



Staff Report to the Planning Commission

Application Number: **211192**

Applicant: Northcoast Remediation

Agenda Date: 2/22/23

Owner: Northcoast LLC

Agenda Item #: 8

APNs: 063-132-08, 063-121-07

Time: After 9:30 a.m.

Site Address: 1000 Bonny Doon Road, Santa Cruz

Project Description: Proposal to transfer approximately 105 acres from APN 063-132-08 to parcel 063-121-07 and to rezone that portion of transferred lands from M-3 (Mineral Extraction Industrial) to TP (Timber Production). Requires a Lot Line Adjustment and a Timber Production Adjacency Rezoning.

Location: Parcels are located on the west side of Smith Grade, approximately 0.5 miles east of the intersection Smith Grade and Bonny Doon Road.

Permits Required: Rezoning, Lot Line Adjustment

Supervisory District: 3rd District (District Supervisor: Justin Cummings)

Staff Recommendation:

- Adopt the attached resolution (Exhibit G), sending a recommendation to the Board of Supervisors for approval of Application **211192**, to Adopt the Ordinance rezoning the property to TP (Timber Production) (Exhibit H)

Project Description & Setting

The two parcels are located on either side of Smith Grade in Bonny Doon, approximately four miles north of the intersection of Bonny Doon Road and Highway 1. The larger parcel, APN 063-132-08, spans from the west side of Smith Grade to the east side of Bonny Doon Road. The developed portion of the parcel is accessed approximately one mile south of the intersection of Bonny Doon Road and Smith Grade (1000 Bonny Doon Road). The smaller parcel, APN 063-121-07, including the portion of land proposed to be transferred between the properties, is located just northwest of 4175 Smith Grade.

The proposed project involves the repurposing of the non-quarry portions of a parcel (063-132-08), which is currently decommissioned and in the reclamation process, from quarry use to timber harvesting. As part of that decommissioning, the property owner wishes to transfer an approximately 105-acre portion of that property, via lot line adjustment and combination, for use as part of an adjacent timber operation. The proposal would reduce the quarry parcel from 253-acres to 148-acres and would, following the boundary adjustment, increase the size of the timber

production parcel from 48-acres to 153-acres; the 105-acres transferred from the quarry parcel would then be rezoned to match the TP (Timber Production) Zoning designation of the adjacent parcel. The proposal requires a Lot Line Adjustment and Rezoning.

The goal of the project, to separate the viable forestland from the quarry site, is contingent on both boundary adjustment and rezoning approvals therefore, Planning Department staff recommends the Board consider the adoption of one resolution approving the proposed lot line adjustment and a rezoning along the proposed parcel boundaries.

Project Background

APN's 063-132-08 (Parcel A) and 063-121-07 (Parcel B), are owned by Northcoast LLC. Parcel A is the larger of the two parcels at 253 acres. Historical use of a portion of Parcel A was for the Bonny Doon quarry but the site has not been used as a quarry for 12 years and has an approved reclamation plan. The portion of Parcel A proposed for the Lot Line Adjustment and Rezoning was never part of the quarry operation and the current M-3 Zoning Designation constrains the site from development at its highest and best use. The applicant has submitted applications for repurposing a portion of the quarry site for research and development uses (application number 191311). The timber harvesting proposed as part of this project would not preclude or limit future uses of the quarry.

The smaller parcel, Parcel B, is an undeveloped 48-acre parcel which is presently zoned for, and used for, timber production. Timber harvest permits 76-139-TH and 80-67-TH were issued in 1976 and 1980.

Zoning & General Plan Consistency

Parcel A is an approximately 253-acre parcel and is primarily zoned M-3 (Mineral Extraction Industrial) with two small portions (1.1 acre and 0.3 acre) of the property designated A (Agricultural) and RA (Residential Agricultural). The three Zoning designations assigned to the property are consistent with the site's R-M (Mountain Residential) General Plan designation.

Parcel B is an approximately 48-acre parcel zoned TP (Timber Production), and has both R-R (Rural Residential) and R-M (Mountain Residential) General Plan designations, though only an approximately 0.04-acre portion of the property is designated R-R. Timber Production is an implementing zone district for the R-M General Plan designation but not for the R-R designation; the 0.04-acre portion currently presents a conflict between zoning and General Plan designations. However, the proposal does not include rezoning this small portion of the parcel, the timber harvest would not occur in this area, and the project does not include changes to the Zoning or General Plan designations of this portion of the parcel.

The proposed boundary adjustment and rezoning from M-3 to TP would not result in conflict between the Zoning and General Plan Designations, as TP is an implementing zone district for the parcel's R-M (Mountain Residential) General Plan designation.

Lot Line Adjustment Approval

Santa Cruz County Code 14.01.107.4 (Approval of lot line adjustment applications) specifies

that an application for a lot line adjustment which does not qualify as a “minor adjustment” and is within the Coastal Zone shall be processed at a Level 5 (Zoning Administrator), provided the following findings can be made:

1. The lot line adjustment will not result in a greater number of parcels than originally existed.
2. The lot line adjustment conforms with the County zoning ordinance (including, without limitation, SCCC 13.10.673) and the County building ordinance (including, without limitation, SCCC 12.01.070).
3. No affected parcel may be reduced or further reduced below the minimum parcel size required by the zoning designation, absent the grant of a variance pursuant to SCCC 13.10.230.

As detailed in the required findings (Exhibit B), the proposal meets the requirement for a Level 5 (Zoning Administrator) approval of lot line adjustment within the Coastal Zone, as detailed in SCCC 14.01.107.4. However, Staff recommends approval of the boundary adjustment be contingent on the approval of the proposed timber production adjacency rezoning. Should the lot line adjustment be approved, and the adjusted portion of the parcel is not rezoned, the resulting parcel configuration (split zoned M-3 and TP), while not prohibited by County Code, would limit practical land use on the parcel and provide no benefit to the property owner or community.

The Lot Line Adjustment would have no effect on the reclamation of the quarry and the location of the new lot line would provide an adequate buffer from the quarry slopes.

Timber Adjacency Rezoning

The project qualifies for a rezoning under the California Government Code Section 51113.5 “Petition by owner to add to timberland production zone” (Exhibit J). This section allows a property owner with TP-zoned land to petition the County to rezone contiguous land which is not zoned TP to the TP zone district. The only requirements for this type of rezoning are that the parcels must meet the definitions of Government Code Section 51104 (f) and (g), as follows:

(f) “Timberland” means privately owned land, or land acquired for state forest purposes, which devoted to and used for growing and harvesting timber, or for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

(g) “Timberland production zone” or “TPZ” means an area which has been zoned pursuant to Section 51112 and 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

In accordance with Section 51113.5 of the State Government Code, the project meets the following criteria for rezoning to Timber Production:

- The property is contiguous with Timber Production zoned property under the ownership of one person, as defined in Section 38 106 of the Revenue and Taxation Code.
- The property is timberland, as it is capable of producing an average of 15 cubic feet of timber per acre annually. The subject property is capable of producing an average of 90 cubic feet of timber per acre annually (Exhibit F).

Government Code Section 51113 expressly prohibits local jurisdictions from placing any additional requirements under on applications to rezone the property to Timber Production.

Local Coastal Program Consistency

Lot line adjustments which do not result in an increase in the number of building sites, buildable lots, legal lots of record, or density of permitted development are excluded from Coastal permitting requirements, pursuant to Santa Cruz County Code 13.20.072. The proposed project does not increase the number of buildings sites between the parcels. Two parcels will exist prior to the lot line adjustment and two will exist upon project approval.

The proposed rezoning to Timber Production is in conformance with the County's certified Local Coastal Program, in that Timber Production is an implementing zone district for the R-M General Plan Designation.

Conclusion

The proposed project facilitates the larger goals of future development. Separating the non-quarry portions of the site will allow for the reclamation process to continue without interference, while also enjoying beneficial use of the portions of the site which are not subject to a reclamation plan.

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Adopt the attached resolution (Exhibit G), sending a recommendation to the Board of Supervisors for approval of Application **211192**, to Adopt the Ordinance rezoning the property to TP (Timber Production) (Exhibit H)

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.sccoplanning.com

Report Prepared By: _____
Evan Ditmars
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3227
E-mail: evan.ditmars@santacruzcounty.us

Report Reviewed By: _____
Jocelyn Drake
Principal Planner
Development Review
Santa Cruz County Planning Department

Exhibits

- A. CEQA Determination
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, General Plan Maps, Existing and Proposed Zoning Maps
- F. Forester's Report, prepared by Joseph Culver, date 4-1-21
- G. Planning Commission Resolution
- H. Ordinance for Proposed Rezoning
- I. Administrative Practice Guidelines for Lot Line Adjustments, LD-02
- J. Government Code Sections 51113.5 and 51104
- K. Comments & Correspondence

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: 211192
Assessor Parcel Number: 063-132-08, 063-121-07
Project Location: 1000 Bonny Doon Road, Santa Cruz

Project Description: proposal to transfer approximately 105 acres from 063-132-08 to 063-121-07 and to rezone the newly added acreage to timber production

Person or Agency Proposing Project: Northcoast Remediation

Contact Phone Number: 831-818-0841

- 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 15264. TIMBERLAND PRESERVES: Local agencies are exempt from the requirement to prepare an EIR or Negative Declaration on the adoption of timberland preserve zones under Government Code Sections 51100 et seq. (Gov. Code, Sec. 51119).

E. ☒ **Categorical Exemption**

SECTION 15305: MINOR ALTERATIONS IN LAND USE LIMITATIONS

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

- (a) Minor lot line adjustments, side yard, and set back variances not resulting the creation of any new parcel;
- (b) Issuance of minor encroachment permits;
- (c) Reversion to acreage in accordance with the Subdivision Map Act.

