

PLANNING NEWS



Winter Issue February 2007 Planning Department 701 Ocean Street 4th Floor, Santa Cruz, CA 95060 Tom Burns, Director

MEETING CALENDAR

- **Zoning Administrator**
First and third Friday at 10:00 Feb. 2 & 16; Mar. 2 & 16; Apr. 6 & 20; May 4 & 18.
- **Planning Commission**
Second and Fourth Wednesdays at 9:00 Feb. 14 & 28; Mar. 14 & 28; Apr. 11 & 25; May 9 & 23.
- **Board of Supervisors**
Tuesdays at 9:00 Feb. 6, 13 & 27; Mar. 6, 13, 20 & 27; Apr. 17 & 24; May 1, 15 & 22.
- **APAC Every Third**
Thursday at 1:30 Feb. 15; Mar. 15; Apr 19; May 17.
- **Historic Resource Commission** Thursdays at 4:30 Feb. 13; Mar. 13; Apr. 10; May 8.
- **Housing Advisory Commission** Thursday Feb. 8, Every First Wednesday at 4:00 Mar. 7; Apr. 4; May 2.

Call 831-454-2580
for locations

MESSAGE FROM THE DIRECTOR

Many changes have occurred since the last on-line newsletter for the Department. A number of staff moves to other positions and new hires have occurred in the past 15 months. The newsletter highlights those changes. During that time, a number of new policy initiatives and refinements to ordinances have been approved, with the most significant changes highlighted. Of particular interest, the County was able to receive certification of the Housing Element. As well, we continue to improve our service delivery, as you will note from the article on the new Counter Management System. Finally, the newsletter takes a moment to foreshadow for you some new efforts that are in the early stages of development, which will ultimately result in changes to our business practices in the future. The format of the newsletter has continued to evolve, taking advantage of the flexibility of an on-line format. It's important to get a sense of the readership of the on-line newsletter, so please let us know if you find it informative or have suggestions, just e-mail

PLN105@co.santa-cruz.ca.us

Tom Burns

Planning Director

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Housing Element Certified

Housing Element Certified -Higher Density Sites Identified

The Board of Supervisors adopted a revised Housing Element last November that was certified by the State a month later. This is the first time Santa Cruz County has had a certified Housing Element in over 20 years. The Housing Element calls for rezoning between 30-32 acres to support higher density housing at a minimum of 20 units per acre. The County Board took the first step by designating six specific sites for rezoning, totaling 30.7 acres, in the Live Oak, Soquel, Aptos and Pajaro Planning Areas. Staff will bring an analysis of potential additional sites in the Aptos Planning area back to the Board on February 27, 2007, with further recommendations regarding the affordable housing requirements associated with the rezoning plan.

The goal is to complete the rezoning process by June 2007. The environmental review analysis for the designated sites has begun. Once the sites are rezoned, developers will be entitled to build new housing at the higher density of 20 units/acre on the newly re-zoned sites. For these sites, the County Board of Supervisors and/or Planning Commission can review and make changes to the site layout and design, but they cannot reduce overall project density below 20 units/acre.

Paper Check-In is Out

Planning Department Scrubs Paper Sign-in Sheets at Permit Centers

The Department has recently replaced the old paper sign-in sheets at its three permit centers with an electronic Counter Management System (CMS). An in-house creation by the Information Services Department and Department staff, the new system is used to check-in customers and to maintain the waiting list for walk-in customers. CMS also allows

staff to quickly schedule and track appointments that are needed to submit building and planning applications. The system has been in effect since September of 2006.



For now, less paper consumption and better service are the immediate benefits to the new system. In the future, the CMS may provide an opportunity for customers to view available appointment times from their home via the Internet, an idea that may just save more valuable resources!

While the CMS system does require that the public check-in with the planning staff at the Departments reception area or General Information Desk (GID), several built-in features have improved efficiency. These include an Assessor’s Parcel Number (APN) database that instantly informs staff if the address or APN of a parcel is in the unincorporated area of the County, or in one of the cities, so a customer can be referred to the proper planning agency without any delay.

CMS provides Permit Center staff with a comprehensive and up-to-the-minute view of a combined customer list that can now be monitored from multiple locations. Further, the list allows the staff to create a brief record of counter discussions for future reference and, should the public wish to note the time and general content of the consultation, a copy can be printed out for them.

