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LCP-3-SCO-18-0095-3 (AFFORDABLE HOUSING)

MARCH 6, 2019 HEARING

EXHIBITS

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Exhibit 1 - Proposed IP Amendment (Strikethrough and Underline)

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**ORDINANCE AMENDING CHAPTERS 13.01 & 13.10
OF THE SANTA CRUZ COUNTY CODE RELATING TO GENERAL PLAN AND
ZONING AMENDMENTS, AFFORDABLE HOUSING REQUIREMENTS,
RESIDENTIAL DENSITY BONUS AND AFFORDABLE HOUSING INCENTIVES, AND
R-COMBINING DISTRICT REGULATIONS**

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

SECTION I

Section 13.01.060 is hereby amended to read as follows:

13.01.060 General Plan amendment.

(A) Amendment Initiation. A General Plan amendment may be initiated by:

- (1) A resolution of intention by the Board of Supervisors or the Planning Commission.
- (2) An application by a property owner, an interested party having the owner's authorization, or any member of the general public.

(B) Amendment Frequency. ~~The~~ Any single element of the General Plan shall not be amended more than four times in a calendar year. Each of the four allowed amendments may encompass a variety of different changes to the elementplan.

(C) Consistency Zoning. When a General Plan amendment affects the land use designation of specific properties, those properties shall be concurrently rezoned to a zone district(s) as

New text clarifies that, consistent with State law, each year the number of amendments is limited to four for each element of the General Plan, rather than four amendments total.

necessary to maintain consistency with the General Plan.

~~(D) Affordable Housing Requirement. When a General Plan amendment changes the land use designation of a parcel within the urban services line from a nonresidential designation to a residential designation, 40 percent of all residential units or parcels resulting from the General Plan amendment shall be affordable pursuant to Chapter 17.10 SCCC.~~

Deletion would remove an inconsistency that was created in the County code when Chapter 13.10.01 was amended to remove this requirement in 2015. This section should have been deleted at that time.

SECTION II

Section 13.10.170 is amended to read as follows:

13.10.170 General Plan consistency.

(A) Consistency Requirement. The zoning plan and regulations established by this chapter shall be consistent with the General Plan. “Consistent with” as used in this section means that the allowable uses and development standards established by this chapter and the zoning plan created pursuant to SCCC [13.10.210](#) are in harmony with and compatible with the County General Plan including the Local Coastal Program Land Use Plan, and that they implement the objectives, policies and programs of the General Plan and do not inhibit or obstruct the orderly attainment of the General Plan within its time frame.

(B) Discretionary Uses. Land uses which are allowed by discretionary approval shall be deemed to be consistent with the General Plan, provided the approving body finds such consistency before approving the use.

(C) Maintaining Consistency. The zoning plan and regulations established by this chapter shall not be amended out of conformity with the General Plan. Whenever an amendment to either the zoning ordinance or the General Plan is considered, a concurrent amendment to the other document shall be considered where necessary to maintain consistency.

(D) Consistent Zone Districts. The following table denotes the basic and combining districts which implement and are consistent with the various General Plan land use, resource and constraint designations. Rezoning of a property to a zone district which is shown in the following ~~zone-zoning~~ implementation table as implementing the designation applicable to the property shall not constitute an amendment of the Local Coastal Program, unless it involves rezoning to M-3 in the Coastal Zone.

ZONING IMPLEMENTATION TABLE

General Plan/Local Coastal Program Land Use Designation	Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.
All Land Use Designations	
(Except Agricultural Resource Lands)	SU—Special Use
Agricultural:	
AG—Agriculture	A—Agriculture
	RA—Residential Agriculture
	CA—Commercial Agriculture
	TP—Timber Production
	PR—Parks, Recreation and Open Space
	AP—Agricultural Preserve (for existing AP Districts only)
Commercial:	
C-N—Neighborhood Commercial	C-1—Neighborhood Commercial
	CT—Tourist Commercial
	PA—Professional and Administrative Offices
C-C—Community Commercial	C-2—Community Commercial
	C-1—Neighborhood Commercial
	CT—Tourist Commercial
	VA—Visitor Accommodations

