

SCOTTS VALLEY  
PROPERTY owner

READ THIS

IMMEDIATELY

NO TIME TO LOSE

THIS NEW

GENERAL PLAN

REZONING PROPOSAL

COULD SERIOUSLY

AFFECT YOU

THE LAST HEARING?

1/26 CARBONERO PARK

*(Building straight from the bridge)*

strait ahead-Hill 7.30 P.M.

THIS THURSDAY 9/26

at 7.30 P.M. CARBONERO  
PARK (DISC DR) LAST

Meeting? go across the  
bridge-building on the  
hill straight ahead. with  
lights on & parked cars  
BE THERE & SPEAK UP

The City's new zoning  
proposal could mean—  
that you won't be able to  
split your lot—could  
automatically merge  
your adjacent sub-stand-  
ard lot—Make your res-  
idence lot 5/5—create  
new variances? & Restrict.

## INDEX:

- I = The 1978 General Plan Map
- II = Shaded Map showing the approximate areas (approx only) covered by the 2-3 unit per acre proposal of the new General Plan
- III = Preface and Explanation
- IV = Questions asked (or put to) the City of Scotts Valley concerning the ramifications of the ~~new~~ (above) proposal
- V = The City's response to the property owners inquiry above.
- Note = The City answered 9 of our questions — 5 more questions we turned in at a later date.

approx.

# COMPREHENSIVE PLAN DIAGRAM

## PART 4 OF THE GENERAL PLAN

Adopted by the City Council June 21, 1978 Resolution No. 616

Approved by the Planning Committee March 14, 1978 Resolution No. 284

WILLIAM SPANOLE & ASSOCIATES  
CITY & REGIONAL PLANNERS  
100 ALPINE ROAD, FORTY VALLEY, CALIFORNIA 94741

or 1 unit (house)  
per 7,300 sq. ft.  
approx.

# CITY OF SCOTTS VALLE

SUMMARY TABLE OF STANDARDS FOR RESIDENTIAL LAND USE CATEGORIES

(Note: Clustering of structures and accessory uses is encouraged in all residential developments.)

Residential Land Use Density Category	Standards			
	Density	Dwelling Unit Types	Sewage Disposal	Special Provisions
High h	15 DUs maximum per net acre*	Multi-family Single-family detached	Sanitary Sewer	Common and private outdoor recreation spaces
Medium m	6 DUs maximum per net acre*	Multi-family** Single-family detached	Sanitary Sewer	Common and private outdoor recreation spaces
Low l	2 DUs maximum per net acre*	Multi-family** Single-family detached	Sanitary Sewer	Consideration of physical and facilities constraints
Very low vl	Min. of 4 net ac/du, with min. increasing with increase in average slope	Multi-family** Single-family detached	Sanitary Sewer	Consideration of physical and facilities constraints Agricultural use
Rural	Min. of 2 1/2 net ac/du, with min. increasing with increase in environmental problems	Multi-family** Single-family detached	Individual sewage disposal system	Consideration of physical and facilities constraints Agricultural use
Mountain	Min. of 20 net ac/du, with min. increasing with increase in environmental problems	Multi-family** Single-family detached	Individual sewage disposal system	Consideration of physical and facilities constraints Agricultural use

\* Net area means the area of a parcel exclusive of lands for public or private roads.

\*\* Only permitted with special permit.

**RESIDENTIAL**

- Riparian Corridor
- Mineral Resources
- Community Park - Rec.
- Private Park - Rec.
- Heavy Small Residential
- State Park (part)

**CIRCULATION**

- Freeway-Highway 17
- Arterial
- Major Collector
- Minor Collector
- Slackspur Airpark

**OPEN SPACES-REC.**

- Community Center
- Fire Station
- Public School - Elementary
- Public School - Intermediate
- Bethany Bible College
- Sewage Treatment Plant, Corp. Yard
- P.O.B. Substation

**INDUS.**

- Research-Industrial Park
- Limited Industrial
- Mixed Use Area

**MIXED RESEARCH-INDUS.**

- Institutions
- Mixed Research

**RESIDENTIAL**

- High Density
- Medium Density
- Low Density
- Very Low Density
- Rural
- Mountain
- Mobile Home Park

**COMMERCIAL-PROF. OFFICE**

- Neighborhood Commercial
- Community Commercial
- Service Commercial

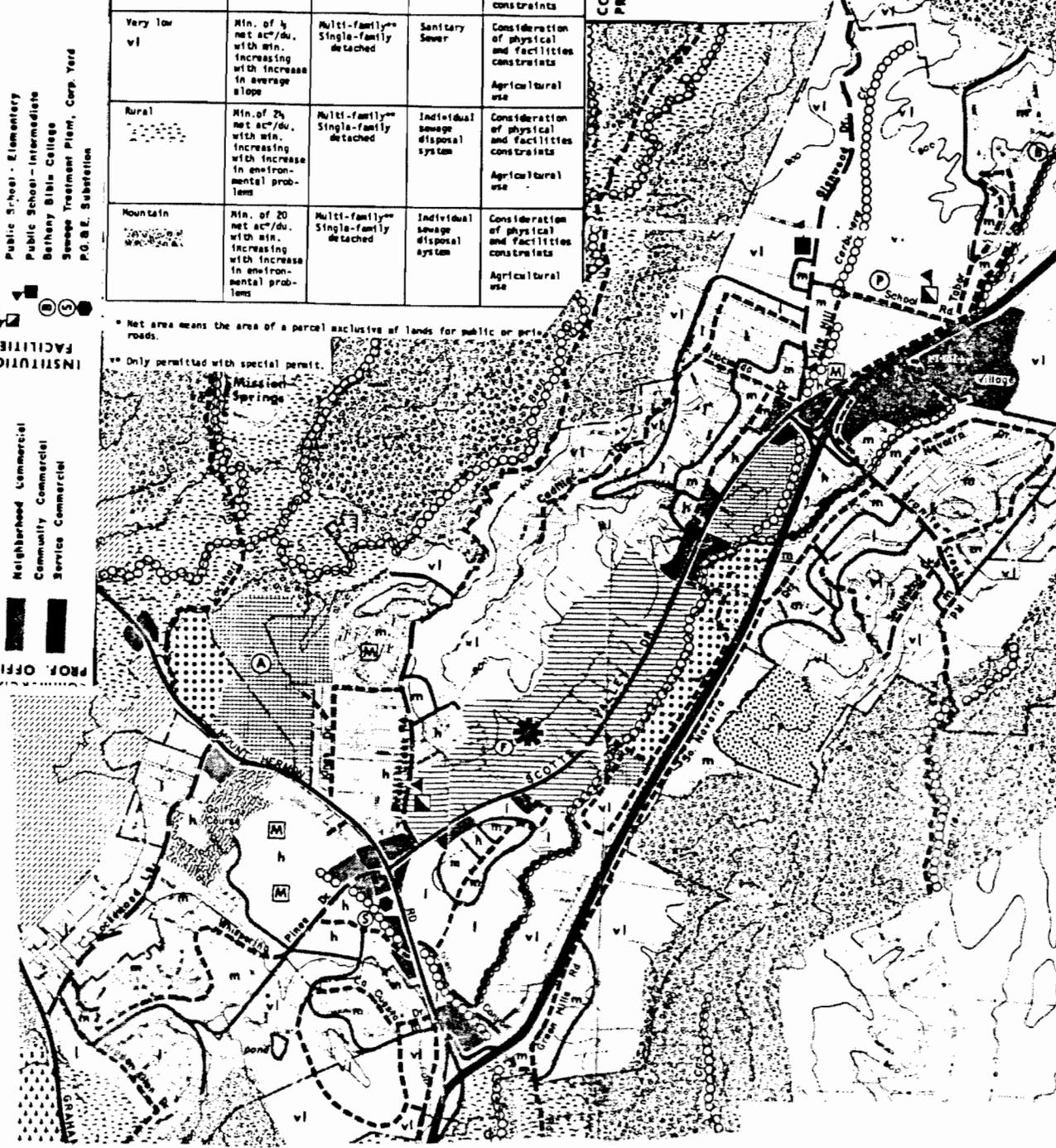
**RESIDENTIAL**

- h High Density
- m Medium Density
- l Low Density
- vl Very Low Density
- Rural
- Mountain
- Mobile Home Park

**COMMERCIAL-PROF. OFFICE**

- Neighborhood Commercial
- Community Commercial
- Service Commercial

Scale Map by Santa Cruz County Revised March 1, 1978



Please Note - We cut & pasted & copied the original map because reduced it would have been too small (the print especially) to read. For convenience & economy we wanted it on one page.

units approx.  
rezoning prop.  
dred's LAND use

PART 4 OF THE GENERAL PLAN

WILLIAM SPANOLE & ASSOCIATES  
CITY & REGIONAL PLANNERS

Adopted by the City Council June 21, 1978 Resolution No. 618

RZ - our map suggesting approx. dred covered by (Approx. - only) new

2-3 units per acre rezoning proposal

SUMMARY TABLE OF STANDARDS FOR RESIDENTIAL LAND USE CATEGORIES

(Note: Clustering of structures and accessory uses is encouraged in all residential developments.)

