



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

July 6, 2007

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

Agenda Date: July 25, 2007

APN: 097-151-10

Application: 07-0231

Item #: 15

Subject: A public bearing to consider a proposal to rezone a single lot of record from the Special Use (SU) zone district to the Timber Production (TP) zone district.

Members of the Commission:

On May 14, 2007, the County Planning Department accepted this application for a rezoning to Timber Production (TP). This is a proposal to rezone a 27.8 acre parcel from the Special Use (SU) zone district to the Timber Production (TP) designation. The uses on the property consist of vacant rural acreage.

Background

This project qualifies for a rezoning under California Government Code Section 51113. This section allows a property owner to petition the County to rezone land to the TP zone. The requirements for this type of rezoning are listed in Government Code section 51113(c). The County may not place any additional requirements on this petition to rezone the property to TP. County Code Section 13.10.375(c) - "Zoning to the TP District" implements Government Code section 51113 and specifies the six criteria which must be met in order to rezone to TP.

In accordance with County Code Section 13.10.375(c), the project meets the following six criteria for rezoning

1 c) On or before March 1, 1977, the board or council by ordinance shall adopt a list of criteria required to be met by parcels being considered for zoning as timberland production under this section. The criteria shall not impose any requirements in addition to those listed in this subdivision and in subdivision (d). The following shall be included in the criteria:

- (1) A map shall be prepared showing the legal description or the assessor's parcel number of the property desired to be zoned.
 - (2) A plan for forest management shall be prepared or approved as to content, for the property by a registered professional forester. The plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.
 - (3) (A) The parcel shall currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry and Fire Protection for the district in which the parcel is located, or the owner shall sign an agreement with the board or council to meet those stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement. If the parcel is subsequently zoned as timberland production under subdivision (a), failure to meet the stocking standards and forest practice rules within this time period provides the board or council with a ground for rezoning of the parcel pursuant to Section 51121.
(B) Upon the fifth anniversary of the signing of an agreement, the board shall determine whether the parcel meets the timber stocking standards in effect on the date that the agreement was signed.
- Notwithstanding the provisions of Article 4 (commencing with Section 51130), if the parcel fails to meet the timber stocking standards, the board or council shall immediately rezone the parcel and specify a new zone for the parcel, which is in conformance with the county general plan and whose primary use is other than timberland.
- (4) The parcel shall be timberland, as defined in subdivision (f) of Section 51104.
 - (5) The parcel shall be in compliance with the compatible use ordinance adopted by the board or council pursuant to Section 51111.
- (d) The criteria required by subdivision (c) may also include any or all of the following:
- (1) The land area concerned shall be in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and shall be comprised of single or contiguous parcels of a certain number of acres, not to exceed 80 acres.
 - (2) The land shall be a certain site quality class or higher under Section 434 of the Revenue and Taxation Code, except that the parcel shall not be required to be of the two highest site quality classes.

Agenda Date:

to Timber Production:

1. A map has been submitted with the legal description or assessor's parcel number of the property to be rezoned.
2. A Timber Management Plan, undated, prepared by a registered professional forester has been submitted for the property (Exhibit E).
3. The parcel currently meets the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules for the district in which the parcel is located (see Exhibit E).
4. The parcel is timberland, as the entire parcel is capable of producing a minimum of 15 cubic feet of timber per acre annually and **is** almost entirely located within a mapped Timber Resource area.
5. The uses on the parcel are in compliance with the Timber Production Zone uses set forth in Section 13.10.372.
6. The land area to be rezoned is in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and **is** comprised of at least five acres in area.

This project qualifies for a statutory exemption (Exhibit D) in accordance with the California Environmental Quality Act and the County Environmental Review Guidelines (Article 17, Section 1703).

Conclusion

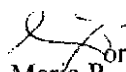
All of the criteria have been met for rezoning this parcel to the Timber Production zoning designation. All required findings can be made to approve this application and the rezoning **is** consistent with the General Plan policies and land use designations.

Recommendation

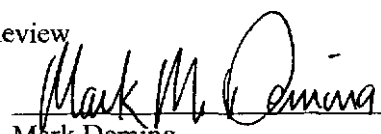
Staff recommends that your Commission adopt the attached Resolution (Exhibit A), sending a recommendation to the Board of Supervisors for approval of Application No. 07-0231 based on the attached findings (Exhibit B).

EXHIBITS

- A. Planning Commission Resolution, with Ordinance/ Findings
- B. APN Map
- C. Location, Current Zoning and General Plan Designation Maps
- D. Notice of Exemption from CEQA
- E. Timber Management Plan by Joseph Culver, dated May 8, 2007


Maria P. Forcila Perez
Project Planner
Development Review

Reviewed By:


Mark Deming
Assistant Planning Director

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
SENDING RECOMMENDATION TO THE BOARD OF SUPERVISORS
ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

WHEREAS, the Planning Commission has held a public hearing on Application No. 07-0231, involving property located on south side of Stetson Road approximately 1.5 miles east of the intersection with Soquel-San Jose Road, and the Planning Commission has considered the proposed rezoning, all testimony and evidence received at the public hearing, and the attached staff report.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board of Supervisors adopt the attached ordinance amending the Zoning Ordinance by changing property from the Special Use (SU) zone district to the Timber Production zone district.

BE IT FURTHER RESOLVED, that the Planning Commission makes findings on the proposed rezoning as contained in the Report to the Planning Commission.

