

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877

**Th5a**

RECORD PACKET COPY

**PUBLIC NOTICE**

Prepared October 17, 2002 (for November 7, 2002 Hearing)

**To:** Commissioners and Interested Persons**From:** Charles Lester, Acting District Director *DL*  
Dan Carl, Coastal Planner**Subject:** Santa Cruz County Local Coastal Program Amendment Number 1-02 Part 5 (Density Review Process). Proposed amendment to the Santa Cruz County certified Local Coastal Program to be heard at the Coastal Commission's November 7, 2002 meeting at the Doubletree Club Hotel (1515 Hotel Circle South) in San Diego.

The County of Santa Cruz is requesting that its certified Local Coastal Program (LCP) Implementation Plan (IP) be amended. This amendment request was filed on August 12, 2002 pursuant to Coastal Act Section 30510(b) and California Code of Regulations (CCR) Sections 13553 and 13555. On October 9, 2002 the Coastal Commission extended the time frame for action on this LCP amendment request (pursuant to Coastal Act Section 30517).

The proposed amendment would establish new IP section 18.10.140(b) which itself would establish an additional County review process for certain applications for residential development located within the urban areas of the County. Applications to which the new review process would apply are those that: (1) propose residential development, excluding second units and remodels; (2) are located within the urban services line; and (3) are located on a site where three or more new units may be possible (when such potential units are calculated based on the comparing the site size in relation to lowest end of the LCP Land Use Plan (LUP) density range). For applications meeting these criteria, a review would be required by the County's Development Review Group (DRG; the DRG is loose affiliation of internal County departments and relevant public agencies that provide preliminary comments on major applications proposed within the County prior to a hearing on the application). Following DRG review, the Board of Supervisors would then make a preliminary consistency determination regarding the application at a public hearing, subject to certain timing requirements. See exhibit A for the proposed text of new IP section 18.10.140(b).

The purpose of this notice is to advise interested parties of the Executive Director's determination (pursuant to CCR Section 13555) that the proposed amendment is minor as defined in CCR Section 13554 because it does not result in changes to the kind, location, intensity, or density of use (CCR Section 13554(a)). The new IP section would establish a new process to review a subset of residential applications at less than the established density range, but it does not of itself require an increase in residential density, or require minimum density



**California Coastal Commission**  
**November 2002 Meeting in San Diego**

SCO LCPA 2-01 Part 5 (Density Review Process) stfprt 11.7.2002.doc

ranges to be achieved in all cases. Rather, it creates an additional process and ultimately provides for participation by the Board of Supervisors in the pre-decision review loop for certain urban residential projects. Affected applications could still be approved at less than the established minimum LUP density range (as currently allowed for by the existing LCP), and may need to be approved at less than the lowest end of the density range depending on site specific constraints and coastal resources and the application of other protective LCP policies to them (e.g., to avoid sensitive habitats, to protect public viewsheds, to provide for public access, etc.). The new IP section (and new pre-decision review loop) would not supercede or otherwise take precedence over the coastal development permit requirements and coastal resource protective policies of the LCP.

Pursuant to CCR Section 13555, the Executive Director will report this determination to the Coastal Commission at its November 7, 2002 meeting at the Doubletree Club Hotel located at 1515 Hotel Circle South in San Diego. The Executive Director will also report any objections to the determination that are received within ten working days of posting of this notice. The proposed minor amendment will be deemed approved and will become effective immediately unless one-third of the appointed members of the Commission request that it be processed as a major LCP amendment (CCR Section 13555(b)).

If you have any questions or need additional information regarding the proposed LCP amendment or the Commission procedures, please contact Dan Carl in the Coastal Commission's Central Coast District Office in Santa Cruz at the address or phone number listed above. If you wish to register an objection to the proposed minor LCP amendment, please do so by November 4, 2002.

**Attachments:**

Exhibit A: Proposed IP Section 18.10.140(b)

Exhibit B: Board of Supervisor's Resolution Adopting IP Section 18.10.140(b)

Exhibit C: Correspondence Received



ORDINANCE NO. 4671

ORDINANCE AMENDING SECTION 18.10.140 OF THE SANTA CRUZ COUNTY CODE REGARDING DEVELOPMENT AT LESS THAN THE LOWEST END OF THE GENERAL PLAN DENSITY RANGE

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 Ordinance Permit and Approval Procedures to implement the policies of the County General Plan and Local Coastal Program Land Use Plan regarding the density of residential development listed below in Section III; finds that the proposed amendment herein is consistent with all elements of the Santa Cruz County General Plan and the Local Coastal Program; and finds and certifies that the proposed action is categorically exempt from the California Environmental Quality Act.

