

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



W12b

Prepared December 18, 2015 (for January 13, 2016 Hearing)

To: Coastal Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
Ryan Moroney, Supervising Coastal Planner

Subject: Certification Review for Santa Cruz County Local Coastal Program Amendment Number LCP-3-SCO-15-0008 Part B (Affordable Housing Update; Zoning Plan Amendments)

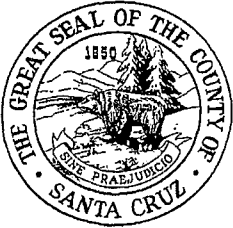
On August 14, 2015 the Coastal Commission approved Santa Cruz County Local Coastal Program (LCP) Major Amendment Number LCP-3-SCO-15-0008 Part B which amended two separate sections of its Local Coastal Program (LCP) Implementation Plan (IP); Section 13.10.215 (Zoning Plan Amendment) and Section 13.10.475-478 (Regional Housing Need “R” Combining District overlay). These amendments were part of a larger effort by the County to update its affordable housing regulations, with the overall goal of ensuring that the regulations are an effective tool for creating new affordable housing in the context of the current legal and economic environment. In addition, the amendment added additional findings the County must make in order to rezone property, particularly for proposals to rezone property from non-residential to residential zoning districts. By action taken September 29, 2015, the County adopted the amending LCP text (see Exhibit 1). The Executive Director has determined that the actions taken by the County are legally adequate and that the amended LCP should be certified. The Executive Director recommends that the Commission concur with this determination and that the LCP, as amended, be certified. If the Commission concurs, the amended LCP will be certified as of today’s date (i.e., January 13, 2016), and notification of this certification and Commission concurrence will be forwarded to the County.

Motion. I move that the Commission concur with the Executive Director’s determination that the actions taken by Santa Cruz County to accept the Commission’s approval of LCP Amendment Number LCP-3-SCO-15-0008 Part B are legally adequate. I recommend a yes vote.

Executive Director’s Recommendation. The Executive Director recommends a **YES** vote on the motion. Passage of this motion will result in certification of the Santa Cruz County LCP consistent with the Commission’s approval of LCP Amendment Number LCP-3-SCO-15-0008 Part B; the amended LCP will be certified as of today’s date (i.e., January 13, 2016). The motion passes only by affirmative vote of a majority of the Commissioners present.

Exhibit

Exhibit 1: County’s Acceptance of the Coastal Commission’s Approval



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

November 18, 2015

Ryan Moroney
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 9560

RECEIVED

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Re: Coastal Commission Action on Santa Cruz County Local Coastal Program
Amendment No. 3-SCO-15-0008-1 Part B (Affordable Housing Update; Zoning Plan
Amendments)

Dear Mr Moroney:

Thank you for your feedback with the County of Santa Cruz Update to its Affordable Housing Program. On October 6, 2015 the County of Santa Cruz Board of Supervisors took action on the Santa Cruz Local Coastal Program Amendment referenced above. Enclosed you will find a signed resolution, ordinance and minute order that addresses the Coastal Commission's suggested modifications to County Code Chapter 13.10. The Board's action accepts the Coastal Commission modifications and agrees to issue coastal development permits subject to the approved amendment. Should you have any questions please contact Julie Conway, the Housing Coordinator at 831-454-5162.

Sincerely,

Porcila Wilson
Housing Specialist

Enclosures

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

0544

RESOLUTION NO. 240-2015

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

**BOARD OF SUPERVISORS RESOLUTION ACCEPTING COASTAL COMMISSION
SUGGESTED MODIFICATIONS RELATING TO AMENDMENTS TO CHAPTER 13.10
REGARDING CONSISTENCY AND COMPATIBILITY WITH COASTAL RESOURCE
PROVISIONS AND DIRECTING THE PLANNING DIRECTOR TO TRANSMIT THE
ACCEPTANCE TO THE CALIFORNIA COASTAL COMMISSION**

WHEREAS, pursuant to authority delegated to the County of Santa Cruz by the California Coastal Commission, the County of Santa Cruz regulates development in the portion of the coastal zone that lies in the unincorporated area of the County and that is outside of the original jurisdiction of the California Coastal Commission; and

WHEREAS, Chapter 13.10 is an implementing ordinance of the Local Coastal Program (LCP) and the proposed amendments to that chapter constitute amendments to the LCP; and

WHEREAS, on February 24, 2015 at a duly noticed public hearing, the Board of Supervisors adopted amendments to Chapter 13.10 and related parts of County Code that reference the Local Coastal Program and directed the Planning Director to submit those amendments to the California Coastal Commission for certification; and

WHEREAS, on August 14, 2015, the California Coastal Commission held a public hearing on the amendments to the Local Coastal Program adopted by the Board of Supervisors and approved those amendments subject to the Board of Supervisors accepting certain suggested modifications to the amendments to Chapter 13.10; and

WHEREAS, insofar as the proposed code changes are amendments to the Local Coastal Program, the application of the proposed amendments in the Coastal Zone is statutorily exempt from CEQA review pursuant to CEQA Guidelines Section 15265 and the California Public Resources Code Section 21089.9.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors hereby accepts each of the suggested modifications and incorporates them into the ordinance amendments attached as Exhibit A.

