

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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SANTA CRUZ, CA 95060
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Prepared June 23, 2005 (for July 14, 2005 Hearing)

RECORD PACKET COPY

To: Commissioners and Interested Persons

From: Diane Landry, Central Coast District Manager
Susan Craig, Coastal Planner

Subject: City of Santa Cruz Minor LCP Amendment Number 1-05 (Townhouse Development)

City of Santa Cruz's Proposed Amendment

The City of Santa Cruz is proposing to amend its certified Implementation Plan (Zoning Ordinance) to make minor modifications that clarify the provisions for development of townhouses in multiple residential zoning districts and other zoning districts that allow for residential use. See Exhibit #2 for the City's proposed zoning ordinance changes.

Minor LCP Amendment Determination

California Code of Regulations (CCR) Section 13554 defines minor LCP amendments. Among other things, minor LCP amendments to implementation plans include:

CCR Section 13554(a). 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 purpose of the proposed townhouse ordinance is to allow townhouse development as a viable alternative to condominium development when developing multi-family ownership units. The LCP amendment makes townhouse vs. condominium a type of ownership question for the developer if all other city zoning requirements are met. Specifically, the amendment: 1) clarifies the location of where townhouse developments can be located, i.e. in multiple residential zoning districts and other zoning districts that allow for residential uses; 2) provides consistent terminology when referring to multiple dwellings, townhouse dwelling groups, and condominiums throughout the zoning and subdivision ordinance; 3) modifies the definition of townhouse dwelling group and adds a definition of townhouse lot, and; 4) modifies the subdivision ordinance to allow the flexibility for townhouse lots under lot improvement standards.

CCR Section 13555 provides that the Executive Director can make a determination on whether a proposed LCP amendment is "minor." The purpose of this notice is to advise interested parties of the Executive Director's determination (pursuant to CCR Section 13555) that the proposed amendment is minor as defined in CCR Section 13554(a).

**California Coastal Commission****July 2005 Meeting in San Diego**

Staff: S. Craig Approved by:

STC-MIN-1-05 Determination Notice (Townhouse Development) 6.23.05.doc

Coastal Commission Concurrence

Pursuant to CCR Section 13555, the Executive Director will report this determination to the Coastal Commission at its July 2005 meeting at the Catamaran Resort Hotel located at 3999 Mission Boulevard in San Diego. The Executive Director will also report any objections to the determination that are received within ten working days of posting of this notice. The proposed minor amendment will be deemed approved and will become effective immediately unless one-third of the appointed members of the Commission request that it be processed as a major LCP amendment (CCR Section 13555(b)).

For further information regarding the proposed LCP amendment or the Commission's procedures, please contact Susan Craig in the Coastal Commission's Central Coast District Office in Santa Cruz at the address or phone number listed above. Objections to the proposed minor LCP amendment should be submitted in writing by July 6, 2005.

Exhibits:

Exhibit 1: City Council Resolution

Exhibit 2: Proposed Zoning Ordinance Changes



COPY

RESOLUTION NO. NS-26,879

RESOLUTION OF THE CITY OF SANTA CRUZ AUTHORIZING AND
DIRECTING THE CITY MANAGER TO SUBMIT THE LOCAL COASTAL
IMPLEMENTATION PLAN AMENDMENT TO THE CALIFORNIA COASTAL
COMMISSION FOR FINAL CERTIFICATION

WHEREAS, on November 4, 2004 the Planning Commission directed staff to prepare ordinance amendments to Title 24 of the City of Santa Cruz Zoning Ordinance relating to townhouse developments; and

WHEREAS, many portions of Title 24 are also part of the City's Local Coastal Implementation Plan; and

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

WHEREAS, the Planning Commission conducted a public hearing on March 17, 2005 and recommended approval to the City Council; and

WHEREAS, the City Council conducted public hearings on April 26, 2005 and May 10, 2005 to consider the amendment; and

WHEREAS, the project qualifies for a Categorical Exemption (Section 15061 (b)(3)) from the provisions of the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Santa Cruz hereby authorizes and directs the City Manager to submit the amendment to the California Coastal Commission for final certification.

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

PASSED AND ADOPTED this 26th day of April, 2005, by the following vote:

AYES: Vice Mayor Mathews; Councilmembers Coonerty, Fitzmaurice, Porter, Madrigal, Reilly; Mayor Rotkin.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: M.S. Rotkin
Mayor

ATTEST: Leslie Cool
City Clerk

EXHIBIT NO. 1
APPLICATION NO.
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ORDINANCE 2005-15

AN ORDINANCE OF THE CITY OF SANTA CRUZ
AMENDING PORTIONS OF TITLE 23 AND 24 TO THE SANTA CRUZ MUNICIPAL
CODE AND TO THE LOCAL COASTAL IMPLEMENTATION PLAN
PERTAINING TO TOWNHOUSE DEVELOPMENT

The City Council of the City of Santa Cruz ordains as follows:

Section 1. Chapter 24.10.410 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.410 Principal Permitted Uses.

