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ADOPTED 6/30/2026
Board of Supervisors
DOC-2026-508

ORDINANCE NO. 5514

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING SANTA CRUZ COUNTY CODE CHAPTERS 9.36, 13.10, 13.11, 13.16, 13.20, 16.10, 16.10A, 16.20, 16.20A, 16.42, and 18.10 AND AMENDING THE ZONING MAP TO CHANGE THE ZONING OF PARCELS APN 026-091-54, 026-261-17, 029-071-13, 030-121-34, 042-151-23, 070-301-01, AND 074-152-30 TO STREAMLINE PROVISIONS, ENSURE COMPLIANCE WITH APPLICABLE STATE AND FEDERAL LAW, AND ENHANCE CLARITY, ACCURACY, AND INTERNAL CONSISTENCY WITHIN THE SANTA CRUZ COUNTY CODE

WHEREAS, the Santa Cruz County Code is periodically amended to ensure compliance with applicable state and federal laws, correct inconsistencies, and improve the clarity, accuracy, and overall effectiveness of the Code; and

WHEREAS, amendments to the County Code may be required from time to time to address technical corrections, update references, and provide necessary improvements to the legal and regulatory framework within Santa Cruz County; and

WHEREAS, the Zoning Map is periodically amended to maintain internal consistency with the General Plan and Local Coastal Program, and to implement necessary updates to zoning classifications and regulatory designations within Santa Cruz County; and

WHEREAS, the Planning Commission held a public meeting on April 8, 2026, and duly noticed public hearings on April 22, 2026, and May 13, 2026, to consider an ordinance to amend Santa Cruz County Code Chapters 9.36, 13.10, 13.11, 13.16, 13.20, 16.10, 16.10A, 16.20, 16.20A, 16.42, 18.10 and amend the Zoning Map to change the zoning of parcels APN 026-091-54, 026-261-17, 029-071-13, 030-121-34, 042-151-23, 070-301-01, 074-152-30 to streamline provisions, ensure compliance with State and Federal Law and to improve clarity, accuracy, and consistency within Santa Cruz County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on June 9, 2026, to consider public input on the proposed ordinance and Zoning Map changes;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz hereby ordains as follows:

SECTION I

Section 9.36.050 of the Santa Cruz County Code is hereby amended, to read as follows:

9.36.050 Restricted parking areas.

(A) Aptos Beach Drive. A maximum 20-minute parking zone is established on the westerly side of Aptos Beach Drive, from 20 feet north of the Esplanade to Marina Avenue, effective between the hours of 8:00 a.m. and 6:00 p.m.

(B) Porter Street. For a distance of 43 feet along the eastern curb of Porter Street northerly from the northern edge of the crosswalk across Porter Street at the northern edge of the intersection of Porter Street and Walnut Street in Soquel, as may be indicated by white paint on the curb, stopping only for loading or unloading of passengers for a period of time not to exceed five

minutes per vehicle shall be permitted.

(C) North Coast Beach Parking Areas. No parking shall be allowed either between the hours of 10:00 p.m. and 6:00 a.m. or 12:00 a.m. and 5:00 a.m. on any day within North Coast Beach parking areas for which signs indicate these specific parking restrictions apply.

(D) Bonny Doon Ecological Reserve Area. No parking shall be allowed at any time within that area adjacent to the Bonny Doon Ecological Reserve Area for which signs indicate this specific parking restriction applies.

SECTION II

Section 13.10.321 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.321 Purposes of residential districts.

(A) General Purposes. In addition to the general objectives of this chapter the residential districts are included in the Zoning Ordinance in order to achieve the following purposes:

(1) To provide areas of residential use in locations and at densities consistent with the County General Plan;

(2) To preserve areas for primarily residential uses in locations protected from incompatible effects of nonresidential land uses;

(3) To establish a variety of residential land use categories and dwelling unit densities which provide a choice of diversified housing opportunities to meet the housing needs of the community consistent with public health and safety;

(4) To achieve patterns of residential settlement that are compatible with the physical limitations of the land and the natural resources of the County and that do not impair the natural environment;

(5) To ensure adequate light, air, privacy, and open space for each dwelling unit;

(6) To maximize efficient energy use and energy conservation in residential districts, and to encourage the use of locally available renewable energy resources;

(7) To provide adequate space for off-street parking of automobiles;

(8) To provide areas of residential use consistent with the capacity of public services, the urban services line and rural services line and the reserve capacity policy of the Local Coastal Program Land Use Plan for tourist services. To minimize traffic congestion and avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them; and

(9) To protect residential properties from nuisances, such as noise, vibration, illumination, glare, heat, unsightliness, odors, dust, dirt, smoke, traffic congestion, and hazards such as fire, explosion, or noxious fumes.

(B) Specific RA Residential Agricultural District Purposes. To provide areas of residential use where development is limited to a range of nonurban densities of single-family dwellings in areas outside the urban services line and rural ser[2]vices line; on lands suitable for development

with adequate water, septic system suitability, vehicular access, and fire protection; with adequate protection of natural resources; with adequate protection from natural hazards; and where small-scale commercial agriculture, such as animal-keeping, truck farming, and specialty crops, can take place in conjunction with the primary use of the property as residential.

(C) Specific RR Rural Residential District Purposes. To provide areas of residential use where development is limited to a range of nonurban densities of single-family dwellings in areas having services similar to RA areas, but which are residential in character rather than agricultural due to the pattern of development and use in the area and/or the presence of constraints which would preclude the use of the property for agriculture.

(D) Specific R-1 Single-Family Residential District Purposes. To provide for areas of predominantly single-family residential development in areas which are currently developed to an urban density or which are inside the urban services line or rural services line and have a full range of urban services, or are planned for a full range of urban services. Zone district names shall be combined with a number that shall indicate generally the typical land area needed for each dwelling unit on each site in the district. For example: “R-1-6” means a typical land area of 6,000 square feet per dwelling unit. The R-1 Single-Family Residential District located outside the urban services line recognizes as conforming those parcels that are generally less than one acre in size, are legal lots of record, and were developed with or intended for development of a single-family residence. Newly created parcels outside the urban services line shall not be zoned R-1.

(E) Specific RB Single-Family Ocean Beach Residential District Purposes. To accommodate single-family dwellings on existing lots of record in the vicinity of the cliffs and the ocean beach; where lots abut on and obtain access from a street which is generally parallel to both the beach and the cliff, and which has an elevation of not more than 20 feet above sea level; and where either the seaward right-of-way line of the street or the seaward boundary line of the lots on the ocean side of the street abut open beachlands which are unobstructed to the mean high tide line.

(F) Specific RM Multifamily Residential District Purposes. To provide for areas of residential uses with a variety of types of dwellings in areas which are currently developed to an urban density or which are inside the urban services line or rural services line and have a full range of urban services. RM zone district names shall be combined with a number that shall indicate generally the typical land area needed for each dwelling unit on each site in the district. See Section 13.10.321(D) example.

(G) Specific RF Residential Flexible District Purposes. To accommodate a greater intensity of residences along and near public transportation corridors within the County's urban services line, creating opportunities for infill housing available to residents at various income levels and household sizes, including workers, students, singles, and seniors, specifically by encouraging compact attached housing units. Parcels within the RF Zone District shall be located in areas with a full range of urban services and in close proximity to commercial services, schools/colleges, major employment centers, and/or multimodal corridors as mapped in the Santa Cruz County General Plan/Local Land Use Plan.

Ground-floor commercial uses may be appropria3te in the RF district if compatible with adjacent land uses.

SECTION III

Section 13.10.323 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.323 Development standards in residential districts.

(A) Site Development Permit. A discretionary permit for physical site development such as an addition, exterior remodel, or new construction associated with an allowed use is known as a "site development permit." SCCC 13.11.035 identifies the types of site development projects which require a site development permit. The processing procedures and findings for site development permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures.

(1) Design review is required for some site development permits pursuant to SCCC 13.11.040 through 13.11.080.

(2) Modification of a site or structure with a valid site development permit may be processed as an amendment to the existing site development permit in accordance with SCCC 18.10.134. For modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, see SCCC 13.10.260 et seq.

(B) Site Area for the Creation of New Sites.

(1) Calculation of Land Area. Inside the urban services line or rural services line, land area is based on gross site area, minus any coastal bluffs, beaches, and land seaward of the mean high tide line of Monterey Bay. Outside the urban and rural services lines, land area is based on net developable site area. See SCCC 13.10.700 for definitions of "site area, gross" and "site area, net developable."

(2) Maximum Land Area per Dwelling Unit (Minimum Density). Maximum land area allowed for each dwelling unit on a new site shall be determined by the minimum density in the density range provided by the General Plan designation for the parcel.

(3) Minimum Land Area per Dwelling Unit (Maximum Density).

(a) RA and RR Residential Districts. Minimum land area required for each dwelling unit on each site shall be established by the rural residential density determination matrix (SCCC 13.14) outside the urban services line and rural services line or shall be one acre inside the rural services line.

(b) R-1 and RM Residential Districts. Maximum density shall be determined by the maximum number of dwelling units per acre allowed within the density range of the applicable General Plan designation for the parcel.

(c) RB Ocean Beach Residential District. Minimum land area per dwelling unit is 4,000 square feet.

(d) RF Residential Flex District. Minimum land area is 968 square feet per dwelling unit (maximum density of 45 dwelling units per acre).

(4) Parcel size shall be consistent with the General Plan, Local Coastal Program Land Use Plan, the Geological Hazards Ordinance (SCCC 16.10), and the minimum parcel size standards in SCCC 13.10.510(H). For purposes of this subsection, minimum parcel size shall be determined by dividing the gross site area of the parcel by the maximum density allowed under the appl4icable General Plan designation.

(5) In the zone districts listed in subsections (B)(3)(a) through (d) of this section, one single-family dwelling is permitted on existing parcels regardless of the site area standards if other infrastructure requirements can be met, such as water and sewer, and if all other applicable LCP requirements are met.

(C) Site and Structural Dimensions Chart. The following single-family and multifamily charts show development standards for residential zone districts. These standards shall apply within all residential R zone districts, except as noted elsewhere in this section, and in the general exceptions as noted in SCCC 13.10.510 et seq.

Table 13.10.323-1: Single-Family Residential Site and Structural Dimensions Chart

Development Standards based on lot size	**Standards by Lot Size/Zone[1,2]**						
	Special standards in RB	**2,500 to 4,999sf**	**5,000 to 5,999sf**	**6,000 to9,999sf**	**10,000 to 15,999sf**	**16,000sf to <1 acre**	**>1 acre**
Parcel Dimensions (new parcels)							
Minimum site width (feet)	40	35	35	60	60	90	1-5 acres: 100 > 5 acres: 150
Minimum parcel frontage (feet)	40	35	35	60	60	60	1-5 acres: 60 > 5 acres: 100
Building Massing[1]							
Maximum building height	25 (17 for beach lots)	28	28	28	28	28	28
Maximum number of stories	2 (1 for beach lots)	2	2	2	2	2	3

Maximum floor area ratio (FAR)[3]	0.5	2,500 to 2,999sf: 0.7 3,000 to 3,999sf: 0.6 4,000 to 4,999sf: 0.6	0.5	0.5	0.5	NA	NA
Maximum parcel coverage ("lot coverage")	40%	45%	40%	40%	40%	20%	10%
Building Setback Distance From Property line[1,4,5]							
Side yard setbacks—interior (feet)	0 & 5	5 & 5	5 & 8	5 & 8	10 & 10	15 & 15	20 & 20
Side yard setback—street-facing (feet)	10	8	10	10	10	15	20
Rear yard setback (feet)	10 (0 for beach lots)	15	15	15	15	15	20
Front, side, or rear yard setback—garage/carport entrance (feet)	20	18	20	20	20	20	20

1. Building massing and setback standards are provided for primary dwellings. See SCCC 13.10.611 for development standards for accessory structures, including detached garages. See SCCC 13.10.681 for development standards for accessory dwelling units (ADUs).
2. Exceptions to site development standards apply per subsection (E) through (G) of this section.
3. To calculate FAR, see SCCC 13.10.510 and 13.10.700 for "floor area ratio" and related definitions.
4. Sidewalks and other amenities for pedestrians, bicyclists, and transit riders are required based on street typology and roadway classification. Space for these amenities may lead to larger front and street side setback requirements. See SCCC 15.10.050 and County Design Criteria.
5. See SCCC 13.16.093, Sight distance, for areas in which no structure, fence, or retaining wall shall exceed three feet in height. In some cases, sight distance requirements may require a structure to be set back farther than the zone district requirements.

Table 13.10.323-2: Multifamily Residential Site and Structural Dimensions Chart

Development Standards based on lot size	Standards by Lot Size/Zone [1,2]					
	Special standards for RF	1,500 to 2,999sf	3,000 to 4,499sf	4,500 to 4,999sf	5,000 to 6,499 sf	>6,500sf
Parcel Dimensions (new parcels)						
Minimum site width (feet)	50	35	35	35	50	60
Minimum parcel frontage (feet)	50	35	35	35	50	60
Building Massing[1]						
Maximum building height	40	28 (outside USL) 35 (within USL)	28 (outside USL) 35 (within USL)	28	28	28
Maximum number of stories	3	3	3	2	2	2
Maximum floor area ratio (FAR)[3]	1.1 (< 30 du/acre) 1.5 (≥30 du/acre)	0.7	0.6	0.5	0.5	0.5
Maximum parcel coverage ("lot coverage")	NA	45%	45%	45%	45%	45%
Building Setback Distance from Property Line[1,4,5]						
Front yard setback (feet)	10	15	15	15	20	20
Side yard setbacks—interior (feet)	5 & 5	5 & 5	5 & 5	5 & 5	5 & 8	5 & 8

Side yard setback—street (feet)	8	8	8	8	8	8
Rear yard setback (feet)	15	15	15	15	15	15
Front, side, or rear yard setback—Garage/carport entrance (feet)	18	18	18	20	20	20
Third story setback (feet)	Minimum of 50% of exterior walls of the third story set back at least 10 feet from property setback lines	NA	NA	NA		

1. Building massing and setback standards are provided for primary dwellings. See SCCC 13.10.611 for development standards for accessory structures, including detached garages. See SCCC 13.10.681 for development standards for accessory dwelling units (ADUs).
2. Exceptions to site development standards apply per subsections (E) through (G) of this section.
3. To calculate FAR, see SCCC 13.10.510 and 13.10.700 for definition of "Floor Area Ratio" and related definitions. See SCCC 13.10.323(F)(8) for FAR exemption.
4. Sidewalks and other amenities for pedestrians, bicyclists, and transit riders are required based on street typology and roadway classification. Space for these amenities may lead to larger front and street side setback requirements. See SCCC 15.10.050 and County Design Criteria.
5. See SCCC 13.16.093, Sight distance, for areas in which no structure, fence, or retaining wall shall exceed three feet in height. In some cases, sight distance requirements may require a structure to be set back farther than the zone district requirements.

(D) Usable Open Space. In RM and RF Districts, common and private usable open space shall be provided according to the following table:

Table 13.10.323-3: Usable Open Space Requirements

Type of Open Space	RM Districts	RF District
Common open space	Minimum of 200 sf per unit. Minimum dimension of 15' for sites up to 1/2 acre, and 20' for sites larger than 1/2 acre.	Minimum 15% of gross site area (common and/or private space). If group open space provided, apply a minimum dimension of 15' for sites up to 1/2 acre, and 20' for sites larger than 1/2 acre.

Private open space (must be directly accessible from the dwelling unit served)	Minimum of 60 sf per unit, with a minimum dimension of 6'.	Minimum of 60 sf per unit for 50% or more of units included in project, with a minimum dimension of 6'.

All required usable open space:

(1) Shall be planted with lawn or ground cover, or surfaced with dust-free material;

(2) Shall be screened from streets and adjacent sites;

(3) If above ground, shall be open on at least one side;

(4) Shall not be located in a parking area, driveway, or service area;

(5) Shall not have a slope of more than 10 percent; and

(6) Shall not be obstructed except by improvements that enhance its usability, such as swimming pools, fountains, sunshades, and plantings.

(E) Site and Structural Dimensions Exceptions Relating to Parcels.

(1) Parcels Created From New Land Divisions. Within any new land division project, all development standards on all lots or parcels created are subject to all the restrictions stated in this section unless a variance or other reduction is granted. If an approval is granted for site and structural dimensions that vary from the general requirements based on the sizes of the lots created, the approved standards and dimensions for each new lot or parcel shall be specifically indicated on the approved tentative map.

(2) Nonconforming Parcels. On an existing lot of record that has less than 80 percent of the minimum width, or frontage specified, the building setbacks required shall be equal to those that most closely correspond to the width or frontage of the substandard lot.

(3) Parcels Reduced Due to Right-of-Way Dedications.

(a) A site area variance approval shall not be required for a new single-family dwelling or additions to an existing single-family dwelling on an existing lot of record which is reduced in size to less than the minimum allowed site area as specified in SCCC 13.10.323(C) due to requirements for a public dedication of right-of-way.

(b) For a new or existing single-family dwelling on an existing lot of record which becomes nonconforming due to a public dedication of right-of-way, variances to building setback and structural dimension requirements shall not be required; provided, that the front yard setback is not less than 15 feet and the street side yard setback is not less than six feet.

(4) Parcels With Agricultural, Geological or Environmental Resources and/or Constraints. For setbacks from fault zones, floodplains/floodways, and coastal bluffs and beaches, see SCCC 16.10.070. For setbacks from riparian corridors see SCCC 16.30.040. For setbacks from sensitive habitats, see SCCC 16.32.090. For setback/buffer requirements for parcels abutting commercial agricultural, CA zoned parcels, see SCCC 16.50.095.

(5) Parcels With Steep Slopes.

(a) In all residential zone districts, if the elevation of the lot at a point 50 feet from the center line of the traveled roadway is seven feet or more above or below the elevation of said center line, an attached or detached carport which (in the interest of public safety) is unenclosed on all sides may be built to within five feet of the front property line or edge of right-of-way of the lot. Open safety railings no more than 42 inches in height may be constructed to the property line without a development permit, except that in the Coastal Zone a coastal development permit will be required for all such development unless it is exempt from coastal development permit requirements pursuant to SCCC 13.20.060 or 13.20.070.

(b) In the RB District, where the site abuts an existing street, road, or easement for road purposes recorded in the County Recorder's Office before March 25, 1969, and where the front 30 feet of the site exceeds a slope of 25 percent, no front yard is required.

(6) Parcels With Double Frontage. When both the front and rear property lines of a parcel abut a right-of-way to which it has legal access, the required front yards shall be measured from both rights-of-way. Only one of the front yards shall be required to meet the off-street parking criteria described in SCCC 13.16.

(7) For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and SCCC 16.42, the maximum parcel coverage shall be 1.25 times that of the applicable zone district, and the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance and with SCCC 16.42.

(8) Fire Safe Setbacks in State Responsibility Areas. Greater setbacks may apply for parcels in State Responsibility Areas (SRAs). See the County GIS system to determine if a parcel is in an SRA, and the State Fire Code and Title 14, Chapter 7, Section 1270.00, et seq. of the California Code of Regulations for State SRA Fire Safe Regulations.

(F) Site and Structural Dimension Exceptions Relating to Structures.

(1) Structural Encroachments. Eaves, chimneys, bay windows (less than 60 inches in height), uncovered, unenclosed porches, decks, stairways, and landings may extend into required front and rear yard by six feet; provided, that balconies or decks must be cantilevered in order to encroach. Eaves, chimneys and uncovered, unenclosed stairways and landings may extend into required side yard three feet. Decks less than 18 inches high may be constructed to property lines. Second story rooftop decks and landings are not permitted. Structural encroachments associated with accessory dwelling units must preserve minimum two-foot interior side and rear setbacks.

(2) Affordable Housing. Variations from maximum structural height, maximum number of stories and maximum floor area as defined by FAR may be approved with a residential development permit by the appropriate approving body for affordable housing unit developments built on site or off site in accordance with SCCC 13.10.681, 13.10.685 and SCCC 17.10.

(3) Missing Middle Housing.

(a) Per California Government Code Section 65913.11 (SB 478), certain small housing projects shall have no maximum density and a maximum FAR as follows:

(i) Three to seven housing units: maximum FAR 1.0.

(ii) Eight to 10 housing units: maximum FAR 1.25.

(b) Eligible housing projects for subsection (F)(3)(a) of this section must be located within a Census designated urban area, in the RM or RF Zone District, and not within the "L" combining zone district.

(c) Within new land divisions where multiple parcels are created in accordance with the allowed density, attached single-family homes may be constructed with their attached wall along the property line.

(4) Structures Designed for Solar Access.

(a) Criteria for New Construction. In cases where it is not possible to orient a new building southward within the applicable yard requirements for the purpose of incorporating an active or passive solar energy system, a reduction in such yard requirements may be authorized with an MSP issued pursuant to SCCC 18.10; provided, that:

(i) The purpose of the reduction is to incorporate an active or passive solar energy system into the new building;

(ii) The building envelope would comply with all zoning provisions if oriented parallel to the lot lines;

(iii) The reduced yard requirement will not restrict emergency access or present a fire hazard; and

(iv) The reduced yard requirement will not be detrimental or injurious to property or improvements in the neighborhood, and will not limit solar energy access on neighboring property to a greater extent than if the building envelope complied with the required setbacks.

(b) Criteria for Structural Additions. In cases where it is not possible to make additions to an existing structure within the applicable yard requirements for the purpose of attaching an active or passive solar energy system, reduction in such yard requirements may be authorized with an MSP issued pursuant to SCCC 18.10; provided, that:

(i) The reduced yard requirement will not restrict emergency access, or present a fire hazard;

(ii) The reduced yard requirement will not be detrimental or injurious to property or improvements in the neighborhood, and will not limit solar energy access on neighboring property to a greater extent than if the building envelope complied with the required setbacks; and

(iii) The portion of the addition within the required setback is designed for the primary purpose o[1]f[1]collecting solar energy.

(5) Structures Larger Than 5,000 Square Feet. No residential structure shall be constructed which will result in 5,000 square feet of floor area or larger, exclusive of accessory structures, unless a CUP is obtained pursuant to the provisions of SCCC 13.10.324(C).

(6) Structures Exceeding Height Limit.

(a) With Increased Yards. An additional height allowance is allowed if all required yards are increased five feet for each foot over the permitted building height, and planning approvals are obtained according to the following table:

Parcel Size (Net Site Area)	**Maximum Height Above Existing Grade**	**Planning Approvals Required**
Less than 2-1/2 acres	Over the specified height limit (may vary based on zone district)	AUP
2-1/2 acres or larger	Over the specified height limit, up to 7 additional feet	MUP
	Over the specified height limit, more than 7 additional feet	AUP

(b) With Design Review. An additional height allowance of up to five feet may be allowed without increased yards or variance approval, subject to design review and CUP approval.

(7) Front Yard Averaging.

(a) On a site situated between sites improved with buildings, the minimum front yard for the first floor of structures other than garages or carports may be the average depth of the front yards on the improved sites adjoining the side lines of the site but in no case shall be less than 10 feet.

(b) Where a site is not situated between sites improved with buildings and where sites comprising 40 percent of the frontage on a block are improved with buildings, the minimum front yard for the first floor of structures other than garages or carports may be the average of the existing front yard depths on the block but in no case shall be less than 10 feet.

(c) In computing average front yard depths, the figure 30 feet shall be used in lieu of any front yard depth greater than 30 feet.

(d) The minimum setback to the entrance of proposed garages or carports shall meet the minimum setbacks shown in this section, site and structural dimensions charts, or as allowed by subsection (E)(5) of this section, Parcels With Steep Slopes. The required front yard setback for other accessory structures may be reduced as allowed by SCCC 13.10.611(D).

(8) FAR Parking Exemption. Within the USL, Residential Flex, RM-1.5 to RM-2.5 and RM-3 to RM-4 projects that incorporate at least 75 percent of parking spaces with underground garages, multi-story above-ground garages, or podium parking located on or off site are not subject to a maximum F A1 R2 .

(G) Additional Exceptions to Development Standards. Applicants may apply to exceed development standards with a minor exception (SCCC 13.10.235), variance (SCCC 13.10.230), or planned unit development (SCCC 18.30.183).

SECTION IV

Section 13.10.324 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.324 Special standards and conditions for residential districts.

(A) Design and Operating Criteria for Senior Rental Housing. All provisions of SCCC 13.11 and SCCC 13.10.323 shall be met. The design and operation of senior rental housing shall comply with State law.

(B) Within the Pleasure Point Commercial Corridor Area (Portola Drive between 26th Ave. and 41st Ave., and 41st Ave. between Portola Drive and the Capitola city limit), any parcels rezoned from a commercial to a residential zone district shall continue to be subject to the special standards applicable to properties in the Commercial Corridor provided in SCCC 13.10.334(D) and follow the guidance provided in Appendix B of the Santa Cruz County Design Guidelines: Design Principles for the Pleasure Point Commercial Corridor.

(C) Large Dwelling Permit Requirements and Design Guidelines.

(1) Approvals. No single-family dwelling unit shall be constructed which will result in 5,000 square feet or more of "net floor area," exclusive of accessory structures associated with the residential use, unless a CUP is obtained pursuant to the provisions of this section.

(2) Findings. All applications subject to this section shall be approved only if at least one of the following findings can be made:

(a) The proposed structure is compatible with its surroundings given the neighborhood, locational or environmental context and its design is consistent with the large dwelling design guidelines in subsection (C)(4) of this section; or

(b) The proposed structure, due to site conditions, or mitigation measures approved as part of the application, will be adequately screened from public view and will not adversely impact public viewsheds, neighboring property privacy or solar access, and its design is consistent with the large dwelling design guidelines set forth in subsection (C)(4) of this section. (For structures within the Coastal Zone requiring a coastal development permit, additional findings shall be made pursuant to SCCC 13.20.)

(3) Conditions. Conditions of project approvals made pursuant to this section may include mitigation measures necessary to preserve the neighborhood character in which the proposed structure(s) will be located, to preserve neighboring property privacy or solar access, and/or to screen the structure(s) from the road. Such measures may include, but are not limited to: house and accessory structure re-siting, additional landscape screening and house redesign, including possible reduction in floor area.

(4) Large Dwelling Design Guidelines. New large dwellings and related accessory

structures regulated by this section are subject to the following design guidelines. The intent of these guidelines is to assist the applicant in meeting the requirements of the large dwelling regulations, and to assist the Director and Zoning Administrator in reviewing applications.

Large dwellings and their related accessory structure should be designed so that:

(a) Changes in the natural topography of the building site are minimized;

(b) Grading cuts and fills are minimized, and when allowed, are balanced; (c) House design and accessory structure horizontal elements follow hillside contours, where applicable;

(d) Colors and material are used to reduce the appearance of building bulk. Use of earthtone colors is encouraged;

(e) Building height appearance is minimized by varying the height of roof elements and setting back higher portions of the structure from prominent viewpoints;

(f) Ridgeline silhouettes remain unbroken by building elements. Building envelopes should be allocated to the lower portions of hillside lots, where feasible;

(g) The structure(s) is compatible in terms of proportion, size, mass, and height with homes within the surrounding neighborhood;

(h) Architectural features break up massing. This can be accomplished by varying roof lines, puncturing large wall expanses with bay windows or recessed wall planes, or using a combination of vertical and horizontal architectural elements;

(i) Landscaping helps blend the structure(s) with the natural environmental setting of the site. This can be done by preserving existing vegetation as much as possible, siting the structure(s) to take advantage of existing trees and land forms, and by planting fast-growing, native landscaping to screen elements visible from viewpoints located off the parcel on which the structure is located;

(j) The view to adjacent properties is controlled. This can be done by minimizing second-story windows facing close neighboring properties, orienting upper floor balconies and decks toward large yard areas, locating the structure on the site as far from property lines as possible, and using landscaping to enhance privacy; and

(k) The location of the structure(s) on the site minimizes view blockage within public viewsheds.

(D) Application of State Density Bonus Law for Affordable Housing. Within the Coastal Zone, the approving body (or the Coastal Commission on appeal) may approve a project that deviates from local coastal program (LCP) requirements (in terms of additional units and/or concessions, waivers, and/or incentives) where such deviations emanate from state density bonus law provisions (Government Code Section 65915), if the following criteria are met:

(1) The project (including additional units and/or concessions, waivers, and/or incentives) is consistent with Government Code Sec$_1$t$_4$ion 65915; and

(2) The project is found to be in conformity with all LCP provisions requiring avoidance of significant coastal resource impacts (including but not limited to impacts to sensitive habitat, agriculture, public viewsheds, public recreational access, and open space), where such finding shall be based on an analysis that compares the project (including with any concessions/waivers/incentives and/or increases in otherwise allowable density applied) with an LCP-consistent project (i.e., one without any such deviations applied that meets all LCP requirements) that clearly identifies all LCP deviations, coastal resource impacts associated with such deviations, and affordable housing benefits being provided; and

(3) The project is found to: (a) encourage housing opportunities for persons of low and moderate income while minimizing deviation from the LCP; and (b) lead to no significant adverse coastal resource impacts.

(E) Small-Scale Commercial Agriculture in RA, RR, and R-1 Zone Districts. Small-scale commercial agriculture such as crop raising is an allowed use in the RA Zone District, and may be allowed a conditional use permit in the RR and R-1 Zone Districts, when conducted at a scale and in a manner appropriate and secondary to the primary residential use of the parcel and where compatible with nearby residential land uses. Small-scale commercial agriculture is allowed only on sites with an existing residence. Agricultural uses which create hazardous fumes, odors, unsightliness, dust, or noise levels inappropriate to a residential area are not considered small-scale agriculture and are not allowed within residential zone districts. Small-scale commercial agriculture shall be compatible with residential land uses in terms of hours of operation, use of machinery and mechanical equipment, and pesticide usage. Small-scale commercial agriculture with on-site retail sale of products grown or produced on site such as Christmas tree farms or produce stands selling produce grown on site may be considered in the RA zone district only, subject to the approval of a conditional use permit, where the use is found to be compatible with nearby residential uses and other required findings and standards. In the RR and R-1 districts, small-scale commercial agriculture is also considered a home occupation and is therefore subject to SCCC 13.10.613, Home occupations as secondary uses.

