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**W6e**

Prepared July 22, 2009 (for August 12, 2009 hearing)

To: Commissioners and Interested Persons

From: Dan Carl, District Manager
Susan Craig, Coastal Planner

Subject: **Santa Cruz County LCP Major Amendment Number 1-09 Part 3 (Family Childcare and Miscellaneous Clean-Up).** Proposed major amendment to the Santa Cruz County certified Local Coastal Program to be presented for public hearing and California Coastal Commission action at the Commission's August 12, 2009 meeting to take place at the Hyatt Regency Embarcadero, 5 Embarcadero Plaza, San Francisco.

Summary of Staff Recommendation

Santa Cruz County proposes to amend its Local Coastal Program (LCP) Implementation Plan (IP) to add small family childcare homes (SFCH) (up to 8 children) in conjunction with residential uses as a principally permitted use in all LCP zoning districts that allow residential use. The proposed amendment responds to recent State legislation that requires that the use of single-family residences as SFCHs be considered a residential use of property with respect to all local ordinances (Health and Safety Code Section 1597.45). However, the proposed amendment goes further than is required by Health and Safety Code Section 1597.45 because it would allow SFCHs in conjunction with any residential use, not just in conjunction with single-family residential use. Thus, as proposed, the new SFCH use code would apply to all types of residential uses (multi-family residential, residential dwelling groups, caretaker's quarters, etc.). The proposed amendment also extends the large family childcare home (LFCH) use into all of the LCP's residential districts (LFCHs are already allowed in a variety of non-residential zoning districts that allow residential uses as a conditional use, except for agriculturally-zoned districts).

The proposed addition of SFCHs and LFCHs as principally permitted uses in existing residences in the proposed zoning districts would not result in significant adverse impacts to coastal resources, including because the existing LCP would continue to govern the appropriateness of residential use in the County's coastal zone, and family childcare could only be understood in relation to those residential uses that are consistent with the LCP in that respect. In other words, SFCHs and LFCHs would not be added independently as a principally permitted use. Rather, these facilities could only be permitted as part of residential uses that meet all other applicable provisions of the LCP. This is particularly important with respect to the County's rural properties, where specific siting and design criteria limit residential development as a conditional use to protect rural and agricultural lands. Adding family childcare homes as a use contingent on residential development already consistent with the LCP would be expected to have negligible resource impacts past the residential impacts themselves, and can be found consistent with the LCP Land Use Plan (LUP) (the standard of review for proposed IP amendments) in that

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amendments) in that respect.¹

In addition to the family childcare use proposal, the proposed amendment also includes: 1) correction of typographical errors; 2) minor text corrections; 3) clarification regarding the level of building permit review required for non-habitable and non-agricultural accessory structures on agricultural land; 4) deletion of duplicative text regarding the processing of coastal permits for second units that are not excludable; and 5) deletion of the County’s one-story and 17-foot height limit for mobile homes. With respect to all but number (5), the proposed changes are both minor in nature and non-substantive corrections that will only improve LCP clarity. With respect to the mobile home height limit modification, the proposed change responds to a recent published appeals court decision that determined that this IP requirement was in conflict with and preempted by the California Mobilehome Parks Act. Although the existing one-story and 17-foot height limits provide a greater level of visual and community character protection in terms of potentially inappropriate mass and scale, these limits present MPA conflicts, and the remaining LCP standards should adequately protect coastal resources consistent with the LUP requirements in this regard, including because mobile home park facilities in Santa Cruz County’s coastal zone are limited, and are generally located outside of critical public viewshed and community character areas, including a lack of such facilities nearest the shoreline itself. Thus, even with the proposed elimination of the IP sections that conflict with the MPA, the remaining applicable LCP provisions will provide adequate protection of public viewsheds and community character as required by the policies of the LUP.

Staff recommends that the Commission find the proposed amendment consistent with and adequate to carry out the policies of the LUP, and that the Commission approve the IP amendment as submitted. The motion and resolution are found on page 3 below.

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¹ Staff notes that an amendment very similar to this amendment was approved with modifications by the Commission on June 13, 2008 (SCO-MAJ-2-05 Part B). That approval limited SFCHs to single-family residential homes only, consistent with Health and Safety Code Section 1597.45. Staff has coordinated with the County regarding that limitation and believes that the LCP’s residential siting provisions are sufficient to address any issues associated with extending family childcare to other than single-family residences, and further believes this will provide appropriate flexibility for meeting the County’s childcare needs without coastal resource impacts.



I. Staff Recommendation – Motion and Resolution

Staff recommends that the Commission, after public hearing, approve the proposed amendment as submitted. The Commission needs to make one motion in order to act on this recommendation.

Approval of Implementation Plan Amendment as Submitted

Staff recommends a **NO** vote on the motion below. Failure of the motion will result in certification of the implementation plan amendment as submitted and the 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 **reject** Major Amendment Number 1-09 Part 3 to the Santa Cruz County Local Coastal Program Implementation Plan as submitted by Santa Cruz County.

