

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200



F5a

July 15, 1998

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: CHUCK DAMM, DEPUTY DIRECTOR
CHARLES LESTER, DISTRICT MANAGER
JOY CHASE, STAFF ANALYSTSUBJECT: CITY OF SANTA CRUZ MAJOR AMENDMENT #1-98 TO THE LOCAL
COASTAL PROGRAM LAND USE AND IMPLEMENTATION PLANS for public
hearing and Commission action at its meeting of August 11-14, 1998 to be held
at the Waterfront Hilton Beach Resort, 21100 Pacific Coast Highway, Huntington
Beach, CA 92648

SYNOPSIS

The City of Santa Cruz is requesting that its Land Use Plan and Implementation Plan Zoning Ordinance 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 City Council held noticed public hearings. In addition noticed public hearings at the Planning Commission level were held. This amendment request was filed on July 8, 1998 pursuant to Section 30510(b) of the Coastal Act and Sections 13553 and 13555 of the California Code of Regulations (CCR's). Excerpts from the City's amendment submittal are attached as Exhibits. Some Exhibit resolutions address proposed amendments that are not a part of this submittal. Only those amendments summarized below and discussed in the findings are before the Commission for action.

The Coastal Act is the standard of review for the Land Use Plan amendments and the certified Land Use Plan or the proposed amended Land Use Plan, as appropriate, is the standard of review for the Implementation Plan amendments pursuant to Section 13532 and Section 13542 respectively.

**I. SUMMARY OF PROPOSED LAND USE PLAN (LUP) AND IMPLEMENTATION (IP)
AMENDMENTS AND STAFF RECOMMENDATIONS**

Santa Cruz City Amendment Submittal #1-98 proposes three amendments to the certified land Use Plan and six amendments to the Implementation Zoning Ordinance. The proposed amendments to the documents are summarized below.

A. Extending The Central Business District Through The South Of Laurel Area (LUP Amendments # 1 and 2; IP Amendments #1 and 2). LUP Redesignation and Implementation Rezoning of various commercial and residential properties to achieve a subdistrict of the Central Business District in the South of Laurel Area. (Ordinance No. 96-18). See the following table, Exhibit A attached, and Finding 1.

AMENDMENT NUMBER	LOCATION ASSESSOR'S PARCEL NUMBERS	LUP DESIGNATION As Certified As Proposed	ZONING DISTRICT As Certified As Proposed
LUP #1 AND IP #1	APN 5-171-1,2,3,4,5,6,7,8,9,10,11 APN 5-172-5,6,7,8,9, 10,11 APN 5-181-1,2,5 APN 5-184-3,9,10, 15,16,17,18,19 APN 5-171-48	Community Commercial (CM) (60 employees acre) to Visitor Commercial (RVC) (80 employees acre)	Thoroughfare Commercial (CT) to Central Business District (CBD)
LUP #2 AND IP #2	APN 5-171-17	Low Medium Residential (RL) (20 du ac.) to Visitor Commercial (RVC) (80 employees acre)	RL to Central Business District (CBD)

The Central Business District promotes mixed commercial and residential development and links the pattern of uses from downtown to the beach consistent with Land Use Policy 2.2.2. Staff recommends **approval** of LUP Amendments # 1 and #2 and IP Amendments #1 and #2 as submitted.

B. 943 Hanover Street (LUP Amendment #3 and IP Amendment #3.) Amends LUP Designation of APN-011-021-25,26,31 from OF/PA (office) to LM/RL (Low medium residential) and Implementation Zoning Designation from Professional and Administrative Office (PA) to Multiple Residence Low-Rise (RL) in an area which is primarily residential. Amendments will facilitate construction of a planned development with 11 detached dwelling units on a .68 acre vacant property. (Resolution NS 23,745.) Staff recommends **approval** of LUP Amendment #3 and IP Amendment #3 as submitted.

C. Adds Auto Repair Services Use To Central Business District (IP Amendment #4). Amends Zoning Ordinance, Chapter 24, Part 24, South of Laurel Central Business, District, Section 24.10.2370 of the Zoning Ordinance to allow auto repair uses. (Ordinance 96-35). Staff recommends **approval** of IP Amendment #4 as submitted.

D. Requires Administrative Use Permits For Thrift Stores (IP Amendment #5).

Amends Zoning Ordinance, Chapter 24, Part 8 C-C Community Commercial District, Section 24.10.730; Part 12, C-B Beach Commercial District, Section 24.10.1130, and Part 24, CBD Central Business District, Section 24.10.2360 to require that in these zoning districts thrift stores must obtain Administrative Use Permits. This proposed amendment presents no coastal issues and staff recommends **approval** of IP Amendment #5 as submitted.

E. Permit Processing Streamlining (IP Amendment #6). Amends Zoning Ordinance, Chapter 24.04 Administration, to modify Section 24.04.050 to streamline processing by allowing the Santa Cruz Redevelopment Agency to be considered an "authorized representative" for purposes of applying for land use applications after an owner-participation agreement or disposition and development agreement has been approved. (Ordinance 96-30). This proposed amendment presents no coastal issues and staff recommends **approval** of IP Amendment #6 as submitted.

Attachments:

Exhibit AA - Santa Cruz City South of Laurel Location Map

Exhibit A - Map South of Laurel Area identifying proposed designation amendments (LUP #1 and #2 and IP #1 and #2).

Exhibit B - Land Use Plan Land Use Element Policy 2.2.1 and 2.2.2.

Exhibit 1- City Resolution NS-23,064 Resolution of Submittal of Amendment #1-98 to California Coastal Commission regarding LUP and Zoning changes in South of Laurel to Central Business District.

Exhibit 2 - City Ordinance 96-18 Modifying LUP and Zoning to Central Business District (LUP # 1 and #2 and IP #1 and #2)

Exhibit 3 - City Resolution No. NS-23,745 and City Ordinance 98-06, to Redesignate LUP and Rezone IP for 943 Hanover Street from office to low medium residential and Notice of Exclusion (LUP # 3 and IP#3)

Exhibit 4 - City Ordinance No. 96-35 Allow Auto Repair Uses in Central Business District (IP #4)

Exhibit 5 - City Resolutions NS-23,598, NS-23-597 Require Thrift Shops to Obtain Administrative Use Permits. (IP #5)

Exhibit 6 - City Ordinance No. 96-30 Permit Application Submittals (IP# 6)

II. STAFF RECOMMENDATION

MOTIONS AND RESOLUTIONS

Staff recommends adoption of the following resolution:

A. APPROVAL OF MAJOR AMENDMENT #1-98, LAND USE PLAN AMENDMENTS 1, 2, and 3 AS SUBMITTED.

MOTION I:

I move that the Commission certify Major Amendment #1-98, Land Use Plan Amendments 1, 2 and 3 as submitted by the City of Santa Cruz.

