

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

**F4a****RECORD PACKET COPY**

May 25, 2000

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: TAMI GROVE, CENTRAL COAST DEPUTY DIRECTOR
CHARLES LESTER, DISTRICT MANAGER
KEVIN COLIN, COASTAL PROGRAM ANALYST

SUBJECT: STAFF RECOMMENDATION ON CITY OF CAPITOLA LCP MAJOR AMENDMENT NO. 1-00 (For Public Hearing and Possible Commission Action at the Meeting of June 13-16, 2000)

SYNOPSIS

The City of Capitola proposes to redesignate parcel 034-101-17 at 4150 Jade Street from PF (Public Facilities) to R-M (Residential Medium: 10 - 15 units/acre) and rezone the property from PF-F (Public Facilities-Facility) to PD (Planned Development). Staff has reviewed the proposed amendments to the Land Use Plan for conformance with the Coastal Act and the Implementation Zoning amendments for consistency with the proposed amended Land Use Plan. As discussed in detail below, Staff recommends approval of the City of Capitola Local Coastal Program proposed Land Use Plan and Implementation Zoning Ordinance Major Amendment No. 1-00 as submitted.

The City of Capitola Land Use Plan was certified by the Commission on June 5, 1981. The Implementation Plan was certified on January 10, 1990 and the City assumed coastal development permit authority on April 11, 1990. The City has organized and submitted this LCP amendment request in accordance with the standards for amendments to certified LCPs (Coastal Act Section 30514, California Code of Regulations 13551 through 13553). The amendment was filed on April 19, 2000. The City Council held noticed public hearings. In addition noticed public hearings at the Planning Commission level were held. Excerpts from the City's amendment submittal are attached as Exhibit A.

Further information on the submittal may be obtained from Kevin Colin at the Central Coast District Office of the Coastal Commission at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



California Coastal Commission
June 16, 2000 Meeting Santa Barbara

Staff: K. Colin Approved by: *C.F.L. 5/25/00*

STAFF RECOMMENDATION

Staff recommends adoption of the following resolutions:

Resolution I. (Resolution to approve City of Capitola Land Use Plan Amendment No. 1-00 as submitted)

Staff recommends a **YES** vote on the motion below. Approval of this motion will result in the approval of the amendment as submitted and adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

Motion. I move that the Commission certify Major Amendment #1-00 to the City of Capitola Land Use Plan as submitted by the City of Watsonville.

Resolution to Approve. The Commission hereby approves certification of Major Amendment #1-00 to the City of Capitola Land Use Plan of the Capitola Local Coastal Program for the specific reasons discussed in the following findings on the grounds that, as submitted, these amendments and the LUP as thereby amended meet the requirements of Chapter 3 of the Coastal Act. These amendments are consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625 (c) and approval will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

Resolution II. (Resolution to approve City of Capitola Implementation Plan Amendment No. 1-00 as submitted)

Staff recommends a **NO** vote on the motion below. Passage of this motion will result in approval of the Implementation Program amendment and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. I move that the Commission reject Major Amendment #1-00 to the City of Capitola Local Coastal Program Implementation Plan as submitted.

Resolution to Approve The Commission hereby approves certification of Major Amendment #1-00 to the Implementation Zoning Ordinance of the Capitola City Local Coastal Program on the grounds that the amendment to the Zoning Ordinance conforms with, and is adequate to carry out the provisions of the Land Use Plan as certified. The approval of Implementation Plan amendment will not have any significant adverse on the environment and is the least environmentally damaging alternative.



Findings and Declarations

The Commission finds and declares as follows:

Amendment Description

The City of Capitola proposes to redesignate parcel 034-101-17 at 4150 Jade Street from PF (Public Facilities) to R-M (Residential Medium: 10 – 15 units/acre) and rezone the property from PF-F (Public Facilities-Facility) to PD (Planned Development). (See Exhibit B for regional location) The subject parcel is vacant, essentially flat and totals approximately 25,565 square feet (approximately 0.60 acre) in size. The parcel is located on Jade Street in the City of Capitola. (See Exhibit C for vicinity map) The property is located approximately one half mile from any important coastal resource or access points and eventual development of this parcel would constitute infill development within the City. Existing development to the west and south consists of community commercial types, while development to east and south is composed largely of single family residences and a mobile home park. Sensitive habitats and/or species have not been identified on site.