The following uses are permitted outright if a design permit is obtained for new structures and environmental review is conducted in accordance with city and state guidelines:

1. ~~Multifamily~~ Multiple dwellings, townhouses dwelling groups, row houses, and apartment and condominium projects in one or more structure(s). (830, 840)
2. Community care facilities including daycare, retirement homes and foster homes (six or fewer).
3. Small family daycare.
4. Large family daycare facilities in single-family dwelling or duplex.
5. Two-family dwellings.
6. Community garden.
7. Single-family dwellings.
8. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.

a. Home occupations subject to home occupation regulations as provided in Section. 24.10.160.

- b. Park and recreational facilities.
- c. Room and board for not more than two paying guests per dwelling unit, when located within principal building.
- d. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, accessory buildings and Section 24.10.430.
9. Accessory dwelling units subject to the provisions of Chapter 24.16 Part 2, except accessory dwelling units are not subject to approval of a design permit.

Section 2. Chapter 24.10.510 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.510 Principal Permitted Uses.

The following uses are permitted outright if a design permit is obtained for new structures and environmental review is conducted in accordance with city and state guidelines:

1. ~~Multifamily~~ Multiple dwellings, townhouses dwelling groups, row houses, and apartment and condominium projects in one or more structures. (830, 840)
2. Community care facilities including daycare, foster home, retirement home (six or fewer persons).
3. Community garden.
4. Small family daycare facilities.
5. Large family daycare facilities in single-family home or duplex.

EXHIBIT NO. 2

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6. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.

- a. Park and recreational facilities.
- b. Home occupations subject to home occupation regulations as provided in Section 24.10.160.
- c. Room and board for not more than two paying guests per dwelling unit, when located within principal building.
- d. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, accessory buildings and Section 24.10.530.

Section 3. Chapter 24.10.565 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.565 Principal Permitted Uses.

The following uses are permitted subject to a Design Permit for new structures in compliance with the Beach and South of Laurel Design Guidelines and 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.) Additionally, environmental review must be conducted in accordance with city and state guidelines:

1. ~~Apartments, Multiple dwellings, townhouses dwelling groups, row houses and condominiums projects in one or more structures; that meet minimum density requirements;~~ (830, 840)
2. Small community care residential facilities including daycare, foster homes, retirement homes, with six or fewer persons; (510a)
3. Small family daycare; (510a)
4. Large family daycare in single-family dwelling or duplex. (510a)

Section 4. Chapter 24.10.604 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.604 Use Permit Requirement.

1. The following uses are subject to approval of an administrative use permit and a design permit and 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. Single-family dwellings; (810)
- b. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
- c. Multiple dwellings, townhouses dwelling groups, and condominiums (~~4-9~~ three to nine units); (830)
- d. Accessory dwelling units subject to the provisions of Chapter 24.16 Part 2, except that accessory dwelling units are not subject to approval of a design permit.

2. The following uses are subject to approval of a special use permit and a design permit and 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

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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. Bed-and-breakfast inns, subject to the requirements contained in Part 9, Chapter 24.12; (300c)
- b. Large community care facilities; (850e)
- c. Large family daycare facilities; (510a)
- d. Group care homes; (850e)
- e. Multiple dwellings, ~~townhouses~~, townhouse and dwelling groups, and condominiums, ten units or more; (840)
- f. Public and private commercial parking;
- g. Public and private noncommercial recreation areas, buildings and facilities such as parks; (710)
- h. Public and quasi-public buildings and uses including recreational, educational, religious, cultural or public utility or service nature; but not including corporation yards, storage or repair yards, and warehouses; (500, 510, 530, 540, 570)
- i. Retirement homes or centers. (850b)

Section 5. Chapter 24.10.612 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.612 Use Permit Requirements.

1. The following uses are subject to approval of an administrative use permit and a design permit and 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. Multiple dwellings, ~~townhouses~~, townhouse and dwelling groups, and condominiums, nine units or fewer (830).
- b. Single-family and duplex dwellings (800, 810).
- c. Storage and equipment structures.
- d. Temporary structures and uses.
- e. The providing of board and room for not more than two paying guests per dwelling unit, when located within principal building.
- f. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
- g. Wireless telecommunication facilities, subject to the regulations in Part 15 of Chapter 24.12.

2. The following uses are subject to approval of a special use permit and a design permit and 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. Coffee shops (280g).
- b. Large community care facilities (850e).
- c. Large family daycare facilities (510a).
- d. Motel, hotel and bed-and-breakfast inn uses subject to annual business license review (300).

