

**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



# W21a

**Prepared April 19, 2019 for May 8, 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-19-0012-1  
(Development Code Changes)**

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## SUMMARY OF STAFF RECOMMENDATION

The City of Grover Beach proposes a variety of amendments to its Development Code, which constitutes the City's certified Implementation Plan (IP) component of its LCP. Specifically, the City proposes several housing-related changes intended to encourage multi-family residential development in its higher-density residential zones, and also proposes to expand allowances for transitional and supportive housing and emergency shelters in different land use designations and zoning districts. The proposed housing-related changes respond to specific directives and action items in the City's Housing Element. The amendment also includes proposed changes to the IP's CDP time extension requirements that allow for temporary automatic time extensions of previously-approved CDPs upon submittal of the extension request and that address extensions in cases that involve other regulatory approvals. In addition, the amendment involves a minor change to add visitor-serving offices as a type of office use allowed in the commercial zoning districts, and a clarifying change to the introductory list in the Development Code that states which sections of the Development Code comprise the certified IP.

The proposed housing-related changes to encourage multi-family residential development involve changes to the existing Residential Common Area Development (or Planned Unit Development (PUD)) standards to eliminate the required minimum lot size and minimum open space area requirements. Absent the PUD-specific minimum lot size, a PUD could then achieve the maximum density allowed by the existing zoning of the site. This change would allow for more dense residential development (i.e., more units per acre than under the current PUD standards), but the new allowable density would be the same as what is already allowed if the same site were to be developed with multi-family residences (such as an apartment complex) without a PUD. In other words, the maximum allowed residential density in higher density residential zones (Coastal Medium Density Residential (CR2) and Coastal High Density Residential (CR3)) would be based on the underlying zoning standards, rather than separate PUD standards. The primary difference would be that the PUD projects consist of single-family units

on their own separate lots that are bought and sold individually. Elimination of the open space area requirement for PUDs would allow for density consistent with the zoning, and the existing private yard area requirement for each PUD unit would continue to apply. As such, the proposed change is quite minor as applied and would not invoke LCP inconsistencies in regards to potential coverage and density issues, including with respect to public services, and PUD projects must still meet the applicable LCP standards related to environmentally sensitive habitat area (ESHA), wetlands, flood hazards, and public view requirements, and therefore the proposed change is consistent with the Land Use Plan.

Next, the proposed changes would add transitional and supportive housing as an allowed use in those commercial and industrial zoning districts that already allow residential uses. In making this change, this type of housing would then be allowed in all districts where residential use is allowed. This would be consistent with the LUP's allowance for residential use in the commercial and industrial districts, and would not introduce a new type of use incompatible with existing allowed uses. All existing LCP standards with respect to physical development of a site for residential use, as well as all existing standards related to ESHA, public view requirements, etc., would continue to apply in these commercial and industrial districts and, as such, the addition of another type of residential use to the commercial and industrial districts, which does not result in impacts to coastal resources, is consistent with the LUP. Regarding emergency shelters, which are allowed only in the City's industrial areas that include an emergency shelter overlay zone (the coastal zone portion of which is a relatively small one-block area of the City), this use is currently required to be 1,000 feet from another homeless shelter, and the proposed amendment would reduce that distance to 300 feet. The proposed reduction in distance between shelters would not result in any impacts to coastal resources or public access given the existing developed, industrial nature of the City's emergency shelter overlay zone, and the fact that the use itself remains consistent with the LUP's Industrial land use designation.

The other portions of the proposed amendment encompass minor procedural clean-up and clarifications to the IP, including to: clarify in the introductory text of the IP which components of the Development Code comprise the IP; correct the inadvertent deletion of visitor-serving offices as a type of office use allowable in the commercial zoning districts (Coastal Visitor-Serving Commercial (CVS) and Coastal Commercial (CC)); and add language to allow an automatic CDP time extension for 60 days or until the time extension application is acted on (whichever comes last), beginning at the time the City receives an extension application. This proposed amendment would also allow additional extensions beyond the three year-long extensions currently allowed in the event that other federal, state, or local permits required for the project have not yet been obtained (provided the delay has not been caused by the Applicant's failure to pursue those other permits). These changes would make more specific the existing procedural regulations related to CDP implementation, and would strengthen the LCP by providing increased clarity related to the issuance of CDP time extensions.

In sum, the proposed IP amendment provides for minor changes to existing standards that allow the City to meet its Housing Element requirements without resulting in impacts to coastal resources or significant changes to the coastal zone built environment overall. The amendment also provides clarity on some procedural aspects of the IP that will aid in improving and streamlining the CDP process. Thus, Staff recommends that the Commission approve the LCP

amendment as submitted. The required motion and resolution to implement this recommendation begin on page 5 below.