Residential Land Use Density Category	STANDARDS			
	Density	Dwelling unit types	Sewage Disposal	Special Provisions
High h	18 DU's maximum per net acre*	Multi-family Single-family detached	Sanitary Sewer	Common and private outdoor recreation facilities
Medium m	8 DU's maximum per net acre*	Multi-family Single-family detached	Sanitary Sewer	Common and private outdoor recreation spaces
Low l	2 DU's maximum per net acre*	Multi-family Single-family detached	Sanitary Sewer	Consideration of physical and facilities constraints
Very low vl	Min. of 4 net ac./dw. with min. increasing with increase in average slope	Multi-family Single-family detached	Sanitary Sewer	Consideration of physical and facilities constraints Agricultural use
Rural	Min. of 2 1/2 net ac./dw. with min. increasing with increase in environmental problems	Multi-family Single-family detached	Individual sewage disposal system	Consideration of physical and facilities constraints Agricultural use
Mountain	Min. of 20 net ac./dw. with min. increasing with increase in environmental problems	Multi-family Single-family detached	Individual sewage disposal system	Consideration of physical and facilities constraints Agricultural use

h
m
l
vl

High Density  
Medium Density  
Low Density  
Very Low Density



Rural  
Mountain  
Mobile Home Park

RESIDENTIAL  
COMMERCIAL-  
PROF. OFFICE

Neighborhood Commercial  
Community Commercial  
Service Commercial

- Riverbank Corridor
- Bluestem Reservoir
- Community Park - Res.
- Private Park - Res.
- Heavy Canal Redwood
- State Park (part)
- Freeway-Highway
- Arterial
- Major Collector
- Minor Collector
- Shoppers Airport

- Research - Industrial Park
- Limited Industrial
- Mixed Use Area
- Community Center
- Fire Station
- Public School - Elementary
- Public School - Intermediate
- Sanitary Bible College
- Sewage Treatment Plant, Corp. Yard
- P.B.E. Substation

OPEN SPACES-REC  
CIRCULATION

2-3 units per acre = 1 unit - 21,780  
1 unit - 14,520

- High Density
- Medium Density
- Low Density
- Very Low Density
- Rural
- Mountain
- Mobile Home Park
- Neighborhood Commercial
- Community Commercial
- Service Commercial

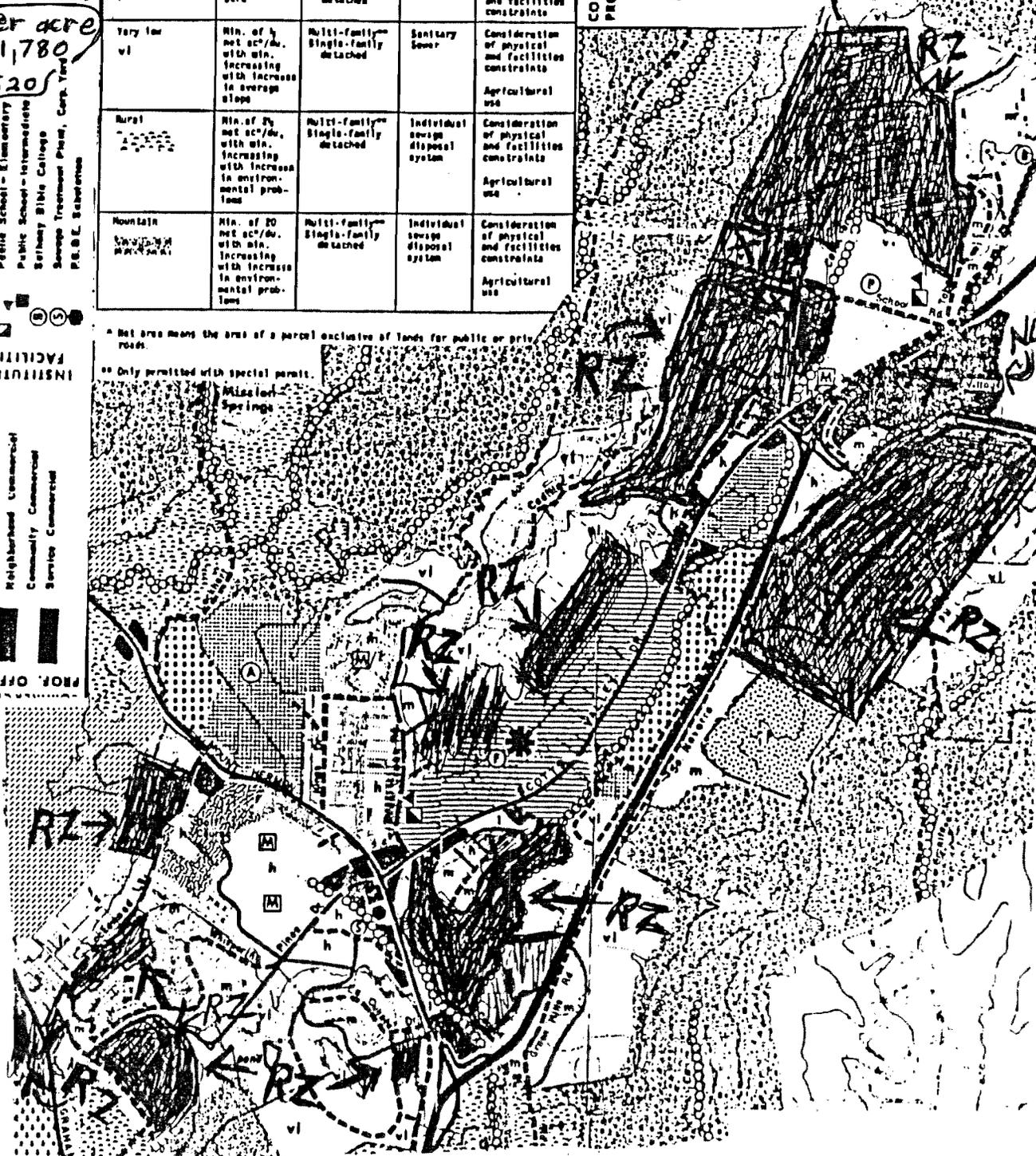
- INSTITUTIONS- MIXED RESEARCH
- INDUS.
- USR
- FACILITIES

- High Density
- Medium Density
- Low Density
- Very Low Density
- Rural
- Mountain
- Mobile Home Park
- Neighborhood Commercial
- Community Commercial
- Service Commercial

h
m
l
vl

PROF. OFFICE

\* Net area means the area of a parcel exclusive of lands for public or private roads.  
\*\* Only permitted with special permit.



Please Note - We cut & pasted & copied the original map because reduced it would have been too small (the print especially) to read. For convenience & economy we wanted it on one page.

The NEXT HEARING on the new General Plan is THIS THURSDAY, September 26, 1985 in the Barr Building. Go over the new bridge -- Disc Drive -- heading to Carbonero R.V. Park and the building straight ahead on the hill with lights and parked cars -- that's it. The City (as far as we understand) passed its State deadline September 8 and are (of interest) currently being "sued" by landowner Noor Billawala (Local Paper). This could be the LAST MEETING we hear.

PLEASE for Your sake and Ours, READ this information thoughtfully.

#### Preface/Explanation

We are an informed group of concerned citizens FIGHTING FOR OUR RIGHTS AND YOUR RIGHTS which WE HAVE NOW and have had for years. We in the north end of Scotts Valley (most of us) and some people in the central and southern parts COULD LOSE OUR Zoning and Density RIGHTS this very week UNLESS YOU HELP -- A FEW MINUTES OF YOUR TIME and a FEW OF YOUR WORDS (just say you're against it--at the meeting) and NO MONEY COULD SAVE YOU thousands of DOLLARS in property value and COULD STOP the City and the new General Plan from imposing new RESTRICTIONS on us.

We have spent hundreds of dollars and hours in research, and writing, printing and distributing informative material.

We have talked to the State Office of Local Government Affairs four times (in Sacramento). They tell us that they are handling or have some responsibility regarding Scotts Valley's new General Plan.

