



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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TOM BURNS, DIRECTOR

December 19, 2003

AGENDA DATE: January 28, 2004

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

Re: Minor Amendments to County Code Volume II

Dear Commissioners:

On August 26, 2003, the Board of Supervisors conceptually approved the proposed ordinance amendments to Volume II and directed staff to process these proposed amendments. This matter is now before your Commission for review and recommendation to the Board of Supervisors.

The following report will present the amendments necessary to eliminate conflicts and correct minor ordinance errors.

### Needed Ordinance Amendments

Advanced Planning staff has canvassed the Planning Department to develop a list of ordinance amendments that are necessary to eliminate confusion, errors and conflicting language. As a result of this effort, staff has identified a full spectrum of needed ordinance revisions, ranging from minor amendments to amendments that address major issues. Minor amendments, the subject of this report, are those ordinance amendments where there is no policy issue or substantive change to the ordinance.

The other levels of ordinance revisions are those that result in structural changes in the ordinance, require a policy determination by the Planning Director that are mostly related to procedures, or are those that present major policy issues. A further review of these needed ordinance amendments is underway and will be processed at a later date.

### Proposed Ordinance Amendments

Minor amendments consist primarily of typographic errors, clarifications and corrections. The preliminary list of minor ordinance amendments is included as Attachment 1 to Exhibit A. The following discussion will amplify the types of proposed ordinance amendments under each of these categories.

"Typos" - This group of proposed ordinance amendments includes typographic errors and inadvertent omissions that have crept into the ordinance over the past 20 years. These are most often caused by human error in transcription and in the preparation of ordinance amendments where the entire section is not included in the new ordinance. Some of these "typos" have the effect of changing the meaning of the ordinance. Others simply create confusion.

Clarifications - This category of proposed amendments includes revisions to ordinance language to clarify the intent and wording of the ordinance. It also includes amendments that will implement ordinance interpretations issued by the Planning Director. The main purpose of these amendments is to eliminate ambiguities in the application of the ordinance so that staff and the public can clearly understand what the ordinance means.

Corrections - This category includes changes to the ordinance that are necessary for conformity to changes in State law and changes in County General Plan policy that have occurred over the past 10 years or so. It also includes ordinance amendments necessary for consistency with other County Code Sections that have been adopted in the past.

#### CEQA Exemption

These proposed amendments to the County Code are not subject to CEQA because this activity will not result in a direct or reasonably foreseeable indirect physical change in the environment in accordance with Government Code section 15060 (c)(2).

#### Conclusion and Recommendation

Staff has identified a number of sections in Volume II of the County Code where modifications are needed to correct errors, eliminate unclear language or incorporate changes from other regulations to improve the usability of the County Code. Planning staff has prepared a preliminary set of ordinance amendments to address these needed modifications. These proposed amendments address the Board of Supervisors' direction to make Volume II of the County Code more usable by correcting and clarifying the existing language. Other, more complex and possibly controversial amendments will be presented at a later date.

IT IS THEREFORE RECOMMENDED that your Commission adopt the attached Resolution (Exhibit A) recommending that the Board of Supervisors adopt the minor ordinance amendments as identified in the attached ordinance and refer this item to the Board of Supervisors for further processing.

Sincerely,



Mark Deming  
Assistant Planning Director

Exhibits:

- A. **Proposed Resolution** with attached ordinance
- B. CEQA Exemption

cc: Santa Cruz County Architects Association  
California Coastal Commission

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

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

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

PLANNING COMMISSION RESOLUTION RECOMMENDING MINOR AMENDMENTS  
TO THE COUNTY CODE.

WHEREAS, there are various typographical errors, areas in need of correction and clarification in the County Code; and

WHEREAS, the County of Santa Cruz has identified these errors, and areas in need of correction and/or clarification; and

WHEREAS, the corrections to the County Code have been made and submitted to the Planning Commission for review; and

WHEREAS, the Planning Commission held a public hearing to review these corrections; and

WHEREAS, the Planning Commission finds that the proposed corrections and minor amendments to the County Code further the purposes of the County Code; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the minor amendments to the County Code be approved by the Board of Supervisors.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2004 by the following vote:

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

\_\_\_\_\_  
Chairperson

ATTEST: \_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
COUNTY COUNSEL

cc: County Counsel  
Planning Department

ORDINANCE No.

ORDINANCE AMENDING CHAPTERS 12.28, 12.30, 13.10, 13.11, 13.14, 13.20,  
14.01, 15.01, 15.10, 16.10, 17.02, AND 18.10  
OF THE SANTA CRUZ COUNTY CODE

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

SECTION I

Section 12.28.120, Accessibility Requirements for Housing Accommodations for the Elderly, of the Santa Cruz County Code is hereby repealed:

~~**12.28.120 Accessibility requirements for housing accommodations for the elderly.**~~

~~Housing accommodations offered for rent, lease or compensation (except any single-family residence the occupants of which rent, lease or furnish for compensation not more than one room therein) and of two or more stories in height, intended and designed for occupancy by the elderly shall provide one or more elevators serving all floors. This requirement shall apply to residential developments issued building permits after the effective date of the ordinance codified in this section. (Ord. 3780, 7/22/86)~~

SECTION II

Section 12.30.010, Accessibility Requirements for Housing Accommodations for the Elderly, of the Santa Cruz County Code is hereby added:

**12.30.010 Accessibility requirements for housing accommodations for the elderly.**

Housing accommodations offered for rent, Lease or compensation (except anv single-family residence the occupants of which rent, lease or furnish for compensation not more than one room therein) and of two or more stories in height, intended and designed for occupancy by the elderly shall provide one or more elevators serving all floors. This requirement shall apply to residential developments issued building permits after the effective date of the ordinance codified in this section.

SECTION III

Section 13.10.170 (d), Consistent Zone Districts, of the Santa Cruz County Code is hereby amended to be:

**13.10.170 (d) Consistent Zone Districts.**

(d) Consistent Zone Districts. The following table denotes the basic and combining districts which implement and are consistent with the various General Plan land use, resource and constraint designations. Rezoning of a property to a zone district which is shown in the following Zone Implementation Table as implementing the designation applicable to the property, shall not constitute an amendment of the Local Coastal Program, unless it involves rezoning to "TP or "M-3" in the Coastal zone.

**ZONING IMPLEMENTATION TABLE**

General Plan/Local Coastal Program Land Use Designation		Zone District pursuant to Section 13.10.300 et seq., and Section 13.10.400 et seq.
All Land Use Designations	PF -	Public Facilities
	SU -	Special Use
Agricultural:		
AG - Agriculture	A -	Agriculture
	RA -	Residential Agriculture
	CA -	Commercial Agriculture
	TP -	Timber Production
	PR -	Parks, Recreation and Open Space
	AP -	Agricultural Preserve (for existing AP districts only)
Commercial:		
C-N - Neighborhood Commercial	C-1 -	Neighborhood Commercial
	CT -	Tourist Commercial
	PA -	Professional and Administrative Offices
C-C - Community Commercial	c-2 -	Community Commercial
	C-1 -	Neighborhood Commercial

	CT -	Tourist Commercial
	VA -	Visitor Accommodations
	PA -	Professional and Administrative Offices
C-V - Visitor Accommodations	VA -	Visitor Accommodations
C-S - Service Commercial/Light Industry	M-1 -	Light Industrial
	PA -	Professional and Administrative Offices
	c-4 -	Commercial Services
C-0 - Professional and Administrative Offices	PA -	Professional and Administrative Offices
Public Facility/Institutional:		
P - Public/Institutional Facilities	PF -	Public and Community Facilities
	<del>A -</del>	<del>Agriculture</del>
	<del>S -</del>	<del>Commercial Agriculture</del>
	<del>TP -</del>	<del>Timber Production</del>
Residential:		
R-M - Mountain Residential	RR -	Rural Residential
	RA -	Residential Agriculture
	TP -	Timber Production
	A -	Agriculture
	R-I -	Single Family Residential** (5,000 square feet to 1 acre lot size)
R-R - Rural Residential	RR -	Rural Residential
	RA -	Residential Agriculture
	A -	Agricultural
	R-I -	Single Family Residential** (5,000 square feet to 1 acre lot size)
R-S - Suburban Residential	RR -	Rural Residential
	RA -	Residential Agriculture

	R-1 -	Single Family Residential** (5,000 square feet to 1 acre lot size)
R-UVL - Urban Very Low Residential	R-1 -	Single Family Residential*
R-UL - Urban Low Residential	R-1 -	Single Family Residential*
	RB -	Ocean Beach Residential*
	RM -	Multi-Family Residential*
R-UM - Urban Medium Residential	R-1 -	Single Family Residential*
	RB -	Ocean Beach Residential"
	RM -	Multi-Family Residential'
R-UH - Urban High Residential	R-1 -	Single Family Residential*
	RM -	Multi-Family Residential*
All Residential Designations	PR -	Parks, Recreation and Open Space

\* Zone district designations shall be considered consistent with the General Plan and Local Coastal Program Land Use Plan when in conformance with the residential density allowed by Figure 2-3 of the General Plan and Local Coastal Program Land Use Plan.

\*\* This zone district is established for the sole purpose of recognizing as conforming parcels those legal parcels of record located outside the Urban Services Line of the County that, prior to the adoption of the 1994 General Plan and Local Coastal Program Land Use Plan, were zoned R-1-5, R-1-6, R-1-7, R-1-8, R-1-9, R-1-10, R-1-12, R-1-15, R-1-20, R-1-32, R-1-40 or R-1-1 acre and developed with or intended for development of a single-family residence and any permitted accessory structures. Such development, including additions or remodels, is subject to the site and development standards of the specified zone district for the parcel. All land divisions must be consistent with the provisions of the Rural Residential Density Determination Ordinance (Chapter 13.14 of the County Code) and with the residential density allowed by Figure 2-2 of the General Plan and Local Coastal Program Land Use Plan.

#### Open Space Uses:

- O-R Parks, Recreation and Open Space      PR - Parks, Recreation and Open Space

~~PF -~~ Public Facility

	TP - Timber Production, outside of the coastal zone only.
- 0-C Resource Conservation	PR - Parks, Recreation and Open Space
	<del>PF - Public Facility</del>
	TP - Timber Production, outside of the coastal zone only.
	A - Agriculture
- 0-L Lake, Reservoir, Lagoon	<del>PR - Parks, Recreation and Open Space</del>
- 0-U Urban Open Space	<del>PR - Parks, Recreation and Open Space</del>

General Plan/Local Coastal Program Land Use Overlay Designations:

- I - Heavy Industry	M-1 - Light Industrial
	M-2 - Heavy Industrial
- Q - Quarry	M-3 - Mineral Extraction
- PP - Proposed Parks and Recreation	PR - Parks, Recreation and Open Space
	<del>PF - Public Facilities</del>
	D - Designated Park Site Combining Zone District with any other zone district

General Plan/Local Coastal Program Resource:

- Agricultural Resource Lands	AP - Agricultural Preserve Zone District
	A-P - Agriculture with Agricultural Preserve Zone District
	CA - Commercial Agriculture
	TP - Timber Production (except for coastal zone lands designated Parks or Resource Conservation)
- Timber Resource Lands	TP - Timber Production (except for coastal zone lands designated Parks or Resource Conservation)

General Plan/Local Coastal Program Constraint:

- Coastal Bluffs and Beaches	GH	Geologic Hazards Combining Zone District with any other zone district (see 13.10.400)
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Fault Zones

Liquefaction areas

Landslide areas

Floodplains and tsunami inundation areas

Other Designation or Condition:

Designated Assisted Housing Site	H -	Assisted Housing Combining District with any other zone district
Property issued a Statement of Intention	I -	Statement of Intention Combining District with any other zone district
Designated Historic Landmark	L -	Historic Landmark Combining District with any other zone district
Mobile Home Park	MH -	Mobile Home Park Combining District with any other zone district
Property restricted by an Open Space Contract	O -	Open Space Combining District with any other zone district
Santa Cruz Long-Toed Salamander Habitat	SP -	Salamander Protection Combining District with any other zone district

SECTION IV

Section 13.10.220 (b), Use Approvals, Procedures, of the Santa Cruz County Code is hereby amended to be:

**13.10.220 (b) Procedures**

(b) Procedures. All regulations and procedures regarding application, review, approval, appeal, enforcement, etc., for a Use Approval shall be in accordance with the provisions of Chapter 18.10 and 19.01.

## SECTION V

Section 13.10.230 (a), Variance Approvals, Description, of the Santa Cruz County Code is hereby amended to be:

### **13.10.230(a) Description**

A Variance Approval is a discretionary authorization of exceptions to the zoning district site and development standards for a property including ~~design criteria~~ Design Standards and Guidelines and regulations for special ~~uses~~; The power to grant Variance Approvals does not allow changes in use which are affected only by Use Approvals pursuant to Section 13.10.220, rezoning of the property pursuant to Section 13.10.215, or amendment to the regulations of this Chapter. ~~with the exception that~~ Variances to site area requirements may be approved only in the case where no new additional building sites would thereby be created (relief in which case may be provided only through rezoning of the property), or in any of the following instances:

1. To facilitate certificates of compliance.
2. To facilitate dedications of rights-of-way or other required improvements for public benefit.
3. To allow the consideration of the creation of new lots when the size of the lot is within 1% of the zoning requirement and is consistent with the General Plan.

~~The power to grant Variance Approvals does not allow changes in use which are affected only by Use Approvals pursuant to Section 13.10.220, rezoning of the property pursuant to Section 13.10.215, or amendment to the regulations of this Chapter. Variance Approvals may be approved only when, because of special circumstances applicable to the property including size, shape, topography, location, existing structures or surroundings, the strict application of the regulations of this Chapter deprives such property of privileges enjoyed by other properties in the vicinity which are under identical zoning classification.~~

## SECTION VI

Section 13.10.230 (b), Variance Approvals, Procedures, of the Santa Cruz County Code is hereby amended to be:

### **13.10.230 (b) Procedures**

All regulations and procedures regarding application, review, approval, appeal, enforcement, etc., for a Variance Approval shall be in accordance with the provisions of Chapter 18.10 and 19.01 for a Level V approval and paragraph (c) "findings" below except that site area variances which create new building sites under the circumstances described in Section 13.10.230(a) shall be processed at Level VII.

SECTION VII

Section 13.10.240, Previous Permits, of the Santa Cruz County Code is hereby amended to be:

**13.10.240** Previous Permits

Any Planned Unit Development Permit, Planned Development Permit, Variance, Use Permit or other approval **or** permit previously issued by the County pursuant to previous regulations of the Zoning Ordinance shall continue to be administered in the same manner as existing permits. Actions to amend, review, revoke, or enforce such permits shall be subject to the regulations and procedures of this Chapter, ~~and Chapter 18.10, and Chapter 19.01,~~ except **for** existing Planned Unit Development permits which were adopted by ordinance and which must be administered in the same manner as existing ordinances.

SECTION VIII

Section 13.10.261 Table 3, Residential Nonconforming Use: Dwelling Groups, of the Santa Cruz County Code is hereby amended to be:

**13.10.261** Table 3 Residential Nonconforming **Use:** Dwelling Groups.

Section 13.10.261 TABLE 3				
RESIDENTIAL NC		CONFORMING USE: DWELLING GROUPS		
ALTERATION	NONCONFORMING Parcel has General Plan designation that prohibits primary residential use and dwelling group is not part of a legal mixed use	IONCONFORMING: Parcel has General Plan designation that allows primary residential use and built before Development Permit requirements, does not meet zone district use, density, and/or standards	NONCONFORMING: Parcel has General Plan designation that allows primary residential use and built with Development Permit, does not meet zone district use, density, and/or standards	NONCONFORMING: Parcel has General Plan designation that allows primary residential use and built before Development Permit requirements, does not meet zone district use, density, and standards
Ordinary <del>and repair</del> kind or structural alteration for	Yes	Yes	Yes	Yes

imminent threat				
Structural alteration	No	Yes, maximum of 50% of exterior walls within a 5 year period	Yes, maximum of 50% of exterior walls within a 5 year period	Yes, maximum of 50% of exterior walls within a 5 year period
Extend use throughout building	Yes, with Level V, no intensification	Yes, with Level IV, no intensification	Yes, amend Development Permit (per Section 18.10.134), no intensification	Yes, with Level III; Level V if intensifies
Physical expansion	No	No	No	No
Reconstruction without expansion	No	Yes 1–4 units: Level V 5+ units: Level VI no intensification	Yes, if work commenced within 12 months no intensification	Yes, with Level V
Reconstruction up to 100% after disaster: multifamily attached only, with no expansion*	Yes 1–4 units: Level V 5+ units: Level VI, no intensification	Yes 1–4 units: Level V 5+ units: Level VI no intensification	Yes no intensification	Yes, with Level V
Reconstruction up to 75% or greater after disaster: detached units, with no expansion	Yes no intensification	Yes no intensification	Yes no intensification	Yes Level V if intensifies
Reconstruction 5% or greater after disaster: detached units, with no expansion	No	Yes 1–4 units: Level V 5+ units: Level VI no intensification	Yes no intensification	Yes, with Level V
Loss of nonconforming status due to cessation of	12 continuous months**	12 continuous months**	12 continuous months**	12 continuous months**

\* except for properties zoned M-1, M-2, M-3

\*\* unless cessation caused involuntarily by fire, other catastrophic event, or the public enemy, in which case a building permit must be obtained within 2 years and construction diligently pursued

#### SECTION IX

Section 13.10.265 (b) Nonconforming structures, of the Santa Cruz County Code is hereby amended to be:

##### **13.10.265 (b) Nonconforming structures.**

(b) The structural enlargement, extension, reconstruction, or alteration which conforms to the site development standards of the district in which the structure is located may be made to a nonconforming structure upon issuance of only those building permits and/or development permits required by other Sections of the County Code if the property's use is made to conform to the uses allowed in the district and provided that the structure is not significantly nonconforming as defined in this Section, and further provided that where the floor area of an addition exceeds 800 square feet net, a Level IV Use Approval shall be required.

#### SECTION X

Section 13.10.265 (j), Nonconforming structures, of the Santa Cruz County Code is hereby amended to be:

##### **13.10.265 (j) Nonconforming structures.**

Except as provided under subsections (d), (g) and (h) of this section, no structural enlargement, extension, reconstruction or structural alteration shall be made to any significantly nonconforming structure unless a variance for improvements not allowed by 13.10.265(e), and a Level V Use Approval is obtained, in addition to all other approvals required pursuant to the County Code. In addition to any other findings which are required, the following findings shall be made for any approval granted pursuant to this subsection:

1. That the existing structure and the conditions under which it would be operated and maintained is not detrimental to the health, safety or welfare of persons residing or working in the vicinity or the general public, or be materially injurious to properties or improvements in the vicinity.

2. That the retention of the existing structure will not impede the achievement of the goals and objectives of the County General Plan, or of any Specific Plan which has been adopted for the area.
3. That the retention of the existing structure will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects of the neighborhood.
4. That the proposed project will not increase the nonconforming dimensions of the structure unless a Variance Approval is obtained.

#### SECTION XI

Section 13.10.278, Violations of density limitations, of the Santa Cruz County Code is hereby amended to be:

##### **13.10.278** Violations of density limitations.

It shall be unlawful for any person to do, cause, permit, aid, abet or furnish equipment or labor to construct, enlarge, or modify a building or otherwise make a new use of a building for a second or additional dwelling unit on a single parcel of land within any ~~residential~~ zone district unless a Development Permit has been obtained and is in effect which authorizes such a second or additional dwelling unit.

