

TG
11/20/95

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, STE. 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200

Meeting of December 14, 1995



DATE: November 20, 1995

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director

Subject: City of Santa Cruz, Local Coastal Program Major Amendment #1-95, Part A and Part B. Concurrence with Executive Director's Determination that the Action by the City of Santa Cruz Accepting Certification of Amendment #1-95, Part A and Part B, to the City's Local Coastal Program is Legally Adequate.

TH 6a

EXECUTIVE DIRECTOR'S DETERMINATION AND REPORT FOR
COMMISSION REVIEW AT THE MEETING OF DECEMBER 14, 1995

Background

Amendment #1-95, Part A, of the City of Santa Cruz certified Local Coastal Program (LCP) was certified, subject to four modifications, on May 11, 1995. Amendment #1-95, Part B, of the city of Santa Cruz certified Local Coastal Program (LCP) was certified, subject to one modification, on June 14, 1995. The City of Santa Cruz has approved Resolution No. NS-22,476, Resolution No. NS-22,477, and Resolution NS-22,478 on October 24, 1995 accepting the Coastal Commission's modifications for Amendment #1-95, Part A and Part B.

As provided for in Section 13544 of the Commission's Administrative Regulations, the Executive Director must determine that the action of the City of Santa Cruz is legally adequate and report that determination to the Commission. If there are no objections to the determination by the Commission, staff will file the notice of certification with the Secretary of Resources.

Recommendation

It is recommended that the Commission concur with the determination of the Executive Director that the action of the City Council of the City of Santa Cruz accepting the Certification of LCP Amendment #1-95, Part A and Part B, is legally adequate.

Attachments:

- o Draft letter to Mayor Beiers, Santa Cruz City Council
- o Copy of Resolutions NS-22,476, NS-22,477, and NS-22,478.

03313

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, STE. 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200



December 13, 1995

HT
Katherine Beiers
Mayor
City of Santa Cruz
809 Center Street
Santa Cruz, CA 95060

Subject: Local Coastal Program Amendment #1-95, Part A and Part B

Dear Mayor Beiers:

This office has reviewed Resolutions NS-22,476, NS-22,477, and NS-22,478 of October 24, 1995 accepting and agreeing to the terms and modifications of the Coastal Commission's approval of Local Coastal Program Major Amendment #1-95, Part A and Part B. By these actions taken within the necessary time limits, I have determined and the Commission concurred at its December 14, 1995 hearing, that the City's action with respect to Amendment #1-95 is legally adequate to satisfy the requirement of Section 13544 of the Commission's Code of Regulations. Therefore, the amendment is effective immediately as part of the certified Local Coastal Program.

Sincerely,

PETER M. DOUGLAS
Executive Director

TAMI GROVE
District Director

cc: Ken Thomas, Acting Planning Director
Keith Boyle, Planner
Liz Fuchs

COPY

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING THE 2005 LOCAL COASTAL PROGRAM BY ACCEPTING MODIFICATIONS REQUESTED BY THE COASTAL COMMISSION TO CERTIFY AMENDMENT #1-95

WHEREAS, the California Coastal Commission requested specific Local Coastal Program amendments to the City's Zoning Ordinance and Heritage Tree Ordinance at its May 11, 1995 meeting, in order to certify the implementation regulation modifications submitted in Amendment #1-95; and

WHEREAS, some sections of the Zoning Ordinance were not deleted or inadvertently overwritten during the most recent update and need to be reinstated; and

WHEREAS, the City Council gave required notification and conducted a public hearing on October 24, 1995; and

WHEREAS, it was determined that the amendments were procedural in nature and warranted no further environmental review under Section VI. 4 of the City's CEQA guidelines; and

WHEREAS, the amended text is consistent with the provisions of the California Coastal Act; and

WHEREAS, the City Council City of Santa Cruz amended Title 9, the Heritage Tree Ordinance and Title 24, the Zoning Ordinance and the implementation regulations of the Local Coastal Program by the amendments listed in Ordinance No. 95-30, incorporated hereby by reference.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Santa Cruz, that it hereby accepts all modifications requested at the May 11th, 1995 Commission hearing for Amendment #1-95 and shall be in effect after final Coastal Commission concurrence.

PASSED AND ADOPTED this 24th day of October, 1995 by the following vote:

AYES:	Councilmembers:	Rotkin, Scott, Yokoyama, Kennedy, Campbell, Mathews; Mayor Beiers.
NOES:	Councilmembers:	None.
ABSENT:	Councilmembers:	None.
DISQUALIFIED:	Councilmembers:	None.

