

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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Prepared February 24, 2005 (for March 18, 2005 Hearing)

To: Commissioners and Interested Persons

RECORD PACKET COPY

From: Diane Landry, Central Coast District Manager
Dan Carl, Coastal Planner

Subject: Santa Cruz County LCP Amendment Number 2-04 Part 1 (Park Site Review Process)

Santa Cruz County's Proposed Amendment

Santa Cruz County is proposing to amend its certified Local Coastal Program (LCP) to make minor modifications to the LCP's park site review process. Specifically, the County proposes changes to LCP Land Use Plan (LUP) Programs 7.1(h) and 7.1(i), and LCP Zoning Code Sections 13.10.418(a), 15.01.090(c)(1), and 15.01.090(c)(2). The proposed changes would apply throughout the County. See exhibit A for a map showing the County's location, and exhibit B for the County's proposed LCP changes.

Minor LCP Amendment Determination

California Code of Regulations (CCR) Section 13554 defines minor LCP amendments. Among other things, minor LCP amendments include:

CCR Section 13554(a). Changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the Executive Director of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.

CCR Section 13554(d)(2). For land use plans: correction, reorganization, revisions, or deletion of certified language which when taken together does not change the kind, location, intensity or density of use or modify the resource protection measures for any area or property.

The existing County LCP designates certain properties as potential park sites through a combining designation. When non-park development is proposed on these sites, the LCP requires the County to evaluate whether to instead acquire the site for park development. The proposed amendment slightly modifies the way in which the County would initiate review of potential park site acquisitions, but the modifications proposed do not otherwise alter any protection or status afforded these sites otherwise by the LCP.

CCR Section 13555 provides that the Executive Director can make determinations on whether a proposed LCP amendment is "minor." 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



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March 2005 Meeting in Newport Beach

Staff: D. Carl Approved by: *DC*

SCO LCPA 2-04 Part 1 (Park Site Review Process) 3.18.2005.doc

minor as defined in CCR Sections 13554(a) and 13554(d)(2).

Coastal Commission Concurrence

Pursuant to CCR Section 13555, the Executive Director will report this determination to the Coastal Commission at its March 2005 meeting at the Sutton Place Hotel located at 4500 MacArthur Boulevard in Newport Beach. 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)).

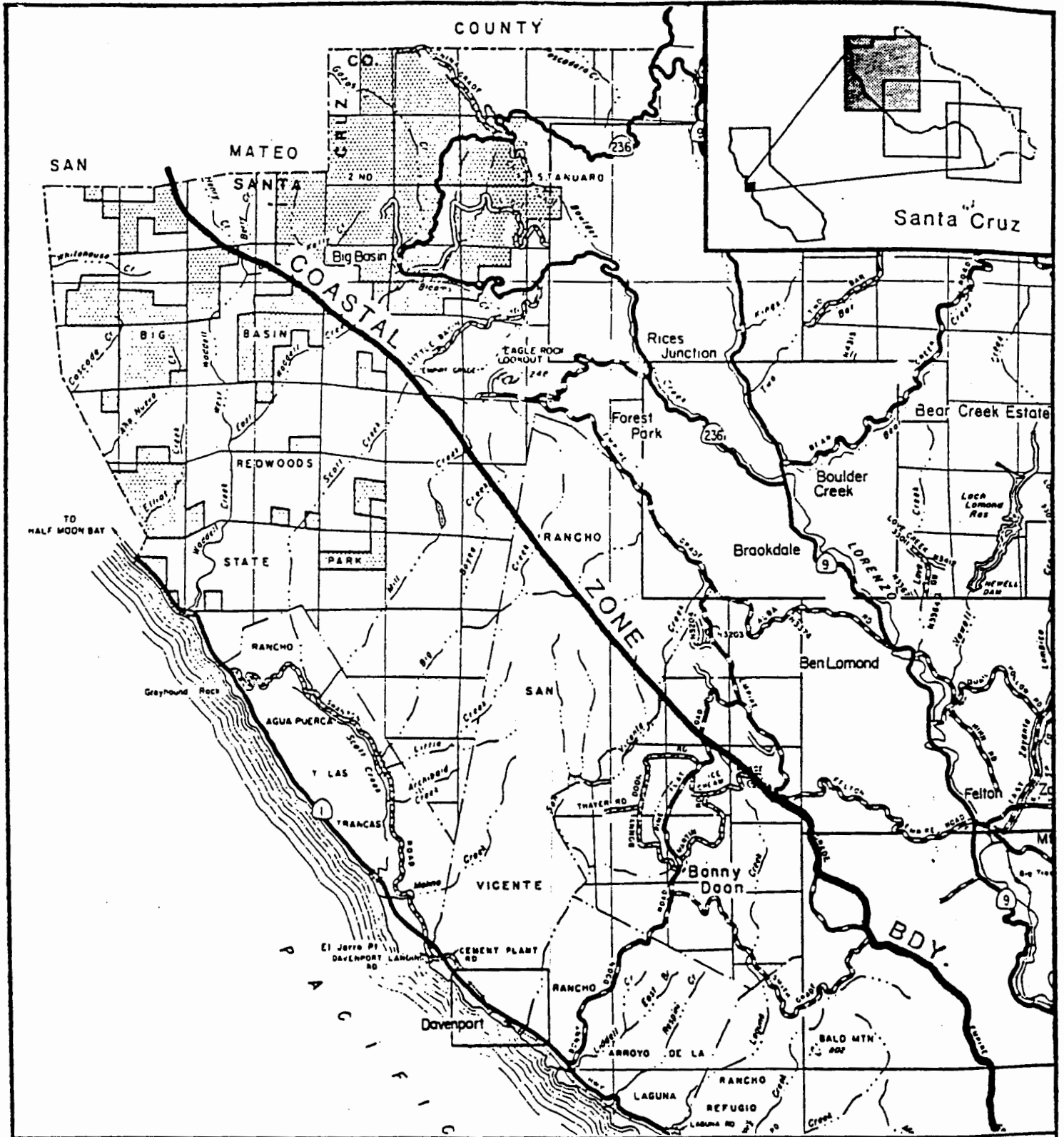
For further information regarding the proposed LCP amendment or the Commission's procedures, please contact Dan Carl in the Coastal Commission's Central Coast District Office in Santa Cruz at the address or phone number listed above. Objections to the proposed minor LCP amendment should be submitted in writing by March 11, 2005.

