

CALIFORNIA COASTAL COMMISSION

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

To: Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
Katie Butler, Coastal Planner

**Subject: City of Grover Beach LCP Amendment Number LCP-3-GRB-19-0154-3-Part B
(Sign Regulations)**

Proposed Amendment

The City of Grover Beach proposes to amend the Local Coastal Program (LCP) Implementation Plan (IP), or Development Code, to: update Section 3.60 (Sign Regulations) to be consistent with current Land Use Plan (LUP) policies; move and update the IP's definitions related to signs from Section 3.60 to new Section 9.10.050; and clarify that Section 6.20.080 is related to temporary signs associated with model homes and sales offices. See **Exhibit 1** for the proposed amendment text and **Exhibit 2** for the LCP's existing sign regulations.

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's sign regulations have not been updated in any substantive manner since 1981. The proposed LCP amendment will update them consistent with Land Use Plan goals and policies related to streetscape improvements for future development and infill projects, as well as with

the City's Economic Development Strategy and the West Grand Avenue Master Plan, neither of which are part of the LCP, but both of which emphasize quality sign design and enhancement of the City's visual character for residents and visitors. In addition, the proposed update will bring the City's sign regulations into conformance with a 2015 U.S. Supreme Court ruling (*Reed v. Town of Gilbert*), which held that a local agency may not impose content-based sign regulations without specific findings for a compelling governmental interest, and that absent such specific findings sign ordinances should be content neutral (i.e., signs should only be regulated by time, place, and manner). The proposed amendment carries forward existing regulations specific to the coastal zone, including requirements that: new signs shall not detract from scenic areas or views as seen from public areas; a coastal development permit (CDP) is required for any signs that could impact public recreational access, including parking; and such CDPs shall be consistent with all applicable LCP standards. The proposed amendment strengthens the LCP by clarifying requirements for all signs for the betterment of the City's visual character, and does not change the kind, location, intensity, or density of use of land. The amendment therefore 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 City has determined that the action is not a project within the meaning of CEQA, pursuant to 14 CCR Section 15378(b)(5) and is therefore exempt from CEQA because it will not result in any direct or indirect physical changes in 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 Katie Butler 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 8, 2019. It amends the IP only and the 60-working-day action deadline is February 10, 2020. Thus, unless the Commission extends the action deadline (it may be extended by up to one year), the Commission has until February 10, 2020 to take a final action on this LCP amendment.

Exhibits:

Exhibit 1: Proposed Amendment Text

Exhibit 2: Existing Sign Regulations