

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
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April 17, 1996

TO: Commissioners and Interested Persons

FROM: Tami Grove, District Director
Rick Hyman, Coastal Program Analyst

SUBJECT: **SANTA CRUZ COUNTY: LOCAL COASTAL PROGRAM**
MAJOR AMENDMENT NO. 1-96. For public hearing and Commission action at its meeting of May 9, 1996, to be held at the Heat Regency Hotel - 200 South Pine Avenue Long Beach, 90802.

DN
4/17/96

SUMMARY OF STAFF REPORT

DESCRIPTION OF AMENDMENT REQUEST

Santa Cruz County is proposing to amend several sections of the Implementation portion of its Local Coastal Program to:

1. change residential design review threshold from 4,500 to 7000 sq. ft. in agricultural districts (Sections 13.10.312(b), 13.10.313(a)2);
2. change height limit for non-residential structures in parks and timber districts from 25 average to 28 maximum feet (Sections 13.10.353(a); 13.10.373(a));
3. change rural density determination thresholds regarding access road widths and surrounding land uses (Sections 13.14.060(a)1; 13.14.060(a)9; 13.14.060(a)10(b)(ii); 16.50.085(a)).

These amendments are considered by the County to be "clean-ups" to result in internal consistency among Code sections and between Code sections and the recently updated General Plan/Local Coastal Program. They were filed on April 17, 1996. The standard of review of such Implementation Plan amendments is that they must be consistent with and adequate to carry out the policies of the certified Coastal Land Use Plan.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the proposed amendments as submitted by the County for the reasons given in this report. No major Coastal Act issues are identified.

SUMMARY OF ISSUES AND COMMENTS

There are no known unresolved issues with the proposed amendments. No one participated in the local process.

ADDITIONAL INFORMATION

For further information about this report or the amendment process, please contact Rick Hyman or Diane Landry, Coastal Commission, 725 Front Street, Suite 300, Santa Cruz, CA 95060; Tel. (408) 427-4863.

ATTACHMENT

Full Text Of Proposed Amendments

I. STAFF RECOMMENDATION

MOTION AND RESOLUTION

APPROVAL OF IMPLEMENTATION PLAN AMENDMENT #1-96 AS SUBMITTED

MOTION :

I move that the Commission reject Major Amendment #1-96 to the Santa Cruz County Local Coastal Program Implementation Plan as submitted by the County.

Staff recommends a NO vote which would result in approval of this amendment as submitted. Only an affirmative (yes) vote on the motion by a majority of the Commissioners present can result in rejection of the amendment.

RESOLUTION:

The Commission hereby certifies Major Amendment #1-96 to the Implementation Plan of the Santa Cruz County LCP, for the specific reasons discussed in the following findings, on the grounds that, as modified, the amendment conforms with and is adequate to carry out the certified Land use Plan; and approval of the amendment will not cause significant adverse environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

II. RECOMMENDED FINDINGS

A. CONFORMANCE OF IMPLEMENTATION PLAN AMENDMENTS TO LAND USE PLAN

The Commission finds and declares for the following three parts of Major Amendment # 1-96:

1. Changes Residential Design Review Threshold From 4,500 To 7000 Sq. Ft. In Agricultural Districts.

The proposed amendment to Sections 13.10.312(b) and 13.10.313(a)2 of the County Code conforms the threshold for reviewing large homes in agricultural districts to the threshold used in other districts. Based on concerns with the approval and construction of what were called "monster homes," the County adopted a local coastal program amendment in 1991 to give them extra review (Major Amendment #3-91). The new ordinance language did not prevent large homes, but rather set special design considerations for the review of any proposed residence greater than 4,000 square feet. Over time, experience resulted in a change in the threshold from 4,500 to 7,000 square feet in residential districts because many of the homes being specially reviewed were not located in scenic viewsheds (Major Amendment #1-94). However, the threshold was not changed throughout the Code for the Agricultural zoning districts. In these districts one home per parcel is allowed and some of the largest homes are being built on agricultural parcels. These homes must meet various criteria to prevent impacts to remaining and adjacent farming operations, as well as meet design criteria if located in scenic viewsheds. Thus, the large home standards are not crucial for mitigating adverse resource impacts. The criteria that remain in effect are consistent with Land Use Plan Chapter 8 Community Design policies. Thus, the proposed amendment is approved because the Implementation Plan as amended remains consistent with the certified Land Use Plan.

