



**County of Santa Cruz Board of Supervisors  
Agenda Item Submittal**

**From:** Planning: Sustainability and Special Projects  
(831) 454-2580

**Subject:** Deferral of General Plan Public Safety Element, Local Coastal Program, and County Code Amendments

**Meeting Date:** December 6, 2022

**Recommended Action(s):**

Defer and set a public hearing on December 12, 2023, on the proposed amendments to the General Plan/Local Coastal Program (GP/LCP) Public Safety and Conservation and Open Space Elements and related County Code ordinances including Chapters 16.10, 16.20, and 16.22, and the addition of Santa Cruz County Code Chapter 16.13, as modified by the California Coastal Commission.

**Executive Summary**

In September 2020, the Board of Supervisors approved amendments to the Public Safety Element and Conservation and Open Space Element of the General Plan/LCP; amendments to Chapters 16.10, 16.20, and 16.22 of the Santa Cruz County Code; and the addition of Chapter 16.13 to the Santa Cruz County Code and directed County staff to submit the amendments to the California Coastal Commission for certification. In February 2022 the Coastal Commission certified a portion of the amendments with modifications. In October 2022 the Coastal Commission denied a portion of the amendments addressing development on coastal bluffs and beaches. This has created a complex situation requiring additional time for staff to resolve.

**Background**

On September 15, 2020, the Board of Supervisors approved amendments to the Public Safety Element and Conservation and Open Space Element of the General Plan/LCP; amendments to Chapters 16.10, 16.20, and 16.22 of the Santa Cruz County Code; and the addition of Chapter 16.13 to the Santa Cruz County Code. The ordinances amending the Santa Cruz County Code received a second reading and final adoption on October 6, 2020. The amendments represent changes to the LCP Land Use Plan and Implementation Plan and require certification by the Californian Coastal Commission.

Following approval by the Board of Supervisors, the LCP amendments were submitted to the California Coastal Commission for certification. Coastal Commission staff suggested the LCP amendment submittal be divided in two parts for purposes of presenting the bulk of the LCP amendments that are deemed relatively non-controversial to the Coastal Commission in the first part, which is the part under consideration in this item. The second part would separate out and focus on sections of the LCP addressing development on coastal bluffs and beaches, which represents a more controversial aspect of the LCP amendments and was the subject of nearly all of

the public interest and discussion during the local public hearing process.

At a public hearing on February 11, 2022, the Coastal Commission approved the first part of the proposed amendments to the Land Use Plan and Implementation Plan with modifications. The next step in the process is for the County, by action of the Board of Supervisors, to acknowledge receipt of the resolution of certification, including the suggested modifications and accept and agree to the modifications and take formal action to adopt the LCP amendments, including implementation of the Santa Cruz County Code amendments in the Coastal Zone.

At a public hearing on October 14, 2022, the Coastal Commission denied the second part of the proposed amendments.

### **Analysis**

Unfortunately, the combined actions of dividing the LCP Amendment submittal into two parts, the approval by the Coastal Commission of the first part with suggested modifications, and the denial by the Coastal Commission of the LCP Amendments in the second part has created a complex situation requiring additional time for staff to resolve. The current situation is that the amendments to the Public Safety Element and the implementing regulations in County Chapters 16.10 Geologic Hazards, 16.22 Erosion Control, 16.20 Grading Regulations, and 16.13 Floodplain Regulations are in effect countywide outside the Coastal Zone. Inside the Coastal Zone, the pre-existing versions of the Public Safety Element and the implementing County Code Chapters remain in effect. This situation does not create conflicting regulations and the nature of the differences are manageable for staff to implement. However, it is not ideal, and staff is working diligently to resolve the situation.

Because the Public Safety Element includes the policies addressing development on coastal bluffs and beaches, resolution of the current situation resulting in a single version of the Public Safety Element applicable both inside and outside the Coastal Zone involves working with Coastal Commission staff to craft updates to the coastal bluffs and beaches policies that can be certified by the Coastal Commission. The timeline for these updates is estimated to include most of 2023. Therefore, staff is recommending this item be deferred to December 12, 2023.

### **Financial Impact**

There is no financial impact for the County related to this item.

### **Strategic Plan Element(s)**

4.D (Sustainable Environment: Climate Change) - The LCP amendments would increase resilience to climate change impacts, including flood hazards and changing weather patterns.

1.A (Comprehensive Health & Safety: Health Equity) - The LCP amendments would promote health equity through natural hazard management policies and regulations that promote a safe and health community.

**Submitted by:**

Matt Machado, Deputy CAO/Director of Public Works

**Recommended by:**

Carlos J. Palacios, County Administrative Officer