F. Reasons why the project is exempt:

The proposed lot line adjustment would adjust the boundaries between two existing parcels, reducing the size of one parcel and increasing the other. No new parcels are created.

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

Evan Ditmars, Project Planner

Date: _____

EXHIBIT A

Lot Line Adjustment Findings

1. The lot line adjustment will not result in a greater number of parcels than originally existed.

This finding can be made, in that there were two parcels prior to the adjustment and there will be two parcels subsequent to the adjustment.

2. The lot line adjustment conforms with the county zoning ordinance (including, without limitation, County Code section 13.10.673), and the county building ordinance (including, without limitation, County Code section 12.01.070).

This finding can be made in that no additional building sites will be created. The proposed lot line adjustment does not convey the ability to build on either parcel. Any potential building site located within the area of land to be transferred would transfer from one parcel to another.

The proposal complies with the requirements of the County Lot Line Adjustment Ordinance, subsection (B), in that neither parcel is designated as agriculture or agricultural resource. APN 063-121-07 is zoned Timber Production and is a designated timber resource but would not decrease in size as a result of this proposal.

A cursory evaluation of the buildability of the parcels has been analyzed through a Geologic Hazards Assessment (REV211376), and as a condition of approval for this application, the owner will be required to record a declaration of restrictions of non-buildability until the requirements detailed in the GHA Acceptance Letter have been fulfilled and additional technical studies submitted.

The proposed lot line adjustment would not reduce either parcel below the minimum parcel size for their respective zoning or General Plan designations. There is no minimum parcel size required for M-3 zoning designations; the County Administrative Practice Guideline for lot line adjustment approvals (LD-02, Exhibit I), specifies the minimum parcel size for M-3 zone district as “the minimum economic unit for mineral extraction” and General Plan Policy 5.16.5 only specifies a 40 acre-minimum parcel sizes for land divisions in Mineral Resources Areas. The proposed lot line adjustment would not reduce the existing M-3 parcel below 40 acres.

3. No affected parcel may be reduced or further reduced below the minimum parcel size required by the zoning designation, absent the grant of a variance pursuant to County Code section 13.10.230.

This finding can be made, in that none of the parcels included in the proposal will be reduced below the minimum parcel size required by the zone district as a result of this lot line adjustment.

County Code does not dictate a minimum parcel size required for M-3 zoning designations; the County Administrative Practice Guideline for lot line adjustment approvals (LD-02, Exhibit I), specifies the minimum parcel size for M-3 zone district as “the minimum economic unit for mineral extraction.” The current economic unit for mineral extraction at the project site is zero, since the quarry site is currently decommissioned and in the reclamation process.

Application #: 211192
APN: 063-132-08, 063-121-07
Owner: Northcoast LLC

General Plan Policy 5.16.5 only specifies a 40 acre-minimum parcel sizes for land divisions in Mineral Resources Areas. The proposed lot line adjustment would not reduce the existing M-3 parcel below 40 acres.

Zoning Plan Amendment Findings

1. The proposed zone district will allow a density of development and types of uses which are compatible with the objectives, policies and programs, and land use designations of the adopted General Plan, and conforms with, and is adequate to carry out, the coastal resource protection provisions of the certified Land Use Plan.

This finding can be made in that the proposed rezoning and lot line adjustment complies with General Plan Objective 5.16, which is “to ensure the rehabilitation and future use of quarry sites are in accordance with safety, conservation, habitat preservation, restoration and open spaces values and State mining laws”. The existing quarry is being decommissioned, subject to an approved reclamation plan, and the proposed project is in conjunction with reclamation goals on the parcel. The project removes viable, non-quarry portions of the property for use as timber production and would allow quarry reclamation projects to function independent of the proposed timber operation.

General Plan Objective 5.12.9 encourages timberland owners to apply for Timber Production zoning where appropriate. The parcel meets the definition of timberland, as demonstrated by the Forester’s Report (Exhibit F), and is immediately adjacent to land which is designated as a timber resource. While the subject parcel itself is not designated as timber resource in General Plan and LCP maps, the parcel complies with General Plan Policy 5.12.1 in that the site is capable of producing an average annual volume of wood fiber of at least 15 cubic feet per acre.

The proposal would comply with the purposes of the TP zone district (SCCC 12.10.372(A), to protect and maintain timberland, in that rezoning the parcel to Timber Production allows for permanent timber operations to operate on the site, since timber harvesting on an M-3 zoned parcel is only allowed as an interim use under current County Code.

2. The proposed zone district is compatible with the level of utilities and community services available to the land.

The proposed lot line adjustment and rezoning are not expected to have impacts on the utilities in the area, as the timber operation does not require utility or services.

3. 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.

The existing quarry is in the process of being decommissioned and is subject to a reclamation plan. M-3 zoning, as described in SCCC 13.10.342(A)(1), allows for mining, agriculture, timber harvesting and appurtenant accessory uses and structures. However, timber harvesting is only allowed at a mining site as an interim use. The M-3 zoning designation, at a site which has waning or exhausted mineral resources, provides minimal use in the absence of a mining operation. The proposed project site is better served by the TP zoning designation, which allows for a broader range of uses which are more appropriate for the project site.

4. The proposed rezoning maintains and provides for priority uses consistent with Sections 2.22.1 and 2.22.2 of the certified Land Use Plan.

Application #: 211192
APN: 063-132-08, 063-121-07
Owner: Northcoast LLC

The proposal complies with General Plan Policies 2.22.1 and 2.22.2 in that the proposed project includes a change of land use of higher priority, from general industrial (Third Priority) to agriculture and coastal-dependent industry (First Priority).

Conditions of Approval

Exhibit D: Tentative Map, prepared by Bowman and Williams, dated December 16, 2022.

This permit authorizes the adjustment of property boundaries as indicated on the approved Exhibit "D" for this permit. This approval does not authorize any form of development, improvements, or development standards and is limited to the adjustment of property boundaries (as indicated on the approved Exhibit "D" for this permit) only.

- I. No parcel map is required. File deed(s) of conveyance (which must result in parcel configurations that match the approved Exhibit "D" for this permit) with the County Recorder to exercise this approval. Parcels or portions of parcels to be combined must be in identical ownership. Please note that this approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property.
- II. The deed(s) of conveyance must contain the following statement after the description of the property(ies) or portion(s) of property to be transferred:
 - A. "The purpose of the deed is to adjust the boundary between Assessor's Parcel Numbers 063-132-08 and 063-121-07 as approved by the County of Santa Cruz under Application 211192. This deed and approval of the related Lot Line Adjustment Number 211192 shall be deemed to permanently reconfigure the affected underlying parcels. Any configuration of such underlying parcels that existed prior to recordation of this deed shall no longer be valid and shall not be used for transfer, conveyance, sale, or any other purpose. This conveyance may not create a separate parcel, and is null and void unless the boundary is adjusted as stated."
- III. Return a conformed copy of the deed(s) to the Planning Department.
- IV. Complete and record a **Declaration of Restriction to Acknowledge the Parcel's Non-Buildability**. You may not alter the wording of this declaration. Follow the instructions to record and return the form to the Planning Department.
- V. If a map is also to be recorded with the County Surveyor's office (which is not required to implement this approval), you must include a copy of these Conditions of Approval to the County Surveyor with the map to be recorded.
- VI. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- VII. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or

EXHIBIT C

in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
- C. Settlement. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the COUNTY.
- D. Successors Bound. The "applicant/owner" shall include the applicant and/or the owner and the successor'(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

In accordance with Chapter 18.10 of the County Code, minor variations to this permit which do not affect the overall concept, intensity, or density may be approved by the Planning Director at the request of the applicant or staff.

Please note: This permit expires three years from the effective date and is no longer valid if the boundary adjustment is not recorded prior to the expiration date listed below.

