

CALIFORNIA COASTAL COMMISSION

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Prepared November 20, 2008 (for December 10, 2008 hearing)

To: Commissioners and Interested Persons

From: Dan Carl, District Manager
 Jonathan Bishop, Coastal Planner

Subject: City of Grover Beach LCP Major Amendment Number 1-08 (Live Work Units in the Coastal Industrial Zone). Proposed major amendment to the City of Grover Beach certified Local Coastal Program to be presented for public hearing and California Coastal Commission action at the Commission's December 10, 2008 meeting to take place at the San Francisco City Hall Legislative Chamber Room 250, 1 Dr. Carlton Goodlett Place, San Francisco.

Summary of Staff Recommendation

The City of Grover Beach proposes to amend the certified Local Coastal Program's (LCP's) Zoning Ordinance, or Implementation Plan (IP), to allow live-work units in the Coastal Industrial (CI) Zoning District. Staff recommends that the Commission find that the proposed amendment is consistent with and adequate to carry out the provisions of the certified Land Use Plan (LUP) of the LCP, and that the Commission approve the LCP amendment as submitted.

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I. Staff Recommendation – Motion and Resolution

Approval of Implementation Plan Amendment as Submitted

Staff recommends a **YES** vote on the motion below. Passage of the motion will result in certification of the implementation plan amendment as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

Motion. I move that the Commission **certify** Major Amendment Number 1-08 to the City of



Grover Beach Local Coastal Program Implementation Plan as submitted by the City of Grover Beach.

Resolution to Certify the IP Amendment. The Commission hereby certifies Major Amendment Number 1-08 to the City of Grover Beach Local Coastal Program Implementation Plan as submitted by the City of Grover Beach and adopts the findings set forth below on the grounds that the amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Implementation Plan Amendment may have on the environment.

II. Findings and Declarations

The Commission finds and declares as follows:

A. Proposed LCP Amendment

The City of Grover Beach proposes to amend the certified Local Coastal Program's (LCP's) Zoning Ordinance, or Implementation Plan (IP), to allow live-work units in the Coastal Industrial (C-I) Zoning District. The proposed amendment would be to LCP Part 24, Section 9124.3, which amends Table 2 in the City's Zoning Ordinance by adding "UP" under live/work units for the C-I Zoning District (see Exhibit 1). Approval of a live-work project would require a finding that such a project would not result in an over-concentration of residential units in the C-I district. Similar to the allowance for live-work units in other City zoning districts, these types of projects will require approval of a discretionary Use Permit (UP) from the approval body. The amendment would apply to the City's coastal industrial Area 7 and Area 8 (see Exhibit 2 for a map of the C-I Zoning District).

B. LCP Consistency Analysis

The amendment makes changes to Allowable Use Table 2 of the LCP. Allowable Use Table 2 is part of the LCP's Zoning Ordinance, or Implementation Plan (IP). The standard of review for IP amendments is that they must be consistent with and able to carry out the policies of the Land Use Plan (LUP).



1. Applicable Policies

The amendment applies to Coastal Industrial (C-I) Area 7 and Area 8. Each of these coastal industrial areas includes separate but related policies. As shown below, the primary thrust of the applicable LUP policies relate to the protection of views and the industrial character of the area.

Area 7

1. *Policy: Future industrial developments here shall be required to meet precise landscaping and design requirements.*
2. *Policy: Future developments shall not be permitted to further obstruct views of the dunes from adjacent inland areas.*
3. *Action: The recreational vehicle park area should be better screened, through the use of trees and shrubs, from view from Highway 1.*

Area 8

1. *Policy: Future developments shall conform in design, height, and bulk to the light industrial character of existing development.*

2. Analysis

The proposed amendment involves two areas that make up the City's Coastal Industrial (C-I) Zoning District (Area 7 and Area 8). Area 7 is located south of Rockaway Avenue and west of South Fourth Street and is comprised of primarily industrial uses. Some residential uses, mostly older single-family homes, are located near these industrial developments as well. The LCP describes the visual quality of the structures in this area as having "little aesthetic value." Area 8 is located south of Farroll Avenue and is made up of primarily light industrial uses. According to the LCP, a closely grown row of very large eucalyptus trees screen the area from view from Highway 1 and describes the visual quality of the area as "fair." According to the LCP, visual conflicts could arise in this area if special design features were not required of future developments.

