

## CALIFORNIA COASTAL COMMISSION

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# F 10a

DATE: February 19, 2009

TO: Coastal Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director  
Robert Merrill, North Coast District Manager  
Melissa Kraemer, Coastal Program Analyst

SUBJECT: **HUMBOLDT COUNTY LCP AMENDMENT NO. HUM-DM-1-09, *DE MINIMIS* AMENDMENT TO THE IMPLEMENTATION PLAN:**  
Executive Director's determination that the amendment is *de minimis*, to be reported to the California Coastal Commission at its March 13, 2009 meeting at the Portola Hotel & Spa at Monterey Bay, Two Portola Plaza, Monterey.

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**Proposed Amendment:**

On January 2, 2009, the Commission received Humboldt County LCP Amendment No. HUM-DM-1-09 for certification. As submitted by the County, Humboldt County LCP Amendment No HUM-DM-1-09 would amend the certified Implementation Plan of the Humboldt County LCP.

The amendment would amend Sections 312-2.4.1.3 and 312-42 of the County's certified Coastal Zoning Regulations relating to procedures for issuance of zoning clearance certificates and modifications or exceptions for residential accessibility. The result of the amendment would be (1) to enable a zoning clearance certificate to be issued when there is an existing violation of the Humboldt County Code on the property under certain specified additional conditions (including to address an imminent health and/or safety violation or to facilitate an accessibility improvement to a structure or site for ADA compliance); and (2) to allow for modifications or exceptions from specific development standards for principal zones (including minimum yard setbacks, maximum ground coverage, and maximum building height) when necessary for a disabled resident to make a home accessible.

**De Minimis LCP Amendment Review Procedures:**

The Executive Director has determined that the proposed LCP amendment is *de minimis* and will report this determination, and any comments received regarding the determination, to the Coastal Commission at its March 13, 2009 meeting at the at the Portola Hotel & Spa at

Monterey Bay, Two Portola Plaza, in Monterey. If three or more Commissioners object to the *de minimis* determination, the amendment shall be set for public hearing. If three or more commissioners do not object to the *de minimis* determination, the amendment will be deemed approved, and will become a certified part of the LCP 10 days after the date of the Commission meeting – in this case on March 23, 2009.

For additional information regarding the proposed amendment or the method under which it is being processed, please contact Melissa Kraemer at the North Coast District Office in Eureka. Written comments on the proposed *de minimis* amendment determination should be submitted by March 10, 2009 to the Coastal Commission's North Coast District Office in Eureka, at 710 E Street, Suite 200, Eureka, CA 95501 to ensure they can be transmitted to the Commission meeting.

**De Minimis LCP Amendment Determination:**

Pursuant to Coastal Act Section 30514(d), the Executive Director may determine that a proposed LCP amendment is "*de minimis*." In order to qualify as a *de minimis* amendment, the amendment must meet the following three criteria:

1. The Executive Director determines that the proposed amendment would have no impact, either individually or cumulatively, on coastal resources, and that it is consistent with the policies of Chapter 3 of the Coastal Act;
2. The local government provides public notice of the proposed amendment at least 21 days prior to submitting the amendment to the Commission, by one of the following methods: posting on-site and off-site in the affected area, newspaper publication, or direct mailing to owners and occupants of contiguous property; and
3. The amendment does not propose any change in use of land or water or allowable use of property.

The conformance of the proposed LCP Amendment to each of the *de minimis* criteria is discussed briefly below:

**1. No impact on coastal resources & consistency with Chapter 3 of the Coastal Act:**

Under the existing certified LCP, Section 312-2.4 of the County's certified Coastal Zoning Regulations addresses the issuance of zoning clearance certificates. This section does not allow building permits for proposed development to proceed unless a zoning clearance certificate has been issued by the Planning Director certifying that the proposed development conforms with all the requirements of the County zoning code, and the development is not located on the same lot where zoning code violations exist. An existing exception in the code does allow certificates to be issued for development on a property for the abatement of an existing zoning code violation. LCP Amendment No. HUM-DM-1-09 would create additional exceptions to the requirement that no zoning clearance certificate be issued for a development on a lot that has zoning code violations under certain specified additional conditions, including if the zoning clearance is necessary (a) to address an imminent health and/or safety violation, (b) to facilitate an accessibility improvement to a structure or site for ADA compliance consistent with Section 312-42 (as amended), or (c) if the applicant has executed

and recorded an enforcement agreement with the County to cure the violation(s) on a form approved by the Risk Manager and County Counsel.