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 certifies the amendments 1, 2 and 3 of Major Amendment #1-98 to the Land Use Plan of the City of Santa Cruz as submitted for the specific reasons discussed in the recommended findings on the grounds that, as submitted, the amendment and the LUP as thereby amended meet the requirements of the Coastal Act. The amendment is consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) and approval will not have significant adverse environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

B. APPROVAL OF MAJOR AMENDMENT #1-98, IMPLEMENTATION PLAN AMENDMENTS 1 through 6 AS SUBMITTED.

MOTION II:

I move that the Commission reject Major Amendment #1-98, implementation amendment numbers 1 through 6 to the City of Santa Cruz Implementation Plan as submitted.

Staff recommends a NO vote which would result in approval of these parts 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 II:

The Commission hereby approves Major Amendment #1-98, Implementation Amendments numbers 1 through 6 to the City of Santa Cruz Local Coastal Program Implementation Plan on the grounds that the amendments to the Zoning Ordinance conform with, and are 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.

III. RECOMMENDED FINDINGS

The Commission finds and declares as follows:

1. Extending The Pacific Avenue Central Business District To The South Of Laurel Planning Area. (LUP Amendments #1, 2 and IP Amendments #1 And 2).

The South of Laurel Area study area (SOLA) is an area in transition, lying between the Santa Cruz Pacific Avenue downtown and the heavily visitor oriented Beach and Boardwalk area. SOLA has 65 acres approximately 23 acres of which are vacant or underutilized land. Neary Lagoon residential development lies to the west and the Beach Hill residential area lies to the east above the Seaside Company Santa Cruz Beach and Boardwalk. The key location and the urban nature of the South of Laurel Area have made it the City's candidate for testing the concepts of mixed uses.

LUP Land Use Policy 2.2.2 of the certified Land Use Plan states:

Prepare an area plan for the South of Laurel area providing for a mix of multi-family and commercial uses. The plan should be guided by the objective of creating an in-City, people-friendly, medium to high density neighborhood with neighborhood commercial areas that coexists with visitor serving commercial development linking the beach area to downtown.

Previous Amendment #1-96 resulted in the conversion of approximately half of the SOLA planning area from a LUP Designation of Community Commercial to Regional Visitor Commercial and Zoning District designation of Commercial Thoroughfare to Beach Commercial. The amendments resulted in a pattern of use that will tie the area to the adjacent visitor serving beach and wharf area and promote visitor serving recreational uses consistent with the Recreation and Access policies of the Coastal Act (Section 30210-214 and Section 30220-224) as well as LUP policy 2.2.2. The same amendment also established a subdistrict of the City's downtown Central Business District (CBD) for Lower Pacific Avenue in the South of Laurel Area (SOLA) planning area which lies between the downtown and beach areas. The CBD promotes mixed commercial and residential development consistent with Land Use Policy 2.2.2. The

subdistrict promotes a more pedestrian oriented village scale and encourages visitor serving and neighborhood serving uses.

Amendment #1-98, subject of this recommendation, proposes Land Use Plan redesignations and Zoning Ordinance rezonings to the lower end of Pacific Avenue to extend the Central Business District from the Pacific Garden Mall to the beginning of the "Beach Area". The following Table 1 and Exhibit A attached show the modifications.

TABLE 1

AMENDMENT NUMBER	LOCATION ASSESSOR'S PARCEL NUMBERS	LUP DESIGNATION As Certified As Proposed	ZONING DISTRICT As Certified As Proposed
LUP #1 AND IP #1	APN 5-171- 1,2,3,4,5,6,7,8, 9,10,11 APN 5-172- 5,6,7,8,9, 10,11 APN 5-181-1,2,5 APN 5-184- 3,9,10, 15,16,17,18,19 APN 5-171-48	Community Commercial (CM) (60 employees acre) to Visitor Commercial (RVC) (80 employees acre)	Thoroughfare Commercial (CT) to Central Business District (CBD)
LUP #2 AND IP #2	APN 5-171-17	Low Medium Residential (RL) (20 du ac.) to Visitor Commercial (RVC) (80 employees acre)	RL to Central Business District (CBD)

The proposed amendments will complete the pattern of uses that will link the downtown and the South of Laurel area and the Beach Area and Wharf and is consistent with Land Use Plan policy Land Use 2.2.2. Staff recommends approval of these amendments as submitted.

2. 943 Hanover Street (LUP Amendment #3 and IP Amendment #3.)

The proposed amendments change the LUP Designation of APN-011-021-25,26,31 from Professional Administrative Office (OF/PA) to Low Medium Residential (RM/RL) and the Implementation Zoning Designation from Professional and Administrative Office (PA) to Multiple Residence Low-Rise (RL) in an area which is primarily residential. Though the current PA designation would also allow multi-residential uses, the City interprets the zoning ordinance to restrict the use to apartments and not home

ownership. Hence, it was rezoned to RL under which a subdivision is allowed. The amendments will facilitate construction of a planned development with 11 detached dwelling units on a .68 acre vacant property.

The .68 acre site consists of three (3) vacant parcels which were originally part of the Sunny Heights residential subdivision in 1955. The site is located at the end of the Hanover Street cul-de-sac and is surrounded by single family residential structures which face Hanover on the east, west and north. On the south, the site is contiguous to the Dominican Hospital Rehabilitation facility parking lot. The site was redesignated from residential to office use in the 1980's to accommodate a potential hospital expansion project which was subsequently abandoned. The parcel has access from Hanover and does not have legal access through the Dominican parking lot at its rear property line.