#### SECTION XII

Section 13.10.312 (b), Uses in agricultural districts, Allowed uses, of the Santa Cruz County Code is hereby amended to be:

##### **13.10.312 (b) Allowed** uses.

(b) Allowed Uses. The uses allowed in the agricultural districts shall be as provided in the Agricultural Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level," required for each use in each of the agricultural zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 PERMIT AND APPROVAL PROCEDURES. The Approval Levels given in this chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123. All Level V or higher Approvals in the "CA and "AP zone districts are subject to the special findings required by Section 13.10.314(a) in addition to those required in Section 18.10.230. (Ord. 3632, 3/26/85; 4346, 12/13/94; 4406, 2/27/96; 4416, 6/11/96)

## AGRICULTURAL USES CHART

Agricultural activities: crops and livestock			
Agricultural custom work occupations subject to the provisions of Section 13.10.638	P/4	P/4	P/4
Agricultural support facilities for processing, packing, drying, storage and refrigeration of produce above a total aggregate size of 2,000 square feet or 100 square feet per acre on-site"* (whichever is greater) subject to the provisions of Section 13.10.632. Maximum aggregate size of such facilities shall be			

agricultural support facilities greater than 2,000 square feet shall be processed at Level 5 and shall not be considered a principal permitted use.			
Up to and including a maximum aggregate of 2,000 sq. ft. or 100 sq. ft. per acre on-site** (whichever is greater)	3	3	3
Greater than an aggregate of 2,000 sq. ft. or 100 sq. ft. per acre on-site** (whichever is greater)	4	4	4
Agricultural Service Establishments subject to the provisions of Section 13.10.633 (see Section 13.10.700-A definition)	--	5	--
Apiculture (beekeeping)	P	P	P
/Aquaculture and Aquacultural Facilities	5	5	5
Biomedical Livestock Operations (subject to Section 13.10.647)	5	5	--
/Berry and other vine crops	P	P	P
Commercial dairying, subject to the provisions of Section 16.22.060	BP3	5	BP3
/Field crops, including hay, grain, seed, and turf crops	P	P	P
Livestock raising for food, fiber or animal production, including rabbits and other small animals under 100 per acre	P	P	P
Livestock raising involving hog farming or small animals over 100 per acre, subject to the provisions of Section 16.22.060	BP3	5	BP3
/Nursery crops limited to open field grown ornamental plants, flowers and Christmas trees	P	P	P
nursery crops, outdoor container grown, covering an area of one acre or less	P	P	P
Nursery crops, outdoor container grown, covering an area larger than 1 acre	5	5	5
Orchards, including fruit tree and nut crops	P	P	P
Poultry and other fowl raising, including egg production, under 100 birds per acre (see also "Barn" below)	P	P	P
Poultry and other fowl raising involving more	P	5	P

[than 100 birds per acre _____]			
Row crops, including fruit and vegetable raising	P	P	P
<b>Agricultural Support and Related Facilities</b>			
<del>Aquaculture and Aquacultural Facilities</del>	5	5	5
Barns, corrals, or pens used for animal husbandry, subject to the provisions of Section 16.22.060	BP3	BP3	BP3
Caretaker's quarters, permanent, subject to the provisions of Section 13.10.631	5	5	5
<del>Commercial boarding of animals, subject to the provisions of Section 13.10.641(b)</del>	P/5	P/5	P/5
/Consumer harvesting, on site**	P	P	P
<del>Dwelling unit, one detached single-family per parcel, subject to the provisions of Section 13.10.314</del>			
Inside the Coastal Zone	5	BP3	5
[Outside the Coastal Zone {Requires APAC review}]	BP3	BP3	BP3
Dwelling unit, one detached single-family for the owner, lessee or an employee of the owner or lessee of the land, not to exceed one dwelling unit for each forty acres of total site area, subject to the provisions of Section 13.10.314			
Inside the Coastal Zone	--	--	5
Outside the Coastal Zone	--	--	3
Dwelling unit, one detached single-family per parcel, 7,000 square feet or larger, <del>inclusive</del> <u>exclusive</u> of accessory structure(s) associated with the residential use, but specifically excluding barn or similar accessory structures subject to the provisions of Sections 13.10.314 and 13.10.325	5	5	5
Dwelling units, accessory to the main dwelling used as agricultural caretakers' quarters [subject to Section 13.10.631]			
1--4 Units	5	5	5
5--19 Units	6	6	6
20+ Units	7	7	7

Dwelling units, dwelling groups subject to the provisions of Sections 13.10.313 (e), 13.10.313(f) and 13.10.314			
2--4 Units	5	5	5
15--19 Units	6	6	6
20+ Units	7	7	7
Energy facilities, community, subject to the provisions of Section 13.10.661 and .700-E (definition)	5	5	5
	P	P	P
Farm worker housing subject to Section 13.10.631 (see Caretakers housing, mobile homes and travel trailers, farm worker	3-7	3-7	3-7
Farm outbuildings and other agricultural	BP3	BP3	BP3
Fences, subject to the provisions of Section	P/3/5	3/5	P/3/5
	--	5	--
	5	5	5
	P	P	P
<u>eight</u>	5	5	5
	BP2	BP2	BP2
	BP2	BP2	BP2
		4	3
		4	4

		3	3
		P/4	P/4
		4	BP3
		P/5	P/5
	5	5	5
Greenhouse replacement, reconstruction or structural alteration, pursuant to Section	BP3	BP3	BP3
Habitable accessory structure, 640 square feet or Less subject to the provisions of Section 13.10.611	BP3	BP3	BP3
Habitable accessory structures greater than	5	T-	
Non-habitable accessory structure when incidental to a residential use and not for agricultural purposes (subject to the provisions of Section 13.10.611 and 13.10.313(a)).			
Total area of <del>1,000</del> 500 square feet or less		BP2	BP2
	Only	Only	Only
Total area of more than <del>1,000</del> 500 square feet	Only	BP3	BP3
Home occupations subject to the provisions of Section 13.10.613	P	P	P
Kennels, commercial or private, for five or more dogs or cats over the age of four months subject to the provision of 13.10.323	5	5	5
Farm Worker camps subject to the provisions of Section 13.10.631			
1--4 Units	5	5	5
15--19 Units	6	6	6
20+ Units	7	7	7
Lumber Mills	--	5	--
Manufactured homes, as farm labor housing,			

subject to the provisions of Section 13.10.631			
1--4 Units	5	5	5
5--19 Units	6	6	6
20+ Units	7	7	7
Manufactured home, as a single-family dwelling unit, subject to the provisions of Section 13.10.682			
hide the Coastal Zone	5	5	5
[Outside the Coastal Zone	<u>BP3</u>	<u>BP3</u>	<u>BP3</u>
Manufactured homes, for temporary occupancy as a caretaker's or watchman's quarters subject to the provisions of Section 13.10.631	3	3	3
Mushroom farms and other agriculture within structures, subject to the provisions of Section 13.10.634			
itions. less than 500 square feet	<u>BP3</u>	<u>BP3</u>	<u>BP3</u>
Additions, 500--20,000 square feet	<u>BP3</u>	5	<u>BP3</u>
New development and additions over 20,000 square feet	5	5	5
Offices within existing structures operated in conjunction with an allowed use	<u>BP2</u>	<u>BP2</u>	<u>BP2</u>
Public utility facilities; energy facilities (see /Section 13.10.700-E definition)	--	5	--
Publicly owned and operated sanitary landfill either by contract or by public forces, subject to the provisions of Section 13.10.639	7	7	7
Recreational activities: playfields not involving permanent structures or paving. Within the coastal zone allow this use only in the A (Non-commercial Agriculture) zone district.	5	5	5
/Reservoirs or ponds	3	3	3
Riding academies or public stables, subject to the provisions of Section 16.22.060	5	5	5
Septic tank sludge disposal sites that are approved by the Health Officer pursuant to Chapter 7.42 and that are located outside the Coastal Zone	--	4	--
Signs in conjunction with principal permitted	P	P	P

(b)			
Signs in conjunction with non-principal	BP2	BP2	BP2
	BP2	BP2	BP2
	5	5	5
	--	5	--
Water pollution control facilities for	3	3	3
Water wells, storage tanks and distribution	1***	1***	1***
	P	P	P
	3	3	3
Over 1,000 gallons and under 20,000 gallons annual production:			
			3
	3	3	3
Over 20,000 gallons and under 50,000 gallons annual production:			
On parcels under 10 acres in size	5	5	5
On parcels 10 acres or larger	3	3	3
Over 50,000 gallons and under 100,000 gallons	5	5	5
	6	6	6

[Zoos and natural science museums

--	5	--
----	---	----

### SECTION XIII

Section 13.10.313 (a) **2**, Development standards, Size and Design of Structures, of the Santa Cruz County Code is hereby amended to be:

#### **13.10.31 3 (a) 2: Size and Design of Structures**

Size and Design of Structures--Exceptions. No residential structure shall be constructed or enlarged which will result in 7000 square feet of floor area or larger, ~~inclusive~~ exclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of Section 13.10.325.

### SECTION XIV

Section 13.10.31 3 (b), Development Standards, Distance Between Structures, of the Santa Cruz County Code is hereby amended to be:

#### **13.10.313 (b) Distance Between Structures.**

Incidental and accessory structures may be attached to and have a common wall with a main structure on a site or may be connected with a main structure by a breezeway, provided that a structure housing livestock shall not be attached to a structure used for human habitation. Where there is more than one structure on a site, the minimum distance between a structure used for human habitation and another structure shall be ten feet. The minimum distance between dwelling units shall be ~~20~~ 10 feet. ~~In either case, the minimum distance between structures shall be increased one foot for every two feet of height above the lowest 16 feet of height of either structure. The~~ minimum distance between a structure used for human habitation and a structure housing livestock, shall be 50 feet.

### SECTION XV

Section 13.10.313 (e) Dwelling Group Densities, of the Santa Cruz County Code is hereby amended to be:

#### **13.10.31 3 (e) Dwelling Group Densities.**

1. "A" District. Dwelling groups within the "A" Agriculture Zone District may be allowed at a density per dwelling unit pursuant to Chapter 13.14 of the County Code pertaining to Rural Residential Density Determinations.
2. "CA District. Dwelling groups within the "CA Commercial Agriculture Zone District may be allowed at a density of 40 gross acres per dwelling unit.

3. "AP District. Dwelling groups within the "AP Agriculture Preserve Zone District may be allowed at a density of 40 ~~gross~~ acres per dwelling, with a maximum of five dwelling units.

#### SECTION XVI

Section 13.10.314 (a), Required special findings for "CA" and "AP" uses, All Uses, of the Santa Cruz County Code is hereby amended to be:

##### **13.10.314 (a) All Uses.**

For parcels within the "CA Commercial Agriculture and "AP Agricultural Preserve Zone Districts, the following special findings must be made in addition to the findings required by Chapter 18.10 in order to approve any discretionary use listed under Section 13.10.312 which requires a Level V or higher Approval except Agricultural Buffer Determinations:

1. That the establishment or maintenance of this use will enhance or support the continued operation of commercial agriculture on the parcel and will not reduce, restrict or adversely affect agricultural resources, or the economic viability of commercial agricultural operations, of the area.
2. (a) That the use or structure is ancillary, incidental or accessory to the principal agricultural use of the parcel or (b) that no other agricultural use is feasible for the parcel or (c) ~~3. That~~ the use consists of an interim public use which does not impair long-term agricultural viability?; ~~and or~~
- ~~4.~~ 3. That single-family residential uses will be sited to minimize conflicts, and that all other uses will not conflict with commercial agricultural activities on site, where applicable, or in the area.
- ~~5.~~ 4. That the use will be sited to remove no land from production (or potential production) if any nonfarmable potential building site is available, or if this is not possible, to remove as little land as possible from production.

#### SECTION XVII

13.10.315, "CA" and "AP" land division criteria, of the Santa Cruz County Code is hereby amended to be:

##### **13.10.315 "CA" and "AP" land division criteria.**

(a) All Parcels in the "CA" and "AP Zone District.

1. All parcel divisions in the "CA" or "AP Zone Districts shall be subject to a public hearing and approval at approval Level VII pursuant to Chapter 18.10.
2. All proposed parcel divisions within the "CA or "AP" Zone Districts shall be reviewed by the Agricultural Policy Advisory Commission for a recommendation for approval or denial of the proposed division, and for a determination of the ability to make the special findings required by this section, the potential for

conflicts from the proposed division, and where appropriate, the minimum parcel size necessary to allow for economic farming of the parcels.

3. No parcel division shall be permitted in the "CA or "AP" Zone Districts for the purpose of using the new parcel(s) for nonagricultural uses, or for the purpose of dividing off land which is not usable for agriculture.

4. Divisions of land not zoned "CA or "AP" from land zoned "CA or "AP" are governed by County Code Section 16.50.085. (Ord. 3845, 6/23/87)

(b) Type 1 Parcels.

1. The following findings shall be made prior to the approval of any parcel division in the "CA or "AP Zone Districts for land designated as Type 1 Land pursuant to Chapter 16.50:

(i) That the use is for exclusive agricultural use.

(ii) That the proposed parcel sizes will not be detrimental to the economic viability of commercial agricultural operations on said parcels, or on adjoining or nearby parcels.

(iii) That the division is necessary for continued commercial agricultural use of the subject parcels. In the event a recorded Agricultural Preserve (Williamson Act) contract existed prior to January 23, 1979 for a parcel proposed to be divided under this section, said contract shall constitute evidence of a long-term commitment to continued agricultural use and shall satisfy the requirement for this finding.

(iv) That all parcels shall be of sufficient size to allow for economic farming of the parcels for crop types suited to the particular soils in question. With respect to parcels restricted by an Agricultural Preserve contract recorded prior to January 23, 1979, the finding shall be made either that (i) all parcels created shall be of sufficient size to allow for economic farming of the parcels for crop types suited to the particular soils in question, or that (ii) the owners of all parcels created have recorded an agreement with the County which guarantees the original owner the right to continue to use the newly created parcel for exclusive commercial agricultural uses. In no case shall the parcel size be less than 10 arable acres. Land subject to an Agricultural Preserve contract which is approved for division shall continue to be restricted in the aggregate to the permitted and discretionary uses which would have been available to the original parcel under the agricultural preserve contract had the original parcel remained undivided.

(v) That no conflicts with adjacent agricultural operations shall result from the division.

(vi) That the division is for exclusive agricultural purposes. A recorded Agricultural Preserve (Williamson Act) contract existing prior to January 23, 1979 for a parcel proposed to be divided under this section shall constitute evidence of an exclusive agricultural purpose.

2. Agricultural Preserve (Williamson Act) contracts shall be recorded, prior to filing final maps, for all parcels created by a division of Type 1A Agricultural Land.

(c) Type 2 Parcels. The following findings shall be made prior to the approval of any parcel division in the "CA" Zone District for land designated as Type 2 land pursuant to Chapter 16.50:

1. That the division is for exclusive agricultural purposes.
2. That the division will result in agriculturally viable parcels; in no case shall the parcel size be less than **20 arable** acres.
3. That no conflicts with adjacent or nearby commercial agricultural uses will result from the division.

(d) Type 3 Parcels.

1. The following findings shall be made prior to the approval of any parcel division in the "CA" or "AP" Zone Districts for land designated as Type 3 land pursuant to Chapter 16.50.

(i) That the division is necessary for continued commercial agricultural use of the subject parcels.

(ii) That the proposed parcel sizes will not be detrimental to the economic viability of commercial agricultural operations on said parcels, adjoining or nearby parcels.

(iii) That the division is for exclusive agricultural purposes.

(iv) That all parcels are of sufficient size to constitute a minimum economic farm unit for three crop types, other than greenhouse agriculture, suited to the soils, topography and climate of the area; in no case shall the parcel size be less than **20 arable** acres.

(v) That no conflicts with adjacent agricultural operations shall result from the division.

(vi) That such division will not create the potential for residential use other than that determined to be ancillary to commercial agriculture pursuant to Section **13.10.314(a)** and (b).

(vii) That such division will not hamper or discourage long-term commercial agricultural operations.

2. An Agricultural Preserve (Williamson Act) contract and a covenant enforceable by the County to prohibit use of the parcel for nonagricultural purposes shall be recorded on the property title, prior to filing final maps, for each parcel created by said land division.

### SECTION XVIII

Section **13.10.322**, Residential Uses, of the Santa Cruz County Code is hereby amended to be:

#### **13.10.322** Residential Uses.

(a) Principal Permitted Uses.

(1) In the Coastal Zone, the principal permitted uses in the residential districts shall be as follows:

"RA":	single-family residential and agricultural (rural)
"RR":	single-family residential (rural)
"R-1":	single-family residential (urban, rural)
"RB":	single-family residential (oceanfront, urban)
"RM":	multiple-family residential (urban) including appurtenant accessory uses and structures

(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. 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 Permits, and in some cases, as provided in Chapter 13.20, any development is appealable.

(b) Allowed Uses.

(1) The uses allowed in the residential districts shall be as provided in the following Residential Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit;" for a particular use. The type of permit processing review, or "Approval Level," required for each use in each of the residential zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 Permit and Approval Procedures. The Approval Levels given in this chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123.

(2) Timber harvesting and associated operations, requiring approval of a Timber Harvesting Plan by the California Department of Forestry, are not allowed uses in the Residential zone districts.

## RESIDENTIAL USES CHART

### KEY:

A = Use must be ancillary and incidental to a principal permitted use on the site

P = Principal permitted use (see Section 13.10.312(a)); no use approval necessary if " P appears alone

1 = Approval Level I (administrative, no plans required)

2 = Approval Level II (administrative, plans required)

3 = Approval Level III (administrative, field visit required)

4 = Approval Level IV (administrative, public notice required)

5 = Approval Level V (public hearing by Zoning Administrator required)

6 = Approval Level VI (public hearing by Planning Commission required)  
 7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)

-- = Use not allowed in this zone district

\* = Level IV for projects of less than 2,000 square feet

Level V for projects of 2,000 to 20,000 square feet

Level VI for projects of 20,000 square feet and larger

\*\* = Second Units located within the Coastal Zone and not excludable under Section 13.20.071 requires a Coastal Permit which is processed at Level 5

BP = Building Permit Only

BP1 = Approval Level I (administrative, no plans required)

BP2 = Approval Level II (administrative, plans required)

BP3 = Approval Level III (administrative, field visit required)

USE	RA	RR	R-1	RB	RM
-----	----	----	-----	----	----

Accessory structures and uses,  
including:

One Accessory structure, habitable  
 (subject to Sections 13.10.611 and  
 .323 installation of certain plumbing  
 fixtures may require Level 4 approval)

Total area of 640 square feet or less and not to exceed 1-story and 17 feet in height	<u>BP3</u> <u>Only</u>	<u>BP3</u> <u>Only</u>	<u>BP3</u> <u>Only</u>	<u>BP3</u> <u>Only</u>	<u>BP3</u> <u>Only</u>
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Total area of more than 640 square feet or exceeding 1-story or 17 feet in height	5	5	5	5	5
---	---	---	---	---	---

Accessory structures, non-habitable,  
outside the Urban Services Line and  
Rural Services Line (subject to Section  
13.10.611 and 13.10.323; installation  
of certain plumbing fixtures may  
require Level 4 approval) comprised  
of:

Animal enclosures: barns, stables,  
paddocks, hutches and coops (subject

to the provisions of Sections  
~~13.10.644 Family Animal Raising; .643~~  
~~Animal Keeping in the RA Zone; .645~~  
~~bird and small animal raising; .641~~  
~~Stables and Paddocks; .646 Turkey~~  
~~Raising; .641 Stables and Paddocks;~~  
~~.643 Animal Keeping in the RA Zone;~~  
~~.644 Family Animal Raising;~~  
~~.645 bird and small animal raising;~~  
~~.646 Turkey Raising; these provisions~~  
 require Level 5 in some cases).

When total area of the structure is:

1,000 square feet or less	<u>BP3</u> Only	<u>BP3</u>	<u>BP3</u>	--	..
more than 1,000 square feet	<u>BP3</u>	5	5		

Carports, detached; garages,  
 detached; garden structures; storage  
 sheds (subject for Sections 13.10.611  
 and .323, installation of certain  
 plumbing fixtures may require Level 4  
 approval) when total area of structure  
 is:


1,000 square feet or less	<u>BP3</u> Only	B P I Only	<u>BP3</u> Only	<u>BP3</u> Only	B P I Only
more than 1,000 square feet	<u>BP3</u>	3 <u>5</u>	3 <u>5</u>	3 <u>5</u>	3 <u>5</u>

Accessory structures, non-habitable,  
 inside the Urban Services Line and  
 Rural Services Line (subject to Section  
 13.10.611 and 13.10.323; installation  
 of certain plumbing fixtures may  
 require Level 4 approval) comprised  
 of:

Animal enclosures: barns, stables,




paddocks, hutches and coops (subject to the provisions of Sections 13.10.644 ~~Family Animal Raising~~; .643 ~~Animal Keeping in the RA Zone~~; .645 ~~bird and small animal raising~~; .641 ~~Stables and Paddocks~~; .646 ~~Turkey Raising~~; .641 ~~Stables and Paddocks~~; .643 ~~Animal Keeping in the RA Zone~~; .644 ~~Family Animal Raising~~; .645 ~~bird and small animal raising~~; .646 ~~Turkey Raising~~; these provisions require Level 5 in some cases).

