



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

KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

January 14, 2013

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

Agenda Date: February 27, 2013

APN: 106-141-15

Application: 121242

Agenda Item: 6

Time: After 9:00 a.m.

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

Members of the Commission:

On October 15, 2012, the County Planning Department accepted this application for rezoning one parcel, of approximately 24.5 acres, from the Special Use (SU) zone district to the Timber Production (TP) designation. The parcel is currently vacant rural acreage.

Background and Discussion

The property owner, Eloise Wilson, owns an approximately 42.6-acre Timber Production (TP) zoned parcel, APN 106-081-11, which is contiguous with the subject property. The project qualifies for a rezoning under California Government Code Section 51113.5, which allows a property owner with TP-zoned land that meets all of the requirements of that section, to petition the County to rezone contiguous land to the TP zone district. This type of rezoning must also meet the definitions of Government Code Section 51104(f) and (g).

51104(f) "Timberland" means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

51104(g) "Timberland production zone" or TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

Government Code Section 51113 expressly prohibits local jurisdictions from placing any additional requirements on applications to rezone the property to TP. The proposed zoning is consistent with the General Plan, as Timber Production is an implementing zone district for the Mountain Residential (R-M) General Plan designation of the parcel.

In accordance with Section 51113.5 of the State Government Code, the project meets the

following criteria for rezoning to Timber Production:

- 1) 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).
- 2) The property is timberland, as it is capable of producing an average of 15 cubic feet of timber per acre annually (Exhibit E).
- 3) The uses on the parcel comply with the Timber Production Zone uses set forth in Section 13.10.372.

Environmental Review

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

Conclusion

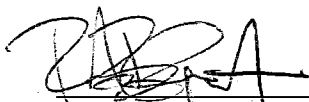
All of the criteria have been met for rezoning the subject parcel to the Timber Production zoning designation. All required findings can be made to approve this application pursuant to California State Government Code Section 51113.5. There are no Williamson Act contracts that apply to the SU-zoned parcel.

Recommendation

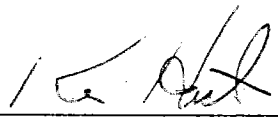
It is recommended that the Commission adopt Resolution (Exhibit A), sending a recommendation to the Board of Supervisors for approval of Application 121242, to adopt the Ordinance rezoning the property to the TP zone district.

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 Management Plan prepared by James Hildreth, Registered Professional Forester, dated August 27, 2012



Robin Bolster-Grant
Project Planner
Development Review

Reviewed By: 
Ken Hart
Principal Planner

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. 121242, involving property located on the east side of Tindall Ranch Road, approximately 1 mile east of the intersection of Tindall Ranch Road and Eureka Canyon 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 _____, 2013, by the following vote:

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

Chairperson

ATTEST: _____
KEN HART, Secretary

APPROVED AS TO FORM:

COUNTY COUNSEL

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 on the east side of Tindall Road, approximately 1 mile east of the intersection of Tindall Ranch Road and Eureka Canyon Road, and 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.

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 a Statutory Exemption has been prepared pursuant to the California Environmental Quality Act (CEQA); 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 51113 or 51113.5 and County Code Section 13.10.375(c).

SECTION III

Chapter 13.10 - Zoning Regulations of the Santa Cruz County Code is hereby amended by amending Section 13.10.210 - Zoning Plan to change the following properties from the existing zone district to the new zone district as follows:

<u>Assessor's Parcel Number</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
106-141-15	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 _____ 2013, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