Under the existing certified LCP, Section 312-42 of the County's certified Coastal Zoning Regulations addresses the procedure for addressing requests for reasonable accommodation. The amendment proposed to the text of this section under LCP Amendment No. HUM-DM-1-09 would add text to clarify that a person who is disabled pursuant to the Americans with Disabilities Act of 1990 may request a modification or exception from specific development standards for principal zones, including minimum yard setbacks, maximum ground coverage, and maximum building height, in the event of an unexpected need to make their residence accessible, consistent with the Housing Accessibility Guidelines of the 2007 California Building Code. The request may be made by a family member, domestic partner, or agent on behalf of a disabled permanent resident of the home.

These proposed changes will not result in any increase in residential density, as the same number of developable parcels exist under the existing and proposed zoning designations applicable to the subject property. As the amendment will not result in increased numbers of residential units or residents, the amendment will not result in any increase in demand for sewer or water services or increased demand for public access to the shoreline. Therefore, the amendment will not adversely affect public access and is consistent with the public access policies of the Coastal Act. In addition, the amendment is consistent with the requirements of Section 30250 of the Coastal Act that new residential development shall be located within existing developed areas able to accommodate it and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

The amendment would allow for exceptions from specific development standards for principal zones, including minimum yard setbacks, maximum ground coverage, and maximum building height. However, all new development must be consistent with all other policies and standards of the certified LCP. For example, the proposed amendment does not alter in any way separate requirements of the certified Land Use Plan applicable to future development of the subject property that development proposed adjacent to any environmentally sensitive habitat area (ESHA) be sited and designed to prevent impacts which would significantly degrade such areas. Thus, future development of the subject property can be required to be set back as far as necessary from an ESHA on adjoining lands to ensure that the ESHA is adequately buffered and protected from development impacts that would degrade the ESHA. To be approved, development must comply with both the ESHA protection policies as well as all other certified LCP policies and standards. Therefore, no development facilitated by the proposed amendment will be sited within an ESHA, and future development facilitated by the amendment must be sited and designed to prevent impacts which would significantly degrade any adjacent ESHA that might exist, consistent with the requirements of Section 30240 of the Coastal Act. In addition, under the terms of the proposed amendment, any exceptions or modifications to the defined development standards of the principal zone may only be allowed if the exception involves no potential for adverse effects, either individually or cumulatively, on coastal resources.

Therefore, for all of the above reasons, the proposed amendment will not have an impact on coastal resources and is consistent with the policies of Chapter 3 of the Coastal Act.

**2. Provision of Public Notice:**

The County mailed public notice to interested parties in advance of both the Planning Commission hearing (held on June 19, 2008) and the Board of Supervisors hearing (held on December 16, 2008). In addition, for the Planning Commission hearing, newspaper publication notices were printed on June 5, 2008, June 12, 2008, and June 19, 2008. Similarly, for the Board of Supervisors hearing, newspaper publication notices were also printed on November 20, 2008, December 4, 2008, and December 11, 2008. The amendment was subsequently received by Commission staff on January 2, 2009. As more than 21 days passed between the time the County provided public notice of the proposed amendment by both direct mail and newspaper publication and the time the County submitted the amendment to the Commission for certification, the County satisfied the 21-day requirement.

