



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060

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TOM BURNS, DIRECTOR

July 20, 2004

AGENDA: July 28, 2004

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

PUBLIC HEARING TO CONSIDER NEW REQUIREMENTS FOR ON-SITE SIGNS FOR PROJECTS REVIEWED AT LEVELS IV - VII, AND NEIGHBORHOOD MEETINGS FOR PROJECTS REVIEWED AT LEVELS VI AND VII

Commissioners:

On May 18, 2004, the Board of Supervisors considered a report on providing earlier public notification, including associated signage and neighborhood meetings, for development applications received by the Planning Department. The Board directed the Planning Department to proceed through environmental review and consideration by your Commission of ordinance amendments to implement the proposed improved public notification requirements. The proposal has been determined not to be a project as defined in the California Environmental Quality Act and is therefore exempt from further environmental review.

The Planning Department recommends that your Commission recommend to the Board of Supervisors approval of amendments to Chapter 18.10, as described later in this report, to require posting of a sign giving notice of proposed development for projects requiring review at Levels IV through VII and a requirement for neighborhood meetings for applications processed at Levels VI and VII.

DISCUSSION

Property Posting

We believe that this requirement to provide larger on-site signs will provide improved public access to the public hearing process. The current notice

regulations for applications are found in County Code Section 18.10.221 et seq. For projects processed at Level IV, a notice of pending action must be posted on the property at least 10 calendar days before the permit is issued. For projects processed at Levels V through VII, a notice of public hearing must be posted on the property at least 10 calendar days before the public hearing. The primary purpose of those posted notices is to provide notification that a decision is pending (in the case of Level IV) or when and where the hearing on the proposal will be held (Levels V through VII). Although not stated in the regulations, the Planning Department's policy is to use an 11 x 17 inch sheet of paper for the posted notice of pending action or public hearing.

The proposed amendments would require large, wooden or other durable material, on-site signs to provide notice of proposed development. Those signs would be required to be installed within seven days after staff has notified the applicant that the application is complete. Because the hearing date may not be known at that time, these larger signs would not contain that information and so the smaller notice of hearing posting must still occur. The intent of the notice of proposed development sign is to provide more information to the public about the proposal, earlier in the process. Our initial recommendation to the Board was for most projects to use 2 foot by 3 foot signs, but for larger projects such as subdivisions to use signs 4 feet by 8 feet in size (a standard sheet of plywood is 4 feet by 8 feet and is commonly used by many jurisdictions). However, the Board expressed concern with the size of the signs. We are now recommending that for all projects requiring signs, the size of the sign shall be 2 feet by 4 feet.

Our original recommendation to the Board was for the signs to be posted 10 days after application submittal. However, this would lead to questions to the project planner before he or she had had time to review the application and visit the site. We are now recommending that signs be required to be placed within 7 days of the applicant being informed that the application is complete, with the applicant being required to file a certificate of posting with the project planner. The application would not be scheduled for public hearing until the affidavit is received and failure to post the site with the required sign would be grounds for denial of the application. **We** are recommending that the sign remain up until the end of the final appeal period or until a decision is rendered on the final appeal, whichever is later. The applicant would be required to provide the project planner with a certificate of sign removal. In addition, we are recommending that a new enforcement measure be added to compel sign removal. The measure would authorize the Planning Director to record a notice of violation against the property if the sign were not removed

by the end of the required time period and would prohibit any inspection signoff or approval of any building permit before removal of the sign and correction of the violation.

We have also prepared draft guidelines that include a diagram of a sign and copies of the two certificates (Exhibit C).

Pre-application Neighborhood Meetings

The idea of pre-application meetings is not new. Planning staff has often recommended to prospective applicants that they have meetings with neighbors to get an early read on the issues that might arise as a result of their project. In fact, some developers, including the County Redevelopment Agency, routinely conduct neighborhood meetings before final designs are completed and applications submitted. Although staff whole-heartedly supports the benefits of applicant-sponsored neighborhood meetings prior to application submittal, we also believe that requiring such meetings should be limited to larger projects (Levels VI and VII) at this time. The reason for this recommendation is two-fold. First, the larger projects (land divisions, rezonings, large commercial projects, quarries, etc) generate greater neighborhood and community concerns. Resolving or simply identifying these concerns before application submittal should improve the applicant's, staffs and the Approving Body's ability to address them. Second, limiting this requirement to larger projects will give the Department a chance to evaluate the effectiveness of the requirement before possibly returning to the Board and your Commission to amend the ordinance to apply this requirement to the far larger number of Level V applications involving residential and other more minor developments. We believe that this will better serve the public now and in the future, should the requirement for neighborhood meetings be extended to lower level discretionary project applications

We have also prepared draft guidelines to assist applicants in accomplishing the neighborhood meeting.

Conclusion

The proposed amendments are intended to improve the public's access to information concerning development applications. For projects reviewed at Levels IV through VII, new on-site signs about six times larger than the currently required site posting would be required. These new signs would be erected by the applicant once the application is determined to be complete, which is usually at least several weeks before the smaller notice-of-public-hearing is posted on the site. Both the larger size of the new signs and their

placement on the site earlier than any currently required posting will provide improved public notice of a proposal.

For projects reviewed at Levels VI and VII, applicants would be required to hold a neighborhood meeting to acquaint neighbors with the project, solicit comments, and hopefully clear up misunderstandings and resolve as many issues as possible before project submittal. As part of the application submittal, the applicant would provide the results of the meeting to the County.

RECOMMENDATION

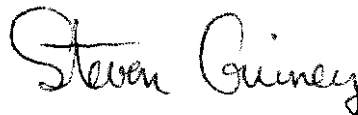
It is, therefore, RECOMMENDED that your Commission:

1. Adopt the Resolution attached as Exhibit A recommending that the proposed amendments to the County Code regarding earlier notification be approved by the Board of Supervisors; and
2. Recommend to the Board of Supervisors certification of the CEQA Notice of Exemption, attached as Exhibit B.

Sincerely,



Mark Deming, AICP
Assistant Planning Director



Steven Guiney
Planner IV

- Exhibits:
- A. Resolution
 - B. Notice of Exemption
 - C. Draft Guidelines for applicants
 - D. Board action of May 18, 2004

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 REGARDING PROPOSED
AMENDMENTS TO EXISTING COUNTY CODE SECTIONS 18.10.121, 18.10.210,
18.10.211, 18.10.222, AND 18.10.223, AND ADDITION OF NEW SECTIONS
18.10.211 AND 18.10.224 CONCERNING NEIGHBORHOOD MEETINGS AND
NEW SIGN REQUIREMENTS FOR PROPOSED DEVELOPMENT

WHEREAS, the County of Santa Cruz has adopted a Zoning Ordinance as part of the County Code, to implement the General Plan – Local Coastal Program; and

WHEREAS, the County of Santa Cruz has adopted Chapter 18.10, Permit and Approval Procedures, as part of the County Code to coordinated the administration of County regulations by establishing a standardized and integrated review and approval process for all development projects and changes in planning policy; and

WHEREAS, the County of Santa Cruz wishes to improve public notification of and information about certain types of proposed development and proposed changes in planning policy; and

WHEREAS, improvement of public notification of and information about certain types of proposed development and proposed changes in planning policy can be accomplished by modifying the existing public notification requirements of Chapter 18.10; and

WHEREAS, on July 28, 2004, the Planning Commission held a duly noticed public hearing to consider amendments to County Code Sections 18.10.121, 18.10.210, 18.10.211, 18.10.222, and 18.10.223, and addition of new sections 18.10.211 and 18.10.224 concerning neighborhood meetings and new sign requirements for proposed development; and

WHEREAS, the Planning Commission finds that the proposed amendments are consistent with the policies of the General Plan and Local Coastal Program; and

WHEREAS, the proposed amendments to County Code Chapter 18.10 have been found not to be a project under Sections 501(b)(1) and 1928 of the County's CEQA Guidelines and Section 15378(a) of the State CEQA Guidelines; and

WHEREAS, the Planning Commission finds that the proposed amendments are consistent with the California Coastal Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the amendments to County Code Chapter 18.10 as shown in attachment 1 be approved by the Board of Supervisors and submitted to the Coastal Commission as part of the Local Coastal Program Update.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2004 by the following vote:

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

Chairperson

ATTEST: _____
Cathy Graves, Secretary

APPROVED AS TO FORM:


COUNTY COUNSEL

cc: County Counsel
Planning Department

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 18.10.121, 18.10.210, 18.10.211, 18.10.222, AND 18.10.223, AND ADDING NEW SECTIONS 18.10.211 AND 18.10.224 OF THE SANTA CRUZ COUNTY CODE CONCERNING NEIGHBORHOOD MEETINGS AND NEW SIGN REQUIREMENTS FOR PROPOSED DEVELOPMENT

The Board of Supervisors of the County of Santa Cruz ordains as follows:

County Code Sections 18.10.121, 18.10.210, 18.10.211, 18.10.222, and 18.10.223 are hereby amended and new Sections 18.10.211 and 18.10.224 are hereby added, to read as follows (proposed new language is shown shaded, language proposed to be deleted is shown struck through):

SECTION 1

18.10.121 Summary chart of review process.

Action on permits and approvals shall be in accordance with the procedures of one of the seven processing levels defined in this Chapter and as required by the governing County ordinances and regulations. The following chart is presented for the purpose of illustration and provides an outline of the general requirements for each processing level. The "X"s indicate which items apply to which level. The processing levels are identified by their numbers and names. "Submittals required" refers to the application submittal requirements given in Section 18.10.210. "Notice Required" refers to the differing requirements of public noticing for each processing level as prescribed in Section 18.10.220 et seq. "Approving Body" indicates the officer or bearing body which makes the determination on applications at each processing level, as defined in Section 18.10.112. (Ord. 3604, 11/6/84; 4044, 1/9/90; 4496-C, 8/4/98)

