



Staff Report to the Planning Commission

Application Number: **241318**

Applicant: Joseph Culver

Owners: Eric Bushnell, Jeffrey Bushnell, Ronald Bushnell Jr.,
Keeya Lee Bushnell

APN: 089-091-60

Site Location: No Situs Address

Agenda Date: 4/23/25

Agenda Item #: 8

Time: After 9:30 a.m.

Project Description: Proposal to rezone APN 089-091-60 from Special Use (SU) to Timber Production (TP).

Location: Property is located approximately 1500 feet north of the intersection of Wicket Road and Hopkins Gulch Road (No Situs Address).

Permits Required: Zoning Map Amendment

Supervisory District: 5th District (District Supervisor: Moncia Martinez)

Staff Recommendation:

- Adopt the attached resolution (Exhibit F), sending a recommendation to the Board of Supervisors that they determine that the proposal exempt from further review under the California Environmental Quality Act (CEQA), approve Application 241318, and adopt the ordinance rezoning the parcels from the Special Use (SU) zone district to the TP (Timber Production) zone district (Exhibit G).

Project Description & Setting

The subject parcel is located approximately 1,500 feet north from the intersection of Wicket Road and Hopkins Gulch Road, in the San Lorenzo Valley Planning Area. Development in the vicinity ranges from low density residential development and vacant parcels zoned Special Use (SU) to the south and east, with undeveloped or lightly developed TP (Timber Production) zoned parcels to north and west. The vacant parcel, which does not have an assigned address, is located adjacent to parcels zoned Timber Production (TP) that are owned by the same property owners, APNs 089-051-02 and 089-051-09. APN 089-051-02 has approximately 102 acres, while APN 089-051-09 has 160 acres. The adjacent parcels are characterized by steep slopes and heavy forest, with some areas of flat land.

The subject parcel contains an area of approximately 10.1 acres, and the majority of the parcel has a slope greater than 50%. It is heavily forested with a seasonal watercourse that runs across the northern third on the parcel and eventually drains into a non-fish-bearing perennial watercourse. Currently the parcel has approximately 1,200 feet of dirt-surfaced skid trails that are contoured to the natural slope and are approximately 10 feet-wide. These low impact trails are regularly maintained and will be used during logging operations approximately every 12-15 years. The proposed project would rezone the parcel from the SU to TP.

The proposal is facilitated under California Government Code Section 51113.5, which allows a property owner with timberland to also zone contiguous land held in the same ownership, for timber production. The only requirements for this type of rezoning are that the parcels must meet the following definitions found in Government Code section 51104(f) and (g):

(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.”

Subdivision (h) states as follows:

(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.

The applicant’s forester, Joseph Culver (Registered Professional Forester #2674), submitted the requisite materials to support the proposed rezoning to TP. As noted in the letter prepared by Mr. Culver, dated 10/21/2024 (Exhibit D), the proposed land meets the aforementioned criteria, providing an estimated annual average volume of wood fiber at 60.2 cubic feet per acre. The letter confirms that the subject property is adjacent to two existing TP-zoned parcels located to the north and west of the subject property, APNs 089-051-02 and 089-051-09 that are held under the same ownership.

Zoning & General Plan Consistency

The subject parcel is currently zoned SU (Special Use) with a R-M (Mountain Residential) General Plan designation. Both SU and TP are implementing zone districts for the R-M General Plan designation and therefore the proposed rezoning will be consistent with the General Plan standards. Timber harvesting is presently prohibited in the SU zone district but was allowed under a previous iteration of the County’s Zoning regulations.

Zoning Map Amendment

Proposals to amend the County's Zoning Map require that the project conform with the regulations outlined in Santa Cruz County Code Section 13.10.185 (Zoning Plan Amendments), which mandates, at a minimum, three findings of approval. These findings, included on page 5 of this report (Exhibit B), to ensure consistency with the General Plan and with the existing land uses in the vicinity. Staff are in support of the project, and the findings for a Zoning Plan Amendment can be made, in that the subject parcel was selectively harvested approximately 15 years ago and the forest resource is currently healthy and experiencing a growth rate consistent with managed forests. Permanent development on the parcel would be significantly constrained, if not precluded, by the challenges of developing on steep parcels, including the challenges presented in locating suitable sites for buildings, roads, and septic systems. The rezoning to TP, however, does not preclude development of a single-family dwelling as a use ancillary and subordinate to the primary use of the property for timber production.

The proposal is subject to consideration under the "Adjacency Rezoning" regulations described in Government Code Section 51113, which limits a jurisdiction's ability to place additional requirements or conditions on specific types of timber production rezoning applications.

