

Public Safety and Hazard Management General Plan / Local Coastal Program (GP/LCP) and County Code Amendments

Existing GP/LCP and County Code

- The County's existing GP/LCP Public Safety and Noise Element contains general policies that apply to development projects, such as housing and subdivisions, in areas of the County subject to hazards from earthquakes, landslide, coastal processes, erosion, flooding, fire, noise, and other hazards.
- Policies addressing airport safety are in other parts of the GP/LCP.

Proposed Amendments

- This project proposes amendments to the GP/LCP Land Use Element, Public Safety and Noise Element, Circulation Element, and Conservation and Open Space Element.
- County Code amendments would include Chapter 13.12 Airport Combining Zone District, 13.15 Noise Planning, 16.01 CEQA, 16.10 Geologic Hazards, 16.13 Floodplain Regulations, 16.20 Grading Regulations, and 16.22 Erosion Control.
- The proposed amendments related to seismic hazards, landslides, and fire hazards are intended to meet current requirements of state law which already apply to development projects. Local policies and codes would be updated but there would be no change to existing requirements.
- The proposed amendments related to flooding would rewrite the Floodplain Regulations in the County Code. The basic requirements would not change but the County Code would follow the "model ordinance" format of the state and FEMA. Under the new regulations more activities in flood hazard areas would require permits. New and remodeled homes in flood hazard areas would have to be elevated higher above flood hazard levels compared to existing requirements.
- The proposed amendments related to coastal bluffs and beaches would update the County's policies and regulations for building in these areas to address sea level rise. New and remodeled homes on the beach would have to be elevated higher above flood hazard levels compared to existing requirements. New and remodeled homes on coastal bluffs would have to do additional geologic and engineering studies and standards would become stricter for rebuilding storm damaged structures.
- A new section on environmental justice would be added to the GP/LCP Public Safety Element to support the needs of low-income areas of the County that may be disproportionately affected by environmental pollution and other hazards.
- A new GP/LCP Noise Element would be created by moving the policies out of the Public Safety Element. New noise maps would be included for determining noise insulation requirements for new buildings. A new County Code Chapter 13.15 Noise Planning would implement the Noise Element.

- The GP/LCP Land Use Element and County Code would be amended to add policies and regulations required by the State Airport Land Use Planning Handbook. Properties within two miles of the Watsonville Municipal Airport would have an additional zoning designation of Airport Combining Zone District. The proposed policies and regulations would have no impact on existing structures. There would be little to no impact on new and expanded structures, but new subdivision of land would be restricted.

Reason

- State planning law requires an update of the GP/LCP Safety Element to address flooding, fire hazards, climate change, and environmental justice issues.
- These changes to the GP/LCP also require changes to the County Code to maintain consistency.
- The County in 2011 received a state grant using FEMA funds to begin the update.
- During this time the County also completed a Local Hazard Mitigation Plan and a Climate Action Strategy. These plans would become part of the Safety Element.
- The updated Safety Element addresses sea level rise and the California Coastal Commission has published a sea level rise guidance document to assist local governments.
- State law also requires the County to update policies and regulations to protect the public's exposure to excessive noise and safety hazards in the vicinity of the Watsonville Municipal Airport.

Environmental Evaluation

- There would be no environmental impacts from the proposed amendments and there would be beneficial impacts where policies and regulations become stricter such as the policies and regulations addressing flooding, grading and erosion control.

General Plan Chapter 2 Land Use

Existing GP/LCP

- Enhance safety around the Watsonville Municipal Airport (Circulation Element Objective 3.18)
- Prevent airspace obstructions (Circulation Element Policy 3.18.1)
- Land use limitations in Runway Protection Zones and Airport Approach Zones (3.18.2 through 3.18.4)
- Deed recordation acknowledging airport hazards and restrictions on airspace obstructions, radio transmissions, and lighting (3.18.5)
- Restrictions on private heliports and private airports (3.19.1 and 3.19.2)

