

8. Hold public hearing to consider approving in concept “An Ordinance of the Board of Supervisors of the County of Santa Cruz Amending Santa Cruz County Code Sections 13.10.327 And 13.10.328 Based on California Coastal Commission Feedback, Allowing Two-Unit Residential Developments and Urban Lot Splits in Unincorporated Areas of Santa Cruz County”, and take related actions ()



## **County of Santa Cruz Board of Supervisors**

### **Agenda Item Submittal**

**From:** Community Development and Infrastructure

**Subject:** Senate Bill 9 Implementing Ordinance

**Meeting Date:** June 24, 2025

**Formal Title:** Hold public hearing to consider approving in concept “An Ordinance of the Board of Supervisors of the County of Santa Cruz Amending Santa Cruz County Code Sections 13.10.327 And 13.10.328 Based on California Coastal Commission Feedback, Allowing Two-Unit Residential Developments and Urban Lot Splits in Unincorporated Areas of Santa Cruz County”, and take related actions

### **Recommended Actions**

1. Hold a public hearing to consider California Coastal Commission (CCC) modifications to the Senate Bill (SB) 9 implementing ordinance, which includes adding Santa Cruz County Code Sections 13.10.327 and 13.10.328, allowing two-unit residential developments and urban lot splits in unincorporated areas of Santa Cruz County, approved by Resolution No. 263-2024 and Ordinance 5464;
2. Adopt resolution accepting the CCC's amendments to Santa Cruz County Code sections 13.10.327 and 13.10.328, and directing the Director of Community Development and Infrastructure or their designee to submit the resolution to the CCC;
3. Approve in concept an “An Ordinance of the Board of Supervisors of the County of Santa Cruz Amending Santa Cruz County Code Sections 13.10.327 And 13.10.328 Based on California Coastal Commission Feedback, Allowing Two-Unit Residential Developments and Urban Lot Splits in Unincorporated Areas of Santa Cruz County”;
4. Direct the Clerk of the Board to publish and post the Notice of Proposed Ordinance Summary pursuant to applicable legal requirements; and
5. Direct the Clerk of the Board to schedule the ordinance for second reading and final adoption on August 5, 2025.

### **Executive Summary**

On December 10, 2024, the Board of Supervisors approved the SB 9 implementing ordinance and directed staff to submit the amendments to the CCC for certification. The Board approved a second reading on December 17, 2024. Amendments that are Local Coastal Program (LCP)-implementing require certification by the CCC, which was completed on April 11, 2025 with proposed modifications (see attached Adopted CCC Modifications to Amendment LCP-3-SCO-24-0067-3). The Board is requested to accept the CCC modifications before the SB 9 implementing ordinance can go into effect. A revised ordinance will also need to be adopted to formally amend the Santa Cruz County Code (SCCC).

### **Discussion**

SB9 (Chapter 162, Statutes of 2021) requires ministerial approval of a housing

development with no more than two primary units on parcel in a single-family zone, the subdivision of a parcel in a single-family zone into two parcels, or both. SB 9 facilitates the creation of up to four housing units in the lot area typically used for one single-family home. The SB 9 implementing ordinance, which includes adding Santa Cruz County Code Sections 13.10.327 and 13.10.328, allows two-unit residential developments and urban lot splits in the unincorporated areas of Santa Cruz County in accordance with State law.

On December 10, 2024, the Board of Supervisors approved the SB 9 implementing ordinance and directed staff to submit the amendments to the CCC for certification. The following documents were approved by the Board:

- Resolution No. 263- 2024
- Ordinance 5464 amending SCCC Chapter 13.10 (Zoning Regulations)

The SB 9 LCP Amendment package was submitted to the CCC on December 30, 2024, and deemed complete on February 11, 2025.

The CCC concurred at their public hearing on April 11, 2025, that the proposed amendments, with suggested modifications, are consistent with the County's LCP and implement the Coastal Act. County staff worked closely with CCC staff on the proposed modifications before the attached proposed modifications were approved by the CCC at their April 11, 2025, public hearing.

A summary of the proposed CCC modifications follows (see proposed ordinance and strikethrough version for changes):

- **Section 13.10.327**
  - **Subsection (A):** The previously proposed conflict resolution clause has been removed in its entirety. SB 9 provisions must be balanced with the Coastal Act, and neither would supersede the other. SB 9 includes a Coastal Act “savings clause” that would not allow SB 9 to “supersede or lessen the effect of the Coastal Act.”
  - **Subsection (C)(2):** Modified to remove the Residential Beach (RB) zone district from parcel eligibility. The rationale for removing the RB zone district is its overlap with areas already proposed as ineligible for two-unit residential developments—specifically, parcels located within coastal hazard areas seaward of coastal bluffs (i.e., beaches). This modification ensures clarity within the ordinance and reduces any potential conflict. No other zone districts have been removed from eligibility.
  - **Subsection (C)(3)(d):** Revises the previously proposed SCCC 13.10.327(C)(4)(b) to clarify property eligibility within coastal hazard areas, a term which is defined in SCCC Title 16. The modifications exclude properties seaward of coastal bluffs and permits development on blufftop properties only if proposed residences meet specific bluff erosion stability setback requirements. This clarification does not substantively alter the previously adopted ordinance. The original language relied on environmental regulations in Title 16; the revised language strengthens the ordinance’s intent and supports the protection of coastal resources, while still allowing two-unit

developments on properties that meet the required setbacks.

- **Subsection (C)(3)(e):** Updates and relocates language from the previously proposed SCCC 13.10.327(C)(4)(b) to clarify eligibility criteria for properties within Environmentally Sensitive Habitat Areas (ESHA) in the Coastal Zone. The revised section separates ESHA from other exclusionary criteria to reduce confusion and explicitly state that an eligible site must not be located within ESHA or their buffers—unless a buildable area exists outside those zones. This language closely mirrors SCCC 13.10.327(C)(4)(e), which applies to areas outside the Coastal Zone. A two-unit development may be eligible on parcels both inside and outside of the Coastal Zone, provided the proposed building site is located outside of sensitive habitat areas and their associated buffers. The ESHA eligibility criteria is consistent with the Board-adopted ordinance; neither provision excludes a parcel solely due to the presence of sensitive habitat somewhere on the parcel. Instead, eligibility depends on siting the development outside of sensitive areas and buffers.
- **Subsection (C)(4)(c):** Modified to apply only outside of the Coastal Zone, as SCCC 16.13 (Flood Management Regulations) is not currently part of the County's Local Coastal Program (LCP). Two-unit developments in the Coastal Zone are still subject to flood hazard area mitigations, but pursuant to Government Code Section 65913.4. See SCCC 13.10.327(C)(3)(a) for flood mitigations regarding two-unit developments in the Coastal Zone.
- **General:** Clarifying, non-substantive language changes have been added throughout SCCC 13.10.327 to enhance readability and understanding pertaining to the Coastal Act.
- **Section 13.10.328**
  - **Subsection (A):** The previously proposed conflict resolution clause has been removed in its entirety. As stated above, the suggestion to remove the conflict resolution clause is to balance SB 9 with the Coastal Act, so that SB 9 would not “supersede or lessen the effect of the Coastal Act”.
  - **Subsection (D)(1)(a):** Adds references to Coastal Hazard Areas, including areas seaward of and on/adjacent to coastal bluffs, as exclusionary areas for urban lot splits. Blufftop properties may still qualify if proposed building sites meet the required bluff erosion stability setbacks. As stated above, the modifications exclude properties seaward of coastal bluffs and permits development on blufftop properties only if proposed residences meet specific bluff erosion stability setback requirements. This change is a clarification and does not substantively alter the previously adopted ordinance. The revised language strengthens the ordinance's intent and supports the preservation of coastal resources, while still allowing urban lot splits on properties that meet the required setbacks.
  - **General:** Clarifying, non-substantive language changes have also been made

throughout SCCC 13.10.328 to enhance readability and understanding pertaining to the Coastal Act.

