



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, PLANNING DIRECTOR

April 12, 2007

AGENDA DATE: April 25, 2007

Item #: 11

Time: After 9 AM

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

Subject: Further Revisions to the Definition of "Net Site Area"

Planning Commissioners:

Last December, the Board of Supervisors adopted Ordinance No. 4841, incorporating your recommended revisions to the definition of "Net Site Area". As part of that adoption, the Board directed staff to evaluate the implications of the ordinance change for houses that are currently built on beaches. Staff presented the report, along with suggested ordinance language changes to the definition, to the Board on March 27, 2007, and they directed staff to bring the ordinance revision to your Commission for your review and recommendation.

Background

As your Commission is aware, for several years, the Board, your Commission and the Planning Department have been engaged in the issue of compatibility of new home design with the surrounding neighborhood. One identified factor has been the practice of counting undevelopable areas--such as coastal bluffs and submerged areas—in the calculation of net site area. Net site area is used to determine the maximum allowable lot coverage and floor area ratio for residential structures. This practice can result in considerably larger houses on parcels with these unusable areas that are out of scale with houses in the neighborhood.

To correct this practice the Board of Supervisors adopted Ordinance No. 4841 (Exhibit E), which changes to the definition of "Net Site Area" to read:

Site Area, Net. Outside the Urban Services Line the total site area less all public or private rights-of-way designated for vehicle access. Inside the Urban Services Line, the total site area less:

a. All public or private rights designated for vehicle access, and

- b. Coastal bluffs, beaches, and Monterey Bay submerged lands, including all the area from the top of the coastal bluff to the bayward property line, but not including coastal arroyos.

Ordinance No. 4841 is currently pending review and action by the California Coastal Commission and is, therefore, not yet in effect.

During the public hearing on this ordinance amendment, the Board heard testimony from several owners of property located at the toe of coastal bluffs and on the beach stating their concerns that this amendment would severely limit their ability to remodel or reconstruct their houses. As a result, Planning staff was directed to evaluate the implications of the ordinance changes.

As reported to the Board, the change to the definition of "Net Site Area" affects three categories of parcels: 1) those located at the top of a coastal bluff that include bluff ownership; 2) those located at the toe of a coastal bluff that may or may not include bluff ownership; and 3) those located on the beach which may or may not include submerged ocean area.

The change to the definition of "Net Site Area" deducts all land from the top of the coastal bluff to the bayward property line from being counted towards allowable lot coverage and floor area ratio. This change results in coastal bluff-top properties that contain bluff areas having less site area, thereby reducing the allowable-sized house. As a result of the ordinance change, neither the base of the coastal bluff nor areas located on the beach may be used for the purpose of calculating site area or for the calculation of allowable lot coverage and floor area ratio. As a result, these properties must obtain variances for any new construction or additions. This ordinance change renders every residential structure at the toe of coastal bluffs and on beaches nonconforming structures.

Based on this analysis and meeting with concerned beach property owners, staff recommended to the Board and the Board concurred that revised ordinance language is needed to address this issue.

Discussion of Proposed Ordinance Amendment

There are inherent differences between the three categories of parcels affected by the Net Site Area ordinance revisions.

The bluff-top parcels have some amount of flat, developable land along their frontage to the street. The Geologic Hazards regulations recognizes that the actual bluff may not be developed and, in fact, requires a minimum 25-foot or 100-year stable building setback, whichever is greater, from the edge of the bluff. The context for neighborhood compatibility for these houses includes the adjacent bluff-top houses but also the houses located inland from the bluff. These bluff-top houses can dwarf the inland houses in size and, thereby, be incompatible with the neighborhood.

The parcels at the toe of coastal bluffs have little or no flat, developable land. Houses located on these parcels (such as bunker houses) are allowed by the Geologic Hazards regulations as long as they meet FEMA elevation requirements and are engineered for safety. The parcels on the beach are relatively flat and may or may not include submerged land. Houses also may be constructed as long as they meet FEMA elevation requirements and are engineered for safety. The context for neighborhood compatibility for these two categories of houses is adjacent houses with similar constraints. Other than adjacent houses developed prior to the FEMA elevation requirements, these parcels are all “in the same boat” and will have comparable maximum house sizes.

Due to these stated differences between coastal bluff-top, toe of the bluff, and beach parcels, staff recommends, and the Board of Supervisors has directed, that the definition of “Net Site Area” be revised to recognize the differences. Staff is recommending that the definition be revised to read:

Site Area, Net.

