

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
225 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060

27-4883

G IMPAIRED: (415) 904-5200

F36

DATE: September 16, 1997

TO: Commissioners and Interested Persons

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

SUBJECT: **County of Santa Cruz Local Coastal Program Major Amendment #3-96 (Part B)**
Concurrence with the Executive Director's determination that the action
by the County of Santa Cruz, accepting certification of Major Amendment #3-96 (Part B)
with modifications to the County's Local Coastal Program, is legally adequate.

EXECUTIVE DIRECTOR'S DETERMINATION AND REPORT FOR COMMISSION
REVIEW AT THE MEETING OF OCTOBER 7-10, 1997

Background

Local Coastal Program Major Amendment # 3-96, Part B regarding soil-dependent greenhouses, was certified by the Commission on June 11, 1997, with a modification. On September 9, 1997 (within the six month time limit for acting on and responding to the Commission's certification of an LCP amendment), the Board of Supervisors considered the Commission's action, acknowledged receipt of the resolution of certification, and accepted the Commission's suggested modification under Resolution No. 361-97. Ordinance #4471 effectuates the approved amendment, as modified.

Recommendation

Pursuant to Section 13544 of the California Code of Regulations, the Executive Director must determine that the action of Santa Cruz County is legally adequate and report that determination to the Commission. It is recommended that the Commission concur with the determination of the Executive Director that the action of the Board of Supervisors of Santa Cruz County accepting the certification of LCP Major Amendment #3-96 (Part B) is legally adequate.

Attachments

- o Draft letter to Board of Supervisors Chairperson Wormhoudt
- o Copy of Resolution No. 361-97 with Ordinance #4471

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200



- DRAFT -

October 10, 1997

Mardi Wormhoudt, Chairperson
Santa Cruz County Board of Supervisors
County Government Center
701 Ocean Street
Santa Cruz, CA 95060

Re: County of Santa Cruz, Local Coastal Program
Major Amendment #3-96 (Part B)

Dear Chairperson Wormhoudt:

This office has reviewed Santa Cruz County's Resolution No. 361-97 and accompanying Ordinance #4471 adopted by the Board on September 9, 1997. By that action the County acknowledged the receipt of the Commission's certification and has incorporated the certified amendment into the County's Local Coastal Program. I have determined, and the Commission has concurred, that the County's action with respect to Local Coastal Program Major Amendment #3-96 (Part B), regarding soil-dependent greenhouses, is legally adequate to satisfy the requirements of Section 13544 of the California Code of Regulations. This determination was reported to the Commission at the October 7 - 10, 1997 meeting in Del Mar. The modified amendment is effective as of October 10, 1997.

Very truly yours,

PETER M. DOUGLAS
Executive Director

TAMI GROVE
Deputy Director

cc: Mark Deming, Santa Cruz County Planning

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ATTACHMENT 2

SEP 15 1997

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 361-97

On the motion of Supervisor Belgard
duly seconded by Supervisor Symons
the following Resolution is adopted:

RESOLUTION ADOPTING AMENDMENTS TO THE SANTA CRUZ COUNTY LOCAL COASTAL
PROGRAM BY AMENDING CHAPTERS 13.10 AND 13.20 OF THE SANTA CRUZ COUNTY CODE

WHEREAS, amendments to the implementing ordinances of the County Local Coastal Program have been proposed;

WHEREAS, the proposed Local Coastal Program implementing ordinance amendments, in compliance with CEQA and County Environmental Review Guidelines, have been determined to be categorically exempt from CEQA and have been considered by the Board of Supervisors; and

WHEREAS, the County Planning Commission has held at least one public hearing and made recommendations to the Board of Supervisors on the proposed General Plan amendment and stated reasons for the recommendation; and

WHEREAS, the Board of Supervisors has conducted at least one properly noticed public hearing on the proposed General Plan amendment and has considered the staff and Planning Commission Recommendations and public testimony;

WHEREAS, the California Coastal Commission has considered the proposed ordinance amendments and, after submission of revisions, has approved the amendments to the Local Coastal Program implementing ordinances including amendments to the County's Coastal Exclusions; and

