

CALIFORNIA COASTAL COMMISSION

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Th11d



Prepared March 26, 2015 (for April 16, 2015 Hearing)

To: Commissioners and Interested Persons

From: Susan Craig, District Manager
Ryan Moroney, Coastal Planner

Subject: Santa Cruz City LCP Amendment Number STC-1-12 Part 5 (Changes to Decision Making Body Table Adding “Outdoor Extension Areas” and Replacing Zoning Board with Planning Commission)

Proposed Amendment

The City of Santa Cruz proposes to amend Section 24.03.130 of its Local Coastal Program (LCP) Implementation Plan (IP) to add “outdoor extension area” to the “Decision Making Body” table, and also replace all references to the Zoning Board (which was consolidated with the Planning Commission in 2002) with the correct reference to the Planning Commission in the table. The purpose of the amendment is to update the “Decision Making Body” table consistent with LCP Amendment STC-1-12 Part 4 (Outdoor Extension Areas onto Public Property) and to reflect the consolidation of the Zoning Board with the Planning Commission.

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 April 11, 2015).

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

The current IP does not include “outdoor extension areas” as a permissible use on the “Decision Making Body” table set forth in Section 24.04.130, and references the Zoning Board as the final decision making body for several types of applications. The proposed amendment adds “outdoor extension area” to the table consistent with LCP Amendment STC-1-12 Part 4 (Outdoor

Extension Areas) and replaces all references to the Zoning Board with the Planning Commission to reflect the consolidation of the two bodies. The amendment does not change the kind, location, intensity, or density of use of land and is consistent with the certified LUP.

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 City has determined that the project is exempt from further review under CEQA, pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations (“CEQA Guidelines”) on the basis that it can be seen with certainty that there is no possibility that the proposed LCP amendment may have a significant effect on the environment. 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 April 11, 2015 meeting at Marin County Board of Supervisors Chambers, 3501 Civic Center Drive, Suite 329, San Rafael, CA. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Ryan Moroney at the Central Coast District Office in Santa Cruz.

Exhibit:

Exhibit 1: Proposed Amendment Text (strikethrough/underline)

24.04.130: DECISION-MAKING BODY WITH FINAL AUTHORITY ON APPLICATION APPROVAL.

The following table indicates the decision-making body who can approve, deny or conditionally approve an application, whether or not a public hearing is required and the bodies to which appeals can be made:

1. The ~~zoning board~~ planning commission and city council may refer certain aspects of any application to the zoning administrator for final action.
2. The zoning administrator may refer any of the matters on which he/she is authorized to act to the ~~zoning board~~ planning commission or historic preservation commission.
3. Recommendations for approval on General Plan matters and Zoning Ordinance text and map amendments shall require a majority vote of the planning commission; all other actions shall require a majority of the hearing body present at the meeting.

Permits/Actions****	Public Hearing Requirement and Decision making Body Which Can Approve an Application			Appeal Bodies (in order)
	No Public Hearing	Public Hearing		
	Action	Recommendation	Action	
Coastal Permit	ZA (ADU)		ZA*	ZBCPC /CC/CCC*
Administrative Use Permit			ZA	ZBCPC /CC
Conditional Driveway Permit			ZA	CPC /CC
Conditional Fence Permit	ZA		ZA	ZBCPC /CC
Slope Regulations Modifications (Variance)			ZBCPC	CC
Slope Regulations Modifications (Design Permit)	ZA			ZBCPC /CC
Design Permit – Substandard lots: new two-story	ZA		ZA	ZBCPC /CC ZBCPC /CC

← Not certified

Permits/Actions****	Public Hearing Requirement and Decision making Body Which Can Approve an Application			Appeal Bodies (in order)
	No Public Hearing	Public Hearing		
	Action	Recommendation	Action	
structures and second-story additions				
Large homes per Section 24.08.450			ZA	ZB CPC/CC
Signs Over 30 Sq. Ft.	ZA			ZB CPC/CC
Wireless telecommunications facilities	ZA		ZA	ZB CPC/CC
New structures or improvements to existing structures in the WCD Overlay which are exempt or excluded from coastal permit requirements	ZA			ZB CPC/CC
New structures or improvements to existing structures in the WCD Overlay which require a coastal permit			ZA	ZB CPC/CC
Demolition Permit				
1. Single-family residential	ZA			ZB CPC/CC
2. Multifamily residential			ZB CPC	CC
3. Historic demolition permit			HPC	CC
General Plan Text and Map Amendments		CPC	CC/CCC***	
Historic Alteration Permit			HPC	CC
Administrative Historic Alteration Permit	ZA			HPC/CC
Historic Building Survey:				
Building designation, deletion		HPC	CC	

Permits/Actions****	Public Hearing Requirement and Decision making Body Which Can Approve an Application			Appeal Bodies (in order)
	No Public Hearing	Public Hearing		
	Action	Recommendation	Action	
Historic District Designation		HPC/ <u>CPC</u>	CC	
Historic Landmark Designation		HPC	CC	
Mobile Homes (Certificate of Compatibility)	ZA			ZB / <u>CPC</u> /CC
Mobile Home Park Conversion			ZB <u>CPC</u>	CC
<u>Outdoor Extension Areas per 24.12.192</u>	<u>ZA</u>			<u>CPC</u> /CC
Planned Development Permit		ZB <u>CPC</u>	CC	
Project (Major) Modification	Hearing by ZA or body approving application			Appeal to next highest body(ies)
Project (Minor) Modification	ZA			ZB / <u>CPC</u> /CC
Relocation of Structures Permit	ZA			ZB / <u>CPC</u> /CC
Revocation Permit	Hearing by ZA or body approving application			Appeal to next highest body(ies)
Special Use Permit			ZB <u>CPC</u>	CC
Variance			ZA	ZB / <u>CPC</u> /CC
Watercourse Variance			<u>CPC</u>	CC
Watercourse Development Permit	ZA			ZB / <u>CPC</u> /CC
Zoning Ordinance Text and Map Amendments				
Amendments recommended by CPC		<u>CPC</u>	CC/CCC***	
Amendments not recommended by CPC		<u>CPC</u>		CC/CCC***
CCC = California Coastal Commission CC = City Council ZB = Zoning Board				

Permits/Actions****	Public Hearing Requirement and Decision making Body Which Can Approve an Application			Appeal Bodies (in order)
	No Public Hearing	Public Hearing		
	Action	Recommendation	Action	
CPC = City Planning Commission HPC = Historic Preservation Commission ZA = Zoning Administrator				
* For projects seaward of the mean high tide line, and in the case of appealable actions, the California Coastal Commission shall be the decision-making body which can finally approve an application.				
*** California Coastal Commission in case of CLUP policy, CLIP elements.				
**** At a regularly scheduled meeting, a majority of the council may take an action to direct any project or amendment to be called from a lower hearing body prior to a final action or during an appeal period in accordance with Section <u>24.04.175(2)</u> .				

(Ord. 2008-17 § 2 (part), 2008: Ord. 2006-02 § 1 (part), 2006: Ord. 2004-27 § 3, 2004: Ord. 2004-02 § 6, 2004: Ord. 2003-17 § 10, 2003: Ord. 2003-16 § 10, 2003: Ord. 2000-27 § 1, 2000: Ord. 99-17 § 2, 1999: Ord. 94-34 § 2, 1994: Ord. 94-33 § 5, 1994: Ord. 91-14 § 1, 1991: Ord. 90-09 § 1, 1990: Ord. 86-12 § 1, 1986: Ord. 85-05 § 1 (part), 1985).