2. Changes Height Limit For Non-Residential Structures In Parks And Timber Districts From 25 Average To 28 Maximum Feet.

This proposed amendment to Sections 13.10.353(a) and 13.10.373(a) of the County Code conforms the height limits for non-residential structures in parks and timber districts to the limit for residential structures in these and all other districts. In changing the limit from a 25 foot average to a 28 foot maximum, the maximum could actually be less than previously allowed with averaging. Major Amendment #1-92 approved this change for residential structures finding that it could actually eliminate some tall down-slope walls and topography alterations. The Commission, furthermore, found that the earlier amendment underwent considerable discussion at the local level and helped carry out General Plan objectives. Since this height limit is already in effect for homes, this amendment should have no impact applied to non-residential structures. As noted in Finding #1, the LCP has specific design criteria, which could result in height reductions to protect visual resources. The Land Use Plan has no specific height limits. Thus, the proposed amendment is approved because the Implementation Plan as amended remains consistent with the certified Land Use Plan.

3. Changes Rural Density Determination Thresholds Regarding Access Road Widths And Surrounding Land Uses.

The proposed amendment to Sections 13.14.060(a)1 and 13.14.060(a)9 changes the private road width reference from 16 to 18 feet in the density matrix. This series of matrices provides various numbers of points in order to calculate allowable densities for various locations based on certain criteria. One set of criteria is for fire hazards. Currently, for example, 8 points are awarded for being on a 16 foot private road in a rural residential area; only 7 points are awarded for being on a narrower road. The proposed amendment raises the threshold slightly to 18 feet. Thus, under this proposal, a property with only a 16 foot road would get only 7 points instead of 8 points in this example. Density is determined by total points; the greater the point total, the greater the density allowed on the property. Density allowances are by 5 point increments. Therefore, this amendment should have no or little effect on density; in some cases it could theoretically result in less site density. However, this is unlikely to be the case because private road width standards are now 18 feet in the General Plan/Local Coastal Program. Land Use Plan policy 2.3.1 does not contain specific point allowances, but rather references the subject "Rural Residential Density Determination ordinance of the Santa Cruz County Code." Thus, the proposed amendment is approved because the Implementation Plan as amended remains consistent with the certified Land Use Plan.

The proposed amendment to Sections 13.14.060(a)10(b)(ii) and 16.50.085(a) also changes the way density is calculated for non-commercial agricultural land. Currently, the minimum parcel size is 10 to 40 acres. Under this proposal, the minimum parcel size could be as low as 2 1/2 acres. The following criteria would have to be met:

- site is not viable for commercial agriculture;
- less than 50% of land within 1/4 mile of the property is under an agricultural resource, mountain residential or resource conservation designation;
- all proposed building sites are with 1/2 mile of a County-maintained road.

In reality there would be few cases where these criteria are likely to apply, according to County staff. General Plan/Local Coastal Program policy 5.14.12 approved by the Commission (Major Amendment #2-94) provides for these same criteria. Thus, the proposed amendment is approved because the Implementation Plan as amended remains consistent with the certified Land Use Plan.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis on LCP amendments, although the Commission can and does utilize any environmental information the local government has developed. The County found that the proposed amendments were categorically exempt from CEQA. The Commission concurs and finds no significant adverse impact from this proposal.

**SANTA CRUZ COUNTY LOCAL COASTAL
PROGRAM AMENDMENT # 1-96 MAJOR**

ATTACHMENT

FULL TEXT OF PROPOSED AMENDMENTS

CHANGES SHOWN BY ARROWS IN MARGIN (⇐)
CHANGES INDICATED BY STRIKE-OUTS AND HIGHLIGHTS
AS ADOPTED BY SANTA CRUZ COUNTY
(CLEAN COPY OF ADOPTED ORDINANCE ON FILE AT COMMISSION OFFICE)

