

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(408) 427-4863

**RECORD PACKET COPY**

December 16, 1999

**W13b**

**To:** Commissioners and Interested Persons

**From:** Charles Lester, District Manager  
Steven Guiney, Coastal Program Analyst

**Subject:** **City of Grover Beach Local Coastal Program Major Amendment Number 1-99.** For public hearing and Commission action at its meeting of January 11 - 14, 1999, to be held at the Four Points Hotel - Sheraton, 530 Pico Blvd., Santa Monica 90405, (310) 399-9344.

**Synopsis**

The City of Grover Beach has submitted a request to amend the Implementation Plan portion of the certified LCP. The amendment request would revise existing Zoning Ordinance Section 9137.26 to add a requirement that utilities be placed underground in all development including additions and remodels when the value of the project equals or exceeds 50 percent of the value of the existing development, and to add a new Zoning Ordinance Section 9137.15 to regulate guest quarters. This new proposed section would also allow them in the Coastal Planned Single Family Residential (C-P-R-1) zone district.

Staff recommends that the Commission **approve the proposed changes with a suggested modification** for the reasons given in this report. The suggested modification is intended to make the Zoning Ordinance internally consistent by listing guest quarters as a conditional use in the C-P-R-1 zone district

**ADDITIONAL INFORMATION**

For further information about this report or the amendment process, please contact Steven Guiney or Charles Lester, Coastal Commission, 725 Front Street, Suite 300, Santa Cruz, CA 95060; Tel. (831) 427-4863.



California Coastal Commission  
January xx, 2000 Meeting in Santa Monica

Staff: S. Guiney, Approved by: C.F.K. 12/16/99

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**I. STAFF RECOMMENDATION ON IMPLEMENTATION PLAN MOTIONS AND RESOLUTIONS**

**A. Denial of Implementation Plan Amendment as Submitted**

**MOTION 1**

"I move that the Commission reject amendment #1-99 to the Implementation Plan of the City of Grover Beach LCP as submitted by the City."

Staff recommends a YES vote which would deny the amendment as submitted. An affirmative vote by a majority of the Commissioners present is needed to uphold the motion according to the staff recommendation (otherwise the amendments are approved as submitted)

**RESOLUTION 1**

The Commission hereby rejects amendment #1-99 to the Implementation Plan of the City of Grover Beach LCP for the specific reasons discussed in the following findings on the grounds that it does not conform with and is inadequate to carry out the provisions of the certified Land Use Plan. There are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval of the amendment would have on the environment.

**B. Approval of Implementation Plan Amendment if Modified as Suggested**

**MOTION 2**

"I move that the Commission certify amendment #1-99 to the Implementation Plan of the City of Grover Beach LCP if it is modified as suggested."

Staff recommends a **YES** vote. An affirmative vote by a majority of the commissioners present is needed to pass the motion.

**RESOLUTION 2**

The Commission hereby certifies amendment #1-99 to the Implementation Plan of the City of Grover Beach LCP as modified, for the specific reasons discussed in the following findings, on the grounds that, as modified, the amendment conforms with and is adequate to carry out the certified Land use Plan; and approval of the amendment as modified will not cause significant adverse environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

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**II. SUGGESTED MODIFICATION**

Add the following sentence to the end of Section 9106.7:

Guest quarters, in compliance with Section 9137.15, may be allowed with approval of a use permit.

**III. FINDINGS**

The Commission finds and declares the following for City of Grover Beach LCP amendment #1-99:

**A. AMENDMENT SUBMITTAL BACKGROUND AND DESCRIPTION**

This amendment to the recently certified revised Zoning Ordinance (June 08, 1999, GRB LCP 1-98) consists of two parts, as follows (see Exhibit B for the complete text):

- **Revised Section 9137.26, Underground Utilities.** This section currently requires that where a building permit is required for construction of a new building or as a condition of Architectural Approval, Use Permit, or Variance application, utilities are required to be placed underground. The revisions would require that utilities be placed underground whenever a building permit is required whether for a new building or for remodeling or addition to existing buildings or as a condition of Architectural Approval, Use Permit, or

Variance application, except where the value of the project, including all remodeling or additions within the last five year period, is less than or equal to fifty (50) percent of the value of the existing structures.