Proposed Amendments

- Add a new section to the Land Use Element Section 2.25 Airport Land Use Compatibility
- Relocate and update existing policies on airport area safety and private air strips from the Circulation Element (3.18 and 3.19) to the Land Use Element (2.25) consistent with the Caltrans Division of Aeronautics California Airport Land Use Planning Handbook
- Establish the Airport Influence Area within 2 miles of the boundaries of the Watsonville Municipal Airport (2.25.1)
- Establish the Airport Combining Zone District (2.25.3)
- Revise and rename the Safety Zones around the airport (2.25.4)
- Land use limitations in the Safety Zones (2.25.5 through 2.25.10)
- Address airspace obstructions (2.25.11 and 2.25.12)
- Updated deed recordation language regarding overflight (2.25.13)

Reason

- As required by the Public Utilities Code 21670.1(e)(1) the County must incorporate the criteria in the Airport Land Use Planning Handbook, published by the California Department of Transportation Division of Aeronautics, and any applicable federal aviation regulations, as part of the General Plan
- Existing policies are outdated and not consistent with State law
- Create a set of policies and maps consistent with the Handbook
- Consolidate all related policies in one section of the General Plan

- The Land Use Element is the appropriate place for these policies

Environmental Evaluation

- Beneficial impact
- Limits further land division around the airport
- Limits airspace obstructions
- Potentially increases safety around the airport
- Policies are consistent with existing State law
- Updates reviewed by City of Watsonville, Caltrans Division of Aeronautics, and Watsonville Pilots Association attorneys

General Plan Chapter 3 Circulation Element

Existing GP/LCP

- Air travel policies addressing airport area safety and private air strips are currently located in the Circulation Element because of the relationship to travel (3.18 and 3.19)
- Existing rail policies support future passenger rail, intra-county commuter rail, use of the rail facilities for recreational and other purposes (3.7)

Proposed Amendments

- All policies addressing airport area safety, and land use around the airport, and private air strip would be relocated to the Land Use Element (2.25)
- Update text of rail facilities policy to include specific reference to freight, the names of rail lines, support for future multi-purpose use of the rail corridor, and rail safety (3.7.1 through 3.7.7)
- Delete text referencing rail connections to UCSC and over the Santa Cruz Mountains (3.7)

Reason

- Locating all airport area safety policies in the Land Use Element is recommended in the Handbook and would make the policies more accessible to the public and planners (2.25)
- Request by the State Public Utilities Commission during review of the Housing Element Update in 2015 to add a policy addressing rail corridor safety (3.7.5)
- A future rail connection to UCSC has no longer anticipated (3.7)

Environmental Evaluation

- No impact

This page intentionally left blank

General Plan Chapter 5 Conservation and Open Space Element
Existing GP/LCP
<ul style="list-style-type: none"> • Air quality policies are in the Conservation and Open Space Element (5.18)
Proposed Amendments
<ul style="list-style-type: none"> • Relocate air quality policies to the Public Safety Element (6.8) • Refer to the Monterey Bay Air District standard which is equivalent to the existing County standard for non-attainment pollutants (6.8.2) • Add a policy to implement mitigation measures to protect sensitive land uses from sources of air pollution (6.8.5) • Add telecommuting and alternative work schedules to the list of alternatives to the automobile (6.8.7) • Replace the greenhouse gas reduction goal from an outdated number to a goal consistent with adopted County, State, and federal plans (5.18.9)
Reason
<ul style="list-style-type: none"> • Air quality policies primarily address potential health hazards of poor air quality • It is more appropriate for these policies to be located in the Public Safety Element (6.8) • The 25-ton per year threshold applies to Ozone precursors (non-attainment pollutant) and is equivalent to the threshold of significance established by the MBUAPCD (5.18.2) • Particulate matter (PM10) is also a nonattainment pollutant with a threshold of approximately 15 tons per year • The policy is updated to simply refer to the thresholds established by the MBUAPCD and this covers all nonattainment and other pollutants (6.8.2)
Environmental Evaluation
<ul style="list-style-type: none"> • No impact • The policies are updated and relocated within the General Plan • Policies are updated to clarify existing standards for non-attainment pollutants • Added policy language to implement mitigation measures to protect sensitive land uses

