

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

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W13a

July 23, 1997

TO: Commissioners and Interested Parties

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

SUBJECT: **SANTA CRUZ COUNTY: LOCAL COASTAL PROGRAM MINOR AMENDMENT NO. 1-97**

Santa Cruz County is requesting that the Implementation Portion of its certified Local Coastal Program be amended to:

1. recognize all existing parcels with R-1-5 through R-1-1 acre zoning in the rural area of the County as consistent with the General Plan (Sections 13.10.170d, 13.10.322(a)1, 13.10.323(a)2); and
2. correct errors in notice and appeal procedures (Sections 18.10.222, 18.10.330, 18.10.340).

The full text is available upon request. This amendment request was filed on July 23, 1997, pursuant to Section 30510(b) of the Coastal Act and Section 13553 of the California Code of Regulations.

The purpose of this notice is to advise interested parties of the determination by the Executive Director pursuant to Section 13555 of California Code of Regulations that the filed amendment is "minor" as defined in Section 13554. The first amendment does not result in any density change and actually will not be applicable to any parcels in the Coastal Zone. It falls under the following category allowed by Section 13554:

*changes in wording which make the use as designated in the zoning ordinances...more specific and which do not change the kind, location, or density of use and which are found...to be consistent with the land use plan...;*

The second amendment will result in text similar to that which was actually once approved by the Coastal Commission but later amended. It falls under the following category of Section 13554:

*change in the notification and hearing procedures that is consistent with the requirements of the Coastal Act.*

Pursuant to Section 13555, the Executive Director will report in writing this determination to the Coastal Commission at its meeting of August 12-15, 1997, to be held at the Crowne Plaza--Holiday Inn, 5985 West Century Blvd., Los Angeles. He will also report any objections to the determination received within 10 days of posting of this notice. This proposed minor amendment will be deemed approved, unless one-third of the appointed members of the Commission request that it be processed as a major amendment (pursuant to Section 13555(b)). It will take effect immediately.

If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Rick Hyman or Lee Otter at the Central Coast District Office in Santa Cruz. If you wish to register an objection to the proposed "minor" amendment determination, please contact either of the above staff by August 11, 1997.

**SANTA CRUZ COUNTY: LOCAL COASTAL PROGRAM MINOR  
AMENDMENT NO. 1-97**

**ATTACHMENT**

**FULL TEXT OF PROPOSED AMENDMENTS**

**PORTIONS WHICH ARE NEW ARE HIGHLIGHTED or UNDERLINED**

**DELETIONS ARE SHOWN BY STRIKE-OUTS**

# 1

## ORDINANCE \_\_\_\_\_

ORDINANCE AMENDING COUNTY CODE SECTIONS 18.10.222 RELATING  
TO NOTIFICATION PROCEDURES, AND SECTIONS 18.10.330  
AND 18.10.340 RELATING TO APPEAL PERIODS

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

## SECTION I

Section 18.10.222 of the Santa Cruz County Code is hereby amended to read as follows:

Level IV (Public Notice):

## NOTICE OF APPLICATION SUBMITTAL

(a) Procedures. Public notice of the receipt of a development application pursuant to Level IV. Public notice shall be given in the following ways:

1. Mailed notice in the form of a postcard or letter mailed not more than 10 business calendar days following the receipt of a development application to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the property involved in the application, and, for all applications requiring a Coastal Zone approval, for all residents of properties within 100 feet of the applicant's property, to all lawful occupants of properties within 100 feet of the subject property, including all lawful occupants of the subject property. Such notices and mailing list shall be based on the mailing list generated by the County. In the event that there are fewer than ten 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 ten properties have been notified by mail.
2. Notice to the Board of Supervisors. Notice shall be by delivery of the United States Mail, addressed to each Board Member at the County Governmental Center, or by delivery to each Board Member by County Government interdepartmental mail no more than 10 business calendar days following the receipt of a development application.