SECTION II

The Board of Supervisors hereby rejects the recommendation of the Planning Commission that the Board not approve the amendment to the Zoning Ordinance Permit and Approval Procedures Section as described in Section III, and adopts the following finding in support thereof as set forth below:

The proposed amendment will ensure a density of residential development that is consistent with the objectives and land use designations of the adopted General Plan.

SECTION III

The County Zoning Ordinance Permit and Approval Procedures Section 18.10.140 is hereby amended by adding a new subsection (b) as shown below, with the new language shown underlined:

18.10.140 Conformity with the general plan and other legal requirements.

(a) All permits and approvals issued under this Chapter shall be consistent with the provisions of the adopted County General Plan. Any proposed permit or approval which is not consistent with the existing adopted General Plan may be issued or approved only concurrently with the adoption of appropriate amendments to the General Plan necessary to maintain consistency. "Consistent with" as used in this section means that the permits and approvals must be in harmony with and compatible with the policies, objectives, and land use programs of the General Plan.

EXISTING LCP TEXT (UNCHANGED)

CCC Exhibit A  
(page 1 of 2 pages)

**PROPOSED  
NEW LCP  
TEXT**

(b) All proposals for residential development of property within the urban services line, except for second units and residential remodels, at less than the lowest end of the designated density range of the County General Plan - LCP land use designation where there is the potential that three or more new units could be accommodated on-site at the lowest end of the density range shall be subject to review by the Development Review Group (see 18.10.210(c)1). Following completion of the Development Review Group (DRG) process, the proposal and the information developed as a result of the DRG process shall be referred to the Board of Supervisors for a preliminary General Plan consistency determination at a public hearing. Proposals of 4 or fewer lots (or units) shall have their DRG meeting within 45 days from the date of application, and shall be considered by the Board of Supervisors at a public hearing within 60 days from the date of the DRG meeting.

**SECTION IV**

The requirements of subdivision (b) of Section 18.10.140 of Section III of this ordinance shall not apply to any application deemed complete as of the effective date of this ordinance.

**SECTION V**

This ordinance shall take effect on the 31st day from the date of adoption outside the Coastal Zone and upon certification by the California Coastal Commission inside the Coastal Zone.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this 18th day of June, 2002, by the following vote:

AYES: SUPERVISORS Wormhoudt, Almquist & Campos  
NOES: SUPERVISORS Pirie & Beautz  
ABSENT: SUPERVISORS None  
ABSTAIN: SUPERVISORS None

**JANET K. BEAUTZ**

CHAIRPERSON, BOARD OF SUPERVISORS

**GAIL T. BORKOWSKI**

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

APPROVED AS TO FORM: *David K...*  
County Counsel

Copies to: Planning  
County Counsel

**CCC Exhibit A**  
**(page 2 of 2 pages)**

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 21st DAY OF June 2002  
SUSAN A MAURIELLO, COUNTY ADMINISTRATIVE OFFICER AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.  
BY *Alicia...* DEPUTY

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

RESOLUTION NO. 267-2002

On the motion of Supervisor Wormhoudt  
duly seconded by Supervisor Almquist  
the following Resolution is adopted:

BOARD OF SUPERVISORS RESOLUTION AMENDING  
THE GENERAL PLAN/LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN,  
COUNTY CODE SECTION 18.10.140 TO REQUIRE REVIEW OF THE  
APPROPRIATENESS OF RESIDENTIAL DEVELOPMENT APPLICATIONS  
BELOW THE MINIMUM GENERAL PLAN – LOCAL COASTAL PROGRAM LAND  
USE DESIGNATION DENSITY RANGE

WHEREAS, the Board of Supervisors, on May 24, 1994, adopted the County General Plan/Local Coastal Program Land Use Plan (GP/LCP) which designated certain properties as future County park sites and on December 19, 1994, the County General Plan/Local Coastal Program was certified by the California Coastal Commission; and