**Staff Note: LCP Amendment Action Deadline**

This proposed LCP amendment was filed as complete on April 1, 2019. The proposed amendment affects the LCP's IP, and the 60-working-day action deadline is June 25, 2019. (*See Coastal Act Section 30513.*) Thus, unless the Commission extends the action deadline (it may be extended by up to one year per Coastal Act Section 30517), the Commission has until June 25, 2019 to take a final action on this LCP amendment.

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### **EXHIBITS**

Exhibit 1: Proposed IP Amendment

## I. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, approve the proposed LCP amendment as submitted. The Commission needs to make one motion on the IP amendment in order to act on this recommendation.

### A. Certify the IP Amendment as Submitted

Staff recommends a **NO** vote on the motion below. Failure of the motion will result in certification of the IP amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission reject Implementation Plan Amendment Number LCP-3-GRB-19-0012-1 as submitted by the City of Grover Beach, and I recommend a **no** vote.*

***Resolution:** The Commission hereby certifies Implementation Plan Amendment Number LCP-3-GRB-19-0012-1 as submitted by the City of Grover Beach and adopts the findings set forth below on the grounds that the amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Implementation Plan Amendment may have on the environment.*

## II. FINDINGS AND DECLARATIONS

### A. DESCRIPTION OF PROPOSED LCP AMENDMENT

The City of Grover Beach proposes a variety of amendments to its Development Code, which constitutes the City's certified IP component of its certified LCP (see **Exhibit 1** for proposed LCP amendment text). The amendment includes some changes that the City intends to include in the IP, but which would not apply in the coastal zone, and these are identified in Exhibit 1 and described below. The proposed changes to the IP can be categorized into four main components.

#### 1. Proposed Housing-Related Changes

The City's Housing Element includes various programs that specify actions needed to implement the Housing Element's goals and policies. The amendment modifies the IP in response to directives in the Housing Element programs in the following ways:

- a. PUD standards. The amendment would revise the IP's existing Residential Common Area Development (or Planned Unit Development (PUD))<sup>1</sup> standards to encourage

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<sup>1</sup> IP Section 4.30.030 defines "residential common area development" as any community apartment project, condominium, planned development, or stock cooperative, and any other project consisting of shares of individual

development of underutilized lots in the City’s higher density residential zones (Coastal Medium Density Residential (CR2) and Coastal High Density Residential (CR3)). Specifically, the amendment would eliminate the required 3,500-square-foot minimum lot size to allow PUD projects to achieve the maximum density allowed by the underlying zoning and would eliminate the minimum 35 percent (of total lot area) open space area requirement.<sup>2</sup>

- b. Transitional and supportive housing, and emergency shelters. Currently, the IP allows transitional and supportive housing in residential zoning districts only. The amendment would add transitional and supportive housing as an allowed use in those commercial and industrial zoning districts where residential use is already allowed, subject to the same requirements that apply to other types of housing. Specifically, the amendment would add these uses to Coastal Visitor-Serving Commercial (CVS), Coastal Commercial (CC), Coastal Industrial (CI), and Coastal Industrial Commercial (CIC). The amendment would also reduce the minimum distance between emergency shelters in the existing emergency shelter overlay area from 1,000 feet to 300 feet, consistent with State law.

## **2. LCP Implementation**

The City’s most recent LCP update (certified by the Commission in 2014) included new language related to which portions of the Development Code constituted the IP. The update specified that all of the site development regulations in Chapter 5 of the Development Code were part of the LCP, including for flood hazards, street improvements and street trees, and utility undergrounding. Since that time, the City added grading, drainage, and stormwater management regulations to Chapter 5, but did not intend for those to be part of the LCP. As such, the proposed amendment clarifies that only those standards related to flood hazards, street improvements and street trees, and utility undergrounding constitute the IP portion of Chapter 5.

## **3. Visitor-Serving Office Uses**

The City’s most recent LCP update (certified by the Commission in 2014) consolidated 23 types of office uses into three types in the commercial zones, and inadvertently disallowed visitor-serving offices. The amendment would add back visitor-serving offices as a permitted use in the CVS and CC commercial use tables, and add a definition for “visitor-serving office” to the IP.

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ownership, together with areas to be owned or used in common by the unit owners which the City finds to be similar, designed and constructed for residential purposes.

<sup>2</sup> The changes shown in Exhibit 1 also include an increase in allowable lot coverage for PUD projects (from 35% to 50% in R2 and from 35% to 60% in R3), but these changes would only apply outside the coastal zone. In addition, the amendment would revise the requirements for farmworker housing in the urban reserve zone, which is an area located outside the coastal zone at the southern end of the City limits. Specifically, any proposed use in this zone is required to be considered under a specific plan, and the amendment would allow for farmworker housing to be approved prior to adoption of a specific plan. The amendment would not change any related requirements in the City’s coastal zone. The amendment also proposes to amend the required findings for development permits other than CDPs to remove potential constraints for the entitlement of multi-family housing projects. All existing required CDP findings (listed under IP Section 6.20.040) for development proposed in the coastal zone portion of the City would remain unchanged.