(F) Small Lot Single-Family Development in RM and RF Zone Districts. Single-family detached development is only allowed in RM and RF Zone Districts per the provisions of California Government Code Section 66499.40 (AB 803).

SECTION V

Section 13.10.327 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.327 Two-unit residential developments.

(A) General Purposes. The purpose of this section is to provide for two-unit residential developments, pursuant to California Government Code Section 65852.21. The regulations in this section are promulgated in order to preserve the public health, safety and general welfare of the people and environment of the County of Santa Cruz, and to promote orderly growth and development.

(B) Definitions. Solely for the purposes of this section, the following words and phrases shall have the following definitions:

"Census Urban Area" means an urbanized are[1]a[5]or urban cluster, as designated by the

United States Census Bureau and as mapped in the County Geographic Information System (GIS).

"Dwelling unit" shall have the same meaning as defined in SCCC 13.10.700-D.

"Major transit stop," is as defined in Public Resources Code Section 21155.

"Primary dwelling unit," means one single-family or multi-family residential unit designated on a single parcel, as described in the definition of "dwelling unit" in SCCC 13.10.700-D.

(C) Property Eligibility Requirements.

(1) An eligible parcel shall be located wholly within a Census Urban Area.

(2) An eligible parcel shall only be located within the SU, R-1, RA, or RR zone districts. A parcel within the SU zone district must have an underlying single family residential General Plan/Land Use Plan land use designation, including R-MT, R-R, R-S, R-UVL, R-UL, R-UM, or R-UH, to be eligible.

(3) An eligible site shall not be in:

(a) Areas identified in Government Code Section 65913.4(a)(6)(B) to (K), inclusive.

(b) Historic district or property included on the State Historic Resources Inventory or designated or listed as a County historic property or historic district in the County's Historic Resources Inventory.

(c) Critical fire hazard area, as defined in SCCC 12.01.040.

(d) Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where proposed residences can meet the 100-year bluff erosion stability setback without reliance on any existing or proposed shoreline armoring.

(e) Environmentally sensitive habitat areas or their buffers within the Coastal Zone boundary, except for properties where there is a buildable site available outside of such areas and their buffers.

(4) A parcel located in any of the following areas as identified in the County General Plan/Local Coastal Program or County Code requires sufficient State and local mitigation to be eligible under this section:

(a) For areas not subject to subsection (C)(3)(d) of this section, geologic hazards, as defined in SCCC 16.10.040(T). Parcels within geologic hazard areas may be required to provide a geologic hazard assessment pursuant to SCCC 16.10.050(B).

(b) Outside of the Coastal Zone, 100-year flood hazard areas and floodways, as defined in SCCC 16.13. Parcels within these areas are only eligible if the flood hazards and floodways are mitigated pursuant to SCCC 16.13.

(c) State Response Areas (SRAs), including very high, high, and moderate fire severity zones, as mapped by the California Department of Forestry and Fire Protection (CAL FIRE) and the C[16]alifornia Board of Forestry and Fire Protection.

Parcels within these areas are only eligible if mitigation is provided in compliance with Government Code Section 65913.4(a)(6)(D) and the parcel is located outside critical fire hazard areas.

(d) Airport Safety Zones. Parcels within these areas are only eligible if they are compliant with standards and maximum densities established by SCCC 13.12.

(e) Outside of the Coastal Zone, sensitive habitat areas and their buffers shall be protected pursuant to SCCC Title 16. A biotic approval through the biotic review process outlined in SCCC 16.32 shall be obtained in order to establish appropriate development areas.

(5) No Ellis Act (California Government Code Section 7060 et seq.) evictions(s) have occurred for any existing housing on the parcel in the 15 years prior to submittal of the application.

(6) An eligible parcel shall be a legal parcel of record created in compliance with the Subdivision Map Act, the LCP, and applicable provisions of the Santa Cruz County Code.

(D) Project Requirements.

(1) For two-unit residential development only, the project shall contain no more than two primary residential units on a single parcel, plus accessory dwelling units (ADUs) or junior ADUs (JADUs) consistent with SCCC 13.10.681. The total number of units (primary units, ADUs and JADUs combined) may not exceed four units on a single parcel. ADUs and JADUs included in two-unit residential development must comply with the County ADU regulations.

(2) The project will not require demolition or alteration of any of the following types of housing:

(a) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(b) Housing that is subject to any form of rent or price control.

(c) Housing that has been occupied by a tenant (whether rent paying or not) in the last three years.

(3) All new rental units resulting from any two-unit residential development project shall be rented long term (greater than 30 days).

(E) Objective Development Standards. Two-unit residential development shall comply with the objective development standards below, except that no standard shall preclude the development of a unit up to 800 square feet. In the event that a standard is reduced, the reduction shall be the minimum required to accommodate the unit.

(1) Residential Structure Type.

(a) Attached single-family, detached single-family or multi-family duplex structures are allowed for two-unit residential developments. Duplexes may include either two primary units, [1]o[7]r a primary unit and one ADU, or a primary

unit and one JADU.

(b) Mobile homes are allowed for two-unit residential developments compliant with the adopted California Building Code. A mobile home is required to be less than 10 years old and placed on a permanent foundation.

(c) Tiny homes on wheels (THOW) are allowed for two-unit residential developments as a primary dwelling unit.

(d) Existing ADUs on a parcel may be converted into a primary dwelling unit. If an ADU is to be converted, the maximum number of two primary dwellings units for a two-unit residential development will be achieved.

(e) A combination of three or four units, attached or detached, comprised of primary dwellings plus ADUs and JADUs will be allowed for a two-unit residential development.

(2) Accessory Structures. Habitable and non-habitable accessory structures shall comply with SCCC 13.10.611.

(3) Lot Standards.

(a) For existing development on two-unit residential development applications, existing setbacks may be retained for an existing structure or for a structure reconstructed in the same location and to the same dimensions as an existing structure.

(b) Front yard setback, height, lot coverage, and floor area ratio shall meet the standards of the zoning district in SCCC 13.10.323, except as follows:

(i) The minimum side and rear setbacks are four feet, subject to restrictions of any onsite public utility easements.

(ii) Pleasure Point Standards. Pleasure Point standards shall apply, except if the required 10-foot second story setbacks are infeasible for an 800 square foot dwelling, the setback may be reduced by the minimum necessary to accommodate the proposed project. Side and rear setbacks for the second story shall be no less than four feet. In the event of a conflict, the standards herein shall prevail.

(4) Parking Standards.

(a) One off-street parking space is required per dwelling unit, except as follows:

(i) If the parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in Public Resources Code Section 21155, or a major transit stop, as defined in Public Resources Code Sections 21155 and 21064.3, no parking shall be required.

(ii) If the parcel is within one block of a car share vehicle rental location, no parking shall be required.

(5) Two-unit residential development projects shall meet the following buildability criteria:

(a) All lots shall have a "Will Serve" letter from a water district or mutual water company, or an Individual Water Service Permit issued by the Environmental Health Division of the Health Services Agency for a well or other water source prior to issuance of a building permit as described in the current County Lists of Required Information (LORIs).

(b) The parcel shall have or qualify for a compliant sewage disposal system, either a septic system sized for the development and approved by the Environmental Health Division of the Health Services Agency, or a sewer connection provided by the wastewater provider, as applicable.

(c) If units are connected to an onsite wastewater treatment system (OWTS), the OWTS must meet or be upgraded to meet current standards in compliance with SCCC 7.38.

(d) Emergency Vehicle Access. The site access must comply with the fire district access standards applicable to both new and existing roads in SCCC 7.92.503.2.1.

(e) Site Safety. The building site shall be free from geologic hazards to the extent that the safety of the proposed development can be ensured. A geological hazards assessment, full geologic report, soils (also called "geotechnical") report, or hydrologic report may be required to assess or address environmental/safety concerns pursuant to SCCC 16.10.

(f) Legal Access. A parcel may not be used as a building site unless it is accessible from a public right-of-way or has legally deeded access.

(g) Structures shall comply with required setbacks and buffers from environmentally sensitive habitat areas, geologic hazards, agricultural resource lands, and other environmental protection setbacks as specified in SCCC Title 16 or the setbacks established through a biotic report or geological hazards assessment, respectively.

(F) Application Procedures.

(1) Two-unit residential development projects shall be approved ministerially if the application complies with the eligibility requirements and objective development standards herein.

(2) Two-unit residential applications must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.

(3) Projects in the Coastal Zone.

(a) Projects located within the Coastal Zone shall require a Coastal Development Permit pursuant to SCCC 13.20.100, the approval of which is subject to the required findings found in SCCC 13.20.110, except that no public hearing shall be required to approve said permit.

(b) Nothing in this chapter shall s[1]u[9]persede or in any other way alter or lessen the

effect or application of the California Coastal Act of 1976 (Division 20, commencing with Section 30000, of the Public Resources Code) except that the County shall not be required to hold public hearings for coastal development permits for an eligible development pursuant to this section.

(4) Basis for Project Denial.

(a) An application for a two-unit residential development shall be denied if any of the following are found:

(i) The two-unit residential development fails to comply with any objective development standard imposed by this section. Any such requirement or condition that is the basis for denial shall be specified in writing.

(ii) The Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed development would have a specific, adverse impact, as described in Government Code Section 65589.5(d)(2) and further specified in this section, upon the public health and safety, and there is no feasible method to satisfactorily mitigate or avoid that specific, adverse impact.

(iii) Within the Coastal Zone, the two-unit residential development fails to meet the provisions of this section or the remainder of the certified Santa Cruz County Local Coastal Program.

SECTION VI

Section 13.10.332 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.332 Uses in commercial districts.

(A) Allowed Uses. The uses allowed in commercial districts shall be as provided in the Commercial Uses Chart. Certain disallowed uses that are preexisting on a parcel may be considered legal nonconforming uses. See SCCC 13.10.260 and 13.10.261 for regulations regarding legal nonconforming uses.

(B) Use Permits. A discretionary approval for an allowed use is known as a "use permit." Certain allowed uses are permitted by right and other allowed uses require a use permit as indicated in the Commercial Uses Chart. The processing procedures and findings for use permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures.

(1) Master Use Permits. When requested by a property owner, a master use permit may be approved by the Zoning Administrator or Planning Commission, subject to the use permit findings provided in SCCC 18.10.230.

(a) Master Use Permit Elements. The master use permit shall establish all allowed uses and shall include provisions for adequate site improvements for each use type. Uses that are allowed by a master use permit shall not require individual use permits unless specified by the conditions of the master use permit.

(b) Environmental Review. The a2d0option or amendment of a master use permit is

a "project" within the meaning of CEQA and the County Environmental Review Guidelines and is subject to environmental review.

(2) Change of Use in an Existing Legal Structure in a Commercial Zone District.

(a) A change of use in an existing legal structure may be approved with a zoning clearance if all the following criteria are met:

(i) The new use is allowed in the zone district;

(ii) The new use will not result in an intensification of use;

(iii) There is a use permit or master use permit for the existing use, and/or the new use is specified for the parcel in a town, village, or specific plan; and

(iv) The new use would have required an equal or lower level of public notice or hearing than the existing use.

Applicable existing discretionary permits and conditions of approval shall remain in effect for the new use.

(b) Subsection (B)(2)(a) of this section shall not apply in the C-4 District, except for cannabis uses in the Rodeo Gulch Overlay. All other C-4 uses shall require MUP approval for a change of use.

(c) In all other circumstances, a new use permit is required as provided in the commercial uses chart, or an amendment to an existing use permit is required as provided in SCCC 18.10.134.

(C) Other Discretionary Permits. Physical site development may require a site development permit pursuant to SCCC 13.11.035, a Coastal Development Permit pursuant to SCCC 13.20.050, or other discretionary review.

(D) Commercial Uses Chart. Allowed uses and permit requirements for commercial zone districts are identified in the following chart. Uses that are not specifically identified in the chart but are determined by the Director to be of the same general character as an identified use, may be permitted subject to the same permit requirements as the identified use.

(E) Use Conditions.

(1) Amplified Entertainment. A CUP is required for outdoor amplified entertainment.

(2) Hours of Operation. No business or service establishment shall be open between the hours of 10:00 p.m. and 6:00 a.m. except pursuant to a CUP. Within 150 feet of any residentially zoned property, no non-emergency outdoor activity, including loading, sweeping, landscaping, or maintenance shall occur between the hours of 10:00 p.m. and 6:00 a.m. except pursuant to a CUP, and no business or service shall be open between the hours of 8:00 p.m. to 10:00 p.m. or between the hours of 6:00 a.m. and 8:00 a.m., except pursuant to an MUP.

(a) Twenty-four-hour outdoor ATMs attached to banks, credit unions, or grocery stores shall not be subject to a CUP if the following criteria are met:

(i) Safety lighting is scree2n1ed so as not to cast direct light on any dwelling

unit; and

(ii) Physical maintenance of the ATM is limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday.

(3) Outdoor Dining/Seating. Permanent (long-term) outdoor seating is allowed subject to an MUP to add 12 or fewer seats or an AUP to add more than 12 seats. Outdoor seating includes outdoor dining as well as other uses such as seating in common plaza areas, or outdoor exercise equipment for a fitness facility. Conditions of approval for outdoor seating must ensure public health and safety, including but not limited to: standards from the Americans with Disabilities Act; adequate alternate parking arrangements if parking spaces will be lost to outdoor seating, except as allowed in subsection (a) below; and permit requirements from other agencies as needed, such as: the County Department of Public Works; County Health Services Agency; County Department of Parks, Open Space and Cultural Services; Sheriff's Office; County Fire Districts; California Department of Alcoholic Beverage Control; or California Department of Motor Vehicles. Temporary outdoor seating may be approved with a temporary use permit, subject to SCCC 13.10.616.

(a) On a commercially zoned parcel, a minimum of one parking stall and up to 10 percent of the parcel's total parking stalls (up to a maximum of five stalls), may be utilized for permanent outdoor dining/seating or another outdoor use associated with a legally permitted and operational use.

(i) For parcels with more than one business, businesses are encouraged to share outdoor uses located on parking stalls.

(ii) Conversion of parking stalls under this subsection shall be allowed without replacement parking stalls, and permanent improvements shall require building permits, as applicable. Application shall be authorized by the property owner or authorized manager overseeing the parcel's activities.

(iii) Improvements shall meet the ADA and other agency standards and permits noted in subsection (3). The use of ADA parking stalls shall be replaced to meet state standards.

(iv) Off-site loading areas shall not be utilized for this purpose.

(4) Outdoor Storage. Outdoor storage of stock-in-trade outside the C-4 zone district is allowed subject to an AUP, provided that the storage area is adequately screened from view from adjacent parcels.

(5) Signage. Signage may be required or allowed per SCCC 13.10.581. New signage associated with a master use permit is allowed by right. New signage not associated with a master use permit requires an MSP per SCCC 13.11.037.

(6) Temporary/seasonal use, including temporary outdoor seating, may be allowed pursuant to a temporary use permit (TUP), subject to SCCC 13.10.616.

(7) Additional conditions for specific commercial uses are found in SCCC 13.10.600, et seq., and other sections of the County Code as referenced in the Commercial Uses Chart.

SECTION VII

Section 13.10.520 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.520 Site frontage.

(A) Minimum Frontage on a Cul-De-Sac. On a cul-de-sac or a curved street with a radius of curvature of 200 feet or less, a site may have a frontage of not less than 40 feet in any zone district, unless a lesser frontage is allowed in the zone district.

(B) Corridor Access Lots. A corridor access lot shall be permitted in any district. The corridor shall have a frontage and width of not less than 20 feet, and a length not to exceed 150 feet.

SECTION VIII

The title of Section 13.10.525 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.525 Regulations for new and replacement fences and retaining walls within required yards.

SECTION IX

Section 13.10.612 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.612 Cargo and shipping containers used as accessory structures.

(A) This section governs installation of any intermodal freight container or other commercial/shipping cargo container ("cargo container") or structure of analogous appearance and function for use as habitable or nonhabitable permanent accessory structures or as commercial structures on commercial and industrial sites. Cargo containers integral to a lawful shipping or storage business are exempt from these provisions and are regulated by the site standards of the applicable zone district. Temporary storage boxes are not regulated by this section and are instead regulated under SCCC 13.10.616(E)(1).

(B) Cargo containers may be sited and used as accessory structures outside of the urban and rural services lines in all zone districts, subject to an administrative site development permit unless a coastal development permit is required per SCCC 13.20. Inside the urban and rural service lines, cargo containers may be allowed on commercial or industrial properties only.

(C) Standards.

(1) Cargo containers accessory to residential uses shall comply with all applicable provisions of SCCC 13.10.611.

(2) More than one accessory cargo container structure may be approved per parcel, based on demonstrated need and compliance with other provisions of this section. Multiple cargo containers attached into one structure are considered to be one cargo container structure.

(3) Cargo containers shall meet the following design standards:

(a) Painted and maintained a neutral color such as medium brown, gray brown, or

medium green; or painted to complement existing buildings on the site; or painted in a manner that is considered aesthetically pleasing to persons of ordinary sensibilities.

(b) Located outside the boundaries of all mapped scenic resource areas and out of view or screened from view from any scenic roads.

(c) Screened from view, including from public views and views from adjacent properties, to the greatest extent feasible, by any combination of topographic features, other buildings, landscaping, natural vegetation or other screening measures. Where visible from public view or adjacent properties, the container exterior shall be modified as appropriate to be compatible with the architectural style and materials of other structures on the site or in the vicinity, or otherwise treated per subsection (C)(3)(a) of this section.

(d) Where used as a habitable accessory structure, the design, color, and materials shall complement the existing structures on the parcel.

SECTION X

Section 13.10.613 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.613 Home occupations as secondary uses.

(A) Purposes. The purposes of regulations for home occupations are:

(1) To allow persons to carry on income-producing activities on their property where they reside, secondary to a residential use; and

(2) To protect nearby residential properties from potential adverse effects of the allowed activity by not allowing home occupations that would create excessive noise, traffic, public expense, or any nuisance.

(B) Restrictions on Home Occupations.

(1) The home occupation shall be carried on entirely within the dwelling, or in an accessory structure normally allowed in the zone district in which the site is located, unless a conditional home occupation use permit is obtained to authorize outdoor unenclosed activities.

(2) There shall be no visible or external evidence of the home occupation other than one unlighted sign not exceeding one square foot in area, which shall be affixed to the dwelling or building in which the home occupation is conducted. If both the dwelling and the building are set back more than 40 feet from the front property line, the sign may be affixed to the mailbox. No larger sign, and no outdoor storage, operations, or activity is allowed unless a conditional home occupation use permit is obtained, in which case the allowed outdoor use shall be reasonably screened from the street and adjoining properties.

(3) The home occupation shall be carried out primarily by one or more full-time inhabitants of the dwelling, with one or two employees who are not inhabitants also allowed to work at the home occupation^{2}s^{4}ite. A maximum of five additional regular

employees may also work at the home occupation site if a conditional home occupation use permit is obtained.

(4) The home occupation shall be limited for the gross parcel area, to be measured based on 35 percent of the total floor area of the single-family dwelling(s), and the floor area of the home occupation cannot exceed 2,000 square feet in total area, unless a conditional home occupation use permit is obtained.

(5) A home occupation involving personal services (e.g., hairdresser, barber shop, personal fitness trainer) or training (e.g., swimming lessons, musical instrument lessons, yoga classes, cooking classes, art lessons) may involve no more than two persons at a time, unless a conditional home occupation use permit is obtained.

(6) Sales of goods are allowed only if the goods to be sold are produced or assembled entirely on the premises, or if sales are by mail order, unless a conditional home occupation use permit is obtained.

(7) Only one vehicle, which is no larger than a three-quarter-ton pickup truck, in addition to other vehicles equal to the standard number of required parking spaces for the subject home, may be used for the home occupation unless a conditional home occupation use permit is obtained. An off-street parking space shall be provided for any three-quarter-ton pickup truck vehicle used for the home occupation. Additional off-street parking may be required for employees or customers in excess of standard levels through approval of a conditional home occupation use permit.

(8) The home occupation shall not generate unacceptable levels of noise, as defined by the General Plan Noise Element, SCCC 8.30, Noise, and SCCC 13.15, Noise Planning.

(9) Home occupations involving the handling of hazardous materials, as defined by SCCC 7.100.020, or of any amount of an acutely hazardous substance, as defined by State or Federal law, shall require a conditional home occupation use permit and approval of other applicable permits such as those issued by the County's Environmental Health Services Division. "Hazardous materials" refer to materials defined in SCCC 7.100.

(10) Cottage industries, including cottage food businesses, are allowed as home occupations if consistent with State law governing such operations and compliant with applicable requirements of the County's Environmental Health Services Division.

(11) Commercial weddings and similar celebrations, community events, and fundraisers are not eligible to be permitted as home occupations.

(12) A commercial firewood operation, where wood is cut, processed, and/or stored for sale to the public, is prohibited as a home occupation.

SECTION XI

Section 13.10.616 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.616 Temporary permits, uses, and structures.

(A) Purpose. The purposes of this section are as follows:

(1) To ensure that temporary uses and structures are developed in an orderly fashion consistent with the purpose of the applicable zone district;

(2) To ensure that temporary uses and structures remain secondary to primary uses that exist, are allowed on the site, and are compatible with neighboring land uses, and to limit temporary uses and structures on vacant properties;

(3) To promote and protect the public health, safety, peace, convenience, and general welfare;

(4) To protect the character, visual and environmental resources, and quality of residential, commercial, industrial, agricultural, recreational, and open space areas of the County;

(5) To allow and establish regulations for temporary uses and structures that are not otherwise subject to regulations pertaining to permanent accessory or ancillary uses and structures, such as those governing home occupations (SCCC 13.10.613);

(6) To accommodate temporary uses, structures, and activities that contribute to the quality of life, economic vitality, or public interest of Santa Cruz County; and

(7) To allow for temporary uses and structures that may not be generally consistent with the purposes of the applicable zone district, but which may be allowed for a defined temporary period due to emergency or other urgent public needs in the interest of public health, safety, and welfare.

(B) Temporary Permits. A temporary permit is required for any temporary use or structure that is not otherwise exempt or considered and processed as a special event or other similar short-term use.

(1) Temporary permits shall be processed in accordance with procedures in SCCC 18.10 for minor use permits unless a coastal development permit is required per SCCC 13.20. In the instance where a temporary use involves amplified music, a temporary permit shall be processed in accordance with procedures in SCCC 18.10 for noticed administrative permits, which may be elevated to a conditional use permit process involving a noticed public hearing for proposals involving longer time frames or multiple and repeated activities.

(2) Temporary permits are subject to the following provisions:

(a) Term. The term of a temporary permit shall be for a period of time determined by the Director not to exceed three years and shall be in accordance with subsections (C) and (E) of this section.

(b) Extension. A temporary permit may be extended for one additional term of up to three years, for a maximum of six total years, based upon findings of special circumstances related to public benefit and/or unusual economic conditions, as appropriate to site circumstances, and subject to conditions of approval.

(c) Conditions of Approval. A temporary permit may require conditions of approval to ensure public health and safety, including but not limited to:

(i) Standards from the Am26ericans with Disabilities Act;

(ii) Site-specific evidence to support that the temporary use will not impact parking for other on-site uses, which may include letters of support for those uses;

(iii) Requirements for alternate parking arrangements and/or alternate modes of access by customers; and

(iv) Documented compliance with any special event or permit requirements from other State or local agencies, such as: the County Division of Public Works; County Health Services Agency; County Department of Parks, Open Space and Cultural Services; Sheriff's Office; County Fire Districts; California Department of Alcoholic Beverage Control; or California Department of Motor Vehicles.

Permitted temporary uses and/or structures may be exempted from some or all permanent site improvement standards normally required for permanent uses and structures, such as site frontage improvements or parking lot landscaping standards.

(d) Expiration. Upon expiration of a temporary permit, all temporary uses shall cease and all associated temporary structures shall be removed from the parcel no more than 21 days following expiration, unless a site development and/or use permit allows for permanent use, subject to the provisions of the applicable zone district.

(C) Temporary Uses. Unless exempted by subsection (D) of this section, temporary uses shall require a temporary permit and shall comply with the following standards:

(1) A temporary use may be approved in any zone district, unless specifically prohibited in this section or elsewhere in the SCCC; a commercial, for-profit event, where fees or other forms of remuneration are collected, is not permitted as a temporary use in any residential zone district.

(2) A temporary use and any associated structures may remain on a site for up to a total of 180 days. A temporary use and any associated structures may remain on a site for more than 180 days and up to three years with a permit, where appropriate for the use based upon findings for approval and subject to conditions of approval.

(3) A temporary use on developed property shall be secondary to the primary use of the parcel.

(4) Other than temporary storage uses associated with an active building permit, temporary uses are prohibited on vacant properties in residential zone districts, but they may be allowed on vacant properties in nonresidential zone districts, subject to approval of a temporary permit.

(5) No temporary use shall, for any length of time, displace more than 35 percent of the parking spaces required by SCCC 13.16, unless:

(a) A County-approved street closure prevents access to such required parking during the period that the closure is in effect;

(b) An applicant for a temporary use permit provides site-specific evidence to

demonstrate that the average peak parking used on the site is less than 65 percent of the available parking during the same hours and in the same season of the year proposed for the temporary use, and the decisionmaker makes this finding in conjunction with approval;

(c) Alternate parking or shuttle arrangements are approved to meet parking space requirements in conjunction with issuance of a temporary permit; or

(d) By order of the County Health Officer, outdoor operations are encouraged and the limited number of parking spaces remaining as a result of outdoor operations is appropriate.

(6) Signs for temporary uses shall comply with SCCC 13.10.583.

(7) Premises of a temporary use site shall be kept clean, sanitary, and free of litter.

(8) After the temporary use has ceased, all visible signs of the temporary use and temporary structures shall be removed, and the site shall be free of trash. Any damage to the site or existing structures caused by the temporary use shall be repaired.

(9) In addition to obtaining a temporary permit, temporary uses that extend onto the public right-of-way or other publicly owned property shall obtain an encroachment permit from the County Division of Public Works, as well as any special event approval, concession licenses, and licensing agreements from the County Department of Parks, Open Space and Cultural Services, the State of California, or other entity as required.

(D) Exemptions for Temporary Uses. The following temporary uses are exempt from subsection (B) of this section and shall not require a temporary permit:

(1) Special Events and Uses.

(a) Special events and uses conducted entirely within public property or public rights-of-way that are not associated with an adjacent or nearby private use on private property, where special event, concession licenses, licensing agreements, and/or encroachment permits or the like are obtained from the County Division of Public Works, Department of Parks, Open Space and Cultural Services, the State of California, or other entity as required.

(b) Special events associated with commercial uses with a valid use permit on a commercially zoned property limited to: one event per year, six hours or less per day during the hours of 8:00 a.m. to 5:00 p.m. over a consecutive two-day period, where approvals from Environmental Health Services and/or other agencies have been obtained as required.

(2) Temporary uses conducted entirely within a building, such as a temporary sales area, for which all necessary County permits have been obtained and which allow the particular use.

(3) Temporary uses for which a use permit has already been issued that allows the temporary use.

(4) Garage or yard sales not exceeding four weekends per year on the site of a legal

residential use.

(5) Seasonal Sales. Seasonal sales of Halloween pumpkins, Christmas trees, and similar products in all zone districts except Residential. Seasonal sales in the RA Zone District may be permitted as small-scale commercial agriculture with minor use permit. Seasonal sales shall comply with the following standards:

(a) A zoning clearance shall be obtained prior to the establishment of a seasonal sales use.

(b) All activities associated with seasonal sales shall be conducted with a 10-foot setback from any property line with an existing residential use.

(c) All activities associated with seasonal sales shall be conducted within the hours of 8:00 a.m. to 9:00 p.m., unless a temporary permit is approved to allow different hours of operation.

(d) Sales that occur in areas designated for such seasonal sales as set forth in a previously issued development permit shall meet the conditions of that permit and do not require a separate zoning clearance.

(e) Temporary structures associated with seasonal sales are allowed without a separate temporary permit if they meet setback requirements for the zone district and comply with any applicable building code standards pursuant to SCCC 12.10. Temporary structures larger than 120 square feet and 10 feet in height, measured in accordance with the Zoning Ordinance, may require a building permit and inspections prior to use, unless otherwise exempted by SCCC 12.10.

(f) Recreational vehicles are allowed in conjunction with seasonal sales and must comply with setbacks equivalent to the structural setback requirements for the zone district. Recreational vehicles utilized in conjunction with seasonal sales shall be removed from the parcel within 15 days following October 31st for pumpkin sales or following December 25th for Christmas tree sales.

(g) Site ingress and egress shall not create a traffic or pedestrian safety hazard.

(h) Any temporary fencing shall be placed outside the corner sight clearance triangle provided by SCCC 13.16.093 and shall not exceed eight feet in height.

(i) Signage shall comply with SCCC 13.10.583.

(j) Vendor shall maintain on site a multi-purpose certified fire extinguisher (Type A, B, and C, minimum five-pound size) appropriate for Class A (non-metallic solids), B (flammable gases), and C (electrical fires). Temporary membrane type structures shall be fire resistive and be NFPA-701 certified.

(E) Temporary Structures. Temporary structures are subject to standards and permit requirements depending on the type of structure, as provided below:

(1) Temporary Storage Boxes. Cargo or shipping containers intended and used as permanent accessory structures are not regulated by this section and are instead regulated under SCCC 13.10.612.

(a) In any zone district, a maximu[29]m of one fully enclosed, temporary container

designed for secure temporary storage, and obtained from and installed by a commercial vendor, may be installed pursuant to this section. All such temporary structures:

(i) Shall obtain a Zoning Clearance to check for zoning and setback compliance prior to installation.

(ii) Shall be removed within 90 days of installation, unless a time extension is authorized by a temporary permit to allow a temporary structure for up to 180 days (or during term of construction as provided in subsection (b)(iii) below). If an application for a temporary permit or permit extension is submitted on or prior to the required removal date, the temporary structures may remain in place up to 30 additional days to provide for permit processing.

(iii) Shall be located wholly outside any corner sight distance triangle, and a minimum of five feet from any property line unless approved to be installed, wholly or partially, within a right-of-way.