This page intentionally left blank

General Plan Chapter 6 Public Safety Element

Existing GP/LCP

- The Public Safety and Noise Element includes goals, objectives, and policies to protect the community from unreasonable risks associated with hazards including seismic hazards, slope stability, erosion, flooding, fire, hazardous materials, electric and magnetic energy, and noise

Proposed Amendments

- Add explanation of requirements of state law when a Safety Element must be revised (triggered by update of Housing Element)
- Update the goals of the Public Safety Element to address climate change
- Incorporate LHMP and CAS by reference and highlight key conclusions (6.2.1 and 6.2.2)
- Add clarifying language regarding technical reviews and update the Notice of Geologic Hazards to address acceptance of risk, liability release, and indemnification, and other acknowledgements related to future sea level rise hazards (6.1.9, 6.3.9, 6.4.9, 6.6.13)
- Significant revision to section on coastal bluffs and beaches addressing sea level rise (6.4)
- Revise erosion policies to address regular grading, agricultural grading, and grading and land clearing associated with cannabis activities (6.5.15)
- Revise flood hazard policies to address climate change and sea level rise (6.4.1, 6.6.9)
- Revise fire hazard policies consistent with State law (6.7)
- Relocate air quality policies from Conservation and Open Space Element (6.8)
- Add environmental justice policies (6.12)

Reason

- Government Code 65302(g) requires updates to the Safety Element addressing flood and fire hazards upon the next update of the Housing Element
- Government Code 65302(g) requires updates to the Safety Element addressing climate change in conjunction with the update of the LHMP
- Government Code 65302(h) requires an environmental justice element
- California Coastal Commission has published guidance for coastal communities to incorporate sea level rise in local policies

Environmental Evaluation

- Less than significant impact

- Generally, for existing hazards identified in the General Plan the revisions would reflect current practice and requirements of State law
- Policies addressing sea level rise modify existing practices to provide more regulation of development on coastal bluffs and beaches
- Includes new mitigation fees to address impacts of coast protection structures

General Plan Chapter 6 Safety Element Section 6.4 Coastal Bluffs and Beaches

Existing GP/LCP

- Use 100 years to calculate future erosion and bluff setback which typically involves using historic erosion rates in analysis of future erosion (6.2.12)
- Same setback calculation methodology applies County wide
- Record Notice of Geologic Hazard on property deed (6.2.9)
- Exceptions are addressed in County Code (16.10.100)
- Coastal protection structures required to be maintained but often are not (6.2.16)
- Some limitation on reconstruction of damaged structures (6.2.20, 6.2.21)

Proposed Amendments

- Use best available science for sea level rise hazard analysis (6.4.3)
- Revise expected design life of development to 75 years (6.4.4)
- Expand language in the notice of geologic/coastal hazards (6.4.9)
- Exceptions would be subject to a takings analysis. (6.4.10)
- Within the urban and rural services line continue to allow the effect of an existing coastal protection structure to be considered when calculating coastal erosion rates. In rural areas do not allow the effect of such a structure in the analysis of the coastal erosion rate. (6.4.11)
- Require improvements to coastal protection structures (6.4.11)
- Reconstruction of structures damaged by coastal hazards must meet all applicable LCP requirements (6.4.13)
- Encourage relocation of structures damaged by other than coastal hazards such as fire (6.4.13)
- New policies addressing development in areas of dunes and rocky shorelines. (6.4.18 and 6.4.19)
- Add exceptions for coastal access and lifeguard facilities (6.4.22)
- Encourage replacement of existing coastal protection structures with modern structures that reduce impacts on coastal resources (6.4.25)
- Require the payment of mitigation fees (6.4.25)
- Add policies addressing swimming pools and accessory structures. (6.4.30 and 6.4.31)
- New policies addressing removal or relocation of structures due to coastal hazards. (6.4.32 – 6.4.36)

- Add a policy encouraging the County to seek grant funds to develop one or more shoreline management plans (6.4.37)

Reason

- Comply with State planning law and address climate change and resiliency
- Plan for future sea level rise
- Incorporate CCC guidance

Environmental Evaluation

- Less than significant impact
- Reduction in time horizon in setback calculation remains consistent with CCC guidance
- All other policies become stricter to reduce hazards and improve the coastal environment