- **New Section 9137.15, Guest Quarters.** This new section would set standards for Guest Quarters (maximum of two bedrooms, maximum of 640 square feet, no separate utility meters, etc.) and allow them in the Coastal Planned Single Family Residential (C-P-R-1) zone district, where they currently are not allowed.
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## **B. ANALYSIS OF SUBMITTED ZONING ORDINANCE**

### **1. Analysis Criteria**

The relationship between the Coastal Act and a local government's Local Coastal Program (LCP) can be described as a three-tiered hierarchy with the Coastal Act setting generally broad statewide policies. The Land Use Plan (LUP) portion of the LCP incorporates and refines the Coastal Act policies for the local jurisdiction, giving local guidance as to the kinds, locations, and intensities of coastal development. The Implementation Plan (IP), or zoning, portion of an LCP typically sets out the various zone districts and site regulations which are the final refinement specifying how coastal development is to proceed on a particular parcel. The IP must be consistent with and adequate to carry out the policies of the LUP and the LUP must be consistent with the Coastal Act.

### **2. Underground Utilities**

Both the West Grover Beach Neighborhood Plan and the Northern Hillside Neighborhood Plan of the City's Land Use Plan (LUP) address areas of the City at least partially in the coastal zone. The West Grover Beach Neighborhood Plan states that "utility lines detract from neighborhood aesthetics and residential and public views" and discusses the possibility of revising the City's policies regarding undergrounding of utilities. The Northern Hillside Neighborhood Plan states that overhead utility lines "detract from neighborhood aesthetics and residential and public views" and that "All new development could be required to underground utilities."

As mentioned in the amendment description, the City currently requires that utility lines to new buildings and development that requires architectural approval, a use permit, or a variance be placed underground. The proposed amendment would apply that requirement to any development that requires a building permit, with the exception of those additions and remodels where the value of the project, including all remodels or additions for the previous five years, are less than one-half of the value of the existing structure. Although the LUP doesn't have any policies requiring undergrounding utilities, it does have at least the two narrative text portions mentioned above. While the proposed amendment could cause additional grading and potential silt-laden runoff and other impacts to sensitive areas, the City's recently certified revised LCP has adequate safeguards such that the amendment would not have any adverse effects and is

consistent with all elements of the LCP. It would also implement the broad visual resource protection policies of the Coastal Act.

### 3. Guest Quarters

The LUP does not specifically mention guest quarters. However, they are currently allowed in several zone districts although there are no specific regulations governing them. They are defined in the Zoning Ordinance as "living quarters, of a permanent type of construction and without kitchens or cooking facilities, located either in an accessory building or attached to the main dwelling unit on a lot and where no compensation in any form is received or paid." The proposed amendment would establish specific standards for guest quarters such as maximum size and thereby make the zoning ordinance more clear. The proposed amendment also states that "Guest quarters, as defined in Section 9148.1, may be established as a use accessory to a residence in the R-A, C-R-A, C-P-R-1, R-1, and C-R-1 Districts. . . ." Currently, guest quarters are listed as uses permitted subject to obtaining a use permit in all of those zone districts except for the C-P-R-1 district. The C-P-R-1, or Coastal Planned Single Family Residential, zone district lies near the northern edge of the City (see exhibit C). The Zoning Ordinance states the purpose of the district is

To provide a low-intensity single family detached clustered residential development in a manner which will maximize protection of environmental, visual and archaeological resources. . .by minimizing removal or disturbance of native vegetation, controlling grading, erosion, and run-off and sensitively siting and designing structures to avoid impacting archaeological deposits and reducing the visual impact on surrounding and adjacent areas.

The C-P-R-1 zone district is mostly adjacent to and above open space areas that comprise the slopes above Pismo Lake. The area is mostly built-out. The Zoning Ordinance requires that applications for development in the C-P-R-1 district be accompanied by a very detailed general development plan and subsequent submittal of a specific development plan. The development standards for the district are comprehensive and very detailed and include limiting development to slopes less than 25 percent, detailed runoff control plans and actions, revegetation of graded areas, etc. Total maximum coverage by all structures, buildings, and impermeable surfaces is limited to 40 percent of the lot area.

