



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

December 1, 2006

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

Agenda Date: January 10, 2007
APN: 057-081-28
Application: 02-0341
Item #: 16

Subject: A public hearing to consider a proposal to rezone a single lot of record from the Special Use (SU) zone district to the Timber Production (TP) zone district.

Members of the Commission:

On July 8, 2002, the County Planning Department accepted this application for rezoning a parcel totaling about 210.226 acres from the Special Use zone district to Timber Production.

Background

The property owners, Big Creek Lumber Company, also own an approximately 569.63 acre Timber Production zoned parcel, APN 057-081-23, which is contiguous with the subject property. The uses on the property consist of open space - no residence.

This project qualifies for a rezoning under California Government Code Section 51113.5 "Petition by owner to add to timberland production zone." This section allows a property owner with TP-zoned land to petition the County to rezone contiguous land not zoned TP to the TP zone. The only requirements for this type of rezoning are that the parcels must meet the definitions of Government Code Section 51104(f), (g) and (h)¹. The County may not place any additional requirements on this petition to rezone the property to TP.

¹ Government Code Section 51104

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

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

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

(1) Management for watershed.

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

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

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

(5) **Grazing**.

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

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

- o The property is contiguous with Timber Production zoned property under the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code (Exhibit C).
- o The property is timberland, as it is capable of producing an average of 15 cubic feet of timber per acre annually (Exhibit E).
- o The uses on the parcel comply with the Timber Production Zone uses set forth in Section 13.10.372.

This project qualifies for a statutory exemption in accordance with the California Environmental Quality Act and the County Environmental Review Guidelines (Article 17, Section 1703).

Conclusion


All of the criteria have been met for rezoning the subject parcel to the Timber Production zoning designation. All required findings can be made to approve this application pursuant to California State Government Code Section 51113.5.

Recommendation

It is recommended that the Commission adopt Resolution (Exhibit A), sending a recommendation to the Board of Supervisors for approval of Application 02-0615, to adopt the Ordinance rezoning the property to the TP zone district.

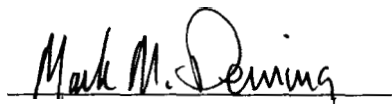
EXHIBITS

- A. Planning Commission Resolution, with Ordinance/Findings
- B. APN map
- C. Location, Current Zoning and General Plan Designation and Ownership maps
- D. Notice of Exemption from CEQA
- E. Timber Stocking Analysis, prepared by Dale F. Holderman, dated July 8, 2002



Robin Bolster-Grant
Project Planner
Development Review

Reviewed By:


Mark Deming
Assistant Planning Director

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner
duly seconded by Commissioner
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION
SENDING RECOMMENDATION TO THE BOARD OF SUPERVISORS
ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

WHEREAS, the Planning Commission has held a public hearing on Application No. 02-0341, involving property located to the east of Last Chance Road at approximately one mile north from Swanton Road, and the Planning Commission has considered the proposed rezoning, all testimony and evidence received at the public hearing, and the attached staff report.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board of Supervisors adopt the attached ordinance amending the Zoning Ordinance by changing property from the Special Use zone district to the Timber Production zone district.

BE IT FURTHER RESOLVED, that the Planning Commission makes findings on the proposed rezoning as contained in the Report to the Planning Commission.

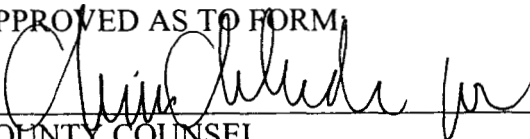
PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2006, by the following vote:

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

Chairperson

ATTEST: _____
MARK DEMING, Secretary

APPROVED AS TO FORM:



COUNTY COUNSEL

EXHIBIT A

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 13
OF THE SANTA CRUZ COUNTY CODE
CHANGING FROM ONE ZONE DISTRICT TO ANOTHER**

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

SECTION I

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan and Local Coastal Program Land Use Plan regarding the timber resource property located to the east of Last Chance Road at approximately one milenorth from Swanton Road; finds that the zoning to be established herein is consistent with all elements of the Santa Cruz County General Plan and the Santa Cruz County Code, as modified by the *Big Creek* decision; and finds and certifies that the project is subject to a statutory exemption under the California Environmental Quality Act.

SECTION II

The Board of Supervisors hereby adopts the Zoning ~~Plan~~ Amendment as described in Section III, and adopts the findings in support thereof without modification as set forth below:

1. The proposed zone district will allow a density of development and types of uses which are consistent with the objectives and land use designations of the adopted General Plan; and
2. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
3. The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district; and
4. The property meets the requirements of Government Code section 51 113 or 51 113.5 and County Code Section 13.10.375(c).