General Plan Chapter 9 Noise Element

Existing GP/LCP and County Code

- Noise control policies are currently in the Public Safety Element (6.9, 6.10, 6.11)
- Provides land use compatibility guidelines for various land uses in two separate figures (Figure 6-1, Figure 6-2)
- Requirement for acoustical studies for certain situations (6.9.2)
- Addresses residential development, vibrations from rail, construction noise, ground and air transportation (6.9.5, 6.9.6, 6.9.7, 6.10, 6.11)

Proposed Amendments

- Background information on noise and the County's approach to noise control
- Retain Figure 6-1 and Figure 6-2 as new Table 9-2 and 9-3
- Include new noise contour maps (Figures 9-1 through 9-4)
- Add a list of preferred noise mitigation strategies (9.2.5)
- Add policy addressing specific land uses based on existing SCCC requirements (9.3)
- Add a policy referencing the noise ordinances, existing SCCC Chapter 8.3 and new Chapter 13.15 (9.6)

Reason

- Typically, General Plans include a separate stand-alone Noise Element as recommended by the State General Plan Guidelines
- Noise generation, measurement, and control is a complex subject and some background information is helpful to understand the policies
- Retain existing Tables 9-2 and 9-3 (renumbered) providing noise compatibility standards applicable to all land use types
- New noise contour maps would facilitate compliance with building code sound insulation standards for new development

Environmental Evaluation

- No impact
- New noise contour maps will improve the ability to require noise sensitive land uses in excessively noisy locations to be designed with appropriate noise insulation features required by the building code

This page intentionally left blank

Chapter 13.12 Airport Combining Zone District

Existing County Code

- Current title is Chapter 13.12 Airport Approach Zones
- Regulates the use of airspace near Watsonville Municipal Airport
- Adopts map of safety zones (inner turning zones, outer turning zones, transition zones, instrument approach zones, and non-instrument approach zones)
- Adopted in 1963
- Sets height limits and use restrictions in safety zones that would interfere with airport operations
- Establishes requirements for permits and variances

Proposed Amendments

- Includes requirements addressing safety, noise, airspace obstructions, and overflight
- Includes detailed regulations for each Safety Zone (Runway Protection Zone, Inner Approach/Departure Zone, Inner Turning Zone, Outer Approach/Departure Zone, Sideline Zone, and Traffic Pattern Zone)
- Detailed regulations addressing airspace obstructions
- Requirement for property deed recordation acknowledging the impacts of aircraft overflight
- Regulations addressing airport noise are found in Chapter 13.15 Noise Planning

Reason

- As required by the Public Utilities Code 21670.1(e)(1) the County must incorporate the criteria in the Airport Land Use Planning Handbook, published by the California Department of Transportation Division of Aeronautics (2011), and any applicable federal aviation regulations, as part of the General Plan
- Implements General Plan Chapter 2 Land Use 2.25 Airport Land Use Compatibility

Environmental Evaluation

- Beneficial impact
- Regulations are consistent with existing State law
- In some cases, the updated regulations restrict land division that may otherwise be allowed by underlying General Plan and zoning designation

This page intentionally left blank

Chapter 13.15 Noise Planning

Existing GP/LCP and County Code

- No exist ordinance addressing noise planning
- Existing noise ordinance addresses offensive noise (8.3)

Proposed Amendments

- New SCCC Chapter 13.15 Noise Planning
- The purpose is to apply noise standards in the land use permitting process
- Establishes the location of sound level measurement
- Lists exempt activities, including construction noise
- Establishes standards for emergency generators, air condition and mechanical units
- Establishes standards and procedures for project review of noise generating land uses, and protection of new development from existing noise
- Requires acknowledgement of potential impact from rail vibration

Reason

- Implementation of noise policies in the GP/LCP has at times caused some confusion
- It is reasonable while planning continues for future use of the rail line for passenger rail service to require developers acknowledge the potential vibration and noise impacts from potential freight operations
- Implements GP/LCP Chapter 9 Noise Element

Environmental Evaluation

- No impact
- Regulations are consistent with the Noise Element
- New requirement for deed recordation acknowledging potential impacts of rail vibration and noise could help reduce future complaints