① Residential Design Threshold

USE	CA	A	AP
Dwelling unit, one detached single family for the owner, lessee or an employee of the owner or lessee of the land, not to exceed one dwelling unit for each forty acres of total site area, subject to the provisions of Section 13.10.314			
Inside the Coastal Zone	--	--	5
Outside the Coastal Zone	--	--	3
Dwelling unit, one detached single-family per parcel, 4,500 7,000 square feet or larger, inclusive of accessory structure(s) associated with the residential use, but specifically excluding barn or similar accessory structures subject to the provisions of Sections 13.10.314 and 13.10.325	5	5	5
Dwelling units, accessory to the main dwelling used as agricultural caretakers' quarters subject to Section 13.10.631			
1 - 4 Units	5	5	5
5 - 19 Units	6	6	6
20+ Units	7	7	7
Dwelling units, dwelling groups subject to the provisions of Sections 13.10.313(f) and 13.10.314			
2 - 4 Units	5	5	5
5 - 19 Units	6	6	6
20+ Units	7	7	7
Energy facilities, community, subject to the provisions of Section 13.10.661 and .700-E(definition)	5	5	5
Facilities for fish and wildlife enhancement and preservation	P	P	P
Farm worker housing subject to Section 13.10.631 (see Caretakers Quarters, Dwelling units, accessory; mobile homes and farm worker camps)	3-7	3-7	3-7



①

CA	20'	20'	40'	25' 28'
AP	20'	20'	40'	25' 28'

(de minimus)

2. Size and Design of Structures - Exceptions. No residential structure shall be constructed or enlarged which will result in ~~4500~~ 7000 square feet of floor area or larger, inclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of Section 13.10.325.



SECTION IV

Subsection (a) of Section 13.10.321 of the County Code is hereby amended to read as follows:

13.10.321 PURPOSES OF RESIDENTIAL DISTRICTS.

(a) General Purposes. In addition to the general objectives of this Chapter (13.10.120) the residential districts are included in the Zoning Ordinance in order to achieve the following purposes:

1. To provide areas of residential use in locations and at densities consistent with the County General Plan.
2. To preserve areas for primarily residential uses in locations protected from the incompatible effects of non-residential land uses.
3. To establish a variety of residential land use categories and dwelling unit densities which provide a choice of diversified housing opportunities consistent with public health and safety.
4. To achieve patterns of residential settlement that are compatible with the physical limitations of the land and the natural resources of the County and that do not impair the natural environment.
5. To ensure adequate light, air, privacy, solar access, and open space for each dwelling unit.
6. To maximize efficient energy use and energy conservation in residential districts, and to encourage the use of locally available renewable energy resources.
7. To provide adequate space for off-street parking of automobiles.
8. To provide areas of residential use consistent with the capacity of public services, the Urban Services Line and ~~Urban/Rural Boundary~~ Rural Services Line and the reserve capacity policy of the Local Coastal Program Land Use Plan for tourist services. To minimize traffic congestion and avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them.
9. To protect residential properties from nuisances, such as noise, vibration, illumination, glare, heat, unsightliness, odors, dust, dirt, smoke, traffic

(de minimus)

② Height Limits
SECTION VII

Subsection (a) of Section 13.10.353 of the County Code is hereby amended to read as follows:

13.10.353 DEVELOPMENT STANDARDS IN THE PARKS, RECREATION AND OPEN SPACE "PR" DISTRICT.

- (a) Site and Structural Dimensions. The following site width, frontage, yard dimensions, and building height limit shall apply within the "PR" District.

"PR" SITE AND STRUCTURAL DIMENSIONS CHART

Minimum Site Area (acres)	Minimum Site Width (feet)	Minimum Site Frontage (feet)	Yards Front Side Rear (feet)	Maximum Average Height (feet)
20	100	60	all yards 30	25 28

Footnote: (1) For single-family dwellings and accessory structures, the district development standards shall be the same as those contained in Section 13.10.323 pertaining to residential districts and shall further be based on the size of the parcel for purposes of applying Section 13.10.323(b).

SECTION VIII

Subsection (a) of Section 13.10.373 of the County Code is hereby amended to read as follows:

13.10.373 DEVELOPMENT STANDARDS FOR THE TIMBER PRODUCTION "TP" DISTRICT.

- (a) Site and Structural Dimensions. The following site width, frontage, yard dimensions, lot coverage, and building height limit shall apply within the "TP" District:

"TP" SITE AND STRUCTURAL DIMENSIONS CHART

Minimum Site Width (feet)	Minimum Parcel Frontage (feet)	Minimum Yards (feet) Front/Side/Rear	Maximum Lot Coverage	Average Maximum Building Height (feet)
100	60	40 20 20	10%	25 28

Footnote: (1) Exceptions to these standards for residential development may be found in Section 13.10.323.

