

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
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F3a



**Prepared January 29, 2004 (for February 20, 2004 Hearing)**

**To:** Commissioners and Interested Persons

**From:** Diane Landry, Central Coast District Manager  
Dan Carl, Coastal Planner

**Subject: Santa Cruz County LCP Amendment Number 3-03 Part 1 (Agricultural Notification and Preservation).**

#### Santa Cruz County's Proposed Amendment

Santa Cruz County is proposing to amend its certified Local Coastal Program (LCP) zoning code (only) to provide increased specificity for agricultural land preservation and protection, including annual noticing to County property owners through changes to LCP Chapter 16.50 (Agricultural Land Preservation and Protection); see exhibit A for the Board of Supervisors Resolution and exhibit B for the cross-through and underline proposed changes. These proposed changes would apply to throughout the County.

#### Minor LCP Amendment Determination

California Code of Regulations (CCR) Section 13554 defines minor LCP amendments. Among other things, minor LCP amendments include:

*CCR Section 13554(a). Changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the Executive Director of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.*

CCR Section 13555 provides that the Executive Director can make determinations on whether a proposed LCP amendment is "minor." The purpose of this notice is to advise interested parties of the Executive Director's determination (pursuant to CCR Section 13555) that the proposed amendment is minor as defined in CCR Section 13554(a).

The proposed amendment would provide additional specificity to LCP Chapter 16.50, and would provide for enhanced notification and disclosure requirements both during transfers of property near agricultural land, and through an annual notice sent to all County property owners. It would not change the kind, location, intensity, or density of use. The expected effect would be to enhance awareness of agricultural operations in the County, and to head off conflicts between those involved in typical agricultural operations and those living nearby who may not be enamored of them. Ultimately, the effect should be better protection for the County's significant agricultural lands consistent with the LCP land use plan and zoning protection afforded them.



California Coastal Commission

February 2004 Meeting in La Jolla

Staff: D. Carl Approved by:

SCO LCPA 3-03 Part 1 (Agricultural notice and preservation) stfprt 2.20.2004.doc

#### Coastal Commission Concurrence

Pursuant to CCR Section 13555, the Executive Director will report this determination to the Coastal Commission at its February 20, 2004 meeting at the "Lodge at Torrey Pines" located at 11480 North Torrey Pines Road in La Jolla. The Executive Director will also report any objections to the determination that are received within ten working days of posting of this notice. The proposed minor amendment will be deemed approved and will become effective immediately unless one-third of the appointed members of the Commission request that it be processed as a major LCP amendment (CCR Section 13555(b)).

For further information regarding the proposed LCP amendment or the Commission procedures, please contact Dan Carl in the Coastal Commission's Central Coast District Office in Santa Cruz at the address or phone number listed above. Objections to the proposed minor LCP amendment should be submitted by February 13, 2004.

#### Procedural Note

This proposed LCP amendment was filed on December 30, 2003. Pursuant to Coastal Act Section 30513, the Commission must act on it within 60 days of the day it was filed; 60 days from December 30, 2003 is February 28, 2004. February 28, 2004 is before the Commission's next scheduled meeting in March. Coastal Act Section 30513 provides that the amendment is deemed approved and certified by the Commission if action is not taken within the applicable time frame. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the 60-day time limit for a period not to exceed one year. Therefore, if three or more commissioners object to the minor LCP amendment determination, and this item is to be held over for a subsequent public hearing, then the Commission will need to extend the deadline for Commission action by one-year or have the ordinance be approved and certified as submitted. Thus, in the event that three or more commissioners object to this minor LCP amendment determination, Staff recommends that the Commission extend the deadline for Commission action by one year (i.e., to February 28, 2005). The following motion is provided only for this contingency (and is not applicable otherwise):

**Motion.** I move that the Commission extend the 60-day time limit to act on Santa Cruz County Local Coastal Program Major Amendment Number 3-03 Part 1 by a period of one year.

**Staff Recommendation.** Staff recommends a **YES** vote. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

#### Exhibits:

Exhibit A: Board of Supervisor's Resolution

Exhibit B: Proposed Changes to LCP Chapter 16.50

