

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
408-27-4863

## RECORD PACKET COPY



## M14a

March 22, 2000

**TO:** Commissioners and Interested Parties

**FROM:** Charles Lester, District Manager  
Steve Guiney, Coastal Program Analyst

**SUBJECT:** CITY OF GROVER BEACH: LOCAL COASTAL PROGRAM  
MINOR AMENDMENT NO. 1-99

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. No additional development of guest quarters beyond that now allowed would be allowed by this amendment, nor would guest quarters be allowed in additional zone districts beyond those in which they are currently allowed.

This amendment request qualifies as a minor amendment, pursuant to Commission regulations section 13554(a), which states that a minor amendment includes

Changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the executive director of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.

**The Executive Director has determined that this amendment request is minor in nature. This determination will be reported to the Commission at the April 10, 2000 meeting in Long Beach. If one-third of the appointed members of the Commission requests, the determination of minor amendment shall not become effective and the amendment shall be processed as a regular amendment. Otherwise, the Executive Director's determination shall stand and the amendment shall take effect upon completion of the requirements of Commission regulations section 13547.**

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. If you have an objection to the designation by the Executive Director of the amendment as minor, please state your objections in writing and send to Mr. Guiney to be received no later than April 7, 2000.



Page 1 of 3

California Coastal Commission  
April 10, 2000 Meeting in Long Beach

Staff: S. Guiney, Approved by:

G:\Central Coast\STAFF REPORTS\3. CCC Meeting Packet\GRB Minor LCP

**CITY OF GROVER BEACH**  
**LOCAL COASTAL PROGRAM MINOR AMENDMENT NO. 1-99**

- 2 -

**A. AMENDMENT SUBMITTAL BACKGROUND AND DESCRIPTION**

- **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.) in those zone districts where they are currently allowed.
- 

**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



**CITY OF GROVER BEACH**  
**LOCAL COASTAL PROGRAM MINOR AMENDMENT NO. 1-99**

- 3 -

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.