According to the City Findings the parcels on Hanover are zoned Multi-Residential Low Rise (RL) and the character of the street is residential. Changing the Land Use Plan and zoning designations from office to residential is appropriate to complete the residential infill pattern. These are the only vacant parcels on the street. Land Use Plan Community Design Element Goal CD 4 provides for enhancement of neighborhood diversity and reinforces the desirable elements of neighborhood character and quality. The proposed redesignations from office to residential uses are consistent with this Local Coastal Program policy. The proposed Land Use Plan redesignation and rezoning is also consistent with the development policies of the Coastal Act which provide for concentrating development in developed areas able to accommodate it. Staff recommends approval of LUP Amendment #3 and IP Amendment #3 as submitted.

3. Addition Of Auto Repair Uses In The Lower Pacific Avenue Subdistrict Of The Central Business District (IP Amendment #4)

Proposed Implementation Amendment IP #4 amends the South of Laurel, Lower Pacific Avenue Subdistrict of the Central Business District, Chapter 24.10.2370, to allow auto repair uses with a special use permit to manage impacts on proposed residential uses. The amendment resulted from a request by the owner of an existing auto repair business in the area. The change does not present any coastal issues and staff recommends approval as submitted.

4. Requires Administrative Use Permits For Thrift Stores (IP Amendment #5).

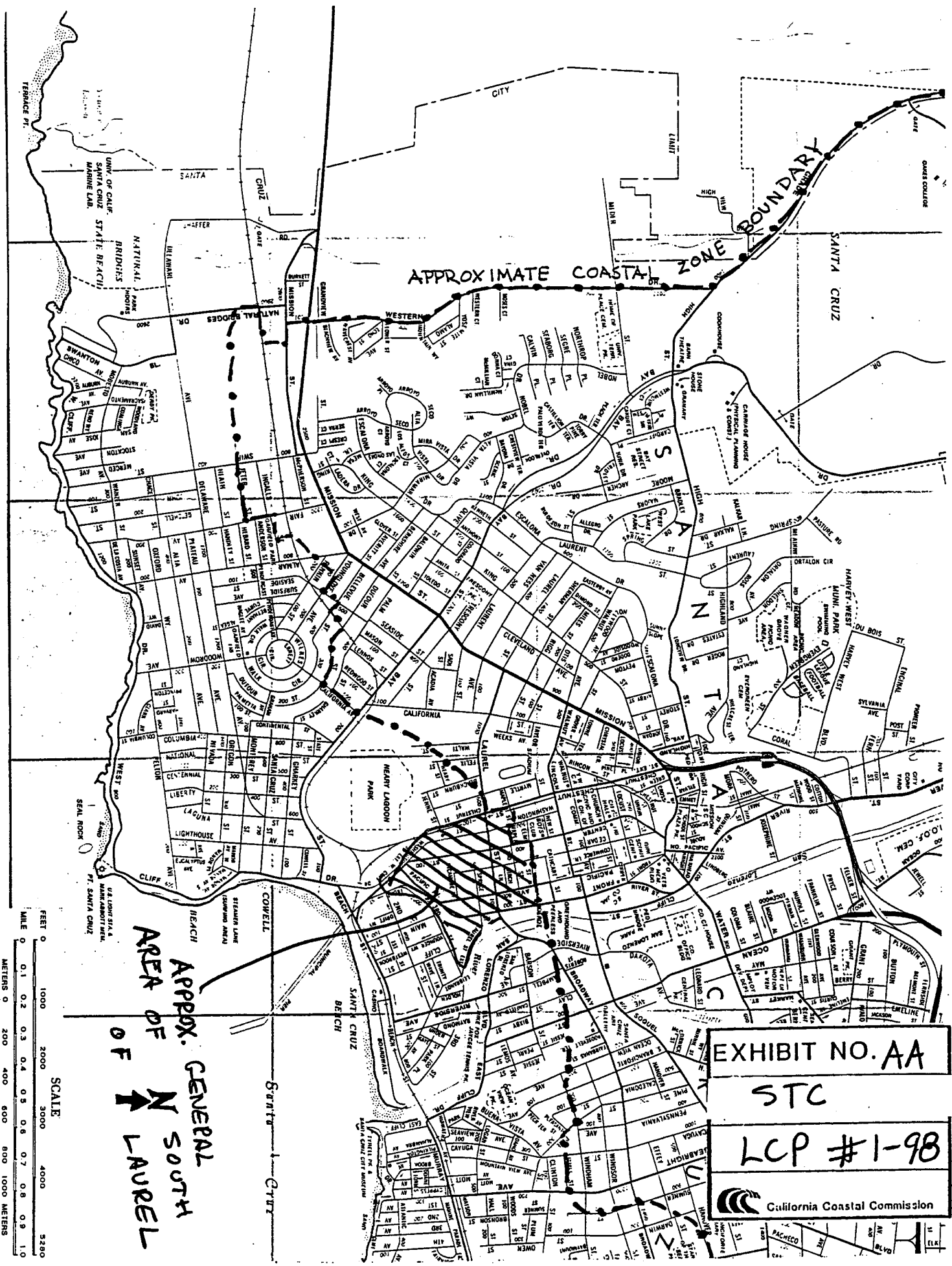
Proposed Implementation Amendment #5 amends Zoning Ordinance, Chapter 24, Part 8 C-C Community Commercial District, Section 24.10.730; Part 12, C-B Beach Commercial District, Section 24.10.1130, and Part 24, CBD Central Business District, Section 24.10.2360 to require that in these zoning districts thrift stores must obtain Administrative Use Permits. This proposed amendment presents no coastal issues and staff recommends approval of IP Amendment #5 as submitted.

5. Permit Processing Streamlining. (IP Amendment #6).

Proposed Implementation Amendment #6 amends Zoning Ordinance, Chapter 24.04 Administration, to modify Section 24.04.050 to streamline processing by allowing the Santa Cruz Redevelopment Agency to be considered an "authorized representative" for purposes of applying for land use applications after an owner-participation agreement or disposition and development agreement has been approved. (Ordinance 96-30). The proposed amendment does not conflict with any policy of the Land Use Plan and staff recommends approval of IP Amendment #6 as submitted.

6. 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). As proposed, no significant impacts will be associated with the proposed amendments. Santa Cruz City adopted a Negative Declaration for some components of this amendment and exempted others. Therefore, the Commission finds that Major Amendment #1-98 is consistent with the provisions of the California Environmental Quality Act.