WHEREAS, on October 2, 2001, the Board of Supervisors hosted an affordable housing workshop and directed various County departments to return with a report addressing issues related to the current housing crisis in the County; and

WHEREAS, on November 6, 2001, and December 11, 2002, the Board of Supervisors considered the report and the issues discussed therein and directed County Counsel to return with a report on the development of General Plan – Local Coastal Program residential development policies and directed the Planning Department to return with potential alternatives to ensure that residential development was consistent with the land use designation density range; and

WHEREAS, on February 26, 2002, the Board of Supervisors considered the report of County Counsel that concluded that the current General Plan – Local Coastal Program residential development policies could and in fact had been read by Planning staff and others as allowing for the approval of residential development below the minimum density of the land use designation density range; and

WHEREAS, on February 26, 2002, the Board of Supervisors also considered various alternatives to for ensure that proposals for residential development be consistent with the Land use designation density range; and

WHEREAS, on May 22, 2002, the Planning Commission considered and rejected a Planning Department staff report recommending that the Planning Commission recommend approval of an amendment to County Code Section 18.10.140 to require a

**CCC Exhibit B**  
**(page 1 of 2 pages)**

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process to review applications that propose residential development at densities less than the lowest density of the land use designation density range; and

WHEREAS, on June 11, 2002, the Board of Supervisors considered the recommendation of the Planning Commission and, notwithstanding that recommendation, finds that the proposed amendment is consistent with the California Coastal Act; and

WHEREAS, the proposed amendment to the Local Coastal Program Implementation Plan (County Code Section 18.10.140) have been found to be categorically exempt from the California Environmental Quality Act (CEQA), consistent with applicable provisions of CEQA and the County of Santa Cruz Environmental Review Guidelines;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors approves the amendment to the Local Coastal Program Implementation Plan as set forth in Attachment I, Exhibit 1, Exhibit A, and the CEQA Categorical Exemption, incorporated herein by reference, and authorizes their submittal to the California Coastal Commission as part of the Local Coastal Program Update.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 18th day of June, 2002 by the following vote:

AYES: SUPERVISORS Wormhoudt, Campos & Almquist  
NOES: SUPERVISORS Pirie & Beautz  
ABSENT: SUPERVISORS None  
ABSTAIN: SUPERVISORS None

**JANET K. BEAUTZ**

Chairperson of the Board of Supervisors

**GAIL T. BORKOWSKI**

ATTEST: Clerk of the Board of Supervisors

APPROVED AS TO FORM:

*David Kendig*  
ASST. COUNTY COUNSEL

cc: County Counsel  
Planning Department

**CCC Exhibit B**  
**(page 2 of 2 pages)**

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ
I, <b>SUSAN A. MAURIELLO</b> , County Administrative Officer and ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California do hereby certify that the foregoing is a true and correct copy of a resolution passed and adopted by and entered in the minutes of the said board. In witness whereof I have hereunto set my hand and affixed the seal of the said Board on <u>6/21</u> <u>2002</u>
SUSAN A. MAURIELLO, County Administrative Officer
By <i>[Signature]</i> Deputy

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**RECEIVED**

AUG 13 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

August 12, 2002

Mr. Dan Carl  
C/o The California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, California 95060

Dear Dan,

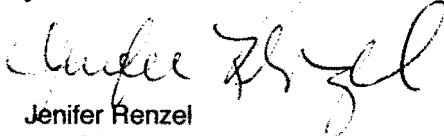
I appreciated the time you and I spent on the phone a few weeks ago regarding the Santa Cruz County Board of Supervisors' proposal to maximize build-out on properties in our county. On May 22, 2002 I sent you a letter documenting our neighborhood opposition to this proposal along with our testimony to both the Board of Supervisors and the Santa Cruz County Planning Commission. As you may know, the Santa Cruz County Planning Commission voted against this maximum build-out approach. The Supervisors, however, on June 18 approved this approach (3 to 2 vote) with a few modifications. The "final" language approved recently by the Board of Supervisors is attached for your review.

