

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200



Th7a

October 26, 2006

TO: Commissioners and Interested Parties

FROM: Steve Monowitz, District Manager
Rick Hyman, District Chief Planner
Susan Craig, Coastal Planner

SUBJECT: **COUNTY OF SANTA CRUZ LCP AMENDMENT NO. SCO-1-04 (Code Cleanup) CERTIFICATION REVIEW:** Concurrence with the Executive Director's determination that the action of the County of Santa Cruz accepting the Commission's certification of LCP Amendment No. SCO-1-04 (Code Cleanup) is legally adequate. For Commission review at the meeting of November 16, 2006 in Huntington Beach.

A. BACKGROUND

The Commission acted on County of Santa Cruz LCP Amendment No. SCO-1-04 (Code Cleanup) on August 10, 2006. The majority of the changes in the amendment included correction of typographical errors, clarifications, and text corrections. Additionally, amendments to the Zoning Implementation Table (Section 13.10.170(d)) proposed to change the kind of combining districts that can be used to implement the land use designations contained in the Land Use Plan. The Commission rejected the amendment as submitted but certified the proposed amendment to the LCP if modified to:

- Correct additional typographical errors;
- Delete the "Public Facilities" zoning district from the portion of Table 13.10.170(d) that would allow any land use designation other than agricultural lands to be rezoned to "Public Facilities" without an LCP amendment;
- Ensure that the proposed amended text is consistent with other recently certified implementation plan amendments;
- Include the entire definition of "aquaculture" as defined in Section 30100.2 of the Coastal Act; and
- Ensure that single-family residential development meets all applicable LCP requirements.

B. EFFECTIVE CERTIFICATION

On October 3, 2006, the Santa Cruz County Board of Supervisors held a public hearing and adopted a resolution that acknowledges receipt of the Commission's resolution of certification, accepts and agrees to the Coastal Commission's modifications, agrees to issue permits in conformance with the modified LCP, and formally approves the necessary changes to the County's LCP. This Resolution is attached as Attachment A.

As provided in Sections 13544 and 13544.5 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that the County of Santa Cruz's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of County of Santa Cruz LCP Amendment No. SCO-1-04 (Code Cleanup) shall become effective upon the filing of a Notice of Certification for the LCP amendment with the Secretary of Resources, as provided in Public Resources Code Section 2180.5(2)(V).

C. STAFF RECOMMENDATION

Staff recommends that the Commission concur with the determination of the Executive Director that the action of the County of Santa Cruz accepting the Commission's certification of County of Santa Cruz LCP Amendment No. SCO-1-04 (Code Cleanup) is legally adequate. A draft letter to the County informing them of this determination is attached as Attachment B.

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 324-2006

On the motion of Supervisor Campos
duly seconded by Supervisor Wormhoudt
the following Resolution is adopted:

BOARD OF SUPERVISORS RESOLUTION ACCEPTING THE COASTAL
COMMISSION'S SUGGESTED MODIFICATIONS TO PREVIOUSLY
APPROVED ORDINANCE NO. 4761 AMENDING CHAPTERS 12.28, 12.30,
13.10, 13.11, 13.14, 13.20, 14.01, 15.01, 15.10, 16.10, AND 17.02 OF THE
SANTA CRUZ COUNTY CODE RELATING TO MISCELLANEOUS NON-
SUBSTANTIVE CHANGES

WHEREAS, the Board of Supervisors previously adopted Chapters 12.28, 12.30, 13.10, 13.11, 13.14, 13.20, 14.01, 15.01, 15.10, 16.10 and 17.02 to provide for orderly development within the unincorporated areas; and

WHEREAS, the California Coastal Commission certified Chapters 13.10, 13.11, 13.14, 13.20, 15.01, 15.10, 16.10 and 17.02 as coastal implementing ordinances adequate to carry out the provisions of the Coastal Act; and