EXHIBIT A

SECTION III

Chapter 13.10- Zoning Regulations of the Santa Cruz County Code is hereby amended by amending Section 13.10.2 10- Zoning Plan to change the following properties from the existing zone district to the new zone district as follows:

<u>Assessor's Parcel Number</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
057-081-28	Special Use - SU	TP

SECTION IV

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

PASSED AND ADOPTED THIS _____ day of _____ 2006, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

Chairman of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:



Assistant County Counsel

Exhibit: Rezoning Maps

DISTRIBUTION: County Counsel
Planning
Assessor
County GIS

EXHIBIT A

FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2000

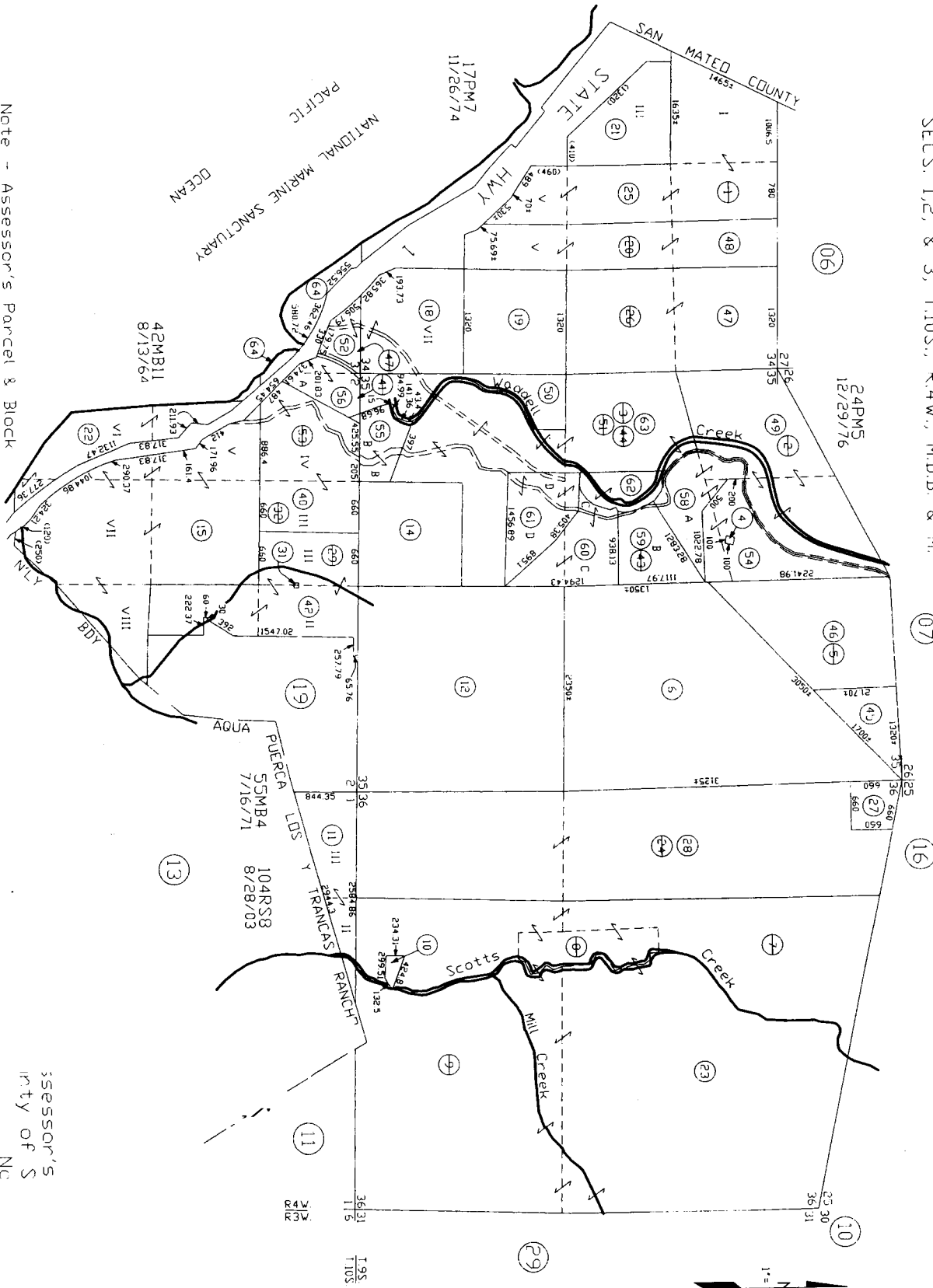
PLR. SEC. 34, ALL SECS. 30 & 30, 11/20/00,
 SECS. 12, 8, 3, 110S, 24W, M.D.B. & M.

