

More talk about Live Oak building moratorium

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Santa Cruz County planning commissioners again circled uneasily around the idea of a building moratorium in Live Oak yesterday, rejecting two more small subdivisions based on findings that they would adversely affect traffic, sewage and drainage in the area.

They were encouraged to enact a moratorium by Live Oak supervisorial candidate Jan Beautz, who outpolled incumbent Dan Forbus by 10 percentage points in the primary election and is trying to unseat him in the November election.

Beautz campaigned heavily on the issue of overdevelopment of Live Oak.

"I'd be in favor of a moratorium until we revise the General Plan," Beautz told the commission.

The General Plan lays out

where development should go. Beautz said the current plan shows capital improvements such as parks and sewers which have never come into being. The new General Plan should be a more accurate reflection of reality, she said.

"It could be done in a reasonable amount of time," she said.

In rejecting the two projects yesterday, the commissioners used the experimental "Urban Services Evaluation Criteria" (USEC) to arrive at their decision, but unanimously said they were dissatisfied with the new points-ranking system and wanted more guidance from the Board of Supervisors on how to use it.

The property owners also said USEC was a very unsatisfactory system.

USEC scores projects on a range of zero to five on such things as available sewers and drainage; effect on traffic; and

proximity to parks.

"How are we getting to these numbers?" asked property owner Craig Rowell.

No firm answer was forthcoming.

Two weeks ago, the commissioners rejected an eight-unit subdivision on Capitola Road near 17th Avenue, in part because of low USEC ratings. At that time, they also requested additional guidance from the supervisors on how to use the scores.

Deputy County Counsel Jonathan Wittwer said the commissioners had posed a question to the supervisors: Should the commission impose an outright building moratorium in Live Oak until completion of sewer, roadside, drainage and park improvements planned under redevelopment? Or should they stick strictly to USEC, approving some projects and not others, depending on what sewers and sidewalks happened

to be nearby?

"I think it was an expression of their frustration with dealing with the problem on a case-by-case basis," Wittwer said.

The two projects rejected yesterday, adjacent to each other on Capitola Road near Chanticleer Avenue, together would comprise 20 single-family houses and six townhouses.

Both projects received zero scores in sanitation, drainage, and roadside improvements. But those scores could be dramatically improved, said Planner John Mandeville, with the construction of a new sewer trunkline for Capitola Road that Public Works will build later in the year, a new culvert, and provision of sidewalks by the developers.

Mandeville said the commissioners would have to decide what constituted a failing score, because that was not

defined under the USEC policy.

He said he had recommended approval of the projects because the USEC issue is so muddy.

The commissioners shied away from defining the scores, however.

"You're not going to get a definition of the point numbers out of me," said Commissioner Ted Durkee.

Commissioner Denise Holbert noted, however, "Zero is usually a failing score."

She added, though, "I'm sorry we're using these people for test cases — it's fairly painful."

The owners of the properties in question said they would appeal the commission's rejection to the supervisors.

Rowell said the property owners had already kicked in \$33,800 in Live Oak "traffic

improvement" fees, and that should count for something. But he was told payment of fees had not been considered in the USEC score, because it was not yet known if the fees would be spent in the immediate area of the development and therefore improve traffic conditions there.

"I want you all to clarify that there is a considerable amount of confusion about how evaluations are being made," Rowell said.

But despite their reservations about the USEC system, and despite high praise for the proposed projects, the commissioners unanimously rejected them.

"Now is the time we're going to have to put in the services before the projects," said Holbert. "If this (USEC) process is to have any meaning at all, I can't in good conscience vote for approval."