Allowing live-work units in the C-I Zoning District may enhance the visual resources of this somewhat blighted area. It is even possible that this proposed amendment will precipitate improvements to the visual qualities of the industrial zone as called for by the LUP. As more people move into this zone to live and work, it is anticipated that the overall appearance and visual qualities of the area will be enhanced. Livable neighborhoods and commercial/industrial businesses benefit from visually appealing structures and surroundings, as well as from housing opportunities close to areas where people work. Such projects will still require a discretionary Use Permit (UP) as part of the CDP process, and it is understood that design requirements, as well as other related LCP requirements, will ensure that the views and character of the area is protected without compromising coastal industry.



With respect to the potential for these industrial areas to transition to more residential areas over time, there are no specific LUP Policies that address the cumulative impacts of future residential development in the C-I zone. Over time it can be expected that the overall density of live-work units in the C-I zone will increase. Accordingly, the amendment requires such developments to be discretionary in nature and requires a finding that these types of projects “not result in an over-concentration of residential units in the C-I zoning district, which could potentially limit the usability of land for coastal industrial development.” Thus, the proposed amendment has provisions in place to ensure that such projects will not limit or displace future industrial development in this district. Thus, the proposed amendment can be approved because the Implementation Plan as amended remains consistent with the certified Land Use Plan.

In conclusion, the proposed amendment will allow for some live-work units to be pursued in the LCP’s C-I zone. Such units should help improve the vitality and aesthetics of the C-I neighborhoods, reduce commutes and related impacts (on traffic, air quality, etc.), and provide the City some land use and development flexibility where such is warranted under the LCP. Thus, the proposed amendment is consistent with and adequate to carry out the certified LUP as it affects development in the C-I zone.

C. California Environmental Quality Act (CEQA)

The Coastal Commission’s review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

