



## **CODE MODERNIZATION QUICK FACTS: Background, Key Proposed Changes and Next Steps Updated: November 5, 2015**

**Background:** The Board of Supervisors has directed the Planning Department to prepare amendments to clarify and modernize land use application review procedures and regulations to allow for more straightforward and consistent project reviews, while also maintaining an appropriate level of scrutiny over land use development, and ensuring continued protection of natural resources and neighborhood quality. The Code Modernization project implements that direction and is also based on input gathered from the general public at the 2010/2011 community forums, other public meetings, and from various stakeholders over the last five years. At their meeting on September 29 2015, the Board of Supervisors directed Planning Staff to prepare an Environmental Impact Report on the Code Modernization Proposal, and bring the amendments to public hearings before the Board and the Planning Commission when the EIR is completed.

### **Key proposals include:**

- **Land Use Permitting:**
  - Use descriptive terms for permits to better communicate with the public. Move to a more standard permit structure based on “use permits” and “site development permits” rather than “Levels I through VII”. Distinguish between permits for uses, such as uses going into an existing building and reviews for physical development (such as new buildings) in order to allow for more focused review and a clearer process. This will, for example, facilitate the movement of businesses in and out of existing commercial buildings, allowing new small businesses to be up and running more quickly.
  - More closely match the review process to the type and scale of the proposed project, carefully weighing the need for public notice and public hearings for various types of projects. For example, some projects that now require public hearings may reasonably be processed with public notice but without public hearings, with the provision that the Planning Director may elevate the project to require a hearing in some cases, including high levels of neighborhood interest.
  - Update and clarify portions of the Code that govern permit and administration procedures and move them to one common-sense location in the Code.
- **Support commercial agriculture:**
  - Allow agri-tourism and direct to consumer sales such as produce stands/markets, farm to table dinners, farmstays and school field trips to farms.
  - Update regulations for farm worker housing to allow up to 12 units/36 beds as a principally permitted agricultural use as required by state law, and to allow consideration of more than 12 units/36 beds as a discretionary use. Site Development permits would be required for farm worker housing to ensure appropriate siting.
  - Broaden the range of agricultural support uses that may be allowed with discretionary use permits on land zoned Commercial Agriculture (CA) and Agriculture (A). Recognize that activities that support agriculture, such as storing farm equipment, processing farm

products, and agricultural services such as equipment repair and irrigation, are necessary for local agricultural operations to be viable, and are agricultural uses.

- **Modernize and standardize regulations for wineries:**
  - Restructure permit requirements for on-site marketing for wineries, such as public wine tastings, to accommodate small local wineries that rely on visitors and personal contact for wine sales. Provide clear standards for marketing activities and events. Match the noticing and public hearing requirements to the location and scale of the project.
- **Modernize regulations that describe which uses are allowed in each zone district.** For example, provide for mixed use, R&D facilities and tech businesses in commercial areas. These are currently not clearly addressed.
- **Provide clear standards lacking in current code for temporary structures, commercial weddings and community events, and other uses,** with special standards protecting residential areas.
- **Revise site standards in multi-family zoning districts (RM)** to ensure that site standards do not cause multi-family rental and ownership housing to be infeasible to construct.

#### **Recent Public Meetings and Next Steps for the Code Modernization Proposal:**

In May 2015 Planning staff presented draft code language for updating the permit framework, agricultural regulations and winery/brewery regulations to the Board of Supervisors. During September, planning staff held a series of community meetings to discuss code modernization and receive additional public feedback, with a focus on commercial weddings and temporary structures. On September 29<sup>th</sup>, Planning staff presented the draft proposal for commercial weddings, community events, and temporary uses and structures to the Board of Supervisors, and received direction to revise the proposal in response to public input, and begin the Environmental Impact Report on the entire code modernization proposal. The Code Modernization “fact sheets” have been updated to reflect the direction from the Board of Supervisors.

**Moving forward, the Code Modernization proposal will be considered as part of a larger planning effort, the “Sustainability Policy and Regulatory Update,”** which includes additional zoning and General Plan amendments related to sustainability and implements selected policies from the Sustainable Santa Cruz County Plan. The Environmental Impact Report (EIR) will analyze the code modernization amendments along with the sustainability updates, allowing code modernization impacts to be considered in relation to other proposed code changes. The EIR review process, including opportunities for public comments on the draft EIR and proposed ordinance, will be followed by additional public hearings at which the Planning Commission and Board of Supervisors will consider the final proposed ordinance and General Plan Amendments along with the Final EIR.

**For more information,** visit the Planning Department website at [www.sccoplanning.com](http://www.sccoplanning.com) and click on the “Code Modernization” image. You may also contact planner Annie Murphy at [Annie.Murphy@santacruzcounty.us](mailto:Annie.Murphy@santacruzcounty.us), for more information or to be added to the “Sustainability, Policy and Regulatory Update” email list to receive notification of future public meetings.

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