

# RECORD PACKET COPY

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
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SANTA CRUZ, CA 95060  
(408) 427-4863  
HEARING IMPAIRED: (415) 904-3200

W96



OCTOBER 16, 1995

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: TAMI GROVE, DISTRICT DIRECTOR *JPG 10/25/95*  
JOY CHASE, STAFF ANALYST

SUBJECT: CITY OF CAPITOLA MAJOR AMENDMENT #2-95  
TO THE LOCAL COASTAL PROGRAM LAND USE PLAN  
AND IMPLEMENTATION ZONING ORDINANCE  
Public Hearing and Commission Action at its Meeting of  
November 15, 1995 held at the Wynham Hotel-LAX,  
6225 West Century Blvd., Los Angeles, CA 90045

### SYNOPSIS

The City of Capitola Land Use Plan was certified by the Commission on June 5, 1981. The Implementation Program zoning ordinance was certified on January 10, 1990 and the City assumed coastal development permit authority on April 11, 1990. The City is requesting that its Land Use Plan and Implementation Program be amended. The City has organized and submitted the amendment request in accordance with the standards for amendments to certified LCP's (Coastal Act Section 30514, California Code of Regulations 13551 through 13553). The amendment was filed on October 16, 1995. The City Council held noticed public hearings. In addition noticed public hearings at the Planning Commission level were held. Excerpts from the City's amendment submittal are attached as Exhibit B.

Staff has reviewed the proposed amendments to the Land Use Plan against both the certified Land Use Plan and the Coastal Act. The Implementation Zoning amendments are reviewed against the proposed amended Land Use Plan.

Summary of Proposed Amendment: The City proposes to redesignate parcel 036-121-33 at 204 Escalona Drive from Low Medium Residential (R-LM) to Visitor Serving (VS) and to rezone the parcel from Single Family Residential (R-1) to Automatic Review/Visitor Serving (AR/VS). The parcel is adjacent to the "Inn at Depot Hill" (APN 036-121-038). As amended the parcels would have the same designation/zoning and the existing house would be merged into the Inn where it would provide two additional lodging rooms and a manager's unit. The Inn is within walking distance of Capitola Village and Beach and would enhance visitor facilities.

The staff recommends approval of the City of Capitola Local Coastal Program proposed Land Use Plan and Implementation Zoning Ordinance Major Amendment #2-95 as submitted.

### EXHIBITS:

EXHIBIT A - Land Use Plan Map and Zoning Map with proposed changes.  
EXHIBIT B - City of Capitola Submittal Documents (excerpted). (0323J)

STAFF RECOMMENDATION

Staff recommends adoption of the following resolutions:

RESOLUTION FOR LAND USE PLAN AMENDMENT #2-95

I. APPROVAL OF LAND USE PLAN AMENDMENT #1-94 AS SUBMITTED

MOTION:

I move that the Commission certify amendment #2-95 to the City of Capitola Land Use Plan portion of the Local Coastal Program as submitted by the City.

Staff recommends a YES vote. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

RESOLUTION I:

The Commission hereby approves the certification of Major Amendment #2-95 to Land Use Plan of the City of Capitola Local Coastal Program for the specific reasons discussed in the following findings on the grounds that, as submitted, these amendments and the LUP as thereby amended meet the requirements of Chapter 3 of the Coastal Act. These amendments are consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625 (c) and approval will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

RESOLUTION FOR IMPLEMENTATION PLAN AMENDMENT #2-95

I. APPROVAL OF IMPLEMENTATION PLAN AMENDMENT #2-94 AS SUBMITTED

MOTION:

I move that the Commission reject Amendment #2-95 to the City of Capitola Implementation Zoning Ordinance portion of the Local Coastal Program as submitted by the City.

Staff recommends a NO vote which would result in approval of the Amendment as submitted. Only an affirmative (yes) vote on the motion by a majority of the Commissioners present can result in rejection of the Amendment.

RESOLUTION I.

The Commission hereby approves the certification of Major Amendment #2-95 to the Implementation Zoning Ordinance of the Capitola City Local Coastal Program on the grounds that the amendment to the Zoning Ordinance conforms with, and is adequate to carry out the provisions of the Land Use Plan as certified. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval of this implementation measure will have on the environment.

RECOMMENDED FINDINGS

The Commission hereby finds and declares:

1. DESCRIPTION/ACCESS/RECREATION

The "Depot" was originally built as a Railroad Depot by Southern Pacific Railroad in the early 1900's. It was used as a single family dwelling for several years. In 1989 it was enlarged and converted into a bed and breakfast inn (3-89-70). The site is located in the Depot Hill area of Capitola, which is primarily residential. A small City Park is adjacent to the site. The building on the contiguous parcel (APN 033-121-033) is currently used as a residence but was formerly part of the Capitola railroad depot property. The bottom floor of the existing structure was the baggage building prior to its conversion to a single family residence in the late 1960's.