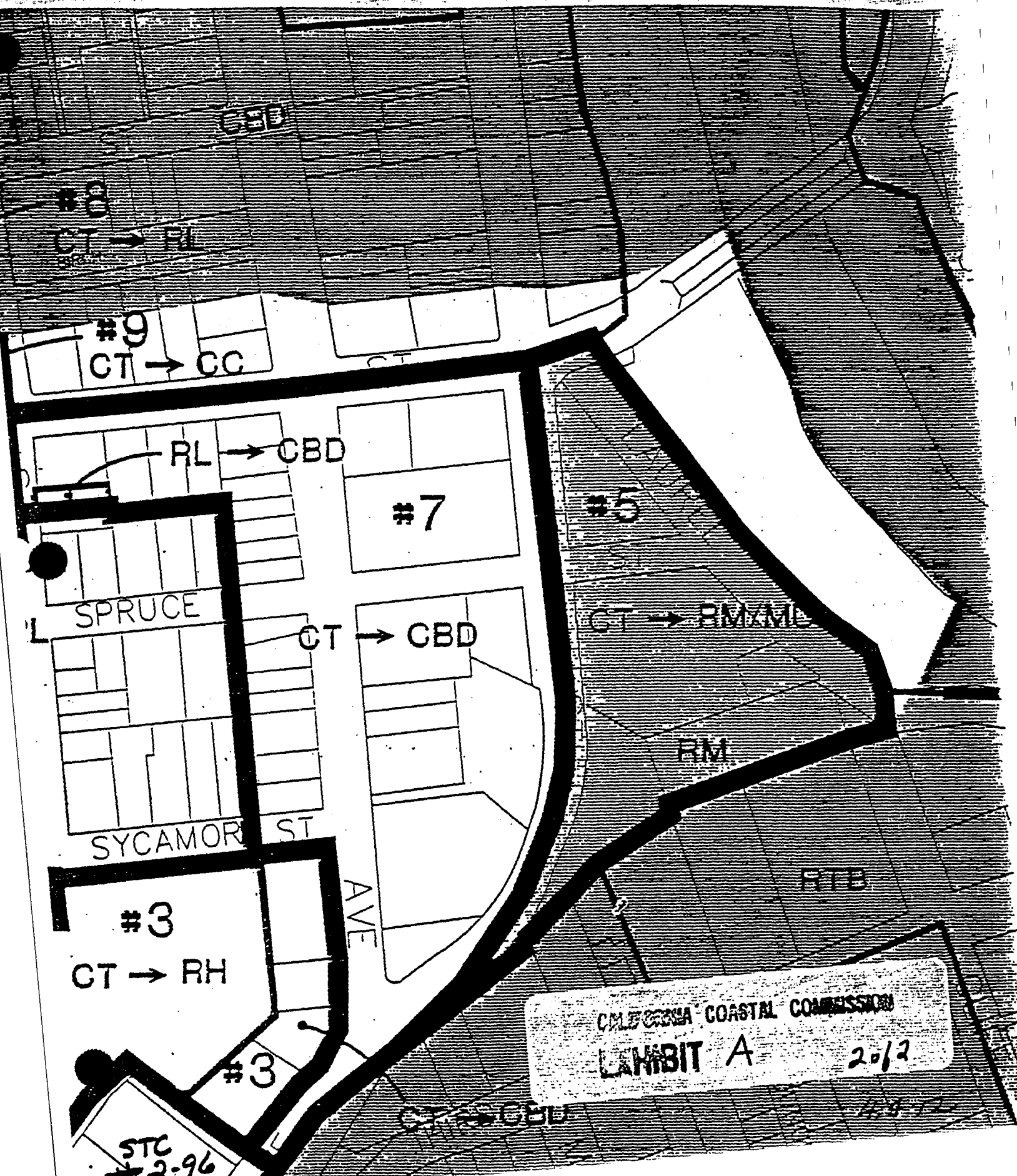
SANTA CRUZ CITY ZONING MAP (PARTIAL)

- LUP #1 Community Commercial (CM) to Visitor Commercial (RVC)
IP #1 Thoroughfare Commercial (CT) to Central Business District (CBD)
- LUP #2 Low Medium Residential (RL) to Visitor Commercial (RVC)
IP #2 Multi-Res. Low Density (RL) to Central Business District (CBD)

COASTAL ZONE

SANTA CRUZ CITY LCP MAJOR AMENDMENT #1-98

CALIFORNIA COASTAL COMMISSION
EXHIBIT A



CALIFORNIA COASTAL COMMISSION
EXHIBIT A

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RESIDENTIAL, COMMERCIAL AND INDUSTRIAL LANDS GOALS, POLICIES AND PROGRAMS

GOAL L 2: Provide for a variety and balance of residential, commercial, and industrial land uses while protecting environmental resources and responding to changing community needs, interests and development constraints.

Policies and Programs:

2.1 Relate residential, commercial and industrial land use intensities to the capability and location of the land while ensuring optimum utilization of vacant infill parcels. (See policy CD 1.1, L 2.6.5, L 3.2)

2.1.1 Assign lesser densities to lands that carry significant development constraints.

2.1.2 Maximize land intensity or densities in areas unconstrained by resources or hazards and having adequate service capabilities. (See policy L 2.6.5)

2.2 Develop and implement updated area or specific plans to resolve complex land-use, location and design issues for residential, commercial and industrial areas of community-wide importance. (See Policy CD 3.2 and the Area and Specific Plan Summaries.)

2.2.1 Update land use and design guidelines for the Beach and Wharf area addressing the area's importance as both a center of tourism and residential area. (See policies under C 4.4, C 6.4.2, H 1.3.1.2, ED 2.4.3, ED 2.4.5, PR 1.2.13, PR 1.4.2, PR 1.7.12, PR 3.7.1)

2.2.2 Prepare an area plan for the South of Laurel area providing for a mix of multi-family and commercial uses. The plan should be guided by the objective of creating an in-City, people-friendly, medium to high-density neighborhood with neighborhood commercial areas that coexists with visitor-serving commercial development linking the beach area to downtown.

- The area shall accommodate a minimum of 300 additional dwellings and the area plan should evaluate the possibility of increasing this number by combining residential development with commercial development in the regional/visitor commercial areas.

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The historic and architectural character of the residential neighborhood in the vicinity of Spruce, Sycamore, Center and Washington must be preserved, while integrating the neighborhood into the

larger area through design considerations, landscaping, building orientation, and the street system.