Chairman of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

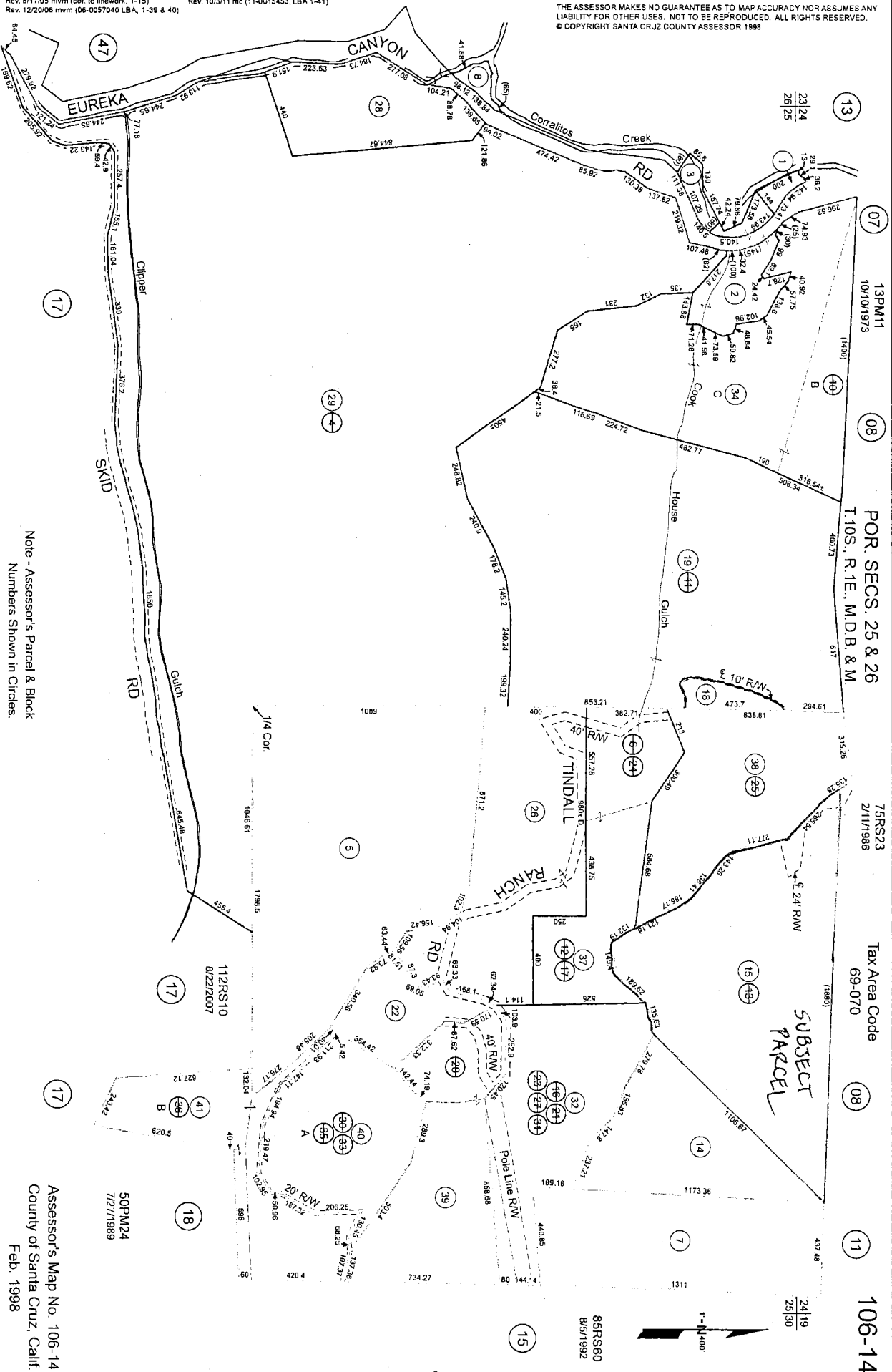
Assistant County Counsel

Exhibit: Rezoning Map

DISTRIBUTION: County Counsel
Planning
Assessor
County GIS

Rev. 6/6/11 CB (112RS10)
Rev. 10/3/11 mc (por. to and from 106-18)
Rev. 10/3/11 mc (11-0015453, LBA 1-41)