Resolution to Certify the IP Amendment as Submitted. The Commission hereby certifies Major Amendment Number 1-09 Part 3 to the Santa Cruz County Local Coastal Program Implementation Plan as submitted by Santa Cruz County 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. Family Childcare Amendment

1. Proposed Amendment Background

Family childcare homes are small-scale childcare facilities that are regulated and licensed by the State Department of Social Services. By State law and definition, family childcare homes are located within residences where the owner/operator of the childcare service resides. There are two types of family childcare homes: small and large. A small family childcare home (SFCH) may provide care for up to 8 children. A large family childcare home (LFCH) may provide care for up to 14 children. Recent State legislation affects the manner in which local governments are required to view family childcare homes (Health and Safety Code Sections 1596.70 – 1597.621). The current LCP amendment request responds to State law provisions related to SFCHs that requires that the use of single-family residences as SFCHs be considered a residential use of property with respect to all local ordinances, and that require the same for LFCHs with respect to residentially-zoned properties (Health and Safety Code Section 1597.45).



2. Proposed Family Childcare Homes Amendment

The proposed LCP Implementation Plan (IP) amendment (see Exhibit B) would allow small family childcare homes (SFCHs) as a principally-permitted use in all LCP zoning districts in which a residential use is allowed. Specifically, the proposed amendment would add SFCHs in the following residential and non-residential zoning districts, in conjunction with a residential use (all of the following zoning districts allow residential use as either a principal or a conditional use, except for mining districts in which residential use is a nonconforming use):

- Agricultural zoning districts: Commercial Agriculture (CA), Agriculture (A), and Agricultural Preserve (AP);
- Residential zoning districts: Residential Agricultural (RA), Rural Residential (RR), Single-Family Residential (R-1), Single-Family Ocean Beach Residential (RB), Multi-Family Residential (RM);
- Commercial zoning districts: Professional and Administrative Offices (PA), Neighborhood Commercial (C-1), Community Commercial (C-2);
- Industrial zoning districts: Small Light Industrial Facilities (M-1), Light Industrial Facilities (M-2), Mining, Agriculture, and Timber Harvesting (M-3);
- Parks, Recreation, and Open Space (PR) zoning district;
- Public and Community Facilities (PF) zoning district; and
- Timber Production (TP) zoning district.

The proposed amendment also adds LFCH use as a principally permitted use in all of the above-listed residential zoning districts only (see page 3 of Exhibit B). The proposed amendment also amends the IP to add definitions of “small family child care home” and “large family child care home,” and amends the existing IP definition of “family day care home” to specify that a family day care home can provide care for disabled or ill children or adults. See page 6 of Exhibit B for the proposed IP amendment text.

3. LUP Consistency Analysis

A. Small Family Childcare Homes

In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the LCP’s Land Use Plan (LUP). The proposed amendment would add SFCHs in conjunction with residential use as a principally permitted use in all the above-listed IP districts. The addition of SFCHs as a principally permitted use in existing residences located in the zoning districts described above would not result in significant adverse impacts to coastal resources, including because the existing LCP would continue to govern the appropriateness of residential development in the County’s coastal zone, and family childcare could only be permitted in residences that are themselves consistent with the LCP. In other words, SFCHs would not be added independently as a principally permitted use. Rather, these



facilities could only be sited in residential structures that meet all other applicable provisions of the LCP. This is particularly important with respect to the County's rural properties, where specific siting and design criteria limit residential development as a conditional use to protect rural agricultural lands. If the SFCH use were intended to be permitted on its own as a separate principally permitted use, rather than solely in conjunction with existing or proposed residential uses, in these types of more sensitive areas, this would indeed be problematic under the LUP because it could lead to inappropriate residential development couched as family childcare homes where such development was principally permitted (and thus CDP decisions would not be appealable to the Commission on the use basis). This could also result in inappropriate intensification of use and development under the auspices of family childcare homes because an applicant might propose an SFCH that would later be used solely as a residence in the long run, sans the family childcare use. Adding SFCHs as a use contingent on residential development already consistent with the LCP eliminates this concern, and would be expected to have negligible resource impacts past the residential impacts themselves. Thus, if based on this conjunctive premise, the proposed IP amendment can be found consistent with the LUP.

If a *new* residential development to include an SFCH use were proposed in any of the above zoning districts, development of the new residential structure would have to conform to all applicable LCP requirements regarding coastal resource protection (including protection of agriculture, environmentally sensitive habitat, visual resources, the priority use requirements of the zoning district, etc.). For example, if a person or persons proposed to construct a new residence on agricultural land that would include an SFCH use, the proposed residential development would be required to comply with the LCP's certified agricultural policies and zoning code requirements, which recognize agriculture as a priority land use, require the preservation of agricultural uses on agricultural lands, and limit residential development accordingly (e.g., LUP Chapter 5 Agriculture policies and IP Sections pertaining to development on agricultural land, including but not limited to Sections 13.10.313 and 13.10.510, et seq., and IP Chapter 16.50). As is currently the case, any such residential development on agricultural land use would also be a conditional use, thus making any decision on such a residential project appealable to the Coastal Commission.

For the reasons discussed above, this portion of the proposed IP amendment pertaining to SFCHs can be found consistent with and adequate to carry out the certified LUP.

