

Chapter 5

CONSERVATION AND OPEN SPACE

- BIOLOGICAL RESOURCES
- WATER RESOURCES
- HYDROLOGICAL, GEOLOGICAL AND PALEONTOLOGICAL RESOURCES
- VISUAL RESOURCES
- OPEN SPACE
- TIMBER RESOURCES
- AGRICULTURE
- MINERAL RESOURCES
- ENERGY
- AIR QUALITY
- ARCHAEOLOGICAL AND HISTORIC RESOURCES

CONSERVATION AND OPEN SPACE

CONTENTS

Language identified with (LCP) is not restricted to the Coastal Zone; language which includes the (LCP) initials is part of the Local Coastal Program and applies countywide unless specifically stated that the policy, etc. is limited to the coastal zone.

Page

Authority and Purpose	5-1
Goals	5-2
Biological Resources	5-3
5.1 Biological Diversity	
5.2 Riparian Corridors and Wetlands	
5.3 Aquatic and Marine Habitats	
5.4 Monterey Bay and Coastal Water Quality	
Water Resources	5-17
5.5a Watershed Protection	
5.5b San Lorenzo Valley Watershed Management	
5.5c Least Disturbed Watersheds	
5.6 Maintaining Adequate Streamflows	
5.7 Maintaining Surface Water Quality	
5.8a Groundwater Protection	
5.8b Overdrafted Groundwater Basins	
Hydrological, Geological and Paleontological Resources	5-25
5.9 Hydrological, Geological and Paleontological Resources	
Visual Resources	5-32
5.10a Protection of Visual Resources	
5.10b New Development in Visual Resource Areas	
Open Space	5-38
5.11 Open Space Preservation	
Timber Resources	5-40
5.12 Timber Production	
Agriculture	5-44
5.13 Commercial Agricultural Land	
5.14 Non-Commercial Agricultural Land	
5.15 Specialized Agricultural Uses	
Mineral Resources	5-57
5.16 Mineral Resources	
Energy	5-60
5.17 Energy Conservation	
Air Quality	5-63
5.18 Air Resources	
Archaeological and Historic Resources	5-65
5.19 Archaeological Resources	
5.20 Historic Resources	

AUTHORITY AND PURPOSE

This chapter combines two closely-related and required elements of the General Plan: the Conservation Element and the Open Space Element.

The requirements for a Conservation Element are established by State Planning law (Section 65302 d) as follows:

"A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies which have developed, served, controlled or conserved water for any purpose for the county or city for which the plan is prepared. The conservation element may also cover:

- (1) The reclamation of land and waters.
- (2) Prevention and control of the pollution of streams and other waters.
- (3) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
- (4) Prevention, control, and correction of the erosion of soils, beaches, and shores.
- (5) Protection of watersheds.
- (6) The location, quantity and quality of the rock, sand and gravel resources.
- (7) Flood control."

The requirements for an Open Space Element are established by State planning law (Section 65560 b) as follows:

"Open-space land is any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:

- (1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

- (2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
- (3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
- (4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, floodplains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality."

SUMMARY

The goals, objectives, policies and programs of this chapter recognize the need to balance conservation and preservation of natural and cultural resources with their productive use and stewardship. Since the purposes of the Conservation and Open Space elements are so closely related and the specific programs and actions implement the objectives and policies of both elements, they have been combined and integrated into one chapter.

The chapter is divided into sections based on each particular environmental resource. The first two sections address protection of biological diversity and sensitive habitats throughout the County. These areas include, but are not limited to, riparian corridors, wetlands, lagoons, lakes, woodlands, marine resources and habitat for rare, threatened or endangered species resource protection includes limiting development or disturbance, encouraging restoration and requiring appropriate performance standards in these areas.

The second section addresses water resources protection, dividing the policies into those which protect surface water quality and quantity and those which protect groundwater quality and quantity. These policies are closely linked to the Public Facilities chapter, as well as the policies of the water supply and treatment providers of the County. The next sections address conservation policies for a variety of resources including unique geologic features and scenic resources.

The next sections address lands suitable for open space protection or resource production activities such as timber, minerals and agricultural lands. The open space section includes designated urban open space areas and policies for rural open space. The timber policies involve use of timber production zoning to maintain economically-viable timber production and timber management practices to protect soil, water and habitat values. The mineral resource policies designate valuable mineral areas and require environmentally-sound quarry operation and restoration practices. Agricultural policies establish protection for both commercial and non-commercial agricultural lands involving buffering and noticing requirements, limitations on subdivision, siting criteria and standards for developed uses and tax incentives.

The final sections of the element address protection and enhancement of Air Quality, conservation of Energy, and cultural resources (Archaeologic and Historic). The first two sections are closely linked to the land use and circulation policies of the County and the Regional Transportation Commission.

Substantial background data on the natural, cultural and open space resources of Santa Cruz County are available in the General Plan Update Background Report (1991) covering the urban area and the Technical Appendix (1991) covering water resources and the rural area, as well as various specialized studies and planning documents (see Appendix A, Sources and References for the General Plan and Local Coastal Program Land Use Plan).

Note: Chapter 5 contains a number of Resources and Constraints which are used to calculate residential densities. The policies which relate to land division and density requirements are to be used in conjunction with the Rural Density Matrix as described in section 2.3.

GOALS

The overall goals guiding the Conservation and Open Space Element are as follows:

- **Natural And Cultural Resources Protection (LCP):** To protect and restore unique, rare, threatened, endangered and other natural and cultural resources that warrant preservation because of their biological value, scarcity, scientific value, aesthetic quality or cultural significance.
- **Open Space Protection (LCP) :** 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 (LCP) :** 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.

BIOLOGICAL RESOURCES

Objective 5.1 Biological Diversity

- (LCP) To maintain the biological diversity of the County through an integrated program of open space acquisition and protection, identification and protection of plant habitat and wildlife corridors and habitats, low-intensity and resource compatible land uses in sensitive habitats and mitigations on projects and resource extraction to reduce impacts on plant and animal life.

Policies

5.1.1 Sensitive Habitat Designation

- (LCP) Designate the following areas as sensitive habitats: (a) areas shown on the County General Plan and LCP Resources and Constraints Maps; (b) any undesignated areas which meet the criteria (policy 5.1.2) and which are identified through the biotic review process or other means; and (c) areas of biotic concern as shown on the Resources and Constraints Maps which contain concentrations of rare, endangered, threatened or unique species.

5.1.2 Definition of Sensitive Habitat

- (LCP) An area is defined as a sensitive habitat if it meets one or more of the following criteria:
- (a) Areas of special biological significance as identified by the State Water Resources Control Board.
 - (b) Areas which provide habitat for locally unique biotic species/communities, including coastal scrub, maritime chaparral, native rhododendrons and associated Elkgrass, mapped grasslands in the coastal zone and sand parkland; and Special Forests including San Andreas Live Oak Woodlands, Valley Oak, Santa Cruz Cypress, indigenous Ponderosa Pine, indigenous Monterey Pine and ancient forests.
 - (c) Areas adjacent to essential habitats of rare, endangered or threatened species as defined in (e) and (f) below.
 - (d) Areas which provide habitat for Species of Special Concern as listed by the California Department of Fish and Game in the Special Animals list, Natural Diversity Database.
 - (e) Areas which provide habitat for rare or endangered species which meet the definition of Section 15380 of the California Environmental Quality Act guidelines.
 - (f) Areas which provide habitat for rare, endangered or threatened species as designated by the State Fish and Game Commission, United States Fish and Wildlife Service or California Native Plant Society.
 - (g) Nearshore reefs, rocky intertidal areas, seacaves, islets, offshore rocks, kelp beds, marine mammal hauling grounds, sandy beaches, shorebird roosting, resting and nesting areas, cliff nesting areas and marine, wildlife or educational/research reserves.
 - (h) Dune plant habitats.
 - (i) All lakes, wetlands, estuaries, lagoons, streams and rivers.
 - (j) Riparian corridors.
- (See Appendix B for a list of specific habitats and/or species.)

5.1.3 Environmentally Sensitive Habitats

- (LCP) Designate the areas described in 5.1.2 (d) through (j) as Environmentally Sensitive Habitats per the California Coastal Act and allow only uses dependent on such resources in these habitats within the Coastal Zone unless other uses are:
- (a) consistent with sensitive habitat protection policies and serve a specific purpose beneficial to the public;
 - (b) it is determined through environmental review that any adverse impacts on the resource will be completely mitigated and that there is no feasible less-damaging alternative; and
 - (c) legally necessary to allow a reasonable economic use of the land, and there is no feasible less-damaging alternative.

5.1.4 Sensitive Habitat Protection Ordinance

- (LCP) Implement the protection of sensitive habitats by maintaining the existing Sensitive Habitat Protection ordinance. The ordinance identifies sensitive habitats, determines the uses which are allowed in and adjacent to sensitive habitats, and specifies required performance standards for land in or adjacent to these areas. Any amendments to this ordinance shall require a finding that sensitive habitats shall be afforded equal or greater protection by the amended language.

5.1.5 Land Division and Density Requirements in Sensitive Habitats

- (LCP) Allow land divisions in sensitive habitats only when the density and design of the subdivision are compatible with protection of these resources as determined by environmental assessment and applicable County land use and zoning standards. Apply the following land division and density standards to the habitats listed:
- (a) Grasslands - Prohibit land division of native and mixed native grassland habitat mapped in the Coastal Zone unless the area to be divided is removed from the mapped grassland habitat area by General Plan-Local Coastal Program amendment. On parcels with existing mapped native and mixed native grasslands and which contain developable land outside those habitats, allow development at the lowest density of the land use designation and require that development be clustered and located outside the habitat areas. Allow one single family dwelling unit per existing parcel of record. Where property owners upgrade grasslands on their parcels, outside of mapped areas, through resource management activities, the prevailing General Plan densities shall not be reduced.
 - (b) Special Forests - Prohibit land divisions within designated Special Forests unless the area to be divided is removed from the mapped special forests habitat area by General Plan-Local Coastal Plan amendment. On parcels with existing mapped special forest areas which contain developable land outside that habitat, allow development at the lowest density of the land use designation and require that development be clustered and located outside the habitat areas. Allow one single family dwelling unit per existing parcel of record. Where property owners upgrade special forest areas on their parcels, outside of mapped areas, through resource management activities, the prevailing General Plan densities shall not be reduced.

5.1.6 Development Within Sensitive Habitats

- (LCP) Sensitive habitats shall be protected against any significant disruption of habitat values; and any proposed development within or adjacent to these areas must maintain or enhance the functional capacity of the habitat. Reduce in scale, redesign, or, if no other alternative exists, deny any project which cannot sufficiently mitigate significant adverse impacts on sensitive habitats unless approval of a project is legally necessary to allow a reasonable use of the land.

5.1.7 Site Design and Use Regulations

- (LCP) Protect sensitive habitats against any significant disruption or degradation of habitat values in accordance with the Sensitive Habitat Protection ordinance. Utilize the following site design and use regulations on parcels containing these resources, excluding existing agricultural operations:
- (a) Structures shall be placed as far from the habitat as feasible.
 - (b) Delineate development envelopes to specify location of development in minor land divisions and subdivisions.
 - (c) Require easements, deed restrictions, or equivalent measures to protect that portion of a sensitive habitat on a project parcel which is undisturbed by a proposed development activity or to protect sensitive habitats on adjacent parcels.
 - (d) Prohibit domestic animals where they threaten sensitive habitats.
 - (e) Limit removal of native vegetation to the minimum amount necessary for structures, landscaping, driveways, septic systems and gardens;
 - (f) Prohibit landscaping with invasive or exotic species and encourage the use of characteristic native species.

5.1.8 Chemicals Within Sensitive Habitats

- (LCP) Prohibit the use of insecticides, herbicides, or any toxic chemical substance in sensitive habitats, except when an emergency has been declared, when the habitat itself is threatened, when a substantial risk to public health and safety exists, including maintenance for flood control by Public Works, or when such use is authorized pursuant to a permit issued by the Agricultural Commissioner.

5.1.9 Biotic Assessments

- (LCP) Within the following areas, require a biotic assessment as part of normal project review to determine whether a full biotic report should be prepared by a qualified biologist:
- (a) Areas of biotic concern, mapped;
 - (b) Sensitive habitats, mapped & unmapped.

5.1.10 Species Protection

- (LCP) Recognize that habitat protection is only one aspect of maintaining biodiversity and that certain wildlife species, such as migratory birds, may not utilize specific habitats. Require protection of these individual rare, endangered and threatened species and continue to update policies as new information becomes available.

5.1.11 Wildlife Resources Beyond Sensitive Habitats

- (LCP) For areas which may not meet the definition of sensitive habitat contained in policy 5.1.2, yet contain valuable wildlife resources (such as migration corridors or exceptional species diversity), protect these wildlife habitat values and species using the techniques outlined in policies 5.1.5 and 5.1.7 and use other mitigation measures identified through the environmental review process.

Programs

- (LCP) a. Maintain, as Appendix B, current plant and animal habitats and species lists as a reference for the General Plan/LCP. Sources for species classification include, but are not limited to: State Water Resources Control Board, Section 15380 of the California Environmental Quality Act, California State Fish and Game Commission and the Special Animals List, Natural Diversity Data Base, United States Fish and Wildlife Service and California Native Plant Society. (Responsibility: Planning Department)
- (LCP) b. Work with State Department of Fish and Game, United States Fish and Wildlife Service and other relevant agencies to ensure adequate protection of biological resources in the County. (Responsibility: Planning Department, Board of Supervisors)
- (LCP) c. Establish a mapping program to determine the boundaries of sensitive habitats based on field mapping of parcel specific conditions; including but not limited to: lakes, lagoons, wetlands, urban riparian corridors and trail routes, rare, endangered or threatened species and unique biotic communities and surrounding areas necessary to protect them. (Responsibility: Planning Department, Fish and Game Commission, Parks, Planning Commission, Board of Supervisors)
- (LCP) d. Once baseline data are computerized, periodically update County maps when biotic and environmental reports are accepted by the County on individual parcels, areas or development projects, or when updated confirmed biotic information is received from any source. (Responsibility: Planning Department, Information Services, Board of Supervisors)
- (LCP) e. Identify and seek funding sources to acquire special sensitive habitats. (Responsibility: Planning Department, Board of Supervisors)

- (LCP) f. Maintain a Sensitive Habitat Protection ordinance which describes: habitat types, permitted and conditional uses within the habitats, and development standards, consistent with all General Plan, Local Coastal Program and California Coastal Act Sensitive Habitat protection policies. Any amendments to this ordinance shall require a finding that sensitive habitats shall be afforded equal or greater protection by the amended language. (Responsibility: Planning Department, Planning Commission, Board of Supervisors)
- (LCP) g. Determine minimum area requirements for the protection of rare, endangered and threatened species. Integrate biotic review into the timber harvest regulations. Develop a program to enforce performance standards protecting rare, endangered, threatened and unique species. Develop Memoranda of Understanding and similar agreements with state and federal agencies to assist with enforcement of performance standards. (Responsibility: Planning Department, Board of Supervisors)
- (LCP) h. Evaluate those Sensitive Habitats which are affected by agricultural activities to determine their biological importance relative to the importance of the agricultural use and develop programs to resolve conflicts between resource use and protection. (Responsibility: Planning Department, Agricultural Commissioner)
- i. Utilize a prescribed burning program or other means of removing slash to mimic the effects of natural fires in order to reduce the fire hazard to human residents and to enhance the health of biotic communities. (Responsibility: County Fire Marshal, California Department of Forestry)
- j. Prepare a countywide grassland management plan. Develop education programs, grazing management plans, or other solutions where there is evidence of over-grazing in cooperation with Soil Conservation Service, and the Santa Cruz County Resource Conservation District. Develop prescribed burning, grazing, or other measures to preserve grassland, except where an area is being replanted with native trees and a timber management plan has been approved. (Responsibility: Planning Department, Board of Supervisors)
- k. Continue to ensure survival of the endangered Santa Cruz Long-Toed Salamander (SCLTS) through County programs including:
- (1) Maintain the existing salamander protection development criteria in the Sensitive Habitat Protection ordinance.
 - (2) Support of state and federal efforts for habitat preservation at Valencia Lagoon, Ellicott Pond, Seascape Uplands, other known habitat locations, and habitat locations that may be discovered in the future through information obtained in environmental review or other professionally recognized sources.
 - (3) Seek funding for acquisition of lots and development of Habitat Conservation Plans for all known SCLTS habitats.
 - (4) Establish a procedure whereby, upon receiving a development application for an undeveloped parcel within the essential habitat, the County shall notify the California Coastal Commission, Coastal Conservancy, California Department of Fish and Game, U.S. Fish and Wildlife Service and other interested organizations. The County or other agency shall have one year to decide whether to acquire the parcel. If the County and other agencies decide not to acquire the parcel, and if development potential in the essential habitat has not been otherwise eliminated and development cannot be accommodated on the parcel outside the essential habitat, development may proceed consistent with the standards for the area adjacent to the salamander essential habitat and other LCP policies. A security deposit shall be required to ensure compliance with those standards.
 - (5) Delineate SCLTS habitat on County maps and utilize a salamander habitat combining zone district to identify parcels which contain such habitat.
 - (6) Establish inter-agency communication between Planning, Fish and Game, and Fish and Wildlife to determine the success of the current policies in protecting the SCLTS. If current policies are inadequate, implement additional actions as recommended by inter-agency consultation.
- (Responsibility: Planning Department, California Fish and Game Department, County Fish and Game Commission, Board of Supervisors)

1. Establish an education and monitoring program cooperatively with the Department of Fish and Game and other interested agencies to prevent substantial lot disturbance and removal of native vegetation on lots which are currently built out in or adjacent to essential salamander habitat. (Responsibility: Planning Department)

RESTORATION OF DAMAGED SENSITIVE HABITATS

Policies

5.1.12 Habitat Restoration With Development Approval

- (LCP) Require as a condition of development approval, restoration of any area 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.

5.1.13 Habitats Damaged From Code Violations

- (LCP) 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 size 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.

5.1.14 Removal of Invasive Plant Species

- (LCP) Encourage the removal of invasive species and their replacement with characteristic native plants, except where such invasive species provide significant habitat value and where removal of such species would severely degrade the existing habitat. In such cases, develop long-term plans for gradual conversion to native species providing equal or better habitat values.

5.1.15 Priorities for Restoration Funding

- (LCP) Use the following criteria for establishing funding priorities among restoration projects:
- (a) Biological significance of the habitat, including productivity, diversity, uniqueness of area, presence of rare, endangered or unique species, or regional importance (e.g., waterfowl resting areas, etc.).
 - (b) Degree of endangerment from development or other activities, and vulnerability to overuse or misuse.

Programs

- (LCP) a. Identify key restoration sites and seek funding to supplement private restoration. (Responsibility: Planning Department, Flood Control Zone 4, POSCS, Public Works)
- b. Encourage enhancement and restoration of Sensitive Habitats on private lands by providing technical assistance and available resource information to property owners. Work to develop incentives for habitat restoration. (Responsibility: Planning Department, Board of Supervisors, Resource Conservation District)
- c. Develop a program for control and eradication of feral pigs throughout the County. (Responsibility: Board of Supervisors, State Fish and Game, Fish and Game Commission)

- (LCP) d. Support the City of Santa Cruz and Harbor District in efforts to restore wetland habitat in Lower Arana Gulch and facilitate by encouraging and reviewing any portion of a restoration project under County jurisdiction, consistent with other applicable policies. (Responsibility: Board of Supervisors, Planning Department, Flood Control Zone 4)
- e. Cooperate with AMBAG, Monterey County, San Benito County, and State Department of Fish and Game in the implementation of the Pajaro River Corridor Management Plan and forthcoming Lagoon Management Plan for the lower Pajaro River including specific habitat restoration projects for the Pajaro River and tributaries. (Responsibility: Fish and Game Commission, Public Works, Flood Control Zone 7 and Zone 4)
- f. Work with the City of Watsonville to develop a comprehensive management plan for South County sloughs and wetlands. (Responsibility: Planning Department, Board of Supervisors)
- g. Develop a coordinated review procedure and criteria which protect sensitive habitats as well as meet standards for fire protection. (Responsibility: Fire Agencies, County Fire Marshal, California Department of Forestry, Planning Department)
- h. Encourage the attraction of private capital for purposes of restoration and stewardship of natural resources including vegetation, wildlife, water and soil resources. Assemble an ecological enhancement group to include: land owners, professionals in the fields of planning, natural resources and development for the purpose of creating a resource protection incentives program for consideration by the Board of Supervisors. Recommend to the Board of Supervisors a system of density bonuses, cost savings, or other resource protection incentives based upon:
- (1) The quality and extent of preservation and/or restoration of natural habitat; and
 - (2) Permanent measures for ongoing stewardship of natural resources.
- (Responsibility: Board of Supervisors, Planning Department, Resource Conservation District, Native Plant Society)

Objective 5.2 Riparian Corridors and Wetlands

- (LCP) To preserve, protect and restore all riparian corridors and wetlands for the protection of wildlife and aquatic habitat, water quality, erosion control, open space, aesthetic and recreational values and the conveyance and storage of flood waters.