(iv) Shall not be subject to standards for lot coverage or floor area ratio.

(v) Shall be subject to review by the Department of Community Development and Infrastructure when proposed wholly or partially within a public right-of-way, and an encroachment permit or other license or agreement may be required.

(vi) If proposed wholly or partially within a private right-of-way, the temporary structure shall require a temporary permit and be subject to the following standards:

(A) Shall not be located in the private right-of-way if it can reasonably be installed in a driveway and shall not fully preclude use of the right-of-way.

(B) May be located in parking spaces adjoining the subject parcel.

(C) Shall not occupy any space reserved for persons with disabilities.

(D) Shall not create a safety, traffic, or pedestrian hazard.

(E) Shall not affect the line of sight established by any corner sight clearance triangle defined by SCCC 13.10.525(C)(2)(c).

(F) Between the dates of October 15th and April 15th, shall not be placed in any location where likely to divert, impede or otherwise adversely affect any established pattern of storm water runoff.

(b) Temporary Storage Boxes on Vacant Parcels.

(i) Temporary storage boxes may be placed on vacant, non-residential parcels, subject to the provisions of subsection (E)(1)(a) of this section.

(ii) Temporary structures or storage boxes are not allowed on vacant parcels in residential zone districts in the absence of an active building

permit.

(iii) When associated with a building permit, temporary storage boxes may be installed on any parcel, vacant or developed, as provided by subsection (E)(1)(a) of this section, except that the unit(s) may remain on site for the active term of the building permit and shall be removed from the site within 15 days after the building permit is expired, voided, or withdrawn.

(2) Temporary Tent Structures.

(a) In any district, one prefabricated, temporary tent structure used for parking, storage, or other use, constructed of light frame materials and covered with cloth or flexible plastic, is allowed for up to 180 days without a permit pursuant to the following standards:

(i) Maximum height shall be 12 feet.

(ii) Maximum area shall be 300 square feet.

(iii) All structures and materials shall be maintained in good condition, free of tears and graffiti.

(b) Temporary tent structures shall be subject to setback standards of the applicable zone district, except that, outside the front setback area, tent structures that are open on at least two sides may be located a minimum of five feet from the side property lines in any residential district.

(c) Temporary tent structures greater than 12 feet in height or 300 square feet in area, or more than one on a site, or proposed to exist for more than 180 days, or requesting further reduced setbacks, may be considered with approval of a Temporary Permit (administrative site development permit) for a period not to exceed one year.

(d) Temporary light frame tent structures with a maximum height of 12 feet and a maximum size of 300 square feet located in a residential rear yard and not visible from a public street may remain on a site for up to one year with no temporary permit required.

(e) Tent structures proposed for more permanent installations (greater than one year) shall be processed as regular structures under applicable regulations of the County Code.

(f) Tent structures shall not have any lighting between the hours of 10:00 p.m. and 5:00 a.m.

(3) Other Temporary Structures Associated with Authorized or Approved Temporary Uses.

(a) Temporary permits granted for temporary uses may also authorize associated temporary structures, with appropriate conditions pertaining to number, size, height, design, materials, and location on the site.

(b) Temporary permits may also be approved for types of temporary structures that do not fall within the above c[3]a[1]tegories, for time periods of up to three years,

as reasonably related to the needs and purposes of a primary use of the site, or as determined to be in the interests of public health, safety, and welfare.

SECTION XII

The definition of "Director" contained in Section 13.10.700-D of the Santa Cruz County Code, is amended to read as follows:

"Director" means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

SECTION XIII

The definition of "In-kind" is hereby added to Section 13.10.700-I of the Santa Cruz County Code, to read as follows:

"In-kind" means the replacement of a legally permitted, conforming or non-conforming structure with a similar structure of the same square footage and footprint, as determined by the Community Development and Infrastructure Department. The in-kind replacement may be relocated on the same parcel if:

(1) The Director determines that:

(a) the new location does not exacerbate non-conformities;

(b) there are no imminent threats;

(c) there are no additional impacts to environmental resources protected by SCCC Title 16 and their required buffers, including groundwater and watersheds, to coastal resources protected by SCCC 13.20, or the resources are improved; and

(d) there are no impacts to utilities; and

(2) The Environmental Health Services Director determines there the relocation will not result in impacts to an existing on-site wastewater treatment system (OWTS) or future OWTS replacement area.

In the event of a federal, state, or County declared emergency, for legally permitted structures or structures demonstrated to have been constructed prior to 1986, as determined by the Community Development and Infrastructure Department, "in-kind" may include an adjustment of either or both the structure square footage or footprint by up to 10 percent or 500 square feet, whichever is greater, except as limited by SCCC 13.20 for properties within the coastal zone. Such in-kind replacement shall not be considered an "intensification of use" as otherwise used in this chapter. For properties with OWTS, an existing system must be functional or may require repair per SCCC 7.38. In-kind replacement that proposes an increase in the number of bedrooms for properties with OWTSs shall have an adequately sized and functional OWTS or meet the provisions of SCCC 7.38. This definition shall not apply to wireless facilities.

SECTION XIV

The definition of "Major Transit Stop" is hereby added to Section 13.10.700-M of the Santa Cruz County Code, to read as follows:

"Major transit stop" is as defined by Public Resources Code Section 21155.

SECTION XV

The definition of "Transit Priority Area" is hereby added to Section 13.10.700-T of the Santa Cruz County Code, to read as follows:

"Transit priority area" means the area within one-half mile of an existing or planned major transit stop or high-quality transit corridor as defined by Public Resources Code Section 21155.

SECTION XVI

Section 13.11.030 of the Santa Cruz County Code is hereby amended, to read as follows:

13.11.030 Definitions

As used in this chapter certain terms are defined as follows:

(A) **"Coastal special community"** means an area designated in the General Plan and Local Coastal Program Land Use Maps and SCCC 13.20.040 as a special community in the Coastal Zone due to its unique scenic characteristics and/or visitor destination qualities. Coastal special communities include Davenport, the Yacht Harbor, East Cliff Village tourist area, the Rio Del Mar Flats/Esplanade, and the Seacliff Beach Area.

(B) **"Director"** means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

(C) **"Landscaped area"** means the portion of the development proposed for landscaping, excluding hardscape and nonporous surfaces.

(D) **"Landscape maintenance agreement"** means a written, signed agreement between the title owner of record or their duly authorized agent and the County, ensuring maintenance of landscaping for a minimum period of two years, pertaining to a development project approved by the Director, Zoning Administrator, Planning Commission, or Board of Supervisors. The agreement shall be accompanied by a landscape maintenance security, a cash deposit or other instruments of credit as described in SCCC 14.01.511 and approved by the County, and shall be signed by duly authorized agents representing the County and the title owner of record for the subject property prior to issuance of a certificate of occupancy or final inspection approval by the Building Official of the County.

(E) **"Landscape maintenance security"** means a performance security paid by the title owner of record or duly authorized agent acting as applicant for a development project approved by the County, issued to the Department of Community Development and Infrastructure in an amount equal to 100 percent of the estimated two-year maintenance cost of landscaping and irrigation systems for the development project.

(F) **"Massing"** is the architectural relationship—proportion, profile, and contour—between the various masses or volumes of a building or landscape. The mass of a building is defined by the roof, walls, and floor. It may be a simple box form, but more often it is a composite of various forms. Plant massing can be used to create architectural forms in the landscape such as screens, canopies, barriers, and floors, and can be used to define edges of open spaces and directional movement.

(G) **"Protected use areas"** means riparian corridors and buffer areas, beaches, floodways, lagoons, wetlands, marshes, fault areas, bluffs, ravines, areas with steep slopes or unstable soil conditions, timberlands, and sensitive wildlife habitat and biotic resource areas as defined in SCCC Title 16.

(H) **"Remodel"** for the purposes of this chapter, means any alteration of a structure requiring a development permit and/or building permit approval from the County, which effects a change in the original site plan, exterior building elevation, or landscape design.

(I) **"Santa Cruz County Design Guidelines"** means an adopted guidance document providing architectural and site design principles, concepts, and examples to guide the development of the physical environment to be compatible with community goals and the natural environment.

(J) **"Sensitive site"** means any property within a scenic area or coastal special scenic area as identified in the County GIS; located within the rural services line in the La Selva General Plan Area; located adjacent to a scenic road or within the viewshed of a scenic road as recognized in the General Plan; located on a coastal bluff, or on a ridgeline or ridgetop; on a site that contains unique hydrologic, geologic, or paleontological features as defined by the General Plan/LCP; or is in an area where development may impact public views of the ocean, forests, mountain hillsides, open meadows, or other scenic resource as determined by the Director.

(K) **"Village"** means one of the communities for which unique design criteria have been or will be established as part of an adopted specific village, town, or area plan. Examples of villages include Aptos Village, Ben Lomond, Boulder Creek, Felton, Seacliff Village, and Soquel Village.

SECTION XVII

Section 13.11.040 of the Santa Cruz County Code is hereby amended, to read as follows:

13.11.040 Projects requiring design review.

(A) Design review shall be required for the following private and public activities for which a site development or coastal development permit approval is required by the County of Santa Cruz:

(1) Residential development including:

(a) New residence(s) or additions involving 500 square feet or more within coastal special communities or on sensitive sites.

(b) New single-family residences or remodels of 5,000 square feet or larger as regulated by SCCC 13.10.324.

(c) Residential development of th^{3}r^{4}ee or more units. (Accessory dwelling units

are exempt from design review.)

(2) All minor land divisions, as defined in SCCC 14.01, occurring within the urban services line or rural services line, as defined in SCCC 17.02; all minor land divisions located outside of the urban services line and the rural services line which affect sensitive sites; and all land divisions of five parcels (lots) or more. For all subdivisions where actual construction of homes is not part of the application, design guidelines for development shall be required as part of the application submittal package.

For all subdivisions where actual construction of homes is part of the application, both design guidelines and prototypical house and landscape design plans shall be required as part of the application submittal package. Any major revisions to approved construction prototypes or design guidelines shall be processed pursuant to SCCC 18.10.134 and shall be subject to the design review process.

(3) All new commercial, mixed-use, industrial, or public facility construction or remodels involving exterior alterations.

(4) All County projects including public buildings and associated site development.

(5) All agriculturally related uses and structures in the CA, A and RA zone districts are exempt from design review.

(B) Design review requirements may be waived if the Director certifies that the nature of the project is minor or incidental in respect to the purpose of design review as defined in this chapter. Conversely, design review requirements may be imposed on a project if the Director certifies that the nature of the project is significant in respect to the purpose of design review as defined in this chapter.

SECTION XVIII

Section 13.11.070 of the Santa Cruz County Code is hereby amended, to read as follows:

13.11.070 Design review standards.

The design standards applicable to all projects requiring design review as identified in SCCC 13.11.040 are provided in this section. These standards are in addition to design guidance provided in the Santa Cruz County Design Guidelines, where applicable.

(A) Building Design. The Santa Cruz County Design Guidelines provide overarching guidelines for building design, as well as guidance specific to multifamily residential, residential flex, mixed-use, and commercial buildings. Projects that are not subject to the Santa Cruz County Design Guidelines may refer to these guidelines as appropriate in the design of new buildings.

(B) Environmental Considerations for Building and Site Design. All development for which design review is required shall be designed to be compatible with the natural environment and surroundings, and impacts of new development on the surrounding environment and adjacent properties shall be reduced, in accordance with the following standards:

(1) Coordinated Development.

(a) Coordinated site design (inclu3d5ing shared parking and circulation systems, sign facilities, landscaped areas, and recycling and garbage storage and collection

areas) shall be encouraged on adjacent parcels with similar uses. In such cases, mutual access easements granted to each property owner are necessary. Site plans which allow for future shared use between adjacent parcels are encouraged, where appropriate.

(b) Clustered commercial use areas with shared facilities, rather than linear commercial use with separate facilities for each site, are encouraged.

(c) Physical barriers (e.g., fences, curbs, or walls) between adjacent parcels with similar uses are discouraged unless needed for drainage, security, screening, or noise attenuation purposes.

(2) Clustered Design. Clustered site design is encouraged for residential development in rural areas, and may be required as indicated in the following areas:

(a) Clustered site design in protected use areas and on sensitive sites, as defined in SCCC 13.11.030, shall be required as appropriate to protect sensitive habitats, natural or scenic resources, or to avoid geologic hazards.

(b) On sites having natural amenities such as significant groups of trees or other areas of vegetation, wooded arroyos, or other protected use areas, or with views to mountains or the Bay, the cluster design concept shall be employed to incorporate these features into the site plan.

(c) On sites where medium- to high-density residential development is permitted by the zoning district, cluster design is encouraged and may be required to increase the potential for usable outdoor amenities.

(d) When the cluster design concept is used, the units should be designed in a manner that incorporates light, air, space, and privacy for the individual units while maintaining quality common open space.

(3) Infill Development. Infill development within the County's urban services line is encouraged according to the County General Plan. Considerations for neighborhood context and reducing impacts on existing adjacent development shall be accomplished by providing adequate transitions in building massing and rooflines, setbacks, and landscape buffering at property lines shared with lower density development or between commercial/industrial/public facility development and residential properties.

(4) Natural Site Amenities and Features.

(a) The site plan shall relate to surrounding topography, and significant natural vegetation of long-term quality shall be retained.

(b) Existing mature trees, rock outcroppings, riparian corridors, natural site amenities, and other features shall be retained or enhanced and incorporated into the site design and landscaping to the greatest extent feasible.

(c) Buildings shall be sited and oriented in such a way as to take advantage of, or make connection to, the natural site amenities and features.

(d) Hilltop and hillside development shall be integrated into the silhouette of the existing backdrop such as the terr$_3$a$_6$in, landscaping, and other structures. Ridgeline protection shall be ensured by restricting the height and placement of buildings

and providing landscape screening in order to prevent any projection above the ridgeline. If there is no other building location on a property except a ridgeline, this circumstance shall be verified by the Department of Community Development and Infrastructure with appropriate findings and mitigation measures to ensure that the proposed structure is low profile and visually screened.

(5) Views.

(a) Development shall protect the public viewshed with appropriate siting of structures and maintenance of viewshed corridors from the public rights-of-way.

(b) Development should minimize the impact on private views from adjacent parcels wherever practicable.

(6) Sustainable Development. Sites shall be designed to encourage sustainable practices that reduce environmental impacts, climate change, and the utilization of resources. Where achievable, measures above and beyond code requirements are encouraged, including:

(a) Energy conservation measures, such as energy-efficient building design, installation of solar panels and electric vehicle charging stations;

(b) Water conservation and reuse, such as low-flow fixtures, graywater irrigation, drought-tolerant landscape species and limited use of green lawns requiring watering;

(c) Stormwater control and surface water features, such as alternative pavements that encourage infiltration, low-impact development, drainage percolation, daylighting of streams and creeks, and rooftop gardens;

(d) Alternative transportation facilities, such as pedestrian and bicycle facilities that connect to existing facilities and transit corridors, limiting parking to minimum needed, prioritizing location of carpool parking;

(e) Interpretive signage that features and explains environmental connectivity; and

(f) LEED or other building and/or site sustainability certification.

(7) Open Space Design.

(a) Activities in "protected use areas" shall be limited to those having minimal impacts, such as paths and benches. Where feasible, a path to and/or along the perimeter of the natural areas shall be provided.

(b) All usable open space requirements for multifamily and mixed-use development shall be satisfied according to SCCC 13.10.323(D) and 13.10.334(A).

(8) Noise.

(a) Reasonable protection for adjacent properties from noise may be achieved through site planning, building siting, building orientation, physical barriers such as masonry walls, landscaped ear$_3$t$_7$h berms, or setback/buffer areas.

(9) Solar Design.

(a) Buildings shall be designed so that solar access is reasonably protected for the buildable lot area of adjacent affected properties. A shadow study (plan) may be required when proposed development may impact the solar access of adjacent properties, as determined by the Director.

(b) Wherever lot size and setbacks permit, the building walls with major window areas shall be appropriately oriented for passive solar heating and cooling, and natural lighting. Building layout should encourage energy conservation.

(c) Solar devices are protected from shading due to landscaping in the Solar Shade Control Act (Public Resources Code Sections 25980—25986).

(C) Site Planning Standards.

(1) Utilities and Rooftop Equipment.

(a) New utility and service lines shall be installed underground, unless infeasible due to environmental constraints.

(b) Utility equipment such as electrical and gas meters, electrical panels, and junction boxes on exterior wall elevations facing streets shall be screened from streets and building entries using architectural screens, walls, fences, and/or plant material consistent with the architectural design of the building, unless screening is not allowed for safety purposes.

(c) Pad-mounted transformers (as part of the underground electrical service distribution system) shall not be located in the front setback or area visible from public view, unless they are completely screened by walls and/or dense landscaping, and shall not obstruct views of traffic from tenant spaces or driveways, or views to monument signs. Underground vaults may be located in the front setback area for aesthetic purposes. Exceptions may be allowed where required for safety purposes.

(d) All rooftop mechanical and electrical equipment shall be designed to be an integral part of the building design and shall be screened.

(2) Waste Management and Recycling. All commercial, industrial, public facility, and multifamily developments shall provide for the separate storage and collection of all waste and recyclable materials generated by the on-site uses.

(a) Recycling and Waste Storage Standards. All waste collection and recycling areas shall be designed according to guidance provided by the Division of Public Works and shall meet the following subsections, and criteria in the Santa Cruz County Design Guidelines where applicable.

(i) Commercial, industrial, institutional and multi-family residential uses shall include areas for waste and recycling storage and collection adequate in capacity, number and distribution to serve the development where the project occurs.

(ii) Access into the storag[3]e[8]area shall be provided with adequate vertical

and horizontal clearances for collection vehicles.

(iii) Provisions shall be made to protect the recyclable materials from weather by covering the storage area or by the use of covered receptacles.

(iv) Recycling and waste storage areas should be adjacent to or within the same enclosures as the garbage area or at least as convenient as the location for garbage storage. Waste and recycling storage containers shall be of sufficient size to accommodate all waste and recycling generated.

(v) Maximum distance for the storage area shall be no greater than 250 feet from each living unit in a multifamily residential development.

(3) Signage Design.

(a) All requirements relating to signs set forth in SCCC 13.10.580 through 13.10.587 shall be met.

(b) All signage shall be consistent with the design principles and concepts in the adopted Santa Cruz County Design Guidelines, where applicable.

(c) Freestanding signage shall be an integral part of the site or landscape design, or shall be similar to, or consistent with, the design of the proposed building(s).

(4) Lighting.

(a) All site, building, security, and landscape lighting shall be directed onto the site and away from adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design, or other physical means. Building and security lighting shall be integrated into the building design.

(b) All lighted parking and circulation areas shall utilize low-rise light poles or light fixtures attached to the building. Light poles to a maximum height of 15 feet are allowed.

(c) Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.

(5) Parking areas shall be subject to the design standards in SCCC 13.16.060.

(D) Landscaping Standards.

(1) It shall be an objective of landscape design to relate to the building and site design, the proposed use, and to site conditions. In addition to the standards in this subsection, landscaping design shall meet the intent of the relevant principles and concepts provided in the Santa Cruz County Design Guidelines where applicable, landscape requirements for parking lots in SCCC 13.16, and the water-efficient landscape standards of SCCC 13.13.

(a) Site Landscaping.

(i) The required yard (setback) adjoining a street shall incorporate appropriate landscape and3/9or hardscape. Landscaping shall be required

where noted below and shall be required in all other setbacks along streets where feasible. Appropriate landscape elements may include trees, shrubs, and groundcover. Appropriate hardscape materials may include brick or other modular pavers; stamped or textured concrete; or colored concrete and shall create usable exterior space appropriate to the site and buildings.

(ii) Front yards of each single-family residential parcel in new subdivisions shall contain at least one tree with a minimum canopy diameter of 15 feet at maturity, where the existing tree canopy covers less than 25 percent of the required front yard.

(iii) Front yards of all newly created multifamily developments shall contain at least one tree with a minimum canopy diameter of 15 feet at maturity for every 50 feet of linear footage.

(iv) Where a commercial or industrial use is located adjacent to a residential district, the following landscaped buffers shall be applied at the property line:

(A) Commercial and industrial buildings under 5,000 square feet shall provide a minimum five-foot net planted landscape strip to screen development and a six-foot-high solid wood fence or masonry wall.

(B) Commercial and industrial buildings between 5,000 square feet and 10,000 square feet shall provide a minimum five-foot net planted landscape strip to screen development with a six-foot-high masonry sound wall.

(C) Commercial and industrial buildings between 10,000 and 20,000 square feet shall provide a minimum five-foot net planted landscape strip to screen development plus an additional one-foot width for each additional 1,000 square feet of building over 10,000 square feet, up to 20,000 square feet, and a six-foot-high masonry sound wall. Trees are encouraged in landscaped areas with adequate space to allow for healthy tree growth. The landscaping which is required in excess of the minimum five-foot-wide strip may be modulated to provide additional buffer, where appropriate. The balance may not be less than the required total square footage of landscaping.

(v) Landscaping shall be planted in the ground. If this is not feasible, planter boxes of an appropriate size are acceptable.

(b) Existing Trees.

(i) Mature trees over six inches in diameter at five feet above ground level shall be incorporated into the site and landscape design unless other provisions of this subsection allow removal.

(ii) Circumstances where tree removal may be appropriate include: an appreciably better project design not possible without the tree removal; retention of solar access t400adjacent properties; dead, dying, or diseased trees; nuisance trees; and trees which threaten adjacent development due

to instability. Any proposal to remove more than 50 percent of the healthy trees on a site may require the submittal of an alternate design to evaluate the feasibility of retaining additional trees while meeting the project objectives. (See also SCCC 16.34, Significant Trees Protection.)

(iii) An evaluation and recommendation by a landscape architect or a licensed arborist shall be required to substantiate the removal of any mature tree based on a claim that the tree is unhealthy or poses a nuisance or threat to adjacent development.

(iv) The applicant shall be required to replace any mature trees which are permitted to be removed to the greatest extent feasible, as determined through the design review process.

(v) The decision-making body may waive the requirement of removal of invasive species in order to protect visual amenities or where trees provide habitat value.

(c) Street Trees.

(i) Where required pursuant to the County Design Criteria or as a condition of project approval, street trees (or private yard trees providing similar effect) shall match any existing street tree species and spacing; shall implement any proposed street tree program; and complement any existing trees in the area, if a street tree program does not exist for the street. Street trees installed within County rights-of-way shall be chosen from the "Recommended Santa Cruz County Right-of-Way Trees" list in the Santa Cruz Urban Forestry Master Plan, where applicable. (See also Section H of the County Design Criteria.)

(d) Screening, Fences and Walls.

(i) When landscaping is required to screen views of a site or site uses, the plant material shall be appropriately sized and spaced so that a dense screen grows in a short period of time and views of objects on the opposite side are effectively screened. In narrow planting areas, trellises and vines may be used to screen development.

(ii) All shrubs used for screening purposes shall be a minimum five-gallon size when planted.

(iii) A fence or wall, when required as a screening device, shall be of solid wood or masonry, or other material, modulated and landscaped where appropriate to provide visual relief from continuous wall or fence surfaces. Fencing shall comply with SCCC 13.10.525.

(2) It shall be a landscape design objective to select plant material appropriate to the design and site conditions. Site conditions which affect the selection of appropriate plant material include soil conditions, microclimate, maintenance, and solar access. Factors which affect the landscape design include the growth pattern, color, and texture of the plant material.

(a) Plant Material Type, Size and Growth.

(i) Invasive species such as acacia, pampas grass, broom, etc., should not be used and should be eliminated if already present.

(ii) Landscaping shall be provided in sufficient size and quantity to adequately screen and soften the effect of new building planes and asphalt within the first year of growth.

(iii) All trees planted shall be a minimum of 15-gallon size. Larger specimens may be required, e.g., 24-inch box or field specimens, depending upon the scale of the proposed project. The trees shall have been grown to the minimum nursery standards for tree height, caliper and canopy for the container size and tree species specified.

(iv) Landscape plans prepared by a landscape architect or designer shall be required for all projects with new construction square footage of 2,000 square feet or greater. The plans shall specify appropriate plant species, spacings and locations, given the plant types and characteristics, type of soil, availability, watering needs and similar considerations, so that the plantings will achieve their purpose and mature size within a reasonable time.

(b) Landscape Maintenance.

(i) All required vegetation shall be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemical, blight, or disease. Any vegetation which shows signs of such damage or injury at any time shall be replaced by the same, similar, or substitute vegetation of a size, form, and character which will be comparable at full growth.

(ii) Required landscaping shall be kept free from weeds and undesirable grasses. One means of preventing weed growth is to plant dense ground covers; another is by mulching. This subsection does not apply to private yard areas of single-family dwellings other than large dwellings as defined in SCCC 13.10.324(C).

(iii) The decision-making body shall, as a condition of approval of an SDP including any landscaping or landscaped area, require the execution of a landscape maintenance agreement and security as defined in SCCC 13.11.030, or other acceptable surety, for the maintenance of any or all landscaping on a building site. A landscape maintenance security shall not be required for commercial, industrial, or residential projects where a property owners' association is established to ensure that landscape maintenance of common areas is satisfactorily accomplished. Proof of the formation of the property owners' association shall be supplied to, and approved by, the Department of Community Development and Infrastructure before the landscape maintenance bond requirement is waived.

(3) It shall be an objective of the landscape design to conserve water and to maximize

water use efficiency through plant selection, soil conditioning and irrigation management.

(a) Applicability. The landscape water conservation requirements set forth in this subsection (D)(3) apply only to the common landscape areas of land divisions and of residential developments of three or more units; to commercial, industrial, or institutional construction or remodels 2,000 square feet in size or larger; and to all County projects including, but not limited to, public buildings, parks and open spaces, streets, and streetscapes.

(b) Turf Limitation and Plant Selection.

(i) The turf area shall be limited to no more than 25 percent of the total landscaped area. This limitation shall not apply to projects such as public parks, cemeteries, and recreation areas where water use efficiency is evaluated on a regular basis through a landscape irrigation audit or to any project that uses reclaimed or recycled water for irrigation purposes.
(ii) Turf shall be of low to moderate water-using varieties, such as tall fescue. Turf shall be used in a practical manner for high use or aesthetically desirable areas. Turf should not be used in median strips, on slopes greater than 33 percent or in areas less than eight feet wide.

(iii) At least 80 percent of the plant materials selected in non-turf areas (equivalent to 60 percent of the total landscaped area) shall be well suited to the climate of the region and require minimal water once established. Up to 20 percent of the plant materials in non-turf areas (equivalent to 15 percent of the total landscaped area) need not be drought tolerant; provided, that they are grouped together and can be irrigated separately. The use of trees and native plants is encouraged in appropriate locations.

(c) Soil Conditioning.

(i) In new planting areas, soil shall be tilled to a depth of six inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention.

(ii) After planting, a minimum of two inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation, and inhibit weed growth.

(d) Irrigation Management.

(i) All required landscaping shall be provided with an adequate, permanent, and nearby source of water which shall be applied by an installed irrigation or, where feasible, a drip irrigation system.

(ii) Irrigation systems shall be designed to avoid runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures.

(iii) Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, d4r3ip or bubbler irrigation systems, rain shutoff

devices, and other equipment shall be utilized to maximize the efficiency of water applied to the landscape.

(iv) Plant materials having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.

(v) An irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit application. The irrigation plan shall show the location, size, and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.

(vi) Whenever possible, landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative loss.

(4) Site Furniture and Fixtures. Outdoor furniture and fixtures such as lighting, freestanding signs, trellises, raised planters, benches, trash receptacles, newspaper racks, bus stops, and fencing shall be compatible with project architecture, shall be integral elements of the building and landscape design, and shall be included in, and shown on, all site and landscape plans.

SECTION XIX

Section 13.16.020 of the Santa Cruz County Code is hereby amended, to read as follows:

13.16.020 Definitions.

"Alley" means a passage or way open to public travel permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting a street.

"Bicycle" means a device upon which a person may ride, propelled through a belt, chain, or gears, and having one or more wheels. "Bicycle" also includes mopeds as defined in the California Vehicle Code.

"Bicycle parking facilities" are defined as:

(1) "Class 1 bicycle parking facility" means a locker, individually locked enclosure or supervised area within a building providing protection for each bicycle therein from theft, vandalism and weather.

(2) "Class 2 bicycle parking facility" means a bicycle rack constructed so as to enable the bicycle to have two points of contact and allow the user to secure a bicycle by locking the frame and one wheel.

"Bicycle rack" means a device to which bicycles can be securely attached for parking purposes.

"County Design Criteria" means the County of Santa Cruz "Design Criteria for Streets, Storm Drains, Sanitary Sewers and Water Sewers," as developed by the Public Works Department, approved by resolution of the Board of Supervis404rs, incorporated by reference herein, and kept on file in the office of the Public Works Department.

"Davenport/Swanton Designated Area" or "DASDA" is defined in SCCC 13.10.694(C).

*"***Director**" means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

"Intensification of use" means any change or expansion of a use which will result in both a greater than 10 percent increase in vehicle trips and more than 110 new daily vehicle trips.

"Interior driveway" means an open vehicular passageway, drive aisle, or private access corridor in the Urban Services Line (USL) or Rural Services Line (RSL) that is not a through road or a publicly maintained right-of-way and used to access three to four residential primary dwelling units.

"Interior roadway" means an open passageway in the USL or RSL that:

(1) Is not a publicly maintained roadway, is not a through road to a publicly maintained roadway, and is not planned to become a through road to a publicly maintained roadway. Connections within the development, such as loop roads, would not be considered as a through road for this purpose;

(2) Has been offered to the County for dedication but has been declined; and

(3) Is used to access five or more residential primary dwelling units or is used to access mixed use developments.

"Live Oak Designated Area" or "LODA" is defined in SCCC 13.10.694(C).

"Major transit stop" is as defined by Public Resources Code Section 21155.

"Off-street loading berth" means a portion of a site designated for the parking of a vehicle, truck, van, or semitrailer while it is being loaded or unloaded.

"Off-street parking facility" means a site or a portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives and landscaped areas.