86-022

Note - Assessor's Parcel & Block

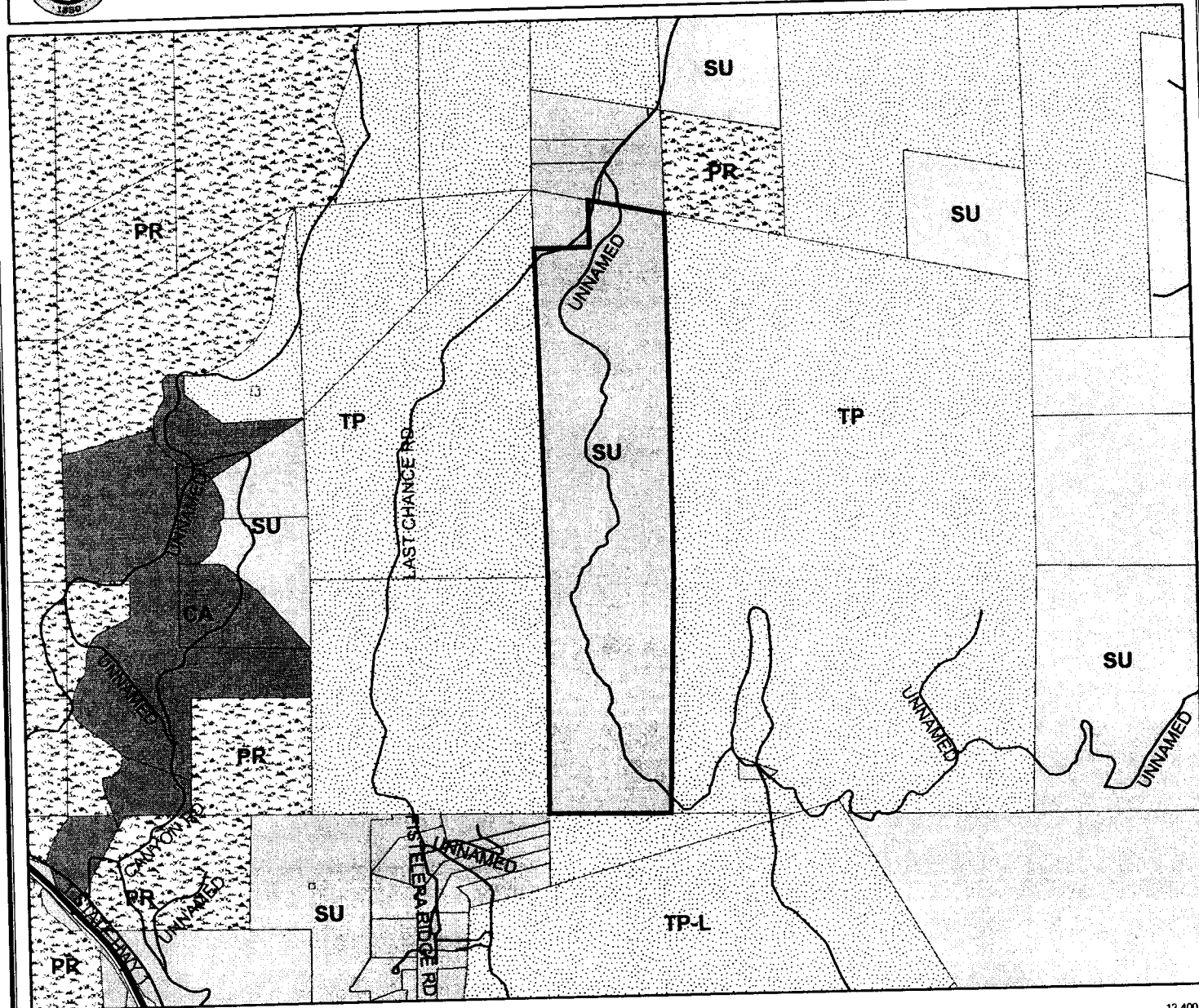
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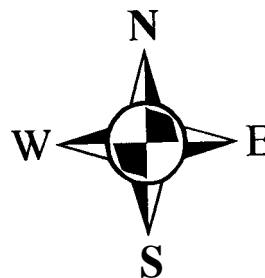


Zoning Map



Legend

- APN 057-081-28
- Streets
- Assessors Parcels
- State Highways
- SPECIAL USE (SU)
- AGRICULTURE COMMERCIAL (CA)
- TIMBER PRODUCTION (TP)
- PARK (PR)