This page intentionally left blank

Chapter 16.01 Procedures for compliance with CEQA

Existing GP/LCP and County Code

- County Environmental Review Guidelines were adopted in 1980 and revised in 1982, 1984, and 1990.
- County Guidelines have been nearly identical to State Guidelines except for some minor local amendments (grading exemption) and a section on County environmental review procedures for conducting environmental review (local procedures)

Proposed Amendments

- Establishes the State Guidelines, as amended from time to time, as the County Environmental Review Guidelines
- Retains local procedures and redefines them as Administrative Practice Guidelines issued by the Planning Director.
- No changes to local procedures

Reason

- The County must adopt environmental review procedures consistent with State guidelines
- The County may adopt the State CEQA Guidelines through incorporation by reference (CEQA Guidelines Section 15022)
- The County may adopt certain procedures specific to operations of the County (CEQA Guidelines Section 15022)
- This restructuring of the County Environmental Review Guidelines will allow the Guidelines to automatically stay current as periodic updates occur to the State Guidelines

Environmental Evaluation

- No impact
- Effectively, no changes are proposed, the proposed amendments will allow the County to stay current with State CEQA Guidelines

This blank intentionally left blank

Chapter 16.10 Geologic Hazards

Existing GP/LCP and County Code

- The purpose of this chapter is to minimize public and private losses due to earthquakes, landslides, and coastal processes
- Implements General Plan Sections 6.1 Seismic Hazards, 6.3 Slope Stability, and 6.4 Coastal Bluffs and Beaches
- Requirements for geologic assessment
- Permit conditions addressing seismic hazards, slope stability, including coastal bluffs and beaches, and flooding
- Project density limitations due to geologic hazards

Proposed Amendments

- Relocate floodplain regulations, including relevant definitions, permit conditions, and appeal procedures, to new SCCC Chapter 16.13
- Update text references to licensed professionals
- Update definitions to delete those related to floodplain regulations and add definitions for clarity
- Update language on required deed recordation
- Update permit conditions addressing coastal bluffs and beaches consistent with updates to GP/LCP Chapter 6 Public Safety Element Section 6.4 Coastal Bluffs and Beaches

Reason

- Government Code 65302(g) requires updates to the Public Safety Element addressing climate change, including sea level rise, in conjunction with the update of the LHMP
- California Coastal Commission has published guidance for coastal communities to incorporate sea level rise in local policies
- SCCC Chapter 16.10 implements the Public Safety Element and needs to be updated consistent with updates addressing sea level rise
- Accommodates new floodplain regulations

Environmental Evaluation

- Less than significant impact
- Reduction in time horizon in coastal bluff setback calculation remains consistent with CCC guidance
- All other policies become stricter to reduce hazards and improve natural resource protection

This page intentionally left blank

Chapter 16.13 Floodplain Regulations

Existing GP/LCP and County Code

- Floodplain regulations currently co-located in Chapter 16.10 Geologic Hazards with regulations address other geologic hazards such as earthquakes and slope stability
- Establishes the special flood hazard areas based on FEMA maps
- Rules and regulations for development in flood hazard areas

Proposed Amendments

- Creates a new Chapter 16.13 Floodplain Regulations
- Transfers existing floodplain regulations to the new chapter
- Adds findings of fact regarding flood hazards in the County
- Includes additional reasons in a Statement of Purpose why the ordinance is necessary
- Describes in more detail the full scope of what the ordinance applies to
- Adds additional basis for establishing special flood hazard areas
- Coordinates with the State Building Code and the local Building Official
- Adds more definitions of terms consistent with updated ordinance text
- Describes duties, powers, and responsibilities of Floodplain Administrator
- Explains in detail the evaluation of existing structures to determine substantial improvement or substantial damage
- Requires Floodplain administrator to keep all records permanently
- Requires floodplain permits
- Describes in detail the technical information required to be submitted with applications
- Increases required freeboard, 2 feet in flood hazards areas and 3 feet in coastal high hazard areas.
- Includes development standards for additional types of structures
- Revised the grading requirements in flood hazards areas establishing a “no net increase” standard
- Includes inspection requirements
- Revised exception findings