(b) Content of notice. The contents of the notice shall be as follows:

1. Location of the proposed project.
2. Name of the applicant.
3. Description of the proposed use.
4. How further information may be obtained and how to submit information on the proposed project.
5. Final date of which comments will be accepted.
6. How to submit information on the proposed project.
7. Date the permit is proposed to be issued.

48.1

Santa Cruz LCP Amendment  
Minor #1-97

## NOTICE OF PENDING ACTION

(c) Procedures. Public notice of the intent to issue a permit pursuant to Level IV. Public notice shall be given in the following ways:

1. Mailed notice in the form of a postcard or letter mailed not less than 10 calendar days prior to the issuance of the permit to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the property involved in the application, and, ~~for all applications requiring a Coastal Zone approval, for all residents of properties within 100 feet of the applicant's property~~ to all lawful occupants of properties within 100 feet of the subject property including all lawful occupants of the subject property. Such notices and mailing list shall be based on the mailing list generated by the County. In the event that there are fewer than ten 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 ten properties have been notified by mail.
2. Published Notice. Notice shall be published in a newspaper of general circulation printed and published within the County at least ten ~~business~~ calendar days prior to the issuance of the permit.
3. Posting on the property in a conspicuous place at least ten calendar days prior to the issuance of the permit.
4. Notice to the Board of Supervisors. Notice shall be delivered by the United States Mail, addressed to each Board Member at the County Governmental Center, or by delivery to each Board Member by County Government interdepartmental mail at least 10 days prior to the issuance of the permit.

(b)(d) Contents of notice. The contents of the notice shall be as follows:

1. Location of the proposed project.
2. Name of the applicant.
3. Description of the proposed use.
4. How further information may be obtained and how to submit information on the proposed project.
5. Date the permit will be issued.
6. Description of the administrative appeal procedure.

## SECTION II

Subsection (a) of Section 18.10.330 of the County Code is hereby amended to read as follows:

(a) Who May Appeal. Any person whose interests are adversely affected by any act or determination of the Zoning Administrator under this chapter may appeal such act or

Santa Cruz Co Am #1-9,  
48.1

determination to the Planning Commission. Appeals from any action of the Zoning Administrator shall be taken by filing a written notice of appeal with the Planning Department not later than the tenth business calendar day after the day on which the act or determination appealed from was made.

### SECTION III

Subsection (a) of Section 18.10.340 of the County Code is hereby amended to read as follows:

(a) Who may appeal. Any person whose interests are adversely affected by any act or determination of the Planning Commission, or by the Agricultural Policy Advisory Commission, acting pursuant to Chapter 16.50, may appeal such act or determination to the Board of Supervisors; provided, however, that where the determination made by the Commission is given in the form of a recommendation or report addressed to the Board of Supervisors, no appeal may be taken, but any interested party shall be entitled to appear before the Board of Supervisors at the time of consideration of such recommendation or report and be heard thereon. Appeals to the Board shall be taken by filing a written notice of appeal with the Clerk of the Board of Supervisors not later than the tenth business calendar day (15 calendar days for time extensions for land division permits) after the day on which the act or determination appealed from was made. The Clerk of the Board shall send notice of such appeal to the Planning Department within one day of the filing of the appeal.

### SECTION IV

If any section, subsection, division, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors of this County hereby declares that it would have adopted this ordinance and each section, subsection, division, sentence, clause, phrase, or portion thereof, irrespective of any such decision.

#2

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

AN ORDINANCE AMENDING VARIOUS COUNTY CODE SECTIONS  
INCLUDING LOCAL COASTAL PROGRAM IMPLEMENTING ORDINANCES  
AMENDING SECTIONS 13.10.170(d), 13.10.322(a)1, and 13.10.323(a)2.