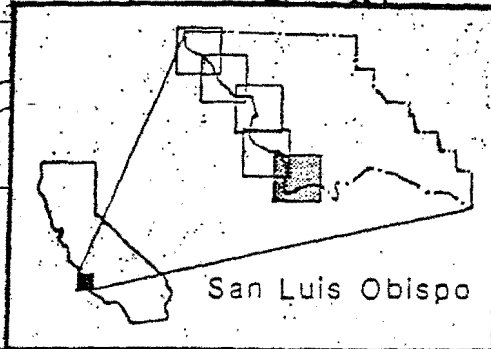
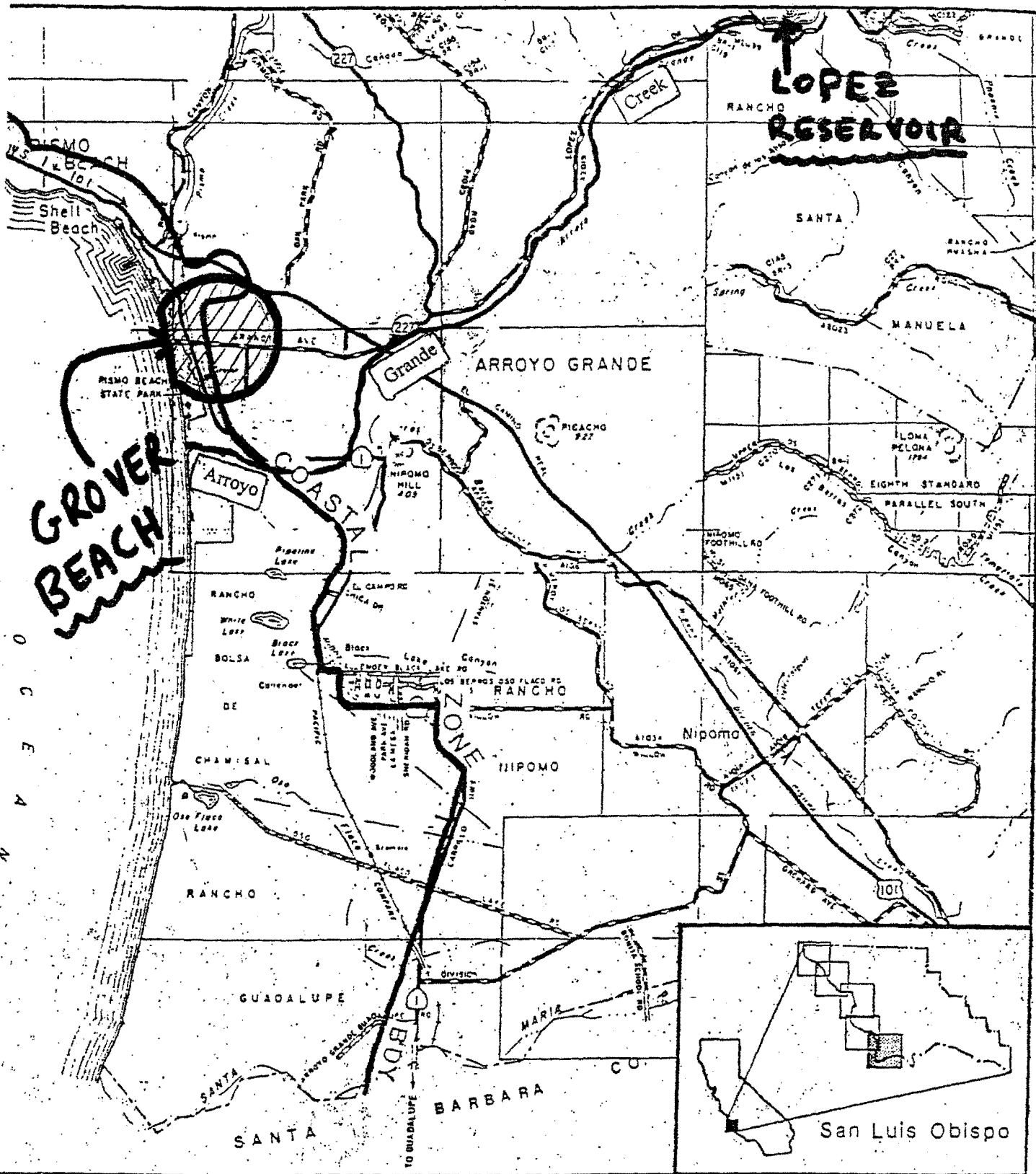
**3. Guest Quarters**

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 and specific. The proposed amendment does not raise any coastal issues. 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.

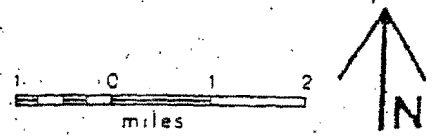
**C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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 submitted, will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.