When total area of the structure is:

1,000 square feet or less, limited to 1-story or 17 feet in height, and not taller than the primary residence		3	3	--	--
---	---	---	---	----	----

more than 1,000 square feet, or more than 1-story or greater than 17 feet in height, or taller than the primary residence	5	5	5	--	--
---	---	---	---	----	----

Carports, detached; garages, detached; garden structures; storage sheds (subject for Sections 13.10.611 and .323, installation of certain plumbing fixtures may require Level 4 approval) when total area of structure is:

640 square feet or less, limited to 1-story or 17 feet in height, and not taller than the primary residence	BPI Only	BPI Only			
---	----------	----------	---	---	---

more than 640 square feet, or more than 1-story or greater than 17 feet in height, or taller than the primary residence	5	5	5	5	5
---	---	---	---	---	---

Dwelling unit, accessory subject to

~~Section 13.10.681\*\*~~

<del>Inside the Urban Services Line</del>	<del>4P</del>	<del>4P</del>	<del>4P</del>	<del>4P</del>	<del>4</del>
---	---------------	---------------	---------------	---------------	--------------

<del>Outside the Urban Services Line</del>	<del>4P</del>	<del>4P</del>	<del>4P</del>	<del>4P</del>	<del>4</del>
--	---------------	---------------	---------------	---------------	--------------

**To be replaced by new Second Unit ordinance**

Air strips (see Section 13.10.700-A definition) <del>including: (continued)</del>	<del>5-7</del>	<del>5-7</del>	--	--	--
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**Parking, including:**

Parking, on-site, for principal permitted uses (subject to Sections 13.10.550 et seq.)	<u>BP2</u>	<u>BP2</u>	<u>BP2</u>	<u>BP2</u>	<u>BP2</u>
--	------------	------------	------------	------------	------------

Parking, on-site, for non-principal permitted uses (subject to Sections 13.10.580 et seq.)	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>
--	----------	----------	----------	----------	----------

Recycling collection facilities in association with a permitted community or public facility, subject to Section 13.10.658, including:

reverse vending machines	<u>BPI</u>	<u>BP1</u>	<u>BPI</u>	<u>BP1</u>	<u>BP1</u>
small collection facilities	3	3	3	3	3

**Signs, including:**

Signs for non-principal permitted uses (subject to Sections 13.10.580, et seq.)	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>
---	----------	----------	----------	----------	----------

Signs for principal permitted uses (subject to Sections 13.10.580, et seq.)	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
---	----------	----------	----------	----------	----------

Storage tanks, water or gas, for use of persons residing on site

less than 5,000 gallons	<u>BP2</u>	<u>BP2</u>	<u>BP2</u>	--	--
more than 5,000 gallons	<u>BP3</u>	<u>BP3</u>	<u>BP3</u>	--	--
Swimming pools, private and accessory equipment	<u>BP3</u>	<u>BP3</u>	<u>BP3</u>	--	<u>BP3</u>
Agricultural uses, including:					
Agriculture, small-scale commercial, such as the raising of specialty crops (see also Animal-Keeping)	P	--	--	--	--
Agriculture, with on-site retail sales, such as Christmas tree farms	5	--	--	--	--
Bee-keeping, Commercial (see Section 13.10.700-6 definition)	5	--	--	--	--
Gardening, family (see Section 13.10.700-G definition)	P	P	P	P	P
Greenhouse, one private of 500 square feet or smaller	<u>BP2</u>	<u>BP2</u>	<u>BP2</u>	<u>BP2</u>	<u>BP2</u>
Greenhouses, private, larger than 500 square feet	5	5	5	--	--
Greenhouse replacement, reconstruction, or structural alteration ( <b>see</b> Section 13.10.636(b) and (c))	<u>BP2</u>	<u>BP2</u>	<u>BP2</u>	--	--
Nurseries, commercial	5	--	--	--	--
Animal-related uses, including:					
Animal-keeping (subject to Section 13.10.643) (see also "Animal	P	--	--	--	--

enclosures" above)

Animal-raising, family (subject to Section 13.10.644) (see also "Animal enclosures" above) {Minimum parcel size: 6,000 sq.ft. gross}

P P P -- --

Cats and dogs

P: 4 P: 4 P: 2 P: 2 P: 2  
cats cats cats cats cats  
or or and2 and and  
dogs dogs dogs 1 1  
or or per dog dog  
combo combo unit per per  
unit unit

Kennels for five or more dogs or cats over the age of four months (subject to Section 13.10.642)

5 - -- -- --

Stables, private, and paddocks (subject to Section 13.10.641) (see also "animal enclosures" above)

P 5 P: -- --  
ABOVE  
R-1-32  
5: up  
to R-  
1-32

Commercial uses, including:

~~In conjunction with residential uses on a site containing ten acres or more, any use which is allowed in the C-1 District, which meets the regulations of Section 13.10.335(a) Paragraphs 2 and 3, and which is consistent with the General Plan~~

~~7 7 7 7 7~~

~~Electrical connection to existing non-habitable storage shed not larger than 600 sq. ft. and legally existing prior to 10/27/87 where non-accessory because land use regulations prohibited main structure or use upon~~

~~3 3 3 3 3~~

~~the owner's recordation of declarant  
of restriction that the structure shall  
remain non-habitable and shall not be  
rented, let, or leased~~

Nursing homes; convalescent care hospitals (see Section 13.10.700-N definition)	5	5	5	--	5
---	---	---	---	----	---

Radio and TV transmission tower (subject to Section 13.10.655)	5	5	5	5	5
---	---	---	---	---	---

Tract offices	5	5	5	5	5
---------------	---	---	---	---	---

Community facilities, including

Churches and other religious centers	5	5	5	--	5
--------------------------------------	---	---	---	----	---

Community centers	5	5	5	--	5
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Day-care centers (see Section 13.10.700-D definition)	5	5	5	--	5
--	---	---	---	----	---

Schools: pre-schools and K-12 including church schools, and incidental art, craft, music or dancing schools but not including business, professional or trade schools <b>or</b> colleges	5	5	5	--	5
---	---	---	---	----	---

Energy systems, community (see Section 13.10.700-E definition and subject to Section 13.10.661)	5	5	5	5	5
---	---	---	---	---	---

Facilities, public structures and facilities	5	5	5	5	5
---	---	---	---	---	---

Open space and recreation uses,  
including:

Clubs, private, such as garden clubs, fraternal lodges, community service organizations	5	5	5	--	5
Conference centers (subject to the provisions of the PR District Section 13.10.350 et seq.)	5	5	5	--	5
Country clubs, private, associated with residential development; including such facilities as club houses, golf courses, tennis courts, swimming pools.	5	5	5	--	5
Fish hatcheries	5	5	5	--	--
Organized camps (subject to the provisions of the PR District Section 13.10.350 et seq.)	5	5	5	--	5
Open space uses, private, non-commercial, not involving structures, such as:	P	P	P	P	P
Beach uses					
Ecological preserves; wildlife and biotic habitat reserves					
Hiking and horseback riding trails					
Open space					
Picnicking facilities					
Playgrounds, non-paved					
Sports fields, non-paved					
Watershed management					
Parks, local, public, and associated facilities	5	5	5	5	5

Stables, boarding and public riding (subject to Section 13.10.641)	5	--	--	--	--
Residential uses:					
Congregate					
Senior Housing					
2--19 units	--	--	--	--	6
20+ units	--	--	--	--	7
Day-care homes, family (See Section 13.10.700-D definition)	P	P	P	P	P
Dwelling unit, one detached single- family per parcel, 7,000 square feet or larger, exclusive of accessory structures, but specifically excluding barns or similar accessory structures subject to the provisions of Section 13.10.325	5	5	5	5	--
<del>Dwelling unit, accessory, subject to Section 13.10.681</del>	5	5	5	5	5
Dwelling unit, one detached single- family per parcel	<u>BP3</u>	<u>BP3</u>	<u>BP3</u>	<u>BP3</u>	<u>BP3</u>
Dwelling unit, one semi-detached (in RB and RM in groups of 6 units or Less; in R-1 only in R-1-4 or R-1-3.5 with maximum of 2 units per group)					
2--4 units	--	--	5	5P	5P
5--19 units	--	--	6	6P	6P
20+ units	--	--	7	7P	7P
Dwelling units, dwelling groups (subject to Rural Residential Density Determinations Chapter 13.14; in R-1: detached units only)					

## Attachment 1 to Exhibit A

2--4 units	5	5	5	--	5P
5--19 units	6	6	6	--	6P
20+ units	7	7	7	--	7P
Dwelling units, multi-family					
2--4 units	--	--	--	--	5P
5--9 units	--	--	--	--	6P
20+ units	--	--	--	--	7P
Foster homes for <del>4</del> <u>7</u> or fewer children, not including those of the proprietary family (see Section 13.10.700-F definition)	P	P	P	P	P
Foster homes for <del>7</del> <u>8</u> or more children, not including those of the proprietary family (see Section 13.10.700-F definition)	5	5	5	5	5
Home occupations (subject to Section 13.10.613: Level 5 Approval required in certain cases)	P	<b>P</b>	P	P	P
Lodging houses: boarding houses (see Section 13.10.700-L definition)	--	--	--	--	5
Manufactured home <del>as</del> a single-family dwelling on the property (subject to Section 13.10.682)	<u>B</u> P3	Bp3	Bp3	5	<u>B</u> P3
Mobilehome parks (subject to section 13.10.684)					
2--4 units	--	--	--	--	5
5--19 units	--	--	--	--	6
20+ units	--	--	--	--	7
Residential care homes <del>for</del> <u>4</u> <u>7</u> or fewer <del>persons</del> (see Section 13.10.700-	P	P	P	P	P

R definition)

Residential care homes for <del>7</del> <u>8</u> or more persons (see Section 13.10.700-R definition)	5	5	5	5	5
Second unit, subject to Section 13.10.681	<del>4</del> <u>BP3</u>	<del>4</del> <u>BP3</u>	<del>4</del> <u>BP3</u>	<del>4</del> <u>BP3</u>	<del>4</del> <u>BP3</u>
Visitor Accommodations, such as					
Bed and breakfast inns (subject to Section 13.10.691)	4	4	4	--	4
Visitor accommodations, small-scale, in Special Communities in the Coastal Zone (subject to Chapter 13.20 and VA District Regulations Section 13.10.330, et seq.)	--	--	5	--	5
Visitor accommodations small scale in the Coastal Zone, upon conversion of existing structure (subject to Chapter 13.20 and VA District Regulations Section 13.10.300, et seq.)	5	5	--	--	--
Wineries, under 1,000 gallons annual production as a home occupation, subject to the provisions of Section 13.10.613	P	P	P	P	P
Wineries, subject to the provisions of Section 13.10.637:					
Under 1,000 gallons and not a home occupation	3	3	--	--	--
Over 1,000 gallons and under 20,000 gallons annual production:					

On parcels under 2.5 acres in size	5	5	--	--	--
On parcels 2.5 acres or larger	3	5	--	--	--
Over 20,000 gallons and under 50,000 gallons annual production on any size parcel	5	5	--	--	--
Over 50,000 gallons annual production on any size parcel	6	6	--	--	--

### SECTION XIX

Section 13.10.323, Development standards for residential districts, of the Santa Cruz County Code is hereby amended to be:

#### **13.10.323** Development standards for residential districts.

##### (a) Site area, for the creation of new sites.

1. In "RA" and "RR Residential Districts, the minimum land areas in net developable acres required for each dwelling unit on each site shall be as established by the Rural Residential Density Determination matrix (Chapter 13.14) outside the USL and Rural Services Line or shall be 1 acre inside the Rural Services Line and shall be consistent with the General Plan, Local Coastal Program Land Use plan, the Geological Hazards Ordinance (Chapter 16.10), and the Minimum Parcel Size Standards in Section 13.10.510(g). (Ord. 653, 10/17/60; 1891, 6/19/73; 3186, 1/12/62; 1891, 6/19/73; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 4119, 3/5/91; 4122, 419191; 4346, 12/13/94; 4406, 2/27/96; 4416, 6/11/96)

2. The "R-1" and "RM Residential Districts shall be combined with a number which shall indicate the minimum land area in thousands of net developable square feet required for each dwelling unit on each site in the district. For example: "R-1-6" means a minimum land area of 6,000 net developable square feet per dwelling unit; "RM-3" means a minimum land area of 3,000 net developable square feet per dwelling unit. Definition of "developable land and net developable area" are to be found in Section 13.10.700. District designations shall be consistent with the adopted General Plan, Local Coastal Program Land Use Plan, and the Geologic Hazards Ordinance (Chapter 16.10), and the Minimum Parcel Size Standards in Section 13.10.510(g). (Ord. 1891, 6/19/73; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83).

The "R-1 Single Family Residential" District located outside the Urban Services Line recognizes as conforming parcels those parcels which are generally less than one acre in size, and that, prior to the effective date of the 1994 General Plan/Local Coastal Program Land Use Plan, were legal lots of record and

developed with or intended for development of a single family residence. (Ord. 4460, 6/21/97)

3. The Ocean Beach "R B Residential District shall have a minimum site area of 4,000 net developable square feet. ~~Definitions of "developable land" and "net developable area" are to be found in Section 13.10.700.~~ (Ord. 1418, 3/25/69; 1465, 10/14/69; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83).

4. In the zone districts listed above in subsections 1-3, one single family dwelling is permitted on existing parcels regardless of the site area standards if other infrastructure requirements can be met, such as water and sewer.

(b) Site and Structural Dimensions. The following single family and multi-family charts show net site area per dwelling unit, setbacks, maximum allowable lot coverages, building height limits, allowable floor area to lot area ratios, maximum number of stories, minimum site widths and minimum site frontages for residential zone districts. These standards shall apply within all residential "R" zone districts, except as noted elsewhere in this Section and uses inconsistent therewith shall be prohibited absent a variance approval. (Ord. 1191, 8/9/66; 2171, 8/26/75; 2540, 2/28/78; 2775, 9/11/75; 3058, 3/24/81; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3632, 3/26/85; 4097, 12/11/90; 4095, 12/11/90; 4119, 2/5/91; 4122, 4/9/91; 4194, 5/12/92)

SITE AND STRUCTURAL DIMENSIONS										
ZONE DISTRICT AND MINIMUM <u>NET</u> SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO	MAXIMUM NUMBER OF STORIES	MAXIMUM MINIMUM SITE WIDTH (FEET)	MAXIMUM MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
ALL Districts	Minimum to <u>garage/carport entrance</u>	20	20	20						
	Parcels < 60 feet wide (except for corner lots)		5 & 5							
RB <u>0 to &lt; or = 4,000 sq.ft.</u>	General Requirements	10	0 & 5	10	40%	25; on beach side: 17	0.5 ÷ 1 <u>50%</u>	2; on beach side: 1	40	40
	Corner lots	10	10	10	40%	See above	0.5 ÷ 1 <u>50%</u>	See above	40	40

	Lots on beach side of street	10	0 & 5	0	40%	See above	0.5 ÷ 1 50%	See above	40	40
	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of-way	15	0 & 5	15						
R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft.	General Requirements	15	5 & 5	15	40%	28	0.5 ÷ 1 50%	2*	35	35
	Corner lots - existing parcels	15	5 & 10 5 & 15	15	40%	28	0.5 ÷ 1 50%	2*	35	35
	creating new parcels									
	Parcels > 5,000 sq. ft.	20	5 & 8	15	30%	28	0.5 ÷ 1 50%	2*	35	35
R-1-5 to R-1-5.9 5,000 to <6,000 sq. ft.	General Requirements	20	5 & 8	15	30%	28	0.5 ÷ 1 50%	2*	50	50
	Corner Lots - existing parcels	20		15	30%	28	0.5 ÷ 1 50%	2*	50	50
	creating new parcels									
	Parcels 4 to <5,000 sq. ft.	20	5 & a	15	30%	28	0.5 ÷ 1 50%	2*	50	50
R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft.	General Requirements	20	5 & 8	15	30%	28	0.5 ÷ 1 50%	2*	60	60
	Corner lots - existing parcels	20	5 & 10 5 & 20	15	30%	28	0.5 ÷ 1 50%	2*	60	60
	creating new parcels									
	Parcels >4,000 to <56,000 sq. ft.	20	5 & 8	15	30%	28	0.5 ÷ 1 50%	2*		
R-1-10 to R-1-15.9 10,000 to	General Requirements	20	10 & 10	15	30%	28	0.5 ÷ 1 50%	2*	60	60

<16,000 sq. ft.	Creating new corner lots	20	10 & 20	15	30%	28	0.5 : 1 50%	2*	60	60
R-1-16 to R-1-<1 acre 16,000 to < 1 acre	General Requirements	30	15 & 15	15	20%	28	N/A	2*	90	60
RR, RA, and R-1-1 acre > 1 acre	General Requirements - 1 to < 5 acres	40	20 & 20	20	10%	28	N/A	2*	100	60
	General Requirements - 5 acres or more	40	20 & 20	20	10%	28	N/A	2*	150	100
All Districts	entrance		20	20						
	Parcels < 60 feet wide		5							

\* Number of stories is limited

Plan.

NOTE: This chart contains the multi-family residential zone districts standards and some of the most commonly used exceptions. For additional exceptions relating to parcels, see Section 13.10.323(d). For additional exceptions relating to structures, see Section 13.10.323(e). Variations from maximum structural height, maximum number of stories and maximum floor area as defined by F.A.R. may be approved with a residential development permit by the appropriate approving body for affordable housing units built on-site or off-site in accordance with Chapter 17.10 and Sections 13.10.681 and 13.10.685 of Santa Cruz County Code.

"All site standards for the applicable zone district must be met.

RM MULTI- FAMILY RESIDENTIAL ZONE DISTRICTS IONS CHART										
ZONE DISTRICT AND MINIMUM GROSS SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIM UM PARCE L COVER AGE	MAXIM UM HEIGH T (FEET)	FLO OR ARE A RATI O	MAXIM UM NUMBE R STORIE S	MAXIM UM MINIM UM SITE WIDTH (FEET)	MAXIMU M MINIMU M SITE FRONTA GE
		FRO NT	SIDE	REA R						
All Districts	Minimum to garage/carport entrance	20	20	20						

	Parcels < 60 feet wide (except for corner lots)		5ft 5							
RM-1.5 to RM-4.9 0 to <5,000 sq.ft.	General Requirements for all parcels within these zone districts	15	5ft 5	15	40%	28	0.5 ÷ 1 50%	Per Use Permit or 2	35	35
	Corner Lots - existing parcels	15	5ft 10	15	40%	28	0.5 ÷ 1 50%		35	35
	creating new parcels	15	5ft 15	15	40%	28	0.5 ÷ 1 50%		35	35
	Parcels > 5,000 sq. ft.	20	5ft 8	15	30%	28	0.5 ÷ 1 50%		35	35
RM-5 to RM- 5.9 5,000 to <6,000 sq. ft.	General Requirements and for parcels >6,000 sq. ft.	20	5ft 8	15	30%	28	0.5 ÷ 1 50%	Per Use Permit or 2	50	50
	Corner lots - existing parcels	20	5ft 10	15	30%	28	0.5 ÷ 1 50%		50	50
	creating new parcels	20	5ft 10	15	30%	28	0.5 ÷ 1 50%		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5ft 8	15	30%	28	0.5 ÷ 1 50%		50	50
RM-6 to RM-9.9 5,000 to <6,000 sq. ft.	General Requirements	20	5ft 8	15	30%	28	0.5 ÷ 1 50%	Per Use Permit or 2	60	60
	Corner lots - existing parcels	20	5ft 10	15	30%	28	0.5 ÷ 1 50%		60	60
	creating new parcels	20	5ft 20	15	30%	28	0.5 ÷ 1 50%		60	60
All Districts	Minimum to garage/carport entrance	20	20	20						

	Parcels < 60 feet wide		58 5						
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NOTE: This chart contains the multi-family residential zone districts standards and some of the most commonly used exceptions. For additional exceptions relating to parcels, see Section 13.10.323(d). For additional exceptions relating to structures, see Section 13.10.323(e). Variations from maximum structural height, maximum number of stories and maximum floor area as defined by F.A.R. may be approved with a residential development permit by the appropriate approving body for affordable housing units built on-site or off-site in accordance with Chapter 17.10 and Sections 13.10.681 and 13.10.685 of Santa Cruz County Code.

\*All site standards for the applicable zone district must be met.

(c) Calculating Allowable Gross Building Area. When determining the maximum allowable gross building area for a specific parcel, it is necessary to know the zoning and net site area of the parcel. Definitions of net site area, gross building area, floor area, floor area ratio, story, attic, basement, underfloor, and mezzanine appear in 13.10.700.

Net Site Area x Floor Area Ratio (F.A.R.) = Total Allowable Gross Building Area for All Buildings on Site

Net Site Area x Maximum Parcel Coverage Percentage = Maximum Allowable Parcel Coverage

#### AREAS INCLUDED IN GROSS BUILDING AREA CALCULATION

- All Floor Areas; areas with ceiling heights greater than sixteen (16) ft. zero inches are counted twice, and greater than twenty-four (24) feet zero inches are counted three times (2, 3, 4, 5)
- Garage (credit for one parking space--two hundred twenty-five (225) sq. ft. not counted (1)
- Covered and Enclosed Area (6)
- Stairs and landing at each floor
- Basements, attics and under floor area which reach a ceiling height of seven ft. six inches or higher, then all areas greater than five feet zero inches in height shall count as area for F.A.R. calculations
- Areas under building projections greater than three feet from the exterior wall, or cumulatively greater than 1/3 the length of that side of the building.

#### AREAS NOT INCLUDED IN CALCULATIONS

- first one hundred forty (140) sq. ft. and then 1/2 of all covered, unenclosed porch areas (7)
- uncovered decks (covered decks count)

- uncovered balconies (covered balconies count)
- areas beneath three ft. of roof overhang

SAMPLE PARCEL of three thousand seven hundred eighty-three (3,783) net square feet, R-1-4 Zone District

From Site and Structural Dimensions Chart:

Floor Area Ratio = 0.5:1

Maximum Parcel Coverage = 40%

3,783 sq. ft. x 0.5 = 1892 sq. ft. Total Floor Area

3,783 sq. ft. x 0.40 = 1513 sq. ft. Maximum First Floor Area (Round to Nearest Foot)

Total Floor Area = 1892 sq. ft.  
Less: Maximum First Floor Area = 1513 sq. ft.  
Second Level Area = 379 sq. ft.

The total floor area may be divided equally between floors.

(d) Site and Structural Dimensions Exceptions Relating to Parcels.

1. Parcels Created from New Land Divisions.

(i) Within any new land division project, all development standards on all lots or parcels which abut the periphery of the project site are subject to all the restrictions stated in this section unless a variance is obtained. No parcel shall be created smaller than three thousand five hundred (3,500) square feet in area. On individual lots or parcels within any land division project not abutting the periphery of the project site, site and structural dimensions may vary from the General Requirements for the zone district, provided that the approved standards and dimensions for each new lot or parcel are specifically indicated on the approved tentative map.

2. Nonconforming Parcels.

(i) On a lot which contains less than eighty (80) percent of the minimum site area required in the applicable zone district, or has less than 80 percent of the minimum width, or frontage, the building setbacks required shall be equal to those in the zone district having a minimum site area or dimensions which most closely correspond to those of the substandard lot. (Ord. 3593, 11/6/84; 3746, 4/22/86; 4119, 3/5/91; 4122, 4/9/91).

3. Parcels Reduced Due to Right-of-way Dedications.

(i) A site area variance approval shall not be required for a new single-family dwelling or additions to an existing single-family dwelling on an existing lot of record which is reduced in size to less than the minimum site area required in the applicable zone district due to requirements for a public dedication of right-of-way.

(ii) For a new or existing single-family dwelling on an existing lot of record which becomes non-conforming due to a public dedication of right-of-way, variances to building setback and structural dimension requirements shall not be required, provided that the front yard is not less than 15 feet and the street side yard is not less than 6 feet.

4. **Parcels With Agricultural, Geological or Environmental Resources and/or Constraints.** For setbacks from Fault Zones, Floodplains/Floodways and Coastal Bluffs and Beaches see Section 16.10.070. For setbacks from Riparian Corridors see Section 16.30.040. For setbacks from Sensitive Habitats see Section 16.32.090. For Setback/buffer requirements for parcels abutting commercial agricultural, "CA zoned parcels, see Section 16.50.095.

5. **Parcels With Steep Slopes.**

(i) In all residential zone districts, if the elevation of the lot at a point 50 feet from the center line of the traveled roadway is 7 feet or more above or below the elevation of said center line, an attached or detached carport which (in the interest of public safety) is unenclosed on all sides may be built to within 5 feet of the front property line or edge of right-of-way of the lot. Open safety railings may be constructed to the property line.

(ii) In the "RB District, where the site abuts an existing street, road, or easement for road purposes recorded in the County Recorder's Office before March 25, 1969 and where the front 30 feet of the site exceeds a slope of 25 percent, no front yard is required.

6. **Parcels With Double Frontage.** When both the front and rear property lines of a parcel abut on a right-of-way to which it has legal access, the required front yards shall be measured from both rights-of-way. Only one of the front yards shall be required to meet the off-street parking criteria described in this chapter.