Environmental Review

This project qualifies for a statutory exemption in accordance with the California Environmental Quality Act Article 18, Section 15264 (Exhibit A).

Conclusion

All of the criteria have been met for rezoning the subject parcel to the Timber Production zoning designation. All required findings can be made to approve this application pursuant to California State Government Code Section 51113.5 and with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. There are no Williamson Act contracts that apply to the SU-zoned parcel. Therefore, as proposed and conditioned, the project is consistent. 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 F), sending a recommendation to the Board of Supervisors that they determine that the proposal exempt from further review under the California Environmental Quality Act (CEQA), approve Application 241318, and adopt the ordinance rezoning the parcels from the Special Use (SU) zone district to the TP (Timber Production) zone district (Exhibit G).

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Division, 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:

Alexandra Corvello

Digitally signed by Alexandra Corvello
DN: c=US,
e=alexandra.corvello@santacruzcountyca.gov,
o=County of Santa Cruz, OU=CDI, CN=Alexandra
Corvello
Date: 2025.04.15 16:03:29-07'00'

Alexandra Corvello
Santa Cruz County Planning
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3209
E-mail: alexandra.corvello@santacruzcountyca.gov

Report Reviewed By:



Lezanne Jeffs
Principal Planner
Development Review
Santa Cruz County Planning

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Forester's Report, Prepared by DKM Forestry
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Planning Commission Resolution
- G. Ordinance for Proposed Rezoning
- H. Parcel information

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Division 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 reasons which have been specified in this document.

Application Number: 241318
Assessor Parcel Number: 089-091-60
Project Location: No Situs Address

Project Description: Proposal to rezone one parcel from SU to TP

Person or Agency Proposing Project: Joseph Culver

Contact Phone Number: (831) 359-5989

- 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. X **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
E. _____ **Categorical Exemption**

Specify type: Article 18, Section 15264

F. Reasons why the project is exempt:

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 Section 51100 et seq. (Gov. Code, Sec. 51119).

The proposed project would change the zoning designation of one parcel from Special Use (SU) to Timber Production (TP) for the purpose of facilitating a timber harvest.

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

Alexandra Corvello, Project Planner

Date: _____

Zoning Plan Amendment Findings

1. The proposed uses will be physically compatible with the growing and harvesting of timber pursuant to the Timber Productivity Act of 1982 and the purposes of SCCC 13.10.371; and

This finding can be made in that the proposed TP Zoning designation will protect the existing timber resources on this parcel and the application does not include a proposal for development. The subject parcel is bordered by TP zoned parcels to the north and west, APNs 089-051-02 and 089-051-09, that are also owned by the same property owners as this parcel. The applicant's forester, Joseph Culver (Registered Professional Forester #2674), submitted the requisite materials to support a TP rezone. As noted in the letter prepared by Mr. Culver, dated 10/21/24 (Exhibit D), the proposed land meets all of the criteria under California Government Code Section 51113.5 for rezoning contiguous land held in the same ownership, for timber production, in that it would provide an estimated annual average volume of wood fiber at 60.2 cubic feet per acre. Further, the neighboring parcels to the north and west are held within the same ownership and are currently zoned for Timber Production (TP). Neighboring parcels to the east and south are zoned Special Use (SU) and are either vacant or have been developed with a single-family dwelling. Based on measurements taken from the County GIS mapping system, the nearest single-family dwelling is approximately 560 feet from the eastern property line. As such, future timber harvests, which would be evaluated and approved by CalFire via a Timber Harvest Plan, would not present a conflict with existing uses in the area.

2. The proposed use is supported by a compatibility analysis, as defined in SCCC 13.10.700-C, submitted as a part of the application for such proposed use, and which compatibility analysis has been approved as submitted, or as amended by the County, as a condition upon any permit granted.

This finding can be made based on the compatibility analysis submitted by Joseph Culver (Registered Professional Forester #2674), which supports the proposed use and TP rezone. The average residual basal area of the subject property is 186 square feet per acre which is greater than the minimum 50 square feet per acre requirement. Additionally, the subject property is capable of growing an average annual volume of wood fiber of 60.2 cubic feet per acre, which is greater than the minimum 15 cubic feet per acre. This parcel would be harvested as part of a larger harvest on the adjacent lands under the same ownership.

In addition, Planning Commission is required to make one or more findings in support of an application to rezone, as set out in SCCC 18.40.060(A)(4). The following findings can be made:

- (a) 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 proposed rezoning allows the highest and best use of a property which is otherwise very difficult to build. The sloped and forested land would limit, if not prevent, residential development and uses. As supported by the Forester's Letter (Exhibit D), the timber resources on the site are experiencing a growth rate consistent with managed forests and are sufficient for harvest.