- (a) Outside the Urban Services Line, the total site area less all public or private rights-of-way designated for vehicle access.
- (b) Inside the Urban Services Line, for all coastal bluff-top parcels, the total site area less:
 - i. All public or private rights-of-way designated for vehicle access; and
 - ii. Coastal bluffs, beaches, and all land seaward of the mean high tide line of Monterey Bay.
- (c) Inside the Urban Services Line, for all parcels located at the toe of a bluff or on the beachfront, the total site area less:
 - i. All public or private rights-of-way designated for vehicle access; and
 - ii. All land seaward of the mean high tide line of Monterey Bay.

Environmental Review

This proposed revision to the definition of “Net Site Area” has been reviewed for compliance with the California Environmental Quality Act (CEQA) and found to be categorically exempt from further environmental review under Sections 1805 and 1808 of the County’s CEQA Guidelines and Sections 15305, 15308 and 15265 of the State CEQA Guidelines and Public Resources Code Section 21080.9.

Summary and Recommendation

The purpose of the change to the definition of “Net Site Area” is to encourage the compatibility of proposed residential structures with their neighborhoods.

Coastal bluff properties cannot build on their bluff areas, per the Geologic Hazards Ordinance and, therefore, it is inappropriate that the bluff area be counted in net site area. Doing so can result in residential structures that are incompatible with their inland, non-coastal bluff neighbors.

Properties located at the toe of bluffs or on beaches may build on these features but not in submerged areas, per the Geologic Hazards Ordinance and, therefore, it is appropriate that these buildable areas (but not submerged areas) be counted in net site area. These neighborhoods are comprised of parcels with similar constraints and subject to the same requirements and it is less likely that incompatible development will occur.

This proposed ordinance change will continue to promote neighborhood compatibility for coastal bluff-top neighborhoods while restoring developable areas to toe of the bluff and beachfront properties.

Staff, therefore, recommends that your Commission take the following actions:

1. Adopt the attached Resolution (Exhibit A) recommending that the Board of Supervisors approve the proposed ordinance amendments (Exhibit B); and
2. Recommend that the Board of Supervisors certify the CEQA Notice of Exemption.

Sincerely,



Glenda Hill, AICP
Principal Planner
Policy Section

Exhibits:

- A. Planning Commission Resolution
- B. Proposed Ordinance
- C. Proposed Ordinance Strikethrough Version
- D. CEQA Notice of Exemption
- E. Copy of Ordinance No. 4841

cc: Coastal Commission
List of interested individuals (on file with the Planning Department)

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 REGARDING A PROPOSED
ORDINANCE AMENDING SECTION ~~13.10.700-S~~ OF THE
SANTA CRUZ COUNTY CODE AND RESCINDING
SECTION III OF ORDINANCE NO. ~~4841~~ RELATING TO THE
DEFINITION OF NET SITE AREA

WHEREAS, the California Coastal Commission has ~~certified~~ the County's Local Coastal Program, including County Code Chapter ~~13.10~~, as consistent with and legally adequate to carry out the California Coastal Act; and

WHEREAS, County Code Chapter ~~13.10~~, Zoning Regulations, provides standards for residential development; and

WHEREAS, several proposed residential developments governed by County Code Chapter ~~13.10~~ have resulted in contentious appeals to the Board of Supervisors and have raised issues related to the ~~compatibility~~ of those proposed developments, and by extension, future residential development proposals, with existing development; and

WHEREAS, it is the desire of the County of Santa ~~Cruz~~ to ensure that new development proposals are compatible with the neighborhoods within which they are proposed; and

WHEREAS, the adopted Net Site Area definition in Ordinance No. ~~4841~~ results in parcels located at the toe of bluffs or on the beachfront having no net site area thereby requiring variance approvals for increased residential square footage; and

WHEREAS, it was not the County's intention to render these parcels with no net site area and, therefore, Ordinance No. ~~4841~~ requires revision; and

WHEREAS, on April 25, 2007, the Planning Commission held a duly noticed public hearing to consider proposed amendments to County Code Section ~~13.10.700-S~~ Net Site Area Definition; and

WHEREAS, the Planning Commission finds that the proposed Amendments are consistent with the General Plan/LCP and the California Coastal Act; and

WHEREAS, the Planning Commission find that the proposed amendments are categorically exempt from further environmental review under Sections 1805 and 1808 of the County's CEQA Guidelines and Sections 15305, 15308, and 15265 of the State CEQA Guidelines and Public Resources Code Section 21080.9

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the amendment to County Code Chapter 13.10 as shown in Exhibit B be approved by the Board of Supervisors and submitted to the Coastal Commission as part of the Local Coastal Program Update.