The City proposes to redesignate parcel 036-121-33 at 204 Escalona Drive from Low Medium Residential (R-LM) to Visitor Serving (VS) and to rezone the parcel from Single Family Residential (R-1) to Automatic Review/Visitor Serving (AR/VS). The parcel is adjacent to the "Inn at Depot Hill" (APN 036-121-038). As amended the parcels would have the same designation/zoning and the owner intends to merge the existing house at 204 Escalona into the Inn at 250 Monterey Avenue where it would provide two additional lodging rooms and a manager's unit.

The site is between the first public road and the sea. The Inn is within walking distance of Capitola Village and Beach and the change in allowable uses would increase visitor accommodations and enhance access to the coast consistent with the Coastal Act provisions to maximize public access and recreational opportunities (CA 30210).

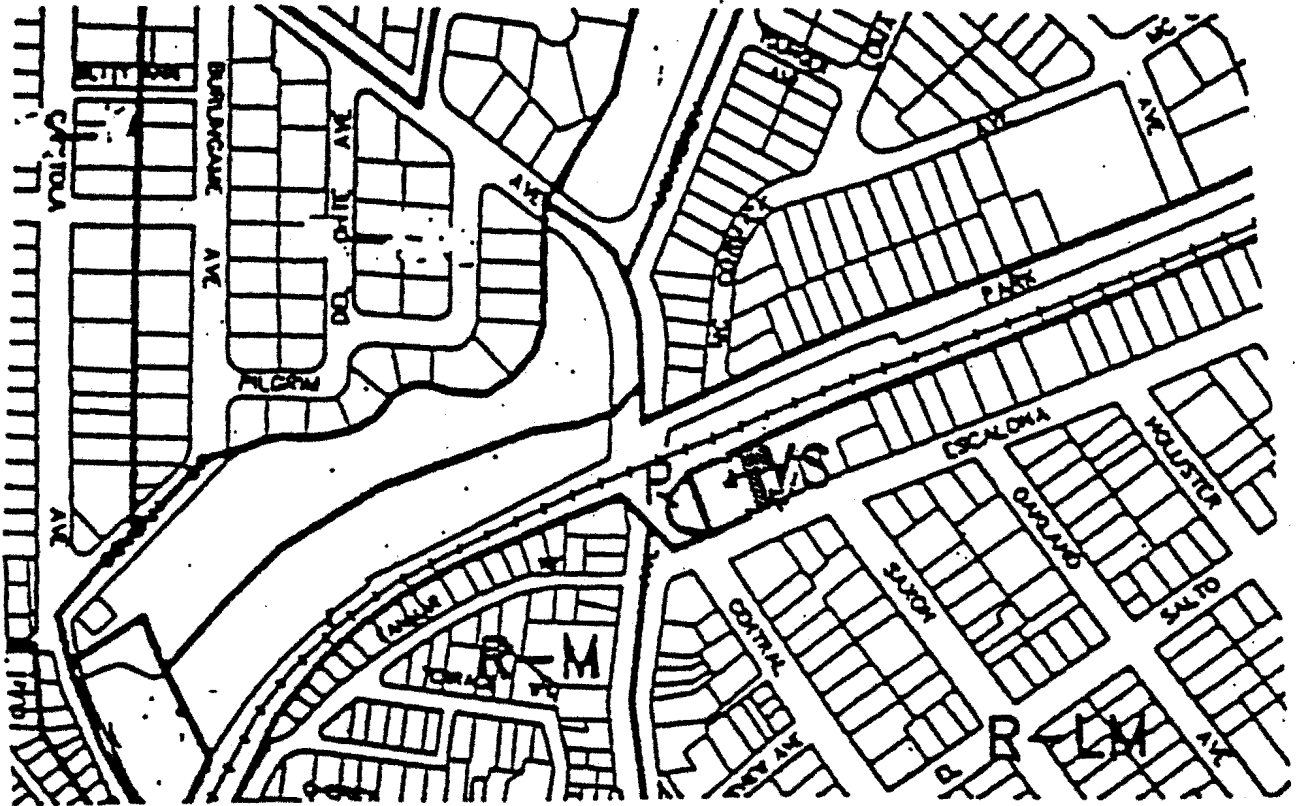
Public comments at the local level concerned improved landscaping and an increase in intensity of use in a residential area.