B. Large Family Childcare Homes

The proposed amendment would add large family childcare homes (LFCHs) in conjunction with a residential use as a principally permitted use in all residentially-zoned IP districts.² As with SFCHs discussed above, the addition of LFCHs as a principally permitted use in existing residences located in residentially-zoned districts would not result in significant adverse impacts to coastal resources. This is because the LFCHs would not be added independently as a principally permitted use but instead could

² The Commission recently approved a Santa Cruz County LCP amendment designed to conform the LCP to the State law with respect to LFCHs in non-residential zones (see LCP amendment SCO-MAJ-1-06 Part 2, certified on November 16, 2007). This prior amendment allowed for LFCHs in three commercial zoning districts (PA, C-1, C-2), and in the PR, PF, and TP zoning districts. Thus, the currently proposed amendment extends LFCHs to the LCP's residential districts only.



only be permitted if they were located in an existing or proposed residential use in a residential zoning district that meets all other applicable provisions of the LCP, including because the existing LCP would continue to govern the appropriateness of residential development in residential zoning districts in the County's coastal zone.³ For these reasons, this portion of the proposed IP amendment pertaining to LFCHs can be found consistent with and adequate to carry out the certified LUP.

B. Miscellaneous "Clean-Up" Amendments

1. Typographical Error

The proposed IP amendment also proposes to correct a typographical error (see page 3 of Exhibit B). The proposed change does not constitute an amendment to the LCP because the typographical error occurred after the correct language had already been certified by the Commission. In other words, the language shown by the County in this respect as amended language is actually the currently certified LCP text.

2. Mobile Homes Story/Height Limit

The proposed IP amendment also deletes IP Section 13.10.684(e)(16) and deletes the one-story and 17-foot height limit language from the text in IP Section 13.10.458 (see pages 2 and 4 of Exhibit B). These existing IP Sections limit mobile homes to one-story and 17 feet in height; this story and height limitation was added to the LCP in 2003 (LCP amendment 1-03 Part 3, approved by the Commission September 10, 2003). The proposed elimination of this requirement responds to a recent published Sixth District Court of Appeals decision that determined that this IP requirement was in conflict with and preempted by the California Mobilehome Parks Act (MPA).⁴ As proposed, the one-story and 17-foot height limit specific to mobile home parks and mobile homes would no longer apply, and instead the IP's RM (Multi-Family) zoning district height and story limits would apply, as they did prior to LCP amendment 1-03 Part 3. The latter is because the LCP only allows mobile home park developments in the RM zoning district,⁵ and these requirements were not at issue in the recent decision, nor do they appear to be in conflict with the MPA. Although the one-story and 17-foot height limits provide a greater level of protection against inappropriate mass and scale that could cause conflicts with the visual protection and community character policies of the LUP, these limits present MPA conflicts, and the existing RM standards should adequately protect coastal resources consistent with the LUP

³ With respect to LFCH and agricultural priorities, the Commission previously prohibited LFCH use in agricultural districts in LCP amendment SCO-MAJ-1-06 Part 2 due to concerns about potential conflicts between LFCH use and ongoing agricultural activities. This was allowed by State law because the applicable LFCH sections apply to residentially zoned properties, as opposed to those that apply to SFCHs that refer to residential uses as opposed to residential zoning.

⁴ *County of Santa Cruz v. Waterhouse*, Cal.App. 6 Dist., 2005.

⁵ IP Section 13.10.684(b) provides that mobile home park developments shall be located only in the RM district. IP Section 13.10.684(e) further states that standards for the development of mobile home parks should as nearly as possible be equivalent to the regulations for the district in which the mobile home development is located (RM), while at the same time preserving the special advantages of mobile home living (such as easy maintenance, close community, easy pace, availability of services and recreation facilities).



requirements.⁶ This is also accurate because mobile home park facilities in Santa Cruz County’s coastal zone are limited, and are generally located outside of critical public viewshed and community character areas, including a lack of such facilities nearest the shoreline itself. Thus, even with the proposed elimination of the IP sections that conflict with the MPA, the remaining applicable LCP provisions will provide adequate protection of public viewsheds and community character as required by the policies of the LUP.

3. Non-Habitable Accessory Structures in Agricultural Zones

This portion of the proposed IP amendment modifies the IP’s Agricultural Uses Chart (Section 13.10.312(b)) to indicate that 501 square foot to 1,000 square foot non-habitable accessory structures on agricultural land would be processed at a building permit review level, whereas non-habitable accessory structures in excess of 1,000 square feet on agricultural land would require a level 3 discretionary review (see page 1 of Exhibit B for the proposed amendment language). The proposed amendment is, however, slightly misrepresented. The certified IP currently reads as follows in this respect:

Non-habitable accessory structure when incidental to a residential use and not for agricultural purposes (subject to the provisions of Section 13.10.611 and 13.10.313(a)).	CA Commercial Agriculture	A Agriculture	AP Agricultural Preserve
Total area of 1000 square feet or less	BP only	BP only	BP only
Total area of more than 1,000 square feet	3	3	3