The subject amendment has been submitted to facilitate the subdivision and development of six (6), 1,994 square foot, single family residences on the parcel, with a single common open space and play area. (See Exhibit D for site plan) If the amendments are approved by the Commission as submitted this development will be allowed to proceed. As the City's amendment submittal has opted to be processed according to CCR § 13518(b)(1), which states,

- (b) A local government or governing authority may submit its proposed LCP or LRDP either:*
- (1) as a program that will take effect automatically upon coastal Commission approval pursuant to Public Resources Code Sections 30512, 30513, and 30519 for LCP's, or Public Resources Code Section 30605 form LRDPs or*

In addition to approving the proposed LCP amendments, the City has also approved a tentative subdivision map, architectural and site review permit, and coastal permits, which would become effective upon approval of the LCP amendment. At this time the Commission is only approving the LCP amendments, and not the coastal permit, which is in the City's jurisdiction and which would not be appealable to the Commission. Even though the Commission is aware that the City has approved permits for a particular development at this location in conjunction with the proposed LCP amendment, there is no guarantee that the development will actually be accomplished.

Land Use Plan Redesignation

The Central Fire Protection District currently owns the parcel and had previously obtained approval for the construction of a 7,500 square foot building at the site. However, for various reasons, the building was never constructed at this site and the District has since built the necessary structure in the Live Oak area of Santa Cruz County. Thus, the District has decided to dispose of the property. The Commission certified Land Use Plan (LUP) speaks to the current ownership of the property on page seventeen (17) and states in part,



The Capitola Fire Protection District owns a parcel of land on Jade Street near 41st Avenue, and is considering the site for a future new fire station. [...] The Draft Land Use Plan Map designates the Jade Street site for professional office use. The site would also be appropriate under Coastal Act policies for use as a fire station. If the Capitola Fire protection District decides to construct a fire station on this site, this public facilities project would be permissible within the professional office designation.

Ultimately, the Commission certified a LUP map that gave the property a Public Facilities (PF) land use designation. According to City staff, assignment of this designation was only the result of ownership of the property by the Fire District, and was not accomplished through a long range planning process that addressed the future needs of public facility lands within the City.

There are no remaining undeveloped PF (LUP) and PF-F (IP) lands within the City, and the demand for designated public facility lands is unknown at this time. The property has been for sale for a number of years, during which time no public entities have pursued purchase of the property. Regardless, the commitment of this property to residential use would not entirely preclude the ability of public entities to locate proposed development(s) on other lands within the City. Section 17.81.050 (Public Facilities) of the Zoning Ordinance speaks to this point and states:

- A. Outside the coastal zone public facilities as listed in Sections 17.42.040, 17.42-.05 and 17.42.060 are conditional uses in all zoning districts.*
- B. Within the coastal zone, public facilities should generally be restricted to the PF public facilities district. In the parks/open space, central village, and visitor serving districts, no public facilities shall be permitted except those which are dependent on the specific resources of the site or are related to the enhancement of the basic zoning district uses and are consistent with the land use plan. (Ord. 691 §14, 1990: Ord. 685 §2, 1989: Ord. 388 §25.04, 1975)*

Therefore, the commitment of the project site to residential development would not preclude the ability of public entities to develop needed facilities elsewhere within the City.

Coastal Act § 30250(a) states in full,

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Other sections of the Act address the siting of priority visitor-serving, recreational, and coastal dependent uses.

The project site is located approximately one half mile from any important coastal resource or access points. In this case changing the land use designation of the property from PF to RM



would result in new development that is located within, contiguous with, and in close proximity to an existing developed area able to accommodate it. In addition, the project would not have an adverse impact either individually or cumulatively on coastal resources. Finally, the site is not important for providing, nor would preclude, priority uses in the City's coastal zone. Therefore, as submitted, the proposed LUP amendments will not impact coastal access or resources and are consistent with the policies of Chapter Three of the Coastal Act.