We continue to oppose the maximum build-out approach as a solution to affordable housing. We certainly support Smart Growth in certain urban in-fill areas and in areas outside of environmentally sensitive locations. As mentioned in my letter to you of May 22, 2002 we strongly urge exempting the Coastal Zone from this blanket build-out approach which would clearly be destructive to our overall coastal environment and habitat. Related to that, we believe that this change should be subject to CEQA review per our attached letter of June 17. Finally we all also know that Coastal Zone properties in general are priced at a premium and would not contribute in any meaningful way to affordable housing goals.

We believe Smart Growth fosters urban in-fill, convenient transportation options, and protection of special environmental resources. In addition, of course, environmental and natural resources constraints (such as water) must be factored in to any growth scenarios.

We do not believe the proposed maximum density build-out proposal approved by the County is consistent with Smart Growth, is consistent with the County's General Plan, or is consistent with the wishes of the current residents of Santa Cruz County. At a minimum, we urge the Coastal Commission to protect our invaluable Coastal Zone from this destructive approach.

We look forward to testifying at your hearings on this topic. All of our comments on the public record are attached for your review. As we discussed we will plan on hearing from the Coastal Commission regarding dates, times, and place of such hearings (831 688 3116). Thank you for your consideration to date of our concerns.



Jenifer Renzel  
214 Shoreview Drive  
Aptos, California 95003

**CCC Exhibit C**  
**(page 1 of 13 pages)**

**RECEIVED**

MAY 24 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

May 22, 2002

Mr. Dan Carl  
c/o The California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, California 95060

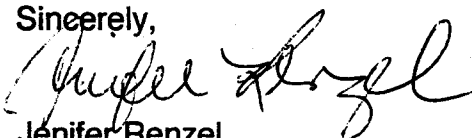
Dear Dan,

It was a pleasure to talk with you on the phone a few days ago regarding the Santa Cruz County proposal to maximize build-out on properties here. We believe the environmental impact of this blanket approach to growth would be substantial and irrevocable. As promised, here are our comments made in oral and written form to the Board of Supervisors and the Planning Commission.

It is our understanding that the Board of Supervisors will vote again on this proposal on June 11 and then perhaps in September it will go to the Coastal Commission. We strongly urge exempting the Coastal Zone from this blanket build-out approach. We fear that the loss of mature trees and sensitive habitat would be severe, and the overall impact on the Coastal Zone would be destructive and detrimental.

Thank you for following this development. If the Board passes the proposal in final form on June 11, we will plan to participate in subsequent related Coastal Commission hearings in an effort to protect our magnificent Coast.

Sincerely,



Jenifer Renzel  
831 688 3116



May 20, 2002

Santa Cruz County Planning Commissioners  
c/o The County of Santa Cruz Planning Department  
Governmental Center  
701 Ocean Street, 4<sup>th</sup> Floor  
Santa Cruz, California 95060

Dear Santa Cruz County Planning Commissioners:

This letter is in reference to the item on your May 22 agenda regarding the proposed and preliminarily approved ordinance requiring property owners to build to a parcel's maximum zoning density unless given a waiver. Several neighbors publicly opposed the change at the Board of Supervisors meeting on February 26, 2002, but it was passed by a 3-2 vote. Our statement to the Board is attached for your reference and for the record.

We are now before you in this forum to again oppose this change in direction and to propose revisions which could make this change less detrimental to our neighborhoods and to our beautiful natural environment. We would like this letter to become part of the public record as well. Before proceeding it is important to note that we do favor smart, reasonable, and planned growth where it can occur without jeopardizing the quality of life and the capacity of resources (especially water) available in our County. We believe our position is consistent with the intent of Measure C passed by the voters in 1990. The people of the County through this measure essentially said that population growth must be balanced with the county's carrying capacity and the natural environment.

It is not apparent to us that the environmental, capacity, and infrastructure, dimensions of the proposed policy change have been adequately analyzed and assessed in the approval process to date.

