

CALIFORNIA COASTAL COMMISSION

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



W15a

March 22, 2007

TO: Commissioners and Interested Parties

FROM: Charles Lester, Deputy Director
Steve Monowitz, District Manager
Susan Craig, Coastal Planner

SUBJECT: **COUNTY OF SANTA CRUZ LCP AMENDMENT NO. SCO-MAJ-2-04 (PART 2) 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-MAJ-2-04 (Part 2) is legally adequate. For Commission review at the meeting of April 11, 2007 in Santa Barbara.

A. BACKGROUND

The Commission acted on County of Santa Cruz LCP Amendment No. SCO-MAJ-2-04 Part 2 on November 16, 2006. The amendment includes incentives (relaxation of standards regarding parking requirements, nonconforming structures, floor area ratio, and lot coverage) that would allow various upgrades and additions to occur to historic buildings. The purpose of the amendment is to help maintain and further protect those structures that are an integral part of the County's heritage.

The Commission rejected the amendment as submitted but certified the proposed amendment to the LCP if modified to ensure that the proposed incentives are only applied to structures that are truly historic under State Office of Historic Preservation guidelines.

B. EFFECTIVE CERTIFICATION

On February 13, 2007, the Santa Cruz County Board of Supervisors held a public hearing and adopted Resolution No. 53-2007 and Ordinance 4850, which acknowledged receipt of the Commission's resolution of certification, accepted and agreed to the Coastal Commission's modifications, agreed to issue permits in conformance with the modified LCP, and formally approved the necessary changes to the County's LCP (see Exhibit 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-MAJ-2-04 (Part 2) shall become effective upon the filing of a Notice of

**County of Santa Cruz LCP Amendment No. SCO-MAJ-2-04 (Part 2)
Certification Review**

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-MAJ-2-04 (Part 2) is legally adequate, as noted in the attached letter (see Exhibit B), to be sent after Commission concurrence.

RECEIVED

FEB 26 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Attachment 1

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

RESOLUTION NO. 53-2007

On the motion of Supervisor Pirie
duly seconded by Supervisor Stone
the following is adopted:

BOARD OF SUPERVISORS RESOLUTION ACCEPTING THE COASTAL
COMMISSION'S SUGGESTED MODIFICATIONS TO PREVIOUSLY APPROVED
ORDINANCE NO. 4782 AMENDING SECTIONS 13.10.323 (b) AND 16.42.090 OF THE
COUNTY CODE AND PREVIOUSLY APPROVED ORDINANCE NO. 4771 AMENDING
SECTIONS 13.10.265, 13.10.551 AND 16.42.090 OF THE COUNTY CODE RELATING TO
INCENTIVES FOR HISTORIC RESOURCES

WHEREAS, the Board of Supervisors adopted Ordinance No. 4771 in September 2004, amending Chapter 13.10 and Section 16.42.090 of the County Code to provide incentives for historic preservation, including increased Floor Area Ratio and Lot Coverage; and

WHEREAS, the Board of Supervisors in April 2005 enacted Ordinance 4782 amending Sections 13.10.323 (b) and Chapter 16.42.090 to allow for these same historic preservation incentives to apply in the Coastal Zone; and

WHEREAS, on November 16, 2006, the Coastal Commission certified the amendments to Chapter 13.10, a Coastal Act implementing ordinance, with suggested modifications; and

WHEREAS, the modifications suggested by the California Coastal Commission do not change the substance of the amendments to this Chapter; and

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

WHEREAS, on February 13, 2007, the Board of Supervisors considered the Coastal Commission's suggested modifications and adopted those modifications, incorporating them into the amendments to Chapter 13.10 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 Chapter 13.10 as set forth in Exhibit A and adopts the changes necessitated by those 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 requirement 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 13th day of February, 2007 by the following vote:

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

JANET K. BEAUTZ

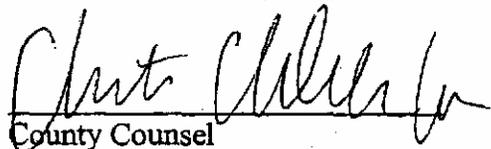
Chairperson of the Board of Supervisors

ATTEST:

GAIL T. BORKOWSKI

Clerk of the Board of Supervisors

APPROVED AS TO FORM:


County Counsel

DISTRIBUTION: County Counsel
Planning Department

STATE OF CALIFORNIA)
COUNTY OF SANTA CRUZ) ss
I, SUSAN 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>February 13</u> 2007.	
SUSAN A. MAURIELLO, County Administrative Officer	
By <u>Sharon Mitchell</u> Deputy	