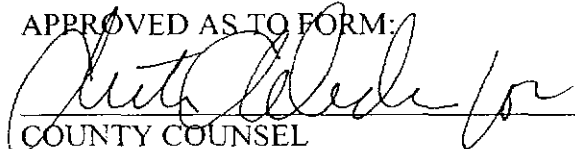
PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2007, by the following vote:

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

Chairperson

ATTEST: _____
MARK DEMING, Secretary

APPROVED AS TO FORM:


COUNTY COUNSEL

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 13
OF THE SANTA CRUZ COUNTY CODE
CHANGING FROM ONE ZONE DISTRICT TO ANOTHER**

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

SECTION I

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan and Local Coastal Program Land Use Plan regarding the timber resource property located on the south side of Stetson Road approximately 1.5 miles east of the intersection with Soquel-San Jose Road; finds that the zoning to be established herein is consistent with all elements of the Santa Cruz County General Plan and the Santa Cruz County Code, as modified by the *Big Creek* decision; and finds and certifies that the project is subject to a statutory exemption under the California Environmental Quality Act.

SECTION II

The Board of Supervisors hereby adopts the Zoning Plan Amendment as described in Section III, and adopts the findings in support thereof without modification as set forth below:

1. The proposed zone district will allow a density of development and types of uses which are consistent with the objectives and land use designations of the adopted General Plan; and
1. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
2. The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district; and
3. The property meets the requirements of Government Code section 51113 or 51113.5 and County Code Section 13.10.375(c).

SECTION III

Chapter 13.10 - Zoning Regulations of the Santa Cruz County Code is hereby amended by amending Section 13.10.210 - Zoning Plan to change the following properties from the existing zone district to the new zone district as follows:

<u>Assessor's Parcel Number</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
097-151-10	Special Use (SU)	TP

SECTION IV

This ordinance shall take effect on the 31st day after the date of final passage

PASSED AND ADOPTED THIS _____ day of _____ 2007. by the Board of Supervisors of the County of Santa Cruz by the following **voir**:

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

Chairman of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED **AS TO FORM**.

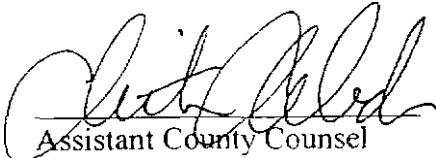

Assistant County Counsel

Exhibit: Rezoning Map

DISTRIBUTION. County Counsel
Planning
Assessor
County

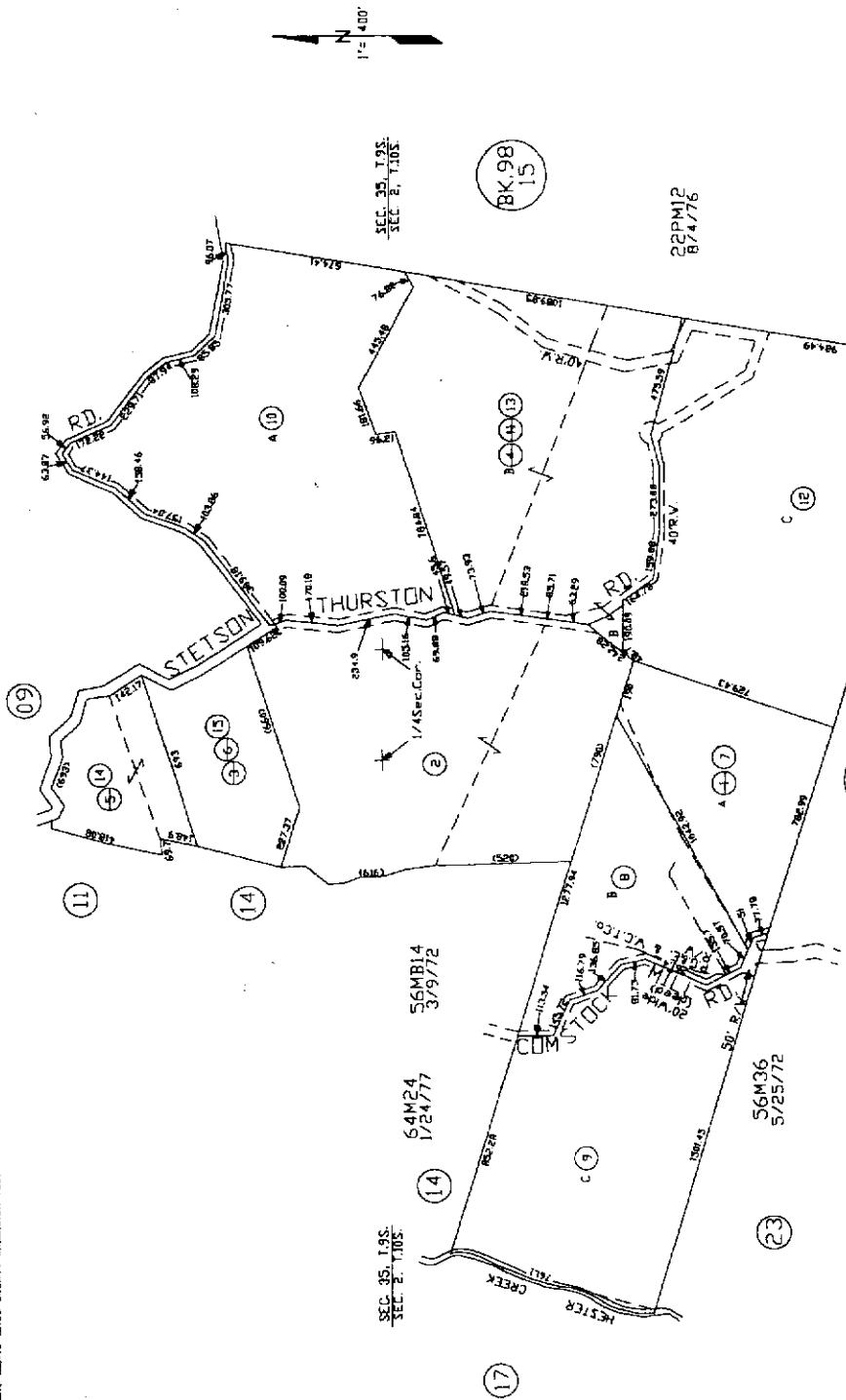
GIS

FOR TAX PURPOSES ONLY
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT 1997, CHUTE COUNTY ASSESSOR 1997

SOQUEL AUGMENTATION RANCHO
POR. SEC. 35, T.9S., R.1W., & SEC. 2, T.10S., R.1W., M.D.B. & M.