We have talked to several Real Estate persons and to the Scotts Valley Planning Department, and to the Mayor, and we have attended Council meetings (hearings). Also we have studied Assessors' and Recorders' maps of our areas, etc., and have talked to dozens of local property owners.

WE HAVE NOT FOUND ONE BUSINESSMAN to date who is for this rezoning, INCLUDING 10 REAL ESTATE PEOPLE, who are on our side. (We have collected 46 signatures of [big and small] Property Owners to date without half trying.)

NOTE: YOU are allowed to speak for 3 minutes. You stand behind a podium (speaker's stand), sign the register, state your name and address, and your opinion. If you are representing several people, you

are allowed to speak for 5 minutes. You can obtain tapes of the hearings for \$3.00 each at City Hall.

The Scotts Valley City Library has a copy of the new General Plan book (proposals) and a smaller C.A.C. recommendation book published 5 years ago and a copy of the 1978 general plan booklet. You can Xerox these also. There is a big colored map on the wall of City Hall that shows the proposed rezoning of our area.

Other citizens have very recently (as recent as the last few weeks) fought the City and have won. The property owners bordering the Carbonero Creek tributaries fought the Reparian Corridor issue. The State (apparently) suggested that 25' belong to the City. We have heard that Scotts Valley wanted "50' and a 100' buffer" zone and "without" paying for it (we heard). Local residents (we understand) fought this issue three times down to the State's 25' recommendation. In another issue, the City wanted steep property on the hillsides beyond a certain degree and/or percentage of grade, but settled for soil testing before construction on steep properties could begin, etc.

Note: These are not our issues and we don't know all the particulars, but have talked to a lot of those affected!

The proposed rezoning is a LAND USE PROPOSAL, which means that the City has an indefinite amount of time (the State told us) to redefine the individual areas within the general area of our neighborhoods under the new proposal. Three officials of the City gave us three different lengths of time regarding this redefining process -- 6 months, 1 year, and 2 years. None was exactly correct (according to the State). There are approximately 43,560 square feet in an acre. Currently our zoning density for most of the residential areas of the valley under the 1978 General Plan is "M" designation, being at a Max. of 6 units (houses) per acre = 1 house for every 7,300 square feet (approximately). There are (on the map) 17 "M's" in the north end and 15 "M's" in the south end (both approximate). Our zoning also varies between 1/10,000 and 1/20,000 square feet (it seems) zoning and density being partners, under the 78 General Plan, 6 or 5-6 units per acre and 1/10 and 1/20 zoning.

The City has proposed change for almost all or all the M density and zoning for the north end of Scotts Valley and for only very little (in comparison) of the south end. The new General Plan proposes a blanket 2-3 units per acre rezoning and density change for us. This means --

- (a) 2 units/acre = 1 house for 21,780 square feet or
- (b) 3 units/acre = 1 house for 14,520 square feet

THIS CUTS OUR DENSITY IN HALF AT THE LEAST. In our estimation, this could mean that if this proposal is adopted THIS WEEK, we could

not split lots in the future of almost up to 29,000 square feet approximately being about 2/3 of an acre or to 43,000+ square feet or up to almost an acre, rather large lots for downtown, we think. We presume that the new restrictions would take affect immediately, but by the maximum or minimum we don't know yet.

By comparison, right now 2/3 of an acre can be (possibly) split 4 ways and 1 acre can be split 6 ways.

When all this would take permanent affect, we aren't sure, but we don't want this change.

NOTE: 10,000 square foot lots are worth \$55,000 -- \$65,000 now in the north end of Scotts Valley and 10,000' corridor lots \$45,000 - \$55,000. In addition, for you small recorded undeveloped lot owners and small lot home-owners, the State told us that the City does not have to bargain away its option to create or demand future building variances by telling us in writing, for example, that they won't as regarding smaller or small non-conforming lots, which means of course they could.

## HISTORY

Scotts Valley was incorporated as a city in 1966. Scotts Valley had its first General Plan in 1972 and its second in 1978, which is an "incomplete plan" (we understand).

Six or seven years ago, the C.A.C. (Citizen's Advisory Committee) was formed consisting of 9 members to make recommendations for our City's future growth. Five years ago, a book containing these suggestions was published.

More recently, a group of local people approximately two years ago sued the City (we hear) to come up with a new (complete) General Plan. If our understanding is correct, the State agreed to protect Scotts Valley against lawsuits regarding this matter for a certain length of time. Over the past two years approximately, a new book of proposals and maps and information and history, etc., was drafted and hearings were held from August 27 - September 8 on our area and will be continued this Thursday, September 26. The State's final deadline for protecting Scotts Valley was apparently "September 8."

Our City's Council consists of the mayor and 4 councilmen, and none of them we understand receives much compensation for their labor.

Scotts Valley also has 5 appointed planning commissioners (unpaid) who made recommendations to the new General Plan over the past 2 years approximate. They attended, we hear, "40 extra meetings" approximate for this purpose.

There is a "loosely knit" (we've been told) group of people (we've talked with some of them) in Scotts Valley, commonly called the Committee for Orderly Growth or C.F.O.G., who seem to be for "slow and orderly growth", some of us think perhaps "no growth" (our opinions). We don't mean disrespect, as we realize that those we disagree with have labored sacrificially also, but we think that progress, free enterprise, growth, and citizens' control of their destiny are the financial strengths and power behind our U.S. of A.

We have been told by many people and it seems so, and according to a local paper (82 clippings), that "some of the council" was elected on the slow and orderly growth ticket. A local property owner and businessman told us that in the last election the "Old Guard" or "Pro Growth" people ran six candidates, spreading the votes too thin and subsequently lost to the Orderly Growth (slow growth) side, who ran only two candidates. However, according to 82 news clips, 70 votes was the widest margin of victory, not much of a landslide for the slow and "Orderly Growth Side."

Councilmen Phil Liberty (attorney) and Ray Carl (Real Estate man) are "pro-growth", or seem to be, as it seems are Bob Mandarino and Hal Medo (planning commissioners). We honestly have great respect for all elected and appointed City Officials. However, we reserve ourselves the right to include the above men as on our side so you can see that we are presently outnumbered on the Council (we believe) 3 - 2 and were on the planning commission recommendations 3 - 2.

LET'S GO TO THE HEARING AND VOICE OUR OPPOSITION BEFORE THE CITY VOTES AGAINST US. WHY SHOULD WE LET OUR RIGHTS SLIP AWAY? WE DON'T WANT OR NEED MORE RESTRICTIONS AND WE BELIEVE THAT THE BLANKET DENSITY REDUCING PROPOSAL OF THE CITY OF SCOTTS VALLEY GIVES THE CITY TOO MUCH POWER AND AUTHORITY OVER US, AND ESPECIALLY BECAUSE AS THE STATE TOLD US, THE CITY HAS AN INDEFINITE PERIOD OF TIME TO RE-DEFINE OUR AREA'S ZONING AND DENSITY. IF WE ALLOW THE CITY TO ADOPT ITS BLANKET LAND USE PROPOSAL FOR THE NORTH END OF SCOTTS VALLEY, RESTRICTING US TO 2-3 HOUSES PER ACRE AND MAKING OUR SMALLER DEVELOPED AND UNDEVELOPED LOTS NON-CONFORMING, WHO KNOWS WHAT THE EVENTUAL CONSEQUENCES OF THIS MIGHT BE?

PLEASE TAKE NOTE

SMALL UNDEVELOPED LOT OWNER

If you have a smaller e.g. recorded lot that you are paying taxes on, e.g. 8 or 9, or 10,000 square feet, you may have cause for concern. Remember anything under 14,520 square feet (at the least) will be sub-standard (non-conforming). The State brought up a new wrinkle. At first we understood them to say that the City could merge 2 adjoining sub-standard lots or a sub-standard and a standard lot after procedures such as posting a hearing. Now Tuesday, September 24, we hear that a 1977 map act law automatically merges sub-standard adjoining lots. We will call the State tomorrow to find out, because then those lots would require (apparently) a separate hearing, (if indeed they could be) to split them again. *9/25 The State said yes the merger would be automatic with 7 exceptions & 5 more circumstances etc. The Subdivision Map Act statutes are 66451.10 to 66451.21 - 2 1/2 pages.*

A SAMPLE OF SIGNATURE REFUSALS

Seven persons refused to sign so far.

NOTE: Smaller lots are 8-12,000 square feet and bigger lots 20,000 square feet approximately.