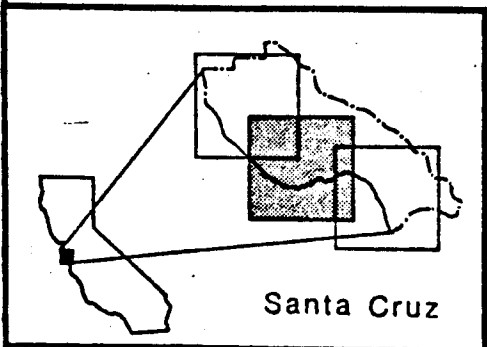
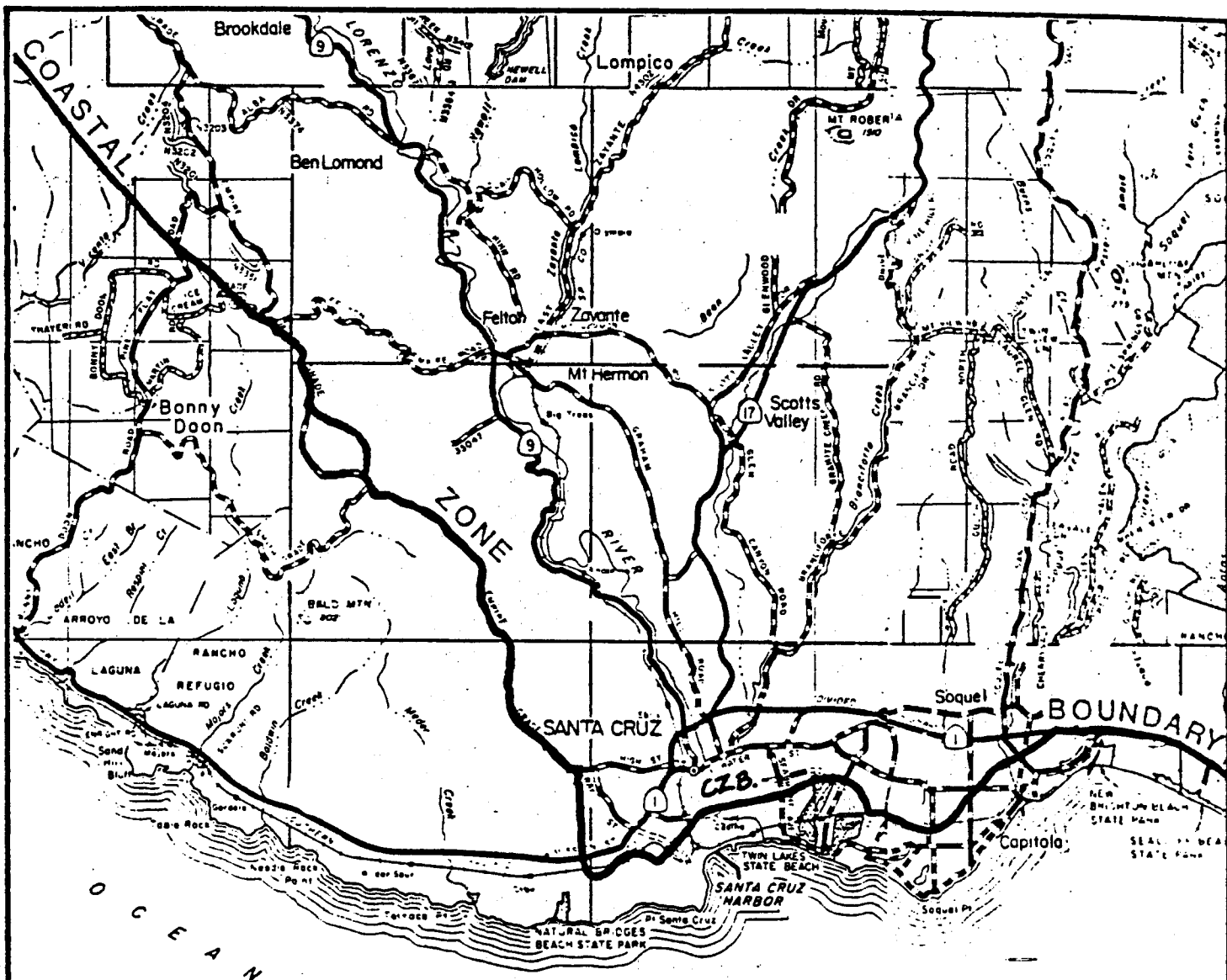
Exhibits:

Exhibit A: Santa Cruz County Location Map

Exhibit B: Proposed LCP Changes







 California Coastal Commission

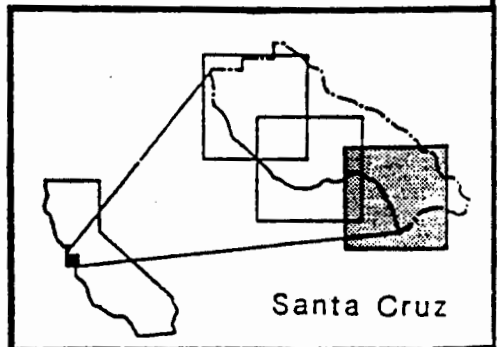
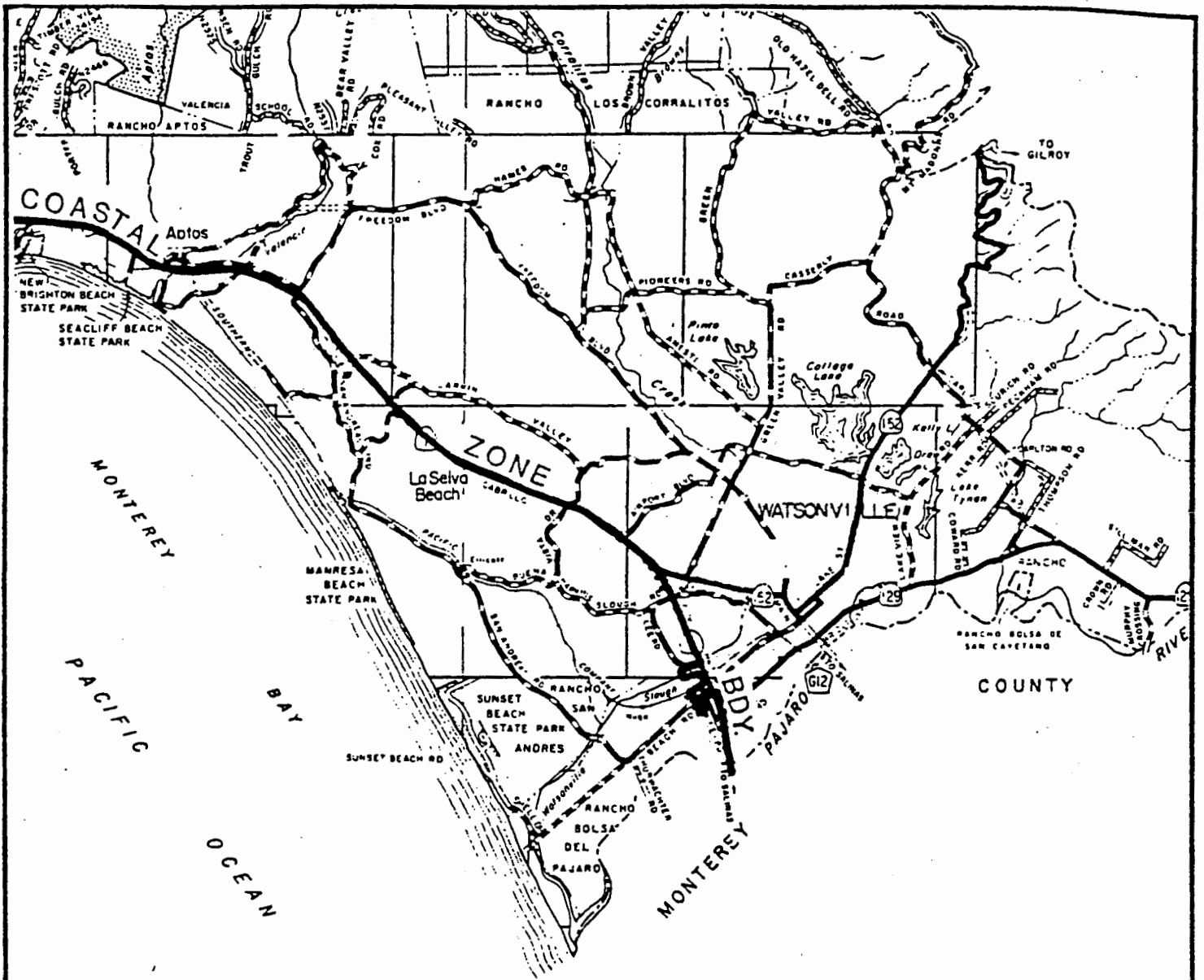
LOCATION MAP




County of Santa Cruz

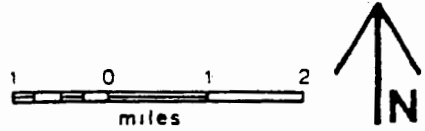
CCC Exhibit A
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 California Coastal Commission

LOCATION MAP



**PROPOSED CHANGES TO THE
GENERAL PLAN – LOCAL COASTAL PROGRAM**

0223

Chapter 7.1, Program h

When a specific development proposal is pending, maintain the procedure described herein by which property owners shall be compensated for not being able to develop land which is designated for park acquisition while the County secures acquisition funds. After submission of a ~~complete development application~~ an application for one or more of the following permits or approvals, where the application is referred to the Parks and Recreation Commission for review, the County would have one year to decide whether acquisition for the park site is to proceed.:

1. a Building Permit for a new single family dwelling or a new second unit;
2. a Coastal Development Permit for a new single family dwelling or a new second unit;
3. a Land Division Permit;
4. a Commercial Development Permit;
5. a Policy Amendment; or
6. any other Development Permit processed at Level V or greater.

If the County decides to acquire the parcel, the County shall make payment for such acquisition within an additional two years and shall enter into a lease agreement with the landowner in the interim. If the County decides not to acquire the property, the owner may proceed with development consistent with surrounding densities and land uses as indicated by the General Plan and Local Coastal Program Land Use Element. In connection with the residential development of designated park sites, the Board of Supervisors should provide for appropriate areas for park development on the parcel, or obtain concurrent designation of an appropriate alternative park site. The parks designation process shall not apply to any application submitted before the effective date of the General Plan (Responsibility: County Parks, Planning Department, Board of Supervisors)

Chapter 7.1, Program j

Maintain a process to require review and comment by the Parks, Open Space and Cultural Services (County Parks) staff of development projects applications for the following permits or approvals, which are either on proposed park sites or adjacent to, proposed and existing park sites or trails.