Tax Area Code
79-032

97-15

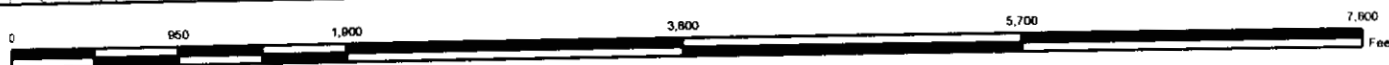
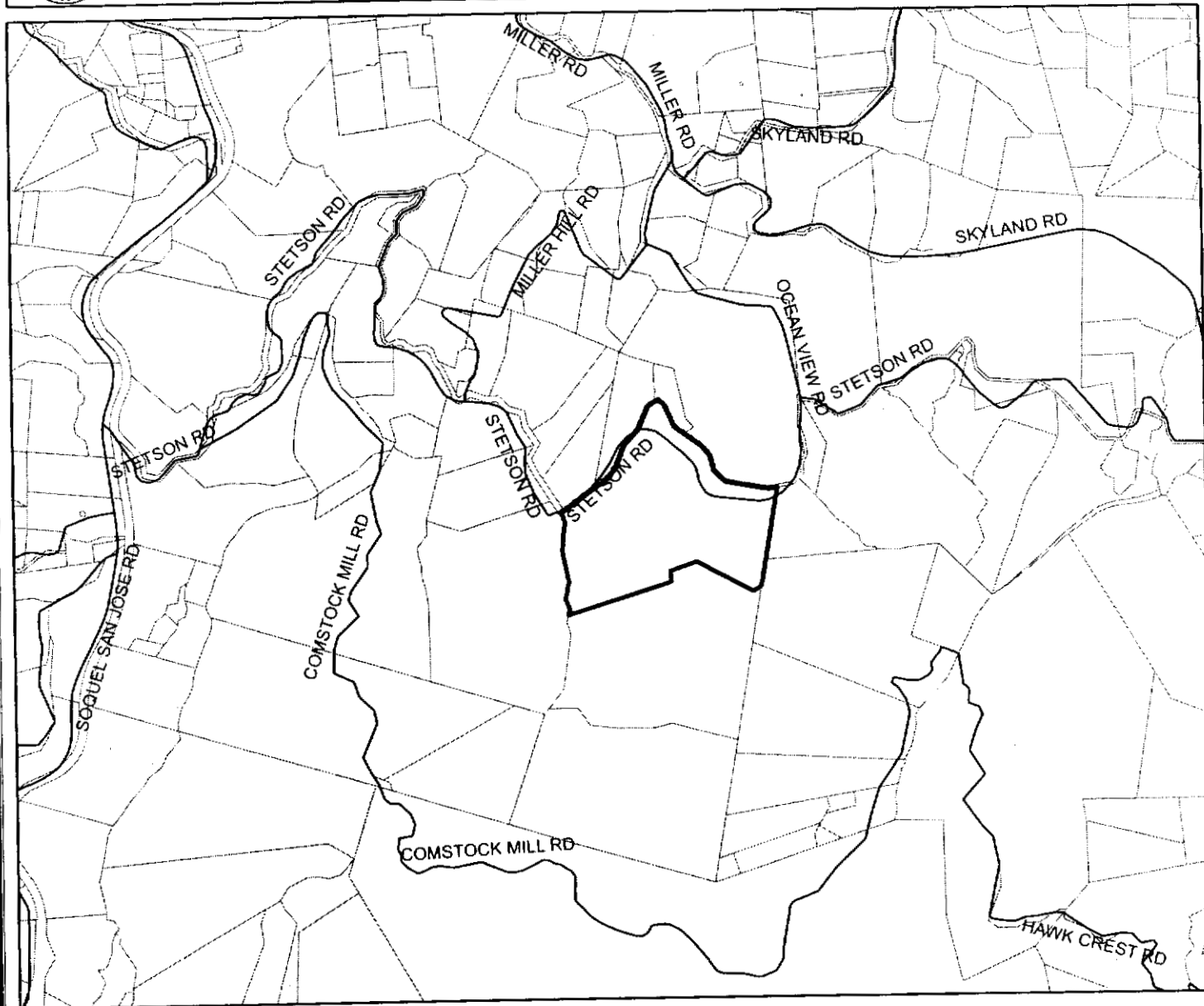


NOTE - ASSESSOR'S PARCEL BLOCK B
1st Number shown in Parcel



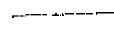
Courtesy of Survey of 1992, 1997
March, 1997