SUBMITTALS REQUIRED	PROCESSING LEVEL						
(See Section 18.10.210)	1	2	3	4	5	6	7
Application form, fee project description	X	X	X	X	X	X	X
Plot plan, building plans		X	X	X	X	X	X
Site development plans		X	X	X	X	X	X
Results of neighborhood meeting (See Section 18.10.210 and 211)						X	X
Further information if needed after initial staff review	X	X	X	X	X	X	X
PUBLIC NOTICES REQUIRED	PROCESSING LEVEL						
(See Section 18.10.220)	1	2	3	4	5	6	7

Notice of application submittal mailed by County to owners of property within 300 feet and to occupants within 100 feet				X			
List of official action	X	X	X				
Legal advertisement of pending action				X			
Notice of pending action or public hearing posted on site				X	X	X	X*
Notice of proposed development sign placed on site by applicant				X	X	X	X
Notices of pending action or public hearing mailed by County to owners of property within 300 ft and to occupants within 100 feet and to the subject property				X	X	X	X*
Notice mailed to occupants within 100 feet and the subject property				X	X	X	X*
Legal advertisement of public hearing					X	X	X*
* Required for both Planning Commission and Board of Supervisors hearings							
REVIEWING BODY	PROCESSING LEVEL						
(See Section 18.10.112)	1	2	3	4	5	6	7
Planning Director or designated person	X	X	X	X			
Zoning Administrator					X		
Planning Commission						X	X
Board of Supervisors							X

SECTION II

18.10.210 Application submittal requirements.

Applications for permits and approvals shall be made to the Planning Department on forms provided by the Department for that purpose, and shall be accompanied by a fee as prescribed in the Unified Fee Schedule as adopted by the Board of Supervisors. Applications shall contain such information and reports as may be required by this Section or by other applicable ordinances or by the Planning Director or approving body in order to make the required findings. The following minimum information is required unless otherwise determined by the Planning Director:

(a) Minor Projects (excluding Building Permits). Processing Level I (No plans) through Level III (Field visit) Applications:

1. Applicant's name, address, and telephone number. (Levels I--III)
2. A statement of the applicant's interest in the property (hereinafter called "subject property") in connection with which the application is filed and evidence that the applicant is the owner or purchaser under contract of the premises involved, or is the

owner of a leasehold interest, or has written permission of the owner to make application. (Levels I-III).

3. Present owner's name and address. (Levels I-III)

4. Property location: The location of the premises (location map, street and nearest cross-street or other directions for locating the property); the street address if any; and the Assessor's Parcel Number. (Levels I-III).

5. Description of project, plans and specifications and Preparer's Licensure Certification: The project description shall be submitted, including significant details of the existing land use and proposed project and plans and specifications' (as required by other applicable subparagraphs hereof) containing sufficient information to enable any and all required findings to be made (Levels I-III). Except as provided below, as a condition precedent to the issuance of any permit, such plans and specifications shall contain the sign statement (or signature and license number thereon) that the preparer is licensed under Chapter 3 of Division 3 of the California Business and Professions Code (or otherwise licensed in this State) to prepare such plans and specifications, together with proof thereof satisfactory to the County. The foregoing Preparer's Licensure Certification shall not be required for applications for the following:

A. Single-family dwellings of woodframe construction not more than two stories and basement in height.

B. Multiple family dwellings containing no more than four dwellings of woodframe construction not more than two stories and basement in height. However, this paragraph shall not be construed as allowing an unlicensed person to design multiple clusters of up to four dwellings each to form apartment or condominium complexes where the total exceeds four units on any lawfully divided lot.

C. Garages or other structures appurtenant to buildings described under Subsections A. and B., of woodframe construction not more than two stories and basement in height.

D. Agricultural and ranch buildings of woodframe construction, unless the Building Official having jurisdiction deems that an undue risk to the public health, safety, or welfare is involved. (Ord. 4103, 12/11/90)

6. Copy of current deed, if appropriate. (Levels I-III)

7. Copy of the appropriate assessor's parcel map, if appropriate. (Levels II-III)

8. Plot plan: A site plan, drawn to scale, showing the entire property, with topography in the vicinity of proposed improvements, and showing existing development, including existing structures and existing trees; proposed layout of structures and other improvements including landscaping and driveways, pedestrian walks, off-street parking and off-street loading areas, with the location of each parking space and each loading berth, and areas for turning and maneuvering vehicles. (Levels II-III)

9. Full set of construction drawings (building plans) if appropriate: Scaled architectural drawings showing all structural details and all elevations of the proposed structures. (Levels II-III)

10. Site development plans: Erosion control, drainage, and grading plans, where applicable as determined by the Planning Director. (Level III)

11. Shadow plans showing the location, height and shadow patterns of major vegetation, buildings and other structures on the proposed site and on all affected and benefitted properties; the location of proposed building envelopes; the location of any existing solar energy systems on benefitted properties; and the approximate distances between structures, vegetation and the south-facing glass or solar energy system. Shadow patterns are those cast on the 21st of December between 10:00 a.m. and 2:00 p.m., Pacific Standard Time. (Levels V, VI, VII)

12. Before an application can be deemed complete for processing, the applicant shall submit to the County a Hazardous Waste and Substance Site disclosure stating that the applicant has consulted the list of hazardous waste and substance sites compiled by the State pursuant to Government Code Section 65962.5, and stating whether the project is or is not located on a site included on any of the hazardous waste or substance lists.

(b) Regular Projects. Processing Level IV (Public notice) and Level V (Zoning Administrator) Applications:

1. Items 1 through 12 from paragraph (a) above. (Levels IV--V)
2. Notification materials: Addressed and stamped envelopes for and a mailing list, on a form provided by the Planning Department, of all property owners, their latest known names and addresses and their parcel numbers as shown on the records of the County Assessor, for all properties within 300 feet of the exterior boundaries of the subject property. For projects requiring Coastal Zone approvals, the mailing list and envelopes shall also include the residents of all properties within 100 feet of the exterior boundaries of the subject property. (Levels IV and V)

(c) Major Projects. Processing Level VI (Planning Commission) and Level VII (Board of Supervisors) Applications:

1. Preliminary applications for review by the Development Review Group (DRG) shall include items 1 through 12 from paragraph (a) above, plus conceptual drawings of the proposed project.
2. After initial review by the Development Review Group (DRC), a full application shall be required including all materials specified in paragraphs (a) and (b) above, a plan line study if applicable, results of the neighborhood meeting required by Section 18.10.211, and any other materials required by the Development Review Group or the Planning Director. (Ord. 4196, 5/12/92)

(d) Building Permits: Building Permit applications shall contain the information and materials required by the Planning Director pursuant to a current published list for projects at Levels V (Zoning Administrator) through VII (Board of Supervisors) and shall be made after all required policy amendment approvals have been obtained and all Development and/or Land Division Permits have been issued. A full set of construction plans shall not be submitted until the Building Permit application is made. (Ord. 758, 2/19/62; 1048, 2/1/65; 1704, 4/25/72; 1746, 7/18/72; 2506, 11/22/77; 9/4/79; 2800, 10/30/79; 3503, 3/6/84; 3604, 11/6/84; 4044, 1/9/90)

(e) Projects Requiring Design Review as enumerated in Section 13.11.040:

- (1) Items 1 through 5, 7 through 11 from paragraph (a) above.
- (i) Plot Plan. In addition to the submittal as described in item 8, paragraph (a) above, the following is required: access to the site from adjacent rights of way, streets, and/or arterials; private and shared outdoor recreation spaces; service areas for uses such as mail delivery, recycling and garbage storage and pick up, above-ground utilities, loading and delivery; exterior lighting design; and any other site elements and spaces which would assist design review and evaluation of development.
- (ii) Landscaping Plan. In addition to the submittal requirements listed in item 8, paragraph (a) above, the following is required to be included as a part of the plot plan or as a separate landscape planting plan: location and identification of existing plants on site to remain and location and identification of proposed plants, keyed to a plant list which indicates botanical name, common name, size at planting and any special information regarding plant form, installation or maintenance. The plan shall identify the percentage of the landscape area planted in turf.

(2) Statement of project concept, design goals, design constraints, and an explanation of the design approach taken.

(3) Site Analysis Diagram. A site plan, drawn to scale, indicating all property lines; contiguous land uses and uses across the street from the proposed project site; location and species of trees greater than six inches diameter breast height, as defined in Section 16.34.030; sensitive habitats, as defined in Section 16.32.040; information about significant environmental influences, including views, solar potential, and wind direction; and structures and natural features having a visual or other significant relationship to the site.

(4) Material and Color Sample Board. A complete inventory of proposed materials and colors displayed on an 8-1/2" x 11" or 11" x 14" board. Manufacturer's drawings/photographs, shop drawings, or photographic examples from the built landscape are required to illustrate any special or custom design features. (Ord. 4312, 5/24/94)

SECTION III

18.10.211 Neighborhood Notification and Meeting

a. When required:

1. For all development that requires discretionary approval at Level VI or VIII, the applicant shall conduct a neighborhood meeting to explain the proposed development to and solicit comments from those in attendance. All owners and occupants within 300 feet of the exterior boundaries of the project parcel shall be notified. The notification shall be by first class mail and shall include a brief description of the proposed development and the date, time, and location of the neighborhood meeting.
2. The following modifications to a submitted application will require new noticing, including new sign text. A new neighborhood meeting will also be required.
 - (i) A change that results in an increase of 20 percent or more in height, floor area ratio, or lot coverage.
 - (ii) A change that necessitates a variance.
 - (iii) A change that results in an increase in the number of lots or dwelling units.
 - (iv) A change that results in an intensification of use, as defined in County Code Section 13.10.700.1.

b. Results. The results of the neighborhood meeting shall be required as part of the application submittal. No application shall be deemed complete without the results of the neighborhood meeting when one is required.