Thus, under the existing certified IP, and provided it can meet the applicable agricultural and accessory structure provisions of the IP (including Sections 13.10.611 and 13.10.313(a)), a non-habitable non-agricultural accessory structure on agricultural land that is less than 1,000 square feet requires only building permit review, and a structure larger than 1,000 square feet requires a level 3 discretionary review. Therefore, the proposed change from the certified language is that the proposed review level for such structures less than 1,000 square feet would include an added level of review detail. Specifically, a non-habitable accessory structure smaller than 500 square feet would require a level 2 building permit review (which includes a requirement for project plans and administrative approval), and a non-habitable accessory structure ranging in size from 501 square feet to 1,000 square feet would require a level 3 building permit review (which requires project plans and a field visit prior to administrative approval). In other words, this portion of the proposed amendment simply provides additional specificity to the existing IP with respect to the level of building permit review required, and does not raise significant coastal resource issues.

⁶ With respect to height, the RM district allows for a maximum height of 28 feet, as do all of the LCP’s residential zoning districts. This residential height limit is a maximum, of course, and the facts of any particular case dictate appropriate height in light of other LCP policies that also apply (protecting shoreline views, community character, etc.).



4. Non-Excludable Second Units

The proposed IP amendment also proposes to delete language from the IP's Residential Uses Chart regarding the processing of coastal permits for second units that are not excludable (see page 2 of Exhibit B). In 2004 the Commission certified amendments to IP Section 13.10.681 regarding the review process for second units in residential zones within the coastal zone (LCP amendment 2-03 Part 1). LCP amendment 2-03 Part 1 identifies the appropriate processing provisions for second units that are not excludable, indicating that all proposed second units in residential zones in the coastal zone are processed under zoning ordinance section 13.10.681. As a result, the language proposed for deletion here is duplicative, and its deletion does not substantively alter the IP.

5. Conclusion

The proposed miscellaneous clean up amendments are either minor in nature or non-substantive corrections that will only improve LCP clarity, or in the case of the mobile home story/height changes, they are corrections that conform the IP to recent published court decisions. Thus, these portions of the proposed IP amendment can be found consistent with and adequate to carry out the certified LUP.

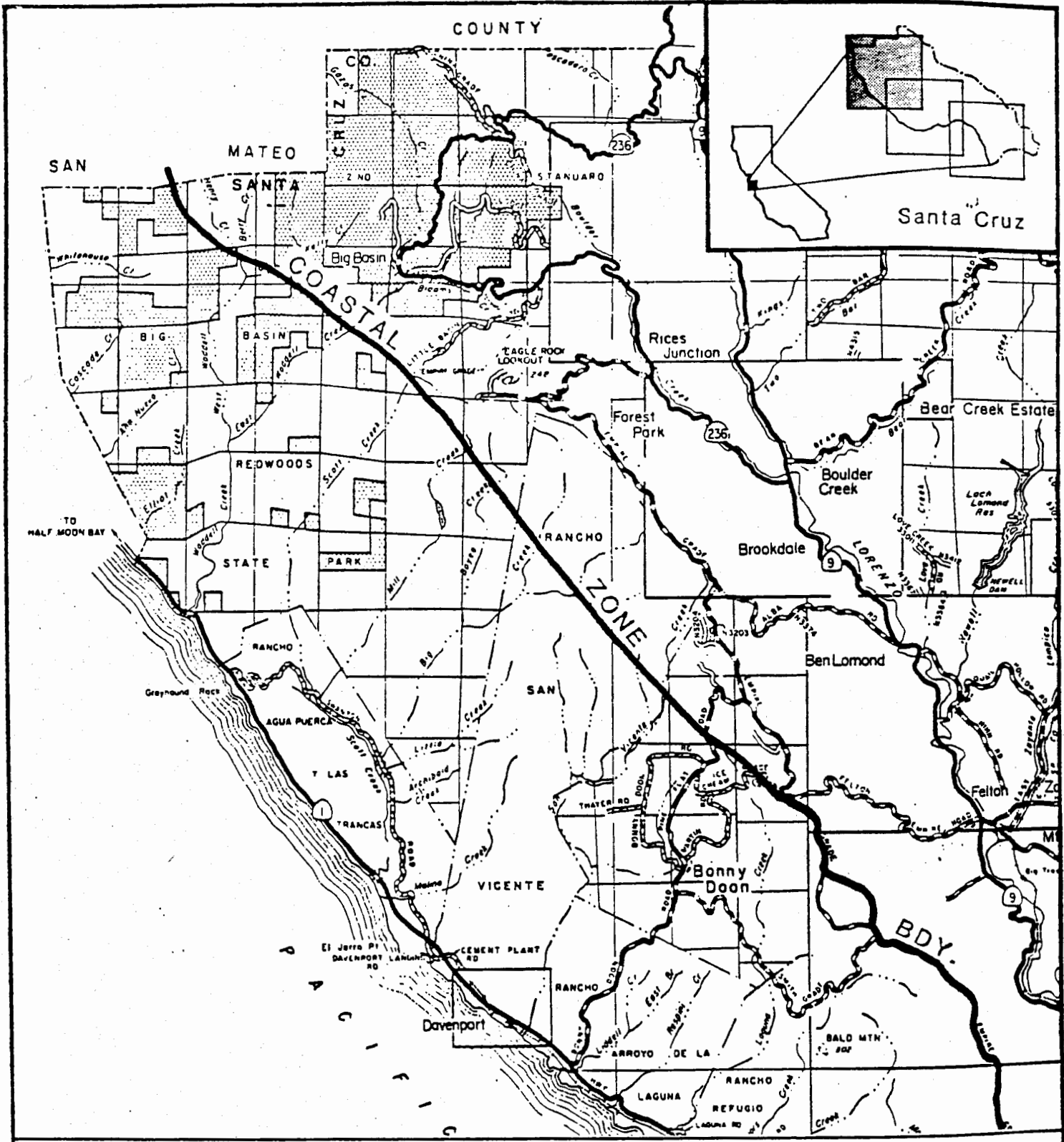
C. California Environmental Quality Act (CEQA)