Zoning District Redesignation

The City proposes to use the PD zoning district to implement the RM land use designation. The purpose of the PD zoning district is to, "encourage and provide a means for effectuating desirable development, [...] and conservation in the city, which features variation in siting, mixed land uses and/or varied dwelling types." Although the PD zoning district allows some flexibility in the adherence to development standards, IP § 17.39.020(c) requires that,

"The standards for area, coverage, density, yard requirements, parking and screening for PD district uses shall be governed by the standards of the residential, commercial, or industrial zoning district(s) most similar in nature and function to the proposed PD district uses(s), as determined by the planning commission."

As discussed, the proposed LCP amendment has been submitted to facilitate the development of six single-family residences at the site. The intensity of development proposed through this development under the PD zoning district designation is consistent with that allowed under the RM land use designation. If this proposed development were not to occur, the City would automatically review any new development proposal for a similar, different, or combination of land use(s) for consistency with the LCP. With any newly proposed development the City would have to find that it is compatible with the general plan/local coastal program, and according to the requirements of IP § 17.39.020(c), such development would have to remain at an intensity consistent with the RM land use designation.

Therefore the Commission finds that the proposed Implementation/Zoning amendments are consistent with the new LUP designation to the greatest extent possible and are adequate to carry out its provisions.

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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). No Impacts are associated with the proposed land use plan and zoning changes. The City of Capitola adopted a Mitigated Negative Declaration for the reclassification and rezoning, and in doing so found that, after mitigation, the project would not have significant adverse environmental impacts. As discussed above, the City's proposal is consistent with the Coastal Act and will not have any significant adverse environmental impacts. Therefore, the Commission finds that Amendment No. 1-00 is consistent with the provisions of the California Environmental Quality Act.



COPY

RESOLUTION NO. 3066

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING THE GENERAL PLAN/LOCAL COASTAL PLAN DESIGNATION FOR
ASSESSOR'S PARCEL NUMBER 034-101-17, 4150 JADE STREET,
FROM THE "PF" (PUBLIC FACILITIES) LAND USE DESIGNATION
TO THE "R-M" (MULTIPLE FAMILY RESIDENTIAL: 10-15 UNITS PER ACRE)
LAND USE DESIGNATION**

APPLICATION# 99-49

WHEREAS, the City of Capitola reviews land use designations and zoning in order to regulate appropriate use of land and to protect the public health, safety and welfare; and

WHEREAS, Zoning Districts specifying allowable uses, permit requirements, and development standards are applied to lands in order to implement General Plan/Local Coastal Plan land use designations; and

WHEREAS, the City Council of the City of Capitola and the California Coastal Commission have adopted and certified a General Plan/Local Coastal Plan Map which specifies the "PF" (Public Facilities) land use designation for the subject property;

WHEREAS, the City Council of the City of Capitola has adopted a Zoning Map which specifies the "PF-F" (Public Facilities - Facility) zoning designation on the site;

WHEREAS, an application was filed on the subject property to change the General Plan/Local Coastal Plan designation on said parcel from "PF" (Public Facility) to "R-M" (Multiple Family Residential: 10-15 units per acre) and to change the zoning from "PF-F" (Public Facilities - Facility) to "PD" (Planned Development) to allow for a six unit residential development;

WHEREAS, in accordance with the California Environmental Quality Act, the Capitola City Planning staff prepared an Initial Study for the General Plan/Local Coastal Plan Amendment, Rezoning and other land use entitlements which concluded that no significant impacts would occur as a result of the amendment(s) and a Notice of Intent to Adopt a Negative Declaration was filed with the County Clerk on August 24, 1999;

WHEREAS, the Planning Commission held a public hearing, noticed as required by law, on October 7, 1999, and considered public testimony in addition to review and consideration of information presented in the Negative Declaration and the documentary record, and recommended that the City Council approve the General Plan/Local Coastal Plan amendment;