SECTION IV

18.10.211-212 Application completion.

Applications will not be deemed as complete by the Planning Department until all required information has been submitted. The effective time of filing a permit application shall be the time when the application has been deemed complete in full compliance with this Chapter and with all other County ordinances as to form and content. (See also California Government Code Section 65941) (Ord. 4044, 1/9/90)

SECTION V

18.10.222 Level IV (Public notice)--Notice of application submittal.

(a) Procedures. Public notice of the receipt of a development application pursuant to Level IV. Public notices shall be given in the following ways:

1. ~~The County shall mail a Mailed~~ notice in the form of a postcard or letter ~~mailed~~ not more than ten calendar days following the receipt ~~of~~ a development application to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the property involved in the application, and to all lawful occupants of properties within 100 feet of the subject property, including all lawful occupants of the subject property. Such notices and mailing list shall be based on the mailing list generated by the County. In the event that there are fewer than ten separate parcels within 300 feet of the exterior boundaries of the property involved in the application, said 300 foot distance shall be extended in increments of 50 feet (e.g. 350, 400, 450) until owners of at least ten properties have been notified by mail.

2. Notice to the Board of Supervisors. Notice shall be by delivery by the United States Mail, addressed to each Board Member at the County Governmental Center, or by delivery to each Board Member by County Government interdepartmental mail no more than 10 calendar days following the receipt of a development application.

(b) Contents of notice. The content of the notice shall be as follows:

1. Location of the proposed project.
2. Name of the applicant.
3. Description of the proposed use.
4. How further information may be obtained and how to submit information on the proposed project.
5. Final date on which comments will be accepted.
6. How to submit information on the proposed project.
7. Date the permit is proposed to be issued.

SECTION VI

18.10.223 Level V (Zoning Administrator) through Level VII (Board of Supervisors)--Notice of public hearing.

(a) Procedures. A public notice of all public hearings conducted pursuant to the issuance of permits and approvals at Levels V (Zoning Administrator) through VII (Board of Supervisors) shall be given in the following ways:

1. ~~The County shall cause the notice to be published~~ Publication in a newspaper of general circulation printed and published within the County at least ten calendar days prior to the date set for hearing.

2. Posted on the property in a conspicuous place at least ten calendar days prior to the hearing.

3. ~~Mailed - The County shall mail~~ Notices in the form of a postcard or letter ~~mailed~~ not less than ten calendar days prior to the issuance of the permit ~~public hearing~~ to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the subject property and to all lawful occupants of properties within 100 feet of the subject property, including the lawful occupants of the subject property. Such notices shall be based on the mailing list submitted by the applicant. In the event that there are fewer than ten separate parcels within 300 feet of the exterior boundaries of the property

involved in the application, said 300 foot distance shall be extended in increments of 50 feet (e.g. 350, 400, 450) until owners of at least ten properties have been notified by mail.

4. The County shall provide notice to the Board of Supervisors by delivery by the United States Mail, addressed to each Board member at the County Governmental Center, or by delivery to each Board Member by County Government inter-departmental mail at least 10 days prior to the public hearing.

(b) Contents of Notice. The contents of the notice shall be as follows:

1. Location of the proposed project.
2. Name of the applicant.
3. Description of the proposed use.
4. Title of the hearing officer or hearing body.
5. Date of the hearing.
6. Time of the hearing.
7. Location of the hearing.
8. How further information may be obtained.
9. Notices of pending applications for permits including Coastal Zone approval shall include a statement that the development is or is not appealable to the Coastal Commission, and the appeal process.

SECTION VII

18.10.224 Notice of Proposed Development for Level IV through Level VII

For all development that requires review at Level IV through VII, the applicant shall install a sign on the site of the proposed development in accordance with this section.

(a) Deadline for placement. A sign required by this chapter shall be placed no later than seven calendar days after the applicant for an approval for which a sign is required has been informed that the application has been determined to be complete. The applicant shall provide the project planner with a completed certificate attesting that the sign has been installed as required. Failure to place the sign as required shall be grounds for denial of the application.

(b) Location. A sign required by this chapter shall be placed on the subject property so as to be clearly seen and readily readable from each right-of-way providing primary vehicular access to the subject property. Signs shall be located so as to not interfere with vehicular line of sight distance.

(c) Size, material and height above grade. Each sign shall be 2 feet (vertical) by 4 feet (horizontal). Signs shall be constructed of sign plywood or eighteen (18) ounce banner material. Other material may be used with the approval of the Planning Director. The information required shall be painted, laminated, or otherwise rendered weatherproof and shall be legible at all times. No sign required by this chapter shall exceed seven (7) feet above grade, except where necessary to be clearly seen and readily readable from each right-of-way providing primary vehicular access to the subject property. Lettering shall be as follows:

1. Letter style: Arial or similar standard typeface.
2. Letter size:
 - i. 2-inch bold capital letters for the header.

NOTICE OF PROPOSED DEVELOPMENT

- ii. 1-inch bold capital letters for the project description.
- iii. 1-inch upper and lower case for all other letters.

- iv. 1 inch bold capital letters for the footer contact information with the applicant information on the left side and the County information on the right side:

FOR FURTHER INFORMATION CONTACT:

APPLICANT:

APPLICANT'S NAME
APPLICANT'S ADDRESS
APPLICANT'S PHONE NUMBER
APPLICANT'S E-MAIL ADDRESS

PROJECT PLANNER:

PLANNER'S NAME
PLANNER'S ADDRESS
PLANNER'S PHONE NUMBER
PLANNER'S E-MAIL ADDRESS

3. Letter color shall be black
 4. Background color shall be white
- (d) Information required. Each sign shall include only the following factual information and shall be printed with legible black lettering on a white background:
1. Header
 2. Application Number
 3. Description of proposed development on the site, including type of project, proposed use, number of units/lots, types of applications being processed and a description of each.
 4. Footer with applicant's name, address, phone number, and e-mail address if applicable, on the left side and the project planner's name, address, phone number, and e-mail address on the right side.
 5. Staff may require additional specific information be included in order to provide a useful notice.
- (e) The following modifications to a submitted application will require new noticing including new sign text.
1. A change that results in an increase of 20 percent or more in height, floor area ratio, or lot coverage.
 2. A change that necessitates a variance.
 3. A change that results in an increase in the number of lots or dwelling units.
 4. A change that results in an intensification of use, as defined in County Code Section 13.10.700-1.
- (f) Deadline for sign removal. Each sign shall be removed within ten calendar days after the expiration of the final appeal period or the date on which a final appeal decision is effective. The applicant shall provide the project planner a completed, signed certificate attesting that the sign has been removed in the time period allowed.
- (g) Failure to provide affidavit and/or remove sign. If the applicant fails to return the affidavit or if the sign is not removed within the time allowed, then the Planning Director shall record a notice of violation against the property. Additionally, no inspection signoff may occur nor shall any building permit be approved before removal of the sign and correction of the violation.

SECTION VIII

This ordinance shall take effect immediately upon final certification by the California Coastal Commission.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2004, by the following vote:

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

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____
Clerk of **the** Board

APPROVED AS TO FORM: _____
County Counsel

Copies to: Planning
County Counsel

NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of Santa Cruz **has** reviewed the project described below and has determined that it is not a project as project is defined in Section 15378 of the State CEQA Guidelines and in Section 1928 of the County's CEQA Guidelines for the reason(s) which have been checked on this document.

APPLICATION NO.: N/A
ASSESSOR PARCEL NO.: N/A
PROJECT LOCATION: County-wide

PROJECT DESCRIPTION: Changes are proposed to the required notice procedures of County Code Chapter 18.10. The proposed changes fall into two categories, as follows:

1. Signs: After the application is determined to be complete, applicants for projects processed at Levels IV through VII must post the property with a sign describing the proposal and providing contact information.
2. Neighborhood Meeting: The applicant must conduct an applicant-sponsored neighborhood meeting for projects processed at Levels VI (Planning Commission) and VII (Board of Supervisors).

APPLICANT: County of Santa Cruz

- A. ☒ The proposed activity is not a project under State CEQA Guidelines, Section 15378(a) and County CEQA Guidelines, Section 1928 and 501(b)(1).
- B. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
- C. ☐ Statutory Exemption other than a Ministerial Project.
Specify type: _____

D. Categorical Exemption

- | | |
|--|---|
| <input type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 17. Open Space Contracts or Easements |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 18. Designation of Wilderness Areas |
| <input type="checkbox"/> 3. New Construction of Small Structure | <input type="checkbox"/> 19. Annexation of Existing Facilities/ Lots for Exempt Facilities |
| <input type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 5. Alterations in Land Use Limitations | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input type="checkbox"/> 6. Information Collection | <input type="checkbox"/> 22. Educational Programs |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Nat. Resources | <input type="checkbox"/> 24. Regulation of Working Conditions |
| <input type="checkbox"/> 9. Inspection | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| <input type="checkbox"/> 10. Loans | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs |
| <input type="checkbox"/> 11. Accessory Structures | <input type="checkbox"/> 27. Leasing New Facilities |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities |
| <input type="checkbox"/> 14. Minor Additions to Schools | |
| <input type="checkbox"/> 15. Minor Land Divisions | |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks | |

E. ☐ Lead Agency Other Than County: _____

STAFF PLANNER _____ DATE: _____



When is a neighborhood meeting required?	Who must be notified of the neighborhood meeting?
A neighborhood meeting is required for all development applications that are required to be processed at Level VI (Planning Commission) or Level VII (Board of Supervisors).	All property owners and occupants within 300 feet of the exterior boundaries of the parcel where the development is proposed.