ORDINANCE NO. 4850

**ORDINANCE APPROVING THE COASTAL COMMISSION'S REQUESTED
MODIFICATIONS TO PREVIOUSLY APPROVED AMENDMENTS TO SECTIONS
13.10.323(b) AND 13.10.551 (c) OF THE SANTA CRUZ COUNTY CODE
REGARDING HISTORIC INCENTIVES**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Site and Structural Dimensions Chart for the R-1 Single Family Residential Zone District in Subdivision (b) of Section 13.10.323 of the Santa Cruz County Code is hereby amended to read as follows:

1. In the "R-1 SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the heading "MAXIMUM PARCEL COVERAGE **" is revised to read, "MAXIMUM PARCEL COVERAGE ***".
2. In the "R-1 SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the heading "FLOOR AREA RATIO ****" is revised to read, "FLOOR AREA RATIO *****".
3. In the footnotes following the "R-1 SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the footnote "*** For parcels where there is a designated historic resource, the maximum parcel coverage shall be 1.25 times that of the applicable zone district", is revised to read, "**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance."
4. In the footnotes following the "R-1 SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the footnote "**** For parcels where there is a designated historic resource, the Floor Area Ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1" is revised to read, "***** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 standards, the Floor Area Ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance."

CCC Exhibit A
(page 3 of 5 pages)

SECTION II

The Site and Structural Dimensions Chart for the RM Multi-Family Residential Zone Districts and RM Multi-family Residential Zone Districts in Subdivision (b) of Section 13.10.323 of the Santa Cruz County Code is hereby amended to read as follows:

1. In the footnotes following the "RM MULTI-FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the footnote "*** For parcels where there is a designated historic resource, the maximum parcel coverage shall be 1.25 times that of the applicable zone district", is revised to read, "*** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance."

2. In the footnotes following the "RM MULTI-FAMILY RESIDENTIAL ZONE DISTRICTS SITE AND STRUCTURAL DIMENSIONS CHART", the footnote "**** For parcels where there is a designated historic resource, the Floor Area Ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1", is revised to read, "**** For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter 16.42 standards, the Floor Area Ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance."

SECTION III

Subsection (c) of Section 13.10.551 of the Santa Cruz County Code is hereby amended to read as follows:

(c) The parking requirements of Section 13.10.550 et seq., may be modified in connection with an application involving an historic resource designated in conformance with the California Register of the State Office of Historic Preservation and as defined in Section 16.42.030. Modification of parking requirements shall be subject to approval at Level III. The approving body shall make the following findings:

- (i) existing traffic and parking on adjacent and nearby streets and properties will not be adversely affected; and one of the following:
 - A. provision of additional parking would adversely affect the historic or architectural significance of the historic resource, or
 - B. provision of additional parking would create exceptional hardship such that preservation of the historic resource would be infeasible.

CCC Exhibit A
(page 4 of 5 pages)

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SECTION IV

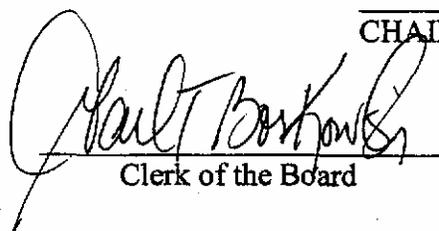
This ordinance shall take effect on the 31st day after the date of final passage or upon final certification by the California Coastal Commission, whichever date is later.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this 13th day of February, 2007, by the following vote:

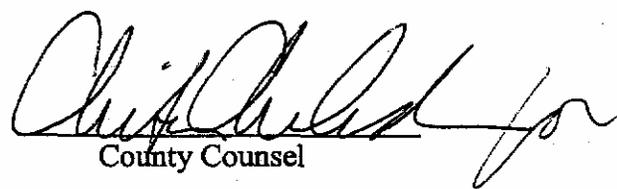
AYES:	SUPERVISORS	Pirie, Stone, Coonerty, Campos and Beautz
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None



 CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: 

 Clerk of the Board

APPROVED AS TO FORM: 

 County Counsel

Copies to: Planning
County Counsel

Exhibit A
 (page 5 of 5 pages)

CALIFORNIA COASTAL COMMISSION

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



April XX, 2007

Annie Murphy, Planner II
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-MAJ-2-04 (Part 2)***

Dear Ms. Murphy,

We have received County of Santa Cruz Resolution Number 53-2007, adopted by the Board of Supervisors on February 13, 2007. By those actions, the County acknowledged receipt of the Coastal Commission's approval with suggested modifications of Local Coastal Program (LCP) Major Amendment 2-04 (Part 2), 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 2-04 (Part 2) 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 April xx, 2007 meeting in Santa Barbara. As a result, the County's LCP, as amended by LCP Major Amendment 2-04 (Part 2), was certified as of April xx, 2007 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

Exhibit B
SCO-2-04 (Part 2) Certification Review
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