states that these activities are not exempt if they involve grading of more than 500 square feet of undisturbed area. Existing ordinance language at 13.20.077, which is not proposed to be changed, requires a coastal development permit if the grading amount exceeds 100 cubic yards, so adopting the Coastal Commission document will not result in any less protection regarding disturbance and grading for utility hook-ups.

Proposed new language adds regulations for temporary events, which will implement Public Resources Code Section 306010(i) and is consistent with the Coastal Commission guidelines regarding temporary events.

Currently, county Code section 13.20.073 provides for an exclusion from the requirement to obtain a coastal development permit for certain agricultural development



“except within one hundred (100) feet of any coastal body of water, stream, wetland, estuary, or lake; within areas between the sea and the first public through road paralleling the sea; or on parcels less than ten (10) acres in size.” The proposed amendments would delete the reference to parcels less than ten (10) acres in size, so that agricultural development on those smaller parcels will not trigger the requirement for a coastal development permit.

The ability of the County to issue administrative coastal development permits for minor development proposals, pursuant to Public Resources Code 30624.9, would be added. A minor development is one that is consistent with the County’s certified Local Coastal Program, requires no discretionary approvals other than a coastal development permit, and has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast. If a development proposal met these requirements then it could be processed administratively, without a public hearing. For example, in general, if there were a proposal to construct an addition to an existing house that was within 50 feet of a coastal bluff and the addition would not impact public scenic views or public access to the beach would require a coastal development permit, but no other discretionary permits and so could be processed as an administrative coastal development permit. In contrast, if, in addition to a coastal development permit, a proposal required, for example, a variance to setbacks or a residential development permit for an overweight fence, then, because those are other discretionary approvals, the proposal would be required to obtain a regular coastal development permit rather than an administrative coastal development permit

Revisions are proposed to the boundaries of the mapped East Cliff tourist area special community and to the mapped Rio del Mar Esplanade tourist area special community to accurately reflect existing tourist uses and existing commercial zoning.

Non-Substantive Amendments:

Most of the revisions are non-substantive and consist largely of replacing the phrase “coastal zone approval” or other similar wording with the wording “coastal development permit,” which is what a permit to undertake development in the coastal zone is called in the Coastal Act.

All of the proposed amendments appear in strikeout/underline format in Attachment 1.

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

#### 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. Strong seismic ground shaking?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Landslides?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

#### **Discussion (A through D):**

##### State

##### Alquist-Priolo Earthquake Fault Zoning Act

Each fault located within Santa Cruz County is capable of generating moderate to severe ground shaking from a major earthquake. Consequently, large earthquakes can be expected in the future. The October 17, 1989 Loma Prieta earthquake (magnitude 7.1) was the second largest earthquake in central California history.

The proposed amendments would apply to all zone districts in the coastal zone of county; however, the only portion of the coastal zone where there is a mapped fault zone is in western Big Basin Redwoods State Park where there are no structures or other development that would be affected by seismic activity.

The proposed amendments to the County's coastal regulations would be consistent with the goals, policies and standards established within the elements of the General

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Plan-Local Coastal Program (GP-LCP) that are intended to protect the safety of the community; and therefore, the adoption of the amendments would not result in significant geological impacts. Furthermore, all future development and rehabilitation would be required to be consistent with existing state and local building codes, which are designed to ensure that new construction would not expose people to significant geological impacts. Because the proposal would not authorize or facilitate new development no impact from adoption or implementation of the proposed amendments would occur.

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

**Discussion:** Liquefaction tends to occur in loose, saturated fine-grained sands, course silts or clays with low plasticity. The liquefaction process typically occurs at depths less than 50 feet below the ground surface, although liquefaction can occur at deeper intervals, given the right conditions. The most susceptible zone occurs at depths shallower than 30 feet below the ground surface. In order for liquefaction to occur there must be the proper soil type, soil saturation, and cyclic accelerations of sufficient magnitude to progressively increase the water pressures within the soil mass. Non-cohesive soil shear strength is developed by the point-to-point contact of the soil grains. As the water pressures increase in the void spaces surrounding the soil grains, the soil particles become supported more by the water than the point-to-point contact. When the water pressures increase sufficiently, the soil grains begin to lose contact with each other resulting in the loss of shear strength and continuous deformation of the soil where the soil begins to liquefy.

Much of the coastal zone in Santa Cruz County is subject to damage from soil instability as a result of on- or off-site landslide, lateral spreading, subsidence, or liquefaction.

The County's GP-LCP was adopted by the Board of Supervisors in May of 1994 and certified by the California Coastal Commission in December of 1994. The following policies are applicable to slope stability and liquefaction: Policy 6.1.1, Geologic Review for Development in Designated Fault Zones; Policy 6.1.2, Geologic Reports for Development in Alquist-Priolo Zones; Policy 6.1.3, Engineering Geology Report for Public Facilities in Fault Zones; Policy 6.1.4, Site Investigation Regarding Liquefaction Hazard; Policy 6.1.5, Location of Development Away from Potentially Hazardous Areas; Policy 6.1.9, Recordation of Geologic Hazards; Policy 6.1.10, Density Recommendations for Proposed Development; Policy 6.1.11, Setbacks from Faults; Policy 6.1.12, Minimum Parcel Size in Fault Zones; Policy 6.2.1, Geologic Hazards

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Assessments for Development on and Near Slopes; Policy 6.2.2, Engineering Geology Report; 6.2.3, Conditions for Development and Grading Permits; Policy 6.2.4, Mitigation of Geologic Hazards and Density Considerations; Policy 6.2.5, Slope Considerations for Land Division Calculations; Policy 6.2.6, Location of Structures and Drainage Considerations in Unstable Areas; Policy 6.2.7; Location of Septic Leach Fields; and Policy 6.2.9, Recordation of Geologic Hazards.

The proposed ordinance amendments would continue to allow development in all zone districts in the coastal zone of the County; however, the proposed amendments would not authorize or facilitate any new development within the coastal zone. Any new development that may occur within the coastal zone of the County would be designed and constructed to meet the most current safety standards for landslides, lateral spreading, subsidence, liquefaction, or collapse that are included in the California Building Codes and/or standards established by the County of Santa Cruz. No impact would occur from the adoption and implementation of the proposed amendments.

3. Develop land with a slope exceeding 30%? ☐ ☐ ☐ ☒

**Discussion:** There are many slopes that exceed 30% within the coastal zone in the County. The County's GP-LCP was adopted by the Board of Supervisors in May of 1994 and certified by the California Coastal Commission in December of 1994. The following policies are applicable to slopes exceeding 30 percent: Policy 6.2.1, Geologic Hazards Assessments for Development on and Near Slopes; Policy 6.2.2, Engineering Geology Report; 6.2.3, Conditions for Development and Grading Permits; Policy 6.2.4, Mitigation of Geologic Hazards and Density Considerations; Policy 6.2.5, Slope Considerations for Land Division Calculations; Policy 6.2.6, Location of Structures and Drainage Considerations in Unstable Areas; Policy 6.2.7; Location of Septic Leach Fields; Policy 6.2.9, Recordation of Geologic Hazards; and Policy 6.3.1, Slope Restrictions.

The proposed amendments would not authorize or facilitate any new development. Any new development would be required to meet all requirements of the General Plan, County Code (Section 16.10), and California Building Code relating to development on slopes exceeding 30%. No impact is anticipated from the adoption of the proposed amendments.

4. Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☐ ☒

**Discussion:** Much of Santa Cruz County is subject to soil erosion during construction. However, standard erosion controls are a required condition of projects with erosion potential. The County's GP-LCP was adopted by the Board of Supervisors in May of 1994 and certified by the California Coastal Commission in December of 1994. The following policies are applicable to soil erosion and loss of topsoil: Policy 6.3.1, Slope

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Restrictions; Policy 6.3.2, Grading Projects to Address Mitigation Measures; Policy 6.3.3, Abatement of Grading and Drainage Problems; Policy 6.3.4, Erosion Control Plan Approval Required for Development; Policy 6.3.5, Installation of Erosion Control Measures; Policy 6.3.6, Earthmoving in Least Disturbed or Water Supply Watersheds; Policy 6.3.7, Reuse of Topsoil and Native Vegetation Upon Grading Completion; Policy 6.3.8, On-site Sediment Containment; Policy 6.3.9, Site Design to Minimize Grading; Policy 6.3.10, Land Clearing Permit; and Policy 6.3.11, Sensitive Habitat Considerations for Land Clearing Permits.

The proposed amendments would not authorize or facilitate any new development. Any new development would be subject to all requirements of the General Plan, County Code (Section 16.22), and California Building Code relating to erosion control and, as required, would have an approved Erosion Control Plan, which would specify detailed erosion and sedimentation control measures. No impact is anticipated from the adoption of the proposed amendments.

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

**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.

The proposed amendments would not authorize or facilitate any new development. Any new development would be subject to all requirements of the General Plan, County Code (Section 16.10), and California Building Code relating to soil safety issues. No impact is anticipated from the adoption of the proposed amendments.

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

**Discussion:** The County's GP-LCP was adopted by the Board of Supervisors in May of 1994 and certified by the California Coastal Commission in December of 1994. The following policies are applicable to sewage disposal systems: Policy 6.2.7, Location of Septic Leach Fields; Policy 6.2.12, Setbacks from Coastal Bluffs; and Policy 6.4.9,

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Septic Systems, Leach Fields, and Fill Placement. As no development or septic systems are proposed as a part of this project, anticipated future development cannot be predicted. Any new development would be required to meet the requirements of and receive approval from the County Environmental Health Services regarding septic. No impact is anticipated from the adoption of the proposed amendments.

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

**Discussion:** The proposal would not authorize or facilitate any new development. Any new development on or near a coastal cliff would be subject to all requirements of the GP-LCP and County Code (Section 16.10) regarding slope stability and erosion control. Any future development would be required to comply with coastal bluff protection policies including those controlling stormwater runoff, drainage, and erosion in coastal cliff and bluff areas. The following General Plan policies are applicable to coastal cliff erosion. Policy 6.2.10: Site Development to Minimize Hazards; Policy 6.2.11: Geologic hazards Assessment in Coastal Hazard Areas; Policy 6.2.12: Setbacks from Coastal Bluffs; Policy 6.2.13: Exception for Foundation; Policy 6.2.14: Additions to Existing Structures; Policy 6.2.15: New Development on Existing Lots of Record; Policy 6.2.16: Structural Shoreline Protection Measures; Policy 6.2.17: Prohibit New Building Sites in Coastal Hazard Areas; Policy 6.2.18: Public Services in Coastal Hazard Areas; Policy 6.2.19: Drainage and Landscape Plans; Policy 6.2.20: Reconstruction of Damaged Structures on Coastal Bluffs; and Policy 6.2.21: Reconstruction of Damaged Structures due to Storm Wave Inundation. Therefore, no impact is anticipated from the adoption of the proposed amendments.

## 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? ☐ ☐ ☐ ☒

**Discussion:** The proposed amendments do not propose development or proposals that would enable an assessment of potential site specific flooding impacts that may result with future development proposals. However, case-by-case reviews of future projects would be carried out to ensure the safety of these projects, and to ensure that future projects are consistent with all GP-LCP goals, objectives, and policies. The following GP-LCP policies are applicable to development within the 100-year flood hazard area: Policy 6.4.1, Geologic Hazards Assessment Required in Flood Hazard Areas; Policy 6.4.2, Development Proposals Protected from Flood Hazard; Policy 6.4.3, Development on or Adjacent to Coastal Bluffs and Beaches; Policy 6.4.5, New Parcels in 100-year Floodplains; Policy 6.4.6, Density Calculations; Policy 6.4.8, New

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Construction to be Outside Flood Hazard Areas; Policy 6.4.9, Septic Systems, Leach Fields, and Fill Placement; and Policy 6.4.10, Flood Control Structures. No impact is anticipated.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed amendments do not propose development or proposals that would enable an assessment of potential site specific flooding impacts that may result with future development proposals. However, case-by-case reviews of future projects would be carried out to ensure the safety of these projects, and to ensure that future projects are consistent with all GP-LCP goals, objectives, and policies. The following GP-LCP policies are applicable to development within the 100-year flood hazard area: Policy 6.4.1, Geologic Hazards Assessment Required in Flood Hazard Areas; Policy 6.4.2, Development Proposals Protected from Flood Hazard; Policy 6.4.3, Development on or Adjacent to Coastal Bluffs and Beaches; Policy 6.4.5, New Parcels in 100-year Floodplains; Policy 6.4.6, Density Calculations; Policy 6.4.8, New Construction to be Outside Flood Hazard Areas; Policy 6.4.9, Septic Systems, Leach Fields, and Fill Placement; and Policy 6.4.10, Flood Control Structures. No impact is anticipated.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Be inundated by a seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** A tsunami is a sea wave generated by a submarine earthquake, landslide or volcanic action. While the possibility of a major tsunami from either of the latter two events is considered to be extremely remote for Santa Cruz County, a tsunami caused by a submarine earthquake is considered possible. Submarine earthquakes are common around the edges of the Pacific Ocean, as well as other areas. Therefore, all of the Pacific coastal areas are subject to this potential hazard to a greater or lesser degree. In addition, areas of the County with steep slopes and immediately down slope areas could be subject to mudflow hazards.

The proposed amendments do not propose development or proposals that would enable an assessment of potential site specific impacts that may result with future development proposals. However, case-by-case reviews of future projects would be carried out to ensure the safety of these projects, and to ensure that future projects are consistent with all GP-LCP goals, objectives, and policies. GP-LCP Policy 6.4.3 is applicable to protection from storm swell, wave action and tsunami impacts. In addition, any new construction would be subject to all County Code (Section 16.10) requirements regarding location relative to these hazards. No impact is anticipated from adoption of the proposed amendments.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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"/>

**Discussion:** The proposal would not authorize or facilitate any development. As no development is proposed as part of this project, the anticipated impacts to groundwater supply or groundwater recharge would not be significant. Any future discretionary development proposal would be analyzed to determine whether that particular development would have any impact on groundwater supply or groundwater recharge. The following GP-LCP policies are applicable to water supply: Policy 5.8.1, Primary Groundwater Recharge Area Designation, Policy 5.8.2, Land Division and Density Requirements in Primary Groundwater Recharge Areas; Policy 5.8.3, Uses in Primary Groundwater Recharge Areas; Policy 5.8.4, Drainage Design in Primary Groundwater Recharge Areas; Policy 7.18.1, Linking Growth to Water Supplies; Policy 7.18.2, Written Commitments Confirming Water Service Required for Permits; 7.18.3, Impacts of New Development on Water Purveyors, Policy 7.18.5, Groundwater Management; Policy 7.18.6, Water Conservation Requirements; and Policy 7.18.7, Water Reuse. No impact is anticipated from the adoption of the proposed amendments.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** As no development is proposed as part of this project, the anticipated impacts to water supply would not be significant. Any future development would be required to address drainage issues specifically pertaining to that parcel. General Plan Policy 7.18.4, Improvement of Water Systems is applicable to the protection of public and private water supplies. In addition, any new development would be subject to the requirements of the Department of Public Works relative to runoff or the well and pumping requirement of County Environmental Health Services. No impact is anticipated from the adoption of the proposed amendments.



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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|----|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | Degrade septic system functioning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development. Any new development involving or potentially impacting septic systems would be subject to the requirements of County Environmental Health Services regarding septic system functioning. Each future discretionary development proposal would necessitate independent review of environmental impacts. No impacts are anticipated.

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

**Discussion:** The proposed amendments do not propose development or proposals that would affect any watercourses or alter any existing drainage patterns. Any new development would be required to address drainage issues specifically pertaining to that parcel, including new structures that would be subject to the requirements of the Department of Public regarding drainage and flooding. The following GP-LCP policies are applicable to alteration of drainage patterns: Policy 6.4.5, New Parcels in 100-year Floodplains; Policy 6.4.7, New Construction to be Outside Flood Hazard Areas; Policy 6.4.8, Elevation of Residential Structures; Policy 6.4.9, Septic Systems, Leach Fields, and Fill Placement; and Policy 6.4.10, Flood Control Structures. Each development proposal would necessitate independent review of environmental impacts. No impacts are anticipated.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 8. | Create or contribute runoff water which 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development. No change to runoff or drainage patterns would result from the approval of the proposed amendments. Any future development would be required to address drainage issues specifically pertaining to that parcel. The following GP-LCP policies are applicable to drainage: Policy 7.23.1, New Development; 7.23.2, Minimizing Impervious Surfaces; Policy 7.23.3, On-site Storm Water Detention; Policy 7.23.4, Downstream Impact Assessments; and 7.23.5, Control Surface Runoff. Each development proposal would necessitate independent review of environmental impacts. Any newly constructed

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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building would be subject to the requirements of the Department of Public Works regarding drainage and runoff. No impacts are anticipated.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development. Some parcels could be subject to flooding hazards from dam or levee failure, but the proposed amendments 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 buildings and structures would have to meet all required flood hazard requirements of County Code (Section 16.10). No impacts are anticipated.

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

**Discussion:** Under Section 402 of the Clean Water Act, the Regional Water Quality Control Board (RWQCB) issues National Pollution Discharge Elimination System (NPDES) permits to regulate waste discharges to "waters of the U.S." Waters of the U.S. include rivers, lakes, and their tributary waters. Waste discharges include discharges of storm water and construction project discharges. A construction project resulting in the disturbance of one (1) or more acres requires a NPDES ground construction permit. Construction project proponents are required to prepare a Storm Water Pollution Prevention Plan (SWPPP).

The proposal would not authorize or facilitate any development. Any future development that requires a discretionary approval would be subject to the County's environmental review process; and therefore, future development would be evaluated on an individual basis for conformance with water quality standards or waste discharge requirements. Implementation of Best Management Practices (BMPs) as specified by the NPDES permit and the approval of a SWPPP would ensure that any potential impacts associated with this issue are not significant. No impact is anticipated from the adoption of the proposed amendments.

### 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 | <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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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?

**Discussion:** The proposed amendments would add the Coastal Act definition of Environmentally Sensitive Habitat (ESHA) to County Code Chapter 13.20, the coastal regulations. In the Coastal Act, ESHA is defined as “any area in which plant or animal life of their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.” No development is proposed or authorized by the proposed amendments and no impact to biological resources is anticipated from adoption of the proposed amendments. Any future development in the coastal zone would be subject to Chapter 13.20 and would be subject to all requirements of the GP-LCP and County Code (Section 16.32), California Department of Fish and Game (CDFG), and U.S. Fish and Wildlife Service (USFWS) regarding any species identified as a candidate, sensitive, or special status species. The County’s GP-LCP has been developed with resource protection policies. The following General Plan policies are applicable to sensitive species and their habitats: Policy 5.1.1, Sensitive Habitat Designation; Policy 5.1.2, Definition of Sensitive Habitat; Policy 5.1.3, Environmentally Sensitive Habitats; Policy 5.1.4, Sensitive habitat Protection Ordinance; Policy 5.1.5, Land Division and Density Requirements in Sensitive Habitats; Policy 5.1.6, Development within Sensitive habitats; Policy 5.1.7, Site Design and Use Regulations; Policy 5.1.8, Chemicals within Sensitive Habitats; Policy 5.1.9, Biotic Assessments; Policy 5.1.10, Species Protection; Policy 5.1.11, Wildlife Resources Beyond Sensitive Habitats; Policy 5.1.12, Habitat Restoration with Development Approval; Policy 5.1.14, Removal of Invasive Plant Species; and Policy 5.1.15, Priorities for Restoration Funding.

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

**Discussion:** The proposal would not authorize or facilitate any development. Any new development would be subject to all requirements of County Code (Sections 16.30 and 16.32), Fish and Game, and USFWS regarding any riparian habitat or sensitive natural

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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community (also see discussion under C-1 above). No impacts are anticipated.

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development. Any new development would be subject to all requirements of the County's GP-LCP and County Code (Sections 16.30 and 16.32), CDFG, and USFWS regarding wildlife movement and habitat (also see discussion under C-1 above). No impacts are anticipated.

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

**Discussion:** The proposal would not authorize or facilitate any development. Any new development would be subject to all requirements of County Code (Sections 13.11 and 16.30), Fish and Game, and USFWS regarding nighttime lighting and wildlife habitats (also see discussion under C-1 above). No impacts are anticipated.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development. Any new development would be subject to all requirements of the County's GP-LCP and County Code (Section 16.30), CDFG, USFWS, and the U.S. Army Corps of Engineers regarding wetland impacts (also see discussion under C-1 above). No impacts are anticipated.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | Conflict with any local policies or ordinances protecting biological resources (such as the Sensitive Habitat Ordinance, Riparian and | <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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Wetland Protection Ordinance, and the  
Significant Tree Protection  
Ordinance)?

**Discussion:** The proposal would not authorize or facilitate any development. The proposed project would not conflict with any local policies or ordinances. Currently, Chapter 13.20 does not contain a definition of ESHA. Any new development would be subject to all requirements of the GP-LCP and County Code (Section 16.30) regarding protection of biological resources. The County's GP-LCP has been developed with resource protection policies and objectives. The following GP-LCP 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.