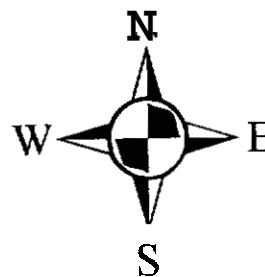


Location Map



Legend

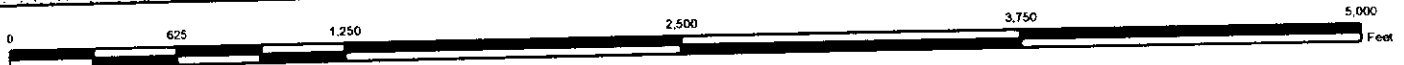
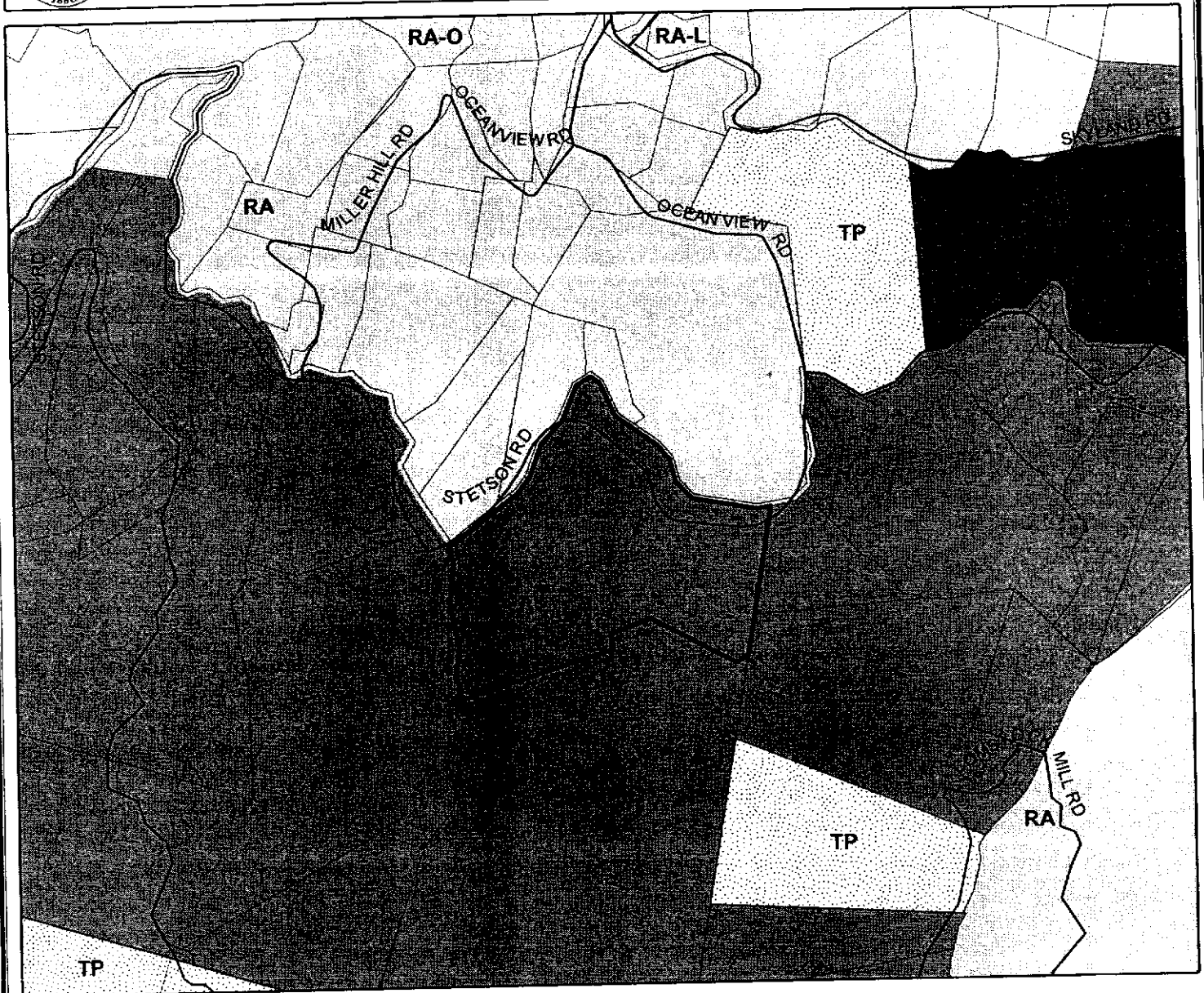
-  APN 097-151-10
-  Streets selection
-  Assessors Parcel