- The area offers important opportunities for visitor, community and neighborhood commercial development. The area's proximity to the beach offers an opportunity for visitor serving uses connecting to other visitor destinations. The desire to connect the beach to the downtown through this area, and the expectation for a significant permanent resident population also suggest community and neighborhood commercial uses or nodes.
- The expectation that the area will see significant housing together with commercial development requires that development occur in mixed use projects. Mixed use development should be clustered along the major corridors of Pacific Avenue, Front Street, and the rail right of way, but may also be appropriate elsewhere.
- The transportation system must serve a number of purposes. Streets are important linkages to the beach, downtown and residential neighborhoods. The street system should endeavor to separate tourist from local traffic. Tourist traffic needs to be directed to and through collection and distribution points in order to move large volumes of visitors. Local streets should be designed to discourage tourist traffic. Additionally, landscaping and other design techniques should develop streetscapes that link the Beach to Downtown along Pacific Avenue and other major travel corridors, the Downtown neighborhood, and the San Lorenzo River.
- As an in-town high density residential area, pedestrian, bike and transit systems are important. If feasible the Plan should provide for exclusive right of way for transit. Trip reduction measures may reduce the overall impact of traffic.
- The existing rail line holds promise for a future passenger rail system. One or more transit stops should be planned for in this area. Areas within walking distance of a potential station should be developed at higher densities or intensities.
- The permanent residential as well as the visitor population, will require amenities, in particular parks and recreation facilities. Recognizing the intensive nature of expected development, open space should include promenades, plazas, pocket parks, and paseos. The resident population has additional needs that could be satisfied by an open space around which residential development is focused. (See Policy PR 1.2.11)

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The Plan needs to take into account existing plans for surrounding areas, including Downtown Recovery Plan, San Lorenzo River

Design and Enhancement plans, Neary Lagoon Management Plan,
Factory Outlet Master Plan, and the Beach Area Plan.

- Any major public use building or facility shall take into account the area's location in a flood and liquefaction hazard area.

CALIFORNIA COASTAL COMMISSION

EXHIBIT B

3 of 3

RESOLUTION NO. NS-23,064

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
SUBMITTING THE SECOND AMENDMENT OF THE LOCAL COASTAL
PROGRAM FOR 1996 AND AUTHORIZING AND DIRECTING THE CITY
MANAGER TO SUBMIT THE LCP AMENDMENTS TO THE
CALIFORNIA COASTAL COMMISSION FOR APPROVAL

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WHEREAS, the California Coastal Commission certified the City's major LCP amendment, Ord. 93 on March 10, 1995; and

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WHEREAS, the City has approved numerous modifications to the City's zoning regulations which serve as Implementation Regulations, including: Changes in Section 24.04.050 for submittal requirements (Ord 96-30), General Plan and Local Coastal program amendments and associated zoning text amendments to increase densities for one-bedroom and studio units in RL, RM and RH districts (Res. NS-22,985 Ord. 96-37 RL and RM modifications), creation of a new High-density residential (RH) district (Ord 96-36), Modified CBD district regulations to allow auto repair uses (Ord. 96-35); and

WHEREAS, the City has approved modifications to the City's Local Coastal program map and associated rezonings including: Change in LCP designation from Community Commercial (CM) to Visitor Commercial (RVC) for parcels 5-171-1,2,3,4,5,6,7,8,9,10,11, 5-172-5,6,7,8,9,10,11, 5-181-1,2,5, 5-184,3,9,10,15,16,17,18,19 along lower Pacific Avenue and Front Street with associated rezoning from a Thoroughfare Commercial (CT) zone to a Central Business District Zone(CBD); a change in LCP designation from low medium residential (LM) to visitor commercial (RVC) for parcel 5-171-17 with a associated rezoning from RL to CBD; and a change in LCP designation from Community Commercial (CM) to Visitor commercial (RVC) for parcel 5-171-48 with an associated rezoning from CT to CBD; (Res. NS-22,638 ,Ord. 96-18); and

WHEREAS, required public review has been conducted for all of the amendments which are included as part of the submittal; and

WHEREAS, adequate environmental review has been conducted for all of the amendments which are included as part of the submittal; and

WHEREAS, the General Plan, Local Coastal Program and Implementation amendments are consistent with the provisions of the California Coastal Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz, that the City Manager or his designee is directed to submit the LCP amendments to the California Coastal Commission for its final certification.

BE IT FURTHER RESOLVED, that amendments to the Local Coastal Program implementation regulations will become effective upon final certification by the California Coastal Commission.

STC LCP Amend #1-98

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Resolution No NS-23,064

PASSED AND ADOPTED this 26th day of November, 1996 by the following vote:

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

NOES: Councilmembers: None.

ABSENT: Councilmembers: Kennedy.

DISQUALIFIED: Councilmembers: None.

APPROVED: M. S. Rotkin

Mayor

ATTEST: Shirley Helder

City Clerk

STC LCP Amend #1-98

ORDINANCE NO. 96-18

PASSED FOR FINAL ADOPTION this 14th day of May, 1996, by the following votes:

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

NOES: Councilmembers: None.

ABSENT: Councilmembers: Beiers.

DISQUALIFIED: Councilmembers: None.

APPROVED: *Mike Rotkin*

Mayor

ATTEST: *Emma Solder*

City Clerk

This is to certify that the above and foregoing document is the original of Ordinance No. 96-18 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

Emma Solder
City Clerk

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADOPTING A NEGATIVE DECLARATION WITH MITIGATION MEASURES; AMENDING THE SANTA CRUZ GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE MAP DESIGNATION FROM OFFICE (OF) TO LOW MEDIUM RESIDENTIAL (LM); AND APPROVING A TENTATIVE MAP AND PLANNED DEVELOPMENT, VARIANCE, DESIGN AND COASTAL PERMITS FOR PROPERTY LOCATED AT 943 HANOVER STREET; AND AUTHORIZING THE CITY MANAGER TO TRANSMIT THE AMENDMENT TO THE COASTAL COMMISSION.