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

SECTION I

The Residential section of the ZONING IMPLEMENTATION TABLE that is part of  
Section 13.10.170(d) of the County Code is hereby amended as follows:

Residential:

R-M - Mountain Residential	RR - Rural Residential RA - Residential Agricultural TP - Timber Production A - Agricultural <u>R-1 - Single Family Residential**</u> <u>(5,000 square feet to 1 acre lot size)</u>
R-R - Rural Residential	RR - Rural Residential RA - Residential Agricultural TP - Timber Production A - Agricultural <u>R-1 - Single Family Residential**</u> <u>(5,000 square feet to 1 acre lot size)</u>
R-S - Suburban Residential	RR - Rural Residential RA - Residential Agricultural <u>R-1 - Single Family Residential**</u> <u>(5,000 square feet to 1 acre lot size)</u>
R-UVE - Urban Very Low Residential	R-1 - Single Family Residential*
R-UL - Urban Low Residential	R-1 - Single Family Residential* RB - Ocean Beach Residential* RM - Multi-Family Residential*
R-UM - Urban Medium Residential	R-1 - Single Family Residential* RB - Ocean Beach Residential* RM - Multi-Family Residential*
R-UH - Urban High Residential	R-1 - Single Family Residential* RM - Multi-Family Residential*
All Residential Designations	PR - Parks, Recreation and Open Space

SCC Am #1-97

\* Zone district designations shall be considered consistent with the General Plan and Local Coastal Program Land use Plan when in conformance with the residential density allowed by Figure 2-3 of the General Plan and the Local Coastal Program Land Use Plan.

\*\* This zone district is established for the sole purpose of recognizing as conforming parcels those legal parcels of record located outside the Urban Services Line of the County that, prior to the adoption of the 1994 General Plan and Local Coastal Program Land Use Plan, were zoned R-1-5, R-1-6, R-1-7, R-1-8, R-1-9, R-1-10, R-1-12, R-1-15, R-1-20, R-1-32, R-1-40 or R-1-1 acre and developed with or intended for development of a single family residence and any permitted accessory structures. Such development, including additions or remodels, is subject to the site and development standards of the specified zone district for the parcel. All land divisions must be consistent with the provisions of the Rural Residential Density Determination Ordinance (Chapter 13.14 of the County Code) and with the residential density allowed by Figure 2-2 of the General Plan and Local Coastal Program Land Use Plan.

## SECTION II

Section 13.10.322(a)1 of the County Code is hereby amended to read as follows:

1. In the Coastal Zone, the principal permitted uses in the residential districts shall be as follows:

"RA" : single-family residential and agricultural (rural)

"RR" : single-family residential (rural)

"R-1" : single-family residential (urban, rural)

"RB" : single-family residential (oceanfront, urban)

"RM" : multiple-family residential (urban) including appurtenant accessory uses and structures

## SECTION III

Section 13.10.323(a)2 of the County Code is hereby amended to read as follows:

2. The "R-1" and "RM" Residential Districts shall be combined with a number which shall indicate the minimum land area in thousands of net developable square feet required for each dwelling unit on each site in the district. For example: "R-1-6" means a minimum land area of 6,000 net developable square feet per dwelling unit; "RM-3" means a minimum land area of 3,000 net developable square feet per dwelling unit. Definition of "developable land and net developable area" are found in Section 13.10.700. District designations shall be consistent with the adopted General Plan, Local Coastal Program Land Use Plan, and the Geologic Hazards Ordinance (Chapter 16.10), and the Minimum Parcel Size Standards in Section 13.10.510(g).

The "R-1 Single Family Residential" District located outside the Urban Services Line recognizes as conforming parcels those parcels which are generally less than 1 acre in size, and that, prior to the effective date of the 1994 General Plan/Local Coastal Program Land Use Plan, were legal lots of record and developed with or intended for development of a single family residence.

#### SECTION IV

If any section, subsection, division, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors of this County hereby declares that it would have adopted this Ordinance and each section, subsection, division, sentence, clause, phrase, or portion thereof, irrespective of any such decision.

#### SECTION V

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

PASSED AND ADOPTED BY the Board of Supervisors of the County of Santa Cruz this \_\_\_\_\_ day of \_\_\_\_\_, 1997, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM: Dee S.  
County Counsel