WHEREAS, the proposed Local Coastal Program implementing ordinance amendments are consistent with all other portions of the adopted County General Plan and Local Coastal Program;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors hereby adopts the amendments to Chapter 13.10 and 13.20 of the Santa Cruz County Code (Attachment A) as implementing ordinance amendments to the County Local Coastal Program, and

BE IT FURTHER RESOLVED AND ORDERED, that said amendments shall become effective upon acceptance of the amendments by the California Coastal Commission or on the 31st day following adoption, which ever is later.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 9th day of September, 1997 by the following vote:

AYES:	SUPERVISORS	Beautz, Symons, Belgard, Almquist and Wormhoudt
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None

MARDI WORMHOUDT

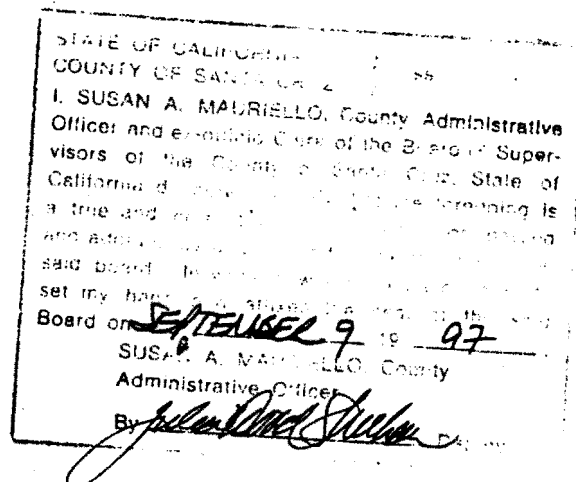
Chairperson of the Board of Supervisors

ATTEST: **SUSAN M. ROZARIO**
Clerk of the Board

APPROVED AS TO FORM: M. S. S.
County Counsel

DISTRIBUTION: County Counsel, Planning Department

bdresgpr/jb



ORDINANCE NO. 4471ORDINANCE AMENDING SECTIONS 13.10.312 and 13.20.073
OF THE SANTA CRUZ COUNTY CODE RELATING TO
AGRICULTURAL GREENHOUSES AND AGRICULTURAL SUPPORT FACILITIES

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

SECTION I

Section 13.10.312 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.312 -- USES IN AGRICULTURAL DISTRICTS

(a) Principal Permitted Uses

- (1) In the Coastal Zone, the principal permitted uses in the agricultural districts shall be as follows:

"CA" and "AP": agricultural pursuits for the commercial cultivation of plant crops, including food, fiber, flower or other ornamental crops and the commercial raising of animals, including grazing and livestock production, and apiculture and accessory uses and structures, excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.

"A": agricultural pursuits, including the noncommercial or commercial cultivation of plant crops or raising of animals, including apiculture, single family residential and accessory uses and structures, excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.

- (2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval or as otherwise denoted with the letter "P" in the Agricultural Use Chart contained in paragraph (b) below. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to CoastalZone permits, and in some cases, as specified in Chapter 13.20, any development is appealable.

- (b) Allowed Uses. The uses allowed in the agricultural districts shall be as provided in the Agricultural Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level", required for each use in each of the agricultural zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 PERMIT AND APPROVAL PROCEDURES. The Approval Levels given in this chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123. All Level V or higher Approvals in the "CA" and "AP" zone districts are subject to the special findings required by Section 13.10.314(a) in addition to those required in Section 18.10.230.

AGRICULTURAL USES CHART

KEY:

- A = Use must be ancillary and incidental to a principal permitted use on the site
P = Principal permitted use (see Section 13.10.312(a)); no use approval necessary if "P" appears alone
- 1 = Approval Level I (administrative, no plans required)
2 = Approval Level II (administrative, plans required)
3 = Approval Level III (administrative, field visit required)
4 = Approval Level IV (administrative, public notice required)
5 = Approval Level V (public hearing by Zoning Administrator required)
6 = Approval Level VI (public hearing by Planning Commission required)
7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)
- = Use not allowed in this zone district
* = Level IV for projects of less than 2,000 square feet
Level V for projects of 2,000 to 20,000 square feet
Level VI for projects of 20,000 square feet and larger
** = For purposes of this section, "on-site" shall mean on the parcel on which the use is located, plus any other parcel(s) owned, leased and/or rented by the farm operator in this County or adjoining counties.
*** = Processed as a level 5 Coastal Zone Permit project when within the geographic area defined by Section 13.20.073.
**** = soil dependent agricultural uses are those uses which use the in situ soils as the growing medium for all crops
BP = Building Permit only