ATTEST: Emma Loden
City Clerk

APPROVED: Katherine Beiers Mayor

RECEIVED
NOV 2 1995 CALIFORNIA COASTAL COMMISSION
CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA EXHIBIT #1-95
1014

ORDINANCE NO. 95-30

AN ORDINANCE OF THE CITY OF SANTA CRUZ
AMENDING TITLES 9 AND 24 OF THE SANTA CRUZ
MUNICIPAL CODE, THE HERITAGE TREE ORDINANCE
AND THE ZONING ORDINANCE, BY AMENDING VARIOUS
CHAPTERS TO ADDRESS COASTAL COMMISSION
MODIFICATIONS REQUIRED TO CERTIFY AMENDMENT
#1-95

95-240

BE IT ORDAINED, by the City of Santa Cruz as follows:

Section 1. Section 9.56.020 of the Santa Cruz Municipal Code is hereby amended to read as follows:

9.56.020 Director Powers and Duties.

The Director of Parks and Recreation shall be responsible for administering and enforcing this chapter. The director shall have the following powers and duties:

1. Grant or deny permit applications pursuant to Section 9.56.060, except in the Coastal Zone where the Zoning Administrator shall determine the disposition of applications pursuant to Title 24, the Zoning Ordinance;
2. Provide technical information to assist owners in maintaining heritage trees and heritage shrubs on private property;
3. Abate public nuisances pursuant to Chapter 13.30 of the City of Santa Cruz Municipal Code;
4. Review all development and construction plans for the purpose of determining their negative impact on the urban forest;
5. Order the alteration or removal of hazardous trees and shrubs when they are found to pose a threat to other trees or shrubs or to the community in general, pursuant to the criteria and standards adopted by City Council resolution;
6. Make recommendations to the Parks and Recreation Commission pertaining to the management of the City's urban forest;
7. Determine mitigation requirements for approved and unapproved alterations, damage or removals of heritage trees or heritage shrubs pursuant to the mitigation requirements established by City Council resolution. (Ord. 94-01S 2, 1994).

CALIFORNIA COASTAL COMMISSION

EXHIBIT

#1-95

ORDINANCE NO. 95-30

Section 2. Section 24.08.410 of the Santa Cruz Municipal Code is hereby amended to read as follows:

24.08.410 General Provisions.

A design permit shall be required for the following types of projects:

1. Multiple dwellings and dwelling groups containing three or more dwelling units;
2. New structures intended for commercial use;
3. New structures intended for industrial use;
4. Commercial or industrial uses of land not involving a building;
5. Accessory structures and uses except those accessory uses of structures associated with a single-family dwelling;
6. Any structure on, or use of, a substandard residential lot, except for structures which provide access to the first floor for the physically challenged;
7. Any exterior remodeling and/or site alteration of either \$50,000.00 or twenty-five percent additional floor area to any existing commercial or industrial building or structure;
8. All signs except the following:
 - a. Any permanent freestanding sign or signs five feet in height or lower as measured from grade and containing an aggregate area of thirty square feet or less;
 - b. Real estate signs of six square feet or less in area, placed on a property and advertising that property for sale, lease or rent;
 - c. Signs placed within windows;
 - d. Any sign required by law or placed to protect health and safety;
 - e. Public art;
 - f. Construction project signs conforming to other requirements of Part 6 of this chapter.

CALIFORNIA COASTAL COMMISSION

EXHIBIT # 1-95

7-14

ORDINANCE NO. 95-30

9. Short-term signs;
10. Banners;
11. Any project where the applicant is a public agency over which the city may exercise land use controls;
12. Public projects in the Coastal Zone, including but not limited to buildings, roads, bridges, wharf structures, shoreline riprap, and port district projects;
13. Any project which requires a design permit as a result of a specific city action or as a result of a condition of a prior project approval;
14. Parking lots with capacity for five or more spaces;
15. Addition of solar panels to all buildings;
16. Any project which requires a planned development permit;
17. Single-family homes over four thousand square feet in R-1-10, three thousand five hundred square feet in R-1-7, and three thousand square feet in R-1-5 zoning districts. (Ord. 94-34 S 8, 1994; Ord. 94-33 S 17, 1994; Ord. 92-18 S 1, 1992; Ord. 88-20 S 1, 1988; Ord. 85-05 S 1 (part), 1985).