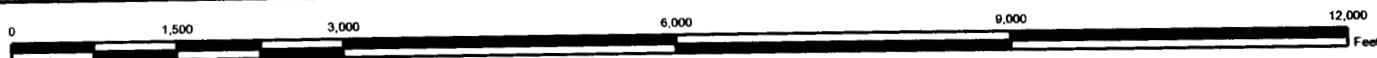
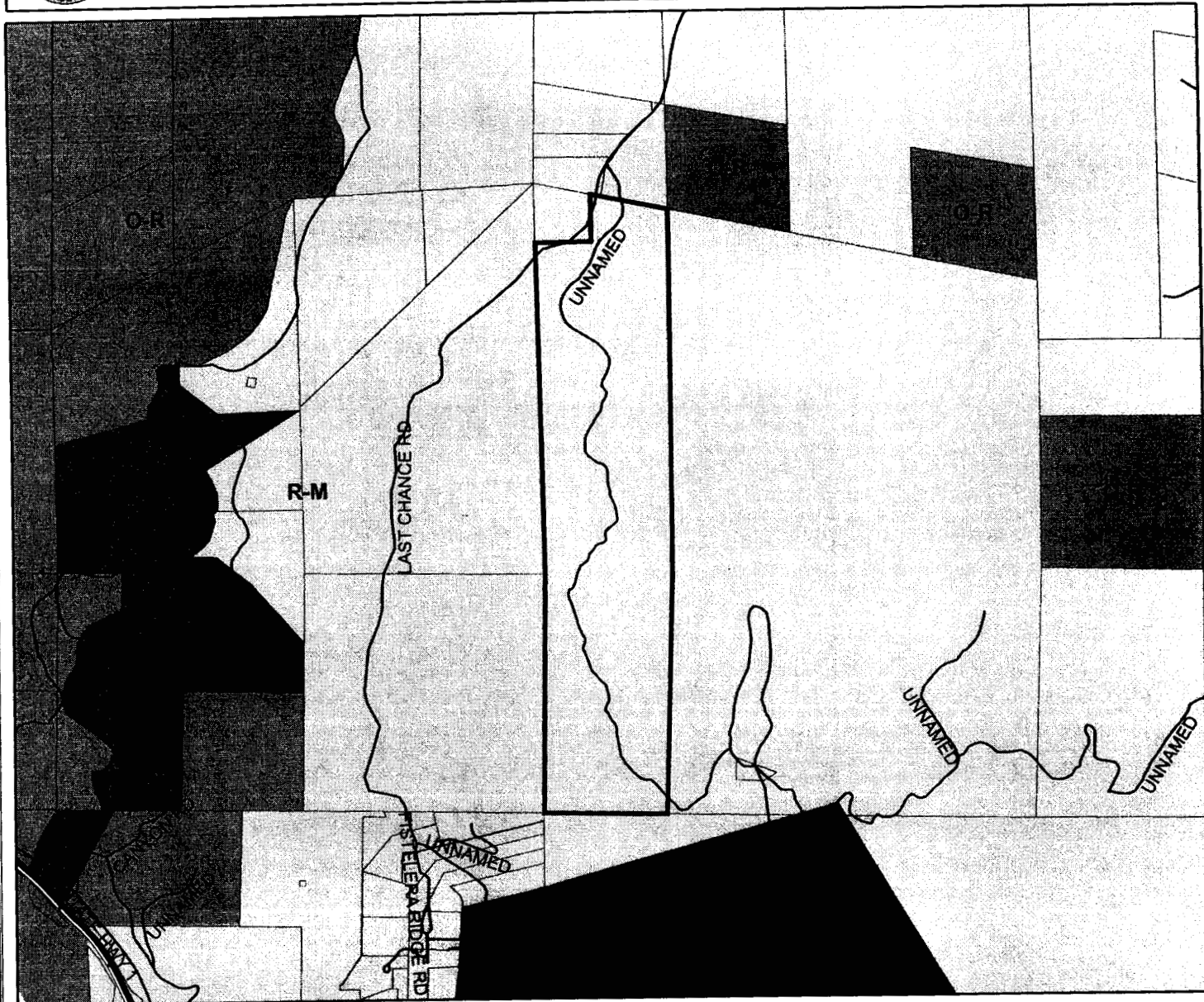


Map Created by
County of Santa Cruz
Planning Department
October 2006








EXHIBIT C

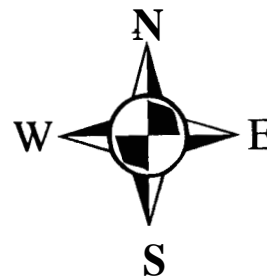


General Plan Designation Map



Legend

-  APN 057-081-28
-  Streets
-  Assessors Parcels
-  State Highways
-  Residential-Mountain (R-M)
-  Agriculture (AG)
-  Parks and Recreation (O-R)

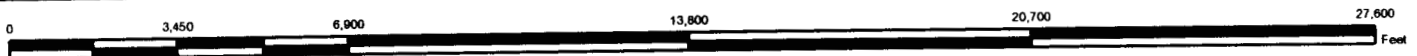


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October 2006

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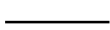
Location Map



