

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



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Prepared March 26, 2015 (for April 16, 2015 Hearing)

To: Commissioners and Interested Persons

From: Susan Craig, District Manager
Ryan Moroney, Coastal Planner

Subject: De Minimis Amendment Determination for City of Santa Cruz LCP Amendment Number STC-1-12 Part 2 (Elimination of Two-Story Maximum in the General Industrial (IG) Zone District)

Proposed Amendment

The City of Santa Cruz proposes to amend Section 24.10.1540 of its Local Coastal Program (LCP) Implementation Plan (IP), which establishes both a two-story and 50-foot height maximum limitation for principal buildings located in the General Industrial (IG) Zone District. The proposed amendment would eliminate the two-story maximum but retain the 50-foot height maximum. According to the City, modern industrial manufacturing and design uses do not require 25-foot ceilings or large warehouse space. Thus, the purpose of the amendment is to provide for greater flexibility in terms of the number of stories that could be contained within a 50-foot tall building in the IG zone. See Exhibit 1 for the proposed amendment text.

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;
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.

STC-1-12 Part 2 (Eliminate Two-Story Maximum in IG Zone)

If the Executive Director determines that an amendment is de minimis, that determination must be reported to the Commission. If three or more Commissioners object to the de minimis LCP amendment determination, then the amendment shall be set for a future public hearing; if three or more Commissioners do not object to the de minimis determination, then the amendment is deemed approved, and it becomes a certified part of the LCP ten days after the date of the Commission meeting (in this case, on April 26, 2015).

The purpose of this notice is to advise interested parties of the Executive Director's determination that the proposed LCP amendment is de minimis. Each of the de minimis criteria is discussed briefly below:

1. No impact to coastal resources and consistency with Chapter 3 of the Coastal Act:

Under existing standards, principal buildings in the General Industrial (IG) zone district are limited by both a maximum two-story limitation, and a 50-foot maximum height limitation. The proposed IP Amendment would eliminate the two-story limitation, but maintain the 50-foot maximum height limitation. Retention of the 50-foot maximum height limitation would continue to limit potential adverse impacts on community character, degradation of the visual qualities of a public viewshed, or impact other environmental resources, and any potential issues from eliminating the two-story limitation will still be appropriately addressed by the LCP's policies related to coastal resource protection, including visual and scenic resources, and design review. Thus, the proposed amendment will not adversely affect coastal resources, and it is consistent with the policies of Chapter 3 of the Coastal Act.

2. Provision of public notice: The City provided public notice in advance of the Planning Commission hearing (held on May 3, 2012) and the City Council hearings (held on May 22, 2012 and June 12, 2012,) where the proposed amendment was considered. For the City Council hearings, a newspaper advertisement notice was printed on June 7, 2012. In addition, the proposed text was made available at the City Hall Bulletin Board, Central Branch Library, and on the City's website for public inspection, all in advance of the City's hearings. The amendment submittal was subsequently received by the Commission on December 21, 2012 (and filed as complete on March 11, 2015), and therefore, the 21-day noticing requirement has been satisfied.

3. No change in use of land or allowable use of property: No change in use of land or water or allowable use of property is proposed by this amendment.

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. The City exempted the proposed amendment from environmental review under CEQA. This report has discussed the relevant coastal resource issues with the proposal, and has concluded that the proposed LCP amendment is not expected to result in any significant adverse impact on the environment. Thus, it is unnecessary for the Commission to suggest modifications to the proposed amendment to address adverse environmental impacts because the proposed amendment, as submitted, will not result in any significant environmental effects for which feasible mitigation measures would be required.

Coastal Commission Concurrence

The Executive Director will report this de minimis LCP amendment determination, and any comments received on it, to the Coastal Commission at its April 16, 2015 meeting at the Marin County Board of Supervisors Chambers, 3501 Civic Center Drive, Suite 329, San Rafael, CA. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Ryan Moroney at the Central Coast District Office in Santa Cruz. If you wish to comment on and/or object to the proposed de minimis LCP amendment determination, please do so by April 10, 2015.

Procedural Note - LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on March 11, 2015. It amends the IP only and the 60-day action deadline is May 10, 2015. Thus, unless the Commission extends the action deadline (it may be extended by up to one year), the Commission has until May 10, 2015 to take a final action on this LCP amendment.

Exhibit:

Exhibit 1: Proposed Amendment Text (strikethrough/underline)

Changes to Section 24.10.1540

24.10.1540 DISTRICT REGULATIONS.

1. General.

Provisions	Requirement
a. Height of buildings – Maximum	
• Principal (stories and (feet)	2 & 50
• Accessory (stories and (feet)	25
b. Minimum lot area (net) (sq. ft.)	20,000
c. Front yard (feet)	20
d. Rear yard (feet)	10 ²
e. Side yard	
• Interior (feet)	0 ¹
• Exterior (feet)	10
f. Distance between buildings on same lot (feet)	10
g. Lot coverage – Maximum (percent)	80 ²