

Chapter 13.01 GENERAL PLAN ADMINISTRATION Amended [Ord. 5160](#)

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13.01.010 Purpose.

(A) The purpose of this chapter is to establish guidelines and procedures for adoption, maintenance and administration of a comprehensive, long-term General Plan for the conservation and development of the unincorporated portions of Santa Cruz County. The plan and procedures are to be consistent with State planning statutes (California Government Code Section [65300](#), et seq.) and State General Plan Guidelines. In addition, it is the County's intention that the General Plan shall include the Local Coastal Program Land Use Plan developed and maintained in conformance with the California Coastal Act and Chapter [13.03](#) SCCC, and the policies of the growth management ordinance, Chapter [17.01](#) SCCC, as adopted by voter referendum.

(B) The purpose of the General Plan is to set policies to guide future growth and development in a manner consistent with the goals and quality of life desired by Santa Cruz County citizens. The General Plan is intended to be an integrated and internally consistent statement of policies to serve as a clear and useful guide for land use planning for public agencies and private citizens. The General Plan forms the basis for the County's zoning, subdivision and other land use regulations and for such implementation measures as capital improvement programs, housing programs, and growth management programs.

(C) The General Plan is based on community values and an understanding of existing and projected conditions and needs, all of which are subject to change. The General Plan amendment process established by State law and this chapter therefore enables the General Plan map designations and/or written policy statements to be changed. The General Plan is a policy document for the entire community and may be amended only in the public interest. Every General Plan amendment must be consistent with the rest of the General Plan or appropriate changes must be made to maintain internal consistency. [Ord. 3323 § 1, 1982].

13.01.020 Scope.

This chapter requires the County to maintain a comprehensive General Plan consistent with State statutes and establishes procedures for interpretation and amendment of the General Plan. Administrative procedures are also provided for an annual review of the General Plan and a review of public works projects. [Ord. 3323 § 1, 1982].

13.01.030 Amendment.

Any revision to this chapter which applies to the Coastal Zone shall be reviewed by the Executive Director of the California Coastal Commission to determine whether it constitutes an amendment to the Local Coastal Program. When an ordinance revision constitutes an amendment to the Local Coastal Program, such revision shall be processed pursuant to the hearing and notification provisions of Chapter [13.03](#) SCCC and shall be subject to approval by the California Coastal Commission. [Ord. 3323 § 1, 1982].

13.01.040 General Plan adoption.

(A) Form. The Planning Department shall prepare, the Planning Commission shall develop, maintain and recommend, and the Board of Supervisors shall adopt a comprehensive, long-term General Plan for the orderly physical development of the land and the preservation of resources and open space in the County according to Section [65300](#), et seq. of the California Government Code, the State General Plan Guidelines, and any other applicable State statutes and guidelines as may be created and amended from time to time. The plan shall constitute an integrated, internally consistent and compatible statement of land use policies, consisting of:

- (1) Maps covering the entire unincorporated portions of the County and designating resources and development constraints and existing and proposed land uses and public facilities; and
- (2) An integrated policy text for Countywide application stating goals, objectives, policies, standards, and implementation programs.

In addition, the General Plan shall include the background data and analysis as contained in area general plans, required elements, and other permitted elements and related planning studies, to be utilized for interpretation, explanation, and support of the plan policies and designations.

(B) Elements. The plan shall contain the following elements:

- (1) A land use element designating the proposed general distribution, location and extent of land uses for housing, business, industry, open space, natural resources, recreation, public buildings and facilities, and other land use categories; including standards for population density and building intensity and use for the various designations.
- (2) A circulation element showing the location and extent of existing and proposed major thoroughfares, transportation routes, terminals, bikeways, trails, transit facilities, and other public facilities and utilities, and coordinated with the regional transportation plan.
- (3) A housing element developed according to Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code, providing for the housing needs of County residents of all economic levels.
- (4) A conservation element providing for the conservation, development and use of natural

resources including: forests, soils, wild plants and animals, minerals and water, including rivers, streams, coastal beaches and bluffs, harbors, and fisheries. The element shall include policies to protect mineral resources pursuant to the State Surface Mining and Reclamation Act (Public Resources Code Section [2710](#), et seq.), and policies for the long-term protection of timberland consistent with the California Timberland Productivity Act of 1982 (Government Code Section [51100](#), et seq.).

(5) An open-space element developed according to Section [65560](#), et seq. of the California Government Code, and providing for the preservation of open-space and natural resources, the managed production of resources, outdoor recreation, and public health and safety.

(6) A noise element based on State guidelines developed pursuant to Section [46050.1](#) of the Health and Safety Code and taking into account the following sources of environmental noise: highways, streets, railroads, aircraft, industrial plants, and other sources. The element shall establish guidelines for development standards and compatible land uses and provide a basis for a local noise ordinance.

(7) A safety element for community protection from any unreasonable risks associated with the effects of seismically induced surface rupture, groundshaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides, subsidence and other geologic hazards, fires and floods.