LOCATION MAP

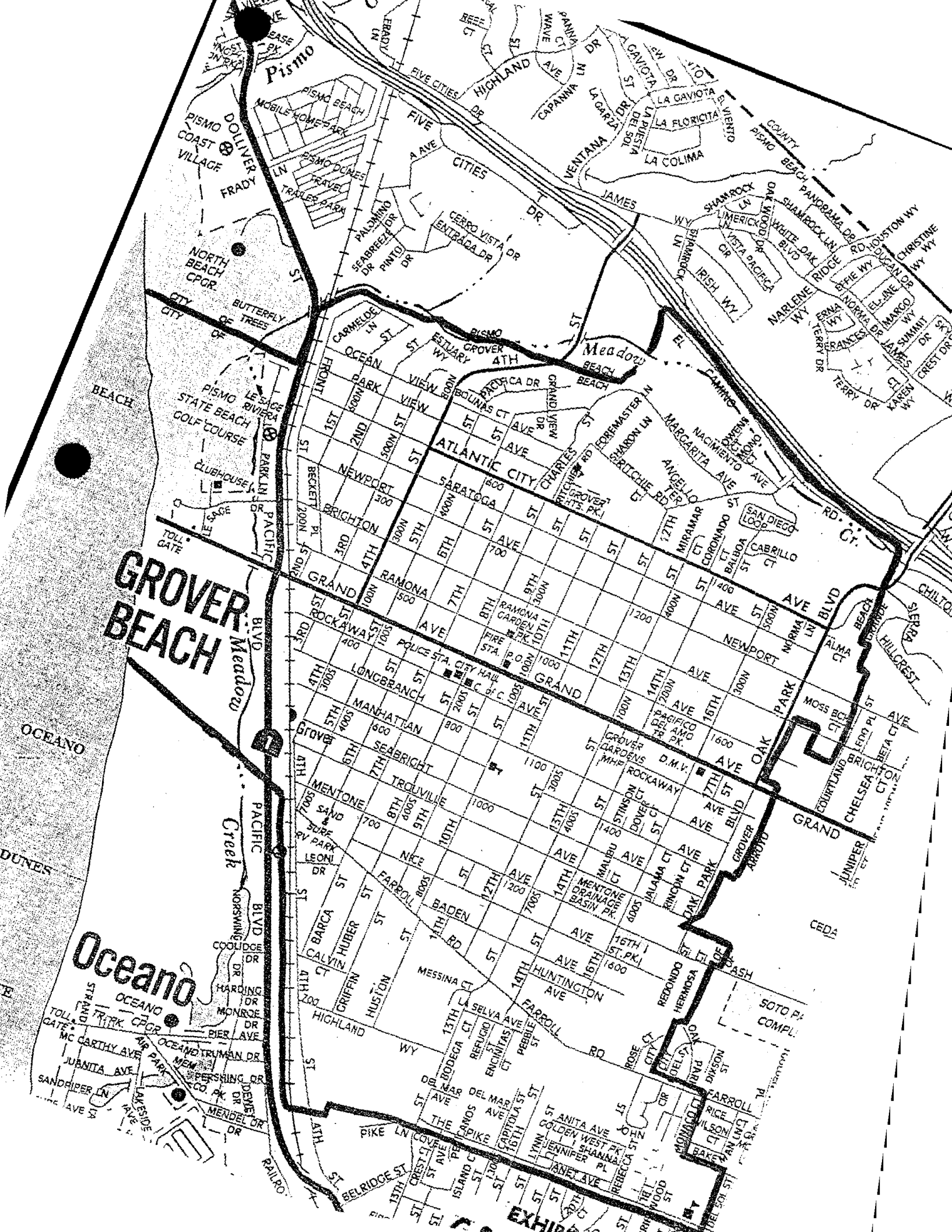


California Coastal Commission

County of San Luis Obispo

EXHIBIT 1  
GRB LCP 1-99

Sheet 5 of 5



# GROVER BEACH

Pismo

Meadow Beach

OCEANO

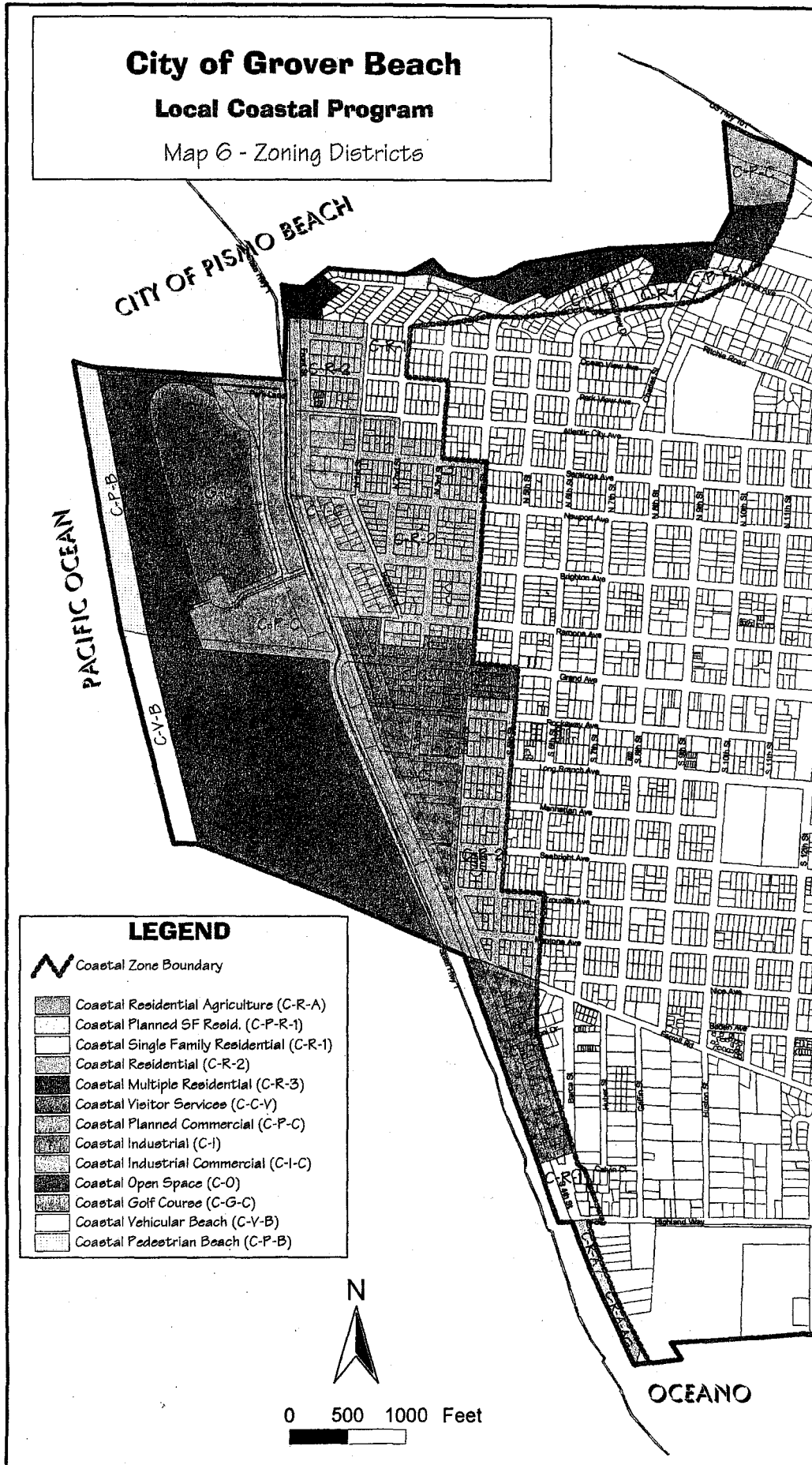
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EXHIBIT

# City of Grover Beach

## Local Coastal Program

Map 6 - Zoning Districts



### LEGEND

- Coastal Zone Boundary
- Coastal Residential Agriculture (C-R-A)
- Coastal Planned SF Resid. (C-P-R-1)
- Coastal Single Family Residential (C-R-1)
- Coastal Residential (C-R-2)
- Coastal Multiple Residential (C-R-3)
- Coastal Visitor Services (C-C-V)
- Coastal Planned Commercial (C-P-C)
- Coastal Industrial (C-I)
- Coastal Industrial Commercial (C-I-C)
- Coastal Open Space (C-O)
- Coastal Golf Course (C-G-C)
- Coastal Vehicular Beach (C-Y-B)
- Coastal Pedestrian Beach (C-P-B)