Section 3. Section 24.08.820 of the Santa Cruz Municipal Code is hereby amended to read as follows:

24.08.820 Findings Required.

A slope modification permit may be granted when all of the following applicable conditions are found:

1. Measures have been included within the design of the project to mitigate impacts on environmental constraint areas identified in the Environmental Quality Element of the General Plan and the Local Coastal Program.
2. Landscaping of an appropriate type, size and quality is proposed to mitigate any adverse environmental effect.
3. Usable open space is proposed in an amount equal to that normally required.
4. To conform with existing land forms and topography, streets, buildings, and other man-made structures have been designed by a registered civil engineer or other qualified professional.

CALIFORNIA COASTAL COMMISSION
EXHIBIT # 1-95

ORDINANCE NO. 95-30

5. Adequate fire safety measures as required by the city fire department have been incorporated into the design of the proposed development, when located in a designated fire hazard area.
6. The proposed project employs architectural and design elements which in total serve to reduce the mass and bulk of structures. Such elements may include:
 - a. Multiple floor levels which follow natural slopes;
 - b. Multiple roof lines;
 - c. Decks and balconies;
 - d. Foundation types such as poles, piles, or stepped levels which minimize cut and fill and need for retaining walls;
 - e. Fence lines, walls, and other features which blend with the terrain rather than strike off at an angle against it.
7. If a project proposed for construction is in a designated landslide area, before granting a modification to Section 24.14.030, subsection (1)(d), findings must be made that mitigation measures necessary to fulfill the purpose of this part have been incorporated into project design, based on the project's environmental review. (Ord. 94-34 S 13, 1994; Ord. 94-33 S 20, 1994; Ord. 91-14 S 3, 1991; Ord. 85-05)

Section 4. Section 24.14.030 of the Santa Cruz Municipal Code is hereby amended to read as follows:

24.14.030 Slope Regulations.

1. **Applicability and Purpose.** The following regulations are enacted to minimize the risks associated with project development in areas characterized by combustible vegetation and steep and/or unstable slopes. Such areas include canyons, arroyos, slopes over thirty percent (see Maps EQ-6 and EQ-7 in the General Plan). Minor sculpted landforms, such as berms or swales, shall be exempt from the following regulations. A further purpose is to avoid excessive height, bulk and mass normally associated with building on slopes.
 - a. Building permit applications for new structures on slopes of ten percent or greater shall include an accurate topographic map. The map shall contain contours of two-foot intervals for slopes of twenty percent grade or less and at five-foot intervals for slopes of more than twenty percent grade.

CANTONIA COASTAL COMMISSION

EXHIBIT # 1-95

ORDINANCE NO. 95-30

- b. Slopes thirty percent or greater shall not be considered in the density determination of a property.
- c. Parcels with a portion of the area in slopes of thirty percent or greater shall require the minimum lot area of the applicable zoning district in slopes of less than thirty percent. The area in slopes of less than thirty percent must be contiguous to the proposed building site.
- d. No building shall be located on a slope of thirty to fifty percent, or within twenty feet of a thirty to fifty percent slope, unless an exception is granted pursuant to Section 24.14.040 or a variance is granted pursuant to 24.08.810.
- e. No structure shall be located on a slope greater than fifty percent.
- f. Proposed buildings on parcels within or adjacent to fire hazard areas as designated in the Safety Element of the General Plan (Map S-11) shall maintain separation from combustible vegetation as required by the city fire department. Removal of combustible vegetation may also be required as part of project approval.
- g. No development except minor development on parcels of 1/2 acre or less such as walkways, fences, retaining walls less than three feet high above existing grade, planter boxes and similar features will be allowed to encroach on thirty percent slopes without an exception listed in Section 24.14.040.
- h. No new lot shall be created which will require the house to be sited within twenty feet of a thirty percent slope.
- i. For all development within 100 feet of a coastal bluff a site specific geologic investigation prepared by a qualified professional consistent with the California Division of Mines and Geology guidelines shall be prepared.

2. Driveway Design Standards.

- a. Driveways shall be designed with existing contours to the maximum extent feasible.
- b. Driveways shall enter public/private streets in such a manner as to maintain adequate line of sight.
- c. Driveways shall have a maximum grade of twenty-five percent as illustrated in the following diagram:

CALIFORNIA COASTAL COMMISSION

EXHIBIT

1-95

10/2/14

ORDINANCE NO. 95-30

PASSED FOR PUBLICATION this 24th day of October, 1995, by the following vote:

AYES: Councilmembers: Rotkin, Scott, Yokoyama, Kennedy, Campbell, Mathews; Mayor Beiers.