**Financial Impact**

The adoption of this ordinance will not have a financial impact on the County budget. Future development projects will pay applicable permitting and impact fees.

**Strategic Initiatives**

Operational Plan - Attainable Housing

**Submitted By:**

Matt Machado, Deputy CEO / Director of Community Development and Infrastructure

**Recommended By:**

Carlos J. Palacios, County Executive Officer

**Artificial Intelligence Acknowledgment:**

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the motion of Supervisor  
duly seconded by Supervisor  
the following Resolution is adopted:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY  
OF SANTA CRUZ AMENDING SANTA CRUZ COUNTY CODE  
SECTIONS 13.10.327 AND 13.10.328, BASED ON CALIFORNIA  
COASTAL COMMISSION FEEDBACK, ALLOWING TWO-UNIT  
RESIDENTIAL DEVELOPMENTS AND URBAN LOT SPLITS IN  
UNINCORPORATED AREAS OF SANTA CRUZ COUNTY, AND  
DIRECTING STAFF TO TRANSMIT THE AMENDMENTS TO THE  
COASTAL COMMISSION**

WHEREAS, pursuant to authority delegated to the County of Santa Cruz by the California Coastal Commission, the County of Santa Cruz regulates development in the portion of the coastal zone that lies in the unincorporated area of the county and that is outside of the original jurisdiction of the California Coastal Commission; and

WHEREAS, the County's General Plan is also the Local Coastal Program (LCP) Land Use Plan, and Santa Cruz County Code (SCCC) Chapter 13.10 is an implementing ordinance of the LCP and is also part of the LCP Implementation Plan; and

WHEREAS, on October 29 and December 10, 2024, at duly noticed public hearings, the Board of Supervisors adopted an ordinance implementing Senate Bill (SB) 9 to allow two-unit developments and urban lot splits in the unincorporated areas of Santa Cruz County; and

WHEREAS, the Board of Supervisors directed staff to submit the proposed amendments to the sections of the SCCC that are LCP-implementing to the Coastal Commission for certification, as provided in SCCC Chapter 18.60; and

WHEREAS, on April 11, 2025, the Coastal Commission held a public hearing on the amendments to the LCP adopted by the Board of Supervisors and certified them with suggested modifications; and

WHEREAS, in a letter dated April 16, 2025, the County received the Coastal Commission's Resolution of Certification and adopted findings approving the proposed amendments to the LCP, if modified as suggested; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on June 24, 2025, to consider the California Coastal Commission's suggested modifications to the LCP Implementation Plan; and

WHEREAS, the Resolution of Certification requires the County, by action of the Board of Supervisors, to acknowledge receipt of the resolution of certification, including the suggested modifications, accept and agree to the modifications, and incorporate the modifications into the SCCC; and

WHEREAS, staff has reviewed the amendments for compliance with the California Environmental Quality Act (CEQA) and found that, with the required regulations proposed therein, the Ordinance is statutorily exempt from CEQA pursuant to Government Code Sections 65852.21(j) and 66411.7(n). Additionally, the Ordinance is exempt from CEQA because there is no reasonably foreseeable significant impact on the environment, and staff prepared and filed a Notice of Exemption for the project; and

WHEREAS, pursuant to Title 14, California Code of Regulations Section 15251(f), the Coastal Commission's LCP amendment certification process is the functional equivalent of the environmental review required by CEQA and the Coastal Commission found that the proposed LCP amendments, as modified, will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with Public Resources Code Section 21080.5(d)(2)(A).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors hereby:

1. Acknowledges receipt of the resolution of certification from the Coastal Commission, including the suggested modifications.
2. Accepts and agrees to each of the suggested modifications and incorporates them into the SCCC by ordinance.
3. Directs staff to transmit this acceptance to the California Coastal Commission.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_ day of \_\_\_\_\_ 2025, by the following vote:

AYES:	SUPERVISORS:
NOES:	SUPERVISORS:
ABSENT:	SUPERVISORS:
ABSTAIN:	SUPERVISORS:

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Felipe Hernandez  
Chair, Board of Supervisors

ATTEST: \_\_\_\_\_  
Juliette Rezzato  
Clerk of the Board

APPROVED AS TO FORM:

Signed by:  
  
\_\_\_\_\_  
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Natalie Kirkish  
ASSISTANT COUNTY COUNSEL

cc: County Counsel  
Community Development & Infrastructure Department



## Certificate Of Completion

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Natalie Kirkish

Natalie.Kirkish@santacruzcountyca.gov

County Counsel

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Signed: 6/10/2025 8:32:31 AM

## Electronic Record and Signature Disclosure:

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## Witness Events

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## Timestamp

## Envelope Summary Events

## Status

## Timestamps

Envelope Sent

Hashed/Encrypted

6/10/2025 8:31:04 AM

Certified Delivered

Security Checked

6/10/2025 8:32:06 AM

Signing Complete

Security Checked

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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

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To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

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- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING SANTA CRUZ COUNTY CODE SECTIONS 13.10.327 AND 13.10.328 BASED ON CALIFORNIA COASTAL COMMISSION FEEDBACK, ALLOWING TWO-UNIT RESIDENTIAL DEVELOPMENTS AND URBAN LOT SPLITS IN UNINCORPORATED AREAS OF SANTA CRUZ COUNTY**

WHEREAS, pursuant to authority delegated to the County of Santa Cruz by the California Coastal Commission, the County of Santa Cruz regulates development in the portion of the coastal zone that lies in the unincorporated area of the county and that is outside of the original jurisdiction of the California Coastal Commission; and

WHEREAS, Santa Cruz County Code (SCCC) Chapter 13.10 is an implementing ordinance of the adopted Local Coastal Program (LCP) and is part of the LCP Implementation Plan; and

WHEREAS, on October 29 and December 10, 2024, at duly noticed public hearings, the Board of Supervisors adopted an ordinance implementing Senate Bill (SB) 9 to allow two-unit developments and urban lot splits in the unincorporated areas of Santa Cruz County; and

WHEREAS, the Board of Supervisors directed staff to submit the proposed amendments to the sections of the SCCC that are LCP-implementing to the Coastal Commission for certification, as provided in SCCC Chapter 18.60; and