WHEREAS, the City Council has held public hearings, noticed as required by law, on October 28, 1999, January 13, 2000 and February 24, 2000, and considered public testimony in addition to review and consideration of information presented in the Negative Declaration and the documentary record;

EXHIBIT NO. A
APPLICATION NO.
CAP-MAJ-1-00

RESOLUTION NO. 3066

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola that the Negative Declaration for the General Plan/Local Coastal Plan amendment and rezoning is hereby adopted; and, and furthermore the City Council finds that the proposed project, will be de minimis in its effect on fish and wildlife because there is no evidence before the City that the project will have potential for adverse effect, either individually or cumulatively, on fish or wildlife resources.

BE IT FURTHER RESOLVED by the City Council of the City of Capitola that the Local Coastal Program and General Plan Amendments attached hereto and made a part hereof, are hereby adopted as being in full conformance with the City of Capitola General Plan, and the City of Capitola Local Coastal Program and the provisions of the California Coastal Act.

BE IT FURTHER RESOLVED by the City Council of the City of Capitola that the General Plan/Local Coastal Plan amendment for the subject parcel, as shown on the attached map, is hereby adopted to become effective upon the date of Coastal Commission approval.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to submit the Local Coastal Program Amendment to the California Coastal Commission for its review and certification. If the amendment package is approved by the Coastal Commission as approved by the City of Capitola, it will take effect automatically upon Coastal Commission approval. If it is modified by the Coastal Commission, it will require formal action by the City of Capitola.

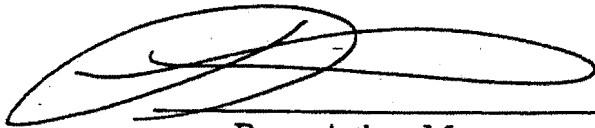
I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola at its meeting held on the 24th day of February, 2000, by the following vote:

AYES: Council Members Gualtieri, Fabrizio, Harlan, Norton and Mayor Arthur

NOES: None

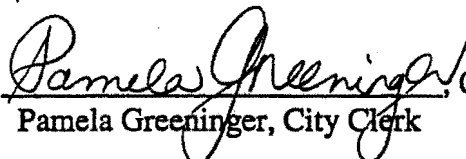
ABSENT: None

ABSTAIN: None



Bruce Arthur, Mayor

ATTEST:


Pamela Greeninger, City Clerk

CMC/AAE

EXHIBIT NO. A
APPLICATION NO.
CAP-WAS-1-00

COPY

ORDINANCE NO. 814

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AMENDING THE ZONING MAP AND LOCAL COASTAL IMPLEMENTATION PROGRAM OF THE ZONING ORDINANCE OF THE CAPITOLA MUNICIPAL CODE FOR ASSESSOR'S PARCEL NUMBER 034-101-17, 4150 JADE STREET, BY WAY OF RECLASSIFYING THE PARCEL FROM THE "PF-F" (PUBLIC FACILITIES - FACILITY) DISTRICT TO THE "PD" (PLANNED DEVELOPMENT) DISTRICT

APPLICATION #99-49

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981; and,

WHEREAS, the City of Capitola reviews land use designations and zoning in order to regulate appropriate use of land and to protect the public health, safety and welfare; and,

WHEREAS, public hearings related to the proposed rezoning and land use changes, which were publicly advertised as required by law, were held at regular meetings of the Planning Commission on October 7, 1999 and of the City Council on October 28, 1999, January 13, 2000 and February 24, 2000.

WHEREAS, opportunity was provided at each hearing for public testimony; and,

WHEREAS, on October 7, 1999, the Planning Commission recommended that the City Council reclassify the subject parcel from PF-F (Public Facilities - Facility) to PD (Planned Development).

WHEREAS, the City Council has held a public hearing on February 24, 2000, and decided to adopt an ordinance reclassifying the subject parcel from PF-F (Public Facilities - Facility) to PD (Planned Development) in accordance with the findings included in the City Council Staff Report.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Capitola, as follows:

SECTION 1. Real property listed herein, and more particularly described on the map, attached hereto and made a part hereof, is hereby rezoned from the "PF-F" (Public Facilities - Facility) district to the "PD" (Planned Development) District, and the Zoning Map of the Zoning Ordinance of the Capitola Municipal Code is hereby amended to reflect this reclassification.