NOES: Councilmembers: None.

ABSENT: Councilmembers: None.

DISQUALIFIED: Councilmembers: None.

APPROVED: *Katherine Beiers*
Mayor

ATTEST: *Emma Solter*
City Clerk

PASSED FOR FINAL ADOPTION this _____ day of _____, 1995, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

DISQUALIFIED: Councilmembers:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

This is to certify that the above and foregoing document is the original of Ordinance No. 95-30 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

City Clerk

CALIFORNIA COASTAL COMMISSION

EXHIBIT #1-95
or M14

COPY

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING THE 2005 GENERAL PLAN AND LOCAL COASTAL PROGRAM BY WAY OF ADDING A LAND USE POLICY AND MAP DESIGNATION REQUIRING THE PREPARATION OF A SPECIFIC PLAN FOR THE BOMBAY PROPERTY AND DIRECTING THE CITY MANAGER TO TRANSMIT THE AMENDMENT TO THE CALIFORNIA COASTAL COMMISSION

#95-161

WHEREAS, the California Coastal Commission requested specific Local Coastal Program amendments in order to certify its land use designation for the parcels of land known as the Bombay property (A.P.N. 002-261-03); and

WHEREAS, the Planning Commission conducted a public hearing on the matter on September 21, 1995 and recommended adoption of the General Plan and LCP amendment to the City Council; and

WHEREAS, the City Council gave required notice and conducted a public hearing on October 24, 1995; and

WHEREAS, it is determined that the amendment is exempt from further environmental review under Section VI. 4 of the City's CEQA guidelines for reasons stated in the staff report to the City Council meeting; and

WHEREAS, the amended text and associated map amendment is consistent with the provisions of the California Coastal Act as determined by the Coastal Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that the General Plan and the Local Coastal Program are hereby amended with the following policy addition:

LU 2.2.11 Require a specific plan for the Bombay property prior to any development.

BE IT FURTHER RESOLVED, that the City Manager is hereby directed to transmit the General Plan amendment to the California Coastal Commission for certification.

BE IT FURTHER RESOLVED, that the General Plan Land Use Map is hereby amended to require the preparation of a Specific Plan as shown in Exhibit "A", attached and made a part hereof.

RECEIVED
NOV 2 1995

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

CALIFORNIA COASTAL COMMISSION

EXHIBIT #1-95
9.14.14

RESOLUTION NO. NS-22,477

PASSED AND ADOPTED this 24th day of October, 1995, by the following vote:

AYES: Councilmembers: Rotkin, Scott, Yokoyama, Kennedy,
Campbell, Mathews; Mayor Beiers.

NOES: Councilmembers: None.

ABSENT: Councilmembers: None.