- (b) The proposed rezoning is necessary to provide for a community-related use which was not anticipated when the zoning plan was adopted;

Not applicable

- (c) The present zoning is the result of an error;

Not applicable

- (d) The present zoning is inconsistent with designation on the General Plan;

Not applicable

- (e) The proposed rezoning is in the best interests of the public health, safety or welfare;

The proposed rezone of the property would facilitate a commercial timber harvest. The resulting timber harvest would result in specialized forest management resulting in reduced fuel loads and increased fire safety. Under current conditions, the parcels are unbuildable and there is little incentive to implement sitewide management.

- (f) A rezoning from nonresidential to residential use is appropriate in that the site has low commercial potential as reflected by existing vacancies, or outdated low-value improvements, or low employment density, or low market demand for commercial use of the site; or

Not applicable

- (g) The site will accommodate housing type(s) that are needed to house the local workforce in support of the local economy.

Not applicable

Conditions of Approval

Exhibit D: Project plans, prepared by Joseph Culver RPF #2674, dated 10/21/24

- I. This permit authorizes the rezoning of APN 089-091-60, from the SU (Special Use) zone district to the TP (Timber Production) zone district, as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to Santa Cruz County Planning one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- II. Operational Conditions
 - A. 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.
 - B. Upon the fifth anniversary of the signing of the agreement, the Board shall determine whether the parcel meets the timber stocking standards in effect on the date that the agreement was signed. If the parcel fails to meet the timber stocking standards, the Board shall immediately rezone the parcel and specify a new zone for the parcel, which is in conformance with the General Plan/Local Coastal Program Land Use Plan and whose primary use is other than timberland.
 - C. Prior to commencing any timber operations, the applicant shall obtain the necessary approvals from the California Department of Forestry.
- III. 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 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.

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

Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.

Coastal Forestry

October 21, 2024

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



RE: Rezone APN # 089-091-60 to TPZ
Adjacent to TPZ/Timberland
Property Under Same Ownership

I have been hired to facilitate the rezoning of APN# 089-091-60 to Timber Production. The parcel is currently zoned SU and the county assessor lists the parcel as 10.1 acres in size. The parcel is adjacent to APN # 089-051-02, a 102.9 acre parcel already zoned Timber production under the same ownership. APN# 089-051-02 is heavily timbered and meets the state definition of timberland. As the parcels are contiguous and under the same ownership, APN# 089-091-60 qualifies for an "Adjacency Rezoning" under section 51113.5 of the California Code.

In June of 2024 I completed a sample inventory of APN# 089-091-60 to determine forest characteristics. The inventory consisted of 4 plots 1/5 acre in size randomly placed across the parcel. 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 APN# 089-091-60 is 186 square feet per acre and therefore meets the 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." The property proposed for rezoning is capable of growing an annual average volume of wood fiber of 60.2 cubic feet per acre and therefore meets the definition of timberland.

COMPATIBLE USE: Current property use of the parcel includes watershed, wildlife habitat and timber management. No structures are located on the parcel. Existing infrastructure on the parcel does not significantly detract from the use of the property

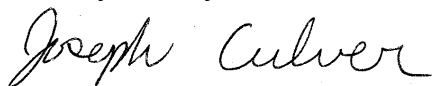
for, or inhibit, growing and harvesting timber. There are no structures on the parcel. There are no roads suitable for standard vehicles on the property. There are approximately 1,200 feet of tractor trails that are used during logging operations for skidding logs. These are dirt-surfaced trails approximately ten feet wide that are generally contoured to the natural slope, have frequent dirt berms installed across the trail surface for drainage after use, and are covered in redwood duff or vegetation. These low impact trails are maintained to forest practice standards and are used during logging operations approximately every 12-15 years.

The parcel also includes a seasonal watercourse (class 3) that flows into a perennial, non fish-bearing watercourse (class 2). The location of the skid trails and watercourses are shown on the attached map.

The property is well suited for timber management into the future. The property was selectively harvested approximately 15 years ago and the forest resource is currently healthy and experiencing a growth rate consistent with managed forests. The ownership has indicated that they want to continue to manage the timber resource and stand conditions warrant another harvest in the near future. Harvesting on the parcel will take approximately one month. The harvest will be part of a larger harvest on adjacent lands under the same ownership. An approved Timber Harvest Plan currently is in place for the ownership. The owners would like to log the parcel sometime between May 1 and October 15 of 2025. Weather conditions and contractor availability do not allow a more specific time window at this time.