(e) **Site and Structural Dimension Exceptions Relating to Structures.**

1. **Structural Encroachments.** Eaves, chimneys, bay windows (less than 60" in height), uncovered, unenclosed porches, decks, stairways and landings may extend into required front and rear yard 6 feet, provided, that balconies, ~~porches~~, or decks must be cantilevered in order to encroach. Eaves, chimneys and uncovered, unenclosed stairways and landings may extend into required side yards 3 feet. Decks less than 18 inches high may be constructed to property lines. Second story rooftop decks and landings are not permitted.

2. **Structures Designed for Solar Access.**

(A) **Criteria for New Construction.** In cases where it is not possible to orient a new building southward within the applicable yard requirements for the purpose of incorporating an active or passive solar energy system, a reduction in such yard requirements may be authorized as a Level III Approval pursuant to Chapter 18.10, provided that:

(i) The purpose of the reduction is to incorporate an active or passive solar energy system into the new building;

(ii) The building envelope would comply with all zoning provisions if oriented parallel to the lot lines;

(iii) The reduced yard requirement will not restrict emergency access or present a fire hazard; and

(iv) The reduced yard requirement will not be detrimental or injurious to property or improvements in the neighborhood, and will not limit solar energy access on neighboring property to a greater extent than if the building envelope complied with the required setbacks.

(B) Criteria for Structural Additions. In cases where it is not possible to make additions to an existing structure within the applicable yard requirements for the purpose of attaching an active or passive solar energy system, reduction in such yard requirements may be authorized as a Level III Approval pursuant to Chapter 18.10 provided that:

(i) The reduced yard requirement will not restrict emergency access, or present a fire hazard;

(ii) The reduced yard requirement will not be detrimental or injurious to property or improvements in the neighborhood, and will not limit solar energy access on neighboring property to a greater extent than if the building envelope complied with the required setbacks; and

(iii) The portion of the addition within the required setback is designed for the primary purpose of collecting solar energy.

3. Structures Larger Than 7,000 Square Feet. No residential structure shall be constructed which will result in seven thousand (7,000) square feet of floor area or larger, exclusive of accessory structures, unless a Level V approval is obtained pursuant to the provisions of Section 13.10.325. (Ord. 4194, 5/12/92; 4286, 2/14/93)

4. Structures Exceeding Two Stories. Outside the Urban Services Line, the number of stories in a residential structure shall not be limited by the provisions of Section 13.10.323(b) above. (Ord. 4371, 5/23/95)

5. Structures Exceeding 28 Feet.

(A) With Increased Yards. Building heights which exceed those specified in subsection (b) above are allowable if all required yards are increased five feet for each foot over the permitted building height and planning approvals are obtained according to the following table:

PARCEL SIZE ( <u>net site area</u> )	MAXIMUM HEIGHT ABOVE EXISTING GRADE	PLANNING APPROVALS REQUIRED
Less than 2-1/2 acres	Over 28 ft.	Level IV Approval
2-1/2 acres or larger	Over 28 ft. up to 35 ft.	Level III Approval
	Over 35 feet	Level IV Approval

(Ord. 3593, 11/6/84 ~~4194~~, 5/12/92 ~~4496-C~~, 8/4/98)

(B) With Design Review. Building heights up to a maximum of thirty three (33) feet may be allowed without increased yards or variance approval, subject to review and recommendation by the Urban Designer and approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10. (Ord. ~~4194~~, 5/12/92)

**6. Accessory Structures.**

(A) Water Tanks and Propane Tanks. Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line provided that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line provided that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(B) Side and Rear Yards. An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure. ~~A detached accessory structure which is located entirely within the required rear yard and which is smaller than one hundred twenty (120) square feet in size and ten (10) feet or less in height may be constructed to within three feet of the side and rear property lines. A detached second unit subject to the provisions of Section 13.10.681, may be located within five feet of the side and ten (10) feet of rear property lines, provided the design guidelines of Section 13.10.681 are satisfied and the approval of the Zoning Administrator is obtained. (Ord. 4324A, 8/9/94; 4495, 3/24/98)~~

(C) Separation. The minimum distance between any two detached structures shall be ten (10) feet with the following exceptions: eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required ten (10) foot separation.

(D) On Reversed-Corner Lots. On a reversed-corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.

(E) Distance from Alleys. Detached accessory structures shall not be located within six feet of any alley.

(f) Usable Open Space. In "RM Districts, group or private usable open space or a combination thereof shall be provided for each dwelling unit on the site according to the following table:

TYPE OF SPACE	MINIMUM TOTAL AREA PER DWELLING UNIT	RESTRICTIONS ON ANY PORTION OF USABLE OPEN SPACE
For group use	300 square feet (200 square feet on sites less than 6,000 square feet)	Minimum size: 200 square feet Minimum dimension: 15 feet
Private Use	200 square feet	Ground level Minimum size: 150 square feet Minimum dimension: 10 feet Above Ground: Minimum size: 50 square feet; Minimum dimension: 6 feet; Minimum distance from interior lot line: 10 feet; Shall be directly accessible from the dwelling units served and not from other units.

All Required Usable Open Space:

- (1) Shall be planted with lawn or ground cover, or surfaced with dust-free material.
- (2) Shall be screened from streets and adjacent sites.
- (3) *If above ground, shall be open on at least one side.*
- (4) Shall not be located in a parking area, driveway, service area, or required front yard.
- (5) Shall not have a slope of more than ten (10) percent.
- (6) Shall not be obstructed except by improvements that enhance its usability, such as swimming pools, fountains, sunshades, and plantings.
- (7) If at ground level, shall not be covered more than fifty (50) percent by a building overhang or balcony.
- (g) Residential Uses on Coastal Zone Nonprime Agricultural Land. Building permits for residential uses on parcels designated in the Local Coastal Program Land Use Plan as agricultural land use and not as prime agricultural land shall be issued only upon documentation that the Agricultural Policy Advisory Commission has made the following determinations:
  - (1) Residential use of the parcel will not conflict with on-site or adjacent activities; and
  - (2) The building site has approved agricultural buffer setbacks; and
  - (3) The residents and owner of the subject parcel have executed a binding hold-harmless covenant with adjacent agricultural operators and owner which shall run with the land and be recorded prior to occupancy.

(h) Other Regulations. Other development standards applicable to residential zone districts are contained in the following sections of ~~Chapter 13.10~~ the County Code:

## SECTIONS

<del>General site standards</del>	<del>13.10.510, et seq.</del>
<del>Signs</del>	<del>13.10.580, et seq.</del>
<del>Parking</del>	<del>13.10.550, et seq.</del>
<del>Fences</del>	<del>13.10.525</del>
<del>Minimum parcel sizes</del>	<del>13.10.525</del>
<del>Use of non-developable land</del>	<del>13.10.671</del>
<del>Use of land designated Urban Open Space in the General Plan</del>	<del>13.10.672</del>
<del>Trip reduction requirements (residential developments of 25 or more housing units)</del>	<del>13.10.592</del>
<del>Design review</del>	<del>13.11.010, et seq.</del>
<del>Agricultural buffers/setbacks</del>	<del>16.50.095</del>
<del>Design review</del>	<del>13.11.010, et seq.</del>
<del>Fences</del>	<del>13.10.525</del>
<del>General site standards</del>	<del>13.10.510, et seq.</del>
<del>Minimum parcel sizes</del>	<del>13.10.525</del>
<del>Parking</del>	<del>13.10.550, et seq.</del>
<del>Trip reduction requirements (residential developments of 25 or more housing units)</del>	<del>13.10.592</del>
<del>Use of non-developable Land</del>	<del>13.10.671</del>
<del>Use of Land designated Urban Open Space in the General Plan</del>	<del>13.10.672</del>

## SECTION XX

Section 13.10.324.1 (f), Public facilities requirements for residential districts, Residential Street Lighting, of the Santa Cruz County Code is hereby amended to be:

**13.10.324.1 (f) Residential Street Lighting**

Except as provided in ~~paragraph~~ subsection 4 below, residential street lighting improvement standards apply to all residential development located within the County Urban Services Line; and on a County road, or on a road to be offered for dedication to the County for road maintenance purposes. Residential development may also be required to construct off-site street lighting improvements.

(1) A residential street lighting plan shall be prepared by a licensed civil engineer or other appropriately licensed individual for approval by the County. The plan and design shall be in accordance with published Pacific Gas and Electric standards or the Association of Illumination Engineer standards. The plan shall also be consistent with County Service Area 9 - Highway Safety Lighting, and/or County Service Area 9, (Zone A), Residential Street Lighting standards, before being approved by the County.

(2) The developer shall install appropriate Lights according to the approved street lighting plan at the developer's expense. The developer shall enter into a private agreement with Pacific Gas and Electric for power costs when lights are not taken into the County Service Area 9, Highway Safety Lighting, or County Service Area 9, (Zone A), Residential Street Lighting, at the time of acceptance of development improvements.

(3) All maintenance and liability for the street lighting shall remain with the property owner until such time as the County may exercise its discretion to accept the street Lighting into County Service Area for Highway Safety Lighting, or the County Residential Street Lighting Service Area, Zone A.

(4) The developer of property, within an area which does not currently have residential street lighting because of the historical opposition of the residents of the area to the installation of residential street lighting, may seek an exception from the residential street lighting requirements. An exception in these areas shall be granted only if the applicants' engineer can satisfactorily document to the Planning Department that the failure to install residential street lighting will not create a dangerous condition of public property that could have been avoided by the installation of residential street lighting. (Ord. 4346, 12/13/94)

SECTION XXI

Section 13.10.331 (b) Purposes of commercial districts, Specific "PA" Professional Administrative Office District Purposes, of the Santa Cruz County Code is hereby amended to be:

**13.10.331 (b) Specific "PA" Professional-Administrative Office District Purposes.**

To provide for professional and administrative office uses in areas where such use is designated on the General Plan, or in areas designated for neighborhood,

community or service commercial use, particularly where an office use can provide a buffer use between residential areas and the more intensive commercial or industrial activities. Professional and administrative office uses are intended to be low impact, non-retail activities. The "PA District is intended to allow a compatible collection of related services within a development and may include a variety of retail and service uses where they are ancillary and incidental accessory to office uses on a site. (Ord. 1834, 2/27/73; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

## SECTION XXII

Section 13.10.332, Commercial Uses, of the Santa Cruz County Code is hereby amended to be:

### 13.10.332 Commercial **Uses**

#### (a) Principal Permitted Uses.

(1) In the Coastal Zone, the principal permitted uses in the Commercial Districts shall be as follows:

"PA" Professional and administrative offices;

"VA" Visitor accommodations;

"CT" Visitor serving uses and facilities;

"C-1" Neighborhood-serving, small-scale commercial services and retail uses;

"C-2" Community-serving, large-scale retail uses and small-scale commercial services;

"C-4" Commercial services of all types and uses needing large sites or outdoor use areas; including appurtenant uses and structures.

(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. 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, and in some cases, as provided in Chapter 13.20, any development is appealable.

#### (b) Allowed Uses.

(1) The uses allowed in the commercial districts shall be as provided in the following Commercial Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level," required for each use in each of the commercial zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 Permit and Approval Procedures. The Approval Levels given in this chart for structures incorporate the Approval

Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123.

(2) Timber harvesting and associated operations, requiring approval of a Timber Harvesting Plan by the California Department of Forestry, are not allowed uses in the Commercial zone districts.

COMMERCIAL USES CHART

KEY:

A = Use must be ancillary and incidental to a principal permitted use on the site

P = Principal permitted use (see Section 13.10.332 (a)); no use approval necessary if " P appears alone

1 = Approval Level I (administrative, no plans required)

2 = Approval Level II (administrative, plans required)

3 = Approval Level III (administrative, field visit required)

4 = Approval Level IV (administrative, public notice required)

5 = Approval Level V (public hearing by Zoning Administrator required)

6 = Approval Level VI (public hearing by Planning Commission required)

7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)

-- = Use not allowed in this zone district

\* = Level IV for projects of less than 2,000 square feet

Level V for projects of 2,000 to 20,000 square feet

Level VI for projects of 20,000 square feet and larger

USE	PA	VA	CT	C-1	c-2	c-4
Accessory Structures and uses (not principal permitted uses unless associated with a principal permitted use), including: Accessory structures, non-habitable, not including warehouses (subject to Section 13.10.611)						

## Attachment 1 to Exhibit A

Less than 500 sq. ft.	3	3	3	3	3	3
500--2,000 sq. ft.	4	4	4	4	4	4
<u>Greater than 2,000 sq. ft.</u>	5	5	5	5	<u>5</u>	5
Outdoor storage, incidental to an allowed use, and screened from public streets and adjacent property						
Less than 500 sq. ft.	3A	3A	3A	3A	3A	3A
500--2,000 sq. ft.	4A	4A	4A	4A	4A	4A
Parking, on-site, in accordance with Section 13.10.500, et seq.						
	4	4	4	4	4	4
Parking facilities for off-site, uses when developed according to Section 13.10.550, et seq.						
	4	4	4	4	4	4
Recycling collection facilities in accordance with Section 13.10.658:						
Reverse vending machines	1	1	1	1	1	1
Small collection facilities	4	4	4	4	4	4
Signs in accordance with Section 13.10.581						
	4	4	4	4	4	4
<u>Signs, for change of use pursuant to a Master Use Permit</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
Adult Entertainment, subject to Sections 13.10.621, 13.10.622 and 13.10.623 including adult bookstores: adult motion						
	--	--	--	--	5/6*	--

picture theaters, bath  
establishments

#### Agricultural Service

Establishments not engaged in hazardous chemicals	-	--	--	--	--	5/6*
---	---	----	----	----	----	------

Animal Services (subject to Section 13.10.642), including:

Animal grooming services and other animal services where the animals do not stay overnight	--	--	--	4/5/6*	4/5/6*	4/5/6"
--	----	----	----	--------	--------	--------

Boarding kennels, veterinarian's offices, small animal hospitals, animal shelters and pounds, including the short-term boarding of animals	-	--	--	--	--	4/5/6*
--	---	----	----	----	----	--------

Outdoor exercise yards in connection with the above	--	--	--	--	--	5/6*
---	----	----	----	----	----	------

Veterinary Clinics or offices with no overnight boarding of animals	--	--	--	--	4/5/6*	4/5/6*
---	----	----	----	----	--------	--------

Automobile Service Stations; subject to the provisions of Sections 13.10.656 and 13.10.657

Gas stations with car washes, service bays and/or vehicle repair	--	--	5/6	--	5/6*	5/6"
--	----	----	-----	----	------	------

## services

Gas stations or gas pumps with no service bays nor vehicle repair service	--	--	5/6*	5/6*	5/6*	5/6*
---	----	----	------	------	------	------

BANKS, including:	4/5/6*	4/5/6*A	--	4/5/6*	4/5/6*	--
-------------------	--------	---------	----	--------	--------	----

Automated Bank Teller  
Facilities

Savings and loan  
companies

Boat and marine services, such as:	--	--	--	--	--	4/5/6*
---------------------------------------	----	----	----	----	----	--------

Boat building

Boat rentals, sales, and  
services

Boat storage

Commercial fishing  
facilities

Marine services and  
launching facilities

Clubs, private, including garden clubs, fraternal lodges, community service organizations, meetings halls and conference rooms	41516'	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*
---	--------	---------	---------	--------	--------	--------

Commercial change of  
use within existing  
structures:

Change of use in accordance with an approved master occupancy program	1	1	1	1	1	1
--	---	---	---	---	---	---

Change of use within the Town Plan areas of the San Lorenzo Valley, to a use in conformance with a Town Plan, and not resulting in an intensification of use

1	1	1	1	1	1
---	---	---	---	---	---

Change from a use conforming to a valid development (use) permit, to another use allowed in the zone district which will not result in an intensification of use:

1	4/5/6*	4/5/6*	1	1	41516"
---	--------	--------	---	---	--------

Change from a use conforming to a valid development (use) permit, to another use allowed in the zone district which will result in an intensification of use:

4	4/5/6*	4/5/6*	4	4	41516'
---	--------	--------	---	---	--------

Change from a use not approved by a valid development (use) permit, to another use allowed in the zone district: for projects of:

under 2,000 sq. ft.	3	4	4	3	3	4
2,000--20,000 sq. ft.	4	5	5	4	4	5
over 20,000 sq. ft.	4	6	6	5	5	6

(For legal, nonconforming uses, see Section 13.10.260 and .262 for additional requirements)

Commercial Recreation  
and Entertainment,  
indoor, subject to Section  
13.10.654, such as:

-- 4/5/6\*A 4/5/6\*A -- 41516" 41516"

Auditoriums, indoor

Bowling alleys

Card rooms

Dancing establishments;  
dance halls; discos

Game establishments;  
pin-ball and video game  
rooms (see Section  
13.10.700-G, -V  
definitions)

Nightclubs

Pool halls

Theaters, indoor

Commercial Recreation,  
General, involving  
outdoor facilities, public  
assembly, or large sites,  
such as:

-- -- -- -- -- 5/6\*

Flea markets

Miniature golf course;  
putting greens; par 3  
golf; driving ranges

Skateboard parks

Skating rinks

Sports arenas, stadiums

Swimming pools, public

Theaters, drive-in  
(subject to Section  
13.10.622)

Commercial Services, 4/5/6\*A 4/5/6\*A -- 4/5/6\* 41516" --

Personal, such as:

Barber shops

Beauty shops

Commercial Services,  
Neighborhood, such as:

--

--

--

4/5/6\* 4/5/6\* 4/5/6\*

Copy and Duplicating  
services

Dressmakers

Dry cleaners using non-  
flammable nonexplosive  
solvents

Film Processing, ancillary  
and incidental to a  
permitted retail or  
service use

Food lockers

Laundries; self-service  
laundries

Locksmiths

Picture framing shops

Printing shops, light;  
duplicating services

Repair shops, for the  
repair of small  
appliances; radio, stereo,  
and television repair

Shoe repair shops

Tailors

Tool or cutlery  
sharpening or grinding  
services

Commercial Services,  
Community such as:

--

--

--

--

4/5/6\* 4/5/6\*

Auction rooms

Catering services

Gunsmiths

Mortuaries (not including  
crematories)

Rental shops: medical,  
clothing, household  
goods, etc; indoor

Taxidermists

Upholstery shops, (auto upholstery allowed only in C-4)	--	--	--	--	--	4/5/6*
---	----	----	----	----	----	--------

Commercial Services, general, indoor, such as:	--	--	--	--	--	4/5/6*
---	----	----	----	----	----	--------

Commercial cleaning  
services, including: linen  
services; dry cleaning and  
dyeing plants; carpet  
cleaning shops; diaper  
supply services; mattress  
reconditioning

Contractor's shops  
including: glass shops;  
plumbing shops; sheet  
metal shops; heating and  
ventilating shops

Exterminators

Laboratories and related  
facilities for research,  
experimentation, testing,  
film processing

Printing, Lithographing,  
engraving, book binding

Repair shops, including  
household and office  
equipment repair; safe  
and vault repair

Storage buildings for  
household goods. mini-

storage

Commercial Services,  
general, involving  
outdoor use, heavy  
trucking, or vehicle use  
and storage, such as:

-        --        --        --        --        4/5/6\*

Automobile repair and  
service shops operated  
partly out of doors

Automobile rental  
enterprises

Automobile washing,  
polishing, and detailing  
services

Parcel shipping and  
delivering services

Taxi company with  
vehicle parking and  
storage

Contractors' and heavy  
equipment storage and  
rental yards, including  
storage yards for  
commercial vehicles; bus  
or transit service yards  
for the storage, servicing  
and repair of transit  
vehicles

Outdoor storage yards for  
recreational vehicles,  
trailers, boats

Recycling centers,  
including large collection  
facilities and processing  
facilities

Shipping terminals,  
including trucking  
terminals, packing and  
crating services, shipping  
services, freight

forwarding terminals

Storage facilities,  
including cold-storage  
plants; ice storage  
warehouses, excluding  
the storage of fuel or  
flammable liquids

Community Facilities,  
such as:

4/5/6\* 4/5/6\*A -- 4/5/6\* 4/5/6\* 4/5/6"

Bus or transit stations  
(storage, servicing or  
repair of vehicles allowed  
only in C-4)

Churches and other  
religious centers or  
institutions

Community centers

Day-care centers (see  
Section 13.10.900 700-D  
definition)

Energy systems,  
community (subject to  
Section 13.10.611 and  
.700-E definition)

Fire stations

Libraries

Museums

Post offices

Restrooms, public

Utilities, public,  
structures and uses,  
energy facilities (see  
Section 13.10.700-E  
definition)

Cottage industry, (see  
Section 13.10.700-C  
definition)

- -- -- 4/5/6\* 4/5/6\* 4/5/6\*

"M-1" Districts, all  
 allowed uses, provided  
 that not more than 20  
 persons shall be engaged  
 in the production, repair,  
 or ~~production, repair, or~~  
 processing of materials  
 on any one shift and  
 provided further that  
 regulations for the "M-1"  
 District as stated in  
 Section 13.10.345 shall  
 apply to every use

-- -- -- -- -- 4/5/6\*

Offices (not to exceed  
 50% of building area in C-  
 1) such as:

Administrative offices 4/5/6\* 4/5/6\*A -- 41516" 4/5/6\* 4/5/6\*A  
 Travel Agencies

Addressing services 41516" .. .. 4/5/6\* 41516" 4/5/6\*A

Business offices, general

Catalog sales offices

Dental offices

Duplicating shops

Editorial offices

Executive offices

Finance offices

Fortune tellers

Insurance offices

Interior decoration  
 studios

Laboratories, medical,  
 optical, and dental, not  
 including the  
 manufacture of  
 pharmaceutical or other  
 similar products for  
 general sale or

distribution

Medical offices and  
clinics

Message services;  
answering services

Optical offices

Photographers;  
photographic studios

Professional offices

Radio and television  
programming stations,  
without transmitting  
towers

Real estate offices

Telegraph offices

Title companies

Open space uses  
according to the PR  
District Chart (Section  
**13.10.352**)