- 1) One person was on an 8,000 square foot lot but was against a small court of homes and 2 corridor lots (flaglots) -- (backlots) with (easements) driveways connecting the rear home to the passing street. -- However, all of those lots were as big as there's or bigger.
- 2) Another resident had just moved from Los Angeles and had purchased a bigger lot and didn't want congestion.
- 3) Another 9-year hillside resident on a smaller lot was against development on the opposite side of the valley, perhaps because they would have a more cluttered view.
- 4) Another resident on a smaller lot was a slow growther.
- 5) Another on a bigger lot was on the outskirts next to the wide-open spaces.
- 6) Another was on appoximately 1/3 acre and probably wouldn't be hurt by whichever zoning is in effect.

- 7) Another resident was on a fairly steep, bigger, probably unsplitable hillside lot and had been a worker on the new General Plan.

In addition, one resident said he was pro-growth, but because of serious family illness, didn't want to get involved.

Another businessman wished us well, but said he signs very few things.

Another property owner was afraid of prejudice from the City, but said he was 100% for us.

And still another small businessman said that he was behind us but was afraid to sign.

#### WHO IS THE CITY? (Government)

Is the City an entity? Is it a business? Is it a franchise? Is it a political party? Is the City of Scotts Valley the Mayor? Is the City the Council?

#### THE CITY IS YOU, THE CITY IS US.

We elect it, you and all of us property owners pay for it. The City is our employee. Public Servant?

IS THE CITY THE SERVANT OF THE NEWCOMER ONLY OR OF US ALL?

#### WHO SHOULD MAKE DECISIONS FOR US?

According to a local newspaper article, one of our current elected officials was here only 5 months before they ran for office. This is rather a short time considering that--

One of our citizens has been here 22 years, another 27 years, and still others 28 years, 38 years, 42 years, and so on.

#### WE ALL WANT COUNTRY SPACE BUT IS THIS THE WAY?

One property owner told me that they didn't want to see the half acre (larger lots) on the valley's NW side split because they thought that the City's population shouldn't go higher than the "13,000" projection (by year 2,000), and that if some of us lost property value (because of or in the event or as a result of new zoning) that somebody would have to lose. Please note that they were living on a 10,000 sq. ft. lot approx. However, they were not alone as a few others living on smaller lots voiced the same opinion, and some on larger lots also but they with a justifiable lot to talk from or so to speak.

To the City of Scotts Valley and it's Council 9/3/85.

We have talked to the California State Office of Local Affairs and found by conversing with them at great length, with 2 planners, that the State, according to that office, has no ("steadfast") laws on the books in black and white regarding all or most of our following questions. For some of these questions they mentioned "Case Laws"-examples of property owners' cases tried in court case by case.

1. Will the City of Scotts Valley submit to us property owners of the Hacienda Drive area (any or all of us) it's (the city's) answers to our following questions contained here-in and will the City of Scotts Valley submit them to us in writing? We want the answers.
2. Would the city use 1/20,000 sq. ft. (one unit per 20,000 sq. ft. zoning or 2-3 units per acre zoning as a uniform law to regulate all future lots in the area of north Scotts Valley where the city has proposed a zoning change.

As we understand it this uniformity of zoning is a state requirement (from talking with them). Which figure would the city use to regulate our area seeing as 2-3 units per acre would be close to 1 house for every 15,000 sq. ft. versus your alternate proposal or coinciding proposal of 1 house for every 20,000 sq. ft.

3. Would a property owner of a recorded lot of 8,000-10,000 sq. ft. or less or more up to your proposed rezoning standard will he or will he not be able to build?--on his lot, under your proposed zoning change or changes for the north end of Scotts Valley (if it is accepted in fact by the State) seeing that these smaller lots would be made non-conforming under your proposed 1/20,000 sq. ft. or 2-3 units per acre zoning. Also these lots have never been built on to our knowledge and their owners have been paying taxes on them.

We ask the above question outside of whether or not the lot has or does not have all, any or none of the required hook-ups required before a building permit can be issued since this has no bearing on the answer. Would the property owner have to settle in court as case by case.

4. Under the City's new zoning proposal would a property owner of a (then) non-conforming lot of 4,800 sq. ft. --

6,800 sq. ft. and up to your proposed new zoning standard be made (by the city) to take out a variance or variances for such alterations and or modifications as additions to their house, new garages, decks, porchs, drive-ways, car-ports, side-walks, garages converted to bedrooms, second stories added to the original home etc.

This question is posed beyond and outside of any discreciary reviews such as enviromental impact studies, hardship variances, negative declarations or set back distances etc. This question is also posed outside (beyond considering or past the applicable consideration) of natural or the natural topography of the lot such as creeks, hills, boulders, trees (tree ordinance) cornerlots, scenic easements etc. Will the property owner or will he not be charged for alterations or modification variances besides the normal building permit or permits required.

According to the State whether the City of Scotts Valley was operating under a Charter Government or General Gov. it would have to have some sound reason or reasons such as health or safety for e.g. to charge variances beyond normal regulations-however the percentage of your rezoned lots that could be covered by structures (a regulation that some mobile-home parks have) could be (possibly) a determining factor in whether or not the City of Scotts Valley would or could charge variances. A staff member in the State dept. of Local Gov. Affairs looked diligently for a statute (State Statute) regulating City variances but apparently there is none.

5. Under the City of Scotts Valley's proposed rezoning will the (then) non-conforming lots be regulated by a City law or standard governing the amount of a lot that can or could be covered by structures and if there is such a law already will it be changed up or down on the books (the amount of lot coverage allowed) if the zoning in our area (north end of S.V.) is changed.
6. Will a small lot owner of 4,800-6,800-9,000 sq. ft. and up to the City's proposed new zoning change standard be allowed to rebuild after a fire?-seeing as that small lot would be (then-future) non-conforming. Will he be able to rebuild if
  - (a.) He can meet the regulating set-backs and
  - (b.) Has or will contract an up to code foundation.
7. Under the City's new proposed zoning change will there be a set limit for the size of a lot which can or cannot be rebuilt on after a fire and if the City has a law

governing this situation on the books now will the City's proposed zoning change also change the size of the allowable lot for the future. We pose this question considering that for e.g. a 4,800 sq. ft. lot would be less than 1/4 the size approx. of your proposed new zoning change.

8. Would the city (in the future) reimburse money to the bigger single unit lot owners who paid much more than did the smaller lot owners when the sewer passed by? The bigger lots paid double and more in some cases and sometimes with the same size homes and families. (If the City's proposed new zoning change for the north end of S.V. is accepted by the State). We ask this question because under the new proposed zoning the lot owner of 20,000-29,000 or 39,000 sq. feet would not be allowed lot splits (according to whichever zoning standard the City goes with).

Comment

If the city wants to retain "Our rural small (country) town atmosphere" let the city with tax dollars from increased revenue from new buildings etc. buy up land in various parts of the town and create neighborhood parks where children can safely pasatiempo (pass the time). Remember if you change the zoning to retain the large lots of the individual property owners that still will not allow ours and your children and grand-children playgrounds. West S.C. for example has at least 2 neighborhood parks besides school-yards. Sultanean park is quite a distance for younger kids.

9. Why does the city or the planning department or advisory commission or whoever want to change our present zoning? Which we have lived with for many years especially since it does not appear that this proposed change would benefit the property owner or the city (unless they intend to charge non-conforming lot variances).
10. Why does the city want to change the zoning at this late date seeing as we are about (the city) "70 or 80%" built up? Whom will it benefit and where will the city get housing for the projection we've heard of 13,000 pop. by year 2,000. It certainly won't benefit the property owner or the city's tax collecting. For example we've heard that some property designated for apartments has been or is being proposed lowered in density. As the owner reasoned to us less units beget higher priced rents versus more units a little less fancy and charging a lower rent. Where is our low cost housing.

II. Will or will not any new flaglots "(Corridor Lots)" be allowed under the City of Scott's Valley's new proposed zoning and density change and changes for much or most of the north end of the City on both sides of Highway 17. We are concerned about the City's proposal to change the areas designated as "m" currently being 1/10,000 sq. ft., and 1/20,000 sq. ft., zoning and 6 units per acre density to 1/20,000 sq. ft. zoning and 2-3 units per acre.

12. Will any new "Corridor Lots" be allowed on property currently zoned or designated "m" anywhere else in the City under the City's new proposed change, and also would any other new "corridor Lots" be allowed on other properties and if they will why would you or would you discriminate against us in the North End on 17,000-20,000 sq.ft. lots.