"Road or street" means a public or private access way offered for dedication, whether accepted into the public street system by the County or not.

"Sea Cliff/Aptos/La Selva Designated Area" or "SALSDA" is defined in SCCC 13.10.694(C).

"Transit priority area" means the area within one-half mile of an existing or planned major transit stop or high-quality transit corridor as defined by Public Resources Code Section 21155.

"Vehicle" means a device by which any person or property may be propelled, moved or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

"Vehicle miles traveled" means the number of miles traveled by light duty passenger vehicles.

"Vertical bicycle parking" means a bicycle parking facility which allows a bicycle to be parked with wheels lifted off the ground with at least one wheel no more than 12 inches above the ground.

SECTION XX

Section 13.16.040 of the Santa Cruz County Code is hereby amended, to read as follows:

13.16.040 Bicycle parking requirements.

(A) Bicycle parking facilities shall be provided for any new building, intensification of use, or for any change in use resulting in a 10 percent increase in the required number of bicycle parking spaces if that 10 percent increase is greater than two spaces. At a change in use, the new use may use vehicle parking to provide the required bicycle parking, at the discretion of the decision-making body, if it is not feasible to otherwise provide the required amount of bicycle parking and subject to the same requirements of subsection (D)(1) of this section.

(B) Bicycle Spaces and Type Required. Bicycle parking quantity and type shall be provided in accordance with the following schedule, with fractional quantity requirements one-half or greater to be rounded up. Each bicycle parking space shall be no less than six feet long by two feet wide and shall have a bicycle rack system in compliance with the requirements in the following Table 13.16.040-1: Bicycle Parking Spaces Required:

Table 13.16.040-1: Bicycle Parking Spaces Required		
Use	**Number of Bicycle Parking Spaces**	**Classification**
Commercial, industrial, office, retail, service	15% of vehicle parking requirement prior to any reductions applied Minimum of 2 spaces[1]	Minimum 20% Class 1 80% Class 2
Multifamily residential (apartments and condominiums)	1 space per unit plus 20% guest parking	100% Class 1 in garages or secure accessible indoor areas count 1 space per 4 units Class 2
Townhomes	20% guest parking	100% Class 2
Public facility	35% of vehicle parking, prior to any reductions applied	Minimum 10% Class 1 90% Class 2
Schools	1 space per 3 students prior to any reductions applied	100% Class 2 secured, covered
Visitor accommodations	1 space per 5 rooms/beds prior to any reductions applied	Minimum 10% Class 1 90% Class 2

1. See subsection (D) of this section for exceptions.

(C) Location and Design of Facilities.

(1) Bicycle parking shall be located in close proximity to the building's entrance and clustered in groups not to exceed 10 spaces each. If there are separate customer and employee entrances bicycle parking shall be distributed near both entrances for the convenience of both users.

(2) Bicycle parking facilities shall support bicycles in a stable position without damage to wheels, frame or other components. The inverted "U" style rack shall be used for Class 2 parking unless parking is incorporated into street furniture or art as specified in subsection (C)(5) of this section. Racks must be easily usable with both U-locks and cable locks. Racks should support the bicycles in a stable upright position so that a bicycle, if bumped, will not fall or roll down. Racks that support a bicycle primarily by a wheel are damaging to wheels and thus are not acceptable.

(3) Bicycle parking facilities shall be located in highly visible, well-lit areas to minimize theft and vandalism.

(4) Bicycle parking facilities shall be securely anchored to the lot surface so they cannot be easily removed and shall be of sufficient strength to resist vandalism and theft.

(5) Bicycle parking facilities shall not impede pedestrian or vehicular circulation, and should be harmonious with their environment both in color and design. Facilities should be incorporated whenever possible into street furniture or art, while complying with other provisions of this section.

(6) Bicycle parking facilities shall provide sufficient spacing to allow for unobstructed access. When placed parallel to a wall, a rack must be at least three feet away from any vertical obstruction. If the bicycle rack is only two feet away, such rack would only satisfy one required bicycle parking space. When placed perpendicular to a wall, the rack must be at least two feet and preferably three feet away from the vertical obstruction. A standard bicycle sticks out about two feet from a standard inverted U or circular rack. A minimum four-foot pedestrian aisle shall be provided to enter and leave the facility for either Class 1 or Class 2 parking. Lockers or other secure parking (Class 1 parking) shall be located to allow sufficient space for doors to open. See Figure 13.16.040-1 below demonstrating aisle width requirements for bicycle parking configurations assuming a parked bicycle's wheel extends approximately two feet from the rack.

(7) Where direct access to the bicycle parking area is not provided from the street a minimum five-foot-wide hallway shall be provided unless such access is in the unused corner of a parking garage or lot in which case the access may be three feet as shown in Figure 13.16.040-2 below.

(8) In the public right-of-way clearance between a building and parking shall have a width of at least 72 inches to the front or rear of a bicycle parked in the facility. See Figure 13.16.040-3 below.

(9) The outside ground surface shall be paved or finished in a way that avoids the creation of mud and dust, such as with the use of concrete, asphalt, pavers, or tile.

(10) Bicycle parking facilities within vehicle parking areas shall be separated by a physical barrier, such as curbs, wheel stops, bollards or other similar features, to protect bicycles from damage by vehicles.

(11) Vertical bicycle parking shall enable the bicycle to be locked to a rack or other object

permanently affixed to a wall. A minimum of 16 inches of distance between racks are required to allow for easy mounting which is measured from the mid-point of one rack to the mid-point of another rack. The required aisle space is five feet and is measured from the outer edge of the bicycles.

(D) Exceptions to Requirements.

(1) Substitution of Vehicle Parking With Bicycle Parking. Subject to Director approval, new and preexisting developments may convert up to 10 percent of their required vehicle spaces to unrequired additional bicycle parking, as long as the spaces are conveniently located near the entrance and a parking study prepared by a qualified transportation professional demonstrates that parking demand will not exceed 85 percent of supply. Converted parking spaces must yield at least three racks or six bicycle parking spaces per vehicle space.

(2) Vertical Bicycle Parking. Subject to Director approval, when the number of bicycle parking spaces required is not feasible due to site constraints, up to 30 percent of the parking may be substituted with vertical bicycle parking spaces.

(3) If the number of bicycle parking spaces calculated based on the requirements of SCCC 13.16.040 exceeds 50 for commercial, industrial, office, retail, or service land uses, the applicant may request a reduction subject to approval by the decision-making body.

(4) Where the provision of bicycle parking is physically not feasible, the requirements may be reduced to a feasible level subject to approval by the decision-making body.

SECTION XXI

Section 13.16.060 of the Santa Cruz County Code is hereby amended, to read as follows:

13.16.060 Vehicle parking design standards – non single-family homes.

Off-street parking facilities for all development other than single-family homes must meet Santa Cruz County Design Criteria and shall conform with the following standards:

(A) Location. Site design shall minimize the visual impact of pavement and parked vehicles by siting buildings toward the front or middle portion of the lot and parking areas to the rear or side of the lot unless otherwise approved pursuant to SCCC 13.10.230. See Santa Cruz County Design Guidelines for more information.

(1) In residential districts off-street parking facilities prescribed in this chapter shall be located on the same site as the use for which the spaces are required, or on an adjoining site or separated only by an alley from the use for which the spaces are required.

(2) In commercial and mixed-use districts, off-street parking facilities prescribed in this chapter shall be located within 300 feet of the use for which the spaces are required, measured by the shortest route of pedestrian access.

(3) Off-Site Parking Facilities. Where parking cannot be provided on site to meet the requirements of this chapter, the requirements for parking facilities may be satisfied by the permanent allocation of the required[4]n[8]umber of spaces for each use in either a shared-

use or an exclusive-use off-site parking facility. An easement for the life of the business, attached to the land for which the application is being made, granting such off-site parking rights shall be recorded in the office of the County Recorder. The easement shall designate the off-street parking facility and the uses or structures to be served, with legal descriptions of the sites involved, and shall specify the hours of operation, provide for maintenance, and certify that the easement shall not be terminated and that the off-street parking facility shall not be used for any other purpose unless a development permit amendment has been approved pursuant to SCCC 18.10 either eliminating the requirement for the parking facility or approving alternative parking facilities.

(B) Parking Structures. Parking within structures, including basement and roof parking, is encouraged in order to minimize asphalt pavement and maximize open areas. The visual impact of parking structures shall be reduced by landscaping and other appropriate screening from public streets and adjacent residential areas.

(C) Lighting. Lighting design shall relate to the site and building design and reduce off-site impacts.

(1) All site, building, security, and landscape lighting shall be directed onto the site and away from adjacent properties, so as not to cause annoying glare or illumination. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design.

(2) All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards shall not exceed a maximum height of 15 feet.

(3) Area lighting shall be consistent with California Green Building Standards Code and California Energy Code for outdoor lighting requirements.

(D) Landscaping. Landscaping shall screen parking from the street, frame the major circulation aisles, emphasize pedestrian pathways, and provide shade. Landscaping shall conform to the following standards:

(1) A comprehensive landscape plan shall be submitted for review and approval for developments requiring five vehicle parking spaces or more. The plan shall indicate existing and proposed trees, shrubs and ground cover and delineate species, size, placement, and irrigation methods. Landscape plans shall be required to be prepared by the project designer, architect, a registered landscape architect, or other qualified individual.

(2) Parking lot landscaping shall be designed to visually screen parking from public streets and adjacent uses. Techniques to achieve screening include: the use of mixed planting which incorporates trees, shrubs, and groundcovers; mounds; low walls; parking set below grade; or a combination of these techniques which achieves this function. See Santa Cruz County Design Guidelines for more information.

(3) Shade trees shall be installed to provide shade over 50 percent of the parking area within 15 years or as specified in the most current California Green Building Standards Code (See Section 5.106.12). Trees shall[49]be provided in sufficient size and quantity to

adequately screen and soften the effect of the parking area within the first year. At least 25 percent of the trees required for parking lot screening shall be 24-inch box size when planted; all other trees shall be 15-gallon size or larger when planted. A minimum of one tree for every five parking spaces shall be provided. Planting areas for trees required within parking rows should be achieved by one of the following methods (see Figures 13.16.060-1 and 13.16.060-2):

(a) A continuous landscape strip, at least five feet wide, between rows of parking spaces; or

(b) Tree wells, at least eight feet wide, resulting from the conversion of two opposing full-sized spaces to compact spaces; or

(c) Tree wells, at least five feet square, placed diagonally between standard or compact car spaces.

(4) As appropriate to the site use, required landscaped areas next to parking spaces or driveways shall be protected by a minimum six-inch-high curb or wheel stop, such as concrete, masonry, railroad ties, or other durable materials.

(5) Where a site adjoins a residential zone district, landscaping shall be used to provide privacy and screen unsightliness.

(6) Hose bibs shall be conveniently located for hand watering, or an irrigation system shall be installed to ensure that all landscaping is permanently maintained.

(E) Size of Parking Spaces.

(1) Each standard size parking space shall be not less than 18 feet in length and eight and one-half feet in width, exclusive of aisles and access drives. (See Figures 13.16.060-3 through 13.16.060-5.)

(2) Each compact car parking space shall be not less than 16 feet long and seven and one-half feet wide.

(3) All parking spaces shall have a vertical clearance of not less than seven feet for standard parking spaces and eight feet, two inches for ADA parking spaces.

(4) Where single accessible parking spaces are provided, they shall be 14 feet wide and outlined to provide a nine-foot parking area and a five-foot loading and unloading access aisle on the passenger side of the vehicle. When more than one accessible parking space is provided, in lieu of providing a 14-foot-wide space for each parking space, two spaces can be provided within a 23-foot area lined to provide accessible parking as required by this section.

(F) Size of Parking Lot. Parking areas shall have the following Table 13.16.060 -1 Minimum Parking Lot Dimensions:

Table 13.16.060-1: Minimum Parking Lot Dimensions		
Parking Angle	**Cars on One Side of Aisle[1]**	**Cars on Both Sides of Aisle**
90°[1]	40' two-way/36' one-way	60' two-way/58' one-way

60°	36'	56'
45°	33'	52'

1. For lots with cars on one side of aisle only, the aisle width shall be 22 feet for two-way circulation and 18 feet for one-way circulation.

(G) Each parking space shall be accessible from a street, interior driveway, aisles, or alley. Entrances and exits from or onto a public right-of-way shall be provided at locations approved according to encroachment permit procedures. Backing out movements onto the street shall be discouraged. Backing out movements onto major streets shall not be allowed where a reasonable alternative exists to do otherwise.

(H) The parking area, aisles, access drives and interior driveways shall be paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent permeable or nonpermeable surface so as to provide a durable, dustless surface, and shall be graded and drained so as to prevent erosion and disperse surface water. Parking areas, aisles, interior driveways, and access drives together shall not occupy more than 50 percent of any required front yard setback area for any residential use, except for parking spaces located on an individual mobile home lot, which does not front on an exterior street, in a mobile home park, and except for parking required for accessory dwelling units as provided for in SCCC 13.10.681.

(I) On-site drainage percolation or detention shall be provided so as not to exceed predevelopment runoff levels, and designed for a 10-year storm. Drainage shall be filtered to reduce urban contamination of downstream drainage. The installation and maintenance of traps for oil, grease, and silt is required for all parking lots for 20 spaces or more and for all commercial and industrial projects. Refer to County Design Criteria for stormwater design guidance.

(J) Wheel stops and bumper rails shall be provided where needed for safety or protection of property.

(K) No repair work or servicing of vehicles shall be conducted on a parking area.

(L) Maintenance. Parking areas shall be maintained in good condition, and kept free of trash, debris, display or advertising uses.

(M) No changes shall be made in the number of parking spaces designated on the parking plan without a minor site development permit or an amendment to an existing site development or use permit processed pursuant to the requirements of SCCC 18.10.

(N) A request for an exception from the provisions of this section may be considered as a minor permit, per SCCC 18.10.

SECTION XXII

Section 13.16.061 is hereby added to the Santa Cruz County Code, to read as follows:

13.16.161 Vehicle Parking Design Standards – Single-family homes.

(A) Size of Parking Spaces.

(1) Each standard size parking space shall be not less than 18 feet in length and eight and one-half feet in width, exclusive of aisles and access drives. (See Figures 13.16.060-3 through 13.16.060-5.)

(2) Each compact car parking space shall be not less than 16 feet long and seven and one-half feet wide.

(3) All parking spaces shall have a vertical clearance of not less than seven feet for standard parking spaces and eight feet, two inches for ADA parking spaces.

(4) Where single accessible parking spaces are provided, they shall be 14 feet wide and outlined to provide a nine-foot parking area and a five-foot loading and unloading access aisle on the passenger side of the vehicle. When more than one accessible parking space is provided, in lieu of providing a 14-foot-wide space for each parking space, two spaces can be provided within a 23-foot area lined to provide accessible parking as required by this section.

SECTION XXIII

Section 13.20.040 of the Santa Cruz County Code is hereby amended, to read as follows:

13.20.040 Definitions.

All terms used in this chapter shall be as defined in the General Plan—Local Coastal Program Land Use Plan glossaries, except as noted below.

"Aggrieved person" means any person who meets the requirements of Public Resources Code Section 30801.

"Appealable area" means the area that is located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance; (2) within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff; (3) on tidelands, submerged lands, and public trust lands; and/or (4) in a sensitive coastal resource area as defined by SCCC 13.20.040. In addition to CDP approval decisions for development in such appealable areas that are appealable to the Commission, the following types of CDP decisions are also appealable: (1) approval of CDPs for any development that is not designated as the principal permitted use; and (2) approval or denial of any CDPs for any development which constitutes a major public works project (including a publicly financed recreational facility and/or a special district development) or a major energy facility (as defined by SCCC 13.20.040).

"Applicant" means the person or persons, group, organization, partnership, limited liability company or other business association or corporation, including any utility, and any State or local public agency applying for a coastal development permit.

"Bulk" means, in the context of a disaster replacement only, the total interior cubic volume as measured from the exterior surface of the structure.

"Coastal Commission" means the California Coastal Commission.

"Coastal development permit (CDP)" means a permit authorizing development within the Coastal Zone.

"Coastal development permit exclusion" means, pursuant to a Coastal Commission-adopted exclusion order, a class of development for which no coast5a2l development permit is required, provided the terms and

conditions of the underlying categorical exclusion orders are met. The categories of excluded development are referenced in SCCC 13.20.070 et seq.

"Coastal development permit exemption" means, pursuant to the California Coastal Act and Title 14, Division 5.5 of the California Code of Regulations, a class of development for which no coastal development permit is required. The categories of exempted development are referenced in SCCC 13.20.060 et seq.

"Coastal resources" include, but are not limited to, public access and public access facilities and opportunities, recreation areas and recreational facilities and opportunities (including for recreational water-oriented activities), public views, natural landforms, marine resources, watercourses (e.g., rivers, streams, creeks, etc.) and their related corridors, waterbodies (e.g., wetlands, estuaries, lakes, etc.) and their related uplands, ground water resources, biological resources, environmentally sensitive habitat areas, agricultural lands, and archaeological or paleontological resources.

"Coastal Zone" means that portion of the Coastal Zone, as established by the Coastal Act of 1976 and as it may subsequently be amended, which lies within the unincorporated area of Santa Cruz County.

"Commercial timber harvest" means a timber harvest designed for a market; traded, bartered or sold for valuable consideration; not designed for use in the landowner's household or farm.

"Consolidated coastal development permit process" means a permit process where a coastal development permit is required from both the County and the Coastal Commission and the separate permits are consolidated and processed by the Coastal Commission only. The consolidated permit process requires consent by the applicant, the County, and the Coastal Commission. The standard of review is Chapter 3 of the Coastal Act with the County's Local Coastal Program used as guidance.

"Decision-making body" means the County Planning Director, Zoning Administrator, Planning Commission, or Board of Supervisors or, if on appeal, the Coastal Commission, authorized to make a decision on a coastal development permit.

"Development" means on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, alteration in the size of any structure including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

"Director" means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

"Disaster" means any situation in which the force or forces which destroyed a structure to be replaced were beyond the control of its owner.

"Emergency" means a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

"Environmentally sensitive habitat area (ESHA)" means, as defined by the Coastal Act and for the

purposes of this chapter, any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

"Exclusive use" means, in the context of a temporary event only, a use that precludes public uses in the area of the temporary event for public recreation, beach access or access to coastal waters other than for or through the temporary event itself.

"Intensification of use, nonresidential" means any change or expansion of a nonresidential use which will result in both a greater than 10 percent increase in parking need and more than two parking spaces or which (1) is determined by the Planning Director likely to result in a significant new or increased impact due to potential traffic generation, noise, smoke, glare, odors, hazardous materials, water use, and/or sewage generation, or (2) would lead to new or increased impacts on coastal resources, shall be considered an intensification of a nonresidential use.

"Intensification of use, residential" means any change to a residential use which will result in (1) an increase of its number of bedrooms, as defined in SCCC 13.10.700-B, or (2) new or increased impacts on coastal resources, shall be considered an intensification of residential use.

"Limited duration" means, in the context of a temporary event only, a period of time that does not exceed a two-week period on a continual basis, or does not exceed a consecutive four-month period on an intermittent basis.

"Local Coastal Program (LCP)" means the County's land use plans, zoning ordinances, zoning maps and implementing ordinances and actions certified by the Coastal Commission as the County's LCP meeting the requirements of the California Coastal Act of 1976.

"Major energy facility" means any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy that costs more than an amount equal to $100,000 plus the annual increase specified in the Engineering News Record Construction Cost Index between 1976 and the present time, except for those facilities governed by the provisions of Public Resources Code Section 30610, 30610.5, 30611, or 30624.

"Major public works project" means (a) any project associated with a public work, as defined by Public Resources Code Section 30114, that costs more than an amount equal to $100,000 plus the annual increase specified in the Engineering News Record Construction Cost Index between 1976 and the present time, except for those facilities governed by the provisions of Public Resources Code Section 30610, 30610.5, 30611, or 30624; or (b) any publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.

"Minor development" means, with regard to the public hearing requirement for a coastal development permit only, pursuant to Public Resources Code Section 30624.9, a development which the Planning Director determines satisfies all of the following requirements:

(1) Is consistent with the certified LCP;

(2) Requires no discretionary approvals other than a coastal development permit; and

(3) Has no adverse effect either individually or cumulatively on coastal resources, including public access to the shoreline or along the coast.

Applications for coastal development permits for minor developments may be processed administratively without a public hearing subject to the criteria of this chapter.

"Nonpermanent structure(s)" means, in the context of a temporary event only, structures including, but not limited to, bleachers, perimeter fencing, vendor tents/canopies, judging stands, trailers, portable toilets, sound/video equipment, stages, booths, platforms, and movie sets, which do not involve grading or landform alteration for installation.

"Notice of exclusion" means a form signed by the Planning Director stating that a development meets the requirements for a coastal development permit exclusion, the reasons supporting such a determination (including reference to applicable code sections), and all necessary information and other materials including, but not limited to, location maps, site plans and elevations supporting the Planning Director's exclusion determination.

"Permittee" means the person or persons, group, organization, partnership, limited liability company or other business association or corporation, including any utility, and any Federal, State, or local government, special district, or public agency thereof, or other party issued a coastal development permit.

"Person" means any individual, organization, partnership, limited liability company, or other business association or corporation, including any utility, and any Federal, State, local government, or special district or an agency thereof.

"Planning Director" means the Planning Director or his or her authorized designee or in certain circumstances, the decision-making body.

"Principal permitted use" means, for the purpose of this chapter, those uses listed for each of the basic zone districts in SCCC 13.10 (Zoning Regulations), which are listed as not requiring a public hearing and the approvals of which are not appealable to the Coastal Commission except as specified in SCCC § 13.20.120.

"Project" means any development as defined in this chapter.

"Sandy beach area" means sandy areas fronting on coastal waters.

"Sensitive coastal resource area" means those identifiable and geographically bounded land and water areas within the Coastal Zone of vital interest and sensitivity. In Santa Cruz County these are:

(1) Special marine and land habitat areas, wetlands, lagoons, and estuaries as designated in Appendix B of the LCP;

(2) All local, State, and Federal parks, open space, and recreation areas;

(3) Highly scenic areas, including as mapped on the LCP maps;

(4) Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer;

(5) Special communities or neighborhoods that are significant visitor destination areas. These include Davenport, Harbor Area, East Cliff Village Tourist Area, Seacliff Beach, and the Rio Del Mar Esplanade Tourist Special Community;

(6) Areas where divisions of land could substantially impair or restrict coastal access.

"Structure" means, for the purposes of coastal development permit review, anything constructed or erected.

"Temporary event" means an activity or use that constitutes development of limited duration that involves the placement of nonpermanent structures, and/or an activity or use that involves exclusive use of a sandy beach, parkland, filled tideland, water area, stree5t5, or parking area otherwise open and available for general

public use.

"Working day" means weekdays other than State or County holidays or furlough days.

SECTION XXIV

Section 13.20.063 of the Santa Cruz County Code is hereby amended, to read as follows:

13.20.063 Replacement after disaster exemption.

Subject to SCCC 13.20.060, no coastal development permit is required for the replacement of any legal structure (including associated landscaping and erosion control structures/devices) that existed prior to the occurrence of a disaster, other than a public works facility, that is destroyed by a disaster (i.e., any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owner); provided, that the replacement structure will:

(A) Conform to all applicable LCP requirements, including SCCC 16.10.070(H)(4), Coastal Bluffs and Beaches, Alteration of Damaged Structures;

(B) Be for the same use as the destroyed structure;

(C) Not exceed the floor area, height, or bulk (i.e., the total interior cubic volume as measured from the structure's exterior surface) of the destroyed structure by more than 10 percent; and

(D) Be sited in the same location on the affected property as the destroyed structure, unless the Director determines that there are no additional impacts to environmental resources protected by SCCC Title 16, coastal resources, groundwater, and protected watersheds.

SECTION XXV

Section 13.20.080 of the Santa Cruz County Code is hereby amended, to read as follows:

13.20.080 Determination of applicable notice and hearing procedures.

The determination of whether a development is exempt, categorically excluded, nonappealable or appealable for purposes of notice, hearing and appeals procedures shall be made by the local government at the time the application for development within the Coastal Zone is submitted or as soon thereafter as possible, and in all cases prior to the application being deemed complete for processing. This determination shall be made with reference to the certified Local Coastal Program, including any maps, categorical exclusions, land use designations and zoning ordinances which are adopted as part of the Local Coastal Program. Where an applicant, interested person, or a local government has a question as to the appropriate designation for the development, the following procedures shall establish whether a development is categorically excluded, nonappealable or appealable:

(A) The local government shall make its determination as to what type of development is being proposed and shall inform the applicant of the notice and hearing requirements for that particular development (i.e., categorically excluded, appealable, nonappealable). The local determination may be made by any designated local government employee(s) or any local body as provided in local government procedures.

(B) If the determination of the local government is challenged by the applicant or an interested person, or if the local government wishes to have a Commission determination as to the appropriate designation, the local government shall notify the Commission by telephone of the dispute/question and shall request an Executive Director's opinion.

(C) The Executive Director shall, within two working days of the local government request (or upon completion of a site inspection where such inspection is warranted), transmit his or her determination as to whether the development is categorically excluded, nonappealable or appealable.

(D) Where, after the Executive Director's investigation, the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate designation for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting (in the appropriate geographic region of the state) following the local government request.

(E) Coastal Development Permit Exemptions. The County shall transmit all coastal development permit exemption determinations to the Coastal Commission within five working days of the determination, consistent with Section 13569(b) of Title 14 of the California Code of Regulations.

(1) The exemption notice shall be provided to the applicant, any known interested parties, and the Coastal Commission, and shall include the information specified in subsections (F)(1) through (5) below.

(2) The Coastal Commission Executive Director shall have the time period specified in Section 13569(b) of Title 14 of the California Code of Regulations to review the exemption determination and determine whether the development is in fact exempt.

(F) Coastal Development Permit Exclusions. The County shall provide notice of coastal development permit exclusion determinations within five working days of such determinations. The exclusion notice shall be provided to the applicant, any known interested parties (including those who have specifically requested such notice or to be kept informed regarding the application and/or development at the location), and the Coastal Commission. Such notices shall include:

(1) Identification of the project applicant, project location (including address and assessor's parcel numbers), project description, and a list of any other approvals and/or permits (in addition to the exclusion) needed for the project;

(2) The reasons supporting the exclusion determination (including reference to the governing categorical exclusion and any other applicable LCP sections, etc.);

(3) All necessary information and other materials (i.e., location maps, site plans, elevations) supporting the exclusion determination;

(4) The date of the exclusion determination; and

(5) Identification of all recipients of the notice. A copy of any terms and conditions imposed by the County through other approvals and permits (including building and/or grading permits) shall be made available for review upon request.

(G) Coastal Development Permits. If not exemp[5]t[7]or excluded, coastal development permit

applications shall otherwise be processed in accordance with the provisions of this chapter.

SECTION XXVI

Section 13.20.120 of the Santa Cruz County Code is hereby amended, to read as follows:

13.20.120 Coastal Commission appeals.

All local appeals of actions taken pursuant to the provisions of this chapter shall be made in conformance with the procedures in SCCC 18.10. Issuance of an approved coastal development permit shall be stayed until all applicable appeal periods expire or, if appealed, until all appeals, including any appeals to the Coastal Commission, have been exhausted.

(A) County actions on coastal development permit applications may be appealed to the Coastal Commission as specified below.

(B) Only the following County actions may be appealed:

(1) Approval of a coastal development permit for development that is located between the sea and the first through public road paralleling the sea, or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(2) Approval of a coastal development permit for development that is not included in subsection (B)(1) of this section, but that is located on tidelands, submerged lands, public trust lands, or within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.

(3) Approval of a coastal development permit for development that is not designated as a Coastal Zone principal permitted use (CZP) in the zone district that applies to the development site. CZPs are listed for each zone district in SCCC 13.20.121.

(4) Approval of a coastal development permit for development that is not included in subsection (B)(1) or (B)(2) of this section but is located in a sensitive coastal resource area as defined in SCCC 13.20.040.

Subsections (B)(3) and (B)(4) shall not apply to a multifamily housing project that consists exclusively of residential uses and includes four or more units.

(C) An appeal pursuant to this section may be filed only by: (1) the applicant for the coastal development permit in question, (2) any aggrieved person, or (3) any two members of the Coastal Commission. An applicant or aggrieved person shall be deemed to have exhausted all avenues of local appeal if any of the following occur: (a) they pursued their appeals through all of the available appellate bodies (i.e., from the Zoning Administrator to the Planning Commission to the Board of Supervisors); (b) they were denied the right of local appeal by local ordinance which restricts the class of persons who may appeal a local decision; (c) they were denied the right of local appeal because notice and hearing procedures did not comply with the provisions of this chapter and SCCC 18.10; or (d) Santa Cruz County charges an appeal fee for the filing or processing of CDP appeals. The appeal must be filed with the Coastal Commission and be received in the Commission's Central Coast District Office on or before 5:00 p.m. on the tenth working day after the Central Coast District Office receives a nondeficient

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(D) The grounds for appeal of a County approval of a coastal development permit shall be limited to an allegation that the development does not conform to the standards set forth in the certified LCP and/or the public access policies of the California Coastal Act.

(E) The grounds for appeal of a County denial of a coastal development permit pursuant to subsection (B)(6) of this section shall be limited to an allegation that the development conforms to the standards set forth in the certified LCP and the public access policies of the California Coastal Act.

(F) When an appeal of a County action on a coastal development permit is filed with the Coastal Commission, the County's action shall be stayed and County permits and/or approvals, including other types of permits, shall not be issued by the County until the appeal has been resolved at the Coastal Commission level. The possible outcomes of an appeal to the Coastal Commission are as follows:

(1) If the applicant withdraws the coastal development permit application prior to final Coastal Commission action on the appeal, then the application, the County's action and the appeal to the Coastal Commission shall all be considered vacated. The applicant may reapply, subject to SCCC 18.10.

(2) If all appellants withdraw their appeals prior to Coastal Commission action regarding whether to take jurisdiction over the coastal development permit application (also known as a substantial issue determination), then the appeals shall be considered vacated and the County's action shall become final.