Legend



APN 057-081-28

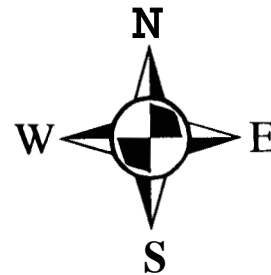


Streets

Assessors Parcels



State Highways

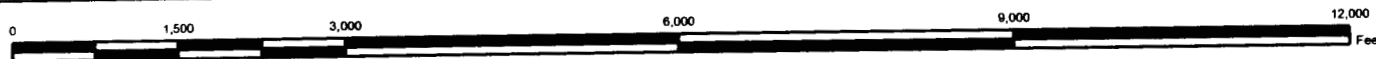
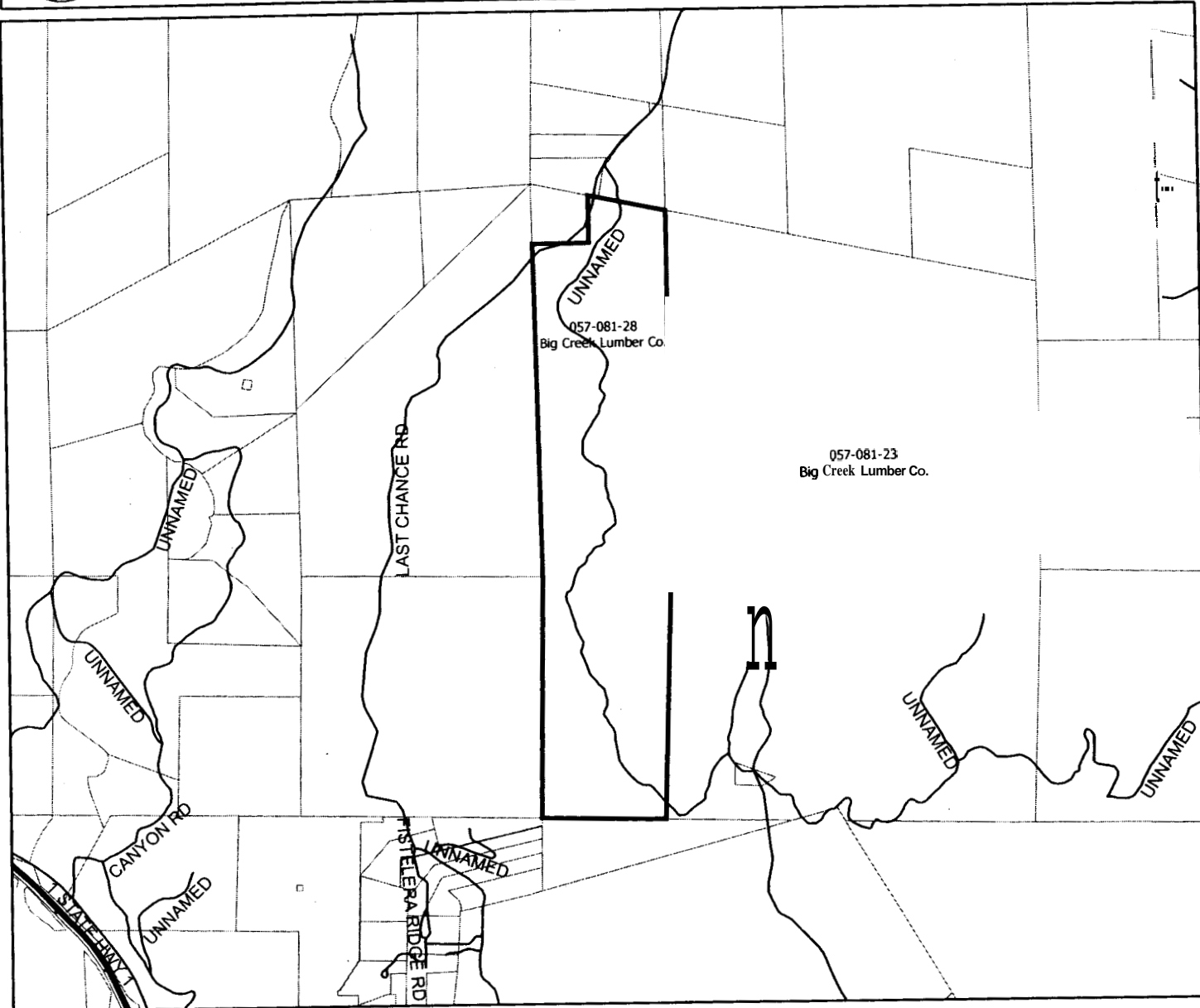


Map Created by
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Planning Department
October 2006