Map Created by
County of Santa Cruz
Planning Department
May 2007

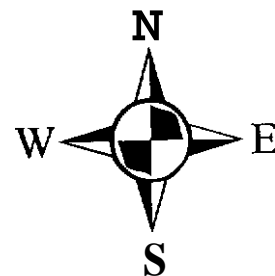


Zoning Map



Legend

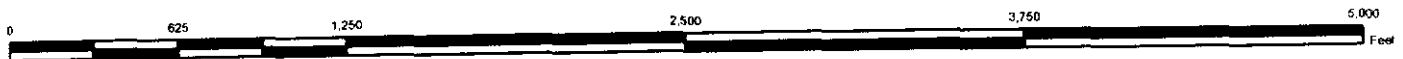
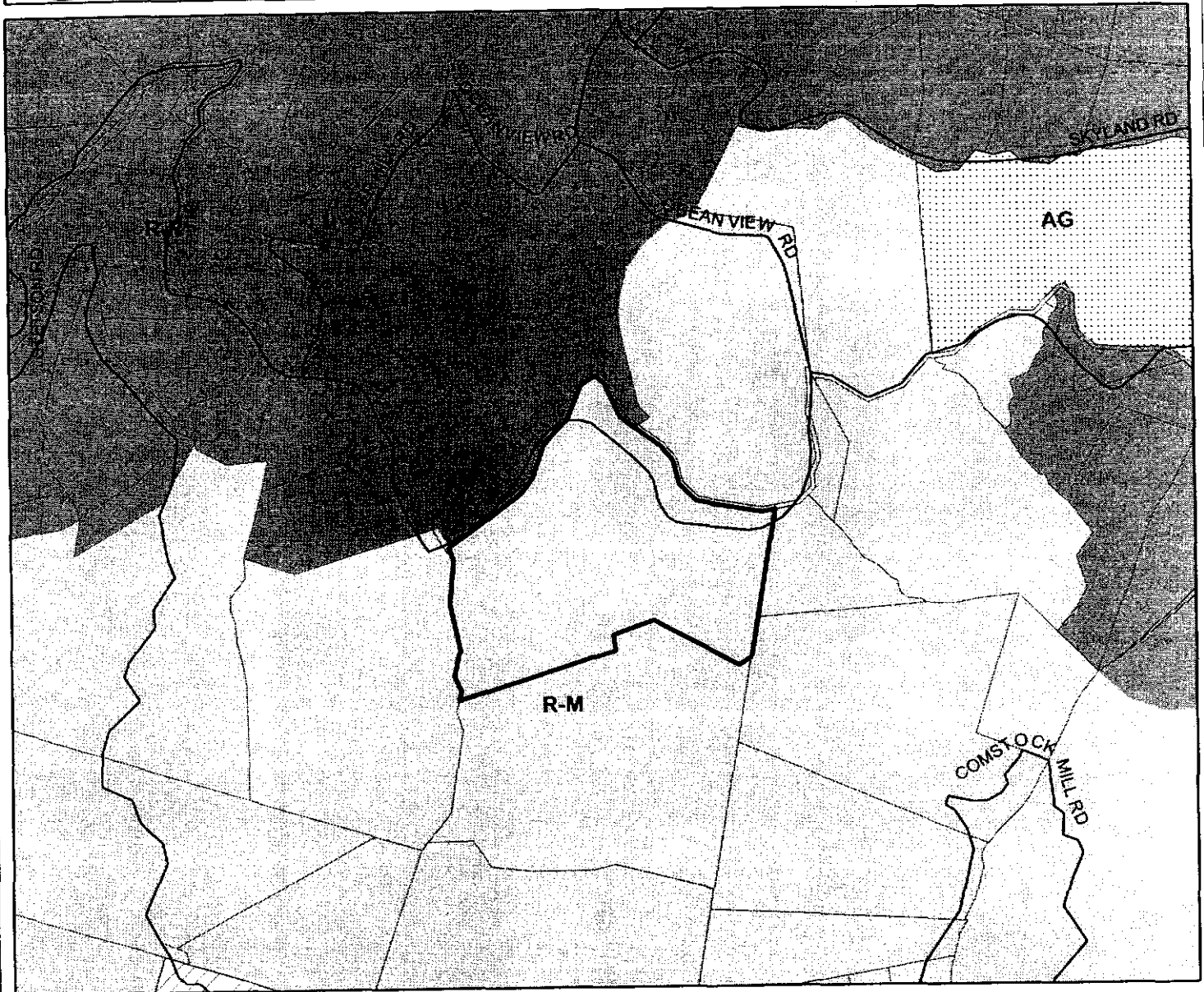
-  APN 097-151-10
-  Streets selection
-  Assessors Parcels
-  SPECIAL USE (SU)
-  AGRICULTURE COMMERCIAL (CA)
-  AGRICULTURE RESIDENTIAL (RA)
-  TIMBER PRODUCTION (TP)









Map Created by
County of Santa Cruz
Planning Department
May 2007

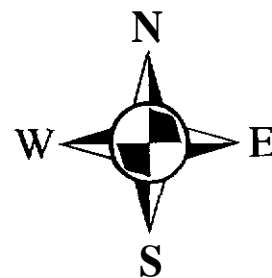


General Plan Designation Map



Legend

-  APN 097-151-10
-  Streets selection
-  Assessors Parcels
-  Residential-Mountain (R-M)
-  Residential-Rural (R-R)
-  Agriculture (AG)



Map Created by
County of Santa Cruz
Planning Department
May 2007

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: 07-0231

Assessor Parcel Number: 097-151-10

Project Location: Property located on the south side of Stetson Road approximately 1.5 miles of the intersection with Soquel-San Jose Road.

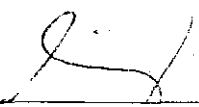
Project Description: Rezone a single parcel from the Special Use (SU) zone districts **to** the Timber Production (TP) zone district.

Person or Agency Proposing Project: Roger & Barbara Wicht Trustees

Contact Phone Number: (408) 353-1215

- 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 1703]

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



Maria Porcila Perez, Project Planner

Date: 7/3/07

Timber Management Plan

Lands of Wicht

**14155 Stetson Road
Santa Cruz County**

**Portions of Sections 2, 35
Township 9, 10 South
Range 1 West
Mount Diablo Base 8 Meridian**

**Report Prepared By
Joseph Culver, Consulting Forester
May 8, 2007**

PREFACE

In April, 2007, Joseph Culver, Consulting Forester, was commissioned by Roger Wicht to prepare a Timber Management Plan (TMP) for parcel 097-151-10 owned by Roger and Barbara Wicht. Mr. Wicht would like to rezone the property to Timber Production and the TMP will be part of the application packet submitted to the County of Santa Cruz. The management plan incorporates information from the previous timber harvest plan, field work and currently available resource data.

GENERAL PROPERTY DESCRIPTION

The property is located off of Stetson road within the East Branch of Soquel Creek watershed. The legal description of the property is Township 9, 10 South, Range 1 West, portions of sections 2 and 35. The northern boundary of the property is defined by Stetson Road with the property sloping to the south below the road. The Wicht property is bisected by an unnamed watercourse which is a tributary to Amaya Creek. Although the watercourse is intermittent near Stetson Road it appears to become perennial before flowing off of the property to the south.

Soils are residuum derived from sandstone and granite. The soil types are Ben Lomond sandy loam and Ben Lomond-Felton complex. Both soils are deep, well drained soils that are well suited for the production of timber. Mean annual precipitation on the property is approximately 45 inches. The property ranges in elevation from 1,250 feet to 1560 feet above sea level.

The parcel is 27.8 acres in size. Redwood forest dominates approximately 22 acres of the property. Large second growth redwood trees up to 200 feet in height are the primary trees in the 22 acres. Some scattered firs and hardwood species of tanoak, live-oak and pacific madrone are also present. Hardwoods are more prevalent in the eastern portion of the redwood forest. The western 5.7 acres of the property is a combination of an orchard, open grassland, and a pond.

TIMBER HARVEST HISTORY

The property has been in the Wicht family since 1873. Most of the original old growth on the property was cut between the years 1875-1925. As was common throughout the area, this logging was often followed by fire, usually intentionally set to burn bark and slash. Fire scars on the oldgrowth stumps are evidence of this fire activity.