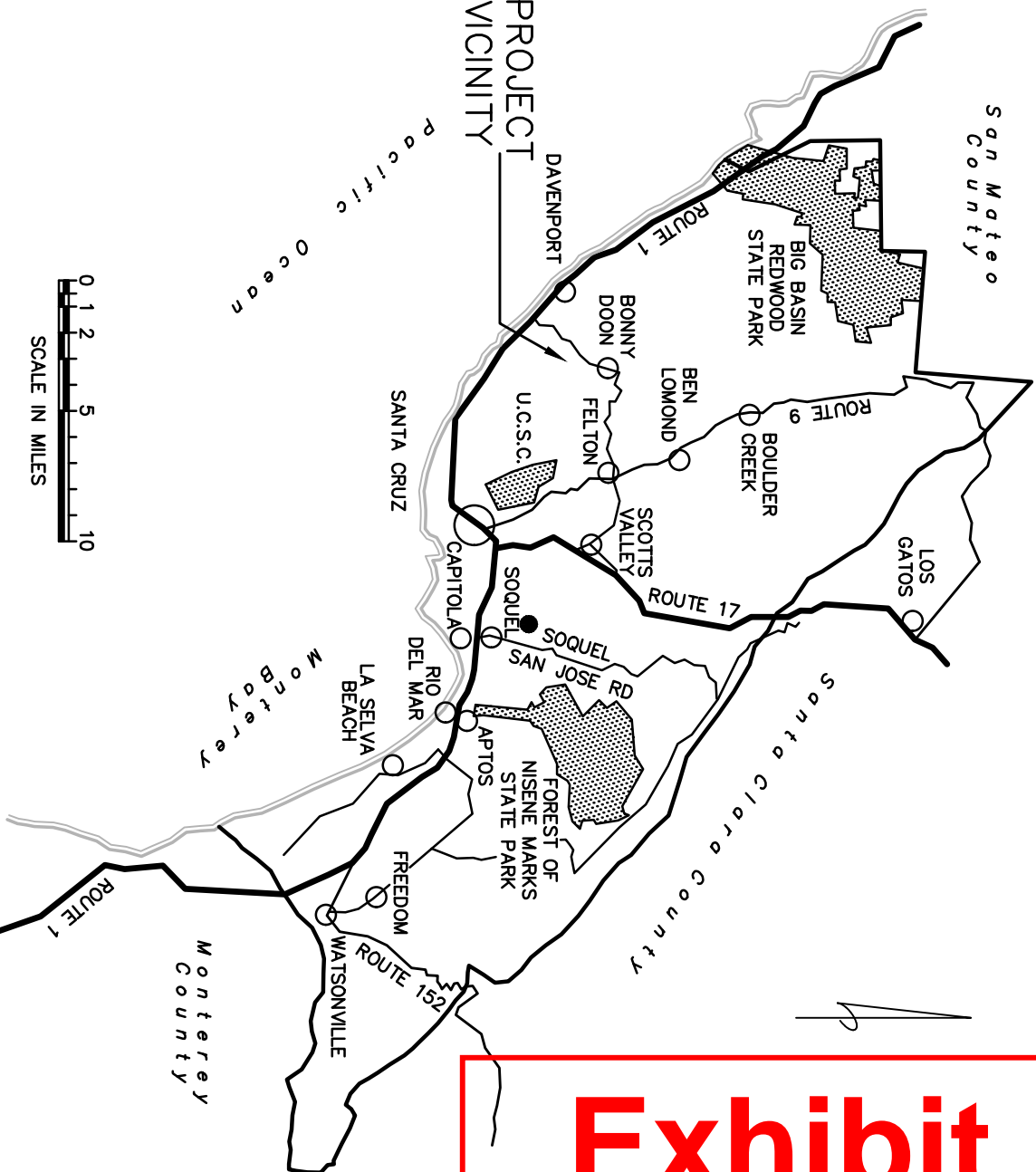
Approval Date: _____

Effective Date: _____

Expiration date: _____

EXHIBIT C

LINE AND CURVE TABLE	
NUMBER	LENGTH
C1	210.00' ±
C2	175.67' ±
C3	84.61' ±
L1	459.79' ±
L2	84.86' ±
L3	40.92' ±
L4	70.72' ±
L5	94.38' ±
L6	112.20' ±
L7	79.20' ±
L8	191.40' ±
L9	127.36' ±

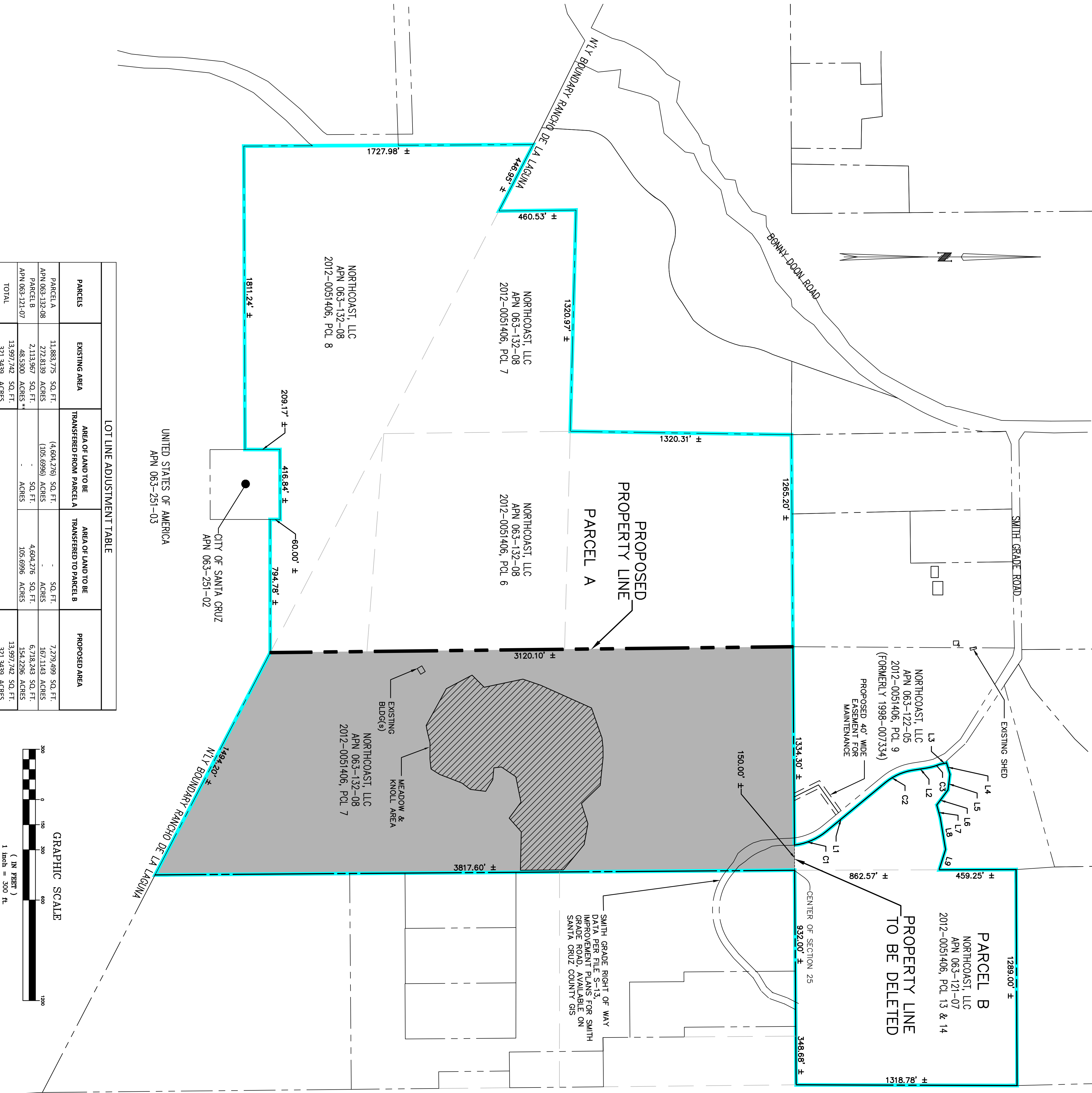


VICINITY MAP

LEGEND

- INDICATES EXISTING PROPERTY LINE UNCHANGED
- INDICATES OLD DELETED PROPERTY LINE
- INDICATES PROPERTY LINE TO BE DELETED
- INDICATES PROPOSED PROPERTY LINE
- AREA TO BE TRANSFERRED FROM PARCEL A TO PARCEL B AND REZONED TO TIMBER PRODUCTION

ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.



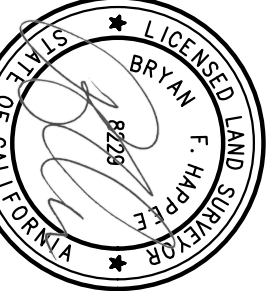
LOT LINE ADJUSTMENT TABLE

PARCELS	EXISTING AREA	AREA OF LAND TO BE TRANSFERRED FROM PARCEL A	AREA OF LAND TO BE TRANSFERRED TO PARCEL B	PROPOSED AREA
PARCEL A	11,883.775 SQ. FT.	(4,604.276) SQ. FT.	- SQ. FT.	7,279.499 SQ. FT.
APN 063-132-08	272.8139 ACRES	(105.6996) ACRES	- ACRES	167.1143 ACRES
PARCEL B	2,113.967 SQ. FT.	- SQ. FT.	4,604.276 SQ. FT.	6,718.243 SQ. FT.
APN 063-121-07	48.5300 ACRES	- ACRES	105.6996 ACRES	154.2296 ACRES
TOTAL	13,997.742 SQ. FT.			13,997.742 SQ. FT.
	321.3439 ACRES			321.3439 ACRES

NOTE: VALUES IN PARENTHESES ARE NEGATIVE.
** AREA BASED ON THE INFORMATION FROM THE COUNTY OF SANTA CRUZ GIS SITE.