(8) A Local Coastal Program Land Use Plan element developed and adopted pursuant to the California Coastal Act (Public Resources Code [30000](#), et seq.).

(9) A growth management element developed pursuant to the County's growth management ordinance, Chapter [17.01](#) SCCC, adopted by voter referendum.

(10) At the discretion of the Board, the General Plan may also include additional elements such as: recreation, community design, historical preservation, solid waste management, energy, economic development, and public services and facilities. [Ord. 4873 § 1, 2007; Ord. 4346 § 2, 1994; Ord. 3323 § 1, 1982; Ord. 2824, 1979; Ord. 560, 1958].

13.01.050 General Plan interpretation. Amended [Ord. 5160](#)

The General Plan shall be applied and interpreted under the direction of the Planning Director. Where disputes arise over the interpretation of General Plan policies or mapping designations, such interpretation shall be resolved by a majority vote of the Planning Commission based on a report by the Planning Department and a public hearing. Planning Commission determinations may be appealed to the Board of Supervisors in accordance with the appeal procedures of SCCC 13.10.240, et seq. Board of Supervisors' determinations which affect projects in the Coastal Zone may be appealed to the Coastal Commission in accordance with the appeal procedures of SCCC 13.20.110(B). Information developed on a project or site specific basis may be utilized in interpreting and applying the General Plan. [Ord. 3323 § 1, 1982; Ord. 2824, 1979].

13.01.060 General Plan amendment.

(A) Amendment Initiation. A General Plan amendment may be initiated by:

- (1) A resolution of intention by the Board of Supervisors or the Planning Commission.
- (2) An application by a property owner, an interested party having the owner's authorization, or any member of the general public.

(B) **Amendment Frequency.** The General Plan shall not be amended more than four times in a calendar year. Each of the four allowed amendments may encompass a variety of different changes to the plan.

(C) **Consistency Zoning.** When a General Plan amendment affects the land use designation of specific properties, those properties shall be concurrently rezoned to a zone district(s) as necessary to maintain consistency with the General Plan.

(D) **Affordable Housing Requirement.** When a General Plan amendment changes the land use designation of a parcel within the urban services line from a nonresidential designation to a residential designation, 40 percent of all residential units or parcels resulting from the General Plan amendment shall be affordable pursuant to Chapter [17.10](#) SCCC. [Ord. 4817 § 1, 2006; Ord. 4783 § 2, 2005; Ord. 4767 § 2, 2004; Ord. 4764 § 2, 2004; Ord. 3591 § 1, 1984; Ord. 3323 § 1, 1982].

13.01.070 Application procedures.

(A) **Application.** Application to amend the General Plan shall be made in accordance with Chapter [18.10](#) SCCC, Level VII, and shall be accompanied by a written description of the proposed amendment and the reasons for the request, and by any supporting information as may be available and appropriate or as may be requested by the Planning Director to process the application. General Plan amendments for specific properties shall be accompanied by an application to rezone the property to a zone district consistent with the proposed amendment.

(B) **Fees.** Applications for General Plan amendments shall be processed on a full cost recovery basis, in accordance with Board of Supervisors resolution.

(C) **Processing Agency.** General Plan amendments shall be processed by Planning Department staff or by a consultant working under contract with the Department.

(D) **Local Coastal Program Procedures.** General Plan amendments which affect the Local Coastal Program shall be processed in accordance with the procedures of Chapter [13.03](#) SCCC pertaining to Local Coastal Program administration, as well as the provisions of this chapter.

(E) **Environmental Review.** A General Plan amendment constitutes a project subject to the provisions of the California Environmental Quality Act and shall be processed in accordance with the environmental review procedures of the County's environmental impact report guidelines. [Ord. 3430 § 1, 1983; Ord. 3323 § 1, 1982].

13.01.080 Notification process.

(A) **Agency Notice.** When a General Plan element or amendment is being considered, the Planning Department shall notify the planning agency of every city in the County, every county which abuts the County, and the Local Agency Formation Commission where such agencies are affected. The Planning Commission shall hold at least one public hearing before approving any plan, element or amendment.

(B) Public Notice. Notices of all actions taken pursuant to this chapter shall be in accordance with the requirements of Chapter [18.10](#) SCCC, Level VII.

(C) Display Advertisement. For applications where the number of persons who would be notified by mail exceeds 1,000 or where a County-initiated General Plan amendment affects the designation of a large area or number of parcels, notice may be given in place of the requirement for mailed notices by a display advertisement of at least one-eighth page in a newspaper having general circulation within the area affected by the proposed General Plan amendment; or by an insert with any generalized mailing sent by the County to property owners affected by the proposed General Plan amendment. [Ord. 4244 § 3, 1993; Ord. 3430 § 2, 1983; Ord. 3323 § 1, 1982; Ord. 2824, 1979; Ord. 560, 1958].

13.01.090 Planning Commission action.

The Planning Commission may approve the proposed General Plan element or amendment by resolution based on a majority vote of its full membership. This resolution constitutes a recommendation to the Board. The resolution of the Planning Commission shall include the following:

- (A) The reasons for the recommendation.
- (B) A statement of the consistency of the proposal to the other parts of the adopted General Plan.
- (C) A statement of required findings regarding compliance with the California Environmental Quality Act. [Ord. 3323 § 1, 1982].