Policies

5.2.1 Designation of Riparian Corridors and Wetlands

- (LCP) Designate and define the following areas as Riparian Corridors:
- (a) 50' from the top of a distinct channel or physical evidence of high water mark of a perennial stream;
 - (b) 30' from the top of a distinct channel or physical evidence of high water mark of an intermittent stream as designated on the General Plan maps and through field inspection of undesignated intermittent and ephemeral streams;
 - (c) 100' of the high water mark of a lake, wetland, estuary, lagoon, or natural body of standing water;
 - (d) The landward limit of a riparian woodland plant community;
 - (e) Wooded arroyos within urban areas.

Designate and define the following areas as Wetlands:

Transitional areas between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is covered by shallow water periodically or permanently. Examples of wetlands are saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

The US Army Corps of Engineers, and other federal agencies utilize a "unified methodology" which defines wetlands as "those areas meeting certain criteria for hydrology, vegetation, and soils."

5.2.2 Riparian Corridor and Wetland Protection Ordinance

- (LCP) Implement the protection of Riparian Corridors and Wetlands through the Riparian Corridor and Wetland Protection ordinance to ensure no net loss of riparian corridors and riparian wetlands. The ordinance identifies and defines riparian corridors and wetlands, determines the uses which are allowed in and adjacent to these habitats, and specifies required buffer setbacks and performance standards for land in and adjacent to these areas. Any amendments to this ordinance shall require a finding that riparian corridors and wetlands shall be afforded equal or greater protection by the amended language.

5.2.3 Activities Within Riparian Corridors and Wetlands

- (LCP) Development activities, land alteration and vegetation disturbance within riparian corridors and wetlands and required buffers shall be prohibited unless an exception is granted per the Riparian Corridor and Wetlands Protection ordinance. As a condition of riparian exception, require evidence of approval for development from the US Army Corps of Engineers, California Department of Fish and Game, and other federal or state agencies that may have regulatory authority over activities within riparian corridors and wetlands.

5.2.4 Riparian Corridor Buffer Setback

- (LCP) Require a buffer setback from riparian corridors in addition to the specified distances found in the definition of riparian corridor. This setback shall be identified in the Riparian Corridor and Wetland Protection ordinance and established based on stream characteristics, vegetation and slope. Allow reductions to the buffer setback only upon approval of a riparian exception. Require a 10 foot separation from the edge of the riparian corridor buffer to any structure.

5.2.5 Setbacks From Wetlands

- (LCP) Prohibit development within the 100 foot riparian corridor of all wetlands. Allow exceptions to this setback only where consistent with the Riparian Corridor and Wetlands Protection ordinance, and in all cases, maximize distance between proposed structures and wetlands. Require measures to prevent water quality degradation from adjacent land uses, as outlined in the Water Resources section.

5.2.6 Riparian Corridors and Development Density

- (LCP) Exclude land within riparian corridors in the calculation of development density or net parcel size. Grant full density credit for the portion of the property outside the riparian corridor which is within the required buffer setback, excluding areas over 30% slope, up to a maximum of 50% of the total area of the property which is outside the riparian corridor. (See policy 5.11.2.)

5.2.7 Compatible Uses With Riparian Corridors

- (LCP) Allow compatible uses in and adjacent to riparian corridors that do not impair or degrade the riparian plant and animal systems, or water supply values, such as non-motorized recreation and pedestrian trails, parks, interpretive facilities and fishing facilities. Allow development in these areas only in conjunction with approval of a riparian exception.

5.2.8 Environmental Review for Riparian Corridor and Wetland Protection

- (LCP) Require environmental review of all proposed development projects affecting riparian corridors or wetlands and preparation of an Environmental Impact Report or Biotic Report for projects which may have a significant effect on the corridors or wetlands.

5.2.9 Management Plans for Wetland Protection

- (LCP) Require development in or adjacent to wetlands to incorporate the recommendations of a management plan which evaluates: migratory waterfowl use December 1 to April 30; compatibility of agricultural use and biotic and water quality protection; maintenance of biologic productivity and diversity; and the permanent protection of adjoining uplands.

5.2.10 Development in Wetland Drainage Basins

- (LCP) Require development projects in wetland drainage basins to include drainage facilities or Best Management Practices (BMPs) which will maintain surface runoff patterns and water quality, unless a wetland management plan specifies otherwise, and minimize erosion, sedimentation, and introduction of pollutants.

5.2.11 Breaching of Lagoon, River, Stream or Creek Sandbars

- (LCP) Do not permit breaching of lagoon sandbars unless the breaching is consistent with an approved management plan for that wetland, river, stream, or creek system.

Programs

(Also see programs for Maintaining Surface Water Quality in section 5.8. and programs for Biological Diversity and Restoration of Damaged Sensitive Habitats in section 5.1.)

- (LCP) a. Maintain and enforce a Riparian and Wetland Protection ordinance to protect riparian corridors, wetlands, lagoons and inland lakes by avoiding to the greatest extent allowed by law the development in these areas. Maintain a resource management program (Flood Control Zone 4 or similar) to fund protection and restoration of these areas and seek to increase riparian corridor and wetland acreage over the long-term. (Responsibility: Planning Department, Planning Commission, Board of Supervisors)
- b. Establish a program in cooperation with the California Department of Fish and Game to identify and revegetate disturbed areas in riparian corridors with appropriate native species. (Responsibility: Planning Department, Flood Control Zone 4)
- (LCP) c. Cooperate with the City of Santa Cruz and the Harbor District in the evaluation of the Arana Creek Marsh and evaluate other appropriate marsh areas for rare and endangered plants and devise a Biotic Management Plan for their preservation. Investigate ways to return the marshes to their natural state. (Responsibility: Public Works, Port Commission, Flood Control Zone 4)
- (LCP) d. In conjunction with AMBAG, the City of Watsonville, and the State Water Resources Control Board, develop and implement a coordinated resource management plan for the Watsonville Slough system and surrounding wetlands to improve water quality and biological habitat. (Responsibility: Flood Control, Public Works, AMBAG, City of Watsonville, and/or other appropriate agencies)
- (LCP) e. Follow the guidelines in the Pajaro River Corridor and Lagoon Management Plans to improve environmental quality of the riparian corridor and to reduce the risk of flooding to Watsonville and surrounding areas. (Responsibility: Pajaro River Task Force, Public Works, Flood Control Zone 7, Army Corps of Engineers, City of Watsonville, Board of Supervisors, Monterey County, and/or other appropriate agencies)
- f. Review site-specific recommendations in Urban Watersheds Study in connection with the design of drainage and other improvements and the review of development projects in or adjacent to riparian corridors within the Urban Services Line. Incorporate suggested restoration and enhancement measures where practical. Develop long-term plans to implement other suggested measures. (Responsibility: Planning Department, Public Works, Redevelopment Agency, and/or other appropriate agencies)
- (LCP) g. Prepare a map of all wetlands and wetland drainage basins in the County. Seek funding and support for development of management plans for wetlands from state and federal agencies and explore the possibility of establishing a development-funded wetland management program to prepare wetland management plans.

AQUATIC AND MARINE HABITATS

Objective 5.3 Aquatic and Marine Habitats

- (LCP) To identify, preserve and restore aquatic and marine habitats; to maximize scientific research and education which emphasizes comprehensive and coordinated management consistent with the mission of the Monterey Bay National Marine Sanctuary; and to facilitate multiple use and recreation opportunities compatible with resource protection.

Policies

5.3.1 Support the Monterey Bay Sanctuary

- (LCP) Support the mission of the Monterey Bay National Marine Sanctuary to facilitate the long-term management, protection, understanding and awareness of its resources and qualities.

5.3.2 Protecting Shorebird Nesting Sites

- (LCP) Discourage all activities within 100 feet of shorebird nesting sites during nesting season (March-July). Prohibit dogs from beaches having nesting sites.

5.3.3 Davenport Pier, Rock Cliffs and Outcrops

- (LCP) Maintain low intensity use, such as nature observation and educational instruction on and adjacent to the Davenport Pier, Rock Cliffs and rock outcrops.

5.3.4 Coastal Dunes and Strand

- (LCP) Prohibit off-road vehicle use in the coastal dunes and strand, and discourage other uses with the potential to degrade dune habitat. Where trails through dunes are permitted, utilize wooden boardwalks or other techniques to minimize damage to dune habitat.

5.3.5 Anadromous Fish Streams

Require new water diversions, dams and reservoirs which are constructed on anadromous fish streams to be designed to protect fish populations and to provide adequate flow levels for successful fish production.

5.3.6 Marine Mammal Hauling Grounds

- (LCP) Prevent access to the bluff top observation points likely to cause disturbance to animals. Discourage access to immediately adjacent beach areas where necessary to minimize disturbance by roping off sensitive areas and posting explanatory signs along fence lines and restricted paths. Fence where necessary to prevent marine mammals from crossing Highway One.

Programs

- (LCP) a. Support the designation of a Monterey Bay State Seashore. (Responsibility: Board of Supervisors)
- (LCP) b. Encourage creation of wildlife sanctuaries where appropriate; and pursue financing for their acquisition, including state and federal grants and private donations. (Responsibility: Planning Department, POSCS)
- (LCP) c. Discourage feeding of waterfowl in coastal lagoons through signage and public displays and develop a program to inform the public about the adverse effects of overfeeding waterfowl. (Responsibility: State Parks, POSCS)
- (LCP) d. Prevent, as much as possible, disturbance of shorebird resting and roosting sites by roping off sensitive areas, posting explanatory signs, and other means. (Responsibility: State Parks, State Fish and Game)
- (LCP) e. Close or improve trails across dunes, encourage use of alternate trails. Stabilize and restore dune environments where disturbed. (See policies, Shoreline Access section.) (Responsibility: State Parks, POSCS)
- (LCP) f. Enforce leash laws to the fullest extent possible. (Responsibility: Board of Supervisors, law enforcement agencies)
 - g. Manage anadromous sport fishing so that overall productivity of the native fish population is enhanced and restored; discourage introduction of non-native species into streams. (Responsibility: State Fish and Game Department, Planning Department, Zone 4, Fish and Game Commission)
- (LCP) h. Identify and restore aquatic and marine habitats which have been damaged due to human activities. (Responsibility: State Fish and Game, Board of Supervisors.)

Objective 5.4 Monterey Bay and Coastal Water Quality

- (LCP) To improve the water quality of Monterey Bay and other Santa Cruz County coastal waters by supporting and/or requiring the best management practices for the control and treatment of urban run-off and wastewater discharges in order to maintain local, state and national water quality standards, protect County residents from health hazards of water pollution, protect the County's sensitive marine habitats and prevent the degradation of the scenic character of the region.

Policies

5.4.1 Protecting the Monterey Bay National Marine Sanctuary from Adverse Impacts

- (LCP) Prohibit activities which could adversely impact sensitive habitats of the Monterey Bay National Marine Sanctuary, including the discharge of wastes and hazardous materials. The main sources of concern are wastewater discharge, urban runoff, toxic agricultural drainage water, including that originating outside of Santa Cruz County, and the accidental release of oil or other hazardous material from coastal tanker traffic.

5.4.2 Definition of Wastewater

- (LCP) Identify "wastewater" as all domestic and municipal sewage and other potentially toxic and/or hazardous materials or effluent resulting from industrial processes or other sources including brine from desalinization plants. Wastewater includes petrochemical compounds, "drilling mud" and associated potentially hazardous substances which may be directly or indirectly discharged into Monterey Bay or other coastal waters of Santa Cruz County as a result of exploratory or other oil drilling. Wastewater shall not include storm water runoff, unless so determined by the California Regional Water Quality Control Board.

5.4.3 Wastewater Discharges Into Coastal Waters

- (LCP) Require a review of any new and/or increased wastewater discharge into the Monterey Bay or other coastal waters to address the potential marine water quality impacts and determine necessary mitigations.

5.4.4 Disclosure of Chemical and Biological Characteristics of Wastewater

- (LCP) Require full disclosure of the projected chemical and biological characteristics of all proposed new and/or expansion of wastewater discharges to the Monterey Bay or other coastal waters of Santa Cruz County. Require full disclosure of the projected chemical and biological characteristics of wastewater entering treatment and pretreatment facilities connected with new and/or expansion of wastewater discharges to Monterey Bay or other coastal waters of Santa Cruz County. Particular areas of concern include toxic chemicals, toxic metals, bacteria, virus and other constituents identified as threats to the health and safety of coastal waters.

5.4.5 Levels of Wastewater Treatment

- (LCP) Require complete information on levels of treatment proposed at the treatment and pretreatment facilities to remove those constituents identified or anticipated in all proposed new and/or expansion of wastewater discharges to the Monterey Bay and other coastal waters of Santa Cruz County. This information shall also include reliability and efficiency data of the proposed treatment.

5.4.6 Monitoring Wastewater Treatment

- (LCP) Require a comprehensive monitoring plan for testing of wastewater at treatment and pretreatment facilities for critical constituents or indicators identified or anticipated in all proposed new and/or increased wastewater discharges into the Monterey Bay and other coastal waters.

5.4.7 Location and Methods of Wastewater Discharge

(LCP) Require oceanographic studies to determine the most suitable location and methods for wastewater discharge into the Monterey Bay or coastal waters.

5.4.8 Baseline Tests for Wastewater Discharge Sites

(LCP) Require tests of ocean waters at proposed wastewater discharge sites and surrounding waters to establish baseline or background levels of toxic chemicals, toxic metals, bacteria and other water quality constituents. These tests must be performed no more than one year prior to submittal of the proposal. Historical data may not be substituted for this requirement.

5.4.9 Toxicity Studies for Proposed Wastewater Discharges

(LCP) Require toxicity studies to determine the impacts of the proposed wastewater discharges on marine life, as well as on recreational uses of the coastal waters.

5.4.10 New and/or Increased Wastewater Discharges

(LCP) Approve new and/or increased wastewater discharges only if they will not degrade marine habitats; will not create hazardous or dangerous conditions; and will not produce levels of pollutants that exceed any applicable local, state or federal water quality standards.

5.4.11 Land Disposal of Wastewater

(LCP) Encourage land disposal of wastewater after adequate treatment to State wastewater reclamation standards to assist in recharging groundwater aquifers and maintaining higher summer stream flows.

5.4.12 Disturbances of Coastal Waters, Wetlands, Estuaries and Lakes

(LCP) Prohibit the diking, filling and dredging of open coastal waters, wetlands, estuaries, and lakes. Allow exceptions only for the following purposes and only where there is no other feasible, less environmentally damaging alternative:

- (a) Incidental public service purposes, including, but not limited to burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- (b) Restoration purposes, including the protection and enhancement of existing harbors, and where the activity will maintain and enhance the functional capacity of the wetland or estuary as determined through the County environmental review process in conjunction with the California Department of Fish and Game and U.S. Army Corps of Engineers.
- (c) Nature study, aquaculture, or similar resource-dependent activities.

5.4.13 Redistribution of Dredged Materials

(LCP) Require the redistribution of dredged materials into the same littoral cell from which it was taken in an effort to continue beach replenishment as long as the materials are suitable and non-toxic and the deposition of the materials will not adversely affect marine environments or recreational uses. The deposition of such materials must be timed and located so as not to interfere with shoreline processes, longshore current systems, and public beach use.

5.4.14 Water Pollution from Urban Runoff

(LCP) Review proposed development projects for their potential to contribute to water pollution via increased storm water runoff. Utilize erosion control measures, on-site detention and other appropriate storm water best management practices to reduce pollution from urban runoff.

Programs

- (LCP) a. Continue to coordinate with federal, state and other local agencies, including NOAA, California Coastal Commission, Regional Water Quality Control Board, and AMBAG to manage and protect the resources of the Monterey Bay National Marine Sanctuary. (Responsibility: Planning Department, State Parks)**
- (LCP) b. Continue participation in the state and federal oil spill contingency planning process to protect the Monterey Bay National Marine Sanctuary, including the development of a local oil spill contingency plan in accordance with state and federal regulation. (Responsibility: Planning Department, Coast Guard, State Parks)**
- (LCP) c. Continue to review and regulate marine water quality impacts of proposed new and/or increased wastewater discharges into Monterey Bay and the coastal waters. (Responsibility: Planning Department, Environmental Health, State Regional Water Quality Control Board, State Parks)**
- (LCP) d. Continue periodically to review state and federal water quality standards associated with wastewater discharges to the ocean to determine if more stringent local standards are required. (Responsibility: Environmental Health, State Parks)**
- (LCP) e. Develop a program in conjunction with the Harbor District and other concerned agencies to ensure that dredged materials from the harbor will not harm the marine environment or adversely affect public beach use. (Responsibility: Port Commission, Regional Water Quality Control Board, Environmental Health, State Parks)**
- (LCP) f. Work with cities and counties in the Monterey Bay area to address upcoming federal and state regulations for stormwater pollution control and to study the technical, institutional, financial and legal aspects of implementing AMBAG's Urban Runoff Water Quality Management Plan for the Monterey Bay Region. (Responsibility: Public Works, Flood Control, AMBAG, Regional Water Quality Control Board)**

WATER RESOURCES

This section is closely linked to the Parks, Recreation and Public Facilities Element sections on water supply, wastewater treatment and disposal and drainage. The policies and programs here are meant to reinforce and compliment those in the Public Facilities section. This section is organized as follows: surface water policies including water supply; water quality and in-stream flows; and groundwater policies including groundwater supply, recharge and quality.

SURFACE WATER

Objective 5.5a Watershed Protection

- (LCP) To protect and manage the watersheds of existing and future surface water supplies to preserve the quality and quantity of water produced and stored in these areas to meet the needs of County residents, local industry, agriculture, and the natural environment.

Objective 5.5b San Lorenzo River Watershed Management

- (LCP) To restore, manage, and protect the San Lorenzo River Watershed to maximize the quality and quantity of water resources in that basin.

Objective 5.5c Least Disturbed Watersheds

- (LCP) To protect the Least Disturbed Watershed areas that support the remaining clear running streams to preserve their water supply, recreation, and wildlife support values.

Policies

5.5.1 Watershed Designations

- (LCP) Designate on the General Plan and LCP Resources Maps those Water Supply Watersheds listed in Figure 5-1.