WHEREAS, on April 11, 2025, the Coastal Commission held a public hearing on the amendments to the LCP Implementation Plan adopted by the Board of Supervisors and certified them with suggested modifications; and

WHEREAS, in a letter dated April 16, 2025, the County received the Coastal Commission's Resolution of Certification and adopted findings approving the proposed amendments to the LCP, if modified as suggested; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on June 24, 2025, to consider the California Coastal Commission's suggested modifications to the SCCC; and

WHEREAS, staff has reviewed the amendments for compliance with the California Environmental Quality Act (CEQA) and found that, with the required regulations proposed therein, the Ordinance is statutorily exempt from CEQA pursuant to Government Code Sections 65852.21(j) and 66411.7(n). Additionally, the Ordinance is exempt from CEQA because there is no reasonably foreseeable significant impact on the environment, and staff prepared and filed a Notice of Exemption for the project; and

WHEREAS, pursuant to Title 14, California Code of Regulations Section 15251(f), the Coastal Commission's LCP amendment certification process is the functional equivalent of the

environmental review required by CEQA and the Coastal Commission found that the proposed LCP amendments, as modified, will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with Public Resources Code Section 21080.5(d)(2)(A);

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

## **SECTION I**

Section 13.10.327 of the Santa Cruz County Code is hereby amended, to read as follows:

### **13.10.327 Two-unit residential developments.**

- (A) General Purposes. The purpose of this section is to provide for two-unit residential developments, pursuant to Government Code Section 65852.21. The regulations in this section are promulgated in order to preserve the public health, safety and general welfare of the people and environment of the County of Santa Cruz, and to promote orderly growth and development.
- (B) Definitions. Solely for the purposes of this section, the following words and phrases shall have the following definitions.
  - (1) “Census Urban Area” means an urbanized area or urban cluster, as designated by the United States Census Bureau and as mapped in the County Geographic Information System (GIS).
  - (2) “Dwelling Unit” shall have the same meaning as defined in SCCC 13.10.700-D.
  - (3) “Major Transit Stop,” as defined in Public Resources Code Section 21064.3, means a site containing an existing rail or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
  - (4) “Primary Dwelling Unit,” means one single-family or multi-family residential unit designated on a single parcel, as described in the definition of “Dwelling Unit” in SCCC 13.10.700-D.
- (C) Property Eligibility Requirements.
  - (1) An eligible parcel shall be located wholly within a Census Urban Area.
  - (2) An eligible parcel shall only be located within the SU, R-1, RA, or RR zone districts. A parcel within the SU zone district must have an underlying single family residential General Plan/Land Use Plan land use designation, including R-MT, R-R, R-S, R-UVL, R-UL, R-UM, or R-UH, to be eligible.

(3) An eligible site shall not be in:

- (a) Areas identified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Government Code Section 65913.4.
- (b) Historic district or property included on the State Historic Resources Inventory or designated or listed as a County historic property or historic district in the County's Historic Resources Inventory.
- (c) Critical fire hazard area, as defined in SCCC 12.01.040.
- (d) Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where proposed residences can meet the 100-year bluff erosion stability setback without reliance on any existing or proposed shoreline armoring.
- (e) Environmentally sensitive habitat areas or their buffers within the Coastal Zone boundary, except for properties where there is a buildable site available outside of such areas and their buffers.

(4) A parcel located in any of the following areas as identified in the County General Plan/Local Coastal Program or County Code requires sufficient State and local mitigation to be eligible under this section.

- (a) For areas not subject to SCCC 13.10.327(C)(3)(d) above, Geologic Hazards, as defined in SCCC 16.10.040(T). Parcels within Geologic Hazard areas may be required to provide a geologic hazard assessment pursuant to SCCC 16.10.050(B).
- (b) Outside of the Coastal Zone, 100-year flood hazard areas and floodways, as defined in SCCC 16.13. Parcels within these areas are only eligible if the flood hazards and floodways are mitigated pursuant to SCCC 16.13.
- (c) State Response Areas (SRAs), including very high, high, and moderate fire severity zones, as mapped by the California Department of Forestry and Fire Protection (CAL FIRE) and the California Board of Forestry and Fire Protection. Parcels within these areas are only eligible if mitigation is provided in compliance with Government Code Section 65913.4(a)(6)(D) and the parcel is located outside Critical Fire hazard areas.
- (d) Airport Safety Zones. Parcels within these areas are only eligible if they are compliant with standards and maximum densities established by SCCC 13.12.
- (e) Outside of the Coastal Zone, sensitive habitat areas and their buffers shall be protected pursuant to Title 16. A biotic approval through the biotic review

process outlined in SCCC Chapter 16.32 shall be obtained in order to establish appropriate development areas.

- (5) No Ellis Act (Government Code Section 7060 et seq.) evictions(s) have occurred for any existing housing on the parcel in the 15 years prior to submittal of the application.
- (6) An eligible parcel shall be a legal parcel of record created in compliance with the Subdivision Map Act, the LCP, and applicable provisions of the Santa Cruz County Code.

(D) Project Requirements.

- (1) For two-unit residential development only, the project shall contain no more than two primary residential units on a single parcel, plus accessory dwelling units (ADUs) or junior ADUs (JADUs) consistent with SCCC 13.10.681. The total number of units (primary units, ADUs and JADUs combined) may not exceed four units on a single parcel. ADUs and JADUs included in two-unit residential development must comply with the County ADU regulations.
- (2) The project will not require demolition or alteration of any of the following types of housing:
  - (a) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
  - (b) Housing that is subject to any form of rent or price control.
  - (c) Housing that has been occupied by a tenant (whether rent paying or not) in the last three years.
- (3) All new rental units resulting from any two-unit residential development project shall be rented long term (greater than 30 days).

(E) Objective Development Standards. Two-unit residential development shall comply with the objective development standards below, except that no standard shall preclude the development of a unit up to 800 square feet. In the event that a standard is reduced, the reduction shall be the minimum required to accommodate the unit.

(1) Residential Structure Type.

- (a) Attached single-family, detached single-family or multi-family duplex structures are allowed for two-unit residential developments. Duplexes may include either two primary units, or a primary unit and one ADU, or a primary unit and one JADU.



- (b) Mobile homes are allowed for two-unit residential developments compliant with the adopted California Building Code. A mobile home is required to be less than 10 years old and placed on a permanent foundation.
  - (c) Tiny Homes on Wheels (THOW) are allowed for two-unit residential developments as a primary dwelling unit or an ADU pursuant to SCCC 13.10.680.
  - (d) Existing ADUs on a parcel may be converted into a primary dwelling unit. If an ADU is to be converted, the maximum number of two primary dwellings units for a two-unit residential development will be achieved.
  - (e) A combination of three or four units, attached or detached, comprised of primary dwellings plus ADUs and JADUs will be allowed for a two-unit residential development.
- (2) Accessory Structures. Habitable and non-habitable accessory structures shall comply with SCCC 13.10.611.
- (3) Lot Standards.
- (a) For existing development on two-unit residential development applications, existing setbacks may be retained for an existing structure or for a structure reconstructed in the same location and to the same dimensions as an existing structure.
  - (b) Front yard setback, height, lot coverage, and floor area ratio shall meet the standards of the zoning district in SCCC 13.10.323, except as follows:
    - (i) The minimum side and rear setbacks are four feet, subject to restrictions of any onsite public utility easements.
    - (ii) Pleasure Point standards. Pleasure Point standards shall apply, except if the required 10-foot second story setbacks are infeasible for an 800 square foot dwelling, the setback may be reduced by the minimum necessary to accommodate the proposed project. Side and rear setbacks for the second story shall be no less than four feet. In the event of a conflict, the standards herein shall prevail.
- (4) Parking Standards.
- (a) One off-street parking space is required per dwelling unit, except as follows:
    - (i) If the parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in Public Resources Code Section 21155, or a major transit stop, as defined in Public Resources Code Sections 21155 and 21064.3, no parking shall be required.