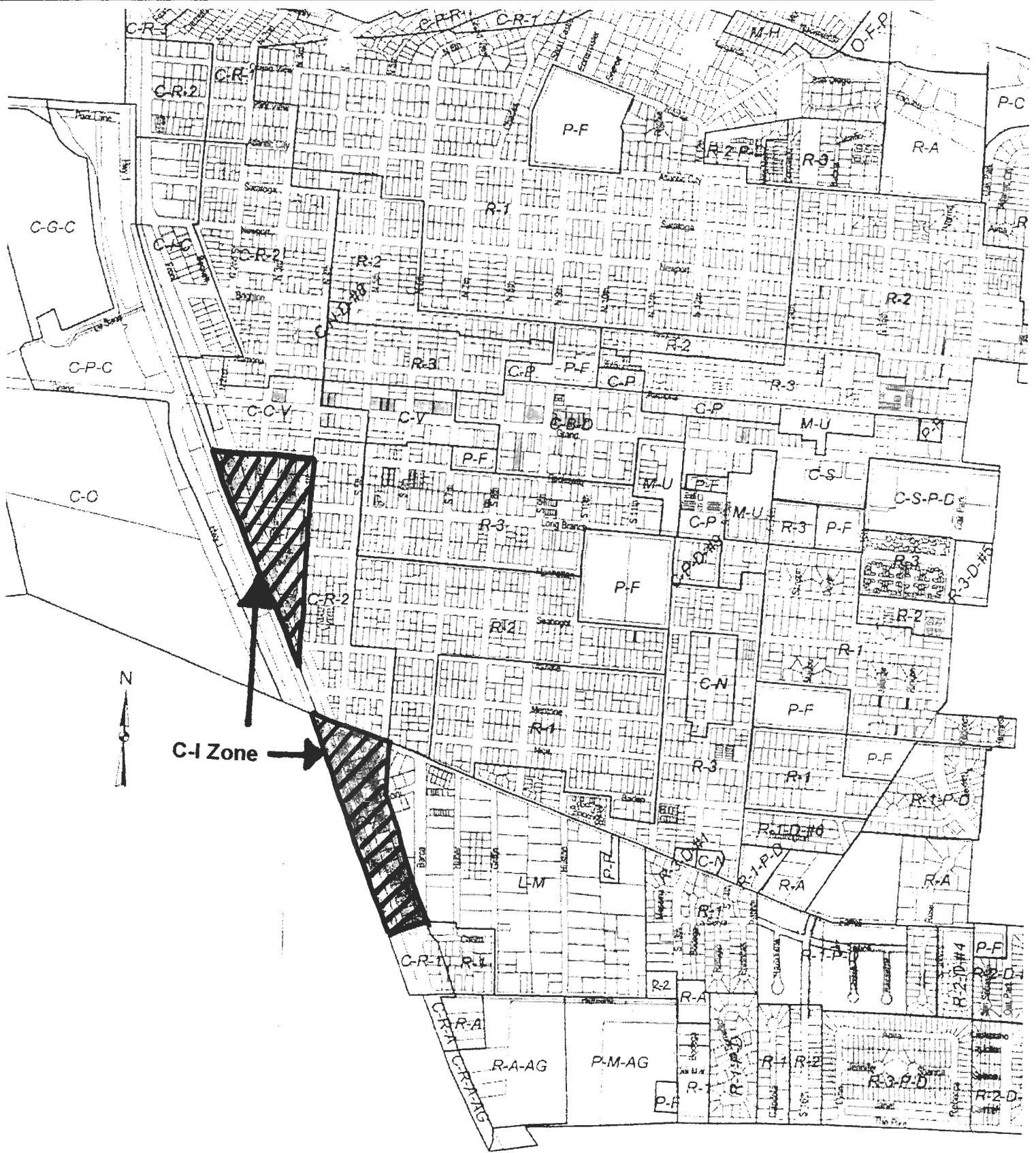
The City did not evaluate the proposed amendment under CEQA. This staff report has discussed the relevant coastal resource issues with the proposal. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).





USE	C-I-C	C-I	L-M	P-M
Swap meets	NP	NP	UP	NP
Taxi/limo service	NP	NP	P	AUP
Television and video repair	P	P	P	NP
Tire recapping	NP	UP	UP	NP
Transportation Facilities - (railroad stations, bus terminals, parking lots)	UP	UP	UP	UP
Vehicle parts & accessories sales (tires, etc.)	P	P	P	NP
Vehicle repair & related services (body, brake, transmission, painting, muffler, sound, etc.)	UP	P	AUP	NP
Vehicle sales and rental - (autos, trucks, motorcycles, RV's, ATV's, trailers, farm equipment, boats, aircraft, mobile homes)	UP	P	UP	UP
Vehicle dismantling, scrap dealers, salvage, storage	NP	UP ^a	NP	NP
Vending machines	NP	NP	P	P
Veterinary hospitals and clinics; animal boarding, training	AUP	AUP	AUP	NP
Warehousing, mini-storage, moving & van lines services	NP	P	P	NP
Water well supplies	NP	P	P	NP
Water treatment services	NP	NP	P	AUP
Wholesale or mail order houses	P	P	P	AUP
OFFICE USES				
Administrative, general, and executive offices accessory to permitted uses	P	P	P	P
* { Live/work units	UP	<u>UP</u>	UP	
Offices - Contractors	P	P	P	P
- Engineering/architect	P	AUP	AUP	AUP
- Organizations (e.g. labor, trade)	P	UP	UP	NP
PUBLIC AND QUASI-PUBLIC USES				
Business, trade, recreational or other specialized school	UP	UP	UP	UP
Childcare	UP	NP	NP	UP
College or university	UP	UP	UP	UP



City of Grover Beach
Zoning Designation Map

RESOLUTION NO. 08-72

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF GROVER BEACH, CALIFORNIA, AMENDING THE CITY'S
LOCAL COASTAL PROGRAM AND AUTHORIZING SUBMITTAL OF THE
AMENDMENT TO THE STATE COASTAL COMMISSION**

WHEREAS, in January 1982 the State Coastal Commission certified the Local Coastal Program for the City of Grover Beach; and

WHEREAS, on December 7, 1992, the City Council of the City of Grover Beach adopted Resolution No. 92-86 updating the Land Use Element of the General Plan; and

WHEREAS, on August 7, 2006 the City Council adopted Ordinance No. 06-11 which amended Article IX, Planning and Zoning Regulations, Section 9124.3, Table 2 to allow Live-Work Units to be located in the Coastal Industrial (C-I) Zoning District subject to a Use Permit.