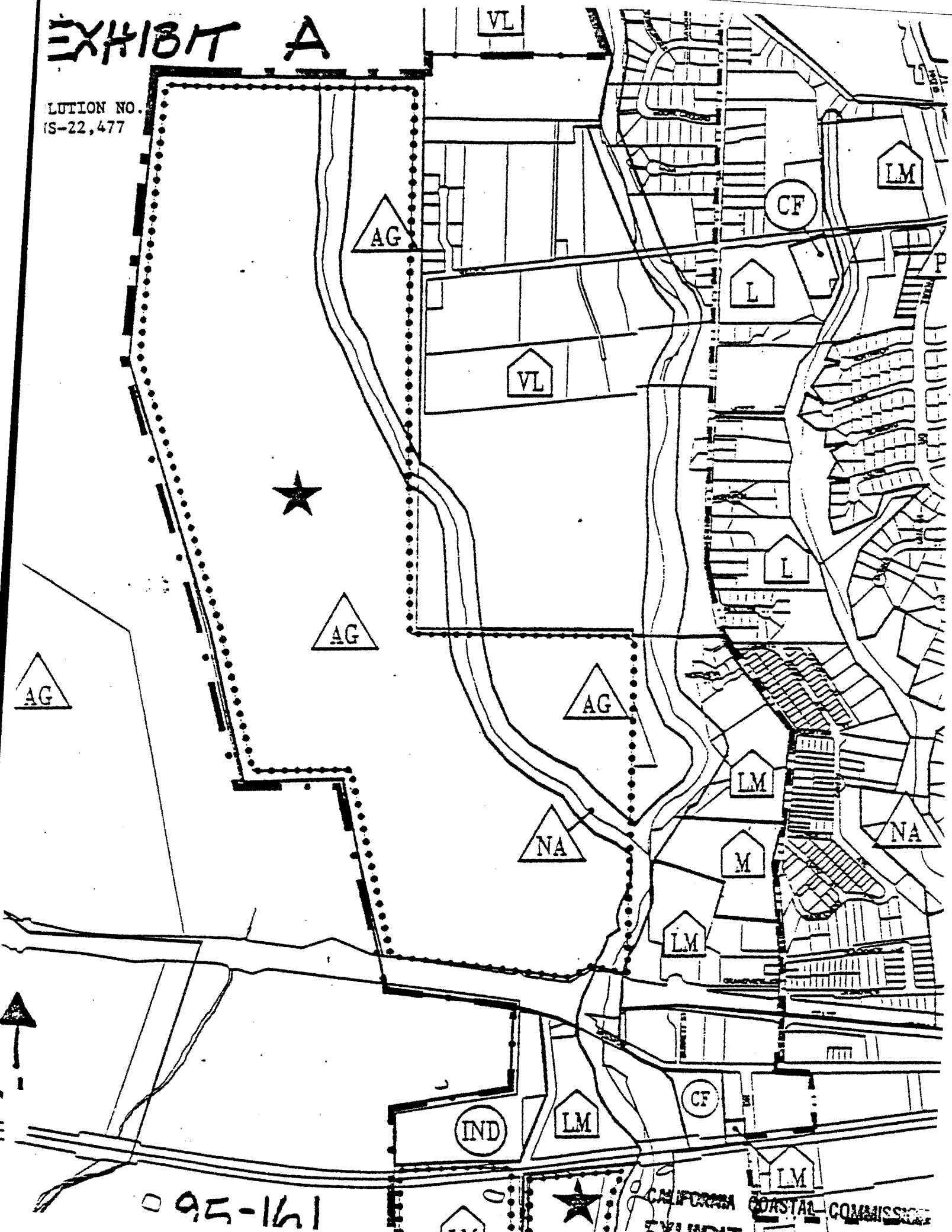
DISQUALIFIED: Councilmembers: None.

APPROVED: Katherine Beiers
Mayor

ATTEST: Emma Golden
City Clerk

EXHIBIT A

PLAT NO.
S-22,477



095-161

CALIFORNIA COASTAL COMMISSION
EXHIBIT

COPY

RESOLUTION NO. NS-22,478

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
AMENDING THE 2005 GENERAL PLAN AND LOCAL COASTAL
PROGRAM BY WAY OF ADDING A LAND USE POLICY REGARDING
THE ZONING OF THE WESTSIDE KINZLI PARCEL AND DIRECTING
THE CITY MANAGER TO TRANSMIT THE AMENDMENT TO THE
CALIFORNIA COASTAL COMMISSION. 95-237

WHEREAS, the California Coastal Commission requested specific Local Coastal Program amendments in order to certify the land use designation for the parcel of land, known as the Westside Kinzli parcel (A.P.N. 002-301-01); and

WHEREAS, the Planning Commission conducted a public hearing on the matter on September 21, 1995 and recommended adoption of the General Plan and LCP amendment to the City Council; and

WHEREAS, the City Council gave required notice and conducted a public hearing on October 24, 1995; and

WHEREAS, it is determined that the amendment is exempt from further environmental review under Section VI. 4 of the City's CEQA guidelines for reasons stated in the staff report to the City Council meeting; and

WHEREAS, the text amendment is consistent with the provisions of the California Coastal Act as determined by the Coastal Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that the General Plan and the Local Coastal Program are hereby amended with the following policy addition:

LU 2.2.10 The Westside Kinzli parcel shall be zoned at a density not greater than RS-5A, Rural Residential 1du/5 acres. ✓

BE IT FURTHER RESOLVED, that the City Manager is hereby directed to transmit the General Plan amendment to the California Coastal Commission for certification.

BE IT FURTHER RESOLVED, that the General Plan Land Use Map is hereby amended to require the preparation of a Specific Plan as shown in Exhibit "A", attached and made a part hereof.

CALIFORNIA COASTAL COMMISSION

EXHIBIT

#1-95

RESOLUTION NO. NS-22,478

PASSED AND ADOPTED this 24th day of October, 1995, by the following vote:

AYES: Councilmembers: Rotkin, Scott, Yokoyama, Kennedy,
Campbell, Mathews; Mayor Beiers.