BE IT FURTHER RESOLVED AND ORDERED that the Board of Supervisors hereby directs that the acceptance of the suggested modifications be submitted to the State of California Coastal Commission for a finding that this acceptance has been properly accomplished.

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PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 29th day of September, 2015 by the following vote:

AYES: SUPERVISORS Leopold, Coonerty, Friend, Caput
NOES: SUPERVISORS None
ABSENT: SUPERVISORS McPherson
ABSTAIN: SUPERVISORS None

GREG CAPUT

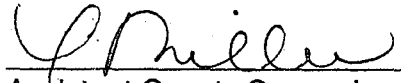
Chairperson of the Board of Supervisors

ATTEST:

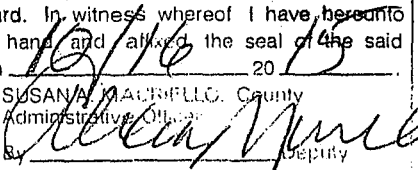
SUSAN GALLOWAY

Clerk of the Board

APPROVED AS TO FORM:


Assistant 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 10/16 2015
SUSAN A. MAURIELLO, County Administrative Officer
By  Deputy

ORDINANCE NO. 5210

ORDINANCE AMENDING SUBSECTION (1) OF SUBDIVISION (D) OF SECTION 13.10.215, ADDING SUBSECTION (4) OF SUBDIVISION (D) OF SECTION 13.10.215, AND ADDING SUBSECTION (5) OF SUBDIVISION (B) OF SECTION 13.10.477 OF THE SANTA CRUZ COUNTY CODE, ALL RELATING TO LOCAL COASTAL PLAN

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

SECTION I

Subsection (1) of Subdivision (D) of Section 13.10.215 of the Santa Cruz County Code is hereby amended to read:

- (1) The proposed zone district will allow a density of development and types of uses which are compatible with the objectives, policies and programs, and land use designations of the adopted General Plan, and conforms with, and is adequate to carry out, the coastal resource protection provisions of the certified Land Use Plan; and

SECTION II

The Santa Cruz County Code is hereby amended by adding subsection (4) of Subdivision (D) of Section 13.10.215 to read:

- (4) For amendments located within the Coastal Zone, the proposed rezoning maintains and provides for priority uses consistent with Sections 2.22.1 and 2.22.2 of the certified Land Use Plan.

SECTION III

The Santa Cruz County Code is hereby amended by adding subsection (5) of Subdivision (B) of Section 13.10.477 to read:

- (5) If located within the Coastal Zone, any allowed incentives and concessions must be found to be in conformity with the Local Coastal Program (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access and open space protections), and must protect coastal resources (as defined in Section 13.20.040)

SECTION V

This Ordinance shall take effect upon final certification by the California Coastal Commission.

PASSED AND ADOPTED this 29th day of September, 2015, by the Board of Supervisors of the County of Santa Cruz by the following vote:

0547

AYES: SUPERVISORS Leopold, Coonerty, Friend, Caput

NOES: SUPERVISORS None

ABSENT: SUPERVISORS McPherson

ABSTAIN: SUPERVISORS None

GREG CAPUT

Chairperson, Board of Supervisors

SUSAN GALLOWAY

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:

J Miller
County Counsel

Copies to: County Counsel

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FIVE IN THE OFFICE ATTEST MY HAND AND SEAL THIS 10th DAY OF September 2015
SUSAN A. MADRIELLO, COUNTY ADMINISTRATIVE OFFICER AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.
BY *[Signature]* DEPUTY

**SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET**

Creation Date: 9/22/15

Source Code: ABNDS

Agenda Date: 9/29/15

INVENUM: 70920

Resolution(s): 240-2015

Ordinance(s): 5210

Contract(s):

Continue Date(s):

- Index:** -- Letter of the Planning Director dated September 15, 2015
-- Resolution No. 240-2015, including Exhibit A
-- Ordinance No. 5210

- Item: 43.** Public hearing held to consider acceptance of Coastal Commission modifications to County Code Chapter 13.10 Rezoning Provisions; closed the public hearing;
(1) ADOPTED RESOLUTION No. 240-2015 accepting Coastal Commission suggested modifications relating to amendments to Chapter 13.10 regarding consistency and compatibility with coastal resource provisions and directing the Planning Director to transmit the acceptance to the California Coastal Commission;
(2) ADOPTED ORDINANCE No. 5210 incorporating each modification; and
(3) Directed the Planning Director to transmit the Board's acceptance of the suggested modifications to the Coastal Commission for a finding by the Commission's Executive Director that Board acceptance of the suggested modifications has been properly accomplished and for Coastal Commission concurrence with that finding