

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

CRUZ, CA 95060

427-4863

HEARING IMPAIRED: (415) 904-5200

**PUBLIC NOTICE**

December 13, 1996

TO: COMMISSIONERS AND INTERESTED PERSONS

DN
12/13/96FROM: TAMI GROVE, DISTRICT DIRECTOR
DIANE LANDRY, LOCAL COASTAL PROGRAM MANAGER
JOY CHASE, COASTAL PLANNERSUBJECT: CAPITOLA CITY LOCAL COASTAL PROGRAM NO 1-96: Proposed Minor Amendment to the certified Implementation Plan Zoning Ordinance to Deregulate Small Satellite Dishes to be heard at the Commission meeting of January 7-10, 1997 at the Crown Plaza - Holiday Inn LAX, 5985 West Century Blvd., Los Angeles; 1-(310) 642-7500

The City of Capitola is requesting that its zoning ordinance be amended. This amendment request was filed on November 22, 1996 pursuant to Section 30510(b) of the Coastal Act and Sections 13553 and 13555 of the California Code of Regulations. The purpose of this notice is to advise interested parties of the determination by the Executive Director pursuant to Section 13555 of the California Code of Regulations that the proposed amendment is minor as defined in Section 13554.

Summary of Amendment: Modifieds Section 17.63.030 to the Capitola Zoning Ordinance to exempt small satellite dishes, 24 inches in diameter or less and no more than 24 inches in height from the site and architectural review process. The complete text of the proposed amendments are available at the Commission's office in Santa Cruz.

The amendment does not change the kind, location, intensity or density of use and does not modify resource protection standards and is consistent with the Land Use Plan as certified by the Commission. Under provisions of Section 13554 of the Commission Regulations, the Executive Director has determined these amendments are "minor".

Pursuant to Section 13555, the Executive Director will report this determination to the Coastal Commission at its January 7-10, 1997 at the Crown Plaza - Holiday Inn LAX, 5985 West Century Blvd., Los Angeles. The Executive Director will also report any objections to the determination that are received within ten days of posting of this notice. The proposed minor amendments will be deemed approved and will become effective immediately unless one-third of the appointed members of the Commission request that they be processed as major amendments.

If you have any questions or need additional information including the specific date of the hearing of the amendments or Commission procedures, please contact Joy Chase at (408) 427-4863 at the Central Coast District office in Santa Cruz. Please also contact Ms. Chase by January 2, 1997 if you wish to register an objection to the proposed "Minor Amendment".

COMMISSION ATTACHMENT: Resolution No. 2844 with Ordinance Sections Amended.

COPY

RESOLUTION NO. 2844

4916

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
APPROVING AN AMENDMENT OF THE LOCAL COASTAL
IMPLEMENTATION PLAN BY WAY OF AMENDING
SECTION 17.63.030 OF THE ZONING ORDINANCE,
AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO
SUBMIT SUCH LOCAL COASTAL IMPLEMENTATION PLAN
AMENDMENT TO THE CALIFORNIA COASTAL COMMISSION

WHEREAS, the City's Local Coastal Program was certified by the California Coastal Commission on July 17, 1988; and

WHEREAS, the Architectural and Site Review Committee Ordinance is part of the City of Capitola's adopted Local Coastal Implementation Plan; and

WHEREAS, the Capitola City Council held public hearings regarding the proposed zoning ordinance and Local Coastal Implementation Program amendments at meetings on September 26 and October 10 and 24, 1996; and

WHEREAS, six weeks prior public notice was given to local, state and federal agencies and other interested persons, as required by Coastal Commission regulations, prior to the Council's adoption of the Local Coastal Implementation Plan amendment; and

WHEREAS, the proposed amendment is exempt from the California Environmental Quality Act (CEQA), and is in conformity with the California Coastal Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA that the Local Coastal Implementation Plan amendment as shown in Exhibit "A", attached and made a part hereof, is hereby adopted.

CAP LCP #1-96

CALIFORNIA COASTAL COMMISSION

EXHIBIT 1

10/3

4917

RESOLUTION NO. 2844

BE IT FURTHER RESOLVED, that the City Manager of the City of Capitola is hereby authorized and directed to submit the Local Coastal Implementation Plan amendment to the California Coastal Commission for its certification.

BE IT FURTHER RESOLVED, that the Local Coastal Implementation Plan amendment will become part of the City's adopted Local Coastal Program upon approval by the California Coastal Commission.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 24th day of October, 1996, by the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Margaret Fabrizio
MAYOR

ATTEST:

Pamela Greening, CMC/AAE
CITY CLERK

CAP LCP #1-96

CALIFORNIA COASTAL COMMISSION

EXHIBIT 1

ORDINANCE NO. 794

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA,
AMENDING CHAPTER 17.63 OF THE MUNICIPAL CODE
REGARDING SATELLITE DISH ANTENNAE

THE CITY COUNCIL OF THE CITY OF CAPITOLA HEREBY ORDAINS AS
FOLLOWS:

SECTION 1. Section 17.63.030 of the Municipal Code, Architectural
and Site Review Ordinance, shall be amended to read as
follows:

Section 17.63.030 Required when. Site plan and architectural review
is required for the following uses:

- F. Any dish-type antenna which is larger than twenty-four (24)
inches in diameter, except the following:
1. Those, located in a rear or side yard which are: (a) not
visible either from the public right-of-way upon which the
property fronts; or (b) not visible from the ground level
of the adjacent properties.
 2. Those located upon flat roofs which: (a) do not exceed
twenty-four (24) inches in height above the roof and have
no dimension which exceeds twenty-four (24) inches;
 3. Those located on sloping roofs where: (a) no part of which
exceeds the height of the highest part of the roof, and (b)
no dimension of which exceed twenty-four (24) inches;
 4. Those entirely prohibited by Section 17.81.140.

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

This ordinance was introduced on the 10th day of October, 1996,
and passed and adopted on the 24th day of October, 1996 by the
following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: Pamela Greening, CMC/AEE
CITY CLERK

Margaret Fabrizio
MAYOR

THIS IS TO CERTIFY THAT THE ABOVE AND
FOREGOING IS A TRUE AND CORRECT COPY
OF RESOLUTION NO. 2844 PASSED AND
ADOPTED BY THE CITY COUNCIL ON THE
24th DAY OF October 19 96

Pamela Greening
CITY CLERK

CALIFORNIA COASTAL COMMISSION

EXHIBIT 1

CRP
LCP#1-96

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