The property meets required state stocking levels, qualifies as "Timberland," and the current use is compatible with the Timber Production zoning.

Thank you for your time in this matter,

A handwritten signature in cursive script that reads "Joseph Culver".

Joseph Culver
RPF #2674

Attached: Bushnell Rezone Map

Bushnell Rezone Application

Santa Cruz County
Castle Rock Ridge USGS Quadrangle
Portions of Sections 17
T9S, R2W, MDB&M
Contour Interval = 40 feet

APN 089-091-60

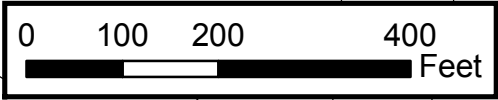
Legend

Rezone Parcel

Skid Trail

Class 2 Watercourse

Class 3 Watercourse



Coastal Forestry

October 3, 2024

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



RE: Rezone APN # 089-091-60 to TPZ
Additional Information following
Review by Santa Cruz County

On September 25, 2024 Santa Cruz Planning issued an "Incomplete Application" letter regarding the rezoning application. This response contains the additional information required per the letter.

County Comment

*Please provide more detailed information on what is the existing infrastructure on the parcel.
Please include any maps/surveys or any other information on deeded easements, etc.*

There are no structures on the parcel. There are no roads suitable for standard vehicles on the property. There are approximately 1,200 feet of tractor trails that are used during logging operations for skidding