The CMS will allow the Department to track statistical information on activity trends at the

counter and business fluctuations over time. This will permit a more informed reaction to seasonal variations in customer volumes, for example. Over time this information will be used to help the Department to serve the public more efficiently.

Recent Regulation Changes

The County’s land use regulations are modified for many reasons: in response to State laws, court decisions, and new voter-approved initiatives; to address community concerns and emerging issues; to improve the “built” environment; and to keep up with the changing times. Since the last newsletter, the following regulation changes have been approved by the Board of Supervisors and certified by the Coastal Commission.

Density Bonus Revisions

State law allows developers of five or more lots or units to request increased density in exchange for providing certain amounts of affordable housing.

The revisions, effective on March 10, 2006, bring the County’s regulations in sync with State law. Concessions and incentives to land use requirements can be requested in proportion to the percentage of affordable units offered. Affordable units required by Measure J, the conversion of non-residential land to residential land, or 20-unit “by-right” sites may not be counted towards the required affordable units to qualify for a density bonus.

Complete Density Bonus Guidelines are available on the Planning Department’s website <http://www.sccoplanning.com/brochures/densitybonus.htm>

Non-Residential to Residential Land Conversion

Last July the Board of Supervisors adopted an ordinance regulating landowner requests to convert non-residentially designated land to residential designations.

The regulations require that in order to qualify for consideration, 40% of any resulting residential units on these sites must be made affordable—with half of the affordable units being moderate income and half being low income. All required affordable units must be built on-site.

On December 5, 2006, the Board of Supervisors adopted additional requirements for projects of 100 units or greater. Now, half of the lower income requirement for these larger projects must be for very low income.

This ordinance amendment is pending certification by the California Coastal Commission.

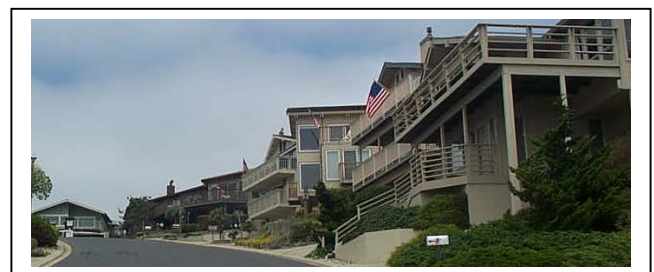
Bay Window Encroachments

Bay windows less than 60” in height may now encroach up to six feet into the required front or rear yard setback. Before last November



when the Board approved this amendment, this architectural feature was not allowed to encroach into the setback area without a variance approval. Note that, for privacy and noise reasons, no encroachment is allowed into required side yards absent a variance approval.

Neighborhood Compatibility Site Standard Changes



After a lengthy and thoughtful review process, the Board of Supervisors approved three changes to the residential site standards to make new development more compatible with existing residential neighborhoods:

- Increase the maximum lot coverage from 30% to 40% for parcels of 5,000 to 15,000 square feet of net site area. This change will allow more first story additions and remodels and provides an alternative to adding a second story for persons wanting to enlarge or construct a larger house. It also brings many houses, built under greater lot coverage percentages in the past, back into conformance with current regulations.
- Allow front yard averaging in residential zone districts. This change allows a property owner to either meet the established minimum front yard setback or use a lesser setback based on the actual front yard setbacks of neighboring structures based on certain criteria. There are three important restrictions to this exception: 1) only first story elements of the structure may take advantage of the averaging; 2) the averaging may not result in a setback of less than 10 feet; and 3) front yard averaging may not be used for garages and carports. Front yard averaging was previously allowed in the 1960s and 1970s so this amendment will also bring a number of houses back into conformance with current regulations.

The rule changes increasing lot coverage and allowing front yard averaging will take effect on January 5, 2007, except for properties inside the Coastal Zone, where the California Coastal Commission must first certify the rules before they will take effect.

- Revised definition of “Net Site Area.” The net site area of a lot determines which setbacks, lot coverage, and floor area ratio standards to apply. Currently, the calculation for determining net site area is the gross parcel size minus all vehicular rights-of-way. The existence of a vehicular right-of-way effectively reduces the size of the lot, which is the reason that these areas are deducted. The same logic was used to add coastal bluffs, beaches, and submerged ocean land as areas that are deducted in addition to

vehicular rights of-way for determining net site area for properties within the Urban Services Line. The goal is to better correlate house size to usable lot size along the coast. This ordinance change will not become effective until California Coastal Commission certification.