**Figure 5-1 (page 1 of 2)
Water Supply Watersheds**

Source	Purveyor
North Coast	
San Vicente Creek	Davenport Water System
Mill Creek	Davenport Water System
Liddell Spring	City of Santa Cruz
Reggiardo Creek	Bonnymeade Mutual Water Company City of Santa Cruz
Laguna Creek	City of Santa Cruz
Redwood Spring (Tributary to Majors Creek)	Redwood Spring Mutual Water Company
Majors Creek	City of Santa Cruz
Pescadero Creek & Tributaries	Portola State Park
Sempervirens Creek	Big Basin State Park
San Lorenzo	
San Lorenzo River	City of Santa Cruz Park Mutual Water Company San Lorenzo Woods Mutual Water Company
Spring (Tributary to San Lorenzo River)	San Lorenzo Woods Mutual Water Company
Bear Creek	San Lorenzo Valley Water District
Spring (Tributary to Bear Creek)	J.B. Ranch Mutual Water Company
Hare Creek	Big Basin Water Company
Jamison Springs	Big Basin Water Company
Corvin Spring	Big Basin Water Company
Forest Spring	Forest Springs Mutual Water Company Big Basin Water Company
Bracken Brae Creek	Bracken Brae Country Club
Spring (Tributary to Bracken Brae Creek)	Bracken Brae Country Club
Peavine Creek	San Lorenzo Valley Water District
Silver Creek	San Lorenzo Valley Water District
Foreman Creek	San Lorenzo Valley Water District
Harmon Creek	San Lorenzo Valley Water District
Clear Creek	San Lorenzo Valley Water District
Sweetwater Creek	San Lorenzo Valley Water District
Mountain Springs (Tributary to Marshall Creek)	Mountain Springs Mutual Water Company
Earl-Manson Spring	San Lorenzo Valley Water District
Spring (Tributary to Love Creek)	Love Creek Heights Mutual Water Company
Newell Creek Reservoir	City of Santa Cruz
Fall Creek	Citizens Utilities
Bennet Creek	Citizens Utilities
Bull Creek	Citizens Utilities
Miller Creek (Tributary to Zayante Creek)	Mountain Charlie Water Works
Mountain Charlie Creek	Mountain Charlie Water Works
Lompico Creek	Lompico County Water District

**Figure 5-1 (page 2 of 2)
Water Supply Watersheds**

Source	Purveyor
San Lorenzo (continued)	
Spring (Tributary to Zayante Creek)	Quail Hollow Circle Mutual Water Company
Spring (Tributary to Zayante Creek)	Olympia Mutual Water Company
Spring (Tributary to Zayante Creek)	Zayante Acres Mutual Water Company
Spring (Tributary to Zayante Creek)	Moon Meadows Mutual Water Company
Bean Creek	Big Redwood Mutual Water Company
Spring (Tributary to Bean Creek)	Big Redwood Mutual Water Company
Redwood Springs (Tributary to Bean Creek)	Mount Hermon Association
Ferndell Springs (Tributary to Bean Creek)	Mount Hermon Association
Arcadia Spring (Tributary to Zayante Creek)	Mount Hermon Association
Weasel Gulch (Tributary to Gold Gulch)	Forest Lakes Mutual Water Company
Spring Gulch (Tributary to Gold Gulch)	Forest Lakes Mutual Water Company
McClellan Gulch (Tributary to Gold Gulch)	Forest Lakes Mutual Water Company
Gold Gulch	Forest Lakes Mutual Water Company
Tunnell Gulch (Tributary to Gold Gulch)	Forest Lake Mutual Water Company River Grove Mutual Water Company
Powder Mill Creek	Paradise Park
Soquel-Aptos	
Laurel Creek	Villa del Monte Mutual Water Company
West Branch Soquel Creek	Summit Mutual Water Company
Spring (Tributary to West Branch Soquel Creek)	Redwood Lodge Mutual Water Company
Spring (Tributary to West Branch Soquel Creek)	Cathedral Woods Mutual Water Company
Spring (Tributary to West Branch Soquel Creek)	Olive Springs Mutual Water Company
Pajaro	
Corralitos Creek	City of Watsonville
Browns Valley Creek	City of Watsonville
Potential Reservoir Sites	
Reservoir	Stream
Mld County	
Glenwood	West Branch of Soquel Creek
Upper Soquel	Soquel Creek
South County	
Pescadero	Pescadero Creek
College Lake	Salsipuedes Creek

5.5.2 Least Disturbed Watershed Designations

(LCP) Designate the following watershed areas as Least Disturbed Watersheds:

Waddell Creek Watershed, including Blooms Creek
Scott Creek and Big Creek Watershed above their confluence, and
Scott Creek tributaries below Swanton Road
Jamison Creek Watershed
Clear Creek Watershed
Fall Creek Watershed
Eagle Creek Watershed
Greenoaks Creek
Ano Nuevo Creek
Molino Creek
Baldwin Creek and Peasley Creek: above Highway 1
Wilder Creek: above Highway 1
Laguna Creek and Majors Creek, designated corridors between
Highway 1 and the City of Santa Cruz water diversions.

5.5.3 Water Quality Constraint Area Designation

(LCP) Designate the following areas located within one mile upstream of intakes used for public water supply as Water Quality Constraint areas:

- (a) City of Santa Cruz intakes on Reggiardo, Laguna and Majors Creek, and Liddell Spring;
- (b) Bonnymede Mutual intake on Reggiardo Creek; and
- (c) Davenport water system intakes on Mill and San Vicente Creek.

5.5.4 Minimum Size for Existing Parcels in Water Quality Constraint Areas

(LCP) Require 2½ net acre minimum parcel sizes for development of anything other than one accessory dwelling unit where a single-family home already exists on existing lots of record within Water Quality Constraint Areas. Allow exceptions to the 2½ net acre minimum parcel size only where consistent with the existing Sewage Disposal ordinance. *(Revised by Resolution 30-2017)*

5.5.5 Minimum Size for Developing Existing Parcels of Record in Water Supply Watersheds

(LCP) Require one acre minimum parcel sizes for development of existing lots of record in water supply watersheds in the Coastal Zone and in the North Coast and Bonny Doon Planning Areas, and in the San Lorenzo Water Supply Watershed, in accordance with the existing Sewage Disposal ordinance and incorporate as General Plan and LCP Land Use Plan requirements the provisions of the existing Sewage Disposal ordinance with respect to Kristen Park and Water Quality Constraint Areas. Allow an exception to the one acre minimum parcel size for the creation of one accessory dwelling unit on parcels already developed with a single-family residence or for an existing parcel of record that meets all of the following criteria:

- the parcel has a designation of Community Commercial, Neighborhood Commercial, Office, or Service Commercial, in the General Plan that was adopted on May 24, 1994,
- it is to be developed for commercial use,
- it is within the Rural Services Line,
- the proposed sewage disposal system will meet all technical standards of the Sewage Disposal Ordinance, and will utilize an enhanced treatment system in accordance with the Sewage Disposal Ordinance *(Revised by Resolutions 309-2000, 30-2017)*

5.5.6 Land Division and Density Requirements in Water Supply Watersheds

(LCP) Outside the Coastal Zone, require new parcel sizes to be an average of at least 10 gross acres in existing or proposed Water Supply Watersheds and allow a maximum average residential density of one dwelling unit per 10 gross acres for parcels which are not divided. Inside the Coastal Zone, require new parcel sizes to be an average of at least 20 gross acres in existing and proposed Water Supply Watersheds and within the North Coast and Bonny Doon Water Supply Watersheds extending outside the Coastal Zone, and allow a maximum average

residential density of one dwelling unit per 20 gross acres for parcels which are not divided. These restrictions do not apply in the San Lorenzo River Watershed on lands:

- (a) designated Urban Residential or Suburban Residential, or
- (b) designated Rural Residential areas where the average parcel size within ¼ mile of the subject parcel boundary is less than 1 gross acre. (See policy 5.5.5.)

5.5.7 Land Division and Density Requirements in Least Disturbed Watersheds

(LCP) Maintain Least Disturbed Watersheds in open space densities by requiring an average 40 gross acre minimum parcel size for new parcels within Least Disturbed Watersheds and permit land divisions only where consistent with open space protection and where beneficial to the public, such as parcels for public facilities including public well sites, fire stations and utility rights-of-way. Allow a maximum average residential density of one dwelling unit per 40 gross acres for parcels which are not divided.

5.5.8 Allowed Uses in Water Supply and Least Disturbed Watersheds

Require uses in Water Supply Watershed and Least Disturbed areas to be compatible with watershed protection policies and limited to open space uses or recreational and residential uses at the specified Watershed densities, unless otherwise exempted.

5.5.9 Development Activities Within Water Supply and Least Disturbed Watersheds

Require all grading, building, and timber harvesting in Water Supply and Least Disturbed Watersheds to meet strict standards for erosion control and protection of water quality as outlined in the Erosion Hazard and Drainage Facilities sections of this Plan and as identified in the San Lorenzo River Watershed Management Plan.

5.5.10 Retaining Undeveloped Lands in Watersheds

Encourage property owners in designated watershed areas to sign Open Space Easement contracts or pursue other mechanisms to retain undeveloped lands within Water Supply Watersheds.

5.5.11 Timber Harvest Review Process in Watersheds

Utilize the timber harvest review process to condition applications in Water Supply and Least Disturbed Watersheds so that sustained yield programs are required to comply with restrictions or regulations on winter operations and other conditions to protect the watersheds.

5.5.12 Drainage Design in Water Supply Watersheds

(LCP) Require retention of stormwater runoff from impervious surfaces for all new development in Water Supply Watersheds through on-site percolation methods where feasible, so that runoff will not exceed pre-development runoff levels. Utilize on-site detention methods where percolation methods are not feasible. Either system should conform to the minimum design storm as determined by the County Design Criteria.

5.5.13 Proposed Water Supply Reservoir Site Designation

Designate on the General Plan and LCP Land Use Plan Resources Maps the following areas as proposed water supply reservoir sites: Glenwood Reservoir on the west branch of Soquel Creek, Upper Soquel Reservoir on Soquel Creek, College Lake on Salsipuedes Creek and Pescadero Reservoir on Pescadero Creek.

5.5.14 Development Activities Within Proposed Reservoir Protection Areas

Prohibit development activities, including land divisions within reservoir protection areas, unless such activities promote reservoir protection or facilitate reservoir development. Allow one single-family dwelling unit per existing parcel of record within a reservoir protection area after providing the water supply agency proposing the reservoir with notice of the filing of the application and providing the agency with a reasonable opportunity to acquire the parcel. Reservoir protection areas consist of the proposed water supply reservoir sites and areas within 1,250 feet from the high water elevation of reservoirs, as shown on the General Plan and LCP Resources and Constraints maps.

5.5.15 Septic Constraint Area Designation

Designate those areas having high groundwater conditions, poor soil conditions, known septic system problems or are primary groundwater recharge areas as shown on maps on file with the Director of Environmental Health as Septic Constraint Areas.

5.5.16 Minimum Lot Size In Septic Constraint Areas

(LCP) Require a 15,000 net square foot minimum lot size for existing lots of record in Septic Constraint Areas unless constraint area designation is removed in accordance with the provisions of the Sewage Disposal ordinance. For parcels already developed with a single-family residence, allow the creation of one accessory dwelling unit per parcel, in conformance with the requirements of the County Code. *(Revised by Resolution 30-2017)*

5.5.17 Sewage Disposal Ordinance

(LCP) Continue to enforce the standards of the County's Sewage Disposal ordinance based on the following:

- (a) Do not allow variances to sewage disposal regulations that would permit lots of less than 15,000 net square feet to obtain septic permits when a public water supply is not available.
- (b) Permit installation of individual sewage disposal systems within an easement on another lot only to allow repairs of existing systems.

5.5.18 Sewage Disposal for Publicly Owned Facilities outside the Coastal Zone

(LCP) On parcels outside the Coastal Zone, permit installation of sewage disposal systems within an easement on another lot to serve a publicly owned facility where technical or minimum parcel size standards cannot be met for sewage disposal at the site of the facility. *(Added by Resolution 144-2016)*

5.5.19 Sewage Disposal for Publicly Owned Facilities inside the Coastal Zone

(LCP) On parcels inside the Coastal Zone, permit installation of sewage disposal systems within an easement on another lot to serve a publicly owned facility where technical or minimum parcel size standards cannot be met for sewage disposal at the site of the facility. *(Added by Resolution 144-2016)*

Programs

a. Implement the San Lorenzo River Watershed Management Plan to protect and restore the water resources of the San Lorenzo River Watershed. (Responsibility: Planning Department, Board of Supervisors)

(LCP) b. Continue to monitor surface water quantity and quality to locate and identify water quality problems arising from point and non-point sources of pollution affecting public health and the environment. (Responsibility: Flood Control Zone 4, Public Works, Water Purveyors, Environmental Health)

c. Continue to implement a wastewater management program for septic system inspection and maintenance for the San Lorenzo Watershed. Consider expanding this program to other Water Supply Watersheds and areas adjacent to rivers, lakes and lagoons and other areas where there are known septic problems. (Responsibility: Environmental Health, Board of Supervisors)

d. Continue to notify affected water purveyors and provide opportunity to comment on any development project or Timber Harvest Permit proposed to be located in a Water Supply Watershed. (Responsibility: Planning Dept)

e. Periodically review, in connection with review of the General Plan, designated reservoir sites to eliminate sites not currently proposed for actual reservoir use in the future. Periodically review the list of Water Supply Watersheds for proposed additions and deletions. (Responsibility: Planning Department, Planning Commission, Water Purveyors, Board of Supervisors)

(LCP) f. Encourage, support, and seek funding for the preparation of watershed management plans for other watersheds. (Responsibility: Planning Department, Flood Control Zone 4, Water Management Agencies)

Objective 5.6 Maintaining Adequate Streamflows

To protect and restore in-stream flows to ensure a full range of beneficial uses including recreation, fish and wildlife habitat and visual amenities as part of an ecosystem-based approach to watershed management.

Policies

5.6.1 Minimum Stream Flows for Anadromous Fish Runs

(LCP) Pending a determination based on a biologic assessment, preserve perennial stream flows at 95% of normal levels during summer months, and at 70% of the normal winter baseflow levels. Oppose new water rights applications and time extensions, change petitions, or transfer of existing water rights which would individually diminish or cumulatively contribute to the diminishment of the instream flows necessary to maintain anadromous fish runs and riparian vegetation below the 95%/70% standard.

5.6.2 Designation of Critical Water Supply Streams

(LCP) Designate the following streams, currently utilized at full capacity, as Critical Water Supply Streams: Laguna, Majors, Liddell, San Vicente, Mill and Reggiardo Creeks; San Lorenzo River and its tributaries above the City of Santa Cruz; Soquel Creek and its tributaries; Corralitos Creek and Browns Valley Creek and their tributaries upstream of the City of Watsonville diversion points. Oppose or prohibit as legal authority allows, new or expanded water diversion from Critical Water Supply Streams. Prohibit new riparian or off stream development, or increases in the intensity of use, which require an increase in water diversions from Critical Water Supply Streams. Seek to restore in-stream flows where full allocation may harm the full range of beneficial uses.

5.6.3 New Major Water Supply Projects

(LCP) Ensure the development of new major water supply projects are adequately conditioned to protect beneficial instream uses and riparian habitat. For new major water supply projects located in the Coastal Zone, ensure that no development proceeds unless such projects are adequately conditioned to protect beneficial instream uses and riparian habitat with minimal reliance on technologically-based mitigation measures (e.g., relying on hatchery-raised fish instead of maintaining spawning grounds).

5.6.4 Onstream Storage Reservoirs

(LCP) Prohibit the designation of Scott Creek, Waddell Creek, San Lorenzo River and its tributaries, and Aptos Creek as onstream storage reservoirs.

Programs

a. Monitor existing and proposed, public and private, stream diversions and applications for water rights. Work with water users to minimize existing impacts where possible and to protect adequate instream flows based on the following considerations:

- (1) Normal summer and fall streamflows should be preserved and enhanced, where feasible;
- (2) Adequate winter and spring baseflows should be preserved for fish migration and spawning;
- (3) Storm flows should be maintained at adequate levels for sediment transport to preserve or enhance downstream habitat, to maintain County beaches, and to allow for natural, seasonal lagoon sand berm breaching.
- (4) Groundwater recharge areas should be protected.

(Responsibility: State Water Resources Board, Department of Fish and Game)

b. Protest water right applications that are inconsistent with policies for streamflow protection. (Responsibility: Planning Department, Flood Control Zone 4, Board of Supervisors)

(LCP) c. Develop a monitoring program to ensure that Statements of Diversion and Water Use are filed by all water users as required by the State Water Resources Control Board, Division of Water Rights. (Responsibility: Planning Department, Flood Control Zone 4, Environmental Health)

d. Develop a program to enforce the terms and conditions of the Soquel Creek adjudication decree and any other stream adjudications which may occur. (Responsibility: Flood Control Zone 4)

e. Investigate stream conditions during low flow periods to ensure perennial flow throughout Soquel Creek and the San Lorenzo River. (Responsibility: Planning Department)

f. Request the intervention of the State Water Resources Control Board, the California Department of Fish and Game, and other interested agencies to evaluate and act on unauthorized surface water diversions and underflow extractions. (Responsibility: County Fish and Game Commission, Planning Department, Flood Control Zone 4, Board of Supervisors)

(LCP) g. Develop more detailed information on streamflow characteristics, water use, sediment transport, plant and soil moisture requirements, and habitat needs of Critical Water Supply Streams and streams located in the Coastal Zone. Use this information to formulate a more detailed strategy for maintenance and enhancement of streamflows on Critical Water Supply Streams and to better understand the role of streamflows in watershed ecosystems and provide a basis for cooperative management of watershed ecosystems. (Responsibility: Planning Department, Flood Control Zone 4)

(LCP) h. Coordinate with Environmental Health on the issuance of water well permits in stream sediments to avoid adverse impacts on in-stream flows. (Responsibility: Planning Department, Flood Control Zone 4, Environmental Health)

i. Coordinate with the Pajaro Valley Water Management Agency to carry out projects that enhance or restore to the maximum extent possible in-stream flows on Corralitos and Browns Creeks. (Responsibility: Planning Department, Board of Supervisors, Flood Control Zone 4)

Objective 5.7 Maintaining Surface Water Quality

- (LCP) To protect and enhance surface water quality in the County's streams, coastal lagoons and marshes by establishing best management practices on adjacent land uses.

Policies

5.7.1 Impacts From New Development On Water Quality

- (LCP) Prohibit new development adjacent to marshes, streams and bodies of water if such development would cause adverse impacts on water quality which cannot be fully mitigated

5.7.2 Minimum Septic System Setback From Natural Waterways

- (LCP) Prohibit installation of septic tanks or leach fields within 100 feet of all natural waterways including perennial or intermittent streams, seasonal water channels and natural bodies of standing water. An exception may be made for the repair of existing systems, if the 100 foot setback cannot be maintained, and adequate provisions are made for water quality protection.

5.7.3 Erosion Control For Stream and Lagoon Protection

- (LCP) For all new and existing development and land disturbances, require the installation and maintenance of sediment basins, and/or other strict erosion control measures, as needed to prevent siltation of streams and coastal lagoons. (Also see Erosion policies in section 6.3.)

5.7.4 Control Surface Runoff

- (LCP) New development shall minimize the discharge of pollutants into surface water drainage by providing the following improvements or similar methods which provide equal or greater runoff control:
- (a) include curbs and gutters on arterials, collectors and locals consistent with adopted urban street designs; and
 - (b) oil, grease and silt traps for parking lots, land divisions or commercial and industrial development.

5.7.5 Protecting Riparian Corridors and Coastal Lagoons

- (LCP) Require drainage facilities, including curbs and gutters in urban areas, as needed to protect water quality for all new development within 1000 feet of riparian corridors or coastal lagoons.

5.7.6 Maintaining Saltwater Inflow to Coastal Lagoons

- (LCP) Prohibit new development, site alteration or road projects adjacent to coastal lagoons unless it can be demonstrated that such projects will not restrict, impound or otherwise interfere with the natural drainage patterns and tidal circulation.

5.7.7 Stormwater Discharge Permit Requirements

- (LCP) Once the State and Regional Water Quality Control Boards promulgate new stormwater discharge permit requirements for municipal and industrial stormwater systems, obtain appropriate permits for all existing storm drainage systems and proposed drainage facilities and adhere to best management practices.

5.7.8 Animal Keeping

- Require all stables and other animal keeping operations to be managed to prevent discharge of sediment, nutrients, and contaminants to surface and groundwater.