ZONING IMPLEMENTATION TABLE

General Plan/Local Coastal Program Land Use Designation	Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.
	PA—Professional and Administrative Offices
C-V—Visitor Accommodations	VA—Visitor Accommodations
C-S—Service Commercial/Light Industry	M-1—Light Industrial
	PA—Professional and Administrative Offices
	C-4—Commercial Services
C-O—Professional and Administrative Offices	PA—Professional and Administrative Offices
Public Facility/Institutional:	
P—Public/Institutional Facilities	PF—Public and Community Facilities
Residential:	
R-M—Mountain Residential	RR—Rural Residential
	RA—Residential Agriculture
	TP—Timber Production
	A—Agriculture
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-R—Rural Residential	RR—Rural Residential
	RA—Residential Agriculture
	A—Agricultural

ZONING IMPLEMENTATION TABLE

General Plan/Local Coastal Program Land Use Designation	Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-S—Suburban Residential	RR—Rural Residential
	RA—Residential Agriculture
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-UVL—Urban Very Low Residential	R-1—Single-Family Residential*
R-UL—Urban Low Residential	R-1—Single-Family Residential*
	RB—Ocean Beach Residential*
	RM—Multifamily Residential*
R-UM—Urban Medium Residential	R-1—Single-Family Residential*
	RB—Ocean Beach Residential*
	RM—Multifamily Residential*
R-UH—Urban High Residential	R-1—Single-Family Residential*
	RM—Multifamily Residential*
	<u>RM-2-R –Multifamily Residential with Regional Housing Needs Combining zone*</u>
All Residential Designations	PR—Parks, Recreation and Open Space

* 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 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](#) SCCC) and with the residential density allowed by Figure 2-2 of the General Plan and Local Coastal Program Land Use Plan.

Open Space Uses:	
O-R—Parks, Recreation and Open Space	PR—Parks, Recreation and Open Space
	TP—Timber Production
O-C—Resource Conservation	PR—Parks, Recreation and Open Space
	TP—Timber Production
	A—Agriculture
O-L—Lakes, Reservoir, Lagoon	PR—Parks, Recreation and Open Space
O-U—Urban Open Space	PR—Parks, Recreation and Open Space
General Plan/Local Coastal Program Land Use Overlay Designations:	
I—Heavy Industry	M-1—Light Industrial
	M-2—Heavy Industrial
Q—Quarry	M-3—Mineral Extraction
PP—Proposed Parks and Recreation	PR—Parks, Recreation and Open Space
	D—Designated Park Site Combining Zone District with any other zone district

General Plan/Local Coastal Program Resource:	
Agricultural Resource Lands	AP—Agricultural Preserve Zone District
	A-P—Agriculture with Agricultural Preserve Zone District
	CA—Commercial Agriculture
	TP—Timber Production
Timber Resource Lands	TP—Timber Production
General Plan/Local Coastal Program Constraint:	
Coastal Bluffs and Beaches	GH—Geologic Hazards Combining Zone District with any other zone district (see SCCC 13.10.400)
Fault Zones	
Liquefaction Areas	
Landslide Areas	
Floodplains and Tsunami Inundation Areas	
Other Designation or Condition:	
Designated Assisted Housing Site	H—Assisted Housing Combining District with any other zone district
Property Issued a Statement of Intention	I—Statement of Intention Combining District with any other zone district
Designated Historic Landmark	L—Historic Landmark Combining District with any other zone district
Mobile Home Park	MH—Mobile Home Park Combining District with any other zone district
Property Restricted by an Open Space	O—Open Space Combining District with any other

Contract	zone district
Santa Cruz Long-Toed Salamander Habitat	SP—Salamander Protection Combining District with any other zone district
Special Residential Design Standards for the Pleasure Point Neighborhood	PP—Pleasure Point Community Design Combining District with any R-1, RM or PR zoned parcel in the Pleasure Point Neighborhood
<u>Special use and development standards for development of housing at density of 20 units per acre</u>	<u>R--Regional Housing Need Combining District with any RM -2 zoned parcel, or in commercial or public facilities zones.</u>

SECTION III

Section 13.10.215 is amended to read as follows:

13.10.215 Zoning plan amendment.

(A) Amendment Policy. The County zoning plan and map are intended to reflect a comprehensive assessment and projection of the County's present and future needs for various types of land uses and developments, which are shown broadly on the adopted General Plan and Local Coastal Program Land Use Maps and Zoning Maps. In order to maintain a stable, desirable, well-balanced pattern of development throughout the unincorporated County area, amendments to the zoning plan and map are to be made only upon adequate justification.