Assessor's Parcel Number(s): 034-101-17
Current Address: 4150 Jade Street

EXHIBIT NO. A
APPLICATION NO.
CA7-MAJ-1-00

SECTION 2. This ordinance shall be in full force and take effect thirty (30) days after its final adoption or upon approval by the California Coastal Commission, whichever occurs last.

This ordinance was introduced on the 24th day of February, 2000, and passed and adopted on the 9th day of March, 2000 by the following vote:

AYES: Council Members Gualtieri, Fabrizio, Harlan, Norton and Mayor Arthur

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED: 

Bruce Arthur, Mayor

ATTEST:

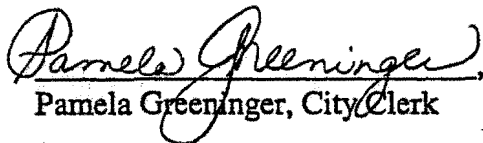
 CMC/AAE
Pamela Greeninger, City Clerk

EXHIBIT NO. A
APPLICATION NO.
CAP-MAJ-1-00

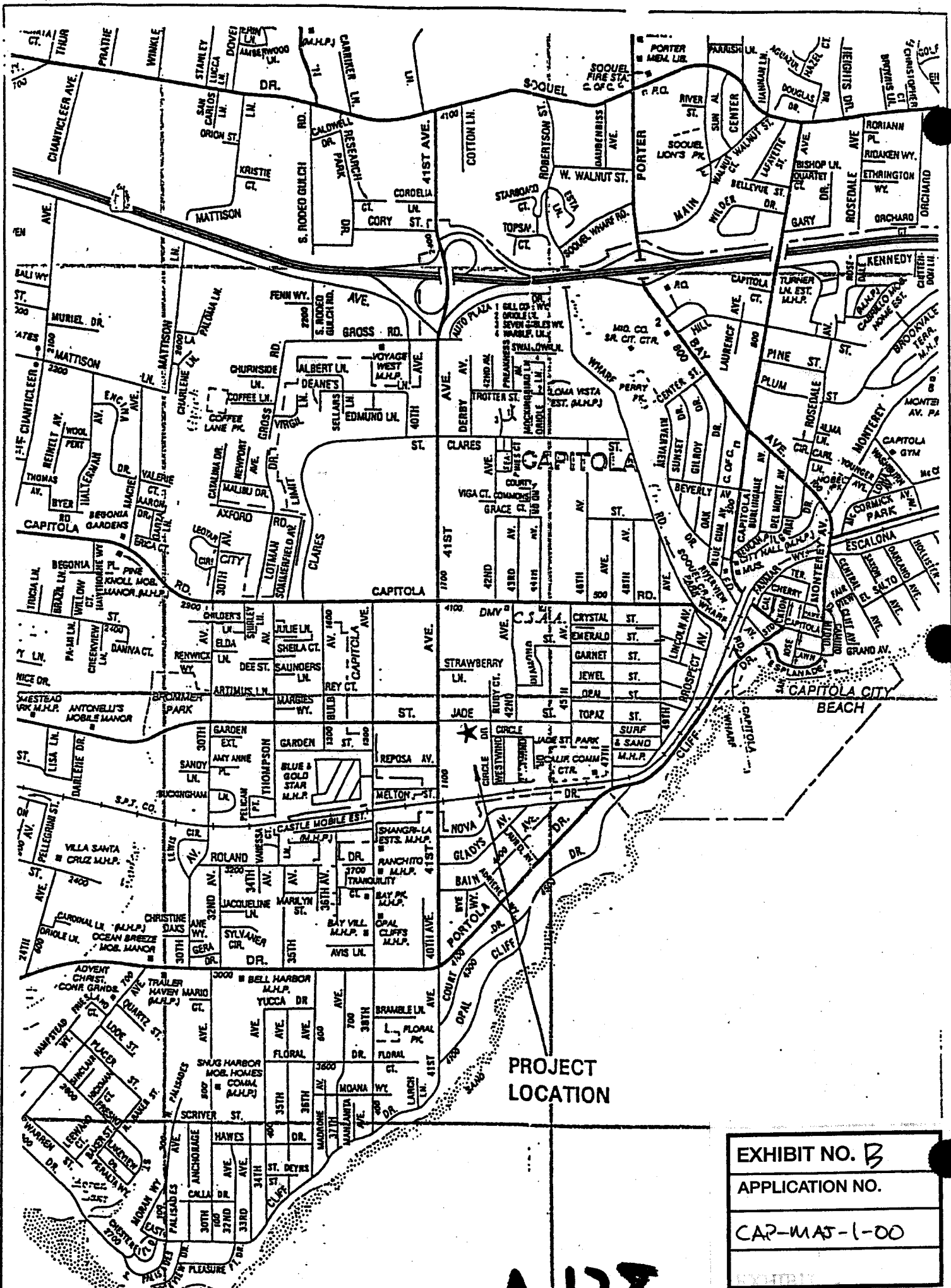
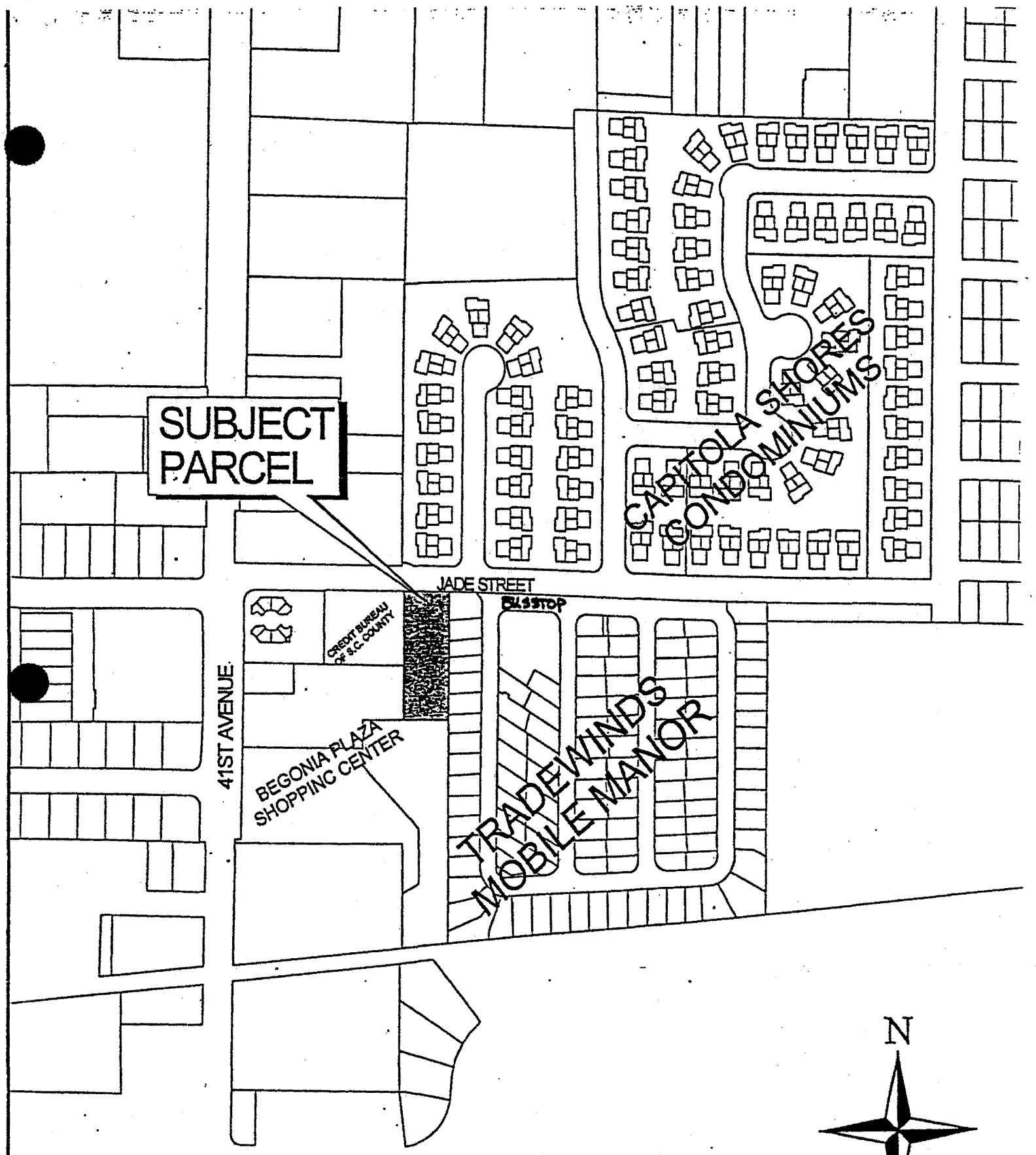