Programs

- (LCP) a. In coordination with the Regional Water Quality Control Board, identify and control point and nonpoint sources of water quality contamination. (Responsibility: Flood Control Zone 4, Environmental Health, Public Works)
- (LCP) b. Continue to conduct a comprehensive monitoring program to assess long-term trends in surface and groundwater quality and to identify water quality problems arising from point and nonpoint sources of pollution affecting public health and the environment. (Responsibility: Flood Control Zone 4, Environmental Health, Public Works, Regional Water Quality Control Board, PVWMA)
- (LCP) c. Monitor urban runoff water quality from residential, commercial and industrial sources that may contribute to the pollution in urban areas. (Responsibility: Flood Control Zone 4)
- (LCP) d. Establish design standards for new drainage facilities discharging into local streams to reduce nonpoint-source pollution. (Responsibility: Planning Department, Public Works, Redevelopment Agency)
- (LCP) e. Develop a program for control of nonpoint source pollution from agricultural activities. (Responsibility: Agricultural Commissioner, Agricultural Policy Advisory Commission, PVWMA, Board of Supervisors)
- (LCP) f. Expand educational programs regarding application and handling of fertilizers and pesticides which encourage lower fertilizer use rates and emphasize protection of water quality. (Responsibility: Agricultural Commissioner)
- (LCP) g. Establish a program to provide curbs and gutters on selected major roads in urban areas where development already exists or as new development is approved. (Responsibility: Redevelopment Agency, Planning Department, Public Works, Planning Commission, Board of Supervisors)
- (LCP) h. Establish a program for street sweeping of selected major roads in the urban areas, with highest priority given those roads that drain into coastal lagoons. (Responsibility: Public Works, Board of Supervisors)
- (LCP) i. Work cooperatively with the State Parks Department, California Department of Fish and Game, the University of California and other relevant agencies to initiate water quality restoration programs for coastal lagoons which will restore and improve natural drainage and saltwater balances, protect the natural habitat, and mitigate public health hazards. (Responsibility: POSCS, Public Works, Planning Department)
- (LCP) j. Monitor water and sediment quality of coastal lagoons and sloughs to determine the severity of eutrophication and to quantify levels of contaminants and pesticides present. Identify sources of contamination and seek funding to implement control measures. (Responsibility: Flood Control Zone 4, Environmental Health)
- (LCP) k. Work with the State Parks Department to develop and subsequently implement the recommended actions of the Water Quality Management Plan for Schwan Lake. (Responsibility: Flood Control, Public Works, POSCS, Planning Department)
- l. Implement a periodic program of water quality analysis for wetlands to document trends in water pollution. (Responsibility: Flood Control Zone 4)

- (LCP) m. Monitor surface and groundwater near the County's Buena Vista Landfill and the Watsonville City Landfill as part of the County's water quality monitoring program and cooperate with the City in addressing water quality problems. Pursue studies and implement corrective measures to eliminate or reduce leachates entering Gallighan Slough. (Responsibility: Public Works, Flood Control Zone 4, Regional Water Quality Control Board, City of Watsonville, California Integrated Waste Management Board)**
- n. Participate in the development and implementation of a regional stormwater management plan being prepared by AMBAG. Seek funds to implement stormwater management plans when required by federal law. (Responsibility: Public Works, Board of Supervisors)**
- o. Provide training to engineering and planning staff who review project plans in design and maintenance of stormwater contaminant removal systems (non-point source pollutants) and other Best Management Practices (BMPs). (Responsibility: Public Works, Planning Department)**

Objective 5.8a Groundwater Protection

- (LCP) To protect the quantity and quality of the County's groundwater resources through an integrated program of land use regulation and runoff management in groundwater recharge areas, careful water quality monitoring and management of extractions consistent with long-term sustainable water supply yields.

Objective 5.8b Overdrafted Groundwater Basins

- (LCP) To act directly and coordinate and work with relevant water purveyors and agencies to eliminate long-term groundwater overdraft in all water basins where overdraft has been documented.

Policies

5.8.1 Primary Groundwater Recharge Area Designation

- (LCP) Designate on the General Plan Resource Maps those areas where local soil conditions and underlying geologic formations allow for infiltration and percolation of rainfall and runoff into groundwater basins.

5.8.2 Land Division and Density Requirements in Primary Groundwater Recharge Areas

- (LCP) Require new parcel sizes to be an average of at least 10 gross acres for parcels with building sites located in primary groundwater recharge areas and allow a maximum average residential density of one dwelling unit per 10 gross acres for parcels which are not divided. Allow exceptions only where the development is:
- (a) located within the Rural Services Line or within the Urban Services Line; and
 - (b) served by a sewage disposal system operated by a County Service Area or public services district which provides at least secondary treatment with nitrogen removal or which disposes of effluent outside the primary groundwater recharge area..

5.8.3 Uses In Primary Groundwater Recharge Areas

- (LCP) Prohibit any land use in a Primary Groundwater Recharge Area which would allow the percolation of pollutants into the groundwater system.

5.8.4 Drainage Design in Primary Groundwater Recharge Areas

- (LCP) Require retention of stormwater runoff from impervious surfaces for all new development in Primary Groundwater Recharge Areas through on-site percolation methods so as not to exceed predevelopment runoff levels. Utilize on-site detention methods where percolation methods are not feasible; either system should be designed for a minimum design storm as determined by the County Design Criteria.

5.8.5 Developing Groundwater Resources

- (LCP) Allow development of groundwater resources when consistent with sustainable yield, protection of streamflows, and maintenance of groundwater quality. Require water systems serving new development to meet applicable standards for yield to ensure a reliable water supply is provided to its users.

5.8.6 Well Construction Standards

- (LCP) Require new and rehabilitated wells to comply with State and local construction standards as specified in the County well ordinance to prevent contamination of groundwater supplies.

5.8.7 Pajaro Groundwater Protection Zone Designation

- (LCP) Designate the area west of San Andreas Road from the Pajaro River to Manresa State Beach as the Pajaro groundwater protection zone. Apply special testing and construction standards to identify strata containing poor quality water and to prevent the movement of such water into other aquifers.

5.8.8 Wells With Poor Water Quality

- (LCP) Require all new wells found to be of unsuitable quality to be promptly sealed according to State standards and inspected by Environmental Health unless mitigating measures can be found to make the water potable and not adversely affect underlying groundwater quality.

5.8.9 Development Densities With Poor Groundwater Availability

Limit new development densities through the use of a Rural Density Matrix in areas identified as having poor groundwater availability based on the best available data for the area and the site. (See 2.3.3, Rural Density Matrix.)

Programs

a. Cooperate with the State in addressing groundwater basin overdraft problems and seek any available state or federal assistance to support local groundwater management programs. (Responsibility: Public Works, Water Purveyors, Board of Supervisors, Flood Control, Environmental Health, Pajaro Valley Water Management Agency - PVWMA)

- (LCP) b. Review and evaluate proposals by water agencies to develop supplemental sources of water supply (such as wastewater reclamation, water importation or surface water development), water conservation, or other means to reverse overdraft seawater intrusion and other basin problems that are occurring in some areas of the County. (Responsibility: Public Works, PVWMA, Water Purveyors and Water Management Agencies, Board of Supervisors, Flood Control Zone 4)

- (LCP) c. Work with water purveyors and water management agencies to augment natural groundwater recharge where it is environmentally and fiscally acceptable. (Responsibility: Flood Control, Water Purveyors, PVWMA)

- (LCP) d. Continue to evaluate the groundwater recharge areas in the County to determine appropriate densities and uses considering both existing levels of development and new information on geology of the recharge area. (Responsibility: Flood Control, Planning Department, Environmental Health, PVWMA, Water Purveyors, USGS)

- (LCP) e. Utilize the County's computerized mapping system to update and further delineate groundwater recharge areas throughout the County as more detailed information becomes available. (Responsibility: Planning Department, Flood Control, Water Purveyors, PVWMA, Board of Supervisors)

- f. Institute monitoring programs to study streambed percolation in Corralitos Creek, Coward Creek, Soquel Creek, Bean Creek, Carbonera Creek and other streams which percolate water into critical groundwater basins. (Responsibility: Flood Control, Water Purveyors, PVWMA)
- g. Continue to work with the City of Watsonville on its Water Use Reduction Program for new and existing urban development within the Pajaro Valley. (Responsibility: Planning Department, PVWMA, City of Watsonville)
- (LCP) h. Continue to work with the Pajaro Valley Water Management Agency to eliminate overdraft and salt water intrusion through implementation of their Basin Management Plan. (Responsibility: Planning Department, PVWMA, Water Advisory Commission, Flood Control Zone 4, Board of Supervisors)
- (LCP) i. Continue to work with the Pajaro Valley Water Management Agency, the Farm Bureau and land owners to ensure maximum water efficiency on agricultural lands in the Pajaro Valley. (Responsibility: Flood Control, PVWMA, Farm Bureau, Agricultural Commissioner)
- j. Work with the appropriate water purveyors and agencies to fully implement a groundwater Basin Management Plan for the Santa Margarita aquifer system in the San Lorenzo Valley and the Scotts Valley area. (Responsibility: Planning Department, Flood Control, Water Purveyors, Water Advisory Commission)
- (LCP) k. Review applications for well water permits for conformance with County well ordinance. Periodically review well construction standards and requirements for the destruction of inactive or abandoned wells. (Responsibility: Environmental Health, PVWMA, Water Advisory Commission, Board of Supervisors)
- l. Assist in development of additional water supply, additional recharge, or offsetting amounts of water conservation for the Pajaro Valley basin to serve the anticipated population increase. (Responsibility: PVWMA, Water Advisory Commission, Planning Department, Water Purveyors)

HYDROLOGICAL, GEOLOGICAL AND PALEONTOLOGICAL RESOURCES

(Also see policies in section 5.18, Archaeological and Historic Resources.)

Objective 5.9 Hydrological, Geological and Paleontological Resources

(LCP) To protect hydrological, geological and paleontological resources which stand out as rare or unique and representative in Santa Cruz County because of their scarcity, scientific or educational value, aesthetic quality or cultural significance.

Policies

5.9.1 Protection and Designation of Significant Resources

(LCP) Protect significant geological features such as caves, large rock outcrops, inland cliffs and special formations of scenic or scientific value, hydrological features such as major waterfalls or springs, and paleontological features, through the environmental review process. Designate such sites on the General Plan and LCP Resources and Constraints Maps where identified. Currently identified sites of Significant Hydrological, Geological and Paleontological Features are as follows:

Bonny Doon Planning Area:

- (a) Majors Creek Canyon: The cliffs and exposed rocks of this canyon to the east of Highway 1 are outstanding scenic features.
- (b) Martin Road: East and west of Martin Road, encompassed in the botanical sites, are unusual sandhill outcroppings.
- (c) Wilder Creek: This area contains a concentration of limestone caves worth protecting.
- (d) Table Rock: Highly scenic coastal rock formations (sedimentary intrusive bodies) can be found in the vicinity of Table Rock and Yellow Bank Creek.

5.9.2 Protecting Significant Resources Through Easements and Land Dedications

(LCP) Encourage and obtain where possible Open space Easements or other forms of land dedication to conserve as open space those areas containing hydrological, geological or paleontological features of significant scenic or scientific value.

Programs

- (LCP) a. Continue to identify hydrological, geological and paleontological features in the County, in addition to those currently identified, and continue to develop and maintain a countywide inventory for these resources. (Responsibility: Planning Department)
- (LCP) b. Develop a program to protect unique hydrological, geological and paleontological resources through the negotiation of Open Space Easements, other deed restrictions, and purchase as necessary. (Responsibility: Planning Department, Board of Supervisors)

VISUAL RESOURCES

See chapter 8 - Community Design for related policies.

Objective 5.10a Protection of Visual Resources

(LCP) To identify, protect and restore the aesthetic values of visual resources.

Objective 5.10b New Development in Visual Resource Areas

(LCP) To ensure that new development is appropriately designed and constructed to have minimal to no adverse impact upon identified visual resources.

SCENIC PROTECTION IN GENERAL

Policies

5.10.1 Designation of Visual Resources

(LCP) Designate on the General Plan and LCP Resources Maps and define visual resources as areas having regional public importance for their natural beauty or rural agricultural character. Include the following areas when mapping visual resources: vistas from designated scenic roads, Coastal Special Scenic Areas, and unique hydrologic, geologic and paleontologic features identified in Section 5.9.

5.10.2 Development Within Visual Resource Areas

(LCP) Recognize that visual resources of Santa Cruz County possess diverse characteristics and that the resources worthy of protection may include, but are not limited to, ocean views, agricultural fields, wooded forests, open meadows, and mountain hillside views. Require projects to be evaluated against the context of their unique environment and regulate structure height, setbacks and design to protect these resources consistent with the objectives and policies of this section. Require discretionary review for all development within the visual resource area of Highway One, outside of the Urban/Rural boundary, as designated on the GP/LCP Visual Resources Map and apply the design criteria of Section 13.20.130 of the County's zoning ordinance to such development.

5.10.3 Protection of Public Vistas

(LCP) Protect significant public vistas as described in policy 5.10.2 from all publicly used roads and vista points by minimizing disruption of landform and aesthetic character caused by grading operations, timber harvests, utility wires and poles, signs, inappropriate landscaping and structure design. Provide necessary landscaping to screen development which is unavoidably sited within these vistas. (See policy 5.10.11.)

5.10.4 Preserving Natural Buffers

Preserve the vegetation and landform of natural wooded hillsides which serve as a backdrop for new development. Also comply with policy 8.6.6 regarding protection of ridgetops and natural landforms.

5.10.5 Preserving Agricultural Vistas

(LCP) Continue to preserve the aesthetic value of agricultural vistas. Encourage development to be consistent with the agricultural character of the community. Structures appurtenant to agricultural uses on agriculturally designated parcels shall be considered to be compatible with the agricultural character of surrounding areas.

5.10.6 Preserving Ocean Vistas

(LCP) Where public ocean vistas exist, require that these vistas be retained to the maximum extent possible as a condition of approval for any new development.

5.10.7 Open Beaches and Blufftops

(LCP) Prohibit the placement of new permanent structures which would be visible from a public beach, except where allowed on existing parcels of record, or for shoreline protection and for public beach access. Use the following criteria for allowed structures:

- (a) Allow infill structures (typically residences on existing lots of record) where compatible with the pattern of existing development.
- (b) Require shoreline protection and access structures to use natural materials and finishes to blend with the character of the area and integrate with the landform.

5.10.8 Significant Tree Removal Ordinance

(LCP) Maintain the standards in the County's existing ordinance which regulates the removal of significant trees and other major vegetation in the Coastal Zone, and provide appropriate protection for significant trees and other major vegetation in areas of the County located within the Urban Services Line.

5.10.9 Restoration of Scenic Areas

(LCP) Require on-site restoration of visually blighted conditions as a mitigating condition of permit approval for new development. The type and amount of restoration shall be commensurate with the size of the project for which the permit is issued. Provide technical assistance for restoration of blighted areas.

Also see policy 6.2.16 regarding shoreline protection.

SCENIC ROADS

Policies

5.10.10 Designation of Scenic Roads

(LCP) The following roads and highways are valued for their vistas. The public vistas from these roads shall be afforded the highest level of protection.

State Highways

Route 1 — from San Mateo County to Monterey County
Route 9 — from Route 1 to Santa Clara County
Route 17 — from Route 1 to Santa Clara County
Route 35 — from Route 17 to San Mateo County
Route 129 — from Route 1 to San Benito County
Route 152 — from Route 1 to Santa Clara County
Route 236 — from Route 9 in Boulder Creek to Route 9 at Waterman Gap

County Roads

Amesti Road — from Varni Road to Browns Valley Road.
Beach Road — from Highway 1 to Palm Beach.
Bonita Drive and San Andreas Road — from Highway 1 to Beach Road.
Bonny Doon Road — from Route 1 to Pine Flat Road.
Browns Valley Road — from Eureka Canyon Road to Hazel Dell Road.
Buena Vista Drive — from San Andreas Road to Larkin Valley Road.
Cassery Road — from Mile marker 1.75 to Highway 152.
Corralitos Road — from Freedom Boulevard to Browns Valley Road.
Empire Grade — from the Santa Cruz City limits to the end of Empire Grade.
East Cliff Drive — from 33rd Avenue to 41st Avenue.
Eureka Canyon Road — from Highland Way to Corralitos.
Graham Hill Road — from Lockwood Lane to Route 9.
Hazel Dell Road — from Browns Valley Road to Mt. Madonna Road.
Highland Way — from Summit Road to Eureka Canyon Road.
Ice Cream Grade.
Martin Road — from Pine Flat to Ice Cream Grade.
Mt. Hermon Road — from Scotts Valley City limits to Graham Hill Road.
Mt. Madonna Road — from Gaffey Road to Hazel Dell Road.
Pine Flat Road — from Bonny Doon Road to Empire Grade.
Sand Dollar Drive.
Smith Grade.
Summit Road — from Highway 17 to Highland Way.
Sunset Beach and Shell Road.
Swanton Road — from Route 1 at Davenport Landing to Route 1 at Greyhound Rock.

(Revised by Res. 473-98)

5.10.11 Development Visible from Rural Scenic Roads

(LCP) In the viewsheds of rural scenic roads, require new discretionary development, including development envelopes in proposed land divisions, to be sited out of public view, obscured by natural landforms and/or existing vegetation. Where proposed structures on existing lots are unavoidably visible from scenic roads, identify those visual qualities worthy of protection (See policy 5.10.2) and require the siting, architectural design and landscaping to mitigate the impacts on those visual qualities. (See policy 5.14.10.)

5.10.12 Development Visible from Urban Scenic Roads

(LCP) In the viewsheds of urban scenic roads, require new discretionary development to improve the visual quality through siting, architectural design, landscaping and appropriate signage. (See policies 5.10.18, 5.10.19 and 5.10.20.)

5.10.13 Landscaping Requirements

(LCP) All grading and land disturbance projects visible from scenic roads shall conform to the following visual mitigation conditions:

- (a) Blend contours of the finished surface with the adjacent natural terrain and landscape to achieve a smooth transition and natural appearance; and
- (b) Incorporate only characteristic or indigenous plant species appropriate for the area.

5.10.14 Protecting Views in the North Coast and Bonny Doon

(LCP) In order to preserve the agricultural and coastal grassland vistas of the North Coast and Bonny Doon Highway 1 view corridor, prohibit the division of all grassland habitat as mapped on the County's Resources and Constraints Maps. (See policies 5.10.11, 5.1.2, 5.1.5 and Figure 2-2.)

5.10.15 Design Review for Public Projects Visible from Scenic Roads

Require construction and development of any soundwalls and roadside amenities such as turnouts and vista points within or adjacent to Scenic Roads to be reviewed for consistency with the visual resource protection policies of this section and the Zoning ordinance.

COASTAL SPECIAL SCENIC AREAS

5.10.16 Designation of Coastal Special Scenic Areas

(LCP) Designate the following as Coastal Special Scenic Areas (See Visual Resources maps) and require development to comply with design criteria set forth in the Coastal Zone Regulation ordinance:

- (a) Bonny Doon sandstone formations, generally found within the borders of Pine Flat Road, Laguna Creek, Ice Cream Grade and Martin Road.
- (b) The area enclosed by the Swanton Road and Highway 1 scenic roads .

5.10.17 Swanton Road Coastal Special Scenic Area

(LCP) In the Swanton Road Coastal Special Scenic area (north of Last Chance Road toward Highway 1), require new development to be hidden from public view. Utilize parcel recombinations and other techniques as appropriate to accomplish this; and at a minimum, require dense landscape screening when it would be impossible to locate otherwise permissible development so as to place it out of public view. Vegetative screenings shall be consistent with patterns and type of existing vegetation and comprised of indigenous species.

SIGNS AND OVERHEAD WIRES

Policies

5.10.18 Signs Visible from Scenic Roads

(LCP) Actively discourage the placement of signs which will be visible from scenic roads; where allowed, require strict compliance with the County Sign ordinance to minimize disruption of the natural scenic qualities of the viewshed. Give priority to sign abatement programs for scenic roads.

5.10.19 Highway One Signage in Rural Areas

(LCP) In the rural Highway 1 corridor, allow only Caltrans standard directional, access, and business identification signs except for the commercial area at Davenport.

5.10.20 Highway One Signage in Urban Areas

(LCP) In the urban Highway 1 corridor, allow signage where consistent with the Sign ordinance and any applicable village, town, community, or specific plan.

5.10.21 Illuminated Signs Visible from Scenic Roads

(LCP) In accordance with the County Sign ordinance, allow illuminated signs to be visible from scenic roads only for state and county directional and information signs and in designated commercial and visitor-serving areas. Seek to eliminate all other non-conforming illuminated signs which are visible from scenic roads.