- e. Multiple dwellings, ~~townhouses~~, townhouse and dwelling groups, and condominiums, ten units or more (840).
- f. Public and private commercial parking (940, 950).
- g. Public and private noncommercial recreation areas, buildings and facilities such as parks (710).
- h. Public and quasi-public buildings and uses of an administrative, recreational, religious, cultural or public utility or service nature; but not including corporation yards, storage or repair yards, and warehouses (500, 510, 530, 540, 570).
- i. Retirement homes or centers (850b).

Section 6. Chapter 24.10.620 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.620 Use Permit Requirement.

(1) The following uses require an Administrative Use Permit and Design Permit and are subject to other applicable 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. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

- (a) Accessory buildings containing plumbing fixtures subject to provisions of Section 24.12.140;
- (b) Acting/art/music/dance/studios/schools (610);
- (c) Apparel and accessory stores (250);
- (d) Churches (500);
- (e) Community organizations, associations, clubs and meeting halls (570);
- (f) Convenience stores, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- (g) Developed parks (710);
- (h) Undeveloped parks and open space (700);
- (i) Eating and drinking establishments (except bars and fast-food restaurants) subject to alcohol regulations in Part 12 of Chapter 24.12 (280);
- (j) Educational facilities (public/private) (510);
- (k) General merchandise stores (drug and department stores) (230);
- (l) Government and public agencies (530);
- (m) Home furnishings (270);
- (n) Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- (o) Mixed residential, and commercial developments when multiple family units are located above first floor of commercial uses, subject to the R-T(A) District regulations (830);
- (p) ~~Multifamily~~ **Multiple dwellings, townhouse dwelling groups and condominiums (3-9 three to nine units)** ~~units~~ subject to the R-T(A) District regulations (830);
- (q) Museum and art galleries (600);
- (r) Professional offices associated with a visitor-serving use (400);
- (s) Repairs, alterations, maintenance services to household items (except boat repair) (340);
- (t) Single-room occupancy (SRO) housing, fifteen units or fewer (860);
- (u) Specialty retail supply stores (290);
- (v) Temporary structures and uses;
- (w) Video rental (360B);

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- (x) Sports and Recreation facilities, without alcohol sales (720);
- (y) Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12.
- (2) The following uses require a Special Use Permit and Design Permit and are subject to other applicable 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. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)
 - (a) Bars/taverns subject to alcohol regulations in Part 12 of Chapter 24.12 (280C);
 - (b) Communication and information (550);
 - (c) Large family daycare facilities;
 - (d) Fast-food restaurants subject to alcohol regulations in Part 12 of Chapter 24.12 (280H);
 - (e) Professional offices (400), except as associated with a visitor-serving use;
 - (f) ~~Multifamily~~ Multiple dwellings, townhouse dwelling groups and condominiums ~~10+~~ ten units or more subject to the R-T(A) District regulations (840);
 - (g) Marine facilities and related uses (560E);
 - (i) Related research facilities (400L);
 - (ii) Related storage and warehousing (330);
 - (iii) Fish/seafood wholesale sales (200F);
 - (h) Mixed residential and commercial developments with non-commercial uses on the ground floor, subject to the R-T(A) District regulations (830);
 - (i) Nightclubs (live amplified music), subject to alcohol regulations in Part 12 of Chapter 24.12 (630);
 - (j) Off-site public/private parking facilities, five or more spaces (930);
 - (k) Single-family residences if lot size does not allow multifamily development (800);
 - (l) Single-room occupancy (SRO) housing, sixteen units or more (860);
 - (m) Sports and recreation facilities subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
 - (n) Theaters (620);
 - (o) Utilities and resources (540);
 - (p) Professional offices (400);
 - (q) Duplexes (810);
 - (r) Personal services (except contractors yards and mortuaries) (310);
 - (s) Triplexes (820);
 - (t) Educational facilities (public/private) (510);
 - (u) Financial, insurance, real estate offices (420);
 - (v) Medical/health offices (410).

Section 7. Chapter 24.10.628 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.628 Use Permit Requirement.

1. The following uses are subject to approval of an administrative use permit and a design permit and 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

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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. Small community care residential facilities.
- b. Temporary structures and uses.
- c. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
- d. Accessory dwelling units subject to the provisions of Chapter 24.16 Part 2, except that accessory dwelling units are not subject to approval of a design permit.