Allowing guest quarters in the C-P-R-1 zone district could conceivably lead to more disruption of the vegetation on the lots in the district and more visual impacts and impacts to possible archaeological resources. However, the development standards of the district and the proposed guest quarters regulations are sufficiently stringent so that it is unlikely that there would be adverse impacts from the development of guest quarters in the district. Since the C-P-R-1 zone district currently does not mention guest quarters as a use that can be developed there, a modification is needed to the amendment to add a sentence to Section 9106.7, Uses Permitted, stating that guest quarters may be permitted with a use permit and in conformance with the proposed new Section 9137.15. That suggested modification would make the Zoning Ordinance internally consistent.

Other than the issues discussed above relative to the C-P-R-1 zone district, the proposed amendment does not raise any coastal issues. All of the other listed zone districts currently allow guest quarters with a use permit. The proposed amendment would simply provide the City and those wishing to develop guest quarters with specific regulations. This extra specificity added to the Zoning Ordinance is completely consistent with all portions of the existing certified LCP.

**C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis on LCP amendments, although the Commission can and does utilize any environmental information the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential effect on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake. As discussed in the findings above, approval of the amendment, as modified, will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

# ATTACHMENT A

## RESOLUTION NO. 99-50

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH AMENDING THE CITY'S LOCAL COASTAL PROGRAM AND AUTHORIZING SUBMITTAL OF THE AMENDMENT TO THE CALIFORNIA COASTAL COMMISSION

**WHEREAS**, in January 1982, the State Coastal Commission certified the Local Coastal Program for the City of Grover Beach; and

**WHEREAS**, on October 4, 1999, the City Council of the City of Grover Beach adopted Ordinance No. 99-6, which amends the Zoning Ordinance to establish standards for guest quarters and to require undergrounding of utilities as a condition of a building permit for large remodel or addition projects; and

**WHEREAS**, the amendments to the Zoning Ordinance apply to property within the coastal zone of the City of Grover Beach and, therefore, amendment of the Local Coastal Program is necessary; and

**WHEREAS**, the amendment to the Local Coastal Program is required to be submitted to the California Coastal Commission for review and certification.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Grover Beach **DOES HEREBY ADOPT** the amendments to the City's Local Coastal Program, as set forth in Ordinance No. 99-6, attached as Exhibit "A."

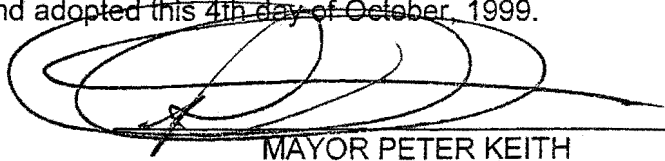
#### **AND BE IT FURTHER RESOLVED** as follows:

1. The City of Grover Beach intends to carry out the Local Coastal Program in a manner fully consistent with the California Coastal Act.
2. Ordinance No. 99-6 will take effect upon certification and approval by the California Coastal Commission.

On motion by Council Member Santos, seconded by Council Member Arnoldsen, and on the following roll-call vote, to wit:

AYES: Arnoldsen, Ekbom, Neufeld, Santos, Mayor Keith  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution No. 99-50 was passed, approved, and adopted this 4th day of October, 1999.



MAYOR PETER KEITH

ATTEST:



PATRICIA A. PEREZ, CITY CLERK

**EXHIBIT A**

**GRB LCP 1-99**

I, Patricia A. Perez, City Clerk for the City of Grover Beach, being duly appointed and sworn, do hereby certify that this is a true and correct copy of Resolution No. 99-50 which was adopted by the City Council on October 4, 1999.