The proposed LUP amendments will not impact access or resources and are consistent with the Coastal Act. The proposed Implementation/Zoning amendments will conform to the new LUP designations.

2. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Coastal Commission's Local Coastal Program development and certification process has been designated by the Secretary of Resources as the functional equivalent of the California Environmental Quality Act (CEQA). No impacts are associated with the proposed land use plan and zoning changes. Capitola found the reclassification and rezoning exempt from the California Environmental Quality Act under Class 3, Conversion of Small Structures, and identified no no significant impacts requiring mitigation. Therefore, the Commission finds that Amendment #2-95 is consistent with the provisions of the California Environmental Quality Act.

EXHIBIT "A"



**APPLICATION #A/CP/CUP/AS/95-54-  
 AMEND GENERAL PLAN/COASTAL LAND USE PLAN  
 DESIGNATION FOR PROPERTY LOCATED AT 204  
 ESCALONA DRIVE FROM R-LM (RESIDENTIAL/LOW-  
 MEDIUM) TO VS (VISITOR SERVING)**

**GENERAL PLAN/COASTAL LAND USE PLAN LEGEND**

- P= PARK
- VS= VISITOR SERVING
- R-LM= RESIDENTIAL-LOW MEDIUM
- R-M= RESIDENTIAL-MEDIUM

**■ = PROPERTY TO BE CLASSIFIED AS VS**

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. 2742 PASSED AND ADOPTED BY THE CITY COUNCIL ON THE 14th DAY OF September 19 95

*Samela Beltinger*  
 CITY CLERK

CALIFORNIA COASTAL COMMISSION

EXHIBIT "A"



ORDINANCE # 783

APPLICATION #A/CP/CUP/AS/95-54-  
 AMEND ZONING DESIGNATION FOR PROPERTY  
 LOCATED AT 204 ESCALONA DRIVE FROM R-1  
 (SINGLE FAMILY RESIDENTIAL) TO AR-VS  
 (AUTOMATIC REVIEW/VISITOR SERVING)

ZONING MAP LEGEND

- ARVS= AUTOMATIC REVIEW/VISITOR SERVING
- R-1= SINGLE FAMILY RESIDENTIAL
- RM-LM= MULTIPLE FAMILY RESIDENTIAL-LOW MEDIUM

 = PROPERTY TO BE ZONED AR/VS

THIS IS TO CERTIFY THAT THE ABOVE AND  
 FOREGOING IS A TRUE AND CORRECT COPY  
 OF ORDINANCE NO. 783 PASSED AND  
 ADOPTED BY THE CITY COUNCIL ON THE  
 14th DAY OF September 19 95

*Dorena Allering*  
 CITY CLERK

CAPITOLA #2-95

CALIFORNIA COASTAL COMMISSION

EXHIBIT A

# COPY

4671

## RESOLUTION NO. 2742

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AMENDING THE GENERAL PLAN MAP AND LOCAL COASTAL PROGRAM LAND USE PLAN AND IMPLEMENTATION PROGRAM TO DESIGNATE PROPERTY LOCATED AT 204 ESCALONA DRIVE (APN 036-121-33) FOR VISITOR SERVING USE

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981, and has been since been amended from time to time; and

WHEREAS, the City of Capitola's General Plan was adopted on September 29, 1989, and has since been amended from time to time; and

WHEREAS, the City of Capitola reviews land use designations and zoning in order to regulate appropriate use of land and to protect the public health, safety and welfare; and

WHEREAS, the subject reclassification and amendment of the general plan map and local coastal land use map designation for property located at 204 Escalona Drive has been found to be exempt from the California Environmental Quality Act under Class 3, Conversion of Small Structures, and no significant impacts have been identified which would require the adoption of mitigation measures; and

WHEREAS, public hearings related to the proposed land use amendments, which were publicly advertised as required by law, were held at regular meetings of the Planning Commission on July 20, 1995, and of the City Council on August 24, 1995 and September 14, 1995; and

WHEREAS, opportunity was provided at each hearing for public testimony; and

WHEREAS, the City Council now finds:

1. The environmental determination is in conformance with CEQA.
2. The proposed amendments to the Local Coastal Program, consisting of amendments to the Land Use Plan map and the Local Coastal Implementation Program zoning map, will not adversely affect coastal resources and are consistent with the Coastal Act.
3. The proposed amendment to the General Plan Land Use Map is in the public interest and is consistent with policies of the existing General Plan, in that:
  - a) the amendments will extend designations found on adjacent property onto the subject parcel;
  - b) the amendments will increase the supply of lodging within proximity to coastal resources, thereby increasing public access to the coast;
  - c) the location and design of the facility to be used for Visitor Serving uses is compatible with the existing Inn at Depot Hill and the adjacent neighborhood; and
  - d) the amendments will support and enhance the visitor industry within the city of Capitola.