5.10.22 Requirement for Sign Plans

(LCP) Require new project submittal applications to include standard road sign designs for directional, access, and business identification and designate appropriate locations for these signs consistent with the County Sign ordinance and Caltrans requirements.

5.10.23 Transmission Lines and Facilities

(LCP) Require transmission line rights-of-way and facilities to be reviewed in accordance with the Zoning ordinance to minimize impacts on significant public vistas; especially in scenic rural areas, and to avoid locations which are on or near sensitive habitat, recreational, or archaeological resources, whenever feasible.

5.10.24 Utility Service Lines

(LCP) Require underground placement of all new utility service lines and extension lines to and within new residential and commercial subdivisions. Require underground placement of all other new or supplementary transmission lines within views from scenic roads where it is technically feasible, unless it can be shown that other alternatives are less environmentally damaging or would have unavoidable adverse impacts on agricultural operations. When underground facilities are installed parallel to existing above ground lines, require the existing lines to be placed underground with the new lines. When above ground facilities are necessary, require that the design of the support towers or poles be compatible with the surroundings and that lines cross roadways at low elevations or curves in the road in accordance with California Public Utility Commission regulations for public utility facilities.

5.10.25 Access Roads for Transmission Lines

(LCP) Require access roads for transmission line construction and maintenance within scenic corridors to be designed and constructed to parallel the contour of the land and to minimize grading and landscape alterations.

Programs

- (LCP) a. Complete an inventory and survey to define and map visual resources. Include a survey of plant species and unique natural rock formations. The survey should also locate all signs which are inconsistent with the intent of the scenic resource policies and describe a program for their abatement. Give highest priority to surveying the Highway 1 corridor. (Responsibility: Board of Supervisors, Planning Department)
- b. Prepare a Visual Resource Combining District ordinance to establish a review zone to be placed on all parcels containing visual resources as identified by the Visual Resource Survey. (Responsibility: Planning Commission, Planning Department)
- (LCP) c. Refine the Zoning ordinance so that design criteria for development visible from scenic roads is more specific and consistent with the other policies in this section. (Responsibility: Planning Department)
- d. Consider scenic roads as target areas for programs such as substandard housing improvement, street tree planting, unsafe building abatement, fire prevention, nuisance abatement and weed control programs. (Responsibility: Planning Department, Environmental Health, Public Works, Fire Marshal)
- (LCP) e. Develop a program, based on the visual resource inventory, to restore degraded visual resources. The program should include restoration priorities and should seek funding for landscape screening, and implementation of a planting schedule giving priority to the Highway 1 view corridor and State Highways. Coordinate landscaping with soundwall construction. (Responsibility: Board of Supervisors, Planning Department, Caltrans, Public Works)
- f. Give priority to maintenance activities on State Highways, including litter control, replanting or landscape renovation, resurfacing, and roadside weed control programs. (Responsibility: Caltrans, Public Works)
- (LCP) g. Identify locations for and prioritize construction of scenic overlooks along coastal bluffs in conjunction with the policies in section 7.7, Coastal Recreation. (Responsibility: County Parks, Board of Supervisors)
- h. Review and update the County Sign ordinance. Specific standards for signs proposed adjacent to scenic roads should be developed. (Responsibility: Planning Department, Planning Commission)
- (LCP) i. Maintain a countywide overhead wire undergrounding program with the following areas as highest priorities: Town Plan areas, Coastal Special Communities and vistas from scenic roads. (Responsibility: Public Works, PG&E)
- j. Consider revising the Significant Trees Protection Ordinance to expand the protection to all unincorporated areas within the Urban Services Line of the County. (Responsibility: Planning Department, Planning Commission, Board of Supervisors)

OPEN SPACE

Objective 5.11 Open Space Preservation

- (LCP) To identify and preserve in open space uses those areas which are not suited to development due to the presence of natural resource values or physical development hazards.

URBAN OPEN SPACE LANDS

Policies

5.11.1 Designation of Urban Open Space Lands (O-U)

- (LCP) Designate Urban Open Space (O-U) areas on the General Plan and LCP Land Use Maps to identify those lands within the Urban Services Line and Rural Services Line which are not appropriate for development due to the presence of one or more of the following resources or constraints:
- (a) Coastal bluffs and beaches
 - (b) Coastal lagoons, wetlands and marshes
 - (c) Riparian corridors and buffer areas
 - (d) Floodways and floodplains
 - (e) Wooded ravines and gulches which separate and buffer areas of development
 - (f) Slopes over 30 percent
 - (g) Sensitive wildlife habitat areas and biotic resource areas.

5.11.2 Density Credits for Urban Open Space Lands

- (LCP) Allow development density credit for lands designated as Urban Open Space to the extent specifically provided for by the General Plan and LCP Land Use Plan policies governing natural resources and public health and safety.

5.11.3 Development Within Urban Open Space Areas

- (LCP) Consider development within areas identified as Urban Open Space only when consistent with all applicable resource protection and hazard mitigation policies, and only in the following circumstances:
- (a) For one single-family dwelling or other limited-scale use consistent with the adjacent General Plan and LCP Land Use Plan designation on an existing parcel of record if the parcel does not contain other areas for development, and if it is not possible to relocate facilities elsewhere on the property.
 - (b) For other activities when the use is consistent with the maintenance of the area as open space, such as recreational use, habitat restoration, or flood or drainage control facilities.
 - (c) For the location of service infrastructure when it cannot be placed in other locations out of the protected use areas.

5.11.4 Mitigating Development Impacts

- (LCP) Require full mitigation of all potential adverse impacts associated with developments located in Urban Open Space areas.

RESOURCE CONSERVATION LANDS

5.11.5 Designation of Resource Conservation Lands (O-C)

- (LCP) 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:
- (a) Expansion of established preserves, parks or open space areas and connections between existing preserved lands.
 - (b) Areas with significant biological, scenic or other natural resource value which are not adequately protected by current County or other ordinances.

5.11.6 Density and Parcel Size Determination for Resource Conservation Lands

- (LCP) On privately owned lands designated Resource Conservation, allow residential development at the same densities as required by policy 2.4.1 for the Mountain Residential Land Use Designation.

Programs

- (LCP) a. Continue using open space and conservation easements and other methods to help preserve urban and rural open space areas. Review and revise the Open Space Combining District ordinance to achieve clarification of the allowed uses on those properties containing open space easements. (Responsibility: Planning Department, Planning Commission, Board of Supervisors)
- (LCP) b. Study the use of an open space district or other financial/administrative mechanism to identify, prioritize and acquire (either in fee title or via easements) significant open space lands in the rural or urban part of the County. (Responsibility: Planning Department, County Administrative Office, Board of Supervisors,)
- (LCP) c. As appropriate and necessary, develop an integrated program involving land acquisition, conservation and open space easements, transfer or purchase of development credits, development agreements, lease-back agreements and other mechanisms to achieve open space protection objectives. (Responsibility: Board of Supervisors, Planning Commission, Planning Department)
- (LCP) d. Work with all relevant government agencies such as the California Fish and Game Department, non-profit groups such as the Nature Conservancy and private land owners to secure funding and achieve open space objectives, while balancing land owner needs. (Responsibility: Board of Supervisors, Planning Department, Other Agencies)
- (LCP) e. Establish the "PR" Parks and Recreation zone district as an interim implementing district to the Resource Conservation land use designation. Investigate the creation of a new zone district which may better define appropriate uses allowed within these designated areas. (Responsibility: Planning Department, Board of Supervisors, Planning Commission)

TIMBER RESOURCES

Objective 5.12 Timber Production

- (LCP) To encourage the orderly economic production of forest products on a sustained yield basis under high environmental standards, to protect the scenic and ecological values of forested areas, and to allow orderly timber production consistent with the least possible environmental impacts.

Policies

5.12.1 Designation of Timberlands

- (LCP) 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.

PERMITTED USES

5.12.2 Uses Within Timber Production Zones

- (LCP) Allow the following types of uses compatible with Timber Production zoned land (TP) in accordance with the Timber Production ordinance:
- (a) The growing and harvesting of timber and other forest products, including Christmas trees, in conformance with the provisions of the Timber Production Zoning ordinance and the Forest Practice Act.
 - (b) Watershed management.
 - (c) Fish and wildlife habitat.
 - (d) Grazing and other agricultural uses on that portion of the land not under timber production.
 - (e) One single-family dwelling, with accessory structures and utilities, on a separate legal parcel of record, subject to the policies of this section.
 - (f) Timber removal as necessary for the safe operation of public utility facilities.

CONDITIONAL USES

5.12.3 Conditional Uses Within Timber Production Zones

- (LCP) Allow the following types of uses if conditionally approved in accordance with the Timber Production ordinance. Conditional uses must be consistent with the growing of a sustained yield tree crop, with the purposes of the Forest Taxation Reform Act of 1976 and the Timber Production zone district, and should be supported by a timber management plan.
- (a) Mineral production and mining operations, in conformance with the provisions of the Mining Regulations ordinance.
 - (b) Erection, construction, alteration and maintenance of water and transmission facilities.
 - (c) Outdoor recreation, educational or religious activities, in conformance with the provisions of the County's organized camp zoning regulations which do not conflict with the management of the parcel's timber resources.
 - (d) Conversion to agricultural uses not exceeding ten percent of the total of the timber area on the parcel.
 - (e) One habitable accessory structure on a legal parcel of record with a minimum size of 40 gross acres in the Coastal Zone and 10 gross acres in other areas of the County where the guest house will be located in close proximity to the principle residence.
 - (f) Timber processing and other related facilities.

- (g) Commercial cannabis activities, within non-timbered portions of a site, subject to discretionary review and approval pursuant to all requirements of the non-retail commercial cannabis licensing ordinances, zoning ordinance, environmental regulations, coastal regulations, building code, and other applicable regulations, which shall include any applicable environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code. Disallow commercial cannabis cultivation on lands zoned Timber Production (TP) within the Coastal Zone. *(Added by Resolution 88-2018)*

5.12.4 Land Division and Density Requirements for Timber Production Zoned Lands

- (LCP)** For land divisions of TP zoned lands, require new parcel sizes to be at least 160 gross acres in the Coastal Zone and 40 gross acres in other areas of the County. Where development envelopes are clustered, require new parcel sizes to be an average of 40 gross acres in the Coastal Zone and 10 gross acres in other areas of the County.

For residential development on TP zoned lands where no land division is proposed, allow a maximum residential density of one dwelling unit per 160 gross acres in the Coastal Zone and 40 gross acres in other areas of the County. Where development envelopes are clustered, allow a maximum average residential density of one dwelling unit per 40 gross acres in the Coastal Zone and 10 gross acres in other areas of the County.

5.12.5 General Conditions for All Development Proposals on Timber Production Zoned Lands

- (LCP)** Require the following conditions be met in connection with any permitted development on Timber Production zoned lands:
- (a) A Timber Management Plan, prepared by a Registered Professional Forester, shall be submitted to and approved by the County for the entire land holding.
 - (b) The individual designated as possessor of timber rights on the property shall enter into a binding contract with the Board of Supervisors to manage and harvest timber on the timberland and to abide by the provisions of the Timber Management Plan.

5.12.6 Conditions for Clustered Development Proposals on Timber Production Zoned Lands

- (LCP)** In addition to the conditions listed in 5.12.5, require the following conditions be met in connection with any permitted clustered development on TP zoned lands:
- (a) The timberland shall be managed as one unit under an approved Timber Management Plan for all timber harvest operations and clustered development proposals shall be consistent with all policies of this section and require approval of four-fifths vote of the Board of Supervisors.
 - (b) The remainder of the property not included within the area of clustered development envelopes shall be held in common ownership, and timber rights shall be held by a designated property owner or individual.

5.12.7 Location of Development on Timber Production Lands

- (LCP)** Restrict development on TP lands to be located on a non-timbered portion of the property.

5.12.8 Timber Resource Land Not Zoned Timber Production

- (LCP)** Evaluate proposed land divisions and residential development permit applications on parcels larger than 20 gross acres designated Timber Resource on the General Plan and LCP Resources and Constraints Maps, but not zoned TP, for timber resource potential. Apply the TP land division and residential density requirement policies for any parcel found to have timber resources equivalent to TP parcels. Require, as a condition of any land division, rezoning to TP for parcels which have equivalent timber resources.

5.12.9 Rezoning Lands to Timber Production

- (LCP)** Encourage timberland owners to apply for Timber Production zoning where appropriate. Such re-zonings must be in accordance with the procedures set forth in the TP ordinance.

5.12.10 Rezoning Lands From Timber Production

- (LCP)** Deny rezoning of timberland from TP to alternate zone districts unless it can be shown that the rezoning is consistent with the Forest Taxation Reform Act of 1976 and the County TP ordinance.

5.12.11 Timber Harvests Not Subject to State Regulations

(LCP) Ensure that all small timber harvests over which the County has regulatory authority, are adequately regulated, either through adoption of State Forest Practice Rules or through the enactment of local ordinance.

5.12.12 Review of Timber Harvests

(LCP) Require strict review of all timber harvests subject to County regulation to assure minimal environmental and neighborhood impacts. Deny all applications which cannot meet those standards.

5.12.13 Timber Statement of Acknowledgement

(LCP) As a condition of approval for any new land division or other development permit, require a Statement of Acknowledgement be recorded, or evidence that the statement has been made part of the parcel deed, for parcels adjacent to lands designated as Timber Resources on General Plan and LCP Resources Maps. The purpose of the statement is to inform property owners about adjacent timber practices, and advises them to be prepared to accept such inconvenience or discomfort from normal timber operations.

5.12.14 Zone Districts Where Timber Harvesting is Allowed

(LCP) Allow timber harvesting and associated operations, requiring approval of a Timber Harvesting Plan by the California Department of Forestry, only in the Timber Production (TP), Parks, Recreation and Open Space (PR) (except in the coastal zone), Mineral Extraction Industrial (M-3), and the Commercial Agriculture (CA) (except in the coastal zone) zone districts. *(Added by Resolutions 493-99 and 277-2003)*

Programs

(LCP) a. Encourage the adoption of state legislation allowing for reevaluation of Santa Cruz County TP designations. (Responsibility: Board of Supervisors, Flood Control Zone 4, Planning Department)

(LCP) b. Encourage the adoption of state legislative changes to the Forest Practice Act to accomplish the following:

- (1) Create a consistent appeals process to the Board of Forestry of the California Department of Forestry (CDF) Director's determinations;
- (2) Extend the purpose and intent of the Act to include the protection of public health, safety and welfare;
- (3) Expand the role of the Interdisciplinary Review Team to allow changes to timber harvest plans;
- (4) Require that feasible alternative practices needed to mitigate significant adverse impacts, which are submitted in writing to the timber harvest plan review team of the timber harvest plan.

(Responsibility: Board of Supervisors, Planning Department, Flood Control Zone 4)

(LCP) c. Recommend Special Santa Cruz County Timber Harvest Rules for adoption by the State Board of Forestry which make the following changes to the process for reviewing timber harvest plans;

- (1) Establish better defined procedures for the request, conduct, and follow-through related to public hearings;
- (2) Require transmission of the Notice of Conformance to members of the Board of Supervisors;
- (3) Allow County staff to attend all field reviews conducted by CDF;
- (4) Require the submission of relevant materials prior to review team meetings;
- (5) Require that feasible alternative practices needed to mitigate significant adverse impacts, which are submitted in writing to the timber harvest plan review team of the Board of Forestry, be incorporated into any approved timber harvest plan, or require denial of the timber harvest plan.

(Responsibility: Board of Supervisors, Planning Department)

(LCP) d. Evaluate the adequacy of the Forest Practice Rules in the following areas and, if necessary, recommend special rules for adoption by the Board of Forestry:

- (1) Allow for bonding on private roads used for log hauling;
- (2) Provide CDF with the authority to restrict or prohibit winter operations in certain situations;
- (3) Restrict road and landing construction in steep areas and, where allowed, establish special design and construction standards;
- (4) Protection of rare, endangered, or unique plants or animals;
- (5) Protection of viewsheds from scenic roads;
- (6) Consider feasible alternative forest practices to mitigate significant adverse environmental impacts.

(Responsibility: Board of Supervisors, Planning Department)

(LCP) e. Continue to apply the following policies when reviewing timber harvest plans:

- (1) Where applicable, recommend denial of a timber harvest plan based upon its potential for cumulative adverse impacts to water quality, traffic, wildlife or other affected resources;
- (2) Encourage shared road access between adjacent timber owners;
- (3) Allow for selecting the haul route which minimizes neighborhood impacts.

(Responsibility: Board of Supervisors, Flood Control Zone 4, Planning Department)

(LCP) f. Ensure that the County's concerns regarding individual timber harvests are addressed through active participation in review team meetings and California Department of Forestry public hearings. (Responsibility: Planning Department, Flood Control Zone 4, Board of Supervisors)

AGRICULTURE

Objective 5.13 Commercial Agricultural Land

(LCP) To maintain for exclusive agricultural use those lands identified on the County Agricultural Resources Map as best suited to the commercial production of food, fiber and ornamental crops and livestock and to prevent conversion of commercial agricultural land to non-agricultural uses. To recognize that agriculture is a priority land use and to resolve policy conflicts in favor of preserving and promoting agriculture on designated commercial agricultural lands.

Policies

5.13.1 Designation of Commercial Agriculture Land

(LCP) Designate on the General Plan and LCP Resources and Constraints Maps as Agricultural Resource all land which meets the criteria (as defined in the General Plan Glossary) for commercial agricultural land.

5.13.2 Types of Agriculture Lands

(LCP) Maintain by County ordinance specific agricultural land type designations for parcels identified as commercial agricultural land based on the criteria set forth in the General Plan and LCP Land Use Plan* and maintain Agricultural Resources Maps, by County ordinance to identify the distribution of the following types of Commercial Agricultural Land in the County:

Type 1A – Viable Agricultural Land

Type 1B – Viable Agricultural Land in Utility Assessment Districts

Type 2A – Limited Agricultural Land

Type 2B – Limited Agricultural Land – Geographically Isolated

Type 2C – Limited Agricultural Land in Utility Assessment Districts

Type 2D – Limited Agricultural Land Experiencing Use Conflicts

Type 3 – Viable Agricultural Land Within the Coastal Zone

*See Glossary for detailed definition of Agricultural Land, Commercial.

5.13.3 Land Use Designations for Agricultural Resource Lands

(LCP) All lands designated as Agricultural Resource shall be maintained in an Agricultural Land Use designation, unless the property is included in a public park or biotic reserve and as signed as Parks, Recreation and Open Space (O-R), Resource Conservation (O-C), or Public Facility (P) land use designations.

5.13.4 Zoning of Agricultural Resource Land

(LCP) Maintain all lands designated as Agricultural Resource in the “CA”, Commercial Agricultural Zone District, except for land in agricultural preserves zoned to the “AP”, Agricultural Preserve Zone District or the “A-P”, Agriculture Zone District and Agriculture Preserve Combining Zone District; timber resource land zoned to be “TP”, Timber Production Zone District; or public parks and biotic conservation areas zoned to be “PR”, Parks, Recreation and Open Space Zone District.