(B) Amendment Initiation. Amendment to the zoning plan or map may be initiated by a resolution of intention adopted by the Board of Supervisors upon its own motion or upon the recommendation of the Planning Commission, an application by a property owner or other interested party having the owner's authorization.

(C) Amendment Procedures. Amendments to the County zoning plan or map shall be processed as a legislative action requiring a recommendation by the Planning Commission and approval by the Board of Supervisors pursuant to Chapter [18.10](#) SCCC and in accordance with the requirements of this section.

(D) Planning Commission Recommendation. After a public hearing, which may be continued from time to time, the Planning Commission shall send a written recommendation to the Board.

The Commission's recommendation shall include the reasons for the recommendation, the relationship of the proposed zoning amendment to the General Plan, and a statement regarding compliance with the California Environmental Quality Act. The Planning Commission shall recommend approval of a rezoning only if it determines that:

- (1) The proposed zone district will allow a density of development and types of uses which are compatible with the objectives, policies and programs, and land use designations of the adopted General Plan, and conforms with, and is adequate to carry out, the coastal resource protection provisions of the certified Land Use Plan; and
- (2) The proposed zone district is compatible with the level of utilities and community services available to the land; and
- (3) One or more of the following findings can be made:
 - (a) The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district;
 - (b) The proposed rezoning is necessary to provide for a community-related use which was not anticipated when the zoning plan was adopted;
 - (c) The present zoning is the result of an error;
 - (d) The present zoning is inconsistent with designation on the General Plan;
 - (e) The proposed rezoning is in the best interests of the public health, safety or welfare;
 - (f) A rezoning from nonresidential to residential use is appropriate in that the site has low commercial potential as reflected by existing vacancies, or outdated low value improvements, or low employment density, or low market demand for commercial use of the site; or
 - (g) ~~A rezoning from nonresidential to residential use is appropriate in that the site will be rezoned to accommodate a mixed use development that will accommodate both commercial and residential uses, and/or the~~ The site will accommodate housing type(s) that are needed to house the local workforce in support of the local economy;
and

The proposed deletion corrects an error. Mixed use is not allowed in any residential zone district.

(4) For amendments located within the Coastal Zone, the proposed rezoning maintains and provides for priority uses consistent with Sections 2.22.1 and 2.22.2 of the certified Land Use Plan.

(E) Planning Commission Recommendation Against Amendment. If the Planning Commission recommends against a proposed amendment, ~~their~~its action shall be final unless the matter is subsequently considered upon appeal or special consideration by the Board of Supervisors, or unless the action is being processed concurrently with a project that requires review by the Board of Supervisors.

(F) Board of Supervisors Action. The Clerk of the Board shall set a public hearing before the Board of Supervisors within 30 days after the receipt of the report recommending a zoning amendment from the Planning Commission. The Board may approve, modify, or disapprove the Planning Commission's recommendation; provided, that any modification of the proposed zoning amendment (including the imposition of regulations which are less restrictive than those proposed by the Commission or changes in proposed dwelling density or use) which was not previously considered by the Planning Commission shall be referred to the Planning Commission for its report and recommendation. The Planning Commission is not required to hold a public hearing on the referral, and its failure to respond within 40 days shall be deemed to be approval of the proposed modification. Any public hearing of the Board of Supervisors may be continued from time to time as determined by the Board.

(G) Finality of Action on Amendments. No new application for a zoning amendment shall be filed for the same or substantially the same purpose or project on the same parcel within one year after its denial without the consent of the Planning Commission if no appeal was made, or without the consent of the Board of Supervisors if denied by the Board. A denial without prejudice shall allow the filing of a new application at any time for the same or substantially the same purpose or project.