The neighborhood meeting can be held at any time prior to application submittal; however, it is recommended that they be held prior to the completion of the final development application materials. Ideally, the neighborhood meetings would help you formulate a development proposal that would generate little controversy.

When the neighborhood meeting(s) is completed, a report of the results of the meeting must be prepared and submitted. The results of the neighborhood meetings shall be reported using the following format.

1. Describe the techniques you used to notify the neighbors to discuss your proposed project. Include the following information:
 - ~ Meeting notification materials
 - ~ Mailing lists
 - ~ Dates of all meetings
 - ~ Attendance lists
 - ~ Copies of all mailings, hand-outs, letters, etc.
2. Describe the concerns, **issues** and problems raised by the neighbors during the meetings.
3. Describe how you have addressed or intend to address the concerns, issues or problems raised by the neighbors.
 - ~ address each concern, issue and problem
 - ~ include drawings, details or references to plans, as appropriate

4. Describe all concerns, issues and problems that cannot be addressed.

- explain irresolvable conflicts

The County Code requires that the report of the results of the neighborhood meetings shall be included in the application submittal package. The application cannot be determined to be **complete** until the County receives the report and all other requested materials are submitted.

Project Site Signage

County Code Sections 18.10.222 through 18.10.224 describe the required notice that must be given to the public for different types of development applications. Besides the mailed notice required for all development applications at Levels IV through VII and the posting of the site with a notice of pending action or public hearing, the County requires that the project site be posted with a sign describing the proposed development within seven calendar days of notification from the project planner that the application has been determined to be complete. The sign must conform to the following standards:

- (a) The sign shall be placed no Later than 7 calendar days after you have been notified that your application has been deemed complete.
- (b) The sign required shall be placed on the property **so** that it can be clearly seen and readily readable from each right-of-way providing primary vehicular access to the subject property. Corner lots should use one two-sided sign placed diagonal to the corner. Signs shall be located **so** as to not interfere with vehicular line of sight distance.
- (c) Size, material and height above grade. Each sign shall be constructed of sign plywood or eighteen (18) ounce banner material and shall be 2 feet (vertical) by 4 feet (horizontal). Other material may be used with the approval of the Planning Director. The information required shall be painted, laminated, or otherwise rendered weatherproof and shall be legible at all times. **No** sign required by this chapter shall exceed seven (7) feet above grade, except where necessary to be clearly seen, and shall be readily readable from each right-of-way providing primary vehicular access to the subject property. Lettering shall be as follows:

Letter style: Arial or similar standard typeface.

Letter size:

- i. 2-inch bold capital letters for the header:

NOTICE OF PROPOSED DEVELOPMENT

1-inch bold capital Letters for the project description

1-inch upper and lower case for all other letters

1-inch bold capital letters for the footer contact information with the applicant information on the left side and the County information on the right side:

FOR FURTHER INFORMATION CONTACT

APPLICANT:
~~APPLICANT'S~~ NAME
~~APPLICANT'S~~ ADDRESS
 APPLICANT'S PHONE NUMBER
 APPLICANT'S E-MAIL ADDRESS

PROJECT PLANNER
 PLANNER'S NAME
 PLANNER'S ADDRESS
~~PLANNERS~~ PHONE NUMBER
~~PLANNERS~~ E-MAIL ADDRESS

Letter color shall be black

Background color shall be white

- (d) Information required. Each sign shall include only the following factual information and shall be printed with legible black lettering on a white background:
1. Header
 2. Application Number
 3. Description of proposed development on the site, including type of project, proposed use, number of units/lots, types of applications being processed and a description of each.
 4. Footer with applicant's name, address, phone number, and e-mail address if applicable, on the left side and the project planner's name, address, phone number, and e-mail address on the right side.
 5. Staff may require additional specific information be included in order to provide a useful notice.
- (e) Deadline for sign removal. Each sign shall be removed within ten calendar days after the expiration of the final appeal period or the date on which a final appeal decision is effective. The appeal period to the Board of Supervisors for most actions taken by the Planning Commission is 14 calendar days from the day on which the action was taken. For tentative maps, the appeal period is ten calendar days. For projects requiring a Coastal Zone approval, you will need to check with the California Coastal Commission office at (831) 427-4863. You will need to provide the project planner with a completed, signed affidavit attesting

that the sign has been removed in the time period allowed. A copy of the affidavit form is included in these guidelines.

- (f) Failure to provide affidavit and/or remove sign. If you fail to return the affidavit or if the sign is not removed within the time allowed, then the Planning Director shall record a notice of violation ("red tag") against the property. Additionally, no inspection signoff may occur nor shall any building permit be approved before removal of the sign and correction of the violation.

DRAFT

DRAFT

DRAFT

DRAFT

DRAFT

DRAFT

NOTICE OF PROPOSED DEVELOPMENT

Application # 00-0000 CZC, LD2, RD2, EG3, ESM, EBR, EAR, ER2, ABO, INB

PROPOSAL TO SUBDIVIDE A 31 ACRE PARCEL INTO 19 PARCELS, GRADE 7,500 CUBIC YARDS OF EARTH, AND CONSTRUCT 19 SINGLE FAMILY DWELLINGS. REQUIRES A COASTAL DEVELOPMENT PERMIT, SUBDIVISION, GRADING PERMIT, RESIDENTIAL DEVELOPMENT PERMIT, SOILS REPORT REVIEW, BIOTIC REPORT REVIEW, ARCHAEOLOGIC REPORT REVIEW, RIPARIAN EXCEPTION, AND AGRICULTURAL BUFFER SETBACK DETERMINATION. PROPERTY LOCATED AT THE SOUTHWEST CORNER OF GREEN VALLEY ROAD AND HARKIN SLOUGH ROAD, WATSONVILLE. APN 000-00-000.

FOR FURTHER INFORMATION CONTACT:

PROJECT PLANNER:

DEE ARGEE

PLANNING DEPARTMENT

100 OCEAN STREET, 4TH FLOOR

SANTA CRUZ CA 95060

(831) 454-0000

DEE.ARGEE@CO.SANTA-CRUZ.CA.US

APPLICANT:

HORATIO ALGER

1234 MAIN STREET

LAUREL CA 90000

(831) 555-1212

BOOTSTRAP@YEHAUW.COM

48 inches

24

inches

EXHIBIT C

DRAFT

DRAFT

EXHIBIT C
DRAFT



**COUNTY OF SANTA CRUZ
NOTICE OF PROPOSED
DEVELOPMENT SIGN INSTALLATION
CERTIFICATE**

Application Number: _____

Date of Sign Installation: _____

Site Address: _____

Attach photo of sign as installed

I hereby testify that the sign installed fully complies with the specifications and standards of County Code Section **18.10.224**, ~~that~~ the sign will be maintained for the required time, and that it will be removed when required by Section **18.10.224**.

Applicant's Name (please print): _____

Applicant's Signature: _____

Date: _____

When the sign has been placed, complete this certificate and mail to County of Santa Cruz, Planning Department, 701 Ocean Street, 4th Floor, Santa Cruz CA 95060. Failure to post the site as required is grounds for denial of your application.

DRAFT

DRAFT

DRAFT



**COUNTY OF SANTA CRUZ
NOTICE OF PROPOSED
DEVELOPMENT SIGN REMOVAL
CERTIFICATE**

Application Number: _____

Date of Sign Removal: _____

Site Address: _____

Attach photo of site clearly showing sign has been removed

I hereby testify that the required notice of development sign has been removed in compliance with the specifications and standards of County Code Section **18.10.224**.

Applicant's Name (please print): _____

Applicant's Signature: _____

Date: _____

When the sign has been removed, complete this certificate and mail to County of Santa Cruz, Planning Department, 701 Ocean Street, 4th Floor, Santa Cruz CA 95060. Failure to remove the site as required will result in a notice of violation being recorded against the property and no inspection may occur not any building permit be approved before removal of the sign and correction of the violation.

SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET

EXHIBIT D

Creation Date: 5111/04

Source Code: PLANN

Agenda Date: 5/18/04

INVENUM: 54530

Resolution(s):

Ordinance(s):

Contract(s):

ContinueDate(s):

Index: -Letter of Planning Department dated May 6, 2004 and April 13, 2004
-Attachments

Item: 41. ACCEPTED AND FILED report on earlier notification amendments to Chapter 18.10 and approved related actions, as recommended by the Planning Director



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
 (831) 454-2580 FAX (831) 454-2131 TDD: (831) 454-2123
 TOM BURNS, DIRECTOR

May 6, 2004

APPROVED AND FILED
BOARD OF SUPERVISORS
AGENDA DATE: MAY 18, 2004

Board of Supervisors
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz, CA 95060

DATE: 5/18/04
 COUNTY OF SANTA CRUZ
 SUSAN A. MAURELLO
 EX-OFFICIO CLERK OF THE BOARD

SUBJECT Draft Ordinance Amendments Regarding Early Notification

Members of the Board:

Your Board considered a report from the Planning Department regarding proposed policies for early notification to the public regarding pending development applications on April 27, 2004 (Attachment 1). At the request of Supervisor Beautz, your Board continued this item and directed the Planning Department to return with the material from your Board's 2003 discussion of this item for comparison purposes.