Timber Harvest Plan 1-93-284 allowed the Wicht family to re-enter the family forest and selectively harvest some of the second growth redwood. The harvest removed approximately 35% of the larger redwood trees over the next five years.

MANAGEMENT OBJECTIVES AND GOALS

Mr Wicht intends to continue to manage the property for high quality forest products, while enhancing the related values of aesthetics and wildlife. As the previous selective harvest occurred 10-15 years ago the next harvest should occur within the next several years. Future harvests should be spaced approximately 12-15 years apart and should focus on the following objectives:

1. Prescribe and implement a forest improvement program to improve stocking, increase tree vigor and maximize growth.
2. Maintain a healthy and vigorous forest of well-spaced trees growing at the highest rates feasible considering the other values of the forest.
3. Maintain a high degree of aesthetic consideration during all aspects of forest management.
4. Improve wildlife habitat as part of continuing forest management.

RECOMMENDED LOGGING SYSTEM

The recommended logging system for this property is to use ground based logging equipment such as tractors and log skidders. The road and trail system is already in place from the previous harvest.

PRESENT AND FUTURE STAND CONDITIONS

On April 26, a 10% timber inventory was conducted on the redwood forest portion of the property to determine conifer volume per acre, basal area, stocking levels and stand growth. Based on the stand data gathered from the inventory, the 22 acres of redwood forest have the following approximate stand conditions:

Basal Area	214 square feet per acre
Volume per acre	49,232 Bd ft
Overall property volume	1,083,100 Bd. Ft
Average conifer size	1,525 board feet

During the 10% cruise, redwood was the only conifer within the randomly placed sample plots. However, several larger Douglas-firs were observed on the property outside of the plots. It is anticipated that future stand composition will be similar to present conditions.

The volume per acre and overall property volume are gross volumes. In general, the net volume for redwood will be about 12% less due to fire scar, rot and other minor defects in the standing timber, resulting in a net property total of 953,128 board feet.

Increment boring data gathered during the timber inventory combined with general tree growth rates in the Santa Cruz Mountains indicate that the redwood forest is growing at an approximate rate of 2.0% per year. This equates to an annual growth rate of 19,063 board feet over the 22 acres of timber. Converting this figure to cubic feet gives a current growth rate of 114 cubic feet per acre per year over the entire

27.8 acre parcel. This well exceeds the required average of 15 cubic feet per acre per year to classify a property as timberland.

This growth rate is somewhat lower than the site is capable of growing due to the larger sized trees and closed canopy. Future harvesting should focus on increasing the growth rate of the stand by increasing the spacing between trees and opening up the canopy, This would increase the growth rate to approximately 3% per year.

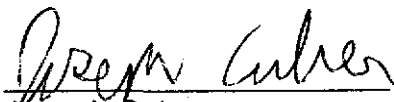
OTHER PROPERTY USES

The western portion of the property is used as an orchard. Mr. Wicht uses the pond primarily for fire prevention. The Wichts draw their drinking water for a residence on an adjacent parcel from a spring in the lower portion of the property. No residence is located on the property.

CONCLUSION

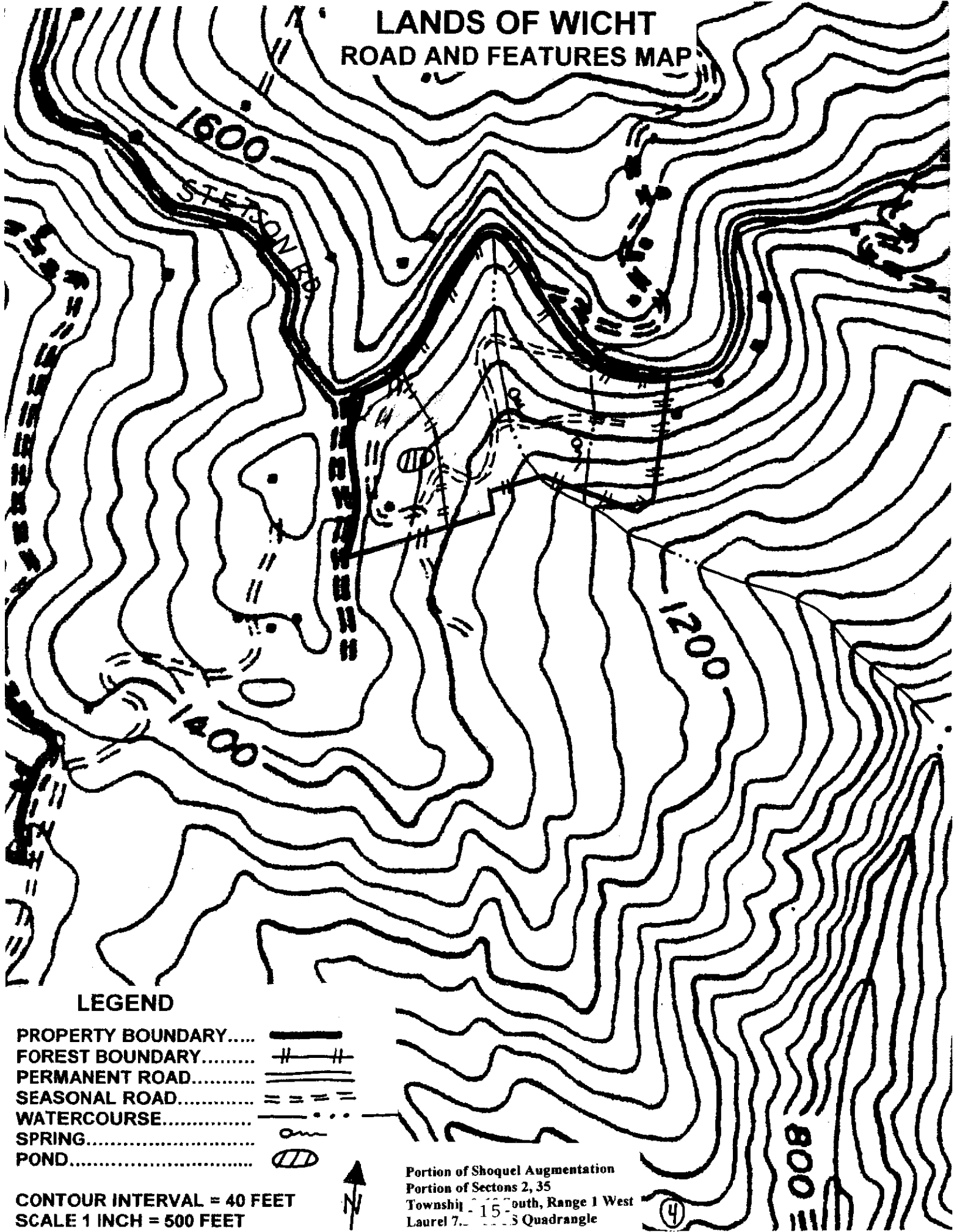
The property is well suited for timber management into the future. The property has been in the Wicht family since the 1870's and the redwood was last harvested under THP 1-93-284. Mr. Wicht has indicated that he wants to continue to manage the timber resource and stand conditions warrant another harvest within the next five years. Current stocking levels meet the requirements of PRC 4561 with an average basal area of 214 square feet within the timbered portions of the property. Average growth rates well exceed the required amounts to classify the property as timberland. Current uses on the property appear to be in compliance with the Timber Production Zone uses set forth in section 13.10.372 of Santa Cruz County Code.