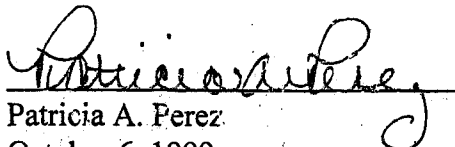
  
Patricia A. Perez  
October 6, 1999

EXHIBIT A 2

GRB LCP 1-99



EXHIBIT 'A'

ORDINANCE NO. 99-6

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
GROVER BEACH AMENDING SECTION 9137.26 OF AND  
ADDING A NEW SECTION 9137.15 TO CHAPTER 1 OF  
ARTICLE IX OF THE MUNICIPAL CODE  
(UNDERGROUNDING UTILITIES AND GUEST QUARTERS)

THE CITY COUNCIL OF THE CITY OF GROVER BEACH DOES HEREBY ORDAIN AS  
FOLLOWS:

**PART 1:** Section 9137.26 of Chapter 1 of Article IX of the Municipal Code is hereby  
amended to read as follows:

**Sec. 9137.26. Underground Utilities.**

- (A) The requirements of this section shall apply whenever a building permit is required for the construction of a new building or remodeling of or additions to an existing building, unless exempted by subsection (B) of this section, or whenever Architectural Approval, a Use Permit, or Variance is required under this Code.
- (1) All existing and proposed utilities, including but not limited to, electric lines, communication lines, cable television lines, gas lines, and appurtenances thereto, shall be placed underground except those facilities exempted by Public Utilities Commission regulations. All utility facilities, including service laterals, shall be installed in the ground and pressure tested prior to paving of streets. The Planning Commission or City Council may modify this requirement for all or part of a development where, due to physical conditions, it would cause unreasonable hardship.
  - (2) Certain utility appurtenances including, but not limited to, transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts used in connection with underground facilities may be placed on the surface of the ground.
  - (3) A site utility plan shall be required as part of a building permit application for a development that is required to underground utilities. All necessary arrangements for the installation of utilities shall be made with the operator of each proposed utility system.
- (B) Subsection A shall not apply where a building permit is required for remodeling of or additions to an existing building if the aggregate value of the project (as determined by the Building Official), including all remodeling or additions on such Assessor's parcel within the last five (5) year period, is less than or equal to fifty (50) percent of the value of the existing structures. For the purpose of this subsection, the value of the existing structures shall be calculated at \$45.00 per square foot for structures up to thirty (30) years old and the square foot value shall be decreased by \$5.00 per square foot for each five (5) years, or portion thereof, in excess of thirty (30) years old.

**PART 2:** A new Section 9137.15 is hereby added to Part 37 of the Zoning Ordinance, as follows, and the existing Section 9137.15 and remaining sections within Part 37 are hereby renumbered and repositioned so as to be in alphabetical order:

EXHIBIT B

GRB LCP 1-99

**Sec. 9137.15. Guest Quarters.**

Guest quarters, as defined in Section 9148.1, may be established as a use accessory to a residence in the R-A, C-R-A, C-P-R-1, R-1, and C-R-1 Districts as follows:

- (A) Limitations on Use: Guest quarters may contain living area, a maximum of two bedrooms, and one bathroom. Guest quarters shall not be designed to contain or accommodate cooking or laundry facilities, and shall not be used for residential occupancy independent from the main residence or as a dwelling unit for rental.
- (B) Permit requirement: Approval of a Use Permit is required to establish guest quarters.
- (C) Floor area limitation: The maximum floor area allowed for guest quarters is 40 percent of the habitable floor area (as defined by the Uniform Building Code) of the main residence, up to a maximum of 640 square feet.
- (D) Utilities:
  - (1) For guest quarters contained in a building detached from the main residence, all existing and proposed utilities on the project site, including but not limited to, electric lines, communication lines, cable television lines, gas lines, and appurtenances thereto, shall be placed underground, except those facilities exempted by Public Utilities Commission regulations. The Planning Commission or City Council may modify this requirement for all or part of a development where, due to physical conditions, it would cause unreasonable hardship.
  - (2) Guest quarters shall not be provided with an electric, water, or gas meter separate from the main residence.

**PART 3:** The City Council has considered the environmental initial study, and draft Negative Declaration, and has adopted Resolution No. 99-47, which finds that the project will not have a significant effect on the environment.

**PART 4:** The City Council finds that the Zoning Ordinance amendment is consistent with the City of Grover Beach General Plan and Local Coastal Program. A maximum size for guest quarters will keep such uses in scale with the low density single family residential neighborhood in which they are located and with the underlying parcel size. Limitations on use and utility requirements will discourage future conversion to a separate dwelling unit. The North Grover and West Grover Neighborhood Plans of the Land Use Element discuss the need to review requirements for undergrounding utilities to determine if amendment is desirable. The Northern Hillside Neighborhood Plan states that all new development could be required to underground utilities.