-- P P -- -- --

Physical culture  
facilities, such as:

4/5/6\*A 4/5/6\*A 4/5/6\*A 4/5/6\* 4/5/6\* 4/5/6\*

Bath establishments; hot  
tubs, sauna  
establishments (subject  
to Chapter 5.08)

Fitness centers

Gymnasiums

Massage establishments  
(subject to Chapter 5.08)

Physical culture studios

Racquet clubs, indoor

Spas

Radio and television

4/5/6\* -- -- 4/5 5\* 4/5/6\* 4/5/6\*

broadcasting stations  
including transmitting  
towers, subject to  
Section 13.10.655

Residential uses, such as:

Dwelling units, single-  
family and multi-family,  
up to 50%(67%if project  
is 100%affordable) of the  
floor area of the entire  
development, developed  
according to  
development standards  
of Urban High Residential

1--4 units	5	--	--	5	5	--
5--19 units	6	--	--	6	6	--
20+ units	7	--	--	7	7	--

Repair, alteration,  
expansion or  
reconstruction of  
dwelling units and  
accessory structures  
which are consistent with  
the General Plan, subject  
to Sections 13.10.260 and  
.261 Nonconforming uses

BP-6	BP-6	BP-6	BP-6	BP-6	BP-6
------	------	------	------	------	------

Repair, alteration,  
expansion or  
reconstruction of  
dwelling units and  
accessory structures  
which are inconsistent  
with the General Plan,  
subject to Sections  
13.10.260 and .261  
Nonconforming uses

BP-6	BP-6	BP-6	BP-6	BP-6	BP-6
------	------	------	------	------	------

Convalescent hospitals	4/5/6*	--	--	--	--	--
Nursing homes (see Section 13.10.700-N definition)	4/5/6*	--	--	--	--	--
Restaurants; bars, food service subject to 13.10.651 in the "P A Zone district; such as:						
Bar, micro-breweries, brew pubs, subject to Section 13.10.654 (ancillary to restaurants in C-1)						
Bakeries; baked foods stores						
Candy stores						
Cheese stores						
Delicatessens						
Donut shops						
Ice cream shops						
Restaurants						
Sandwich shops						
Other food specialty outlets						
In buildings of 500 square feet or Less	4A	4A	4	4	4	4
In buildings of larger than 500 square feet	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*	--
Outdoor food service	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	41516"	--
Retail Sales, Neighborhood, such as:						

Antique stores  
Art and handicraft sales  
and service  
Art galleries  
Bicycle rentals  
Bicycle shops  
Bookstores  
Candy stores  
Clock and watch sales  
and repair  
Clothing stores  
Flower shops  
Food stores; grocery  
stores, limited to 20,000  
square feet in the C-1  
district  
Gift shops  
Hardware stores  
Jewelry stores  
Liquor stores  
Luggage stores  
Musical instrument and  
recordings sales and  
repair  
Newspaper and magazine  
sales  
Pet shops  
Photographic equipment  
and supplies  
Plant shops, for indoor  
sales of plants in  
containers  
Produce markets  
Recreational equipment  
sales, rentals and  
services, such as sporting  
goods, bait and tackle.

marine hardware and  
supplies, diving  
equipment, bicycles,  
roller skates, surfboards,  
windsurfers

Shoe stores

Sporting goods stores

Stationery stores

Toy stores

Tobacco shops

Variety stores

Video sales and rentals

Wine tasting and sales rooms	--	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*A
---------------------------------	----	---------	---------	--------	--------	---------

Drug stores; pharmacies, medical appliances and supplies	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*A
--	---------	---------	---------	---------	--------	---------

Retail Sales, Community, such as:	--	--	--	--	4/5/6*	4/5/6*A
--------------------------------------	----	----	----	----	--------	---------

Appliance showrooms

Automobile supply stores

Business machine stores

Computer sales and  
service

Department stores

Fabric and sewing  
materials stores

Floor covering showrooms

Furniture stores

Garden supply stores

Home furnishing and  
decorating stores

Household appliances  
stores

Kitchen1bath/housewares

stores  
Orthopedic and  
appliances sales and  
rentals  
Paint stores  
Pawnshops  
Scientific instrument  
stores  
Secondhand stores  
Stamp and coin stores  
Stores for display and  
retail sales of lighting,  
plumbing, heating,  
refrigeration, ventilation,  
fixtures and equipment  
Warehouse stores selling  
to members ~~or~~ of the  
general public

Retail Sales, requiring large sites, Large showrooms, or outdoor sales areas, such as:	--	--	--	--	4/5/6*
---	----	----	----	----	--------

Automobile sales and  
service, including  
automobile repair and  
service garages operated  
entirely within enclosed  
buildings **or** screened  
from public streets;  
automobile sales;  
automobile upholstery  
installers, indoor; tire  
stores, including  
installation; used car  
sales lots.

Building materials yards,  
including: lumber yards,  
not including planing

mills or sawmills;  
 building materials yards  
 other than gravel, rock or  
 cement yards; storage,  
 bulk, or rock, gravel,  
 sand, and aggregates in  
 bins not to exceed a  
 capacity of 5 yards each,  
 limited to a maximum of  
 10 bins per site

Feed and farm supply  
 stores

Firewood processing and  
 sales

Mobilehome sales and  
 service

Motorcycle sales and  
 services

Nurseries selling plants in  
 containers; garden  
 centers

Recreational vehicle and  
 trailer sales and service

Retail sales of large  
 appliances or equipment  
 needing large showrooms

Wholesale suppliers

Schools, Studios and  
 Conference Facilities,  
 such as

41516" 4/5/6\*A -- 41516" 4/5/6\* 4/5/6\*

Arts and crafts studios or  
 schools

Conference and seminar  
 facilities without  
 overnight  
 accommodations

Dance studios or schools

Music studios or schools

Pre-school, elementary,

secondary and college  
facilities

Professional, trade,  
business and technical  
schools

Temporary uses (See  
Section 13.10.700-T  
definition), such as:

Carnivals and circuses	--	--	--	--	3	3
Christmas tree sales lots	-	--	--	3	3	3
Outdoor sales not to exceed 4 per year on any site	--	--	--	3	3	3

Visitor Accommodations,  
subject to Section  
13.10.335(b), such as:

Time share, visitor  
accommodations subject  
to Section 13.10.693

1--4 units	--	5	--	--	--	--
5--19 units	-	6	--	--	--	--
20+ units	--	7	--	--	--	--

Type A uses: Hotels; inns,  
pensions, lodging houses,  
"bed and breakfast" inns,  
motels, recreational  
rental housing units (see  
Section 12.02.020(10))

1--4 units	--	5P	5	--	5	--
5-19 units	--	6P	6	--	6	--
20+ units	--	7P	7	--	7	--

Type B uses: Organized  
camps; group camps:

conference centers  
(subject to Sec.  
13.10.692); hostels;  
recreational vehicles  
camping parks; tent-  
camping parks

1--4 units	--	5	5	--	--	--
5-49 units	--	6	6	--	--	--
20+ units	--	7	7	--	--	--
Wineries (see definition Section 13.10.700-W)	--	--	/6	/6	/6	4/5/6*

### SECTION XXIII

Section 13.10.333, Development standards for commercial districts, of the Santa Cruz County Code is hereby amended to be:

#### **13.10.333** Development standards for commercial districts.

(a) Site and Structural Dimensions. The following minimum parcel size, frontage, yard dimensions, and building height limits shall apply within all commercial zone districts, except as noted elsewhere in this section or in the general exceptions as noted in Sec. 13.10.510, et seq.

#### COMMERCIAL SITE AND STRUCTURAL DIMENSIONS CHART

District Designation	Minimum Site Area Per Parcel (net developable square feet)	Minimum Parcel Frontage (feet)	Front	Minimum Yard- (feet) Side	Rear	Maximum Building Height Limit- (feet)
PA	10,000	60	10	Interior: 0 Street: 10	10	3 stories, but not to exceed 35 ft.
VA	10,000	60	10	10	10	
C-T	10,000	60	10	0	0	
C-1	10,000	60	10	0	0	

c-2	10,000	60	10	0	0
c-4	10,000	60	10	0	0

## Footnotes:

1. See also General Site Standards exceptions in Sections 13.10.510, 13.10.520 and 13.10.521.
2. Subject to exceptions as provided in subsection (b) of this section.
3. See also Section 12.28, Solar Access Protection; subject to solar access requirements in Section 13.11.072.

(Ord. 1834, 2/27/73; 2849, 1/22/80; 3186, 1/12/82; 3344, 1/23/82; 3432, 8/23/83; 3501, 3/6/84; 4496-C, 8/4/98)

## (b) Yards, Exceptions.

- (1) See Chapter 16.50 regarding setback/buffer requirements for parcels abutting agricultural uses.
- (2) Front Yard Abutting or Across the Street From an "R" or "A" District. On sites abutting on and fronting on the same street as, or across a street or alley from, property in an "R" District or an "A" District, the minimum front yard shall be 20 feet.
- (3) Reversed Corner Lots. On a reversed corner lot adjoining a key Lot in an "R" or "A" District, the minimum side yard adjoining the street shall be not less than one-half of the required front yard on the key lot.
- (4) Abutting an "R" or "A" District. The minimum side or rear yard, in feet, abutting any residential or any agricultural district shall be follows:

PA	VA	CT	C-1	c-2	c-4
same as the abutting	same as the abutting	<b>30</b>	30	30	30
"R" or "A" District	"R" or "A" District				

- (5) Across a Street From an "R" or "A" District. The minimum side or rear yard on a street or alley across from any residential or any agricultural district shall be 10 feet. (Ord. 1891, 6/19/73; 3186, 1/12/82; 3344, 1/23/82; 3432, 8/23/83)

(c) Other Regulations. Other development standards applicable to commercial zone districts are contained in the following sections of Chapter 13.10:

SECTIONS

<del>General site standards</del>	<del>13.10.510, et seq.</del>
<del>Signs</del>	<del>13.10.580, et seq.</del>
<del>Parking</del>	<del>13.10.550, et seq.</del>
<del>Fences</del>	<del>13.10.525</del>
<del>Minimum parcel sizes</del>	<del>13.10.510(g)</del>
<del>Use of non-developable land</del>	<del>13.10.671</del>
<del>Use of urban open space land</del>	<del>13.10.672</del>
<del>Trip reduction requirements (development projects for 50 or more employees)</del>	<del>13.10.591</del>
<del>Design review</del>	<del>3.11.010, et seq.</del>
<del>Agricultural buffers/setbacks</del>	<del>16.50.095</del>
<del>Design review</del>	<del>13.11.010, et seq.</del>
<del>Fences</del>	<del>13.10.525</del>
<del>General site standards</del>	<del>13.10.510, et seq.</del>
<del>Minimum parcel sizes</del>	<del>13.10.510(g)</del>
<del>Parking</del>	<del>13.10.550, et seq.</del>
<del>Signs</del>	<del>13.10.580, et seq.</del>
<del>Trip reduction requirements (development projects for 50 or more employees)</del>	<del>5.52</del>
<del>Use of non-developable land</del>	<del>13.10.671</del>
<del>Use of urban open space land</del>	<del>13.10.672</del>
(Ord. 839, 11/28/62; 2764, 9/4/79; 3186, 1/12/82; 3344, 1/23/82; 3432, 8/23/83; 4133, 6/4/91; 4314, 5/24/94) (Entire section: Ord. 4346, 12/13/94)	

SECTION XXIV

Section 13.10.342 (b), Uses in industrial districts, Allowed Uses, of the Santa Cruz County Code is hereby amended to be:

**13.10.342 (b) Allowed Uses.**

(1) The uses allowed in the industrial districts shall be as provided in the following Industrial Uses chart below, A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level," required for each use in each of the industrial zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 Permit and Approval Procedures. The Approval Levels given in this chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123. For purposes of this Chapter, a Mining Approval is a Use Approval.

(2) Timber harvesting and associated operations, requiring approval of a Timber Harvesting Plan by the California Department of Forestry, are not allowed uses in the ~~Commercial~~ Industrial zone districts, except in the M-3 zone district pursuant to the Uses Chart.

SECTION XXV

Section 13.10.345, Special standards and conditions, of the Santa Cruz County Code is hereby amended to be:

(a) "M-1" and "M-2" Districts. Required Conditions.

1. Air Pollution. In an "M-1" or "M-2" District no use shall be permitted which emits any air pollution beyond the boundaries of the site which is detectable by the human senses without the aid of instruments. ~~In an "M-2" District no use shall be permitted which emits any air pollution beyond the boundaries of the "M-2" District which is detectable by the human senses without the aid of instruments.~~ The provisions of this section relating to air pollution shall not apply to any use maintained in compliance with the conditions of a use permit issued after January 1, 1964 and prior to May 18, 1965.

2. Smoke. In an "M-1" District no use shall be permitted which emits smoke. In an "M-2 District no use shall emit visible gray smoke of a shade equal to or darker than No. 2 on a standard Ringlemann Chart issued by the United States Bureau of Mines or smoke of an equivalent opacity, except that smoke of a shade equal to No. 3 on a Ringlemann Chart, or smoke of an equivalent opacity, may be emitted for four minutes in any 30-minute period. The provisions of this section relating to smoke shall not apply to any use

maintained in compliance with the conditions of a use permit issued after January 1, 1964, and prior to May 18, 1965.

3. Solid and Liquid Wastes. No solid or liquid wastes shall be discharged into a public or private sewerage system except in compliance with the regulations prescribed by the Board of Supervisors or by the governing boards of other governmental agencies or in compliance with the regulations of the owner of the system.

4. Odor. In an "M-1" District no use except a temporary construction operation shall be permitted which creates odor beyond the boundaries of the site which is detectable by the human senses without the aid of instruments. In an "M-2" District no use except a temporary construction operation or a seasonal fruit or vegetable dehydrating or processing plant shall be permitted which creates odor beyond the boundaries of the site which is found by the Planning Commission to be offensive or which is detectable beyond the boundaries of the "M-2" District without the aid of instruments.

5. Noise. In an "M-1" or "M-2" District no use except a temporary construction operation shall be permitted which creates noise which is found by the Planning Commission not to conform to the noise parameters established by the Land Use Compatibility Chart for Exterior Community Noise (General Plan Figure 6-1) beyond the boundaries of the "M-1" or "M-2" District at standard atmospheric pressure.

6. Vibration, Heat and Cold, Glare, Electrical Disturbance. No use except a temporary construction operation shall be permitted which creates vibration, changes in temperature, direct or sky-reflected glare, or electrical disturbance which is detectable by the human senses without the aid of instruments beyond the boundaries of the site in an "M-1" District or beyond the boundaries of the district in an "M-2" District.

7. Nonconformance with Provisions of Section 13.10.345(a). Any use listed in Section 13.10.342(b) which is located in an "M-1" District which is found by the Planning Commission not to comply with the requirements of Section 13.10.345(a) shall constitute a nonconforming use. The Planning Commission's determination that such use is nonconforming shall be made after public hearing is held more than 15 days after written notice to the user.

8. Actions Necessary to Make a Nonconforming Use Conform. In order for a nonconforming use to be made conforming, a Use Approval processed at the appropriate level as indicated in the Use Chart, shall be obtained pursuant to Section 13.10.220. Application for the Use Approval must be made within three months of the date the Planning Commission determines the use to be nonconforming. If an application for a Use Approval has not been filed within the three month period, the nonconforming use shall thereafter be subject to the abatement proceedings set forth in Chapter 1.14, provided that no additional public hearing shall be required by the Planning Commission prior to making its recommendation to the Board of Supervisors. (Ordinance 1087, dtd. 5/18/65; 1087, 5/18/65; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 4496-C, 8/4/98)

(b) Special Findings for High Impact Uses in the "M-1" District. Any uses listed as allowed in the "M-2 District may be allowed as discretionary uses in the "M-1" District provided that the ~~Zoning Administrator or Planning Commission~~ Approving Body makes the following findings in addition to the findings required for a development permit pursuant to chapter 18.10.

1. That consideration of all the determinable characteristics of the use which is the subject of the application indicates that the use has the same essential characteristics as the permitted uses in an "M-1" District with respect to method of operation, type of process, materials, equipment, structures, storage and appearance.

2. That the use will not create significantly more vehicular or rail traffic than the volumes normally created by the permitted uses in an "M-1" district.

3. That the use will not generate odor, fumes, dust, smoke, particles, dirt, refuse, water-carried wastes, noise, vibration, glare, heat, or any other objectionable factor beyond the boundaries of the site, or be unsightly or create a hazard of fire or explosion. (Ord. 3152, 8/25/81)

(c) "M-3" Districts. Required Findings for Uses Other than Mineral Extraction. In addition to findings required for a Development Permit, the ~~Zoning Administrator or Planning Commission~~ Approving Body shall find that the proposed use is located, or will be conducted in a manner so as to not preempt the ultimate extraction or use of any rock, sand, gravel or mineral resource. Special use requirements and standards for mining and related uses in the "M-3" zone district are found in Chapter 16.54 Mining Regulations. (Ord. 839, 11/28/62; 2681, 4/17/79; 2759, 9/4/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

(d) Prohibitions. The following uses and activities are prohibited in Industrial districts:

1. Asbestos. In an "M-1," "M-2," "M-3" District, no use shall be permitted which produces or uses asbestos in any manufacturing process. (3479, 11/22/83)

#### SECTION XXVI

Section 13.10.353, Development standards in the Parks, Recreation and Open Space "PR" District, of the Santa Cruz County Code is hereby amended to be:

**13.10.353** Development standards in the Parks, Recreation and Open Space "PR" District.

(a) Site and Structural Dimensions. The following site width, frontage, yard dimensions, and building height limit shall apply within the "PR District.

## "PR SITE AND STRUCTURAL DIMENSIONS CHART"

District	Minimum Site Area ( <u>net</u> <u>developable</u> acres)	Minimum Site Width (feet)	Minimum Site Frontage (feet)	Yards (Front Side and Rear) (feet)	Maximum Height (feet)
PR	20	100	60	all yards 30	28

Footnote: (1) For single-family dwellings and accessory structures, the district development standards shall be the same as those contained in Section 13.10.323 pertaining to residential districts and shall further be based on the size of the parcel for purposes of applying Section 13.10.323(b). (Ord. 4416, 6/11/96; 4496-C, 8/4/98)

## (b) Density Regulations for Visitor Accommodations.

## 1. Allowed Densities Chart

Type	Urban	Rural
A, with kitchens	3 VA units/developable acre	5 habitable rooms/matrix unit
A, without kitchen	3 VA units/developable acre	6 habitable rooms/matrix unit
B, RV or tent camps	3 sites/developable acre	5 sites/matrix unit
B, hostels	24 beds/acre	20 beds/matrix unit
B, group quarters (organized camps)	unlimited temporary occupancy: 12 beds/developable acre	unlimited temporary occupancy: 10 beds/matrix unit
	limited temporary occupancy: 4,380 user days/developable acre	limited temporary occupancy: 3,650 user days/matrix

unit

limited temporary  
occupancy/day use  
only: 10,950 user  
days/matrix unit

## 2. Density Calculations

(i) Visitor Accommodations (VA) Unit shall not exceed 4 rooms, one of which is a bathroom, one of which may be either a kitchen or an additional bathroom, and not exceeding 600 square feet overall. A studio with bath and kitchenette counts as 3/4 unit.

(ii) Habitable Room *is* any room in a VA unit which can be used for sleeping accommodations, including Living rooms, but not including bathrooms and kitchens. A unit over 400 square feet in total square footage, including bathrooms and kitchens, creates a presumption of more than one habitable room.

(iii) Combining Types of VA Facilities. Types of visitor accommodations may be combined; however, combined densities may not exceed the maximum allowed for the total number of acres (urban) or matrix units allowed (rural).

(iv) Reducing Density Based on Impacts. All values given above are maximums and may be reduced based on services and access constraints, compatibility with adjacent land uses and the character of the area, or adverse environmental impacts.

(v) Calculating Permanent Residential Units. Permanent residential units for site personnel shall be in place of density credits for Visitor Accommodations use at the rate of one kitchen and up to five permanent residents/developable acre (urban) or matrix unit (rural).

(vi) Determining Matrix Units for Organized Camps. For organized camps and conference centers, the Planning Commission may establish residential densities based on a precise mathematical interpolation of the matrix table values.

(vii) Calculating Density for Limited Temporary Occupancy. Use the following formula:

$$\frac{(\text{developable acres}) \times (\text{allowed user days/acre matrix unit})}{(\text{days of occupancy}) \times (\text{occupants})}$$

= number of bed spaces permitted

(viii) Calculating Day Use Temporary Occupancy. Use the following formula:

(limited temporary occupancy) x 3 =

.....  
number of day users permitted

3. Expansion of Organized Camps with Nonconforming Densities. For expansion of existing camps with use permits and nonconforming density, the densities of new facilities shall be calculated independent of existing nonconforming densities and shall be based solely on the number of matrix units the new land acquisition merits. Where the new land acquisition is contiguous with the parcel containing the nonconforming use, the facilities resulting from the matrix units for the land acquisition may, at the discretion of the Planning Commission and the Board of Supervisors, be located anywhere on the applicant's holdings. These provisions shall not be construed to prevent the Board of Supervisors from abating nonconforming uses or structures pursuant to Sections 13.10.260 and 13.10.265 of the Zoning Ordinance where such facilities are found to create a public health hazard or a public nuisance or to be environmentally degrading.

(c) Minimum Site Area for Commercial Recreation. The minimum area for the development of new commercial recreation uses shall not be less than 20 acres. For the purposes of this section commercial recreation shall include such uses as: organized and group camps, conference centers, amusement parks such as Roaring Camp, golf courses, commercial stables, commercial beaches, and visitor accommodations such as RV parks.

