

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

PHONE: (831) 427-4863

FAX: (831) 427-4877

Th3aC.F.D.
2/14/02**PUBLIC NOTICE****RECORD PACKET COPY****Prepared February 14, 2002 (for March 7, 2002 Hearing)****To:** Commissioners and Interested Persons**From:** Charles Lester, District Manager

Dan Carl, Coastal Planner

Subject: Santa Cruz County LCP Minor Amendment Number 2-01 (ADA Changes)

Proposed minor amendment to the Santa Cruz County certified Local Coastal Program to be heard at the Coastal Commission's March 7, 2002 meeting at the Hyatt Regency Monterey (One Golf Course Drive) in Monterey.

The County of Santa Cruz is requesting that its certified Local Coastal Program (LCP) Implementation Plan (IP) be amended. This amendment request was filed on December 31, 2001 pursuant to Coastal Act Section 30510(b) and California Code of Regulations (CCR) Sections 13553 and 13555. The proposed amendment would:

- (1) Revise IP Sections 13.10.265, 13.10.552, 13.10.554, 13.20.150, 14.02.0040, and 15.02.180 to replace the term "handicapped" with either "disabled" or "persons with disabilities" if referring to persons, or "accessible" if referring to parking spaces, toilets, or buildings; and
- (2) Revise IP Section 13.10.552 to modify several parking standards for Americans with Disabilities Act (ADA) compliance.

The proposed amendment is attached in strikethrough and underline format (to highlight the proposed changes) as exhibit A. The full amendment request is available for review at the Coastal Commission's Central Coast District Office in Santa Cruz.

The purpose of this notice is to advise interested parties of the Executive Director's determination (pursuant to CCR Section 13555) that the proposed amendment is minor as defined in CCR Section 13554 because it clarifies LCP terminology and does not result in changes to the kind, location, intensity, or density of use (CCR Section 13554(a)).

Pursuant to CCR Section 13555, the Executive Director will report this determination to the Coastal Commission at its March 7, 2002 meeting at the Hyatt Regency Monterey located at One Golf Course Drive in Monterey. The Executive Director will also report any objections to the determination that are received within ten working days of posting of this notice. The proposed minor amendment will be deemed approved and will become effective immediately unless one-third of the appointed members of the Commission request that it be processed as a major LCP

**California Coastal Commission****March 2002 Meeting in Monterey**

SCO LCPA MIN 2-01 determination notice 3.7.2002.doc

Attachment 2

ORDINANCE NO. 4642

AN ORDINANCE AMENDING COUNTY CODE SECTIONS 13.10.265, 13.10.552, 13.10.554, 13.20.150, 14.02.040, AND 15.02.180, TO ELIMINATE THE TERM "HANDICAPPED" AND TO REVISE ACCESSIBLE PARKING STANDARDS

SECTION I

Section 13.10.265 of the Santa Cruz County Code is hereby amended to read as follows:

Section 13.10.265(d) - Zoning Code, Nonconforming Structures

(d) The structural enlargement, extension, reconstruction or alteration of a non-conforming structure which has been designated as a historic resource pursuant to County Code Chapter 16.42 is permitted upon issuance on only those building permits and/or development permits required by other Sections of the County Code regardless of any other provisions of this Chapter to the contrary, if one or more of the following criteria are met:

1. The structural enlargement, extension, reconstruction or alteration conforms to the site development regulations of the Zoning district in which it occurs; or
2. The structural enlargement, extension, reconstruction or alteration does not conform to the setback or height regulations of the Zoning district in which it occurs, but is within the structural outline of the structure and does not expand the perimeter foundation line of the structure. The structural outline of a structure shall include that space which is enclosed by the structural posts, columns, beams, trusses and girders of the structure.
3. The structural enlargement, extension, reconstruction or alteration is required to provide handicapped access for persons with disabilities to the structure.