SECTION IX

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(C) Rural Density Determinations
SECTION XVI

Section (a)(1) of 13.14.060 of the County Code is hereby amended to read as follows:

13.14.060 MATRIX CALCULATION.

- (a) Individual matrix calculations are based upon a site specific analysis of resources and constraints, using the best available data (see Section 13.14.080), for each of the following ten matrices. Any property which is split by a general plan or matrix designation shall have points awarded proportionate to the amount of developable acreage within each designation.

(1) LOCATION MATRIX*

TYPE OF ACCESS

PLAN DESIGNATION CATEGORY	All Lots Fronting On or Within 500' (Road as Traveled) of a County Maintained Road and Accessed from that Road	All Lots Served By a Private Road ±6 18 Foot Width	Lots Served By a 12 Foot Road with Turnouts
(Suburban) (1-5 acre areas)	15	13	12
(Rural Residential Rural Homesites) (2-1/2-20 acre areas)	10	8	7
(Mountain Residential) (10-40 Acre Areas)	5	2	0



*In the Coastal Zone portion of the North Coast and Bonny Doon Planning Areas, prohibit new land divisions located more than one-half mile by road from a publicly maintained road (GP/LUP Policy 6.5.10).

SECTION XVII

Section (a)(9) of 13.14.060 of the County Code is hereby amended to read as follows:

(9) FIRE HAZARD MATRIX

Location and Road Standards

	Entire Property Outside Critical Fire Hazard Area on 16 18 Foot Road	Entire Property Outside Critical Fire Hazard Area on 12 Foot Road With Turnouts	Parts of Property in Critical Fire Hazard Area With Building Site Located Outside With 16 18 foot Road	Parts of Property In Critical Fire Hazard Area With Building Site Located Outside With 12 Foot Road With Turnouts	Building Sites Within Mitigatable Critical Fire Hazard Area
Less Than 10 Minutes Response Time on Non-Dead end Road.	15	12	10	8	6
Less Than 10 Minutes Response Time on Dead end Road with Secondary Access	13	10	8	6	4
10-20 Minutes Response Time or Non-Dead end Road	10	8	6	4	2
10-20 Minutes Response Time on Dead end Road with Secondary Access	8	6	4	2	0



SECTION XIX

Subsection (a)(10)(b)ii of Section 13.14.060 of the County Code is hereby amended to read as follows:

- (ii) Rural Residential Table. (To be used for any portion of the property designated as Rural Residential or Non-Commercial Agricultural in the following case: ~~outside the Coastal Zone,~~ where the Agricultural Policy Advisory Commission has made a written finding that the land is not viable for Commercial Agriculture and where the land is not surrounded less than to the extent of 50 percent by lands of the land area within 1/4 mile of the subject property is designated Commercial Agricultural Resource, Mountain Residential or Resource Conservation and all proposed building sites are within 1/2 mile of a through County maintained road (see G.P. Policy 5.14.12).



Total Number of Points Obtained	Minimum Average Parcel Size Allowed For Development
0 - 20	20 acres
21 - 40	15 acres
41 - 60	10 acres
61 - 80	5 acres
81 - 100	2-1/2 acres

SECTION XXV

Subsection (a) of Section 16.50.085 of the County Code is hereby amended to read as follows:

16.50.085 PROTECTION OF NONCOMMERCIAL AGRICULTURAL LAND.

- (a) The division of land ~~outside the Coastal Zone~~ which is designated in the General Plan as Agriculture land use but which is not designated as Type 1, Type 2 or ~~Type 3~~ commercial land shall be permitted only to minimum parcel sizes in the range of 10 to 40 acres per parcel based on Chapter 13.14, of the County Code pertaining to rural residential density requirements. Where the Agricultural Policy Advisory Commission confirms that such land is not viable for commercial agricultural use, land divisions may be permitted to minimum parcel sizes in the range of 2-1/2 to 20 acres per parcel based on Chapter 13.14 unless the parcel is surrounded to the extent of 50 percent or more by lands ~~within 1/4 mile of the subject property~~ designated in the General Plan as Agricultural Resource (commercial agricultural land) and/or Mountain Residential, ~~all proposed building sites are not within 1/2 mile of a through County maintained road and adequate buffering cannot be provided between any proposed non-agricultural use and adjacent commercial uses~~ in which case the density range shall stay at 10 to 40 acres per parcel.