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development. Any new development would be subject to all requirements of any adopted Habitat Conservation Plan Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impact would occur by adoption of the proposed amendments.

#### 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 (LESA) 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 (CARB). Would the project:

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

**Discussion:** The proposed amendments do not propose development or facilitate any development. Currently, agriculturally-related development on parcels less than 10 acres requires a coastal development permit while such development on parcels 10 acres or larger is excluded from the requirement for a coastal development permit. The proposed amendments include extending the agriculturally-related development exclusion to those parcels that are less than 10 acres in size. However, this would not either directly or indirectly result in the conversion of agricultural land to other uses. Also, there are 524 parcels zoned Agriculture or Commercial Agriculture in the coastal zone. Of these, 296 are less than 10 acres in size. Requiring these parcels to obtain Coastal Development Permits for everyday agricultural operations such as erecting a fence or paving is not consistent with encouraging this Second Priority coastal use and the County's Right-to-Farm ordinance. Any new development would still be subject to all requirements of the GP-LCP and County Code (Section 16.50) regarding protection of agricultural resources. The following GP-LCP policies are applicable to agricultural resources: Policy 5.13.20, Conversion of Commercial Agricultural lands; Policy 5.13.21, Determining Agricultural Viability; Policy 5.13.22, Conversion to Non-agricultural Uses Near Urban Areas; Policy 5.13.23, Agricultural Buffers Required; Policy 5.13.24, Agricultural Buffer Findings Required for Reduced Setbacks; Policy 5.13.25, Agricultural Policy Advisory Commission Review; Policy 5.13.26, Windbreaks; Policy 5.13.27, Siting to Minimize Conflicts; Policy 5.13.28, Residential Uses on Commercial Agricultural Land; Policy 5.13.31, Agricultural Notification Recordation for Land Divisions; Policy 5.13.32, Agricultural Statement of Acknowledgement; Policy 5.13.33, Density on Parcels Adjacent to Commercial Agricultural Lands; and Policy 5.14.12, Non-commercial Agricultural Land Division and Density Requirements. Adherence to such requirements would ensure that potential impacts associated with new development would be not significant. No impact would occur from the adoption of the proposed amendments.

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"/>
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**Discussion:** The proposed amendments do not propose development and any new development on or adjacent to agricultural land and uses would be subject to the County's existing provisions for the protection of agricultural land and agricultural activities. Therefore, the project would not conflict with existing zoning for agricultural use, or a Williamson Act Contract. No impact is anticipated.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The proposal would not authorize or facilitate any development. Therefore, the project would not conflict with existing zoning for forest land or timber land use. Any new development would be subject to all requirements of the GP-LCP and County Code (Section 16.52) regarding protection of forest land and timberland resources. The following GP-LCP policies are applicable to Timber Resources: Policy 5.12.2, Uses within Timber Production Zones; Policy 5.12.4, Land Divisions and Density Requirements for Timber Production Zoned Lands; Policy 5.12.5, General Conditions for All Development Proposals on Timber Production Zoned Lands; Policy 5.12.6, Conditions for Clustered Development Proposals on Timber Production Zoned Lands; Policy 5.12.7, Location of Development on Timber Production Lands; and Policy 5.12.8, Timber Resource Land Not Zoned Timber Production. Adherence to such requirements would ensure that potential impacts associated with this issue are not significant. No impact is anticipated from the adoption of the proposed amendments.

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"/>
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**Discussion:** The proposed amendments do not propose development. Any new development would be required to adhere to the County's existing regulations protecting existing forest land. Therefore, the project will not result in the loss of forest land or conversion of forest land to non-forest land. In addition, please see the discussion under D-3 above.

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"/>
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**Discussion:** The proposed amendments do not propose development or enable any development not currently enabled. Under both the current coastal regulations ordinance and the GP-LCP policies, development could occur on land surrounded by

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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or close to lands designated as Prime Farmland, Unique Farmland, Farmland of Statewide Importance or Farmland of Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. However, the proposal would not authorize any new development. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide, or Farmland of Local Importance would be converted to a non-agricultural use. Similarly, some development currently allowed could be on land surrounded by or close to lands designated forest land, and forest land could occur nearby. However, the proposal would not authorize any development and therefore the project will not result in the loss of forest land or conversion of forest land to non-forest land. Therefore, there would be no impact from the adoption of the proposed amendments.

## E. MINERAL RESOURCES

Would the project:

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development and any new development would be subject to all requirements of the GP-LCP and County Code (Section 16.54) regarding mineral resources. The following GP-LCP policies are applicable to mineral extraction land use conflicts: Policy 5.16.2, Uses in Mineral Resource Areas; Policy 5.16.3, Review of Incompatible Uses; Policy 5.16.4, Minimizing Conflicts Between New Development and Mineral Resource Areas; and Policy 5.16.5, Land Division and Density Requirements on Mineral Resource Land. Any proposed new development would not be constructed on a parcel that contains a known mineral resource such that the resource could not be extracted. Therefore, no impact is anticipated from the adoption of the proposed amendments.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development and therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan would occur as a result of this project. No impact is anticipated from the adoption of the proposed amendments...



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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## F. VISUAL RESOURCES AND AESTHETICS

Would the project:

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

**Discussion:** The proposal would not authorize or facilitate any development. To be consistent with the Coastal Act and the Coastal Commission regulations implementing the Coastal Act (California Code of Regulations Title 14, Division 5.5), the proposed amendments would not allow an exemption for improvements to existing structures if the structure is located in a mapped scenic area. This would result in added protection for scenic vistas. Any new development would be subject to the scenic resource policies of the GP-LCP. The following GP-LCP policies are applicable to scenic resources: Policy 5.10.2, Development within Visual Resource Areas; Policy 5.10.3, Protection of Public Vistas; Policy 5.10.4, Preserving Natural Buffers; Policy 5.10.5, Preserving Agricultural Vistas; Policy 5.10.6, Preserving Ocean Vistas; Policy 5.10.7, Open Beaches and bluffs; Policy 5.10.8, Significant Tree Removal Ordinance; Policy 5.10.9, Restoration of Scenic Areas; Policy 5.10.11, Development Visible from Rural Scenic Roads; Policy 5.10.12, Development Visible from Urban Scenic Roads; Policy 5.10.13, Landscaping Requirements; Policy 5.10.14, Protecting Views in the North Coast and Bonny Doon; Policy 5.10.16, Designation of Coastal Special Scenic Areas; and Policy 5.10.17, Swanton Road Coastal Special Scenic Area. The project would not directly impact any public scenic resources, as designated in the County's GP-LCP or obstruct any public views of these visual resources. Therefore, adoption and implementation of the proposed amendments would not result in significant impacts.

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

**Discussion:** Please refer to the discussion under F-1 above. The proposal would not authorize or facilitate any development. Any new development would be subject to the scenic resource policies of the General Plan. The project would not directly impact any public scenic resources, as designated in the County's General Plan (1994), or obstruct any public views of these visual resources. Therefore, no impact is anticipated.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** Please refer to the discussion under F-1 above. The proposed amendments do not propose development. Any proposed new development would be subject to the scenic resource policies of the GP-LCP. The project would not degrade the existing visual character or quality of any site or its surroundings, as designated in the County's GP-LCP. No impact is anticipated from the adoption of the proposed amendments.

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"/>
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**Discussion:** The proposal would not authorize or facilitate any development and, as discussed in F-1, would strengthen visual protection. Any new development would be subject to Section 13.11 of the County Code. Section 13.11.074(d)(1) states, "All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design." Therefore, no 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"/>
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**Discussion:** Cultural resources are places, structures, or objects that are important for scientific, historic, and/or religious reasons to cultures, communities, groups, or individuals. Cultural resources include historic and prehistoric archaeological sites, architectural remains, engineering structures, and artifacts that provide evidence of past human activity. They also include places, resources, or items of importance in the traditions of societies and religions.

The proposal would remove the identification of one structure misidentified in the existing coastal regulations as a historic resource because the structure, located at 255

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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9<sup>th</sup> Avenue in the Harbor area of Live Oak (APN 027-143-35), was never designated as an historic resource. The proposal would not authorize or facilitate any development. Environmental review of any future development(s) would permit an analysis of how such development may potentially conflict with known archaeological and/or historic resources. The possibility also exists that future discretionary development would discover or uncover previously unknown archaeological resources. Any new development involving a historical resource as defined in CEQA Guidelines Section 15064.5 would be subject to the historic resources protection provisions of the GP-LCP and County Code (Section 16.42). Therefore, a case-by-case environmental review of future discretionary projects and programs would ensure consistency with state, federal, and all General Plan goals, objectives, and policies. The following GP-LCP policies are applicable to historic resources: Policy 5.20.3, Development Activities; Policy 5.20.4, Historic Resources Commission Review; Policy 5.20.5, Encourage Protection of Historic Structures; Policy 5.20.6, Maintain Designation as a Certified Local Government; Policy 5.19.1, Evaluation of Native American Cultural Sites; Policy 5.19.2, Site Surveys; Policy 5.19.3, Development Around Archaeological Resources; Policy 5.19.4, Archaeological Evaluations; and Policy 5.19.5, Native American Cultural Sites. Adherence to applicable County, state, and federal standards and guidelines related to the protection/preservation of cultural resources, as well as the requirements mandated during the environmental review of individual projects would ensure that potential impacts related to cultural resources are less-than-significant. However, no impact to historical resources would occur from the adoption and implementation of the proposed amendments.

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5? ☐ ☐ ☐ ☒

**Discussion:** See discussion under G-1 above. No impact is anticipated from the adoption and implementation of the proposed amendments.

3. Disturb any human remains, including those interred outside of formal cemeteries? ☐ ☐ ☐ ☒

**Discussion:** The proposal would not authorize or facilitate any development. Any proposed new development would be subject to Section 16.40.040 of the Santa Cruz County Code regarding discovery of human remains. No impact is anticipated from the adoption and implementation of the proposed amendments.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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4. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The proposal would not authorize or facilitate any development. Any proposed new development would be subject to all regulations of the Santa Cruz County Code (Section 16.44) regarding protection of paleontological resources and unique geological features. The following GP-LCP policies are applicable to paleontological resources: Policy 5.9.1, Protection and Designation of Significant Resources, and Policy 5.9.2, Protecting Significant Resources Through Easements and Land Dedication. Each future discretionary development proposal would necessitate independent review of environmental impacts. Therefore, no impact would occur from the adoption and implementation of the proposed amendments.

## 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"/>
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**Discussion:** The potential release of hazardous materials along roadways is an ongoing condition that is regulated by federal, state, and local regulations. This condition would exist with or without the proposed project.

The adoption and implementation of the proposed amendments would not authorize or facilitate any development nor would it facilitate the transport, use, or disposal of hazardous materials. Therefore, proposal would not result in any significant hazards, such as exposure to potential health hazards or creation of a health hazard. Any proposed new development would be subject to all regulations of the Santa Cruz County GP-LCP. GP-LCP policy 6.7.10, Distance from Residences, is applicable to hazardous materials. Furthermore, to ensure that development on specific sites would not result in potentially significant hazards or expose people to potential health hazards, future discretionary projects would be reviewed for consistency with state, federal, and local requirements and guidelines. Adherence to such requirements would ensure that potential impacts associated with this issue are less-than-significant. However, no impact is anticipated from the adoption and implementation of the proposed amendments.

2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the

<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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release of hazardous materials into the  
environment?

**Discussion:** The proposal would not authorize or facilitate any new development. Therefore, the proposal would not create a significant hazard to the public or the environment. Any proposed new development would be subject to all regulations of the Santa Cruz County GP-LCP. GP-LCP Policy 6.6.1, Hazardous Materials Ordinance, is applicable to hazardous materials sites. Adherence to applicable County, state, and/or federal regulations would ensure that potential hazards to the public are less-than-significant. However, no impact is anticipated from the adoption and implementation of the proposed amendments.

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

**Discussion:** The proposal would not authorize or facilitate any development. Therefore, no impact is anticipated from the adoption and implementation of the proposed amendments.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The adoption and implementation of the proposed amendments to County Code Chapter 13.20 and related ordinance sections would not authorize or facilitate any development. Although there is potential for existing development to be located on a site that is included on the list of hazardous material sites compiled pursuant to Government Code Section 65962.5, the proposed amendments govern permit requirements and processing, not environmental conditions. The proposal would not cause development to be located on the list of hazardous sites. Any proposed new development would be subject to all regulations of the Santa Cruz County GP-LCP. Review of potential impacts related to this issue would be conducted during the environmental review of specific developments requiring discretionary review. GP-LCP Policy 6.6.1, Hazardous Materials Ordinance, is applicable to hazardous materials sites. Adherence to applicable County, state, and/or federal regulations would ensure that potential hazards to the public are less-than-significant. However, no impact is anticipated from the adoption and implementation of the

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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proposed amendments.

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

**Discussion:** One municipal airport is located in Santa Cruz County, within the City of Watsonville at the south end of the county. While the airport itself is not located in the coastal zone, airport safety zones extend into unincorporated land in the coastal zone. Future discretionary development proposals would undergo analysis to determine whether the development site would create a safety hazard for persons residing in new development. Review of potential impacts related to this issue would be conducted during the environmental review of specific development proposals. The following GP-LCP 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. Adherence to applicable County, state, and/or federal regulations would ensure that potential hazards associated with this issue are less-than-significant. The proposal would not authorize or facilitate any development; therefore, no impact would occur from the adoption and implementation of the proposed amendments to Chapter 13.20.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** Please see discussion under H-5 above. No impact is anticipated from the adoption and implementation of the proposed amendments.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development. Development per se does not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact from the adoption and implementation of the amendments would occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
8. Expose people to electro-magnetic fields associated with electrical transmission lines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The adoption and implementation of the proposed amendments to County Code Chapter 13.20 and related ordinance sections would not authorize or facilitate any development and therefore would not result in exposure of people to electro-magnetic fields associated with electrical transmission lines. All future development must be consistent with the goals, policies, and standards established within the GP-LCP that are intended to protect the safety of the community (e.g., Public Safety and Noise). Furthermore, to ensure that development on specific sites would not result in potentially significant hazards or expose people to potential health hazards, future discretionary projects would be reviewed for consistency with state, federal, and local requirements and guidelines. The following GP-LCP 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. Therefore, no impact would occur from the adoption and implementation of the proposed amendments.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** Any new development would be subject to all requirements of the responsible fire agency. All future development must be consistent with the goals, policies, and standards established within the GP-LCP that are intended to protect the safety of the community. Furthermore, future discretionary projects would be reviewed for consistency with state, federal, and local requirements and guidelines. The following GP-LCP policies are applicable to wildland fire safety: Policy 6.5.1, Access Standards; Policy 6.5.2, Exceptions to Access Road Standards; Policy 6.5.3, Conditions for Project Approval; Policy 6.5.4, Fire Protection Standards for Land Division Outside the Urban Services Line; Policy 6.5.5, Standards for New Dead End Roads; Policy 6.5.6, Maintenance for Private Roads; Policy 6.5.7, Certification of Adequate Fire Protection Prior to Permit Approval; Policy 6.5.9, Consistency with Adopted Codes Required for New Development; Policy 6.5.10, Land Divisions Access Requirements; and Policy 6.5.11, Fire Protection Standard for Land Divisions Inside the Urban Services Line. The proposal would not authorize or facilitate any development; therefore, no impact would occur from the adoption and implementation of the proposed amendments.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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## 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"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development; therefore there would be no impact from the proposed amendments because no additional traffic would be generated by the proposal beyond that which already exists. All future discretionary development would be reviewed to ensure consistency with all regional and local transportation plans and policies, the County of Santa Cruz GP-LCP, and all applicable County ordinances. The following GP-LCP policies are applicable to traffic generation: Policy 3.12.1, Level of Service Policy; Policy 3.12.2, Level of Service Calculation Methods; Policy 3.12.3, Transportation Impact Fees as Mitigation Measures; and Policy 3.12.4, Reduced Traffic Generation. In addition, all discretionary proposals for new development are subject to a project-specific environmental analysis. No impact is anticipated from the adoption and implementation of the proposed amendments.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not result in a change in air traffic patterns, including an increase in traffic levels or a change in location, resulting in a substantial safety risk. Therefore, no impact would result from adoption and implementation of the proposed amendments.

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm | <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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equipment)?

**Discussion:** The proposal would not authorize or facilitate any development and has no relationship to transportation design features or uses incompatible with transportation features. No impact would occur from adoption or implementation of the proposed amendments.

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

**Discussion:** The proposal would not authorize or facilitate any development. Adoption and implementation of the proposed amendments would not affect emergency access. No impact would occur.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development. However, any future discretionary development project would be evaluated to determine adequacy of parking on an individual basis. The following GP-LCP policies are applicable to parking demand: Policy 3.3.1, Reduced Parking Requirements; Policy 3.3.2, Shared Parking; Policy 3.3.3, Park & Ride Lots; Policy 3.3.4, Joint Use; Policy 3.3.5, Neighborhood Parking Spillover; and Policy 3.3.6, Americans with Disabilities Act. Therefore, adoption and implementation of the proposed amendments would not increase the demand for parking. 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"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The adoption and implementation of the proposed amendments to County Code Chapter 13.20 and related ordinance sections would not authorize or facilitate any development. However, any future discretionary development project would be evaluated to identify any potential conflicts with adopted policies, plans, or programs regarding public transit, bicycle, and pedestrian facilities. The following GP-LCP policies are applicable to transit, bicycle and pedestrian modes of transportation: Policy 3.6.1, Transit-Friendly Design; Policy 3.6.2, Recreational Transit Facilities; Policy 3.6.3, Recreational Transit Service; Policy 3.8.3, Modal Interaction; Policy 3.10.4, Pedestrian Traffic; and Policy 3.10.5, Access. No impact is anticipated from adoption and implementation of the proposed ordinance amendments.

	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"/>

**Discussion:** The proposal would not authorize or facilitate any development. See response I-1 above. The proposed project would not individually or cumulatively impact the level of service standard established by the County GP-LCP for designated intersections, roads or highways. Therefore, no impact would occur from adoption and implementation of the proposed amendments.

## 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"/>
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**Discussion:** The proposal would not authorize or facilitate any development. All existing and any proposed development is required by the GP-LCP 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>.

The following GP-LCP policies are applicable to noise generation: Policy 6.9.1, Land Use Compatibility Guidelines; Policy 6.9.2, Acoustical Studies; Policy 6.9.3, Noise Sensitive Land Uses; Policy 6.9.5, Residential Development; and Policy 6.9.7, Construction Noise. However, because the proposal would not authorize or facilitate development, no impact from its adoption and implementation would occur.

2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The proposal would not authorize or facilitate any development; therefore no impact would occur from the adoption and implementation of the proposed amendments.

3. Exposure of persons to or generation of noise levels in excess of standards established in the General Plan or noise ordinance, or applicable	<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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standards of other agencies?

**Discussion:** The proposal would not authorize or facilitate any development. Therefore, no impact would occur from its adoption and implementation. See J-1, above.

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

**Discussion:** The proposal would not authorize or facilitate any development. Therefore, no impact would occur from its adoption and implementation. See J-1, above.

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

**Discussion:** The proposal would not authorize or facilitate any development. The following GP-LCP policies are applicable to airport noise generation: Policy 6.11.3, Mitigation for Interior Noise, and Policy 6.11.2, Restricting Residential Development, which limits single-family residential development to no more than one dwelling on an existing lot of record where the existing or future aircraft noise exceeds 65 dB L<sub>dn</sub>. However, because the proposal would not authorize or facilitate development, no impact from would occur from the adoption and implementation of the proposed amendments. See J-1, above.

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

**Discussion:** The proposal would not authorize or facilitate any development. Because the proposal would not authorize or facilitate development, no impact from would occur from its adoption and implementation. See J-5, above.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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## 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The North Central Coast Air Basin (hereinafter "Basin"), which is just south of the San Francisco Bay Area Air Basin, covers an area of 5,159 square miles and consists of the counties of Santa Cruz, San Benito, and Monterey. Marine breezes from Monterey Bay dominate the climate of this portion of the Basin. Westerly winds predominate in all seasons, but are strongest and most persistent during the spring and summer months.

The extent and severity of the air pollution problems in the Basin are a function of the area's natural physical characteristics (weather and topography), as well as human created influences (development patterns and lifestyle). Factors such as wind, sunlight, temperature, humidity, rainfall and topography all affect the accumulation and/or dispersion of pollutants throughout the Basin area.

In general, the air pollution potential of the coastal areas is relatively low due to persistent winds. The Basin is, however, subject to temperature inversions that restrict vertical mixing of pollutants and the warmer inland valleys of the Basin have a high pollution potential.

The proposal would not authorize or facilitate any development. Therefore, no impact would occur from its adoption and implementation. Any future discretionary development proposal would necessitate independent review of environmental impacts, and would be required to be consistent with GP-LCP Objectives and the following Policies: Policy 5.18.1, New Development; Policy 5.18.6, Plan for Transit Use; Policy 5.18.7, Alternatives to the Automobile; Policy 5.18.8, Encouraging Landscaping; and Policy 5.18.9, Greenhouse Gas Reduction.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project would not conflict with or obstruct implementation of the regional air quality plan. Therefore, no impacts would occur from its adoption and implementation. See K-1 above.