logs. These are dirt-surfaced trails approximately ten feet wide that are generally contoured to the natural slope, have frequent dirt berms installed across the trail surface for drainage after use, and are covered in redwood duff or vegetation. These low impact trails are maintained to forest practice standards and are used during logging operations approximately every 12-15 years.

The parcel also includes a seasonal watercourse (class 3) that flows into a perennial, non fish-bearing watercourse (class 2). The location of the skid trails and watercourses are shown on the attached map.

County Comment

Please update the report to provide an approximate period of time when a reasonable timber harvest can be accomplished on this site and when it is expected to get harvested.

Harvesting on the parcel will take approximately three weeks. The harvest will be part of a larger harvest on adjacent lands under the same ownership. An approved Timber Harvest Plan currently is in place for the ownership. The owners would like to log the parcel sometime between May 1 and October 15 of 2025. Weather conditions and contractor availability do not allow a more specific time window at this time.

Please let me know how else I may assist,

Joseph Culver
RPF #2674

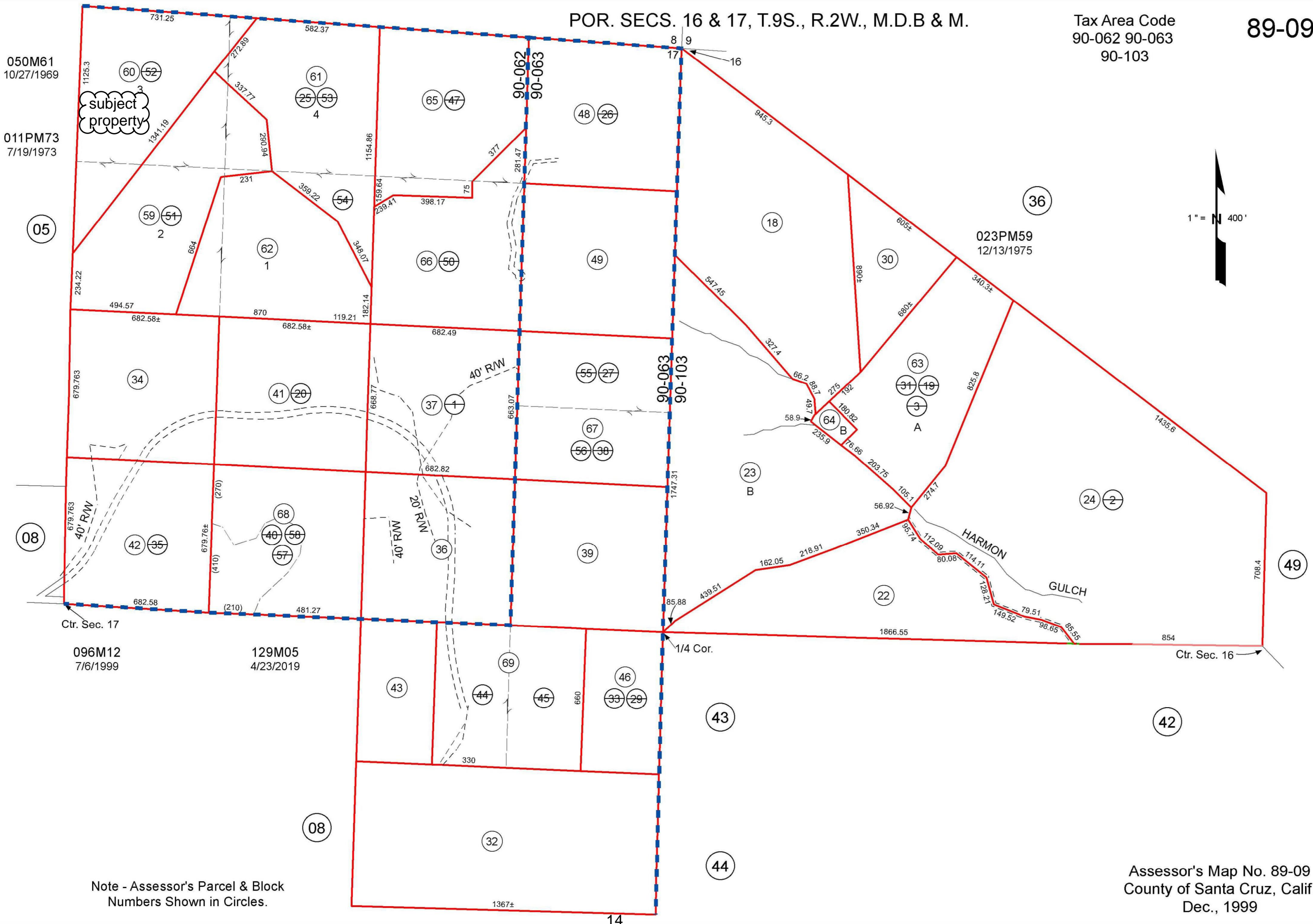
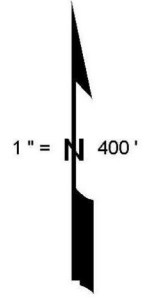
FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