WHEREAS, the City Council adopted the Santa Cruz City General Plan and Local Coastal Program on October 27, 1992 (Resolution No. NS-20,749); and

WHEREAS, periodic minor amendments of the General Plan and Local Coastal Program are needed to ensure that the City's long-term goals and objectives can best be achieved; and

→ WHEREAS, the owner of property located at 943 Hanover Street has applied for a General Plan and Local Coastal Program Land Use Map Amendment for the property, from Office (OF) to Low Medium Residential (LM); and

WHEREAS, the City Planning Commission conducted a public hearing on February 5, 1998, and determined that the proposed amendment is in general conformance and compatible with the principles, policies and land use designations set forth in the General Plan and Local Coastal Program; and

WHEREAS, the amendment is deemed to be in the public interest and will protect environmental resources and respond to changing community needs, interests and development constraints; and

WHEREAS, in accordance with the California Environmental Quality Act, an Initial Study was prepared for the amendment, the related rezoning request and a 13-unit planned development (now revised to 11 units), and it was determined that no significant effects to the environment would result; and

WHEREAS, in accordance with Design Permit, Section 24.08.430, the following findings are hereby made:

- The project is consistent with the physical development policies of the General Plan and Local Coastal Program including: designing the site to limit post-development run-off to predevelopment volumes and incorporating storm drainage facilities that reduce urban run-off pollutants through mitigation measures (General Plan Policy EQ 2.3.1); preserving and enhancing the character and quality of riparian and wetland habitats (General Plan/Local Coastal Program Policy EQ 4.2); requiring development adjacent to

STC LCP Amend #1-98
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RESOLUTION NO. NS-23,745

natural areas to be compatible with adjacent land uses in terms of land use, visual transition and siting (General Plan/Local Coastal Program Policy LU 3.3); and encouraging in-fill development with an emphasis on moderately-priced and smaller units at the highest density consistent with their location and constraints (General Plan Land Use Chapter for Residential Development). The project is also consistent with Local Coastal Program Policies LU 3.5, to protect and enhance public access to the coast; Local Coastal Program Policy CD 2.1.1, to prohibit land divisions that could degrade distinctive natural features; and the project has been designed to not impact important views as required by Local Coastal Program Policy CD 2.2. (1, 6)

- This proposal has a style of architecture that is similar to other recently-approved, two-story development in the area. The combination of wood and stucco exterior materials is similar to existing dwellings on Hanover Street. The requested variations to development standards are balanced with the objectives of developing in-fill sites to the maximum density and providing affordable housing opportunities for a variety of City residents. The design will not impact the adjacent office property, nor will the project be impacted by the existing office parking lot to the north. The design will also protect the privacy of adjacent properties with setbacks that meet or exceed the minimum required in the RL district, as well as increase the setback for two-story elements. (2, 3, 4, 10, 12)
- The site design protects the area adjacent to the drainage channel on the east side of the property. Added sycamore trees along this channel will enhance the natural area, yet preserve solar access to dwellings. (5)
- The site will meet the on-site parking requirements for the number and type of proposed units. An additional sidewalk is proposed for the north side of Hanover Street, to better accommodate pedestrians. (7, 8)
- The majority of landscaping is focused on the street frontage of Hanover Street, with other landscaping designed to visually separate paved driveway areas. The trash enclosure will be well-screened. The choice of plants meets the intent of limiting heavy use of water for landscaping. (9, 13)

Design Permit Findings 14, 15 and 16 do not apply to this application.

WHEREAS, in accordance with Planned Development Permit, Section 24.08.770, the following findings are hereby made:

- The project will be consistent with the Low Medium Residential General Plan/Local Coastal Program land use designation to provide housing at densities between 10.1 and 20 dwelling units per acre. There is no specific area plan relevant to this property.
- The project meets the applicable criteria delineated by the Planned Development sections of the City code, in that the plan will preserve and enhance the drainage channel

STC LCP Amend #1-98

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RESOLUTION NO. NS-23,745

at the eastern edge of the property and the variations to standards assist in the development of small, residential units not typically found within the City. The variations to lot standards allow the site to be used to a greater extent for in-fill residential development, consistent with the residential land use policy to encourage higher densities, emphasizing moderately-priced and smaller units. (1, 2, 3)

- The amenity provided for the proposed development is the additional private yard area that would not typically be found within a multi-family, attached development. The individual private yards range in size from 332 square feet to approximately 1,140 square feet. Section 24.12.180 establishes a 100-square-foot minimum private yard area for community housing projects. The proposal greatly exceeds this requirement for all units. The RL district also establishes a 400-square-foot minimum per unit for useable open space. The site contains approximately 11,500 square feet of open space, or an average of 1,000 square feet per unit. (5)

WHEREAS, in accordance with Coastal Permit, Section 24.08.250, the following findings are hereby made:

- The project is consistent with the General Plan and Local Coastal Implementation Program by achieving the following objectives: (1) the project will protect and enhance the existing riparian vegetation near the existing drainage channel (LU 3.5); (2) the project includes a mitigation measure that ensures the riparian area/surface water will be protected through the use of grease traps/oil-water separators to treat run-off prior to entering the drainage channel (EQ 2.3); (3) the project will not create erosion problems (EQ 3.1); (4) the project will maintain public view corridors and coastal access (CD 2.2, LU 3.5); and (5) the project will be consistent with the established land use densities (10.1 to 20.0 units/acre) and intensities (multi-family, moderately-priced, small units) of the Low Medium Residential designation set forth in the General Plan and Local Coastal Program. (1, 2, 3, 4 and 5)

Coastal Permit Finding #6 is not applicable to this application.

WHEREAS, in accordance with Variance, Section 24.08.130, the following findings are hereby made:

- Strict adherence to the 100-foot setback would render nearly one-half of the property unusable, without achieving additional protection of the riparian area, which is the main purpose of the setback requirement. The hardship created in this situation is not created by an act of the owner. At the time of the application, the City was not requiring a 100-foot setback from unmapped drainage channels. Other properties that are adjacent to the drainage channel have not been required to adhere to the 100-foot setback. Granting a reduction to 18 feet will not constitute a grant of special privilege, since other properties in the vicinity have reduced setbacks to the channel. The granting of this variance will

CALIFORNIA COASTAL COMMISSION
EXHIBIT 3 3 of 7

RESOLUTION NO. NS-23,745

not impact adjacent properties, nor will it impair the purpose or intent of the zoning regulations or General Plan. (1, 2 and 3)

WHEREAS, in accordance with Tentative Subdivision Map provisions of the City's Subdivision Ordinance, Section 23.16.050.3, the following finding is hereby made:

- The subdivision, as proposed, is consistent with General Plan policies and densities for the Low Medium Residential land use designation. (1)

WHEREAS, in accordance with the General Plan and Zoning Map Amendment, Table I-3 of the General Plan, the following findings are hereby made:

- Changing the designation and zoning to RM/RL is appropriate for the property to complete the existing residential in-fill, consistent with other properties in the vicinity. Maintaining the Office designation will not serve the public, as it would allow intrusion of commercial uses into an existing residential neighborhood. (1, 2, 3)
- The character of Hanover Street is a residential neighborhood. The subject property does not have legal access through the adjacent Dominican Hospital rehabilitation site and any office development would be required to use Hanover Street for access. Maintaining the existing Office use designation would disturb the character of the residential neighborhood, and would be inconsistent with Goal CD 4 of the Community Design Element of the General Plan to "...enhance neighborhood diversity and reinforce the desirable elements of neighborhood character and quality." (2)
- The amendment has been reviewed for its potential environmental impacts and has been found likely to reduce land use conflicts that might otherwise be allowed under existing conditions and land use designations. (3)
- In accordance with CEQA, an Initial Study was prepared. The study identified one potentially significant impact on the environment: to hydrology/water quality. A mitigation measure has been included to require grease traps/oil-water separators to treat run-off prior to water entering the drainage channel. This measure would reduce the impact to a less-than-significant level. No impacts were identified regarding the General Plan/Local Coastal Program map and rezoning amendments. (4)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz, that the Negative Declaration is adopted with mitigation measures as shown in Exhibit "A", attached and made a part hereof.

BE IT FURTHER RESOLVED, that the General Plan and Local Coastal Program Land Use Map is hereby amended as shown in Exhibit "B", attached and made a part hereof.

RESOLUTION NO. NS-23,745

BE IT FURTHER RESOLVED, that the 11-unit planned development, including the Tentative Map, Variance, Design and Coastal Permits, is hereby approved, subject to the rezoning approval and the conditions shown in Exhibit "C", attached and made a part hereof.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to transmit the amendment to the Coastal Commission.

PASSED AND ADOPTED this 28th day of April, 1998, by the following votes:

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

NOES: Councilmembers: None.

ABSENT: Councilmembers: None.

DISQUALIFIED: Councilmembers: None.

APPROVED: _____

Colin Scott

Mayor

ATTEST: _____

Kymma Golden
City Clerk

EXHIBIT "A"

CITY OF SANTA CRUZ

Negative Declaration

The Administrator of Environmental Quality of the City of Santa Cruz has prepared this Negative Declaration for the following described project:

Case No.: 97-215 Project Location: 943 Hanover Street

Project Description: General Plan/LCP (Local Coastal Program) land use designation amendment and rezoning from OF/PA to LM/RL, to facilitate construction of a planned unit development with thirteen (13) attached dwelling units on a .68 acre vacant property.

Applicant: Michael Zelter

Applicant Address: 261 4th Avenue
Santa Cruz, CA 95062

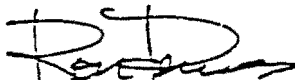
The City of Santa Cruz Department of Planning and Community Development has reviewed the proposed project and has determined that the project, based on the Initial Study attached hereto, will not have a significant effect on the environment. An Environmental Impact Report is not required pursuant to the California Environmental Quality Act of 1970. This environmental review process and Negative Declaration is done in accordance with the State CEQA Guidelines and the local City of Santa Cruz CEQA Guidelines and Procedures.

The following mitigation measures will be incorporated into the project design or as conditions of approval, to ensure that any potential environmental impacts will not be significant.

<u>Impact</u>	<u>Mitigation</u>
Water	Mitigation Measure 1. The final drainage plan shall incorporate the use of grease traps/oil-water separators approved by the City of Santa Cruz Public Works Department to treat surface runoff prior to entering the drainage channel. The grease traps/oil-water separators and the drainage channel should be maintained on an annual basis.

Eileen P. Fogarty, Planning Director
Administrator of Environmental Quality

1/7/98
Date


Rob Powers, Associate Planner
By

City of Santa Cruz
Department of Planning and Community Development
809 Center Street, Room 206
Santa Cruz, CA 95060

CALIFORNIA COASTAL COMMISSION
EXHIBIT 3 6 of 7

ORDINANCE NO. 96-35

AN ORDINANCE OF THE CITY OF SANTA CRUZ
AMENDING TITLE 24 OF THE SANTA CRUZ MUNICIPAL
CODE, THE ZONING ORDINANCE, AND THE LOCAL
COASTAL PROGRAM BY AMENDING THE SOUTH OF
LAUREL CENTRAL BUSINESS DISTRICT PART 24 OF
CHAPTER 24.10.2370 TO ALLOW AUTO REPAIR USES.

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

SECTION 1: Section 24.10.2370 of the Santa Cruz Municipal Code is hereby amended to read as follows:

24.10.2370 Use Permit Requirement.

1. The following uses are subject to approval of an Administrative Use Permit in the Lower Pacific Avenue Subdistrict and possibly other requirements of the Municipal Code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's Land Use Codes. Further refinement of uses within these categories can be found in the Land Use Codes, but they are not intended to be an exhaustive list of potential uses.)
 - a. Auto supply stores (260C);
 - b. Bakery, micro-brewery, (subject to alcohol regulations in Part 12 of Chapter 24.12) handicrafts or similar light manufacturing and assembly uses associated with retail sales, if floor area is less than 7000 sq. ft. and retail sale or service area occupies at least 30% of the floor area;
 - c. Brew pubs, subject to alcohol regulations in Part 12 of Chapter 24.12;
 - d. Churches (500);
 - e. Communication and information services (550);
 - f. Community organizations, associations, clubs and meeting halls (570);
 - g. Developed parks (710);
 - h. Fast-food restaurants or drive-in eating facilities subject to Performance Standards in 24.14.290, and subject to alcohol regulations in Part 12 of Chapter 24.12. and Section 24.14.290. (280H);
 - i. Foster family homes;
 - j. Government and public agencies (530);