Timber Management Plan Prepared By:


Joseph Culver

Registered Professional Forester #2674

LANDS OF WICHT ROAD AND FEATURES MAP



LEGEND

- PROPERTY BOUNDARY..... ————
- FOREST BOUNDARY..... —#—#—
- PERMANENT ROAD..... ————
- SEASONAL ROAD..... - - - - -
- WATERCOURSE..... — — — — —
- SPRING..... ○
- POND..... (shaded oval)

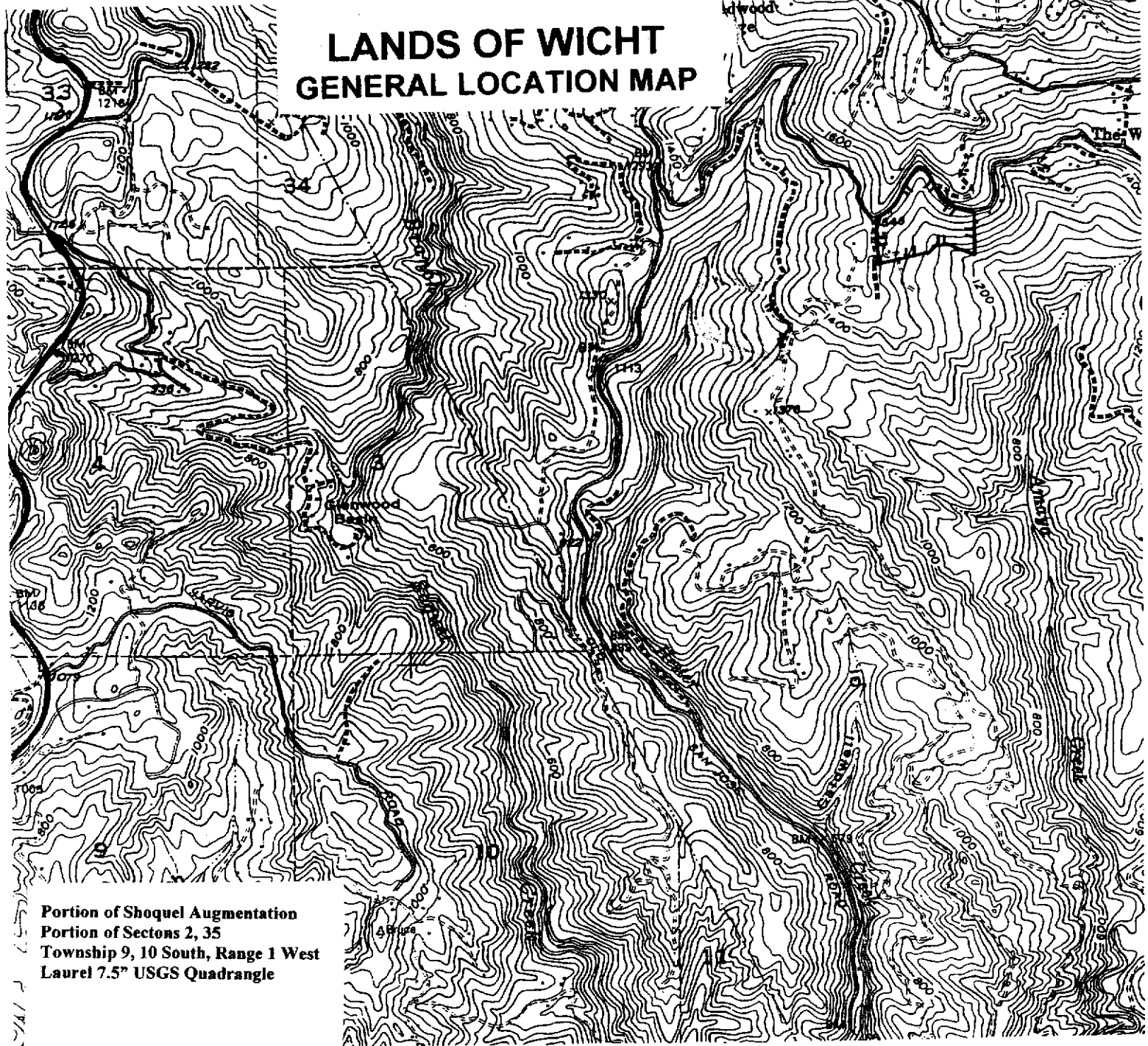
CONTOUR INTERVAL = 40 FEET
SCALE 1 INCH = 500 FEET



