

CALIFORNIA COASTAL COMMISSION

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Filed: January 13, 1997
 60th Day: March 14, 1997
 Staff: Robert Merrill
 Staff Report: February 21, 1997
 Hearing Date: March 13, 1997
 Commission Action:

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: Peter Douglas, Executive Director
 Steve Scholl, District Director
 Robert Merrill, Coastal Planner

SUBJECT: **LCP Amendment No. 4-96 (minor) to City of Arcata's certified Local Coastal Program, (CBD Landscaping Requirements).** (For Commission review and action at its meeting of March 13, 1997 in Carmel).

1. LCP Amendment Description and Discussion.

The proposed LCP amendment would amend the Implementation Program of the City of Arcata's certified LCP. The amendment would replace existing requirements for new development in the Central Business District to provide landscaping over 10% of the lot area of the development with requirements that would allow either 10% lot area landscaping or specified project enhancements determined through the City's design review process. The amendment includes design guidelines for evaluating whether proposed enhancements would be appropriate to substitute for the 10% area landscaping requirement for any given project.

The complete changes to the Implementation Program are shown in Exhibit 1. The amendment includes deleting the 10% lot area requirement contained in subsection (i) of Section 1-0217.3 of Article 2 of Chapter 1 of title IX of the zoning code. The section that specifies what principally permitted and conditionally permitted uses are allowed in the Coastal Central Business District Commercial Zone (C-CBD) and what development standards must be adhered to when developing property within the zone.

The main part of the amendment involves adding a new Section 1-0217.4 which would establish requirements for review by the Design Review Committee and establish a comprehensive set of design review guidelines for development proposed within the CBD zone.

The proposed amendment would also delete subsection (a) of Section 1-0225.2 of the zoning code to eliminate a reference to the portion of Section 1-0214.3 that is being deleted and to delete parking lot and vehicle loading area landscape screening requirements that will be replaced by the new design review process and guidelines.

LCP Amendment No. 4-96 (minor) to City of Arcata's certified Local Coastal Program, (CBD Landscaping Requirements).

Page 2

The proposed changes to the landscaping requirements for the Central Business District are designed to provide more flexibility for project proponents and the City in determining how best to improve the public amenities provided by new development. Applying the existing 10% lot area landscaping requirement in the Central Business District has been difficult given that the CBD area consists of parcels which are generally very small, and most buildings have been constructed without front or sideyard open space. Such a pattern of development is appropriate for a CBD where retail and commercial services are provided in a dense pedestrian shopping environment. However, the pattern makes it difficult to devote 10% of each lot to landscaping. The proposed amendment would allow other kinds of amenities to be provided with new development besides landscaping, and establishes a design review process with specific criteria for reviewing individual projects.

The proposed amendment is consistent with the Visual Resource policies contained in Section 30251 of the Coastal Act in that the changes to the zoning code would allow the historic pattern of development in the CBD to continue and ensure that future development will be more consistent with the visual character of the area. The proposed changes to the CBD landscaping requirements do not change the kind, location, intensity, or density of use that is presently allowed for any property in the County's LCP. No zoning designations for any parcels will be changed and no changes would be made to the allowable number of commercial or residential units allowed on any parcel. Because the LCP amendment does not change the kind, location, intensity, or density of use, the amendment will not result in any cumulative impacts and is thus consistent with Section 30250 of the Coastal Act. Therefore, the Executive Director finds the proposed LCP amendment to be consistent with the Coastal Act and minor in nature.

2. Public Participation and Commission Review.

The proposed LCP amendment was the subject of local public hearings before the City Planning Commission and the City Council. All of these public hearings were properly noticed to provide for adequate public participation. The LCP amendment submittal is consistent with Section 30514 of the Coastal Act and Section 13553 of Title 14 of the California Code of Regulations. A City Council Ordinance is attached as Exhibits No. 1.

The Executive Director has determined that the proposed LCP amendment is "minor" in nature under Sections 13554 and 13555 of Title 14 of the California Code of Regulations, since the amendment will not result in a change to the kind, density, or intensity of use of the land on the subject parcels. The Executive Director informed all interested parties by mail of his determination on February 21, 1997. The Commission will consider the Executive Director's determination at the March 13, 1997 meeting in Carmel. At that time, the Executive Director will report to the Commission any objection to the determination which is received at this office within ten (10) days of the posting of this notice. Anyone wishing to register an objection to the proposed "minor" LCP amendment determination should contact

LCP Amendment No. 4-96 (minor) to City of Arcata's certified Local Coastal Program, (CBD Landscaping Requirements).