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 1998



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

Assessor's Map No. 106-14
County of Santa Cruz, Calif.
Feb. 1998

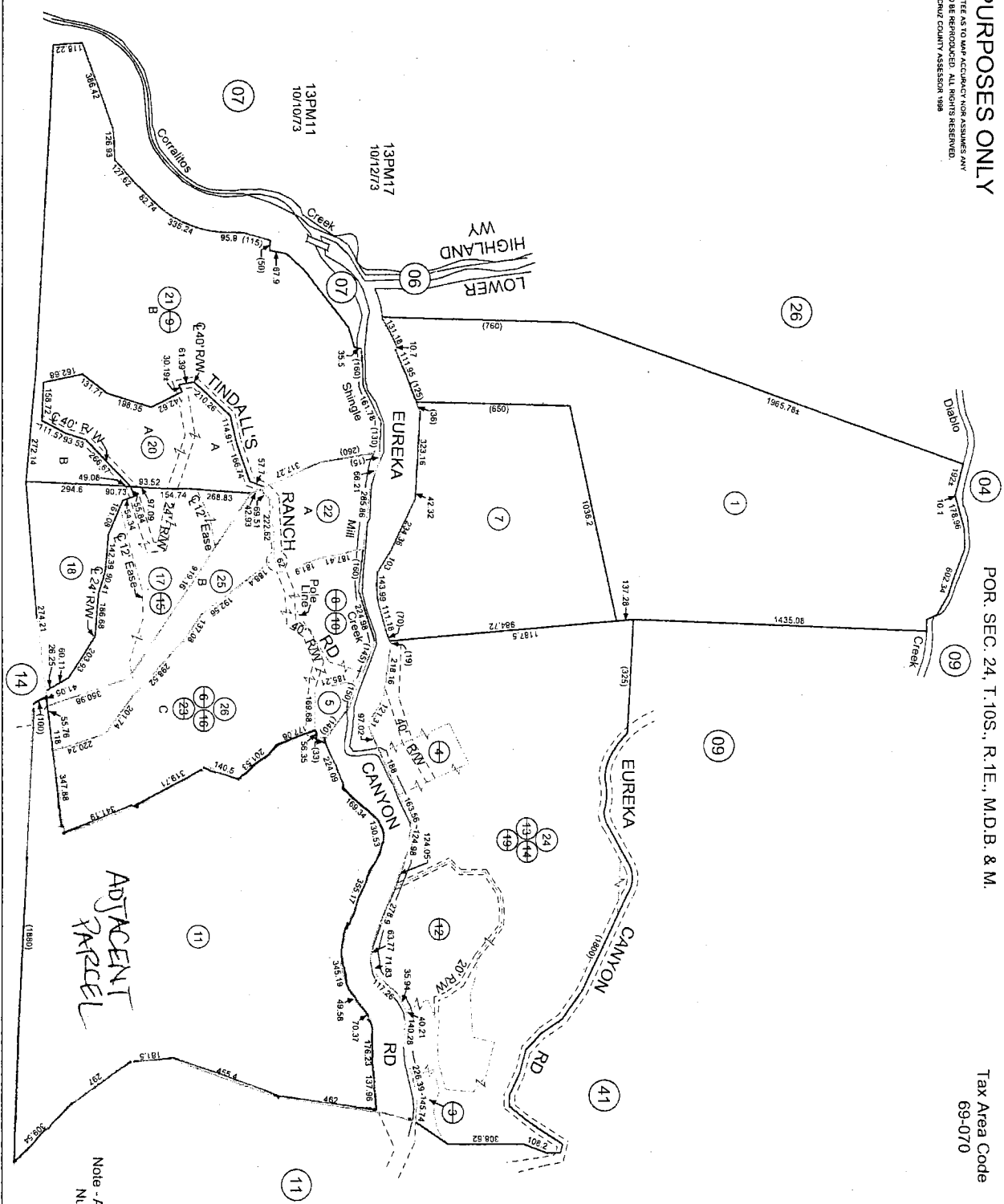
FOR TAX PURPOSES ONLY
 THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1998

POR. SEC. 24, T.10S., R.1E., M.D.B. & M.

Tax Area Code
 69-070

106-08

Electronically drawn 2/6/98 KSA
 Rev. 10/4/01 mvm (changed page refs.)
 Rev. 3/19/02 mvm (st name)
 Rev. 6/16/05 mvm (Cor. to 1-11 linework)