2003 Conceptually Approved Ordinance Revisions

The earlier notification ordinance revisions your Board conceptually approved in 2003 included a requirement for the applicant to conduct a neighborhood meeting for certain types of developments requiring discretionary approval at Level V and, in effect, all types of development requiring discretionary approval at Levels VI and VII. Some of those types of development included fences, variances, coastal development permits for residential additions exceeding 50 percent of existing floor area, certain residential accessory structures, and land divisions. Most of these would be processed at Level V. The ordinance revisions also included the requirement for public notification upon application submittal. Please see the June 10, 2003, minute order and Board letter for the complete text (Attachment 2).

Current Recommended Ordinance Revisions**Pre-application Neighborhood Meetings**

As discussed in our letter of April 27, 2004, we continue to recommend that your Board approve ordinance revisions that would limit the requirement for neighborhood meeting to projects requiring discretionary approval at Levels VI and VII only, at this time. This will allow the Department to focus this program on a smaller number of applications and to refine our procedures. We believe that this approach will better serve the public in

Earlier Notification
Agenda: May 18, 2004
Page 2 of 2

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the short-term and allow the department to assess whether it should recommend expanding the program to lower level discretionary project applications in the future.

Public Notification Upon Application Submittal

As discussed in previous letter, we continue to recommend that your Board approve ordinance revisions that would not require public notification upon project submittal for projects at Levels V, VI, and VII (this would not affect the existing notice-upon-submittal requirement in Chapter 18.10 for Level IV projects). Extending the provision of public notification upon receipt of an application beyond that already existing for Level IV applications would be counterproductive, as staff would be expected to respond to public inquiries prior to fully reviewing the project. Ultimately, this would lead to a lower level of service for the public and applicants.

Property Posting Requirement

As discussed in our earlier letter, we continue to recommend that your Board approve ordinance revisions that would require larger signs be posted on project sites.

Recommendation

While many developers currently review their proposal with neighbors early in the process, there are still instances where significant neighborhood issues do not arise until very late in the process. While those occurrences cannot be completely eliminated, we believe that the proposed process will ensure a greater level of community input at the critical early stages. That said, it is also important that such new initiatives be initially explored in a fashion that focuses on a limited and well-defined set of projects.

It is therefore RECOMMENDED that your Board take the following actions.

1. Accept and file this report; and
2. Direct Planning staff to process the amendments to the County code to implement the Board's June 2003 actions as revised in the April 27, 2004 letter.

Sincerely,

Tom Burns
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

Attachments

1. April 27, 2004 Board letter
2. June 10, 2003, Minute Order and Board Letter

**SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET**

Creation Date: 4/21/04**Source Code:** PLANN**Agenda Date:** 4/27/04**INVENUM:** 54418**Resolution(s):** _____**Ordinance(s):** _____**Contract(s):** _____**ContinueDate(s):** [1] 5/23/04

Index: --Letter of Planning Department dated April 13, 2004
--Email of Susan Porter dated April 26, 2004

Item: 33. CONTINUED TO MAY 18, 2004 report on earlier Discretionary Land Use Application notification

EXHIBIT D

COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING

On the Date of April 27, 2004

CONSENT AGENDA item No. 33

Upon the motion of Supervisor Pirie, duly seconded by Supervisor Campos, the Board, by unanimous vote, continued to May 18, 2004 report on earlier Discretionary Land Use Application notification

cc:

CAO

County Counsel

Planning Department

Mark Deming, Planning Department

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the Minutes of said Board of Supervisors. In witness whereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

by _____, Deputy Clerk ON April 28, 2004

EXHIBIT D

ATTACHMENT

0179

~~0169~~



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, PLANNING DIRECTOR

April 13, 2004

AGENDA DATE April 27, 2004

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: ORDINANCE AMENDMENTS REGARDING EARLIER NOTIFICATION

Members of the Board:

On June 10, 2003, your Board accepted a preliminary report on the development of processes to provide earlier notification for various discretionary applications. Included in the proposed process changes were requirements for neighborhood meetings, application submittal notification and the posting of larger public hearing notice signs. At a recent Board meeting, Supervisor Beautz asked about the status of the proposed ordinance amendments. The purpose of this letter is to provide your Board with a status report on the policy changes and recommendations for refining the overall approach.

Recommended Ordinance Revisions

As mentioned above, the proposed ordinance, as preliminarily accepted by your Board, would have established three new requirements for certain discretionary permit applications: pre-application neighborhood meetings, notification upon application submittal and larger property postings. The property posting requirement, to require larger signs to provide improved notice of the upcoming public hearing, is not recommended for any changes. We believe that this requirement will provide improved public access to the public hearing process. The proposed revisions to the other two revisions are discussed below.

Pre-application Neighborhood Meetings

The idea of pre-application meetings is not new. Planning staff has often recommended to prospective applicants that they have meetings with neighbors to get an early read on

Earlier Notification
April 27, 2004
Page No. 2

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the issues that might arise as a result of their project. In fact, some developers, including the County Redevelopment Agency, routinely conduct neighborhood meetings before final designs are completed and applications submitted.

Although staff whole-heartedly supports the benefits of applicant-sponsored neighborhood meetings prior to application submittal, we also believe that requiring such meetings should be limited to larger projects (Levels VI and VII). The reason for this recommendation is two-fold. First, the larger projects (land divisions, rezonings, large commercial projects, quarries, etc) generate greater neighborhood and community concerns. Resolving or simply identifying these concerns before application submittal should improve staffs and the Approving Body's ability to address them. Second, limiting this requirement to larger projects will give the Department a chance to evaluate the effectiveness of the requirement before it is applied to the far larger number of Level V permits involving residential and other more minor developments.

Public Notification Upon Application Submittal

This requirement would require that a notice of the project submittal (in addition to the typical notice of hearing) be mailed to all property owners within 300 feet and to residents within 100 feet of the property. In re-evaluating this new requirement, staff realized that it would result in a number of public inquiries to the project planner that would occur before the planner had had any chance to review the project plans or visit the project site. Because the planner would not be able to react to the public's concerns in an informed manner, this process would serve to both frustrate the public and distract the planner from focusing on projects before them. It should be noted that early notification will already occur in the course of the developer conducting pre-application meetings, when required. We, therefore, recommend that this requirement be deleted.

Discussion and Recommendation

Your Board accepted preliminary ordinance language that was intended to improve the public's access to information concerning development applications. The draft ordinance amendments included requirements for neighborhood meetings, mailed notification upon application submittal and larger on-site public hearing notices. Upon further review, staff has identified a number of concerns with the proposed amendments as originally accepted by your Board. To address these concerns, Planning staff is recommending that the original language be modified, by deleting the notification upon application requirement and limiting pre-application neighborhood meetings to Level VI and VII projects.

It is therefore **RECOMMENDED** that your Board take the following actions:

1. Accept and file this report; and
2. Direct Planning staff to process the amendments to the County Code to implement the Board's June 2003 actions as revised in this letter.

EXHIBIT D

ATTACHMENT 1
0181

Earlier Notification
April 27, 2004
Page No. 3

Sincerely,


Tom Burns
Planning Director

RECOMMENDED:  /

SUSANA MAURIELL
County Administrative Officer

TB:MMD:sg\G:\Board Letters\Pending\changeearlier2.doc

27

41

0182

CBD BOSMAIL

From: CBD BOSMAIL
Sent: Monday, April 26, 2004 7:01 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/27/2004

Item Number: 33

Name : Susan Porter

Email : Not Supplied

Address : 2860 Fresno St.
Santa Cruz

Phone : Not Supplied

Comments :

Regarding Item 33 on April 27's agenda.

I support the changes to the proposed Discretionary Land Use application ordinance specified by Mr. Bums in his report. Please approve this report and direct Planning Dept. staff to process the changes as outlined.

Thank you for your attention,

Susan Porter

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4/27/2004

SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET

0183

Creation Date: 6/3/03

Source Code: PLANN

Agenda Date: 6/10/03

INDEX NUMBER: 52910

Resolution(s):

Ordinance(s):

Contract(s):

Continue Date(s):

- Index: -Letter of Planning Department dated May 15, 2003
-Draft Change to Chapter 18.10
-Guidelines for Neighborhood Notification

Item: 83.3 ACCEPTED AND FILED report on earlier notification guidelines and draft amendments to Chapter 18.10 about earlier notification for projects requiring public hearing at Levels V, VI, and VII; with additional direction the issue of the size of the signs return to the Planning Commission and the Board at a later date; staff look into the duration the sign would need to be up from the date it is posted and the posting date be the date the application is deemed complete rather than when the application is filed

COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING
On the Date of June 10, 2003

REGULAR AGENDA Item No. 83.3

Upon the motion of Supervisor Beautz, duly Seconded by Supervisor Wormhoudt, with Supervisor Campos absent, the Board, accepted and filed report on earlier notifications guidelines and draft amendments to Chapter 18.10 about earlier notification for projects requiring public hearing at Levels V, VI, and VII; with additional directions the issue of the Size of the signs return to the Planning Commission and the Board at a later date; staff look into the duration the sign would need to be up from the date it is posted and the posting date be the date the application is deemed complete rather than when the application is filed

cc:

CAO

Planning

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

by _____, Deputy Clerk ON June 12, 2003



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET-4TH FLOOR, SANTA CRUZ, CA 95060

(831)454-2580 FAX: (831)454-2131 TDD: (831)454-2123

ALVIN D. JAMES, DIRECTOR

May 15, 2003

AGENDA: June 3, 2003

...

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz CA 95060

SUBJECT DRAFT AMENDMENTS TO CHAPTER 18.10 ABOUT EARLIER NOTIFICATION FOR PROJECTS PROCESSED AT LEVELS IV, V, VI, AND VII, AND DRAFT EARLIER NOTIFICATION GUIDELINES

Members of the Board:

On February 25, 2003, your Board considered a report on a proposal to require earlier notification of proposed development projects. This proposal would require applicant-funded neighborhood notification, applicant-sponsored neighborhood meetings, and applicant-installed signs about proposed developments. At that time, your Board directed the Planning Department to return on or before June 3, 2003, with draft changes to the public notice requirements of Chapter 18.10 to incorporate the earlier notification concept and draft guidelines for applicants. Your Board also directed the Planning Department to return on March 18, 2003 with a report about thresholds for triggering the requirements for neighborhood meetings. On March 18, 2003, your Board approved conceptual language regarding the thresholds for the neighborhood meeting requirement.

