



# COUNTY OF SANTA CRUZ

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## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123  
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

August 8, 2016

**AGENDA DATE:** August 24, 2016

**Agenda Item #:** 6

**Time:** after 9:00 a.m.

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

**Subject: Consider proposed amendments to SCCC Chapter 18.10 regarding community meetings and on-site noticing for commercial development projects in order to increase transparency and provide greater opportunity for public input, as referred by the Board of Supervisors to the Planning Commission.**

Members of the Commission:

### Introduction

The purpose of today's hearing is to consider a proposed ordinance regarding the County's noticing requirements for commercial development projects including changes to signage requirements and community meeting provisions. Staff is requesting that your Commission review the revised draft ordinance, consider any additional public comment, and provide a recommendation to the Board of Supervisors regarding the adoption of the draft ordinance.

### Background

On April 12, 2016, Economic Development staff received a request from the Board of Supervisors to revise regulations in Chapter 18.10 of the SCCC pertaining to the notification procedures for projects. On May 24, 2016, Economic Development staff in conjunction with Planning Department staff presented draft language to the Board of Supervisors to receive feedback and direction. The Board of Supervisors reviewed the draft language and requested that it be presented to the Planning Commission for review and comment.

The proposal before you today would accomplish two important objectives to increase transparency regarding commercial development projects. First, projects that have held their community meeting prior to submittal as required that take longer than six months to be heard at a public hearing would be required to hold a second community meeting. Second, for commercial development projects requiring a public hearing, the applicant would be required to install a sign on the affected property providing a visual representation of the proposed project, in addition to the notice of proposed development sign already required. The Planning Director may also require the applicant to provide a project website where current versions of the plan are maintained.

Attached as **Exhibit A** is a resolution recommending the approval of the proposed amendments to Chapter 18.10 of the SCCC regarding community meetings and on-site noticing for commercial development projects. **Exhibit B** is the proposed ordinance.

### **Environmental Review**

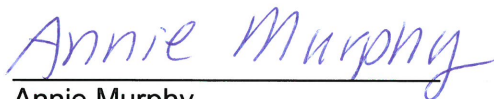
The Planning Department has reviewed the project and has determined that it is exempt from review under CEQA. The project will not result in a direct or reasonably foreseeable indirect impact on the environment, as the project scope is limited to requiring increased public notification for certain proposed projects. Therefore, the project is not subject to CEQA review pursuant to CEQA Guidelines Section 15060(c). In addition, Santa Cruz County proposes to amend Chapter 18.10 of the Santa Cruz County Code, which is part of the Local Coastal Program. As the proposed project is an activity undertaken by the County necessary to the preparation and adoption of the Local Coastal Program, the proposed project is statutorily exempt from CEQA review pursuant to CEQA Guidelines Section 15265. A Notice of Exemption is attached as **Exhibit C**.

### **Conclusion and Recommendations**

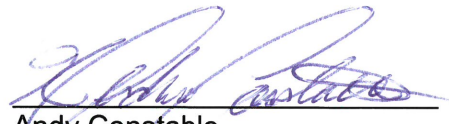
The proposed ordinance amendments, developed in response to direction from the Board of Supervisors, will increase public transparency and opportunities for public input regarding commercial development projects as is consistent with community objectives.

It is therefore RECOMMENDED that your Commission conduct a public hearing on the proposed Ordinance and adopt the attached resolution (Exhibit A) recommending that the Board of Supervisors approve the proposed Ordinance (Exhibit B) and certify the Notice of Exemption (Exhibit C).