01/17/2023



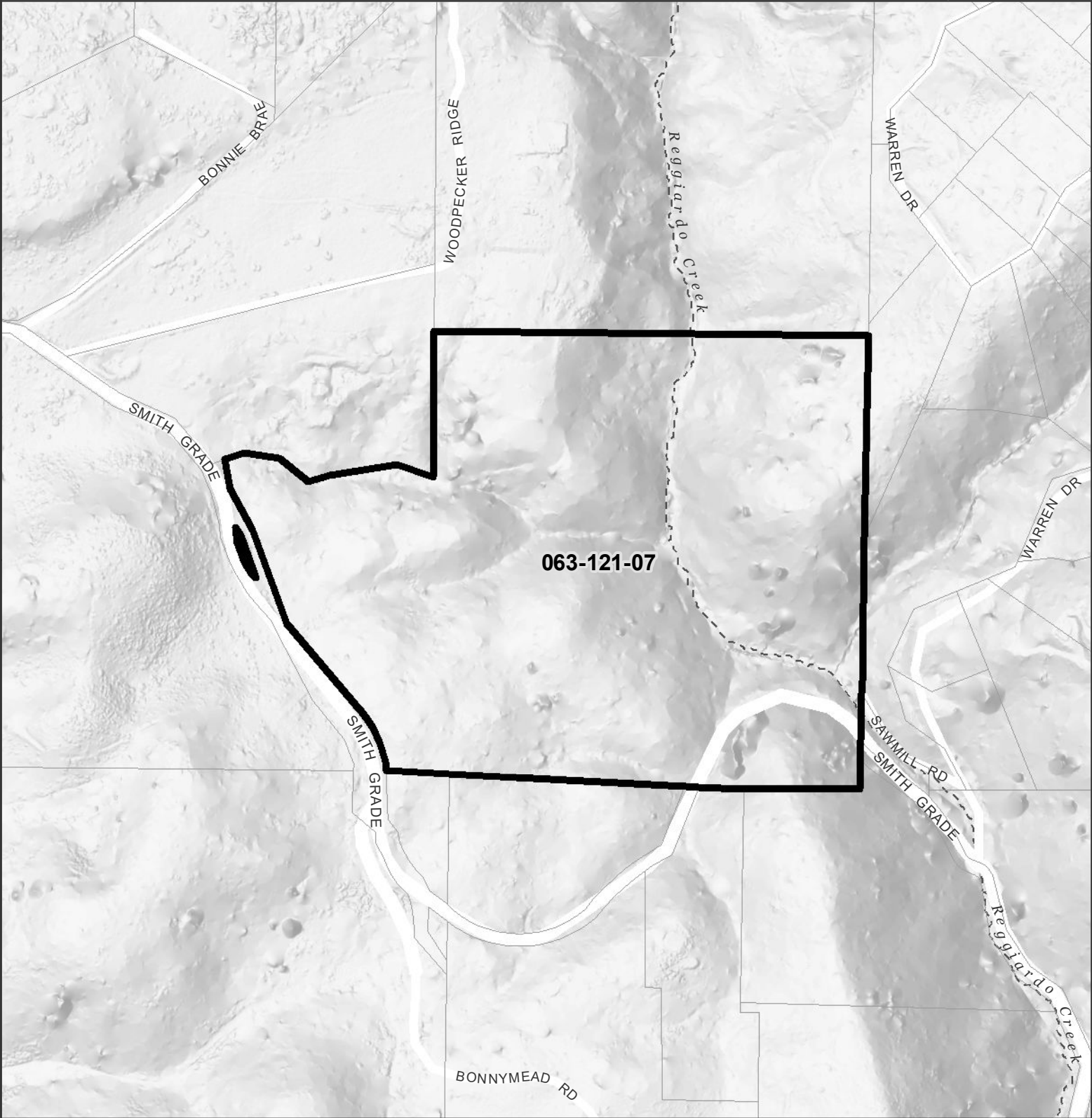
OWNER/DEVELOPER
OWNER: NORTHCOST, LLC
ADDRESS: 340 WOODPECKER RIDGE, SANTA CRUZ, CA 95060-9797
CONTACT: DAVID GETCHELL (JOEY AVATION)
PHONE: 831-818-0841

DISCLAIMER
THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, COPIED, OR OTHERWISE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.
APN 063-132-08 & 063-122-05

REVISED		DATE		BY		SHEET	
01/17/2023 - EDITED APN TPO ON 063-121-07		DECEMBER 16, 2022		BFW		1	
BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 3949 RESEARCH PARK COURT, SUITE 100 SIOUX FALLS, SD 57105 (605) 426-3560		DRAWN		GMM		27327	
PROPOSED LOT LINE ADJUSTMENT		INDEX		JOB NO.		27327	
NORTHCOST LLC 340 WOODPECKER RIDGE SANTA CRUZ, CALIFORNIA 95060		FILE NO.		27327		1	
DESIGN CMM		DWG NAME		TENTATIVE		OF	



Parcel Location Map

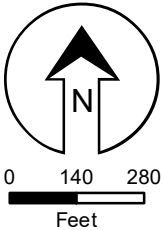


Parcel: 06312107

- Study Parcel
- Assessor Parcel Boundary

Map printed: 5 Feb. 2023

Exhibit E

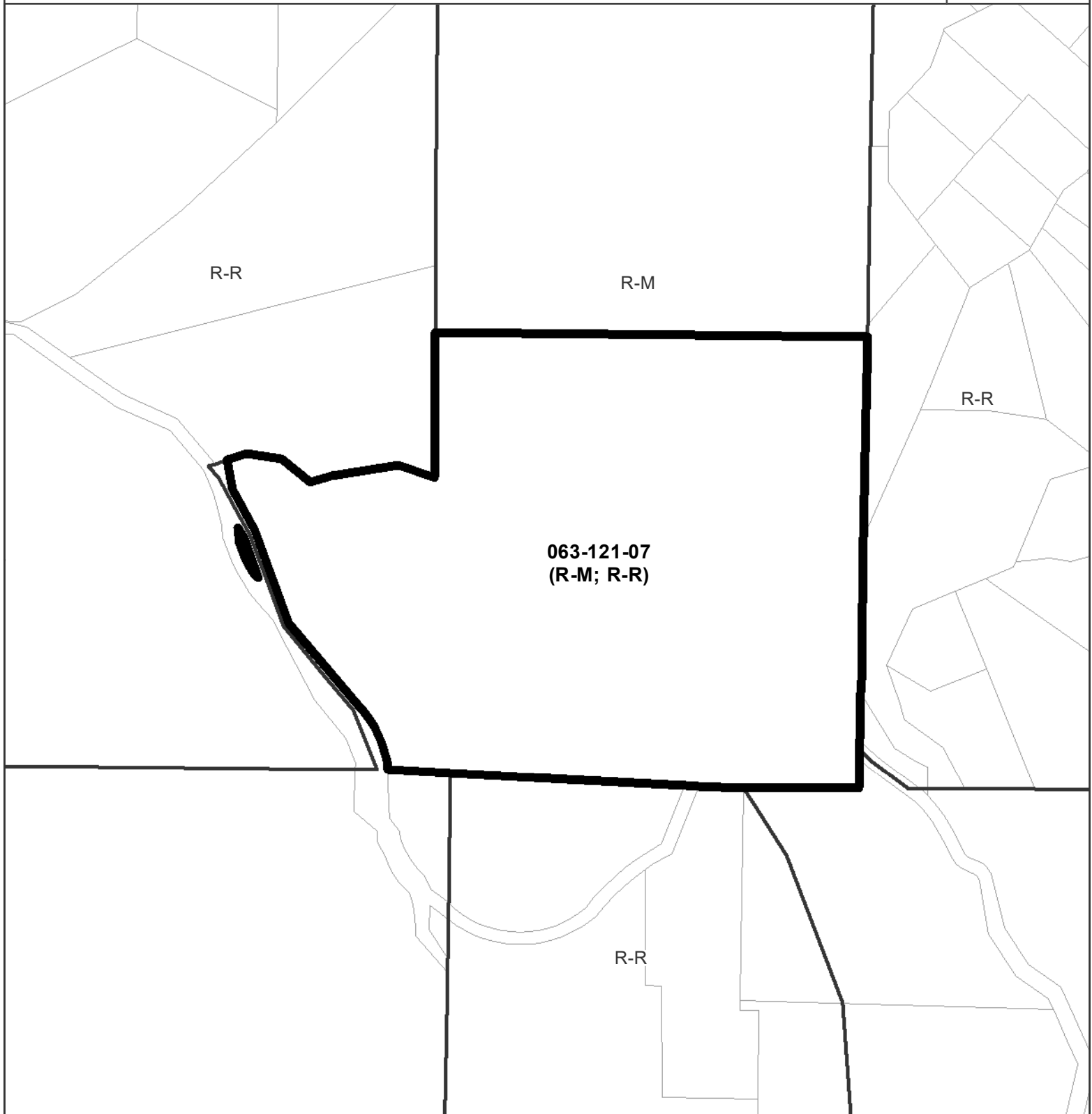




Parcel General Plan Map



Mapped
Area





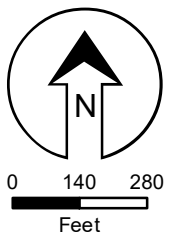
-  R-M *Residential Mountain*
-  R-R *Residential Rural*

Exhibit E





Parcel Zoning Map



- TP Timber Production
- A Agriculture
- RA Residential Agricultural
- M-3 Mineral Extraction Industrial

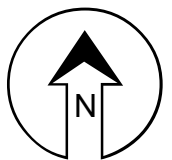
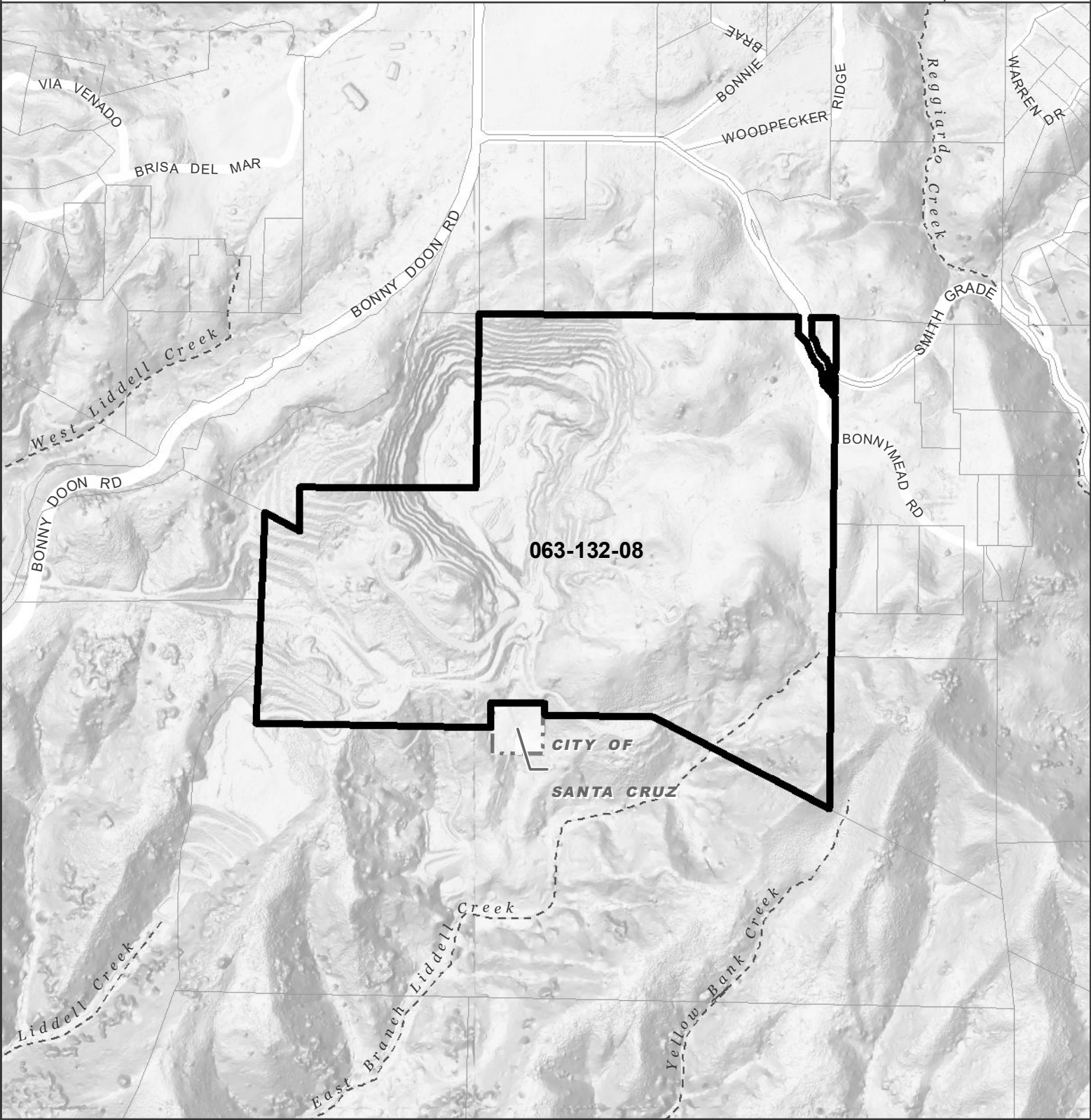