13. Can the City of Scott's Valley lawfully (under State Law) drastically change and reduce our current zoning and density devaluating our properties by way of (a) not allowing future lotsplits on lots anywhere from 17,000-39,000 sq. ft. in size (depending on which new zoning the City goes with) (b) making the smaller lots non-conforming and perhaps opening the way for more regulations such as variances (c) (perhaps) disallowing the owners of small or smaller currently recorded vacant or undeveloped lots to build in the future, and-

CAN THE CITY DO ALL THIS WITHOUT HOLDING A GENERAL ELECTION TO DETERMINE THIS.

14. Will the City under it's new proposed zoning be able to dictate to the owner/builders where they will have to situate their residences on their 20,000 sq. ft. lots (mandated by the City's new proposed zoning. If the City cannot couldn't a future City Government amend the General Plan to allow lot splits and "corridor lots" and in this regard would not the City's proposed rezoning, 20,000 sq. ft. and 2-3 units per acre) be laying the foundation for more abstract ("mish mash") Planning?

15. Can the City (under State Law) restrict the large parcel owner or owners to 17,000-39,000 sq. ft. lots under the City's new proposed zoning change solely by virtue of the fact that these lots or parcels of land are some of the only larger and large buildable parcels left within the City limits and can the City do this without a vote (of the General Public) and is this rezoning and density change being proposed to promote a "quality small town 'character" in Scotts Valley at the expense and loss of value of the individual lot owner, the single residence and lot owner, and the property owning investor etc.

NOTE The City did not have 4 or 5 of our questions until a later date



## CITY OF SCOTTS VALLEY

CITY HALL - SCOTTS VALLEY, CALIFORNIA 95066 - PHONE 438-2324

September 17, 1985

Mr. Dave Wurberton  
205 Hacienda Drive  
Scotts Valley, CA 95066

Dear Mr. Wurberton:

Per the City Council direction we are responding to your questions presented at the September 5 meeting:

1. Following adoption of the General Plan, a zoning ordinance must be prepared setting the regulations for the various designations in the General Plan. Your analysis of question #2 is somewhat correct; the lot sizes that will be considered would be

21,780 sq. ft. (43,560 sq. ft.) OR 14,520 sq. ft. (43,460 sq. ft.)  
(2 units/acre ) (3 units/acre )

If current zoning ordinances remained in effect, the R-1-20 zone would be the appropriate zone for the low density designation of the new General Plan. You will want to be alert to the public hearings that propose new zoning regulations after the General Plan is adopted.

2. Your question #3 queries whether existing lots would be rendered unbuildable by the more restrictive zoning. Unless Council policy changes, all lots in existence are buildable as long as the proposal meets state law and local laws including building codes and zoning codes with regards to use, setbacks and height restrictions, health and safety, etc. *Please (OUR NOTATION HERE) READ numbered 5 AT THE TOP OF PAGE 5*

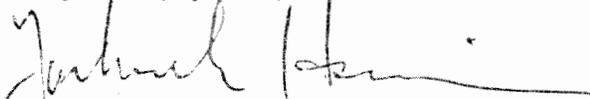
3. Your questions #4 addresses new zoning proposals and new zoning standards. We can only respond based on current practices and laws. Essentially your question is if a structure is made nonconforming because of new and more restrictive zoning codes, can you build onto the nonconforming structure. Enclosed is a copy of the current regulations which are typical of many cities. Please note page 214-103 (§17.60.080) C and D. This addresses enlargement, extension, reconstruction or structural alteration of a nonconforming building and ordinary maintenance and repairs.

Mr. Wurberton  
September 17, 1985  
Page 2

4. Your question #5 is will the new zoning laws limit lot coverage. The answer is "yes". Please note that currently the lot coverage for the residential zone is currently limited to 45%.
5. Currently, if a fire destroys a nonconforming building, it can be rebuilt as long as it meets current regulations. The size of the lot does not render it nonconforming. (See enclosed Chapter 17.60.)
6. As previously stated, the new zoning regulations are not written. If we follow current regulations, you may rebuild on a small lot as long as you meet the other City Codes.
7. We do not anticipate reimbursement of costs incurred for sewer lines to service the older homes that may have been constructed on larger lots.
8. In response to your questions #9 and #10, the intent of the City in establishing new land use designations was "to promote a quality, small-town character in Scotts Valley..." This concept is further explained in the preface to the new General Plan and is attached for your review. The new designations proposed by the Planning Commission were intended to accomplish this end.
9. The "new proposed zoning" would have setback regulations as you suggest. These setbacks would dictate where a builder would have to situate the residence on their lot. Of course, setback regulations are currently enforced in the City Code to establish uniform front, rear and side yards in the residential areas.

We hope these responses to your questions are clear. While your concerns are noteworthy, you should monitor the rewriting of the zoning codes which will occur within two years of adoption of the new General Plan. Most of your questions will be answered by zoning laws yet to be written.

Very truly yours,



Yuchuek Hsia  
Director of Community Development

YH/KC/amb

Enclosures: City Code Chapter 17.60  
Preface to proposed General Plan  
Copy of letter to City Council dated 9/3/85

Attention! ALL Help!

SCOTTS VALLEY  
PROPERTY OWNERS

Could the new GENERAL  
PLAN hurt YOU? Does  
it say no more lot splits  
on 20,000 sq-ft. Lots?

Will FLAGLOTS be allow-

ed in the future? Will the  
new GENERAL PLAN

proposal of 1 unit per 20,000  
sq-ft. & 2-3 units per acre  
make small lots non-conform-

# WILL SOME OF OUR RIGHTS BE TAKEN AWAY

DOES THE NEW GENERAL PLAN SAY 1 HOUSE PER 20,000 SQ. FT.?  
FOR ALMOST ALL DENNY'S END OF S.V.? AND ON 20,000' NO LOT SPLITS?  
AND WE HAVE HEARD A 20 YEAR PLAN IS BEING PROPOSED

SCOTTS VALLEY PROPERTY OWNERS:  
COULD THE NEW GENERAL PLAN HURT YOU BADLY FOR YEARS TO COME?

## TO THE CITIZENS OF OUR AREA WHO ARE OPPOSED TO 1/20,000' ZONING 2-3 UNITS PER ACRE

We, the property owners and citizens of the lower Hacienda Drive area of Scotts Valley, are petitioning this City for the right to split our parcels of 18,000 to 20,000 sq. ft. into two separate single family dwelling lots, creating a flaglot if necessary. (b) We are including the area boundaried by and within the perimeters of Hacienda Drive to Glenwood Drive, Glenwood to Sandraya Heights Road, Sandraya to Casa Way, Casa to Nashua Drive, Nashua to York Road, York to Grace Way, Grace to San Augustine Road and San Augustine to Hacienda. In addition, we also include those lots bordering or touching both sides of San Augustine and both sides of Sandraya. We also welcome the support of all property owners in our vicinity. Within the area where we have drawn imaginary boundaries are approximately 145 parcels of which 94 approx. or almost 2/3 are much smaller than 20,000 sq. ft., most being 6,800 to 10,000 to 14,000 sq. ft. approx., with 4 being from 4,800 - 5,900 sq. ft. approx. (b) and an easement if necessary

## LONG TIME RESIDENTS WANT TO SHARE THE BENEFITS

Some of us have been residents at our current addresses for twenty years and more and many others 8 to 10 to 15 years and those of us with the larger parcels we think should be allowed to share the same benefits of monetary gain as our many close and city-wide neighbors who have been allowed all through the 80's and before to divide their parcels under what we've heard to be an incomplete 1978 general plan, even to the building of housing tracts - 5 having been under construction in '84 and '85 approx. and some of these still partially under construction - and the lot splits (a) for all or most of these being recorded in the 80's - one in '80, one in '82, two in '83 and one in '84 approx. From '76-'81 real estate prices across our nation skyrocketed, bringing the greatest real estate profit in the history of this century. Many citizens of our neighborhood and city have benefited from the rise in property value and the lot splitting in recent years and we are glad for the winners, but don't forget us.

## 1/20,000' ZONING NOT IN THE BEST INTERESTS OF OUR AREA

If we presume that the 145 households approx. in our area have resided here an average of ten years each, we can collectively say that people have lived in our developed locale alone for 1,460 years and we have a voice, especially over undeveloped open space; although we do not discriminate against those taxpayers, either, who helped bring in the sewers, for example, with their many thousands of dollars. We vehemently reject the proposal of a 1/20,000' & 2-3 units per acre zoning for our area as not being in our best interests or in the best interests of the City's housing capability or of the tax revenue and the future development and maintenance of our neighborhood and city. The more homes the more tax revenue. Our present density is 5-6 units per acre (as we understand)

## COULD 1/20,000' & 2-3 UNITS PER ACRE ZONING MEAN NON CONFORMITY AND EXPENSIVE VARIANCES AND WOULD THIS PROPOSED ZONING RESTRICT US FOR THE NEXT 20 YEARS?