5.13.5 Principal Permitted Uses on Commercial Agricultural (CA) Zoned Land

(LCP) Maintain a Commercial Agricultural (CA) Zone District for application to commercial agricultural lands that are intended to be maintained exclusively for long-term commercial agricultural uses. Allow principal permitted uses in the CA Zone District to include only agricultural pursuits for the commercial cultivation of plant crops, including food, flower, and fiber crops; raising of animals including grazing and livestock production; and farmworker housing projects proposed pursuant to the California Employee Housing Act, (Health and Safety Code Sections 17000-17062.5) or (“EHA”) which provide housing for at least five farmworkers but do not exceed 36 beds in group quarters, or do not exceed 12 dwelling units or mobile homes, or other housing accommodations designed for occupancy by a household (“EHA Projects”); and, outside the coastal zone only: Small Farmworker Housing Projects, as defined in SCCC 13.10, proposed to provide housing for four or fewer farmworkers; or “Streamlined EHA Projects” of up to 36 affordable farmworker dwelling units pursuant to EHA Section 17021.8 and as described in Figure 5.2 below, and timber harvesting operations. *(Amended by Resolution 274-2019)*

5.13.6 Conditional Uses on Commercial Agricultural (CA) Zoned Lands

(LCP) All conditional uses shall be subject to standards that specify siting and development criteria including: size, location and density. Allow conditional uses on CA zoned lands based upon the following conditions:

- (a) The use constitutes the principal agricultural use of the parcel; or
- (b) The use is ancillary incidental, or accessory to the principal agricultural use of the parcel, including any Small Farmworker Housing Project, as defined in Santa Cruz County Code (SCCC) 13.10, proposed within the Coastal Zone to provide housing for four or fewer farmworkers; or
- (c) The use consists of an interim public use which does not impair long term agricultural viability, or consists of a permanent public use that will result in the production of recycled wastewater solely for agricultural irrigation, and that minimizes and offsets the loss of agricultural land resulting from facility construction; or
- (d) The use consists of development of an Affordable Farmworker Rental Housing (“ARFH”) Project pursuant to the Development Reserve established in Policy 5.13.6.2 below and located outside of the Coastal Zone; and
- (e) The use is sited to avoid conflicts with principal agricultural activities in the area; and
- (f) The use is sited to avoid, where possible, or otherwise minimize the removal of land from agricultural production.

(Amended by Resolution 274-2019)

5.13.6.1 Biomedical Livestock Operations

(LCP) Allow Biomedical Livestock Operations as a Level V Conditional Use on agriculturally zoned land, subject to all other provisions of the General Plan-Local Coastal Program, to the provisions of the Zoning Ordinance applicable to agriculturally zoned land, and to standards which assure protection of the public health, safety and welfare, while prohibiting Biomedical Laboratories on agriculturally zoned land. *(Added by Resolution 390-97)*

5.13.6.2 Development Reserve for Affordable Rental Farmworker Housing Projects

For sites located outside of the Coastal Zone only, a Development Reserve is hereby established to allow development of no more than 200 total units of affordable, multi-family rental housing for farmworker households by qualified non-profit housing providers (“Affordable Rental Farmworker Housing Projects” or “ARFH Projects”) within certain qualifying agricultural areas of unincorporated Pajaro Valley, as further set forth in SCCC 13.10. The ARFH Projects may be allowed by the County as a conditional use on qualifying agricultural lands in CA or A zoning districts with a Level VII discretionary approval, subject to CEQA review. The total number of dwelling units in all ARFH projects approved pursuant to this Development Reserve, combined, shall not exceed two hundred (200) units. Each ARFH project is estimated to consist of approximately 40 to 60 multi-family dwelling units, therefore the capacity of this Development Reserve is expected to be sufficient for four to five ARFH projects in total. ARFH projects are not EHA Projects, as defined in policy 5.13.5. *(Added by Resolution 274-2019)*

5.13.7 Agriculturally Oriented Structures

Allow only agriculturally oriented structures or dwellings on Commercial Agricultural Land, including structures associated with recycled wastewater (i.e., tertiary treatment) facilities in the immediate proximity of existing municipal waste water treatment plants for the production of recycled wastewater to be used solely for agricultural irrigation; prohibit non-agricultural residential land use when in conflict with the fundamental objective of preserving agriculture. (*Amended by Resolution 111-2006*)

5.13.8 Location of Agricultural Support Facilities

Require agricultural support facilities, where permitted on designated Agricultural lands, to locate either off good agricultural soils, or when this is not feasible, on the perimeter of good agricultural soils.

5.13.9 Utility District Expansion

(LCP) Prohibit the expansion of County-controlled sewer district boundaries, and oppose the expansion (through annexation) of special district, or municipal, sewer or water boundaries, onto Types 1 and 3 Commercial Agricultural Land.

5.13.10 Water and Sewer Lines in the Coastal Zone

(LCP) Prohibit the placement of water or sewer lines on commercial agricultural lands in the Coastal Zone. Allow exceptions to this policy only under the following circumstances and require safeguards (See 5.13.11) to be adopted which ensure that such facilities will not result in the conversion of commercial agricultural lands to non-agricultural uses:

- (a) Allow water transmission lines from the North Coast to the City of Santa Cruz and allow service lines to be placed on commercial agricultural lands for the purpose of irrigation and related agricultural uses.
- (b) Allow sewer transmission lines to and from the City of Watsonville sewage treatment plant to cross commercial agricultural lands without service to the affected parcels.
- (c) Allow water and sewer lines to be placed on commercial agricultural lands to serve existing development which has failing wells and/or sewage disposal systems.

5.13.11 Protection for Water and Sewer Lines

(LCP) For the purposes of policy 5.13.10, safeguards shall include, but not be limited to:

- (a) Prohibiting hookups to trunk lines through commercial agricultural lands; and
- (b) Prohibiting the levying of assessment fees against commercial agricultural land for the construction of sewage transmission lines running through them.

5.13.12 Energy Efficiency and Resource Protection

Encourage energy-efficient and resource protection agricultural practices such as organic farming, integrated pest management, biodynamic cultivation and utilization of agricultural wastes for on-site energy production. (See program e.)

5.13.13 Composting Agricultural Wastes

(LCP) Encourage the composting of agricultural wastes and the use of composts in agriculture production, as a means of reducing irrigation water demand and reducing solid waste disposal requirements. Allow the commercial composting of source separated organic material such as yard waste on agricultural land with an approved development permit, including coastal development permits, subject to health and water quality requirements.

LAND DIVISIONS ON COMMERCIAL AGRICULTURAL LAND

5.13.14 Type 1A and Type 3 (Viable Agriculture) Land Division Criteria

(LCP) Maintain existing parcel sizes of Type 1A and Type 3 Agricultural Lands and allow land divisions only for exclusive agricultural purposes under the following conditions:

- (a) When documented to be necessary for continued commercial agricultural use of the parcels, including for the development of Affordable Rental Farmworker Housing (ARFH) Projects within the Development Reserve pursuant to Policy 5.13.6.2,
- (b) When determined not to be detrimental to the economic viability of said parcels, adjoining or nearby parcels;
- (c) Where all parcels involved will be of sufficient size to allow for economic farming of the parcels. In no case shall the minimum parcel size in new land divisions be smaller than 10 arable acres for Type 1 lands, nor smaller than 20 arable acres for Type 3 lands, except as allowed for an ARFH project*, and
- (d) Where no conflicts with adjacent agricultural operations result from the land division.

**The creation of a new parcel no less than one acre in size for an ARFH project may be allowed when necessary to obtain financing for construction of the project. Such a parcel shall not include a condominium map.*

(Amended by Resolution 274-2019)

5.13.15 Agricultural Preserve Contracts

(LCP) Agricultural Preserve (Williamson Act) contracts and a covenant enforceable by the County to prohibit the use of the subject parcel for non-agricultural purposes shall be recorded on the property title prior to filing Final Maps, for all parcels created by land divisions.

5.13.16 Dividing Off Non-Farmable Land

(LCP) Land divisions for the purpose of using the new parcel(s) for non-agricultural uses or for the purpose of dividing off land not usable for agriculture shall not be permitted, except as provided in policy 5.13.18.

5.13.17 Division Must Not Hamper Long-Term Agriculture

(LCP) No proposed division shall be approved except where it is shown that such division will not hamper or discourage long-term commercial agricultural operations.

5.13.18 Dividing Off Non-Designated Land For Public Purposes

(LCP) Property with a minimum parcel size of 40 gross acres may have that portion of the land without a commercial agricultural zone district designation divided from that portion with such a designation only under the following circumstances:

- (a) The division is for a public purpose on land in public ownership;
- (b) Potential use of the divided-off parcel will not adversely impact the agricultural activities of the commercial agricultural area;
- (c) There is little likelihood for subsequent intrusion of non-agricultural development into larger, exclusively agricultural area; and
- (d) The divided-off property is at the edge of an agricultural area and is physically separated from the adjacent agriculture by topographic features, extensive vegetation, or physical structures; or the non-agricultural land is part of an agricultural parcel which exists separately from other agricultural areas.

5.13.19 Type 2 (Limited Agriculture) Land Division Criteria

Allow division of Type 2 Agricultural Land only for agricultural purposes, but in no case to smaller than a 20 arable acre minimum parcel size for new land divisions.

CONVERSION OF COMMERCIAL AGRICULTURAL LANDS

5.13.20 Conversion of Commercial Agricultural Lands

(LCP) Consider development of commercial agricultural lands to non-agricultural uses only under the following circumstances:

- (a) It is determined that the land is not viable for agriculture and that it is not likely to become viable in the near future (See policy 5.13.21);
- (b) Findings are made that new information has been presented to demonstrate that the conditions on the land in question do not meet the criteria for commercial agricultural land; and
- (c) The conversion of such land will not impair the viability of, or create potential conflicts with, other commercial agricultural lands in the area.

5.13.21 Determining Agricultural Viability

(LCP) Require a viability study conducted in response to an application which proposes to convert agricultural land to non-agricultural land to include, but not limited to, an economic feasibility evaluation which contains at least:

- (a) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of filing the application.
- (b) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of filing the application.
- (c) An identification of the geographic area used in the analyses. The area shall be of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for the land stated in the application.

Recommendations regarding viability shall be made by the Agricultural Policy Advisory Commission based on evaluation of the viability study and the following criteria: parcel size, sizes of adjacent parcels, degree of non-agricultural development in the area, inclusion of the parcel in utility assessment districts, soil capabilities and topography, water availability and quality, and proximity to other agricultural use.

5.13.22 Conversion to Non-Agricultural Uses Near Urban Areas

(LCP) Prohibit the conversion of agricultural lands (changing the land use designation from Agriculture to non-agriculture uses) around the periphery of urban areas except where it can be demonstrated that the viability of existing agricultural use is already severely limited by conflicts with the urban uses, where the conversion of land would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development and where the conversion of such land would not impair the viability of other agricultural lands in the area. Within the Sphere of Influence of the City of Watsonville, no conversion of agricultural land is allowed which would adversely affect the city's General Plan affordable housing goals, unless determined to be of an overriding public benefit. (See policy 2.1.5.)

RESOLVING OPERATIONAL AND LAND USE CONFLICTS

5.13.23 Agricultural Buffers Required

(LCP) Require a 200 foot buffer area between commercial agricultural and non-agricultural land uses to prevent or minimize potential land use conflicts, between either existing or future commercial agricultural and non-agricultural land uses.

5.13.24 Agricultural Buffer Findings Required for Reduced Setbacks

(LCP) A 200 foot buffer setback is required between habitable development and commercial agricultural land (habitable development includes residential land uses or commercial or industrial establishments on commercial agricultural land), unless a lesser distance is established as set forth in the Agricultural Land Preservation and Protection ordinance. Any amendments to the language of the agricultural buffer ordinance shall require a finding demonstrating that agricultural lands shall be afforded equal or greater protection with the amended language. *(Amended by Resolution 274-2019)*

5.13.25 Agricultural Policy Advisory Commission Review

(LCP) Require the following projects to be reviewed by the Agricultural Policy Advisory Commission for the purpose of recommending an appropriate setback and/or buffer area of non-developable land adjacent to commercial agriculture lands, consistent with the Agriculture Preservation and Protection ordinance:

- (a) Habitable structures within 200 feet of commercial agricultural lands, and
- (b) Land divisions within 200 feet of commercial agricultural lands.

Density Credit shall be given for the buffer area.

5.13.26 Windbreaks

(LCP) Buffers shall include windbreaks designed to reduce or eliminate the hazard of pesticide drift or other use conflicts based on the prevailing wind direction.

5.13.27 Siting to Minimize Conflicts

(LCP) Structures shall be sited to minimize possible conflicts with agriculture in the area. Where structures are located on agricultural land, the structures shall be sited in such a manner to remove as little land as possible from production.

5.13.28 Residential Uses on Commercial Agricultural Land

(LCP) Issue residential building permits pursuant to policy 5.13.32 in areas designated as commercial agricultural land, only upon documentation that:

- (a) The residential use will be ancillary to commercial agricultural use of the parcel (See criteria in policy 5.13.29); or
- (b) The parcel is less than one net acre in size or has physical constraints other than size which preclude commercial agricultural use.

In either case, residential development shall be allowed only if the residential use does not conflict with on-site or adjacent agricultural activities and the building site has approved agricultural buffer setbacks.

5.13.29 Residential Use Ancillary to Commercial Agriculture

(LCP) Utilize the following criteria for determining when a residential use would be ancillary to commercial agriculture:

- (a) Documentation that the farmable portion of the subject parcel, exclusive of the building site, is large enough in itself to constitute a minimum economic farm unit for three crops other than greenhouses suited to the soils, topography, and climate of the area; or
- (b) Documentation that the owners have a long-term binding arrangement for commercial agricultural use of the remainder of the parcel by another party; and
- (c) Documentation that, concurrent with each of the above, the structure is sited in such a manner so as to minimize possible conflicts with commercial agriculture in the area, and to remove no land from production (or potential production) if any unfarmable potential building site is available, or if this is not possible, to remove as little land as possible from production.

5.13.30 Farmworker Housing

Recognizing that farmworker housing is essential to the viability of local agriculture, and that there is a shortage of safe and affordable farmworker housing, allow EHA Projects, as defined in Policy 5.13.5, including Streamlined EHA Projects (outside the Coastal Zone), within the Agriculture and Commercial Agricultural zone districts as a principal permitted agricultural use, consistent with the EHA, subject to the permitting and enforcement provisions of the EHA, and the ministerial permits and approval procedures specified in SCCC 13.10. Allow Small Farmworker Housing Projects as defined in SCCC 13.10 as a principally permitted use on CA and A parcels outside the Coastal Zone, and as a conditional use on parcels within the Coastal Zone. Allow ARFH Projects on CA and A zoned parcels outside the Coastal Zone only, and as a conditional use pursuant to policies 5.13.6, 5.13.6.2, and the farmworker housing project requirements in SCCC 13.10, but only up to a total of 200 units, within the Development Reserve established by Policy 5.13.6.2. See Figure 5.2 below for a summary of farmworker housing project types and key differences.

Farmworker housing projects, including EHA Projects, Streamlined EHA Projects, Small Farmworker Housing Projects, and ARFH Projects, all as defined in SCCC 13.10, proposed on property within an agricultural zone district (A, CA, and AP, with or without the “P” combining zone) are considered agricultural land uses and are not subject to residential density determinations in the Rural Density Matrix. As an agricultural land use, farmworker housing proposed within agricultural zones is also not subject to provisions in the General Plan that limit residential density or require a minimum amount of land area per dwelling, including provisions in Figure 2-2, Policies 5.5.6 (Land Division and Density Requirements in Water Supply Watersheds), 5.8.2 (Land Division and Density Requirements in Primary Groundwater Recharge Areas), and 5.8.9 (Development Densities With Poor Groundwater Availability). Except as indicated in Policy 5.13.14 and 5.14.12 for ARFH projects, which allow creation of a separate parcel for the project if needed to allow for ARFH project financing, any land division proposed in association with other types of farmworker housing (EHA or Small Projects), such as a parcel map, condominium or subdivision map, is subject to the minimum parcel size determinations in the Rural Density Matrix where applicable, to minimum parcel size requirements for the applicable zone district, and to minimum parcel size requirements in the above policies. *(Amended by Resolution 274-2019)*

5.13.31 Agricultural Notification Recordation for Land Divisions

(LCP) Continue to require an Agriculture Notification statement to be included on the Final Map or Parcel Map and in each parcel deed for land divisions within 200 feet of commercial agriculture land in accordance with the Subdivision Regulations ordinance. The purpose of the statement is to inform property owners about adjacent agricultural practices, and advise them to be prepared to accept such inconvenience or discomfort from normal operations.

Figure 5-2
Summary of Farmworker Housing Project Types
(Added by Resolution 274-2019)

Project Type	Allowed in Coastal Zone (CZ)?	EHA License* Required?	Conditional Use**?
1. Standard EHA Projects pursuant to State Employee Housing Act (EHA) Section 17021.6 . Criteria: will house at least 5 farmworkers per project; housing may be seasonal, temporary, or permanent, as defined in EHA; requires EHA License; deemed an agricultural use, no discretionary review. Includes 3 sub-types:	Yes	Yes	No; but appealable to Coastal if in CZ
a. <i>Group Quarters</i> : 5 to 36 beds per project, all beds for occupancy by farmworkers			
b. <i>Standard EHA Project</i> : 5 to 12 units each designed for occupancy by a farmworker and their household/family; may include conventional dwelling units, manufactured or mobile homes, recreational vehicles, or other “housing accommodations” as defined in EHA			
c. <i>Small EHA Project</i> : 1 to 4 dwelling units proposed to house at least 5 farmworkers in total (with or without their family members).			
2. Streamlined EHA Projects pursuant to EHA Section 17021.8 . Criteria: 100% affordable, up to 36 dwelling units, no dormitories or H2A uses; use is ministerial but siting criteria, development standards, review by Planning Commission required; applicant must be non-profit housing agency approved by HCD; no land divisions.	No	Yes	No; but public review of site development permit required
Non-EHA Projects (Not subject to processing requirements of 17021.6 or 17021.8)			
3. Small Farmworker Housing Projects : 1 to 4 dwelling units or manufactured homes each to be occupied by at least 1 farmworker, facility will house 4 or fewer farmworkers in total (not including family members).	Yes	No	Yes, in CZ or P-Comb. District; otherwise No
4. 100% Affordable Rental Farmworker Housing (ARFH) Projects of approximately 30-60 units each, only in Pajaro Valley Development Reserve (PVDR), maximum of 200 units total for PVDR	No	No	Yes

* EHA License is the Permit to Operate an Employee Housing Facility issued by the Environmental Health Services Division of the County's Health Services Agency

** All projects, even those not designated as a conditional use, will require at least Site Development Permit review to ensure appropriate siting, buffering, and other objective development standards and conditions of approval as applicable. Projects deemed a conditional use will require a discretionary conditional use permit and other applicable development permits, as set forth in the Zoning Code.

5.13.32 Agricultural Statement of Acknowledgement

(LCP) In accordance with the Agricultural Land Preservation and Protection ordinance and the Subdivision Regulations ordinance, continue to require, prior to issuance of building permits, the Recordation of a Statement of Acknowledgement or evidence that the statement has already been made part of the parcel deed, for parcels within 200 feet of commercial agricultural land as identified on the Agricultural Resources Maps and General Plan and LCP Land Use Maps. The purpose of the statement is to inform property owners about adjacent agricultural practices, and advise them to be prepared to accept such inconvenience or discomfort from normal operations. Where a reduction of the 200 foot buffer is approved, such deed notice shall also contain a statement that the permanent provisions and maintenance of the specified buffer setback shall be required, and shall include a notice of any requirement for fencing, vegetative screening and/or other barrier that has been incorporated as part of the required buffer.

5.13.33 Density on Parcels Adjacent to Commercial Agricultural Lands

Require, in rural areas, (i.e., areas outside the Urban Services Line and Rural Services Line), minimum densities of 2.5 net developable acres for newly created residential parcels which adjoin Commercial Agricultural Land except where the General Plan and LCP Land Use Map provides for suburban densities and

- (a) The new parcels constitute infill development within the mapped Suburban designation,
- (b) The resulting parcel sizes will be no smaller than the smallest existing conforming parcel within that designation which adjoins said agricultural land, and
- (c) The Agricultural Policy Advisory Commission has recommended that parcel sizes smaller than 2.5 net developable acres will not conflict with or otherwise hamper or discourage long-term commercial agricultural uses of said agricultural lands.

5.13.34 Mountain View Industrial Park (APN: 051-201-70)

Allow the continued operation of an Agricultural Service Establishment under a Master Occupancy Program Permit on the proposed 1.8 acre parcel (Parcel C) and a Minor Land Division to subdivide Assessor's Parcel Number (APN) 051-201-70 into two parcels of 1.8 and 45.8 acres, including an amendment of the Agricultural Resource General Plan maps to remove the Agricultural Resource designation from the proposed 1.8 acre parcel, based on the findings and conditions of Permit 95-0392.