2. The following uses are subject to approval of a special use permit and a design permit and 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. Bed-and-breakfast inns, subject to the requirements contained in Part 9, Chapter 24.12. (300c)
- b. Community care facilities. (850e)
- c. Large family daycare facilities. (510a)
- d. Multiple ~~family~~ dwellings, townhouses **dwelling groups**, and condominiums, three units or more. (830, 840)
- e. Public and private noncommercial recreation areas, buildings and facilities such as parks. (710)
- f. Public and quasi-public buildings and uses including administrative, recreational, educational, religious, cultural, public utility or public service uses; but not including yards, storage or repair yards, and warehouses. (500, 510, 530, 540, 570)
- g. Retirement homes or centers. (850b)

Section 8. Chapter 24.10.637 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.637 Use Permit Requirement.

1. The following uses are subject to approval of an Administrative Use Permit, a Design Permit, and other requirements of the Municipal Code:

- a. Educational and cultural institutions.
- b. Community care facilities.
- c. Multiple dwellings, townhouses **dwelling groups** and condominiums, six units or fewer.

d. Single family dwellings on substandard lots.

2. The following uses are subject to approval of a Special Use Permit, a Design Permit and other requirements of the Municipal Code.

- a. Multiple dwellings, townhouses **dwelling groups** and condominiums, seven units or more, subject to the approval of the City Council upon recommendation of the Zoning Board.
- b. Large family day care facilities.
- c. Recreational buildings and community centers.
- d. Public and private noncommercial recreation areas, buildings and facilities such as parks, playgrounds and basketball courts.
- e. Public and private commercial parking, subject to landscaping and design standards. Non-conforming parking lots must be brought into compliance within 5 years of adoption of this Part 7E.

Section 9. Chapter 24.10.730 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.730 Use Permit Requirement.

1. The following uses require an administrative use permit and are subject to other applicable 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. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

- a. Accessory buildings containing plumbing fixtures subject to provisions of Section 24.12.140;
- b. Ambulance services (410B);
- c. Auto services and repair subject to performance standards in Section 24.12.900 (350);
- d. Bakery, microbrewery (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 seven thousand square feet and retail sale or service area occupies at least 30% of the floor area;
- e. Bar and cocktail lounges subject to alcohol regulations in Part 12 of Chapter 24.12 (280C);
- f. Brewpubs, subject to alcohol regulations in Part 12 of Chapter 24.12;
- g. Boat repairs (340D);
- h. Building materials/garden supplies (220);
- i. Churches (500);
- j. Communication and information services (550);
- k. Community organizations, associations, clubs and meeting halls (570);
- l. Developed parks (710);
- m. Educational facilities (public/private) (510);
- n. Fast-food restaurants or drive-in eating facilities subject to performance standards in Section 24.12.290, and subject to alcohol regulations in Part 12 of Chapter 24.12 (280H);
- o. Foster family homes;
- p. Government and public agencies (530);
- q. Lodging (300);
- r. Mixed residential and commercial/office developments involving permitted or administrative uses on the ground floor and from three to nine **multiple dwellings or condominiums** above the first floor;
- s. Motor vehicle dealers and supplies (260);
- t. **Multiple dwellings or condominiums**, ~~three to nine multifamily~~ units subject to the minimum (net) land area per dwelling unit of the R-M District (830);
- u. Off-site public/private parking facilities, five or more spaces (930);
- v. Recycling collection facilities;
- w. Single-room occupancy (SRO) housing, fifteen units or fewer (860);
- x. Temporary structures and uses;
- y. Thrift stores (290m);
- z. Undeveloped parks and open space (700);
- aa. Utilities and resources (540);
- bb. Veterinarians (410A);

cc. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12.

2. The following uses require a special use permit and are subject to other applicable requirements of the municipal code. All industrial classifications from 100 to 155 shall be limited to operations that occupy less than five thousand square feet of floor area and shall comply with all performance standards listed in Part 2 of the Environmental Resource Management provisions. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

- a. Carpenter, electrical, plumbing, heating, and furniture upholstery shops;
- b. Community care facilities;
- c. Large family daycare;
- d. Contractor/building (310E);
- e. Convenience stores, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- f. Fabricated metal products (manufacturing) (150);
- g. Fabricated wire products (manufacturing) (155A);
- h. Food and beverage preparation (manufacturing) (100);
- i. Furniture and fixtures (manufacturing) (120);
- j. Hospitals (520);
- k. Laboratory research experimentation, testing, software development;
- l. Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;
- m. Local/interurban passenger transit (bus, cab) (560B);
- n. Millwork, textile products, knit goods, woven fabrics, clothing (manufacturing) (105);
- o. Mixed residential and commercial/office developments, with ten or more **multiple dwellings or condominiums**, ~~E~~, either above commercial uses or units on the same lot (840);
- p. **Multiple dwellings and condominiums**, ~~F~~ ten or more ~~residential~~ units subject to the minimum land area (net) per dwelling unit of the R-M District (840);
- q. Mortuaries (310I);
- r. Motion picture production (manufacturing) (155E);
- s. Nightclubs (amplified live entertainment) subject to alcohol regulations in Part 12 of Chapter 24.12 (630);
- t. Rental services (360);
- u. Single-room occupancy (SRO) housing sixteen units or more (860);
- v. Solar equipment (manufacturing) (155C);
- w. Sports recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- x. Stone, clay, glass products (manufacturing) (140);
- y. Storage and warehouse when connected with permitted use (330);
- z. Wholesale trade (nondurable goods) (200):
 - (a) Bakery,
 - (b) Confectionery,
 - (c) Dairy,
 - (d) Health foods;
- aa. Wholesale trade (durable goods) (210):

