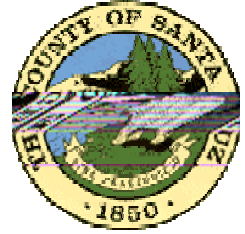


PLANNING NEWS



Spring Issue May 2008 Planning Department 701 Ocean Street 4th Floor, Santa Cruz, CA 95060 Tom Burns, Director

MEETING CALENDAR

- **Zoning Administrator**
First and third Friday at 10:00 May 16 & 30; June 13; July 11 & 25.
- **Planning Commission**
Second and Fourth Wednesdays at 9:00 May 14 & 28; June 11; July 9 & 23.
- **Board of Supervisors**
Tuesdays at 9:00 May 13 & 20; June 17 & 24; Aug. 5, 12, 19 & 26.
- **APAC** Every Third Thursday at 1:30 May 16; June 20; July 17.
- **Historic Resource Commission** Thursdays at 4:30 May 9; June 12; July 10; Aug. 14.
- **Housing Advisory Commission** Every First Wednesday at 4:00 May 7; June 4; July 2; Aug. 6.

Call 831-454-2580
for locations

MESSAGE FROM THE DIRECTOR

Since the last newsletter, much has been happening in the Planning Department. In addition to the normal permit work, we have been engaging on several fronts to update and streamline land use regulations. This issue of Planning News highlights some of those efforts.

With an uncertain economy at play, it is no surprise that we have seen a reduction in building permit applications – starting with new homes, but now affecting residential additions and remodels. We have been refocusing our resources in response to the related fiscal impacts and overall issues with the County budget. I am confident that we will continue to be able to operate in a fashion that does not impact core customer services, but activities like this newsletter are a luxury that we may not be able to continue to support. In order to weigh the value of this effort, it is critical for readers to share their opinions via email to the following address PLN105@co.santa-cruz.ca.us Unless there is large readership support, this will likely be the last newsletter.

Tom Burns
Planning Director

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Planning Reform: Small-Scale Residential Projects

In our daily interactions with County residents, staff has encountered frustration from the public regarding some of the rules governing minor residential projects. Homeowners do not understand why they cannot build a barbeque in their rear yard setback, place pool equipment next to their pool, or install both sheetrock and insulation in their detached garage. With concerns like these in mind, the Planning Department asked: How can we simplify the planning codes for residential properties without compromising neighborhood integrity or important environmental resources?

To start, we took a hard look at our existing zoning and coastal regulations. We looked for rules with marginal value, and those that are outdated, unclear, or unnecessary. In addition, we solicited suggestions from the public. Planning staff then developed a package of proposed regulatory reforms to improve the planning process for many typical small-scale residential projects.

The proposed reforms would simplify many of the rules governing:

- Accessory structures, such as detached bedrooms and workshops
- Second units
- Minor projects in Coastal areas
- Backyard structures
- Solar energy systems.

The new rules give property owners more flexibility, and allow more improvements than before. They also make the planning process less expensive and less complicated.

Planning staff has given careful attention to balancing the need for regulatory reform with the importance of protecting health and safety, and safeguarding shared resources valued by our

community, including the environment and the quality of our neighborhoods.

The residential regulatory reform package generated considerable public interest, both at public hearings before the Planning Commission and the County Board of Supervisors. After numerous hearings in December, February, March and April, the Board took final action and adopted a set of amendments to the County Code on April 15, 2008. The changes will take effect 30 days later outside the Coastal Zone. Within the Coastal Zone, the amendments will take effect after approval by the California Coastal Commission.

Some of the original staff recommended amendments were deleted from the proposed reform package, due in large part to concerns that were raised from the community about water use and other potential adverse impacts. Staff withdrew our proposal to allow toilets in accessory structures, for example. The proposal to eliminate the discretionary permit requirement for large additions to non-conforming structures was also tabled. The Board also disagreed with the staff recommendation to eliminate public hearings for certain planning approvals.

On the other hand, there was also a great deal of support for the proposed changes to the Code. Many County residents and land use professionals voiced their support for the proposed reforms. Individuals discussed how the proposed reforms would allow them to move forward with projects on their own properties. Many of the professionals explained how the rule changes would alleviate some of the unreasonable obstacles that they encounter in the planning process.

The reform proposals brought out polar opposite viewpoints on the subject of code enforcement. Some community members felt that our existing code enforcement program was ineffective, and that the County should not simplify the rules before it improves its enforcement efforts.