13.01.100 Appeal of Planning Commission action.

If the Planning Commission recommends against a proposed amendment to the General Plan, its actions shall be final unless the matter is subsequently considered upon appeal or special consideration by the Board in accordance with the provisions of SCCC 18.10.350, or unless the amendment was originally referred by the Board. [Ord. 3430 § 3, 1983; Ord. 3323 § 1, 1982; Ord. 2824, 1979; Ord. 560, 1958].

13.01.110 Board of Supervisors' action.

- (A) Public Hearing. After receiving the Planning Commission recommendation, the Board of Supervisors shall hold at least one public hearing on the proposed amendment following public notice pursuant to SCCC 18.10.343. The public hearing shall be scheduled during the next scheduled consideration of General Plan amendments.
- (B) Action on Planning Commission Recommendation. The Board of Supervisors may approve, modify, or disapprove the Planning Commission's recommendation; provided, that any modification not previously considered by the Planning Commission shall be referred to the Planning Commission for a report and recommendation. The Planning Commission is not required to hold a hearing, and their failure to respond within 40 days shall constitute approval.
- (C) Referral. If the Board of Supervisors initiates a change or addition to the General Plan, it shall first refer the matter to the Planning Commission for a report. The Planning Commission shall hold a public hearing after giving notice as required in the above and shall submit a report to the Board of Supervisors not later than 90 days after the referral.

(D) Adoption. The Board of Supervisors' approval of a General Plan element or amendment shall be in the form of a resolution and an endorsement placed on the plan. A General Plan amendment shall be effective upon passage of the Board of Supervisors' resolution ordering such an amendment, except in the case where the amendment affects the Local Coastal Program, in which case the amendment shall not be effective until approved by the State Coastal Commission as provided in Chapter [13.03](#) SCCC regarding Local Coastal Program administration. [Ord. 3430 § 4, 1983; Ord. 3323 § 1, 1982; Ord. 2824, 1979; Ord. 1739, 1972].

13.01.120 Annual review.

(A) Annual Report. Each year, the Planning Department shall prepare and the Planning Commission shall review and submit to the Board of Supervisors an annual report on the status of the General Plan and progress in its administration and implementation. The report shall be subject to a public hearing at the Planning Commission and Board of Supervisors and shall include, but not be limited to, a summary of the following information:

- (1) A summary of General Plan amendments processed during the preceding year and those pending review, including those initiated by amendment applications and by referrals from the Board of Supervisors.
- (2) A report on the progress and status of implementation programs such as the annual review of commercial agricultural land classification pursuant to Chapter [16.50](#) SCCC; park site acquisitions and reviews for development applications; General Plan consistency reports for public works projects; capital improvement program preparation and reviews for independent agencies; and the development of priority coastal uses including low and moderate income housing, visitor accommodations, and public access to the coast.
- (3) A review of significant policy issues which may have arisen regarding provisions of the General Plan and including the annual urban services line review pursuant to Chapter [17.02](#) SCCC.
- (4) A recommendation for General Plan amendments to be initiated to maintain an effective, up-to-date General Plan including policy changes, clarifications and new policy development; changes in land use allocations; and changes necessary to update resource and constraint maps. The recommendation may also include suggestions for priorities for implementation programs, as well as General Plan amendments to be included in the work program for the following fiscal year.

(B) *Repealed by Ord. 4346.* [Ord. 4346 § 4, 1994; Ord. 3745 § 1, 1986; Ord. 3323 § 1, 1982].

13.01.130 General Plan consistency.

(A) Land Use Regulation. All land use regulations including building, zoning, subdivision and environmental protection regulations shall be consistent with the adopted General Plan. No discretionary land use project, public or private, shall be approved by the County unless it is found to be consistent with the adopted General Plan.

(B) Public Works Projects. Pursuant to California Government Code Section [65402](#), no real property shall be acquired by dedication or otherwise for street, square, park or other public purpose and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or

structure shall be constructed or authorized, until such project has been submitted to, and reported upon, as to conformity with the General Plan by the Planning Director. Minor street improvement projects, acquisitions, dispositions and abandonments shall be exempt from this requirement. Except as modified by the requirements of the Coastal Act, and local ordinances adopted pursuant to the Coastal Act, independent local agencies may overrule a finding of nonconformity in order to carry out proposed projects. Failure of the Planning Director to report within 40 days after the matter has been submitted to him or her shall be deemed a finding of conformity with the General Plan, unless the submitting agency authorizes a longer period.

(C) Reviewing Agency. Pursuant to California Government Code Sections [65401](#) and [65403](#), the Planning Department is designated as the planning agency to review and report on, and make a finding of consistency with the General Plan for public works and capital improvement programs. [Ord. 4242 § 1, 1993; Ord. 3323 § 1, 1982].

The Santa Cruz County Code is current through Ordinance 5174, passed February 11, 2014.

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