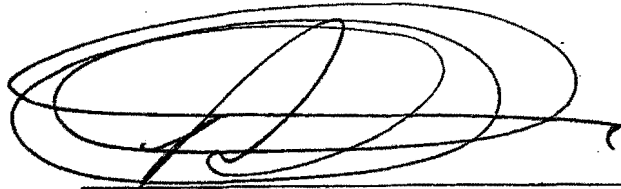
**PART 5:** The City Clerk shall cause this Ordinance to be published in a newspaper of general circulation in accordance with State law within fifteen (15) days of passage. This Ordinance shall be in full force and effect upon California Coastal Commission approval, but in no event less than thirty (30) days after its passage.

EXHIBIT B 2

GRB LCP 1-99

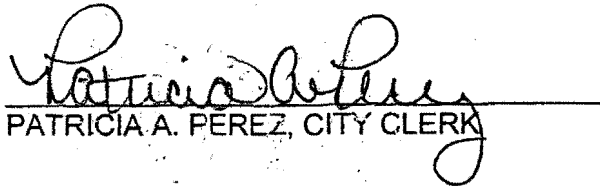
**INTRODUCED** at a regular meeting of the City Council held on September 20, 1999 and **PASSED** and **ADOPTED** by the City Council on October 4, 1999 on the following roll-call vote, to wit:

AYES: Arnoldsen, Ekbom, Neufeld, Santos, Mayor Keith  
NOES: None  
ABSENT: None  
ABSTAIN: None



MAYOR PETER KEITH

ATTEST:

  
PATRICIA A. PEREZ, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JAMES F. RUPP, JR., CITY ATTORNEY

EXHIBIT B ,

GRB LCP 1-99

## ATTACHMENT B

### Sec. 9137.26. Underground Utilities.

(A) The requirements of this Section shall apply in all areas and zones of the City where whenever a building permit is required for the construction of a new building or remodeling of or additions to an existing building, unless exempted by subsection (B) of this section, or as a condition of an whenever Architectural Approval, a Use Permit, or Variance application is required under this code.

\_\_\_\_\_(A1) All existing and proposed utilities, including but not limited to, electric lines, communication lines, cable television lines, gas lines, and appurtenances thereto, shall be placed underground except those facilities exempted by Public Utilities Commission regulations. All utility facilities, including service laterals, shall be installed in the ground and pressure tested prior to paving of streets. The Planning Commission or City Council may modify this requirement for all or part of a development where, due to physical conditions, it would cause unreasonable hardship.

\_\_\_\_\_(B2) Certain utility appurtenances including, but not limited to, transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts used in connection with underground facilities may be placed on the surface of the ground.

\_\_\_\_\_(G3) A site utility plan shall be required as part of a building permit application for a development that is required to underground utilities. All necessary arrangements for the installation of utilities shall be made with the operator of each proposed utility system.

(B) Subsection A shall not apply where a building permit is required for remodeling of or additions to an existing building if the aggregate value of the project (as determined by the Building Official), including all remodeling or additions on such Assessor's parcel within the last five year period, is less than or equal to fifty (50) percent of the value of the existing structures. For the purpose of this subsection, the value of the existing structures shall be calculated at \$45.00 per square foot for structures up to thirty (30) years old and the square foot value shall be decreased by \$5.00 per square foot for each five (5) years, or portion thereof, in excess of thirty (30) years old.