1. a Building Permit for a new single family dwelling or a new second unit;
2. a Coastal Development Permit for a new single family dwelling or a new second unit;
3. a Land Division Permit;
4. a Commercial Development Permit;
5. a Policy Amendment; or
6. any other Development Permit processed at Level V or greater.

Those permit applications that trigger a park site acquisition review shall be reviewed by the Parks Commission:

CCC Exhibit B
(page 1 of 3 pages)

5. The County desires to correct and conform the General Plan- Local Coastal Program and the County Code regarding the park site review process. 0225
6. The proposed amendments to General Plan – Local Coastal Program Chapter 7.1, Programs h and j, and County Code Section 13.10.418(a) and Chapter 15.01 regarding the park site acquisition process are consistent with the policies of the General Plan and Local Coastal Program.
7. The proposed amendments to General Plan – Local Coastal Program Chapter 7.1, Programs h and j, and County Code Section 13.10.418(a) and Chapter 15.01 regarding the park site acquisition process have been found not to be a project under Sections 1928 and 501 of the County's CEQA Guidelines and Section 15377(a) of the State CEQA Guidelines.

SECTION III

Subdivision (a) of Section 13.10.418 of the Santa Cruz County Code is hereby amended to read as follows:

~~(a) In addition to complying with the regulations for development and use which are imposed by the basic zone district, any project within the "D" Combining District for which a complete application for a Building Permit, Development Permit, or Land Division Approval has been submitted to the County, in accordance with County Code Chapter 18.10, shall be submitted to the County Parks and Recreation Commission for review.~~

~~The Parks and Recreation Commission shall be considered possible County acquisition of the land and appropriate recreational development and use of it, pursuant to County Code Chapter 15.01, Park Dedication and Public Access Requirements~~

~~(a) Any project located within the "D" Combining District for which an application for one or more the following permits or approvals is submitted in accordance with County Code Chapter 18.10, may, at the discretion of the Director of Parks, Open Space and Cultural Services, be submitted to the County Parks and Recreation Commission for a park site review pursuant to subdivision (c) of Section 15.01.090:~~

- ~~1. a Building Permit for a new single family dwelling or a new second unit;~~
- ~~2. a Coastal Development Permit for a new single family dwelling or a new second unit;~~
- ~~3. a Land Division Permit;~~
- ~~4. a Commercial Development Permit;~~
- ~~5. a Policy Amendment; or~~

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6. any other Development Permit processed at Level V or greater.
 Each member of the Board of Supervisors shall be notified by the Director in writing if the determination of the Director is not to proceed with the review, and a member shall have ten calendar (10) days following receipt of such notification by the Board to refer the application to the Parks and Recreation Commission. The Parks and Recreation Commission shall consider possible County acquisition of the land and appropriate recreational development and use of it pursuant to Chapter 15.01 of this Code.

SECTION IV

Subsections 1. and 2. of Subdivision (c) of Section 15.01.090 of the Santa Cruz County Code is hereby amended to read as follows:

1. When a development application is received which is on or adjacent to a proposed park site, or which the Parks and Recreation Commission, Planning Commission, or Board of Supervisors considers may be appropriate as a park site based on General Plan policies, staff of the Planning and Parks, Open Space and Cultural Services Departments shall prepare a report on the affected park site. This report shall include consideration of the factors listed below.

1. The staff of the Parks, Open Space and Cultural Services Department shall prepare a park site review report as required by this subsection, whenever an application for one or more of the following permits or approvals is submitted accordance with County Code Chapter 18.10 for a parcel located within the "D" Combining District, whenever the Parks, Open Space and Cultural Services Department Director, or a member of the Board of Supervisors acting pursuant to subdivision (a) of Section 13.10.418 determines that the parcel should be evaluated:

- (i) a Building Permit for a new single family dwelling or a new second unit;
- (ii) a Coastal Development Permit for a new single family dwelling or a new second unit;
- (iii) a Land Division Permit;
- (iv) a Commercial Development Permit;
- (v) a Policy Amendment or
- (vi) any other Development Permit processed at Level V or greater.

2. The Parks and Recreation Commission, Planning Commission, and Board of Supervisors, as appropriate, shall review this report to determine county policy regarding dedication and/or purchase of all or part of the site, payment of in-lieu fees, improvement of the site by the applicant, or a combination of these.

CCC Exhibit B
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