0 500 1000 Feet



EXHIBIT 1 3  
GRB  
LCP 1-99



# CITY OF GROVER BEACH

MAYOR - DAVID EKBOM

MAYOR PRO TEM - RICHARD W. NEUFELD COUNCIL MEMBER - RENEAL FARNDELL

COUNCIL MEMBER - PETER KEITH COUNCIL MEMBER - DEE SANTO

CITY MANAGER - TOM A. ODOM

**RECEIVED**

JAN 11 2000

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

January 6, 2000

FAXED TO 831-427-4877

California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

Attn: Steve Guiney, Coastal Program Analyst

**RE: Local Coastal Program Major Amendment 1-99**

Dear Mr. Guiney:

In reviewing your staff report for the above item, it appears that the City inadvertently included the C-P-R-1 Zoning District in proposed Zoning Ordinance Section 9137.15 dealing with guest quarters. It was not the City's intention to allow guest quarters in zoning districts where they currently are not permitted or conditionally permitted.

We are requesting that the Coastal Commission approve Major Amendment Number 1-99 with a suggested modification to remove the C-P-R-1 Zoning District from proposed Zoning Ordinance Section 9137.15.

Please contact me at 805-473-4520 if you require additional information.

Sincerely,

Sandra M. Bierdzinski, AICP  
Assistant Community Development Director

**EXHIBIT 2**  
**GRB LCP 1-99**



# CITY OF GROVER BEACH

MAYOR - DAVID EKBOM

MAYOR PRO TEM - RICHARD W. NEUFELD      COUNCIL MEMBER - RONALD ARNOLDSEN

COUNCIL MEMBER - PETER KEITH      COUNCIL MEMBER - DEE SANTOS

CITY MANAGER - TOM A. ODOM

**RECEIVED**

MAR 13 2000

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

March 8, 2000

California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

Attn: Steve Guiney, Coastal Program Analyst

**RE: Guest Quarters Ordinance Amendment**

Dear Mr. Guiney:

The City of Grover Beach recently adopted Ordinance No. 00-02, which amends City Ordinance No. 99-6 to correct the inadvertent inclusion of the C-P-R-1 District in the standards for guest quarters. Attached is a copy of Ordinance No. 00-02.

We hope that the original LCP Amendment can return to the Coastal Commission for action in April. Please contact me at 805-473-4520 if you require additional information.

Sincerely,

Sandra M. Bierdzinski, AICP  
Assistant Community Development Director

Enclosures (1)

**EXHIBIT 3**  
**GRB 1-99**



ORDINANCE NO. 00-02

RECEIVED

MAR 13 2000

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH AMENDING ORDINANCE NO. 99-6 RELATING TO NEW SECTION 9137.15 OF CHAPTER 1 OF ARTICLE IX OF THE MUNICIPAL CODE (GUEST QUARTERS)

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

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

PART 1: Part 2 of Ordinance No. 99-6 is hereby amended to revise the introductory paragraph of new Section 9137.15, added to Part 37 of the Zoning Ordinance, to read as follows: "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, R-1, and C-R-1 Districts as follows: . . ."

PART 2: The City Council has previously adopted Resolution No. 99-47, which found that Ordinance No. 99-6 will not have a significant effect on the environment.

PART 3: The City Council finds that the amendment is consistent with the City of Grover Beach General Plan and Local Coastal Program. The amendment corrects a typographical error in Ordinance 99-6 and eliminates an inconsistency within the Zoning Ordinance.

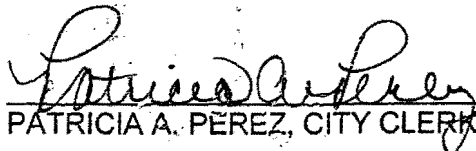
PART 4: The City Clerk shall cause this Ordinance to be published in a newspaper of general circulation in accordance with State law within fifteen (15) days of passage. This Ordinance shall be in full force and effect upon California Coastal Commission approval, but in no event less than thirty (30) days after its passage.