Condominium Conversion Interim Ordinance Extended.

The Board of Supervisors extended, until April 27, 2007, the interim ordinance governing condominium conversions. Under this interim ordinance, conversions are allowed only in the following circumstances:

- When 100% of the converted units are made affordable;
- For four or fewer units only, when one-half or more of the units will be sold to persons who have resided in the units for a period of three or more years;
- When the conversion involves a single unit; or
- For four or fewer units only, when the conversion is in conjunction with the construction of new unit(s).

The Board of Supervisors has previously adopted a similar permanent ordinance that is pending certification by the California Coastal Commission certification. The extension of the interim ordinance was needed to ensure that these important protections remain in effect until certification occurs.

East Cliff Drive EIR

East Cliff Dr. EIR – the Revised Final EIR was released Dec. 2006. The Planning Commission considered the EIR and Parkway element in a public hearing on January 24, 2007. The Board will consider this project this spring. See <http://www.sccoplanning.com/eir.htm> for more information.

Changes In Pool Barrier Regulations

Since 1970, Santa Cruz County has required safety barriers around existing and new residential swimming pools, spas, and hot tubs in order to prevent accidental drowning and protect the health and safety of our community.

In order to improve water safety, reduce the incidents of accidental drowning, and implement a new State law, the Board of Supervisors revised the barrier regulations in October 2006.

These regulations, effective on January 1, 2007, apply to all new and existing pools, spas, and hot tubs on property in the unincorporated area containing a single-family dwelling, duplex, or triplex.

- **Retroactive Barrier Standards.** Pool safety barriers that meet the 2001 California Building Code requirements must be installed and maintained, regardless of the date of installation of the pool.
- **Anti-entrapment Upgrades.** In accordance with State Law AB 2977 (effective January 1, 2007), whenever a building permit for a remodel or modification to a single-family dwelling is issued on a property with a pool, spa or hot tub, anti-entrapment suction outlet covers must be installed on all suction outlets, except those equipped with a skimmer basket.
- **Certification upon Sale of Property.** Written certification, by a Certified Home Inspector or a County Building Inspector, of barrier compliance is required upon the sale or transfer of property.

The regulations for public pools were not changed.

No Building Permit is required to make the following minor changes to pool safety features:

- Installing code-compliant door alarms;
- Changing the direction of opening of a gate;
- Moving a gate latch;
- Installing (or removing) features to make your barrier non-climbable;

- Installing features to reduce the size of openings in your barrier.

A building permit is required in the following instances:

- To build a new swimming pool or pool barrier;
- To rebuild a barrier surrounding a pool, spa, or hot tub;
- To address issues identified in a Swimming Pool Barrier Correction Notice issued by a County Building Inspector;
- To request that a County Building Inspector certify compliance with these regulations.

More information concerning these regulations is available in the “Swimming Pool Barriers” Brochure found on the Planning Department’s website www.sccoplanning.com, or by calling the Building Information Line at 454-2260 in the afternoons.

Neighbors Are Notified Earlier On Projects

Neighborhood input is an important part of the discretionary permit review process. Neighbors will live with a building or use long after the planners move onto the next project.

But the prior system for alerting neighborhoods to development proposals and soliciting public/neighborhood input had some inherent limitations. Public noticing did not occur until shortly before the scheduled public hearing.

Members of the public have long expressed concerns that this short notice left many unprepared to thoughtfully comment on the project’s merits or express legitimate concerns earlier in the process. Continuances of public hearings and project redesigns are common outcomes when legitimate neighborhood issues are presented to a decision-making body at a public hearing.

In response to these concerns, the Board of Supervisors adopted additional neighborhood notification requirements, which took effect in

April 2006. These new requirements are summarized below.

For all discretionary projects processed that require public noticing and/or a public hearing, an applicant must place a sign on the property describing the proposed project, type and description of applications being requested, and the name, address, phone number, etc. of the applicant and project planner. The sign must be erected when the project planner deems the application complete, giving a neighborhood much earlier notice of a project. Further, a new sign must be placed on the property if the project is substantially modified, as defined in the regulations.

This earlier notification gives interested neighbors ample opportunity to contact the planner and review the plans, ask questions about the project, and review any and all materials on file. When the notices of hearing do arrive in the mail, neighbors are much more informed about the project and better prepared to make oral and/or written comments about the project if they so desire.