This report before your Board today includes the draft changes to Chapter 18.10 (Attachment 1) and the draft guidelines (Attachment 2). The draft ordinance includes all of the features presented to your Board on February 25th and the modifications approved by your Board on March 18th. As shown in the proposed ordinance, neighborhood meeting notification will be required to all residents and property owners within 300 feet of the project property for all projects except fences. The ordinance also requires the installation of a 2-foot by 3-foot sign for most projects instead of the current 11 inch by 17 inch posting of the site. Because they are typically on larger sites and potentially have greater impacts than most other residential development, subdivisions and dwelling groups five (5) or more units would require posting the site with a 4-foot by 8-foot sign.

0208

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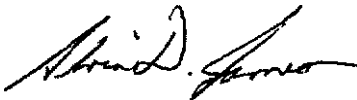
The draft Guidelines for Neighborhood Notification have been prepared to assist prospective developers and property owners in complying with the early notification regulations. These guidelines summarize the ordinance requirements and provide additional guidance towards meeting these requirements. These guidelines will be available on-line after final adoption of the ordinance.

It is, therefore, RECOMMENDED that your Board take the following actions:

1. Accept and file this report on draft earlier notification amendments; and


2. ~~Direct the Planning Department to continue processing the proposed draft~~
earlier notification amendments through environmental review and the Planning Commission before returning to your Board with the guidelines for final adoption,

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED: _____



SUSANA A. MAURIELLO
County Administrative Officer

- Attachments:
1. Draft Changes to Chapter 18.10
 2. Draft Guidelines for Neighborhood Notification

Draft Changes to Chapter 18.10

The proposed draft changes are shown below. Language proposed to be deleted is ~~shown~~ ; ————— proposed new language is shown ~~shaded~~

18.10.121 Summary chart of review process.

Action on permits and approvals shall be in accordance with the procedures of one of the seven processing levels defined in this Chapter and as required by the governing County ordinances and regulations. The following chart is presented for the purpose of illustration and provides an outline of the general requirements for each processing level. The "X"s indicate which items apply to which level. The processing levels are identified by their numbers and names. "Submittals required" refers to the application submittal requirements given in Section 18.10.210. "Notice Required" refers to the differing requirements of public noticing for each processing level as prescribed in Section 18.10.220 et seq. "Approving Body" indicates the officer or hearing body which makes the determination on applications at each processing level, as defined in Section 18.10.112. (Ord. 3604, 11/6/84; 4044, 1/9/90; 4496-C, 8/4/98)

SUBMITTALS REQUIRED	PROCESSING LEVEL						
(See Section 18.10.210)	1	2	3	4	5	6	7
Application form, fee project description	X	X	X	X	X	X	X
Plot plan, building plans		X	X	X	X	X	X
Site development plans		X	X	X	X	X	X
Results of neighborhood meeting							
Further information if needed after initial staff review	X	X	X	X	X	X	X
PUBLIC NOTICES REQUIRED	PROCESSING LEVEL						
(See Section 18.10.220)	1	2	3	4	5	6	7
Notice of application submittal				X			
List of official action	X	X	X				
Legal advertisement of pending action				X			
Notice posted sign placed on site				X	X	X	X*
Notices mailed to owners of property within 300 ft				X	X	X	X*
Notice mailed to occupants within 100 feet and the subject property				X	X	X	X*

Legal advertisement of public hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
* Required for both Planning Commission and Board of Supervisors hearings							
REVIEWING BODY	PROCESSING LEVEL						
(See Section 18.10.112)	1	2	3	4	5	6	7
Planning Director or designated person	X	X	X	X			
Zoning Administrator					X		
Planning Commission						X	X
Board of Supervisors							X

For the following types of development that requires discretionary approval at Level V, VI or VII, the applicant shall conduct the appropriate meeting, as shown in parentheses:

- Fences or walls used as fences (owners and residents of parcels physically touching the subject parcel and of parcels separated from the subject parcel only by a right-of-way)
- Variances (owners and residents within 300 feet of the exterior boundaries of the subject parcel)
- Coastal development permits for residential additions exceeding 50 percent of the floor area of all legal, existing structures on a parcel (owners and residents within 300 feet of the exterior boundaries of the subject parcel)
- Residential accessory structures, detached or attached (owners and residents within 300 feet of the exterior boundaries of the subject parcel)
- Habitable: Greater than 640 square feet or greater than 17 feet high
- Non-habitable: Greater than 1000 square feet or greater than 17 feet high
- Two or more dwelling units on a single parcel (owners and residents within 300 feet of the exterior boundaries of the subject parcel)
- Minor Land Divisions and Subdivisions (owners and residents within 300 feet of the exterior boundaries of the subject parcel)
- All non-residential development (owners and residents within 300 feet of the exterior boundaries of the subject parcel)

The following modifications to a submitted application will require new noticing including new sign text and a new neighborhood meeting, if one was required as part of the previously submitted application:

- An increase of 20 percent or more in height, floor area ratio or lot coverage
- A change that necessitates a variance
- An increase in the number of lots or dwelling units
- An intensification of use, as defined in County Code Section 13.10.700-1

For all development that requires discretionary approval at Level IV, V, VI, or VII except for fences and walls used as fences, the applicant shall provide notice of the proposal to owners and residents within 300 feet of the exterior boundaries of the subject property. For fences and walls used as fences, notice shall be sent to owners and residents of parcels physically touching the subject parcel and of parcels separated from the subject parcel only by a right-of-way.

18.10.21 Results of Neighborhood Meeting

For the following types of development that requires discretionary approval at Level V, VI, or VII, the applicant shall conduct the appropriate meeting, as shown in parentheses, and shall submit the results of the meeting to the Planning Department in the format specified in the Guidelines for Neighborhood Notification:

- 1. Fences or walls used as fences (owners and residents of parcels physically touching the subject parcel and of parcels separated from the subject parcel only by a right-of-way)
- 2. Variances (owners and residents within 300 feet of the exterior boundaries of the subject parcel)
- 3. Coastal development permits for residential additions exceeding 50 percent of the floor area of all legal, existing structures on a parcel (owners and residents within 300 feet of the exterior boundaries of the subject parcel)
- 4. Residential accessory structures, detached or attached (owners and residents within 300 feet of the exterior boundaries of the subject parcel):
 - a. Habitable: Greater than 640 square feet or greater than 17 feet high
 - b. Non-habitable: Greater than 1,000 square feet or greater than 17 feet high
- 5. Two or more dwelling units on a single parcel (owners and residents within 300 feet of the exterior boundaries of the subject parcel)
- 6. Minor Land Divisions and Subdivisions (owners and residents within 300 feet of the exterior boundaries of the subject parcel)
- 7. All non-residential development (owners and residents within 300 feet of the exterior boundaries of the subject parcel)

18.10.21-21 Application completion.

Applications will not be deemed as complete by the Planning Department until all required information has been submitted. The effective time of filing a permit application shall be the time when the application has been deemed complete in full compliance with this Chapter and with all other County ordinances as to form and content. (See also California Government Code Section 65941)(Ord. 4044, 1/9/90)

18.10.222 Level IV (Public notice) – Notice of application submittal.

(a) Procedures. Public notice of the receipt of a development application pursuant to Level IV. Public notices shall be given in the following ways:

1. Mailed notice in the form of a postcard or letter mailed not more than ten calendar days following the receipt of a development application to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the property involved in the application, and to all lawful occupants of properties within 100 feet of the subject property, including all lawful occupants of the subject property. Such notices and mailing list shall be based on the mailing list generated by the County. In the event that there are fewer than ten separate parcels within 300 feet of the exterior boundaries of the property involved in the application, said 300 foot distance shall be extended in increments of 50 feet (e.g. 350, 400, 450) until owners of at least ten properties have been notified by mail.

2. Placement of a sign provided by the applicant on the subject property containing the information listed in 18.10.224(d) not more than ten calendar days following submittal of a development application. The sign shall be placed on the subject property so as to be clearly seen and readily readable from each right-of-way providing primary vehicular access to the subject property.

2.3. Notice to the Board of Supervisors. Notice shall be by delivery by the United States Mail, addressed to each Board Member at the County Governmental Center, or by delivery to each Board Member by County Government interdepartmental mail no more than 10 calendar days following the receipt of a development application.

(b) Contents of notice. The content of the notice shall be as follows:

1. Location of the proposed project.
2. Name of the applicant.
3. Description of the proposed use.
4. How further information may be obtained and how to submit information on the proposed project.
5. Final date on which comments will be accepted.
6. How to submit information on the proposed project.
7. Date the permit is proposed to be issued.

18.10.223 Level V (Zoning Administrator) through Level VII (Board of Supervisors) – Notice of public hearing.

(a) Procedures. A public notice of all public hearings conducted pursuant to the issuance of permits and approvals at Levels V (Zoning Administrator) through VII (Board of Supervisors) shall be given in the following ways:

1. Publication in a newspaper of general circulation printed and published within the County at least ten calendar days prior to the date set for hearing.

2. ~~Posted on the property in a conspicuous place at least ten calendar days prior to the hearing.~~

2. Placement of a sign provided by the applicant on the subject property containing the information listed in Section 18.10.224(d) not more than ten calendar days following submittal of a development application. The sign shall be placed on the subject property so as to be clearly seen and readily readable from each right-of-way providing primary vehicular access to the subject property.