Exhibit E



Parcel Location Map

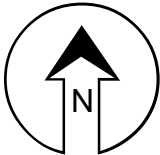


Parcel: 06313208

- Study Parcel
- Assessor Parcel Boundary
- City Limits

Map printed: 3 Nov. 2022

Exhibit E



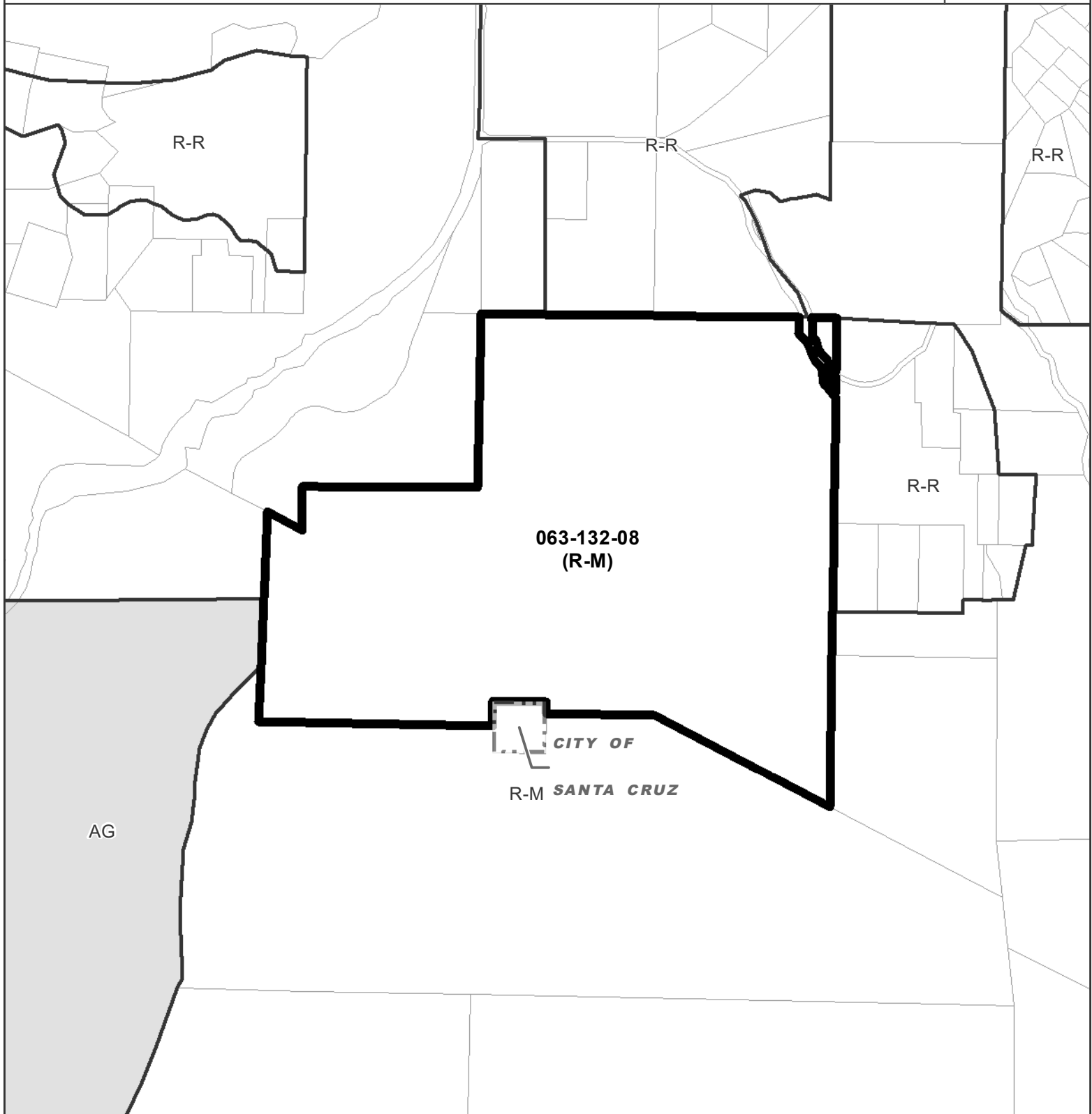
0 360 720
Feet



Parcel General Plan Map

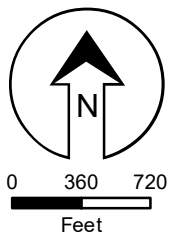


Mapped
Area



- AG Agricultural
- R-M Residential Mountain
- R-R Residential Rural

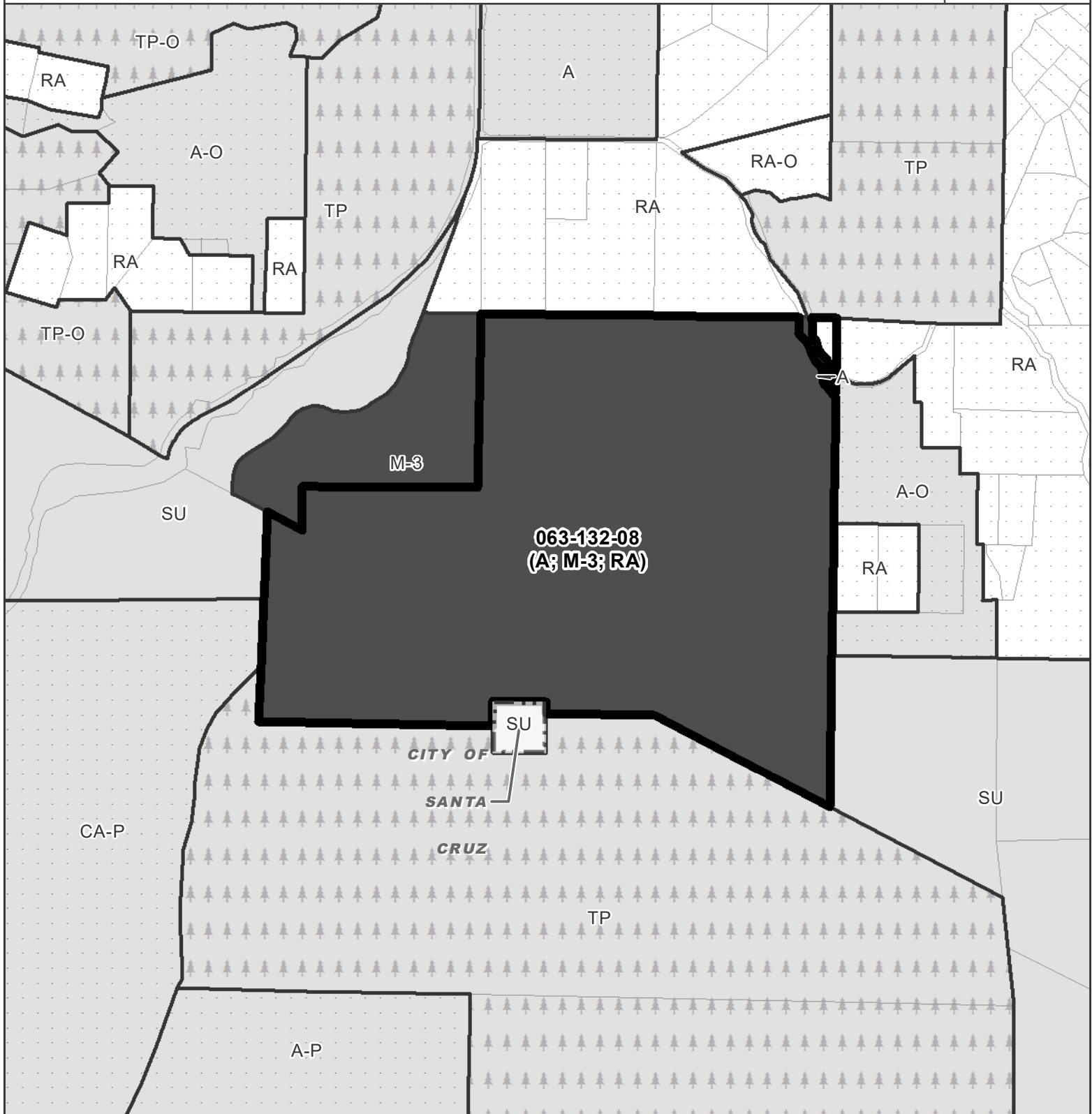
Exhibit E



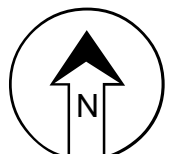


SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Zoning Map



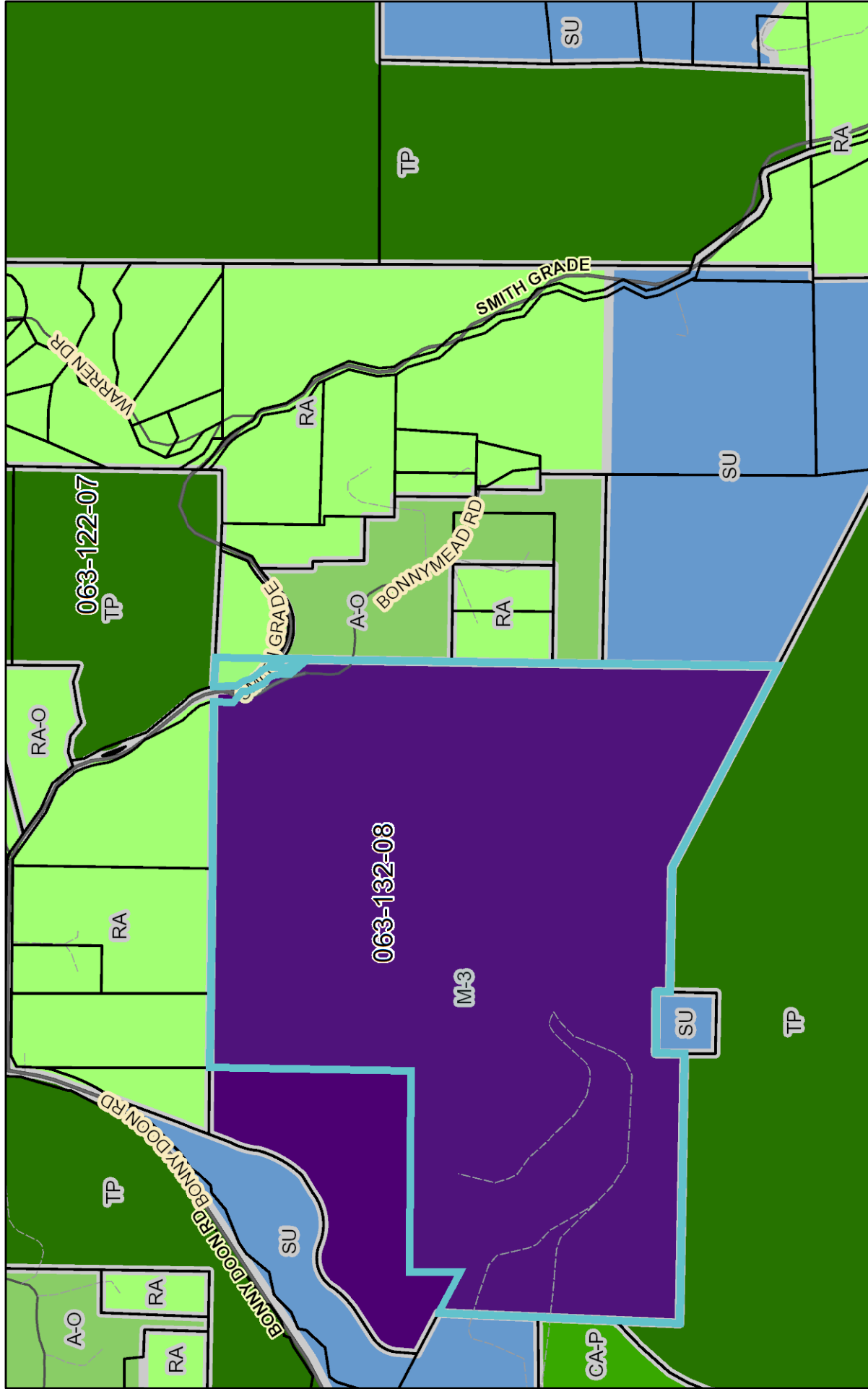
- A Agriculture
- CA Commercial Agriculture
- RA Residential Agricultural
- M-3 Mineral Extraction Industrial
- SU Special Use
- TP Timber Production



0 360 720
Feet

Exhibit E

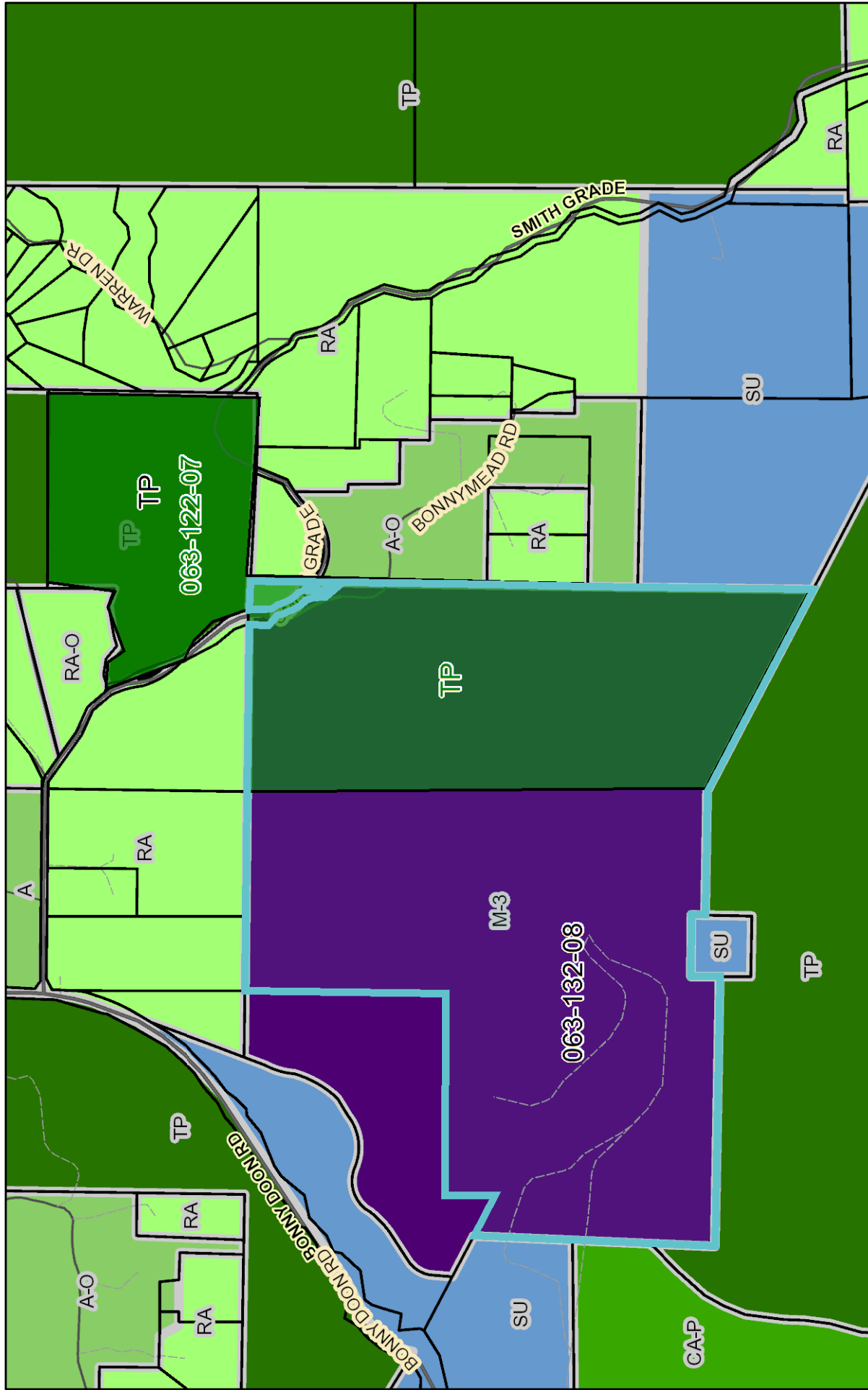
Existing Zoning Map



February 5, 2023

Parcels	Major Roads	Zoning (text)
 Parcels	 Major Roads	 Zoning (text)

Proposed Zoning Map



February 5, 2023

Parcels **Major Roads** **Zoning (text)** **Zoning (text)**

1:10,800
0 0.075 0.15 0.25 0.3 mi
0 0.125 0.25 0.5 km
County of Santa Cruz

Exhibit E

Coastal Forestry

January 17, 2022

Santa Cruz Planning Department
501 Ocean Street
Santa Cruz, CA 95060



RE: Rezone To Timber Production
Adjacent to TPZ/Timberland
Property Under Same Ownership

North Coast LLC is in the process of a lot line adjustment that will combine 105.7 acres of the eastern portion of APN 063-132-08 with APN 063-121-07 (See attached map). I was hired by North Coast LLC to facilitate the rezoning of this new parcel to Timber Production Zoning. For purposes of this report the new combined parcel is designated as Parcel B.

Parcel B will be 154.2 acres in size. APN 063-121-07 is a 48.5 acre parcel already zoned Timber production and owned by North Coast LLC. APN 063-121-07 is heavily timbered and easily meets the state definition of timberland. Because the land area is contiguous, the 105.7 acres of APN 063-132-08 to be added to Parcel B qualifies for an "Adjacency Rezoning" under section 51113.5 of the California Code.