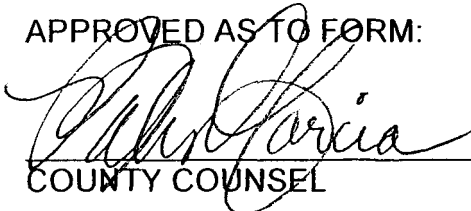
PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2007 by the following vote:

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

Chairperson

ATTEST: _____
Secretary

APPROVED AS TO FORM:



COUNTY COUNSEL

cc: County Counsel
Planning Department

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 REGARDING A PROPOSED
ORDINANCE AMENDING SECTION 13.10.700-S OF THE
SANTA CRUZ COUNTY CODE AND RESCINDING
SECTION III OF ORDINANCE NO. 4841 RELATING TO THE
DEFINITION OF NET SITE AREA

WHEREAS, the California Coastal Commission has certified the County's Local Coastal Program, including County Code Chapter 13.10, as consistent with and legally adequate to carry out the California Coastal Act; and

WHEREAS, County Code Chapter 13.10, Zoning Regulations, provides standards for residential development; and

WHEREAS, several proposed residential developments governed by County Code Chapter 13.10 have resulted in contentious appeals to the Board of Supervisors and have raised issues related to the compatibility of those proposed developments, and by extension, future residential development proposals, with existing development; and

WHEREAS, it is the desire of the County of Santa Cruz to ensure that new development proposals are compatible with the neighborhoods within which they are proposed; and

WHEREAS, the adopted Net Site Area definition in Ordinance No. 4841 results in parcels located at the toe of bluffs or on the beachfront having no net site area thereby requiring variance approvals for increased residential square footage; and

WHEREAS, it was not the County's intention to render these parcels with no net site area and, therefore, Ordinance No. 4841 requires revision; and

WHEREAS, on April 25, 2007, the Planning Commission held a duly noticed public hearing to consider proposed amendments to County Code Section 13.10.700-S, Net Site Area Definition; and

EXHIBIT A

WHEREAS, the Planning Commission finds that the proposed Amendments are consistent with the General Plan/LCP and the California Coastal Act; and

WHEREAS, the Planning Commission find that the proposed amendments are categorically exempt from further environmental review under Sections 1805 and 1808 of the County's CEQA Guidelines and Sections 15305, 15308, and 15265 of the State CEQA Guidelines and Public Resources Code Section 21080.9

NOW, THEREFORE, BE **IT** RESOLVED that the Planning Commission recommends that the amendment to County Code Chapter **13.10** as shown in Exhibit B be approved by the Board of Supervisors and submitted to the Coastal Commission as part of the Local Coastal Program Update.

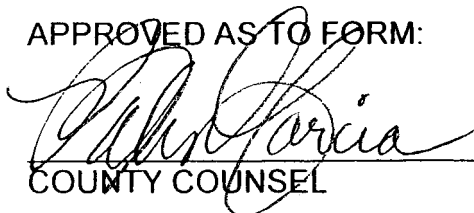
PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2007 by the following vote:

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

Chairperson

ATTEST: _____
Secretary

APPROVED AS TO FORM:



COUNTY COUNSEL

cc: County Counsel
Planning Department

EXHIBIT A

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 13.10.700-S
OF THE SANTA CRUZ COUNTY CODE AND RESCINDING
SECTION III OF ORDINANCE NO. 4841 RELATING TO THE
DEFINITION OF NET SITE AREA**

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

SECTION I

Section 13.10.700-S of the Santa Cruz County Code—the definition of “Site Area, Net”—is hereby amended to read as follows:

Site Area, Net.

- a. Outside the Urban Services Line, the total site area less all public or private rights-of-way designated for vehicle access.
- b. Inside the Urban Services Line, for all coastal bluff-top parcels, the total site area less:
 - i. All public or private rights-of-way designated for vehicle access; and
 - ii. Coastal bluff, beaches, and all land seaward of the mean high tide line of Monterey Bay.
- c. Inside the Urban Services Line, for all parcels located at **the** toe of a bluff or on the beachfront, the total site area less:
 - i. All public or private rights-of-way designated for vehicle access; and
 - ii. All land seaward of the mean high tide line of Monterey **Bay**.

SECTION II

Section III of Ordinance No. 4841 *is* hereby rescinded.

SECTION III

This ordinance shall become effective on the 31st day **following** adoption or upon certification by the California Coastal Commission, whichever occurs later.