- (ii) If the parcel is within one block of a car share vehicle rental location, no parking shall be required.
- (5) Two-unit residential development projects shall meet the following buildability criteria:
  - (a) All lots shall have a “Will Serve” letter from a water district or mutual water company, or an Individual Water Service Permit issued by the Environmental Health Division of the Health Services Agency for a well or other water source prior to issuance of a building permit as described in the current County Lists of Required Information (LORIs).
  - (b) The parcel shall have or qualify for a compliant sewage disposal system, either a septic system sized for the development and approved by the Environmental Health Division of the Health Services Agency, or a sewer connection provided by the wastewater provider, as applicable.
  - (c) If units are connected to an onsite wastewater treatment system (OWTS), the OWTS must meet or be upgraded to meet current standards in compliance with SCCC 7.38.
  - (d) Emergency Vehicle Access. The site access must comply with the fire district access standards applicable to both new and existing roads in SCCC 7.92.503.2.1.
  - (e) Site Safety. The building site shall be free from geologic hazards to the extent that the safety of the proposed development can be ensured. A geological hazards assessment, full geologic report, soils (also called “geotechnical”) report, or hydrologic report may be required to assess or address environmental/safety concerns pursuant to SCCC 16.10.
  - (f) Legal Access. A parcel may not be used as a building site unless it is accessible from a public right-of-way or has legally deeded access.
  - (g) Structures shall comply with required setbacks and buffers from environmentally sensitive habitat areas, geologic hazards, agricultural resource lands, and other environmental protection setbacks as specified in SCCC Title 16 or the setbacks established through a biotic report or geological hazards assessment, respectively.

(F) Application Procedures.

- (1) Two-unit residential development projects shall be approved ministerially if the application complies with the eligibility requirements and objective development standards herein.

(2) Two-unit residential applications must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.

(3) Projects in the Coastal Zone.

(a) Projects located within the Coastal Zone shall require a Coastal Development Permit pursuant to SCCC 13.20.100, the approval of which is subject to the required findings found in SCCC 13.20.110, except that no public hearing shall be required to approve said permit.

(b) Nothing in this chapter shall supersede or in any other way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20, commencing with Section 30000, of the Public Resources Code) except that the County shall not be required to hold public hearings for coastal development permits for an eligible development pursuant to this section.

(4) Basis for Project Denial.

(a) An application for a two-unit residential development shall be denied if any of the following are found:

(i) The two-unit residential development fails to comply with any objective development standard imposed by this section. Any such requirement or condition that is the basis for denial shall be specified in writing.

(ii) The Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed development would have a specific, adverse impact, as described in Government Code Section 65589.5(d)(2) and further specified in this section, upon the public health and safety, and there is no feasible method to satisfactorily mitigate or avoid that specific, adverse impact.

(iii) Within the Coastal Zone, the two-unit residential development fails to meet the provisions of this section or the remainder of the certified Santa Cruz County Local Coastal Program.

## SECTION II

Section 13.10.328 of the Santa Cruz County Code is hereby amended, to read as follows:

### **13.10.328 Urban lot split.**

(A) General Purposes. The purpose of this section is to provide for urban lot splits, pursuant to Government Code Section 66411.7. These regulations are provided in order to preserve the public health, safety and general welfare of the people and environment of the County of Santa Cruz, and to promote orderly growth and development.

(B) Definitions.

(1) “Urban lot split” means a subdivision of a parcel within a “Single-Family Residential” zone district, as defined, into two parcels pursuant to Government Code Section 66411.7.

(2) See SCCC 13.10.327(B) for additional definitions relevant to this section.

(C) Nothing in this section shall be construed to supersede or in any other way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20, commencing with Section 30000, of the Public Resources Code), except that the County shall not be required to hold public hearings for coastal development permits for an eligible urban lot split pursuant to this section.

(1) Urban lot splits located within the Coastal Zone shall require a coastal development permit pursuant to SCCC 13.20.100, the approval of which is subject to the required findings found in SCCC 13.20.110, except that no public hearing shall be required.

(D) Additional Eligibility Requirements for an Urban Lot Split.

(1) The requirements of SCCC 13.10.327(C) and (D) for two-unit residential developments apply as urban lot split eligibility requirements. Lot splits on parcels requiring mitigation under SCCC 13.10.327(C)(4) shall identify building footprint areas where adequate mitigation can be implemented.

(a) Urban lot splits are prohibited in Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where proposed building sites can meet the 100-year bluff erosion stability setback without reliance on any existing or proposed shoreline armoring.

(2) Parcel Map Required. A parcel map is required for all urban lot splits pursuant to Government Code Section 66411.7 and shall comply with parcel map requirements in SCCC 14.01.

(3) No Prior Urban Lot Split. A parcel is only eligible for processing under this section if:

- (a) The parcel has not been established through a prior urban lot split; and
  - (b) Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.
- (4) Property owners are required to sign an affidavit stating the intent to occupy a unit on one of the lots as their primary residence for a minimum of three years.
- (5) The site plan shall indicate at least one existing legal dwelling unit on the property or one existing dwelling unit under construction (passed first inspection) at the time of application submittal. Documentation of occupancy status of existing structures may be required.
- (6) Both new lots shall be limited to residential uses only.
- (7) Urban lot splits shall allow up to two minimum 800 square foot primary units on each lot created. Existing primary dwelling units are not subject to the 800 square foot provision. An accessory dwelling unit (ADU) and a junior accessory dwelling unit (JADU) count toward the two-unit total per lot. Units may be attached or detached. An urban lot split may include the development of two primary dwellings per lot or one primary dwelling and one ADU or one primary dwelling and one JADU per lot, or one primary dwelling on one lot and no development on the other lot. A maximum of four total units may result from an urban lot split.
- (8) ADUs and JADUs are subject to SCCC 13.10.681, except as explicitly provided in SCCC 13.10.327 or this section.
- (9) No urban lot split shall be allowed that requires a discretionary permit for an exception to objective standards or requires any other discretionary review other than a Coastal Development Permit.
- (E) Objective Development Standards. All urban lot splits shall comply with the objective development standards below, except that no standard shall preclude the development of a unit up to 800 square feet. In the event that a standard is reduced, the reduction shall be the minimum required to accommodate the unit.
  - (1) Existing Parcel Size. The area of the existing parcel is 2,400 square feet or more (net developable site area).
  - (2) Number of New Parcels. The urban lot split creates no more than two new parcels.
  - (3) New parcels shall conform to the following standards:
    - (a) The gross site area of the larger parcel shall not be more than 60 percent of the gross site area of the existing parcel.