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. 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 County, acting as the lead CEQA agency in this case, exempted the proposed amendment under CEQA. This staff report has discussed the relevant coastal resource issues associated 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.

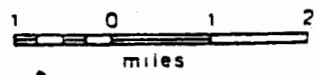
As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not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





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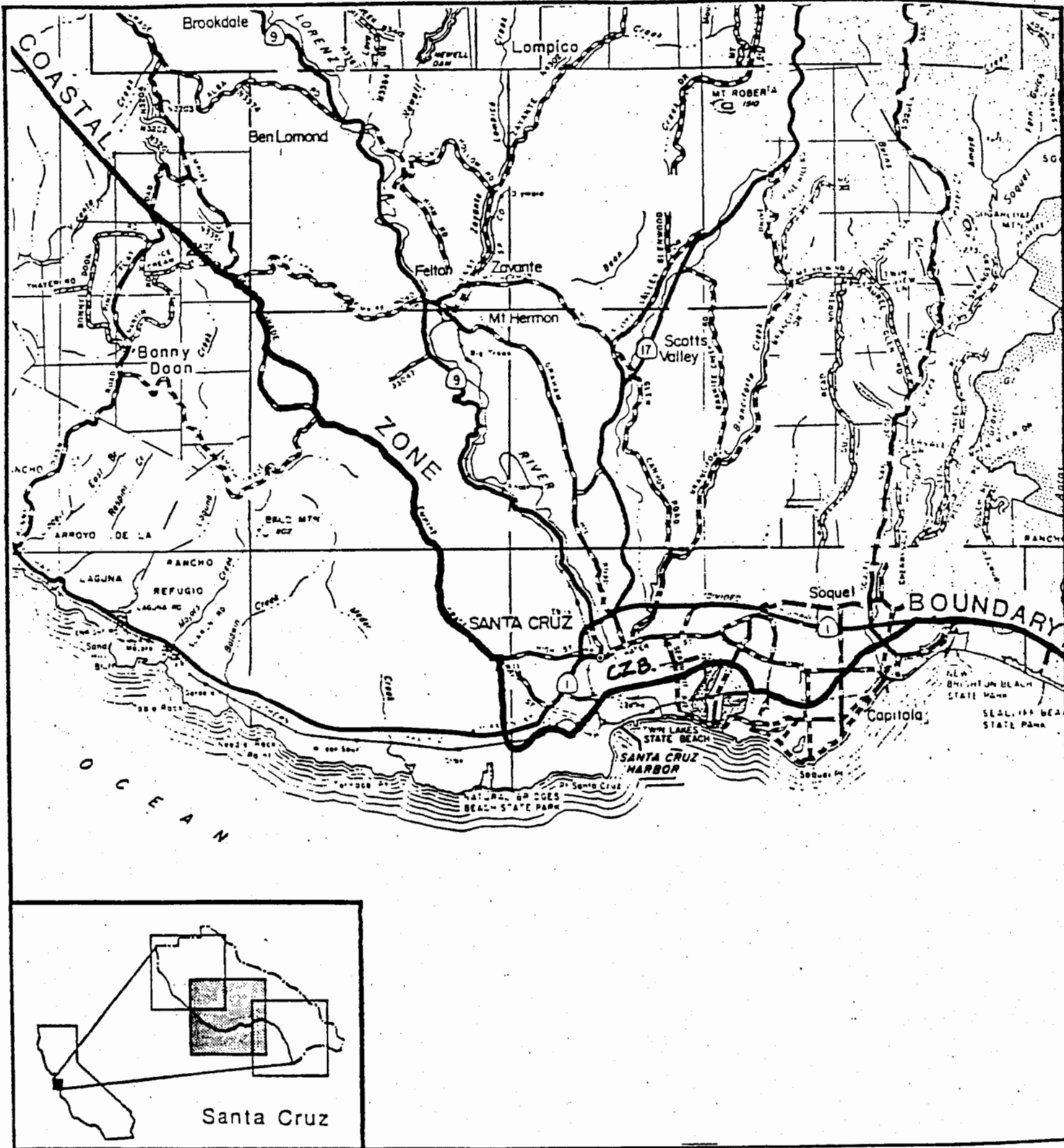
LOCATION MAP