(3) If the Coastal Commission declines to take jurisdiction over the coastal development permit application (also known as a finding of no substantial issue), then the County's action shall become final.

(4) If the Coastal Commission takes jurisdiction over the coastal development permit application (also known as a finding of substantial issue), then the County's coastal development permit action shall be considered vacated. In such a case, the Coastal Commission shall either:

(a) Approve the proposed development (with or without conditions); or

(b) Deny the proposed development.

(G) In the case of a Coastal Commission approval of a coastal development permit as described in subsection (B) of this section, the Director shall review the Commission's approval to determine whether any terms and/or conditions imposed by the Coastal Commission are a substantial variation from the terms and/or conditions of any noncoastal development permit approvals granted by the County for the project. The County approving body shall re-review any noncoastal development permit approvals and will as necessary approve, modify, or deny any noncoastal development permit applications associated with the project as approved by the Coastal Commission to ensure consistency with the coastal development permit.

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SECTION XXVII

Section 16.10.040 of the Santa Cruz County Code is hereby amended, to read as follows:

16.10.040 Definitions.

For the purposes of this chapter, the following definitions apply:

(1) **"Accessory use"** means any use which is clearly incidental and secondary to the main use and does not change the character of the main use.

(2) **"Active"** means a geologic feature (fault or landslide) which shows evidence of movement, surface displacement, or activity within Holocene time (about the last 11,000 years).

(3) **"Addition"** means improvement to an existing structure that increases the area, measured in square feet. The use of breeze ways, corridors, or other nonintegral connections between structures shall not cause separate buildings or structures to be considered additions to an existing structure.

(4) **"Adjacent/contiguous parcel"** means a parcel touching the subject parcel and not separated from the subject parcel by a road, street or other property.

(5) **"Area of special flood hazard"** means an area having special flood hazard as identified by the Federal Insurance Administration, through the Federal Emergency Management Agency, and shown on an FHBM or FIRM map as Zone A, AO, A1—A30, AE, A99, V1—V30, VE or V. Also known as special flood hazard area (SFHA).

(6) **"Base flood"** means a flood which has a one percent chance of being equaled or exceeded in any given year. For flood insurance purposes "100-year flood" and "base flood" have the same meaning.

(7) **"Basement"** means, for the purposes of this chapter, any area of the building having its floor subgrade (below ground level) on all sides.

(8) **"Beach erosion"** means temporary or permanent reduction, transport or removal of beach sand by littoral drift, tidal actions, storms or tsunamis.

(9) **"Certified engineering geologist"** means a registered geologist who is licensed by the State of California to practice the subspecialty of engineering geology.

(10) **"Coastal bluff"** means a bank or cliff along the coast subject to coastal erosion processes. "Coastal bluff" refers to the top edge, face, and base of the subject bluff.

(11) **"Coastal dependent uses"** means any development or use which would not function or operate unless sited on or adjacent to the ocean.

(12) **"Coastal erosion processes"** means natural forces that cause the breakdown and transportation of earth or rock materials on or along beaches and bluffs. These forces include landsliding, surface runoff, wave action and tsunamis.

(13) **"Coastal hazard areas"** means areas which are subject to physical hazards as a result of coastal processes such as landsliding, erosion of a coastal bluff, and inundation or erosion of a beach by wave action.

(14) **"Coastal high hazard area"** means areas s60ubject to high velocity waters, including tidal

and coastal inundation. These areas and base flood elevations are identified on a Flood Insurance Rate Map (FIRM) as Zones V1—30, VE or V.

(15) **"County geologist**" means a County employee who is registered as a geologist with the State of California (R.G.) and has been authorized by the Director to assist in the administration of this chapter, or a registered geologist under contract by the County who has been authorized by the Director to assist in the administration of this chapter.

(16) **"County geologic advisor"** means an individual who is registered as a geologist with the State of California (R.G.), who may be employed by the County to provide geologic services.

(17) **"Critical structures and facilities"** means structures and facilities which are subject to specified seismic safety standards because of their immediate and vital public need or because of the severe hazard presented by their structural failure. These structures include hospitals and medical facilities, fire and police stations, disaster relief and emergency operating centers, large dams and public utilities, public transportation and communications facilities, buildings with involuntary occupancy such as schools, jails, and convalescent homes, and high occupancy structures such as theaters, churches, office buildings, factories, and stores.

(18) **"Cumulative improvement"** means, for the purposes of calculating "substantial improvement" as defined in subsection (65) of this section, two or more instances of repair, reconstruction, alteration, addition, or improvement to a structure, over the course of five consecutive years. If the value of such activities, when added together, equals or exceeds 50 percent of the market value of the structure, the activity as a whole shall be considered to be a "substantial improvement."

(19) **“Development/Development Activities”** means, for the purposes of this chapter, and this chapter only, any project that includes activity in any of the following categories is considered to be development or development activity. This chapter does not supersede SCCC 13.20.040 for purposes of determining whether a certain activity or project is considered development that requires a coastal permit; some activities and projects will require coastal permits although they do not fall under the following specific definition:

(a) The construction or placement of any habitable structure, including a manufactured home and including a non-residential structure occupied by property owners, employees and/or the public;

(b) Modification, reconstruction or replacement of 65 percent of the major structural components—consisting of the foundation, floor framing, exterior wall framing, and roof framing—of an existing habitable structure within any consecutive five-year period, or modification, reconstruction or replacement of 50 percent of the major structural components of an existing critical structure or facility, as defined by this chapter, within any consecutive five-year period, whether the work is done at one time or as the sum of multiple projects. For the purpose of this section, the following are not considered major structural components: exterior siding; nonstructural door and window replacement; roofing material; decks; chimneys; and interior elements including but not limited to interior walls and sheetrock, insulation, kitchen and bathroom fixtures, mechanical, electrical and plumbing fixtures. The extent of alterations to major structural components will be calculated in accordance with administrative guidelines adopted by resolution of the Board of Supervisors;

(c) The addition of habitable square footage to any structure, where the addition increases the habitable square footage by more than 50 percent or 500 square feet, whichever is greater, over the existing habitable space within a consecutive five-year period. This allows a total increase of up to 50 percent of the original habitable space of a structure, whether the additions are constructed at one time or as the sum of multiple additions over a consecutive five-year period;

(d) An addition of any size to a structure that is located on a coastal bluff, dune, or in the coastal hazard area, that extends the existing structure in a seaward direction;

(e) A division of land or the creation of one or more new building sites, except where a land division is accomplished by the acquisition of such land by a public agency for public recreational use;

(f) Any change of use from nonhabitable to habitable, according to the definition of "habitable" found in this section, or a change of use from any noncritical structure to a critical structure;

(g) Any repair, alteration, reconstruction, replacement or addition affecting any structure that meets either of the following criteria:

(i) Posted "Limited Entry" or "Unsafe to Occupy" due to geologic hazards, or

(ii) Located on a site associated with slope stability concerns, such as sites affected by existing or potential debris flows;

(h) Grading activities of any scale in the 100-year floodplain or the coastal hazard area, and any grading activity which requires a permit pursuant to SCCC 16.20;

(i) Construction of roads, utilities, or other facilities;

(j) Retaining walls which require a building permit, retaining walls that function as a part of a landslide repair whether or not a building permit is required, sea walls, rip-rap erosion protection or retaining structures, and gabion baskets;

(k) Installation of a septic system;

(l) Any human-made change to developed or undeveloped real estate in the special flood hazard area, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials. This is in addition to any activity listed in subsections (19)(a) through (k) of this section;

(m) Any other project that is defined as development under SCCC 13.20.040, and that will increase the number of people exposed to geologic hazards, or that is located within a mapped geologic hazard area, or that may create or exacerbate an existing geologic hazard, shall be determined by the Director to constitute development for the purposes of geologic review.

(20) **"Director"** means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

(21) **"Development envelope"** means a designa6t2ion on a site plan or parcel map indicating where buildings, access roads and septic systems are to be located.

(22) **"Fault zones"** means a zone or zones of fracture designated in the General Plan or Local Coastal Program Land Use constraints maps, or other maps and source materials authorized by the Director.

(23) **"Fill"** means the deposit of earth or any other substance or material by artificial means for any purpose, or the condition resulting from a fill taking place.

(24) **"Flood boundary floodway map"** means the map adopted by the Board of Supervisors and used for land use planning and permit review on which the Federal Insurance Administration has delineated the areas of special flood hazard.

(25) **"Flood control structure"** means any structure or material, including but not limited to a berm, levee, dam or retaining wall, placed in areas where flooding occurs, and constructed for the purpose of protecting a structure, road, utility or transmission line.

(26) **"Flood insurance rate map (FIRM)"** means the map adopted by the Board of Supervisors and used for insurance purposes on which the Federal Insurance Administration has delineated the special flood hazard areas, base flood elevations and the risk premium zones applicable to the community. The FIRM became effective on April 15, 1986, for insurance purposes.

(27) **"Flood insurance study"** means the official report on file with the Department of Community Development and Infrastructure provided by the Federal Emergency Management Agency entitled, "The Flood Insurance Study, Santa Cruz County, California" that includes flood profiles, the FIRM, the flood boundary floodway map, and the water surface elevation of the base flood.

(28) **"Floodplain"** means any land area susceptible to being inundated by water from any source. The 100-year floodplain is used for planning purposes by Federal agencies and the County. For many larger and more densely populated drainages, the 100-year floodplain is designated on flood boundary and floodway maps prepared by the Federal Insurance Administration. See also "area of special flood hazard."

(29) **"Floodplain Administrator"** means the Director, to manage the administration and implementation of the National Flood Insurance Program regulations and the flood control provisions of this chapter.

(30) **"Floodproofing"** means any combination of structural and nonstructural additions, changes or adjustments to nonresidential structures which reduce or eliminate flood damage to real estate or improved property.

(31) **"Floodway"** means the channel of a river or other watercourse and the adjacent land area that must be reserved in order to carry and discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point. Also referred to as the regulatory floodway.

(32) **"Geologic hazard"** means a threat to life, property, or public safety caused by geologic or hydrologic processes such as flooding, wave inundation, landsliding, erosion, faulting, ground cracking, and secondary seismic effects including liquefaction, landsliding, tsunami and ground shaking.

(33) **"Geologic hazards assessment"** means a summary of the possible geologic hazards present at a site conducted by the staff geologist.

(34) **"Geologic report, full"** means a complete geologic investigation conducted by a certified engineering geologist hired by the applicant, and completed in accordance with the County geologic report guidelines.

(35) **"Grading"** means excavating or filling land, or a combination thereof.

(36) **"Habitable"** means, for the purposes of this chapter, any structure or portion of a structure, whether or not enclosed, that is usable for living purposes, which include working, sleeping, eating, recreation, or any combination thereof. The purpose and use of the space, as described above, defines the habitable nature of the space. The term "habitable" also includes any space that is heated or cooled, humidified or dehumidified for the provision of human comfort, and/or is insulated and/or finished in plasterboard, and/or contains plumbing other than hose bibs.

(37) **"Hardship"** means, for the purposes of administering SCCC 16.10.100, the exceptional hardship that would result from failure to grant the requested exception. The specific hardship must be exceptional, unusual, and peculiar to the property involved. Economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, personal preferences, or the disapproval of neighbors also cannot qualify as exceptional hardship, as these problems can be resolved through means other than granting an exception, even if those alternative means are more expensive, require a property owner to build elsewhere, or put the parcel to a different use than originally intended or proposed.

(38) **"High and very high liquefaction potential areas"** means areas that are prone to liquefaction caused by groundshaking during a major earthquake. These areas are designated on maps which are on file with the Department of Community Development and Infrastructure.

(39) **"Historic structure"** means any structure that is: (a) listed individually in the National Register of Historic Places, or preliminarily determined by the Secretary of the Interior to meet the requirements for such listing; (b) certified as or preliminarily determined by the Department of the Interior to be contributing to the historical significance of a registered historical district or a district preliminarily determined to qualify as a historic district by the Secretary of the Interior; (c) individually listed on the State Register of Historic Places which has been approved by the Secretary of the Interior; or (d) individually listed in the inventory of historic structures in a community with a historic preservation program that has been certified either by an approved State program or directly by the Secretary of the Interior.

(40) **"Hydrologic investigation"** means a report prepared by a certified engineering geologist or civil engineer with expertise in hydrology which analyzes surface hydrology and/or groundwater conditions.

(41) **"In-kind."** See definition in SCCC 13.10.700-I.

(42) **"Littoral drift"** means the movement of beach sand parallel to the coast due to wave action and currents.

(43) **"Liquefaction"** means the process whereby saturated, loose, granular materials are transformed by ground shaking during a major earthquake from a stable state into a fluid-like state.

(44) **"Lowest floor"** means, for flood purposes, the lowest floor of the lowest enclosed area of a structure, including any basement.

(a) An unfinished or flood resistant enclosure, below the lowest floor, that is usable solely

for parking of vehicles, building access or storage in an area other than a basement area, for the purposes of this chapter, is not considered a building's lowest floor, provided it conforms to applicable nonelevation design requirements, including, but not limited to:

(i) The wet floodproofing standards in SCCC 16.10.070(F)(3)(h)(i);

(ii) The anchoring and construction materials and methods in SCCC 16.10.070(F)(3)(b);

(iii) The standards for septic systems and water supply in SCCC 16.10.070(F)(5) and (6).

(b) For residential structures, all fully enclosed subgrade areas are prohibited as they are considered to be basements. This prohibits garages and storage areas that are below grade on all sides.

(45) **"Manufactured home**" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days.

(46) **"Manufactured home park or subdivision**" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.

(47) **"Mean sea level"** means the National Geodetic Vertical Datum (NGVD) of 1929, or other measurement, to which base flood elevations shown on a community's flood insurance rate map are referenced.

(48) **"Multiple-residential structure"** means a single structure containing four or more individual residential units.

(49) **"Natural disaster"** means any situation in which the force or forces of nature causing destruction are beyond the control of people.

(50) **"New construction"** means, for the purposes of SCCC 16.10.070(F), (G), and (H), structures for which the start of construction commenced on or after April 15, 1986, including any subsequent improvements to such structures.

(51) **"Nonessential public structures"** means public structures which are not integral in providing such vital public services as fire and police protection, sewer, water, power and telephone services.

(52) **"Obstruction"** includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across, or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, snare or collect debris carried by the flow of water, or is likely to be carried downstream.

(553) **"One-hundred-year flood**" means a flood that statistically could occur once in 100 years on the average, although it could occur in any year. For flood insurance purposes, "100-year flood" and "base flood" have the same meaning.[65]See "base flood."

(54) **"Public facilities"** means any structure owned and/or operated by the government directly or by a private corporation under a government franchise for the use or benefit of the community.

(55) **"Recent"** means a geologic feature (fault or landslide) which shows evidence of movement or activity within Holocene time (about the last 11,000 years).

(56) **"Registered geologist"** means a geologist who is licensed by the State of California to practice geology.

(57) **"Registered geotechnical (soils) engineer"** means a civil engineer licensed in the State of California, experienced in the practice of soils and foundation engineering.

(58) **"Regulatory Floodway."** See "floodway."

(59) **"Recreational vehicle"** means a vehicle which is built on a single chassis; is 400 square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light-duty truck; and designed primarily not for uses as a permanent dwelling but a temporary living quarters for recreation, camping, travel, or seasonal use.

(60) **"Shoreline protection structure"** means any structure or material, including but not limited to riprap or a seawall, placed in an area where coastal processes operate.

(61) **"Soils investigation"** means a report prepared by a registered soils engineer, hired by the applicant, and completed in accordance with the County soils report guidelines. This term is synonymous with the term "geotechnical investigation."

(62) **"Special Flood Hazard Area (SFHA)."** See "area of special flood hazard."

(63) **"Start of construction"** means the date the first building permit was issued, provided actual construction, repair, reconstruction, alteration, addition, rehabilitation, placement, or other improvement was begun within the terms of the permit. "Actual construction" means either the first placement of a structure on the site, such as pouring a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds which are not occupied as dwelling units or are not part of the main structure. For the purposes of the phrase "substantial improvement," "actual construction" means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

(64) **"Structure"** means anything constructed or erected which requires a location on the ground, including, but not limited to, a building, manufactured home, gas or liquid storage tank, or facility such as a road, retaining wall, pipe, flume, conduit, siphon, aqueduct, telephone line, electrical power transmission or distribution line.

(65) **"Substantial damage"** means damage of any origin, sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure as it existed before the damage occurred.

(66) **"Substantial improvement"** means any repair, reconstruction, rehabilitation, addition, alteration or improvement to a structure, or the cumulative total of such activities as defined in

subsection (18) of this section, the cost of which equals or exceeds 50 percent of the market value of the structure either immediately prior to the issuance of the building permit. This term includes structures that have incurred "substantial damage" regardless of the actual repair work proposed or performed. This term does not include any project or portion of a project to upgrade an existing habitable structure to comply with current State or local health, sanitary, or safety code specifications which are the minimum necessary to assure safe living conditions, any alteration of an historic structure; provided, that the alteration will not preclude the structure's continued designation as an historic structure. (See also "cumulative improvement.")

(67) **"Subsurface geologic investigation"** means a geologic report prepared by a certified engineering geologist that provides information on subsurface materials through trenching, test pits and borings.

(68) **"V-Zone."** See "coastal high hazard area."

(69) **"Violation"** means the failure of a structure or other development to be fully compliant with this chapter. A structure or other development without the elevation certificate, other certifications or required permits, or other evidence of compliance required in this chapter is presumed to be in violation until such time as the required documentation has been provided.

(70) **"Watercourse"** means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. "Watercourse" includes specifically designated areas in which substantial flood damage may occur.

SECTION XXVIII

Section 16.10.060 of the Santa Cruz County Code is hereby amended, to read as follows:

16.10.060 Assessment and report preparation and review.

(A) Timing of Geologic Review. Any required geologic, soil, or other technical report shall be completed, reviewed and accepted pursuant to the provisions of this section before any public hearing is scheduled, provided that an application lacking an accepted report may be scheduled for a public hearing solely for the purpose of denial, and before any discretionary or development application is approved or issued. The County Geologist may agree to defer the date for completion, review, or acceptance of any technical report where the technical information is (1) unlikely to significantly affect the size or location of the project, and (2) the project is not in the area of the Coastal Zone where decisions are appealable to the Coastal Commission. In no event shall such be deferred until after the approval or issuance of a building permit.

(1) An application for a geologic hazards assessment shall include a plot plan showing the property boundaries and location of proposed development activities. Any other information deemed necessary by the County Geologist (including but not limited to topographic map, building elevations or grading plans) shall be submitted upon request.

(2) An application for a geologic hazards assessment or a technical report review constitutes a grant of permission for the Director, or agents, to enter the property for the purposes of responding to the application.

(B) Report Preparation. The geologic hazards assessment shall be prepared by County staff. Alternately, the assessment may be conducted b6y7a private certified engineering geologist at the

applicant's choice and expense. Such privately prepared assessments shall, however, be subject to review and approval as specified in this section.

(C) Report Acceptance. All geologic, geotechnical, engineering, and hydrologic reports or investigations submitted to the County as a part of any development application shall be found to conform to County report guidelines. The Director may require an inspection in the field of all exploratory trenches, test pits, and borings excavated for a technical report.

(D) Hazard Assessment and Report Expiration. A geologic hazards assessment and all recommendations and requirements given therein shall remain valid for three years from the date of completion, unless a shorter period is specified in the report by the preparer. A full geologic report shall be valid and all recommendations therein shall remain in effect for three years from the date of completion of the report. The exception to the three-year period of validity is where a change in site conditions, development proposal, technical information or County policy significantly affects the technical data, analysis, conclusions or requirements of the assessment or report; in which case the Director may require a new or revised assessment or report.

SECTION XXIX

Section 16.10A.040 of the Santa Cruz County Code is hereby amended, to read as follows:

16.10A.040 Definitions.

For the purposes of this chapter, the following definitions apply:

(A) **"Active fault"** means a fault that has had surface displacement within Holocene time (about the last 11,000 years).

(B) **"Active landslide"** means a landslide that is presently moving or has recently moved as indicated by distinct topographic slide features such as sharp, barren scarps, cracks, or tipped (jackstrawed) trees.

(C) **"Addition"** means improvement to an existing structure that increases its area, measured in square feet. The use of breezeways, corridors, or other nonintegral connections between structures shall not cause separate buildings or structures to be considered additions to an existing structure.

(D) **"Adjacent/contiguous parcel"** means a parcel touching the subject parcel and not separated from the subject parcel by a road, street or other property.

(E) **"Beach erosion"** means temporary or permanent reduction, transport or removal of beach sand by littoral drift, tidal actions, storms or tsunamis.

(F) **"Coastal bluff"** means a bank or cliff along the coast subject to coastal erosion processes, including historic wave erosion. "Coastal bluff" refers to the top edge, face, and base of the subject bluff.

(G) **"Bluff line or edge"** means the upper termination of a bluff, cliff, or sea cliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or

less continuously until it reaches the general gradient of the cliff. In a case where there is a step-like feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge. The termini of the bluff line, or edge along the seaward face of the bluff, shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the bluff line along the seaward face of the bluff, and a line coinciding with the general trend of the bluff line along the inland facing portion of the bluff. Five hundred feet shall be the minimum length of bluff line or edge to be used in making these determinations.

(H) **"Coastal dependent uses"** means any development or use which would not function or operate unless sited on or adjacent to the ocean.

(I) **"Coastal erosion processes"** means natural forces that cause the breakdown and transportation of earth or rock materials on or along beaches and bluffs. These forces include, but are not limited to, landsliding, surface runoff, wave action and tsunamis.

(J) **"Coastal hazard areas"** means areas which are subject to physical hazards as a result of coastal processes such as landsliding, erosion of a coastal bluff, and inundation or erosion of a beach by wave action.

(K) **"County Geologist"** means a County employee who is a California licensed professional geologist who has been authorized by the Director to assist in the administration of this chapter, or a California licensed professional geologist under contract by the County who has been authorized by the Director to assist in the administration of this chapter.

(L) **"County geologic advisor"** means an individual who is a California licensed professional geologist who may be employed by the County to provide geologic services.

(M) **"Critical structures and facilities"** means structures and facilities which are subject to specified seismic safety standards because of their immediate and vital public need or because of the severe hazard presented by their structural failure. These structures may include hospitals and medical facilities, fire and police stations, disaster relief and emergency operating centers, large dams and public or quasi-public utilities, public transportation and communications facilities, buildings with involuntary occupancy such as schools, jails, and convalescent homes, and high occupancy structures such as theaters, churches, office buildings, factories, and stores.

(N) "**Director**" means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

(O) **Development/Development Activities.** For the purposes of this chapter, any project that includes activity in any of the following categories is considered to be development or development activity. This chapter does not supersede SCCC 13.20.040 for purposes of determining whether a certain activity or project is considered development that requires a coastal development permit; some activities and projects will require coastal development permits although they do not fall under the following specific definition:

(1) The construction or placement of any habitable structure, including a manufactured home and including a nonresidential structure occupied by property owners, employees and/or the public;

(2) Modification, reconstruction or replacement of 50 percent of the major structural components—consisting of the foundation, floor framing, exterior wall framing, and roof

framing—of an existing habitable structure within any consecutive five-year period, or modification, reconstruction or replacement of 50 percent of the major structural components of an existing critical structure or facility, as defined by this chapter, within any consecutive five-year period, whether the work is done at one time or as the sum of multiple projects. For the purpose of this chapter, the following are not considered major structural components: exterior siding; nonstructural door and window replacement; roofing material; decks; chimneys; and interior elements including but not limited to interior walls and sheetrock, insulation, kitchen and bathroom fixtures, mechanical, electrical and plumbing fixtures. The extent of alterations to major structural components will be calculated in accordance with administrative guidelines adopted by resolution of the Board of Supervisors;

(3) The addition of habitable square footage to any structure, where the addition increases the habitable square footage by more than 50 percent or 500 square feet, whichever is greater, over the existing habitable space, whether the additions are constructed at one time or as the sum of multiple additions over a consecutive five-year period;

(4) An addition of any size to a structure that is located on or adjacent to a coastal bluff, on a dune, or in the coastal hazard area, that extends the existing structure in a seaward direction;

(5) A division of land or the creation of parcels, except where a land division is accomplished by the acquisition of such land by a public agency for public recreational use;

(6) Any change of use from a non-habitable structure to a habitable structure, according to the definition of "habitable" found in this section, or a change of use from any noncritical structure to a critical structure. For the purpose of this chapter, the conversion of a non-habitable space within an existing habitable structure shall be considered an addition of habitable square footage consistent with (3) above;

(7) Any repair, alteration, reconstruction, replacement or addition affecting any structure that meets either of the following criteria:

(a) Posted "Limited Entry" or "Unsafe to Occupy" due to geologic hazards; or

(b) Defined as a critical structure or facility;

(8) Grading activities of any scale in the 100-year floodplain or the coastal hazard area, and any grading activity which requires a permit pursuant to SCCC 16.20;

(9) Construction of public or private roads and driveways requiring a grading permit pursuant SCCC 16.20, public or quasi-public utilities, or other public or quasi-public facilities;

(10) Retaining walls which require a building permit, retaining walls that function as a part of a landslide repair whether or not a building permit is required, shoreline and coastal bluff protection structures, sea walls, riprap erosion protection or retaining structures, and gabion baskets;

(11) Installation of an Onsite Wastewa7te0r Treatment System when required by the Health Officer under SCCC 7.38;

(12) Any human-made change to developed or undeveloped real estate in the special flood hazard area, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials. This is in addition to any activity listed in subsections (N)(1) through (11) of this section; or

(13) Any other project that is defined as development under SCCC 13.20.040, and that will increase the number of people exposed to geologic hazards, or that is located within a mapped geologic hazard area, or that may create or exacerbate an existing geologic hazard, may be determined by the Director to constitute development for the purposes of geologic review.

(P) **"Development envelope"** means a designation on a site plan, parcel map or grading plan indicating where buildings, access roads and septic systems, and other development are to be located.

(Q) **"Fault zones"** are areas delineated by the State Geologist, pursuant to the Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code Section 2621 et seq.) which encompasses the traces of active faults; as well as a zone or zones of fracture designated in the General Plan or Local Coastal Program land use constraints maps, or other maps and source materials authorized by the Director.

(R) **"Fault trace"** is that line formed by the intersection of a fault and the earth's surface and is the representation of a fault as depicted on a map, including maps of earthquake fault zones.

(S) **"Fill"** means the deposition of earth or any other substance or material by artificial means for any purpose, or the condition resulting from a fill taking place.

(T) **"Flood insurance rate map (FIRM)"** means the map adopted by the Board of Supervisors and used for insurance purposes on which the Federal Insurance Administration has delineated the special flood hazard areas, base flood elevations and the risk premium zones applicable to the community. The FIRM became effective on April 15, 1986, for insurance purposes.

(U) **"Geologic hazard"** means a threat to life, property, or public safety caused by geologic or hydrologic processes such as flooding, wave inundation, landsliding, erosion, surface fault ground rupture, ground cracking, and secondary seismic effects including liquefaction, landsliding, tsunami and ground shaking.

(V) **"Geologic hazards assessment"** means a summary of the possible geologic hazards present at a site conducted by the County Geologist or a California licensed professional geologist.

(W) **"Geologic report, full"** means a complete geologic investigation conducted by a professional geologist hired by the applicant, completed in accordance with the County geologic report guidelines, and accepted by the County.

(X) **"Geotechnical investigation/report"** means a report prepared by a professional engineer, hired by the applicant, completed in accordance with the requirements of this chapter and County soils (geotechnical) report guidelines, and accepted by the County. This term is synonymous with the term "soils investigation" or "soils report."

(Y) **"Grading"** means excavating or filling land, or a combination thereof.

(Z) **"Habitable"** means, for the purposes of this[71] chapter, any structure or portion of a structure,

whether or not enclosed, that is usable for living purposes, which includes working, sleeping, eating, recreation, or any combination thereof. The purpose and use of the space, as described above, defines the habitable nature of the space. The term "habitable" also includes any space that is heated or cooled, humidified or dehumidified for the provision of human comfort, and/or is insulated and/or finished in plasterboard, and/or contains plumbing other than hose bibs.

(AA) **"Hardship"** means, for the purposes of administering SCCC 16.10.100, the exceptional hardship that would result from failure to grant the requested exception. The specific hardship must be exceptional, unusual, and peculiar to the property involved. Economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, personal preferences, or the disapproval of neighbors also cannot qualify as exceptional hardship, as these problems can be resolved through means other than granting an exception, even if those alternative means are more expensive, require a property owner to build elsewhere, or put the parcel to a different use than originally intended or proposed.

(BB) **"High and very high liquefaction potential areas"** means areas that are prone to liquefaction caused by ground shaking during a major earthquake. These areas are designated on maps which are on file with the Department of Community Development and Infrastructure, and other areas may be identified by a geotechnical report that describes the site conditions.

(CC) **"Hydrologic investigation"** means a report prepared by a professional geologist or civil engineer with expertise in hydrology which analyzes surface hydrology and/or groundwater conditions.

(DD) **“In-kind”** See definition in SCCC 13.10.700-I.

(EE) **"Littoral drift"** means the movement of beach sand parallel to the coast due to wave action and currents.

(FF) **"Liquefaction"** means the process whereby saturated, loose, granular materials are transformed by ground shaking during a major earthquake from a stable state into a fluid-like state.

(GG) **"Multiple-residential structure"** means a single structure containing four or more individual residential units.

(HH) **"Natural disaster"** means any situation in which the force or forces of nature causing destruction are beyond the control of people.

(II) **"Nonessential public structures"** means public structures which are not integral in providing such vital public services as fire and police protection, sewer, water, power and telephone services.

(JJ) **"Professional engineer"** means an engineer who is licensed by the State of California to practice engineering.

(KK) **"Professional geologist"** means a geologist who is licensed by the State of California to practice geology.

(LL) **"Public facilities"** means any structure owned and/or operated by the government directly or by a private corporation under a government franchise for the use or benefit of the community.

(MM) **"Recent"** means a geologic feature (fault$_{72}$or landslide) which shows evidence of movement or activity within Holocene time (about the last 11,000 years).