In March of 2021 I completed a sample inventory of Parcel B to determine forest characteristics. Approximately 87 acres of Parcel B contains trees with the remaining acres comprised of meadows, brush and rock outcrops. The inventory consisted of 20 plots 1/10 acre in size randomly placed across the parcel, resulting in a 2% sample. At each plot I determined tree diameter, height, and percent defect of all conifers greater than 12 inches in diameter within the plot boundaries. I also cored a smaller sample of trees to determine radial growth of the stand over the last ten years. I then processed the collected data to determine the current stocking levels and growth capability of the parcel as detailed below.

TIMBER STOCKING: To rezone a property to the "Timber Production" zoning a property must meet the timber stocking standards set forth in Section 4561 of the Public Resources Code. Section 4561 states in part that "The average residual basal area, measured in stems one inch or larger in diameter.....in areas which the registered professional forester has determined are site II classification or lower, the minimum average residual basal area shall be 50 square feet per acre. Rock outcroppings and other areas not normally bearing timber shall not be considered as requiring stocking." The average residual basal area in the timbered portions of Parcel B is 322 square feet per acre and therefore meets the required stocking standards.

TIMBERLAND: To rezone a property to the "Timber Production" zoning a property must meet the definition of timberland. Section 51104 of the California Code states that "Timberland means privately owned land.....capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre." Parcel B is capable of growing

an annual average volume of wood fiber of 90 cubic feet per acre and therefore meets the definition of timberland.

COMPATIBLE USE: Current property use of Parcel B includes watershed, wildlife habitat and timber management. No permanent structures are located on Parcel B. Existing infrastructure on the parcel does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber.

The property is well suited for timber management into the future. The second growth forest has not been recently harvested. The forest resource is currently healthy but growth rates have begun to decline due to highly stocked stand conditions. North Coast LLC has indicated they would like to manage the timber resource and stand conditions warrant a harvest in the near future. The property meets required state stocking levels, qualifies as "Timberland," and the current use is compatible with the Timber Production zoning.

Thank you,

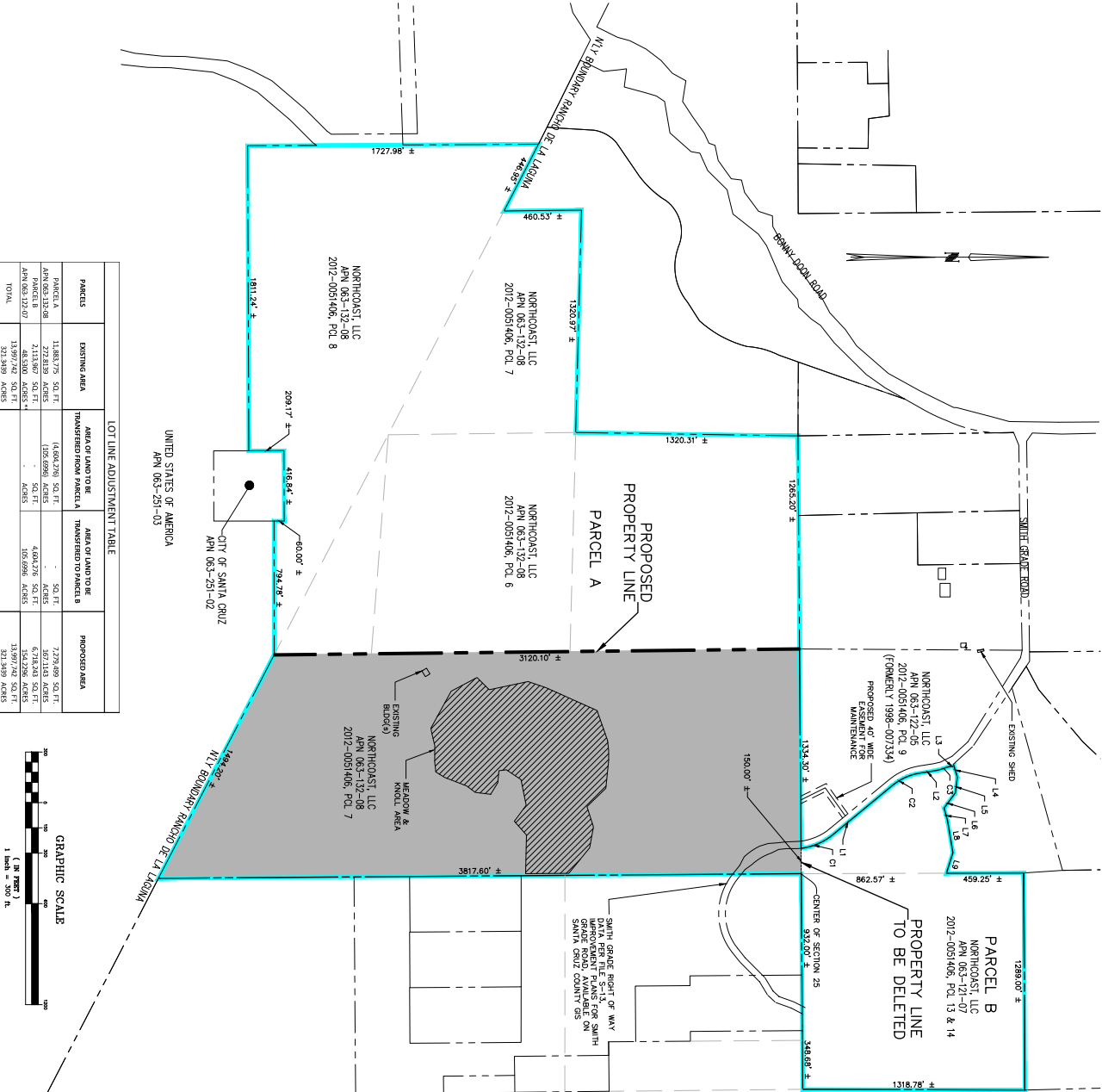
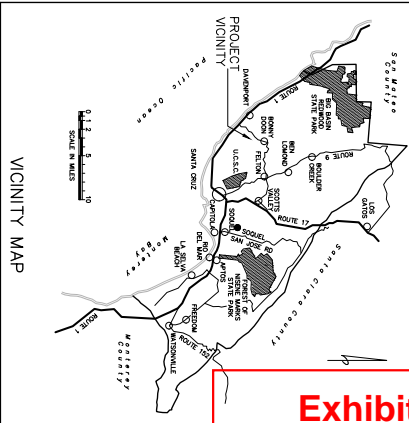
A handwritten signature in black ink that reads "Joseph Culver". The signature is fluid and cursive, with the first name "Joseph" and last name "Culver" clearly distinguishable.

Joseph Culver
Registered Professional Forester #2674

LINE AND CURVE TABLE	
NUMBER	LENGTH
C1	210.00' ±
C2	175.87' ±
C3	84.61' ±
C4	459.79' ±
C5	84.86' ±
C6	40.92' ±
C7	70.72' ±
C8	94.58' ±
C9	112.20' ±
C10	79.20' ±
C11	191.40' ±
C12	127.38' ±

LEGEND

- INDICATES EXISTING PROPERTY LINE UNCHANGED
 - INDICATES OLD DELETED PROPERTY LINE
 - INDICATES PROPERTY LINE TO BE DELETED
 - INDICATES PROPOSED PROPERTY LINE
 - AREA TO BE TRANSFERRED FROM PARCEL A TO PARCEL B
- ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.



LOT LINE ADJUSTMENT TABLE			
PARCELS	EXISTING AREA	AREA OF LAND TO BE TRANSFERRED FROM PARCEL A	AREA OF LAND TO BE TRANSFERRED TO PARCEL B
PARCEL A	11,883.75 SQ. FT.	(4,600.28) SQ. FT.	- SQ. FT.
PARCEL B	2,113.87 SQ. FT.	- SQ. FT.	(4,600.28) SQ. FT.
TOTAL	13,997.62 SQ. FT.	- SQ. FT.	- SQ. FT.

NOTE: VALUES IN THIS TABLE ARE BASED ON THE INFORMATION FROM THE COUNTY OF SANTA CRUZ GIS SITE.



OWNER/DEVELOPER
OWNER: NORTHCOST, LLC
ADDRESS: 340 WOODPECKER NOSE, SANTA CRUZ, CA 95060-9797
CONTACT: DAVID GETCHELL (JOHN AVILA)
PHONE: 507-616-0541

DISCLAIMER

THE DATA SET FOR THIS PROJECT IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM BOWMAN & WILLIAMS CONSULTING, INC.

BOWMAN & WILLIAMS
CONSULTING ENGINEERS AND LAND SURVEYORS
3444 RESERVOIR PARK, SUITE 100
SANTA CRUZ, CA 95061
(831) 426-3565

DATE	DESCRIPTION	BY	CHECKED	DATE
07/17/2023	EDITED AND PRINTED	DAVID GETCHELL	DAVID GETCHELL	07/17/2023
07/17/2023	CREATED	DAVID GETCHELL	DAVID GETCHELL	07/17/2023

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 BOUNDARY ADJUSTMENT AND AMENDMENT TO THE COUNTY'S
ZONING PLAN AND MAP

WHEREAS, the Planning Commission has held a public hearing on Application No. 211192. The project includes the transfer of approximately 105 acres from APN 063-132-08 to APN 063-121-07 and the rezone of that portion of transferred lands from M-3 (Mineral Extraction Industrial) to TP (Timber Production). The subject parcels are located at 1000 Bonny Doon Road in the Bonny Doon Planning Area.

WHEREAS, the Planning Commission has considered all testimony and evidence received at the public hearing and detailed in the attached staff report.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board of Supervisors determine the proposal is exempt from further environmental review under the California Environmental Quality Act (CEQA) pursuant to Sections 15264, Statutory Exemption for Timberland Preserves and Section 15305, Minor Alterations to Land.