(d) Other Regulations. General exceptions to site standards are found in Section 13.10.510 et seq. Agricultural setback/buffer standards are found in Section 16.50.095. Fence regulations are found in Section 13.10.525. General requirements for organized camps and conference centers are found in Section 13.10.692. Parking regulations are found in Section 13.10.550 et seq. Sign regulations are found in Section 13.10.582. Regulations regarding minimum parcel sizes are found in Section 13.10.510(g). Regulations regarding the use of non-developable land are found in Section 13.10.671 and regarding the use of urban open space land in Section 13.10.672. (Ord. 1907, 7/11/07; 3344, 11/23/82; 3432, 8/23/83; 3968, 12/13/88; 4406, 2/27/96; 4416, 6/11/96)

## SECTION XXVII

Section 13.10.363 (c), Development standards in the Public and Community Facilities, "PF" District, Other Regulations, of the Santa Cruz County Code is hereby amended to be:

13.10.363 (c) **Other** Regulations.

Other development standards applicable to the Public and Community Facilities Zone District are contained in the following sections of Chapter 13.10: (Ord. 3344, 11/23/82; 3432, 8/23/83; 4314, 5/24/94)

	SECTIONS
<del>General site standards</del>	<del>13.10.510, et seq.</del>
<del>Signs</del>	<del>13.10.580, et seq.</del>
<del>Parking</del>	<del>13.10.550, et seq.</del>
<del>Fences</del>	<del>13.10.525</del>
<del>Minimum parcel sizes</del>	<del>13.10.510(g)</del>
<del>Use of non-developable land</del>	<del>13.10.671</del>
<del>Use of urban open space land</del>	<del>13.10.672</del>
<del>Trip reduction requirements (development projects for 50 or more employees)</del>	<del>13.10.591</del>
<del>Design review</del>	<del>13.11.010, et seq.</del>
<del>Agricultural buffers/setbacks</del>	<del>16.50.095</del>
<u>Design review</u>	<u>13.11.010, et seq.</u>
<u>Fences</u>	<u>13.10.525</u>
<u>General site standards</u>	<u>13.10.510, et seq.</u>
<u>Minimum parcel sizes</u>	<u>13.10.510(g)</u>
<u>Parking</u>	<u>13.10.550, et seq.</u>
<u>Signs</u>	<u>13.10.580, et seq.</u>
<u>Trip reduction requirements (development projects for 50 or more employees)</u>	<u>5.52</u>
<u>Use of non-developable land</u>	<u>13.10.671</u>
<u>Use of urban open space Land</u>	<u>13.10.672</u>

SECTION XXVIII

Section 13.10.372 (b), Uses in the Timber Production "TP" District, Allowed Uses, of the Santa Cruz County Code is hereby amended to be:

**13.10.372 (b) Allowed Uses.**

The uses allowed in the Timber Production Districts shall be as provided in the Timber Production Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level," required for each use in the district is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 Permit and Approval Procedures. The Approval Levels given in the chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123.

"TP" USES CHART:

A = Use must be ancillary and incidental to a principal permitted use on the site

P = Principal permitted use (see Section 13.10.372(a)); no use approval necessary if " P appears alone

1 = Approval Level I (administrative, no plans required)

2 = Approval Level II (administrative, plans required)

3 = Approval Level III (administrative, field visit required)

4 = Approval Level IV (administrative, public notice required)

5 = Approval Level V (public hearing by Zoning Administrator required)

6 = Approval Level VI (public hearing by Planning Commission required)

7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)

- = Use not allowed in this zone district

\* = Level IV for projects of less than 2,000 square feet; Level V for projects of 2,000 to 20,000 square feet; Level VI for projects of over 20,000 square feet

\*\* = BP only or Level V based on code section cited with the use.

BP = Building Permit Only

**USE****PERMIT  
REQUIRED**

Accessory structures, habitable, when incidental to a BP-5\*\* residential use (subject to Section 13.10.611, 13.10.322(b), and 13.10.373)

Accessory structures, non-habitable, when incidental BP-5\*\* to a residential use (subject to Section 13.10.611, 13.10.322(b) and 13.10.322(b) and 373)

Accessory structures, non-habitable, when incidental BP Only to timber production or agricultural use, subject only to the provisions of Section 16.22.060

**Agriculture:**

- (1) Agricultural uses on that portion of the land not under timber production:
  - \* all permitted uses in the "CA District (Sec. 13.10.312) P
  - \* all discretionary uses in the "CA District (Sec. 13.10.312) 5
- (2) Conversion of timberland to agricultural uses not exceeding ten percent of the total of the timber area on the parcel 5

Energy systems; community (subject to Sec. 13.10.661 and .700 definition.) 5

Habitat management, fish and wildlife, in addition to timber harvesting P

Mining: mineral production and quarry operations M

Manufactured home, subject to the provisions of Section 13.10.682 3

'TP" USES CHART:

(See Reference Chart at beginning of Section 13.10.372)

Organized camps and facilities for outdoor recreational, educational, religious activities (subject to Section 13.10.350 et seq. "PR District; and Section 13.10.692 Organized Camp Requirements)	5
Research facilities for wildlife observation and research	5
Residential: one single-family dwelling per existing parcel of record	3
dwelling groups of single-family dwelling (Subject to the density and other requirements in Section 13.10.373, .374, and .375)	5 (2 dwelling unit) 7 (more than 2 dwelling units)
Mobilehome, temporary, for not more than <del>three</del> five years for a caretaker or watchman in isolated areas on a minimum of ten acres	5
Septic tank sludge disposal sites that are approved by the Health Officer pursuant to Chapter 7.42 and that are located outside the Coastal Zone	4
State Parks (subject to Section 13.10.350 et seq., "PR)	5
Timber: Growing, harvesting: the cutting and removal of timber and other forest products, and work incidental thereto, subject to Section 13.10.695 of the County Code.	P

Utilities: gas, electric, water, or communications facilities; energy facilities (see Sec. 13.10.700-E definition) 5

Visitor accommodations, such as:  
bed and breakfast inns (subject to Section 13.10.691, 5 and only one inn per 40 acres and having an access road approved by the responsible fire-protection agency)

Small-scale, in the Coastal Zone, upon conversion of an existing structure (subject to Chapter 13.20 and VA District regulations Section 13.10.330 et seq. 5

Watershed management, in addition to timber harvesting P

(Ord. 2520, 1/17/78; 3164, 10/6/81; 3344, 11/23/82; 3432, 8/23/83; 3593, 11/6/84; 3747, 4/22/86; 4496-C, 8/4/98; Ord. 4577 § 9, 12/14/99)

#### SECTION XXIX

Section 13.10.391, Density Bonus Authorized, of the Santa Cruz County Code is hereby amended to be:

**13.10.391** Density bonus authorized.

(a) **25% Bonus.** Subject to Section 13.10.392, the maximum residential density allowable under the applicable zoning designation shall be increased by 25 percent for any density-bonus eligible development. In the coastal zone, a residential development which includes a density bonus in excess of 25 percent shall not be considered a principal permitted use and shall be appealable to the Coastal Commission. If there is an inconsistency between the density allowed under the land use element of the General Plan and the applicable Zone District, the density allowed under the land use element of the General Plan shall prevail. The density bonus shall be calculated based on the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as they apply to the project site. The otherwise maximum allowable residential density shall mean the maximum potential density modified by applying all site-specific environmental development constraints identified within the zoning ordinances and land use element, including all applicable Local Coastal Program policies and implementing ordinances as certified by the Coastal Commission. In the coastal

zone, any housing development approved pursuant to Government Code Section 65915 shall be consistent, to the maximum extent feasible, and in a manner most protective of coastal resources, with all otherwise applicable certified local coastal program policies and development standards. Approval of development proposed under this section shall require a finding that the development, if it had been proposed without the 25 percent density increase, would have been fully consistent with the policies and development standards of the certified local coastal program. In cases where a 25 percent density increase is granted pursuant to Government Code Section 65915 which results in development inconsistent with otherwise applicable certified local coastal program policies and development standards, such as height, parking and setback requirements, the relief granted from such standards shall be considered an additional incentive under Government Code Section 65915 (h).

(b) Eligible Developments. A density bonus-eligible development shall be a housing development consisting of five or more dwelling units, where:

(1) At least 20 percent of the total housing development units, before the density bonus is applied, will be affordable to lower income households, as defined in California Health and Safety Code Section 50093 (or a successor provision); or

(2) At least 10 percent of the total housing development units, before the density bonus is applied, will be affordable to very low income households, as defined in California Health and Safety Code Section 50093 (or a successor provision); or

(3) At least 50 percent of the units will be for qualifying residents (seniors age 62 or older).

(c) Additional Bonus for 100%--Affordable Projects for ~~Qualifying~~ Residents (seniors age 62 or older). if all the units in a density bonus-eligible development will be: (1) affordable to persons of lower or very low income, and (2) reserved for occupancy by qualifying residents, the 25 percent density bonus provided by Subsection (a) shall be increased to 50 percent.

(d) Units Not Counted. Units required to be affordable to lower or very low income households pursuant to Chapter 12.06 (The County Demolition Ordinance) of this Code or California Government Code Section 65590 (or a successor provision) shall not be counted in computing the minimum percentages required for a density bonus. (Ord. 4346, 12/13/94)

### SECTION XXX

Section 13.10.400, Combining Zone Districts, of the Santa Cruz County Code is hereby amended to be:

#### **13.10.400** Combining Zone Districts.

The following combining designations may be applied to basic zone districts in order to impose particular limitations or exercise some type of planning control. A combining district shall be denoted by the use of a dash and the

letter(s) listed below under "Designation," following the basic zoning designation:

Section	Designation	Summary of Limitations Imposed
13.10.41 5	D (Designated Park Site)	Denotes parcels designated in the General Plan and Local Coastal Program Land Use Plan in whole or part as proposed park sites.
13.10.420	GH (Geologic Hazards)	Denotes the presence of a particular physical hazard on the property; use and development is subject to the Geologic Hazard Ordinance (Chapter 16.10) regulations.
13.10.430	H (Assisted housing)	General Plan and Local Coastal Program Land Use Plan policies regarding affordable housing priority use sites apply.
13.10.440	I (Statement of intention)	Board of Supervisors has agreed not to rezone the property in the foreseeable future.
13.10.450	L (Historic Landmark)	Property/structure has been designated a historic landmark and is subject to the regulations of the Historic Resources Ordinance. (Chapter 16.42)
13.10.455	MH (Mobile Home Park)	Denoted property upon which a mobile home park has been established pursuant to an approved Development Permit or legally established prior to

the requirement for a Development Permit; mobile home park development, operation; rental, sale and conversion are subject to all provisions of federal, state and County regulations.

- |                              |   |  |
|------------------------------|---|--|
| 13.10.460                    | O (Open Space Easement)                       | Owner has executed an Open Space Easement contract with the County to maintain the land in its natural state for a period of 10 years. The 10 year period is renewed every year.                 |
| 13.10.470 <del>470</del> 471 | P (Agricultural preserve)                     | Owner has executed an Agricultural Preserve contract with the County to maintain the land in agricultural and open space use for a period of 10 years. The 10 year period is renewed every year. |
| 13.10.480                    | SP (Salamander Protection Combining District) | The regulations of the Sensitive Habitat Protection Ordinance (Chapter 16.32) apply and require special site development standards to protect the endangered species.                            |

(Ord. 560, 7/24/58; 1891, 6/19/73; 1985, 2/19/74; 2874, 12/4/79; 3344, 11/23/82; 3432, 8/23/83; 4346, 12/13/94; 4370, 5/23/95)

#### SECTION XXXI

Section 13.10.520, Site frontage, of the Santa Cruz County Code is hereby amended to be:

13.10.520 Site Frontage.

~~(a) Minimum Frontage. Unless otherwise provided in this Chapter, n No site shall have a frontage of less than 60 feet in any zone district, unless otherwise specified in the appropriate uses chart.~~

~~(ab) Minimum fFrontage on a Cul-de-sac. On a cul-de-sac or a curved street with a radius of curvature of 200 feet or Less, a site may have a frontage of not less than 40 feet in any zone district, unless a lesser frontage is allowed in the zone district.~~

~~(be) Corridor Access Lots. A corridor access lot shall be permitted in any district. The corridor shall have a frontage and width of not less than 20 feet, and a Length not to exceed 150 feet; the area of the access corridor shall not be included in the determination of site area. (Ord. 1191; 8/9/66; 2171, 8/26/75; 2540, 2/28/78; 2775, 9/11/75; 3058, 3/24/81; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)~~

SECTION XXXII

Section 13.10.521, Site Access, of the Santa Cruz County Code is hereby amended to be:

13.10.521 Site **Access**.

(a) Right-of-way Access. A parcel may not be used ~~as~~ a building site unless it has its principal frontage on a public street or on a private right-of-way at least 40 feet wide, or if it is located on a private right-of-way Less than 40-feet in width and developed properties are located beyond the property on the same right-of-way, or unless a Level III Use Approval is obtained for principal frontage and access on a narrower right-of-way; ~~except that a Level V Approval shall be required f~~ For any project requiring a subdivision or minor land division tentative map approval, or a conditional certificate of compliance, use of streets not meeting the minimum County standard shall require approval of a roadway exception processed pursuant to Section 15.10.050(f). Streets improved and used as a street prior to July 1962 are exempt from this provision. (Ord. 1191, 8/9/66; 1639, 10/30/71; 2402, 3/15/77; 2452, 6/21/77; 2672, 5/8/79; 2776, 9/11/79; 3036, 1/13/81; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

SECTION XXXIII

Section 13.10.525 (c), Regulations for fences and retaining walls, of the Santa Cruz County Code is hereby amended to be:

(c) The height regulations for fences and/or retaining walls are:  
1. The height of fences and/or retaining walls is determined by measuring the exposed face of the fence and/or wall at its tallest point, from finished grade

at the base, to the top of the fence and/or wall, including all ornamental and architectural projections.

2. Except as specified in Sections 13.10.525(c) 3, and 16.50.095, no fence and/or retaining wall shall exceed six feet in height if located within a required side or rear yard not abutting on a street, and no fence, hedge, and/or retaining wall shall exceed three feet in height if located in a front yard or other yard abutting a street, except that heights up to six feet may be allowed by a Level III Development Permit Approval, and heights greater than six feet may be allowed by a Level V Development Permit Approval. (See Section 12.10.070(b) for building permit requirements.)

3. In agricultural zone districts, fencing for agricultural purposes may have heights up to 6 feet in all yards without the need for Development Permit approval provided that such fencing, including gates, is:

(i) Six feet or less in height;

(ii) Made of wire which is spaced a minimum of 6 inches apart (i.e., typical field fencing); or

(iii) Made of horizontally oriented wooden members which are spaced a minimum of one foot apart (i.e., typical wooden corral fencing); provided, however, that a Development Permit approval shall be required for this type of fencing on all properties adjacent to State Route (High-way One).

~~(iv) Not subject to Coastal Zone Permit requirements as specified in Sections 13.20.050 and 13.20.073.~~ iv. If a Coastal Development Permit is required, i.-iii. do not apply and a Coastal Development Permit is required to exceed the height limit.

4. An exemption from a Development Permit requirement for agricultural fencing does not exempt new such fencing; including gates, from Coastal Zone Permit requirements as specified in Sections 13.20.050 and 13.20.073. (Ord. 1682, 2/15/72; 2202, 11/12/75; 2452, 6/21/77; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3632, 3/26/85; 4098, 12/11/90; 4496-C, 8/4/98)

#### SECTION XXXIV

Section 13.10.552 (a), Schedule of offstreet parking space, of the Santa Cruz County Code is hereby amended to be:

13.10.552 (a).

Offstreet parking spaces for residential uses shall be provided according to the type and size of residence as described below:

1. Resident Parking.

	SFDs	MFDs	MOBILE-HOMES
1 bedroom	2 spaces	2 spaces	2 spaces
2 bedrooms	3 spaces	2.5 spaces	2 spaces
3 bedrooms	3 spaces	2.5 spaces	2 spaces

4 bedrooms	3 spaces	3 spaces	2 spaces
Add. bed.	1 space ea.	.5 space ea.	N/A

2. Guest Parking for Multi-Family Residential Developments. In addition to providing the requirement amount of residential parking, additional, separate guest parking shall be provided, in an amount equal to 20 percent of the required resident parking, for all multi-family residential uses. Where it can be demonstrated that abutting, on-street curb space is available for guest parking, the required number of guest parking spaces can be reduced in the amount of one (1) space per 18 feet of this available curb.

3. Bicycle Parking for Residential Uses.

Use	Bicycle Parking Spaces
Single Family Dwelling	0.0
Multi-Family Dwelling	One (1) lockable storage shed or lockable garage space capable of holding one bicycle per unit, plus 0.2 spaces per unit as set forth in Section 13.10.560
Mobilehome	0.2 per unit

4. Second Units. One parking space is required for each bedroom in a second unit.

#### SECTION XXXV

Section 13.10.553 (e), Variations to requirements, Compact Car Parking, of the Santa Cruz County Code is hereby amended to be:

#### **13.10.553 (e) Compact Car Parking.**

A proportion of the total spaces otherwise required by the Schedule of Offstreet Parking Requirements may be designed and marked for compact car use according to the following table:

Total Spaces Required	Allowable Percentage of Compact Car Spaces
0--5	0
6--50	10%

51--80	30%
81 or more	40%

SECTION XXXVI

Section 13.10.613 (a), Home Occupations, Purposes, of the Santa Cruz County Code is hereby amended to be:

13.10.613 (a) Purposes.

The purposes of regulations for home occupations are:

1. To allow persons to carry on limited, income- producing activities on their residential property.
2. To protect nearby residential properties from potential adverse effects of the allowed activity by not allowing home occupations that would create excessive noise, traffic, public expense or any nuisance.

SECTION XXXVII

Section 13.10.641, Animal enclosures-Stables and paddocks, of the Santa Cruz County Code is hereby amended to be:

13.10.641 Animal enclosures-Stables and paddocks.

(a) Regulations for Private Stables. The following regulations shall apply in all cases for the maintenance of a private stable:

(1) The minimum lot area upon which a horse may be kept is one gross acre and two horses may be kept on such area. An additional horse may be kept for each twenty thousand (20,000) gross square feet by which the parcel of Land exceeds one acre.

(2) Except in the "RA" District, stables shall be located midway between the side lot lines and in no case closer than twenty (20) feet to the side lines, and not closer than fifty (50) feet to the front Lot line, unless a Level V Use Approval is obtained.

(3) Paddocks shall be located on the rear half of the lot and not closer than twenty (20) feet to any property lines, nor closer than forty (40) feet to any dwelling on the same or adjacent property, unless a Level V Use Approval is obtained.

(4) The provisions of Section 16.22.060 pertaining to erosion control, shall apply.

(b) Regulations for Commercial Boarding.

(1) Where horses, ponies, burros or other animals are boarded at a density greater than 2 per acre, a Level V use approval shall be required.

(2) The use of stables, paddocks, or corrals must be accompanied by an erosion control plan prepared pursuant to Section 16.22.060. (Ord. 1191, 8/9/66; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

#### SECTION XXXVIII

Section 13.10.700 -A, "A" Definitions, Aquaculture, of the Santa Cruz County Code is hereby amended to be:

13.10.700-A, "A" Definitions, Aquaculture.

Section 30100.2 (California Coastal Act) defines "aquaculture and states aquaculture products are agricultural products, and aquaculture facilities and land uses shall be treated as agricultural facilities and land uses in all planning and permit issuing decisions."

#### SECTION XXXIX

Section 13.10.700 -B, "B" Definitions, Building Site, of the Santa Cruz County Code is hereby amended to be:

13.10.700 -B, "B" Definitions, Building Site.

An area of land occupied by or proposed as a location for a building or manufactured home. (Ord. 3501, 3/6/84)

#### SECTION XL

Section 13.10.700-L, "L" Definitions, Lot, Reversed Corner, of the Santa Cruz County Code is hereby amended to be:

13.10.700-L, "L" Definitions, Lot, Reversed Corner.

A corner lot, the side line of which is substantially a continuation of the front property line of the first lot to its rear. Property owner has only one opportunity to choose which yard is front and which yard is side.

#### SECTION XLI

Section 13.10.700-L, "L" Definitions, Lot Line, Front, of the Santa Cruz County Code is hereby amended to be:

13.10.700-L, "L" Definitions, Lot Line, Front.

A line separating an interior lot from a street, or a line separating either the narrower or the wider street frontage of a corner lot from a street, at the

option of the owner. Property owner has only one opportunity to choose which yard is front.

#### SECTION XLII

Section 13.10.700-S, "S" Definitions, Street, of the Santa Cruz County Code is hereby amended to be:

##### **13.10.700-S, "S" Definitions, Street.**

An existing permanent public or private right-of-way, 40 feet or more in width, which is used as the principal means of access to abutting properties, or any such right-of-way less than 40 feet in width which was physically existing and in use as the principal means of access to abutting property prior to July, ~~1958~~ 1962.

#### SECTION XLIII

Section 13.10.700-S, "S" Definitions, Structure, of the Santa Cruz County Code is hereby amended to be:

##### **13.10.700-S, "S" Definitions, Structure.**

Anything constructed or erected which requires a location on the ground, including a building, but not including a swimming pool, a fence, or a wall used as a fence (including retaining walls), or a deck less than **18** inches in height.

#### SECTION XLIV

Section **13.11.053**, Exceptions, of the Santa Cruz County Code is hereby amended to be:

##### **13.1 1.053, Exceptions.**

(a) Flexibility in the application of design standards and guidelines may be permitted based on the following factors: (1) due to special site circumstances or existing site uses, or (2) the objectives of this Chapter are better achieved by allowing flexibility when considering the Design Standards and Guidelines.

(b) Exceptions to the Design Standards and Guidelines shall be based upon the circumstances of the individual application. Any decision on an exception shall not establish a precedent for future applications.

(c) Any proposed ~~design exception to the Design Standards and Guidelines~~ shall be described as part of the design review application and shall be subject to recommendation by the Planning Department and final action by the decision-making body(ies).

SECTION XLV

Section 13.11.074, Access, circulation and parking, of the Santa Cruz County Code is hereby amended to be:

**13.1 1.074, Access, circulation and parking.**

(a) It shall be an objective to design pedestrian, bicycle and vehicle circulation, and parking, to be safe, convenient, and readily understandable to users. access, circulation and parking design shall relate to the proposed development on adjoining properties.

