



# COUNTY OF SANTA CRUZ

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## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

**KATHY MOLLOY, PLANNING DIRECTOR**

February 5, 2019

**AGENDA DATE: February 13, 2019**

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

**Item #8**

**SUBJECT: DETERMINATION RELATED TO DISPOSITION OF SURPLUS COUNTY PROPERTY LOCATED AT 641 34<sup>TH</sup> AVE (APN: 032-075-20)**

### **Recommended Action(s):**

Staff recommends that the Planning Commission adopt a resolution finding that the disposition of potential surplus County-owned property located at 641 34<sup>th</sup> Ave (APN 032-075-20), subject to predetermined development restrictions, is in conformity with the Santa Cruz County General Plan.

### **Executive Summary**

The Department of Public Works is preparing for the disposition of potential surplus County-owned property located at 641 34<sup>th</sup> Ave (APN 032-075-20) (Exhibit A). Santa Cruz County Code section 2.14.040(B) requires the Planning Commission to determine that the disposition of surplus County-owned property is in conformance with the Santa Cruz County General Plan, pursuant to Government Code section 65402. Planning staff recommends that the Planning Commission adopt the attached resolution finding that the proposed disposition, subject to development restrictions related to environmental constraints, is in conformity with the County's adopted General Plan (Exhibit B).

### **Background**

The County property in question is located at 641 34<sup>th</sup> Ave, Santa Cruz, CA 95062 (APN 032-075-20). The parcel is approximately 0.35 acres (15,080 square feet) and lies on the west side of 34<sup>th</sup> Ave between Yucca Drive and Floral Drive in the Coastal Zone of the Live Oak Planning Area. The property is zoned for single-family residential development within the Pleasure Point Community Design Overlay Zone (R-1-5-PP) and has a land use designation of Urban Medium Residential (R-UM). Surrounding uses include a mobile home park to the west, a mix of single-family residences and duplexes to the south and east and a residential lot to the north.

The property is currently vacant and subject to recurrent flooding. Moran Creek crosses through the eastern side of the parcel. The creek enters a storm drain pipe that runs southwest under the Snug Harbor Mobile Home Park, is released back into the channel and ultimately outlets into Moran Lake. The entire property lies within the FEMA-designated "A" Zone (100-year flood hazard area), is subject to flooding, and has been used for flood control purposes.

The County originally acquired the property through a flood damage settlement in 2012. The Department of Public Works (DPW) made emergency drainage improvements on the site and demolished the existing uninhabited dwelling along with several outbuildings that were exacerbating long-standing drainage issues in the area. Additional improvements were made offsite to enhance the integrity of the storm drain system. The property is currently maintained by DPW.

## **Analysis**

At the June 12, 2018 Board of Supervisors meeting, the Board directed DPW to determine development restrictions for the parcel (APN 032-075-20) due to the site's drainage and riparian constraints (Exhibit C). In addition, County Real Property staff was directed to prepare for potential disposition of the property along with documentation necessary for the parcel to be declared surplus County property.

Prior to the disposition of surplus County property, Santa Cruz County Code section 2.14.040(B) requires the Director of Public Works to submit a request to the Planning Director for an environmental determination and for a determination by the Planning Commission pursuant to section 65402 of the Government Code. Section 65402 requires a local jurisdiction's planning agency to report on the location, purpose and extent of the disposition of public property as it relates to conformity with the adopted General Plan.

Consequently, DPW is requesting a determination from the Planning Commission as to whether the sale of potential surplus property located at 614 34<sup>th</sup> Ave (APN 032-075-20) would conform with the Santa Cruz County General Plan.

Planning staff finds that disposition of the potential surplus County property would not conflict with the Santa Cruz County General Plan, provided that development on the site is limited to the parameters determined by DPW. Concurrent with the disposition, the property will be restricted to prevent structural development and a flood maintenance easement will be reserved across the entire parcel. Further details regarding the easement and development restrictions will be determined by DPW prior to the disposition. With these restrictions in place, the property may be utilized for residential uses that do not require development of the site or interfere with DPW maintenance of the property and the site will continue to be used for flood control purposes. Sale of the property requires a public bid process, but the proposed disposition would most likely be to an adjacent property owner who would use the property for additional yard area according to its constraints. This is consistent with the R-UM land use designation as well as the Public Safety and Noise Element goal to protect public health, safety and welfare, by reducing potential inundation onsite and throughout the neighborhood.