EXHIBIT B 4

GRB LCP 1-99

## ATTACHMENT C

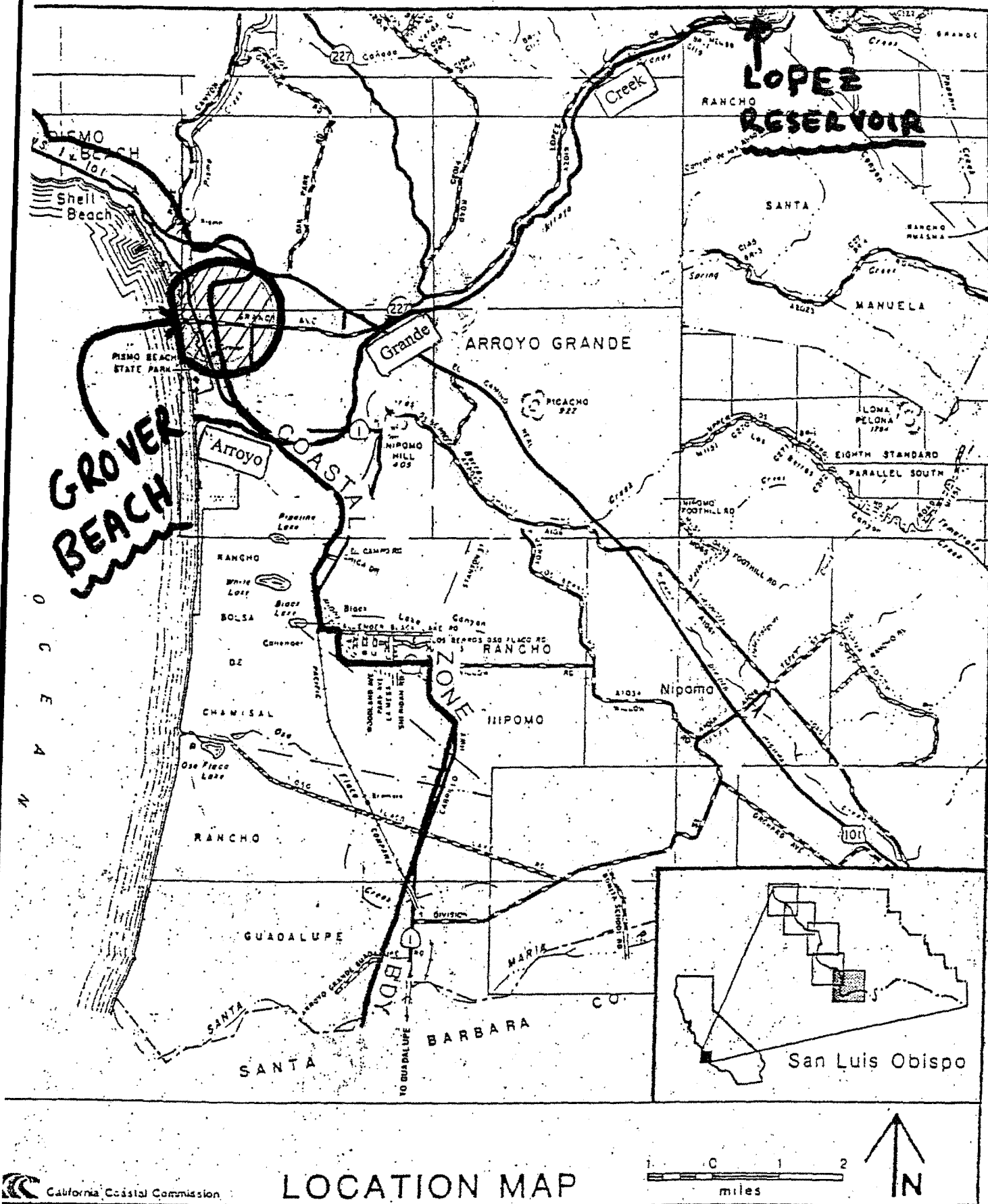
### Sec. 9137.15. Guest Quarters.

Guest quarters, as defined in Section 9148.1, may be established as a use accessory to a residence in the R-A, C-R-A, C-P-R-1, R-1, and C-R-1 Districts as follows:

- (A) Limitations on Use: Guest quarters may contain living area, a maximum of two bedrooms, and one bathroom. Guest quarters shall not be designed to contain or accommodate cooking or laundry facilities, and shall not be used for residential occupancy independent from the main residence or as a dwelling unit for rental.
- (B) Permit requirement: Approval of a Use Permit is required to establish guest quarters.
- (C) Floor area limitation: The maximum floor area allowed for guest quarters is 40 percent of the habitable floor area (as defined by the Uniform Building Code) of the main residence, up to a maximum of 640 square feet.
- (D) Utilities:
  - (1) For guest quarters contained in a building detached from the main residence, all existing and proposed utilities on the project site, including but not limited to, electric lines, communication lines, cable television lines, gas lines, and appurtenances thereto, shall be placed underground, except those facilities exempted by Public Utilities Commission regulations. The Planning Commission or City Council may modify this requirement for all or part of a development where, due to physical conditions, it would cause unreasonable hardship.
  - (2) Guest quarters shall not be provided with an electric, water, or gas meter separate from the main residence.

