



## Appendix C

# Regulatory Framework that Supports Climate Action in Santa Cruz County



*This page intentionally left blank.*



## Regulatory Framework that Supports Climate Action in Santa Cruz County

### Measure J

In 1978, voters in Santa Cruz County passed by initiative ordinance what is probably the most extensive and effective county growth management program in California. Measure J established policies to preserve a distinction between urban and rural areas, to encourage the location of new development in urban area, and to protect agricultural land and natural resources in rural areas. These policies were supported by the establishment a Rural Services Line (RSL) and an Urban Services Line (USL) to define areas that are or have the potential to be urban and areas which are and should remain rural. The establishment of these distinct urban boundaries serves the following purposes:

- To administer separate urban and rural growth rates and the allocation of residential building permits;
- To encourage residential development to locate in urban areas and to discourage division of land in rural areas;
- To develop and apply different policies governing urban and rural development;
- To provide a basis for a County Capital Improvements Program;
- To coordinate planning for the public services among the County, cities, special districts, and the Local Agency Formation Commission (LAFCO);
- To ensure that urban development proceeds at a pace consistent with the provision of urban public services; and
- To limit the extension of urban services to those areas within the Rural Services Line in the Coastal Zone (Chapter 17.02 of the County Code).

Additionally, Measure J has played and will continue to play an important role limiting the growth of green house gas emission in the County. By limiting the geographic scale of urban development Measure J has limited the growth of vehicle miles traveled in the County because most residential and commercial development has occurred within the USL. As a result, less driving is required for most people to access jobs and services. Although not quantified, Measure J has undoubtedly had a profound effect on the greenhouse emissions in the County because the transportation sector is the largest source of emissions.

### Measure C – Decade of the Environment

Measure C was adopted by the voters of Santa Cruz on June 5, 1990, as an ongoing ten-year program that designates the 1990's as the "Decade of the Environment." Measure C serves as a guide to Santa Cruz County government in carrying out actions to help protect and restore the local environment, and to confront, on a local level, those environmental crises which that are global in scope. Chapter 16.90 of the County Code, which provides for implementation of Measure C, directs County government to work toward accomplishing the following:

- To provide for efficient use of renewable energy and recycled resources;
- To protect biological diversity and human health, through the protection and restoration of the environment;
- To encourage agricultural practices which are protective of the natural environment and human health;



- To promote and encourage economic development strategies in Santa Cruz County which are consistent with both environmental protection and restoration, and which will help create a local economy based on the use of renewable resources;
- To ensure that future growth and development in Santa Cruz County adheres to the natural limits and carrying capacity of the Santa Cruz County environment; and
- To take local actions which can help reverse, reduce, and eliminate practices which are contributing to global environmental crises.

Measure C also established a series of eleven principles and policies to guide local government efforts related to: offshore oil drilling; global warming and renewable energy resources; protection of the ozone layer; forest protection and restoration; greenbelt protection and preservation; recycling; toxic and radioactive materials; endangered species and biological diversity; development of a sustainable local economy; future growth and development; and education and outreach.

As requested by the Board of Supervisors, the Planning Department prepares an annual report on the Measure C “Decade of the Environment” Program, which identifies new initiatives throughout County government that have been undertaken to further program objectives related to energy conservation and environmental protection, as described in County Code Chapter 16.90.

## General Plan

The County of Santa Cruz General Plan and Local Coastal Program (General Plan) was adopted by the Board of Supervisors in May of 1994 and certified by the California Coastal Commission in December of 1994. The document provides a set of policies and programs to guide future growth and development in a manner consistent with the goals and quality of life desired by the Santa Cruz County residents. The policies in the General Plan become the basis for all decisions related to the use of land and development within the County. The General Plan states that it serves two functions: as a regulatory framework against which all proposed development is measured; and as a vision statement for the desired future of the County. The following General Plan goals and policies of the Conservation and Open Space, Parks, Recreation and Public Facilities, and Community Design elements contribute to the reduction of greenhouse gas emissions.