**3. No change in use of land or allowable use of property:**

No change in use or allowable use of property is proposed by this amendment. The change in the zoning clearance certificate procedures would affect the timing of the issuance of zoning clearance certificates by enabling a certificate to be issued when there is an existing code violation on the property under certain specified additional conditions. The change in the procedures for requesting modifications or exceptions for residential accessibility would enable a person who is disabled pursuant to the Americans with Disabilities Act to request a modification or exception from specific development standards for principal zones, but all new development proposed must still be consistent with the principally permitted and conditionally permitted uses allowed in the zoning district where the development is proposed.

**Deadline for Commission Action:**

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied and an amendment is deemed submitted (or “filed”), the Coastal Act requires the Commission to act on Implementation Plan (IP) amendments within 60 days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 days (Coastal Act Sections 30510, 30512, 30513, and 30514).

The subject LCP amendment application was deemed submitted on January 16, 2009. This proposed LCP amendment would amend the Implementation Plan only, and thus the 60-day requirement applies. The 60<sup>th</sup> day after the date this LCP Amendment application was deemed submitted is March 17, 2009. Therefore, the subject LCP Amendment needs to be scheduled for Commission review at or prior to the Commission’s March 11-13, 2009 hearings, the last meeting before March 17, 2009.

**Exhibit:**

1. County Resolution of Transmittal and Ordinance

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIF  
Certified copy of portion of proceedings; meeting on December 16, 2008RESOLUTION NO. 08-111**RESOLUTION MAKING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL  
QUALITY ACT (CEQA) AND ADOPTING AN ORDINANCE AMENDING SECTION 312-2.4.1.3  
RELATING TO THE ISSUANCE OF ZONING CLEARANCE CERTIFICATES AND SECTION 312-42  
RELATING TO MODIFICATIONS OR EXCEPTIONS FOR RESIDENTIAL ACCESSIBILITY**

**WHEREAS**, California Government Code Section 65853 and Section 312-50 et seq. of the Humboldt County Code sets forth the manner in which a zoning ordinance may be amended; and

**WHEREAS**, Community Development Services - Planning Division has reviewed and circulated a draft Ordinance which amends Chapter 2 of Title III of the Humboldt County Code, Administration, Procedures, Amendments, and Enforcement, in particular Section 312-2.4.1.3 relating to the issuance of zoning clearance certificates and Section 312-42 relating to modifications or exceptions for residential accessibility; and

**WHEREAS**, Community Development Services - Planning Division has submitted documentation showing that the proposed ordinance amendments to the County Regulations will not have a significant effect on the environment and do not meet the definition of a project pursuant to Sections 15061(b)(3), 15378(a)(1) and 15378(b)(5) of the California Environmental Quality Act (CEQA) Guidelines; and

**WHEREAS**, Community Development Services - Planning Division's staff report includes evidence in support of finding that the proposed Ordinance is consistent with requirements of Section 65853 of the California Government Code and Section 312-50 et seq. of the Humboldt County Code; and

**WHEREAS**, on June 19, 2008, the Humboldt County Planning Commission held a public hearing on the proposed ordinance revisions to receive other evidence and testimony; and

**WHEREAS**, the Planning Commission has reviewed and considered said reports and other testimony presented to the Commission, and on June 19, 2008 recommended that the Board of Supervisors approve the proposed ordinance amendments.

**WHEREAS**, the Board of Supervisors on December 16, 2008 held a public hearing to consider the proposed ordinance amendments at which time all persons wishing to give testimony on the matter were heard.


**NOW, THEREFORE**, be it resolved, determined, and ordered by the Board of Supervisors, based on Community Development Services - Planning Division staff reports, supplemental reports, testimony presented at the public hearing(s) and the Planning Commission recommendations, that the Board:

1. Finds that the Ordinance which amends Chapter 2 of Title III of the Humboldt County Code, Administration, Procedures, Amendments, and Enforcement, in particular Section 312-2.4.1.3 relating to the issuance of zoning clearance certificates and Section 312-42 relating to modifications or exceptions for residential accessibility, has been reviewed for compliance with requirements of CEQA, and the amendments have been determined not to meet the definition of a project under CEQA pursuant to Sections 15061(b)(3), 15378(a)(1) and 15783(b)(5) of CEQA Guidelines, and could not have a significant effect on the environment.