EXHIBIT NO. B
 APPLICATION NO.
 CAP-MAS-1-00

A-128



SUBJECT PARCEL

JADE STREET

BUS STOP

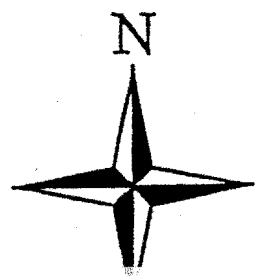
CREDIT BUREAU OF S.C. COUNTY

41ST AVENUE

BEGONIA PLAZA SHOPPING CENTER

TRADEWINDS MOBILE MANOR

CAPITOLA SHORES CONDOMINIUMS



B-3

APPLICATION # 99-49
ADDRESS: 4150 JADE STREET

EXHIBIT NO. C
APPLICATION NO.
CAP-MAJ-1-00

VICINITY MAP

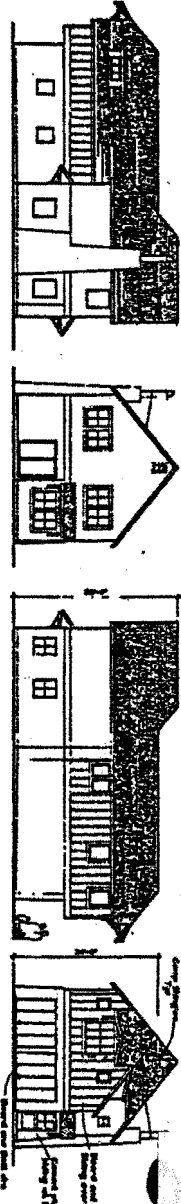
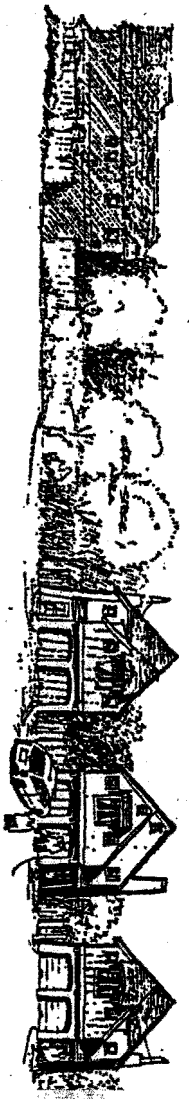
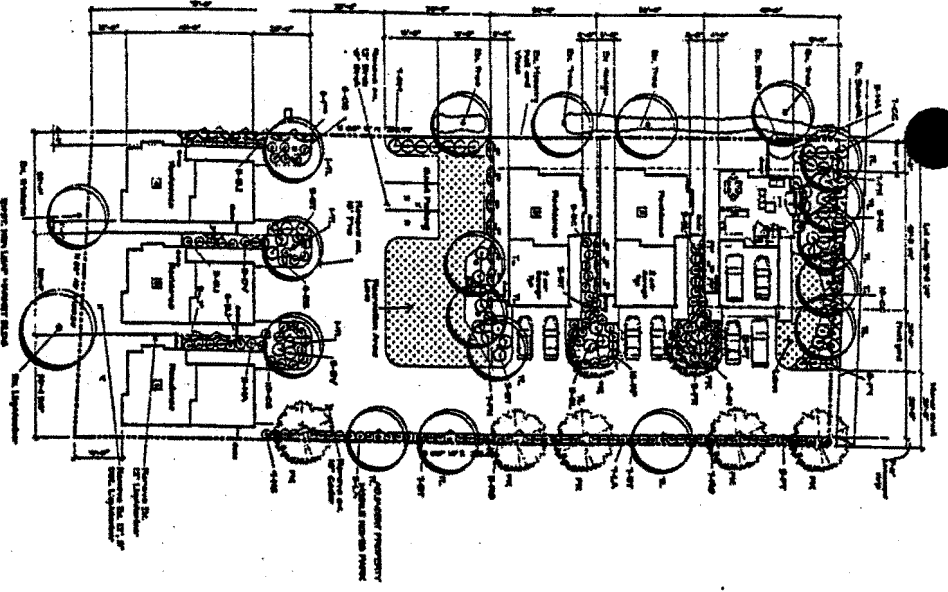
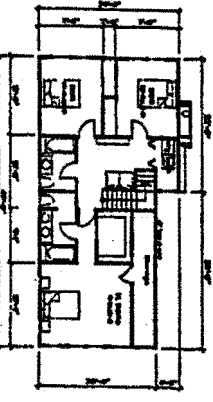