WHEREAS, on May 18, 2004, the Board of Supervisors enacted Ordinance 4761 amending these Chapters to allow the correction of typographical errors and other non-substantive changes; and

WHEREAS, on August 10, 2006, the Coastal Commission considered the amendments to these Chapters and first denied them and then certified them with suggested modifications; and

WHEREAS, the modifications suggested by the California Coastal Commission do not change the substance of the amendment to these Chapters; and

WHEREAS, the ordinance amendments have been found to be categorically exempt from the California Environmental Quality Act; and

WHEREAS, on October 3, 2006, the Board of Supervisors considered the Coastal Commission's suggested modifications and adopted those modifications, incorporating them into the amendment to Chapters 12.28, 12.30, 13.10, 13.11, 13.14, 13.20, 14.01, 15.01, 15.10, 16.10, and 17.02 of the County Code.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors hereby accepts the California Coastal Commission's suggested modifications to County Code Chapters 12.28, 12.30, 13.10, 13.11, 13.14,

13.20, 14.01, 15.01, 15.10, 16.10, and 17.02 as set forth in Exhibit A and adopts the changes necessitated by those modifications and hereby approves the suggested modifications as amendments to Coastal Act implementing ordinances, and authorizes the submittal of this resolution to the California Coastal Commission for a determination that this action is legally adequate to satisfy any specific requirements set forth in the Commission's certification order.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 3rd day of October, 2006 by the following vote:

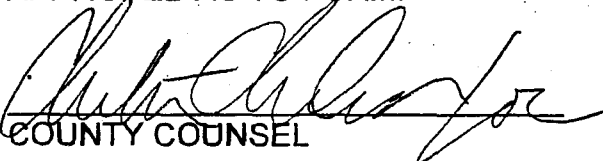
AYES:	SUPERVISORS	Beautz, Pirie, Wormhoudt, Campos and Stone
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None

MARK W. STONE

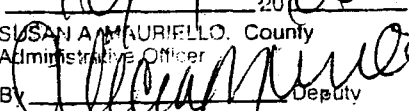
Chairperson of the Board of Supervisors

ATTEST: **GAIL T. BORKOWSKI**
Clerk of the Board of Supervisors

APPROVED AS TO FORM:


COUNTY COUNSEL

cc: County Counsel
Planning Department

STATE OF CALIFORNIA	SS
COUNTY OF SANTA CRUZ)
I, SUSANA A. MAURIELLO, County Administrative Officer and ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California do hereby certify that the foregoing is a true and correct copy of the resolution passed and adopted by and entered in the minutes of the said board. In witness whereof I have hereunto set my hand and affixed the seal of the said Board on <u>10/4/06</u> 20 <u>06</u>	
SUSANA MAURIELLO, County Administrative Officer	
By 	Deputy

DATE

Glenda Hill
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Subject: ***Effective Certification of County of Santa Cruz Local Coastal Program
Amendment No. SCO-1-04 (Code Cleanup)***

Dear Glenda,

We have received County of Santa Cruz Resolution Number 324-2006 adopted by the Board of Supervisors on October 3, 2006. By those actions, the County acknowledged receipt of the Coastal Commission's approval with suggested modifications of Local Coastal Program (LCP) Major Amendment 1-04, and incorporated the Commission's suggested modifications into the County's LCP.

I have determined, and the Commission has concurred, that the County's action with respect to LCP Major Amendment 1-04 is legally adequate to satisfy the requirements of Section 13544 of the California Code of Regulations. This determination was reported to the Coastal Commission at the Commission's November 16, 2006 meeting in Huntington Beach. As a result, the County's LCP, as amended by LCP Major Amendment 1-04, was certified as of November 16, 2006 and is now in effect.

If you have any questions, please contact Susan Craig of my staff at (831) 427-4863.

Sincerely,

Peter M. Douglas
Executive Director
California Coastal Commission

Steve Monowitz
District Manager
Central Coast District Office