2. Makes the findings for approval of the Administrative Procedures Zoning Text Amendment Ordinance (Case No.: OR-07-02) based on the submitted evidence and further finds that the Local Coastal Program Amendment will be carried out in accordance with the Coastal Act.
3. Approves and adopts Ordinance No. 2407 which amends Chapter 2 of Title III of the Humboldt County Code, Administration, Procedures, Amendments, and Enforcement, amending Section 312-2.4.1.3 relating to the issuance of zoning clearance certificates and Section 312-42 relating to modifications or exceptions for residential accessibility.

**BE IT FURTHER RESOLVED** by the Humboldt County Board of Supervisors that:

1. The Community Development Services – Planning Division is hereby directed to transmit the Local Coastal Program Amendment to the California Coastal Commission for certification in accordance with the Coastal Act, the Local Coastal Program Amendment to become effective upon approval by the Coastal Commission.
2. The Community Development Services - Planning Division is hereby directed to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research pursuant to California Environmental Quality Act.
3. The Clerk of the Board is hereby directed to give notice of the decision to any interested party.
4. The Clerk of the Board is hereby directed to publish the Post-Adoption Summary of Ordinance fifteen (15) days after its passage.

  
Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Smith, second by Supervisor Rodoni and the following vote:


AYES: Supervisors: Rodoni, Neely, Geist, Smith, Woolley  
NAYS: Supervisors:  
ABSENT: Supervisors:  
ABSTAIN: Supervisors:

STATE OF CALIFORNIA     )  
  )ss  
County of Humboldt     )

I, Nikki Turner, Deputy Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

  
Nikki Turner  
Deputy Clerk of the Board of Supervisors

**ORDINANCE NO. 2407**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT AMENDING SECTION 312-2.4.1.3 RELATING TO THE ISSUANCE OF ZONING CLEARANCE CERTIFICATES AND SECTION 312-42 RELATING TO MODIFICATIONS FOR EXCEPTIONS FOR RESIDENTIAL ACCESSIBILITY**

The Board of Supervisors of the County of Humboldt ordains as follows:

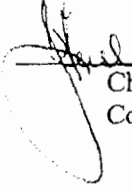
SECTION 1. Section 312-2.4.1.3 of Chapter 2 of Division 1 of Title III relating to the issuance of zoning clearance certificates of the Humboldt County Code is hereby amended as shown on the attached pages.

SECTION 2. Section 312-42 of Chapter 2 of Division 1 of Title III regarding requests for modifications or exceptions for residential accessibility of the Humboldt County Code is hereby amended as shown on the attached pages.

SECTION 3. This ordinance shall take effect and be in force thirty (30) days from the date of its passage or on the date of final certification by the California Coastal Commission, whichever occurs later. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published at least once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED, AND ADOPTED this 16th day of December, 2008.

AYES: Supervisors – Smith, Rodoni, Neely, Geist, Woolley  
NOES: Supervisors –  
ABSENT: Supervisors –

  
Chair of the Board of Supervisors of the  
County of Humboldt, State of California

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors  
County of Humboldt

By: 

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Attachment 1

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**Draft Administrative Procedures Zoning Text Amendments****Amendment #1****312-2 ZONING CLEARANCE CERTIFICATE PROCEDURES****2.1 PURPOSE**

A zoning clearance certificate certifies that a proposed development conforms with all current requirements of the Zoning regulations and, if applicable, the terms and conditions of any previously approved development permit or variance. (Former Section INL#316-22; CZ#A315-2(A); Added by Ord. 1280, Sec. 3, 10/10/78)

