

**SANTA CRUZ COUNTY PLANNING DEPARTMENT
ADMINISTRATIVE PRACTICE GUIDANCE**

Interpretation No.: **SBSTD LOTS -PG (SUBSTANDARD LOTS AND BUILDABILITY – PRACTICE GUIDANCE)**
Effective Date: 11/5/12
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Question

When a parcel does not meet the zoning standards for minimum site area, width, depth or frontage, how does this affect determinations regarding the development potential of the parcel?

**Applicable Regulatory Section(s)
§13.10.323(d)(2)**

GUIDANCE

A legal lot or parcel that does not conform to the minimum site area, width, or frontage as required by the regulations of the zone district in which parcel is located shall not be considered undevelopable solely because of a lack of conformance to one or more of these standards. Furthermore, a parcel that does not comply with the minimum site area, width, depth or frontage as required by the zone district is not subject to the regulations pertaining to nonconforming structures and uses.

Reason:

A number of factors must be considered in determining whether a legally created parcel may be developed in Santa Cruz County. These include compliance with septic or sewer requirements (Title 7 – Health and Safety), water availability, legal access, and availability of a safe building site (Chapter 16.10 – Geologic Hazards). The Planning Department brochure entitled “Determining Parcel Buildability” reviews these requirements in greater detail. Factors such as parcel size need to be considered in relation to these requirements. However, a lack of conformance with one or more of the site standards established by the zone district for parcel area, width, depth or frontage does not in and of itself make a parcel undevelopable.

Regulations in Section 13.10.323(d) 2 (a) for residential parcels clearly indicate that residential parcels not meeting the minimum parcel size, width or frontage established by the zone district shall not be considered undevelopable solely on that basis. This section reads as follows:

13.10.323(d) (2) Nonconforming Parcels.

- a) On a lot which contains less than 80 percent of the minimum site area required in the applicable zone district, or has less than 80 percent of the minimum width, or frontage, the building setbacks required shall be equal to those in the zone district having a minimum site area or dimensions which most closely correspond to those of the substandard lot.

Although this section applies to residentially zoned parcels, this section expresses the underlying intention of the County regulations that parcels in all zone districts that do not conform to the

minimum parcel size, width and/ or frontage established by the zone district shall not be considered undevelopable solely on that basis.

Regulations pertaining to nonconforming uses and structures in the Santa Cruz County Code (Sections 13.10.260, 13.10.261 and 13.10.262) apply to nonconforming uses and structures only, and do not pertain to parcels not meeting the minimum standards pertaining to the zone district. Therefore, a structure or use located on a substandard lot would not be considered nonconforming solely due to characteristics of the lot.

Kathy Previsich, Planning Director

Date