Result in a cumulatively considerable	<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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3. 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)?

**Discussion:** The project would not result in a cumulative considerable net increase of any criteria pollutant. Therefore, no impacts would occur from adoption and enforcement of the proposed amendments. See K-1 above.

4. Expose sensitive receptors to substantial pollutant concentrations? ☐ ☐ ☐ ☒

**Discussion:** The proposal would not expose sensitive receptors to substantial pollutant concentrations. No impact is anticipated from its adoption and implementation. See K-1 above.

5. Create objectionable odors affecting a substantial number of people? ☐ ☐ ☐ ☒

**Discussion:** The proposal would not create objectionable odors. No impact is anticipated from its adoption and implementation. See K-1, above.

## 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? ☐ ☐ ☐ ☒

**Discussion:** The proposal would not authorize or facilitate any development. Therefore, no additional greenhouse gas emissions would be generated by adoption and implementation of the proposed amendments. No impact would occur.

2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☐ ☒

**Discussion:** The proposal would not authorize or facilitate any development. No impacts would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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## 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks or other recreational activities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities; including the maintenance of roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion (a through e):** The adoption and implementation of the proposed amendments to County Code Chapter 13.20 and related ordinance sections would not authorize or facilitate any development. Therefore, no impact would occur to fire protection, police protection, schools, parks or recreational activities or other public facilities.

## 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 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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**Discussion:** The proposal would not authorize or facilitate any development, including that which would cause there to be additional use of recreational facilities. Therefore, there would be no impact from the adoption and implementation of the proposed amendments.

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

**Discussion:** The proposal would not authorize or facilitate any development. No impact would occur to existing recreational facilities and new facilities would not be required. See N-1 above. Therefore, no impact would occur from the adoption and implementation of the proposed amendments.

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

**Discussion:** The proposal would not authorize or facilitate any development. The proposal would not result in the construction of new storm water drainage facilities or the expansion of existing facilities. Therefore, no impact would occur from the adoption and implementation of the proposed amendments.

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

**Discussion:** The proposal would not authorize or facilitate any development. The proposal would not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. Therefore, no impact would occur from the adoption and implementation of the proposed amendments.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The proposal would not authorize or facilitate any development. The proposal would not exceed result in the exceedance of the wastewater treatment requirements of the RWQCB. Therefore, no impact would occur from its adoption and implementation.

4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The proposal would not authorize or facilitate any development. The proposal would not affect water supplies. Therefore, no impact would occur from its adoption and implementation.

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

**Discussion:** The proposal would not authorize or facilitate any development. The proposal would not impact wastewater treatment capacity. Therefore, no impact would occur from its adoption and implementation.

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

**Discussion:** The proposal would not authorize or facilitate any development. The proposal would not impact landfill capacity. Therefore, no impact would occur from its adoption and implementation.

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"/>
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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Discussion:** The proposal would not authorize or facilitate any development. Therefore, no impact would occur from the adoption and enforcement of the proposed amendments. See O-6 above.

## 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 mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development.

The proposal would not conflict with any regulations or GP-LCP policies adopted for the purpose of avoiding or mitigating an environmental effect. Furthermore, the main purpose of the changes to Chapter 13.20 is to bring the coastal regulations contained therein into conformity with state law and the LCP. Therefore, no impacts are anticipated from the adoption and implementation of the proposed amendments.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The adoption and implementation of the proposed amendments to County Code Chapter 13.20 and related ordinance sections would not authorize or facilitate any development. The proposal would not conflict with any applicable habitat conservation plan for the purpose of avoiding or mitigating an environmental effect. Therefore, no impacts are anticipated from its adoption and implementation. See L-1.

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

**Discussion:** The proposal would not authorize or facilitate any development. The project would not include any element that would physically divide an established community. Therefore, no impacts are anticipated from its adoption and implementation.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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## 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"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development. Therefore, the proposed amendments would not induce population growth either directly or indirectly. No impact would occur.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development or use that would displace a substantial numbers of existing housing. Therefore, no impact would occur.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposal would not authorize or facilitate any development nor would it displace a substantial number of people necessitating construction of replacement housing elsewhere. Therefore, no impact would occur.

## 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 proposal would not authorize or facilitate any development. 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 and no impacts were identified. 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<br>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 type="checkbox"/>           | <input checked="" type="checkbox"/> |

**Discussion:** The proposal would not authorize or facilitate any development. No individually limited, but cumulative considerable impacts have been identified. 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:** The proposal would not authorize or facilitate any development. In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to specific questions in Section III. Aesthetics, Air Quality, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Population and Housing, and Transportation and Traffic. As a result of this evaluation, no potentially significant effects to human beings were identified. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

**IV. TECHNICAL REVIEW CHECKLIST**

	<b><u>REQUIRED</u></b>	<b><u>DATE COMPLETED</u></b>
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 checked="" type="checkbox"/>	_____

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

California Building Code

California Code of Regulations, Title 24, Part 2, Volume 2 of 2, California Building Standards Commission.

California Department of Conservation, 1997

California Agricultural Land Evaluation and Site Assessment Model (1997)  
prepared by the California Department of Conservation

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.

County of Santa Cruz, 2001

County of Santa Cruz GIS Mapping, California Division of Mines and Geology, 2001

MBUAPCD 2009.

North Central Coast Air Basin Area Designations and Attainment Status – January 2009. Prepared by the Monterey Bay Unified Air Pollution Control District.

[http://www.mbuapcd.org/mbuapcd/pdf/Attainment\\_Status\\_January\\_2009.doc](http://www.mbuapcd.org/mbuapcd/pdf/Attainment_Status_January_2009.doc).

Santa Cruz County Regional Transportation Commission, 2007

2006 Transportation Monitoring Report, Approved August 2, 2007 with revised traffic counts on July 14, 2009.

## **VI. ATTACHMENTS**

1. Proposed amendments to County Code Chapter 13.20 and related County Code Chapters.
2. Map of East Cliff tourist area special community.
3. Map of Rio del Mar Esplanade tourist area special community.

**Chapter 13.20**  
**COASTAL ZONE REGULATIONS**

## Sections:

- 13.20.010 Purpose.
- 13.20.020 Scope.
- 13.20.030 Amendment of Ordinance
- 13.20.040 Definitions.
- 13.20.050 Projects requiring Coastal Zone Development Permit approval.
- 13.20.060 Coastal Development Permit Exemptions.
- 13.20.061 ~~Roads exemption.~~ Improvements to existing single-family residences exemption.
- 13.20.062 ~~Natural gas, chilled water, and steam facilities exemption~~ Existing structures other than single-family residences and public works facilities exemptions.
- 13.20.063 ~~Electric utilities, telephone, cable TV, water, sewer, flood control, and public works facilities exemption~~ Replacement after disaster exemption.
- 13.20.064 ~~Parks exemption~~ Public roads, utilities, and parks exemptions.
- 13.20.065 ~~Industrial facilities exemption~~ Natural gas, chilled water, and steam facilities exemption.
- 13.20.066 ~~Projects with State coastal development permit exemption~~ Temporary event exemption.
- ~~13.20.067 Replacement after natural disaster exemption.~~
- ~~13.20.068 Improvements to existing structures exemption.~~
- 13.20.070 Coastal Development Permit Exclusions.
- 13.20.071 Residential development—One- to four-unit exclusion.
- 13.20.072 Commercial development exclusion.
- 13.20.073 Agriculturally related development exclusion.
- 13.20.074 ~~Significant tree~~ Tree removal exclusion.
- 13.20.075 Land clearing exclusion.
- 13.20.076 Lot line adjustments exclusion.
- 13.20.077 Grading exclusion.
- 13.20.078 Coastal exclusion for wells.
- 13.20.079 Demolition of Structures exclusion
- 13.20.080 Notice of Coastal Development Permit exclusion.
- 13.20.085 Challenges to County's determination of coastal review requirement.
- 13.20.090 Emergency projects.
- 13.20.100 Approval Coastal Development Permit -process.
- 13.20.105 Administrative Coastal Development Permits.
- 13.20.106 Administrative Coastal Development Permit process.
- 13.20.107 Coastal review of Second Units (non-appealable area).
- 13.20.108 Coastal review of Second Units (appealable area).
- 13.20.110 Findings.
- 13.20.120 Appeals.
- 13.20.121 Local appeals.

- 13.20.122 Coastal Commission appeals.
- 13.20.130 Design criteria for Coastal Zone developments.
- 13.20.140 Special areas design criteria.
- 13.20.141 Bonny Doon special scenic area design criteria.
- 13.20.142 Swanton Road area design criteria.
- 13.20.143 Davenport special community design criteria.
- 13.20.144 Harbor area special community design criteria.
- 13.20.145 East Cliff Village tourist area special community design criteria.
- 13.20.146 Seacliff Beach area special community design criteria.
- 13.20.147 Rio Del Mar Esplanade special community design criteria.
- 13.20.148 Pleasure Point community design criteria.
- 13.20.150 Special use standards and conditions.
- 13.20.160 Timber harvest standards and conditions.
- 13.20.170 Violations of Coastal Zone regulations.

Prior legislation: Ord. 3326.

#### **13.20.010 Purpose.**

This chapter hereby establishes the Coastal Zone approval review and permit process for the purpose of implementing the California Coastal Act of 1976, Division 20 of the California Public Resources Code, as interpreted by and in accordance with the Local Coastal Program (LCP) of Santa Cruz County. The Coastal Zone approval review and permit process is the primary mechanism for ensuring that all development in the Coastal Zone of Santa Cruz County is consistent with Local Coastal Program policies and provisions. [Ord. 3435 § 1, 1983].

#### **13.20.020 Scope.**

(A) This chapter establishes the Coastal Zone approval review and permit process: where and for what types of development a Coastal Zone Coastal Development Permit approval is required; the application, hearing, notice and appeal procedures; the required findings; and development and design standards.

(B) This chapter shall apply to all development projects located within the Coastal Zone of the unincorporated portion of Santa Cruz County, ~~as identified by the Coastal Zone Combining District, established pursuant to the County zoning regulations, Chapter 13.10 SCCC, and shown on maps on file at the County Planning Department.~~

(C) ~~The regulations of this chapter including the findings, design criteria, and special use standards and conditions of the Coastal Zone approval, shall apply in the Coastal Zone Combining District and shall be in addition to the regulations of the basic zone district and any other applicable combining district~~ For the purposes of regulating development in the coastal zone, the regulations of this chapter and Chapter 13.10, the Zoning Ordinance, shall both be applied. In case of a conflict, the regulations of this chapter or those that are most protective of coastal resources and most consistent with the Local Coastal Program Land Use Plan and the California Coastal Act shall take precedence. [Ord. 3435 § 1, 1983].



**13.20.030 Amendment of Ordinance.**

Any revision to this ~~chapter~~ordinance shall be reviewed by the Executive Director of the California Coastal Commission to determine whether it constitutes an amendment to the Local Coastal Program. ~~When an ordinance revision constitutes an amendment to the Local Coastal Program, if so,~~ such revision shall be processed pursuant to the hearing and notification procedure of Chapter 13.03 SCCC and shall be subject to approval by the California Coastal Commission. [Ord. 3435 § 1, 1983].

**13.20.040 Definitions.**

All terms used in this chapter shall be as defined in the General Plan ~~or~~ Local Coastal Program Land Use Plan glossaries, except as noted below.

~~"Aggrieved person."~~means aAny person who, in person or through a representative, testified appeared at a public hearing or, by other appropriate means (for example, written communication) prior to action on a Coastal Zone approval Development Permit application, informed the County of his/her concerns about an application for such approval or who for good cause was unable to do either. An aggrieved person includes the applicant for the Permit.

Appealable Area. The area between the sea and the first public road paralleling the sea of within 300 feet of the inland extend of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance and the area within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.

~~"Applicant."~~means tThe person, partnership, corporation, federal, or State, or local government, special district or public agency thereof, or other party applying for a Coastal Zone approval Development Permit.

~~"Approving body."~~means tThe County Planning Director, Zoning Administrator, Planning Commission, or Board of Supervisors authorized to approve a Coastal Zone development Development Permit.

Bulk. The total interior cubic volume as measured from the exterior surface of the structure.

~~"Coastal Commission."~~means tThe California Coastal Commission.

Coastal Development Permit (CDP). A permit authorizing development within the coastal zone. This includes Administrative Coastal Development Permits, which may be issued for minor development as defined in this chapter.

Coastal Development Permit Exclusion. Pursuant to a Coastal Commission –adopted exclusion order, a class of development for which no Coastal Development Permit is required. The categories of excluded development are referenced in Section 13.20.070 et seq.

Coastal Development Permit Exemption. Pursuant to the California Coastal Act and title 14 of the California Code of Regulations, a class of development wfor which no Coastal Development Permit is required. The categories of exempted development are referenced in Section 13.20.060 et seq.

Coastal Resources. Include, but are not limited to public access and public access facilities and opportunities, recreation areas and recreational facilities and opportunities, visitor recreational water-oriented activities, marine resources, watercourses (e.g., rivers, streams, creeks, etc.) and their related corridors, waterbodies (e.g., wetlands, estuaries, lakes, etc.), ground water resources, biological resources, environmentally sensitive habitat areas, agricultural lands, and archaeological or paleontological resources.

"Coastal Zone" means that portion of the Coastal Zone, as established by the Coastal Act of 1976 and as it may subsequently be amended, which lies within the unincorporated area of Santa Cruz County. That unincorporated area of Santa Cruz County as established by the California Coastal Act of 1976, Division 20 of the California Public Resources Code, and including as it may subsequently be amended. In Santa Cruz County, the coastal zone generally extends: 1) up to five miles inland in the North Coast/Bonny Doon planning areas including the northwestern portion of Big Basin Redwoods State Park and generally following along Empire Grade from the vicinity of its intersection with Pine Flat Road to the City of Santa Cruz; 2) generally 1200 to 2300 yards inland through Live Oak from the City of Santa Cruz to the City of Capitola; and 3) seaward of and including Highway 1 from the City of Capitola south to the County line.

"Coastal Zone approval" means a project authorization issued by the County of Santa Cruz as part of a development permit in accordance with the provisions of this chapter and Chapter 18.10 SCCG, approving a project in the Coastal Zone Combining District as being in conformance with the Local Coastal Program. A Coastal Zone approval includes all application materials, plans and conditions on which the approval is based.

"Commercial timber harvest" means a timber harvest designed for a market; traded, bartered or sold for valuable consideration; not designed for use in the land owner's household or farm.

Consolidated Permit Process. A permit process where a coastal development permit is required from both the County and the Coastal Commission and the separate permits are consolidated and processed by the Coastal Commission only. The consolidated permit process requires consent by the applicant, the County, and the Coastal Commission. The standard of review is Chapter 3 of the Coastal Act with the County's LCP used as guidance.

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; reconstruction, demolition, alteration in the size of any structure including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section

4511). As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Disaster. Any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owner.

~~"Excluded project exclusion" means a project for which no Coastal Zone approval is required pursuant to SCCC 13.20.070 et seq.~~

~~"Exempt project exemption" means a project for which no Coastal Zone approval is required pursuant to SCCC 13.20.060 et seq.~~

Emergency. A sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

Environmentally Sensitive Habitat Area (ESHA). As defined by the Coastal Act, any are in which plant of animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Exclusive Use. In the context of a temporary event only, a use that precludes public uses in the area of the temporary event for public recreation , beach access or access to coastal waters other than for or through the temporary event itself.

Intensification of Use, Non-Residential. Any change or expansion of a non-residential use which will result both a greater than 10% increase in parking need and more than two spaces or which is determined by the Planning Director likely to result in a significant new or increased impact due to potential traffic generation, noise, smoke, glare, odors, hazardous materials, water use, and/or sewage generation, shall be considered an intensification of a non-residential use.

Intensification of Use, Residential. Any change to a residential use which will result in an increase of its number of bedrooms, as defined in Section 13.10.700(B), shall be considered an intensification of use.

Limited Duration. In the context of a temporary use or event only, a period of time that does not exceed 45 days on a continual basis, or does not exceed a consecutive six month period on an intermittent basis

"Local Coastal Program." means ~~t~~ The County's land use plans, zoning ordinances, zoning maps and implementing ordinances and actions certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976.

"Major energy facility." means ~~a~~ Any public or private processing, producing, generating, storing, transmitting, ore recovering facility for electricity, natural gas, petroleum, coal, or other source of energy energy facility as defined by Public Resources Code Section 30107 and exceeding \$50,000 that costs more than an amount equal to \$100,000 plus the ~~in~~ estimated cost of construction annual increase specified in the Engineering News Record Construction Cost Index between 1976 and he present time,

except for those facilities governed by the provisions of Public Resources Code Sections 30610, 30610.5, 30611, or 30624.

"Major public works project" means a (a) Any project associated with a public works project, as defined by California Administrative Code Section 13012 Public Resources Code Section 30114, that costs more than an amount equal to \$100,000 plus the annual increase specified in the Engineering News Record Construction Cost Index between 1976 and the present time, except for those facilities governed by the provisions of Public Resources Code Sections 3010, 30610.5, 30611, or 30624; or (b) and exceeding \$50,000 in estimated cost of construction Any publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.

Minor Development. In the context of the public hearing requirement for a Coastal Development Permit only, pursuant to Public Resources Code Section 30624.9, a development which the Planning Director determines satisfies all of the following requirements:

- (a) Is consistent with the certified Local Coastal Program;
- (b) Requires no discretionary approvals other than a Coastal Development Permit; and
- (c) Has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast.

Applications for Coastal Development Permits for Minor Developments may be processed administratively without a public hearing subject to the criteria of Sections 13.20.105 and 13.20.106.

Non-permanent Structure(s). In the context of a temporary event only, structures including, but not limited to, bleachers, perimeter fencing, vendor tents/canopies, judging stands, trailers, portable toilets, sound/video equipment, stages, booths, platforms, and movie sets, which do not involve grading or landform alternation for installation.

"Notice of exclusion" means a A form signed by the Planning Director stating that a development meets the requirements for a Coastal Development e Exclusion, and does not require a Coastal Zone approval the reasons supporting such a determination (including reference to applicable code sections), and all necessary information and other materials (i.e., location maps, site plans, elevations, etc.) supporting the Planning Director's exclusion determination (see also Section 13.20.080.

"Other permits and approvals" means permits and approvals, other than a Coastal Zone approval required by the County Code before a development may proceed.

"Permittee" means t The person or persons, group, organization, partnership, limited liability company, or other business association or, corporation, including any utility, and any federal, state, or local government, special district, or public or agency thereof, or other party issued a Coastal Zone approval Development Permit.

"Planning Director" means t The Planning Director or his or her authorized designee.

"Principal permitted use" means ~~those uses defined as part of the principal permitted use listed for each of the basic zone districts in Chapter 13.10 SCCC (Zoning Regulations), which do not require a public hearing and the approvals of which are not appealable to the Coastal Commission except as specified in SCCC 13.20.122.~~

"Project" means ~~a Any development as defined in this section chapter. Regular maintenance and repair activities to existing structures are not considered projects unless these activities meet the definition of development.~~

~~Projects Appealable to the Coastal Commission. Coastal Zone projects appealable to the Coastal Commission are:~~

- ~~(1) Projects approved between the sea and the first through public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance;~~
- ~~(2) Projects approved in the County jurisdiction located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff;~~
- ~~(3) Any project approved involving development which is not a principal permitted use in the basic zone district; and~~
- ~~(4) Any project involving development which constitutes a major public works project or a major energy facility.~~

Reconstruction. Modification or replacement of 65% or more of the major structural components of an existing structure within any consecutive five-year period. The extent of alterations to major structural components will be calculated in accordance with administrative guidelines adopted by resolution of the Board of Supervisors, and which are adopted by the Coastal Commission as an appendix to the Local Coastal Program.

Sandy Beach Area. Sandy areas fronting on coastal waters.

Sensitive Coastal Resource Area. Those identifiable and geographically bounded land and water areas within the Coastal Zone of vital interest and sensitivity, including the following:

- (a) Special marine and land habitat areas, wetlands, lagoons, and estuaries as designated in Appendix B of the General Plan-Local Coastal Program;
- (b) Areas possessing significant recreational value including all local, state, and federal parks, open space, and recreation areas;
- (c) Scenic areas as mapped on the General Plan-Local Coastal Program maps;
- (d) Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer;

(e) Special communities that are significant visitor destination areas. These include Davenport, the Harbor area, the East Cliff Village Tourist Area Special Community, Seacliff Beach, and the Rio Del Mar Esplanade Tourist Special Community;

(f) Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons;

(g) Areas where divisions of land could substantially impair or restrict coastal access.

Structure. For the purposes of this chapter only, anything constructed or erected which requires a location on the ground, including but not limited to, any building, fence, retaining wall, deck, swimming pool, hot tub, road, pipe, flume, conduit, siphon, aqueduct, telecommunications line, and electrical power transmission and distribution line..