Reason

- Since the current County floodplain regulations were adopted in 1982 numerous clarifications of floodplain regulations have been incorporated into the California Building Code and through FEMA Technical Bulletins
- A comprehensive set of updated floodplain regulations is too extensive to remain in the Geologic Hazards ordinance and requires a separate Ordinance
- Based on the California Model Floodplain Management Ordinance published by the State Department of Water Resources to help local communities meet the requirements of the National Flood Insurance Program
- Government Code 65302(g) requires updates to the Safety Element addressing flood hazards and climate change upon the next update of the Housing Element and the LHMP, respectively
- SCCC Chapter 16.13 implements the Public Safety Element Section 6.6 Flood Hazards and needs to be updated consistent with updates addressing flood hazards

Environmental Evaluation

- Beneficial impact
- No change to existing requirements, new ordinance addresses existing requirements in a more comprehensive manner

Chapter 16.20 Grading Regulations

Existing GP/LCP and County Code

- Regulations to control regular grading and agricultural grading
- Design standards for cuts, fills, drainage, and roads and driveways
- Exempt agricultural work from grading permit requirements
- Grading less than 1,000 cubic yards on less than 50 percent slopes qualifies for a Class 4 Minor Alteration to Land exemption from CEQA per County Environmental Review Guidelines

Proposed Amendments

- Defines ministerial and discretionary grading permits
- Define grading less than 1,000 cubic yards on less than 50 percent slopes as a ministerial permit and therefore exempt from CEQA
- New definition for specialized grading activities
- Limit the agricultural work exemption to less than 20 percent slopes
- Limit agricultural grading permits to less than 20 percent slopes
- Change term “variance” to “exception”
- Add finding for denial of grading related to specialize grading activities
- Additional information required for emergency permit approvals
- Revise design standards for roads and driveways consistent with General Plan and Fire Code
- Add a section addressing exceptions to road and driveway standards consistent with General Plan

Reason

- Align the ordinance with the current practice of processing certain grading permits in a similar manner as a ministerial permit
- Current trends in agriculture and cannabis cultivation call for a new category of specialized grading activities
- The 20 percent slope limitation on grading that qualifies for the agricultural work exemption or agricultural grading permit is intended to prevent erosion problems associated with agricultural activities
- Incorporates updated fire department standards in grading ordinance

- Variances require specific findings that are different than the findings in the Grading Ordinance which are better characterized as exception findings
- Implements General Plan Section 6.5 Erosion and Grading Hazards and other sections

Environmental Evaluation

- Beneficial impact
- Addresses a new category of specialized grading activities to remain current with industry trends
- Limits exempt agricultural work and other agricultural grading to less than 20 percent slopes
- Threshold for CEQA exemption is unchanged, grading that currently qualifies for a CEQA exemption would qualify for a ministerial grading permit which is also exempt from CEQA

Chapter 16.22 Erosion Control

Existing GP/LCP and County Code

- Prohibits causing or allowing accelerated erosion
- Requires erosion control plan with all applications
- Requires permits for land clearing and winter grading operations
- Requires project design to avoid steep slopes and erodible areas
- Prohibits site disturbance prior to permit issuance

Proposed Amendments

- Change “approval” to “permit” with reference to land clearing and winter operations erosion control. Fees already exist for these types of permits.
- Reduce threshold for a land clearing permit from 1 acre to 1/4 acre countywide.
- Change “variance” to “exception”

Reason

- Documented increase in land clearing activities and accelerated erosion, and related environmental impacts, in recent years
- Better oversight is needed to ensure adequate erosion control and environmental protection
- 1/4 acre is a reasonable amount of land clearing not associated with any other development
- Larger amounts can be approved with a stand-alone development permit, or as part of a permitted construction project
- Consistent with cannabis cultivation regulations
- Variances require specific findings that are different than the findings in the Grading Ordinance which are better characterized as exception findings
- Implements General Plan Safety Element Section 6.5 Grading and Erosion

Environmental Evaluation

- Beneficial impact
- Greater oversight of land clearing activities in the County

This page intentionally left blank