(NN) **"Shoreline or coastal bluff armoring"** means any structure or material, including but not limited to riprap or a seawall, placed in an area where coastal processes operate.

(OO) **"Shoreline Protection Exception Area" ("SPEA")** means the coastal bluffs and beaches between Soquel Point and the Capitola city limit and any other geographic area that may be designated in an adopted Shoreline Management Plan, and describes locations where shoreline and coastal bluff protection structures are acceptable.

(PP) **"Shoreline and coastal bluff protection structure"** means any structure or material, including but not limited to riprap or a seawall, placed in an area where coastal processes operate with the intention of preventing erosion of shoreline and coastal bluff materials.

(QQ) **"Soils investigation/report"** means a report prepared by a professional engineer, hired by the applicant, completed in accordance with the County soils report guidelines, and accepted by the County. This term is synonymous with the term "geotechnical investigation."

(RR) **Special Flood Hazard Area (SFHA).** The land in a flood plain subject to a one percent or greater annual chance of flooding in any given year. Special flood hazard areas are in general shown on a FIRM as Zones A, AO, A1-A30, AE, A99, AH, V1-V30, VE and V, but can also be determined by the Floodplain Administrator to occur where not shown on the FIRM. Also known as the flood hazard area, FHA, area of special flood hazard, or area of the one percent annual chance flood.

(SS) **"Structure"** means anything constructed or erected which requires a location on the ground, including, but not limited to, a building, manufactured home, gas or liquid storage tank, or facility such as a road, retaining wall, pipe, flume, conduit, siphon, aqueduct, telephone line, electrical power transmission or distribution line.

(TT) **"Subsurface geologic investigation"** means a geologic report prepared by a professional geologist that provides information on subsurface materials through trenching, test pits, borings or other methods acceptable to the County Geologist.

SECTION XXX

Section 16.10A.050 of the Santa Cruz County Code is hereby amended, to read as follows:

16.10A.050 Requirements for geologic and geotechnical assessment.

(A) All development is required to comply with the provisions of this chapter.

(B) Hazard Assessment Required. A geologic hazards assessment shall be required for all development or development activities, in the following designated areas: fault zones, sites with suspected instability, and coastal hazard areas, except as specified in subsection (D) of this section, where a full geologic report will be prepared according to the County guidelines for engineering geologic reports. The County Geologist may waive the requirement for a hazard assessment based upon a determination that there is adequate information on file. A geologic hazards assessment may also be required for development located in other areas of geologic hazard, as identified by the County Geologist or designee, using available technical resources, from environmental review, or from other field review.

(C) Geotechnical (Soils) Report Required. A geotechnical report shall be required when

determined to be necessary by County civil engineering staff, the County Geologist, or the California Building Code (CBC).

(D) Geologic Report Required. A full geologic report shall be required for the following:

(1) For all proposed land divisions and critical structures and facilities in the areas defined as a County fault zone or earthquake fault zone on the State Alquist-Priolo Earthquake Fault Zoning Act maps;

(2) Whenever a significant potential hazard is identified by a geologic hazards assessment or other field or technical assessment by the County Geologist;

(3) For all new reservoirs to serve major water supplies; and

(4) For all new water tanks in excess of 10,000 gallons either as a single tank or multiple tanks on a site, which are located in an area of geologic hazards as identified by the County Geologist.

(E) Potential Liquefaction Area. A site-specific soil investigation (with input from a professional geologist, when required by County civil engineering staff or the County Geologist) shall be required for all development applications for more than four residential units, in areas of high or very high liquefaction potential, or when required by the California Building Code. Development applications for four units or less, one-story structures and nonresidential projects shall be reviewed for liquefaction hazard through environmental review and/or geologic hazards assessment. When a significant hazard may exist, a site-specific soils investigation shall be required.

(F) Additional Report Requirements. Additional information (including but not limited to full geologic, subsurface geologic, hydrologic, geotechnical or other engineering investigations and reports) shall be required when a hazard or foundation constraint requiring further investigation is identified.

SECTION XXXI

Section 16.10A.060 of the Santa Cruz County Code is hereby amended, to read as follows:

16.10A.060 Assessment and report preparation and review.

(A) Timing of Geologic Review. Any required geologic, soil, or other technical report shall be completed, reviewed and accepted pursuant to the provisions of this section before any public hearing is scheduled, provided that an application lacking an accepted report may be scheduled for a public hearing solely for the purpose of denial, for consideration of approval of a proposed project, and before any discretionary development application or building permit is approved or issued. The County Geologist may agree to defer the date for completion, review, or acceptance of any technical report where the technical information is (1) unlikely to significantly affect the size or location of the project, and (2) the project is not in the area of the Coastal Zone where decisions are appealable to the Coastal Commission. In no event shall such be deferred until after the approval or issuance of a building permit.

(1) An application for a geologic hazards assessment shall include a plot plan showing the property boundaries and location of proposed development activities. Any other

information deemed necessary by the County Geologist (including but not limited to topographic map, building elevations or grading plans) shall be submitted upon request.

(2) An application for a geologic hazards assessment or a technical report review constitutes a grant of permission for the Director, or agents, to enter the property for the purposes of responding to the application.

(B) Geologic Hazards Assessment Preparation. The geologic hazards assessment shall be prepared by County staff. Alternately, the assessment may be conducted by a private professional geologist at the applicant's choice and expense. Such privately prepared assessments shall, however, be subject to review and acceptance as specified in this section. Application for review and acceptance of a geologic hazards assessment is not an application for a development permit.

(C) Report Acceptance. All geologic, geotechnical/soils, engineering, and hydrologic reports or investigations submitted to the County as a part of any development application must be found by the County to conform to State and County report guidelines and requirements. The Director may require an inspection in the field of all exploratory trenches, test pits, and borings excavated for a technical report.

(D) Geologic Hazard Assessment and Report Expiration. A geologic hazards assessment and all recommendations and requirements given therein shall remain valid for three years from the date of completion. Geotechnical and geologic reports shall remain valid and all recommendations therein shall remain in effect for three years from the date of completion of the report unless a shorter period is specified in the report by the preparer. An exception to the three-year period of validity is where a change in site conditions, development proposal, technical information or County policy significantly affects the technical data, analysis, conclusions or requirements of the assessment or report; in which case the Director may require a new or revised assessment or report.

(E) Change or Cancellation of Professional in Responsible Charge. When the professional in responsible charge of a report accepted by the County is changed or is no longer involved in the project, notice shall be given by the professional and the property owner to the County within seven days of such change or cancellation.

SECTION XXXII

Section 16.10A.070 of the Santa Cruz County Code is hereby amended, to read as follows:

16.10A.070 Incorporation of technical recommendations into project.

The recommendations of the geologic hazards assessment, full geologic report, and/or the recommendations of other technical reports (if reviewed and accepted by the Director), shall be incorporated into the project plans or included as permit conditions of any permit or approvals subsequently issued for the development. In addition, the requirements described below for specific geologic hazards shall become standard conditions for development, building and land division permits and approvals. No development, building and land division permits or approvals shall be issued, and no final maps or parcel maps shall be recorded, unless such activity is in compliance with the requirements o75f this section.

(A) General. If a project is not subject to geologic review because the structure is nonhabitable and is not otherwise considered to be development under this chapter, a declaration of restrictions for the nonhabitable structure may be recorded on the property deed that includes an acknowledgment that any change of use to a habitable use, or physical conversion to habitable space, shall be subject to the provisions of this chapter.

(B) Notice and Acknowledgment of Hazards. The developer and/or subdivider of a parcel or parcels in an area of geologic hazards may be required, as a condition of development approval and building permit approval, to record a notice or declaration of geologic/coastal hazards, acceptance of risk, liability release, and indemnification with the County Recorder. The notice shall be in a form approved by the County of Santa Cruz and shall include a description of the hazards on the parcel, and the level of geologic and/or geotechnical investigation conducted, and shall include acknowledgements and agreements, as applicable to the specific project.

(C) Fault Zones.

(1) Location. Development shall be located away from potentially hazardous areas as identified by the geologic hazards assessment or full geologic report.

(2) Setbacks. Habitable structures shall be set back a minimum of 50 feet from the edge of the area of fault-induced offset and distortion of active and potentially active fault traces. This setback may be reduced to a minimum of 25 feet from the edge of this zone, based upon paleoseismic studies that include observation trenches. Reductions of the required setback may only occur when both the consulting professional geologist preparing the study and the County Geologist observe the trench and concur that the reduction is appropriate. Critical structures and facilities shall be set back a minimum of 100 feet from the edge of the area of fault induced offset and distortion of active and potentially active fault traces.

(3) Other Conditions. Other permit conditions, including but not limited to project redesign, elimination of building sites, and the delineation of development envelopes, building setbacks and foundation requirements, shall be required as deemed necessary by the Director.

(D) Groundshaking.

(1) New Dams. Dams shall be constructed according to high seismic design standards of the Dam Safety Act and as specified by structural engineering studies.

(2) Public Facilities and Critical Structures and Facilities. All new public facilities and critical structures shall be designed to withstand the expected groundshaking during the design earthquake on the San Andreas Fault or San Gregorio Fault.

(3) Other Conditions. Other permit conditions including but not limited to structural and foundation requirements shall be required as deemed necessary by the Director.

(E) Liquefaction Potential.

(1) Permit Conditions. Permit conditions including, but not limited to, project redesign, elimination of building sites, delineation of development envelopes and drainage and foundation requirements shall be required as deemed necessary by the Director.

(F) Slope Stability.

(1) Location. All development activities shall be located away from potentially unstable areas as identified through the geologic hazards assessment, full engineering geologic report, soils (geotechnical) report or other environmental or technical assessment.

(2) Creation of New Parcels. Allow the creation of new parcels in areas with potential slope instability as identified through a geologic hazards assessment, full geologic report, soils (geotechnical) report or other environmental or technical assessment only under the following circumstances:

(a) New building sites, roadways, and driveways shall not be permitted on or across slopes exceeding 30 percent grade.

(b) A full engineering geologic report and any other appropriate technical report shall demonstrate that each proposed parcel contains at least one building site and access which are not subject to significant slope instability hazards, and that public utilities and facilities such as sewer, gas, electrical and water systems can be located and constructed to minimize potential for landslide damage and not cause a health or safety hazard.

(c) New building sites shall not be permitted which would require the construction of engineered protective structures such as retaining walls, diversion walls, debris walls or slough walls, or foundations designed to mitigate potential slope instability problems such as debris flows, slumps or other types of landslides.

(3) Drainage. Drainage plans designed to direct runoff away from unstable areas (as identified from the geologic hazards assessment or other technical report) shall be required. New drainage improvements shall not adversely affect slope stability and not increase the danger that any other property or public improvements will be impacted by potentially unstable slopes or landsliding. Drainage plans shall be completed by a professional engineer and reviewed by both the professional geologist (if required by the County Geologist) and other professional engineers as part of the design team. Such plans may also be reviewed by the County Geologist.

(4) Leach Fields. Septic leach fields shall not be permitted in potentially unstable areas as identified through the geologic hazards assessment, environmental assessment, or full geologic report.

(5) Road and Driveway Reconstruction. Where washouts or landslides have occurred on public or private roads and driveways, road and driveway reconstruction shall meet the conditions of appropriate geologic, soils (geotechnical) and/or engineering reports and shall have adequate geologic, soils, and other engineering supervision and permits as required by the County Code.

(6) New Road and Driveway Construction. New roads and driveways shall be located away from potentially unstable areas as identified through the geologic hazards assessment, full engineering geologic report, soils (geotechnical) report or other environmental or technical assessment.

(7) Other Conditions. Other permit conditions including but not limited to project redesign, building site elimination and th7e7 development of building and septic system

envelopes, building setbacks and foundation and drainage requirements shall be required as deemed necessary by the Director.

(G) Floodplains. The provisions of SCCC 16.13, Floodplain Management Regulations, shall apply to all development, as defined in that chapter, that is wholly within, partially within, or in contact with any flood hazard area, or other areas as identified by the Floodplain Administrator, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, replacement, repair, relocation or demolition of any building or structure; placement, installation, or replacement of manufactured homes; installation or replacement of tanks; placement of temporary structures and temporary storage; installation of swimming pools; and miscellaneous and utility structures.

(H) Coastal Bluffs and Beaches.

(1) Criteria in Areas Subject to Coastal Bluff Erosion. Projects in areas subject to coastal bluff erosion shall meet the following criteria:

(a) All development activities, including those which are cantilevered, and nonhabitable structures for which a building permit is required, shall be set back a minimum of 25 feet from the top edge of the bluff as the required geologic setback. A geologic setback greater than 25 feet may be required based on conditions on and adjoining the site. The geologic setback shall be sufficient to provide a stable site for the subject structure over the expected design life of the structure, as determined through geologic, geotechnical, hydrologic, or other engineering reports, unless a geologic setback exception is approved pursuant to SCCC 16.10.100. The standard for a new or redeveloped residential or commercial structure is an expected design life of 75 years and for a critical structure or facility the expected design life is 100 years.

(b) Within a designated Shoreline Protection Exception Area or other area within the urban and rural services lines otherwise addressed by an adopted Shoreline Management Plan, the determination of the minimum geologic setback are allowed to and will take into consideration the effect of a proposed protection measure, such as shoreline or coastal bluff armoring structures, retaining walls, or deep piers if the armoring is consistent with the requirements of this chapter and allowed under the adopted Shoreline Management Plan.

(c) For all other areas within the urban and rural services lines, outside a designated Shoreline Protection Exception Area or other area addressed by an adopted Shoreline Management Plan, the calculation of the 75- or 100-year geologic setback, or reduced geologic setback requested under an exception procedure, is allowed to and will take into consideration the effect of legally established shoreline or coastal bluff armoring. However, armoring installed under an emergency coastal permit will not be factored into the setback calculation unless a regular coastal development permit is issued, and all conditions of the permit are met. In addition, technical reports prepared for sites within the urban and rural services lines should also include analysis based upon an alternative calculation of the 75- or 100-year setback that neglects any effect of an existing shoreline or coastal bluff armoring, in order to provide information and a measure of the effects of th7e8 existing protection measure on the site

conditions.

(d) Outside the urban and rural services lines, the calculation of the 75- or 100-year geologic/coastal hazards setback shall not take into consideration the effect of any existing or proposed shoreline or coastal bluff armoring.

(e) Foundation replacement and/or foundation upgrades involving 50 percent or more of the existing foundation shall meet the 25-foot minimum or the 75- or 100-year geologic setback requirements. An exception to the setback requirement may be granted for existing structures that are wholly or partially within the setback if the property owner agrees to record a notice of geologic/coastal hazard prior to issuance of the building permit, and if the Director determines that:

(i) The structure will be relocated to maximize the setback from the coastal bluff or shoreline; or

(ii) The structure cannot be relocated to meet the setback because of inadequate parcel size.

(f) Additions, including second story and cantilevered additions, which extend the existing structure in a seaward direction, shall comply with the minimum 25-foot and 75- or 100-year setback, unless an exception to the 75- or 100-year geologic setback is approved.

(g) Acceptance of drainage and landscape plans for the site by the County Geologist. Drainage plans shall be prepared by a professional engineer and reviewed by both the project professional geologist and other professional engineer when part of the design team to ensure consistency between other technical reports and project design.

(h) Service transmission lines and utility facilities are prohibited unless they are necessary to serve existing development or public facilities.

(i) New swimming pools, spas and similar in-ground and aboveground water recreation or fishpond types of features shall be located landward of the applicable geologic/coastal hazard setback. Any new water-containing features of this nature shall have double-wall construction with leak detection systems and drains to facilities and locations approved by the County.

(j) Accessory structures must include a condition of approval that requires the property owner and all successors-in-interest to remove the structure if the County Geologist, the Building Official or a professional engineer determines that the accessory structure is at risk of failure due to erosion, landslide or other form of bluff collapse or geologic/coastal hazard. In the event that portions of the development fall to the bluffs or ocean before they are removed/relocated, the landowner will remove all recoverable debris associated with the development from the bluffs and ocean and lawfully dispose of the material in an approved disposal site.

(k) All other required local, State and Federal permits shall be obtained.
(l) Beginning upon adoption of the 2020 Public Safety Element update and its certification by the California Coastal Commission, within the urban and rural

services lines but outside of designated Shoreline Protection Exception Area(s), for structures on coastal bluffs and beaches the following limitations shall not be exceeded more than once prior to 2040 or prior to any substantial amendment of this section of this chapter, whichever is later. After the allowed new or major project, subsequent development shall be in accordance with subsection (H)(1)(a) of this section. More strictly limit, or do not approve, new/replacement/reconstruction projects if structures on the site have been damaged by coastal processes.

(i) Modification, reconstruction or replacement of 50 percent or more of the major structural components—consisting of the foundation, floor framing, exterior wall framing, and roof framing—of an existing habitable structure, or modification, reconstruction or replacement of 50 percent of the major structural components of an existing critical structure or facility, as defined by this chapter.

(ii) The addition of habitable square footage to any structure, where the addition increases the habitable square footage by more than 50 percent over the existing habitable space. This allows a total increase of up to 50 percent of the original habitable space of a structure.

(2) Exemption.

(a) Any project which does not specifically require a building permit pursuant to SCCC 12.10.315 (exempted work) is exempt from subsection (H)(1) of this section, with the exception of: nonhabitable accessory structures that are located within the minimum 25-foot setback from the coastal bluff where there is space on the parcel to accommodate the structure outside of the setback, aboveground pools, water tanks, projects (including landscaping) which would unfavorably alter drainage patterns, and projects involving grading.

For the purposes of this section, "the unfavorable alteration of drainage" is defined as a change that would significantly increase or concentrate runoff over the bluff edge or significantly increase infiltration into the bluff, and "grading" is defined as any earthwork other than minor leveling, of the scale typically accomplished by hand, necessary to create beneficial drainage patterns or to install an allowed structure, that does not excavate into the face or base of the bluff.

Examples of projects which may qualify for this exemption include: decks which do not require a building permit and do not unfavorably alter drainage, play structures, showers (where runoff is controlled), benches, statues, landscape boulders, benches, and gazebos which do not require a building permit.

(b) If a structure that is constructed pursuant to this exemption subsequently becomes unstable due to erosion or slope instability, the threat to the exempted structure shall not qualify the parcel for a coastal bluff retaining structure or shoreline protection structure. If the exempted structure itself becomes a hazard it shall either be removed or relocated, rather than protected in place at the direction of the County.

(3) Shoreline and coastal bluff protection structures shall be governed by the following:

(a) New shoreline and coastal bluff protection structures requiring a coastal development permit shall only be allowed within the urban and rural services lines on parcels where both adjacent parcels are already similarly protected, or where necessary to protect existing structures from a significant threat, or on vacant parcels which, through lack of protection, threaten adjacent or nearby developed lots, or to protect public roads and infrastructure, critical facilities, public beaches, and coastal dependent uses.

Developments on and along beaches and coastal lagoons shall not be protected by new shoreline protection structures. New shoreline or coastal bluff armoring is not allowed outside the urban and rural services lines.

(b) New shoreline and coastal bluff protection structures shall not be allowed where the existing structure proposed for protection was granted an exemption pursuant to subsection (H)(2) of this section.

(c) For sites located outside of a designated Shoreline Protection Exception Area, and unless authorized by an adopted Shoreline Management Plan, application for shoreline and coastal bluff protective structures shall include thorough analysis by a professional engineer or professional geologist of all reasonable alternatives to such structures, including but not limited to the following:

(i) Relocation or partial removal of the threatened structure;

(ii) Protection of the upper bluff and blufftop (including through planting appropriate native or noninvasive vegetation and removing invasive plant species, and better drainage controls) or the area immediately adjacent to the threatened structure;

(iii) Natural or "green" infrastructure (like vegetated beaches, dune systems, and wetlands);

(iv) Engineered shoreline or coastal bluff armoring (such as beach nourishment, revetments, or vertical walls);

(v) Other engineered systems to buffer coastal areas;

(vi) Combinations or hybrids of the above; and

(vii) Consistency with an approved Shoreline Management Plan, if applicable.

(d) Shoreline and coastal bluff protection measures requiring a coastal development permit may be approved within existing developed areas designated as Shoreline Protection Exception Areas, including projects that replace or modify existing measures in order to reduce and mitigate for impacts on coastal resources. Any new or replacement/redeveloped shoreline and coastal bluff protection structures shall be placed as close as possible to the coastal bluff or structure requiring protection and must be designed to minimize adverse impacts. Design considerations include $bu_8t_1$are not limited to the following:

(i) Minimize the footprint of the armoring on the beach;

(ii) Provide for public recreational access;

(iii) Provide for future access for maintenance of the armoring;

(iv) Strive for a continuous lateral pedestrian access as physically feasible;

(v) Minimize visual intrusion by using materials that blend with the color or natural materials in the area, contouring to match nearby landforms as much as possible, and using vegetation for screening;

(vi) Meet approved engineering standards and applicable County Code provisions for the site as determined through the coastal development, building, and grading permit process;

(vii) The design must be based on detailed technical studies to accurately define geologic, hydrologic and oceanographic conditions affecting the site;

(viii) Eliminate or mitigate adverse impacts on local shoreline sand supply; and

(ix) All armoring structures shall incorporate permanent survey monuments for future use in establishing a survey monument network along the coast for use in monitoring seaward encroachment or slumping of armoring and erosion trends.

(e) Unless the existing armoring is being appropriately maintained by a geologic hazard abatement district plan of control, or other joint maintenance agreement, for development activities protected by existing shoreline and coastal bluff armoring, the coastal permit application shall include:

(i) Reassessment of the need for the armoring;

(ii) A report on the need for any repair or maintenance of the device (see subsection (H)(3)(k) of this section);

(iii) Evaluation of the stability and condition of the armoring and recommendations for maintenance, repair, or modification, and potential for removal based on changed conditions;

(iv) A report on changed geologic and hydrologic site conditions including but not limited to changes relative to sea level rise;

(v) Assessment of impacts to sand supply and public access and recreational resources;

(vi) Recommendation to avoid or mitigate impacts to sand supply and public access and recreational resources; and

(vii) If approved, such development associated with existing shoreline or coastal bluff armoring shall meet all the other applicable requirements of this policy, including with respect to the impact mitigation requirements, which may include payment of in-lieu fees.

(f) For proposed development activities involving a new structure or modification or addition to an existing structure protected by existing riprap, require that the applicant submit a report at the time of filing an application for a coastal development permit for development activities, including an evaluation of the stability and condition of the armoring and recommendations for maintenance, repair, or modification, and potential for removal based on changed conditions. The report shall include a recovery plan for the maintenance and repair and potential removal of all or a portion of the existing riprap revetment, to recover migrated riprap and to provide for least disturbance of the beach and shoreline while also functioning as necessary to protect the structures on and adjacent to the parcel. The recovery plan must incorporate best management practices for maintenance and repair to address potential impacts to sensitive species and environmental resources, as well as best management practices for construction during maintenance and repair activities.

(g) Proposed shoreline or coastal bluff armoring requiring a coastal development permit should be the least environmentally damaging feasible alternative to serve coastal dependent uses or to protect a structure or a public beach in danger from erosion:

(i) Unless located within a Shoreline Protection Exception Area or as consistent with an approved Shoreline Management Plan, hard armoring (such as seawalls and revetments, etc.) shall only be allowed within the urban and rural services lines if soft alternatives (such as managed retreat/relocation, beach nourishment, vegetative planting, and drainage control, etc.) are not feasible, or are not the least environmentally damaging feasible alternative;

(ii) Permit shoreline or coastal bluff armoring only if nonstructural measures are infeasible from an engineering standpoint or not economically viable;

(iii) Hard armoring by new shoreline and coastal bluff protection measures is not allowed on sites located outside of the urban and rural services lines; and

(iv) An approved Shoreline Management Plan or projects within a designated Shoreline Protection Exception Area may authorize hard armoring for identified sections of the coast.

(h) No coastal development permit application for shoreline or coastal bluff armoring shall be approved for the sole purpose of protecting an accessory structure.

(i) All proposed shoreline and coastal bluff armoring shall be sited and designed to eliminate or mitigate adverse impacts on coastal resources. All unavoidable coastal resource impacts shall be appropriately mitigated. Any approved new, replacement, reconstructed or redeveloped shoreline protection structure must not result in unmitigated impacts to coastal resources including:

(i) Reduced or restricted public beach access;

(ii) Adverse effects on shoreline processes and sand supply;

(iii) Increased erosion or flooding on adjacent properties; and

(iv) Adverse impacts on coastal visual or recreational resources, or harmful impacts on wildlife and fish habitats or archaeological or paleontological resources.

(j) Mitigation Programs. Require mitigation of unavoidable adverse impacts on coastal resources, including payment of in-lieu fees where on-site and/or in-kind options are not possible.

(k) All shoreline and coastal bluff armoring requiring a coastal development permit shall include a permanent, County-approved, monitoring, maintenance, and repair program. The program shall include, but is not limited to, the following elements:

(i) Monitoring by a professional engineer or geologist familiar and experienced with coastal structures and processes;

(ii) Report to the County upon completion of construction of the armoring and every five years or less thereafter, as determined by either the County Geologist or a qualified professional, for as long as the armoring remains authorized. Reports shall be reviewed and accepted by the County;

(iii) The report shall detail the condition of the structure and list any recommended maintenance and repair work;

(iv) The monitoring plan and periodic report shall address impacts to shoreline processes and beach width, public access, and availability of public trust lands for public use;

(v) The monitoring, maintenance and repair program shall be recorded on the title/deed of the property;

(vi) The program shall allow for County removal or repair of shoreline or coastal bluff armoring, at the owner's expense, if its condition creates a public nuisance or if necessary to protect the public health and safety;

(vii) The program shall include any other monitoring, maintenance, and repair activities the County determines necessary to avoid or mitigate impacts to coastal resources; and

(viii) The initial term of the monitoring, maintenance, and repair program shall be 20 years. Extension beyond 20 years will require an application to amend the conditions of approval of the coastal development permit to extend the monitoring, maintenance, and repair program at which time the program shall be updated if necessary, to address changed shoreline conditions, and may include additional and/or renewed requirements for mitigation of then-existing impacts of the project on coastal resources for the requested term of extension.

(l) Applications for shoreline or $_8c_4$oastal bluff armoring shall include a construction and staging plan that minimizes disturbance to the beach, specifies

the access and staging areas, and includes a construction schedule that limits presence on the beach, as much as possible, to periods of low visitor demand. The plan for repair projects shall include recovery of rock and other material that has been dislodged onto the beach.

(m) All other required local, State and Federal permits shall be obtained.

(n) Within a designated Shoreline Protection Exception Area new shoreline and coastal bluff protection structures shall be allowed on all parcels to protect existing structures, or on vacant parcels which, through lack of protection, threaten adjacent or nearby developed lots, or to protect public roads and infrastructure, public beaches, and coastal dependent uses subject to the following criteria:

(i) Compliance with all applicable provisions of this chapter; and

(ii) New protection structures shall follow the pattern in terms of engineering design, aesthetics, and public access established by the County projects to armor East Cliff Drive at Pleasure Point and the Hook. New protection structures may integrate existing protection materials or structures if approved by the County.

(o) For purposes of determining what repair and maintenance activities require a coastal development permit, use the following criteria found in Title 14, Section 13252, of the California Code of Regulations.

Any method of repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:

(i) Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface structures;

(ii) The placement, whether temporary or permanent, of riprap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries;

(iii) The replacement of 20 percent or more of the materials of an existing structure with materials of a different kind; or

(iv) The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area, bluff, or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams.

(p) For purposes of this section the replacement of 50 percent or more of an existing shoreline or coastal bluff protection structure constitutes a new structure.

(4) Modification, Reconstruction, or Replacement of Damaged Structures on Coastal Bluffs. If structures located on or at the top of a coastal bluff are damaged as a result of coastal hazards, including slope instability and seismically induced landslides, and where

the loss involves 50 percent or more of major structural components, allow repair (development activities) if all applicable regulations can be met, including the minimum 25-foot and the applicable 75- or 100- year geologic/coastal setbacks, or alternate setback authorized by an approved setback exception.

For structures involuntarily damaged by other than coastal hazards (fire, for example), where the loss involves 50 percent or more of the major structural components, allow repair in kind, but encourage relocation to increase the setback if feasible.

Allow other than in-kind reconstruction or replacement of involuntarily damaged structures in accordance with all applicable LCP policies and regulations.

Exemption: Public beach facilities and replacements consistent with the Coastal Act Policy contained in Public Resources Code Section 30610(g).

(5) Reconstruction or Replacement of Damaged Structures Due to Storm Wave Inundation. If structures located in areas subject to storm wave inundation are damaged as a result of any cause and the loss meets or exceeds 50 percent of the value of the structure before the damage occurred (substantial damage), allow such repair (substantial improvement) only if all applicable regulations in SCCC 16.13, Floodplain Management Regulations, and all applicable LCP policies can be met.

Exceptions: Public beach facilities and replacements.

(6) Coastal High Hazard Area Development Criteria. The provisions of SCCC 16.13, Floodplain Management Regulations, shall apply to all development, as defined in that chapter, that is wholly within, partially within, or in contact with any coastal high hazard area, or other areas as identified by the Floodplain Administrator, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, replacement, repair, relocation or demolition of any building or structure; placement, installation, or replacement of manufactured homes; installation or replacement of tanks; placement of temporary structures and temporary storage; installation of swimming pools; and miscellaneous and utility structures.

(7) New and Expanded Critical Structures and Facilities. Construction of critical structures and facilities, including the expansion of existing critical structures and facilities, and nonessential public structures shall be located outside areas subject to coastal hazards; unless such facilities are necessary to serve existing uses, there is no other feasible location, and construction of these structures will not increase hazards to life and property within or adjacent to coastal inundation areas.