Temporary Event. An activity or use that constitutes development of limited duration that involves the placement of non-permanent structures, and/or an activity or use that involves exclusive use of a sandy beach, parkland, filled tideland, water area, street, or parking area otherwise open and available for general public use.

"Working Day" means any day on which County offices are open for business Weekdays other than State or County holidays or furlough days.

Zoning Administrator. The Planning Director or his or her authorized designee. (Ord. 3326, 11/23/82; 3435, 8/23/83; 4346, 12/13/94)

### **13.20.050 Projects requiring Coastal Zone approval Development Permits issued by the County.**

Any person or persons, group, organization, partnership, limited liability company, or other business association or, corporation, including any utility, and any federal, Sstate, or local government, special district, or public agency thereof, or other party wishing to undertake any development as defined in SCCC 13.20.040 in the Coastal Zone shall obtain a Coastal Zone approval Development Permit from the County in accordance with the provisions of this chapter, except if a Coastal Development Permit is also required from the California Coastal Commission and the parties have agreed to have the application processed through the consolidated permit process (see definition above) or as provided in SCCC 13.20.060 (exemptions) and 13.20.070 (exclusions). The Coastal Zone approval Development Permit shall be in addition to any other approval or permit required by law and shall be obtained prior to commencement of the development activity. Provision for challenges to the County's determination of the applicable coastal development review and permit procedures Coastal Zone approval requirement is contained in SCCC 13.20.085. [Ord. 4346 § 49, 1994; Ord. 3435 § 1, 1983].

### **13.20.060 Coastal Development Permit Exemptions.**

Pursuant to Coastal Act Section 30610, no Coastal Zone approval Development Permit is required for the activities development listed in SCCC 13.20.061 through 13.20.0696 The Planning Director or designee shall make an exemption determination as soon as possible following the time an application for the proposed development is submitted to the County. [Ord. 3435 § 1, 1983].

**13.20.061 Roads exemption.**

Repair and maintenance of existing public roads is exempt, including routine maintenance and those activities necessary to preserve the highway as it was constructed; provided, that there is no excavation or disposal of fill outside the roadway prism and there is no addition to or expansion of the existing public road facility. [Ord. 3435 § 1, 1983].

**13.20.062 Natural gas, chilled water, and steam facilities exemption.**

(A) Installation of piping and components, meter set assemblies and steam pressure regulation equipment which provide natural gas, chilled water and steam services to development approved or exempted under this chapter is exempt except when underground placement is involved in any marsh, stream, or other sensitive habitat, or archaeological resources area.

(B) Repair, maintenance and replacement of distribution and transmission facilities, production and storage facilities, and accessory structures are exempt providing that:

- (1) Maintenance will not include the construction of new roads to the site of work; and
- (2) Grading will not exceed 100 cubic yards; and
- (3) There will be no clearing in a sensitive habitat; and
- (4) There will be no other clearing in excess of one acre; and
- (5) No significant tree as defined in Chapter 16.34 SCCC will be cut.

(C) Installation of new safety devices and pollution control facilities within existing structures or equipment is exempt where land coverage, height, or bulk of existing structures will not be increased. [Ord. 3435 § 1, 1983].

**13.20.063 Electric utilities, telephone, cable TV, water, sewer, flood control, and public facilities exemption.**

(A) Except as otherwise indicated in subsection (B) of this section, the maintenance activities exempted include the following:

- (1) Repairs, maintenance and minor alterations of electric utilities; generation stations; substations; fuel handling, transportation or storage facilities and equivalent facilities; and water, sewer, flood control and public works facilities which will not increase the capacity of the system.
- (2) Maintenance of existing overhead electrical, telephone, or cable TV transmission, distribution and communication facilities, including necessary related facilities to restore service or prevent service outages.
- (3) Maintenance and repair of underground facilities and conversion of existing overhead facilities to underground facilities; provided, that work will be limited to public road or railroad

~~rights-of-way or public utility easements and providing the site will be restored as close as reasonably possible to its original condition.~~

~~(4) Removal of minor vegetation for maintenance purposes (tree trimming, etc.).~~

~~(5) Installation of new safety devices and pollution control facilities within existing structures or equipment where land coverage, height or bulk will not be increased.~~

~~(B) This exemption for maintenance and repair activities does not apply if the activity will include any of the following:~~

~~(1) Construction of any new roads to the site of work; or~~

~~(2) Grading exceeding 100 cubic yards; or~~

~~(3) Clearing in a sensitive habitat; or~~

~~(4) Any other clearing in excess of one acre; or~~

~~(5) Cutting of any significant tree as defined in Chapter 16.34 SCCC. [Ord. 4836 §§ 117, 118, 2006; \* Ord. 3435 § 1, 1983].~~

~~\* Code reviser's note: Ord. 4836 had two sections numbered "117" and "118."~~

#### **13.20.064 Parks exemption.**

~~Routine maintenance of existing public parks is exempt, including repair or modification of existing public facilities where the level or type of public use or the size of structures will not be altered. [Ord. 3435 § 1, 1983].~~

#### **13.20.065 Industrial facilities exemption.**

~~(A) Routine repair, maintenance, and minor alterations to existing facilities are exempt, provided they are necessary for ongoing production that do not expand the area or operation of the existing plant.~~

~~(B) Minor modifications of existing structures required by governmental safety and environmental regulations are exempt, where necessary to maintain existing structures, and where height or bulk of existing structures will not be altered. [Ord. 3435 § 1, 1983].~~

#### **13.20.066 Projects with State coastal development permit exemption.**

~~Development authorized by a coastal development permit issued by the Coastal Commission or within an area in which the Coastal Commission retains permit jurisdiction is exempt. [Ord. 3435 § 1, 1983].~~

#### **13.20.067 Replacement after natural disaster exemption.**

~~The replacement of any structure, other than a public works facility, destroyed by a natural disaster is exempt, provided, that the replacement structure:~~

~~(A) Will be for the same use as the destroyed structure; and~~



~~(B) Will not exceed the floor area, height, or bulk of the destroyed structure by more than 10 percent; and~~

~~(C) Will be sited in the same location on the affected property as the destroyed structure. [Ord. 3435 § 1, 1983].~~

**13.20.0681 Improvements to existing structures single-family residences exemption.**

~~(A) Improvements to Existing Single-Family Residences.~~

~~(1) Exempt improvements to single-family residences include the following:~~

~~(a) Additions or structures of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission;~~

~~(b) Additions of up to 10 percent of the existing structure or structures of up to 250 square feet, whichever is less, within the appeal jurisdiction of the Coastal Commission;~~

~~(c) Other improvements to an existing single-family residence, including improvements to any fixtures or other structures directly attached to the residence or to structures on the property normally associated with a single-family residence such as garages, swimming pools, fences, and storage sheds;~~

~~(d) Landscaping on the lot;~~

~~(e) Replacement of water storage tanks, wells or septic systems serving existing legal single-family residences.~~

~~(2) This exemption for improvements to single-family residences does not include the following:~~

~~(a) Construction of habitable accessory structures;~~

~~(b) Additions to single-family residences where the development permit issued for the original structure by the County or Coastal Commission indicated that any future additions would require a coastal development permit;~~

~~(c) Where the structure is located on a beach, wetland, or seaward of the mean high tide line;~~

~~(d) Where the residence or proposed improvement is located within 50 feet of the edge of a coastal bluff;~~

~~(e) Where the improvement would involve any significant alteration of land forms on a beach, wetland, or sand dune, or within 50 feet of a coastal bluff;~~

~~(f) The expansion or construction of water wells or septic systems.~~

(A) The following are considered part of an existing single-family residence and eligible for this exemption: all fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools (in ground and above ground), hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property. Allowed improvements include additions, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained residential units including Second Units (as defined in Section 13.10.700-S; see also Sections 13.20.107 and 108)

(B) The development described in Subsection (A) above cannot be exempted if any of the following apply:

(1) The structure is located on a beach, in a wetland, in a stream, in a lake, seaward of the mean high tide line, in an environmentally sensitive habitat area (but not including a riparian buffer area), in a scenic area as mapped on the Local Coastal Program Land Use Plan maps, or within 50 feet of a coastal blufftop edge;

(2) The improvement involves any significant landform alteration, as determined by the Planning Director or designee, including removal or placement of vegetation, and including landform alteration on a beach, wetland, sand dune, within 50 feet of a coastal blufftop edge, or in an environmentally sensitive habitat area;

(3) The structure is located on property between the sea and the first public road paralleling the sea, within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in a scenic area as mapped on the Local Coastal Program Land Use Plan maps, and the improvement increases height or internal floor area more than 10% on a cumulative basis;

(4) Prior approval(s) associated with the existing single family residence indicated that any future improvements would require a coastal development permit.

~~(B) Improvements to Existing Structures Other Than Single-Family Residences.~~

~~(1) Exempt improvements to any structure other than a single-family residence include the following:~~

~~(a) Additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission;~~

~~(b) Additions of up to 10 percent of the existing structure or up to 250 square feet, whichever is less, within the appeal jurisdiction of the Coastal Commission;~~

~~(c) Other improvements to an existing structure, including improvements to any fixtures and other structures directly attached to the structure;~~

~~(d) Landscaping on the lot;~~

~~(e) Replacement of wells or septic systems serving existing legal structures;~~

~~(f) Repair and maintenance of existing retaining walls.~~

~~(2) This exemption for improvements to structures other than single-family residences is not valid if any of the following apply:~~

~~(a) The structure is located on a beach, wetland, stream, lake, or seaward of the mean high tide line;~~

~~(b) The structure or improvement would encroach within 50 feet of a coastal bluff;~~

~~(c) The improvement involves any significant alteration of land forms on a beach, wetland, sand dune, or within 100 feet of a coastal bluff or stream;~~

~~(d) The improvement involves the expansion or construction of water wells or septic systems;~~

~~(e) The improvement is to a structure where the permit issued by the County or the Coastal Commission for the original structure indicated that any future improvements would require a coastal development permit;~~

~~(f) Improvement would change the intensity of use of the structure;~~

~~(g) The improvement will be made as part of the conversion of an existing structure from a multiple-unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold including but not limited to a condominium conversion, stock cooperative conversion, or motel/hotel time-sharing conversion. [Ord. 5061 §§ 22, 23, 2010; Ord. 4836 §§ 110, 119, 2006; \* Ord. 3480 § 1, 1983; Ord. 3435 § 1, 1983].~~

\* Code reviser's note: Ord. 4836 had two sections numbered "110 and 119."

**13.20.062. Improvements to existing structures )(other than single-family residences and public works facilities) exemption.**

(A) The following are considered part of an existing structure (other than single-family residences and public works facilities) and eligible for this exemption: fixtures and other structures directly attached to the structure and to landscaping on the property. Allowed improvements include additions, remodels and alterations to the existing structures, and replacement of existing water storage tanks, wells, or septic systems serving the existing structures.

(B) The development described in Subsection (a) above cannot be exempted if any of the following apply:

- (1) The structure is located on a beach, in a wetland, in a stream, in a lake, seaward of the mean high tide line, in an environmentally sensitive habitat area, in a scenic area as mapped on the Local Coastal Program Land Use Plan maps, or within 50 feet of a coastal blufftop edge;
- (2) The improvement involves any significant landform alteration, as determined by the Planning Director or designee, including removal or placement of vegetation, and including landform alteration on a beach, wetland, sand dune, within 100 feet of a coastal blufftop edge, or in an environmentally sensitive habitat area;
- (3) The improvement includes expansion in capacity of existing water wells or septic systems or construction of new water wells or septic systems;
- (4) The improvement changes the intensity of use of the structure (see definitions of intensification);
- (5) The improvement includes conversion of an existing structure from a multiple unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold, including but not limited to a condominium conversion, stock cooperative conversion, or motel/hotel timesharing conversion.
- (6) The structure is located on property between the sea and the first public road paralleling the sea, within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in a scenic area as mapped on the Local Coastal Program Land Use Plan maps, and the improvement increases height or floor area more than 10% on a cumulative basis (i.e., including past exemptions of less than 10% individually);
- (7) Prior approval(s) associated with the existing structure(s) were conditioned that future improvements require a Coastal Development Permit.
- (~~1~~) ~~— Prior approval(s) associated with the existing structure(s) were conditioned that — future improvements require a Coastal Development Permit.~~

**13.20.063      ~~Replacement after natural disaster exemption~~ Replacement after disaster exemption.**

Subject to 13.20.060, no Coastal Development Permit is required for the replacement or reconstruction of any structure (including associated landscaping and erosion control structures/devices) that existed prior to the occurrence of the disaster, other than a public works facility, that is destroyed by a disaster (i.e., any situation in which the force or forces which destroyed the structure to be replaced or reconstructed were beyond the control of its owner) provided that the replacement or reconstructed structure will:

- (A) Conform to all applicable LCP requirements, including Section 16.10.070(h)4, Alteration of Damaged Structures.
- (AB) Be for the same use as the destroyed structure;

(BC) Not exceed the floor area, height, or bulk (i.e., the total interior cubic volume as measured from the structure's exterior surface) of the destroyed structure by more than 10 percent; and

(CD) Be sited in the same location on the affected property as the destroyed structure, or be sited in a different location if such siting results in significantly greater protection of coastal resources and greater conformance with current site development standards. (Ord. 3363, 11/23/82; 3435, 8/23/83)

### **13.20.064 Public roads, utilities, and parks exemption**

(A) The following development, as well as activities detailed in the document "Repair, Maintenance and Utility Hook-up Exclusions from Permit Requirements", adopted by the Coastal Commission on September 5, 1978 and hereby adopted by reference and considered a part of this County Code, is are exempt, provided there is no risk of substantial adverse impact on public access, environmentally sensitive habitat area, wetlands, or public views, as determined by the Planning Director:

(1) Public Roads. Public Roads. Repair and maintenance of existing public roads, including resurfacing and other comparable development necessary to maintain the existing public road facility as it was constructed, provided that: (a) there is no excavation or disposal of fill outside the existing roadway prism; and (b) there is no addition to and no enlargement or expansion of the existing public road.

2) Public Utility Connections. The installation, testing and placement in service or the replacement of any necessary utility connection between an existing service facility and existing development.

3) Electric utilities, telephone, cable TV, water, sewer, flood control, and public facilities maintenance activities including the following:

4) Repairs, maintenance and minor alterations of electric utilities including conversion of existing overhead facilities to underground facilities; generation stations; substations; fuel handling, transportation or storage facilities and equivalent facilities; and water, sewer, flood control and public works facilities which will not increase the capacity of the system.

5) Public Parks. Routine maintenance of existing public parks, including repair or modification of existing public facilities and landscaping where the level or type of public use or the size of structures will not be altered.

~~Repair and maintenance of existing public roads, including resurfacing, , and other comparable development necessary to maintain the existing public road facility as it was constructed, provided that: (a) there is no excavation or disposal of fill outside the existing roadway prism; and (b) and there is no addition to and no enlargement or expansion of the vehicular capacity of the existing public road, although the road may be widened by u to 10% (on a cumulative basis) to improve bicycle facilities and or safety..~~

~~(2) Public Utility Connections. The installation, testing and placement in service or the replacement of any necessary utility connection between an existing service facility and existing development.~~

(3) Electric utilities, telephone, cable TV, water, sewer, flood control, and public facilities maintenance activities including the following:

(a) Repairs, maintenance and minor alterations of electric utilities including conversion of existing overhead facilities to underground facilities; generation stations; substations; fuel handling, transportation or storage facilities and equivalent facilities; and water, sewer, flood control and public works facilities which will not increase the capacity of the system.

(b) Public Parks. Routine maintenance of existing public parks, including repair or modification of existing public facilities and landscaping where the level or type of public use or the size of structures will not be altered.

#### **13.20.065 Natural gas, chilled water, and steam facilities exemption.**

Installation of piping and components, meter set assemblies and steam pressure regulation equipment which provide natural gas, chilled water and steam services. Installation of piping and components, meter set assemblies and steam pressure regulation equipment which provide natural gas, chilled water and steam services and repair, maintenance and replacement of distribution and transmission facilities, production and storage facilities, and accessory structures and other activities detailed in the document "Repair, Maintenance and Utility Hook-up Exclusions from Permit Requirements", adopted by the Coastal Commission on September 5, 1978 and hereby adopted by reference and considered a part of this County Code are exempt, provided there is not risk of substantial adverse impact on public access, environmentally sensitive habitat area, wetlands or public views, as determined by the Planning Director.

#### **13.20.066 Temporary event exemptions.**

(A) Except as provided in Subsection (C) below, every temporary event qualifies for a Coastal Development Permit Exemption unless the temporary event meets all of the following criteria:

(1) The event occupies a portion of a sandy beach area; and,

(2) The event is held between the Saturday of Memorial Day weekend through the Monday of Labor Day (inclusive), and

(3) The event involves a charge for general public admission or seating where no fee is currently charged for use of the same area.

(B) Other exemption. The Planning Director may also exempt a temporary event that satisfies all of the criteria specified in 13.20.066(A) above, if:

(1) The fee is for preferred seating only and 75% of the provided seating capacity is available free of charge for general public use; or

(2) The event is held on a portion of a sandy beach area in a remote location with minimal demand for public use, and there is no potential for adverse effect on sensitive coastal resources; or

(3) The event is less than one day in duration; or

(4) The event has previously received a Coastal Development Permit and will be held in the same location, at a similar season, and for the same duration, with operating and environmental conditions substantially the same as those associated with the previously-approved event.

(C) Special Circumstances. The Planning Director (or the Coastal Commission's Executive Director if the Planning Director's determination is challenged) may determine that a temporary event, even an event that might otherwise not require a Coastal Development Permit per this section above, shall require a Coastal Development Permit if he/she determines that unique or changing circumstances exist relative to the particular temporary event that have the potential for significant adverse impacts on coastal resources. Such circumstances may include, but shall not be limited to, the following:

(1) The event, either individually or together with other temporary events scheduled before or after the particular event, precludes the general public from use of a public recreational area for a significant period of time; or

(2) The event and its associated activities or access requirements will either directly or indirectly impact environmentally sensitive habitat areas, rare or endangered species, significant scenic resources, or other coastal resources; or

(3) The event is scheduled between Memorial Day weekend and Labor Day and would restrict public use of roadways or parking areas or otherwise significantly impact public use or access to coastal waters; or

(4) The event has historically required a Coastal Development Permit to address and monitor associated impacts to coastal resources.

(D) Temporary events located solely within the Coastal Commission original jurisdiction area require review and determination of Coastal Development Permit requirement or Temporary Event Exemption from the Coastal Commission rather than the County of Santa Cruz..

### **13.20.070 Coastal Development Permit Exclusions.**

Projects A Coastal Development Permit is not require for the categories of development listed in SCCC 13.20.071 through 13.20.0789 below, have been approved as categorical exclusions pursuant to categorical exclusion orders adopted by the California Coastal Commission, provided the terms and conditions of the underlying categorical exclusion orders are met. The Planning Director or designee shall make an exclusion determination (see Section 13.20.080) and that exclusion determination can be

~~challenged (see Section 13.20.085. Such projects do not need to obtain a Coastal Zone approval; provided, that a "notice of exclusion" is issued pursuant to SCCC 13.20.080. Requirements for any other County permit or approval are unaffected by this section. Challenges to determinations of exclusion may be made pursuant to SCCC 13.20.085. [Ord. 4022 § 1, 1989; Ord. 3487 § 2, 1983].~~

**13.20.071 Residential development—One- to four-unit exclusions.**

The residential exclusions identified below are excluded by virtue of Coastal Commission exclusion orders and are only valid provided that the exclusion orders themselves remain valid, and provided that the terms and conditions of the exclusion orders are met.

(A) Except as indicated in subsection (B) of this section, the exclusion for residential development is for projects as described below on lands within the urban services line or rural services line, and where designated as a principal permitted use under the applicable zone district:

The construction, reconstruction, demolition, repair, maintenance, alteration or addition to any one- to four-unit residential development or accessory structure on legal lots or lot combinations of record on the date of Local Coastal Program certification, and at densities specified in the land use plan.

(B) This exclusion for residential projects does not include projects located within any of the following areas:

- (1) Between the sea and the first ~~through~~-public road paralleling the sea, except in the areas shown on the map entitled "residential exclusion zone," hereby adopted by reference and considered a part of this section; or
- (2) Within 300 feet of the inland extent of any beach or of the mean high tide line where there is no beach, or within 300 feet of the top of the seaward face of any coastal bluff, whichever is the greater distance; or
- (3) On land subject to public trust; or
- (4) On lots immediately adjacent to the inland extent of any beach, or the mean high tide line where there is no beach; or
- (5) Within 100 feet of any wetland, estuary, or stream; or
- (6) Within a scenic ~~resource~~-area as designated on the General Plan and Local Coastal Program visual resources maps, or within a special community designated on the General Plan and Local Coastal Program Land Use Plan maps; or
- (7) ~~Within the habitat ("essential" area and area adjacent to the "essential" area) of the Santa Cruz Long-Toed Salamander as mapped in the General Plan and Local Coastal Program Land Use Plan~~ an environmentally sensitive habitat area. [Ord. 4836 § 111, 2006;\* Ord. 4416 § 20, 1996; Ord. 4406 § 20, 1996; Ord. 4346 §§ 50, 51, 1994; Ord. 3487 § 2, 1983; Ord. 3480 § 2, 1983].