Page 3

Robert Merrill at (415) 904-5260 at the Commission's North Coast Area Office in San Francisco by March 10, 1997.

If one-third of the appointed members of the Commission so requests, the determination of a minor amendment shall not become effective and the amendment shall be processed as a "major" LCP amendment under Section 13555(b) of Title 14 of the California Code of Regulations. If the Commission concurs with the Executive Director's determination that the LCP amendment is minor in nature, then the amendment shall take effect ten (10) working days after the Commission meeting and notice to Del Norte County under Section 30514(C) of the Coastal Act.

3. Staff Recommendation.

Staff recommends that the Commission concur with the Executive Director's determination that the LCP amendment is minor.

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ORDINANCE NO. 1254

AN ORDINANCE OF THE CITY OF ARCATA AMENDING THE ARCATA MUNICIPAL CODE, TITLE IX - LAND USE AND DEVELOPMENT GUIDE: CHAPTER 1 - ZONING CODE; ARTICLE 2 - ZONING DISTRICTS; TO DELETE REQUIREMENTS FOR LANDSCAPING WITHIN THE CBD ZONE AND ADDING DESIGN REVIEW CRITERIA FOR PROJECTS THEREIN

The City Council of the City of Arcata does hereby ordain as follows:

SECTION 1. Deletion of landscape requirement within the CBD zone

Section 1-0217.3 of Article 2 of Chapter 1 of Title IX of the Arcata Municipal Code is hereby amended to delete item (i) as follows:

- (i) *Landscaping and Screening.* Ten (10) percent of *lot area* as prescribed in Section 1-0307 LANDSCAPING AND SCREENING.

Subsequent items shall be renumbered accordingly.

SECTION 2. Addition of new design review criteria applicable to the CBD District

A new Section 1-0217.4, Design Review Criteria, is hereby added to Article 2 of Chapter 1 to read as follows:

"Section 1-0217.4 Downtown Design Review Criteria: The provisions of this section establish design review guidelines for certain project applications pertaining to lands within the CBD zone which require approval by the Design Review Committee pursuant to this Title.

A. APPLICABILITY

The provisions of this section shall apply only to design review applications for projects which include new structures or substantial alternations of or additions to existing development within the CBD zone. For purposes of this section, substantial alteration shall mean any project which proposes any of the following: 1) a change in the bulk, mass or volume of an existing building; 2) a change in the roof form or height of an existing building; 3) a change in the major elements of the structural system of an existing building; 4) a substantial change in the amount or pattern of window or door openings in the street facade of an existing building; or 5) any group of individual changes to an existing structure which has a cumulative cost equal to fifty (50) percent of the value of the existing structure prior to the alterations.

EXHIBIT NO.	1
APPLICATION NO.	ARCATA LCP
	AMENDMENT 4-96
	City Ordinance (page 1 of 5)

EXHIBIT NO.	1
APPLICATION NO.	ARCATA LCP
	AMENDMENT 4-96
City Ordinance (page 2 of 5)	

B. PRELIMINARY REVIEW

Preliminary conceptual review by the Design Review Committee of a proposed project shall be required prior to submittal of a formal application for design review approval. The purposes of the preliminary review shall be to: 1) provide early guidance to applicants regarding the appropriate approach to design for the particular project and site so that any necessary adjustments can be made to the initial design prior to preparation of final application materials, and 2) provide guidance as to the appropriate *project enhancements* to include in the project's design.

C. DESIGN GUIDELINES

In addition to the provisions of Article 2 of Chapter 4 of this Title, any development which is subject to the provisions of this section shall comply with the following design criteria:

1. All development shall be designed to be in harmony with the historical character of other structures in the immediate area in terms of:
 - a. exterior materials
 - b. exterior colors
 - c. window sizes, shapes, and placement
 - d. roof form and shape
 - e. architectural details such as trims, cornices, eaves, and others
 - f. the visual organization or composition of the facade
 - g. consistency in the visual rhythms of facade elements
 - h. the proportion of window and door openings to the total facade area
 - i. setback of structures from the street parcel line
 - j. orientation of facades, store windows and signs to pedestrians rather than vehicles

2. New structures within the Plaza Overlay or Combining District shall comply with the following additional standards:
 - a. All buildings shall have a minimum height of two stories.
 - b. All floors of any building must be built parallel to and at the front property line or provide an enhanced paving plaza between the building face and the front property line (except as provided in c.).
 - c. Any building located at a corner intersection shall incorporate architectural features at the ground floor which emphasize pedestrian circulation, such as building cut-offs, walk-through arcades, pedestrian plazas and other similar elements.
 - d. Pedestrian access for all buildings shall be oriented to the major street upon which it is located.