WHEREAS, on September 15, 2008 the City Council received for review and consideration a Staff Report in connection with this proposed Amendment to the Local Coastal Program; and

WHEREAS, the City Council finds the proposed Amendment to be consistent with the Local Coastal Program; and

WHEREAS, this amendment to the Local Coastal Program (attached as Exhibit A) is required to be submitted to the Coastal Commission for review and certification.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Grover Beach **DOES HEREBY ADOPT** the amendment to the Local Coastal Program as set forth in Exhibit A.

AND BE IT FURTHER RESOLVED as follows:

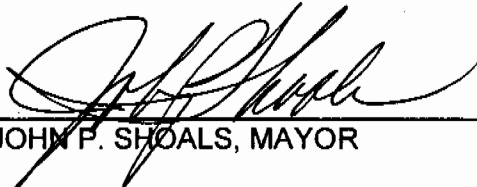
The City of Grover Beach intends to continue to carry out the Local Coastal Program in a manner fully consistent with the California Coastal Act.

The Local Coastal Program Amendment will take effect upon certification by the State Coastal Commission.

On motion by Mayor Pro Tem Nicolls, seconded by Council Member Bright, and on the following roll-call vote, to wit:

AYES:	Council Members Ashton, Bright, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES:	Council Members – None.
ABSENT:	Council Member Lieberman.
ABSTAIN:	Council Members – None.

the foregoing Resolution was **PASSED, APPROVED, and ADOPTED** at a regular meeting by the City Council of the City of Grover Beach, California this 15th day of September, 2008.



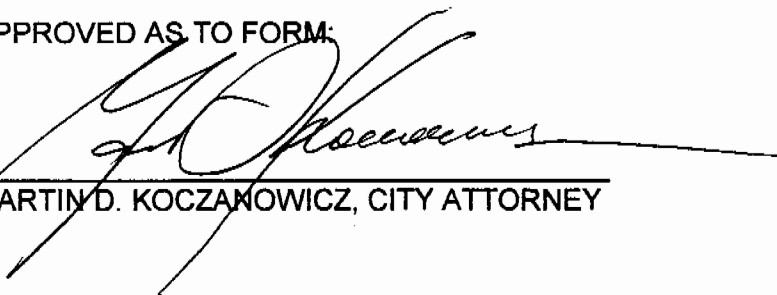
JOHN P. SHOALS, MAYOR

ATTEST:



DONNA L. McMAHON, CITY CLERK

APPROVED AS TO FORM:



MARTIN D. KOCZANOWICZ, CITY ATTORNEY

ORDINANCE NO. 06-11

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH,
CALIFORNIA, AMENDING ARTICLE IX, PLANNING AND ZONING REGULATIONS,
CHAPTER 1, ZONING REGULATIONS OF THE GROVER BEACH MUNICIPAL CODE,
PART 24 COASTAL INDUSTRIAL DISTRICT (C-I) BY AMENDING SECTION 9124.3:
USES PERMITTED SUBJECT TO APPROVAL OF A USE PERMIT**

WHEREAS, the City of Grover Beach has adopted a Zoning Ordinance (Article IX, Chapter 1 of the Grover Beach Municipal Code), that governs the use of land in the City; and

WHEREAS, the Zoning Ordinance provides specific development standards and review requirements governing the development and improvement of lands within the City; and

WHEREAS, the Zoning Ordinance, as provided in Part 24 (Section 9124.3, Table 2: Uses Permitted within Industrial Districts), sets forth the uses permitted subject to obtaining a Use Permit in the Coastal Industrial District (C-I) in the City of Grover Beach; and