County of Santa Cruz

CCC Exhibit A
 (page 1 of 3 pages)

Sheet 1 of 3



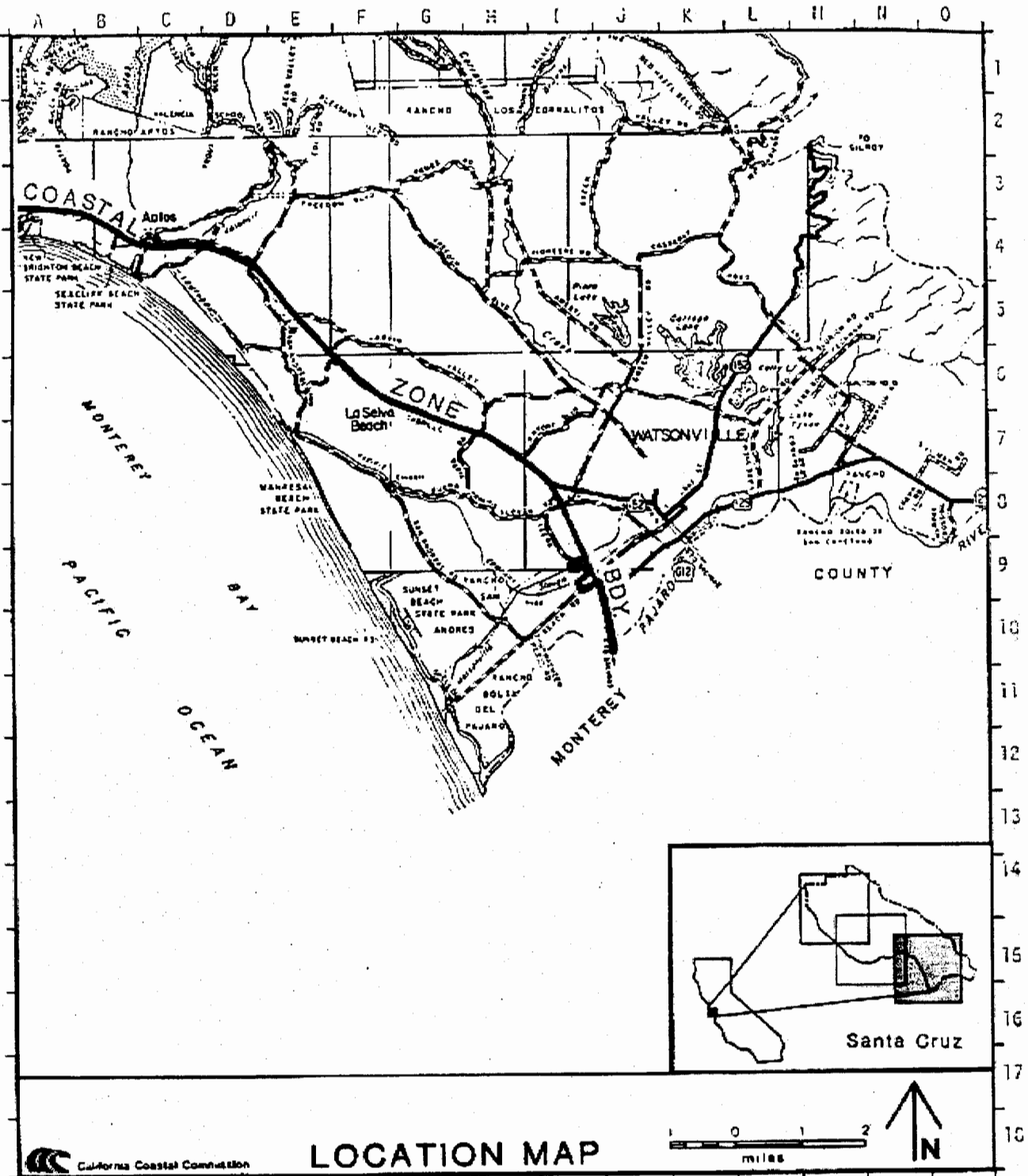
 California Coastal Commission

LOCATION MAP



County of Santa Cruz

CCC Exhibit A Sheet 2 of 3
 (page 2 of 3 pages)



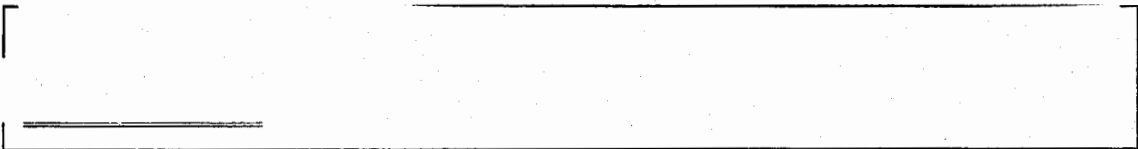
California Coastal Commission

LOCATION MAP

County of Santa Cruz

Sheet 3 of 3

CCC Exhibit A
(page 3 of 3 pages)



