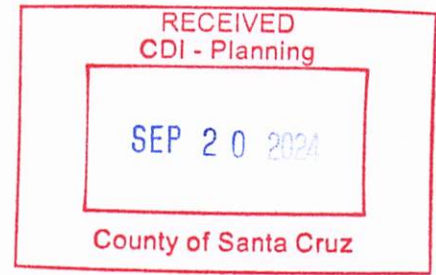


September 18, 2024



Planning Commission
County Government Center
701 Ocean Street
4th Floor
Santa Cruz, CA 95060

Re: Rezoning Proposal Concerns
1445 17th Ave. Santa Cruz
APN: 026-201-40
Public Hearing Wednesday, September 25, 2024 9:30AM

I am writing to express my concerns regarding the rezoning proposal for 1445 17th Ave. Santa Cruz APN: 026-201-40.

My biggest concern is for the protection of the very large redwood tree on the property that is the home and nesting area for many types of wildlife including crows, hawks, owls, blue birds, squirrels, and many other species of birds. There are very few redwood trees in this neighborhood and any plan for this property should not allow the removal of this tree.

Another big concern is the limited and already heavily used public parking in this very narrow section of Harper Street. There is no public parking in this area on 17th Ave. and I have seen people using this area of Harper Street to park and walk to homes on 17th Ave. Any additional units on this property should include enough private parking on the property to meet the needs of those who live there.

Additionally, the allowed height of 30 feet is too tall and does not match other residences on this side of Harper Street. Any additional units or amendments to existing units should not exceed the height of the other neighboring residences on this same side of Harper Street.

Unfortunately, I am unable to attend the Public Hearing on Wednesday, September 25th and am hoping my concerns will be reviewed and addressed.

Much appreciated,

A handwritten signature in black ink, which appears to read "Sherry Schindler", is written below the text "Much appreciated,".

Sherry Schindler (homeowner)
1555 Harper Street
Santa Cruz, CA 95062
(831) 247-3522

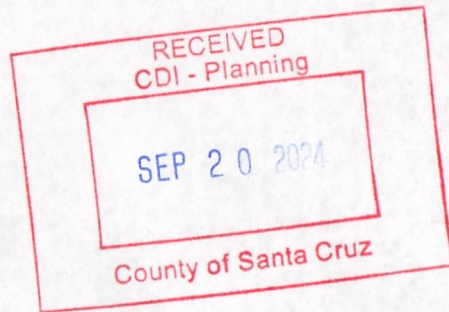


I PROUDLY SUPPORT WWF!

Ms. Sherry Schindler
1555 Harper St
Santa Cruz, CA 95062-2926

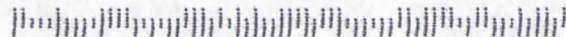
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Planning Commission
County Government Center
701 Ocean Street
4th Floor
Santa Cruz, CA 95060

95060-407199





YIMBY LAW

YIMBY Law

2261 Market Street STE 10416
San Francisco, CA 94114
hello@yimbylaw.org

9/24/2024

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

Re: Santa Cruz County Rezoning Obligation

Dear Planning Commission,

YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. YIMBY Law sues municipalities when they fail to comply with state housing laws, including the Housing Element Law.

The County of Santa Cruz considers its deadline to rezone sites identified in the Housing Element as three years from the date of adoption. This position is incorrect, unsupported by California law and HCD policy. A city's rezoning deadline is three years if it has an adopted, certified housing element within 120 days of the statutory deadline; if it cannot meet that deadline, it must rezone sites within one year of certification:

“...for a local government that fails to adopt a housing element that the department has found to be in substantial compliance with this article within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning of those sites, including adoption of minimum density and development standards, shall be completed no later than one year from the statutory deadline in Section 65588 for

adoption of the housing element.”¹

Santa Cruz County’s statutory deadline for a certified Housing Element was December 15, 2023.² Though the County considers itself to have adopted its Housing Element on November 13, it cannot be considered properly adopted by that date.³ The County did not receive findings from HCD that its Housing Element met statutory requirements. Instead, HCD’s letter of October 23, 2023 never stated that the County’s draft substantially complies with Housing Element law,⁴ but its January 16th letter stated that “revisions will be necessary to substantially comply with State Housing Element Law.”⁵

Santa Cruz County’s draft Element received two amendments following its “adoption” in November 2023, which obligated the County to resubmit its new draft in accordance with Ca. Gov. Code § 65585(b). It did not do so, rendering its element non-compliant with Housing Element law. Where HCD finds that a draft element does not substantially comply with state law, a municipality may change its draft and resubmit to HCD, or adopt its draft with written findings that explains the reasons it believes it substantially complies despite HCD’s findings.⁶ Having done neither, Santa Cruz County’s adoption could not be considered compliant following its Housing Element Amendments.