NOES: Councilmembers: None.

ABSENT: Councilmembers: None.

DISQUALIFIED: Councilmembers: None.

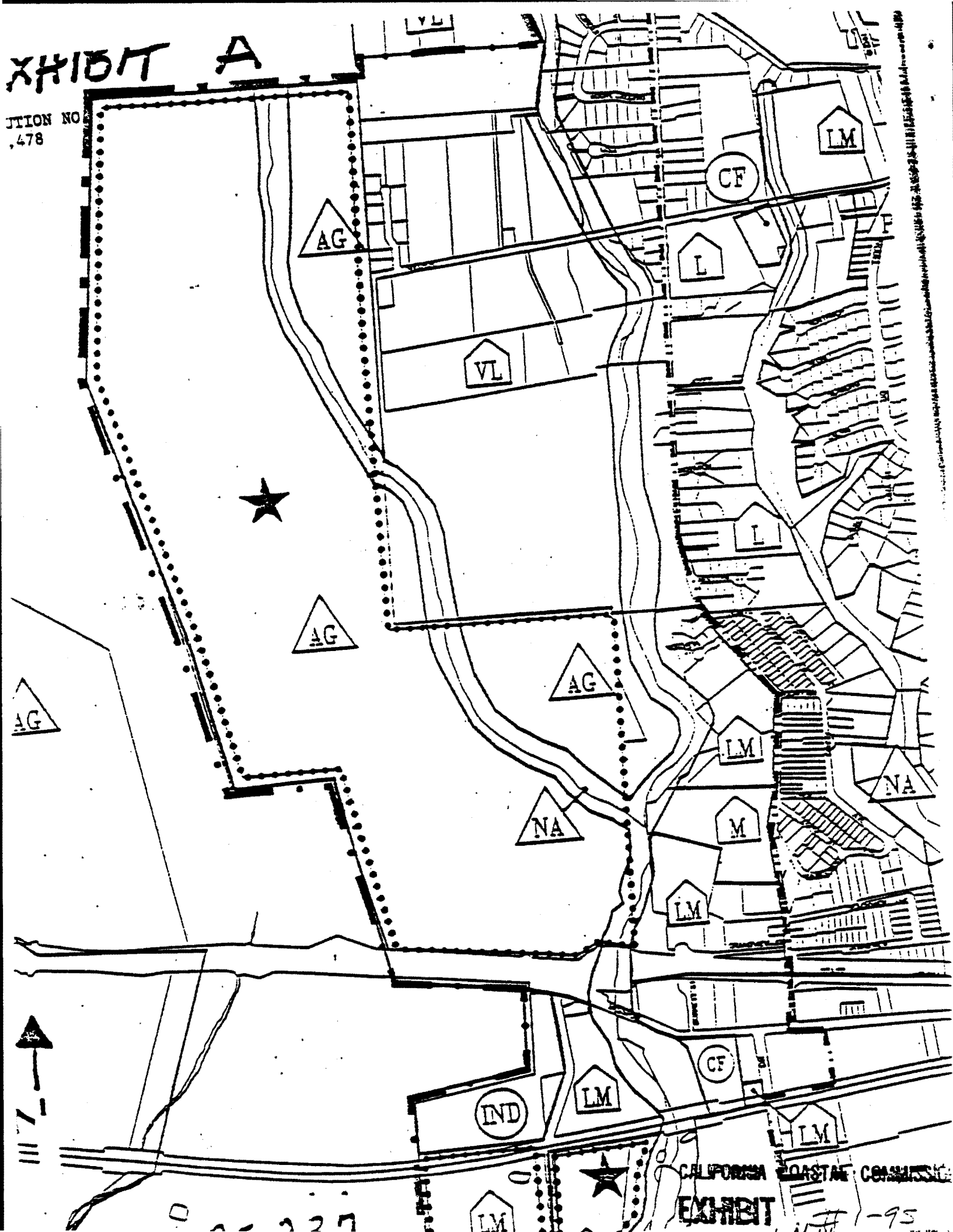
APPROVED: Katherine Beiers
Mayor

ATTEST: Emma Salden
City Clerk

CALIFORNIA COASTAL COMMISSION
EXHIBIT

XHIBIT A

SECTION NO.
478



CALIFORNIA COASTAL COMMISSION

EXHIBIT

1-95