(8) Creation of New Parcels and Location of New Building Sites. New parcels or building sites created by minor land divisions, subdivisions or development approvals or permits, and multi-residential structures in coastal hazard areas shall conform to the following criteria:

(a) Demonstration by a full geologic report that each proposed building site on the parcel is not subject to any potential hazards and that each site meets the minimum setback given in subsection (H)(1) of this section;

(b) Determination by the Directo8r6based on the geologic report that the long-

term stability and safety of the development does not depend on or require shoreline or coastal bluff armoring;

(c) The proposed development does not reduce or restrict public access and the proposed development does not require the construction of public facilities, structures, or utility transmission lines in coastal hazard areas or within the 25-foot or 75- or 100-year stability (whichever is greater) setback; and

(d) The developer and/or the subdivider of a parcel or parcels in an area subject to geologic hazards shall be required, as a condition of development approval and building permit approval, to record on the property title/deed a notice of geologic/coastal hazards, acceptance of risk, liability release, and indemnification with the County Recorder. The notice shall include a description of the hazards on the parcel and the level of geologic and/or geotechnical investigation conducted, and additional acknowledgements and agreements as applicable to the specific project.

(9) Removal Conditions/Development Duration. Development/development activities on private property located in areas subject to coastal hazards shall be conditioned to indicate that it may be required that improvements be removed, and the affected area restored if:

(a) The Building Official and/or the County Geologist has issued a final notice and order that the structure has become permanently unsafe to occupy due to bluff failure, erosion of the bluff, or coastal hazards;

(b) Essential services to the site can no longer feasibly be maintained (e.g., utilities, roads);

(c) Removal is required pursuant to implementation of an adopted Shoreline Management Plan; or

(d) As provided by conditions of approval for a permit that has been accepted and implemented by an owner of the property.

Such condition shall be recorded on a deed restriction against the subject property.

(10) Abatement of Unsafe Site or Structure. If coastal hazards result in an unsafe site or unsafe structure, dangerous conditions shall be abated in accordance with County regulations and notice and orders of the Chief Building Official. If all or any portion of improvements are deemed uninhabitable, the improvements shall be removed and the affected area restored, unless an alternative response is approved by the County of Santa Cruz, and by the California Coastal Commission if the project is within the Coastal Commission's primary jurisdiction. Alternative responses to coastal hazards may include (a) pursuit of a coastal development permit consistent with SCCC 13.20 (Coastal Zone Regulations) and this chapter (Geologic Hazards); and/or (b) pursuit of an alternative consistent with an adopted Shoreline Management Plan or plan of control of a geologic hazard abatement district.

(11) If the mean high tide line or the bluf[8]f[7]top edge migrates to within 15 feet of a

principal, habitable structure to a point where the site or structure is deemed potentially unsafe by County regulations and/or the County Geologist, Civil Engineer, or Chief Building Official, the property owner shall retain a professional engineer with experience in coastal processes and hazard response to prepare a geotechnical investigation and coastal hazards report (with input from a professional geologist, when required by civil engineering staff or the County Geologist) that addresses whether all or any portions of the residence and related development are threatened by coastal hazards, and that identifies actions that should be taken to ensure safe use and occupancy, which may include removal or relocation of all or portions of the threatened development and improvements, or other alternate responses. The property owner shall undertake activities to pursue an appropriate response in accordance with adopted and applicable County of Santa Cruz and California Coastal Commission regulations. The geotechnical investigation and coastal hazards report shall be submitted to the Executive Director of the California Coastal Commission, and to the Director, Chief Building Official and County Geologist of Santa Cruz County. If the residence or any portion of the residence is proposed to be removed, the applicant shall submit a removal and restoration plan.

(12) If an appropriate government agency so orders, or as a result of the above-referenced geotechnical investigation and coastal hazards report, it is determined that any portion of the approved development must be removed due to coastal hazards, a removal and restoration plan shall be submitted to the County for review and approval. No removal activities shall commence until the removal and restoration plan and all other required plans and permits are approved. The plan shall specify that in the event that portions of the development fall to the bluffs or ocean before they are removed/relocated, the landowner will remove all recoverable debris associated with the development from the bluffs and ocean and lawfully dispose of the material in an approved disposal site. If it is determined that separate grading and coastal development permits are required in order to authorize the activities, the application shall be submitted as soon as immediately feasible, including all necessary supporting information to ensure it is complete. The removal and restoration plan shall clearly describe the manner in which such development is to be removed and the affected area restored so as to best protect coastal resources, and shall be implemented immediately upon County approval, or County approval of required permit applications, as may be required.

(13) Repetitive loss properties shall be subject to the requirements of subsection (H)(5) of this section regarding damage due to flooding, storm wave impacts, and inundation. "Repetitive loss" means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

(14) Other Conditions. Other permit conditions including, but not limited to, project redesign, building site elimination, delineation of building and septic system envelopes, building elevation, foundation requirements and drainage plans shall be required as deemed necessary by the Director, or other decision-making body.

SECTION XXXIII

Section 16.10A.105 of the Santa Cruz County Code is hereby amended, to read as follows:

16.10A.105 Notice of geologic hazards in cases of dangerous conditions.

(A) Whenever a site inspection, geologic hazards assessment or full geologic report identifies the presence of a geologic hazard that causes a site, building, structure, or portions thereof to be rendered unsafe or dangerous, then pursuant to the Uniform Code for the Abatement of Structural and Geologic Hazards as amended by SCCC 12.10.425, the Director may issue a notice of geologic hazard and order thereon, and may record a notice of geologic hazard with the County Recorder.

(B) The Director may initiate abatement procedures pursuant to the Uniform Code for the Abatement of Structural and Geologic Hazards as amended by SCCC 12.10.425.

(C) When a property has been identified as “unsafe to occupy” due to adverse geologic conditions, no discretionary approval or building permit (except approvals and permits that are necessary solely to mitigate the geologic hazard) shall be issued prior to the review and approval of geologic and/or geotechnical reports and the completion of mitigation measures, as necessary.

SECTION XXXIV

Section 16.20.030 of the Santa Cruz County Code is hereby amended, to read as follows:

16.20.030 Definitions.

All definitions shall be as defined in the General Plan or Local Coastal Program Land Use Plan glossaries, and as follows:

"Agricultural grading" means any grading which takes place on land designated on the County's agricultural resource maps for exclusive agricultural use as specified in SCCC § 16.50.040; provided, however, that agricultural grading does not include any grading on such lands connected with the construction of access roads or building sites; except greenhouse sites. Agricultural grading does not include the movement of earth defined as agricultural work in SCCC § 16.20.050(I).

"Bedrock" means the in-place solid, undisturbed material either at the ground surface or beneath superficial deposits of gravel, sand or soil.

"Bench" means a relatively level step excavated into earth material.

"Civil engineer" means a professional engineer registered in California to practice civil engineering.

"Clearing" means the removal of vegetation down to bare soil, whether by hand, machine or any other method.

"Compaction" means the densification of earthen solids.

"Contractor" means any person licensed in the State of California to do grading as defined by State law.

"Diking" means construction of an earthen dam to control or confine water.

"Director" means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

"Drainage course" means a natural or manmade channel which conveys storm runoff either year-round or intermittently.

"Dredging" means scooping or digging of earth material from the bed of a body of water.

"Driveway" means any private road leading from the street to two or fewer habitable structures or parcels. (See "roadway.")

"Earth material" means rock, natural soil, sand or combination thereof.

"Engineering geologist" means a professional geologist registered in the State of California to practice engineering geology.

"Erosion" means the wearing away of the ground surface as a result of movement of wind, water or ice.

"Excavation" means the mechanical removal of earth material, or a cavity formed by cutting, digging or scooping.

"Existing grade" means the grade prior to grading.

"Fill" means the deposition of earth or other material by artificial means for any purpose, for any length of time, including the stockpiling of material, or the conditions resulting therefrom.

"Finish grade" means the final grade of the site which conforms to the approved plan.

"Grade" means the vertical location of the ground surface, or the degree of rise or descent of a slope.

"Grading" means excavating, or filling, dredging, diking, prospecting, exploratory mining operation or combination thereof.

"Key" means a designed compacted fill placed in a trench excavated in undisturbed earth material or rock beneath the toe of a proposed fill slope for the purpose of developing a shearing resistance (see Figure 1).

"**Land disturbance"** means clearing, excavating, grading or other manipulation of the terrain.

"Littoral cell" means a continuous section of shoreline within which sand moves in a prevailing direction in response to seasonal current.

"Permittee" means the property owner, or any contractor or other person undertaking grading upon the property of the property owner, pursuant to a permit granted according to the provisions of this chapter.

"Riparian corridor" means any of the following:

(1) Lands within a stream channel, including the stream and the area between the mean rainy season (bankfull) flowlines;

(2) Lands extending 50 feet (measured horizontally) out from each side of a perennial stream. Distance shall be measured from the mean rainy season (bankfull) flowline;

(3) Lands extending 30 feet (measured horizontally) out from each side of an intermittent stream. Distance shall be measured from the mean rainy season (bankfull) flowline;

(4) Lands extending 100 feet (measured horizontally) from the high water mark of a lake, wetland, estuary, lagoon or natural body of standing water;

(5) Lands containing a riparian woodland;

(6) Lands within an arroyo located within the urban services line, or the rural services line.

"Road gradient (percent)" means a vertical rise multiplied by 100 and divided by horizontal run.

"Road" or "roadway" means an open way for vehicular traffic serving more than two habitable structures or parcels. (See "driveway.")

"Security" means a cash deposit, time certificate of deposit or equivalent security acceptable to the County.

"Site" means a parcel of land or contiguous combination thereof, where grading is performed or proposed.

"Slope" means an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance. (See Table A and Figure 2.)

"Soil" means naturally occurring superficial deposits of earth material overlying bedrock.

"Soil engineer" means a civil engineer, registered in the State of California, experienced and knowledgeable in the practice of soil engineering.

"Stream" means any watercourse as designated by a solid line or dash and three dots symbol shown on the largest scale of the United States Geological Survey map most recently published, or as indicated in the grading permit when it has been field determined that a watercourse either:

(1) Supports fish at any time of the year; or

(2) Has a significant water flow 30 days after the last significant storm; or

(3) Has a channel, free of soil and debris.

"Terrace" means a relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

"Waterbreak" means a ditch, dike, dip or combination thereof, constructed to effectively divert water as an aid to erosion control.

"Winter season" means October 15th through April 15th.

SECTION XXXV

Section 16.20.040 of the Santa Cruz County Code is hereby amended, to read as follows:

16.20.040 Approval required.

Except as exempted by SCCC 16.20.050, no person shall do, cause, permit, aid, abet, suffer or furnish equipment or labor for any grading until a grading approval has been obtained for the project. A separate approval shall be required for each site and shall be obtained as follows:

(A) Administrative Site Development Permit. All applications for grading in excess of 5,000 cubic yards, or for which an environmental impact report was prepared, or for grading in excess of 1,000 cubic yards which is visible from a scenic corridor roadway, as designated in the Local Coastal Program Land Use Plan, shall be processed according to SCCC 18.10, Administrative Site Development Permit, as a discretionary permit application that is the subject of a public notice and acted upon by the Director or their de9s1ignee.

(B) Director. All other permits shall be processed according to SCCC 18.10, Minor Site Development Permit.

(C) Subdivisions. The Director is hereby authorized and directed to enforce the provisions of this chapter for grading done within parcel map subdivisions for which improvement plans have been signed by the Director or within subdivisions for which a final map has been recorded or for property on which a tentative subdivision map has been approved and grading is permitted prior to recording of a final map, pursuant to SCCC 14.01.512, provided all applicable requirements of that section have been satisfied.

SECTION XXXVI

Section 16.20.130 of the Santa Cruz County Code is hereby amended, to read as follows:

16.20.130 Securities.

When determined necessary by the Director, securities shall be collected prior to the approval of grading permits. When required, securities shall remain in effect one winter after final inspection and approval. All expenditures by the County for corrective work necessary because of the permittee's failure to comply with the provisions of the approval and this chapter shall be charged against the security. The security shall be provided by the permittee as a cash deposit, time certificate of deposit, or equivalent security, acceptable to the County, payable to the County.

(A) The amount of security for grading shall be based on the number of cubic yards of material of either excavation or fill, whichever is larger, plus the cost of drainage or other protective devices. The minimum amount required shall be computed as indicated in the following schedule:

(1) Up to ten thousand cubic yards: $3.50 per cubic yard, plus the cost of drainage or other protective devices.

(2) Ten thousand one cubic yards or more: $35,000 plus $1.75 per cubic yard for each additional cubic yard in excess of 10,000, plus the cost of drainage or other protective devices.

(B) No separate grading security except for security required for winter grading operations shall be required for work on which a final subdivision map has been recorded (or a tentative subdivision map has been approved subject to a specific condition that grading will be permitted prior to recording of the final map); provided, that all of the contemplated grading is shown on approved improvement plans pursuant to SCCC 14.01 and the amount of the subdivision improvement, performance, labor and material securities is sufficient to cover all grading.

(C) A separate security for any grading operations authorized during the winter, between October 15th and April 15th, may be required if deemed necessary by the Director.

(D) The amount of security required for any project may exceed the minimum amount calculated in subsection (A) where determined necessary by the Director to meet the intent of this chapter. The amount of security shall not exceed the total cost estimate to complete the entire permitted project plus fifteen percent.

SECTION XXXVII

Section 16.20A.030 of the Santa Cruz County Code is hereby amended, to read as follows:

16.20A.030 Definitions.

Words shall be as defined in the General Plan or Local Coastal Program Land Use Plan glossaries, and for the purposes of this chapter, the following definitions apply:

(A) **"Agricultural grading"** means any grading which takes place on land designated on the County's agricultural resource maps for exclusive agricultural use as specified in SCCC § 16.50.040 and for vineyards and associated terracing; provided, however, that agricultural grading does not include any grading on such lands connected with the construction of access roads or building sites. Agricultural grading also does not include the movement of earth for purposes defined in this chapter as agricultural work and, with the exception of vineyards, does not include grading on hillsides or slopes of 20 percent or greater or grading for specialized agricultural activities as defined in this section.

(B) **"Bedrock"** means the in-place solid, undisturbed material either at the ground surface or beneath superficial deposits of gravel, sand or soil.

(C) **"Bench"** means a relatively level step excavated into earth material.

(D) **"Civil engineer"** means a professional engineer registered in California to practice civil engineering.

(E) **"Clearing"** means the removal of vegetation down to bare soil, whether by hand, machine or any other method.

(F) **"Compaction"** means the densification of earthen solids.

(G) **"Contractor"** means any person licensed in the State of California to do grading as defined by State law.

(H) **"Diking"** means construction of an earthen dam to control or confine water.

(I) **"Director"** means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

(J) **"Drainage course"** means a natural or manmade channel which conveys storm runoff either year-round or intermittently.

(K) **"Dredging"** means scooping or digging of earth material from the bed of a body of water.

(L) **"Driveway"** means any private road leading from the street to two or fewer habitable structures or parcels. (See "Roadway.")

(M) **"Earth material**" means rock, natural soil, sand or combination thereof.

(N) **"Emergency"** means a sudden, unexpected occurrence involving a clear and present danger that demands immediate action to prevent loss of or damage to life, health, property or essential public services.

(O) **"Erosion"** means the wearing away of the ground surface as a result of movement of wind, water or ice.

(P) **"Excavation"** means the mechanical remov9a3l of earth material, or a cavity formed by cutting, digging or scooping.

(Q) **"Existing grade"** means the grade prior to grading.

(R) **"Fill"** means the deposition of earth or other material by artificial means for any purpose, for any length of time, including the stockpiling of material, or the conditions resulting therefrom.

(S) **"Finish grade"** means the final grade of the site which conforms to the approved plan.

(T) **"Grade"** means the vertical location of the ground surface, or the degree of rise or descent of a slope.

(U) **"Grading"** means excavating, or filling, dredging, diking, prospecting, exploratory mining operation or combination thereof.

(V) **"Key"** means a designed compacted fill placed in a trench excavated in undisturbed earth material or rock beneath the toe of a proposed fill slope for the purpose of developing a shearing resistance (see Figure 1).

(W) **"Land disturbance"** means clearing, excavating, grading or other manipulation of the terrain.

(X) **"Littoral cell"** means a continuous section of shoreline within which sand moves in a prevailing direction in response to seasonal current.

(Y) **"Permittee"** means the property owner, or any contractor or other person undertaking grading upon the property of the property owner, pursuant to a grading permit granted according to the provisions of this chapter.

(Z) **"Professional geologist"** means a geologist who is licensed by the State of California to practice geology.

(AA) **"Riparian corridor"** means any of the following:

(1) Lands within a stream channel, including the stream and the area between the mean rainy season (bankfull) flow lines;

(2) Lands extending 50 feet (measured horizontally) out from each side of a perennial stream. Distance shall be measured from the mean rainy season (bankfull) flow line;

(3) Lands extending 30 feet (measured horizontally) out from each side of an intermittent stream. Distance shall be measured from the mean rainy season (bankfull) flow line;

(4) Lands extending 100 feet (measured horizontally) from the high water mark of a lake, wetland, estuary, lagoon or natural body of standing water;

(5) Lands containing a riparian woodland; or

(6) Lands within an arroyo located within the urban services line, or the rural services line.

(BB) **"Road gradient (percent)"** means a vertical rise multiplied by 100 and divided by horizontal run.

(CC) **"Road" or "roadway"** means an open way for vehicular traffic serving more than two habitable structures or parcels. (See "Driveway.")

(DD) **"Security"** means a cash deposit, time certificate of deposit or equivalent security acceptable to the County.

(EE) **"Site"** means a parcel of land or contiguous combination thereof, where grading is performed or proposed.

(FF) **"Slope"** means an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance. (See Table A and Figure 2.)

(GG) **"Soil"** means naturally occurring superficial deposits of earth material overlying bedrock.

(HH) **"Soil engineer" or "geotechnical engineer"** means a professional civil engineer, licensed in the State of California, experienced and knowledgeable in the practice of soil and foundation engineering.

(II) **"Specialized agricultural activities"** means any agricultural activities involving greenhouses, growing in indoor structures, aquaculture and cannabis activities.

(JJ) **"Stream"** means any watercourse as designated by a solid line or dash and three dots symbol shown on the largest scale of the United States Geological Survey map most recently published, or as indicated in the grading permit when it has been field determined that a watercourse either:

(1) Supports fish at any time of the year;

(2) Has a significant water flow 30 days after the last significant storm; or

(3) Has a channel, free of soil and debris.

(KK) **"Terrace"** means a relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

(LL) **"Waterbreak"** means a ditch, dike, dip or combination thereof, constructed to effectively divert water as an aid to erosion control.

(MM) **"Winter season"** means October 15th through April 15th.

SECTION XXXVIII

Section 16.20A.040 of the Santa Cruz County Code is hereby amended, to read as follows:

16.20A.040 Approval required.

Except as exempted by SCCC 16.20.050, no person shall do, cause, permit, aid, abet, suffer or furnish equipment or labor for any grading until a grading permit has been obtained for the project. A separate grading permit shall be required for each site and shall be obtained as follows:

(A) Administrative Site Development Permit. All applications for grading permits involving in excess of 5,000 cubic yards, or for grading in excess of 1,000 cubic yards on a site which is visible from a scenic corridor roadway designated in the General Plan/Local Coastal Program Land Use Plan, shall be processed according to SCCC 18.10, Administrative Site Development Permit, as a discretionary permit application that is the subject of a public notice and acted upon by the Director.

(B) Minor Site Development Permit. Applications for grading permits involving any amount of grading on greater than 50 percent slopes, or grading between 1,000 and 8,000 cubic yards of earth material on a site that is not located in a designated scenic area or visible from a scenic road shall be processed according to SCCC 18.10, Minor Site Development Permit. Concurrent approvals shall be processed according to SCCC 18.10.123.

(C) Subdivisions. The Director is hereby authorized and directed to enforce the provisions of this chapter for grading within parcel map subdivisions for which improvement plans have been signed by the Community Development and Infr9a5structure Director or within subdivisions for

which a final map has been recorded or for property on which a tentative subdivision map has been approved and grading is permitted prior to recording of a final map, pursuant to SCCC 14.01.512, provided all applicable requirements of that section have been satisfied.

(D) Ministerial Permits. Applications for grading permits involving less than 1,000 cubic yards of earth material on less than 50 percent slopes or grading that is part of a consolidated coastal development permit process shall be processed as ministerial building permits and comply with standards of applicable County codes and recommendations of a soils or geotechnical report in order to be approved and issued.

SECTION XXXIX

Section 16.20A.080 of the Santa Cruz County Code is hereby amended, to read as follows:

16.20A.080 Approval limitations and conditions.

(A) Issuance. The issuance of a grading permit shall constitute an authorization to do only that work which is described or illustrated on the application for the permit or on the approved plans and specifications.

(B) Plan Checking. The application, plans, and specifications filed by an applicant for a grading permit shall be checked by the Director within 30 days after receipt of all information required for submittal of the application. The Director shall notify the applicant in writing within 30 days of the time the application is filed, of any deficiencies that must be corrected in order to allow for approval of the grading permit. The Director shall approve an application for a grading permit if the plans filed therewith conform to the requirements of this chapter, zoning ordinances, any use permit and/or design review conditions and other applicable laws. The Planning Commission shall take its action after carrying out a noticed public hearing on the application and shall approve, conditionally approve or deny the application, based upon whether or not the proposal is consistent with the General Plan, Local Coastal Program, and applicable provisions of the County Code including but not limited to permit approval findings within SCCC 18.10.

(C) Denial of Grading Permit Application.

(1) An application for a grading, dredging or diking permit shall be denied if the Director or Planning Commission makes any of the following findings:

(a) That the design of the proposed site is not consistent with the applicable general and specific plans adopted pursuant to SCCC 18.50 and 13.02;

(b) That the proposed grading plan for the development contemplated does not comply with the requirements of the Santa Cruz County Code;

(c) If the project is for the creation of a building site, that adequate sewage facilities and water supplies cannot be provided;

(d) If the project as proposed will cause excessive and unnecessary disturbance of the site particularly as defined in the geologic hazard assessment or other geotechnical or geology report pr$_{9}$e$_{6}$pared for the application, or as addressed by the slope stability provisions of SCCC 16.10.070(F); or

(e) If the project is for the purpose of a new, extended or widened road providing access to enable a specialized agricultural activity or to an agricultural growing area on slopes of 20 percent or more, and the road work will involve a degree or nature of grading that involves significant grading which may not be wholly consistent with existing natural topography or grades of the subject area, and which does not provide offsetting public safety, neighborhood or community benefits to a degree that provides reason to support the proposed degree or nature of grading, as specified in findings for approval of the grading permit.

(2) An application for a grading permit shall be denied if the work proposed would be hazardous by reason of flood, geological hazard, or unstable soils; be liable to endanger other properties or result in the deposition of debris on any public way, property, or drainage course, or otherwise create a hazard.

(3) An application for a grading permit which would create unavoidable adverse environmental impact shall be denied.

(4) An application for grading in a riparian corridor shall be denied if it is not in conformance with other chapters of the County Code which regulate development activity in riparian corridors.

(5) An application for a grading permit to place fill within a flood hazard area shall be denied, unless the fill is in conformation with the floodplain management regulations (SCCC 16.13).

(6) The Director shall notify the applicant in writing of a denial or conditional denial and shall state the reasons therefor.

(D) Restriction on Certain Grading Permits. If the project is for the creation of, or access to, a building site, land disturbance shall not take place until a building permit has been issued. If a grading permit cannot be issued until a determination of adequate water source and sewage disposal or other required site investigation is made, land disturbance shall be limited to the extent necessary to allow such an investigation. This provision shall not apply to improvements or road construction required as a condition of approval of a minor land division or other permit.

(E) Conditions of Approval. In acting to approve any grading permit under this chapter, the Director or Planning Commission shall attach such conditions as necessary to prevent creation of a nuisance or hazard to public or private property. Such conditions may include, but shall not be limited to:

(1) Improvement of any existing grading project to bring it up to the standards of this chapter.

(2) Requirements for fencing of excavations or fills which would otherwise be hazardous.

(3) Haul routes for materials.

(4) Conditions recommended by the Environmental Coordinator.

(5) Conditions recommended by a geological hazard review.

(6) Check dams, cribbing, riprap or other devices which may be required to prevent erosion; and a requirement that a winter 907perations erosion control permit be obtained if

grading will occur between October 15th and April 15th, pursuant to the requirements of SCCC 16.22.

(7) Mulching, fertilizing, watering or other methods may be required to establish new vegetation. On slopes less than 20 percent, stockpiling and reapplication of topsoil shall be required, unless it can be shown that adequate erosion control measures, as per the erosion control ordinance (SCCC 16.22), can be implemented.

(8) Dust from grading operations shall be controlled.

(9) No earth or organic material shall be deposited or placed where it may be deposited into a stream, marsh, slough, lagoon or body of standing water in a quantity deleterious to wildlife, aquatic life, or other beneficial uses of the water.

(10) Requirement that a land clearing permit be approved either in conjunction with the subject grading permit, or prior to grading operations involving land clearing taking place, if land clearing is subject to the requirements of SCCC 16.22.

(F) Approved Grading Plans. When the Director issues the grading permit, all of the plans and specifications shall be endorsed "approved." Such approved plans and specifications shall not be changed, modified, or altered without written authorization by the Director, and all work shall be done in accordance with the approved plans and this chapter.

(G) Amendment. Amendments to grading permits granted pursuant to this chapter whether for minor or major change of project, conditions, or expiration date or other time limits, shall be processed in accordance with the applicable provisions of SCCC 18.10, as a minor administrative permit for minor changes of project, changes of conditions for administratively issued grading permits, and extensions of time limits for any grading permit; and as a major grading permit for major changes of project and changes of conditions of approval for grading permits approved by the Director.

(H) Retention of Plans. One set of plans and specifications shall be retained by the Director for a period of not less than two years from the date of completion of work covered therein. Plans which have been submitted for checking and for which no grading permit is issued may be considered abandoned and destroyed if not picked up by the applicant within 180 days of issuance of the latest staff review comments.

(I) Posting of Permit. At the time a grading permit is issued which has been the subject of a Planning Commission public hearing, the County shall also publish a copy of the permit and diagrams of the permitted grading on the Department of Community Development and Infrastructure website, and retain it on the website until the activity is final, so that members of the public may assess information about the approved grading activity. All other grading permits shall retain the job copy of the approved grading plans on site.

(J) Work Time Limits. The permittee shall fully perform and complete all of the work required to be done within the time limit specified. If no time limit is specified, the permittee shall complete all of the work or the first phase of work within one year after the date of the issuance of the grading permit, and the remaining phase(s) of the work within the following year or in accordance with the timeline for a development permit that is associated with the project.

If the permittee is unable to complete the work within the specified time, they shall, prior to the expiration of the permit, present in writing a request for an extension of time, setting forth the

reasons for the requested extension. If, in the opinion of the Director, an extension is warranted, additional time may be granted for the completion of the work.

(K) Working Hours. Hours of grading operation shall be between 7:00 a.m. and 6:00 p.m. on weekdays. No grading shall be permitted on Saturdays, Sundays, and holidays, unless specifically authorized in advance and in writing by the Director or Building Official.

(L) Expiration. Unless otherwise specified, grading permit approvals issued pursuant to this chapter shall expire one year from the date of issuance if not exercised. Where grading permits are issued in conjunction with a development permit granted pursuant to SCCC 18.10 the grading permit approval shall expire in accordance with the provisions of SCCC 18.10.

(M) Safety Precautions. The permittee shall take all appropriate and necessary precautions to protect adjacent public and private property from damage that may result from the operations.

(N) Property Lines. Whenever the location of a property line is in question as the result of or during operations, the Director may require any boundary evidence which the Director deems necessary. The Director may require the applicant to furnish a parcel survey.

(O) Inclement Weather and Winter Grading. The Director shall stop grading during periods of inclement weather when weather-generated problems are not being controlled adequately. No grading shall occur during the winter season (October 15th through April 15th), unless a winter operations erosion control permit has been approved and issued.

(P) Validity. The issuance or granting of approval of a grading permit and its plans and specifications shall not be construed to be approval of any violation of any of the provisions of this chapter or of any other law. The issuance of a grading permit based on plans and specifications shall not prevent the Director from thereafter requiring the correction of errors in plans and specifications or from preventing operations from being carried on when in violation of this chapter or of any other law.

(Q) Suspension or Revocation of Grading Permit Approval. The Director may, in writing, suspend or revoke a grading permit approval issued under the provisions of this chapter whenever the grading permit is issued in error or on the basis of incorrect information supplied, or in violation of any law or regulation or any of the provisions of this chapter.

SECTION XL

Section 16.20A.130 of the Santa Cruz County Code is hereby amended, to read as follows:

16.20A.130 Securities.

When determined necessary by the Director, securities shall be collected prior to the approval of grading permits. When required, securities shall remain in effect one winter after final inspection and approval of completed work. All expenditures by the County for corrective work necessary because of the permittee's failure to comply with the provisions of the grading permit and this chapter shall be charged against the security. The security shall be provided by the permittee as a cash deposit, time certificate of deposit, or equivalent security, acceptable to the County, payable to the County.

(A) The amount of security for grading shall be based on the number of cubic yards of material of either excavation or fill, whichever is larger, plus the cost of drainage or other protective devices. The minimum amount required shall be computed as indicated in the following schedule:

(1) Up to ten thousand cubic yards: $3.50 per cubic yard, plus the cost of drainage or other protective devices.

(2) Ten thousand one cubic yards or more: $35,000 plus $1.75 per cubic yard for each additional cubic yard in excess of 10,000, plus the cost of drainage or other protective devices.

(B) No separate grading security except for security required for winter grading operations shall be required for work on which a final subdivision map has been recorded (or a tentative subdivision map has been approved subject to a specific condition that grading will be permitted prior to recording of the final map); provided, that all of the contemplated grading is shown on approved improvement plans pursuant to SCCC 14.01 and the amount of the subdivision improvement, performance, labor and material securities is sufficient to cover all grading.

(C) A separate security for any grading operations authorized during the winter, between October 15th and April 15th, may be required if deemed necessary by the Director.

(D) The amount of security required for any project may exceed the minimum amount calculated in subsection (A) where determined necessary by the Director to meet the intent of this chapter. The amount of security shall not exceed the total cost estimate to complete the entire permitted project plus fifteen percent.