Programs

- a. Continue efforts to identify, designate and update commercially important agricultural lands on the adopted Agricultural Resources Map. (Responsibility: Agricultural Policy Advisory Commission, Planning Department, Board of Supervisors)
- b. For Type 1B and 2C commercial agricultural land, formulate a procedure to provide equitable compensation to the affected parcels because of their inclusion within the Salsipuedes and Freedom County Sanitation Districts. (Responsibility: Planning Department, Sanitation Districts, Board of Supervisors)
- (LCP) c. Oppose expansion of municipal boundaries which would include commercial agricultural land in the Coastal Zone within municipal boundaries. (Responsibility: Board of Supervisors)
- (LCP) d. Request LAFCO to adopt policies to prohibit such urbanization of commercial agricultural land in the Coastal Zone. (Responsibility: Board of Supervisors)
- (LCP) e. Require the development and application of integrated pest management programs for Coastal Zone crops as one means of minimizing pesticide related land use conflicts. (Responsibility: Agricultural Commissioner, Agricultural Policy Advisory Commission, University Cooperative Extension)

- (LCP) f. Develop a program for existing housing in agricultural areas to encourage and/or provide wind shelter from pesticide drift or dust. (Responsibility: Planning Department)

Objective 5.14 Non-Commercial Agricultural Land

- (LCP) To encourage and provide for limited agricultural uses, such as small-scale agriculture and community gardens, on the limited amount of agricultural land remaining in the County which is not designated as commercially viable, in order to maintain a diversity of farm operations and to maintain productive open space and rural character.

Policies

5.14.1 Uses Allowed on Non-Commercial Agricultural (A) Zoned Lands (Agricultural Land Use Designation with Agricultural Zone District)

- (LCP) On land designated Agricultural on the General Plan and LCP Land Use Maps, but not Agricultural Resource on the Agricultural Resources Maps, allow the following range of uses based on parcel size.
- (a) On parcels 2.5 acres or smaller in size, allow one residence and accessory uses; agricultural uses including EHA Projects and Small Farmworker Housing Projects; open space uses; and recreational uses and community facilities where these uses can be shown to not conflict with any adjacent agricultural activity.
 - (b) On parcels over 2.5 acres in size, allow a range of agricultural uses, including both commercial and non-commercial agricultural activities including EHA Projects, and outside the Coastal Zone, Streamlined EHA Projects and/or Small Farmworker Housing Projects; one residence; publicly owned and operated landfill as an interim use; or other uses where these uses are consistent with the Coastal Act, and where these uses can be shown to not conflict with any adjacent agricultural activity.
 - (c) Agricultural service establishments according to siting criteria for the location of such businesses. Siting criteria shall include the following: the business shall be compatible with the agricultural area and support farming operations in the area; potential business sites will not conflict with agricultural practices or residential uses; and potential business sites will afford maximum protection of agricultural production and resource values.

(Amended by Resolution 274-2019)

5.14.2 Non-Commercial Agriculture Lands in Urban Areas Without Services

- (LCP) Designate non-commercial agricultural lands within the Urban Services Line, where urban services are not present, as Agriculture. Maintain agricultural uses and associated parcel sizes in these areas until such time as a commitment to extend services has been made and lands are determined to be no longer viable for agricultural production, per policies 5.13.19, 5.13.20 and 5.13.21. If these lands are determined not to be viable for agriculture, they can be changed from Agriculture to another appropriate land use category without raising the issue of loss of essential agricultural resources.

5.14.3 Non-Commercial Agricultural Lands In Urban Areas with Services

- (LCP) Within the Urban Services Line, allow continuing organic agricultural farming on agriculturally productive land, where the activity does not adversely impact the adjacent residential neighborhood development.

5.14.4 Orchard Near Deer Park Center

- (LCP) Maintain agricultural designation for parcel 044-011-27: the orchard adjacent to Deer Park and Highway 1.

5.14.5 Encourage Farming

Encourage the use of rural lands for farming use to the extent that topography, soil, climate and water supply will allow.

5.14.6 Encourage Tree Crops and Green Fields

Encourage the pursuit of agriculture, particularly tree crops and open field horticulture, to provide visually pleasing open space.

5.14.7 Encourage Water Conservation

(LCP) Encourage all agricultural users to implement water conservation measures in areas subject to overdraft. Support water conservation in the following ways:

- (a) Provide accurate, comprehensive information relating to optimal timing and amount of irrigation.
- (b) Consider economic assistance to farmers or water management agencies as an incentive to install water conserving irrigation and well systems.
- (c) Develop and distribute information on changing cropping patterns to revise water requirements.
- (d) Promote efficient irrigation techniques such as spray, drip, tailwater reuse, or conversion to crops using less water.
- (e) Discourage practices which involve an intensification of water use.

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.

5.14.9 Live Oak Agricultural Parcels

Support the continued agricultural use of APNs 29-061-06 and 29-201-04 limited to the organic farming of crops in a manner which does not adversely impact the adjacent residential neighborhood and development.

GENERAL AGRICULTURAL POLICIES

5.14.10 Conditional Uses on Non-Commercial Agricultural Land

Apply policies 5.13.9, 5.13.11 and 5.13.12 to discretionary development (conditional uses) proposed on non-commercial agricultural land. Allow ARFH Projects outside the Coastal Zone, and Small Farmworker Housing Projects proposed inside the Coastal Zone as conditional uses on non-commercial agricultural land (“A” zoning districts) in the same manner as they are allowed on commercial agricultural land (“CA” zoning districts), as set forth in Objective 5.13 above and in SCCC 13.10. *(Amended by Resolution 274-2019)*

5.14.11 Visual Mitigations For Large Agricultural Structures

(LCP) Require large scale agricultural structures, such as greenhouses, packing sheds, and closed storage structures to minimize their visual impact on designated scenic roads, beaches, or recreation facilities. Visual impacts shall be minimized by locating structures within or near existing groups of structures; using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except greenhouses); and/or using landscaping to screen or soften the appearance of structures. Prohibit location of such structures where they would block public ocean views. Shoreline facility structures shall be well screened. (See policies in section 5.10 and chapter 8: Community Design.)

Programs

- a. Maintain an Agricultural Policy Advisory Commission (APAC) for the purpose of providing the Board of Supervisors information on the County’s agricultural industry, and evaluating matters referred to the Commission by the Board. Such duties shall include those specified in section 2.82 of the County Code. (Responsibility: Board of Supervisors, Planning Department)

- (LCP) b. Encourage the use of Agricultural Preserve contracts and agricultural conservation easements to maintain land in agricultural use. Investigate options for making such contracts and easements more attractive, such as changes in allowable uses or tax benefits. (Responsibility: Planning Department, Planning Commission, Agricultural Policy Advisory Commission, Board of Supervisors)
- (LCP) c. Where funding is available, use selective acquisition as a means for preserving small agricultural parcels in exclusive agricultural use. (Responsibility: Board of Supervisors)
- d. Investigate tax policies and other incentives for the conservation of agricultural lands, such as land banks. (Responsibility: County Counsel, County Assessor, Planning Department)
- e. Support tax assessments for agricultural land on the basis of land use. (Responsibility: Board of Supervisors, County Assessor)
- f. Ensure a continued sustainable supply of water for agricultural use through conservation, protection and development of surface and groundwater, utilization of excess domestic water, utilization of reclaimed wastewater, or importation of water from outside the County. (Responsibility: Board of Supervisors, Water Purveyors, Water Advisory Commission, Planning Department, Flood Control, Pajaro Valley Water Management Agency)
- g. Establish a program to manage irrigation runoff so that fertilizers and pesticides do not infiltrate watersheds, streams and groundwater basins, and to encourage the recycling of irrigation water for irrigation purposes. (Responsibility: Agricultural Commissioner, Agricultural Policy Advisory Commission, Planning Department, Pajaro Valley Water Management Agency, University of California Cooperative Extension)

LAND DIVISIONS ON NON-COMMERCIAL AGRICULTURAL LAND

5.14.12 Non-Commercial Agricultural Land Division and Density Requirements

- (LCP) Encourage the conservation of productive and potentially productive agricultural lands through retention of large parcels and a minimum parcel size of 10-40 net developable acres, based on the Rural Density Matrix, for lands designated for Agriculture but which are not identified as commercial agricultural land. Utilize the following criteria for land divisions and residential development proposals on land designated Agriculture but not designated as commercial agricultural lands on the General Plan and LCP Resources and Constraints Maps:
- (a) Based on the Rural Density Matrix, the minimum parcel size shall be 10-40 net developable acres and the maximum residential density on an existing parcel of record shall not exceed one unit per 10-40 net developable acres.
- (b) Division or development of parcels may be allowed at densities of 2 ½-20 net developable acres under the following conditions:*
- (1) The land has been determined to be non-viable for commercial agriculture, as determined by policies 5.13.20 and 5.13.21, and that continued or renewed agricultural use is not feasible;
 - (2) Adequate buffering can be provided between any proposed non-agricultural use and adjacent commercial agricultural uses, as specified in the County Code;
 - (3) All proposed building sites are within ½ mile of a through County-maintained road; and
 - (4) Less than 50 percent of the land area within ¼ mile of the subject property is designated as agricultural resource and/or Mountain Residential.

*An exception to the minimum parcel size and conditions 1, 3 and 4 in subdivision (b) applies to the creation of a new parcel for an ARFH project where necessary to obtain financing for construction of the project. Such a parcel shall not be less than one acre in size, and shall not include a condominium map. (*Amended by Resolution 274-2019*)

Objective 5.15 Specialized Agricultural Uses

(LCP) To recognize and provide for a variety of agricultural uses, such as greenhouses, aquaculture, wineries, and cannabis activities (subject to discretionary review and approval of permits, licenses, or other authorizations, which shall include any applicable environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code) on lands which are properly suited for these specialized uses to maintain the optimum agricultural diversity. *(Revised by Resolution 88-2018)*

GREENHOUSE AGRICULTURE

Policies

5.15.1 Agriculture Inside Structures

(LCP) Recognize that certain forms of agriculture requiring production of crops, livestock or related products inside structures (e.g. greenhouses, insectories, aquaculture) may be a necessary part of an agricultural operation. Require any such uses to mitigate any impacts created by such facilities to minimize land use conflicts and/or environmental problems.

5.15.2 Runoff Retention

(LCP) In primary recharge areas, require stormwater runoff to be retained on site for percolation; in other areas require detention.

5.15.3 Preserving Prime Soil

(LCP) Prohibit removal of indigenous prime soil used as a growing medium for container plants which are sold intact.

5.15.4 Limiting Impervious Surfaces

(LCP) Limit flooring or impervious surfacing within the structure which impairs long-term soil capabilities to the minimum area needed for access, loading, and storage, and prohibit the use of long-term sterilants under impervious surfacing.

5.15.5 Maximum Energy Efficiency

(LCP) Encourage the use of alternative energy sources such as passive solar design techniques to maximize energy efficiency, when feasible.

5.15.6 Ventilation

(LCP) Encourage open ventilation where feasible. When exhaust fans are proven to be necessary, the fans should be located away from non-agricultural uses, and should maximize energy efficiency.

5.15.7 Water Conservation

(LCP) Require irrigation systems to be water conserving.

AQUACULTURE

5.15.8 Development Permit Required

(LCP) Require new or expanded aquaculture operations to obtain a coastal development permit, and utilize the environmental review process, and the expertise of the Department of Fish and Game in reviewing any such permit.

5.15.9 Siting of Coastal Dependent Facilities

(LCP) Require that aquaculture facilities to be sited on or near the shoreline be coastal-dependent.

5.15.10 Appropriate Land Use Designations

(LCP) Permit new and expanded aquaculture facilities as a conditional use in Agricultural, Mountain Residential and Service Commercial land use designations if consistent with LCP policies.

5.15.11 Prevent Adverse Impacts to Sensitive Habitats

(LCP) Require aquaculture facilities to be sited and designed to prevent adverse impacts on areas designated as sensitive habitats.

5.15.12 Protection of Riparian Habitats

(LCP) Require that with facilities development, natural vegetation buffer areas be maintained to protect riparian habitats.

5.15.13 Beach Access

(LCP) Require adequate provision for lateral beach access as a condition of approval for aquaculture facilities consistent with the provisions of Government Code Sections 65909(a) and 66475.4(b).

5.15.14 Protection of Private Property

(LCP) Allow aquaculture facilities adjacent to high use recreational areas to erect barriers designed to discourage public encroachment and protect public safety, with the condition that lateral beach access is protected.

5.15.15 Intake/Outfall Lines

(LCP) Require that intake and outfall lines be placed underground unless underground placement is infeasible for the aquacultural activity or will result in geologic instability.

5.15.16 Bonds Required

(LCP) Require aquaculture operators to post a bond where aquaculture operations are to be located on a publicly used beach or shoreline area, or will affect sensitive habitat areas and/or public views. The bond shall be sufficient to ensure that all facilities constructed for an aquaculture operation which becomes inoperative, are removed at the operator's expense.

5.15.17 Support Aquaculture

(LCP) Support the location of carefully designed aquaculture facilities in the Coastal Zone which can meet the LCP aquaculture policies.

AGRICULTURAL LAND USE IN STATE PARKS

(Also see policies under objective 7.8, State Parks)

5.15.18 Agricultural Land in State Parks

(LCP) In processing State Parks and Recreation Department development plans and projects for park units within the Coastal Zone:

- (a) Retain the maximum amount of commercial agricultural land in agricultural production within each state park unit.
- (b) Require a site-specific justification demonstrating the overriding public access or recreational need, for removing agricultural lands from production or for not offering lands capable of farm production for lease.

Programs

- (LCP)** a. Request the State Parks and Recreation Department to re-evaluate its policy toward agriculture in state parks in the Coastal Zone as follows: retain existing agricultural uses, including grazing within Coastal Zone park units, consistent with recreation uses and biotic production of existing environmentally sensitive habitats within the park. (Responsibility: Board of Supervisors)
- (LCP)** b. Request State Parks and Recreation Department, in cooperation with the California Department of General Services and the agricultural lessees, to develop and apply a program of integrated pest management and experimental agricultural techniques on lands used for agriculture within State Parks as a means of enhancing the compatibility of agriculture with recreation in the state parks. (Responsibility: Board of Supervisors)

WINERIES AND VITICULTURE

5.15.19 Wineries as Agricultural Uses

Recognize the growing and processing of wine grapes, as an agricultural activity, and recognize Santa Cruz County as an area uniquely suited for the growing of premium quality wine grapes.

5.15.20 Winery Locations

Support the continued operation of wineries which include the growing and processing of grapes in existing locations throughout the County. Ensure that new winery locations, particularly where processing facilities or visitor serving uses are proposed, are consistent with environmental protection policies and compatible with existing neighborhoods.

5.15.21 Vineyard Locations

Encourage the development of premium varietal wine grape vineyards on those lands within the County which, by virtue of their location and physical characteristics, are suited for grape production. Ensure that vineyard locations are consistent with environmental protection policies and compatible with existing neighborhoods. The Federal Bureau of Alcohol, Tobacco and Firearms has established a viticultural area in the Santa Cruz Mountains for use as an appellation of origin in wine labeling to allow wineries to better designate from which specific grape growing area their grapes come and to enable customers to better identify the wines they purchase. The "Santa Cruz Mountains" viticultural area, established in 1981, includes, in general, all lands above the 400 foot topographical contour. "Santa Cruz County" is also a viticultural area, since political divisions may also be used as appellations of origin.

5.15.22 Cannabis Industry and Agricultural Diversity

- (LCP)** In order to ensure a diverse and balanced agricultural economy, and to support a diversity of crops, livestock and fiber on County agricultural lands, monitor the location and scale of the cannabis industry to ensure that cannabis activities do not lead to over-concentration in the cannabis sector of the County's agricultural economy. *(Added by Resolution 88-2018)*

MINERAL RESOURCES

There are a number of active mining operations in Santa Cruz County which provide important mineral resources for industrial uses (including glass and portland cement manufacturing) and construction purposes. In addition to the active quarries, there are mineral resource lands that have been classified by the State Geologist and designated by the State Mining and Geology Board as containing significant mineral resources. This chapter recognizes the State classification and designation process by showing these lands as Mineral Resource areas on the General Plan and LCP Resources and Constraints Maps. This chapter provides policies which guide the management of land uses which affect Mineral Resource areas. Special emphasis is given to the conservation and development of identified mineral deposits.

This section also contains policies which require environmentally sound quarry operations and reclamation practices. The County's Mining ordinance and the Mineral Extraction (M-3) Zone District are used to implement the Mineral Resource protection policies.

Objective 5.16 Mineral Resources

(LCP) To allow the orderly economic extraction of minerals with a minimal adverse impact on environmental and scenic resources and surrounding residential land uses; to require reclamation of quarry sites concurrently with the extraction of the mineral resource and the completion of quarry operations in any specific area to the greatest extent feasible; and to ensure that the rehabilitation and future use of quarry sites are in accordance with safety, conservation, habitat preservation, restoration and open space values and state mining laws found in PRC section 2710 et. seq. and CCR section 3675-3676.

(See section 2.19 for additional Heavy Industry and Quarry policies.)

PROTECTION OF MINERAL RESOURCES AND RESOLVING LAND USE CONFLICTS

Policies

5.16.1 Designation of Mineral Resource Areas

(LCP) Areas classified by the State Geologist and designated by the State Mining and Geology Board as Regionally or Statewide Significant Mineral Resource Areas* and areas classified by the State as MRZ-2 Zones (areas containing significant mineral deposits), excluding those areas with existing land uses and/or land use designations which conflict with mineral resource extraction, are shown on the General Plan and LCP Resources and Constraints Maps as Mineral Resource lands.

* Mineral Resources are classified via Special Report 146 Part IV, Mineral Land Classification: Aggregate Materials in the San Francisco-Monterey Bay Area; and designated by the State Mining and Geology Board via the California Surface Mining and Reclamation Act (SMARA) Designation Report No. 7, Designation of Regionally Significant Construction Aggregate Resource Areas in the South San Francisco Bay, North San Francisco Bay, Monterey Bay Production - Consumption Regions.

5.16.2 Uses In Mineral Resource Areas

(LCP) Lands within Mineral Resource areas, as identified on the County General Plan and LCP Resources and Constraints Maps, shall be planned and used in ways which reserve the future option of extraction and use minerals. Development on Mineral Resource lands shall be limited to mining and mining-related uses and other uses compatible with mining. The following guide shall be used to evaluate the compatibility of proposed land uses on Mineral Resource lands:

Incompatible: Land uses inherently incompatible with mining and/or which require a high public or private investment in structures, land improvements and landscaping and which would prevent future mining because of the higher economic value of the land and its improvements. Examples of such uses include:

- High density residential
- Low density residential with high unit value
- Public facilities
- Intensive residential
- Commercial
- Extensive industrial

Compatible: Land uses inherently compatible with mining and/or which require a low public or private investment in structures, land improvements and landscaping, and which would allow future mining because of the low economic value of the land and its improvements. Examples of such uses include:

- Large lot rural development
- Recreation (public and commercial)
- Agriculture (including grazing)
- Timber production
- Open space

5.16.3 Review of Incompatible Uses

Under special circumstances, the County may permit the development of incompatible uses on mineral resource areas. In such cases, proposed uses shall be reviewed to determine whether it would threaten the potential to extract minerals on the lands. Existing area development, existing and planned public infrastructure and other land use policies for the area shall be taken into account in making this determination. Buffer areas and visual screening may be required to mitigate impacts between mining and proposed adjacent land uses.

5.16.4 Minimizing Conflicts Between New Development and Mineral Resource Areas

Where a proposed land use has been determined to threaten the potential to extract minerals, the County shall require all reasonable and feasible mitigations to avoid or minimize conflicts between the proposed use and development of the mineral resource. The County shall make written findings in support of its decision to permit such a use, in accordance with the requirements of the Surface Mining and Reclamation Act.

5.16.5 Land Division and Density Requirements on Mineral Resource Land

(LCP) Require a minimum size of 40 gross acres per parcel for land divisions, and allow a maximum residential density of one dwelling unit per 40 gross acres per existing parcel of record on Mineral Resource areas as designated on the General Plan and LCP Resources and Constraints Maps.