\* Code reviser's note: Ord. 4836 had two sections numbered "111."

### **13.20.072 Commercial development exclusions.**

The commercial exclusions identified below are excluded by virtue of Coastal Commission exclusion order, and are only valid provided that the exclusion order itself remains valid, and provided that the terms and conditions of the exclusion order are met.

(A) Except as indicated in subsection (B) of this section, the exclusion for commercial development includes the following:

- (1) The construction, reconstruction, ~~replacement~~, demolition, ~~addition to~~, or alteration in size of any commercial structure less than 252,000 square feet in size, on legal lots of record within the urban services line or rural services line.
- (2) Commercial change in use in an existing structure.

(B) This exclusion for commercial development does not include the following:

- (1) ~~Projects, other than commercial change of use in an existing structure, that are~~ appealable to the Coastal Commission, including those projects that where the uses are not the principal permitted use under the applicable zone district;
- (2) The construction, reconstruction, ~~replacement~~, demolition, ~~addition~~, or alteration in the size of any commercial structure within a mapped special community or on property designated as a Coastal priority site by the General Plan and Local Coastal Program Land Use Plan.
- (3) ~~A commercial change of use on property designated as a priority site by the General Plan and Local Coastal Program. [Ord. 4416 § 21, 1996; Ord. 4406 § 21, 1996; Ord. 4346 § 52, 1994; Ord. 3487 § 2, 1983].~~

### **13.20.073 Agriculturally related development exclusions.**

The agricultural exclusions identified below are excluded by virtue of Coastal Commission exclusion order and are only valid provided that the exclusion order itself remains valid, and provided that the terms and conditions of the exclusion order are met.

Agriculturally related development as listed below is excluded, on all lands designated agriculture on the General Plan and Local Coastal Program Land Use Plan maps, except within 100 feet of any coastal body of water, stream, wetland, estuary, or lake; or within areas between the sea and the first public through-road paralleling the sea; ~~or on parcels less than 10 acres in size:~~

(A) Greenhouses, Soil Dependent. The construction, improvement or expansion of soil dependent greenhouses which comply with the requirements of SCCC 13.10.313(A) and 13.10.636 and are not located on natural slopes of greater than 25 percent nor on environmentally sensitive habitat areas ~~as defined in SCCC 16.32.040.~~

(B) Agricultural Support Facilities. The construction, improvement, or expansion of barns, storage buildings, equipment buildings and other buildings necessary for agricultural support purposes, including facilities for the processing, packing, drying, storage and refrigeration of produce generated on-site; provided, that such buildings will not exceed 40 feet in height; will not cover more than a total of 10,000 square feet of ground area including paving; and will not include agricultural processing plants, greenhouses or mushroom farms. Building construction or expansions of more than 2,000 square feet of ground area in mapped rural scenic corridors shall comply with SCCC 13.20.130(C)(4).

(C) Greenhouses and Mushroom Farms. Improvement and expansion of existing mushroom farms and greenhouses; provided, that such improvements will not exceed 40 feet in height, and will not increase ground coverage, ~~including paving~~, by more than 25 percent or 10,000 square feet, whichever is ~~less~~ greater less. Building expansions of more than 2,000 square feet in mapped rural scenic corridors shall comply with SCCC 13.20.130(C)(4). This type of development may be excluded only one time per recorded parcel of land. If improvement or expansion is proposed after such development pursuant to this exclusion has been carried out, then a Coastal ~~Zone approval~~ Development Permit must be obtained for the subsequent development.

(D) Paving. Paving in association with development listed in subsections (A), (B) and (C) of this section, provided it will not exceed 10 percent of the ground area covered by the development.

(E) Fencing. Fences for farm or ranch purposes, except any fences which would block existing equestrian and/or pedestrian trails.

(F) Water Supply Facilities. Water wells, well covers, pump houses, water storage tanks of less than 10,000 gallons' capacity and water distribution lines, including up to 50 cubic yards of associated grading; provided, that such water facilities are not in a groundwater emergency area as designated pursuant to ~~SCCC 41.90.130~~ 7.70.130 pertaining to groundwater emergencies and will be used for on-site agriculturally related purposes only.

(G) Water Impoundments. Water impoundments in conformance with the grading ordinance (Chapter 16.20 SCCC); provided, that no portion of the body of water will inundate either temporarily or permanently any drainage areas defined as riparian corridors in Chapter 16.30 SCCC (Riparian Corridor and Wetlands Protection); provided, that such impoundments will not exceed 25 acre-feet in capacity and will not be in a designated water shortage area.

(H) Water Pollution Control Facilities. Water Pollution control facilities for agricultural purposes if constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board.

(I) Biomedical Livestock Operations Not Excluded. Barns, storage, equipment, and other buildings, associated paving, fences, and water pollution control facilities which are part of the biomedical livestock operations are not excluded from coastal permit requirements. [Ord. 5061 § 24, 2010; Ord. 4836 §§ 112, 113, 2006;\* Ord. 4474-C § 4, 1998; Ord. 4471 § 2, 1997; Ord. 4369 § 2, 1995; Ord. 4346 § 53, 1994; Ord. 3487 § 2, 1983].

\* Code reviser's note: Ord. 4836 had two sections numbered "112" and "113."

#### **13.20.074 Significant ~~t~~ Tree removal exclusion.**

The tree removal exclusions identified below are excluded by virtue of Coastal Commission exclusion order, and are only valid provided that the exclusion order itself remains valid, and provided that the terms and conditions of the exclusion order are met.

Significant tree removal in conformance with the provisions of Chapter 16.34 SCCC (Significant Trees Protection) is excluded. [Ord. 3487 § 2, 1983].

#### **13.20.075 Land clearing exclusion.**

The land clearing exclusions identified below are excluded by virtue of Coastal Commission exclusion order, and are only valid provided that the exclusion order itself remains valid, and provided that the terms and conditions of the exclusion order are met.

Land clearing of less than one-quarter acre in least disturbed watersheds, water supply watersheds, and areas of high and very high erosion hazard, and of less than one acre elsewhere in the Coastal Zone, is excluded, except as follows:

(A) Land clearing within any environmentally sensitive habitat area.

(B) Land clearing within the appeal jurisdiction of the Coastal Commission as defined in SCCC 13.20.133(B)(1) and (2) 040. [Ord. 3487 § 2, 1983].

#### **13.20.076 Lot line adjustments exclusion.**

The lot line adjustment exclusions identified below are excluded by virtue of Coastal Commission exclusion orders and are only valid provided that the exclusion orders themselves remain valid, and provided that the terms and conditions of the exclusion orders are met.

Lot line adjustments not resulting in an increase in the number of ~~building sites, buildable lots, legal lots of record~~ or density of permitted development are excluded. [Ord. 4281 § 8, 1993; Ord. 4132 § 9, 1991; Ord. 3487 § 2, 1983].

#### **13.20.077 Grading exclusion.**

The grading exclusions identified below are excluded by virtue of exclusion orders and are only valid provided that the exclusion orders themselves remain valid, and provided that the terms and conditions of the exclusion orders are met.

Grading of less than 100 cubic yards is excluded, except as follows:

(A) Grading within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff or any area defined as ~~riparian habitat, sensitive habitat, or their buffer zones by the Land Use Plan and so designated on the land use maps~~ an environmentally sensitive habitat area; or

(B) Grading on natural slopes of greater than 30 percent. [Ord. 3487 § 2, 1983; Ord. 3480 § 3, 1983].

**13.20.078 Coastal Wells exclusion for wells.**

The well exclusions identified below are excluded by virtue of exclusion order and are only valid provided that the exclusion order itself remain valid, and provided that the terms and conditions of the exclusion orders are met.

Construction of a well or test well on undeveloped land for the purpose of providing domestic water and fire protection for one single-family dwelling is excluded; provided, that the land is not:

(A) In an area designated as groundwater emergency pursuant to Chapter 7.70 SCCC.

(B) In an area designated by a water agency or a State agency with jurisdiction as an area subject to salt water intrusion.

(C) In an appealable area of the Coastal Zone as designated defined in Chapter 13.20 SCCC, SCCC 13.20.122(A) and (B), Section 13.20.040.

(D) In an area ~~designated as a environmentally sensitive habitat area in the General Plan and Local Coastal Program Land Use Plan.~~

(E) In an area designated within the urban services line or rural services line in the General Plan and Local Coastal Program. [Ord. 4416 § 22, 1996; Ord. 4406 § 22, 1996; Ord. 4022 § 2, 1989].

**13.20.079 Demolition of Structures exclusion**

Demolition of structures on lands outside the Urban Services Line and Rural Services Line is excluded, except as follows:

(A) Projects located within any of the following areas:

(1) Between the sea and first public road paralleling the sea, except in the areas shown on the map entitled "Residential Exclusion Zone," hereby adopted by reference and considered a part of this County Code; or

(2) Within three hundred (300) feet of the inland extent of any beach or of the mean high tide line where there is no beach, or within three hundred (300) feet of the top of the seaward face of any coastal bluff, whichever is the greater distance; or

(3) On land subject to public trust; or

(4) On lots immediately adjacent to the inland extent of any beach, or the mean high tide line where there is no beach; or

(5) Within one hundred (100) feet of any wetland, estuary, or stream; or

(6) Within an environmentally sensitive habitat area; or

(B) Any structure designated by the Board of Supervisors as an NR1 through NR5 historic resource.

### **13.20.080 Notice of Coastal Development Permit ~~e~~Exclusion.**

Notices of exclusion shall include: (1) identification of the project applicant, project location (including address and assessor's parcel numbers), project description, and a list of any other approvals and/or permits (in addition to the exclusion) needed for the project; (2) the Planning Director's determination that the project is excluded from Coastal Development Permit requirements and the reasons supporting that determination (including reference to the categories of exclusion from this Chapter and any other applicable LCP sections, etc.); (3) all necessary information and other materials (i.e., location maps, site plans, elevations) supporting the exclusion determination; (4) the date of the exclusion issuance; and (5) identification of all recipients of the notice. ~~be issued on forms prepared for that purpose by the Planning Department and shall indicate the developer's name, street address, if any, and assessor's parcel number(s) of the project site, a brief description of the development, and the date(s) of application for any other permit(s). Within five working days of its issuance, A a copy of the Notice of Exclusion shall be provided to the project applicant, any known interested parties who have specifically requested such notice or to be kept informed regarding the application and/or development at that the location, and the A copy of the notice of exclusion shall be provided to the Coastal Commission within five working days of issuance.~~

~~The n~~Notice of ~~e~~Exclusion ~~may be issued at the time of project application, but shall not become effective unless and until the 10 calendar day challenge period has concluded without a challenge (see Section 13.20.085) and all other discretionary approvals and building and/or grading permits required for the project are obtained. A copy of any terms and conditions imposed by the County shall be provided to the Coastal Commission upon request. [Ord. 3435 § 1, 1983; Ord. 3363 § 1, 1983. Formerly 13.20.062].~~

### **13.20.085 Challenges to County's determination of applicable coastal development review requirement and permit procedures.**

The County shall determine whether a proposed development is exempt, excluded, appealable to the Coastal Commission, or not appealable to the Coastal Commission prior to the application being approved. Except for exemptions, the County's determination along with any necessary supporting documentation shall be provided to the project applicant, any known interested parties who have specifically requested such notice or to be kept informed regarding the application and/or development at the location, and the Coastal Commission within 5 working days of the County's determination, but in no case later than 5 working days of the County's decision to issue a discretionary permit, or no less than 5 working days before issuing a grading or building permit for a project that the County determines is excludable. If the County's determination of coastal permit requirement, exclusion, or hearing and appeals procedures is challenged within 10 calendar days of its receipt by the Coastal Commission, then the County's determination shall be final and shall apply to the proposed development. If the County's determination is challenged within 10 calendar days, then, the Planning Director shall notify the Coastal Commission by telephone of the dispute/question challenge and shall request an Executive Director's

opinion regarding the appropriate coastal development review and permit procedures from the Executive Director of the Coastal Commission. Local acceptance for filing or processing of the permit application shall cease until the Planning Department receives the determination of appropriate process from the Executive Director of the Coastal Commission or the Coastal Commission if a challenge is received by the County and/or the Coastal Commission within the 10 calendar day challenge period.

The Executive Director shall provide his or her opinion to the County, the applicant and any other known interested parties as soon as possible. There are three possible outcomes of a challenge:

(1) If the Executive Director agrees with the County's determination, then the determination shall be final and shall apply to the proposed development;

(2) If the Executive Director disagrees with the County's determination, and the County then agrees with the Executive Director's opinion, then the coastal development review and permit procedures associated with the Executive Director's opinion shall apply to the proposed development;

(3) If the Executive Director disagrees with the County's determination, and the County disagrees with the Executive Director's opinion, then the matter shall be set for public hearing for the Coastal Commission to make the final determination of applicable coastal development review and permit procedures, and the Coastal Commission's determination shall apply to the proposed development.

The challenge period shall be deemed concluded if no challenge is received within the 10 calendar day period, or when the Executive Director provides his or her opinion to the County in outcomes (1) or (2) above, or when the Executive Director provides the Coastal Commission's determination to the County in outcome (3) above. (Ord. 3363, 2/1/83). [Ord. 3435 § 1, 1983].

### **13.20.090 Emergency projects development.**

(A) Emergency Coastal Zone approvals Development Permits may be granted at the discretion of the Planning Director for projects development normally requiring a Coastal Zone approval Development Permit which must be undertaken as emergency measures due to sudden unexpected occurrence that demands immediate action to prevent or mitigate loss of or damage to life, health, or property, or to restore, repair, or maintain public works, utilities, and services during and immediately following a natural disaster or serious accident essential public services. The emergency approval shall conform to the objectives of this chapter and the Local Coastal Program. The emergency permit process is intended to allow for emergency situations to be abated through use of the minimum amount of temporary measures necessary to address the emergency in the least environmentally damaging, short- and long-term manner.

The Planning Director may request, at the applicant's expense, verification by a qualified professional of the nature of the emergency and the range of potential solutions to the emergency situation, including the ways such solutions meet these criteria.

(B) ~~The emergency work-development~~ authorized under this approval an Emergency Coastal Development Permit shall be limited to activities necessary to ~~protect the endangered structure or essential public structure~~ to prevent or mitigate loss or damage. The ~~emergency approval~~ Emergency Coastal Development Permit shall be voided if the ~~approval~~ Permit is not exercised within ~~fifteen (15)~~ 60 90 (ninety) days of issuance. Any work completed outside of these time periods requires a ~~regular Coastal Zone approval~~ Coastal Development Permit unless an extension for work outside of this time period is granted for good cause by the Planning Director.

(C) All emergency development pursuant to an Emergency Coastal Development Permit is considered temporary and must be removed and the affected area restored if it is not recognized by a regular or administrative Coastal Development Permit within 6 (six) months of expiration of the Emergency Coastal Development Permit, unless the Planning Director, for good cause, authorizes an extension. At the time of application for an emergency approval As soon as possible after issuance of the Emergency Coastal Development Permit, and in all cases not later than fifteen (15) days after issuance of the Emergency Coastal Development Permit, the applicant shall submit a completed application, including the appropriate fees, for a regular approval Coastal Development Permit, unless the Planning Director, for good cause, authorizes a submittal deferral not to exceed an additional sixty (60) days.

(D) ~~Within 90 days of~~ As soon as possible after the issuance of an ~~emergency approval~~ Emergency Coastal Development Permit, and in all cases prior to the expiration of the Emergency Coastal Development Permit, the owner of the property shall submit all required technical reports and project plans unless a time extension is granted by the Planning Director. If the this information described above is not submitted within the specified time, the ~~emergency approval~~ Emergency Coastal Development Permit, at the discretion of the Planning Director, ~~shall~~ may be voided and the emergency work shall be considered a violation of this chapter.

(E) If the need for emergency work development is required occurs during nonbusiness hours, the applicant shall submit an application for an ~~e~~Emergency Coastal Zone approvalDevelopment Permit on the following working day. [Ord. 3435 § 1, 1983].

(F) The Planning Director may consult with the Coastal Commission prior to issuance of an Emergency Coastal Development Permit. The Planning Director shall report, in writing, to the Coastal Commission after the Emergency Coastal Development Permit has been issued, the nature of the emergency and the work involved.

### **13.20.100 Approval Coastal Development Permit application processing.**

(A) ~~Review Process.~~ All regulations and procedures regarding Coastal Zone ~~approvals~~ Development Permits (but not including Administrative Coastal Development Permits), including application, processing, noticing, expiration, amendment, enforcement, and penalties, shall be taken in accordance with the provisions for ~~Level V (processing applications to be heard by the Zoning Administrator)~~ approvals pursuant to Chapter 18.10 SCCC, except in such cases where the proposed development also requires other discretionary permit approvals to be considered and acted upon by the Planning Commission or the Board of Supervisors, in which case the Coastal Development Permit application will be processed and considered at the highest level of review of the other required permits except for the

following category of development which shall be taken in accordance with the provisions for Level IV (public notice) with the exception that any request from the public for a public hearing will trigger a Level V review:

- (1) ~~Residential additions and accessory structures greater than 500 square feet in size outside the appeal jurisdiction of the Coastal Commission.~~

~~Provision for challenges to determination of applicable process is contained in SCCC 13.20.085.~~

(B) Minor variations to previously approved projects issued a Coastal Development Permit, meeting the criteria found in Chapter 18.10 shall be processed as administrative coastal development permits.

(C) Time extensions of approved Coastal Development Permits shall be processed as administrative coastal development permits according to Sections 13.20.105 and 106, except when processed concurrently with a Tentative Map time extension request in which case both time extension requests shall be processed according to the procedures of Chapter 18.10 regarding Tentative Map time extensions.

(BD) Review of Easements. Prior to the issuance of a Coastal Zone approval Development Permit, all public access, open space, and/or conservation easements or offers of dedication which are conditions of approval shall be reviewed and approved by County Counsel for legal adequacy and shall be submitted to the Executive Director of the Coastal Commission for review and approval for consistency with the requirements of potential accepting agencies. [Ord. 4921 § 25, 2008; Ord. 3435 § 1, 1983].

#### **13.20.105 Administrative Coastal Development Permits**

Administrative Coastal Development Permits may be processed for minor development, as defined in Section 13.20.040, without a public hearing required, unless the Planning Director, for good cause, determines that a public hearing is necessary.

#### **13.20.106 Administrative Coastal Development Permit processing.**

(A) All regulations and procedures regarding Administrative Coastal Development Permits, including application, noticing, expiration, amendment, time extension, enforcement, and penalties, shall be in accordance with the provisions for processing administrative permits pursuant to Chapter 18.10, with the exception that any request in writing from the public for a public hearing received by the Planning Department within fifteen (15) working days of the date on which a Notice of Pending Action is mailed will trigger a public hearing requirement. The Notice of Pending Action shall include a statement that failure by a person to request a public hearing may result in the loss of that person's ability to appeal to the Coastal Commission.

(B) Minor variations to previously approved projects issued a Coastal Development Permit, meeting the criteria found in Chapter 18.10 shall be processed as administrative coastal development permits.

#### **13.20.107 Coastal development review of Second Units (non-appealable area)**

Any proposed Second Unit located within the Coastal Zone but located outside of the appealable area, as described in Section 13.20.122, (see definition of appealable area at Section 13.20.040) that does not



qualify for a Coastal Development Permit Exclusion shall require a Coastal Development Permit, requiring no public hearing, processed concurrently with a Building Permit, subject to the following noticing requirements:

(A) Within ten (10) calendar days of accepting an application for a non-appealable Coastal Development Permit for a proposed Second Unit, the County shall provide, by first class mail, a notice of pending permit decision action. This notice shall be provided to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the local jurisdiction, to all property owners and occupants within one hundred (100) feet (not including roads) of the perimeter of the parcel on which the development is proposed, and to the Coastal Commission. The notice shall contain the following information:

- (1) A statement that the development is within the coastal zone;
- (2) The date of filing of the application and the name of the applicant;
- (3) The number assigned to the application;
- (4) A description of development and its proposed location;
- (5) The general procedure of the County concerning the submission of public comments either in writing or orally prior to the local decision;
- (6) A statement that a public comment period of at least 15 working days to allow for the submission of comments by mail will be held prior to the local decision.