#### **ADDITIONAL REASONS FOR OPPOSING THIS CHANGE**

In addition to the broad, general concern noted above, there are additional specific concerns which lead us to oppose this change:

- 1) This proposal seems to represent a blanket "maximize housing everywhere" approach. Instead there should be a targeted, strategic approach which would optimize housing development in designated areas that make the most sense in terms of people, infrastructure, and minimal environmental impact.
- 2) The proposed policy change seems to be addressing only one side of the affordable housing equation without regard to the other. The "affordable housing" issue in Santa Cruz County is driven as much by the job market and related salaries as it is by housing costs themselves. The absolute costs of

housing in Santa Cruz County are certainly not the highest in the state by any means. A deeper issue is what kinds of jobs exist here now or will exist here in the next few years which can support a large increase in housing units in the County. Santa Cruz County has to compete with Silicon Valley for businesses, and realistically there are many incentives for businesses to locate there rather than here. These include transportation factors, building costs, access to employees, vendors, technology, major highways, and airports, etc, not to mention a 20% commercial property vacancy rate. Putting in more houses without solving the job equation will only lead to more commuters, more traffic jams, and less quality of living for all. Before maximizing (vs. optimizing) housing here, much more consideration must be paid to realistic job/salary targets for the County, and housing growth should be balanced with these projections. To build lots of homes without the concomitant commercial base could also put the County in a deficit revenue position if infrastructure carrying costs for houses cannot be covered by property taxes alone.

- 3) More analysis and discussion of the underlying assumptions, drivers, and impacts of this proposed change need to be considered before final approval. There are many questions about the AMBAG numbers and the assumptions upon which they are based as well as the process by which they were allocated. In addition some current zoning densities may be inappropriate and should be reassessed before implementing a maximum build-out approach. Also the numbers and the demographics related to the "urgent, pent-up demand" for affordable housing should be analyzed, assessed and better communicated so that the actual magnitude of the issue can be better understood and discussed. Before the County jumps into meeting the AMBAG quotas we should be sure they are the right ones. and we should have a better sense of the scope of the current "affordable housing " situation including current housing inventories.
- 4) The impact of this change on our beautiful, natural environment could be severe. Maximizing the build-out of all parcels would result in the destruction of countless mature trees and related habitat. This could drastically change the natural environment which daily enhances the lives of those who live here. Putting two houses on an 8000 foot lot in a R1-4 zoned area, for example, does not leave much room for trees and greenery.
- 5) In addition, the proposed change could drastically impact the character of neighborhoods in the County. The change could result in the unintended consequence of causing many old homes of character on large lots to be torn down so they can be replaced by multiple houses to maximize profit. This, too, would drastically impact the character of neighborhoods in the County.
- 6) Finally the burden of proof seems to be placed in the wrong spot. It is unclear how this process would work going forward but it seems possible that a

landowner who wants to build a house on a larger lot, a plan which would have the least impact on the neighborhood and the environment, would have to justify actions at each step along the way. At the same time a developer who wants to build out a lot to the maximum with multiple houses, a plan which would have the most impact on the surrounding neighborhood and the environment, has few if any barriers and perhaps few notification requirements if there are not zoning variances.. Neighbors should be informed of and have the opportunity to provide input on **all** developments or building plans which will have significant impact.

### **RECOMMENDED REVISIONS TO THE PROPOSED CHANGE**

Per the above, we oppose the proposed ordinance change, but if it is to go forward, we would like at a minimum to have the following areas considered and incorporated:

- 1) The minimum zoning to which this ordinance should apply should be at least R1-6. Any single family residential parcels zoned for more housing (i.e., R1-4 or below) should be exempted in order to avoid overcrowding, destruction of remaining trees and green space, jeopardizing hillside stability, and general issues in residential areas such as parking, traffic, and safety.
- 2) Properties within the Coastal Zone should be exempted from this "blanket" maximum build-out approach and should be considered on a case by case basis. This exemption will be instrumental in protecting whatever is remaining of this unique, fragile, and ecologically sensitive environment. It is also doubtful, in any case, that homes in this zone would contribute significantly to the affordable housing goal given ocean view premium pricing and other factors. Let's not destroy beautiful coastal zone properties through maximum build-out in the name of affordable housing only to find that it doesn't contribute to the goal.
- 3) It should be specified that this change pertains only to existing vacant, undeveloped residential parcels and certain commercial properties only. This would help to avoid the unintended consequence of the destruction of old homes on larger lots.
- 4) This change should be aimed at larger scale development plans only. If this zoning ordinance change is approved, it should only impact those who want to build 4 or more houses on a property vs. impacting an individual property owner who wants to build a house on his or her lot.