EXHIBIT



Ownership Map



Legend



APN 057-081-28

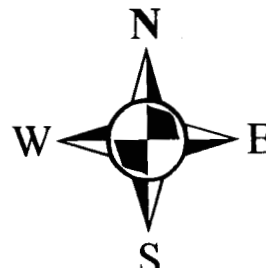


Streets



Assessors Parcels

State Highways



Map Created by
County of Santa Cruz
Planning Department
October 2006

EXHIBIT C

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 02-0341

Assessor Parcel Number: 057-081-28

Project Location: Not Situs Address, Last Chance Road, Davenport, California

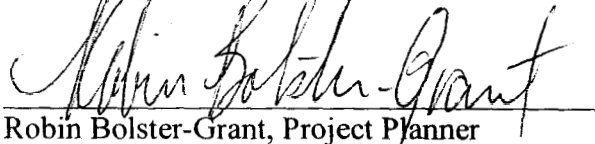
Project Description: Rezone a single parcel from the Special Use (SU) zone district to the Timber Production (TP) zone district.

Person or Agency Proposing Project: Dale Holderman

Contact Phone Number: (831) 426-6964

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. ☒ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285). [Section 1703]

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


Robin Bolster-Grant, Project Planner

Date: 12-5-00

July 8, 2002

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

Re: Zoning APN 057-081-28 Timber Production District

Greetings:

Pursuant to Government Code section 51113.5, Big Creek Lumber Company, owner of APN 057-081-28, petitions to have its 210 acre parcel zoned Timber Production District. ~~The~~ parcel meets all of the criteria for zoning land Timber Production set forth in section 51113.5.

1. The parcel adjoins lands owned by Big Creek Lumber Company that are zoned Timber Production: APN 057-081-23 to the east, and APN 057-081-11 to the south.
2. The parcel is privately owned land which is devoted to and used for growing and harvesting timber, and is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre. Please see the accompanying analysis Capability for Wood Fiber Production.

Submitted herewith:

1. A map showing the assessor's parcel of the property desired to be rezoned.
2. A map showing the zoning of the adjoining lands of Big Creek.
3. A check payable to the County in the amount of \$750.