AGRICULTURAL USES CHART

ATTACHMENT A

USE	CA	A	AP
Agricultural activities: crops and livestock			
Apiculture (beekeeping)	P	P	P
Berry and other vine crops	P	P	P
Commercial dairying, subject to the provisions of Section 16.22.060	3	5	3
Field crops, including hay, grain, seed, and turf crops	P	P	P
Livestock raising for food, fiber or animal production, including rabbits and other small animals under 100 per acre	P	P	P
Livestock raising involving hog farming or small animals over 100 per acre, subject to the provisions of Section 16.22.060	3	5	3
Nursery crops limited to open field grown ornamental plants, flowers and Christmas trees	P	P	P
Nursery crops, outdoor container grown, covering an area larger than 1 acre	5	5	5
Orchards, including tree fruit and nut crops	P	P	P
Poultry and other fowl raising, including egg production, under 100 birds per acre (see also "Barn" below)	P	P	P
Poultry and other fowl raising involving more than 100 birds per acre	P	5	P
Row crops, including fruit and vegetable raising	P	P	P

USE	CA	A	AP
Agricultural Support and Other Uses and Facilities			
Agricultural custom work occupations subject to the provisions of Section 13.10.638	P/4	P/4	P/4
Agricultural support facilities for processing, packing, drying, storage and refrigeration of produce above a total aggregate size of 2,000 square feet or 100 square feet per acre on-site* (whichever is greater) subject to the provisions of Section 13.10.632. Maximum aggregate size of such facilities shall be 50,000 square feet. Inside the coastal zone agricultural support facilities greater than 2,000 square feet shall be processed at Level 5 and shall not be considered a principal permitted use.			
Up to and including a maximum aggregate of 2,000 sq. ft. or 100 sq. ft. per acre on-site** (which ever is greater)	3	3	3
Greater than an aggregate of 2,000 sq. ft. or 100 sq. ft. per acre on-site** (which ever is greater)	4	4	4
Agricultural Service Establishments subject to the provisions of Section 13.10.633 (see Section 13.10.700-A definition)	--	5	--
Aquaculture and Aquacultural Facilities	5	5	5
Barns, corrals, or pens used for animal husbandry, subject to the provisions of Section 16.22.060	3	3	3
Caretaker's quarters, permanent, subject to the provisions of Section 13.10.631	5	5	5
Commercial boarding of animals, subject to the provisions of Section 13.10.641(b)	P/5	P/5	P/5

USE	CA	A	AP
Consumer harvesting, on site**	P	P	P
Dwelling unit, one detached single-family family per parcel, subject to the provisions of Section 13.10.314			
Inside the Coastal Zone	5	3	5
Outside the Coastal Zone	3	3	3
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, 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

USE	CA	A	AP
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
Farm outbuildings and other agricultural accessory structures for storage or equipment with or without a single room containing lavatory facilities	3	3	3
Fences, subject to the provisions of Section 13.10.525	P/3/5	P/3/5	P/3/5
Fire protection facilities	--	5	--
Flood control works, including channel rectification and alteration; dams, canals and aqueducts of any public water project	5	5	5
Foster homes for 6 or fewer children, not including those of the proprietary family (see Section 13.10.700-F definition)	P	P	P
Foster homes for seven or more children, not including those of the proprietary family (see Section 13.10.700-F definition)	5	5	5
Fuel storage tanks and pumps	2	2	2
Greenhouse structures, as accessory structures, under 500 square feet in area	2	2	2
Greenhouse structures, outside the coastal zone, subject to the provisions of Section 13.10.636(a).			
500 - 20,000 square feet	3	4	3
over 20,000 square feet	4	4	4