We have heard that the City Council and the new General Plan are proposing 1/20 zoning (one house per 20,000 sq. ft) or 2-3 units per acre to restrict this area for the next twenty years. The Planning Department told us at City Hall that they want no more flaglots. (one of the planning staff told us) This proposed zoning means that we would have to have almost 15,000 sq. ft. approx. for each one acre = 44,000 sq. ft. approx.

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WE WILL PASS OUT PAMPHLETS WITH SUGGESTED MEETING DATES OVER THE NEXT 2 WEEKS.  
TAPES ARE AVAILABLE FROM CITY HALL FOR \$3.00 EACH. LOCATION -  
CARBONERA PARK ON A HILL (2ND BUILDING FROM MOBILE PARK) TIME = 7:30 TO 11 PM  
PLANNING AREAS = #1-#35A AUGUST 27; #36-#100 AUGUST 29; #101-#158 AUGUST 30;  
#159-#204D SEPTEMBER 3 -- YOUR AREA COLORED MAP ON WALL OF CITY HALL

house and would stop division (splits) of 20,000 sq. ft. lots, as we perceive it. We understand that this could mean that anyone with less than a 20,000 sq. ft. lot would be placed in a position of non-conformity. This could mean that those property owners would have to take out a variance in addition to a building permit each and every time they wished to put up a deck or an addition onto their house, etc.; and what about rebuilding a burned out home and the ensuing red tape, such as set backs and existing structure foundations? We were told by City Hall that non-conformity would pertain to property use only -- but will it?

#### 20,000' LOTS AND BIGGER PAID DOUBLE AND MORE FOR THE SEWER LINES?

In 1978 and '79 all of us in this area we believe were assessed for the new sewer lines. The larger lots of approximately 20,000 sq. ft., etc. and even those with the same size homes and families as the smaller lots of 6,000+ sq. ft. and bigger, paid up to double the initial amount that the smallest lot owners were assessed. (We looked up this info. on the government micro-film and we know from our records as well.) For example, a 20,000' lot owner on Hacienda paid \$6,256.00 while their immediate neighbor with the same size home and family paid only \$3,146.00. Needless to say the \$3,000.00 more collected by the city from the larger lot owner could have (probably) earned for that lot owner in a savings account several thousands of dollars over the past seven years. In effect the bigger lot owner paid triple or so that which his neighbor on the smaller lot paid.

If this city did not intend to allow the larger lots of 20,000' etc. to split, then why did they demand such large fees from us and, since they did and if they will not allow us to split in the future, will they return our thousands of dollars with interest?

#### 1/2 ACRES ARE BIG LOTS FOR A CITY

ossibly) We do not understand why any citizens of our valley (and some of them living on smaller lots) would want to limit us, their neighbors, to 20,000 sq. ft. lots double the size of theirs (in some cases probably), especially since level to slightly sloping buildable land is rapidly disappearing in S.V. We think that the 20,000 sq. ft. lots serve a much more useful purpose on the steep ridges of the valley. The nucleus of Scotts Valley's residential areas are at both ends of the valley. Scotts Valley, the town, is and has been growing rapidly into a small city; and few cities have, or can afford to have, 1/2 acre residential lots downtown. The lack of maintenance of big lots often creates weed patches.

#### OUR AREA IS IN CLOSE PROXIMITY TO ALL CONVENIENCES

Our area is in close proximity to all conveniences such as stores, gas stations, buslines, restaurants, motels, churches, schools, college, doctors, dentists, fire department, police department, banks, post office, library, credit companies, etc. Some of us have been tax paying property owners at one address for twenty years and more, and our dollars and votes (and in some cases volunteer time) helped develop this town. Our constituency in this regard demands rightful equity from the current Council of and from our city, Scotts Valley.

THE CITY COUNCIL MUST PASS A NEW GENERAL PLAN BY SEPTEMBER 8, 1985 (WE HAVE HEARD) & WE HAVE HEARD THAT THEY HAVE ALREADY PASSED FORMER DEADLINES AND THAT THIS IS THEIR FINAL ONE.

IS THIS AN EXAMPLE OF PAST INEQUITY?

A property owner of a 20,000 sq. ft. lot in a 1/10,000 sq. ft. zone on Hacienda Dr. (Planning Depart. records) told me that in 1980 he paid \$500.00 for an application for a two way split. The two new lots created would have been 9,000 sq. ft. net each because of a 2,000 sq. ft. easement or shared driveway. This owner was denied a split because the City of Scotts Valley told him that he would not be conforming to the 1/10,000' zoning of his area. They also told him, the city government in 1980, that a new general plan in the works or soon to be would probably increase the density beyond 1/10. He says he forfeited his \$500.00, which is a standard city or county requirement (win or lose).

In 1984, four years later, his backyard neighbor touching his property for 100 ft. recorded a 4 way split of a larger lot of 40,000 approx. sq. ft. creating 4 new parcels of 8,043 to 8,328 sq. ft. approx. each (the houses were completed in '85) (they seem to have been); in actuality this is a miniature tract of homes complete with a cul-de-sac in an old residential area. We are complaining only of the inequity of the refusal of our neighbor's application, for example, and of the current 1/20 proposal or 2-3 units per acre and I, for one, am glad for the good fortune of the court builder, that he was able to build.

WE ALREADY HAVE DENSITY

In 1981 the owner of property on Glenwood Drive across from the San Augustine Catholic Church recorded a 10 way split which created lots as small as 7,245 sq. ft. approx. in a 1/10 zoning (if we read the map right). This is a tract adjoining our area but closer to S. V. Drive and the tenth house is presently under construction, 4 being two stories high. A creek or scenic easement seems (on the record map) to diminish the size of even the larger lots of this tract, however, I'd like to add that the new homes in that tract are beautiful.

In comparison a 20,000 sq. ft. lot split into a lot and a flaglot would create two 9,000 sq. ft. lots - a little less density. The large newer factories and stores do and will require more employees and we will have the traffic and congestion regardless of whether we have the housing for them or not.

A NEW 12,000' LOT IN A 1/20,000' ZONE IN '85 AND NEW CONSTRUCTION

At the first Hacienda bend a lot split in a 1/20 hillside residential zone was recorded in February of 1985 creating two lots it seems, one as small as 11,945 sq. ft. approximately. In 1984 and '85 a new house was (in a 1/10 zone) built on Hacienda Drive on 11,000 sq. ft. approx. in the 200 block approx. Its new owner has been allowed to build a workshop in one of the front yards of the house (corner lot), as tall as the house approx. and several hundred sq. ft. in size. This shop is only 5-10 ft. approx. from an easement serving four homes and is in full view of and is in fact on Hacienda Drive. Again, we are not objecting to this -- progress is all around us -- but we do not want to be restricted to 1/20,000' zoning. Many of us last year signed an environmental impact report? for a good neighbor on a small lot in this area to add a second story, which he is doing and we are happy for him. Progress is now rampant in Scotts Valley with many new homes and buildings having been recently built or presently under construction including Glen View Estates (20 1/2-acre lots approx.) (on Casa Way off of Glenwood Dr. and not far from our Hacienda neighborhood), Bay Federal Credit Union, a large new Best Western? motel, mini storage under construction (we hear), a K-Mart under construction (we hear), a new health club in the planning (we read in the paper) and a very large tract of homes or whatever in

THE CITY AT THE HEARINGS OVER THE NEXT 2-3 WEEKS WILL ACCEPT INPUT FROM US  
PROPERTY OWNERS BUT NO VOTES WE'VE BEEN TOLD BY CITY HALL.  
THE FINAL DECISION IS IN THE HANDS OF THE S.V. CITY COUNCIL  
(WE'VE BEEN TOLD)

the S.W. end of the valley on the hills behind the Shell Station. Why should we be restricted to 1/20,000' & 2-3 units per acre zoning as if ours was still a fledgling town?

#### INEQUITABLE ZONING AND TRACTS IN AN OLD NEIGHBORHOOD

In the 200 block of Hacienda Drive between Grace Way and San Augustine Road, the west side of the street on that side closest to City Hall is a 1/20,000' zone with the exception of 1 lower parcel. Directly across the street on the east side, the side farthest from the heart of the town, is a 1/20,000' zone but behind the houses facing Hacienda for almost all of the block (area) is a 1/10,000 zone (according to the planning depart. map). This block of 35 parcels approx. is boundaried by Hacienda, San Augustine, Sandraya Heights and Grace Way. At the back of the block, along Sandraya Heights Road, is one very large parcel but between there and Hacienda are 34 others approx. between 6,800' and 14,000 sq. ft. approximately. Some of these are flaglots. There are 3 courts or tracts of homes in this block with cul-de-sacs and 6 of the 16 homes it appears are planned for these courts have already been built. If the City or CFOG is worried about density (and to us it seems that they are because of the new proposed zoning), we already have it, and so do all cities.