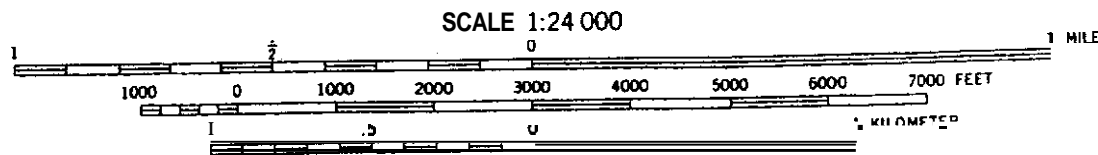
Portion of Shoquel Augmentation
Portion of Sections 2, 35
Township 15 South, Range 1 West
Laurel 7. ... 3 Quadrangle

(4)

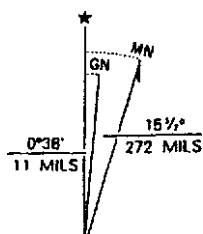
LANDS OF WICHT GENERAL LOCATION MAP



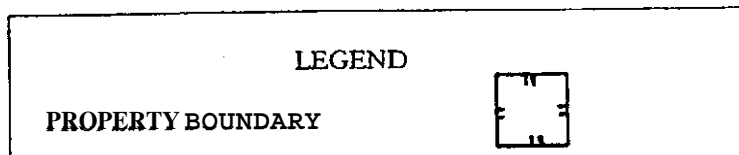
Portion of Shoquel Augmentation
Portion of Sections 2, 35
Township 9, 10 South, Range 1 West
Laurel 7.5" USGS Quadrangle



CONTOUR INTERVAL 40 FEET
NATIONAL GEODETIC VERTICAL D A N M OF 1929



UTM GRID AND 1994 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

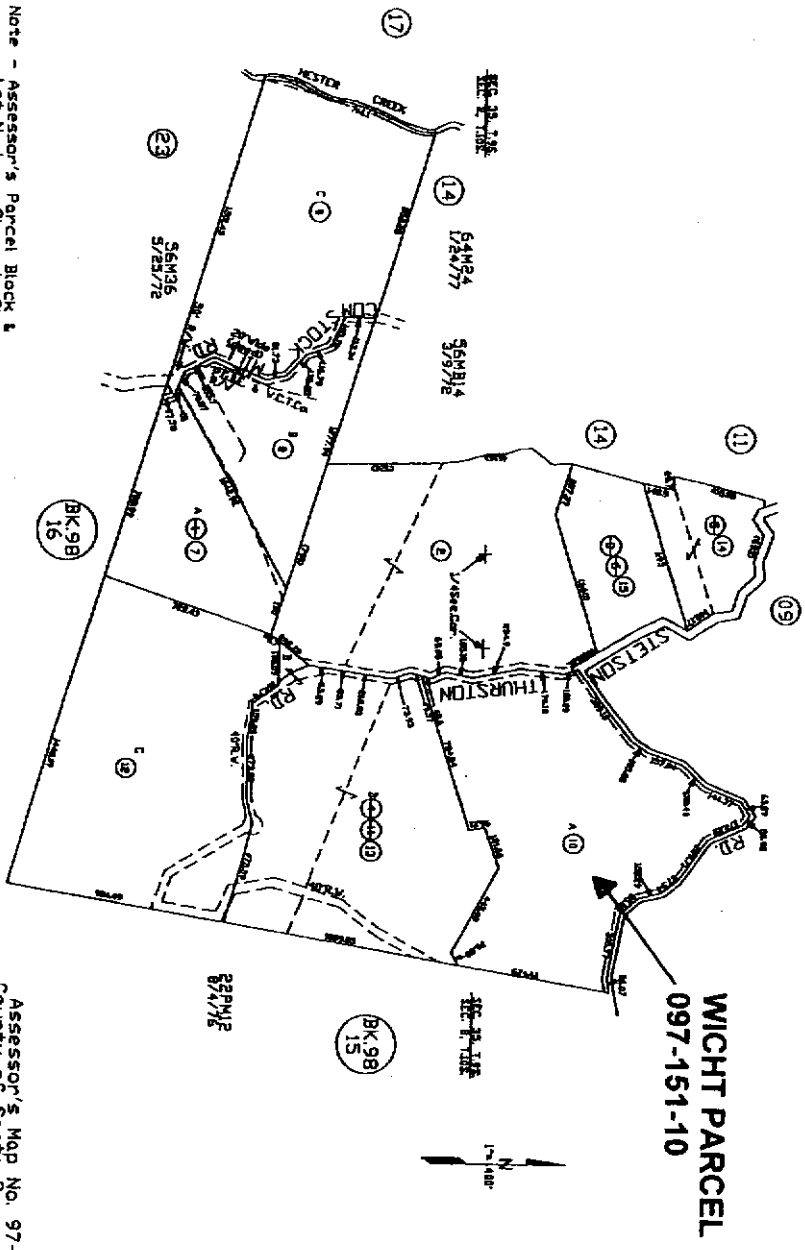


SCALE

1 24,000
1 INCH = 2000 FEET

FOR TAX PURPOSES ONLY
 THE ASSessor's MAP NO. 97-15 IS A REPRODUCTION OF THE ORIGINAL MAP
 PREPARED BY THE ASSessor's OFFICE AND IS NOT A SUBSTITUTE FOR THE ORIGINAL MAP
 (1) THE ASSessor's MAP NO. 97-15 IS A REPRODUCTION OF THE ORIGINAL MAP

SDQUEL AUGMENTATION RANCHO
 POR. SEC. 35, T.15S., R.1W., & SEC. 2, T.10S., R.1W., M.D.B. & M.
 Tax Area Code 97-15
 79-032



Note - Assessor's Parcel Block 1

Assessor's Map No. 97-15