INTRODUCED at a regular meeting of the City Council held on February 22, 2000 and PASSED and ADOPTED by the City Council on March 6, 2000 on the following roll-call vote, to wit:

- AYES: Council Members Arnoldsen, Santos, Neufeld, Keith, and Mayor Ekborn
- NOES: None
- ABSENT: None
- ABSTAIN: None

  
MAYOR DAVID EKBOM

ATTEST:

  
PATRICIA A. PEREZ, CITY CLERK

APPROVED AS TO FORM:


  
JAMES F. RUPP, JR., CITY ATTORNEY

EXHIBIT 3 2  
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 Ordinance No. 00-02 which was passed, approved and adopted by the City Council on March 6, 2000.

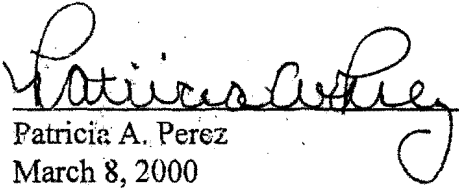
  
Patricia A. Perez  
March 8, 2000

EXHIBIT 3  
GRB LCP 1-99

# 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."

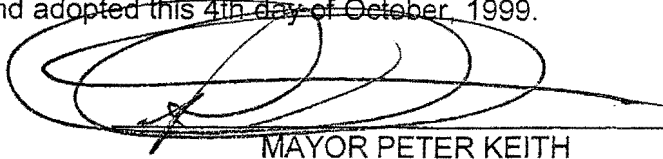
**AND BE IT FURTHER RESOLVED** as follows:

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:

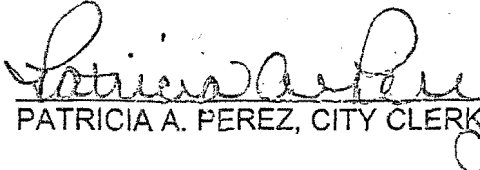
  
PATRICIA A. PEREZ, CITY CLERK

EXHIBIT 4  
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.

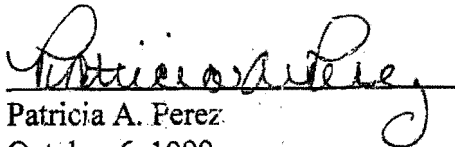
  
Patricia A. Perez  
October 6, 1999

EXHIBIT 4 2  
GRB LCP 1-99

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 4 3  
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.

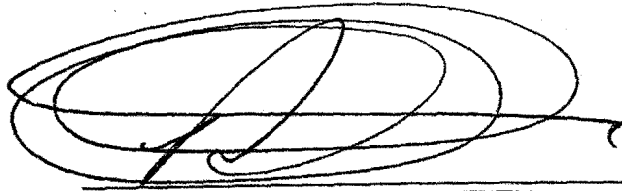
**PART 4:** The City Council finds that the Zoning Ordinance amendment is consistent with the City of Grover Beach General Plan and Local Coastal Program. A maximum size for guest quarters will keep such uses in scale with the low density single family residential neighborhood in which they are located 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 4  
GRB LCP 1-99

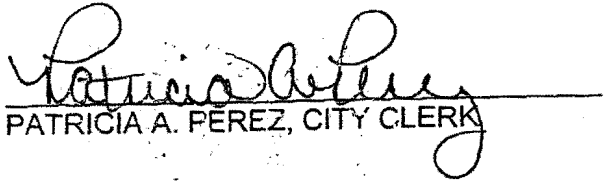
INTRODUCED at a regular meeting of the City Council held on September 20, 1999 and PASSED and ADOPTED by the City Council on October 4, 1999 on the following roll-call vote, to wit:

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 4 5  
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.

\_\_\_\_\_(C3) 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 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

4

7

GRB LCP 1-99