One proposal to do just that was the use of deed restrictions, coupled with proactive inspections, to ensure that accessory structures do not “morph” into other uses such as illegal units. Many members of the public were adamantly opposed to the use of deed restrictions and the idea of a proactive inspection program. Many felt that this was overreaching, and even a violation of their constitutional rights.

Requiring a declaration or agreement that runs on title with the land is not a new concept. Deed restrictions for accessory structures have been required for more than 20 years. Declarations are presently required for building next to agricultural land as a way of protecting commercial agriculture. Deed restrictions are required for development in areas where rare or endangered plants or animals are present to ensure that habitat is not destroyed. Declarations are used to make sure that owners live on properties where second units are built.

But deed restrictions alone do not prevent illegal uses and conversions. That is where a proactive inspection program takes over. But no decision has been made whether to implement a proactive inspection program, even though enabling language was added to the ordinance. The Board will consider and discuss this along with other enforcement issues at their May 20 meeting.

Here is a brief summary of some of the key approved reforms:

Second Units:

- Delete the affordability requirements and occupancy restrictions for renters of second units, allowing units to be rented at market rate to any household, but ensure oversight by the homeowner by retaining the requirement for the owner to reside on the property.
- Eliminate the current annual limit of five second unit permits per year within the Live Oak Planning Area.

Non-Conforming Structures

- Eliminate the Level 5 (public hearing) discretionary permit required for routine maintenance and repairs to structures that

exceed the height limit by more than five feet, and instead allow such work to be performed with a building permit.

Coastal Regulations

- Allow coastal exclusions for demolition of structures in certain rural portions of the Coastal Zone without coastal permits.
- Simplify the coastal permit requirements for small residential additions.
- Exempt most solar energy systems from Level 5 (ZA hearing) coastal permits.

Accessory Structures:

- Allow both insulation and sheetrock to be installed in non-habitable accessory structures.
- Limit the number of habitable accessory structures allowed on a property to one with a building permit, and two with a discretionary permit.
- Allow heating in habitable accessory structures, and eliminate the requirement that the property owner live on site in order to install heating in a habitable accessory structure.

Other Changes

- Eliminate the requirement for a discretionary permit for use of an existing right-of-way that is less than 40 feet in width.
- Eliminate the requirement for Agricultural Policy Advisory Committee (APAC) review of agricultural buffer issues in instances where small-scale residential additions or new accessory structures do not further encroach into the agricultural buffer setback than the existing residence.
- Allow six foot fences in front yards of flag lots without requiring an over height fence permit.
- Provide consistency between the building and zoning codes by eliminating setbacks between water tanks currently required by the zoning ordinance.

- Eliminate the setback and separation requirements for small structures under 6 feet in side or rear yards, such as barbeques, pool equipment, and small storage sheds.

You may find additional information on this proposal, and all other projects before the Board of Supervisors, by going to the County website: <http://www.co.santa-cruz.ca.us/>. Click on "agenda and minutes" under the Board of Supervisors heading (the green box), then follow the links to the specific item number. You can find this topic on the following agendas:

- December 4, 2007- Item 52
- February 26, 2008- Item 52
- March 18, 2008- Item 67
- April 15, 2008- Item 37

Timber Rezoning Underway

In May 2007, the Board of Supervisors directed Planning staff to process an ordinance amendment to change the minimum parcel size for rezoning land to the Timber Production Zone (TPZ) from 5 acres to 40 acres. The result of this action will be that property owners will no longer be able to conduct logging activities on parcels less than 40 acres in size unless their property had been zoned as TP prior to the effective date of the ordinance amendment. This is intended to reduce the conflicts between logging activities and residential uses in the rural area of the County.

As a part of its action, the Board delayed implementation of the ordinance amendment until property owners in the County had a chance to submit applications to rezone their less than 40-acre properties to the TPZ. The Board directed that all property owners affected by the ordinance be notified and that they be given until September 21st to submit the applications and until December 31st to complete the submittal.

The Planning Department received 103 applications under this program affecting about 2844 acres of land.

In the Spring of 2008 the Planning Commission had completed the review of the Timber Production rezoning applications and had forwarded recommendations to the Board of Supervisors. The Board will finalize the rezoning process by early June, 2008. Following completion of these rezoning hearings, the Board will finalize the ordinance increasing the parcel size requirement.

In the future, rezoning land to the TPZ will be allowed for those properties in common ownership that are adjacent to land already zoned TPZ or on parcels over 40 acres in size.