SECTION XLI

Section 16.42.030 of the Santa Cruz County Code is hereby amended, to read as follows:

16.42.030 Definitions.

All terms used in this chapter shall be as defined in SCCC 13.10 and in the County General Plan glossary except as herein defined below:

(A) **"Archival"** typically means materials with a high level of alkalinity.

(B) **"Certified resolution"** means a resolution of the Board of Supervisors establishing the historic resources designation of a structure, object, site, property, or district which has a special historical, archaeological, cultural or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the County, State, or Nation, and which either has been listed in the County General Plan, or has been listed in the historic resources inventory adopted pursuant to SCCC 16.42.050 and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

(C) **"Contributing historic structure or object"** means a structure or object located within a designated historic district which has been designated as a contributing historic structure or object and is listed in the Santa Cruz County historic resource inventory pursuant to SCCC 16.42.050.

(D) **"Demolition"** shall mean the following:

(1) The complete demolition of the entirety of a landmark or contributing resource; or

(2) The partial demolition of a landmark or contributing resource that involves either of the following:

(a) The demolition of an aggregate of 50 or more linear feet of exterior wall or more than 50 percent of the footprint of the landmark or contributing resource, whichever is more restrictive, or

(b) The demolition is other than minor, inconsequential or insignificant and has been determined by the Director to affect the significance of the landmark or contributing resource.

(E) **"Director"** means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

(F) **"Historic alteration project, minor"** means a small project involving an historic building on the County's historic resources inventory but not including a structure with a rating of NR-1 or NR-2. Such projects include, but are not limited to, the replacement, addition or deletion of windows, doors, fences, decks and minor additions/alterations to the rear of the property of up to 10 percent of the gross square footage of the existing structure or 250 square feet, whichever is smaller, and signs.

(G) **"Historic district"** means an area designated as an historic resource and which contains improvements that:

(1) Have character of special historic or aesthetic interest or value; and

(2) Represent one or more periods or styles of architecture typical of one or more eras in the history of the County; and

(3) Cause such area, by reason of these factors, to constitute a geographically definable area possessing a significant concentration or continuity of sites, buildings, structures, or objects that are unified by past events, or aesthetically by plan or physical development.

[The County has one "District" that is located in the Soquel Planning Area with properties designated "NR-5D"]

(H) **"Historic documentation report"** means a report providing documentation of the historic significance and physical appearance of an historic resource and prepared in accordance with the guidelines established by the Historic Resources Commission. The report may take the form of a narrative with attached photographs and shall include a completed California Department of Parks and Recreation Historic Inventory Form.

(I) **"Historic object"** means an item of historical value that can be seen or touched, such as an artifact, monument or work of art, and which has been designated as an historic resource pursuant to this chapter.

(J) **"Historic property"** means a parcel of land where an historic structure or object is located.

(K) **"Historic resource"** means any structure, object, site, property, or district which has a special historical, archaeological, cultural or aes$_1$t$_0$h$_1$etic interest or value as part of the development, heritage, or cultural characteristics of the County, State, or nation, and which either

has been referenced in the County General Plan, or has been listed in the historic resources inventory adopted pursuant to SCCC 16.42.050 and has a rating of significance of NR-1, NR-2, NR-3, NR-4, or NR-5.

(L) **"Historic resource preservation plan"** means a plan for the protection, enhancement, and/or preservation of the historic resource values of a structure, object, site or district and which is prepared according to the guidelines established by the Historic Resources Commission.

(M) **"Historic Resources Commission"** means the County's Historic Resources Commission (HRC) established pursuant to SCCC 2.58.

(N) **"Historic resources inventory"** means a list of significant historic resources reviewed by the Board of Supervisors pursuant to SCCC 16.42.050 and which may include historic structures, objects, sites, and districts which contribute to the historic, cultural and architectural heritage of Santa Cruz County. It includes all properties with a rating of significance of NR-1, NR-2, NR-3, NR-4, NR-5 or NR-6. Only those resources adopted by resolution by the Board of Supervisors (NR-1, NR-2, NR-3, NR-4 and NR-5) are subject to the provisions of this chapter.

(O) **"Historic site"** means a parcel of land or property which has been designated as an historic resource pursuant to this chapter because it was the scene of a past historic event, or was a place associated with an historical person.

(P) **"Historic structure"** means a structure which has been designated as an historic resource pursuant to this chapter.

(Q) **"Material change"** means any exterior alteration or surface modification which will cause a change in the exterior appearance of a structure. This shall include all work which results in additions or changes to the architectural style, design, general arrangement, and components of all of the outer surfaces of an improvement, including, but not limited to, the kind and texture of the building material, and the type and style of all windows, doors, moldings, ramps, decks, fences, roofs, porches, railings, lights, signs, and other exterior fixtures appurtenant to such improvements. Material changes shall not include painting or ordinary maintenance consisting of repair which does not involve a change in exterior design or materials. Alterations to the interior of a structure do not constitute a material change.

(R) **"Noncontributing structure or object"** means a structure or object located within a designated historic district which has not been designated as a contributing historic structure or object.

(S) **"Director"** means the Community Development and Infrastructure Director, or their authorized representative, appointed pursuant to law.

(T) **"Reconstruction"** means the act or process of depicting, by means of new construction, the form, features, and detailing of a nonsurviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

(U) **"Relocation"** means the moving of a building or structure from one place to another.

(V) **"Secretary of the Interior's Standards"** means the National Parks Service and Secretary of the Interior's Standards for Treatment of Historic Properties found at 36 C.F.R. 68.3 as it may be amended from time to time.

(W) **"Structure"** means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner including all fences and decks.

(X) **"Thematic activity"** means a recurring event of local importance.

SECTION XLII

Section 16.42.040 of the Santa Cruz County Code is hereby amended, to read as follows:

16.42.040 Applicability.

(A) Historic Structures and Objects. No person shall make or cause any material change to the exterior of an historical structure or object, demolish any portion of the exterior of an historical structure or object unless such action is in conformance with a valid historic resource preservation plan approved by the Historic Resources Commission. In addition to these requirements, no relocation or demolition as described in SCCC 16.42.030(C)(1) or (C)(2) shall occur unless a historical documentation report is submitted to and approved by the Historic Resources Commission concurrent with the review of the historic resource preservation plan.

(B) Historic Properties. No person shall make or cause a material change to any structure on the property or construct any new structure including any fence or deck unless such action is in conformance with a valid historic resource preservation plan approved by the Historic Resources Commission. Demolition or removal of nonhistoric structures on historic properties is exempt from the provisions of this chapter.

(C) Historic Sites. For projects which will disturb or potentially disturb the ground of a designated historic site, an historical archaeological report as provided for in SCCC 16.40 shall be prepared and submitted with any applications for permits to develop the project.

(D) Historic Districts. No person shall make or cause in an historical district any material change to the exterior of any structure, or construct any new structure including fences and decks, or relocate or demolish any designated contributing historic structures or historic objects unless such action is in conformance with a valid historic resource preservation plan approved by the Historic Resources Commission.

(E) Demolition and relocation of noncontributing structures located in historic districts are exempt from the provisions of this chapter. Material changes to the exterior of all structures and the construction of new structures shall be compatible with the scale, building materials and general design of the historic district, reinforce the historic value and architectural theme of the historic district, and comply with the historic preservation guidelines of SCCC 16.42.060(C) and (D) to the maximum extent feasible.

SECTION XLIII

Section 16.42.050 of the Santa Cruz County Code is hereby amended, to read as follows:

16.42.050 Historic resource designation.

(A) Protected Historic Resources. The Santa Cruz County historic resources inventory shall consist of those structures, objects, properties, s1i0te3s, and districts as designated by certified

resolution of the Board of Supervisors and thereby incorporated by reference and made a part of this chapter, with subsequent amendments as provided for in subsection (E) of this section.

(B) Rating of Significance. For purposes of administering the historic preservation program, general public information, and to aid in the nomination of historic resources to the National Register, designated historic structures, objects, sites and districts shall be assigned a National Register (NR) Rating Code for historic significance based upon guidelines published by the United States Department of the Interior, National Park Service as follows:

(1) NR-1. A property listed in the National Register of Historic Places.

(2) NR-2. A property that has been determined to be eligible for listing on the National Register by the U.S. Department of the Interior.

(3) NR-3. A property eligible, in the opinion of the County Historic Resources Commission, to be listed on the National Register of Historic Places.

(4) NR-4. Property which may become eligible for listing on the National Register if additional research provides a stronger statement of significance, or if the architectural integrity is restored. These buildings have either high architectural or historic-significance but have a low rating in the other categories.

(5) NR-5. A property determined to have local historical significance.

(6) NR-5D. (District) A geographically defined area of local historical significance possessing a significant concentration, linkage, or continuity of sites, buildings, structures, and/or objects united by past events or aesthetically by plan or physical development.

(7) NR-6. The County shall maintain a listing of those properties which have been evaluated and determined to be ineligible for designation as an historic resource based on the criteria in subsections (B) and (C) of this section and/or due to their deteriorated architectural integrity or condition. These properties shall be given a rating of significance of NR-6. An NR-6 rated property is part of the historic resource inventory but is not subject to the provisions of this chapter. An NR-6 rated property may be reevaluated periodically.

(C) Designation Criteria. Structures, objects, sites and districts shall be designated as historic resources if, and only if, they meet one or more of the following criteria and have retained their architectural integrity and historic value:

(1) The resource is associated with a person of local, State or national historical significance.

(2) The resource is associated with an historic event or thematic activity of local, State or national importance.

(3) The resource is representative of a distinct architectural style and/or construction method of a particular historic period or way of life, or the resource represents the work of a master builder or architect or possesses high artistic values.

(4) The resource has yielded, or may likely yield, information important to history.

(D) Inventory Amendment. Amendment to the Santa Cruz County inventory of historic

resources shall be by certified resolution of the Board of Supervisors following the review and recommendation of the Historic Resources Commission. Actions of both bodies shall be taken following public hearing with public notice provided pursuant to SCCC 18.10.117 through 18.10.119. Any action to amend the inventory of historic resources to add or remove a structure, site, object or district shall be based on the criteria provided in subsections (B) and (C) of this section, and may be initiated by a property owner or their representative, the Board of Supervisors, the Historic Resources Commission, County staff or any member of the general public. Inclusions of new historic resources in the inventory shall be accompanied by a completed historic documentation report which includes a California Department of Parks and Recreation Historic Inventory Form to document the historic and architectural values of the designated resource.

(E) Delisting of an Historic Resource that Longer Exists. Notwithstanding subsection (D) of this section, in the event of a natural disaster or calamity that destroys an historic resource, the Historic Resources Commission shall have the authority to amend the Historic Resources Inventory to remove a historic resource that has been destroyed based on a determination that the resource no longer exists by an affirmative vote of three or more of the Commission members following a public hearing. Any action to amend the inventory of historic resources to remove such a structure, site, object or district shall be based on the criteria provided in subsections (B) and (C) of this section, and may be initiated by a property owner or their representative, the Board of Supervisors, the Historic Resources Commission, County staff or any member of the general public. The determination of the Historic Resources Commission shall be final. The County Zoning Map shall subsequently be amended to remove the Landmark "L" Combining District pursuant to SCCC 18.40.055.

(F) Findings Required. The following findings must be made for inclusion or deletion of properties from the Historic Inventory:

(1) For Inclusion in the Historic Inventory.

(a) That the proposed historic resource, or group of structures, or features thereof have significant cultural, architectural, or engineering interest or value of an historical nature, as defined in subsection (C) of this section.

(b) That approval or modified approval of the application to designate a historic resource is consistent with the purposes and criteria of the County's historic preservation policies set forth in this chapter, and the Historic Resources Policies of the General Plan.

(2) For Deletion from the Historic Inventory.

(a) That the proposed historic resource, or group of structures, or features thereof no longer have significant cultural, architectural, or engineering interest or value of an historical nature, as defined in subsection (C) of this section.

(b) That approval or modified approval of the application to delete a historic resource is consistent with the purposes and criteria of the County's historic preservation policies set forth in this chapter, and the historic resources policies of the General Plan.

(G) Recording of Certified Resolution Establishing the Historic Resource Designation. Within 90 days after an historic resource has been included in the Santa Cruz County historic

resources inventory by the Board of Supervisors, the Director shall cause to be filed for record with the County Recorder a certified resolution establishing the historic resource designation specifying the names of the owners of record, a legal description of the property, a description of the historic resource and its historic and/or architectural value, and a statement that the historic resource so described is subject to the provisions of this chapter. A copy of the recorded certified resolution shall be sent to the property owner.

(H) Documents. Following the Historic Resources Commission's and Board of Supervisor's acceptance of an historical documentation report, three archival quality copies with original black and white photographs shall be submitted by the applicant and shall be placed on permanent file by staff with the Department of Community Development and Infrastructure, the County Historic Museum and the UCSC McHenry Library, Special Collections.

(I) Pending Designations. Once an amendment to the Inventory of Historic Resources has been initiated to designate a property as an historic resource, no permit may be approved for any project affecting the historic resource on property until either:

(1) Final action has been taken to reject the amendment; or

(2) Approval of a historic resource preservation plan by the Historic Resources Commission has been obtained.

SECTION XLIV

Section 16.42.060 of the Santa Cruz County Code is hereby amended, to read as follows:

16.42.060 Development procedures for designated historic resources.

(A) Applications for Historic Review. Applications for historic resource preservation plan approval or sign review shall be filed with the Department of Community Development and Infrastructure in accordance with the administrative application requirements as established by the Historic Resources Commission.

(B) Demolition and Relocation.

(1) Application Requirements. For projects involving demolition of the historic structure, or involving relocation of an historical structure, the application submittal shall also include:

(a) A special inspections report based on a building inspection from the Department of Community Development and Infrastructure on the condition of the structure.

(b) An historical documentation report prepared according to guidelines established by the Historic Resources Commission. The report shall contain the following:

(i) Information which supports the claim that preservation is not feasible due to the deteriorated condition of the structure or object, or would create exceptional hardship, or is necessary to alleviate a dangerous condition.

(ii) Provisions to preser1V06e the historic values of the structure or object by

documentation and/or preservation of artifacts and building materials.

(c) Provisions to offer the structure to the general public for removal or dismantling for salvage at no cost or remuneration to the applicant. The availability of the structure shall be advertised by means of a one-eighth-page display ad in a paper of general circulation in the County of Santa Cruz, at least twice during a 30-day period. The advertisement shall include the address at which the structure proposed for demolition is located, information as to how arrangements can be made for relocation (through moving or dismantling) of the structure proposed for demolition, and the date after which a demolition permit may be issued. Evidence of this publication must be submitted prior to issuance of a demolition permit. This is not applicable to projects involving the relocation of the historic resource on the same site.

(2) Processing. Demolition applications shall be processed as follows:

(a) The complete demolition of the entirety of an historic resource shall require a public hearing and recommendation by the Historic Resources Commission and a public hearing and final action by the Board of Supervisors.

(b) The partial demolition, as defined in SCCC 16.42.030(C), of an historic resource shall require a public hearing and final action by the Historic Resources Commission. The Historic Resources Commission may, at their discretion, refer the final action to the Board of Supervisors.

(c) Lesser demolition, not meeting the definition of "demolition" in SCCC 16.42.030(C), of a landmark or contributing resource may be approved or denied by the Director without public hearing. The Director, with discretion, may refer the final action to the Historic Resources Commission.

(C) Alteration.

(1) Criteria for Projects Involving the Exterior Alteration of a Historic Resource. A historic resource preservation plan for alterations and changes to the exterior of an historical structure or object shall conform to the following criteria:

(a) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

(b) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

(c) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.

(d) Changes that may take place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

(e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

(f) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features substantiated by historic, physical or pictorial evidence, rather than on conjectural design or the availability of different architectural elements from other buildings or structures.

(g) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials should not be utilized.

(h) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.

(i) Alterations and additions to existing properties shall not destroy significant historical, architectural or cultural elements or materials, and shall be compatible with the size, scale, color, materials, and character of the property, neighborhood or environment.

(j) Whenever possible, new additions or alterations to structures shall be done in a manner so that the essential form and integrity of the structure would be unimpaired.

(2) Processing. Alteration applications shall be processed as follows:

(a) Alteration applications shall require a public hearing before the Historic Resources Commission.

(b) Minor historic alteration project applications may be approved or denied by the Director without public
hearing. The Director, at their discretion, may refer the final action to the Historic Resources Commission.

(D) New Construction. Historic resource preservation plans for construction of new structures on historic properties or in historic districts shall conform to the following criteria:

(1) The location, siting and size of new construction on an historical property shall not detract from the historic character of the property, and between existing buildings, landscape features and open space.

(2) All structures shall be designed in proportion and integrated into the historic character of the property or district by the use of compatible building materials and textures, construction methods, design, and color.

(3) The size, location and arrangement of new on-site parking or loading ramps shall be designed so that they are as unobtrusive as possible and preserve the features of the property or district.

(4) Ingress and egress, and internal traffi1C08circulation shall preserve the historic features

of the property.

(5) Landscaping should be provided in keeping with the character and design of the historic site, property or district.

(6) Disturbance of terrain around existing buildings or elsewhere on the property should be minimized to reduce the possibility of destroying unknown archaeological materials. Where any proposed land alterations may impact important archaeological resources, a professional archaeological survey shall be provided and its recommendations implemented to mitigate potential impacts as provided for in SCCC 16.40.

(E) Sign Approvals. Plans for all new signs and alterations to existing signs located on an historical structure, or located on an historical property, or located in an historical district, except for historic landmark plaques as approved by the Historic Resources Commission or changes in sign copy, shall be submitted to the Director. No historic resource preservation plan is required for this review. Signs shall conform to all other County Code requirements and adopted sign design guidelines.

(F) Development Applications Involving Historic Resources. When plans for a project affecting an historic resource are required by this section to obtain an approval or a recommendation by the Historic Resources Commission, all applications for permits authorizing development of the project shall be deemed incomplete until the Historic Resources Commission approval or recommendation has been granted and documentation of such action is submitted with the permit applications, except as provided in subsection (G) of this section.

(G) Concurrent Processing. Where Department of Community Development and Infrastructure staff determines that processing time for a permit will not be adversely affected, the Director may authorize the acceptance of a permit application as complete for processing concurrently with the Historic Resources Commission review and action required by this chapter.

(H) Historic Resources Commission Hearing Procedure. When an application for historic review is determined by Department of Community Development and Infrastructure staff to be complete it shall be forwarded with any other information of record to the Historic Resources Commission for their review and subsequent action. Except for minor historic alteration projects, minor demolition as described in subsection (B)(2)(c) of this section, and sign review, each completed application for a historic resource preservation plan approval and associated recommendation shall be considered for review and action by the Historic Resources Commission at a public hearing. Notice of all hearings shall be given pursuant to SCCC 18.10.117 through 18.10.119. The Commission may continue a hearing from the original hearing date in order to request additional information, conduct a site inspection, require that a professional historian and/or archaeologist prepare the historical documentation report, or for any other reason determined to be necessary by the Historic Resources Commission.

(I) Historic Resources Commission Action. Following the public hearing on an application, the Historic Resources Commission may approve a historic resource preservation plan, or historic documentation report, by an affirmative vote of three or more of the Commission members. In order for the Commission to approve or conditionally approve the historic resource preservation plan, all the following findings must be made:

(1) That the historic resource preservation plan is consistent with the purposes and goals

of this chapter and the County General Plan;

(2) That the historic resource preservation plan is in conformance with the requirements of this chapter; and

(3) That the historic resource preservation plan, if implemented, will preserve and maintain the cultural and historical heritage of the County and/or further cultivate the knowledge of the past.

The Historic Resources Commission shall deny the historic resource preservation plan if one or more of these findings cannot be made.

(J) Final Project Approval. When an historic resource preservation plan is required by this section, no final County approval shall be given to a land division, development permit, building permit, demolition permit, land clearing permit or grading permit for a project affecting an historical structure, object, property, site or district, unless an historic resource preservation plan for the protection of the historic resource has been approved by the Historic Resources Commission, the project is in conformance with the approved plan, and development will commence prior to the expiration of the Historic Resources Commission approval. Final inspection clearance on project permits or improvement plans shall not be granted unless the completed project complies with all provisions of the historic resource preservation plan.

(K) No Project Authorization Granted. The Historic Resources Commission's approval of a historic resource preservation plan, historic documentation report or sign recommendation does not authorize any development rights or grant permission to proceed with project development; such actions can only be authorized through the approval and issuance of project permits pursuant to other provisions of the County Code.

(L) Expiration. An approved historic resource preservation plan shall remain valid for a period of two years from the date of approval by the Historic Resources Commission unless the Commission specifies a longer period of time. Time extensions as provided for in SCCC 18.10.133(A) may be subsequently granted by the Historic Resources Commission upon application prior to expiration of the plan approval.

(M) Environmental Review. When an environmental impact report (EIR) is required for a development project affecting a designated historic resource, the Historic Resources Commission shall be consulted in establishing the scope of the EIR and for comments on the draft EIR and historic resource mitigation measures.

SECTION XLV

Section 18.10.112 of the Santa Cruz County Code is hereby amended, to read as follows:

18.10.112 Structure for processing discretionary permits, subdivisions, and land use legislative matters.

The application, processing, and review requirements for any discretionary development permit or land division application, or legislative amendment, vary with the complexity of the project involved and the amount and type of public participation required. There are four basic types of permits and approvals: minor administrative permits, administrative permits, regular public hearing permits, and legislative approvals, as summarized below. A listing of all approved

permits and approvals issued shall be maintained by the Planning Division for public review.

(A) Minor Administrative Permits. Discretionary permits that are established as minor administrative permits, including but not limited to those listed below, shall be acted upon by the Director of Community Development and Infrastructure or their authorized designee, with no required public notice or public hearing. This is considered equivalent to the Level III process when that term is used within this code.

(1) Minor use permit;

(2) Minor site development permit;

(3) Hosted rental permit;

(4) Minor variation/minor modification;

(5) Minor riparian exception;

(6) Significant tree removal permit;

(7) Grading exception; and

(8) Temporary permit.

(B) Administrative Permits. Discretionary permits that are established as administrative permits, including but not limited to those listed below, shall be acted upon by the Director of Community Development and Infrastructure or their designee, with public notice provided pursuant to SCCC 18.10.116. No public hearing is required. This is considered equivalent to the Level IV process when that term is used within this code.

(1) Administrative use permit;

(2) Administrative site development permit;

(3) Non-hosted rental permit;

(4) Minor exception (to zoning site development standards);

(5) Land clearing permit;

(6) Coastal development permit, minor (as defined by SCCC 13.20);

(7) Temporary permit (for use with amplified music); and

(8) Major grading permit.

(C) Regular or Conditional Public Hearing Permits. Discretionary permits that are established as regular or conditional permits, including but not limited to those listed below, shall be acted upon by the Zoning Administrator, or the Planning Commission or Board of Supervisors as designated by applicable regulations governing the permit request, after holding a public hearing. Public notice of the public hearing shall be provided pursuant to SCCC 18.10.113 and 18.10.117 if the permit type is designated with the Planning Commission as the approving body. This is considered equivalent to the Level V process of the Zoning Administrator, or the Level VI process of the Planning Commission, when those terms are used within this code.

(1) Conditional use permit;

(2) Conditional site development permit;

(3) Variance;

(4) Coastal development permit;

(5) Major riparian exception;

(6) Wireless communication facility, except as allowed with ministerial permits in SCCC 13.10.661 through 13.10.663;

(7) Floodplain variance; and

(8) Density bonus projects.

(D) Legislative Matters. Legislative matters, including but not limited to those identified in SCCC 18.10.111(B), shall be acted upon by the Board of Supervisors after holding a public hearing, after the Planning Commission first holds a public hearing and makes a recommendation for consideration by the Board. Public notice for the public hearings held by the Planning Commission and by the Board of Supervisors to consider legislative matters shall be carried out in accordance with SCCC 18.10.113, 18.10.117 and 18.10.118. This is considered equivalent to the Level VII process when that term is used by this code.

SECTION XLVI

Section 18.10.114 is hereby added to the Santa Cruz County Code, to read as follows:

18.10.114 Pre-application consultation and Development Review Group.

Except where required by this chapter or SCCC 13.10, prior to the submittal of an application for a development permit, applicants may request a pre-application meeting with County staff to obtain additional information on a proposed project's consistency with the County Code and other development requirements. Applicants may request a "Pre-Application Consultation" with County Planning Division staff or, for more detailed proposals with engineering plans available, a "Development Review Group" consultation with all relevant reviewing agencies.

SECTION XLVII

Section 18.10.118 is hereby added to the Santa Cruz County Code, to read as follows:

18.10.118 Additional public hearing notice requirements for legislative matters.

(A) When a provision of the County Code requires public notice of a public hearing to be given pursuant to this section, and when notice is provided to local agencies expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected if the proposed project were to be approved, then public notice shall be given in all of the following ways:

(1) The County shall provide public notice of a public hearing, given in all of the ways required by SCCC 18.10.117(A)(1) through (7).

(a) At least 20 calendar days prio[1]r[1]t[2]o the date set for a Planning Commission

public hearing on a proposed zoning ordinance or amendment to a zoning ordinance that affects the permitted uses of real property; and

(b) At least 10 calendar days prior to the date set for Board of Supervisors public hearing or any other public hearing for legislative matters.

(2) The County shall cause the notice to be published in a newspaper of general circulation printed and published within the County, one time, within the applicable timeframes set forth in subsection (A)(1)(a) and (b) of this section.

(3) The County shall post the notice within the applicable timeframes set forth in subsection (A)(1)(a) and (b) of this section, in at least three public places within the boundaries of the local agency, including one public place in the area directly affected by the proceeding.

SECTION XLVIII

The County of Santa Cruz Zoning Map as established by Santa Cruz County Code section 13.10.180 is amended by changing the zone district designation of the parcels indicated below as follows:

Assessor's Parcel Number	Existing Zone District	District New Zone District
026-091-54	PF; R-1-5-L; R-1-6	PF; R-1-5; R-1-6
026-261-17	C-2-D	C-2-D-Min
029-071-13	R-1-6	RM-1.5-Min
030-121-34	C-2	C-2-Min
042-151-23	C-1-L	C-1
070-301-01	C-1	R-1-6
074-152-30	C-1	R-1-15

SECTION XLIX

The Board of Supervisors finds and determines in its reasonable discretion on the basis of the entire record before it that the proposed amendments to the Santa Cruz County Code are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.

SECTION L

The County prepared an Addendum to the Environmental Impact Report ("EIR") for the Sustainability Policy and Regulatory Update pursuant to Section 15164 of the CEQA Guidelines and determined that the environmental impacts of the 2026 Annual Code Update are consistent with the environmental impacts evaluated in the[11]E[3]IR. Based on the analysis contained in the

Addendum, the Board of Supervisors determines that no additional environmental analysis is required to effectuate the amendments that are the subject of this Ordinance.

SECTION LI

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION LII

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

PASSED AND ADOPTED this 30th day of June 2026, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: Supervisors Koenig, De Serpa, Cummings, Hernandez and Martinez
NOES: None
ABSENT: None
ABSTAIN: None

Signed by:
Monica Martinez
34684D888835450...
7/8/2026

Monica Martinez
CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: DocuSigned by:
Juliette Rezzato
466B074F3141450...
Juliette Rezzato 7/13/2026
Clerk of the Board

APPROVED AS TO FORM:

Signed by:
Natalie Kirkish
D52DC6AA0E74498...
Natalie Kirkish
Office of the County Counsel

docusign

Certificate Of Completion

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In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/15/2026 8:22:27 AM
Certified Delivered	Security Checked	6/15/2026 11:17:47 AM
Signing Complete	Security Checked	6/15/2026 11:18:11 AM
Completed	Security Checked	6/15/2026 11:18:11 AM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

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- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.

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Subject: Please Sign Ordinance 5514 Amending SCCC Chapters and Parcel Zoning (eSign).pdf

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Document Pages: 118
Certificate Pages: 5
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cbd.esignature@santacruzcountyca.gov
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Signer Events	Signature	Timestamp
Monica Martinez Monica.Martinez@santacruzcountyca.gov Security Level: Email, Account Authentication (None)	Signed by: Monica Martinez 34684D888835450... Signature Adoption: Pre-selected Style Using IP Address: 98.35.24.223 Signed using mobile	Sent: 7/2/2026 12:35:33 PM Viewed: 7/8/2026 3:27:12 PM Signed: 7/8/2026 3:27:39 PM
Electronic Record and Signature Disclosure: Accepted: 2/25/2026 10:52:34 AM ID: 6cbb380c-c643-466f-a965-c96f55beb8b2		
Juliette Rezzato Juliette.Rezzato@santacruzcountyca.gov Chief Deputy Clerk of the Board of Supervisors County of Santa Cruz Security Level: Email, Account Authentication (None)	DocuSigned by: Juliette Rezzato 466B074F3141450... Signature Adoption: Pre-selected Style Using IP Address: 71.204.139.196	Sent: 7/8/2026 3:27:47 PM Viewed: 7/13/2026 9:12:37 AM Signed: 7/13/2026 9:12:45 AM
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CBD eSignature cbd.esignature@santacruzcountyca.gov County of Santa Cruz Security Level: Email, Account Authentication (None)	Using IP Address: 63.194.190.226	Sent: 7/13/2026 9:12:52 AM Viewed: 7/14/2026 9:23:46 AM Signed: 7/14/2026 9:24:00 AM Freeform Signing
Electronic Record and Signature Disclosure: Accepted: 6/20/2024 3:08:48 PM ID: 4b7794de-1393-406f-a9a3-56a92d4b90d7		

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Stephanie Hansen Stephanie.Hansen@santacruzcountyca.gov Assistant Director - Policy, Housing & Code Compliance County of Santa Cruz Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Accepted: 2/28/2022 5:44:43 PM ID: a31fccb8-048c-4893-9009-17109e03ff6f	COPIED	Sent: 7/14/2026 9:24:07 AM

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/2/2026 12:35:34 PM
Envelope Updated	Security Checked	7/2/2026 12:38:40 PM
Certified Delivered	Security Checked	7/14/2026 9:23:46 AM
Signing Complete	Security Checked	7/14/2026 9:24:00 AM
Completed	Security Checked	7/14/2026 9:24:07 AM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

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