- 5) Let's be sure there is an appropriate notification system regarding proposed developments of all sizes so that neighbors can provide input for or against the plans at timely stages. Neighborhoods should not just inadvertently find out about plans which could have a major impact on their neighborhood. Neighbors should be informed of and have the opportunity to provide input on all developments or building plans which will have significant impact even if there are not zoning variances. Under the proposed process it is not clear when, how, and even if these opportunities would take place.

In addition, to our knowledge, impacted property owners have not been specifically notified of this pending zoning practice which could impact their current plans for their property and the value of their property. Given the potential impact of this change, it would be appropriate to directly solicit owners' input in public hearings focused on this topic before any final approvals..

- 6) This change should be monitored and revised as more information and analysis become available. It does not appear that sufficient analysis has gone into the AMBAG numbers and assumptions, the district by district impact of this change, environmental impacts and the work/housing balance. This proposal should be revisited when more analysis is done and should be revised when it is possible to take a more strategic, targeted approach.

Like all residents here we are concerned about workforce housing. It seems, however, in the haste to deal with affordable housing concerns, key capacity, quality of life, and environmental factors are being ignored or minimized. That certainly is not in the best interests of the residents of this County. Thank you for considering our concerns.

Nancy Faulkner	238 Shoreview Drive, Aptos
Deborah Macdonald	255 Shoreview Drive, Aptos
Nancy Merritt	214 Shoreview Drive, Aptos
Linda Nicholson	218 Shoreview Drive, Aptos
Jenifer Renzel	214 Shoreview Drive, Aptos
Toni Tennant	234 Shoreview Drive, Aptos

*Deborah Christ Macdonald*  
Deborah Macdonald on behalf of the above

cc: Santa Cruz County Board of Supervisors  
/ cc: Dan Carl  
California Coastal Commission

**Comments Made to the Santa Cruz County Board of Supervisors  
on February 26, 2002**

My Name is Jenifer Renzel and I am a resident of Aptos. My family has had a home there since 1936.

I would like to speak to you today about the proposed ordinance to require property owners to build to a parcel's maximum zoning unless given a waiver. There are a number of areas which several of my neighbors and I believe are important to address before such an ordinance change is voted upon, and we urge that more time be taken to assess all aspects of this change before moving forward. I would like now to use my time to discuss concerns about the apparent drivers behind this change.

Goal of Affordable and Workforce Housing

The first item deals with affordable and workforce housing. Affordable housing is a noble goal and it is important to work toward achieving that end to whatever degree is practical and feasible while simultaneously protecting and sustaining the beautiful environment we all treasure here. When the point is reached, however, where subsequent additions diminish or jeopardize the quality of life for all existing residents than that goal must be re-assessed. As we move forward, it will be important to check periodically to ensure that we do not damage that delicate balance.

We agree that high density housing in carefully and strategically selected places, places which have the least negative impact on established neighborhoods should be considered and given priority attention. Old hotel/motel sites, vacated commercial property, large flat vacant parcels would be a good places to focus upon and to start. There should be a strategic rather than a reactive approach to affordable housing. It would be best to address this important area in the overall General Plan and not to try to tackle it with one-off, ad hoc remedies which may have unintended consequences and which could diminish and damage our environment and our neighborhoods. At the same time, we should also reassess whether more equates to affordable since that is not a given. There may be other alternatives such as housing subsidies which should be considered as well.

(As you know Santa Cruz County is currently in the mid price range for housing compared to surrounding counties. We have a median house price of \$440,000. This means that half of our houses fall below that amount. Before going forward, it would be good to do an inventory of existing "affordable" housing including rentals. Apparently our average family income is \$62,000./ year)\*

Also before this ordinance change is approved, it would be appropriate to review existing zoning densities to see if they still make sense. Many zoning

designations may now be archaic or inappropriate. Some of the zoning designations may be left over from the second home beach house emphasis of the 50's and 60's and may not be appropriate for permanent residences. Let's not compound possible past zoning errors.

### The AMBAG Report

I would like now to talk about the AMBAG housing "quota". The goal of affordable housing and housing in general may be noble, but some of the numbers which are being discussed may not be. I am no expert in AMBAG operations, but it is my understanding that AMBAG has assigned the "quota" of several thousand additional homes to Santa Cruz County. It is also my understanding that this may be a disproportionate goal compared to Monterey County's. It is unclear to me what process was used to arrive at this goal and what prior commitment may have been made by Santa Cruz county regarding housing numbers. My neighbors and I would like to recommend, however, that these numbers and this process be reviewed and if necessary revised. In today's environment many things can be re-negotiated and it may just be that this should be one of them. Before we start to move down a fast track to meeting such a number, we should be sure that the underlying assumptions make sense.