HCD did not formally certify the Element until April 23, 2024, 10 days following the statutory deadline+120 days.⁷ If the County ever became compliant, it was not on November 2023, but April 23, 2024. On September 5, 2024, HCD backdated its certification to April 12, 2024 in order to find it in compliance before the expiration of its deadline.⁸ HCD does not have authority to retroactively and artificially find the

¹Ca. Gov. Code § 65583.2(c).

²California Department of Housing and Community Development. *RE: County of Santa Cruz 6th Cycle (2023-2031) Draft Housing Element*, 23 Oct. 2023, www.hcd.ca.gov/sites/default/files/docs/planning-and-community/housing-element/scr-santa-cruz-cou-draft-out102323.pdf. Accessed 20 Sept. 2024.

³California Department of Housing and Community Development. *Housing Element Compliance Memo*. 16 Mar. 2023, www.hcd.ca.gov/sites/default/files/docs/planning-and-community/memos/HousingElementComplianceMemo03162023.pdf. Accessed 20 Sept. 2024.

⁴See 2 above. HCD’s reference to the Element as “adopted” in that letter was either incorrect or in regard to its status as “adopted” by the County’s internal procedures.

⁵California Department of Housing and Community Development. *RE: County of Santa Cruz 6th Cycle (2023-2031) Adopted Housing Element 2023-2031*, 16 Jan. 2024, www.hcd.ca.gov/sites/default/files/docs/planning-and-community/housing-element/scr-santa-cruz-county-adopt-out-011624.pdf. Accessed 20 Sept. 2024.

⁶Ca. Gov. Code § 65585(f).

⁷California Department of Housing and Community Development *RE: County of Santa Cruz 6th Cycle (2023-2031) Adopted Housing Element*, 23 April, 2024 (attached with this letter).

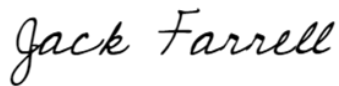
⁸California Department of Housing and Community Development, *Adopted and Corrected Housing Element 2023-2031*, 5 Sept. 2024 (date of reissuance), www.hcd.ca.gov/sites/default/files/docs/planning-and-community/housing-element/scr-santa-cruz-adopt-corrected-090524.pdf. Accessed 20 Sept. 2024.

County in compliance. Whether or not HCD intended to issue its letter by April 13, 2024, it did not do so. As such, the Department and County are bound by law to recognize the one year rezoning deadline of December 15, 2024.

Santa Cruz' current proposal does not comply with this requirement. The County's proposal to address its 5,098 unit target would amend zoning codes in two phases, neither of which will be completed before the end of this year.⁹ These programs are projected to be complete by December 2025 and December 2026, respectively one and two years after the County's actual deadline. Beyond the illegality of these delays, they considerably threaten the County's ability to meet its RHNA. Without adequately zoned sites, proposals cannot legally meet the County's statutory need for housing.

California's Housing Elements law and the necessity of rezoning obligations, and compel Santa Cruz County to complete the rezoning programs that it committed to by December 15, 2024. Should the County or HCD fail to comply with the law, YIMBY Law will not hesitate to take legal action to ensure that the law is enforced.

Sincerely,

A handwritten signature in black ink that reads "Jack Farrell". The script is cursive and fluid.

Jack Farrell, Esq.
Research Attorney
YIMBY Law

⁹Santa Cruz County Planning Commission, *Study Session on Proposed Rezoning Required by the 2023 Housing Element (Program H-1B)*, August 28, 2024
<https://www2.santacruzcountyca.gov/planning/plnmeetings/PLNSupMaterial/PC/agendas/2024/20240828/007.pdf>. Accessed 20 Sept. 2024.

Dear Mark,

We hope this letter finds you well. We are writing to you today to express our strong opposition to the proposed rezoning of the property located at 2091 17th Ave, Santa Cruz (APN:026-122-36). This matter concerns not only us but also many members of our community, and we feel compelled to voice our concerns regarding the potential negative impacts this rezoning could have on our neighborhood.

First and foremost, we are deeply concerned about the environmental implications of such a development. Our community values its green spaces, local wildlife, and the overall quality of our environment. The proposed rezoning threatens to diminish these crucial aspects of our neighborhood, potentially leading to increased pollution, disruption of local ecosystems, and the loss of public green spaces. With a large increase in housing units in a condensed space, the light pollution will drastically increase. Has there been an environmental impact study to review the impact on the ecosystem, water run off to the neighboring homes?