SECTION IV

Section 13.10.326 is amended to read as follows:

13.10.326 Residential density bonus for affordable housing

Within the Coastal Zone, the approving body (or the Coastal Commission on appeal) may approve a density greater than that allowed by the underlying land use and zone district and zone district designations for affordable residential projects additional units under density bonus provisions if the following criteria are met:

(A) ~~The proposed increased density is~~ additional units are consistent with Coastal Act Section 30604(f), Government Code Section 65915 and Chapter 17.12 SCCC; and

~~(B) Any affordable requirements applicable to the project, such as inclusionary units under Chapter 17.10 SCCC, nonresidential to residential designation conversion requirements of SCCC 13.01.060(D), combining district or specific General Plan policies are first met. A project will qualify for density bonus when adding affordable units beyond those required for the project; and~~

~~(CB) If located within the Coastal Zone,~~ The project is found to be in conformity with the Local Coastal Program provisions that ensure no impact on Coastal resources (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access and open

This section is revised to comply with State housing density bonus law. The reference to conversion from non-residential to residential use is to a section of the County Code that should have been deleted in 2015. This is a clean-up item.

space protections); ~~with the exception of the density provisions.~~

SECTION V

Section 13.10.475 is amended to read as follows:

Article VIII-A. Regional Housing Need R Combining District

13.10.475 Purposes of the Regional Housing Need R Combining District.

The purpose of the Regional Housing Need R Combining District is to increase the supply of affordable housing by designating sites for development at 20 units per acre in order to meet ~~the~~ housing needs, including but not limited to requirements of the regional housing needs allocation as required by Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of

Text added to clarify that the purpose of the district is to meet overall housing needs and is not restricted to sites that were initially designated by the Board of Supervisors in 2007.

Title 7 of the California Government Code.

SECTION VI

Section 13.10.476 is amended to read as follows:

~~13.10.476 Designation of the Regional Housing Need R Combining District.~~ ~~The Regional Housing Need R Combining District shall only be applied to those parcels designated by the Board of Supervisors.~~

Redundant text deleted. All rezoning is required to be approved by the Board of Supervisors pursuant to SCCC 13.10.215(F).

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nsity, Requirement for Planned Unit Development (PUD), and Permit Processing Standards

(A) Sites that are designated as Regional Housing Need R Combining District shall be developed at 20 units per acre. The use and density shall be by right, in that the use and density for the site are not discretionary, for sites zoned as required in SCCC 13.10.476 subsection (B). For the purposes of calculating density under these provisions, the developable area of each site

Density provisions in subsection (1) are relocated and revised to clarify that other sites can be considered and rezoned to the R-Combining District. Different ordinance sections separate use and density from development standards to clarify that use and density are the parameters of the regulations that are “by right”. Development standards are addressed in 13.10. 477. Number of potential units, when fractional, is rounded up rather than down.

developed under the Regional Housing Need R Combining District shall be determined at the time the site is designated. Such developable acreage shall be calculated in accordance with SCCC 13.10.700-D definition of “developable land” and SCCC 13.10.700-S definition of “site area, net” except that roadways and driveways shall be included in the developable acreage calculation for the purposes of determining net developable acreage. The number of potential units will be determined by multiplying the developable acreage by 20. Where such calculation results in a fractional number, the number of units shall be determined by rounding up to the nearest whole number.

(B) Property that is proposed for rezoning into the Regional Housing Need R Combining District shall include a proposed PUD. The PUD application shall include the development envelope and information on the massing, height, and intensity of development sufficient to

perform environmental review under the California Environmental Quality Act (CEQA) at the Program level of detail, but is not required to address every aspect of the PUD application under Chapter 18.10, which may then be subject to Project-level CEQA review. The provision of housing at a density of 20 units/acre shall be deemed a specific benefit adequate to satisfy the finding for approval described in SCCC 18.10.183 (B)(3).

(C) After rezoning and the approval of the PUD, applicants must apply for a design review and site development permit which shall be acted upon by the Board of Supervisors. Projects that include a tentative map approval or are in the Coastal Zone are also subject to sections 13.10.476 (D)(1) and/or (2), as applicable.