- (b) In no case shall the net developable site area of the smaller parcel be less than 1,200 square feet.
  - (c) Parcels with septic systems shall each comply with gross parcel size pursuant to SCCC 7.38.
- (4) The maximum parcel size allowed is 60 percent of the existing parcel's gross site area.
- (5) Any parcel proposed for an urban lot split must itself be a legal parcel of record created in compliance with the Subdivision Map Act, the LCP, and applicable provisions of the Santa Cruz County Code.
- (6) Any urban lot split involving a vacant parcel shall meet the buildability criteria stated in SCCC 13.10.327(E)(5).
- (7) Lots created by an urban lot split shall allow parking according to the standards requirements in SCCC 13.10.327(E)(4).
- (8) Access to Public Right-of-way. All newly created parcels shall provide access to, or adjoin, the public right-of-way in a manner sufficient to allow development on the parcel to comply with all applicable property access requirements under the California Fire Code Section 503 (Fire Apparatus Access Roads) and California Code of Regulations Title 14, Section 1273.00 et seq.
  - (a) Shared Driveways. Driveway access shall meet the applicable fire agency standard, including driveway width, fire turnaround, turning radius, slope, and driveway surface.
  - (b) The minimum driveway width shall be 12 feet or the applicable standard of the fire agency having jurisdiction over the property, whichever is greater.
- (9) Setbacks. Lots created by an urban lot split shall allow for structures to meet the lot standards pursuant to SCCC 13.10.327(E)(3).
- (10) Existing Structure on One Parcel. The proposed lot split shall not result in the splitting of any structure between the two parcels and shall not create a new encroachment of an existing structure over a property line.
- (11) Floor Area and Lot Coverage. Lots created by an urban lot split shall allow for structures to meet the lot standards pursuant to SCCC 13.10.327(E)(3).
  - (a) If application of the zone district standard for lot coverage or FAR would preclude a proposed lot split, the standard may be reduced by the minimum amount necessary to allow development per the land division as determined by the Director of the Community Development and Infrastructure Department or their designee ("Director").

- (12) Compliance with Subdivision Requirements. The parcel map shall satisfy the objective requirements of the Subdivision Map Act and SCCC 14.01. Non-title site requirements, disclosures and other information may also be required on the Parcel Map documents by the Director.
  - (13) The site plan shall indicate at least one existing legal dwelling unit on the property or one existing dwelling unit under construction (permitted and passed first inspection) at the time of application submittal. The structure shall be final and occupied by the owner prior to map recordation. Documentation of occupancy status of existing structures may be required.
  - (14) Any vacant parcel proposed for a two-unit residential development or urban lot split must be a legal lot of record created in compliance with the Subdivision Map Act, the LCP, and Santa Cruz County Code.
- (F) Application Procedures. Urban lot split applications must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.
- (G) Deed Restrictions. Before obtaining building permits, the property owner shall file with the Santa Cruz County Recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the current owner. The deed restriction shall state that:
- (1) The primary use of the dwelling units must be residential.
  - (2) For an urban lot split with a shared driveway, maintenance and use of the shared driveway must be permanently provided through a reciprocal access easement and maintenance agreement or other comparable mechanism.
  - (3) The dwelling unit may not be used for vacation rentals as defined in SCCC 13.10.700-V.
  - (4) Affordable housing impact fees shall apply to projects pursuant to SCCC 17.10.034.
  - (5) The above declarations run with the land and are binding upon all successors in ownership of the property. Lack of compliance shall be cause for code enforcement pursuant to SCCC 19.01.
  - (6) The deed restriction shall lapse upon removal of all dwelling units established under this section.

### **SECTION III**

The Board of Supervisors further finds and determines in its reasonable discretion on the basis of the entire record before it that the proposed amendments to the Santa Cruz County Code are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.

### **SECTION IV**

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

### **SECTION V**

This ordinance shall take effect after the Executive Director of the California Coastal Commission reports to the Commission their determination that the County's actions are legally adequate, and the Commission does not object to the Executive Director's determination, and notice of the certification of the LCP amendment is filed with the Secretary of the Resources Agency.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2025, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

ABSTAIN: SUPERVISORS

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Felipe Hernandez  
CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: \_\_\_\_\_  
Juliette Rezzato  
Clerk of the Board



APPROVED AS TO FORM:

Signed by:  
  
D52DC6AA0E74496...  
Natalie Kirkish  
Office of the County Counsel

DISTRIBUTION: County Counsel  
Community Development & Infrastructure Department


### Certificate Of Completion

Envelope Id: 89B51D85-8D9C-4CED-A565-A98FC7B45B2D	Status: Completed
Subject: Complete with Docusign: 2 - SB 9 Ordinance with CCC Modifications 5.12.25 (003) Final.docx	
Source Envelope:	
Document Pages: 13	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Jacob Lutz
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	701 Ocean Street
	Santa Cruz, CA 95060
	Jacob.Lutz@santacruzcountyca.gov
	IP Address: 139.60.73.3

### Record Tracking

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### Signer Events

Signer Events	Signature	Timestamp
Natalie Kirkish		Sent: 6/10/2025 1:32:16 PM
Natalie.Kirkish@santacruzcountyca.gov		Viewed: 6/10/2025 2:41:43 PM
County Counsel		Signed: 6/10/2025 2:42:08 PM
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style	
	Using IP Address: 63.194.190.100	

**Electronic Record and Signature Disclosure:**  
 Accepted: 8/1/2024 2:49:37 PM  
 ID: b763e46b-8c75-436f-b147-3f5717480ab2

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/10/2025 1:32:16 PM
Certified Delivered	Security Checked	6/10/2025 2:41:43 PM
Signing Complete	Security Checked	6/10/2025 2:42:08 PM
Completed	Security Checked	6/10/2025 2:42:08 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

### **How to contact County of Santa Cruz:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us)

### **To advise County of Santa Cruz of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

### **To request paper copies from County of Santa Cruz**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

### **To withdraw your consent with County of Santa Cruz**

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

### **Acknowledging your access and consent to receive and sign documents electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.