Additionally, we fear that the character of our neighborhood could be irreversibly altered. Our community prides itself on its unique character and cohesive community atmosphere. We support the construction of single-family homes that are in harmony with the neighborhood's character, as opposed to a large complex. The proposed development risks transforming this area into something unrecognizable, eroding the sense of community and belonging that has been nurtured over many years.

One of our primary concerns is the impact on local infrastructure and services. Our community's infrastructure, including roads, schools, and emergency services, is already under considerable strain. Introducing a new development of the scale implied by the proposed rezoning could overwhelm these services, degrading the quality of life for current residents. The rezoning proposal, which aims to convert this area from single family residential into medium density multi-family, is likely to significantly increase both traffic congestion and parking demands, on an already busy road, undermining the tranquility and accessibility of our neighborhood.

Further, the proposed rezoning is too broad. Even if the good faith intent today is for smaller units or attached townhomes with reasonable parking and amenities, there would be nothing stopping a new landowner from forcing residents out to maximize the property to the extent of the zoning allowance - 65 units and 3 stories. Without stronger than currently mandated rent control ordinances, the rezoning prioritizes profit incentives to builders over building community foundations – frequent turnover of tenants will be necessary to maximize profits. The development could also deprive the county of the ability to generate new tax revenue when homes sell, as the builders will benefit from Prop 13, perpetually benefiting from lower tax rates while again maximizing profits. Given how we, the impacted parties, were not directly informed of this hearing and it was tucked away on a sign next to the property, it is difficult to take any of this effort in good faith or see it as more than a backdoor deal to benefit a corporate housing developer, which is certainly not in line with the vision for our community.

In conclusion, while we understand and appreciate the need for growth and housing development within our county, we strongly believe that the proposed rezoning of 2091 17th Ave, Santa Cruz (APN:026-122-36) is not in the best interest of our community. We urge the County Planning Commission to consider the concerns of local residents and to explore alternative solutions that would allow for development without sacrificing the well-being of existing communities.

Thank you for your time and consideration of our position. We hope that our voices will be heard and taken into account in the decision-making process. We look forward to your response and are more than willing to discuss this matter further if needed.

Sincerely,

Ian and Kim Bennett

Ian and Kim Bennett
1694 Cozy Court
Santa Cruz, CA 95062
September 23, 2024

Mark Connolly
Planning Commission
701 Ocean Street
4th Floor
Santa Cruz, CA 95060

Subject: Objection to the Proposed Rezoning of 2091 17th Ave, Santa Cruz
(APN:026-122-36)

Dear Mark,

We hope this letter finds you well. We are writing to you today to express our strong opposition to the proposed rezoning of the property located at 2091 17th Ave, Santa Cruz (APN:026-122-36). This matter concerns not only us but also many members of our community, and we feel compelled to voice our concerns regarding the potential negative impacts this rezoning could have on our neighborhood.

First and foremost, we are deeply concerned about the environmental implications of such a development. Our community values its green spaces, local wildlife, and the overall quality of our environment. The proposed rezoning threatens to diminish these crucial aspects of our neighborhood, potentially leading to increased pollution, disruption of local ecosystems, and the loss of public green spaces. With a large increase in housing units in a condensed space, the light pollution will drastically increase. Has there been an environmental impact study to review the impact on the ecosystem, water run off to the neighboring homes?

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already under considerable strain. Introducing a new development of the scale implied by the proposed rezoning could overwhelm these services, degrading the quality of life for current residents. The rezoning proposal, which aims to convert this area from single family residential into medium density multi-family, is likely to significantly increase both traffic congestion and parking demands, on an already busy road, undermining the tranquility and accessibility of our neighborhood.

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In conclusion, while we understand and appreciate the need for growth and housing development within our county, we strongly believe that the proposed rezoning of 2091 17th Ave, Santa Cruz (APN:026-122-36) is not in the best interest of our community. We urge the County Planning Commission to consider the concerns of local residents and to explore alternative solutions that would allow for development without sacrificing the well-being of existing communities.

Thank you for your time and consideration of our position. We hope that our voices will be heard and taken into account in the decision-making process. We look forward to your response and are more than willing to discuss this matter further if needed.

Sincerely,

Ian and Kim Bennett

A handwritten signature in blue ink, appearing to read "Kim Bennett", is written over a printed name. The signature is stylized and cursive.