## Goals

- Open Space Protection: To retain the scenic, wooded, open space and rural character of Santa Cruz County; to provide a natural buffer between communities; to prevent development in naturally hazardous areas; and to protect wildlife habitat and other natural resources.
- Resource Utilization: To provide for the conservation and environmentally sound and orderly economic use of renewable and nonrenewable natural resources to provide employment and income in Santa Cruz County while minimizing impacts to adjoining land uses and the environment.
- Public Service Phasing: To coordinate the intensity, location, amount and timing of future development in the County with the provision of necessary public services, and to encourage new development to locate in urbanized areas where public services are available or can most readily and efficiently be provided or improved, and to achieve a rate of residential development in the County which can be accommodated by existing public services and facilities and their orderly and reasonable expansion, while maintaining high economic, social, and environmental quality.



- **Community Design:** To preserve and enhance the quality of life in Santa Cruz County through the guidance of development activity to protect open space for its aesthetic, recreational and environmental values, to foster high quality residential areas as pleasant and socially constructive areas in which to live, and to enhance the quality of residential, commercial and industrial development to achieve an aesthetic and functional community.

## *Policies*

- **Policy 5.1.12 – Habitat Restoration with Development Approval:** Require as a condition of development approval, restoration of any areas of the subject property which is an identified degraded sensitive habitat, with the magnitude of restoration to be commensurate with the scope of the project. Such conditions may include erosion control measures, removal of non-native or invasive species, planting with characteristic native species, diversion of polluting run-off, water impoundment, and other appropriate means. The object of habitat restoration activities shall be to enhance the functional capacity and biological productivity of the habitat(s) and whenever feasible, to restore them to a condition which can be sustained by natural occurrences, such as tidal flushing of lagoons.
- **Policy 5.1.13 – Habitats Damaged from Code Violations:** In all cases where a sensitive habitat has been damaged as a result of a code violation, require that restoration of damaged areas be undertaken in compliance with all necessary permits and that the side of the restored area be in compliance with Department of Fish and Game requirements. Such restoration shall include monitoring over time to ensure the success of the restoration effort.
- **Policy 5.11.5 – Designation of Resource Conservation Lands:** Designate Resource Conservation areas on the General Plan and LCP Land Use maps to identify those lands which are publicly or privately held for conservation purposes. These preservation lands shall include significant open space lands in the rural areas of the County for the protection of natural resources and habitats, the managed production of resources, outdoor recreational opportunities and protection of public health and safety. Consider the following high priorities:
  - Expansion of established preserves, parks or open space areas and connections between existing preserved lands.
  - Areas with significant biological, scenic or other natural resource value which are not adequately protected by current County or other ordinances.
- **Policy 5.12.1 – Designation of Timberlands:** Designate on the General Plan and LCP Resources Maps those timberlands which are devoted to and used for growing and harvesting timber and which are capable of producing an average annual volume of wood fiber of at least 15 cubic feet per acre.
- **Policy 5.14.8 – Encourage Biomass Cultivation:** Encourage the cultivation of crops for biomass fuels without displacing existing agricultural production, especially when such biomass production makes use of marginal land or of crop residues and when the fuel or energy produced is consumed within Santa Cruz County.
- **Policy 5.17.1 – Promote Alternative Energy Sources:** Promote the use of energy sources which are reviewable, and less environmentally degrading than non-renewable fossil fuels.
- **Policy 5.17.2 – Design Structures for Solar Gain:** Require the incorporation of environmentally sound active and passive heating and cooling and/or natural daylighting design principles in the location and construction of all new buildings and in the renovation and remodeling of existing buildings.