ORDINANCE No. _____

AN ORDINANCE ADOPTING VARIOUS CORRECTIONS TO SANTA CRUZ COUNTY CODE CHAPTERS 13.10 AND 18.10 AND INCORPORATING THE COASTAL COMMISSION'S REQUESTED MODIFICATIONS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The category "Child Care Homes, Small Family (must be in conjunction with residential use)(See Section 13.10.700-C definition) under "Agricultural Support and Related Facilities" in the Agricultural Uses Chart in Section 13.10.312(b) of the Santa Cruz County Code is hereby added below the category "Caretaker's quarter, permanent subject to the provisions of Section 13.10.631" to read as follows:

	CA	A	AP
<u>Child Care Homes, Small Family (must be in conjunction with residential use) (See Section 13.10.700-C definition</u>	<u>P</u>	<u>P</u>	<u>P</u>

SECTION II

The category "Non-habitable accessory structure when incidental to a residential use and not for agricultural purposes" under "Agricultural Support and Related Facilities" in the Agricultural Uses Chart in Section 13.10.312 (b) of the Santa Cruz County Code is hereby amended to read as follows:

<u>Inside the Coastal Zone, non-habitable accessory structure when incidental to a residential use and not for agricultural purposes (subject to the provisions of Section 13.10.611 and 13.10.313(a)).</u>			
Total area of 500 square feet or less	BP2	BP2	BP2
Total area of 501 to 1,000 square feet	<u>BP3</u>	<u>BP3</u>	<u>BP3</u>
Total area of more than 500 <u>1,000</u> square feet	BP3 3	BP3 3	BP3 3

CCC Exhibit B
(page 1 of 6 pages)

As part of the residential regulatory reform package approved on April 15, 2008, the Board of Supervisors changed the level of review required for non-habitable accessory structures exceeding the specified size, height and story limits to a Level 4 discretionary approval. The regulatory reform ordinance is currently in effect outside the Coastal Zone only, and is pending approval by the Coastal Commission for enactment within the Coastal zone. Staff has added text (shown in a dashed underline) to the ordinance to indicate that the above language applies only to areas inside the Coastal Zone. When the regulatory reform ordinance is certified by the Coastal Commission, it will replace the above language.

SECTION III

The category "Timber harvesting and associated Operations (outside the Coastal Zone only)" under "Agricultural Support and Related Facilities" in the Agricultural Uses Chart in Section 13.10.312 (b) of the Santa Cruz County Code is hereby added below the category "Stands for the display and sale of agricultural commodities produced on site**" and above the category "Veterinary offices and animal hospitals subject to the provisions of Section 13.10.642" to read as follows:

<u>Timber harvesting and associated Operations (outside the Coastal Zone only)</u>	<u>P</u>	=	=
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Outside Coastal zone → not LCRA

SECTION IV

Subsection (16) of subdivision (e) of Section 13.10.684 of the Santa Cruz County Code is hereby deleted:

~~(16) Height and Story Limitation. An individual mobile home or accessory building shall not exceed one story or seventeen (17) feet in height unless an exception is granted pursuant to subsection (f) of this section.~~

SECTION V

The category "*** = Second Units located within the Coastal Zone and not excludable under Section 13.20.071 requires a Coastal Permit which is processed pursuant to Section 13.10.681" under "Key" of the "Residential Uses Chart" in Section 13.10.322 (b) of the Santa Cruz County Code is hereby deleted.

** = ~~Second Units located within the Coastal Zone and not excludable under Section 13.20.071 requires a Coastal Permit which is processed pursuant to Section 13.10.681.~~

CCC Exhibit B
(page 2 of 6 pages)

SECTION VI

The categories "Child Care Homes, Large Family (must be in conjunction with residential use)(See Section 13.10.700-C definition)" and (Child Care Homes, Small Family (must be in conjunction with residential uses)(See Section 13.10.700-C definition)" under "Residential Uses" in the Residential Uses Chart in Section 13.10.322(b) of the Santa Cruz County Code are hereby added below the category "Residential Uses" to read as follows:

	RA	RR	R-1	RB	RM
<u>Child care homes, Large family (must be in conjunction with residential use) (See 13.10.700-C definition</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Child care homes, Small family (must be in conjunction with residential use) (See Section 13.10.700-C definition</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

SECTION VII

The phrase "Net Site Area x Floor Area Ration (F.A.R.) = Total Allowable Gross Building Area for All Buildings on Site" under "Calculating Allowable Gross Building Area." in Section 13.10.323 (c) of the Santa Cruz County Code is hereby amended to read as follows:

Net Site Area x Floor Area Ration (F.A.R.) = Total Allowable Gross Building Area for All Buildings on Site

SECTION VIII

The category "Child Care Homes, Small Family (must be in conjunction with residential use)(See Section 13.10.700-C definition)" under "Residential Uses" in the Commercial Uses Chart in Section 13.10.332(b) of the Santa Cruz County Code is hereby added under the subheading "Residential Uses, such as:" below "Repair, alteration, expansion or reconstruction of dwelling units and accessory structures which are inconsistent with the General Plan, subject to Sections 13.10.260 and.261 Nonconforming uses" and above "Convalescent hospitals" to read as follows:

Section 13.10.458 of the Santa Cruz County Code is hereby amended to read as follows:

USE	PA	VA	CT	C-1	C-2	C-4
Child Care Homes, Small	<u>P</u>	--	--	<u>P</u>	<u>P</u>	--

Family (must be in conjunction with residential use) (See Section 13.10.700-C definition)						
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SECTION IX

13.10.458 Use and development standards in the Mobile Home Park "MH" Combining District.

All properties in the Mobile Home Park "MH" Combining District shall be maintained for mobile home park use and shall be subject to all of the regulations governing mobile home park development, operation, rental, sale and conversion as provided by state and federal statutes and regulations, and the provisions of County Code. The location, design and approval of new mobile home parks shall be consistent with Section 13.10.684 of the Zoning Regulations. ~~Existing mobile home parks shall be subject to the restrictions that an individual mobile home or accessory building shall not exceed one story or seventeen (17) feet in height unless an exception is granted pursuant to subsection (f) of Section 13.10.684.~~ Each mobile home installed on or after March 8, 2003 outside the California coastal zone and each mobile home installed on or after September 10, 2003 ~~inside the California coastal zone the date this section is certified by the California Coastal Commission~~ shall be required to meet the off-street parking requirements of County Code Section 13.10.552. Conversion of a mobile home park to another use shall be subject to the provisions of County Code Chapter 13.30, Mobile Home Park Conversion, and shall require amendment of the County Code Zoning Plan to remove the Mobile Home Park Combining District from the property. The regulatory provisions of this Section are in addition to any existing requirements for a Coastal Development Permit under Chapter 13.20 of the County Code.

SECTION X

The category "Child Care Homes, Small Family (must be in conjunction with residential use)(See Section 13.10.700-C definition)" under the subheading "Residential Uses" in the Industrial Uses Chart in Section 13.10.342(b) of the Santa Cruz County Code is hereby added under the category "Residential Uses" and above "Repair, alteration, expansion or reconstruction of dwelling units and accessory structures which are consistent with the General Plan, subject to Sections 13.10.260 and 13.10.261 Nonconforming Uses" to read as follows:

	M-1	M-2	M-3
Child Care Homes, Small Family (must be in conjunction with residential use) (See Section 13.10.700-C definition)	<u>P</u>	<u>P</u>	<u>P</u>

SECTION XI

The category "Child Care Homes, Small Family (must be in conjunction with residential use)(See Section 13.10.700-C definition)" under the subheading "Residential Uses" in the Parks, Recreation and Open Space Uses Chart in Section 13.10.352(b) of the Santa Cruz County Code are hereby added under the category "Residential uses, permanent, such as:" and above "One single-family dwelling, subject to the Parksite Review process pursuant to Chapter 15.01" to read as follows:

	PR
<u>Child Care Homes, Small Family (must be in conjunction with residential use) (See Section 13.10.700-C definition)</u>	<u>P</u>

SECTION XII

The category "Child Care Homes, Small Family (must be in conjunction with residential use)(See Section 13.10.700-C definition)" under the subheading "Residential Uses" in the Public and Community Facilities Uses Chart in Section 13.10.362(b) of the Santa Cruz County Code is hereby added under the category "Residential uses" and above "Residential uses pursuant to a master use permit" to read as follows:

	PF
<u>Child Care Homes, Small Family (must be in conjunction with residential use) (See Section 13.10.700-C definition)</u>	<u>P</u>

SECTION XIII

The category "Child Care Homes, Small Family (must be in conjunction with residential use)(See Section 13.10.700-C definition) under the subheading "Residential Uses" in the Timber Production Uses Chart in Section 13.10.362(b) of the Santa Cruz County Code are hereby added under the category "Residential" below "dwelling groups of single-family dwelling (Subject to the density and other requirements in Section 13.10.373, .374, and.375)" and above "Mobile home, temporary, for not more than three years for a caretaker or watchman in isolated areas on a minimum of ten acres" to read as follows:

	TP
<u>Child Care Homes, Small Family (must be in conjunction with residential use) (See Section 13.10.700-C definition)</u>	<u>P</u>

SECTION XIV

The Santa Cruz County Code is hereby amended by adding Child Care Home, Large Family to Section 13.10.700-C to read:

Child Care Home, Large Family.

A dwelling whose occupant provides care, protection, and supervision of between 7 and 14 children, at any time, for periods of less than 24 hours a day in accordance with a State license.

SECTION XV

The Santa Cruz County Code is hereby amended by adding Child Care Home, Small Family to Section 13.10.700-C to read:

Child Care Home, Small Family.

A dwelling whose occupant provides care, protection, and supervision up to 8 children, at any time, for periods of less than 24 hours a day in accordance with a State license.

SECTION XVI

Section 13.10.700-D, Day Care Home, Family.

13.10.700-D, Day Care Home, Family.

A dwelling whose occupant provides care, protection, and supervision of no more than 12 persons disabled or ill children or adults, at any time, for periods of less than 24 hours a day.

SECTION XVII

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

CCC Exhibit B
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