Nathaniel and Calene Fletcher
1686 Cozy Ct.
Santa Cruz, CA 95062

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

September 22, 2024

Dear Santa Cruz County Planning Commission,

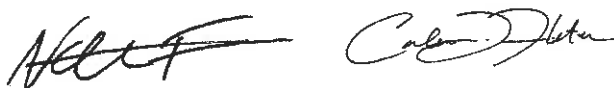
We are writing to express our strong opposition to the proposed rezoning of parcel 026-122-36 at 2091 17th Avenue from R-UL/R-1 to R-UH/RM-1.5 as directed by the 2023 Housing Element. Although no development is currently planned for this property, this rezoning would facilitate the development of a large multi-family complex with 65 potential units. Such a development would be completely out of character with the surrounding neighborhoods, would strain existing infrastructure and community resources, and would exacerbate local traffic and congestion issues.

We understand and support the need for new housing, but believe that the number one priority should be to preserve the integrity of the existing community and that any new development should match the character of the neighborhood. Almost the entirety of the Live Oak neighborhoods surrounding parcel 026-122-36, including the parcels between 7th Avenue, Rodrigues St, Chanticleer Avenue, and Capitola Avenue are zoned R-1 with single family homes. Rezoning this parcel to RM1.5 would allow for development of a 65-unit complex that would be completely oversized and out of character with the surrounding neighborhood and would greatly impact the local community. A massive 3 story development in a residential neighborhood would not only be an oversized eyesore, but would block neighbors' views and impact their privacy by creating a vantage point into private property. Additionally, a 65-unit complex would nearly double the number of existing homes on 17th Ave between Rodriguez St. and Capitola Rd, which would strain existing infrastructure and community resources such as parks, community spaces, and schools – the Live Oak School district is already financially burdened. It would also increase local traffic and congestion. There is already not enough street parking on 17th Ave for the people who live here and our surface streets face daily traffic and congestion problems. Such a development would only exacerbate these issues.

We believe this parcel should remain R-1 and that five to six single-family homes should be developed here - this would create homes that match the size and character of the surrounding neighborhoods, would preserve their integrity, and would limit impacts to the local community. We hope you consider this and that you take the wellbeing of the local community into account, rather than pushing oversized developments into our neighborhoods.

Thank you for the consideration.

Sincerely,

The block contains two handwritten signatures in black ink. The signature on the left is for Nathaniel Fletcher and the one on the right is for Calene Fletcher. Both are written in a cursive, flowing style.

Nathaniel and Calene Fletcher
Neighbors and Live Oak Residents since 2013

Dear Santa Cruz Planning Commission,

We are writing to express our concerns regarding the proposed rezoning program and its potential negative impact on our neighborhood. While we understand the need for increased housing density in some areas, we believe the proposed changes could significantly detract from the quality of life for existing residents in this particular case.

The proposed rezoning, which would allow for multi-unit dwellings in areas currently zoned for single-family homes, raises several concerns:

- **Increased Noise Levels:** Multi-unit dwellings inherently generate more noise than single-family homes due to increased occupancy and activity. This could disrupt the peaceful residential character of our neighborhood, especially with the close proximity to Cozy Court where we reside. Additionally, construction of such units will certainly cause disruptive noise pollution.
- **Parking Congestion:** The addition of multi-unit dwellings will undoubtedly increase parking demand which is already quite high on 17th street with spill over into side streets like Cozy Court. Without adequate planning for additional parking spaces, this could lead to street parking congestion, making it difficult for residents to find parking and potentially blocking driveways or increasing the number of "nuisance vehicles" in disrepair that are often left for long periods of time in the area.
- **Traffic Congestion:** Increased residential density will lead to increased traffic, potentially causing congestion on our local roads and making it more difficult and time-consuming for residents to commute which is already problematic on 17th.
- **Property Value Decline:** The introduction of multi-unit dwellings in a single-family home neighborhood could lead to a decline in property values for existing homeowners.
- **Transformation of Neighborhood Character:** The change from a single-family home neighborhood to one with multi-unit dwellings will significantly alter the character of our community, leading to a loss of the quiet, residential atmosphere that many residents value.
- **Lack of Clear Plans to Address Local Infrastructure:** The proposal will significantly impact local infrastructure (roads, parking, schools, city services) yet there is not enough information on how this will be addressed. The rezoning proposal should include detailed acceptable solutions for addressing traffic, parking, and other potential issues which are currently missing.

Additionally, we would like to share our concern over the lack of community input solicited in this proposal. We happened to stumble upon the fliers which appeared to be strategically placed to avoid notice. Given the significant impact to our local community, we are disheartened by the lack of transparency surrounding this proposal.

We urge the Planning Commission to carefully consider these negative impacts and align to keep the existing zoning for single-family dwelling.

Thank you for your time and consideration of these important issues.

Sincerely,

Mikaela and Kyle Kraft
1698 Cozy Ct. Santa Cruz, CA 95062