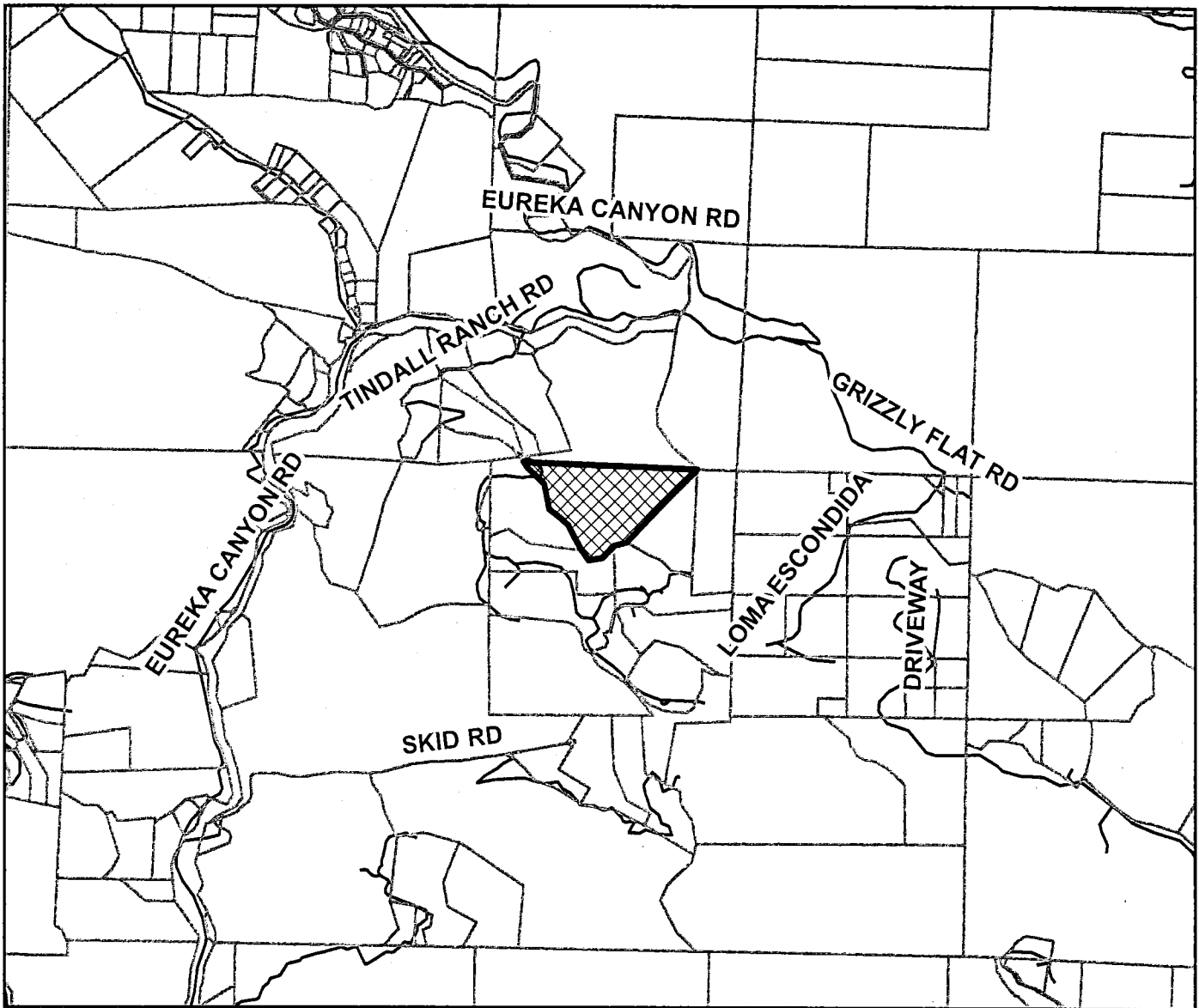
ADJACENT
 PARCEL

Note - Assessor's Parcel & Block
 Numbers Shown in Circles.
 Assessor's Map No. 106-08
 County of Santa Cruz, Calif.
 Feb. 1998