3. Mailed notices in the form of a postcard or letter mailed not less than ten calendar days prior to the issuance of the permit to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the subject property and to all lawful occupants of properties within 100 feet of the subject property, including the lawful occupants of the subject property. Such notices shall be based on the mailing list submitted by the applicant. In the event that there are fewer than ten separate parcels within 300 feet of the exterior boundaries of the property involved in the application, said 300 foot distance shall be extended in increments of 50 feet (e.g. 350, 400, 450) until owners of at least ten properties have been notified by mail.

4. Provide to the Board of Supervisors by delivery by the United States Mail, addressed to each Board member at the County Governmental Center, or by delivery to each Board Member by County Government inter-departmental mail at least 10 days prior to the public hearing.

(b) Contents of Notice. The contents of the notice shall be as follows:

1. Location of the proposed project.
2. Name of the applicant.
3. Description of the proposed use.
4. Title of the hearing officer or hearing body.
5. Date of the hearing.
6. Time of the hearing.
7. Location of the hearing.
8. How further information may be obtained.
9. Notices of pending applications for permits including Coastal Zone approval shall include a statement that the development is or is not appealable to the Coastal Commission, and the appeal process.

18.10.224 Sign Standards

(a) **Deadline for placement.** A sign required by this chapter shall be placed no later than 10 calendar days after submittal of an application for which a sign is required.

(b) **Location.** A sign required by this chapter shall be placed on the subject property so as to be clearly seen and readily readable from each right-of-way providing primary vehicular access to the subject property. Signs shall be located so as to not interfere with vehicular line of sight distance.

(c) **Size, material and height above grade.** Each sign shall be 2 feet by 3 feet, except that signs for subdivisions and dwelling groups of five (5) or more lots/units shall be 4

ect by 8 feet. Signs shall be constructed of sign plywood or eighteen (18) ounce banner material. Other material may be used with the approval of the Planning Director. No sign required by this chapter shall exceed seven (7) feet above grade, except where necessary to be clearly seen and readily readable from each right-of-way providing primary vehicular access to the subject property.

(d) Information required. Each sign shall include only the following factual information and shall be printed with legible black lettering on a white background:

Heading: NOTICE OF PROPOSED DEVELOPMENT

1. Application Number

2. Description of proposed development on the site, including type of project, proposed use, number of units/lots, types of applications being processed, and a description of each, name and telephone number of the applicant, how further information may be obtained, etc. Staff may require additional specific information be included in order to provide a useful notice.

3. Applications for permits that include Coastal Zone approval shall include a statement that the development is or is not appealable to the Coastal Commission, and the appeal process.

(e) Deadline for sign removal. Each sign shall be removed within ten calendar days of the expiration of the final appeal period.

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GUIDELINES FOR NEIGHBORHOOD NOTIFICATION

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Neighborhood Meeting

Neighborhood meetings are required for certain types of proposed development. County Code Section 18.10.21 1 describes the types of uses that require neighborhood meetings and the appropriate type of neighborhood meeting for each use. This section is summarized below:

Type of Project	Appropriate Neighborhood Meeting
Fences	Adjacent residents and property owners
Variances	Residents and owners within 300-feet
Coastal Development Permits (additions exceeding 50% of existing floor area)	Residents and owners within 300-feet
Residential Accessory Structures (non-habitable > 1000 sf or > 17-ft in height; habitable > 640 sf or > 17-ft in height)	Residents and owners within 300-feet
Dwelling Groups (2 or more residences on a single parcel)	Residents and owners within 300-feet
Land Divisions	Residents and owners within 300-feet
Non-residential Development	Residents and owners within 300-feet

These neighborhood meetings can be held at any time; however, it is recommended that they be held prior to the completion of the final development application materials. Ideally, the neighborhood meetings would help you formulate a development proposal that would generate little controversy.

When the neighborhood meeting(s) is completed, a report of the results of the meeting must be prepared and submitted. The results of the neighborhood meetings shall be reported using the following format.

1. Describe the techniques you **used to** notify the neighbors to discuss your proposed project. Include the following information:
 - Meeting notification materials

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- Mailinglists
 - Datesof **all** meetings
 - Attendance lists
 - Copiesof all mailings, hand-outs, letters, etc.
2. Describethe concerns, issuesand problems raised by the neighbors duringthe meetings.
 3. Describehowyou haveaddressedor intendto addressthe concerns, issuesor problemsraisedbythe neighbor;.
 - address each concern, **issue** and problem
 - include drawings, details or referencesto plans, **as** appropriate
 4. Describe all concerns, issuesand problemsthat cannot be addressed.
 - explain irresolvableconflicts

The County Code requires that the report of the resultsof the neighborhood meetings may be included in the application submittal packageor submitted subsequentto the application. In any ~~case~~, the application cannot be determined to be complete until the County receivesthe report and all other requested materialsare submitted.

ProjectS iSignage

County Code Sections **18.10.222** to **18.10.224** describethe required notice that must be given to the publicfor different types of developmentapplications. Besidesthe mailed notice requiredfor all developmentapplicationsat Levels IV through VII, the County requires that the project site be postedwith a s g n within ten days of the submittal of the application. The sign mustconform to the following standards:

- (a) The sign shall be placed no later than **10** calendar days after submittal of an application for which a sign is required.
- (b) The sign requiredshall be placed on the property ~~so~~ that **it** can be clearly seen and readily readablefrom each right-of-way providing primary vehicular ~~access~~ to the subject property. Corner lots should use one two-sided sign placeddiagonal to the corner, ~~Signs~~ shall be located ~~so as~~ to not interfere with vehicular line of sight distance.
- (c) Size, materialand heightabovegrade. Each sign shall be constructed of sign plywoodor eighteen (**18**) ounce banner materialand shall meet the size requirementsof the ordinance.

0350

CBD BOSMAIL

From: CBD BOSMAIL
Sent: Sunday, June 01, 2003 4:21 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 6/3/2003

item Number: 31

Name : Cove Britton

Email : Cove@matsonbritton.com

Address : 421 Clinton Street
Santa Cruz, CA 95062

Phone : 831-425-0544

Comments :

Dear Supervisors,

As the Government Liason Officer for the Architects Association of Santa Cruz County, I request this item to be removed from the consent agenda and continued to the next hearing. We also formally request that we be kept informed of the progress, public hearings, and documentation for this item.

We were expecting some response to this item prior to the hearing and unfortunately I am unable to attend the June 3rd meeting. But as I am sure Mr. Guiney shall confirm:

1. I requested to be kept informed on this matter, and have not been.

2. I have requested this matter be noticed including the requirement for neighborhood meetings, and it has not. It only publicly notices "early notice" which is significantly different than required neighborhood meetings. No one would be aware of this significant difference unless they actually read the staff report. Little attention has been paid to this matter due to this oversight.

3. I requested that the conflict with the Permit Streamlining Act which the required neighborhood meeting requirement conflicts, be addressed. Based on our contacts with the state, the proposed ordinance does conflict (re: completeness). To date there has been no response from planning staff on this issue.

With all due respect to the Board and planning staff, it appears ironic that this process thus far appears contrary to the intent of the proposed ordinance amendment. Early public notice and readily available information for interested parties is commendable.

Please allow the public to become aware of the required neighborhood meeting requirement and to comment on it prior to it proceeding onto the planning commission.

There is no opposition to early notification, but the requirement for neighborhood meetings for single family dwellings (where applicable) has brought a good deal of vehement opposition from those informed (which is minimal). The community should be properly informed and should have the opportunity to comment and the fact that there is interest but it has not been informed, should require this issue to be noticed (and properly responded to) prior to this issue proceeding any farther.

Sincerely,
Cove Britton
Architect
Government Liason Officer, AASCC

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6/2/03

Terry Dorsey

From: Cove Britton [cove@matsonbritton.com]
Sent: Wednesday, June 04, 2003 5:32 PM
To: Jan Beautz; Ellen Pine; Mardi Wormhoudt; Tony Campos; Jeff Almquist
Subject: Draft amendments to Chapter 18.10

RE: Draft Amendments to Chapter 18.10 about earlier notification for projects processed at Levels IV, V, VI, and VII, and draft earlier notification guidelines.

Dear County Supervisors,

The Architects Association of Santa Cruz County is concerned with the effects of the proposed amendments on the public dealing with single family dwellings.

The primary concern is the required "applicant initiated neighborhood meetings", though there are related concerns dealing with the conflict of the state Permit Streamlining Act for both the amendments to the ordinance requiring "early notification" and "neighborhood meetings". The proposed amendments appear to contain technical problems and also require another layer of expensive and divisive bureaucratic requirements that is driving the middle income of this community out of the process.

1. Early Notification:

We are unaware of any opposition to the concept of the "early notification" amendment. We would suggest that additional fees be charged and county personnel be responsible for placement of notice and notification. There is no cost savings for the applicant in these issues that have any significance to the relationship to any misunderstanding, or cost of professional help, that would be outweighed by the additional fee. In addition, minimizing the line between private responsibilities and public in a more consistent form may improve the perception of the process overall.

2. State Permit Streamlining Act and "Completeness":

The Permit Streamlining Act requires a list to be prepared for the initial submittal and that if the items listed are provided, the applicant then has a reasonable expectation of the application being deemed complete for further processing. Based on our contacts with the state, neither the "early notification" nor the "neighborhood meetings" should be tied to the formal "completeness" noted in the state Permit Streamlining Act. Essentially any proposed project formally does not exist, and has no relationship, to the governing body until submitted. To require a public meeting for a project before that project formally exists in a public sense is nonsensical. Assuming then that the neighborhood meeting is held within some specified time once the project is submitted, the meeting should not be tied to completeness as there could be no way for the applicant to have a reasonable expectation of being deemed complete at submittal. Making the early notice and the neighborhood meeting tied to completeness is essentially an end run around the Permit Streamlining Act as it would be impossible to be deemed complete at the initial submittal.

