

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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Prepared January 24, 2014 (for February 13, 2014 Hearing)

Th27c

To: Commissioners and Interested Persons

From: Madeline Cavalieri, District Manager
Adrian Kamada, Coastal Planner

Subject: Santa Cruz County LCP Amendment Number SCO-13-0228-1 Part B (Large Dwelling Design Review).

Proposed Amendment

Santa Cruz County proposes to modify the Local Coastal Program (LCP) Implementation Plan (IP) to amend IP Section 13.10.325, which requires discretionary review for any single family dwelling with a floor area equal to or greater than 7,000 square feet, and establishes guidelines and findings regarding neighborhood compatibility, site, and structural design, screenings and public views. The proposed amendment would lower the threshold for discretionary review of large dwellings from 7,000 square feet to 5,000 square feet. This amendment would also amend various corresponding IP provisions that refer to section 13.10.325. See Exhibit 1 for the proposed amendment text.

Minor LCP Amendment Determination

Pursuant to California Code of Regulations (CCR) Section 13555, the Executive Director may determine that a proposed LCP amendment is “minor.” CCR Section 13554 defines minor LCP amendments. Among other things, minor LCP amendments 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.

If the Executive Director determines that an amendment is minor, that determination must be reported to the Commission. If one-third of the appointed members of the Commission request that it be processed as a major LCP amendment, then the amendment shall be set for a future public hearing; if one-third of the appointed members of the Commission do not object to the minor LCP amendment determination, then the amendment is deemed approved, and it becomes a certified part of the LCP immediately (in this case, on February 13, 2014).

The purpose of this notice is to advise interested parties of the Executive Director’s determination that the proposed LCP amendment is minor.

The proposed LCP amendment will require proposed dwellings that are 5,000 square feet or greater to be subject to the County’s discretionary design review process. Under the existing standard, design review is required for dwellings only if they are 7,000 square feet or greater. The

proposed change will increase the use of the design review process to ensure that single-family residences do not adversely impact community character, degrade the visual qualities of a public viewshed, and impact other environmental resources. As such, the proposal strengthens the LCP by increasing the use of design review, and does not change the kind, location, intensity, or density of use of land.

California Environmental Quality Act (CEQA)

The Coastal Commission’s review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. The County has determined that the project is exempt from further review under CEQA, pursuant to Section 15305 of the Public Resources Code, “Minor Alterations in Land Use Limitations,” and a Notice of Exemption has been prepared. This report has discussed the relevant coastal resource issues with the proposal, and has concluded that the proposed LCP amendment is not expected to result in any significant adverse impact on the environment. Thus, it is unnecessary for the Commission to suggest modifications to the proposed amendment to address adverse environmental impacts because the proposed amendment, as submitted, will not result in any significant environmental effects for which feasible mitigation measures would be required.

Coastal Commission Concurrence

The Executive Director will report this minor LCP amendment determination, and any comments received on it, to the Coastal Commission at its February 13, 2014 meeting at Pismo Beach. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Adrian Kamada at the Central Coast District Office in Santa Cruz.

Exhibit:

Exhibit 1: Proposed Amendment Text

**Underline / Strikeout Version of Proposed Ordinance Amendments
to Chapters 13.10 and 13.11 Relating to the Size of Residential Structures
Subject to a Large Dwelling Permit and Design Review**

SECTION I

Section 13.10.312(B), "Uses in agricultural districts, Allowed Uses," of the Santa Cruz County Code, is hereby amended by revising the category, "Dwelling unit, one detached single-family per parcel, 7,000 square feet or larger, exclusive of accessory structure(s) associated with the residential use, but specifically excluding barn or similar accessory structures subject to the provisions of SCCC 13.10.314 and 13.10.325" to be:

Dwelling unit, one detached single-family per parcel, 5 5 5
~~7,000~~ 5,000 square feet or larger, exclusive of accessory
structure(s) associated with the residential use, but specifically
excluding barn or similar accessory structures subject to the
provisions of SCCC 13.10.314 and 13.10.325.

SECTION II

Subsection (A)(2) of Section 13.10.313, "Development Standards," of the Santa Cruz County Code is hereby amended to read as follows:

(2) Size and Design of Structures—Exceptions. No residential structure shall be constructed or enlarged which will result in ~~7,000~~ 5,000 square feet of floor area or larger, exclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of SCCC 13.10.325.

SECTION III

Section 13.10.322(B), "Residential uses, Allowed Uses" of the Santa Cruz County Code, is hereby amended by revising the category, "Dwelling unit, one detached single-family per parcel 7,000 square feet or larger, exclusive of accessory structures, but specifically excluding barns or similar accessory structures subject to the provisions of SCCC 13.10.325" to be:

Dwelling unit, one detached single-family per 5 5 5 5 -
parcel, ~~7,000~~ 5,000 square feet or larger, exclusive
of accessory structures, but specifically excluding
barns or similar accessory structures subject to
the provisions of SCCC 13.10.325.

SECTION IV

Subsection (E)(3) of Section 13.10.323, "Development standards for residential districts," of the Santa Cruz County Code is hereby amended to read as follows:

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(3) Structures Larger Than ~~7,000~~5,000 Square Feet. No residential structure shall be constructed which will result in ~~7,000~~5,000 square feet of floor area or larger, exclusive of accessory structures, unless a Level V approval is obtained pursuant to the provisions of SCCC 13.10.325.