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- (a) Paper products and related (210E),
- (b) Special equipment (machine supply) (210F);
- bb. Medical marijuana provider association dispensaries, as defined in Section 24.22.539 and subject to the siting criteria and performance standards in Section 24.12.1300.

Section 10. Chapter 24.10.930 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.930 Use Permit Requirement.

1. The following uses are subject to approval of an administrative use permit and a design permit:

- a. Ambulance service.
- b. Automatic car wash.
- c. Bakery; soft-drink bottling plant; laundry, cleaning and dyeing establishment.
- d. Large family daycare homes.
- e. Garages for the repair of automobiles, trucks and other heavy equipment, subject to performance standards as set forth in this title for principal permitted uses in the I-G District.
- f. Multiple dwellings and ~~dwellings~~ **condominiums**, nine units or fewer, subject to the minimum land area (net) per dwelling unit of the R-M District. (830)
- g. Recycling collection facilities.
- h. Souvenir and gift shops.
- i. Single-family dwellings.
- j. Small community care residential facilities.
- k. Stores, shops and general retail, subject to alcohol regulations in Part 12 of

Chapter 24.12.

- l. Temporary structures and uses.
- m. Truck, boat, trailer, farm equipment, and other heavy equipment sales, service and rental.
- n. Two-family dwellings.
- o. Veterinary hospitals and clinics.
- p. Wireless telecommunications facilities, subject to the regulations in Part 15 of

Chapter 24.12.

q. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.

2. The following uses are subject to approval of a special use permit and a design permit:

- a. Administrative, executive, and financial offices.
- b. Any use employing live amplified entertainment, subject to alcohol regulations in Part 12 of Chapter 24.12.
- c. Business and technical schools; schools and studios for arts and crafts, photography, music and dance.
- d. Cemeteries, crematories, mausoleums, columbariums.
- e. Commercial fishing and fish marketing facilities, and retailing and jobbing of fish only when conducted wholly within a building, or upon a wharf.
- f. Commercial recreation facilities such as bowling alleys, billiard parlors, skating rinks, and video games.
- g. Community care facilities.
- h. Community care residential facilities.

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- i. Drive-in refreshment stands, eating places, or any other use involving a drive-in or drive-through function, subject to performance standards established in Section 24.14.290 herein.
- j. Fast-food restaurants, subject to alcohol regulations in Part 12 of Chapter 24.12.
- k. Mortuaries.
- l. Outdoor theaters, golf driving ranges, and other similar open-air commercial recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12.
- m. Multiple dwellings and ~~dwelling groups~~ **condominiums**, ten units or more, subject to the minimum land area (net) per dwelling unit of the R-M District. (840)
- n. Printing and publishing or lithographic shops and plants.
- o. Public and private commercial parking of more than five spaces.
- p. Public and private noncommercial recreation areas, buildings and facilities such as parks, country clubs, golf courses, and riding, swimming and tennis clubs, subject to alcohol regulations in Part 12 of Chapter 24.12.
- q. Public and quasi-public buildings and uses, including administrative, recreational, educational, religious, cultural, public utility or public service uses; but not including corporation yards, storage or repair yards, and warehouses, subject to alcohol regulations in Part 12 of Chapter 24.12.
- r. Service stations, subject to alcohol regulations in Part 12 of Chapter 24.12.
- s. Social halls, lodges, fraternal organizations, and clubs, except, those operated for a profit.
- t. Medical marijuana provider association dispensaries, as defined in Section 24.22.539 and subject to the siting criteria and performance standards in Section 24.12.1300.

Section 11. Chapter 24.10.1030 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.1030 Use Permit Requirement.