The goal of thousands of additional homes in this county given documented water, traffic, and employment issues seems extraordinarily aggressive and unwarranted. Water in particular is a critical issue and its absence or scarcity will impact the quality of life and property values for all of us who currently live here. Jobs also are a critical issue. The worst possible scenario will be if we build thousands of new homes here and do not have the 8000 to 10000 additional jobs needed to employ the new homeowners and the new renters moving into vacated rental units. This will simply equate to more commuters and more traffic on Highway One, more delays on Highway 17, and a group of very unhappy, tired homeowners. The issue of jobs is a critical one, but it is not clear, no matter how hard Santa Cruz might try to attract employers that they will come. Silicon Valley currently has millions of square feet of vacant commercial property, employers are closer to customers, vendors, employees and suppliers on the other side of the hill so there are some inherent geological and economic deterrents to doing business here. So before agreeing to build thousands of more houses and to maximize zoning density in every conceivable place the County should step back and work strategically to insure there is an appropriate balance to those two parts of the Santa Cruz housing ratio. Jobs will not necessarily follow homes no matter how hard the County might try to make it so.

The AMBAG projected housing numbers should be revisited and revised if there is not a clear and reasonable expectation that there will be or can be a job base here to support that kind of growth. Not to mention a resource base such as water, schools, etc.

Another Aptos resident will now address some of the additional issues related to this proposed ordinance change itself: (Nancy Merritt)

Nancy Merritt's Remarks

Lack of Notice

I would like to talk about a process issue related to the proposed ordinance change. To many of us, it appears that this proposed ordinance change has been poorly publicized and there has been insufficient effort to gather public input.

Most everyone that I have talked with regarding the proposed ordinance change to maximize parcel density has been shocked and surprised. There has been very little press coverage and to my knowledge there have been no public meetings focused on this critical topic. I noticed in the Sentinel the other day that a special public meeting was advertised by the County Planning Department to discuss Santa Cruz County's proposed ordinance revising design standards for private roads, driveways and bridges. Certainly a decision regarding high density growth deserves at least that much input and discussion prior to being moved forward. In addition property owners who might be directly affected and neighbors of those parcels which may be affected should be noticed so that they can provide their input pro or con. This is too important an issue to not have further debate and discussion before moving forward.

Amendments to the Proposed ordinance Change

The final area I would like to discuss deals with revisions or amendments to the proposed ordinance change if it is finally decided that such a change should take place. It may be that after further discussion and input it will be decided to drop the zoning maximization approach. If it is to move forward however we believe that certain changes should be considered:

- 1) Before any vote is taken, it is important to ensure that each District has a map which indicates which parcels would be affected and what the possible impact would be on that District and its neighborhoods if such "maximization" occurred
- 2) The term development needs to be defined. If this zoning ordinance is to be approved should it only impact those who want to build 4 or more houses on a property vs impacting an individual property owner who wants to build a house on his or her lot. Shouldn't this ordinance be aimed at larger scale developments rather than individual lots and houses?

- 3) The minimum zoning to which such an ordinance might apply should be at least R 1-6. Any parcels zoned for more housing than that should be exempted in order to avoid overcrowding, destruction of remaining trees and green space, jeopardizing hillside stability, and general issues in residential areas such as parking, traffic and safety. We also recommend that areas zoned for higher density than R 1 -6 should be re-examined in the planning process and revised to a lower density for all of the above reasons and to protect existing neighborhoods.
- 4) Consideration should also be given to exempting properties within the Coastal Zone from this ordinance change in order to protect whatever is remaining of that fragile and ecologically sensitive environment..
- 5) Finally we must avoid the possible unintended impact of causing the destruction of smaller homes on larger lots in established neighborhoods so that developers can build more and make more money.

#### Conclusion

You are all wrestling with a tremendously difficult and important issue. Let's not have it decided by a sweeping administrative ordinance but rather by thoughtful strategic planning incorporating the input of those most impacted. Let's make it a win/win situation for existing and new residents. Thank you.