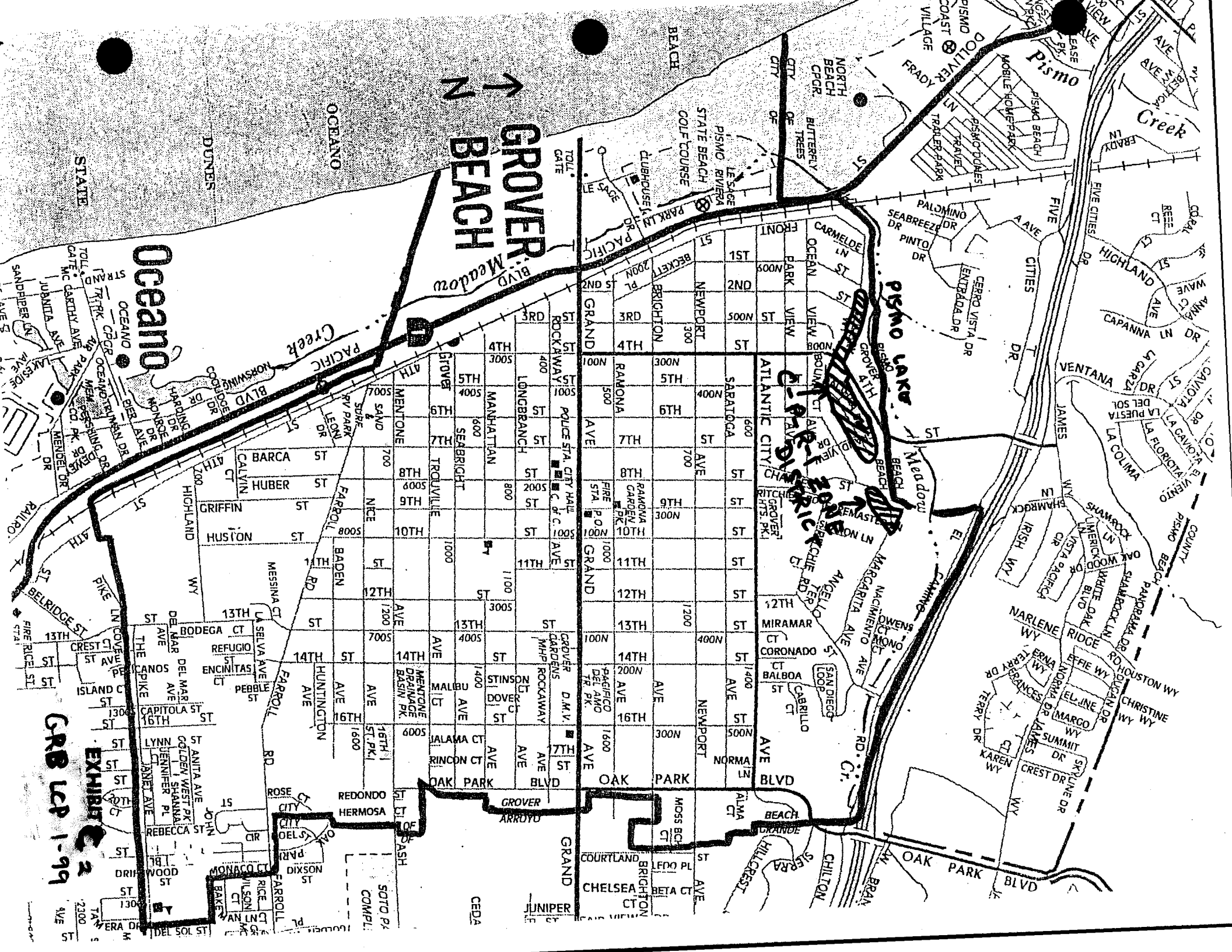
EXHIBIT B 5

GRB LCP 1-99



**EXHIBIT C**  
**GRB LCP 1-99**

Sheet 5 of 5



GRB LCP 1-99

EXHIBIT 2