1. The following uses require an administrative use permit and are subject to other applicable 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. Subcategories of uses within use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

a. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;

b. Acting/art/music/dance studios and schools (610);

c. Apparel and accessory stores (250);

d. Auto supply stores (260C);

e. Churches (500);

f. Community organizations, associations, clubs and meeting halls (570);

g. Educational facilities (public/private) (510);

h. Family daycare homes and foster family homes;

i. General retail merchandise (drug and department stores) (230);

j. Government and public agencies (530);

k. Home furnishings (270);

l. **Multiple dwellings and condominiums**, ~~T three to nine multiple family units~~ when located above first floor commercial uses, subject to the minimum land area per dwelling unit of the R-L District (830);

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- m. Parks and open spaces (700);
- n. Preschools/childcare (twelve or fewer) (510A);
- o. Recycling collection facilities;
- p. Repair, alteration, maintenance services for household items (except boat repairs) (340);
- q. Small community care residential facilities;
- r. Specialty retail supply stores (290);
- s. Temporary structures and uses;
- t. Veterinarians (410A);
- u. Video rental (650);
- v. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12.

2. The following uses require a special use permit and are subject to other applicable 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. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

- a. Auto services and repair, subject to performance standards in Section 24.12.900 (350);
- b. Bars, subject to alcohol regulations in Part 12 of Chapter 24.12 (280C);
- c. Brewpubs, subject to alcohol regulations in Part 12 of Chapter 24.12;
- d. Community care facilities;
- e. Community care residential facilities;
- f. Convenience stores, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- g. Fast-food restaurants or drive-in eating facilities, subject to performance standards in Section 24.14.290 and subject to alcohol regulations in Part 12 of Chapter 24.12 (280H);
- h. Large family daycare facilities;
- i. Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;
- j. Two or more stand-alone multiple-family units subject to the minimum land area (net) per dwelling unit of the R-L District (830);
- k. **Multiple dwellings and condominiums, Ten+ multiple residential ten or more units when located either in the same lot or above first floor commercial development, subject to the minimum land area (net) per dwelling unit of the R-L District (840);**
- l. Off-site public/private parking facilities, five or more spaces (930);
- m. Sports and recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- n. Storage and warehouses with permitted retail (330).

Section 12. Chapter 24.10.1130 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.1130 Use Permit Requirement.

1. The following uses require an administrative use permit and are subject to other applicable 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. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

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a. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;

b. Community organizations, associations, clubs and meeting halls (570);

c. Convenience store, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);

d. Churches (500);

e. Educational facilities (public/private) (510);

f. Financial services (320);

g. Fish/seafood/wholesale (200F);

h. Government and public agencies (530);

i. Home furnishings (270B);

j. Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;

k. Mixed residential and commercial development involving permitted or administrative uses on the ground floor and from three to nine **multiple dwellings or condominiums** above the first floor, subject to the minimum land area (net) per dwelling unit of the R-M District (830);

l. ~~Multifamily~~ **Multiple dwellings and condominiums**, three to nine units, subject to the minimum land area (net) per dwelling unit of the R-M District (830);

m. Parks and open spaces (700);

n. Repairs, alterations, maintenance services for household items (340);

o. Temporary structures and uses;

p. Thrift stores (290m);

q. Professional offices associated with a visitor-serving use.

r. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12.

2. The following uses require a special use permit and are subject to other applicable 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. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

a. Bars/taverns, subject to alcohol regulations in Part 12 of Chapter 24.12;

b. Large family daycare facilities;

c. Fast-food restaurants or drive-in eating facilities subject to performance standards in Section 24.12.290 and subject to alcohol regulations in Part 12 of Chapter 24.12 (280H);

d. Group quarters (850);

e. Mixed residential and commercial developments with ten or more **multiple dwellings or condominiums**, either above the first floor or on the same parcel, subject to the minimum land area (net) per dwelling unit of the R-M District (840);

f. ~~Multifamily~~ **Multiple dwellings and condominiums**, ~~ten+~~ ten or more units subject to the minimum land area (net) per dwelling unit of the R-M District (840);

g. Nightclubs/dance halls (live amplified music), subject to alcohol regulations in Part 12 of Chapter 24.12 (630);

h. Off-site public/private parking facilities, five or more spaces (930);

i. Refreshment stands and vehicles, when located on private property, in locations clearly incidental and adjacent to beach, park, campgrounds, or other major recreational and tourist facilities or activities.

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Section 13. Chapter 24.10.1230 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.1230 Use Permit Requirement.

1. The following uses are subject to approval of an administrative use permit and a design permit. (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. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;

b. Acting/art/music/dance studios and schools (610);

c. Churches (500);

d. Communication and information services (550);

e. Community organizations, associations, clubs and meeting halls (570);

f. Duplexes (820);

g. Educational facilities (public/private) (510);

h. Large family daycare homes and foster family homes;

i. Government and public agencies (530);

j. Mobilehomes (870);

k. Multiple-family dwellings and condominiums, two to nine units, subject to minimum land area requirements of R-M District (830);

l. Off-site public/private parking facilities, five or more spaces (930);

m. Single-family residences if lot area cannot accommodate multifamily (810);

n. Veterinarians (410A);

o. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12.