POR. SECS. 16 & 17, T.9S., R.2W., M.D.B & M.

Tax Area Code
90-062 90-063
90-103

89-09



Note - Assessor's Parcel & Block
Numbers Shown in Circles.

Assessor's Map No. 89-09
County of Santa Cruz, Calif.
Dec., 1999

Electronically Redrawn 12/08/99 mvm
Rev 9/5/01 mvm (changed page refs.)
Rev 9/5/18 CB (Combo Form, 1-69)
Rev 7/29/19 jg (129M05)



Parcel Location Map



Mapped
Area



089-091-60

HOPKINS GULCH RD

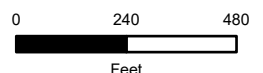
HOPKINS GULCH RD

WICKET RD

Parcel: 08909160

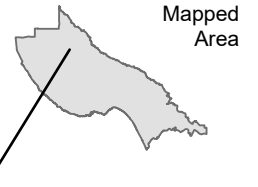
 Subject Parcel

Map printed: 15 Apr. 2025

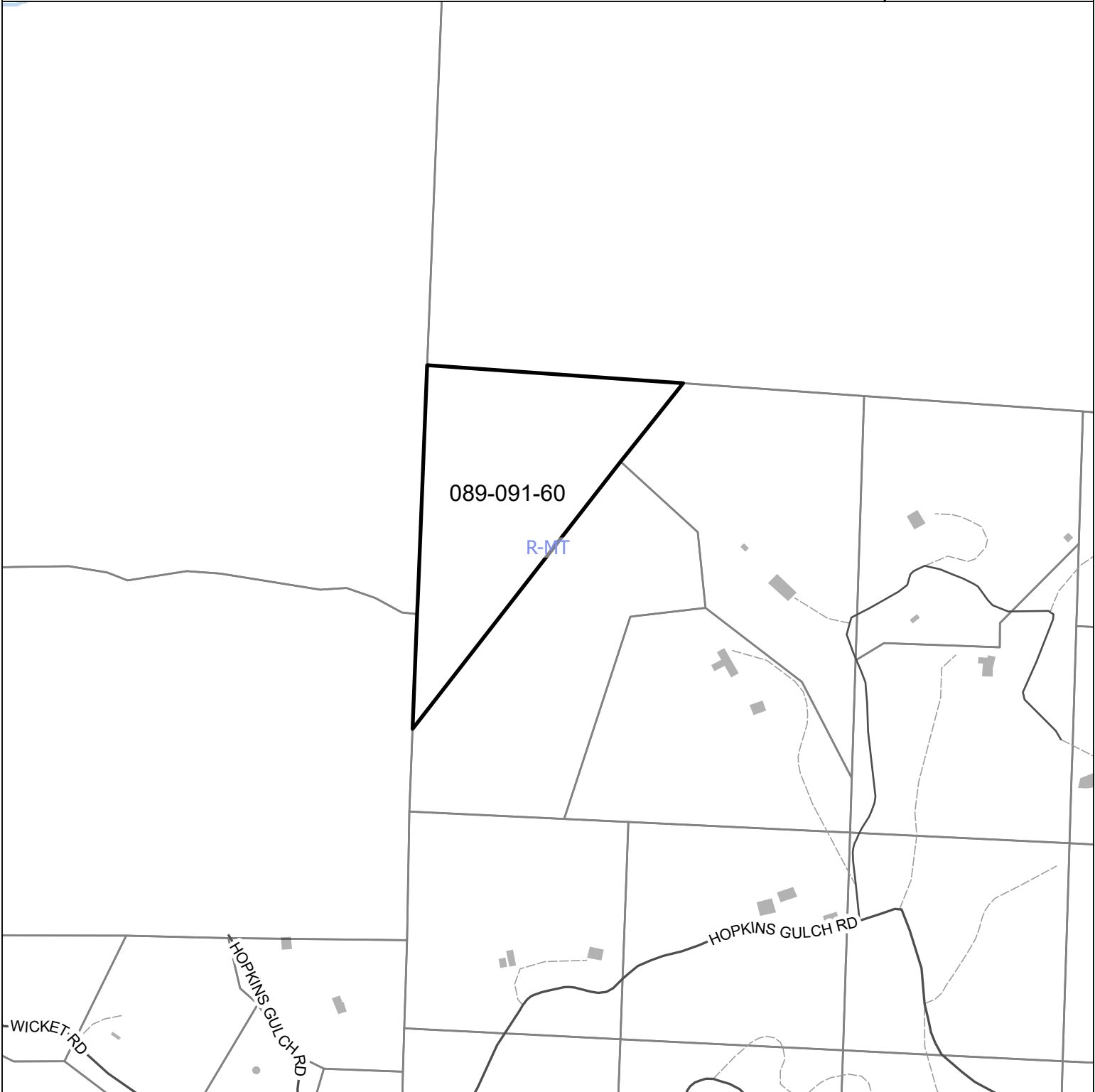




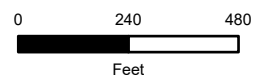
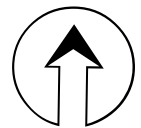
Parcel General Plan Map



Mapped
Area

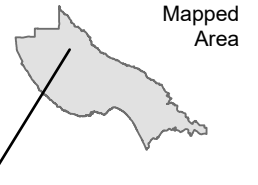


 Subject Parcel





Parcel Zoning Map



TP

089-091-60

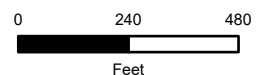
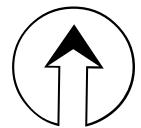
SU