3. Any proposed new structure shall either provide 10 percent of site area in landscaping or incorporate an appropriate combination of project enhancements from the following list in lieu of meeting the landscape standard. Any addition to an existing structure or substantial alteration to existing development shall be required to incorporate an appropriate combination

of the project enhancements in lieu of landscaping. Eligible project enhancements include, but are not limited to, the following:

- a. recessed entryways
- b. sidewalk and/or entry mosaics or decorative tile
- c. flower beds
- d. foundation plantings
- e. planted wall trellises
- f. window boxes
- g. other landscape planting areas
- h. features within the public right-of-way such as street trees and street furniture
- i. special paving materials within parking lots
- j. fountains or other water features
- k. courtyards, defined as unroofed, walled areas with or without landscaping
- l. arcades, defined as covered passageways with or without arches or colonnades, possibly including shops on either or both sides
- m. outdoor spaces for public use
- n. architectural ornamentation or decorative features
- o. balconies or decks on upper floors
- p. awnings
- q. secondary rear pedestrian entryways

The final determination as to the appropriate enhancements to be incorporated into individual projects shall be made by the Design Review Committee.

5. The following standards shall apply to parking facilities in the CBD District:
- a. parking lots shall be landscaped in accord with the provisions of Section 1-0306, LANDSCAPING AND SCREENING.
 - b. parking lots and structures shall be located, to the extent practicable, to the rear of buildings.
 - c. parking lots shall not be located between the front property line and the front of the primary building.
 - d. Vehicular entry points to parking lots shall receive special paving accents where the driveway crosses the public sidewalk; wherever possible, parking access should be provided from alleys or side streets rather than an arterial street.
 - e. Bumpers or tire stops shall be provided in all parking lot areas abutting a sidewalk, street, building or alley so that car bumpers do not overhang.

D. ACTION BY THE DESIGN REVIEW COMMITTEE.

In considering any project application subject to the provisions of this section, the Design Review Committee shall make a finding prior to approval that the design is in substantial compliance with the criteria and guidelines contained herein."

EXHIBIT NO.	1
APPLICATION NO.	ARCATA LCP
	AMENDMENT 4-96
	City Ordinance (page 3 of 5)

SECTION 3. Amendment of Section 1-0225.2

Section 1-0225.2 of Article 2 of Chapter 1 of Title IX of the Municipal Code is hereby amended to delete item (a) as follows:

- (a) The minimum *landscaping* requirements specified in subsection 1-0217.3(i) *Landscaping and Screening* (CENTRAL BUSINESS DISTRICT COMMERCIAL DISTRICT; Other Regulations). The *screening* requirements for *parking lots* specified in subsections 1-0306.2(g) *Parking Lot Landscaping*, (h) *Off-street Loading Landscaping* and (j) *Height Requirements* (LANDSCAPING AND SCREENING) will continue to apply.

Subsequent items shall be renumbered accordingly.

SECTION 4. Adoption of Negative Declaration

The City Council hereby determines that the Initial Study Report prepared for this project is a complete and adequate environmental document prepared in compliance with the California Environmental Quality Act, the *CEQA Guidelines*, and the implementing ordinance of the City of Arcata. Based upon information in the Initial Study Report and the record, the Council further determines that there is no potential for any significant environmental effect as a result of the proposed amendments and there is no need for mitigation measures.

SECTION 5. Severability

If any provision of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

SECTION 6. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

SECTION 7. Effective Date

This ordinance amends the Local Coastal Program of the City of Arcata and shall not be effective until the amendment is certified by the California Coastal Commission. The Community Development Department is hereby directed to transmit the ordinance to the California Coastal Commission for certification. The ordinance shall take effect thirty (30) days after its adoption by the City Council or immediately upon its certification by the California Coastal Commission, whichever is later.

DATED: July 3, 1996

EXHIBIT NO.	1
APPLICATION NO.	ARCATA LCP
	AMENDMENT 4-96
	City Ordinance (page 4 of 5)

ATTEST:

Alice Harris
City Clerk, City of Arcata

Carl E. Pellatz
Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 1254, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, on the 3rd day of July, 1996, by the following vote:

AYES: Blaser, Kirkpatrick, Schaub, Test, Pellatz

NOES: None

ABSENT: None

ABSTENTIONS: None

Alice Harris
City Clerk, City of Arcata

EXHIBIT NO.	1
APPLICATION NO.	ARCATA LCP
	AMENDMENT 4-96
City Ordinance (page 5 of 5)	