Subsections (1) (2) and (3) specify that 20 units per acre is the density for property zoned into the Regional Housing Need Combining District, that a PUD is required to be approved with the rezoning, that housing at 20 units/acre constitutes a specific benefit supporting the approval of a PUD, and that development according to the PUD is by right, with a subsequent Level 7 Design Review required, and coastal permit and tentative map as applicable. The latter process follows the process that was applied to the five sites that were initially designated by the Board of Supervisors in 2007 and which is described in SCCC section 13.10.478.

(D) If a coastal permit or tentative map approval is required, it must be included in the application.

(1) Coastal Permit Requirements. Where a site is located in the Coastal Zone and requires a coastal permit for development, the provisions of Chapter 13.20 SCCC apply. Wherever possible, the environmental review performed at the time the site was designated under the Regional Housing Need R Combining District will be utilized in the processing of the coastal permit.

(2) Subdivisions. Development that includes approval of a tentative map is subject to the provisions of the Subdivision Map Act and Chapter 14.01 SCCC. Where a tentative map is proposed, the public hearing may be expanded to address findings necessary under the Subdivision Map Act. Wherever possible the environmental review performed at the time the site was designated under the Regional Housing Need R Combining District will be utilized in the processing of the subdivision.

Relocated from SCCC 13.10.478

SECTION VII

Section 13.10.477 is amended to read as follows:

13.10.477 ~~Use and development~~ Development standards in the Regional Housing Need R Combining District.

~~(A) Site Selection Criteria. For sites to be designated under the Regional Housing Need R Combining District, the site must be approved by the Board of Supervisors based on the~~

Redundant text deleted. All rezoning is required to be approved by the Board of Supervisors pursuant to SCCC 13.10.215(F)

~~County's housing needs.~~

~~(B)~~ (A) Development Standards.

~~(1) Sites designated under the Regional Housing Need R Combining District shall be developed at 20 units per acre. Development at the required density shall be by right for sites zoned as provided in SCCC [13.10.478](#). For the purposes of calculating density under these provisions, the developable area of each site designated under the Regional Housing Need R Combining District shall be determined at the time the site is designated. Such developable acreage shall be calculated in accordance with SCCC 13.10.700 D definition of "developable land" and SCCC 13.10.700 S definition of "site area, net" except that roadways and driveways shall be included in the developable acreage calculation for the purposes of determining net developable acreage. The number of potential units will be determined by multiplying the developable acreage by 20. Where such calculation results in a fractional number, the number of units shall be determined by rounding down to the nearest whole number.~~

~~(2)~~ (1) Master Planning. Where contiguous or adjacent parcels are designated under the Regional Housing Need R Combining District, any development proposal for one parcel may be required to include a master plan for development of all contiguous or adjacent parcels which are also designated under the Regional Housing Need R Combining District. The purpose of the master plan is to define interior circulation patterns, exterior site access,

fire access to all parcels, infrastructure improvements, common area location and amenities.

(32) Site standards shall be those established by SCCC 13.10.323 for RM 1.5 to RM 4.9, with the following alternative standards also available. ~~Incentives and Concessions. Residential projects proposed under the Regional Housing Need R Combining District are entitled to all of the following alternative development standards. If the applicant requests any incentives or concessions under Chapter 17.12 SCCC, each of these alternative development standards shall be considered as one incentive or concession if incorporated into the residential project.~~

(a) Parking requirements: 1.5 spaces per studio or one-bedroom units; 2.0 spaces for two-bedroom units; 2.5 spaces for three-bedroom units; 3.0 spaces per four-bedroom units. An additional 20 percent of the total number of parking spaces is required to accommodate guest parking. Modifications of these standards can be approved for individual sites in the R Combining District as part of ~~an~~the approved PUD for each site, based on unique site and design factors;

(b) Height up to 35 feet measured from pre-construction natural grade and up to three stories exclusive of subsurface parking. Modifications of these standards can be approved for individual sites in the R Combining District as part of ~~an~~the approved PUD for each site, based on unique site and design factors;