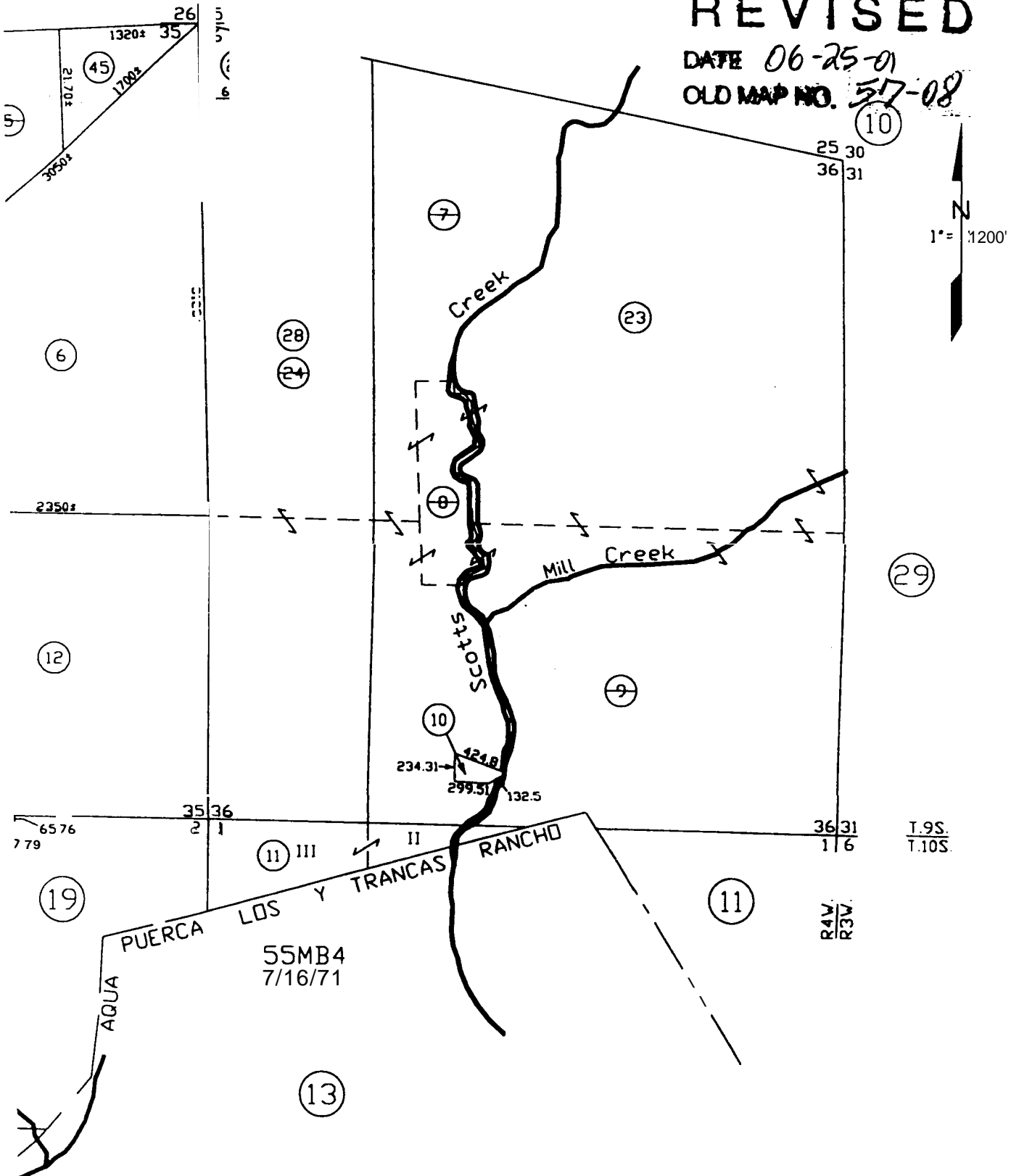
Sincerely,



Dale F. Holderman, Forester
Big Creek Lumber Company

REVISED

DATE 06-25-01
OLD MAP NO. 57-08



Assessor's Map No. 57-08
County of Santa Cruz, Calif.

Nov. 2000

CAPABILITY FOR WOOD FIBER PRODUCTION

Soil type 113 Ben Lomond-Catelli-Sur complex, 30 to 75 percent slopes - Storie Index 20':

The potential production of merchantable timber from a fully stocked, even-aged stand of redwood trees **80** years old is about 13,360 cubic feet on the Ben Lomond soil; about 10,240 cubic feet on the Catelli soil; and about 5,510 cubic feet on the **Sur** Soil. Observation of the approximately 10 acres in this soil type indicates that production is in the upper end of that range. Averaging the estimates for the Ben Lomond and Catelli soils (13,360+10,240) gives an estimate of 11,800 cubic feet for a fully stocked stand at age 80, or growth of about **148 cubic feet per acre per year**.

Soil type 153 Maymen-Rock outcrop complex, 50 to 75 percent slopes - Storie Index 4: On November 2, 1999 we examined a representative area of this soil type. The timber consists of scattered medium size old growth redwood and small second growth redwood in a sea of tanoak. Some of the second growth probably is fire origin, and some is clearly from logging - a trespass that occurred in the 1960's. In the upper reaches of the soil type where the site is the poorest we found a redwood stump with many fire scars. The last growth it recorded was about 10 rings per inch. We estimated that the stand contained about 20 larger redwoods per acre, and at least as many small redwoods. We estimated that the average diameter of the larger redwoods is 36 inches d.b.h. With that information, we can make the following estimate:

A 36 inch redwood 90 feet tall contains 163 cubic feet of wood. If there are 20 such trees per acre and their average age is 200 years, then the average growth per year can be calculated as follows: $(163 \times 20) / 200 = 16.3$ cubic feet per acre per year. The combined growth of the young redwoods and tanoak would easily equal the growth of the larger redwoods. **So**, a conservative estimate of the wood fiber growth would be at least **32 cubic feet per acre per year**.

An analysis of the Storie Index offers confirmation of this number. The Storie Index for the Lomond-Catelli-Sur complex, 30 to 75 percent slopes is 20. The Store Index for the Mayman-Rock outcrop complex, 50 to 75 percent slopes is 4. The latter index is 20% of the former. If we assume that the capability of the latter is 20% of the capability of the former, we find that 20% of 148 = 30 cubic feet per acre per year.

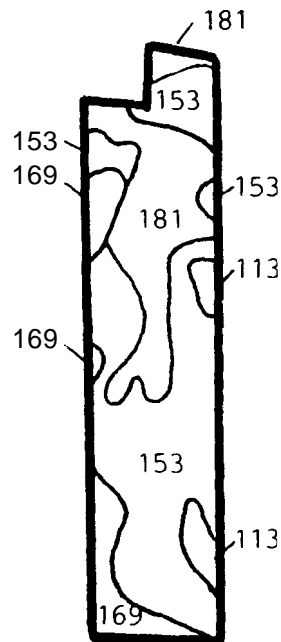
Soil type 169 Santa Lucia shaly clay loam, 50 to 75 percent slopes - Storie Index 12: If we assume that the capability of a Storie Index of 12 is 60% of the capability of a Storie Index of 20, we can estimate the growth as 60% of 184, or **89 cubic feet per acre per year**.

Soil type 181 Xerorthents-Rock outcrop complex, 50 to 100 percent slopes - Storie Index less than 2: This soil type is considered to be non-productive = **0 cubic feet per acre per year**.

¹ The Storie Index is a numerical expression of the relative degree of suitability of a soil for general intensive agriculture.

