

**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



# W35a

**Prepared May 19, 2017 (for June 7, 2017 Hearing)**

**To:** Commissioners and Interested Persons

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

**Subject: City of Santa Cruz LCP Amendment Number LCP-3-STC-17-0016-1-Part C  
(Zoning Code Cleanup)**

## **Proposed Amendment**

The City of Santa Cruz proposes to amend numerous sections of the LCP's Implementation Plan (IP) to clarify the zoning ordinance, remove obsolete sections and references, and bring the zoning ordinance into compliance with state law. See **Exhibit 1** for the proposed amendment text in strikethrough and underline.

## **Minor LCP Amendment Determination**

Pursuant to Title 14 of California Code of Regulations (CCR) Section 13555, the Executive Director may determine that a proposed LCP amendment is "minor." 14 CCR Section 13554 defines minor LCP amendments. Among other things, minor LCP amendments include:

*14 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 or more 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 less than one-third of the appointed members of the Commission 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 June 7, 2017).

**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 amendments include a number of clean up items to clarify the zoning ordinance, remove obsolete sections and references, and bring the zoning ordinance into compliance with state law. There are approximately forty sections that would be amended, consisting of the following main categories: 1) complying with state housing law for accessory dwelling units,

daycares, and supportive and transitional housing)<sup>1</sup>; 2) removing sections that are obsolete (e.g. zoning designations and approving bodies that no longer exist); 3) providing internal consistency; and 4) correcting missing words, typographical errors, incorrect references, poorly alphabetized lists, and clarifying descriptions and definitions.

The proposed amendments are consistent with the City's certified Land Use Plan, and do not change the kind, location, intensity, or density of use of land. Thus, the proposed LCP amendment qualifies under the regulatory definition of a minor LCP amendment. (14 CCR § 13554(a).)

### **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. (*See* 14 CCR § 15251(f).) The City has determined that the proposed amendment is exempt from further review under CEQA, pursuant to 14 CCR Section 15061(b)(3), and a Notice of Exemption has been prepared. Specifically, the City found that the proposed amendments will not have a significant effect on the environment. As such, 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 June 7, 2017 meeting in Arcata. 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.

### **Procedural Note - LCP Amendment Action Deadline**

This proposed LCP amendment was filed as complete on April 28, 2017. It amends the IP only and the 60-day action deadline is June 27, 2017. (*See* Pub. Res. Code §§ 30513, 30514(b).) Thus, unless the Commission extends the action deadline (it may be extended by up to one year per Pub. Res. Code § 30517), the Commission has until June 27, 2017 to take a final action on this LCP amendment.

### **Exhibit:**

Exhibit 1: Proposed Amendment Text (redline)

---

<sup>1</sup> LCP-3-STC-1-12 Part 1, approved by the Commission on March 11, 2015, amended the definitions of "community care residential facilities," "supportive housing" and "transitional housing" so that supportive and transitional housing would be allowed in the same land use categories as community care residential facilities, and would be subject to the same use levels (e.g. principally permitted) that apply to general residential uses, consistent with State law requirements. This amendment simply lists supportive and transitional housing (separate from community care residential facilities) as allowed uses in the applicable zone districts.