WHEREAS, the City Council conducted a public hearing on August 7, 2006 to consider the amendment to Article IX, Planning and Zoning Regulations, Chapter 1 Zoning Regulations, Part 24 Coastal Industrial District (C-I) concerning the establishment of Live/Work Units subject to approval of a Use Permit within the City of Grover Beach; and

WHEREAS, the City of Grover Beach City Council made the following findings:

1. Notice has been given in the time and manner required by State law and City code.
2. The amendments to Article IX, Planning and Zoning Regulations, Chapter 1 Zoning Regulations, Part 24 (Section 9124.3, Table 2: Uses Permitted within Industrial Districts) relating uses subject to obtaining a Use Permit are in the best interests of the community, are consistent with the purpose of the Zoning Regulations, and will continue to promote growth in the City in an orderly manner.
3. The amendment to the Part 24 (Section 9124.3, Table 2: Uses Permitted within Industrial Districts) uses permitted subject to obtaining a Use Permit applies to the Coastal Industrial (C-I) District in the City and within the City of Grover Beach Coastal Zone.
4. The amendment is found to be consistent and in compliance with the goals, policies and maps in the adopted Local Coastal Program, and the City of Grover Beach intends to carry out the Local Coastal Program in a manner consistent with the California Coastal Act.
5. The proposed amendment to the Zoning Regulations is found to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(a)(b) (3), which sets forth that a project is exempt from CEQA if: The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The amendment (activity) only

modifies the uses permitted subject to obtaining a Use Permit, and discretionary review will be required to review any possible future impacts from development.

6. The amendment modifies the uses permitted subject to obtaining a Use Permit of the current Zoning Regulations of the Coastal Industrial (C-I) District to conditionally permit live/work units.
7. The amendment is found to be compatible and consistent with the objectives, policies, general land uses, and programs specified in the General Plan.

THE CITY COUNCIL OF THE CITY OF GROVER BEACH does hereby ordain as follows:

PART 1: Article IX of the Grover Beach Municipal Code is amended to read as follows:

Sec. 9124.3 Uses Permitted Subject to Obtaining a Use Permit. (C-I).

- (A) Uses permitted subject to issuance of a Use Permit are listed in Table 2. Conditionally permitted uses are identified with a "UP" in the column headed "C-I."
- (B) **Live/Work Units Required Finding:** Approval of the live/work project requires a finding that such project will not result in an over-concentration of residential units in the C-I zoning district, which could potentially limit the usability of land for coastal industrial development.

PART 2: The following use shall be added to Table 2 in alphabetical order as a use permitted subject to the issuance of a Use Permit in C-I zoning district (See Exhibit A, Table 2.) Live/Work units.

PART 3: If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional.

PART 4: This Ordinance shall become effective 30 days after the date of its adoption by the City Council. Within 15 days after its adoption by the City Council, it shall be published once, together with the names of the Council Members voting thereon, in a newspaper of general circulation within the City.

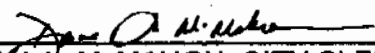
INTRODUCED at a regular meeting of the City Council held August 7, 2006 and **PASSED, APPROVED and ADOPTED** by the City Council on August 21, 2006 on the following roll call vote, to wit:

AYES: Council Members Ashton, Ekbohm, Mayor Pro Tem Lieberman, and Mayor Versaw.
NOES: Council Members – None.
ABSENT: Council Member Shoals.
ABSTAIN: Council Members – None.



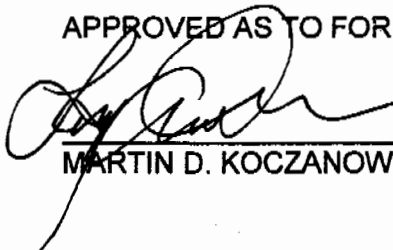
LARRY VERSAW, MAYOR

ATTEST:



DONNA L. McMAHON, CITY CLERK

APPROVED AS TO FORM:



Assistant City Attorney for
MARTIN D. KOCZANOWICZ, CITY ATTORNEY