

CALIFORNIA COASTAL COMMISSION

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**F20b**

Prepared November 22, 2019 (for December 13, 2019 Hearing)

To: Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
Rainey Graeven, Coastal Planner

Subject: Santa Cruz County LCP Amendment Number 3-SCO-19-0149-2-Part B (Airport Noise & Safety)

Proposed Amendment

Santa Cruz County proposes to modify both the Land Use Plan (LUP) and Implementation Plan (IP) components of the Local Coastal Program (LCP), including by adding LUP Objective 2.25, LUP Policies 2.25.1-2.25.20, and LUP Program A, amending IP Sections 13.10.170(D), 13.10.400, and the zoning map, and adding IP Sections 13.10.437-13.10.439, 13.12.010-13.12.150. The proposed amendments will provide policies and regulations for a new Airport Influence Area (AIA) combining district and safety zone intended to be consistent with Caltrans' California Airport Land Use Planning Handbook (Handbook) and federal aviation law. See **Exhibit 1** for the proposed LUP amendment text, **Exhibit 2** for the proposed IP amendment text, and **Exhibit 3** for the map of parcels to be included in the AIA combining district.

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 regular 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.

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

The City of Watsonville operates a small municipal airport, located about three-and-a-half miles inland from the ocean. A number of parcels in unincorporated Santa Cruz County are located in the flight path of the airport and are subject to federal and state rules regarding airport land use compatibility. The proposed LCP amendment would add an Airport Influence Area overlay to these parcels (see **Exhibit 3**) to ensure that future development on these parcels does not conflict with safe airport operations. The amendment specifically states for parcels proposed to be within the AIA combining district and/or the safety zone, that “no permit shall be granted that would allow the establishment or creation of a hazard to air navigation or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation” (see **Exhibit 2**, proposed IP Section 13.12.050(C)) and that “all land uses and development activity within the AIA shall comply with the height, use, noise, safety, and density criteria that are compatible with airport operations as established by the latest version of Caltrans, Division of Aeronautics, Airport Land Use Planning Handbook” (see **Exhibit 1**, proposed LUP policy 2.25.2). In this case, because the LCP’s existing underlying zoning regulations for these parcels are already more restrictive than the Handbook with respect to allowed uses, heights, density, etc., the existing LCP’s zoning regulations pertaining to parcels within the AIA combining district and/or the safety zone are adequate to ensure that development in this area does not become a greater hazard to air navigation. In sum, the proposed amendment will not affect public coastal access and recreational opportunities; does not change the kind, location, intensity, or density of use of land; and qualifies under the regulatory definition of a minor LCP amendment. (14 CCR Section 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 Pub. Res. Code Section 21080.5; 14 CCR Section 15251(f).) The County has determined that the project is exempt from further review under CEQA, pursuant to 14 CCR Section 15061(b)(3), the “Common Sense” exemption and 14 CCR Section 15308, “Actions by Regulatory Agencies for Protection of the Environment.” Specifically, with respect to the “Common Sense” exemption, the County found that there is no possibility that the activity in question may have a significant effect on the environment. And with respect to the “Actions by Regulatory Agencies for Protection of the Environment” exemption, because the proposed amendments are actions taken by regulatory agencies, as authorized by state or local ordinance, to assure maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of 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 December 13, 2019 meeting in Calabasas. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Rainey Graeven at the Central Coast

District Office in Santa Cruz. If you wish to comment on and/or object to the proposed minor LCP amendment determination, please do so by 5:00 p.m. on December 6, 2019.

Procedural Note - LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on November 18, 2019. It amends the IP and LUP, and thus the 90-working-day action deadline is April 1, 2020. Thus, unless the Commission extends the action deadline (it may be extended by up to one year), the Commission has until April 1, 2020 to take a final action on this LCP amendment.

Exhibits:

Exhibit 1: Proposed LUP Amendment Text

Exhibit 2: Proposed IP Amendment Text

Exhibit 3: AIA Combining District Map