SUMMARY

10 Acres	Soil 113	148 cubic feet per acre per year
126 Acres	Soil 153	32 cubic feet per acre per year
22 Acres	Soil 169	89 cubic feet per acre per year
52 Acres	Soil 181	0 cubic feet per acre per year
210 Acres		34 cubic feet per acre per year

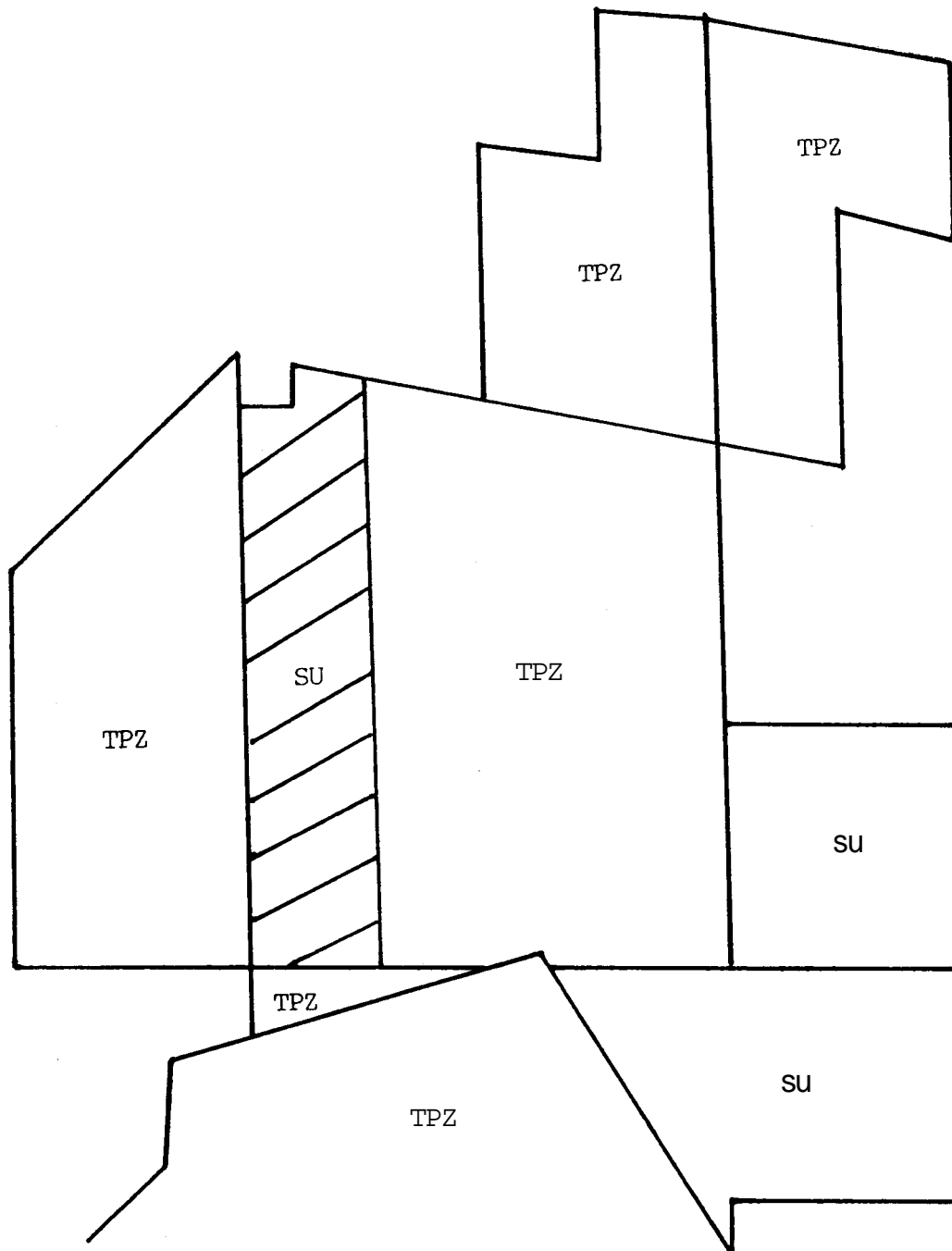


Source for soils data: **Soil Survey of Santa Cruz County, California**, U. S. Department of Agriculture, Soils Conservation Service in cooperation **with** University of California, Agriculture Experiment Station, 1980.

BIG CREEK'S SCOTT CREEK UNIT

Scale: 1:24000

NORTH





July 12, 2002

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

Re: Development Permit Application 02-0341
APN 057-081-28

Greetings,

I realized that a geographical location map would be helpful to you in your evaluation of the application. Please find two copies enclosed.

Sincerely,

Dale F. Holderman, Forester
Big Creek Lumber Company

GEOGRAPHIC LOCATION

APN 057-081-28

Scale: 1:24000

NORTH