USE	CA	A	AP
Greenhouse structures, soil dependent****, inside the coastal zone, subject to the provisions of Section 13.10.636(a) and 13.20.073.			
500 - 20,000 square feet	3	3	3
over 20,000 square feet	P/4	P/4	P/4
Greenhouses, improvements and expansions up to 10,000 square feet in area, inside the coastal zone, subject to the provisions of Sections 13.10.636(a) and 13.20.073.	3	4	3
Greenhouses, all others in the coastal zone.			
up to 20,000 square feet	P/5	P/5	P/5
greater than 20,000 square feet	5	5	5
Greenhouse replacement, reconstruction or structural alteration, pursuant to Section 13.10.636(b) and (c)	3	3	3
Habitable accessory structure, 640 square feet or less subject to the provisions of Sections 13.10.611 and 13.10.612	3	3	3
Habitable accessory structures greater than 640 feet, subject to the provisions of Sections 13.10.611 and 13.10.612 (see farm outbuildings)	5	5	5
Non-habitable accessory structure when incidental to a residential use and not for agricultural purposes (subject to the provisions of Section 13.10.611 and 13.10.313 (a)).			
Total area of 1000 square feet or less	BP Only	BP Only	BP Only
Total area of more than 1,000 square feet	3	3	3
Home occupations subject to the provisions of Section 13.10.613	P	P	P

USE	CA	A	AP
Kennels, commercial or private, for five or more dogs or cats over the age of four months subject to the provision of 13.10.323	5	5	5
Farm Worker camps subject to the provisions of Section 13.10.631			
1 - 4 Units	5	5	5
5 - 19 Units	6	6	6
20+ Units	7	7	7
Lumber Mills	--	5	--
Manufactured homes, as farm labor housing, subject to the provisions of Section 13.10.631			
1 - 4 Units	5	5	5
5 - 19 Units	6	6	6
20+ Units	7	7	7
Manufactured home, as a single-family dwelling unit, subject to the provisions of Section 13.10.682			
Inside the Coastal Zone	5	5	5
Outside the Coastal Zone	3	3	3
Manufactured homes, for temporary occupancy as a caretaker's or watchman's quarters subject to the provisions of Section 13.10.631	3	3	3
Mushroom farms and other agriculture within structures, subject to the provisions of Section 13.10.634			
Additions, 500 - 20,000 square feet	3	5	3
New development and additions over 20,000 square feet	5	5	5
Offices within existing structures operated in conjunction with an allowed use	2	2	2
Public utility facilities; energy facilities (see Section 13.10.700-E definition)	--	5	--
Publicly owned and operated sanitary landfill either by contract or by public forces, subject to the provisions of Section 13.10.639	7	7	7

ATTACHMENT A.230

USE	CA	A	AP
Recreational activities: playfields not involving permanent structures or paving. Within the coastal zone allow this use only in the A (Non-commercial Agriculture) zone district.	5	5	5
Reservoirs or ponds	3	3	3
Riding academies or public stables, subject to the provisions of Section 16.22.060	5	5	5
Septic tank sludge disposal sites that are approved by the Health Officer pursuant to Chapter 7.42 and that are located outside the Coastal Zone	--	4	--
Signs in conjunction with principal permitted uses as described in Section 13.10.580(a) and (b)	P	P	P
Signs in conjunction with non-principal permitted uses as described in Section 13.10.580(c) and (d)	2	2	2
Stands for the display and sale of agricultural commodities produced on-site**	2	2	2
Veterinary offices and animal hospitals subject to the provisions of Section 13.10.642	5	5	5
Visitor Accommodations, such as: Bed and breakfast inns (subject to Section 13.10.691)	--	5	--
Water pollution control facilities for agricultural purposes constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board, or erosion control facilities constructed to comply with County ordinances	3	3	3

ATTACHMENT A. 231

USE	CA	A	AP
Water wells, storage tanks and distribution lines, well covers and small pump houses utilized strictly for on-site agriculturally related activities	1***	1***	1***
Wineries under 1,000 gallons annual production as a home occupation, subject to the provisions of Section 13.10.637	P	P	P
Wineries, subject to the provisions of Section 13.10.637			
Under 1,000 gallons and not a home occupation	3	3	3
Over 1,000 gallons and under 20,000 gallons annual production:			
On parcels under 2.5 acres in size	3	5	3
On parcels 2.5 acres or larger	3	3	3
Over 20,000 gallons and under 50,000 gallons annual production:			
On parcels under 10 acres in size	5	5	5
On parcels 10 acres or larger	3	3	3
Over 50,000 gallons and under 100,000 gallons annual production and on size parcel	5	5	5
Over 100,000 gallons annual production on any size parcel	6	6	6
Zoos and natural science museums	--	5	--