In addition to this requirement for earlier notification, applicants for projects that require review by the County Planning Commission or Board of Supervisors must also hold a neighborhood meeting. The meeting must take place prior to the formal submittal of the application to the Planning Department. Invitations must be sent to all property owners and occupants within 300 feet of the exterior boundaries of the subject property, to the applicable County Supervisor, and to the Planning Director.

Results of the meeting must be submitted with the application including a summary of the issues and concerns raised by the neighbors and how they are or will be addressed. A new neighborhood meeting must be held if the project is substantially modified, as defined in the regulations

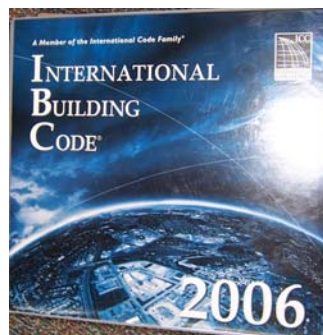
The placement of informative signs early in the process, plus the required neighborhood meeting for larger projects, should greatly improve the quality of the public review process, a vital part of land use decision-making in Santa Cruz County.

A detailed list of notification requirements is available in the “Guidelines for Neighborhood Notification of Proposed Development” Brochure found on the Planning Department’s website at www.sccoplanning.com.

New Building Codes Coming To California

The California Building Standards Codes include the California Building, Electrical, Mechanical, Plumbing, and Energy Codes. Codes are typically amended every three years through a public hearing process. In California we have been delayed for the last two cycles because of the decision to adopt an entirely new set of codes, called the International Codes, or I Codes. The organization that has for years developed and published the Uniform Codes (the UBC and others), ICBO, is no longer in existence and code development is now written by the International Code Council, or ICC.

In California, the Building Standards Commission (BSC) adopts the codes after many state agencies propose amendments and modifications. The BSC’s Code Advisory Committees are scheduled to convene more hearings in January 2007 on the proposed I Codes. Amendments will be submitted from many different State agencies, such as the Department Housing and Community Development, the State Fire Marshall, the Office of State Architect to name a few.



The BSC's Code Advisory Committee will review the approved amendments in public meetings. The final proposed amendments are then submitted to the BSC for approval and adoption. Following final approval at the State level, the new regulations become effective 180 days after publication.

Because the anticipated publication date is some time mid 2007, the new codes could be effective by the beginning of 2008. There are so many changes that some building inspection staff are already taking a two-semester International Building Code course, offered by Cabrillo College.

All architects and designers are encouraged to take advantage of this excellent educational opportunity. College catalogs arrived in the mail the first of December. Help the county staff by partnering in learning and be prepared when the new codes become effective.

Green Building Certification

As green building becomes more popular, homeowners and those purchasing homes are looking for contractors, architects, engineers, and specialty contractors who are qualified to provide green building services. Now is your chance to establish yourself in this profitable niche and distinguish yourself from your competitors.

This March, the County Planning Department along with the City of Santa Cruz Planning and Building Department and the non-profit Ecology Action will co-sponsor the Certified Green Building Professional (CGBP) training in Santa Cruz. This training session will be presented by the highly regarded bay area non-profit "Build-It-Green", and will be open to building professionals involved in the design and construction of residential buildings, as well as professionals that support and develop the market for green building

The training includes two full-day classes that provide an overview of green building and

remodeling. There will be presentations on such topics as energy efficiency, resource conservation, indoor air quality and developing and marketing a green business. In addition, the class will cover how to get the green information and resources you need, how to stay up-to-date on the latest advances in green building, and how to integrate and benefit from green practices in your business.

The training will be held on Friday, March 2nd and Saturday, March 3rd, 8:30 a.m. – 5:00 p.m. For location, cost and other information go to the Build It Green web site, www.BuildItGreen.org or call (510) 845-0472, ext. 105.

New Staff and Section Changes

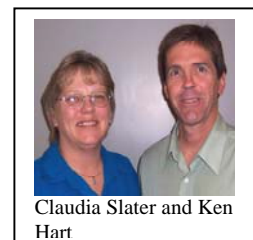
In the past year there have been a number of changes in staff positions and saying goodbye to retirees. Some of those changes are highlighted below.