HOPKINS GULCH RD

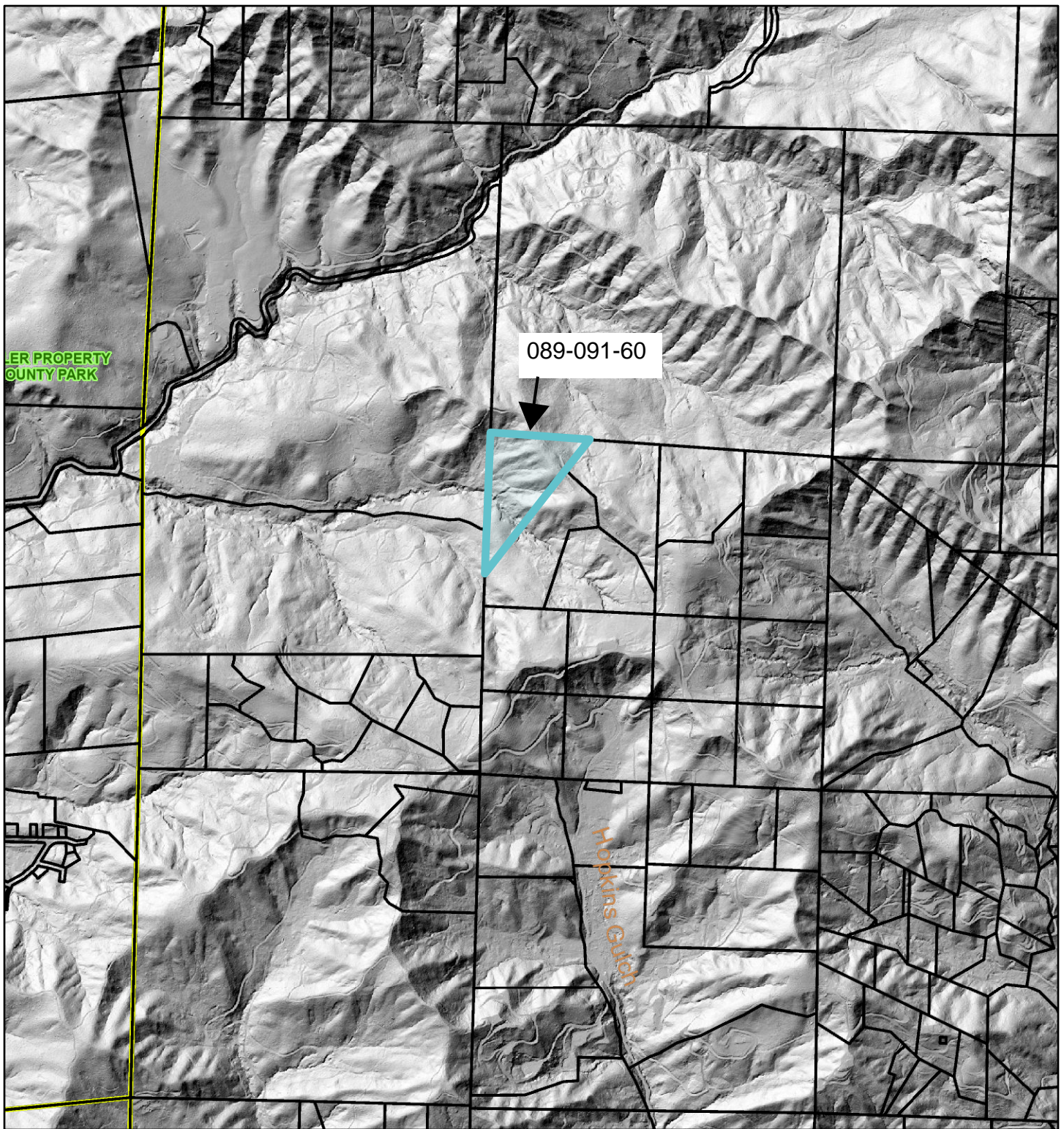
HOPKINS GULCH RD

WICKET RD



 Subject Parcel

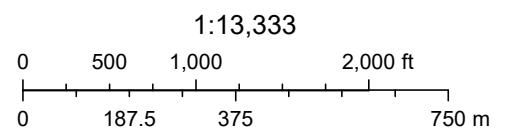


Parcel Location Map



April 15, 2025

-  Parcels
-  Map Books



County of Santa Cruz

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
RECOMMENDING THE BOARD OF SUPERVISORS
AMEND THE ZONING MAP TO REZONE APN 089-091-60 TO THE TIMBER
PRODUCTION ZONING DISTRICT

WHEREAS, the Planning Commission has held a public hearing on Application No. 241318, an application to rezone one parcel, APN 089-091-60, from the SU (Special Use) zone district to the TP (Timber Production) zone district. The subject parcel is vacant with no address and is located just north of 1224 Hopkins Gulch Road in the San Lorenzo Valley 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 adoption of this Ordinance is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations Title 14, Section 15264, which exempts local agencies from the requirement to conduct CEQA review for the adoption of timberland preserve zones.

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 13.10.180 and 13.10.185.

BE IT FURTHER RESOLVED, that the Planning Commission incorporates the findings on the proposed 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 _____, 2025, by the following vote:

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

ATTEST: _____
Sheila McDaniels
Secretary

Chairperson, Planning Commission

APPROVED AS TO FORM:

Signed by:

D63DC8AA0E74408
Natalie Kirkish
Office of the County Counsel

Certificate Of Completion

Envelope Id: 1C42EDC4-123C-4486-97CE-F25395D639A9	Status: Completed
Subject: Complete with Docusign: 241318 PC Resolution 4.15.25 final.pdf	
Source Envelope:	
Document Pages: 2	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Alexandra Corvello
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	701 Ocean Street
	Santa Cruz, CA 95060
	Alexandra.Corvello@santacruzcountyca.gov
	IP Address: 63.194.190.100

Record Tracking

Status: Original	Holder: Alexandra Corvello	Location: DocuSign
4/15/2025 11:27:34 AM	Alexandra.Corvello@santacruzcountyca.gov	
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: County of Santa Cruz	Location: Docusign