SECTION II

Section 13.20.073 of the Santa Cruz County Code is hereby amended to read as follows:

13.20.073 AGRICULTURALLY RELATED DEVELOPMENT EXCLUSION

Agriculturally related development as listed below is excluded on all lands designated agriculture on the General Plan and Local Coastal Program Land Use Plan maps, except within one hundred feet of any coastal body of water, stream, wetland, estuary, or lake; within areas between the sea and the first public through road paralleling the sea; or on parcels less than 10 acres in size:

ATTACHMENT A 232

- (a) Greenhouses, soil dependent: The construction, improvement or expansion of soil dependent greenhouses which comply with the requirements of Sections 13.10.313(a) and 13.10.636 and are not located on natural slopes of greater than 25% nor on sensitive habitat areas as defined in Section 16.32.040.
- (b) Agricultural Support Facilities: The construction, improvement, or expansion of barns, storage buildings, equipment buildings and other buildings necessary for agricultural support purposes, including facilities for the processing, packing, drying, storage and refrigeration of produce generated on-site provided that such buildings will not exceed 40 feet in height; will not cover more than 10,000 square feet of ground area including paving; and will not include agricultural processing plants, greenhouses or mushroom farms. Building construction or expansions of more than 2000 square feet of ground area in rural scenic corridors shall comply with 13.20.130(c)4.
- (c) Greenhouses and mushroom farms: Improvement and expansion of existing mushroom farms and greenhouses provided that such improvements will not exceed 40 feet in height, and will not increase ground coverage by more than 25 percent or 10,000 square feet, whichever is less. Building expansions of more than 2000 square feet in rural scenic corridors shall comply with 13.20.130(c)4. This type of development may be excluded only one time per recorded parcel of land. If improvement or expansion is proposed after such development pursuant to this exclusion has been carried out, then a Coastal Zone Approval must be obtained for the subsequent development.
- (d) Paving: Paving in association with development listed in paragraphs (a), (b) and (c), above, provided it will not exceed ten percent of the ground area covered by the development.
- (e) Fencing: Fences for farm or ranch purposes, except any fences which would block existing equestrian and/or pedestrian trails.
- (f) Water Supply Facilities: Water wells, well covers, pump houses, water storage tanks of less than 10,000 gallons capacity and water distribution lines, including up to 50 cubic yards of associated grading, provided that such water facilities are not in a water shortage area as designated pursuant to Section 11.90.130 of the County Code pertaining to a Water Shortage Emergency and will be used for on-site agriculturally-related purposes only.
- (g) Water Impoundments: Water impoundments in conformance with the Grading Ordinance, (Chapter 16.20 of the Santa Cruz County Code) provided that no portion of the body of water will inundate either temporarily or permanently any drainage areas defined as riparian corridors in Chapter 16.30 (Riparian Corridor Protection), and provided that such impoundments will not exceed 25 acre feet in capacity and will not be in a designated water shortage area.
- (h) Water Pollution Control Facilities: Water Pollution control facilities for agricultural purposes if constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board.

ATTACHMENT 243

SECTION III

This ordinance shall take effect on the 31st day after the date of final passage or upon certification by the California Coastal Commission, which ever occurs later.

PASSED AND ADOPTED this 9th day of September, 1997, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS	Beautz, Symons, Belgard, Almquist and Wormhoudt
NOES: SUPERVISORS	None
ABSENT: SUPERVISORS	None
ABSTAIN: SUPERVISORS	

MARDI WORMHOUDT

Chair of the Board of Supervisors**SUSAN M. ROZAFIC**

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM: *Debra S.*
County Counsel

DISTRIBUTION: County Counsel
Planning
CAO

GHORD3

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE ATTEST MY HAND AND SEAL THIS 9th DAY OF SEPTEMBER 1997
SUSAN A. BEAUTZ, CLERK OF THE BOARD OF SUPERVISORS AND EX-OFFICIO CLERK OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.

BY *Julia Ann Stuchan* DEPUTY

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