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the Board of Supervisors adopt the attached Ordinance amending the County's Zoning Plan and Map pursuant to Santa Cruz County Code Section 13.10.215 and changing that portion of transferred lands from M-3 (Mineral Extraction Industrial) to TP (Timber Production).

BE IT FURTHER RESOLVED, that the Planning Commission incorporates the findings on the proposed Boundary Adjustment and Zoning Map Amendment as contained in the Report to the Planning Commission and in Section II of the attached Ordinance.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2023, by the following vote:

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

Tim Gordin, Chairperson

EXHIBIT G

ATTEST: _____
Jocelyn Drake, Secretary

APPROVED AS TO FORM:

Office of the County Counsel

ORDINANCE NO. _____

**ORDINANCE AMENDING ZONING PLAN AND MAP PURSUANT TO CHAPTER
13.10 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 plan and map pursuant to Santa Cruz County Code section 13.10.215, to maintain a stable, desirable, well-balanced pattern of development throughout the County. The Board of Supervisors desires to implement the policies of the County General Plan and Local Coastal Program Land Use Plan regarding the properties located 1000 Bonny Doon Road (APN's 063-132-08 and 063-121-07), and that the zoning to be established herein is consistent with all elements of the California Government Code, Santa Cruz County General Plan, and the Santa Cruz County Code.

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 compatible with the objectives, policies and programs, and land use designations of the adopted General Plan, and conforms with, and is adequate to carry out, the coastal resource protection provisions of the certified Land Use Plan; and
2. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
3. 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
4. The proposed rezoning maintains and provides for priority uses consistent with Sections 2.22.1 and 2.22.2 of the certified Land Use Plan.
5. The property meets the requirements of Government Code section 51113.5 and County Code Section 13.10.375(c).

EXHIBIT H

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 districts as follows:

<u>Assessor's Parcel Number</u>	<u>Existing Zone District</u>	<u>New Zone Districts</u>
063-132-08	Mineral Extraction Industrial (M-3)	Mineral Extraction Industrial (M-3), Timber Production (TP)

SECTION IV

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

PASSED AND ADOPTED THIS _____ day of _____ 2023, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

EXHIBIT H

**SANTA CRUZ COUNTY PLANNING DEPARTMENT POLICY/ORDINANCE
INTERPRETATION**

Interpretation No.: LD-02 (Lot Line Adjustments)
Effective Date: 06/30/06
Originally Issued: 06/30/06 (LD-02 replaces a portion of LD-01)

Question:

What standards are applied when processing Lot Line Adjustments?

**Applicable Ordinance Section(s)
and/or General Plan/LUP Policy(ies)**
§13.10.673; §14.01.105-L; §14.01.107.4

Interpretation:

In addition to the regulations found in the County Code Sections listed above, the following standards will be applied to Lot Line Adjustment applications:

1. Maximum number of parcels. Lot line adjustments shall involve four or fewer parcels, in conformance with Senate Bill 497. Adjustments of five or greater parcels require Tentative and Final Maps;
2. Proximity of parcels. The parcels must be adjoining, i.e. touching, and not merely adjacent or nearby, in conformance with Senate Bill 497;
3. Additional Building Sites. No additional building sites may be created by a lot line adjustment. A lot must be buildable before a lot line adjustment can be approved, except where the entirety of the unbuildable lot will become part of one or more buildable, legally created parcels. A lot that is not buildable for whatever reason (lack of access, unstable slopes, inadequate sewage disposal, etc.) cannot be made buildable by means of a lot line adjustment.
4. Parcel Legality. A vacant parcel involved in a lot line adjustment must be shown to be a legal parcel before the lot line adjustment can be approved, except where the entirety of the vacant parcel will become part of one or more existing legally created parcels.
5. Minimum Parcel Size. The required minimum parcel size as it applies to lot line adjustments means net site area (gross parcel area minus vehicular rights-of-ways) rather than net developable area.

Tom Burns, Planning Director

Date

For the purpose of lot line adjustments, minimum parcel size is as shown in the following table.

Zone District	Minimum parcel size (net site area)
R-1-X, RM-X (Where x = a density designation)	The density designation (e.g., 9,000 square feet for a parcel zoned R-1-9 or 3,000 square feet for a parcel zoned RM-3)
RB	4,000 square feet
RA or RR	One acre
TP (Outside of the coastal zone)	40 acres
TP (Inside the coastal zone)	160 acres
CA or AP	The minimum size as determined by APAC
PA, VA, CT, C-1, C-2, C-4	10,000 square feet
M-1	10,000 square feet
M-2	One acre
M-3	The minimum economic unit for mineral extraction
PR	20 acres
PF	That necessary to accommodate the use
A or SU	The highest end of the density range allowed by the General Plan density designation (no matrix calculation is required)

2. The above stated minimum parcel sizes do not apply and no Site Area Variance is required where:
- The lot line adjustment is to cure a structural (or road/driveway) encroachment otherwise lawfully developed where the resulting lot line meets the required minimum setbacks from the encroaching structure, or any approved variance therefrom (Section 14.01.105-L(a)); or
 - The lot line adjustment results in an equal exchange of land and each resulting parcel is the same size after the lot line adjustment as before (Section 14.01.105-L(b)); or
 - All parcels are designated for commercial use and are located within a Village/Community Plan area.



GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607] (*Title 5 added by Stats. 1949, Ch. 81.*)

DIVISION 1. CITIES AND COUNTIES [50001 - 52203] (*Division 1 added by Stats. 1949, Ch. 81.*)

PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5] (*Part 1 added by Stats. 1949, Ch. 81.*)

CHAPTER 6.7. Timberland [51100 - 51155] (*Chapter 6.7 added by Stats. 1976, Ch. 176.*)

ARTICLE 2. Timberland Production Zones [51110 - 51119.5] (*Heading of Article 2 amended by Stats. 1982, Ch. 1489, Sec. 5.5.*)

51113.5. (a) After March 1, 1977, an owner with timberlands in a timberland production zone pursuant to Section 51112 or 51113 may petition the board or council to add to his or her timberland production lands that meet the criteria of subdivisions (f) and (g) of Section 51104 and that are contiguous to the timberland already zoned as timberland production. Section 51113 shall not apply to these lands.

(b) In the event of land exchanges with, or acquisitions from, a public agency in which the size of an owner's parcel or parcels zoned as timberland production pursuant to Section 51112 or 51113 is reduced, the timberland production shall not be removed from the parcel except pursuant to Section 51121 and except for a cause other than the smaller parcel size.

(Amended by Stats. 1982, Ch. 1489, Sec. 7.)



GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607] (*Title 5 added by Stats. 1949, Ch. 81.*)

DIVISION 1. CITIES AND COUNTIES [50001 - 52203] (*Division 1 added by Stats. 1949, Ch. 81.*)

PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5] (*Part 1 added by Stats. 1949, Ch. 81.*)

CHAPTER 6.7. Timberland [51100 - 51155] (*Chapter 6.7 added by Stats. 1976, Ch. 176.*)

ARTICLE 1. General Provisions [51100 - 51104] (*Article 1 added by Stats. 1976, Ch. 176.*)

As used in this chapter, unless otherwise apparent from the context:

51104. (a) “Board” means the board of supervisors of a county or city and county, whether general law or chartered, which establishes or proposes to establish a timberland production zone pursuant to this chapter.

(b) “Contiguous” means two or more parcels of land that are adjoining or neighboring or are sufficiently near to each other, as determined by the board or council, that they are manageable as a single forest unit.

(c) “Council” means the city council of a city, whether general law or chartered, which establishes or proposes to establish a timberland production zone pursuant to this chapter.

(d) “County” or “city” means the county or city having jurisdiction over the land.

(e) “Timber” means trees of any species maintained for eventual harvest for forest products purposes, whether planted or of natural growth, standing or down, on privately or publicly owned land, including Christmas trees, but does not mean nursery stock.

(f) “Timberland” means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

(g) “Timberland production zone” or “TPZ” means an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

With respect to the general plans of cities and counties, “timberland preserve zone” means “timberland production zone.”

(h) “Compatible use” is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber, and shall include, but not be limited to, any of the following, unless in a specific instance such a use would be contrary to the preceding definition of compatible use:

(1) Management for watershed.

(2) Management for fish and wildlife habitat or hunting and fishing.

(3) A use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings, and log storage areas.

(4) The erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities.

(5) Grazing.

(6) A residence or other structure necessary for the management of land zoned as timberland production.

(i) “Parcel” means that portion of an assessor’s parcel that is timberland, as defined.

(j) “Anniversary date” means the anniversary of the date on which zoning is established pursuant to Section 51112 or 51113 takes effect.

(k) “Tax rate area” means a geographical area in which there is a unique combination of tax levies.

(l) “Nonconforming use” means any use within a TPZ which lawfully existed on the effective date of zoning established pursuant to Sections 51112 and 51113, and continuing since that time, which is not a compatible use.

(Added by renumbering Section 51100 by Stats. 1982, Ch. 1489, Sec. 1.)

Evan Ditmars

From: Gertie James <gertiesaprons@yahoo.com>
Sent: Thursday, February 2, 2023 12:24 PM
To: Evan Ditmars
Subject: Proposed Development

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hello Evan,
I'm a neighbor to this property and am requesting that you please provide me information on what exactly is planned for this land.
Thank you,
Gertie

NOTICE OF PROPOSE

APPLICATION #
062-132-08, 063

PROPOSAL TO TRANSFER APPRO
FROM APN 063-132-08 TO 063-121
THAT PORTION OF TRANSFERRE
REQUIRES A LOT LINE ADJUSTM
PRODUCTION ADJACENCY REZO

Sent from my iPhone