Signer Events

Signer Events	Signature	Timestamp
Natalie Kirkish	 <p>Signed by: Natalie Kirkish D52DC6AA0E74498...</p>	Sent: 4/15/2025 11:28:54 AM
Natalie.Kirkish@santacruzcountyca.gov		Viewed: 4/15/2025 11:30:48 AM
County Counsel		Signed: 4/15/2025 11:31:21 AM
Security Level: Email, Account Authentication (None)		
	Signature Adoption: Pre-selected Style	
	Using IP Address: 63.194.190.100	

Electronic Record and Signature Disclosure:
Accepted: 8/1/2024 2:49:37 PM
ID: b763e46b-8c75-436f-b147-3f5717480ab2

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	4/15/2025 11:28:54 AM
Certified Delivered	Security Checked	4/15/2025 11:30:48 AM
Signing Complete	Security Checked	4/15/2025 11:31:21 AM
Completed	Security Checked	4/15/2025 11:31:21 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING ZONING PLAN AND MAP PURSUANT TO CHAPTER 13.10 OF THE SANTA CRUZ COUNTY CODE TO REZONE APN 089-091-60 TO THE TIMBER PRODUCTION ZONING DISTRICT

WHEREAS, the owner of APN 089-091-60 filed an application (Application No. 241318) to rezone the parcel from the Special Use zone district to the Timber Production zone district. The subject parcel is vacant with no address and is located just north of 1224 Hopkins Gulch Road in the San Lorenzo Valley Planning Area; and

WHEREAS, on April 23, 2025, the Planning Commission held a duly noticed public hearing on Application No. 241318 and recommended that the Board approve the rezone; and

WHEREAS, the Board of Supervisors has held a public hearing on the recommendation to rezone APN 089-091-60 from the SU (Special Use) zone district to the TP (Timber Production) zone district.

NOW, THEREFORE, 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 13.10.185, 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 one vacant parcel located, as the crow flies, approximately 1,500 feet north from the intersection of Wicket Road and Hopkins Gulch Road, 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

EXHIBIT G

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 priority uses consistent with Sections BE-2.2.2, ARC-7.1.1, ARC 7.1.9 and ARC-7.1.11 of the certified General Plan/ Land Use Plan.
5. The property meets the requirements of Government Code section 51113.5 and County Code Section 13.10.374(D).

SECTION III

Chapter 13.10 - Zoning Regulations of the Santa Cruz County Code is hereby amended by amending Section 13.10.180 - Zoning Map to change the following properties from the existing zone district to the new zone districts as follows:

<u>Assessor's Parcel Numbers</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
089-091-60	SU (Special Use)	TP (Timber Production)

SECTION IV

The Board of Supervisors hereby finds and determines that adoption of this Ordinance is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations Title 14, Section 15264, which exempts local agencies from the requirement to conduct CEQA review for the adoption of timberland preserve zones.

SECTION V

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

PASSED AND ADOPTED THIS _____ day of _____ 2025, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

Felipe Hernandez
CHAIRPERSON, BOARD OF
SUPERVISORS

ATTEST: _____
Juliette Rezzato
Clerk of the Board

APPROVED AS TO FORM:

Natalie Kirkish
Office of the County Counsel

Exhibit: Rezoning Map

DISTRIBUTION: County Counsel
Planning
Assessor
County GIS

Parcel Information

Services Information

Urban/Rural Services Line:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Water Supply:	San Lorenzo Valley Water District
Sewage Disposal:	CSA 12 Septic Maintenance District
Fire District:	Boulder Creek Fire Protection District
Drainage District:	Flood Control Zone 8

Parcel Information

Parcel Size:	10.1 acres
Existing Land Use - Parcel:	Vacant, undeveloped
Existing Land Use - Surrounding:	Timber production to the north and west, Special Use parcels that are either vacant or developed for residential uses to the south and east.
Project Access:	Access is provided from Hopkins Gulch Road to the east, via a deeded non-exclusive 40-foot right-of-way easement that runs through APNs 089-091-59, 089-091-62, 089-091-41
Planning Area:	San Lorenzo Valley
Land Use Designation:	R-M (Mountain Residential)
Zone District:	Currently SU (Special Use), proposed to be Timber Production (TP)
Coastal Zone:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	SRA-High
Slopes:	>50% over the majority of site
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	Tree removal pending State approval
Scenic:	Not a mapped resource
Archeology:	Portion of the site mapped as having potential Archeological Resources