New Building Codes Have Arrived In California

The California Building Codes include the California Building, Electrical, Mechanical, Plumbing, and Energy Codes. In California we have adopted an entirely new set of codes, based on the International Codes, or I Codes. These codes were written by the International Code Council, or ICC, the organization responsible for code development.



The International Conference of Building Officials, or ICBO, the organization that for years developed and published the Uniform Building Code (UBC) and other model codes, is no longer in existence.

In California, the Building Standards Commission (BSC) published the Codes last July. California law provides for a 180-day local review process, during which time local amendments can be made to the Statewide Codes, provided that certain findings are made.

While the County was considering changes to its building codes, local fire agencies were engaged in a similar process to adopt the new International Fire Code. There was close coordination between the County and the Fire agencies throughout the code adoption process. On November 20th, 2007, The County took final action to adopt the new State Building Codes with several local amendments. The new California Building Codes took effect on January 1, 2008.

Many of the technical code requirements have not changed. However, there are some important changes in the new codes, requirements that will apply to all building permit applications submitted after January 1, 2008.

Some of the more significant changes involve the following aspects of construction:

- Structural design requirements, fire wall design, and area and size limitations.
- Under floor cripple wall studs greater than 14” in height .
- Changes to braced wall panel lengths and corresponding limitations to conventional light frame construction.
- Requirements for ignition resistant construction, with a few exceptions, for all new structures located in mapped fire risk areas.
- Soils investigations will be required for most projects.

- Trusses will not be allowed to span more than 40 feet between vertical supports.
- Residential guardrail heights have increased for stairs, decks and landings.
- Swimming pool fencing height increased from four to five feet.
- Fire resistant wall assembly requirements have changed for adjacent townhouse construction.
- The minimum tread width of residential stairs will be 10”, which will make the total length of stairways longer.
- Standard anchor bolt washer sizes have increased.

As noted earlier, a new Fire Code also took effect on January 1, 2008. Local amendments include changes to the criteria for adding fire sprinklers in existing homes.

There are many changes in the new codes, and it is everyone’s responsibility to learn them. The items noted above are just a few of the more significant changes that we have identified based on our initial analysis of the new codes. Our assessment may change as we continue to learn the complexities of the new code requirements.

Please check our website for a more complete discussion of these changes, and for future updates-
<http://www.sccoplanning.com/html/bldg/newcode.htm>

For training opportunities on the new codes, please go to the website for the California Building Officials <http://www.calbo.org/> or check with your own professional organization to find out about available training.

Your best insurance against unpleasant surprises during plan review and construction inspection is to know the new codes, and design and build accordingly.

New Staff and Section Changes

In the past year there have been a number of changes in staff positions and saying goodbye to long-term employees. Those changes are highlighted below.

Longtime Employees Retire and Move

Bonnie Palmer retired in December of 2007 after 30 years working with the County in many Departments. **Tom Pohle** retired after 22 years of service with the County and the Housing Authority. **Jim Fox, Katrina Hughes, Katy Salazar** and **Bettie Shackelford** have moved on to new adventures. With their retirements and moves, the Department loses a wealth of history and knowledge across the different Sections. We wish them well as they begin their new journeys.

Staff Changes

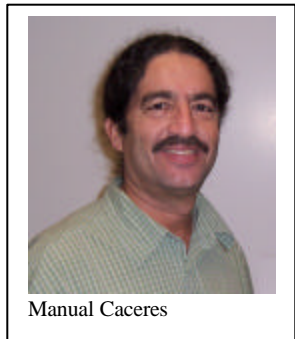
Liz Kanelis has joined the Department as the new Imaging Technician. She will be working on the document conversion project and helping out in the Record's Room. **Alice Daly** and

Sheila McDaniel are new to the Development Review Section.



Left to right: Alice Daily and Sheila McDaniel

The Building Counter welcomes **Manuel Caceres** who is



Manuel Caceres

offering his wealth of experience to the public at the counters.



Left to right: Nate MacBeth, Christine Hu and Elsie Aguilar

The Planning Technician Team has

three new members: **Nate Mac Beth, Christine Hu** and **Elsie Aguilar**. You will be seeing them at the General Information Booth and assisting many planners on projects.



Lisa Jones and Don Peterson

The Fiscal Section welcomes new employees **Lisa Jones, Don**

Peterson, Amy Willbanks and **Karen Marshall.**



From Left to Right: Amy Willbanks and Karen Marshall



Robin Woodman

Last but not least **Robin Woodman** joined the Plan Check Team and many plans will be passing over her desk. Welcome to all of the newcomers.