# City of Grover Beach

## Local Coastal Program

### Map 6 - Zoning Districts

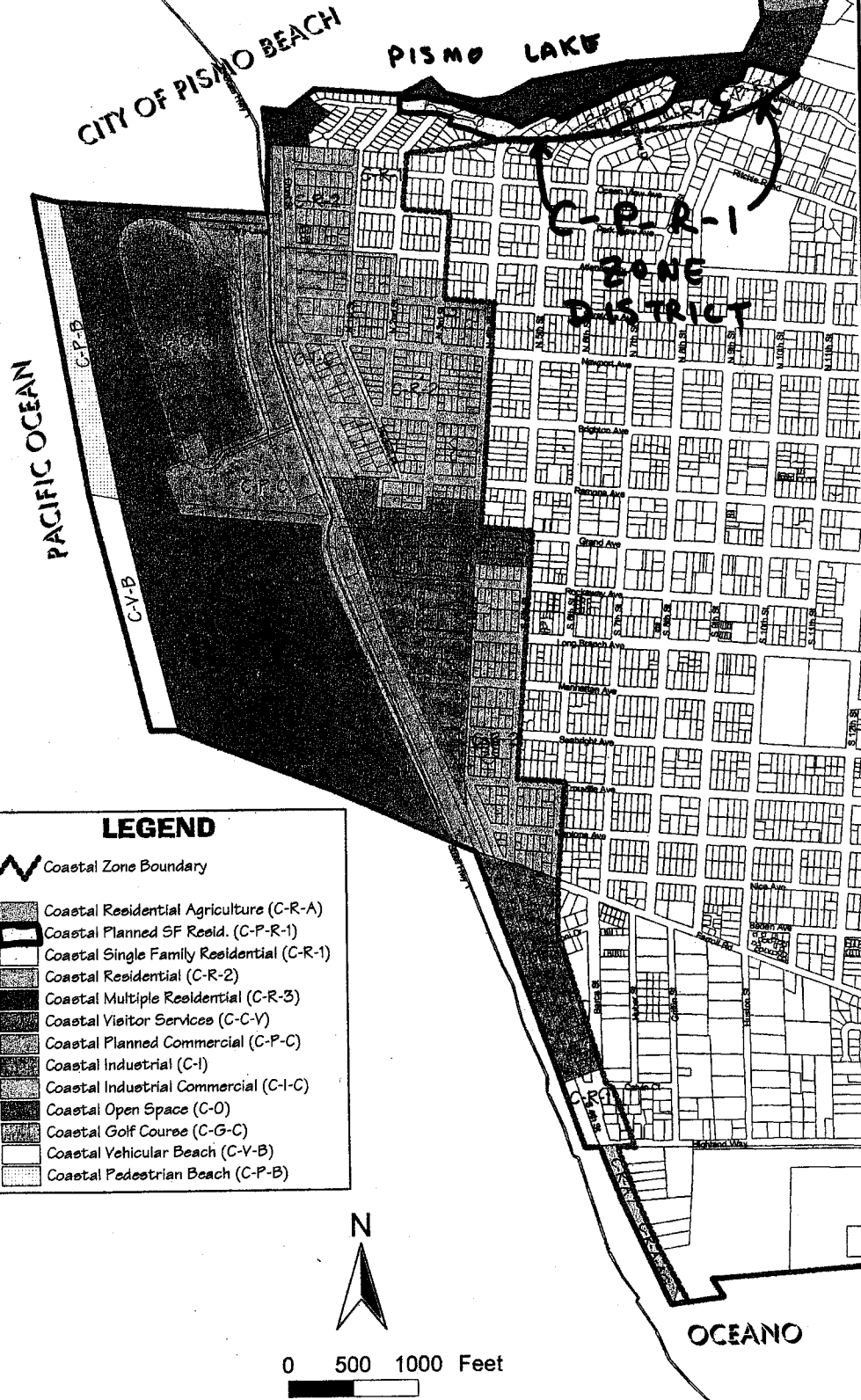


EXHIBIT C

GRB  
LCP 1-99