(1) Vehicle access for multi-family residential, commercial and industrial projects.

(i) Refer to the County of Santa Cruz, "Design Criteria for Streets, Storm Drains, Sanitary Sewers and Water Sewers," as prepared by the County Department of Public Works, for all street design and driveway design requirements.

(ii) Corner lots with frontages on both an arterial street and a Local or collector street shall concentrate driveway access on the local or collector street wherever possible. If access is necessary ~~from~~ from both streets, an entrance and exit should be located on the local or collector street and an "exit, right turn only" on the arterial. However, parking lots serving commercial uses should be accessed from commercially developed streets whenever possible.

(iii) Parking areas shall be designed, whenever feasible, so that all vehicles shall enter and exit public streets in a forward movement only, with the exception of projects of under 2,000 square feet on local streets or projects on cul-de-sacs. Directional arrows for one-way entrances and exits shall be clearly marked on the pavement.

(iv) Avoid locating walls and fences where they block driver sight lines when entering or exiting the site.

(v) The location and design of curb cuts, and curb cut widths on public streets shall be determined by the Public Works Director according to the public Works Design Criteria. Minimize the number of curb cuts.

(vi) Pavement width for interior driveways shall be a minimum of **24** feet for two-way circulation and 12 feet for one-way circulation, unless additional width is required for emergency access by the fire department.

(vii) Driveways between commercial or industrial parcels shall be shared where appropriate.

(viii) Where an interior driveway or parking area parallels the side or rear property line, a minimum ~~5-foot~~ wide net landscape strip shall be provided between the driveway and the property line. Where the interior driveway occurs between commercial or industrial properties with like zoning, the ~~5-foot~~ net landscape strip can be a divided leaving a minimum 2 feet net at the property line and the balance 3 feet net of landscaping on the other side of the driveway.

(ix) Driveways shall be coordinated with existing or planned median openings.

(x) Entry drives on commercial or industrial projects greater than 10,000 square feet should include a 5-foot minimum net landscaped median to separate incoming and out going traffic, where appropriate.

(2) Standards for Pedestrian Travel Paths.

(i) On-site pedestrian pathways shall be provided ~~form~~ from street, sidewalk and parking areas to the central use area. These areas should be delineated from the parking areas by walkways, landscaping, changes in paving materials, narrowing of roadways, or other design techniques.

(ii) Sidewalks or pedestrian pathways shall be provided where required by County regulations. Separations between bicycle and pedestrian circulation routes shall be utilized where appropriate.

(3) Access for the Disabled. State laws require that all facilities which are open to the public must be accessible to, and usable by, the physically disabled. Plans for construction of new public facilities and remodeling of existing facilities shall incorporate both architectural barrier removal and physical building design and parking area features to achieve access for the physically disabled.

(4) Public Transit. Support facilities for public transit, including bus turnouts and bus shelters, shall be provided when required by the Transit District.

(b) It shall be an objective to reduce the visual impact and scale of interior driveways, parking and paving.

(1) Parking Lot Design.

(i) The site design shall minimize the visual impact of pavement and parked vehicles. Parking design shall be an integral element of the site design. Siting buildings toward the front or middle portion of the lot and parking areas to the rear or side of the lot is encouraged where appropriate.

(ii) Parking areas shall be screened ~~form~~ from public streets using landscaping, berms, fences, walls, buildings, and other means, where appropriate, in accordance with Section 13.11.076.

(iii) Variation in pavement width, the use of texture and color variation in paving materials, such as stamped concrete, stone, brick, pavers, exposed aggregate, or colored concrete is encouraged in parking lots to promote pedestrian safety and to minimize the visual impact of large expanses of pavement.

(c) It shall be an objective of landscaping to accent the importance of driveways from the street, frame the major circulation aisles, emphasize pedestrian pathways, and provide shade and screening.

(1) Parking Lot Landscaping.

(i) Parking lot landscaping shall be designed to visually screen parking from public streets and adjacent uses. Techniques to achieve screening include: the use of mixed planting which incorporates trees, shrubs, and groundcovers; mounds; low walls; parking set below grade; or a combination of these techniques which achieves this function.

(ii) Parking lots shall be landscaped with large canopy trees. A landscape strip shall be provided at the end of each parking aisle.

**(iii)** A minimum 5-foot wide landscape strip (to provide necessary vehicular back-out movements) shall be provided at dead-end aisles.

(iv) Parking areas shall be landscaped with large canopy trees to sufficiently reduce glare and radiant heat from the asphalt and to provide visual relief from large stretches of pavement. A minimum of one tree for each five parking spaces should be planted along each single or double row of parking spaces. Planting areas for trees required within parking rows should be achieved by one of the following methods (see Figure 2.):

**(A)** A continuous landscape strip, at least 5 feet wide net, between rows of parking spaces, or;

**(B)** Tree wells, 8 feet wide, resulting from the conversion of two opposing full sized spaces to compact spaces, or;

**(C)** Tree wells, at least 5 feet square, placed diagonally between standard or compact car spaces.

(v) At least twenty-five percent (25%) of the trees required for parking lot screening shall be 24-inch box size when planted; all other trees shall be 15 gallon size or larger when planted.

(vi) As appropriate to the site use, required landscaped areas next to parking spaces or driveways shall be protected by a minimum six-inch high curb or wheel stop, such as concrete, masonry, railroad ties, or other durable materials.

(vii) A minimum of one tree for each five parking spaces shall be planted along rows of parking.

(viii) Trees shall be dispersed throughout the parking lot to maximize shade and visual relief.

(2) **Service Vehicles/Loading Space.** Loading space shall be provided as required in Sections 13.10.570 through 13.10.578, inclusive, for commercial and industrial uses. Loading areas shall be designed to not interfere with circulation or parking, and to permit trucks to fully maneuver on the property without backing from or onto a public street.

(3) **Parking Structures.** Parking within structures including basement and roof parking is encouraged in order to minimize asphalt pavement and maximize open areas.

(4) **Bicycle Parking.** Bicycle parking spaces shall be provided as required in Section 13.10.560. They shall be appropriately located in relation to the major activity area.

(d) It shall be an objective of lighting design to relate to the site and building design and reduce off site impacts.

**Lighting.**

(1) 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.

(2) All lighted parking and circulation areas shall utilize low-rise light standards or Light fixtures attached to the building. Light standards to a maximum height of 15 feet are allowed.

(3) Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.

### SECTION XLVI

Section 13.14.060 (a). Matrix Calculation, of the Santa Cruz County Code is hereby amended to be:

#### **13.14.060 (a). Matrix Calculation.**

(a) Individual matrix calculations are based upon a site specific analysis of resources and constraints, using the best available data (see Section 13.14.080), for each of the following ten matrices. Any property which is split by a general plan or matrix designation shall have points awarded proportionate to the amount of developable acreage within each designation.

#### (1) LOCATION MATRIX'

##### TYPE OF ACCESS

PLAN DESIGNATION CATEGORY	All Lots  Within 500 (Road as Traveled) of a county Maintained Road and Accessed From That Road	All Lots Served by a Private Road 18 Foot Width	ots Served by 12 foot Road With Turnouts
(1--5 acre areas)	15	13	12
(Rural Residential Rural Homesites) (2-1/2--20 acre areas)	10	8	
		2	0

(10--40 Acre Areas)			
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\*In the ~~Coast~~ Coastal Zone portion of the North Coast and Bonny Doon Planning Areas, prohibit new land divisions located more than one-half mile by road from a publicly maintained road. (GP/LUP Policy 6.5.10)

#### SECTION XLVII

Section 13.20.063 (a), Electric utilities, telephone, cable TV, water, sewer, flood control, and public facilities exemption, of the Santa Cruz County Code is hereby amended to be:

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

(a) Except as otherwise indicated in subsection (b) below, the maintenance ~~and installation~~ 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. ~~Installation, m~~ 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.

#### SECTION XLVIII

Section 13.20.068 (a), Improvements to existing structures exemption, of the Santa Cruz County Code is hereby amended to be:

13.20.068 (a), Improvements to existing structures exemption.

(a) Improvements to Existing Single-Family Residences:

1. Exempt improvements to single-family residences include the following:
  - (i) Additions or structures of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission. (Ord. 3326, 11/23/82; 3435, 8/23/83)
  - (ii) 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;

- (iii) 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;
- (iv) Landscaping on the lot;
- (v) Replacement of water storage tanks, wells or septic systems serving existing legal single-family residences.

## SECTION II

Section **13.20.071** (a), Residential development-One to four unit exclusion, of the Santa Cruz County Code is hereby amended to be:

**13.20.071** (a), Residential development-One to four unit exclusion.

(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 ~~or of~~ or record on the date of Local Coastal Program certification, and at densities specified in the Land Use Plan.

## SECTION L

Section **13.20.073** Agriculturally-related development exclusion, of the Santa Cruz County Code is hereby amended to be:

**13.20.073** Agriculturally-related development exclusion.

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 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 (Ord. ~~4346~~, **12/13/94**):

(a) Greenhouses, Soil Dependent. The construction, improvement or expansion of soil dependent greenhouses which comply with the requirements of Sections 13.10.313(a) and ~~13.10.636~~ and are not located on natural slopes of greater than twenty-five (~~25~~) percent nor on sensitive habitat areas as defined in Section ~~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 forty (40) feet in height; will not cover more than a total of ten thousand (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 two thousand (2,000) square feet of ground area in rural scenic corridors shall comply with Section 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 forty (40) feet in height, and will not increase ground coverage by more than twenty-five (25) percent or ten thousand (10,000) square feet, whichever is less. Building expansions of more than two thousand (2,000) square feet in rural scenic corridors shall comply with Section 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 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 ten (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 ten thousand (10,000) gallons capacity and water distribution lines, including up to fifty (50) cubic yards of associated grading, provided that such water facilities are not in a ~~water shortage~~ groundwater emergency area as designated pursuant to Section 11.90.130 of the County Code pertaining to a ~~Water Shortage Emergency~~ Groundwater Emergencies will be used for on-site agriculturally-related purposes only.

(g) Water Impoundments. Water impoundments in conformance with the Grading Ordinance, (Chapter 16.20 of Santa Cruz County Code) 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 (Riparian Corridor Protection), provided that such impoundments will not exceed twenty-five (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. (Ord. 4471, 9/9/97)

(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. 4474-C, 5/19/98)

#### SECTION LI

Section 13.20.143 (a), Davenport special community design criteria, Historic Structures, of the Santa Cruz County Code is hereby amended to be:

**13.20.143 (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)
2. Davenport Jail (Highway 1)
3. ~~Forester's Hall (Highway 1)~~

#### SECTION LII

Section 13.20.144 (b), Harbor area special community design criteria, Residential Development, of the Santa Cruz County Code is hereby amended to be:

**13.20.144 (b) Residential Development.**

Residential Development. New development in the single-family ~~(R-1)~~ 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, wood construction, and wood siding. ~~Setbacks should conform to that predominant for other houses on the street. New development in the mixed residential (RM-zoned) part of the harbor area shall maintain a residential character, should incorporate such features as pitched roofs, wood construction, wood shingle siding or stucco, and should reflect the nautical character of the harbor setting.~~

#### SECTION LIII

Section 14.01.308 (f), Tentative map for which a parcel map or a final map is required- Processing, of the Santa Cruz County Code is hereby amended to be:

**14.01.308 (f)** Tentative map for which a parcel map or a final map is required- Processing.

When Section 66455.5 of the Government Code requires the submission of the tentative map to the Office of Intergovernmental Management, the time may be extended for action on such map if it is required to allow consideration of the evaluation received from the Office of Intergovernmental Management, but such extension shall not exceed 15 days.

SECTION LIV

Section **14.01.315** (a) 1., Expiration of tentative maps, of the Santa Cruz County Code is hereby amended to be:

**14.01.315** (a) 1. Expiration of tentative maps.

The amount of the ~~one hundred twenty-five thousand dollars (\$125,000)~~ one hundred and seventy-one thousand, two hundred and fifty dollars (\$171,250) shall be increased by the registrar of contractors according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The adjustment by the registrar of contractors shall be effective on the first day of the month occurring more than 30 calendar days after the registrar of contractors make that adjustment.

SECTION LV

Section **14.01.427**, Property in excess of forty acres, of the Santa Cruz County Code is hereby amended to be:

**14.01.427**, Property in excess of forty acres.

The County shall not issue any permit or grant any approval necessary to develop any real property which is excluded ~~from~~ from regulation under this division as a subdivision pursuant to paragraph (d) of Section **14.01.201** because such property is in excess of forty ~~(40)~~ acres and was created as such a parcel after December 31, **1969**, when such property fronts on the coastline or shoreline, unless it finds that reasonable public access has been provided from public highways to land below the ordinary high-water mark or any ocean coastline or bay shoreline or any water of lake or reservoir upon which the real property fronts.

SECTION LVI

Section **15.01.060** (a), Dedication requirements, Park Dedication, of the Santa Cruz County Code is hereby amended to be:

**15.01.060** (a) Park Dedication.

1. As a condition of approval of any permit to build a single unit structure, or multiple unit structure, or visitor accommodation structure, or mobile home park, or to construct an addition to an existing dwelling unit which will create additional bedrooms as defined in Section **13.10.700-B** of the County Code, and as a condition of approval of a tentative map of any land division, an owner shall be required to dedicate land, pay a fee in lieu thereof, or do a

combination of both, for park and recreational purposes. Fees shall be determined and paid as of the date of the issuance of a building permit, or, in case of land division, at the time the final map or parcel map is filed. Fees shall be adopted by resolution of the Board of Supervisors.

2. Park and recreation fees and dedications required by this section shall not apply to reconstruction or replacement of a residential structure destroyed by a natural disaster, provided the replacement structure is the same type of unit and ~~substantially the same size~~ has the same number of bedrooms as the structure it replaces.

#### SECTION LVII

Section 15.10.030, Applicability, of the Santa Cruz County Code is hereby amended to be:

##### **15.10.030** Applicability.

The requirements of this chapter shall apply as a condition of approval of any permit to build or place a structure or mobile home, or to divide land, on an arterial, or collector or local street, within a Transportation Improvement Area or within the Urban Services Line, where street width and roadside improvements meeting current County Design Criteria do not already exist. Parcels with roadside improvements constructed using moneys from trust funds, created according to Section 15.10.080, shall be required to pay for improvements along their property frontage either at the time such improvements are made or as a condition of a subsequent permit to build or place a structure or mobile home, change the use, or to divide land. This section shall ~~not~~ apply to permits for accessory structures: ~~or~~ This section shall not apply to ~~for~~ modifications or improvements of less than 70 square feet to existing structures or which do not result in the creation of additional bedrooms as defined by Section 13.10.700-B of the County Code. Notwithstanding any other provisions of this section, equivalent improvements may be required as a condition of a discretionary permit for any project which increases the intensity of use (automobile and/or pedestrian traffic) upon the recommendation of the Planning Director or Public Works Director.

#### SECTION LVIII

Section 16.10.070 (h), Permit conditions, Coastal Bluffs and Beaches, of the Santa Cruz County Code is hereby amended to be:

##### **16.10.070 (h)** Coastal Bluffs and Beaches.

1. Criteria in Areas Subject to Coastal Bluff Erosion: Projects in areas subject to coastal bluff erosion shall meet the following criteria:

(i) for all development and for non-habitable structures, demonstration of the stability of the site, in its current, pre-development application condition, for a minimum of 100 years as determined by either a geologic hazards assessment or a full geologic report.

(ii) for all development, including that which is cantilevered, and for non-habitable structures, a minimum setback shall be established at least 25 feet from the top edge of the coastal bluff, or alternatively, the distance necessary to provide a stable building site over a 100-year lifetime of the structure, whichever is greater.

(iii) the determination of the minimum setback shall be based on the existing site conditions and shall not take into consideration the effect of any proposed protection measures, such as shoreline protection structures, retaining walls, or deep piers.

(iv) foundation replacement and/or foundation upgrades that meet the definition of development per Section 16.10.040(s) and pursuant to Section 16.10.040(r), shall meet the setback described in Section 16.10.070(h)(1), except that an exception to the setback requirement may be granted for existing structures that are wholly or partially within the setback, if the Planning Director determines that:

a) the area of the structure that is within the setback does not exceed 25% of the total area of the structure, OR

b) the structure cannot be relocated to meet the setback because of inadequate parcel size.

(v) additions, including second story and cantilevered additions, shall comply with the minimum 25 foot and 100 year setback.

(vi) The developer and/or the subdivider of a parcel or parcels in an area subject to geologic hazards shall be required, as a condition of development approval and building permit approval, to record a Declaration of Geologic Hazards with the County Recorder. The Declaration shall include a description of the hazards on the parcel and the level of geologic and/or geotechnical investigation conducted.

(vii) approval of drainage and landscape plans for the site by the County Geologist.

(viii) service transmission lines and utility facilities are prohibited unless they are necessary to serve existing residences.

(ix) All other required local, state and federal permits shall be obtained.

## **2. Exemption:**

**(i)** Any project which does not specifically require a building permit pursuant to Section 12.10.070(b) is exempt from Section 16.10.070(h)1, with the exception of: non-habitable accessory structures that are located within the minimum 25 foot setback from the coastal bluff where there is space on the parcel to accommodate the structure outside of the setback, above-ground pools, water tanks, projects (including landscaping) which would unfavorably alter drainage patterns, and projects involving grading.

For the purposes of this Section, the unfavorable alteration of drainage is defined as a change that would significantly increase or concentrate runoff

over the bluff edge or significantly increase infiltration into the bluff. Grading is defined as any earthwork other than minor leveling, of the scale typically accomplished by hand, necessary to create beneficial drainage patterns or to install an allowed structure, that does not excavate into the face or base of the bluff.

Examples of projects which may qualify for this exemption include: decks which do not require a building permit and do not unfavorably alter drainage, play structures, showers (where run-off is controlled), benches, statues, landscape boulders, benches, and gazebos which do not require a building permit.

**(ii)** if a structure that is constructed pursuant to this exemption subsequently becomes unstable due to erosion or slope instability, the threat to the exempted structure shall not qualify the parcel for a coastal bluff retaining structure or shoreline protection structure. If the exempted structure itself becomes a hazard it shall either be removed or relocated, rather than protected in place.

3. Shoreline protection structures shall be governed by the following:

(i) shoreline protection structures shall only be allowed on parcels where both adjacent parcels are already similarly protected, or where necessary to protect existing structures from a significant threat, or on vacant parcels which, through lack of protection threaten adjacent developed lots, or to protect public works, public beaches, and coastal dependent uses.

Note: New shoreline protection structures shall not be allowed where the existing structure proposed for protection was granted an exemption pursuant to Section 16.10.070(h)2.

(ii) seawalls, specifically, shall only be considered where there is a significant threat to an existing structure and both adjacent parcels are already similarly protected.

(iii) application for shoreline protective structures shall include thorough analysis of all reasonable alternatives to such structures, including but not limited to relocation or partial removal of the threatened structure, protection of only the upper bluff area or the area immediately adjacent to the threatened structure, beach nourishment, and vertical walls. Structural protection measures on the bluff and beach shall only be permitted where non-structural measures, such as relocating the structure or changing the design, are infeasible from an engineering standpoint or are not economically viable.

(iv) shoreline protection structures shall be placed as close as possible to the development or structure requiring protection.

(v) shoreline protection structures shall not reduce or restrict public beach access, adversely affect shoreline processes and sand supply, adversely impact recreational resources, increase erosion on adjacent property, create a significant visual intrusion, or cause harmful impacts to wildlife or fish habitat, archaeological or paleontological resources. Shoreline protection structures shall minimize visual impact by employing materials that blend with the color of natural materials in the area.

(vi) all protection structures shall meet approved engineering standards as determined through environmental review.

(vii) all shoreline protection structures shall include a permanent, County approved, monitoring and maintenance program.

(viii) Applications for shoreline protection structures shall include a construction and staging plan that minimizes disturbance to the beach, specifies the access and staging areas, and includes a construction schedule that limits presence on the beach, as much as possible, to periods of low visitor demand. The plan for repair projects shall include recovery of rock and other material that has been dislodged onto the beach.

(ix) All other required local, state and federal permits shall be obtained.

4. Alteration of Damaged Structures. Reconstruction, repair, rebuilding, replacement, alteration, improvement, or addition to damaged structures located on a coastal bluff shall proceed according to the following chart:

Extent of Damage		50% or more of the value of structure		Less than 50% of the value of structure	
				All Other Causes (fire, etc.)	
axis)		Instability			
/Location of Existing Structure (vertical axis)					
Existing Structure Meets Setback (less than 10% extends into setback)	Meet all regulations	Exempt from regulations if repaired/replaced in kind. Otherwise meet all regulations.	Exempt from regulations if repaired/replaced in kind. Otherwise meet all regulations.	Exempt from regulations if repaired/replaced in kind. Otherwise meet all regulations.	
Existing Structure Does Not Meet Setback but Could by relocating.	Meet all regulations, including setback for existing structure.	To repair or replace in kind, meet all regulations except setback. Otherwise meet all regulations, including prescribed minimum setback.	Exempt from regulations if repaired/replaced in kind. Otherwise meet all regulations, including prescribed minimum setback.	Exempt from regulations if repaired/replaced in kind. Otherwise meet all regulations, including prescribed minimum setback.	
Existing Structure	If hazard can be		May repair or replace in kind.	May repair or replace in kind.	

Does Not Setback Cannot setback by relocating	mitigated to provide  a period of 100 years, repair or replace in kind. Meet all regulations except setback.  Cannot be rebuilt, even in kind, if hazard cannot be mitigated to a level that provides stability fo a period of 100 years.	To repair or replace in kind,  regulations except setback. <u>Hazards shall be mitigated to a level that provides stability for a period of 100 years, if feasible.</u> <u>Otherwise</u> Projects in excess of "in-kind" shall meet all regulations, including prescribed minimum setback.	Hazards shall be mitigated to a  provides stability for a period of 100 years, if feasible.  Projects in excess of "in-kind" shall meet all regulations.	<u>To repair or replace in kind, meet all regulations except setback.</u>  Hazards shall be mitigated to a level that provides stability for a period of 100 years, if feasible.  Projects in excess of "in-kind" shall meet all regulations <u>including prescribed minimum setback.</u>

Public beach facilities are exempt from the provisions of this chart.