#### **13.20.1081 Coastal development review of Second Unit (appealable area)**

All proposed Second Units located within the Coastal Zone and located within an appealable area, as described in Section 13.20.122, (see definition of appealable area at Section 13.20.040) shall require a Coastal Development Permit, requiring no public hearing, processed concurrently with a Building Permit, subject to the following noticing requirements:

(A) Within ten (10) calendar days of accepting an application for an appealable Coastal Development Permit, the County shall provide notice by first class mail of pending application for appealable development. This notice shall be provided to each applicant, to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the local jurisdiction, to all property owners and occupants within one hundred (100) feet (not including roads) of the perimeter of the parcel on which the development is proposed and to the Coastal Commission. The notice shall contain the following information:

- (1) Statement that the development is within the coastal zone;
- (2) The date of filing of the application and the name of the applicant;
- (3) The number assigned to the application;
- (4) A description of the development and its proposed location;
- (5) A brief description of the general procedure concerning the conduct of County actions.
- (6) The procedures for Coastal Commission appeals.

(B) Notice After Final Local Decision. Within seven (7) calendar days of approval of the Coastal Development and Building Permit, the County shall notify by first class mail the Coastal Commission and any persons who specifically requested notice of its action. Such notice shall include written findings, conditions of approval, if any, and the procedures for appeal of the local approval decision to the Coastal Commission.

(C) The County shall include a notice on the Coastal Development and Building Permit that indicates that the permits will not become effective until the end of the Coastal Commission appeal period or until the Coastal Commission has completed action on an appeal of the County's approval of the permit.

### **13.20.110 Findings.**

The following findings shall be made prior to granting approvals pursuant to this chapter in addition to the findings required for the issuance of a development permit in accordance with Chapter 18.10 SCCC:

(A) That the project is a use allowed in one of the basic zone districts, ~~other than the special use (SU) district,~~ listed in SCCC 13.10.170(D) as consistent with the General Plan and Local Coastal Program LUP designation.

(B) That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

(C) That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 et seq.

(D) That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program Land Use Plan, specifically including Chapter 2: Section 2.5 and Chapter 7. [Ord. 4346 §§ 54, 55, 1994; Ord. 3435 § 1, 1983].

(E) That the project conforms all other applicable standards of the certified Local Coastal Program.

(F) If the project is located between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act

### **13.20.111 Final local action notice.**

(A) A County action on a Coastal Development Permit application shall be considered final after all local appeal periods that apply to the action have concluded without appeal, and/or all avenues of local appeal have otherwise been exhausted (up to and including appeal to the Board of Supervisors). The County shall provide notice of such final action to, at a minimum, the applicant, any known interested parties who specifically requested such notice or to be kept informed regarding the application and/or development at that location, and the Coastal Commission. Such notice shall be sent by first class mail within seven (7) calendar days of the County's action being considered final, i.e., not later than 7 days after the County's final appeal period ends..

(B) A final local action notice shall be in two parts: (1) a cover sheet or memo summarizing the relevant action information (including but not limited to identifying the applicant and any representatives, project location, summary project description, action date, action taking body, appeal status, and list of notice recipients); and (2) materials that further explain and define the action taken (including but not limited to the adopted staff report, plans, findings, and conditions). The cover sheet/memo shall be sent to all recipients of the notice, and the cover sheet/memo and supporting materials shall be sent to the Coastal Commission.

### **13.20.120 Appeals.**

Issuance of an approved development permit including a Coastal Zone approval Coastal Development Permit shall be stayed until all applicable appeal periods expire or, if appealed, until all appeals, including any appeals to the Coastal Commission, have been exhausted or resolved. [Ord. 3435 § 1, 1983].

### **13.20.111 Final local action notice.**

(A) A County action on a Coastal Development Permit application shall be considered final after all local appeal periods that apply to the action have concluded without appeal, and/or all avenues of local appeal have otherwise been exhausted (up to and including appeal to the Board of Supervisors). The County shall provide notice of such final action to, at a minimum, the applicant, any known interested parties who specifically requested such notice or to be kept informed regarding the application and/or development at that location, and the Coastal Commission. Such notice shall be sent by first class mail within seven (7) calendar days of the County's action being considered final, i.e., not later than 7 days after the County's final appeal period ends..

(B) A final local action notice shall be in two parts: (1) a cover sheet or memo summarizing the relevant action information (including but not limited to identifying the applicant and any representatives, project location, summary project description, action date, action taking body, appeal status, and list of notice recipients); and (2) materials that further explain and define the action taken (including but not limited to the adopted staff report, plans, findings, and conditions). The cover sheet/memo shall be sent to all recipients of the notice, and the cover sheet/memo and supporting materials shall be sent to the Coastal Commission.

### **13.20.121 Local appeals.**

All local appeals of actions taken pursuant to the provisions of this chapter shall be made in conformance with the procedures in Chapter 18.10 SCCC. [Ord. 3435 § 1, 1983].

### **13.20.122 Coastal Commission appeals.**

Notwithstanding the above, action on a development permit including a Coastal Zone approval, by the Planning Director, Zoning Administrator, Planning Commission or Board of Supervisors, Pursuant to California Code of Regulations Section 13573a)(4), because the County charges an appeal fee, County actions on appealable Coastal Development Permits may be appealed directly to the Coastal Commission without appeal to the next highest County approving body as specified below:

(A) Only the following types of projects County actions may be appealed:

- (1) Approval of a Coastal Development Permit for development approved that is located between the sea and the first through public road paralleling the sea, or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, or

within 300 feet of the top of the seaward face of any coastal bluff, whichever is the greater distance, as shown on maps of the Coastal Commission's appeal jurisdiction on file at the Planning Department.

(2) ~~Projects approved in County jurisdiction~~ Approval of a Coastal Development Permit for development that is not included in Section 13.20.122(A)(1) above, but that is located on tidelands, submerged lands, public trust lands, or within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff as shown on maps of the Coastal Commission's appeal jurisdiction on file at the County Planning Department.

(3) Any approved project involving Approval of a Coastal Development Permit for development which is not designated as a principal permitted use in the basic zone district. Principal permitted uses are listed for each zone district in the following sections of the zoning regulations (Chapter 13.10 SCCC):

District Type	SCCC
Agricultural	<u>13.10.312</u>
Residential	<u>13.10.322</u>
Commercial	<u>13.10.332</u>
Industrial	<u>13.10.342</u>
Parks, Recreation, Open Space	<u>13.10.352</u>
Public and Community Facilities	<u>13.10.362</u>
<u>Timberland Preserve Production</u>	<u>13.10.372</u>
Special Use	<u>13.10.382</u>

(4) Approval of a Coastal Development Permit for development that is not included in the above Sections 13.20.122(a)(1) or 13.20.122(a)(2) but is located in a sensitive coastal resource area as defined in Section 13.20.040.

(45) ~~Any project approved or denied~~ Approval or denial of a Coastal Development Permit involving development which constitutes a major public works project (including a publicly financed recreational facility and/or a special district development) or a major energy facility.

(B) An appeal pursuant to this section may be filed only by: (1) the applicant for the Coastal Zone approval Development Permit in question, ~~the permittee,~~ (2) any aggrieved person, or (3) any two members of the Coastal Commission. The appeal must be filed with the Coastal Commission and be received in the Commission's ~~office~~ Central Coast District Office on or before 5 p.m. on the tenth working

day after the Central Coast District Office receives a non-deficient receipt of the notice of permit decision final local action notice by the Director of the Coastal Commission pursuant to Chapter 18.10 SCCC.

(C) ~~Grounds of appeal for any coastal project approved under these regulations in the area identified in subsection (A) of this section shall be limited to the following:~~

- ~~(1) The development will fail to provide adequate physical access or public or private commercial use or interferes with such uses.~~
- ~~(2) The development will fail to protect public views from any public road or from a recreational area to and along the coast.~~
- ~~(3) The development will not be compatible with the established physical scale of the area.~~
- ~~(4) The development may significantly alter existing natural land forms.~~
- ~~(5) The development will not comply with shoreline erosion and geologic setback requirements.~~

(C) The grounds for appeal of a County approval of a Coastal Development Permit shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies of the California Coastal Act.

(D) Grounds for appeal of any Coastal Zone approval listed in subsections (A)(2) through (4) of this section is consistency with the certified land use plan. The grounds for appeal of a County denial of a Coastal Development Permit pursuant to Section 13.20.122(a)(5) shall be limited to an allegation that the development conforms to the standards set forth in the certified Local Coastal Program and the public access policies of the California Coastal Act.

(E) When an appeal of a County action on a Coastal Zone approval Development Permit is filed with the Coastal Commission, the development permit. County's action shall be stayed and County permits and/or approvals, including other types of permits, shall not be issued by the County until the appeal has been resolved at the Coastal Commission level. has approved the project and the Planning Director has reviewed and approved any terms or conditions imposed by the Coastal Commission. In the event the Planning Director determines that the terms and conditions imposed by the Coastal Commission are a substantial variation from the terms and conditions of the proposed development permit, then the approving body shall reconsider the development permit approval, and review and approve, modify, or deny the project as approved by the Coastal Commission. If the County reconsiders and modifies the project, the approval shall again become appealable to the Coastal Commission pursuant to the provisions of this section. [Ord. 3435 § 1, 1983] The possible outcomes of an appeal to the Coastal Commission are as follows:-

1. If the applicant withdraws the Coastal Development Permit application prior to final Coastal Commission action on the appeal, then the application, the County's action and the appeal to the Coastal Commission shall all be considered moot. The applicant may reapply, subject to Chapter 18.10.

2. If all appellants withdraw their appeals prior to Coastal Commission action regarding whether to take jurisdiction over the Coastal Development Permit application (also known as a substantial issue determination), then the appeals shall be considered moot and the County's action shall stand.

3. If the Coastal Commission declines to take jurisdiction over the Coastal Development Permit application (also known as a finding of no substantial issue), then the County's action shall stand.

4. If the Coastal Commission takes jurisdiction over the Coastal Development Permit application (also known as a finding of substantial issue), then the County's Coastal Development Permit action shall be considered moot. In such a case, the Coastal Commission shall either:

(A) Approve the proposed development (with or without conditions); or

(B) Deny the proposed development

(f) In the case of a Coastal Commission approval of a Coastal development Permit as described in Section 13.20.122(a) above, the Planning director shall review the Commission's approval determine whether any terms and/or conditions imposed by the Coastal Commission are a substantial variation from the terms and/or conditions of any non-Coastal Development Permit approvals granted by the County for the project. The County approving body shall re-review any non-Coastal Development Permit approvals and shall approve, modify, or deny any non-Coastal Development Permit applications associated with the project as approved by the Coastal Commission to ensure consistency with the Coastal Development Permit.

#### **13.20.130 Design criteria for Coastal Zone developments.**

(A) General.

(1) Applicability. The Coastal Zone design criteria for coastal zone developments are applicable to any development requiring a Coastal Zone approval Development Permit.

(2) Conformance with Development Standards and Design Criteria of Basic Zones and Chapters 13.10 and 13.11. All applicable and/or required project design criteria and use development standards and conditions design criteria of Chapters 13.10, and 13.11 SCCC and SCCC 13.20.140 et seq. shall be met in addition to the criteria of this section. For projects that are listed in Section 13.11.040 as subject to Chapter 13.11 requirements, all applicable standards and conditions of that Chapter shall be met. For projects that are not listed in Section 13.11.04- as subject to Chapter 13.11 requirements, the standards and conditions of Sections 13.11.072(a)1 and 13.11.073(b)1 only shall be met.

3. In the Highway 1 viewshed inside of the Urban Services Line, allow signage where consistent with the sign regulations found in 13.10.580 et seq. and any applicable village, town, community or specific plan

(34) Exceptions. Exceptions to the Coastal Zone design criteria may be allowed in conjunction with the granting of a Coastal Zone approval (Level V or higher) Development Permit after public hearing when the following findings can be made:

(a) The project meets the general intent of the Coastal Zone design criteria.

(b) The exception will result in a project design quality equivalent to that produced by adherence to the required design criteria and will be equally protective of the natural and visual environments.

(c) The project will be consistent with the visual resource policies of the General Plan and Local Coastal Program Land Use Plan.

(B) Entire Coastal Zone. The following design criteria shall apply to projects ~~sited~~located anywhere in the Coastal Zone:

(1) Visual Compatibility. All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas.

(2) Minimum Site Disturbance. Grading, earth moving, and removal of major vegetation shall be minimized. Developers shall be encouraged to maintain all mature trees over six inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species. Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.

(3) Ridgeline Development. ~~Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline. Hilltop and hillside development shall be integrated into the silhouette of the existing backdrop such as the terrain, landscaping and other structures. Ridgeline protection shall be ensured by restricting the height and placement of buildings and landscape species and by providing landscape screening in order to prevent projections above the ridgeline that are visible from public roads or other public areas. If there is no other building location on a property except a ridgeline and development must be contemplated to avoid a taking, this circumstance shall be verified by the Planning Department with appropriate findings and mitigation measures to ensure that the proposed structure is compatible with its environment and visually screened. Land divisions which would create parcels whose only building site would lead to development that would be exposed on a ridgetop shall not be permitted and land divisions shall be appropriately conditioned to prohibit riedgeline development in all cases.~~

(4) Landscaping. Development shall include landscaping meant to provide visual interest and articulation, to complement surrounding landscaping (including landscaping in adjacent rights of ways), to screen and/or soften the visual impact of development, and to help improve and enhance visual resources. When a landscaping plan is required, new or replacement vegetation shall be consistent with water efficient landscape regulations, compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area. ~~The County's adopted landscape criteria shall be used as a guide.~~

(5) All second-story development that is more than one story, where allowed by the site regulations of the basic zone district, that is located in significant public viewsheds (including adjacent to shoreline fronting roads, public accessways, parks, beaches, trails, natural areas,

etc.) shall be sited and designed so that it does not cantilever toward, loom over, or otherwise adversely impact such significant public viewsheds and community character.

(6) Front yard averaging shall only be allowed where the front setback so established does not adversely impact significant public viewsheds (including those associated with shoreline fronting roads, public accessways, parks, beaches, trails, natural areas, etc.) and community character.

(7) New F fences, walls, and hedges shall be sited and designed so that they do not block ~~significant public views and so that they do not significantly or~~ adversely impact significant public views and scenic character.

(C) Rural Scenic Resources. In addition to the criteria above that applies throughout the coastal zone, the following design criteria shall also apply to all projects located in designated rural mapped scenic resource areas located outside of the Urban Services Line and Rural Services Line:

(1) Location of Development. Development shall be located, if possible, on parts of the site not visible or least visible from the public view. Development shall not block views of the shoreline and/or ocean from scenic roads, turnouts, rest stops or vista points.

(2) Site Planning. Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, including through appropriately maintaining and setting back from the natural features (e.g., streams, riparian corridors, major drainages, mature trees, dominant vegetative communities, rock outcroppings, prominent natural landforms, tree groupings, etc.)). Screening and landscaping suitable to the site shall be used to soften the visual impact of development unavoidably sited in the public viewshed.

(3) Building Design. Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction. Pitched rather than flat roofs, which are surfaced with nonreflective materials (except for solar energy devices ~~systems that unavoidably reflect~~) shall be encouraged. Natural materials and colors which blend with the vegetative cover and landform of the site and surrounding area shall be used, ~~or and~~ if the structure is located in an existing cluster of buildings, colors and materials shall also repeat or harmonize with those in the cluster.

(4) Large Agricultural Structures. The visual impact of large agricultural structures shall be minimized by:

(a) Locating the structure within or near an existing group of buildings.

(b) Using materials and colors which blend with the building cluster or the natural vegetative and landform cover of the site (except for greenhouses).

(c) Using landscaping to screen or soften the appearance of the structure.



(5) Restoration. Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development. The requirement for restoration of visually blighted areas shall be in-scale proportional-with to the size of the proposed project.

(6) Signs. Signs shall minimize disruption of the scenic qualities of the viewshed, including by not blocking or having a significant adverse impact on significant public views and shall be consistent with the County's sign regulations (County Code Section 13.10.580 et seq.).

(a) Materials, scale, location and orientation of signs shall harmonize with surrounding elements.

(b) ~~Directly~~ Internally lighted, ~~brightly-colored~~, rotating, reflective, blinking, flashing or moving signs are prohibited.

(c) Illumination of signs shall be permitted only for State and County directional and informational signs, except in ~~designated~~ commercial and visitor serving zone districts or where needed within park and recreational areas.

(d) In the Highway 1 viewshed outside of the Urban Services Line, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs of unobtrusive materials and colors, shall be permitted to be visible from the highway, except within the Davenport commercial area and signage for farm stands, agri-tourism uses, and self-pick sites elsewhere. These signs shall be of natural unobtrusive materials and colors.

(D) Beach Viewsheds. In addition to the criteria above that applies throughout the coastal zone, and the criteria above that also applies within rural areas (as applicable), The the following design criteria shall also apply to all projects located on bluffs and/or visible from beaches.

(1) Blufftop Development. Blufftop development and landscaping (e.g., houses, garages, decks, patios, fences, walls, barriers, other, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, to not be visually intrusive. ~~In urban areas of the viewshed~~ Within the Rural Services Line and the Urban Services Line, new blufftop-site development shall conform to subsections (BG)(27) and (C3)2 of this section.

(2) Beaches. The scenic integrity of open beaches shall be maintained:

(a) No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or 16.20 SCCC (Grading Regulations).

(b) ~~The design of p~~ Permitted structures that are allowed on open beaches shall be sited and designed to minimize visual intrusion, and shall incorporate materials and finishes

which harmonize with the beach character of the area. Natural materials are preferred.  
[Ord. 5124 § 7, 2012; Ord. 5042 §§ 4, 5, 2009; Ord. 4346 §§ 56, 57, 58, 1994; Ord. 4312 § 3, 1994; Ord. 4286 § 3, 1993; Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

\* Code reviser's note: Ords. 4286 and 4312 had two sections numbered "3."

**13.20.140 Special areas design criteria.**

(A) Applicability. The special area design criteria of SCCC 13.20.141 et seq. are applicable to all developments requiring a Coastal Zone approval. Development Permit within the each applicable area below as mapped and designated by the General Plan and Local Coastal Program Land Use Plan.

(B) Exceptions. Exceptions to the special area design criteria may be allowed in conjunction with the granting of a Coastal Zone approval when the following findings can be made:

- (1) The project meets the general intent of the Coastal Zone design criteria.
- (2) The exception will result in a project design quality equivalent to that produced by adherence to the required design criteria and will be equally protective of the physical and visual environments.
- (3) The project will be consistent with the visual resource policies of the General Plan and Local Coastal Program Land Use Plan. [Ord. 4346 §§ 59, 60, 1994; Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

**13.20.141 Bonny Doon special scenic area design criteria.**

(A) The unusual sandstone formations in the Bonny Doon special scenic area shall be preserved. Development shall not be located on or within 50 feet of these formations.

(B) Land divisions which would create parcels whose only building site is exposed or would lead to development that would be substantially or fully exposed within the viewshed of an adjacent scenic road shall not be permitted prohibited. [Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

**13.20.142 Swanton Road Special Scenic area design criteria.**

(A) ~~No~~ New development that would be located within the Swanton Road special scenic area and that would be substantially or fully visible from Swanton Road or Highway 1 shall be visible in the viewshed of either Swanton Road or Highway 1 not be permitted.

(B) Land divisions which would create parcels whose only building site is exposed or would lead to development that would be substantially or fully exposed ~~and impossible to screen completely~~ within the Swanton Road viewshed or Highway 1 viewshed between the Swanton Road intersections with Highway 1 shall not be permitted prohibited.

(C) In the Swanton Road area within the viewshed of Highway 1, special landscaping conditions, parcel recombination, density transfer or other appropriate means shall be required so as to locate any new development outside the Highway 1 viewshed, where possible, ~~or in any case, and where not possible, to~~

minimize the visual impact from Highway 1. [Ord. 4346 § 61, 1994; Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

**13.20.143 Davenport special community design criteria.**

(A) Historic Structures. The historic structures listed below shall not be demolished; any renovations shall respect their historic character; any additions shall be compatible with the original structure:

- (1) Saint Vincent de Paul Catholic Church (~~Davenport Road~~).  
NR4 rating  
123 Marine View Avenue  
APN 058-103-29
- (2) Davenport Jail (~~Highway 1~~).  
NR3 rating  
Highway 1—no address  
APN 058-082-07

(B) Residential Development. New residential development shall incorporate architectural design features found in the older houses of the community: (e.g., clean and simple lines, steep roof slopes, one and two story heights, porches, wood construction, white or light paint, etc.) Setbacks shall conform to that typical of other houses on the street. Rehabilitations of housing shall maintain the architectural and historic character of the structure being rehabilitated, including that all and additions shall be compatible.

(C) Highway 1 Frontage. Development along Davenport's Highway 1 frontage shall conform to the following objectives:

- (1) Davenport shall be emphasized as a rural community center and as a visitor serving area including:
  - (a) Site design shall emphasize the historic assets of the town, its whaling history and whale viewing opportunities;
  - (b) Overhead wires along Highway 1 shall be placed underground, when feasible;
  - (c) Landscaping shall tie together and accent the commercial uses, and shall assist in the definition of walkways and parking areas, and/or shall be provided to help screen and/or soften public views of parking areas.
- (2) Clear, coordinated circulation shall be developed including:
  - (a) Clear definition of stopping and parking spaces (~~parking~~) along the highway frontage for both cars and bicycles;
  - (b) Clearly articulated pedestrian crossings of Highway 1, one near the ~~deli/post office~~ intersection of Marine View Avenue?Ocean Street and Highway 1 at the northern end of

the commercial area and, one near the Cash Store intersection of Davenport Avenue and Highway 1 at the southern end of the commercial area;

(c) Adequate parking off of Highway 1, for existing and new uses, and for visitors;

(d) Bicycle parking facilities to make the town a more attractive bicycle destination/stop-over point. [Ord. 4836 § 114, 2006;\* Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

\* Code reviser's note: Ord. 4836 had two sections numbered "114."