3. Applicant Initiated Neighborhood Meeting:

The most vehement objection to the proposed amendments are brought forth in regards to the requirement for applicant initiated neighborhood meetings on single family dwellings and other small scale projects. Though we appreciate that the motivation for this proposal is to reduce time and conflict, we do not believe that it will and that it perpetuates the conception that an applicant is a "supplicant". For example: an applicant submitting an addition to a single family residence has the right to build it as long as it meets the codes and ordinances. The applicant should be encouraged to be polite to their neighbors, but the neighbors should be encouraged to be polite. The codes and ordinances are the "good fences" put in place by the community. The case by case treatment of these issues eschews the very purpose of government, divisiveness, expense, and confusion is the result of this "case by case" approach. The governing body is as responsible (if not more) for the protection of the individual as it is of the overall community. Any rule imposed

6/5/2003

on an individual should be a rule that the majority of others in the community would be willing to have applied to them. It is seldom that the "case by case" approach results in this, more often it is some form of subjective self interest. It may be good for all to acknowledge the one most affected by a residence is the one who lives in it and pays for it. The public could be helped in being educated both as an applicant and as a "neighbor" on what is legally required and encouraged to be polite regardless of subjective personal preferences. Neighborhood meetings should be encouraged but not required. It is our opinion that another expensive and subjective bureaucratic layer in the single family dwelling planning process is specifically what the majority of this community is against, regardless whether it impacts one percent or a hundred percent of the individuals of this community.

What is ironic is that the efforts these amendments appear to encourage may much better serve as an approach for the governing body than individual case by case applications. Outreach to neighborhoods, outreach to the professional community, prior to initiating such amendments would be, in our opinion, much more constructive approach for the community, and the actual "place" of the governing body to initiate and moderate public discourse. It is arguable that many ordinances that have profound impacts on the community are passed with less notice than a residential bedroom addition. The AASCC would be happy to work as a resource for the planning department to outreach to the public in order to form such amendments, and to make the community clearly aware that such amendments are in process and/or proposed. We have found many of the concerned public was utterly unaware of the nature of these proposed amendments.

Thank you for your consideration. We are available for any questions or concerns that you may have.

Sincerely,

Cove Britton
Architect
Government Liaison Officer, AASCC

6/5/2003

0199

CBD BOSMAIL

From: CBD BOSMAIL
 Sent: Sunday, June 08, 2003 10:12 PM
 To: CBD BOSMAIL
 Subject: Agenda Comments

Meeting Date :6/10/2003

Item Number: 46

Name :Susan Porter

Email :susan22155@attbi.com

Address :2860 Fresno St.
Santa Cruz

Phone :Not Supplied

Comments :

Dear Members of the Board of Supervisors,

(Copy of email sent to each Supervisor on June 8, 2003)

At last week's County Supervisor's meeting (June 3), item #31 came up which recommended changes to Chapter 18.10 of the County Code. These changes, in part, would require certain development applicants fund and hold neighborhood meetings before the application would be deemed complete.

I would like to go on record as opposing this requirement for single family homes. This requirement should be limited to items 5, 6 and 7 on page 2 of the Draft Changes document. I have 2 major reasons for my opposition.

First of all, I think it makes no sense to require a neighborhood meeting before a project can even be considered complete. Completeness signifies that a project is ready to be evaluated. How does it make sense that the neighbors would be required to judge a project before even the Planning Dept. has determined that the project is ready for it? This process of evaluation is to ensure that every project complies with the objectives and requirements of the County Code. It makes more sense to have neighborhood meetings be part of the evaluation process- thereby developing the public's needs and desires in concert with the county requirements.

This, then, brings me to my second, and more strenuous objection- that neighborhood meetings be required for development or remodeling of any single family homes. As I stated above, this requirement is appropriate only for line items 5, 6 and 7 on page 2 of the submitted draft proposal.

When this Board originally considered the Planning Dept's report on this issue (meeting of Feb. 25, 2003), the majority of the members' comments on this issue revolved around the idea of exempting residential projects from this requirement. You, yourselves, felt this would be an onerous burden on homeowner trying simply to renovate their own homes.

I agree.

It is very easy, when an issue develops, for a political body to decide that a regulation is the proper solution, and feel that having done so, they have done their job. The result, however, is often greater and greater bureaucracy, needing more and more people to manage and interpret this burgeoning mishmash of regulations. This is what we have in Santa Cruz right now.

As a Board, I know you are in the process of trying to improve the County planning process. This proposed requirement is the antithesis of that work. This would not promote streamlining, it would,

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infact add to the bureaucracy, it would add another layer of complexity to the process for homeowners.

Before adding another regulation, please study whether it even works in the cities that currently have it. I have seen no effort to do that yet. Please do not blindly add to regulations without fully evaluating their efficacy.

Thank you for your time and consideration of these issues.

Regards,

Susan Porter
2860 Fresno St.
Santa Cruz

0201

Terry Dorsey

From: Barry Porter[rocket3@ips.net]
Sent: Monday, June 09, 2003 3:47 PM
To: Jan Beautz; Ellen Pine; Mardi Wormhoudt; Tony Campos; Jeff Arquist
Subject: RE: Draft Amendments to Chapter 18.10 about earlier notification for projects processed at Levels IV, V, VI, and VII, and draft earlier notification

I fully concur with the content of the letter below.
 I DO NOT SUPPORT any action to move forward with the proposed amendments.

William Porter
 2860 Fresno St.
 Santa Cruz, CA 95062

Dear County Supervisors,

The Architects Association of Santa Cruz County is concerned with the effects of the proposed amendments on the public dealing with single family dwellings.

The primary concern is the required "applicant initiated neighborhood meetings", though there are related concerns dealing with the conflict of the state Permit Streamlining Act for both the amendments to the ordinance requiring "early notification" and "neighborhood meetings". The proposed amendments appear to contain technical problems and also another layer of expensive and divisive bureaucratic requirements that is driving the middle income of this community out of the process.

1. Early Notification:

We are unaware of any opposition to the concept of the "early notification" amendment. We would suggest that additional fees be charged and county personnel be responsible for placement of notice and notification. There is no cost savings for the applicant in these issues that have any significance to the relationship to any misunderstanding, or cost of professional help, that would be outweighed by the additional fee. In addition, minimizing the line between private responsibilities and public in a more consistent form may improve the perception of the process overall.

2. State Permit Streamlining Act and "Completeness":

The Permit Streamlining Act requires a list to be prepared for the initial submittal and that if the items listed are provided, the applicant then has a reasonable expectation of the application being deemed complete for further processing. Based on our contacts with the state, neither the "early notification" nor the "neighborhood meetings" should be tied to the formal "completeness" noted in the state Permit Streamlining Act. Essentially any proposed project formally does not exist, and has no relationship, to the governing body until submitted. To require a public meeting for a project before that project formally exists in a public sense is nonsensical. Assuming then that the neighborhood meeting is held within some specified time once the project is submitted, the meeting should not be tied to completeness as there could be no way for the applicant to have a reasonable expectation of being deemed complete at submittal. Making the early notice and the neighborhood meeting tied to completeness is essentially an end run around the Permit Streamlining Act as it would be impossible to be deemed complete at the initial submittal.

3. Applicant Initiated Neighborhood Meeting:

The most vehement objection to the proposed amendments are brought forth in regards to the requirement for applicant initiated neighborhood meetings on single family dwellings and other small scale projects. Though we appreciate that the motivation for this proposal is to reduce time and conflict, we do not believe that it will and that it perpetuates the conception that an applicant is a "supplicant". For example: an applicant submitting an addition to a single family residence has the right to build it as long as it meets the codes and ordinances. The applicant should be encouraged to be polite to their neighbors, but the neighbors should equally be encouraged to be polite. The codes and ordinances the "good fences" put in place by the community. The case by case treatment of these issues eschews the very purpose of government, divisiveness, expense, and confusion is the result of this "case by case" approach. The governing body is as responsible (if not more) for the protection of the individual as it is of the overall community. Any rule imposed

on an individual should be a rule that the majority of others in the community would be willing to have applied to them. It is seldom that the "case by case" approach results in this, more often it is some form of subjective self interest. It may be good for all to acknowledge the one most affected by a residence is the one who lives in it and pays for it. The public could be helped in being educated both as an applicant and as a "neighbor" on what is legally required and encouraged to be polite regardless of subjective personal preferences. Neighborhood meetings should be encouraged but not required. It is our opinion that another expensive and subjective bureaucratic layer in the single family dwelling planning process is specifically what the majority of this community is against, regardless whether it impacts one percent or a hundred percent of the individuals of this community. a

What is ironic is that the efforts these amendments appear to encourage may much better serve as an approach for the governing body than individual case by case applications. Outreach to neighborhoods, outreach to the professional community, prior to initiating such amendments would be, in our opinion, much more constructive approach for the community, and the actual "place" of the governing body to initiate and moderate public discourse. It is arguable that many ordinances that have profound impacts on the community are passed with less notice than a residential bedroom addition. The AASCC would be happy to work as a resource for the planning department to outreach to the public in order to form such amendments, and to make the community clearly aware that such amendments are in process and/or proposed. We have found many of the concerned public was utterly unaware of the nature of these proposed amendments.

Thank you for your consideration. We are available for any questions or concerns that you may have.

Sincerely,

Cove Britton
Architect
Government Liaison Officer, AASCC

6/5/2003