Sincerely,



Annie Murphy  
Planner III



Andy Constable  
Economic Development Manager

### **Exhibits:**

- A: Resolution recommending approval of the proposed ordinance amendments, certification of the proposed Notice of Exemption, and a strike-through copy of proposed Ordinance
- B: Clean Copy of Ordinance
- C: CEQA Notice of Exemption
- D: Letter to Board of Supervisors dated April 16, 2016, including strikethrough copy of the proposed ordinance

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 is adopted:

PLANNING COMMISSION RESOLUTION RECOMMENDING THAT THE BOARD OF  
SUPERVISORS ADOPT AMENDMENTS TO CHAPTER 18.10 OF THE SANTA CRUZ  
COUNTY CODE REGARDING COMMUNITY MEETINGS AND ON-SITE NOTICING FOR  
COMMERCIAL DEVELOPMENT PROJECTS IN ORDER TO INCREASE  
TRANSPARENCY AND PROVIDE GREATER OPPORTUNITY FOR PUBLIC INPUT

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WHEREAS, the residents of Santa Cruz County value the opportunity to  
participate in community planning, providing important feedback on commercial  
development projects which improves project designs and outcomes; and

WHEREAS, on April 12, 2016 the Board of Supervisors identified revisions  
needed to the Santa Cruz County Code to increase transparency for commercial  
development project as is consistent with community objectives; and

WHEREAS, on May 24, 2016 the Board of Supervisors considered proposed  
amendments to Chapter 18.10 of the Santa Cruz County Code regarding commercial  
development projects to require an on-site sign with a rendering of the proposed project,  
and require an additional community meeting if six months have passed between the  
first community meeting and the public hearing date; and

WHEREAS, on May 24, 2016 the Board of Supervisors directed that the  
proposed amendments be submitted to the Planning Commission for review  
(Attachment 1); and

WHEREAS, on August 24, 2016, the Planning Commission conducted a public  
hearing to consider the proposed amendments to the Santa Cruz County Code; and

WHEREAS, the Planning Commission finds that the proposed amendments and  
additions will be consistent with the policies of the General Plan and other provisions of  
the County Code, and will be consistent with State law; and

WHEREAS, the ordinance amendments and additions have been found to be  
categorically exempt from further review under the California Environmental Quality Act;  
and

Exhibit A

WHEREAS, Chapter 18.10 is an implementing ordinance of the Local Coastal Program (LCP) and the proposed amendments to this chapter constitutes an amendment to the LCP; and

WHEREAS, the Planning Commission finds that the proposed amendments to Chapter 18.10 are consistent with the Coastal Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board of Supervisors certify the attached Notice of Exemption (Exhibit C).

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the proposed amendments to the Santa Cruz County Code as provided in Attachment 1 to this resolution, and that the proposed amendments be submitted to the California Coastal Commission for certification as part of the next Local Coastal Program Round.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by the following vote:

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

\_\_\_\_\_  
Chairperson of the Planning Commission

ATTEST:

\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:


  
\_\_\_\_\_  
County Counsel

Exhibit A



DISTRIBUTION: County Counsel  
Planning Department

Exhibit A

ORDINANCE NO. \_\_\_\_\_

**STRIKETHROUGH COPY OF ORDINANCE AMENDING SECTION 18.10.211 AND  
ADDING SECTION 18.10.225 TO THE SANTA CRUZ COUNTY CODE REGARDING  
NEIGHBORHOOD MEETINGS AND ON-SITE SIGNAGE FOR COMMERCIAL  
DEVELOPMENT PROJECTS**

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

**SECTION I**

Section 18.10.211, "Neighborhood notification and meeting" is hereby amended to read as follows:

18.10.211 Neighborhood notification and meeting.

(A) When Required.

(1) For all development that requires discretionary approval at Level VI or VII, the applicant shall conduct a neighborhood meeting to explain the proposed development to and solicit comments from those in attendance. The County Supervisor from the district in which the proposed development is located, the Planning Director, and all owners and occupants within 300 feet of the exterior boundaries of the project parcel shall be notified. In the event that there are fewer than 10 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 10 properties have been 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 applications will require new noticing and a second neighborhood meeting:

(a) Submitted applications for which any of the following project modifications are proposed after the first neighborhood meeting:

(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 SCCC 13.10.700-I.

(b) Commercial Development projects in Commercial Zone Districts (PA, CA, CT, C-1, C-2 and C-4 ) for which a time period of 180 days or longer occurs between the first neighborhood meeting and the original scheduled hearing date.

(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. [Ord. 4818 § 5, 2006; Ord. 4774 § 5, 2004].