EXHIBIT NO. **D**
 APPLICATION NO.
 CA2-WAS-1-00

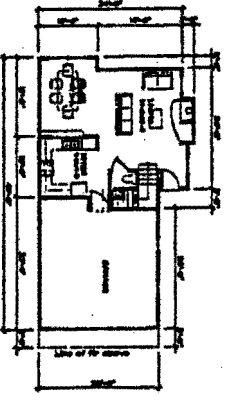


SITE PLAN/LANDSCAPE PLAN AND REPORT

NO.	DESCRIPTION	DATE	BY	FOR
1	PRELIMINARY	10/10/00
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50



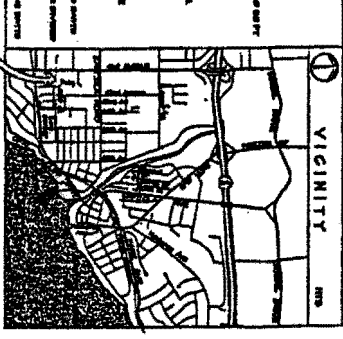
SECOND FLOOR



FIRST FLOOR

NO.	DESCRIPTION	DATE	BY	FOR
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

DATA	DRAWING INDEX
<p>GENERAL NOTES:</p> <p>1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.</p> <p>2. FINISHES ARE AS SHOWN ON THE DRAWINGS.</p> <p>3. REFER TO THE SPECIFICATIONS FOR MATERIALS AND METHODS OF CONSTRUCTION.</p> <p>4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.</p> <p>5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.</p> <p>6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.</p> <p>7. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.</p> <p>8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ALL DEBRIS AND WASTE FROM THE SITE.</p> <p>9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING THE SITE TO ITS ORIGINAL CONDITION.</p> <p>10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.</p> <p>11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS.</p> <p>12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.</p> <p>13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.</p> <p>14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.</p> <p>15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.</p>	<p>DRAWING INDEX:</p> <p>1. SITE PLAN/LANDSCAPE PLAN AND REPORT</p> <p>2. FIRST FLOOR PLAN</p> <p>3. SECOND FLOOR PLAN</p> <p>4. NORTH ELEVATION</p> <p>5. SOUTH ELEVATION</p> <p>6. EAST ELEVATION</p> <p>7. VICINITY MAP</p>



VICINITY

JADE STREET RESIDENCES
 APR 24-10-11
 ARCHITECT: [Signature]
 SCALE: AS SHOWN
 DATE: APR 24-10-11
 SHEET NO. 1 OF 1