**13.20.144 Harbor area special community design criteria.**

(A) Historic Structures. The historic structures listed shall not be demolished; renovations shall respect their historic character; and additions shall be compatible with the original structure:

(1) Parsonage for Twin Lakes Baptist Church (~~9th Avenue between Carmel and Bonnie Streets~~).

NR5 rating

248 9<sup>th</sup> Avenue

APN 027-151-34

(2) ~~Twin Lakes Baptist Church Camp Cottages (255 Ninth Avenue).~~

(32) -Twin Lakes Library (375 Seventh Avenue).

NR5 rating

363 Seventh Avenue

APN 027-102-03

(B) Residential Development. New development in the single-family parts of the Harbor area special community shall incorporate the characteristics of older dwellings in the area, (e.g., the small scale, clean lines, pitched roofs, predominately wood construction, and wood or wood-like (including cementitious) siding, or shingles that resemble wood). [Ord. 4836 § 115, 2006;\* Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

\* Code reviser's note: Ord. 4836 had two sections numbered "115."

**13.20.145 East Cliff Village tourist area special community design criteria.**

(A) Historic Structures. The historic structures listed below shall not be demolished; any renovations shall respect their historic character; and any additions shall be compatible with the original structure:

(1) Buckhart's Confectionery (East Cliff Drive).

NR5 rating

2-1231 East Cliff Drive

APN 027-211-13

~~(2) Frazier Lewis Home (East Cliff Drive and 13th Avenue).~~

(B) New development shall maintain complement the one and two story scale of the area. Along 17th Avenue, new development shall strengthen the visual edge along the street by placing structures at the minimum street setback. Along East Cliff Drive clustered landscaping is encouraged to accent the various commercial uses. [Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

#### **13.20.146 Seacliff Beach area special community design criteria.**

Development within the boundaries of the Seacliff Village Plan area shall be consistent with the design standards of that Plan.

~~(A) New development, additions or rehabilitations shall be consistent with the objectives below:~~

~~(1) State Park Drive shall be clearly defined as a major pathway to the State Beach including:~~

~~(a) Installation of area orientation signs identifying uses and location of uses near the freeway exit and at the State Park;~~

~~(b) Installation of a sidewalk on the northwest side of State Park Drive, terminating at the stairway at Seacliff Drive, and crosswalks to Center and Santa Cruz Avenues;~~

~~(c) Planting to define the street edge and to screen adjacent uses on State Park Drive.~~

~~(2) Improvement of signing along State Park Drive.~~

~~(3) Reduction of the excessive number of overhead wires on State Park Drive, by undergrounding, relocation, and/or reduction in the number of wires.~~

~~(4) Landscaping and improvements at the entrance to Seacliff State Beach on State Park Drive.~~

~~(B) Infill development on Center and Santa Cruz Avenues shall be one or two stories in height, be of wood frame or adobe construction, with light or natural colors. [Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].~~

#### **13.20.147 Rio Del Mar Esplanade special community design criteria.**

(A) Commercial Development. Buildings should be designed to reflect the beach front character of the esplanade and continue the design of existing structures: (e.g., Mediterranean style, adobe or wood frame construction, red tile pitched roofs, garden courts, light paint, etc.). Sign design shall be an integral with part of the structure, shall not adversely affect the public viewshed, and shall coordinate with other area signs and the beachfront aesthetic.

(B) Esplanade. Landscaping, paving, lighting, and traffic control in the Esplanade area shall enhance its potential as an auto/bicycle/pedestrian piazza, and shall incorporate Aptos Creek as a design feature. [Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

**13.20.148 Pleasure Point Community residential design criteria**

All residential development on parcels zoned R-1, RM or PR that are also zoned with the "PP" (Pleasure Point Community Design) Combining District shall meet the residential development standards in Section 13.10.446, unless granted an exception, as described in 13.10.447, or subject to Section 13.10.448.

**13.20.150 Special use standards and conditions.**

(A) Applicability. These use standards and conditions shall apply to all Coastal Zone development specified below by jurisdiction or priority use designation.

(B) State and Local Public Agencies.

(1) General. Except as specifically and explicitly exempted from coastal development permit requirements of the Coastal Act and the LCP by State ~~or~~ Federal law, all development in the Coastal Zone that is proposed by State or local public agencies shall be subject to the same LCP policies, requirements, standards and conditions of the General Plan and Local Coastal Plan Land Use Plan and all ordinances to which such development would be subject if it were privately originated.

(2) Requirements for Special Districts. Prior to or concurrent with any development application by a special district, unless specifically exempted from County regulation by State law, the following materials shall be prepared and submitted for County review and approval:

(a) System master plan based on buildout projected levels of development within in the Coastal Zone as defined in the General Plan and Local Coastal Program Chapter 1 and Policies 2.1.6 and 2.1.7 of the General Plan and Local Coastal Program Land Use Plan. Development and expansion shall not exceed that needed to serve buildout project levels of development within the Coastal Zone for a planning horizon of 20 to 30 years. In addition the master plan shall either reserve capacity for priority uses or provide information sufficient to enable the County to reserve capacity for priority uses.

(b) Capital improvements program based on the system master plan. Each agency shall submit plans annually as updated.

(c) Demonstration of compliance with the General Plan and Local Coastal Program LUP policy requiring district boundary adjustment. Maps showing the district boundary and the County's adopted urban services line (USL) shall be included. District boundaries shall correspond with the USL, except where service by the district is necessary for water resource protection and enhancement or for existing development served by the district.

(3) Time Extensions for Special Districts. Where plans and programs required in subsection (B)(2) of this section have not been prepared by special districts, project applications may be accepted, processed, and approved if:

(a) The district agrees to submit the required material within 18 months of the application and the Coastal dDevelopment pPermit contains a condition to require such submittal; and

(b) The approving body finds that the proposed project does not exceed the improvements necessary to serve the buildout projected levels of development of the General Plan and Local Coastal Program Land Use Plan, and either provides adequate reserve capacity for priority uses or is necessary to correct a public health hazard.

(C) Priority Use Sites Special Use Standards. Priority use sites as identified on the land use plan maps shall be subject to the special use standards and conditions listed in Figure 2.5 of the General Plan and Local Coastal Program Land Use Plan.

(D) Primary Destinations and Accessways. The following requirements apply to primary destinations and accessways as identified in Section 7.7 of the General Plan and Local Coastal Program Land Use Plan.

(1) Improvements at Primary Destinations and Accessways. The following improvements, at a minimum shall be provided at primary destinations and accessways: path improvements; recycling and garbage collection facilities; bicycle parking; automobile parking, or in an impacted neighborhood, an acceptable alternative such as a beach shuttle, bicycle parking, transit service stop; access provisions for persons with disabilities if feasible; restrooms; provision of and/or enhancement to; scenic overlooks areas, if appropriate; landscaping; safety signs if needed, and accessway identification signs. The level of development shall be as specified in an approved master plan for the destination, or in the absence of such a plan, at levels appropriate to the size, character and projected use of the destinations. ~~The assessment of access trails and shoreline destinations contained in the land use plan shall provide the basis for determining the appropriate development level.~~

(2) Maintenance and Management Program. ~~The dDevelopment plan for of~~ any primary destination/accessway shall include a feasible program for maintenance and management of the destination/accessway.

(3) Accessway Separation. Barriers designed to discourage public encroachment upon private property may be erected between private property and accessways and/or high use recreation areas. Accessways, however, shall not be blocked. All private encroachment into public property at the destination/accessway shall be removed, and the area returned to public use as part of any destination/accessway development, unless a revocable encroachment permit is approved. [Ord. 5061 § 25, 2010; Ord. 4642 § 4, 2001; Ord. 4346 § 62, 1994; Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

### 13.20.160 Timber harvest standards and conditions.

Any person engaging in a commercial timber harvest of less than three acres or a noncommercial timber harvest within the Coastal Zone shall obtain a Coastal Zone ~~approval~~ Development Permit and

demonstrate compliance with the regulations of all relevant chapters of the County Code, including but not limited to the following:

- (A) Chapter 16.10 SCCC, Geologic Hazards;
- (B) Chapter 16.20 SCCC, Grading Regulations;
- (C) Chapter 16.22 SCCC, Erosion Control;
- (D) Chapter 16.30 SCCC, Riparian Corridor and Wetlands Protection;
- (E) Chapter 16.32 SCCC, Sensitive Habitat Protection;
- (F) Chapter 16.34 SCCC, Significant Trees Protection;
- (G) Chapter 16.52 SCCC, Timber Harvesting Regulations. [Ord. 3480 § 4, 1983; Ord. 3435 § 1, 1983].

**13.20.170 Violations of Coastal Zone regulations.**

(A) It shall be unlawful for any person to undertake any development (as defined in SCCC 13.20.040) in the Coastal Zone unless (1) a Coastal dDevelopment pPermit has been obtained and is in effect which authorizes such development within the Coastal Zone; or (2) a ~~notice of~~ Coastal Development Permit exemption or exclusion for the project has been determined or obtained from the Planning Department pursuant to SCCC 13.20.080; or (3) the project is exempt pursuant to SCCC 13.20.060 et seq.

(B) It shall be unlawful for any person to exercise any Coastal dDevelopment pPermit which authorizes development within the Coastal Zone without complying with all of the terms and conditions of such permit. [Ord. 4346 § 63, 1994; Ord. 3451-A § 10, 1983].

**End of Chapter 13.20**

**See following pages for related amendments ot other County Code Section**



**AMENDMENTS TO OTHER COUNTY CODE SECTIONS**

Subsection (B) of Section 7.70.030 of the Santa Cruz County Code is hereby amended to read as follows:

(B) ~~A coastal zone permit~~ Coastal Development Permit shall be required for any well proposed to be drilled in the coastal zone unless exempt or excluded as provided in County Code Chapter 13.20-SCGC.

Section 13.01.050 of the Santa Cruz County Code is hereby amended to read as follows:  
The General Plan shall be applied and interpreted under the direction of the Planning Director. Where disputes arise over the interpretation of General Plan policies or mapping designations, such interpretation shall be resolved by a majority vote of the Planning Commission based on a report by the Planning Department and a public hearing. Planning Commission determinations may be appealed to the Board of Supervisors in accordance with the appeal procedures of County Code Section ~~13.10.240 et seq Chapter 18.10~~. Board of Supervisors' determinations which affect projects in the Coastal Zone may be appealed to the Coastal Commission in accordance with the appeal procedures of County Code Section ~~13.20.120 et seq. 110(b) of the Coastal Zone Permit Chapter~~. Information developed on a project or site specific basis may be utilized in interpreting and applying the General Plan.

Subsection (~~bB~~) of Section 13.10.140 of the Santa Cruz County Code is hereby amended to read as follows:

(~~Bb~~) Conformance by Government Agencies. No government unit whether city, county special district or state agency shall be exempt from the provisions of this chapter, except for state agencies and cities engaged in a sovereign activity or a local public agency exempted by Sections 53090 et seq. of the California Government Code. ~~Where a Coastal Zone Approval is required pursuant to Chapter 13.20, state and federal agencies and cities may be required to comply with various provisions of this chapter as a condition of the Coastal Zone Approval.~~ Except as specifically and explicitly exempted from coastal development permit requirements of the Coastal Act and the LCP by State or Federal law, all development in the Coastal Zone that is proposed by such government unit shall be subject to the same LCP requirements as any other proposed development.

Subsection (~~aA~~) 2 of Section 13.10.312 of the Santa Cruz County Code is hereby amended to read as follows:

2. Principal permitted uses are all denoted as uses ~~requiring a Level IV or lower approval or as otherwise denoted with the letter "P" in the Agricultural Use Chart contained in paragraph (b) below.~~ defined as being consistent with and included within the identified for each of the agricultural zone districts, which do not require a public hearing and the approvals of which are not appealable to the Coastal Commission except as specified in Section 13.20.122. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal Zone approvals Development Permits, and in some cases, as specified in Chapter 13.20, any development is appealable.

Category "\*\*\*\*" in the Agricultural Uses Chart key, found in Section 13.10.312(~~bB~~) of the Santa Cruz County Code is hereby amended to read as follows:

\*\*\* = Processed as a ~~level-5 Coastal Zone~~ Development Permit project when within the geographic area

defined by Section 13.20.073.

Subsection (Aa)2 of Section 13.10.322 of the Santa Cruz County Code is hereby amended to read as follows:

(2) Principal permitted uses ~~are all denoted uses requiring a Level IV or lower Approval or as otherwise denoted with the letter "P" in the footnotes to the Residential Uses Chart in subsection (b) of this section. defined as being consistent with and included within the identified residential zone districts, which do not require a public hearing and~~ Those uses listed in the residential use chart which do not require a public hearing and the approvals of which are not appealable to the Coastal Commission except as specified in Section 13.20.122.— In the Coastal Zone, actions to approve other than permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal Zone Development Permits, and in some cases, as provided in Chapter 13.20, any development is appealable.

Subsection (b)ii(B)2 of Section 13.10.325 of the Santa Cruz County Code is hereby amended to read as follows:

(ii) The proposed structure, due to site conditions, or mitigation measures approved as part of the application, will be adequately screened from public view and will not adversely impact public viewsheds, neighboring property privacy or solar access, and its design is consistent with the Large Dwelling Design Guidelines set forth in subsection (d) below. (For structures within the Coastal Zone requiring a Coastal permit approval Development Permit, additional findings shall be made pursuant to Section 13.20.110).

Subsection (aA)2 of Section 13.10.332 of the Santa Cruz County Code is hereby amended to read as follows:

2) Principal permitted uses ~~are all denoted as uses requiring a Level IV or lower Approval unless otherwise denoted with the letter "P" in the Commercial Uses Chart in subsection (b) of this section defined as being consistent with and included within the identified commercial zone districts. Those uses listed in the commercial use chart which do not require a public hearing and the approvals of which are not appealable to the Coastal Commission except as specified in Section 13.20.122.~~ In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal Zone Development Permits, and in some cases, as provided in Chapter 13.20, any development is appealable.

Subsection (aA)2 of Section 13.10.342 of the Santa Cruz County Code is hereby amended to read as follows:

2. Principal permitted uses ~~are all denoted as uses requiring a Level IV or lower Approval unless otherwise denoted with the letter "P" in the Industrial Uses Chart in subsection (b) of this section. defined as being consistent with and included within the identified industrial zone districts. Those uses listed in the industrial use chart which do not require a public hearing and the approvals of which are not appealable to the Coastal Commission except as specified in Section 13.20.122.~~ In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in

accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal Zone permits Development Permits, and in some cases pursuant to Chapter 13.20, any development is appealable.

Subsection (A)2 of Section 13.10.352 of the Santa Cruz County Code is hereby amended to read as follows:

2) ~~Principal permitted uses are all denoted as uses requiring a Level IV or lower approval or as otherwise denoted with the letter "P" in the footnotes to the "PR" uses chart in paragraph (b) following.~~ defined as being consistent with and included within the identified Those uses listed in the parks, recreation and open space zone district, which do not require a public hearing and the approvals of which are not appealable to the Coastal Commission except as specified in Section 13.20.122. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal Zone permits Development Permits, and in some cases, pursuant to Chapter 13.20, any development is appealable.

Subsection (A)2 of Section 13.10.362 of the Santa Cruz County Code is hereby amended to read as follows:

2) ~~Principal permitted uses are all listed as uses requiring a Level V or lower approval in the PF uses chart, subsection (B) of this section. In the Coastal Zone, actions to approve principal permitted uses~~ Those uses listed in the public and community facilities use chart, the approvals of which are not appealable to the Coastal Commission in accordance with the provisions of except as specified in Chapter 13.20 SCCC relating to Coastal Zone Development pPermits, and in some cases, pursuant to Chapter 13.20 SCCC, any development is appealable.

Subsection (A)2 of Section 13.10.372 of the Santa Cruz County Code is hereby amended to read as follows:

2) ~~Principal permitted uses are all listed as uses requiring a Level V or lower approval in the PF uses chart, subsection (B) of this section. In the Coastal Zone, actions to approve principal permitted uses~~ Those uses listed in the timber production use chart, the approvals of which are not appealable to the Coastal Commission in accordance with the provisions of except as specified in Chapter 13.20 SCCC relating to Coastal Zone Development pPermits, and in some cases, pursuant to Chapter 13.20 SCCC, any development is appealable.

Subsection (bB) of Section 13.10.478 of the Santa Cruz County is hereby amended to read as follows:

(bB) Environmental review, as required by the California Environmental Quality Act, will be completed as part of the process for rezoning of such sites into the Regional Housing Need "R" Combining District. No further environmental review is necessary except for development projects requiring a Coastal Development Permit or those requiring approval of a tentative map (see 13.10.478(e)(1) and (e)(2) below).

Subsection (Ee) of Section 13.10.478 of the Santa Cruz County Code is hereby amended to read as follows:

(eE) If a Coastal Development Permit or tentative map approval is required, they must be included in the application.

(1) Coastal Development Permit Requirements. Where a site is located in the Coastal Zone and requires a Coastal Development Permit for development, the provisions of Chapter 13.20 apply. Wherever possible, the environmental review performed at the time the site was designated under the Regional Housing Need "R" Combining District will be utilized in the processing of the Coastal Permit.

(2) Subdivisions. Development that includes approval of a Tentative Map is subject to the provisions of the Subdivision Map Act and Chapter 14.01. Where a tentative map is proposed, the public hearing may be expanded to address findings necessary under the Subdivision Map Act. Wherever possible the environmental review performed at the time the site was designated under the Regional Housing Need "R" Combining District will be utilized in the processing of the subdivision.

Subsection (gG)1 of Section 13.10.647 of the Santa Cruz County Code is hereby amended to read as follows:

(gG) Permit Expiration and Renewal. A Biomedical Livestock Operation shall be subject to the following review following approval of a development permit:

(1) Any development permit approved for a Biomedical Livestock Use shall be valid for five years or a lesser time as established by the Zoning Administrator. The permit holder shall be required to submit an application for renewal prior to the expiration of the development permit. The permit shall also be conditioned to require the permit holder to submit a closure plan prior to terminating a biomedical livestock operation or prior to permit expiration if a renewal application is not sought or is denied. The closure plan shall provide for the removal of any facilities inappropriate for future non-biomedical agricultural use of the site. Continued operation of the Biomedical Livestock use shall be subject to permit renewal processed at Level IV, or Level V as an administrative approval, or after a public hearing, if a ~~coastal permit~~ Coastal Development Permit is involved, according to procedures set forth in County Code Chapter 18.10. Under no circumstances, whether through conditions beyond the control of the permittee, lack of actual notice of expiration, reliance on an error of public officials, or for any other reason shall the expiration date of a permit be automatically extended except as may be provided by relevant provisions of State law, or give rise to an estoppel against the County. Requests for renewal of a development permit for a Biomedical Livestock Use shall be evaluated based on compliance with original permit conditions and inspection by the County Planning Department; inspection of the site by the County Health Officer for compliance with Chapters 7.22, 7.30, and 7.100 and the research, testing, experimentation or biomedical (or pharmaceutical) product manufacturing program; review by the County Planning Department of all applicable federal, state and/or local laws and the applicant's compliance with them as documented by the respective agencies, and a review of all applicable County ordinances and policies.

Subsection (eE) of Section 13.10.660 of the Santa Cruz County Code is hereby amended to read as follows:

(eE) Exemptions. The types of wireless communications facilities, devices and activities listed below are exempt from the provisions of Sections 13.10.660 through 13.10.668, inclusive, except that Sections 13.10.663(a)(1) through 13.10.663(a)(8) shall continue to apply if the facility, device and/or activity requires a Coastal Zone-Approval Development Permit pursuant to Chapter 13.20. This exemption is not intended to limit or expand the scope of other Federal, state and local policies and regulations, including but not limited to the General Plan/Local Coastal Program, which apply to these facilities, devices and/or activities.