(c) Limits on lot coverage and floor area ratio ~~do not apply~~ (may be established for individual sites in the R Combining District as part of an approved PUD for each site, based on unique site and design factors;

~~(d) Size of affordable units not less than 70 percent of the average size of the market rate units and average number of bedrooms 0.5 bedrooms less than the average number of bedrooms in the market rate units;~~

~~(e)~~ Clustering of affordable units is allowed when 100% of the units to be developed are deed restricted rental units affordable to households earning below 80% of the area median income;

~~(f)~~ Where garages are provided for market rate units, garages are not required for affordable units; and

(gf) Maintain standard riparian buffer but eliminate 10-foot additional riparian construction buffer.

(43) Developments shall encourage energy efficiency, and environmentally sensitive design and building materials.

(54) If located within the Coastal Zone, ~~any allowed incentives and concessions~~the project's development standards must be found to be in conformity with the Local Coastal Program provisions that ensure no impact on Coastal resources, (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access and open space protections), ~~and must protect coastal resources (as defined in SCCC 13.20.040).~~

SECTION VIII

Section 13.10.478 is hereby deleted:

13.10.478 By-right development.

~~Notwithstanding the requirements of the residential uses chart in SCCC 13.10.322, when required by State law, and in the event that the current adopted housing element includes a program to rezone sites to appropriate densities to address the inadequacy of suitably zoned sites required to meet the regional housing need, those sites identified to fulfill that program shall be developed by right, in that the use and density for the site are not discretionary. For these sites, the following standards and alternative process shall also apply:~~

~~(A) The developable acreage of the site will be determined, and the site will be assigned a number of units equivalent to 20 units per acre at the time the site is designated under the Regional Housing Need R-Combining District.~~

~~(B) Environmental review, as required by the California Environmental Quality Act, will be completed as part of the process for rezoning of such sites into the Regional Housing Need R-Combining District. No further environmental review will be necessary for development of the sites except for development projects requiring a coastal permit or those requiring approval of a tentative map (see subsections (E)(1) and (2) of this section).~~

~~(C) A planned unit development permit outlining site-specific development standards and any CEQA mitigation measures will be adopted, in accordance with SCCC 18.10.180 et seq., for each site at the time the site is rezoned into the R-Combining District.~~

~~(D) Development proposals shall undergo a design review process and public hearing limited to design issues only. No discretionary permit is necessary for the density or use of the site. For development proposals under these “by right” provisions, applicants must apply for a design~~

This section, directed specifically to the initial -R combining district rezoning program undertaken by the Board of Supervisors in 2007, is now redundant with SCCC 13.10.476 and 13.10.477.

~~review and site development permit which shall be acted upon by the Board of Supervisors.~~

~~(E) If a coastal permit or tentative map approval is required, it must be included in the application.~~

~~(1) Coastal Permit Requirements. Where a site is located in the Coastal Zone and requires a coastal permit for development, the provisions of Chapter [13.20](#) SCCC apply. Wherever possible, the environmental review performed at the time the site was designated under the Regional Housing Need R Combining District will be utilized in the processing of the coastal permit.~~

~~(2) Subdivisions. Development that includes approval of a tentative map is subject to the provisions of the Subdivision Map Act and Chapter [14.01](#) SCCC. Where a tentative map is proposed, the public hearing may be expanded to address findings necessary under the Subdivision Map Act. Wherever possible the environmental review performed at the time the site was designated under the Regional Housing Need R Combining District will be utilized in the processing of the subdivision.~~

SECTION IX

Section 13.10.700 is amended to read as follows:

13.10.700-D “D” definitions.

“Density bonus/~~incentive zoning~~” means the allocation of development rights that allow a parcel to accommodate ~~additional square footage or~~ additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision of affordable unit(s) pursuant

~~to Chapter 17.12, or preservation of an amenity at the same site or at another location. Under California law, a housing development that provides 20 percent of its units for lower income households, or 10 percent of its units for very low income households, or 50 percent of its units for seniors is entitled to a density bonus.~~

Relevant Land Use Policies

Objective 2.10 Urban High Density Residential Designation (R-UH)

To provide higher density residential development (10.9 to 17.4 units per net developable acre) in areas within the Urban Services Line (USL). These areas shall be located where increased density can be accommodated by a full range of urban services and in locations near collector and arterial streets, transit service, and neighborhood, community, or regional shopping facilities. Housing types appropriate to the Urban High Density designation may include: small lot detached houses, “zero lot line” houses, duplexes, town homes, garden apartments, mobile home parks, and congregate senior housing.