## SECTION I

Section 13.10.327 of the Santa Cruz County Code is hereby amended, to read as follows:

### **13.10.327 Two-unit residential developments.**

- (A) General Purposes. The purpose of this section is to provide for two-unit residential developments, pursuant to Government Code Section 65852.21. These regulations in this section are promulgated in order to preserve the public health, safety and general welfare of the people and environment of the County of Santa Cruz, and to promote orderly growth and development. ~~In cases where a provision of this section directly conflicts with Government Code Section 65852.21, the Government Code shall govern over the conflicting provision, but the remaining provisions shall remain and be given full force and effect.~~
- (B) Definitions. Solely for the purposes of this section, the following words and phrases shall have the following definitions.
- (1) “Census Urban Area” means an urbanized area or urban cluster, as designated by the United States Census Bureau and as mapped in the County Geographic Information System (GIS).
  - (2) “Dwelling Unit” shall have the same meaning as defined in SCCC 13.10.700-D.
  - (3) “Major Transit Stop,” as defined in Public Resources Code Section 21064.3, means a site containing an existing rail or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
  - (4) “Primary Dwelling Unit,” means one single-family or multi-family residential unit designated on a single parcel, as described ~~defined~~ in the definition of “Dwelling Unit” in SCCC 13.10.700-D.
- (C) Property Eligibility Requirements.
- (1) An eligible parcel shall be located wholly within a Census Urban Area.
  - (2) An eligible parcel shall only be located within the SU, R-1, RA, ~~RB~~, or RR zone districts. A parcel within the SU zone district must have an underlying single family residential General Plan/Land Use Plan land use designation, including R-MT, R-R, R-S, R-UVL, R-UL, R-UM, or R-UH, to be eligible.
  - (3) An eligible site shall not be in:
    - (a) Areas identified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Government Code Section 65913.4.

- (b) Historic district or property included on the State Historic Resources Inventory or designated or listed as a County historic property or historic district in the County's Historic Resources Inventory.
  - (c) Critical fire hazard area, as defined in SCCC 12.01.040.
  - (d) Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where proposed residences can meet the 100-year bluff erosion stability setback without reliance on any existing or proposed shoreline armoring.
  - (e) Environmentally sensitive habitat areas or their buffers within the Coastal Zone boundary, except for properties where there is a buildable site available outside of such areas and their buffers.
- (4) A parcel located in any of the following areas as identified in the County General Plan/Local Coastal Program or County Code requires sufficient state and local mitigation to be eligible under this section.
- (a) For areas not subject to SCCC 13.10.327(C)(3)(d) above, Geologic Hazards, as defined in SCCC 16.10.040(T). Parcels within Geologic Hazard these areas may be required to provide a geologic hazard assessment pursuant to SCCC 16.10.050(B).
  - ~~(b) Coastal bluffs within the Coastal Zone. Parcels within these areas are only eligible if they are compliant with 100-year bluff erosion stability setback, without the reliance on any proposed or existing coastal armoring, consistent with SCCC 16.10.070(H)(1) and (7), and meet requirements for only allowing resource-dependent uses within Environmentally Sensitive Habitat Area (ESHA), consistent with SCCC 16.32.090(C)(1).~~
  - (b) Outside of the Coastal Zone, 100-year flood hazard areas and floodways, as defined in SCCC 16.13. Parcels within these areas are only eligible if the flood hazards and floodways are mitigated pursuant to SCCC 16.13.
  - (c) State Response Areas (SRAs), including very high, high, and moderate fire severity zones, as mapped by the California Department of Forestry and Fire Protection (CAL FIRE) and the California Board of Forestry and Fire Protection. Parcels within these areas are only eligible if mitigation is provided in compliance with Government Code Section 65913.4(a)(6)(D) and the parcel is located outside Critical Fire hazard areas.
  - (d) Airport Safety Zones. Parcels within these areas are only eligible if they are compliant with standards and maximum densities established by SCCC 13.12.

(e) Outside of the Coastal Zone, sensitive habitat areas and their buffers shall be protected pursuant to Title 16. A biotic approval through the biotic review process outlined in SCCC Chapter 16.32 shall be obtained in order to establish appropriate development areas.

(5) No Ellis Act (Government Code Section 7060 et seq.) evictions(s) have occurred for any existing housing on the parcel in the 15 years prior to submittal of the application.

(6) An eligible parcel shall be a legal parcel of record created in compliance with the Subdivision Map Act, the LCP, and applicable provisions of the Santa Cruz County Code.

(D) Project Requirements.

(1) For two-unit residential development only, the project shall contain no more than two primary residential units on a single parcel, plus accessory dwelling units (ADUs) or junior ADUs (JADUs) consistent with SCCC 13.10.681. The total number of units (primary units, ADUs and JADUs combined) may not exceed four units on a single parcel. ADUs and JADUs included in two-unit residential development must comply with the County ADU regulations.

(2) The project will not require demolition or alteration of any the following types of housing:

(a) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(b) Housing that is subject to any form of rent or price control.

(c) Housing that has been occupied by a tenant (whether rent paying or not) in the last three years.

(3) All new rental units resulting from any two-unit residential development project shall be rented long term (greater than 30 days).

(E) Objective Development Standards. Two-unit residential development shall comply with the objective development standards below, except that no standard shall preclude the development of a unit up to 800 square feet. In the event that a standard is reduced, the reduction shall be the minimum required to accommodate the unit.

(1) Residential Structure Type.

(a) Attached single-family, detached single-family or multi-family duplex structures are allowed for two-unit residential developments. Duplexes may include either



- two primary units, or a primary unit and one ADU, or a primary unit and one JADU.
- (b) Mobile homes are allowed for two-unit residential developments compliant with the adopted California Building Code. A mobile home is required to be less than 10 years old and placed on a permanent foundation.
  - (c) Tiny Homes on Wheels (THOW) are allowed for two-unit residential developments as a primary dwelling unit or an ADU pursuant to SCCC 13.10.680.
  - (d) Existing ADUs on a parcel may be converted into a primary dwelling unit. If an ADU is to be converted, the maximum number of two primary dwellings units for a two-unit residential development will be achieved.
  - (e) A combination of three or four units, attached or detached, comprised of primary dwellings plus ADUs and JADUs will be allowed for a two-unit residential development.
- (2) Accessory Structures. Habitable and non-habitable accessory structures shall comply with SCCC 13.10.611.
- (3) Lot Standards.
- (a) For existing development on two-unit residential development applications, ~~no~~ existing setbacks may be retained is required for an existing structure or for a structure reconstructed in the same location and to the same dimensions as an existing structure.
  - (b) Front yard setback, height, lot coverage, and floor area ratio shall meet the standards of the zoning district in SCCC 13.10.323, except as follows:
    - (i) The minimum side and rear setbacks are four feet, subject to restrictions of any onsite public utility easements.
    - (ii) Pleasure Point standards. Pleasure Point standards shall apply, except if the required 10-foot second story setbacks are infeasible for an 800 square foot dwelling, the setback may be reduced by the minimum necessary to accommodate the proposed project. Side and rear setbacks for the second story shall be no less than four feet. In the event of a conflict, the standards herein shall prevail.
- (4) Parking Standards.
- (a) One off-street parking space is required per dwelling unit, except as follows:

- (i) If the parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in Public Resources Code Section 21155, or a major transit stop, as defined in Public Resources Code Sections 21155 and 21064.3, no parking shall be required.
  - (ii) If the parcel is within one block of a car share vehicle rental location, no parking shall be required.
- (5) Two-unit residential development projects shall meet the following buildability criteria:
  - (a) All lots shall have a “Will Serve” letter from a water district or mutual water company, or an Individual Water Service Permit issued by the County Environmental Health Division of the Health Services Agency Department for a well or other water source prior to issuance of a building permit as described in the current County Lists of Required Information (LORIs).
  - (b) The parcel shall have or qualify for a compliant sewage disposal system, either a septic system sized for the development and approved by the County Environmental Health Division of the Health Services Agency Department, or a sewer connection provided by the wastewater provider, as applicable.
  - (c) If units are connected to an onsite wastewater treatment system (OWTS), the OWTS must meet or be upgraded to meet current standards in compliance with SCCC 7.38.
  - (d) Emergency Vehicle Access. The site access must comply with the fire district access standards applicable to both new and existing roads in SCCC 7.92.503.2.1.
  - (e) Site Safety. The building site shall be free from geologic hazards to the extent that the safety of the proposed development can be ensured. A geological hazards assessment, full geologic report, soils (also called “geotechnical”) report, or hydrologic report may be required to assess or address environmental/safety concerns pursuant to SCCC 16.10.
  - (f) Legal Access. A parcel may not be used as a building site unless it is accessible from a public right-of-way or has legally deeded access.
  - (g) Structures shall comply with required setbacks and buffers from environmentally sensitive habitat areas, geologic hazards, agricultural resource lands, and other environmental protection setbacks as specified in SCCC Title 16 or the setbacks established through a biotic report or / geological hazards assessment, respectively.

(F) Application Procedures.

- (1) Two-unit residential development projects shall be approved ministerially if the application complies with the eligibility requirements and objective development standards herein.
- (2) Two-unit residential applications must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.
- (3) Projects in the Coastal Zone.
  - (a) Projects located within the Coastal Zone shall require a Coastal Development Permit pursuant to SCCC 13.20.100, the approval of which is subject to the required findings found in SCCC 13.20.110, except that no public hearing shall be required to ~~issue-approve~~ said permit.
  - (b) Nothing in this chapter shall supersede or in any other way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20, commencing with Section 30000, of the Public Resources Code) except that the County shall not be required to hold public hearings for coastal development permits for an ~~eligible~~ development pursuant to this section.
- (4) Basis for Project Denial.
  - (a) An application for a two-unit residential development shall be denied if any of the following ~~are is~~ found:
    - (i) The two-unit residential development fails to comply with any objective development standard imposed by this section. Any such requirement or condition that is the basis for denial shall be specified in writing.
    - (ii) The Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed development would have a specific, adverse impact, as described in Government Code Section 65589.5(d)(2) and further specified in this section, upon the public health and safety, and if there is no feasible method to satisfactorily mitigate or avoid that specific, adverse impact.
    - (iii) Within the Coastal Zone, the two-unit residential development fails to meet the provisions of this section or the ~~remainder of the~~ certified Santa Cruz County Local Coastal Program.

## SECTION II

Section 13.10.328 of the Santa Cruz County Code is hereby amended, to read as follows:

### **13.10.328 Urban lot split.**

(A) General Purposes. The purpose of this section is to provide for urban lot splits, pursuant to Government Code Section 66411.7. These regulations are provided in order to preserve the public health, safety and general welfare of the people and environment of the County of Santa Cruz, and to promote orderly growth and development. ~~In cases where a requirement in this section directly conflicts with Government Code Section 66411.7, the provisions of the Government Code shall govern over the conflicting provision herein, but the remaining provisions shall remain and be given full force and effect.~~

(B) Definitions.

(1) “Urban lot split” means a subdivision of a parcel within a “Single-Family Residential” zone district, as defined, into two parcels pursuant to Government Code Section 66411.7.

(2) See SCCC 13.10.327(B) for additional definitions relevant to this section.

(C) Nothing in this section shall be construed to supersede or in any other way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20, commencing with Section 30000, of the Public Resources Code), except that the County shall not be required to hold public hearings for coastal development permits for an eligible urban lot split pursuant to this section.

(1) Urban lot splits located within the Coastal Zone shall require a coastal development permit pursuant to SCCC 13.20.100, the approval of which is subject to the required findings found in SCCC 13.20.110, except that no public hearing shall be required.

(D) Additional Eligibility Requirements for an Urban Lot Split.

(1) The requirements of SCCC 13.10.327(C) and (D) for two-unit residential developments apply as urban lot split eligibility requirements. Lot splits on parcels requiring mitigation under section SCCC 13.10.327(C)(4) shall identify building footprint areas where adequate mitigation can be implemented.

(a) Urban lot splits are prohibited in Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where proposed building sites can meet the 100-year bluff erosion stability setback without reliance on any existing or proposed shoreline armoring.

(2) Parcel Map Required. A parcel map is required for all urban lot splits pursuant to Government Code Section 66411.7 and shall comply with parcel map requirements in SCCC 14.01.

(3) No Prior Urban Lot Split. ~~A parcel is only eligible for processing under this section if:~~

(a) The parcel has not been established through a prior urban lot split; and

- (b) Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.
- (4) Property owners are required to sign an affidavit stating the intent to occupy a unit on one of the lots as their primary residence for a minimum of three years.
- (5) The site plan shall indicate at least one existing legal dwelling unit on the property or one existing dwelling unit under construction (passed first inspection) at the time of application submittal. Documentation of occupancy status of existing structures may be required.
- (6) Both new lots shall be limited to residential uses only.
- (7) Urban lot splits shall allow up to two minimum 800 square foot primary units on each lot created. Existing primary dwelling units are not subject to the 800 square foot provision. An accessory dwelling unit (ADU) and a junior accessory dwelling unit (JADU) count toward the two-unit total per lot. Units may be attached or detached. An urban lot split may include the development of two primary dwellings per lot or one primary dwelling and one ADU or one primary dwelling and one JADU per lot, or one primary dwelling on one lot and no development on the other lot. A maximum of four total units may result from an urban lot split.
- (8) ADUs and JADUs are subject to SCCC 13.10.681, except as explicitly provided in SCCC 13.10.327 or this section.
- (9) No urban lot split shall be allowed that requires a discretionary permit for an exception to objective standards or requires any other discretionary review other than a Coastal Development Permit.
- (E) Objective Development Standards. All urban lot splits shall comply with the objective development standards below, except that no standard shall preclude the development of a unit up to 800 square feet. In the event that a standard is reduced, the reduction shall be the minimum required to accommodate the unit.
  - (1) Existing Parcel Size. The area of the existing parcel is 2,400 square feet or more (net developable site area).
  - (2) Number of New Parcels. The urban lot split creates no more than two new parcels.
  - (3) New parcels shall conform to the following standards:
    - (a) The gross site area of the larger parcel shall not be more than 60 percent of the gross site area of the existing parcel.