SECTION V

Subsection (A) of Section 13.10.325, "Large dwelling permit requirements and design guidelines," of the Santa Cruz County Code is hereby amended to read as follows:

(A) Approvals. No residential structure shall be constructed which will result in ~~7,000~~5,000 square feet of floor area or larger, exclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of this section.

SECTION VI

Subsection (C) of Section 13.11.040, "Projects requiring design review," of the Santa Cruz County Code is hereby amended to read as follows:

(C) New single-family residences or remodels of ~~7,000~~5,000 square feet or larger as regulated by SCCC 13.10.325.

SECTION VII

This ordinance shall apply to any discretionary application not deemed complete pursuant to Santa Cruz County Code §18.10.212 prior to the effective date of this ordinance, and to any building permit not filed by the effective date of the ordinance. Any project for which a discretionary permit has been approved by the effective date, but for which a building permit application has not yet been filed, is also exempt, as long as the building permit application, when filed, is consistent with the discretionary permit.

SECTION VIII

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

ORDINANCE NO. 5152

**ORDINANCE AMENDING CHAPTERS 13.10 AND 13.11
OF THE SANTA CRUZ COUNTY CODE
RELATING TO THE SIZE OF RESIDENTIAL STRUCTURES
SUBJECT TO A LARGE DWELLING PERMIT AND DESIGN REVIEW**

The Board of Supervisors of the County of Santa Cruz does ordain as follows:

SECTION I

Section 13.10.312(B), “Uses in agricultural districts, Allowed Uses,” of the Santa Cruz County Code, is hereby amended by revising the category, “Dwelling unit, one detached single-family per parcel, 7,000 square feet or larger, exclusive of accessory structure(s) associated with the residential use, but specifically excluding barn or similar accessory structures subject to the provisions of SCCC 13.10.314 and 13.10.325” to be:

Dwelling unit, one detached single-family per parcel, 5,000 square feet or larger, exclusive of accessory structure(s) associated with the residential use, but specifically excluding barn or similar accessory structures subject to the provisions of SCCC 13.10.314 and 13.10.325. 5 5 5

SECTION II

Subsection (A)(2) of Section 13.10.313, “Development Standards,” of the Santa Cruz County Code is hereby amended to read as follows:

(2) Size and Design of Structures—Exceptions. No residential structure shall be constructed or enlarged which will result in 5,000 square feet of floor area or larger, exclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of SCCC 13.10.325.

SECTION III

Section 13.10.322(B), “Residential uses, Allowed Uses” of the Santa Cruz County Code, is hereby amended by revising the category, “Dwelling unit, one detached single-family per parcel 7,000 square feet or larger, exclusive of accessory structures, but specifically excluding barns or similar accessory structures subject to the provisions of SCCC 13.10.325” to be:

Dwelling unit, one detached single-family per parcel, 5,000 square feet or larger, exclusive of accessory structures, but specifically excluding barns or similar accessory structures subject to the provisions of SCCC 13.10.325. 5 5 5 5 -

SECTION IV

Subsection (E)(3) of Section 13.10.323, "Development standards for residential districts," of the Santa Cruz County Code is hereby amended to read as follows:

(3) Structures Larger Than 5,000 Square Feet. No residential structure shall be constructed which will result in 5,000 square feet of floor area or larger, exclusive of accessory structures, unless a Level V approval is obtained pursuant to the provisions of SCCC 13.10.325.

SECTION V

Subsection (A) of Section 13.10.325, "Large dwelling permit requirements and design guidelines," of the Santa Cruz County Code is hereby amended to read as follows:

(A) Approvals. No residential structure shall be constructed which will result in 5,000 square feet of floor area or larger, exclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of this section.

SECTION VI

Subsection (C) of Section 13.11.040, "Projects requiring design review," of the Santa Cruz County Code is hereby amended to read as follows:

(C) New single-family residences or remodels of 5,000 square feet or larger as regulated by SCCC 13.10.325.

SECTION VII

This ordinance shall apply to any discretionary application not deemed complete pursuant to Santa Cruz County Code §18.10.212 prior to the effective date of this ordinance, and to any building permit not filed by the effective date of the ordinance. Any project for which a discretionary permit has been approved by the effective date, but for which a building permit application has not yet been filed, is also exempt, as long as the building permit application, when filed, is consistent with the discretionary permit.

SECTION VIII

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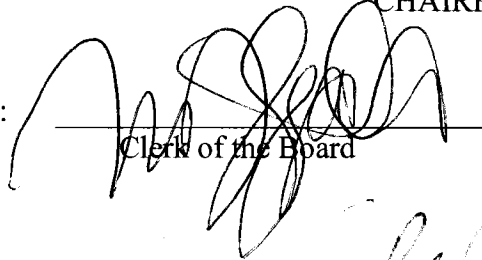
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 9th day of April, 2013, by the following vote:

AYES: SUPERVISORS Leopold, Friend, Caput, McPherson and Coonerty
 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 Department, County Counsel