2.10.3 Specific Density Determination

Consider terrain, adequacy of access, presence of significant environmental resources, the pattern of existing land use in the neighborhood, and unique circumstances of public value, for instance, the provision of very low or lower income housing in accordance with State law, in determining the specific density to be permitted within the Urban High Density Residential designation. (See chapter 8: Community Design.)

Objective 2.13 Neighborhood Commercial Designation (C-N)

To provide compact, conveniently-located, and well-designed shopping and service uses to meet the needs of individual urban neighborhoods, rural communities and visitors.

2.13.3 Allowed Uses in the Neighborhood Commercial Designation

Allow a variety of retail and service facilities, including neighborhood or visitor oriented retail sales, recreational equipment sales, personal services, limited offices, restaurants, community facilities including child care facilities, schools and studios, rental services, and similar types of retail and service activities.

2.13.4 Expansion of the Neighborhood Commercial Designation

Only allow Neighborhood Commercial uses that are small scale, appropriate to a neighborhood or visitor service area, and which will not have adverse traffic, noise, and aesthetic impacts on the adjacent residential areas. Allow the expansion of Neighborhood Commercial land use designations only where:

- . a need and market exists, and
- . the use will not adversely affect adjacent residential neighborhoods.

Objective 2.14 Community Commercial Designation (C-C)

To provide well-designed centers of concentrated commercial use accommodating a mix of activities serving the general shopping, service and office needs of community-wide market areas.

2.14.2 Allowed Uses in the Community Commercial Designation

Allow a wide variety of retail and service facilities, including retail sales, personal services, offices, restaurants, community facilities including child care facilities, schools and studios, hotels and recreational rental housing units, rental services, and similar types of retail and service activities.

2.14.6 Quality of Commercial Design

Ensure quality commercial development through Commercial Development Permit procedures to regulate signage, landscaping, buffering, on-site circulation, parking, drainage, site and building design, and traffic patterns and access. Require commercial facilities to be compatible with adjacent land uses and neighborhood character, to utilize and complement the scenic and natural setting of the site and area, and to provide proper management and protection of the environment. (See chapter 8: Community Design)

Objective 2.15 Professional and Administrative Office Designation (C-O)

To establish professional and administrative office areas where there is a recognized need for office uses, such as medical center areas and adjacent to commercial centers, and to provide for lower impact, non-retail commercial uses as a buffer between residential areas and more intensive commercial and industrial activities.

2.15.1 Location of Professional and Administrative Offices

Designate on the General Plan and LCP Land Use Maps those areas suitable for Professional and Administrative Office uses which are:

- . located on a major arterial, and
- . in an area where such uses will be a buffer between residential uses and major commercial centers or industrial uses, or
- . in an area where medical offices are appropriate due to proximity to a major hospital, provided that such placement shall not conflict with agricultural or resource protection policies.

2.15.2 Allowed Uses

Allow offices such as medical offices, business offices, branch banks, and real estate offices, as well as personal services, in areas designated for Professional and Administrative Offices. Allow restaurants of 500 square feet or less, intended to serve employees or clients of the office development, or restaurants with hours of operation that would allow parking to be shared with the office uses, subject to an approved parking plan. Restaurants are not allowed where the office designation is utilized as a buffer to residential areas. Allow retail sales associated with nearby medical facilities and also allow small schools and studios. Allow child care facilities intended to serve the employees of the office development. Exclude other retail, wholesale, service commercial and industrial uses.

Objective 2.16 Visitor Accommodations Designation (C-V)

To provide for a variety of temporary residential uses in both urban and rural areas which provide for visitor needs while preserving the unique environmental settings that attract visitors to the County and protecting residential communities in the County.