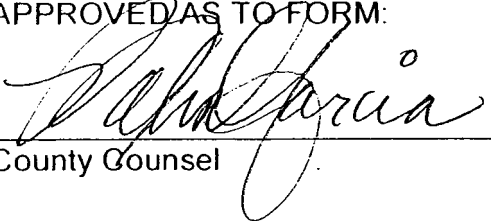
PASSED AND ADOPTED by the Board of Supervisors of **the** County of Santa Cruz this _____ day of _____, 2007, by the **following** vote:

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

Chair of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:



County Counsel

Copies to: Planning
County Counsel

EXHIBIT B

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 13.10.700-S
OF THE SANTA CRUZ COUNTY CODE AND RESCINDING
SECTION III OF ORDINANCE NO. 4841 RELATING TO THE
DEFINITION OF NET SITE AREA**

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

SECTION I

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Site Area, Net.

- a. Outside the Urban Services Line, the total site area less all public or private rights-of-way designated for vehicle access.
- b. Inside the Urban Services Line, for all coastal bluff-top parcels, the total site area less:
 - i. All public or private rights-of-way designated for vehicle access; and
 - ii. Coastal bluff, beaches, and all land seaward of the mean high tide line of Monterey Bay.
- c. Inside the Urban Services Line, for all parcels located at the toe of a bluff or on the beachfront, the total site area less:
 - i. All public or private rights-of-way designated for vehicle access; and
 - ii. All land seaward of the mean high tide line of Monterey Bay.

SECTION II

Section III of Ordinance No. 4841 is hereby rescinded.

~~Site Area, Net. Outside the Urban Services Line the total site area less all public or private rights-of-way designated for vehicle access. Inside the Urban Services Line, the total site area less:~~

~~a. All public or private rights-of-way designated for vehicle access, and Coastal bluffs, beaches, and Monterey bay submerged lands, including all the area from the top of a coastal bluff to the bayward property line, but not including coastal arroyos.~~

SECTION III

This ordinance shall become effective on the 31st day following adoption or upon certification by the California Coastal Commission, whichever occurs later.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2007, by the following vote:

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

EXHIBIT C

Chair of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:



County Counsel

Copies to: Planning
County Counsel

EXHIBIT C

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: N/A

Project Location: those residential properties located within the Urban Services Line and also on a coastal bluff, at the toe of a bluff, or on the beach

Project Description: Proposal to amend County Code Section 13.10.700-S—definition of “Net Site Area”—for residential properties to exclude coastal bluffs, beaches, and all land seaward of the mean high tide line of Monterey Bay from net site area for coastal bluff-top parcels and exclude all land seaward of the mean high tide line of Monterey Bay from net site area for parcels at the toe of bluffs or beachfront parcels.

Person or Agency Proposing Project: County of Santa Cruz

Contact Phone Number: Glenda Hill, (831)454-3216

- 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).
Section 15265 CEQA compliance rests with the Coastal Commission
- E. ☒ **Categorical Exemption**
Sections 15305 and 15308 of the State CEQA Guidelines and Section 1805 of the County's CEQA Guidelines: Minor alterations in land use limitations and Actions by regulatory agencies for protection of the environment.

F. Reasons why the project is exempt:

The proposed amendments are amendments to the County's Local Coastal Program, the certification of which by the Coastal Commission is the functional equivalent of the environmental review required by CEQA. The proposed amendments will reduce impacts on environmentally sensitive areas (such as coastal bluff-top and beachfront parcels).

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


Glenda Hill, AICP Project Planner

Date: April 12, 2007

EXHIBIT D

ORDINANCE AMENDING SECTIONS 13.10.323 and 13.10.700-S OF THE SANTA CRUZ COUNTY CODE AND ADDING SUBSECTION (e) (7) TO SECTION 13.10.323 OF THE SANTA CRUZ COUNTY CODE ALL RELATING TO NEIGHBORHOOD COMPATIBILITY

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

SECTION I

The Site and Structural Dimensions Charts for the R-1 Single Family Residential Zone Districts and RM Multi-Family Residential Zone Districts in Subdivision (b) of Section 13.10.323 of the Santa Cruz County Code are hereby amended to read as follows:

1. In the "R-1 SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the "MAXIMUM PARCEL COVERAGE***" percentage designated for the Parcel Specific Condition of "Parcels >5,000 sq. ft." within the Zone District of "R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft." is revised to read "40%" instead of the current "30%".
2. In the "R-1 SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the "MAXIMUM PARCEL COVERAGE***" percentage designated for the Parcel Specific Conditions of "General Requirements" and "Corner lots" within the Zone District of "R-1-5 to R-1-5.9 5,000 to <6,000 sq. ft." are each revised to read "40%" instead of the current "30%".
3. In the "R-1 SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the "MAXIMUM PARCEL COVERAGE***" percentage designated for the Parcel Specific Conditions of "General Requirements", "Corner lots", and "Parcels >4,000 to <5,000 sq. ft." within the Zone District of "R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft." are each revised to read "40%" instead of the current "30%".
4. In the "R-1 SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the "PARCEL SPECIFIC CONDITION" described as "Parcels >4,000 to <5,000 sq. ft." within the Zone District of "R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft." is revised to read "Parcels >4,800 to <5,999 sq.ft." instead of the current "Parcels >4,000 to < 5,000 sq. Ft."
5. In the "R-1 SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the "MAXIMUM PARCEL COVERAGE***" percentage designated for the Parcel Specific Conditions of "General Requirements" and "Corner lots" within the Zone District of "R-1-10 to R-1-15.9 10,000 to <16,000 sq. ft." are each revised to read "40%" instead of the current "30%".