EXHIBIT B

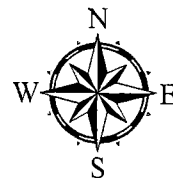


Location Map



LEGEND

-  APN: 106-141-15
-  Assessors Parcels
-  Streets

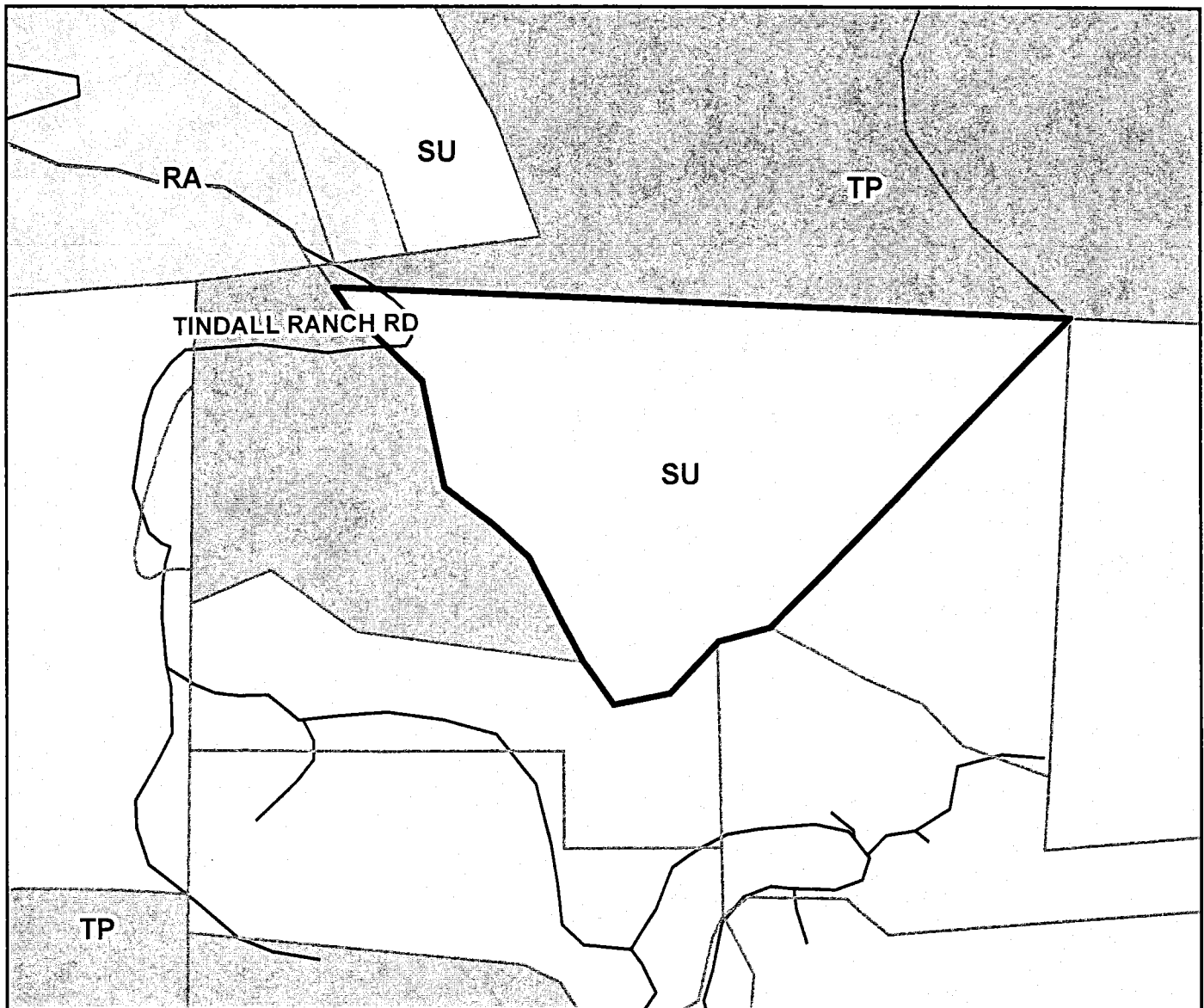


Map Created by
County of Santa Cruz
Planning Department
January 2013

EXHIBIT C



Zoning Map



LEGEND



APN: 106-141-15



Assessors Parcels



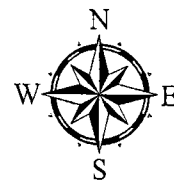
Streets

SPECIAL USE

AGRICULTURE RESIDENTIAL



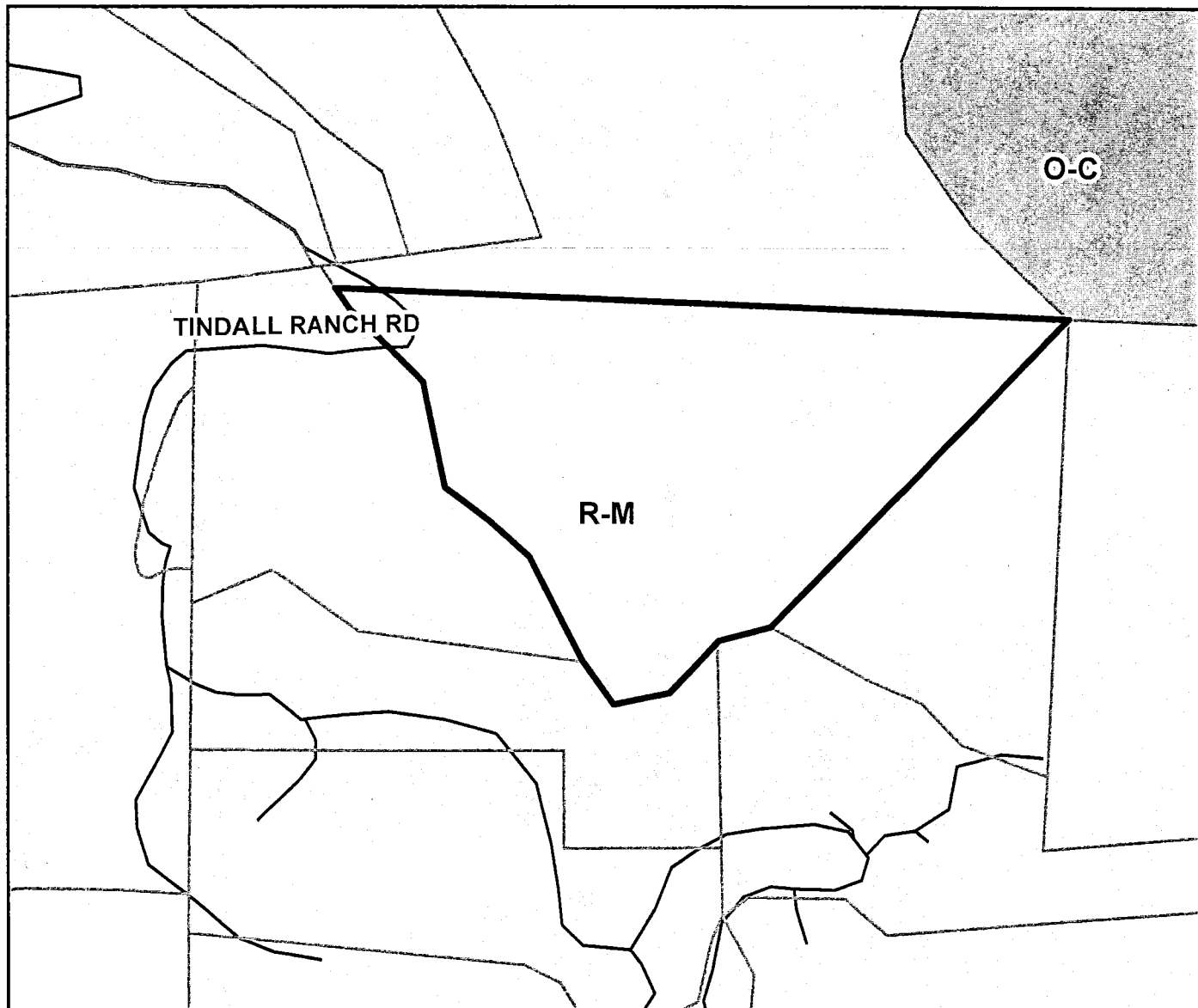
TIMBER PRODUCTION








Map Created by
County of Santa Cruz
Planning Department
January 2013

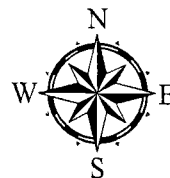


General Plan Designation Map



LEGEND

-  APN: 106-141-15
-  Assessors Parcels
-  Streets
-  Residential-Mountain
-  Resource Conservation



Map Created by
County of Santa Cruz
Planning Department
January 2013

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: 121242

Assessor Parcel Numbers: 106-141-15

Project Location: Property located on the east side of Tindall Ranch Road, approximately 1 mile east of the intersection of Tindall Ranch Road and Eureka Canyon Road.