CAPITOLA  
# 2-95

CALIFORNIA COASTAL COMMISSION

EXHIBIT B

4672

RESOLUTION NO. 2742

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola that the Local Coastal Program and General Plan Amendments as presented in Exhibit "A", attached and made a part hereof, are hereby adopted as being in full conformance with the City of Capitola General Plan, and the City of Capitola Local Coastal Program and the provisions of the California Coastal Act.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to submit the Local Coastal Program amendment to the California Coastal Commission for its review and certification. If the amendment package is approved by the Coastal Commission as approved by the City of Capitola, it will take effect automatically upon Coastal Commission approval. If it is modified by the Coastal Commission, it will require formal action by the City of Capitola.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 14th day of September, 1995 by the following vote:

AYES: Council Members Graves, Garcia, Harlan and Mayor Fabrizio.


NOES: None.

ABSENT: Council Member Routh.

ABSTAIN: None.

  
MAYOR

ATTEST:

  
CITY CLERK, CMC/AAE

CAPITOLA #2-95  
CALIFORNIA COASTAL COMMISSION  
EXHIBIT B

COPY

ORDINANCE NO. 783

AN ORDINANCE OF THE CITY OF CAPITOLA AMENDING THE ZONING MAP AND LOCAL COASTAL IMPLEMENTATION PROGRAM FOR PROPERTY LOCATED AT 204 ESCALONA DRIVE, ON ASSESSOR'S PARCEL NUMBER 036-121-33, TO RECLASSIFY THE PROPERTY FROM THE R-1 (SINGLE FAMILY RESIDENTIAL) TO THE AR/VS (AUTOMATIC REVIEW/VISITOR SERVING) DISTRICT

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981; and

WHEREAS, the City of Capitola reviews land use designations and zoning in order to regulate appropriate use of land and to protect the public health, safety and welfare; and

WHEREAS, the subject rezoning has been found to be exempt from the California Environmental Quality Act under Class 3, Conversion of Small Structures, and no significant impacts have been identified which would require the adoption of mitigation measures; and

WHEREAS, public hearings related to the proposed rezoning and land use changes, which were publicly advertised as required by law, were held at regular meetings of the Planning Commission on July 20, 1995, and of the City Council on August 24, 1995 and September 14, 1995; and

WHEREAS, opportunity was provided at each hearing for public testimony; and

WHEREAS, the Planning Commission at its July 20, 1995 hearing recommended the reclassification of the subject parcel, and supported the project based on compatibility with the neighborhood, quality of design, public welfare, and the fact that the proposed zoning would extend classifications found on adjacent property onto the subject parcel; and

WHEREAS, the City Council has held a public hearing and decided to adopt an ordinance reclassifying the subject parcel, and hereby finds that the public necessity, convenience, general welfare and good zoning practice support and require amendment of the Zoning Map and Local Coastal Implementation Program based on the following considerations: a) the reclassification will extend classifications found on adjacent property onto the subject parcel; b) the reclassification will increase the supply of lodging within proximity to coastal resources, thereby increasing public access to the coast; c) the location and design of the facility is compatible with the existing Inn at Depot Hill and the adjacent neighborhood; and d) the reclassification will support and enhance the visitor industry within the city of Capitola.

NOW, THEREFORE, BE IT ORDAINED, by the City of Capitola, as follows:

CAPITOLA #2-95 CALIFORNIA COASTAL COMMISSION

EXHIBIT B



1874

ORDINANCE NO. 783

SECTION 1. The real property listed herein, and more particularly described in Exhibit "A", attached hereto and made a part hereof, is hereby reclassified to the AR/VS "Automatic Review/Visitor Serving" District, and the Zoning Map of the Zoning Ordinance of the Capitola Municipal Code and the Local Coastal Implementation Program are hereby amended to reflect this reclassification.

Assessor's Parcel Number: 036-121-33

SECTION 2. This ordinance shall be in full force and take effect thirty (30) days after its final adoption or upon approval by the Coastal Commission, whichever occurs last.

This ordinance was introduced on the 24th day of August, 1995, and passed and adopted on the 14th day of September, 1995, by the following vote:

AYES: Council Members Graves, Garcia, Harlan and Mayor Fabrizio.

NOES: None.

ABSENT: Council Member Routh.

ABSTAIN: None.

APPROVED:

Margaret Fabrizio  
MAYOR

ATTEST:

Pamela Greening, CMC/AE  
CITY CLERK

CAPITOLA #2-15

CALIFORNIA COASTAL COMMISSION

EXHIBIT B