2. The following uses are subject to approval of a special use permit and a design permit. (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. Community care facilities;

b. Community care residential facilities;

c. Hospitals (520);

d. Mortuaries (310D);

e. Multiple-family dwellings and condominiums, ~~ten+~~ ten or more units and over, subject to minimum land area requirements of the R-M District (830);

f. Emergency medical clinics open earlier than 7:00 a.m. and later than 9:00 p.m. (410B).

Section 14. Chapter 24.10.1510 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.1510 Use Permit Requirement.

1. The following uses require an administrative use permit and are subject to other applicable 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. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

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- a. Agriculture (000);
- b. Auto services and repairs, including trucks, heavy equipment and auto towing, subject to performance standards in Section 24.12.900 (350);
- c. Boat repairs (340D);
- d. Churches (500);
- e. Communication and information services (550);
- f. Community organizations, associations, clubs and meeting halls (570);
- g. Eating and drinking establishments, subject to alcohol regulations in Part 12 of Chapter 24.12 (280);
- h. Educational facilities (public/private) (510);
- i. Fabricated metal products (150);
- j. Food and beverage stores (except liquor and convenience stores) (240);
- k. Forestry services (010);
- l. Government and public agencies (530);
- m. Leather tanning (110);
- n. Off-site public/private parking facilities, five or more spaces (930);
- o. Other manufacturing and processing industries (except bulk petroleum, scrap and waste materials) (155);
- p. Parks (700);
- q. Stone, clay, glass products (140);
- r. Temporary structures;
- s. Transportation facilities (560);
- t. Utilities and resources (540);
- u. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12.

2. The following uses require a special use permit and are subject to other applicable requirements of the municipal code. All industrial classifications from 125 to 145 shall comply with all performance standards listed in Part 2 of the Environmental Resource Management provisions. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

- a. Building material/garden supply stores (220) with 40,000 square feet or more including indoor floor area and outdoor storage, display, or sales areas. For building materials/garden supply stores of which 50% or more of the square footage will occupy an existing building, this threshold will be 75,000 square feet including indoor floor area and outdoor storage, display, or sales areas so long as vacant, available space in existing buildings in the IG zone exceeds 400,000 square feet. When the vacant, available square footage is less than 400,000 square feet, the 40,000 square foot threshold will apply;
- b. Chemicals and allied products, subject to performance standards (130);
- c. Large family daycare;
- d. Group quarters (850);
- e. ~~Multiple dwellings or condominiums~~ All multifamily dwellings subject to R-M district regulations (830, 840);
- f. Nightclubs/music halls (amplified live music), subject to alcohol regulations in Part 12 of Chapter 24.12 (630);
- g. Paper and allied products subject to performance standards (125);

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- h. Parks and recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- i. Primary metals and material subject to performance standards (145);
- j. Rubber, plastic, miscellaneous materials and products subject to performance standards (135);
- k. Medical marijuana provider association dispensaries, as defined in Section 24.22.539 and subject to the siting criteria and performance standards in Section 24.12.1300;
- l. Horticulture, cultivating, harvesting and processing of medical marijuana by a bona-fide medical marijuana provider association provided that: (1) The medical marijuana product is used solely by a bona-fide medical marijuana provider association for distribution to its member patients at a legally authorized dispensary operation within the city; (2) security measures satisfactory to the Santa Cruz Police Department are met; (3) off-street freight loading and parking requirements of Section 24.12.240(q) are met; and (4) no marijuana product is consumed on-site;
- m. Single room occupancy (SRO) housing (860) under the following conditions:
 - (1) The site is located within one-quarter mile, (1,320 feet), of a grocery store.
 - (2) The lot size is less than 6,000 square feet.
 - (3) The SRO is part of a mixed use project, sharing the site and/or building with a use that is allowed under Section 24.10.1505, Principal Permitted Uses, is in conformance with Section 24.10.1540.2, and complies with the following requirements:
 - (a) The SRO development and the mixed use business are under one ownership.
 - (b) The amount of building space occupied by the non-residential use is either at a minimum equal to the SRO or residential use or the non-residential use occupies the entire ground floor of the development.
 - (4) Ambient interior noise levels can be mitigated below 45 decibels.
 - (5) Air quality on and around the site, including odors resulting from adjacent land uses, is not considered a potential health hazard and/or objectionable to residential use.

Section 15. Chapter 24.10.2361 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.10.2361 Principal permitted uses.