Pursuant to General Plan Objective 2.24, the proposed disposition would also comply with the planning framework established in the Pleasure Point Community Plan. The Community Plan recognizes the need for better private and public storm water management in the community, and the property will continue to be used and maintained to mitigate drainage issues in the area. Therefore, the proposed disposition, subject to development restrictions, would be in conformity with the Santa Cruz County General Plan.

### **Environmental Review**

Staff has determined that the disposition of potential surplus County property located at 641 34th Ave (APN 032-075-20), subject to development restrictions due to its drainage, flood control and riparian functions, is exempt from the California Environmental Quality Act (CEQA) under CEQA §15312 "Surplus Government Property Sales," and a Notice of Exemption has been prepared (Exhibit D).

Natisha Williams  
Planner IV

Stephanie Hansen  
Principal Planner

#### **Exhibits:**

- A) Department of Public Works Memo
- B) Planning Commission Resolution
- C) Memo from Supervisor Leopold
- D) CEQA Notice of Exemption

**COUNTY OF SANTA CRUZ**  
**DEPARTMENT OF PUBLIC WORKS**  
INTER-OFFICE CORRESPONDENCE

DATE: January 28, 2019

TO: Kathy Molloy, Planning Director

FROM: Travis Cary, Chief Real Property Agent

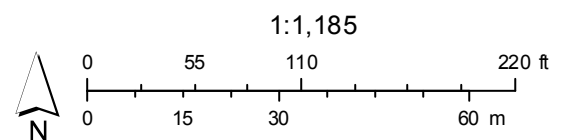
SUBJECT: Planning Determinations for Disposition of Surplus County Property  
(641 34<sup>th</sup> Ave - APN 032-075-20)

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The Department of Public Works is preparing proposed terms for the disposition of potential surplus County-owned property located at 641 34<sup>th</sup> Ave, APN 032-075-20 (see attached map).

Pursuant to Santa Cruz County Code, Chapter 2.14.040(B), the Department of Public Works is now seeking the following determinations:

1. A determination of whether disposition of the property would be categorically exempt from CEQA; and
2. A determination from the Planning Commission, pursuant to Government Code 65402, as to whether disposition of the property would conform with the County General Plan.





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 is adopted:

**PLANNING COMMISSION RESOLUTION FINDING  
THAT THE DISPOSITION OF PROPERTY LOCATED AT 614 34<sup>TH</sup> AVE, SANTA  
CRUZ, CA 95062 (APN 032-075-20) IS IN CONFORMITY WITH THE SANTA CRUZ  
COUNTY GENERAL PLAN**

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WHEREAS, the Director of Public Works has determined that the property located at 614 34<sup>th</sup> Ave, Santa Cruz, CA 95062 (APN 032-075-20) may be in excess to County needs; and

WHEREAS, Santa Cruz County Code section 2.14.040(B) requires the Director of Public Works to submit a request to the Planning Director for a determination by the Planning Commission as to whether the disposition of the surplus County property is in conformity with the County General Plan pursuant to section 65402 of the Government Code; and

WHEREAS, State Government Code section 65402 stipulates that prior to the disposition of real property by a government agency, the location, purpose and extent of such disposition must be submitted to and reported upon by the planning agency of the jurisdiction in which said property is located as to conformity with the adopted General Plan of the local jurisdiction; and

WHEREAS, in compliance with the California Environmental Quality Act (CEQA) and State and County Environmental Review Guidelines, the disposition of the property has been found to be categorically exempt under CEQA §15312 and a Notice of Exemption has been prepared; and

WHEREAS, the Planning Commission has reviewed and considered the staff report and testimony at a regular meeting on February 13, 2019; and

WHEREAS, the Planning Commission makes the finding that the disposition of the property, subject to development restrictions related to drainage, flood and riparian functions, is consistent with the adopted goals, objectives, and policies of the Santa Cruz County General Plan.