It seems that the city wants to render or to leave the bigger lots of 20,000 sq. ft. etc. partially unusable by their proposed zoning but for what? The older residential areas will probably never allow condos in their midst. And up to 50% approx. of the present & increasing value of the 20,000' lots could be lost by the property owner. He will pay the cost of extra open space.

Beautiful parks are the best solution for open spaces.

#### SOME OLD HISTORY OF OUR AREA

In the 60's when Scotts Valley was first incorporated as a city, some of the residents on the west side of the 200 block of Hacienda Drive, City Hall side, wanted to be left out of the new city; presuming I suppose that cityhood would be an added expense and a hindrance to their wish for rural residency, they were expressing their objection. Almost all of these residents have moved on. Very soon, my parents, who had not asked to be left out in the cold but who perhaps had not obeyed the signs of the times, found that they had a different garbage day and company, a different fire department (but as we recall the local fire department said they would answer our call), a different voting precinct and a different address numbering for their neighbors across the street. This numbering change has confused strangers for 15-18 years approx. We have heard that this same pattern of irregular zoning was prevalent in other parts of the city in the earlier times. (C)

#### CONCLUSION -- DON'T DISCRIMINATE AGAINST US

We are not trying to chastise or embarrass City Hall or any individual, government or private, in anything we've said. We hold only the highest respect for all officials of the city and appreciate their efforts, concerns and sacrifices and, again I say that all we want is that our rights and future rights not be taken from us and set in concrete for years to come. Please don't discriminate against us.

(C) In the 60's when S.V. was incorporated apparently part of (area) the city (with-in city limits) was left in the county perhaps this is why we have 1/10 & 1/20 alternate zoning in our midst.

Most of us want progress and modernization; however, as an immigrant now a naturalized citizen (as were many of you and your ancestors), I say that the Great American way -- the way of the United States -- is not to pull the rug out from under our neighbors and elderly, in this case monetarily, in order to build a model dream town. Yes, we want parks and protection and conveniences, but most of all we want equitable and fair treatment.

We hear these days of equitable rights for women and minorities and for the elderly; for the handicapped we have special places to park and accommodating restrooms. Let's not forget the rights of us all and of those citizens who were here before S.V. was a city and with whose help you have and are creating a modern city.

As I recall the pioneers of this country came here from many countries to get equal rights and to escape tyranny in some cases and to share governing powers. They drew up a Bill of Rights and the Constitution.

Remember, all of us are living under a democracy. You the Council, our elected representatives or those before you, or City government or whoever the powers that be, have allowed huge but gracious factories and sprawling shopping centers all over our beautiful rancho. I realize that some of us have businesses here but primarily you and the planners and governors before you have brought density and congestion to us by allowing big business. Now don't hurt us, the little people, who aren't asking too much.

Let's go with what we have, working with all of our citizens around planner's problems. Don't destroy the dreams and plans, investments and retirements of so many of us.

Let's leave spaced out cities for space.

Thank you.

Let's go to City Hall and fight for one another before it's too late.

NOTE - The following includes the writer's opinion. 2-3 years ago at a city meeting some of us opposed local developers who wanted to build apartments on 6 acres between Grace Way and San Augustine Rd. Our family was opposed because we thought that the 2 story structures would block the valley view from our 33 yr. old home. Recently one of the developers told me that his intention was to build down in the flats (lower area) of the two 3-acre parcels. It seems that in that area they would not substantially affect the view of any of us on Hacienda Dr. or Grace Way or part of San Augusting (I think). He told me that the buildings would only be 22' high.

(a) Note: -- there are 3 dates involved in lot splitting -- application date, date of jurisdiction approval, and finally the recorded date. The recording of extra lots created by a split is necessary before they can be improved or sold according to a 1972 state law, the Map Act (we were told by the Santa Cruz County Planning Department).

# WHO IS THE CITY? (government?)

Is the City an entity? Is it a business?  
Is it a franchise? Is it a political party?  
Is the city of Scotts Valley the Mayor? or  
The Council?

THE CITY IS YOU THE CITY IS US  
We elect it - You and all of us (property  
owners) pay for it. The City is our  
employee. Public Servant?

IS THE CITY the servant of the  
newcomer only or of us all.

I've been told that one of the Council  
lived here 4 mos. (approx.) before they  
ran for office. 'Here-say? Is this the truth?

One of our citizens has been here 22 yrs.,  
another 27 yrs., another 42 yrs., and  
another 80 yrs. (we hear)

WE ALL WANT COUNTRY, BUT IS THIS THE WAY?

One property owner (9 yr. local resident) told  
me that they didn't want to see the  $\frac{1}{2}$  acre  
lots (on San Augustine side) split because  $\frac{2}{2}$  (20,000')  
they thought that the City's Population  
shouldn't go higher than 13,000 people and  
that if some of us lost property value  
~~it said~~ that somebody has to lose

NOTE - They were living on 10,000' (approx.)

1 HOUSE PER 20,000 SQ. FT. FOR ALMOST ALL DENNY'S END OF S.V.  
NO LOT SPLITS, AND WE HAVE HEARD A 20 YEAR PLAN IS BEING PROPOSED  
SCOTTS VALLEY PROPERTY OWNERS  
THE NEW GENERAL PLAN COULD HURT YOU BADLY FOR YEARS TO COME

CITIZENS OF OUR AREA WHO ARE OPPOSED TO 1/20 ZONING 2-3 UNITS PER ACRE

We, the undersigned property owners and citizens of the lower Hacienda Drive area of Scotts Valley, are petitioning this City for the right to split our parcels of 18,000 to 20,000 sq. ft. into two separate single family dwelling lots, creating a flaglot if necessary. We are including the area bounded by and within the perimeters of Hacienda Drive to Glenwood Drive, Glenwood to Sandraya Heights Road, Sandraya to Casa Way, Casa to Nashua Drive, Nashua to York Road, York to Grace Way, Grace to San Augustine Road and San Augustine to Hacienda. In addition, we also include those lots bordering or touching both sides of San Augustine and both sides of Sandraya. We also welcome the support of all property owners in our vicinity. Within the area where we have drawn boundaries are approximately 145 parcels of which 94 or almost 2/3 are much smaller than 20,000 sq. ft., most being 6,800 to 10,000 to 14,000 sq. ft., with 4 being from 4,800 - 5,900 sq. ft.

LONG TIME RESIDENTS WANT TO SHARE THE BENEFITS

Some of us have been residents at our current addresses for twenty years and more and many others 8 to 10 to 15 years and those of us with the larger parcels should be allowed to share the same benefits of monetary gain as our many immediate neighbors who have been allowed all through the 80's and before to divide their parcels under what we've heard to be an illegal 1978 general plan, we quote, even to the building of housing tracts - 5 having been built in '84 and '85 and some still partially under construction - and the lot splits for all of these being issued in the 80's - one in '80, one in '82, two in '83 and one in '84. From '76-'81 real estate prices across our nation skyrocketed, bringing the greatest real estate profit in the history of this century. Many citizens of our neighborhood have benefited (even a local councilman) and we are glad for the winners, but don't forget us.

1/20 ZONING NOT IN THE BEST INTERESTS OF OUR AREA

If we presume that the 145 households in our area have resided here an average of ten years each, we can collectively say that people have lived in our developed locale alone for 1,460 years and we have a voice, especially over undeveloped open space; although we do not discriminate against those taxpayers, either, who helped bring in the sewers, for example, with their many thousands of dollars. We vehemently reject the proposal of a 1/20 zoning for our area as not being in our best interests or in the best interests of the City's housing capability or of the tax revenue and the future development of our neighborhood, such as curbs and sidewalks, etc. The more homes the more tax revenue.

1/20 ZONING COULD MEAN NON CONFORMITY AND EXPENSIVE VARIANCES A 20 YEAR PLAN

We have heard that the City Council and the new General Plan are proposing 1/20 zoning (one house per 20,000 sq. ft) or 2-3 units per acre to restrict this area for the next twenty years. The Planning Department told us at City Hall that they want no more flaglots.

We understand that this, in addition to no lot splits, could mean that anyone with less than a 20,000 sq. ft. lot would be placed in a position of non-conformity. This could mean that those property owners would have to take out an expensive variance in addition to a building permit each and every time they wished to put up a deck or an addition onto their house, etc., and this would be a type of extortion; and what about rebuilding a burned out home and the ensuing red tape, such as set backs and home foundations? We were told by City Hall that non-conformity would pertain to property use only -- but will it?