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

Person or Agency Proposing Project: James Hildreth

Contact Phone Number: (831) 464-1196

- 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 15264)

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

Robin Bolster-Grant, Project Planner

Date: _____

WILSON PROPERTY
TIMBER MANAGEMENT PLAN
AUGUST 27, 2012

PORTIONS OF
Township 10 South - Range 1 East
Sections 24 & 25, MDB&M
Santa Cruz County, California

PREPARED BY
Hildreth Forestry Consulting LLC
P.O. Box 1224 Capitola CA 95010 (831) 464-1196

INTRODUCTION

This Timber Management Plan is for the Wilson property located north of Corralitos, California. This plan is required by Santa Cruz County in connection with the landowner's application to have the entire property placed in Timberland Production Zoning (TPZ).

The subject property is made up of two contiguous parcels. One parcel is already zoned timber production. The second parcel is not, and is the subject of the rezoning. The two parcels are, as recorded by the Santa Cruz County Assessor, described as follows:

OWNER	PARCEL OWNER	ACRES	CURRENT ZONING
Eloise Wilson*	APN # 106-141-15	24.5	Special Use
Eloise Wilson*	APN # 106-081-11	42.3	Timber Production

* Roy & Eloise Wilson, Trustees, Tindall Family Trust

FOREST MANAGEMENT OBJECTIVES

The owner desires to continue to manage this forestland for the production of merchantable timber. This goal is to be achieved without degrading the quality of other forest resources such as soils, watershed, wildlife, and recreation. The immediate objective is to obtain Timber Production Zoning for APN 106-141-15, which will allow management of the entire property consistent with these objectives.

GENERAL LOCATION

This property is located approximately 3 ½ miles north of Corralitos in portions of Township 10 South, Range 1 East, Sections 24 & 25, MDB&M of Santa Cruz County, California. The property is accessible from Eureka Canyon Road and a private road system. The site is located in the Corralitos Creek watershed within the greater Pajaro River basin.

HISTORY

The property appears to have been clearcut harvested during the late 1800's or early 1900's. Portions of the property have been selectively harvested (thinned) twice under Timber Harvest Plans approved in 1991 (both parcels) and 2005 (TP parcel only).

A portion of the TP parcel was burned during the Summit Forest Fire in May of 2008. The stand had been selectively harvested (thinned) in 2006. As required in the timber harvest plan, the slash and debris created during the harvest was lopped and scattered, and the road system updated and maintained. This reduced fuel load and excellent access for fire fighting resulted in little damage to the TP parcel and no damage to the SU parcel and neighboring properties.

TIMBER DESCRIPTION

The property contains merchantable stands of coast redwood. The redwood occurs in medium to well-stocked clumps, intermixed with hardwoods (tanoak with lesser amounts of madrone and bay laurel) and scattered Douglas-fir. The average site index is site III. The stand on the SU parcel consists primarily of two age classes of approximately 105 and 21 years. The stand on the TP parcel consists primarily of three age classes of approximately 105, 21 and 6 years. All timber is located primarily on moderate to moderately steep slopes which allows for ground based yarding. Elevation ranges from approximately 1,000 to 1,500 feet.

The redwoods naturally regenerated after each harvest. Over time, growth slowed as the trees grew larger and closer together, and began competing for available water, nutrients, and sunlight. The selective harvesting reduced competition and trees in all size classes were retained.

Future harvests will continue to create an uneven-aged stand. This will be accomplished by selectively thinning clumps of redwoods. The goal of future selective harvests will be to produce adequate light for vigorous stump sprouting, to promote growth on residual trees, to promote continued production of high quality redwood timber by maintaining good spacing and good distribution of diameter classes.

TIMBERLAND CERTIFICATION

The subject parcel (currently zoned SU) is considered timberland as defined in California Government Code Section 51104(f) as the parcel is capable of producing a minimum of 15 cubic feet of timber per acre annually.

The subject parcel currently meets the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules for the Southern subdistrict of the Coast Forest District.

The parcel to be rezoned is contiguous to a second parcel already zoned timber production under the same ownership. The entire property exceeds the Santa Cruz County minimum 40 acre size for Timber Production zoning.

Respectfully submitted,



James Hildreth,
Registered Professional Forester #2639