- 1. The following uses are allowed outright in the Lower Pacific Avenue Subdistrict, subject to a Design Permit and 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. Acting/art/music/dance school and studios (610);
 - b. Apparel and accessory stores (250);
 - c. Eating and drinking establishments (excepts bars, fast food), subject to alcohol regulations in Part 12 of Chapter 24.12.(280);
 - d. Educational facilities (public/private) (510);
 - e. Food and beverage stores (except liquor and convenience stores) (240);
 - f. General retail merchandise (drug and department stores) (230); not exceeding 16,000 square feet per individual store;
 - g. Home furnishing stores (270);
 - h. Lodging (300);

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i. **Multiple dwellings or condominiums** ~~Multifamily residential units~~ or mixed use residential and commercial developments when multiple ~~family dwelling or condominium~~ units are located above the first floor of commercial uses, subject to the minimum land area (net) per dwelling unit of the R-M District (830, 840);

j. Museums and art galleries (600);

k. Repair, alterations, and maintenance services for household items (except boat repair) (340);

l. Small community care residential facilities;

m. Small preschool/childcare (12 or fewer) (510A);

n. Specialty retail supply stores (290);

o. Theaters (620);

p. Video rental (360B)

Section 16. Chapter 24.22.322 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

24.22.322 Dwelling, Townhouse Group.

A group of not fewer than two ~~nor more than six~~ townhouse dwellings, arranged side-by-side and separated from any other townhouse group by a yard area. All townhouse dwelling groups shall comply with the underlying zoning district development standards.

Section 17. Chapter 24.22.524 of the Municipal Code of the City of Santa Cruz shall be hereby added to read as follows:

24.22.524 Lot, Townhouse

A lot created for a single townhouse dwelling as part of a larger townhouse dwelling group. A townhouse lot is not subject to the minimum lot area/width standards for the underlying zoning district. A townhouse lot would follow the footprint of townhouse dwelling but may include private open space area for the townhouse dwelling.

Section 18. Chapter 23.24.030.6 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

23.24.030.6 Improvement Standards - Lot Standards.

The size, shape, and orientation of lots shall be appropriate to the proposed subdivision location, and to the type of development contemplated. The following principles and standards shall be observed:

(a) The minimum area and dimensions of all lots shall conform to the requirements of the zoning ordinance for the district in which the subdivision is located. Further, they shall be in keeping with the size and arrangement of existing lots in the immediate area, even though this may require a lot size that is greater than the minimum. Exceptions may be considered where physical constraints make cluster developments more appropriate, or in conjunction with specific area plan requirements, **or in conjunction with townhouse dwelling developments.**

(b) The side lines of lots shall generally be parallel to each other when located along straight streets or approximately radial to the centerline of curved streets. Side lines of lots located on the turnaround for a cul-de-sac shall be approximately radial to the adjacent right-of-way line of the turnaround.

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(c) No lot shall have a street frontage of less than thirty-five feet except as may be approved for flag lots and in planned communities, planned developments, condominiums, townhouse dwellings and cluster housing developments.

(d) Corner lots for residential use shall be platted wider than interior lots in order to permit conformance with the required street side yard requirements of the zoning ordinance.

(e) No residential lot shall have an average depth of less than ninety-five feet, except where unusual topographical conditions prevail. Where the rear of a lot is adjacent to a playground, shopping center, industrial tract, or other nonresidential use, or to the right-of-way of a freeway, railroad, or thoroughfare, the lot shall have a minimum lot depth of one hundred and twenty-five feet.

(f) A lot depth greater than twice the lot width shall be avoided wherever possible.

(g) No lot shall be divided by a city-limits line.

(h) No property remnant which does not conform to the requirements of this title shall be allowed in a subdivision, unless it is required for a public utility or facility.

(i) A flag lot may be allowed where warranted by physical conditions of land form, existing lot pattern, or unusual size and shape of parcels. The narrow strip of land connecting the main portion of a flag lot to the street shall be not less than twenty feet wide at any point and shall provide practical vehicular access; but it shall not be used to help satisfy the minimum lot area requirement of the zoning district.

(j) The design of double-frontage lots and lots with excessive street frontage shall be discouraged.

(k) The proposed subdivision should be designed to optimize the use of natural elements, such as solar radiation, wind, and landscaping for heating, cooling, and ventilation both within the subdivision and on adjacent properties.

(1) Examples of passive or natural heating opportunities in subdivision design include design of the size and configuration of lots to permit orientation of a structure in an east-west alignment for southern exposure.

(2) Examples of passive or natural cooling opportunities in subdivision design include design of the size and configuration of lots to permit orientation of a structure to take advantage of shade or prevailing breezes.

(3) In providing for future passive or natural heating or cooling opportunities in the design of a subdivision, consideration shall be given to contour and configuration of the parcel to be divided, to local climate, and to other design and improvement requirements. Such provision shall not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning ordinances.

(4) The requirements of this section do not apply to condominium projects which consist of the subdivision of airspace in an existing building, when no new structures are added.

(5) For the purposes of this section, the term "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.