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PLANNING AREAS = #1-#35A AUGUST 27; #36-#100 AUGUST 29; #101-#158 AUGUST 30;  
#159-#204D SEPTEMBER 3 -- YOUR AREA COLORED MAP ON WALL OF CITY HALL

#### 20,000 LOTS AND BIGGER PAID DOUBLE AND MORE FOR THE SEWER LINES

In 1978 and '79 all of us in this area were assessed for the new sewer lines. The larger lots of approximately 20,000 sq. ft., etc. and even those with the same size homes and families as the smaller lots of 6,000+ sq. ft. and bigger, paid up to double the initial amount that the smallest lot owners were assessed. For example, a 20,000' lot owner on Hacienda paid \$6,256.00 while their immediate neighbor with the same size home and family paid only \$3,146.00. Needless to say the \$3,000.00 more collected by the city from the larger lot owner could have earned for that lot owner in a savings account several thousands of dollars over the past seven years. In effect the bigger lot owner paid triple or so that which his neighbor on the smaller lot paid.

If this city did not intend to allow the larger lots of 20,000' etc. to split, then why did they demand such large fees from us and, since they did and if they will not allow us to split in the future, will they return our thousands of dollars with interest?

#### 1/2 ACRES ARE BIG LOTS FOR A CITY

Some of our conscientious neighbors have, during the past 2 years, devoted and sacrificed many, many hours of their own time and without pay to help with the new general plan, but we do not understand why citizens for the orderly growth of our valley (and some of them living on 10,000 sq. ft. lots) would want to limit us, their neighbors, to 20,000 sq. ft. lots double the size of theirs, especially since level to slightly sloping buildable land is rapidly disappearing in S.V. We think that the 20,000 sq. ft. lots serve a much more useful purpose on the steep ridges of the valley. The nucleus of Scotts Valley's residential areas are at both ends of the valley. Scotts Valley, the town, is and has been growing rapidly into a small city; and few cities have, or can afford to have, 1/2 acre residential lots downtown. The lack of maintenance of big lots often creates weed patches.

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Our area is in close proximity to all conveniences such as stores, gas stations, buslines, restaurants, motels, churches, schools, college, doctors, dentists, fire department, police department, banks, post office, library, etc. Some of us have been tax paying property owners at one address for twenty years and more, and our dollars and votes (and in some cases volunteer time) helped develop this town. Our constituency in this regard demands rightful equity from the current Council of our city, Scotts Valley.

#### AN EXAMPLE OF INEQUITY

In 1980 a 20,000 sq. ft. property owner on Hacienda Drive in a 1/10 zone paid \$500.00 for a two way split. The two new lots created would have been 9,000 sq. ft. net each because of a 2,000 sq. ft. easement or shared driveway. This owner was denied a split because the City of Scotts Valley told him that he would not be conforming to the 1/10,000 zoning of his area. They also told him, the city government in 1980, that a new general plan in the works would probably increase the density beyond 1/10. The city still holds his \$500.00

In 1984, four years later, his backyard neighbor touching his property for 100 ft. was allowed a 4 way split of a larger lot of 40,000 sq. ft. creating 4 new

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parcels of 8,043 to 8,328 sq. ft. each (the houses were completed in '85); in actuality this is a miniature tract of homes complete with a cul-de-sac in an old residential area. We are complaining only of the inequity of the refusal of our neighbor's application, for example, and of the current 1/20 proposal or 2-3 units per acre and I, for one, am glad for the good fortune of the court builder, that he was able to build.

#### WE ALREADY HAVE DENSITY

In the following paragraph I do not wish to cast a dark shadow and neither do I suspect any; I state only the fact.

In 1981 a current prominent City official, owner of property on Glenwood Drive across from the San Augustine Catholic Church, was allowed a 10 way split which created lots as small as 7,245 sq. ft. in a 1/10 zoning. This is a tract adjoining our area but closer to S. V. Drive and the tenth house is presently under construction, 4 being two stories high. A creek or scenic easement diminishes the size of even the larger lots of this tract, however, I'd like to add that the new homes in that tract are beautiful.

In comparison a 20,000 sq. ft. lot split into a lot and a flaglot would create two 9,000 sq. ft. lots - a little less density.

#### A NEW 12,000' LOT IN A 1/20 ZONE IN '85 AND NEW CONSTRUCTION

At the first Hacienda bend a lot split in a 1/20 zone was granted in February of 1985 creating two lots, one as small as 11,945 sq. ft. approximately. In 1984 and '85 a new house was (in a 1/10 zone) built on Hacienda Drive on 11,000 sq. ft. in the 200 block. Its new owner has been allowed to build a workshop in the front yard of the house, as tall as the house and several hundred sq. ft. in size. This shop is only 5-10 ft. from an easement serving four homes and is in full view of and is in fact on Hacienda Drive. Again, we are not objecting to this but we do not want to be restricted to 1/20 zoning. Many of us last year signed for a good neighbor on a small lot in this area to add a second story, which he is doing.

#### INEQUITABLE ZONING AND TRACTS IN AN OLD NEIGHBORHOOD

In the 200 block of Hacienda Drive the west side of the street on that side closest to City Hall is a 1/20 zone with the exception of 2 lower parcels. Directly across the street on the east side, the side farthest from the heart of the town, is a 1/10 zone. This block of 35 parcels is boundaried by Hacienda, San Augustine, Sandraya Heights and Grace Way. At the back of the block, along Sandraya Heights Road, is one very large parcel but between there and Hacienda are 34 others between 6,700' and 14,000 sq. ft. approximately. Some of these are flaglots. There are 3 courts or tracts of homes in this block with cul-de-sacs and 6 of the 16 homes planned for these courts have already been built. If the City or CFOG is worried about density, we already have it, and so do all cities.

The city and the planning department want to have a variety of large and small lots, but the larger lot owner will foot the bill.

Beautiful parks are the best solution for open spaces.

THE CITY AT THE HEARINGS OVER THE NEXT 2-3 WEEKS WILL ACCEPT INPUT FROM US  
PROPERTY OWNERS BUT NO VOTES. THE FINAL DECISION IS IN THE HANDS OF THE  
S.V. CITY COUNCIL

SOME OLD HISTORY OF OUR AREA

In the 60's when Scotts Valley was first incorporated as a city, some of the residents on the west side of the 200 block of Hacienda Drive, City Hall side, wanted to be left out of the new city; presuming I suppose that cityhood would be an added expense and a hindrance to their wish for rural residency, they were expressing their objection. Almost all of these residents have moved on. Very soon, my parents, who had not asked to be left out in the cold but who perhaps had not obeyed the signs of the times, found that they had a different garbage day and company, a different fire department (as we recall the local fire department said they would answer our call), a different voting precinct and a different address numbering for their neighbors across the street. This numbering change has confused strangers for almost 20 years.

CONCLUSION -- DON'T DISCRIMINATE AGAINST US

We are not trying to chastise or embarrass City Hall or any individual, government or private, in anything we've said. We hold only the highest respect for all officials of the city and appreciate their efforts, concerns and sacrifices and, again I say that all we want is that our rights and future rights not be taken from us and set in concrete for years to come. Please don't discriminate against us.

Most of us want progress and modernization; however, as an immigrant now a naturalized citizen (as were many of you and your ancestors), I say that the Great American way -- the way of the United States -- is not to pull the rug out from under our neighbors and elderly, in this case monetarily, in order to build a model dream town. Yes, we want parks and protection and conveniences, but most of all we want equitable and fair treatment.

We hear these days of equitable rights for women and minorities and for the elderly; for the handicapped we have special places to park and accommodating restrooms. Let's not forget the rights of us all and of those citizens who were here before S.V. was a city and with whose help you have and are creating a modern city.

As I recall the pioneers of this country came here from many countries to get equal rights and to escape tyranny in some cases and to share governing powers. They drew up a Bill of Rights and the Constitution.

We are not living in the U.S.S.R. where the government can use cruel power. You the Council, our elected representatives have allowed huge but gracious factories and sprawling shopping centers all over our beautiful rancho. I realize that some of us have businesses here but primarily you and the planners and governors before you have brought density and congestion to us by allowing big business. Now don't hurt us, the little people, who aren't asking too much.

Let's go with what we have, working with all of our citizens around planner's problems. Don't destroy the dreams and plans, investments and retirements of so many of us.

Let's leave spaced out cities for space.

Thank you.

Let's go to City Hall and fight for one another before it's too late.