2.16.3 Allowed Uses in the Visitor Accommodations Designation

Allow a variety of visitor-serving uses in the Visitor Accommodations Designation, including motels, hotels, inns, lodges, recreational vehicle parks, hostels, commercial camping, and, where appropriate, limited appurtenant public restaurants, visitor services and retail shops. Allow child care facilities intended to serve both visitors and employees of the visitor-serving development.

Require a Commercial Development Permit to establish and maintain such uses and closely monitor each use to prevent significant adverse impacts on adjacent residential areas.

2.16.9 Conversion of Visitor Accommodations to Residential Use

Prohibit conversion of visitor accommodations in the coastal zone to any non-priority use unless it can be demonstrated that it is economically infeasible to use the property for any priority use. Absolutely prohibit the conversion of hotels or motels in the coastal zone. Require any visitor accommodations that are converted to a permanent occupancy residential use to conform to applicable General Plan and LCP Land Use Plan density standards, and to provide a minimum of 15 percent of the units as affordable to lower and moderate income households.

Objective 2.17 Service Commercial and Light Industrial Designation (C-S)

To meet the service and employment needs of the community by providing for commercial services and light industrial activities in areas having adequate access and public services and where the impacts of noise, traffic, and other nuisances and hazards associated with such uses will not adversely affect other land uses.

2.17.3 Allowed Uses in Service Commercial and Light Industrial Designations

Allow light industrial facilities such as assembly and manufacturing, commercial service facilities such as auto repair, contractors' yards, and warehousing; and outdoor sales facilities, such as nurseries, lumber yards, and boat and auto sales in the Commercial Services/Light Industry land use designation. Limit the permitted uses in this category to those without major pollution or nuisance factors. Limit general retail uses in this designation to those which require large showrooms or outside sales area, or those which are ancillary to a manufacturing use and market items produced on site. Allow child care facilities intended to serve the employees of the light industrial development. Allow limited office uses and those which are accessory to the approved service commercial or light industrial use.

Objective 2.21 Public Facility/Institutional Designation (P)

To ensure adequate present and future availability of land for both public and quasi –public facility uses including schools and University facilities, fire stations, churches, hospitals, cemeteries, sanitary landfills, and water supply and treatment facilities.

2.21.1 Public Facility/Institutional Land Use Designation

Utilize a Public Facility land use designation on the General Plan and LCP Land Use Maps to designate public and quasi-public facilities uses and integrally related public facility support facilities. Recognize an intensity of use for existing public and private institutions at existing levels of development:

- (a) Permit new development or increases in intensity of use for public institutions and private non-residential public facilities uses where consistent with infrastructure constraints, and scenic, natural and agricultural resource protection.
- (b) Permit new development or increases in intensity of use for private public facility residential uses, (1) in urban areas equivalent to medium density residential, and (2) in rural areas

equivalent to the rural residential density range: 2-1/2 to 20 acres/dwelling unit (or equivalent), as determined by application of the Rural Density Matrix.

Objective 2.22 Coastal Dependent Development

To ensure priority for coastal-dependent and coastal-related development over other development on the coast.

2.22.1 Priority of Uses within the Coastal Zone

Maintain a hierarchy of land use priorities within the Coastal Zone:

First Priority: Agriculture and coastal-dependent industry

Second Priority: Recreation, including public parks; visitor serving commercial uses; and coastal recreation facilities.

Third Priority: Private residential, general industrial, and general commercial uses.

2.22.2 Maintaining Priority Uses

Prohibit the conversion of any existing priority use to another use, except for another use of equal or higher priority.

Objective 2.23 Conservation of Coastal Land Resources

To ensure orderly, balanced utilization and conservation of Coastal Zone resources, taking into account the social and economic needs of the people of Santa Cruz County.

2.23.1 Lower and Moderate Income Housing in the Coastal Zone

Restrict conversion or demolition of existing residential units occupied by persons or families of lower or moderate income, unless provision has been made for replacement of those units.

Replacement units shall be available to persons of lower or moderate income, and if the units which are converted or demolished are in the Coastal Zone, replacement units shall be located elsewhere within the Coastal Zone, if feasible.