## SECTION II

Section 18.10.225 is hereby added to read as follows:

### **18.10.225 Rendering sign for commercial development applications requiring a public hearing (Level V- VII).**

In addition to the "Notice of Proposed Development" sign required in SCCC 13.10.224 above, for Level V-VII commercial development projects which include new building construction in Commercial Zone Districts (PA, CA, CT, C-1, C-2 and C-4), the applicant shall install a sign on the subject property depicting the proposed development in accordance with this section. Where appropriate, the Planning Director may also require the applicant to provide a project website where the current version of plans that have been submitted to the County are maintained and updated, and include the website address on the rendering sign.

(A) Deadline for placement. The rendering sign shall be placed no later than seven days after the applicant has been informed that sign installation is required. For projects exempt from environmental review, installation shall be required prior to the application being found complete. For projects requiring environmental review, the sign shall be installed before the draft Negative Declaration or EIR is released for public comment. The applicant shall submit a photograph to verify that the sign has been installed.

- (B) Location. The sign shall be installed on the subject property, at a location clearly visible from the primary right-of-way serving the property, and within 10 feet of the Notice of Proposed Development sign. The sign shall be located so as not to interfere with vehicular line of sight distance.
- (C) Size and material. The rendering sign shall be a minimum of 3 feet in height by 2 feet in width, and shall not exceed 3 feet in height by 4 feet in width. The sign shall be durable, rigid, weatherproof, and designed for exterior use; and may be constructed of wood, aluminum, or other material approved by the Planning Department. Sign images and lettering shall be printed on the sign, painted or otherwise rendered waterproof. The sign shall be installed securely on a post or posts in the ground. It is the responsibility of the applicant to maintain the sign in good condition until removal is required.
- (D) Layout, lettering and content.
- (1) Lettering. The font shall be a minimum of one inch, except where otherwise specified. The sign shall be white with black lettering.
  - (2) Header. Two-inch bold capital letters reading "IMAGE OF PROPOSED DEVELOPMENT." The application number shall be provided under the header.
  - (3) Image. Project image shall be a 3-dimensional architectural rendering or computer simulated graphic depicting the finished project, a minimum of 22" X 22" in size, and of sufficient detail to show the design, location, height, circulation and relationship to adjacent development. The image shall include outlines of buildings on adjacent parcels where applicable. A note shall be provided below the image reading "This image represents the applicant's proposal and may change."
  - (4) Current project information. Provide a note reading, "For current project information and plans, contact the project applicant [name] at [phone number] or [email address]." When a project website is required, the website address shall also be provided.
- (E) Sign removal. The rendering sign shall be removed in accordance with the SCCC Section 18.10.224 (F) above, Deadline for Sign Removal.

### SECTION III

This Ordinance shall take effect upon final certification by the Coastal Commission.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this \_\_\_\_\_ day of \_\_\_\_\_, 2016, 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

**ORDINANCE NO. \_\_\_\_\_**

**STRIKETHROUGH COPY OF ORDINANCE AMENDING SECTION 18.10.211 AND  
ADDING SECTION 18.10.225 TO THE SANTA CRUZ COUNTY CODE REGARDING  
NEIGHBORHOOD MEETINGS AND ON-SITE SIGNAGE FOR COMMERCIAL  
DEVELOPMENT PROJECTS**

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

**SECTION I**

Section 18.10.211, "Neighborhood notification and meeting" is hereby amended to read as follows:

18.10.211 Neighborhood notification and meeting.

(A) When Required.

(1) For all development that requires discretionary approval at Level VI or VII, the applicant shall conduct a neighborhood meeting to explain the proposed development to and solicit comments from those in attendance. The County Supervisor from the district in which the proposed development is located, the Planning Director, and all owners and occupants within 300 feet of the exterior boundaries of the project parcel shall be notified. In the event that there are fewer than 10 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 10 properties have been 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 applications will require new noticing and a second neighborhood meeting:

(a) Submitted applications for which any of the following project modifications are proposed after the first neighborhood meeting:

- (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;

Exhibit B



(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 SCCC 13.10.700-I.