0327

6. In the "RM MULTI-FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the "MAXIMUM PARCEL COVERAGE***" percentage designated for the Parcel Specific Condition of "Parcels >5,000 sq. ft." within the Zone District "RM-1.5 to RM-4.9 0 to <5,000 sq. ft." is revised to read "40%" instead of the current "30%".

7. In the "RM MULTI-FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the "MAXIMUM PARCEL COVERAGE***" percentage designated for the Parcel Specific Conditions of "General Requirements and for all parcels >6,000 sq. ft." and "Corner lots" within the Zone District of "RM-5 to RM-5.9 5,000 to <6,000 sq. ft." are each revised to read "40%" instead of the current "30%".

8. In the "RM MULTI-FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the Zone District described as "RM-6 to RM-9.9 5,000 to <6,000 sq. ft." is revised to read "RM-6 to RM-9.9 6,000 to < 10,000 sq. ft." instead of the current "RM-6 to RM-9.9 5,000 to < 6,000 sq. ft."

9. In the "RM MULTI-FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the "MAXIMUM PARCEL COVERAGE***" percentage designated for the Parcel Specific Conditions of "General Requirements" and "Corner lots" within the Zone District of "RM-6 to RM-9.9 6,000 to <10,000 sq. ft." are each revised to read "40%" instead of the current "30%".

SECTION II

The Santa Cruz County Code is hereby amended by adding Subsection (e) (7) to Section 13.10.323 to read as follows:

(7) Front Yard Averaging

(A) On a site situated between sites improved with buildings, the minimum front yard for the first floor of structures other than garages or carports may be the average depth of the front yards on the improved sites adjoining the side lines of the site but in no case shall be less than 10 feet.

(B) Where a site is not situated between sites improved with buildings and where sites comprising forty percent (40%) of the frontage on a block are improved with buildings, the minimum front yard for the first floor of structures other than garages or carports may be the average of the existing front yard depths on the block but in no case shall be less than 10 feet.

(C) In computing average front yard depths, the figure thirty (30) feet shall be used in lieu of any front yard depth greater than thirty (30) feet.

(D) Proposed garages or carports shall meet the minimum front yard setbacks shown in Section 13.10.323 Site and Structure Dimensions Charts or as allowed by Section 13.10.323(d)(5) Parcel with Steep Slopes. The required front yard setback for other accessory structures may be reduced as allowed by Section 13.10.323(e)(6).

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SECTION III

The definition of "Site Area, Net" found in Santa Cruz County Code Section 13.10.700-Sis hereby amended to read as follows:

Site Area, Net. Outside the Urban Services Line the total site area less all public or private rights-of-way designated for vehicle access. Inside the Urban Services Line, the total site area less:

- a. All public or private rights-of-way designated for vehicle access, and
- b. Coastal bluffs, beaches, and Monterey Bay submerged lands, including all the area from the top of a coastal bluff to the bayward property line, but not including coastal arroyos.

SECTION IV

This ordinance shall become effective outside of the coastal zone on the 31st day following adoption and inside the coastal zone upon certification by the California Coastal Commission.

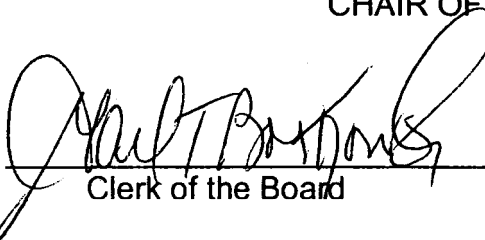
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this 5th day of December, 2006, by the following vote:

AYES:	SUPERVISORS	Wormhoudt, Beautz, Pirie and Stone
NOES:	SUPERVISORS	Campos
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None



CHAIR OF THE BOARD OF SUPERVISORS

ATTEST:



Clerk of the Board

APPROVED AS TO FORM:



County Counsel

Copies to: Planning
County Counsel

EXHIBIT E