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- k. Off-site public/private parking facilities. (930);
 - l. Recycling collection facilities;
 - m. Single-room occupancy (SRO) housing fifteen units or fewer (860);
 - n. Sports, recreation and entertainment facilities subject to alcohol regulations in Part 12 of Chapter 24.12 ;
 - o. Temporary structures and uses;
 - p. Utilities and resources (540);
 - q. Veterinarians (410A).
2. The following uses are subject to approval of a Special Use Permit in the Lower Pacific Avenue Subdistrict and possibly other requirements of the Municipal Code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's Land Use Codes. Further refinement of uses within these categories can be found in the Land Use Codes, but they are not intended to be an exhaustive list of potential uses.)
- a. Auto service and repair subject to Performance Standards in Section 24. 12.900. (350)
 - b. Bar and cocktail lounges, subject to alcohol regulations in Part 12 of Chapter 24.12. (280C);
 - c. Boat repairs (340D);
 - d. Community care facilities;
 - e. Community care residential facilities;
 - f. Contractor/Building (310E);
 - g. Convenience/liquor stores, subject to alcohol regulations of Part 12 of Chapter 24.12. (240B);
 - h. Night clubs (amplified live entertainment), subject to alcohol regulations of Part 12 of Chapter 24.12. (630);
 - i. Single-room occupancy (SRO) housing sixteen units or more (860).

SECTION 2. This ordinance shall be in force and take effect thirty (30) days after its final adoption.

PASSED FOR PUBLICATION this 24th day of September, 1996, by the following vote:

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

NOES: Councilmembers: None.

ABSENT: Councilmembers: None.

DISQUALIFIED: Councilmembers: None.

APPROVED: Mike Rotkin
Mayor

ATTEST: Emma Golden
City Clerk

PASSED FOR FINAL ADOPTION this 8th day of October, 1996, by the following vote:

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

NOES: Councilmembers: None.

ABSENT: Councilmembers: Yokoyama.

DISQUALIFIED: Councilmembers: None.

APPROVED: Mike Rotkin
Mayor

ATTEST: Emma Golden
City Clerk

This is to certify that the above and foregoing document is the original of Ordinance No. 96-35 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

Emma Golden
City Clerk

STC LCP Amend #1-98

RESOLUTION NO. NS-23,598

COPY

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ SUBMITTING THE FIRST AMENDMENT OF THE LOCAL COASTAL PROGRAM ("LCP") FOR 1997 AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO SUBMIT THE LCP AMENDMENTS TO THE CALIFORNIA COASTAL COMMISSION FOR APPROVAL.

WHEREAS, the California Coastal Commission certified the City's major LCP amendment #2-93 on March 10, 1995; and

WHEREAS, the City has approved modifications to the City's zoning regulations which serve as Implementation Regulations, including: Changes in Section 24.10.2360 CBD, 24.10.730 CC and 24.10.1130 CB zones requiring thrift stores to obtain Administrative Use Permits; and

WHEREAS, required public review has been conducted for all of the amendments which are included as part of the submittal; and

WHEREAS, adequate environmental review has been conducted for the amendment which is included as part of the submittal; and

WHEREAS, the General Plan, Local Coastal Program and implementation amendments are consistent with the provisions of the California Coastal Act;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz, that the City Manager or his designee is directed to submit the LCP amendments to the California Coastal Commission for its final certification.

BE IT FURTHER RESOLVED that amendments to the Local Coastal Program implementation regulations will become effective upon final certification by the California Coastal Commission.

PASSED AND ADOPTED this 9th day of December, 1997 by the following vote:

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

APPROVED: _____

Mayor

ATTEST: _____

City Clerk

STC LCP Amend #1-98

CALIFORNIA COASTAL COMMISSION
EXHIBIT 5 1 of 2

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
AMENDING THE DOWNTOWN RECOVERY PLAN TO REQUIRE THRIFT
STORES TO OBTAIN ADMINISTRATIVE USE PERMITS.**

WHEREAS, the Downtown Recovery Plan was adopted in 1991, most recently amended in April of 1993, and is utilized to direct both uses and design criteria in the downtown core; and

WHEREAS, it was determined that the proliferation of thrift stores in the downtown core was creating nuisance problems related to the unsupervised donation of materials, and it was determined that a greater level of control was required for these uses to be compatible with adjacent uses; and

WHEREAS, the Planning Commission conducted public hearings on the matter on October 16, 1997 and November 6, 1997 and recommended adoption of the amended Downtown Recovery Plan text to the City Council; and

WHEREAS, the City Council gave required notification and conducted a public hearing on December 9, 1997; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that the Downtown Recovery Plan shall be amended as indicated in attached Exhibit A.

PASSED AND ADOPTED this 9th day of December, 1997 by the following vote:

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

APPROVED: Celia Scott

Mayor

ATTEST: Emma Golden

City Clerk

STC LCP Amend #1-98

CALIFORNIA COASTAL COMMISSION
EXHIBIT 5 2 of 2

ORDINANCE NO. 96-30

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING
SECTION 24.04.050 OF THE SANTA CRUZ MUNICIPAL CODE
PERTAINING TO PERMIT APPLICATIONS, SUBMITTALS AND
PROCESSING

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

Section 1. Section 24.04.050 of the Santa Cruz Municipal Code is hereby amended to read as follows:

"24.04.050 PERMIT APPLICATION, SUBMITTAL AND PROCESSING.

Application for any permit shall be made by the property owner, or his/her authorized agent, to the zoning administrator on forms prescribed for the purpose. Alternatively, where a property developer has entered into an Owner Participation Agreement or a Disposition and Development Agreement with the Redevelopment Agency of the City of Santa Cruz for development of property for which the developer has yet to secure site control, the Redevelopment Agency may make the permit application if the subject agreement provides for the Redevelopment Agency's acquisition of the property on the developer's behalf. The application shall include information as may be necessary for adequate review of the application. A list of such information is set forth on the application form."

Section 2. This ordinance shall be in force and take effect thirty (30) days from and after the date of final adoption.

PASSED FOR PUBLICATION this 10th day of September, 1996, by the following votes:

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

APPROVED: _____

Mayor

ATTEST _____

City Clerk

PROCEDURES

CALIFORNIA COASTAL COMMISSION

EXHIBIT 6

1 of 2

ORDINANCE NO. 96-30

PASSED FOR FINAL ADOPTION this 24th day of September , 1996, by the following votes:

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

APPROVED: _____

Mayor

ATTEST: _____

City Clerk

This is to certify that the above and foregoing document is the original of Ordinance No. 96-30 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

City Clerk