- Policy 15.17.3 – Solar Access: Encourage maximum solar access orientation in siting new development, and require protection of solar access in existing development.
- Policy 15.17.4: Encourage and stimulate energy conservation and the use of renewable energy through retrofit programs for residential, agricultural, commercial, public facilities and industrial land uses.
- Policy 5.17.5 Weatherization Improvements: Require energy efficiency and weatherization improvements in existing and new development including insulation, water conservation techniques, and encourage the installation of solar heating systems. Require a retrofit to meet energy efficiency standards upon sale or transfer of ownership.
- Policy 5.17.7 – Street Lighting: Require installation of energy-efficient street lighting.
- Policy 5.17.8 – Unnecessary Waste: Restrict the use of decorative and advertising uses of electricity and fossil fuels, except where such restriction affects public safety.
- Policy 5.17.9 – Reclamation for Energy Recovery: Require sewage treatment and solid waste disposal projects to utilize sewage and solid waste reclamation and conversion techniques which provide resource conservation and net energy benefit to the County.
- Policy 5.18.1 – New Development: Ensure new development projects are consistent at a minimum with the Monterey Bay Unified Air Pollution Control District Air Quality Management Plan and review such projects for potential impact on air quality.
- Policy 5.18.6 – Plan for Transit Use: Encourage commercial development and higher density residential development to be located in designated centers or other areas that can be easily served by transit.
- Policy 5.18.7 – Alternatives to the Automobile: Emphasize transit, bicycles and pedestrian modes of transportation rather than automobiles.
- Policy 5.18.9 – Greenhouse Gas Reduction: Implement state and federal legislation promoting the national goal of 35 percent reduction of carbon dioxide and other greenhouse gasses by 2000.
- Policy 5.18.10 – Elimination of Ozone Depleting Chemicals: Support and implement local actions to achieve the most rapid possible international, national, state, and local elimination of the emission of ozone-depleting chemicals.
- Policy 7.22.3 – Use of Low Energy Gravity Transfer Systems: Where feasible, encourage sewage disposal systems in a new development to utilize natural gravity flow s to the maximum extent, reducing the energy costs associated with pumping.
- Policy 7.24.8 – Meeting State and Local Landfill Diversion Goals: Consider mandatory recycling or material-specific landfill disposal prohibitions if state and local landfill diversion goals are not met through the use of voluntary programs.
- Policy 7.25.4 – Buena Vista Landfill: Continue the use of the Buena Vista Landfill for landfill disposal and the Ben Lomond Transfer Station for solid waste transfer to Buena Vista. Utilize disposal methods and diversion practices at the Buena Vista Landfill to extend the landfill lifespan as long as possible.
- Policy 7.25.6 – Landfills and Environmental Protection: Ensure protection of the local environment, including air, groundwater and surface water resources through proper landfill design, construction, operation and on-going environmental monitoring.



- Policy 7.25.7 – Hazardous Wastes and Environmental Damaging Compounds in Landfills: Prohibit the disposal of radioactive waste, hazardous waste and ozone depleting compounds in County landfills.
- Policy 7.25.8 – Recyclable Materials in Landfills: Consider adoption of landfill disposal bans for specific recyclable or compostable materials where necessary to achieve County materials recovery and landfill diversion goals.
- Policy 7.25.9 – Access to Landfills and Materials Recovery Facilities: Continue to provide access to individual self-haul vehicles either at the Ben Lomond Transfer Station, the Buena Vista Landfill or at future Materials Recovery Facilities for refuse disposal, household hazardous waste drop-off and recycling and other materials recovery.
- Policy 7.25.11 – Methane Gas: Develop and implement a program for the recovery of landfill methane gas for conversion to electricity or direct use as a fuel.
- Policy 7.26.7 – Community Energy Systems: Allow the development of “Community Energy Systems” in locations where compatible with adjacent land use and with adequate mitigation of noise, emissions, and visual impacts.
- Policy 7.26.8 – Reusable Energy Sources: Consider the development of municipal solar utilities and other financing mechanisms which increase public access to renewable energy sources and provide opportunities for small-scale, decentralized local facilities and control.
- Policy 8.6.7 – Solar Access: Sunlight and solar access shall be maintained wherever practicable and energy-efficient building design shall be fostered. Passive solar siting shall be encouraged for all new development in accordance with adopted building and energy codes.
- Policy 8.7.2 – Utilize Native Species in Rural Areas: Require as a condition of development permit approval, revegetation and landscaping for rural projects to utilize drought tolerant species with a predominance of plants being native species appropriate to the site and recommend these landscape practices for ministerial permit projects.
- Policy 8.7.3 – Appropriate Plans in Urban Areas: Require urban projects, as a condition of development permit approval, to comply with the street tree guidelines of the Urban Forestry Master Plan, and to utilize acceptable species listed within the plan.



*This page intentionally left blank.*