- (1) A ground- or building-mounted citizens band or two-way radio antenna including any mast that is operated on a non-commercial basis.
- (2) A ground-, building- or tower-mounted antenna operated on a non-commercial basis by a federally licensed amateur radio operator as part of the Amateur or Business Radio Service.
- (3) A ground- or building-mounted receive-only radio or television antenna which does not exceed the height requirements of the zoning district, and which, for a television dish antenna, does not exceed three feet in diameter if located on residential property within the exclusive use or control of the antenna user.
- (4) A television dish antenna that is no more than six feet in diameter and is located in any area where commercial or industrial uses are allowed by the land use designation.
- (5) Temporary mobile wireless services, including mobile wireless communication facilities and services providing public information coverage of news events, of less than two-weeks duration. Any mobile wireless service facility intended to operate in any given location for more than two weeks is subject to the provisions of Sections 13.10.660 through 13.10.668, inclusive.
- (6) Hand held devices such as cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers and similar devices.
- (7) Wireless communication facilities and/or components of such facilities to be used solely for public safety purposes, installed and operated by authorized public safety agencies (e.g., County 911 Emergency Services, police, sheriff, and/or fire departments, first responder medical services, hospitals, etc.). Unless otherwise prohibited by law or exempted by action of the Board of Supervisors, public safety agencies shall be required to provide a map of facility locations for inclusion in the County's Wireless Communication Facilities GIS map. If a wireless communication facility approved for an authorized public safety agency is not or ceases to be operated by an authorized public safety agency, and if a non-public safety agency operator proposes to use the approved facility, then the change in operator shall require that the new operator submit an application for the wireless communication facility to be evaluated as if it were a new facility subject to Sections 13.10.660 through 13.10.668 inclusive, and the General Plan/Local Coastal Program.

The facility shall not be operated by the new operator until a final decision has been rendered on the application.

- (8) Any "minor" antenna or facility described under Section 13.10.660(d)(24).
- (9) Any "non-major" modification or maintenance activities, as defined by Section 13.10.660(d)(31), carried out as part of the routine operation of existing permitted wireless communication facilities.
- (10) Small scale, low powered, short-range and visually inconspicuous, wireless internet transmitter/receivers (e.g., "Wi-Fi hotspots").

Subsection (dD) of Section 13.10.686 of the Santa Cruz County Code is hereby amended to read as follows:

(dD) Requirements. Before a Large Family Child Care Home, authorized by a development permit, or, if applicable, a ~~coastal permit~~ Coastal Development Permit, can commence operation, the following requirements shall be met:

- (1) Location. The Large Family Child Care Home must be operated in a residence or in the residential portion of a mixed use structure.
  - (A) In the commercial zones, the percentage of residential square footage of the structure must comply with Section 13.10.332(b).
  - (B) The large family child care home shall operate in the residential portion of the structure.
- (2) Occupancy. The owner or occupant of the residence must be the operator of the Large Family Child Care Home and must be listed on the State License as the operator. The operator must live at the premises full-time.
- (3) Parking. Sufficient on-site parking must be provided for all employees of the Large Family Child Care Home. Sufficient off street parking equates to a minimum of one off street parking space per full time employee and a minimum of one off street drop off/pick up parking space. Any alternative off street parking standard must be deemed appropriate by the Zoning Administrator based on site constraints which would otherwise preclude the operation of a Large Family Child Care Home on the property. Additionally, there shall be sufficient off-street and on-street parking such that the operation of this use will not impede local traffic nor cause traffic congestion during peak drop-off and pick-up periods.
- (4) Traffic. Unless found to be unnecessary due to ample drop off and pick up areas, a plan for staggering drop-off and pick-up times to minimize traffic shall be submitted and reviewed as part of the application. An operational condition shall require implementation of this traffic control plan.

(5) Agricultural Buffers. Large Family Child Care Homes that are located adjacent to agriculturally-zoned land (CA, A, AP) shall meet all the requirements of Section 16.50.095 pertaining to agricultural buffer setbacks.

(6) Other Conditions. Other conditions deemed appropriate by the approving body may be applied to the development permit of a Large Family Child Care Home to further the purposes of this Section.

Subsection (bB) of Section 13.10.681 of the Santa Cruz County Code is hereby amended to read as follows:

~~(bB) Application Processing. As indicated below, sSecond units shall be processed in accordance with the requirements of Government Code Section 65852.2 and, for those second units located within the coastal zone, the processing requirements of Sections 13.20.107 and 13.20.108. the California Coastal Act. No public hearing shall be required for the development of a second unit within a residential zone district or on land designated residential in the General Plan or, outside the Coastal Zone, within the Agriculture zone district, unless the second unit is a part of a larger project that requires a public hearing or if a variance is requested. All applications for second units in the Commercial Agricultural zone district outside the Coastal Zone shall be subject to review by the Agricultural Policy Advisory Commission.~~

Second units are subject to the following processes:

~~(1) Outside the Coastal Zone: Building permit issuance.~~

~~(2) Inside the Coastal Zone (Non-appealable area): Issuance of a combined Coastal Development and Building Permit, subject to the following noticing requirements:~~

~~(A) Within ten (10) calendar days of accepting an application for a non-appealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. This notice shall be provided to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the local jurisdiction, to all property owners and residents within one hundred (100) feet (not including roads) of the perimeter of the parcel on which the development is proposed, and to the Coastal Commission. The notice shall contain the following information:~~

~~(i) A statement that the development is within the coastal zone;~~

~~(ii) The date of filing of the application and the name of the applicant;~~

~~(iii) The number assigned to the application;~~

~~(iv) A description of development and its proposed location;~~

~~(v) The general procedure of the local government concerning the submission of public comments either in writing or orally prior to the local decision;~~

(vi) ~~— A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.~~

(3) ~~— Inside the Coastal Zone (Appealable area): Issuance of a combined Coastal Development and Building Permit, subject to the following noticing requirements:~~

(A) ~~— Within ten (10) calendar days of accepting an application for an appealable coastal development permit, the local government shall provide notice by first class mail of pending application for appealable development. This notice shall be provided to each applicant, to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the local jurisdiction, to all property owners and residents within one hundred (100) feet (not including roads) of the perimeter of the parcel on which the development is proposed and to the Coastal Commission. The notice shall contain the following information:~~

(i) ~~— Statement that the development is within the coastal zone;~~

(ii) ~~— The date of filing of the application and the name of the applicant;~~

(iii) ~~— The number assigned to the application;~~

(iv) ~~— A description of the development and its proposed location;~~

(v) ~~— A brief description of the general procedure concerning the conduct of local actions.~~

(vi) ~~— The system for Coastal Commission appeals.~~

(B) ~~— Notice After Final Local Decision. Within seven calendar days of approval of the Coastal Development and Building Permit, the County shall notify by first class mail the Coastal Commission and any persons who specifically requested notice of its action. Such notice shall include conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.~~

(C) ~~— The County shall include notice on the Coastal Development and Building Permit that indicates that the permits will not become effective until the end of the Coastal Commission appeal period or until the Coastal Commission has completed action on an appeal of the County's approval of the permit.~~

The definition of "Coastal Zone", found in Section 13.10.700-C of the Santa Cruz County Code, is hereby amended to read as follows:

~~Coastal Zone. That incorporated area of the County of Santa Cruz as defined by the California Coastal Act of 1976, Division 20 of the California Public Resources Code, as the Coastal Zone. This area is identified by the Coastal Zone Combining District in Section 13.10.410 of the Santa Cruz County Code.~~



That unincorporated area of Santa Cruz County as defined by the California Coastal Act of 1976, Division 20 of the California Public Resources Code, and including as it may subsequently be amended. In Santa Cruz County, the coastal zone generally extends: 1) up to five miles inland in the North Coast/Bonny Doon planning areas including the northwestern portion of Big Basin Redwoods State Park and generally following along Empire Grade from the vicinity of its intersection with Pine Flat Road to the City of Santa Cruz; 2) generally 1200 to 2300 yards inland through Live Oak from the City of Santa Cruz to the City of Capitola; and 3) seaward of and including Highway 1 from the City of Capitola south to the County line.

The definition of "Hedge", found in Section 13.10.700-H of the Santa Cruz County Code, is hereby amended to read as follows:

~~Hedge. Any arrangement of plants or trees obstructing the clear view~~ A row of closely planted shrubs or low-growing trees forming a barrier or boundary.

The definition of "Person" in Section 16.34.030 of the Santa Cruz County Code is hereby amended to read as follows:

Person. Any individual, group, firm, organization, association, limited liability company, or other business association, corporation, including any utility, partnership, business, trust company, special district or a local public agency thereof, or other party, or as specified in Section 53090 of the California Government Code; or the state or a state agency or city when not engaged in a sovereign activity. Where a Coastal Zone Development Permit is required pursuant to Chapter 13.20, state and federal agencies may be required to comply with various provisions of this chapter as a condition of the Coastal Zone Development Permit.

Subsection (eC) of Section 16.34.090 of the Santa Cruz County Code is hereby amended to read as follows:

(eC) Any tree removal authorized pursuant to valid discretionary permit approved pursuant to Chapter 16.20 (Grading), Chapter 13.10 (Zoning Regulations), Chapter 14.01 (Subdivision Regulations), Chapter 16.54 (Mining Regulations), Chapter 16.22 (Erosion Control), Chapter 16.30 (Riparian Corridor Protection), Chapter 13.20 (Coastal Zone Permit Regulations) or Chapter 16.32 (Sensitive Habitats Protection) of the Santa Cruz County Code.

Subsection (bB) of Section 16.50.100 of the Santa Cruz County Code is hereby amended to read as follows:

(bB) If any act or determination of the Agricultural Policy Advisory Commission in question is incorporated as part of the terms or conditions of a discretionary permit or other discretionary approval for which another appeal is provided, then such act or determination of the Agricultural Policy Advisory Commission shall be considered as part of the appeal on the discretionary permit or other discretionary approval. Within the Coastal Zone, such appeals shall also be subject to the provisions of Chapter 13.20 of the Santa Cruz County Code pertaining to Coastal Zone Development Permit procedures.

Subsection (eC) of Section 16.54.029 of the Santa Cruz County Code is hereby amended to read as follows:

(eC) Applications for a Mining Approval, Major Mining Approval Amendment or Reclamation Plan Approval within the Coastal Zone, ~~as defined by the Coastal Zone combining zone district,~~ pursuant to Chapter 13.10, shall require concurrent application for a Coastal ~~Approval~~ Development Permit pursuant to Chapter 13.20.

Subsection (aA)3 of Section 18.10.123 of the Santa Cruz County Code is hereby amended to read as follows:

(3) ~~Coastal Zone Notices of Exclusion~~ Notices of Coastal Development Permit Exclusion may be issued at the time of project application but shall not become effective until all other approvals and permits required for the project have been obtained. (See Coastal Zone Regulations Ordinance Section 13.20.080 for further regulations regarding ~~Notices of Exclusion~~. Notices of Coastal Development Permit Exclusion.)

Section 18.10.181 of the Santa Cruz County Code is hereby amended to read as follows:

18.10.181 Planned Unit Development—Permit applications.

A Planned Unit Development Permit is a type of development permit that is subject to all the same application processing requirements for development permits specified in this chapter, including the Coastal Zone Development Permit review process specified in Chapter 13.20 (Coastal Zone Regulations). As a Level VII application, an application for a Planned Unit Development Permit shall conform to the following specific requirements:

(aA) Contents. The application shall be accompanied by a development plan of the entire Planned Unit Development that includes all of the required application submittal requirements of Section 18.10.210.

(bB) Development Standards. Any application for a Planned Unit Development shall provide a written description of the proposed alternative development and design standards that would apply to the project (property).

Subsection (dD) of Section 18.10.184 of the Santa Cruz County Code is hereby amended to read as follows:

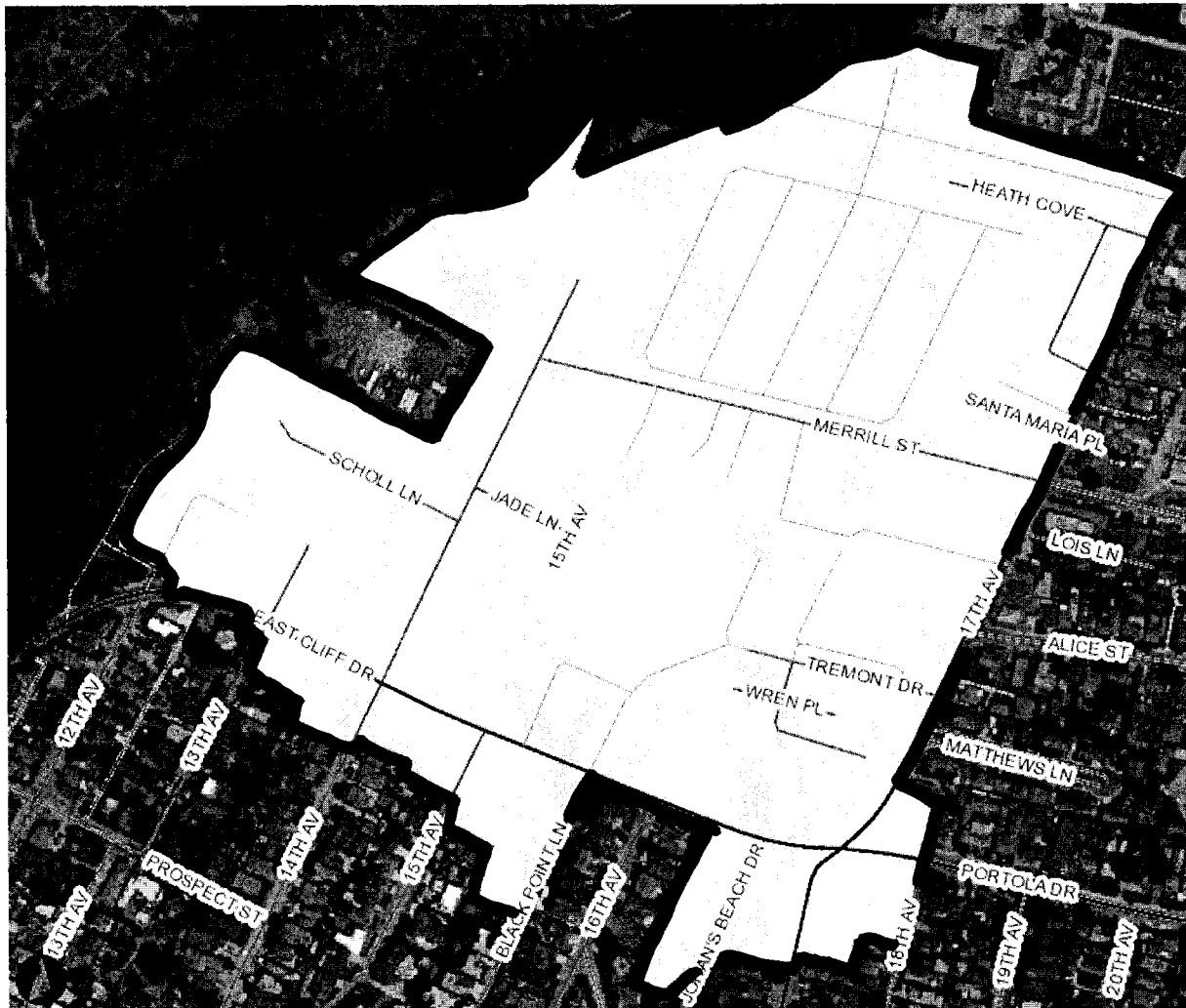
(dD) Planned Unit Developments Approvals in the Coastal Zone. If any portion of a Planned Unit Development is located in the Coastal Zone, then, in addition to the actions specified in subsection (c) of this section, an action to approve the Planned Unit Development shall also include approval of a Coastal Development Permit. The Board's action on the Coastal Development Permit shall not be considered final, and notice of the Board's action on the Coastal Development Permit shall not be transmitted to the Coastal Commission, unless and until: (1) the ordinance (specified in subsection (c) of this section) has been submitted to the Coastal Commission as a Local Coastal Program amendment; and (2) the Coastal Commission has certified the ordinance. In the event that the Coastal Commission's certification of the required ordinance modifies the Planned Unit Development that was approved by the Board, then the Board shall re-review the Planned Unit Development Permit and Coastal Development Permit application and make any modifications to these permits that are necessary to ensure that they are in conformance with the certified ordinance. After the Board has made any necessary modifications to their action on the Coastal Development Permit, the Board's action on the Coastal Development Permit shall be considered final, and notice of said action shall be transmitted to the Coastal Commission.

Subsection (fF) of Section 18.10.184 of the Santa Cruz County Code is hereby amended to read as follows:

(fE) Expiration of a Planned Unit Development Ordinance. Each Planned Unit Development Ordinance adopted pursuant to subsections (eC) and (dD) of this section shall specify that all Chapter 13.10 or 13.11 text associated with it shall expire at the same time that the Planned Unit Development Permit and Coastal Development Permit (if located in the Coastal Zone) expire or are denied, unless development pursuant to those permits has commenced by that time. This expiration requirement shall be noted directly in any certified Chapter 13.10 or 13.11 text associated with a Planned Unit Development Ordinance.

# Current East Cliff Village Tourist Area Special Community

## Map



## Legend

### Layers

#### State Highways Major Roads Streets

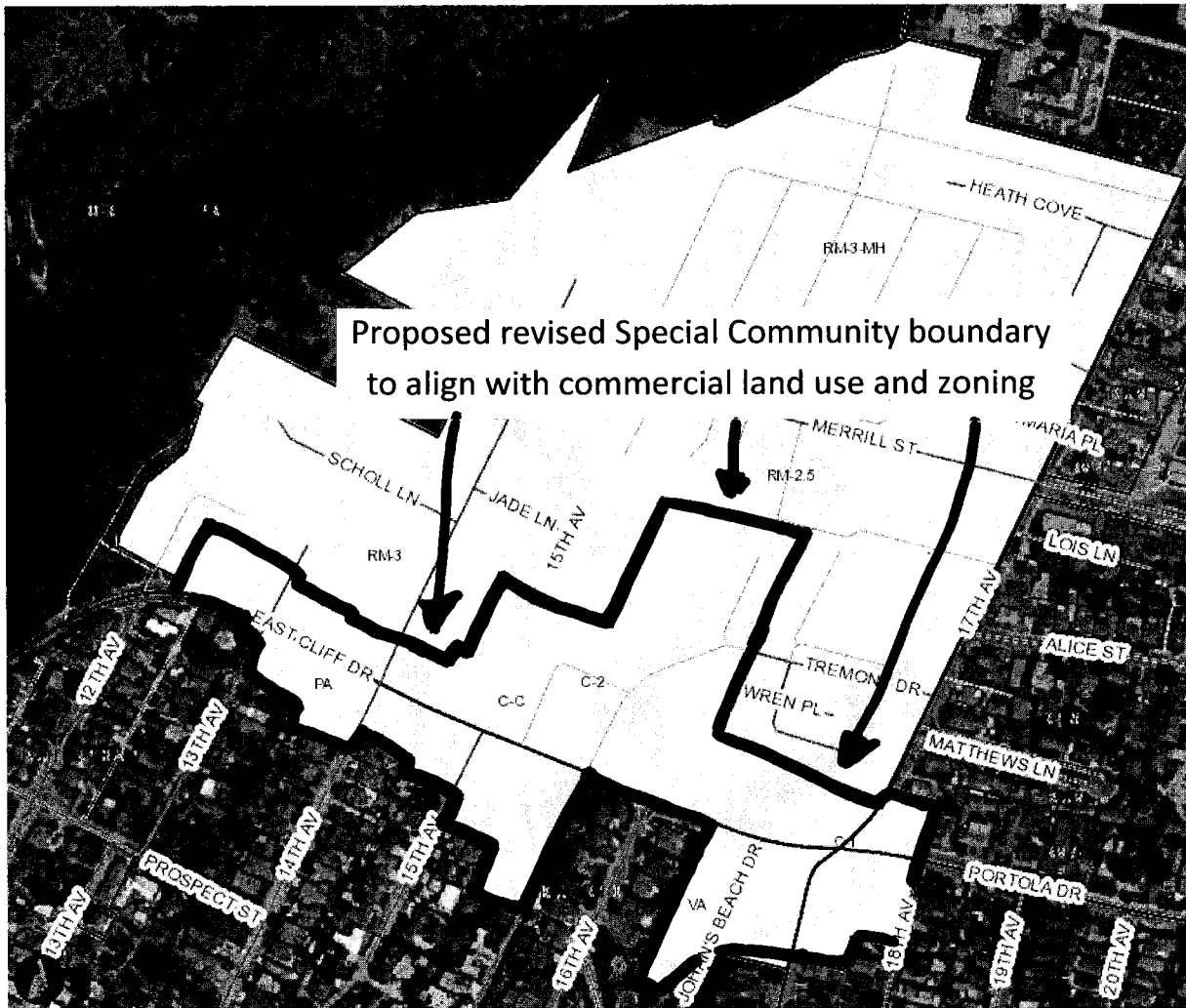
- Alley
- Business Route
- Driveway
- Levee
- Major Road
- Paper
- Ramp
- State Highway
- Street
- Unnamed

#### County Boundary



## East Cliff Village Tourist Area Special Community

Map



# Current Rio del Mar Esplanade Tourist Special Community

## Map



## Legend

### Layers

State Highways	Major Roads	Streets
■	—	— Alley
		— Business Route
		— Driveway
		— Levee
		— Major Road
		— Paper
		— Ramp
		■ State Highway
		— Street
		— Unnamed

### County Boundary



## Rio del Mar Esplanade Tourist Special Community

### Map