Longtime Employees Retire and Move

David Laughlin retired in December of 2006 after 30 years in the Department. **Richard Nieuwstadt** and **Ruth Owen** retired after 20 years of service in the Code Compliance Section, while **Frank Brunings** and **Carolyn Watanabe** retired from the Housing Section. **Kevin Crawford** has had a long career as a Civil Engineer and left the Environmental Planning Section last June. After 22 years with the Development Review Section as the APAC Staff Planner, **Joan Van der Hoeven** announced her retirement, effective this January. **Cathleen Carr** did not retire but did leave us after 19 years with the Department and moved with her family to Oregon. With their retirements and moves, the Department loses a wealth of history and knowledge across the different Sections. We wish them well as they begin their new journeys.

Management Changes

Ken Hart, Principal Planner, has changed responsibilities from



Claudia Slater and Ken Hart

Environmental Planning (EP) Manager to managing the Code Compliance Section. **Claudia Slater** has moved into the EP Principal Planner position. Congratulation to you both! **Cathy Graves** has stepped down from being the Development Review Principal Planner and the Department is in the process of filling that position.

Staff Changes

Sarah Neuse and **Annie Murphy** are new to the



Carlos Landavery, Sarah Neuse and Annie Murphy

Policy Section while **Julianne Ward** has left the Section and **Steven Guiney** has transferred to the Development Review section. **Don Bussey** is now responsible for providing support to the Historical Recourse Commission. The Housing Section welcomes **Carlos Landavery** and



Laura Madrigal and Kathleen Salazar

Patrick Heisinger while the Code Section adds **Laura Madrigal, Kathleen Salazar** and **Jacob Rodriquez** to the Code Investigator's staff.



Robin Bolster-Grant and Samantha Haschert

The Development Review Section welcomes **Samantha Haschert. Robin Bolster-Grant** transferred to the Permit Section offering her wealth of experience to

the public at the counters after **Hilarie Phelps** left for Oregon.

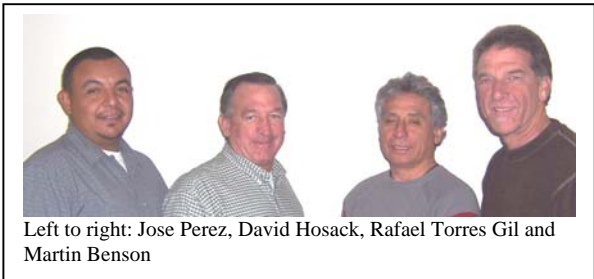
Carolyn Banti has joined the Environmental Resource



Carolyn Banti

Section as the new Associate Civil Engineer.

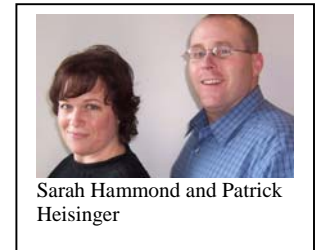
In the Building Section our new Supervising Building Inspector is **Rafael Torres-Gil** and **Sean Livingston** has been promoted to Senior Building Inspector. New Building Inspectors are: **Martin Benson, Jose Perez** and **David Hosack. Jim Heaney** transferred to the Plan Check function while Plan Checker **Jim Davies**



Left to right: Jose Perez, David Hosack, Rafael Torres Gil and Martin Benson

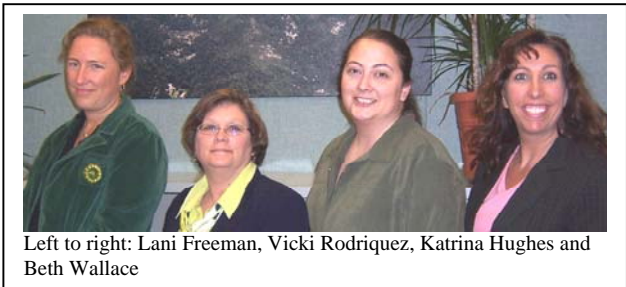
has left to the Redevelopment Agency.

Beth Wallace and **Sarah Hammond** have filled the positions in our Fiscal Section, helping with cashiering while we say goodbye to **Luanne Hartso** who is now with Public Works.



Sarah Hammond and Patrick Heisinger

In addition, changes have occurred in our Support Section as well.



Left to right: Lani Freeman, Vicki Rodriguez, Katrina Hughes and Beth Wallace

Vicki Rodriguez is the new Clerical Supervisor and she has one new staff member, **Katrina Hughes**. The Planning Commission Secretary changed from **Gary Cantara** to **Lani Freeman**.