SECTION II

Section 13.10.552 of the Santa Cruz County Code is hereby amended to read as follows:

Section 13.10.552(e) - Handicapped Accessible Parking

Parking spaces specifically designed, located and reserved for vehicles licensed by the State for use by the handicapped persons with disabilities shall be provided in each parking facility of 10 or more spaces according to the following table:

CCC Exhibit A
(page 1 of 5 pages)

Total Spaces Required	Maximum Minimum Number of Handicapped Accessible* Spaces Required
1-9 1-25**	0 1
10-49 26-50	1 2
50-99 51-75	2 3
100-199 76-100	3 4
200 or more 101-150	4 5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	***
1001 and over	****

* Van space (s). One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide minimum and shall be designated van accessible. All such spaces shall be grouped on one level of any parking structure.

** Less Than 5 Spaces: When less than five spaces are provided at buildings and facilities subject to these regulations, one shall be 14 feet wide and lined to provide a 9-foot parking area and a 5-foot loading and unloading area. However, there is no requirement that the space be reserved exclusively or identified for use by persons with disabilities only.

*** Two percent of the total.

**** Twenty plus one for each 100, or fraction thereof over 1001.

The Approving Body may determine additional spaces to be necessary due to the special circumstances of the use intended.

SECTION III

Section 13.10.554 of the Santa Cruz County Code is hereby amended to read as follows:

Section 13.10.554 - Zoning Code, Standards for Off-street Parking Facilities

Offstreet parking facilities for autos shall conform with the following standards:

(a) Size of Parking Spaces.

1. Each standard size parking space shall be not less than 18 feet (5.5 meters) in length and 8-1/2 feet (2.7 meters) in width, exclusive of aisles and access drives.
2. Each compact car parking space shall be not less than 16 feet (4.9 meters) long and 7.5 (2.3 meters) wide.
3. All parking spaces shall have a vertical clearance of not less than 7.5 feet (2.3 meters).
4. Each parking space designated for handicapped use shall not be less than 18 feet (5.5 meters) long and 8 feet (2.4 meters) wide when located at the end of a row of spaces, or 12 feet (3.6

~~meters) wide when located between two conventional spaces. The end of a row of spaces shall have no obstruction on one side for at least 4 feet (1.2 meters) from the front.~~

Accessible parking spaces shall be located as near as practical to a primary entrance. Where single spaces are provided, they shall be 14 feet wide and outlined to provide a 9-foot parking area and a 5-foot loading and unloading access aisle on the passenger side of the vehicle. When more than one space is provided, in lieu of providing a 14-foot-wide space for each parking space, two spaces can be provided within a 23-foot area lined to provide accessible parking as required by this section. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities which do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances. Such parking space shall be located in an area with a slope not exceeding two percent, and shall be near or convenient to a level or ramped entrance, with a slope not exceeding five percent. Accessible parking spaces for the handicapped shall be assigned and restricted for use by the handicapped persons with disabilities only.

SECTION IV

Section 13.20.150 of the Santa Cruz County Code is hereby amended to read as follows:

Section 13.20.150(d) - Coastal Zone Regulations, Special Use Standards and Conditions

(d) Primary Destinations and Accessways. The following requirements apply to primary destinations and accessways as identified in Section 7.7 of the General Plan and Local Coastal Program Land use Plan.

1. Improvements at Primary Designations. The following improvements shall be provided at primary destinations: path improvements; recycling and garbage collection facilities; automobile parking, or in an impacted neighborhood, an acceptable alternative such as a beach shuttle, bicycle parking, transit service stop; access provisions for handicapped persons with disabilities if feasible; restrooms; scenic overlooks if appropriate; safety signs if needed, and identification signs. The level of development shall be as specified in an approved master plan for the destination, or in the absence of such a plan, at levels appropriate to the size, character and projected use of the destinations. The Assessment of Access Trails and Shoreline Destinations contained in the Land Use Plan shall provide the basis for determining the appropriate development level.
2. Maintenance and Management Program. The development plan for any primary destination shall include a feasible program for maintenance and management of the destination.
3. Accessway Separation. Barriers designed to discourage public encroachment upon private property may be erected between private property and accessways and/or high use recreation areas. Accessways, however, shall not be blocked. (Ord. 4346, 12/13/94)

SECTION V

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Section 14.02.040 of the Santa Cruz County Code is hereby amended to read as follows:

Section 14.02.040(b) - Condominium Conversion Regulations - Amendment Protocols

(b) The conversion of existing occupied residential real property or property capable of being occupied into a project shall not be approved unless all the following findings can be made:

1. The rental vacancy rate in Santa Cruz County is three percent or higher and will not fall below three percent as a result of the proposed conversion. The County shall estimate that the rental vacancy rate in the county is equivalent to the overall vacancy rate (excluding housing units under construction) for Santa Cruz County (SMSA), as listed in the most recent survey issued by the Federal Home Loan Bank of San Francisco.
2. Each of the tenants of the proposed project has or will have received all applicable notices and rights now or hereafter required by the state Subdivision Map Act, including written notice of intention to convert, at least 60 days prior to the filing of a tentative map pursuant to Section 66452.9 of the Government Code; 10 days' written notification that an application for a public report will be or has been submitted to the Department of Real Estate, and that such report will be available upon request pursuant to Section 66427.1(a) of the Government Code; written notice of public hearing and of the tenant's right to appear and to be heard on the proposed conversion pursuant to Section 66451.3 of the Government Code; and copies of the staff report on the tentative map at least three days prior to any hearing or action on such map pursuant to Section 66452.3 of the Government Code.
3. At the time of issuance of the written notice of intention to convert, the applicant has informed the tenants that a tenants' association has the right to negotiate for the purchase of the structure as a cooperative.
4. Each of the tenants of the proposed project has been, or will be, given written notification within 10 days of approval of a final map for the proposed conversion.
5. Each of the tenants of the proposed project has been or will be given 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. Tenants aged 62 or older or **handicapped persons with disabilities** or with minor children have or will be given an additional 120 days in which to find suitable replacement housing. The provisions hereof shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including but not limited to the provision of services, payment of rent or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the California Civil Code.
6. Each of the tenants of the proposed project has or will be given the right to cancel any existing lease following receipt of the written notice of public hearing by providing written notice to the landlord.
7. Each of the tenants of the proposed project has been or will be given notice of an exclusive right to contract for the purchase of his or her respective unit, or in the case of a cooperative the share controlling the dwelling unit then occupied by the tenant (or any other dwelling unit in the project not claimed by the tenant) upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, or approval of the application

by the County if a subdivision public report is not required, unless the tenant gives prior written notice of his or her intention not to exercise the right.

8. Each of the tenants of the proposed project who resided in the project at the time of the issuance of the notification of intention to convert has or will be offered moving and relocation assistance amounting to one and one-half times the tenant's monthly rent, except when the tenant has given notice of his or her intent to move prior to issuance of the notification of intention to convert.

SECTION VI

Section 15.02.180 of the Santa Cruz County Code is hereby amended to read as follows:

Section 15.02.180 - Dedications of Land and Fees for School Districts – Use of Land and Fees

As to overcrowding dedications and fees, all land or fees, or both, collected pursuant to this chapter and received by a school district, shall be used only for the purpose of providing portable interim elementary or high school classrooms and related bathroom facilities. All such portable classroom and bathroom facilities shall be fully accessible to and usable by the physically-handicapped persons with disabilities. Said land or fees shall not be used in any attendance area of a district, any part of which is within another county or city, until and unless said county or city has adopted an ordinance requiring the dedication of land or collection of fees pursuant to Chapter 4.7 of the Government Code, and said requirements are substantially similar to the regulations of this chapter. (Ord. 2599, 11/21/78 3809, 1/27/87)

SECTION VII

This Ordinance shall take effect on the 31st day after final passage or upon certification by the California Coastal Commission, whichever is later.

PASSED AND ADOPTED this 6th day of November, 2001, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS	Wormhoudt, Almquist, Beautz, Piri & Campos
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None

TONY CAMPOS

CHAIRMAN, BOARD OF SUPERVISORS

GAIL T. BORKOWSKI

ATTEST:

Clerk of the Board

CCC Exhibit A
(page 5 of 5 pages)

APPROVED AS TO FORM:

County Counsel

Copies to: Planning Department
County Counsel

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE ATTEST MY HAND AND SEAL THIS 8th DAY OF November 2001
SUSAN A MAURIELLO, COUNTY ADMINISTRATIVE OFFICER AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.

BY Alcamurus

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