**2.2 REQUIRED ZONING CLEARANCE CERTIFICATE**

A Zoning Clearance Certificate is required whenever a building permit is required, and must be secured prior to the issuance of the building permit. (Former Section INL#316-22; CZ#A315-2(B); Added by Ord. 1280, Sec. 3, 10/10/78)

**2.3 FILING AND PROCESSING APPLICATIONS FOR A ZONING CLEARANCE CERTIFICATE**

2.3.1 Applications Any individual may apply for a zoning clearance certificate in conjunction with or prior to application for a building permit for a proposed development. (Former Section CZ#A315-2(C)(1); Ord. 1705, 9/10/85)

2.3.2 Application Form The Community Development Services Department shall provide standard forms on which applications for zoning clearance certificates can be filed. (Former Section CZ#A315-2(C)(2); Ord. 1705, 9/10/85; Amended by Ord. 2214, 6/6/00)

2.3.3 Filing Applications Applications for a zoning clearance certificate shall be filed with the Planning Division of the Community Development Services Department on the forms provided. At the time the application is filed, the applicant shall submit the required filing fees prescribed by the Board of Supervisors. All other plans, specifications and information that may be required by the Department to demonstrate compliance with the zoning regulations shall be filed with the application. (Former Section CZ#A315-2(C)(3); Ord. 1705, 9/10/85; Amended by Ord. 2214, 6/6/00)

2.3.4 Processing Applications Within five (5) working days of accepting an application, the Planning Division shall review the proposed development for conformance with the Humboldt County Zoning Regulations and, if applicable, the terms and conditions of any previously approved development permit, variance, or subdivision. (Former Section CZ#A315-2(C)(4); Ord. 1705, 9/10/85; Amended by Ord. 2214, 6/6/00)

**2.4 ISSUANCE OF CERTIFICATE**

2.4.1 Upon completion of the required Planning Division review (subsection 312-2.6), zoning clearance certificates shall be approved and immediately issued by the Director, or designee, if, based upon information provided by the applicant, all of the following findings are made; (Former Section CZ#A315-2(C)(5); Ord. 1705, 9/10/85)

2.4.1.1 The proposed development conforms with all requirements of the Humboldt County Zoning Regulations; and (Former Section CZ#A315-2(C)(5)(a); Ord. 1705, 9/10/85)



- 2.4.1.2 The proposed development complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development; and (Former Section CZ#A315-2(C)(5)(b); Ord. 1705, 9/10/85)
- 2.4.1.3 The proposed development is not located on the same lot where conditions exist or activities are being conducted which are a part of the proposed development and in violation of the Humboldt County Code, unless the zoning clearance a) is necessary for the abatement of the existing violation(s) or; b) addresess an imminent health and/or safety violation; or; c) facilitates an accessibility improvement to a structure or site for ADA compliance consistent with 312-42 of this Chapter; or d) the applicant has executed and recorded an enforcement agreement with the County to cure the violation(s) on a form approved by the Risk Manager and County Counsel. (Former Section CZ#A315-2(C)(5)(c); Ord. 1705, 9/10/85; Ord. \_\_\_\_, § \_\_\_\_, \_\_\_\_/\_\_\_\_/2008)
- 2.4.2 A public hearing shall not be required to be held prior to the Director's decision to approve or deny an application for a zoning clearance certificate. (Former Section CZ#A315-2(C); Ord. 1705, 9/10/85)
- 2.4.3 Written notification of the Director's decision shall be transmitted to the Building Division, within five (5) working days of the decision. (Former Section CZ#A315-2(C); Ord. 1705, 9/10/85; Amended by Ord. 2214, 6/6/00)
- 2.4.4 Decisions on zoning clearance certificate applications are not appealable. (Former Section CZ#A315-2(C); Ord. 1705, 9/10/85)