- (b) In no case shall the net developable site area of the smaller parcel be less than 1,200 square feet.
- (c) Parcels with septic systems shall each comply with gross parcel size pursuant to SCCC 7.38.
- (4) The maximum parcel size allowed is 60 percent of the existing parcel's gross site area.
- (5) Any parcel proposed for an urban lot split must itself be a legal parcel of record created in compliance with the Subdivision Map Act, the LCP, and applicable provisions of the Santa Cruz County Code.
- (6) Any urban lot split involving a vacant parcel shall meet the buildability criteria stated in SCCC 13.10.327(E)(5).
- (7) Lots created by an urban lot split shall allow parking according to the standards requirements in SCCC 13.10.327(E)(4).
- (8) Access to Public Right-of-way. All newly created parcels shall provide access to, or adjoin, the public right-of-way in a manner sufficient to allow development on the parcel to comply with all applicable property access requirements under the California Fire Code Section 503 (Fire Apparatus Access Roads) and California Code of Regulations Title 14, Section 1273.00 et seq.
  - (a) Shared Driveways. Driveway access shall meet the applicable fire agency standard, including driveway width, fire turnaround, turning radius, slope, and driveway surface.
  - (b) The minimum driveway width shall be 12 feet or the applicable standard of the fire agency having jurisdiction over the property, whichever is greater.
- (9) Setbacks. Lots created by an urban lot split shall allow for structures to meet the lot standards pursuant to SCCC 13.10.327(E)(3).
- (10) Existing Structure on One Parcel. The proposed lot split shall not result in the splitting of any structure between the two parcels and shall not create a new encroachment of an existing structure over a property line.
- (11) Floor Area and Lot Coverage. Lots created by an urban lot split shall allow for structures to meet the lot standards pursuant to SCCC 13.10.327(E)(3).
  - (a) If application of the zone district standard for lot coverage or FAR would preclude a proposed lot split, the standard may be reduced by the minimum amount necessary to allow development per the land division as determined by the Planning Director of the Community Development and Infrastructure Department or their designee ("Director").

- (12) Compliance with Subdivision Requirements. The parcel map shall satisfy the objective requirements of the Subdivision Map Act and SCCC 14.01. Non-title site requirements, disclosures and other information may also be required on the Parcel Map documents by the **Planning** Director.
- (13) The site plan shall indicate at least one existing legal dwelling unit on the property or one existing dwelling unit under construction (permitted and passed first inspection) at the time of application submittal. The structure shall be final and occupied by the owner prior to map recordation. Documentation of occupancy status of existing structures may be required.
- (14) Any vacant parcel proposed for a two-unit residential development or urban lot split must be a legal lot of record created in compliance with the Subdivision Map Act, **the LCP**, and Santa Cruz County Code.
- (F) Application Procedures. Urban lot split applications must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.
- (G) Deed Restrictions. Before obtaining building permits, the property owner shall file with the Santa Cruz County Recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the current owner. The deed restriction shall state that:
- (1) The primary use of the dwelling units must be residential.
  - (2) For an urban lot split with a shared driveway, maintenance and use of the shared driveway must be permanently provided through a reciprocal access easement and maintenance agreement or other comparable mechanism.
  - (3) The dwelling unit may not be used for vacation rentals as defined in SCCC 13.10.700 V.
  - (4) Affordable housing impact fees shall apply to projects pursuant to SCCC 17.10.034.
  - (5) The above declarations run with the land and are binding upon all successors in ownership of the property. Lack of compliance shall be cause for code enforcement pursuant to SCCC 19.01.
  - (6) The deed restriction shall lapse upon removal of all dwelling units established under this section.

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
WEB: WWW.COASTAL.CA.GOV

**April 16, 2025****Sent Electronically**

David Carlson

Santa Cruz County Community Development and Infrastructure Department (CDID)  
701 Ocean Street, 4th Floor  
Santa Cruz, CA 95060

[David.carlson@santacruzcounty.us](mailto:David.carlson@santacruzcounty.us)

**Subject: Coastal Commission Action on Santa Cruz County Local Coastal Program (LCP) Amendment No. LCP-3-SCO-24-0067-3 (SB 9)**

Dear Mr. Carlson:

At its meeting on April 11, 2025, the Coastal Commission took action on Santa Cruz County LCP Amendment No. LCP-3-SCO-24-0067-3 (SB 9). The Commission approved the proposed amendments to the Implementation Plan, if modified as suggested. A copy of the adopted findings and suggested modifications (see Exhibit 2 of the adopted staff report) are included as attachments.

This letter formally transmits to you the Commission's resolution of certification and adopted findings pursuant to Section 13544 of Title 14 of the California Code of Regulations. Pursuant to Section 13544, effective certification of LCP Amendment No. LCP-3-SCO-24-0067-3, whereby the County may begin issuing coastal development permits subject to this amendment, will occur after:

1. The County, by action of the Board of Supervisors: (a) acknowledges receipt of this resolution of certification, including the suggested modifications; and (b) accepts and agrees to the modifications and takes whatever formal action is required to satisfy the modifications (e.g., implementation of ordinances).
2. The Commission's Executive Director reports to the Commission her determination that the County's actions are legally adequate, and the Commission does not object to the Executive Director's determination.
3. Notice of the certification of the LCP amendment is filed with the Secretary of the Resources Agency.

Coastal Commission staff will take care of items #2 and #3 above, following completion of item #1 by the County. Note that the Commission's regulations provide that the Commission's action of certification with the suggested modifications shall expire six months from the date of the Commission's action, or on October 11, 2025.



**Commission Action on LCP-3-SCO-24-0067-3 (SB 9)**

Please let me know if I can assist you in any way in completing action on this LCP amendment, or if you have any questions. Thanks for all your help during this process.

Sincerely,

DocuSigned by:  
*Nolan Clark*  
77591515633A40D...

Nolan Clark  
Coastal Planner  
Central Coast District Office

cc (Via Email): Jacob Lutz, Santa Cruz County CDID

Enclosure (Via Email): Adopted Staff Report with Suggested Modifications

**PUBLIC NOTICE  
PROPOSED ORDINANCE  
(SUMMARY)**

Board of Supervisors Information (for Clerk Use only):

Approved in Concept: Click or tap to enter a date.

AMS Item: Click or tap here to enter text.

Scheduled for Second Reading & Final Adoption: Click or tap to enter a date.

Ordinance Title:

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SANTA CRUZ AMENDING SANTA CRUZ COUNTY CODE  
SECTIONS 13.10.327 AND 13.10.328 BASED ON CALIFORNIA  
COASTAL COMMISSION FEEDBACK, ALLOWING TWO-UNIT  
RESIDENTIAL DEVELOPMENTS AND URBAN LOT SPLITS IN  
UNINCORPORATED AREAS OF SANTA CRUZ COUNTY**

Ordinance Summary:

The proposed ordinance adopts modifications to the previously adopted ordinance implementing Senate Bill 9, adding Santa Cruz County Code sections 13.10.327 and 13.10.328 to allow for two-unit residential developments and urban lot splits in unincorporated areas of Santa Cruz County. When a County ordinance amends the LCP, the California Coastal Commission must certify them as part of the adoption process. The Commission has certified the LCP amendments with proposed modifications to some sections of the previously adopted ordinance, including those related to coastal hazard areas and environmentally sensitive habitat areas within the Coastal Zone. The proposed ordinance would accept the modifications into the County Code and would become part of the regulations applicable to new development within the coastal zone in the unincorporated county.

The full text of this ordinance is available for public review at the Office of the Clerk of the Board, Room 520, Governmental Center Building, 701 Ocean Street, 5th Floor, Santa Cruz, California 95060; and on the Internet at:

<https://santacruzcountyca.igam2.com>

For Clerk Use Only:

**By:** Click or tap here to enter text.

**Dated:** Click or tap to enter a date.