**Exhibit B**

NOW, THEREFORE, BE IT RESOLVED that the Santa Cruz County Planning Commission does hereby find that the disposition of the property located at 614 34<sup>th</sup> Ave, Santa Cruz, CA 95062 (APN 032-075-20) is in conformity with the Santa Cruz County General Plan.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 13th day of February 2019, by the following vote:

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

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

\_\_\_\_\_  
Chairperson

APPROVED AS TO FORM: \_\_\_\_\_

  
County Counsel

**Exhibit B**



**County of Santa Cruz Board of Supervisors  
Agenda Item Submittal**

**From:** John Leopold, First District Supervisor  
(831) 454-2200

**Meeting Date:** June 12, 2018

**Recommended Action(s):**

1. Direct Public Works staff to work with County Counsel to determine the development restriction parameters for the parcel APN 032-075-20.
2. Direct County Real Property staff to prepare necessary documentation for consideration by the Board of Supervisors for potential disposition as surplus property APN 032-075-20 consistent with Santa Cruz County Code Section 2.14.040 and Government Code Section 25520 et seq.

**Executive Summary:**

The County owns a vacant undeveloped property on 34<sup>th</sup> Avenue in the Pleasure Point area. The site address is 641 34<sup>th</sup> Avenue, APN 032-075-20 and it is 15,080 square feet in size. There are existing drainage constraints on the subject parcel that will need to be evaluated and necessary development constraints placed on the parcel, however, the proceeds from the disposition of this property could be used to address current financial needs within our County Parks system.

**Background:**

The County owns surplus property on 34<sup>th</sup> Avenue in the Pleasure Point area, APN 032-075-20. There have been inquiries over the years from First District constituents about potential park-related uses at this location. However, given the drainage concerns and limited parks resources, this parcel isn't the best candidate for new park infrastructure investment. The subject parcel is not currently serving any County function at this time and there are many defined needs in our County parks that could benefit from the proceeds of the sale of this property. There is an existing drainage course that ends at Moran Lake that crosses the property. This drainage course transmits drainage from a large urban storm water watershed across the property and therefore needs to be evaluated to determine the safest and most appropriate level of development restrictions for the property. These drainage constraints will impact the development potential and valuation of the subject parcel.

**Analysis:**

There are defined financial needs at multiple County Parks locations within 1.25 miles of this property that could be served by available funds from the proceeds of the sale of this property thereby relieving the potential use of County General Funds.





# County of Santa Cruz

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KATHLEEN MOLLOY, PLANNING DIRECTOR

www.sccoplanning.com

## NOTICE OF EXEMPTION

To: Clerk of the Board  
Attn: Susan Galloway  
701 Ocean Street, Room 500  
Santa Cruz, CA 95060

**Project Name:** Disposition of Surplus County Property (641 34<sup>th</sup> Ave – APN 032-075-20)

**Project Location:** The project is located on the west side of 34<sup>th</sup> Avenue between Yucca Drive to the north and Floral Drive to the south at 641 34<sup>th</sup> Ave, Santa Cruz, CA 95062

**Assessor Parcel No.:** 032-075-20

**Project Applicant:** Santa Cruz County Department of Public Works

**Project Description:** The project involves the disposition of surplus County-owned property in the Pleasure Point community of unincorporated Santa Cruz County. The parcel is vacant and subject to recurrent flooding. The property is constrained by a drainage course that runs from north to south through the eastern side of the property and transmits water southwest to Moran Lake. Concurrent with the disposition, the property will be restricted to prevent all development and a flood maintenance easement will be reserved across the entire parcel.

**Agency Approving Project:** County of Santa Cruz

**County Contact:** Travis Cary, Chief Real Property Agent

**Telephone No.** (831) 454-2339

**Date Completed:** 1/31/2019

This is to advise that the County of Santa Cruz has found the project to be exempt from CEQA under the following criteria:

Exempt status: (check one)

- ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
- ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- ☐ The proposed activity is exempt from CEQA as specified under CEQA Guidelines Section 15061(b)(3).
- ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

☒ **Categorical Exemption**

15312 Class 12. Surplus Government Property Sales

### Reasons why the project is exempt:

The project involves the sale of surplus government property and is not located in an area of statewide, regional, or areawide concern. None of the conditions described in Section 15206(b)(4) or 15300.2 apply.

Signature:  Date: 2-6-19 Title: Environmental Coordinator

**Exhibit D**