(b) Commercial Development projects in Commercial Zone Districts (PA, CA, CT, C-1, C-2 and C-4) for which a time period of 180 days or longer occurs between the first neighborhood meeting and the original scheduled hearing date.

(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 II

Section 18.10.225 is hereby added to read as follows:

### **18.10.225 Rendering sign for commercial development applications requiring a public hearing (Level V- VII).**

In addition to the "Notice of Proposed Development" sign required in SCCC 13.10.224 above, for Level V-VII commercial development projects which include new building construction in Commercial Zone Districts (PA, CA, CT, C-1, C-2 and C-4), the applicant shall install a sign on the subject property depicting the proposed development in accordance with this section. Where appropriate, the Planning Director may also require the applicant to provide a project website where the current version of plans that have been submitted to the County are maintained and updated, and include the website address on the rendering sign.

(A) Deadline for placement. The rendering sign shall be placed no later than seven days after the applicant has been informed that sign installation is required. For projects exempt from environmental review, installation shall be required prior to the application being found complete. For projects requiring environmental review, the sign shall be installed before the draft Negative Declaration or EIR is released for public comment. The applicant shall submit a photograph to verify that the sign has been installed.

(B) Location. The sign shall be installed on the subject property, at a location clearly visible from the primary right-of-way serving the property, and within 10

feet of the Notice of Proposed Development sign. The sign shall be located so as not to interfere with vehicular line of sight distance.

(C) Size and material. The rendering sign shall be a minimum of 3 feet in height by 2 feet in width, and shall not exceed 3 feet in height by 4 feet in width. The sign shall be durable, rigid, weatherproof, and designed for exterior use; and may be constructed of wood, aluminum, or other material approved by the Planning Department. Sign images and lettering shall be printed on the sign, painted or otherwise rendered waterproof. The sign shall be installed securely on a post or posts in the ground. It is the responsibility of the applicant to maintain the sign in good condition until removal is required.

(D) Layout, lettering and content.

- (1) Lettering. The font shall be a minimum of one inch, except where otherwise specified. The sign shall be white with black lettering.
- (2) Header. Two-inch bold capital letters reading "IMAGE OF PROPOSED DEVELOPMENT." The application number shall be provided under the header.
- (3) Image. Project image shall be a 3-dimensional architectural rendering or computer simulated graphic depicting the finished project, a minimum of 22" X 22" in size, and of sufficient detail to show the design, location, height, circulation and relationship to adjacent development. The image shall include outlines of buildings on adjacent parcels where applicable. A note shall be provided below the image reading "This image represents the applicant's proposal and may change."
- (4) Current project information. Provide a note reading, "For current project information and plans, contact the project applicant [name] at [phone number] or [email address]." When a project website is required, the website address shall also be provided.

(E) Sign removal. The rendering sign shall be removed in accordance with the SCCC Section 18.10.224 (F) above, Deadline for Sign Removal.

### SECTION III

This Ordinance shall take effect upon final certification by the Coastal Commission.


PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this \_\_\_\_\_ day of \_\_\_\_\_, 2016, 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

Exhibit B

# 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: Not applicable  
Assessor Parcel Number: Not applicable  
Project Location: County-wide

**Project Description:** Amend SCCC Chapter 18.10 regarding community meetings and on-site noticing for commercial development projects in order to increase transparency and provide greater opportunity for public input. Chapter 18.10 is a coastal implementing ordinance.

**Person or Agency Proposing Project:** Santa Cruz County Economic Development Department

**Staff Contact and Phone Number:** Annie Murphy: 831-454-3111

- 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).

Specify type: Section 15265: Adoption of Coastal Plans and Programs.