(Comments represent the views of Nancy Faulkner, Debbie Macdonald, Nancy Merritt, Linda Nicholson, Jenifer Renzel, and Toni Tennant, all residents of Shoreview Drive)

\*Comments in parentheses not made due to time





ROSE MARIE McNAIR • BROKER

Feb. 25, 2002

Board of Supervisors  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95070

*via fax  
454-3262*

RE: Maximum Density Range Ordinance Proposal

Members of the Board:

For months, the continued mantra of the people of Santa Cruz has been to find ways to create housing affordability. For years, the County has approved projects that are far below the maximum allowed densities. (Interestingly the maximum allowed densities currently on the books, do not even allow high density uses or apartments.) Instead, most projects are large homes on large lots--and usually, the number of units allowed could have been double or even triple the final product. My main concern about your proposal is that the Design Review Group (DRG) will be just another way to sabotage the actual needs of the working folks of this community. They have a right to expect housing they can afford--both rental and for sale.

I don't believe that our County can continue to ignore the need for apartments, for SROs, for granny units, for mixed income as well as mixed use projects. We need to go up--not out. In urban areas, where the topography is level, it is more destructive to the environment to build giant homes. Instead, why not build attractive, neat, clean, concise homes that are clustered and can actually allow for more green open area than sprawling detached large single family homes. I have been on tours of housing developments in the downtown San Diego area and in suburban Denver--to mention just two. I am on the Technical Advisory Committee (TAC) of the City of Santa Cruz. We have viewed creative ideas for housing and listened to many experts in the housing field--and amazingly, these ideas work AND they are well received by the people from Seattle to the East Coast. It's possible here, too.

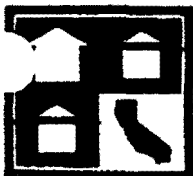
My children don't want to move to Modesto or Fresno; they grew up here. When my husband and I were a young married couple--we scrimped and scraped to get a home. Now, for many young folks, scrimping and scraping only gathers aggravation and frustration. I know you'll argue infrastructure. Well, it's time to actually do something about that too--because this NEED for housing is not going away--nor is the need for water and better transportation. We waste water every time it rains and runs into the ocean. We waste dollars that are used up just because they're there. Please create an ordinance that will really produce more housing, not more back pedaling.

Sincerely,

*Rose Marie McNair*  
Rose Marie McNair

*Please place on the record.*

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**Tri-County Apartment Association**

*Serving the rental housing industry in  
San Mateo, Santa Clara & Santa Cruz counties.*

January 7, 2002

Board of Supervisors  
County of Santa Cruz  
701 Ocean St.  
Santa Cruz, CA 95060

**Re: Agenda item 53 on January 8, 2002 agenda**

Dear Supervisors:

The Tri-County Apartment Association is glad to support the staff's recommendation to require that the County engage in a review process before any property currently zoned for multi-family dwellings be changed to allow for a lower density. This proposed change will help safeguard areas currently zoned for multifamily housing. As you know, increasing the supply of housing is an important step towards addressing the critical shortage of multi-family housing throughout Santa Cruz County.

By way of reference, the Tri-County Apartment Association is the non-profit trade association representing the rental housing industry in Santa Cruz, Santa Clara, and San Mateo Counties.

Please feel free to contact me directly to discuss this issue in detail.

Sincerely,

Bob Hines  
Director of Government Relations

Cc: Director of Planning  
CAO Office

**CCC Exhibit C**  
**(page 12 of 13 pages)**

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# LIBERTY GARDEN

PRIVATE PROPERTY AND FREEDOM ARE INSEPARABLE



January 7, 2002

Board of Supervisors  
County of Santa Cruz  
701 Ocean Street, Room 500  
Santa Cruz, CA 95060

Dear Supervisors,

The proposed ordinance *Housing Development under existing General Plan and zoning in Designations and information regarding distribution of Affordable Housing Units throughout the County* set as item #53 for January 8, 2002 ought to have a second opinion from council specializing in 5<sup>th</sup> Amendment takings jurisprudence to assess the legal exposure created by this major restriction on the use and enjoyment of private property.

Sincerely,

*Michael Shaw/cd*  
Michael Shaw

**CCC Exhibit C**  
**(page 13 of 13 pages)**

JM MANAGEMENT COMPANY

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