#### SECTION LIX

Section 17.02.030 (a), Definitions, Coastal priority use, of the Santa Cruz County Code is hereby amended to be:

17.02.030 (a) Coastal priority **use**.

(a) Coastal priority use. Land uses established by the Local Coastal Program Land Use Plan as priority uses and consisting of agriculture, coastal-dependent commerce and industry, recreation and visitor-serving facilities, neighborhood and community parks and affordable housing.

#### SECTION LX

Section 18.10.131, Permit Issuance, of the Santa Cruz County Code is hereby amended to be:

**18.10.131 Permit issuance.**

After an application has been processed in accordance with this Chapter, and all the required approvals which make up the permit have been obtained, then the permit, including attached conditions, ~~may~~ shall be issued to the applicant in accordance with the following:

(a) Levels I (No plans) through III (Field visit). Permits processed at levels I (No plans) through III (Field visit) are issued immediately upon approval. Actions to approve or deny projects are made by the Planning Director or his or her designee and may be administratively appealed in accordance with the procedures in Section 18.10.300 et seq.

(b) Level IV (Public Notice). Permits processed at Level IV (Public Notice) are issued after an appeal period of fourteen (14) calendar days from either the date of publication of the public notice of pending action or the date the notices are mailed, whichever is later, unless an administrative appeal is filed in accordance with the procedures in Section 18.10.300 et seq. Actions to approve or deny projects at Level IV (Public Notice) are made by the Planning Director or his or her designee. If an appeal is filed, an approval or denial shall not become effective until the appeal has been resolved.

(c) Levels V (Zoning Administrator) through VII (Board of Supervisors). Permits processed at Levels V (Zoning Administrator) through VI (Planning Commission) are issued after an appeal period of fourteen (14) calendar days (except in the cases of tentative map approvals which require 10 calendar days and extensions of tentative maps which require 15 days) from the date of determination, unless an appeal is filed. Permits processed at Level VII (Board of Supervisors) outside the Coastal Zone or inside the Coastal Zone, but not appealable to the Coastal Commission pursuant to Section 13.10.122, are final on the date of Board action. Permits processed at Level VII (Board of Supervisors) inside the Coastal Zone are final the day after the appeal period to the Coastal Commission has ended, unless an appeal to the Coastal Commission has been filed. Actions to approve or deny projects are made by the appropriate approving body and may be appealed in accordance with the procedures in Section 18.10.300 et seq. If an appeal is filed, an approval or denial shall not become effective until the appeal has been resolved. Permits which require Coastal Zone approvals shall not be issued until notice of the ending of the Coastal Zone appeal period is received. (Ord. 4075, 7/24/90; 4500-C, 8/4/98)

(d) Coastal Zone Appeal. When an appeal of a permit approval is filed with the Coastal Commission, the permit shall not be issued until the appeal has been resolved and the County has reviewed the Coastal Commission's action pursuant to Section 18.10.360.

(e) Transfer of Permits. Except for Type A facilities, tent and RV camping sites pursuant to Section 13.10.355(a)4, all permits issued pursuant to the provisions of this Chapter shall run with the land and shall continue to be valid upon a change of ownership of the site which was the subject of the permit

application unless otherwise specified by the approving body at the time the permit was granted. All time limits in effect at the time of the transfer are still in effect and are not extended by the transfer. Residential building permit allocations (positions on the lottery list) are not permits and are not transferable.

(f) Applicability of Permits. ~~So~~ long as a parcel of land is subject to a valid existing permit, the entire approved site shall be retained for such permitted use, and no portion shall be severed therefrom or used for any other purpose unless a request for amendment of the permit is submitted to and approved by the appropriate body in accordance with this Chapter.

(g) Emergency Permits. Procedures for emergency permits are provided in the following Chapters: Grading, Section **16.20.16**: Emergency Permits; and Coastal Zone Regulations, Section **13.20.090**: Emergency Projects.

(h) Effective Date. The effective date of any permit, or the date when any permit may begin to be exercised shall be the first business day after all applicable appeal periods have lapsed, or final action has occurred on any appeal.

#### SECTION LXI

Section **18.10.134** (b), Permit amendment (project and plan changes), Types of Amendment, of the Santa Cruz County Code is hereby amended to be:

##### **18.10.134** (b) Types of Amendment.

The following types of amendment apply to all planning approvals, including (without limitation) development permits and land division approvals.

1. Minor Variations. A minor variation is an amendment to a planning approval, including (without limitation) project design, improvements, or conditions of approval, if the amendment does not affect the overall concept, density, or intensity of use of the approved project, and if it does not involve either a modification of a design consideration, an improvement, or a condition of approval which was a matter of discussion at the public hearing at which the planning approval was granted.

2. Corrections. A correction is a change which corrects an error or omission in a planning approval which is not at variance with the decision of the approving body or not at variance with County ordinances or regulations, and which does not involve either a modification of a design consideration, an improvement, or a condition of approval which was a matter of discussion at the public hearing at which the planning approval was granted.

#### SECTION LXII

Section **18.10.210**, Application submittal requirements, of the Santa Cruz County Code is hereby amended to be:

**18.10.210** Application submittal requirements.

Applications for permits and approvals shall be made to the Planning Department ~~on forms provided by the Department for that purpose~~, and shall be accompanied by a fee as prescribed in the Unified Fee Schedule as adopted by the Board of Supervisors. Applications shall contain such information and reports as may be required by this Section or by other applicable ordinances or by the Planning Director or approving body in order to make the required findings. The following minimum information is required unless otherwise determined by the Planning Director:

(a) Minor Projects (excluding Building Permits). Processing Level I (No plans) through Level III (Field visit) Applications:

1. Applicant's name, address, and telephone number. (Levels I--III)
2. A statement of the applicant's interest in the property (hereinafter called "subject property") in connection with which the application is filed and evidence that the applicant is the owner or purchaser under contract of the premises involved, or is the owner of a leasehold interest, or has written permission of the owner to make application. (Levels I--III)
3. Present owner's name and address. (Levels I--III)
4. Property location: The location of the premises (location map, street and nearest cross-street or other directions for locating the property); the street address if any; and the Assessor's Parcel Number. (Levels I--III)
5. Description of project, plans and specifications and Preparer's Licensure Certification: The project description shall be submitted, including significant details of the existing land use and proposed project and plans and specifications (as required by other applicable subparagraphs hereof) containing sufficient information to enable any and all required findings to be made (Levels I--III). ~~Except as provided below~~ As appropriate, as a condition precedent to the issuance of any permit, such plans and specifications shall contain the signed statement (or signature and license number thereon) that the preparer is licensed under Chapter 3 of Division 3 of the California Business and Professions Code (or otherwise licensed in this State) to prepare such plans and specifications, together with proof thereof satisfactory to the County. ~~The foregoing Preparer's Licensure Certification shall not be required for applications for the following:~~

~~A. Single-family dwellings of woodframe construction not more than two stories and basement in height.~~

~~B. Multiple family dwellings containing no more than four dwellings of woodframe construction not more than two stories and basement in height. However, this paragraph shall not be construed as allowing an unlicensed person to design multiple clusters of up to four dwellings each to form apartment or condominium complexes where the total exceeds four units on any lawfully divided lot.~~

~~C. Garages or other structures appurtenant to buildings described under Subsections A. and B., of woodframe construction not more than two stories and basement in height.~~

~~D. Agricultural and ranch buildings of woodframe construction, unless the Building Official having jurisdiction deems that an undue risk to the public health, safety, or welfare is involved. (Ord. 4103, 12/11/90)~~

~~6. Copy of current deed, if appropriate. (Levels II--III)~~

~~7. Copy of the appropriate assessor's parcel map, if appropriate. (Levels II--III)~~

~~8. Plot plan: A site plan, drawn to scale, showing the entire property, with topography in the vicinity of proposed improvements, and showing existing development, including existing structures and existing trees; proposed layout of structures and other improvements including landscaping and driveways, pedestrian walks, off-street parking and off-street loading areas, with the location of each parking space and each loading berth, and areas for turning and maneuvering vehicles. (Levels II--III)~~

~~9. Full set of construction drawings (building plans) if appropriate: Scaled architectural drawings showing all structural details and all elevations of the proposed structures. (Levels II--III)~~

~~10. Site development plans: Erosion control, drainage, and grading plans, where applicable as determined by the Planning Director. (Level III)~~

~~11. Shadow plans showing the location, height and shadow patterns of major vegetation, buildings and other structures on the proposed site and on all affected and benefitted properties; the location of proposed building envelopes; the location of any existing solar energy systems on benefitted properties; and the approximate distances between structures, vegetation and the south-facing glass or solar energy system. Shadow patterns are those cast on the 21st of December between 10:00 a.m. and 2:00 p.m., Pacific Standard Time. (Levels V, VI, VII)~~

~~12. Before an application can be deemed complete for processing, the applicant shall submit to the County a Hazardous Waste and Substance Site disclosure stating that the applicant has consulted the list of hazardous waste and substance sites compiled by the State pursuant to Government Code Section 65962.5, and stating whether the project is or is not located on a site included on any of the hazardous waste or substance lists.~~

~~(b) Regular Projects. Processing Level IV (Public notice) and Level V (Zoning Administrator) Applications:~~

~~1. Items 1 through 12 from paragraph (a) above. (Levels IV--V)~~

~~2. Notification materials: Addressed and stamped envelopes for and a mailing list, on a form provided by the Planning Department, of all property owners, their latest known names and addresses and their parcel numbers as shown on the records of the County Assessor, for all properties within 300 feet of the exterior boundaries of the subject property. For projects requiring Coastal Zone approvals, the mailing list and envelopes shall also include the residents of all properties within 100 feet of the exterior boundaries of the subject property. (Levels IV and V)~~

~~(c) Major Projects. Processing Level VI (Planning Commission) and Level VII (Board of Supervisors) Applications:~~

**1.** Preliminary applications for review by the Development Review Group (DRG) shall include items 1 through 12 from paragraph (a) above, plus conceptual drawings of the proposed project.

**2.** After initial review by the Development Review Group (DRG), a full application shall be required including all materials specified in paragraphs (a) and (b) above, a plan line study if applicable, and any other materials required by the Development Review Group or the Planning Director. (Ord. **4196**, **5/12/92**)

(d) Building Permits: Building Permit applications shall contain the information and materials required by the Planning Director pursuant to a current published list for projects at Levels V (Zoning Administrator) through VII (Board of Supervisors) and shall be made after all required policy amendment approvals have been obtained and all Development and/or Land Division Permits have been issued. A full set of construction plans shall not be submitted until the Building Permit application is made.

(e) Projects Requiring Design Review as enumerated in Section **13.11.040**:

(1) Items 1 through 5, 7 through 11 from paragraph (a) above.

(i) Plot Plan. In addition to the submittal as described in item 8, paragraph (a) above, the following is required: access to the site from adjacent rights of way, streets, and/or arterials; private and shared outdoor recreation spaces; service areas for uses such as mail delivery, recycling and garbage storage and pick up, above-ground utilities, loading and delivery; exterior lighting design; and any other site elements and spaces which would assist design review and evaluation of development.

(ii) Landscaping Plan. In addition to the submittal requirements listed in item 8, paragraph (a) above, the following is required to be included as a part of the plot plan or as a separate landscape planting plan: location and identification of existing plants on site to remain and location and identification of proposed plants, keyed to a plant list which indicates botanical name, common name, size at planting and any special information regarding plant form, installation or maintenance. The plan shall identify the percentage of the landscape area planted in turf.

(2) Statement of project concept, design goals, design constraints, and an explanation of the design approach taken.

(3) Site Analysis Diagram. A site plan, drawn to scale, indicating all property lines; contiguous land uses and uses across the street from the proposed project site; location and species of trees greater than six inches diameter breast height, as defined in Section **16.34.030**; sensitive habitats, as defined in Section **16.32.040**; information about significant environmental influences, including views, solar potential, and wind direction; and structures and natural features having a visual or other significant relationship to the site.

(4) Material and Color Sample Board. A complete inventory of proposed materials and colors displayed on an 8-1/2" x 11" or 11" x 14" board. Manufacturer's drawings/photographs, shop drawings, or photographic examples from the built landscape are required to illustrate any special or custom design features.

SECTION LXIII

Section 18.10.222, Level IV (Public notice)--Notice of application submittal, of the Santa Cruz County Code is hereby amended to be:

**18.10.222 Level IV (Public notice)--Notice of application submittal.**

(a) Procedures. Public notice of the receipt of a development application pursuant to Level IV. Public notices shall be given in the following ways:

1. Mailed notice in the form of a postcard or letter mailed not more than ten calendar days following the receipt of a development application to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the property involved in the application, and to all lawful occupants of properties within 100 feet of the subject property, including all lawful occupants of the subject property. Such notices and mailing list shall be based on the mailing list generated by the County.

In the event that there are fewer than ten separate parcels within 300 feet of the exterior boundaries of the property involved in the application, said 300 foot distance shall be extended in increments of 50 feet (e.g. 350, 400, 450 ) until owners of at least ten properties have been notified by mail.

2. Notice to the Board of Supervisors. Notice shall be by delivery by the United States ~~Mail~~ Postal Service, addressed to each Board Member at the County Governmental Center, or by delivery to each Board Member by County Government interdepartmental mail no more than 10 calendar days following the receipt of a development application.

(b) Contents of notice. The content of the notice shall be as follows:

1. Location of the proposed project.
2. Name of the applicant.
3. Description of the proposed use.
4. How further information may be obtained and how to submit information on the proposed project.
5. Final date on which comments will be accepted.
6. How to submit information on the proposed project.
7. Date the permit is proposed to be issued.

**NOTICE OF PENDING ACTION**

(c) Procedures. Public notice of the intent to issue a permit pursuant to Level IV. Public notice shall be given in the following ways:

1. Mailed notice in the form of a postcard or letter mailed not less than 10 calendar days prior to the issuance of the permit to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the property involved in the application, and to all lawful occupants of properties within 100 feet of the subject property including all lawful occupants of the subject property. Such notices and mailing list shall be based on the mailing list generated by the County. In the event that there are fewer than 10 separate

parcels within 300 feet of the exterior boundaries of the property involved in the application, said 300 foot distance shall be extended in increments of 50 feet (e.g. 350,400,450) until owners of at least 10 properties have been notified by mail.

2. Published notice. Notice shall be published in a newspaper of general circulation printed and published within the County at least 10 calendar days prior to the issuance of the permit.

3. Posting on the property in a conspicuous place at least 10 calendar days prior to the issuance of the permit.

4. Notice to the Board of Supervisors. Notice shall be delivered by the United States ~~Mail~~ Postal Service, addressed to each Board Member at the County Governmental Center, or by delivery to each Board Member by County Government interdepartmental mail at least 10 days prior to the issuance of the permit.

(d) Contents of notice. The contents of the notice shall be as follows:

1. Location of the proposed project.

2. Name of the applicant.

3. Description of the proposed use.

4. How further information may be obtained and how to submit information on the proposed project.

5. Date the permit will be issued.

6. Description of the administrative appeal procedure. (Ord. 839, 11/28/62; 1714, 5/9/72; 2506, 11/22/77; 2800, 10/30/79; 3604, 11/16/84; 4044, 1/9/90; 4285, 12/14/93; 4463, 6/17/97; ~~4496-C~~, 8/4/98)

#### SECTION LXIV

Section 18.10.223, Level V (Zoning Administrator) through Level VII (Board of Supervisors)--Notice of public hearing, of the Santa Cruz County Code is hereby amended to be:

**18.10.223** Level V (Zoning Administrator) through Level VII (Board of Supervisors)--Notice of public hearing.

(a) Procedures. A public notice of all public hearings conducted pursuant to the issuance of permits and approvals at Levels V (Zoning Administrator) through VII (Board of Supervisors) shall be given in the following ways:

1. Publication in a newspaper of general circulation printed and published within the County at least ten calendar days prior to the date set for hearing.

2. Posted on the property in a conspicuous place at least ten calendar days prior to the hearing.

3. Mailed notices in the form of a postcard or letter mailed not less than ten calendar days prior to the issuance of the permit to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the subject property and to all lawful occupants of properties within 100 feet of the subject property, including the lawful occupants of the subject property. ~~Such~~

~~notices shall be based on the mailing list submitted by the applicant.~~ In the event that there are fewer than ten separate parcels within 300 feet of the exterior boundaries of the property involved in the application, said 300 foot distance shall be extended in increments of **50 feet (e.g. 350, 400, 450)** until owners of at least ten properties have been notified by mail.

**4.** Provide to the Board of Supervisors by delivery by the United States ~~Mail Postal Service~~, addressed to each Board member at the County Governmental Center, or by delivery to each Board Member by County Government inter-departmental mail at least **10** days prior to the public hearing.

(b) Contents of Notice. The contents of the notice shall be as follows:

1. Location of the proposed project.
2. Name of the applicant.
3. Description of the proposed use.
4. Title of the hearing officer or hearing body.
5. Date of the hearing.
6. Time of the hearing.
7. Location of the hearing.
8. How further information may be obtained.

**9.** Notices of pending applications for permits including Coastal Zone approval shall include a statement that the development is or is not appealable to the Coastal Commission, and the appeal process.

(c) Alternative Noticing Procedure. If the number of persons or entities who would be notified in subsection (a) above is more than one thousand (**1,000**), or where a County initiated General Plan amendment affects the designation of a large area or number of parcels, or for public works projects initiated by public agencies which do not include **rezonings**, notice may be given by placing a display advertisement of at least one-eighth page in a newspaper having general circulation within the area affected by the proposed ordinance, policy or plan amendment, or project; or by including an insert with any generalized mailing sent by the County to property owners affected by the proposal.

(d) Alternative Notice Procedure for Coastal Approvals. When a Development Permit includes only a Coastal Approval for a project pursuant to Chapter **13.20**, and when the number of persons or entities who would be notified in paragraph (a) **3** above is more than two hundred (**200**), the County may give notice by:

1. Increasing the posting requirement in paragraph (a) **2** above to provide posting every **1000** feet along an adjoining roadway, and
2. Placing a display advertisement of at least one-eighth page in a newspaper having general circulation within the area affected by the project.

(e) Notice of Continuances. Any matter may be continued from time to time. The proposal need not be re-noticed if, at the time of the public hearing for the proposal, the matter is continued to a specific date. Otherwise, the continued matter shall be noticed in the same manner as the original hearing.

(f) Requests for Notice. The County shall send notice by first class mail to any person who has filed a written request with the Planning Department. Requests may be made for notices for all public hearings or for all public hearings

relating to a certain application. Requests shall be accompanied by a fee set by the Board of Supervisors Resolution.

(g) Notice to Other Jurisdictions.

1. Public agencies shall be notified of tentative map applications pursuant to Sections **14.01.305.1**, **14.01.318**, **14.01.319**, and **14.01.320**.

2. Public agencies shall be notified of public hearings on General Plan amendments pursuant to Section **13.01.080**.

3. In the Coastal Zone, in addition to the Coastal Commission, public agencies shall be notified which, in the judgement of the Planning Director, have an interest in the project.

(h) Recipients of Notice of Final Action. On or before the fifth business day following the final action by the approving body, a notice of the decision, including findings for approval and conditions (if any) and appeal information and deadline shall be mailed to the following persons and agencies:

1) The applicant

2) The owner of the subject parcel

3) All persons who have submitted a written request with a stamped addressed envelope for notification of the action on the specific permit.

4) In the Coastal Zone, the Coastal Commission.

5) Provide to the Board of Supervisors by delivery by the United States ~~Mail~~ Postal Service, addressed to each Board member at the County Governmental Center, or by delivery to each Board Member by County Government inter-departmental mail.

#### SECTION LXV

Section **18.10.310** (d), General appeal procedures, Computation of Time for Appeal, of the Santa Cruz County Code is hereby amended to be:

**18.10.310** (d) Computation of Time ~~for~~ Appeal.

Computation of Time for Appeal. The time within which the notice of appeal shall be filed shall commence on the day following the day on which the act was taken or the determination was made. In the event the last day for ~~refiling~~ an appeal falls on a non-business day of the County, the appeal may be timely filed on the next business day.

Volume II Index of the Santa Cruz County Code is hereby amended to be:

Volume II Index.

Add Continuing Violations **13.10.279**

Add Violation

Continuing **13.10.279**

Add Enforcement, Penalties, Remedies and Procedures for Violations **13.10.280**

Add MH Mobile Home Park Combining District 13.10.455

See also: purposes 13.10.456  
designation 13.10.457

Use, development standards 13.10.458

Add Combining Zone District

MH district

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

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this \_\_\_\_\_ day of \_\_\_\_\_, 2003, by the following vote:

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

\_\_\_\_\_  
CHAIRPERSON, BOARD OF SUPERVISORS

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

APPROVED AS TO FORM: \_\_\_\_\_  
County Counsel

Copies to: Planning  
County Counsel

**CALIFORNIA ENVIRONMENTAL QUALITY ACT  
NOTICE OF EXEMPTION**

The Santa Cruz County Planning Department has reviewed the project described below and **has** determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: N/A  
Assessor Parcel Number: Countywide  
Project Location: N/A

**Project Description: Minor Amendments to County Code Volume II**

**Person or Agency Proposing Project:** County of Santa Cruz

**Staff Contact and Phone Number:** Mark Deming 454.3183 or Julianne Ward 454.3226

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.  
B. ☒ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).  
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.  
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

- E. ☐ **Categorical Exemption**

Specify type:

**F. Reasons why the project is exempt:**

In addition, none of the conditions described in Section 15300.2 apply to this project.

Staff Planner: Mark M. Deming Date: January 6, 2004