5.16.6 Kaiser Quarry Site for Future School

Allow a portion of the Kaiser Quarry site to be reclaimed for a possible high school where health and safety conflicts between any permitted continuing mining operations and school activities can be mitigated based on an approved reclamation plan consistent with the California Surface Mining and Reclamation Act and implementation of other appropriate mitigation measures resulting from the California Environmental Quality Act.

REGULATION OF MINING OPERATIONS

5.16.7 Adherence to the County's Mining Ordinance

Require any new or expanded mining operation to obtain a Mining Approval, including a reclamation plan, according to the requirements of the County's Mining ordinance and applicable provisions of state law.

5.16.8 Existing Mining Operations

All mining operations shall obtain a Mining Certificate of Compliance as specified in the County Mining ordinance. All existing mining operations shall maintain an approved reclamation plan as required under the California Surface Mining and Reclamation Act (SMARA). The reclamation plan shall consider depleted quarry sites for recreational uses or for future use as solid waste disposal sites where consistent with the protection of water quality.

5.16.9 Environmentally Sound Quarry Operations

Require environmentally sound quarry operations through compliance with the County Mining ordinance. Require environmental impact assessments, implementation of approved reclamation plans, and posting of adequate financial security insuring the reclamation of mined areas.

5.16.10 Protection of Riparian Corridors and Wetlands

Carefully control the impacts of mineral extraction or processing operations adjacent to riparian corridors in accordance with the provisions of the Riparian Corridor and Wetlands Protection ordinance.

5.16.11 Quarry Operations to be Consistent with General Plan Policies

(LCP) Require any future quarry expansion not already authorized under a Mining Approval to be consistent with all General Plan and LCP Land Use Plan policies, including resource protection policies.

5.16.12 Resource Based Industry Within the Coastal Zone

(LCP) Require an LCP amendment for any new resource based industry within the Coastal Zone on land which is not designated for such use. Require that the following findings be met as conditions of any amendment.

- (a) The site is adequate and appropriate for the proposed use;
- (b) The project is compatible with available service infrastructure, surrounding uses, and the existing local economy; and
- (c) The development is consistent with all applicable LCP resource protection policies and use priorities.

Programs

- a. Use all feasible approaches to reclaim the sites of abandoned quarries, such as the large site of the depleted Kaiser Olympia Quarry, and encourage and work with the owners of such properties to achieve reclamation. (Responsibility: Planning Commission, Board of Supervisors)
- b. Ensure reclamation of quarries for reuse when mining use is phased out in accordance with the Santa Cruz County Mining ordinance and the California Surface Mining and Reclamation Act (SMARA). (Responsibility: Board of Supervisors)
- c. Maintain the County Mining ordinance and apply Mineral Extraction Zoning, after identification, to the designated Mineral Resource areas to identify and protect those lands for quarry use and allow extraction operations pursuant to a Mining Approval. (Responsibility: Planning Department, Planning Commission, Board of Supervisors)
- d. Continue to maintain and update the County Mineral Resources Maps based on currently available information, including state designated and classified mineral areas. (Responsibility: Board of Supervisors, Planning Commission, Planning Department)

ENERGY

Objective 5.17 Energy Conservation

- (LCP) In accordance with Measure C, The Decade of the Environment Referendum, adopted by the people of Santa Cruz County in June 1990, to maximize conservation and efficient use of energy in the private and public sectors and encourage the development and use of locally available renewable energy resources in order to reduce dependence on imported and nonrenewable energy supplies.

Policies

5.17.1 Promote Alternative Energy Sources

Promote the use of energy sources which are renewable, recyclable and less environmentally degrading than non-renewable fossil fuels.

5.17.2 Design Structures for Solar Gain

- (LCP) 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.

5.17.3 Solar Access

- (LCP) Encourage maximum solar access orientation in siting new development, and require protection of solar access in existing development.

5.17.4 Retrofit Programs

Encourage and stimulate energy conservation and the use of renewable energy through retrofit programs for residential, agricultural, commercial, public facilities and industrial land uses.

5.17.5 Weatherization Improvements

- (LCP) 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.

5.17.6 Tubs and Pools

Encourage the use of the most energy-efficient heating system available in hot tubs and heated swimming pools.

5.17.7 Street Lighting

Require installation of energy-efficient street lighting.

5.17.8 Unnecessary Waste

- (LCP) Restrict the use of decorative and advertising uses of electricity and fossil fuels, except where such restriction affects public safety.

5.17.9 Reclamation for Energy Recovery

- (LCP) 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.

Programs

- a. Develop, adopt and implement a comprehensive Energy Element to the General Plan to promote and manage the economically and environmentally sound development of energy resources in the County. (Responsibility: Planning Department, Planning Commission, Board of Supervisors, Energy Commission)
- b. Develop, adopt and enforce energy conservation performance standards for new construction in Santa Cruz County which are specifically suited to local conditions of climate, energy use, and construction costs, and that meet at a minimum, applicable state standards. (Responsibility: Planning Commission, Energy Commission, Planning Department)
- c. Develop and implement incentives to improve the energy efficiency of existing buildings at the time of ownership transfers with cost-effective, environmentally sound conservation measures. (Responsibility: Energy Commission, Planning Commission, Planning Department)
- d. Establish performance standards for new development to facilitate cost-effective, environmentally sound active and passive heating and cooling of buildings, including guidelines for siting, orientation and landscaping. (Responsibility: Energy Commission, Planning Commission, Planning Department)
- e. Maintain an ordinance which includes performance standards for siting new residential development to maximize unobstructed access to solar energy. (Responsibility: Planning Commission, Energy Commission, Planning Department)
- f. Maintain an ordinance to protect existing solar access from future encroachment and preserve long-term solar access for parcels in newly created subdivisions. (Responsibility: Planning Commission, Board of Supervisors, Planning Department)
- g. Adopt a Solar Energy Code to establish performance standards for solar equipment and installations, with appropriate modifications for local conditions. (Responsibility: Energy Commission, Board of Supervisors, Planning Department)
- h. Conduct energy audits at all County facilities and develop and implement programs to minimize energy consumption. (Responsibility: General Services, Energy Commission)
- i. Design all new County facilities and major remodels to incorporate energy conservation and/or renewable energy systems, where feasible and environmentally sound, and to equal or exceed the energy efficiency standards of the State Energy Commission. (Responsibility: County Administrative Office)
- j. Continue and expand where feasible the alternative fuels program for all County building operations and vehicles. (Responsibility: County Administrative Office, General Services, Energy Commission)
- k. Continue on-going energy audits of the existing County vehicle fleet and operations to include monitoring vehicle energy consumption and forecasting consumption and projected costs. Analyze and promote energy-efficient, economically and environmentally sound options for vehicle and fuel purchases. (Responsibility: General Services)

- l. Explore the feasibility of requiring solar hot water and space heating systems in all new construction where cost-effective. (Responsibility: Energy Commission, Planning Department, Planning Commission, Board of Supervisors)**
- m. Provide priority processing for building permits for residential and commercial projects, where total annual energy savings can be demonstrated to be 50 percent or more than in conventional projects. (Responsibility: Energy Commission, Planning Department, Planning Commission, Board of Supervisors)**
- n. Cooperate with other local government agencies, state and federal government agencies, public utilities, and community organizations in obtaining funding and implementing energy conservation and renewable energy development programs. (Responsibility: Board of Supervisors)**
- o. Support legislative and administrative actions which will amend utility rate structures to discourage the overuse of energy, to reduce peak electricity demand loads, and to encourage the use of life-line rates. (Responsibility: Board of Supervisors)**
- p. Cooperate with other local government agencies, special districts and contiguous counties to explore joint efforts to develop sewage and solid waste reclamation and conversion alternatives which will provide a net energy benefit to the County and conserve resources. (Responsibility: Board of Supervisors)**

AIR QUALITY

This section overlaps with many policies and programs found in Chapter 3 – Circulation.

Objective 5.18 Air Resources

To improve the air quality of Santa Cruz County by meeting or exceeding state and federal ambient air quality standards, protect County residents from the health hazards of air pollution, protect agriculture from air pollution induced crop losses and prevent degradation of the scenic character of the area.

Policies

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.

5.18.2 Non-Attainment Pollutants

Prohibit any net increase in emissions of non-attainment pollutants or their precursors from new or modified stationary sources which emit 25 tons per year or more of such pollutants.

5.18.3 Air Quality Mitigations

Require land use projects generating high levels of air pollutants (i.e., manufacturing facilities, hazardous waste handling operations) to incorporate air quality mitigations in their design.

5.18.4 (a) Offshore Oil and Gas Development

Prohibit development, construction, or installation of any onshore facility necessary for or intended to support offshore oil or gas exploration and development unless a General Plan and Local Coastal Program amendment is approved by the voters of the County which allows such development. (See policies in sections 5.3 and 5.4.) *Revised by Res. 142-2014*

5.18.4 (b) Onshore Oil and Gas Development

Prohibit development, construction, installation, or use of any facility necessary for or intended to support oil or gas exploration or development from any surface location within the unincorporated area of the County of Santa Cruz, whether the subsurface portion(s) of such facility is within or outside the unincorporated area of the County of Santa Cruz, and prohibit development, construction, installation or use of any facility necessary for or intended to support oil or gas exploration or development from surface locations outside the unincorporated area of the County of Santa Cruz which may begin, pass through or terminate below the surface of land located within the unincorporated area of the County of Santa Cruz. This prohibition applies to facilities directly involved in oil and gas exploration, production, and refinement such as wells, pipelines and pumps. *Revised by Res. 142-2014*

5.18.5 Sensitive Land Uses

Locate air pollution sensitive land uses, including hospitals, schools and care facilities, away from major sources of air pollution such as manufacturing, extracting facilities.

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.

5.18.7 Alternatives to the Automobile

Emphasize transit, bicycles and pedestrian modes of transportation rather than automobiles

5.18.8 Encouraging Landscaping

Maintain vegetated and forested areas, and encourage cultivation of street trees and yard trees for their contributions to improved air quality.

5.18.9 Greenhouse Gas Reduction

Implement state and federal legislation promoting the national goal of 35% reduction of carbon dioxide and other greenhouse gases by 2000.

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.

Programs

- a. Implement the Urban Forestry Master Plan to increase the urban tree canopy. (Responsibility: Board of Supervisors, Redevelopment Agency)
- b. Continue to support air quality monitoring, air pollution control strategies, and enforcement by the Monterey Bay Unified Air Pollution Control District. (Responsibility: Board of Supervisors)
- c. Control aerial spraying of pesticides and fertilizers, to the degree possible, to prevent contamination of areas adjacent to sprayed areas. (Responsibility: Agricultural Commissioner)
- d. Ensure that agricultural burning practices are in accordance with state and regional laws and permit open burning of debris only in instances where other disposal methods are not feasible. (Responsibility: State Department of Forestry, Regional Air Quality Control District, Agricultural Commissioner)
- e. Encourage lesser polluting transportation alternatives through the construction of bikeways and the provision of public transit. (Responsibility: Board of Supervisors, Santa Cruz Metropolitan Transit District, Transportation Commission)
- f. Ensure that forestry and agricultural wastes are chipped rather than burned where feasible and permissible considering disease control and other land use compatibility factors. (Responsibility: State Department of Forestry, Regional Air Quality Control District, Agricultural Commissioner)
- g. Closely monitor industrial processes and require them to utilize the best available procedures to protect air quality. (Responsibility: Planning Commission, Regional Air Quality Control District)
- h. Maintain and enforce a Trip Reduction Ordinance as required from the Congestion Management Plan and Air Quality Management Plan. (Responsibility: Planning Department, Planning Commission, Board of Supervisors)
- i. Replace County-owned and encourage replacement of privately-owned fire extinguishers with models that do not use ozone depleting compounds. (Responsibility: General Services, Board of Supervisors)
- j. Encourage and support tree planting programs by governmental agencies, private business, individuals and non-profit organizations with a goal of planting at least one tree in Santa Cruz County each year for every person born in the County during such year. (Responsibility: County Administrative Office, Board of Supervisors)

ARCHAEOLOGICAL AND HISTORIC RESOURCES

Objective 5.19 Archaeological Resources

- (LCP) To protect and preserve archaeological resources for their scientific, educational and cultural values, and for their value as local heritage.

Policies

5.19.1 Evaluation of Native American Cultural Sites

- (LCP) Protect all archaeological resources until they can be evaluated. Prohibit any disturbance of Native American Cultural Sites without an appropriate permit. Maintain the Native American Cultural Sites ordinance.

5.19.2 Site Surveys

- (LCP) Require an archaeological site survey (surface reconnaissance) as part of the environmental review process for all projects with very high site potential as determined by the inventory of archaeological sites, within the Archaeological Sensitive Areas, as designated on General Plan and LCP Resources and Constraints Maps filed in the Planning Department.

5.19.3 Development Around Archaeological Resources

- (LCP) Protect archaeological resources from development by restricting improvements and grading activities to portions of the property not containing these resources, where feasible, or by preservation of the site through project design and/or use restrictions, such as covering the site with earthfill to a depth that ensures the site will not be disturbed by development, as determined by a professional archaeologist.

5.19.4 Archaeological Evaluations

- (LCP) Require the applicant for development proposals on any archaeological site to provide an evaluation, by a certified archaeologist, of the significance of the resource and what protective measures are necessary to achieve General Plan and LCP Land Use Plan objectives and policies.

5.19.5 Native American Cultural Sites

- (LCP) Prohibit any disturbance of Native American Cultural Sites without an archaeological permit which requires, but is not limited to, the following:
- (a) A statement of the goals, methods, and techniques to be employed in the excavation and analysis of the data, and the reasons why the excavation will be of value.
 - (b) A plan to ensure that artifacts and records will be properly preserved for scholarly research and public education.
 - (c) A plan for disposing of human remains in a manner satisfactory to local Native American Indian groups.

Programs

- (LCP) a. Develop and maintain an Inventory of Archaeological Resources. Maintain a liaison to the Regional Office, California Archaeological Site Survey, and the Ohlone Indian Cultural Association. (Responsibility: Planning Commission, Cabrillo College, University of California, Santa Cruz)
- (LCP) b. Maintain and strengthen, where appropriate, the Native American Cultural Sites ordinance so that it will continue to assure:
- (1) The early identification of potential sites;
 - (2) The evaluation of each potential site prior to project approval; and
 - (3) The provision of procedures to mitigate any adverse impacts through project design and management.
- (Responsibility: Board of Supervisors, Planning Commission, Planning Department)
- c. Nominate examples of archaeological resources to the California or National Register. (Responsibility: Board of Supervisors, Santa Cruz Archaeological Society, Parks and Recreation Commission, Cabrillo College, Ohlone Indian Cultural Association)
- d. Include appropriate archaeological resources in the public domain through donations or through purchase as part of open space and other programs. (Responsibility: Board of Supervisors, Parks and Recreation Commission)
- e. Encourage educational programs on the need for preservation of archaeological resources. (Responsibility: Board of Supervisors, Santa Cruz Archaeological Society, Cabrillo College, University of California, Santa Cruz, Ohlone Indian Cultural Association)
- (LCP) f. Require any permit issued for a project where a Native American Cultural Site has been discovered to include all appropriate preservation or mitigation measures as conditions of the permit. Such measures may include, but shall not be limited to:
- (1) Preservation of the site through project design and/or use restriction;
 - (2) Excavation of the site by a professional archaeologist in order to preserve a sample of the remains, artifacts, or other evidence. Such excavation may take place only as authorized by an archaeological permit.
- (Responsibility: Planning Department)
- (LCP) g. Maintain and update, in coordination with the Regional Office of the California Archaeological Site Survey, an inventory of known archaeological sites. (Responsibility: Planning Department)

Objective 5.20 Historic Resources

To protect and where possible restore buildings, sites and districts of historic significance to preserve the rich cultural heritage of the community.

Policies

5.20.1 Historic Preservation Program

Maintain, update and strengthen, where appropriate, a County Historic Preservation Program and Historic Resource Preservation ordinance with the assistance of an appointed Historic Resources Commission in accordance with State Historic guidelines.

5.20.2 Historic Resources Inventory

Maintain and update a County Historic Resources Inventory to describe those historic structures, objects, properties, sites, and districts which have been designated by the Board of Supervisors for protection of their heritage values.

5.20.3 Development Activities

For development activities on property containing historic resources, require protection, enhancement and/or preservation of the historic, cultural, architectural, engineering or aesthetic values of the resource as determined by the Historic Resources Commission. Immediate or substantial hardship to a project applicant shall be considered in establishing project requirements.

5.20.4 Historic Resources Commission Review

Require that applicants for development proposals on property containing a designated Historic Resource submit plans for the protection and preservation of the historic resource values to the Historic Resources Commission for their review and approval; require an evaluation and report by a professional historian or a cultural resources consultant when required by the Commission.

5.20.5 Encourage Protection of Historic Structures

Encourage and support public and private efforts to protect and restore historic structures and to continue their use as an integral part of the community.

5.20.6 Maintain Designation as a Certified Local Government

Support existing and further develop local historic resource programs in order to maintain the California State Department of Parks and Recreation's designation of Santa Cruz County as a Certified Local Government (CLG).

Programs

- a. Continue to sponsor investigative research to identify new historic resources and maintain and update an inventory of historic structures, objects, sites, and districts of significance to Santa Cruz County. (Responsibility: Historical Resources Commission, Board of Supervisors, Planning Department)
- b. Encourage educational programs on historic resources. (Responsibility: Historic Resources Commission; local historic associations; Cabrillo College, University of California, Santa Cruz, Santa Cruz County Historic Trust)
- c. Nominate County historic resources to appropriate registries such as the California or National Register. (Responsibility: Historic Resources Commission, Planning Department)
- d. Attempt to include appropriate historic resources in the public domain through donations or through purchase as part of open space and other programs. Negotiate Open Space Easements with limited access to permit study of key sites. (Responsibility: Historic Resources Commission, Board of Supervisors)
- e. Investigate sources of funding for private and public historic restoration and make such information available to the public. (Responsibility: Historic Resources Commission, local historic associations, County Historic Museum, Planning Department, County Administrative Office)
- f. Apply the State Historic Building Code to County designated historic buildings. (Responsibility: Planning Department, Historic Resources Commission, Planning Commission, Board of Supervisors)
- g. Prepare an Historic Resources Element to the General Plan. (Responsibility: Planning Department, Historic Resources Commission, Planning Commission, Board of Supervisors)
- h. Consider adoption of the Mills Act, to grant local property tax subsidies to recognized historic structures to encourage rehabilitation. (Responsibility: Planning Department, Historic Resources Commission, Board of Supervisors)
- i. Inventory County-owned properties of historic significance and develop plans for their protection, restoration or adaptive reuse. (Responsibility: Planning Department, Parks Department, Public Works)
- j. Where possible, provide incentives to property owners to foster historic preservation. Consider revising County zoning regulations to include allowances for facade easements, favorable tax assessments such as taxing at pre-rehabilitation values, parking reductions, transfer of development rights, density bonuses and design assistance. Study the existing zoning of historic buildings to guard against economic incentives to demolish said buildings for more intense development. (Responsibility: Planning Department, Historic Resources Commission, Board of Supervisors)
- k. Participate in grants-in-aid programs such as the State Parks Bond Act, the Main Street Program, Intersurface Transportation Enhancement Act and others as they become available to help finance restoration projects and stimulate the economic vitality of historic neighborhoods. (Responsibility: Planning Department, Historic Resources Commission, County Administrative Office)

- l. Complete deed recordation of properties listed in the County Historic Resources Inventory to ensure that knowledge of the historic status of the property is known to all parties at the time of the sale. (Responsibility: Planning Department, Office of the Recorder)
- m. Provide on-going training of Building Inspectors in the knowledge and use of the Historic Building Code adopted by the County in 1984. (Responsibility: Planning Department)
- n. Complete designation of historic districts in areas such as Soquel Village, Boulder Creek Churches Hill, Pasatiempo and Aptos Village. Complete design guidelines to ensure compatible infill by setting standards for elements such as height, scale and roof line for new construction and additions. (Responsibility: Planning Department, Historic Resources Commission)