E. ☐ **Categorical Exemption**

- F. **Reasons why the project is exempt:** The project will not result in a direct or reasonably foreseeable indirect impact on the environment, as project scope is limited to requiring increased public notification for certain proposed projects. Therefore, the project is not subject to CEQA review pursuant to CEQA Guidelines Section 15060 (c). In addition, Santa Cruz County proposes to amend Chapter 18.10 of the SCCC, which is part of the Local Coastal Program. As the proposed project is an activity undertaken by the County necessary to the preparation and adoption of the Local Coastal Program, the proposed project is statutorily exempt from CEQA review pursuant to CEQA Guidelines Section 15265.

Staff Planner: Annie Murphy

Date: August 10, 2016



# County of Santa Cruz

## County Administrative Office

701 Ocean Street, Suite 520, Santa Cruz, CA 95060-4073  
 Phone: (831) 454-2100 Fax: (831) 454-3420 TDD: (831) 454-2123  
 Susan A. Mauriello, J.D., County Administrative Officer

**Meeting Date:** May 24, 2016  
**Date:** May 16, 2016  
**To:** The Board of Supervisors  
**From:** Susan Mauriello, County Administrative Officer  
**Subject:** Draft Ordinance Amending and Adding to Section 18.10 of the Santa Cruz County Code

On April 12, 2016, your directed the Office of Economic Development to undertake a work effort with the Planning Department to draft ordinance revision language to address the noticing and community meeting requirements for neighborhood commercial development applications and to return on or before May 24, 2016 with proposed recommendations to include, but not be limited to, the following:

1. Requiring the developer to place a signboard on the site with a rendering of the proposed project;
2. Requiring the developer to provide either a telephone number for questions and/or a website address for residents to get more information about the project scope; and
3. Requiring no less than one additional community meeting after the project application has been deemed complete and prior to a jurisdictional hearing by the Zoning Administrator, Planning Commission, or Board of Supervisors.

To derive the requested modifications to the County Code, various considerations were evaluated by staff to provide clarity on when and for what size/scope of project the requirement would be applicable. After input from planning, staff determined the best approach would be to present language amendments to the existing Code Section 18.10.211 "Neighboring notification and meeting", in addition to creating a new Section 18.10.225 "Rendering sign for commercial development applications requiring a public hearing (Level V-VII), for your Board's review in draft, and after Board review, County Council would prepare the ordinance for presentation to the Planning Commission, followed by the adoption by the Board of Supervisors.

The attached draft ordinance language is intended to summarize the proposed changes.

It is, therefore, RECOMMENDED that your Board:



1. Accept and file this report;
2. Direct Economic Development and Planning Department staff to schedule the draft ordinance for a public hearing before the Planning Commission for review and recommendation, followed by a public hearing before the Board of Supervisors for consideration of the proposed ordinance.

**Submitted by:**

**Attachments:**

- a Noticing Ordinance



**STRIKETHROUGH COPY OF PROPOSED DRAFT ORDINANCE LANGUAGE  
AMENDING SECTION 18.10.211 AND ADDING SECTION 18.10.225 TO THE SANTA  
CRUZ COUNTY CODE REGARDING NEIGHBORHOOD MEETINGS AND ON-SITE  
SIGNAGE FOR COMMERCIAL DEVELOPMENT PROJECT APPLICATIONS**

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(B) Location. The sign shall be installed on the subject property, at a location clearly visible from the primary right-of-way serving the property, and within 10 feet of the Notice of Proposed Development sign. The sign shall be located so as not to interfere with vehicular line of site distance.



(C) Size, material and height above grade. The rendering sign shall be a minimum of 3 feet in height by 2 feet in width, and shall not exceed 3 feet in height by 4 feet in width. No sign shall exceed seven feet above grade, except where necessary to be legible from each right-of-way providing primary vehicular access to the property. The sign shall be durable, rigid, weatherproof, and designed for exterior use; and may be constructed of wood, aluminum, or other material approved by the Planning Department. Sign images and lettering shall be printed on the sign, painted or otherwise rendered waterproof. The sign shall be installed securely on a post or posts in the ground. It is the responsibility of the applicant to maintain the sign in good condition until removal is required.

(D) Layout, lettering and content.

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(E) Sign removal. The rendering sign shall be removed in accordance with the SCCC Section 18.10.224 (F) above, Deadline for Sign Removal.