## 2.5 EXPIRATION OF ZONING CLEARANCE CERTIFICATES

A Zoning Clearance certificate shall expire at the end of the 180th calendar day after issuance, unless otherwise indicated on the clearance, or when the proposed development no longer conforms with the County Zoning Regulations. However, if the proposed development has commenced, as authorized by any required County permits, the certificate shall not expire as long as the required building permit does not expire, as specified in the Uniform Building Code (currently Section 106.4.4), (Former Section CZ#A315-2(D); Ord. 1705, 9/10/85; Amended by Ord. 2214, 6/6/00)

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~~Text being deleted is shown as strikethrough~~

## Amendment #2:

312-42 REQUESTS FOR MODIFICATIONS OR EXCEPTIONS FOR RESIDENTIAL ACCESSIBILITY PROCEDURE FOR ADDRESSING REQUESTS FOR REASONABLE ACCOMMODATION

This procedure is required for consideration of unforeseen circumstances that require consideration of "reasonable accommodation" consistent with the Americans With Disabilities Act

- 42.1 ~~The party requesting the modification or exception from any zoning or land use standard or regulation shall provide the Director of Community Development Services a written request for "reasonable accommodation" pursuant to the federal Fair Housing Act (FHA) and/or State Fair Employment and Housing Act (FEHA). The request shall describe the nature of the disability, the impact of the existing regulation or standard that has necessitated the request, and other methods or actions considered by the party to provide necessary relief and why the measure or measures were not found to be feasible.~~

A person who is disabled pursuant to the Americans with Disabilities Act of 1990 may request modification or exception from specific development standards for principal zones, including minimum yard setbacks, maximum ground coverage and maximum building height, ~~a land use standard or regulation~~ in the event of an unexpected need to make their residence accessible consistent with the Housing Accessibility Guidelines of the 2007 California Building Code and its successors located at 24 CFR 1101A et seq. The request may be made by a family member, domestic partner or agent on behalf of a disabled permanent resident of the home. (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

- 42.2 The person requesting the modification or exception from a specific development standard of a principal zone ~~land use standard or regulation~~ to make their home accessible shall provide the Director of Community Development Services a written request for the modification or exception which includes all of the following: (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008).

-the nature of the disability; (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-which resident of the home has the disability; (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-what modification or exception the applicant is requesting; (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

- the impact the existing regulation or standard has on the applicant; (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-any other methods or actions considered by the applicant to provide necessary relief; and, (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-why those methods or actions were not found to be feasible. (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

- 42.2 ~~3~~ Upon finding the request complete, and following consultation with any knowledgeable party or parties as determined appropriate, the Director ~~shall~~ may process the request for a modification or exception of a specific development standard of a principal zone according to the procedures for Special Permits. The applicant must obtain all other applicable permits, including Coastal Development Permits, for the development to be accommodated by the request. If this determination of modification or exception is related to a discretionary land use

project, the matter may be taken to the hearing officer ahead of the project as a whole, so as to expedite review and render a decision on which other permit findings may be dependant. (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

42.3 4 In addition to the findings for approving Special Permits, approval of ~~a request for reasonable accommodation~~ shall include the findings, ~~a) the request is the only feasible design, and b) the request provides a "reasonable accommodation" consistent with the Americans With Disabilities Act~~ a request for a modification or exception from a specific development standard of a principal zone ~~and use standard or regulation~~ for residential accessibility shall include the following findings: (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-the modification or exception is in conformance with the General Plan, and, if in the Coastal Zone, is in conformance with the Certified LCP; (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-if located in the Coastal Zone, the modification or exception involves no potential for any adverse effects, either individually or cumulatively, on coastal resources. (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-the modification or exception is not detrimental to public health, safety, or welfare; (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-the modification or exception conforms with all applicable standards and requirements of the California Building Code; (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-the modification or exception results in the only feasible design for accessibility; and, (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

-the modification or exception will provide residential accessibility for a disabled resident of the home consistent with the Housing Accessibility Guidelines of the 2007 California Building Code and its successors. (Ord. \_\_\_\_\_, § \_\_, \_\_/\_\_/2008)

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Text changes suggested by Coastal staff to qualify as de minimis LCP Amendment as double underlined/~~strikethrough~~