#### **4. CDP Time Extensions**

The IP does not specify what extension, if any, is granted by filing an extension application for development permits (including CDPs). The amendment would specify that a 60-day time extension is automatically granted upon filing an extension application, or until the extension application is acted on, whichever occurs last. Also, the amendment would allow for additional time extensions to development permits (including CDPs) in situations where other permits from federal, state, or other local agencies are required if the City can find that the delay was not caused by the applicant's failure to pursue those other permits necessary to move forward with construction of the project.

Please see **Exhibit 1** for the proposed IP amendment text.

## **B. CONSISTENCY ANALYSIS**

### **Standard of Review**

The proposed amendment affects the IP component of the City of Grover Beach LCP. The standard of review for IP amendments is that they must be consistent with and adequate to carry out the certified LUP.

#### *PUD Amendment*

The proposed changes related to PUD standards would apply to the CR2- and CR3-zoned areas of the City's coastal zone, and primarily affect considerations of density and lot coverage in those areas. The City's CR3-zoned area is located adjacent to Pismo Lake and Meadow Creek, and thus the LUP's environmentally sensitive habitat area, riparian, and water quality policies apply. The CR2- and CR3-zoned areas are located in the LCP's visual resource areas 3, 4, and 6, and thus the policies and actions related to those areas apply. And in general, density considerations also entail public service availability considerations, so those policies also must be considered. The City's Housing Element is not part of the certified LUP and thus the specific policies in that document are not included in the standard of review. Applicable LUP policies include:

#### *LUP Section 7.1 Land use designations*

*Medium Density Residential: This designation allows for small lot single-family attached or detached homes, duplexes, multi-family residential units, public and quasi-public uses and similar and compatible uses. Residential densities shall be in the range of 6 to 9 units per gross acre.*

*High Density Residential: This designation provides for single-family attached homes, multi-family residential, mobile home parks, public and quasi-public uses and similar and compatible uses. Residential densities shall be in the range of 10 to 20 units per gross acre.*

#### *LUP Section 2.1.5.B Inland Resource Areas – Water Resources – General:*

*3. Policy: The City shall preserve and protect:*

*a. The ecological integrity of creek corridors that support riparian resources by preserving native riparian plants, and to the extent feasible, removing invasive nonnative plants.*

*b. Wetland resources including creeks and other seasonal wetland areas in conformance with Coastal Act Sections 30233 and 30236; all adverse impacts to riparian resources from any allowable development within wetlands or streams shall be fully mitigated.*

*4. Policy. The City should manage its Meadow Creek wetlands, floodplains, and associated resources to achieve the multiple objectives of:*

*a. Maintaining and restoring natural conditions and fish and wildlife habitat;*

*b. Preventing loss of life and minimizing property damage from flooding;*

*c. Providing recreational opportunities which are compatible with fish and wildlife habitat, flood protection, and use of adjacent private properties.*

*5. Policy: Environmentally sensitive habitat areas (ESHA) shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*

*6. Policy: Environmentally Sensitive Habitat Areas shall be buffered by a minimum of 50 feet. Development in areas adjacent to ESHA shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

*7. Policy: New public or private developments adjacent to creeks, oak woodlands and wetlands must respect the natural environment and incorporate the natural features as project amenities, provided doing so does not diminish natural values. Developments along creeks should include public access across the development sites to the creek and along the creek, provided that wildlife habitat, public safety, and reasonable privacy and security of the development can be maintained.*

*16. Policy: All new development shall protect the quality of water bodies and drainage systems through adaptive site design, stormwater management, and the implementation of Best Management Practices (BMPs) for stormwater management, including, but not necessarily limited to, those identified in the California Storm Water Best Management Practice Handbooks (March 1993).*

*18. Action: To ensure new development and the redevelopment of existing sites adequately protects water quality, the City shall consider, and implement where appropriate, low impact development options and revisions to the City's water quality management regulations consistent with the Storm Water Management Program adopted by the Regional Water Quality Control Board.*

*21. Action: The City shall comply with relevant provisions of the National Pollution Discharge Elimination (NPDES) program as part of the development review process.*

*LUP Section 2.2 Visual Resource Areas – Areas 3, 4, and 6*

*2.2.4.C.3 Area 3 - Policy: As the areas east of Highway 1 in this area develop or redevelop, the area shall be screened from the Highway 1 viewshed by shrubs and low growing trees (8' to 12' mature height).*

*2.2.4.D.1 Area 4 - Action: Views or vistas to the scenic dunes and shoreline westerly and southerly of this area shall be considered and protected as a resource of public and private importance. Permitted development shall be sited and designed to protect and enhance where feasible the views or vistas to shoreline areas. Said development shall be visually compatible with the character of the surrounding areas.*

*2.2.4.D.2 Area 4 - Policy: All new structures in this area shall utilize designs and materials which are compatible with the character of existing single-family homes.*

*2.2.4.F.1 Area 6 - Action: Building code enforcement in this area should be given high priority to ensure that the visual and structural quality of marginal and substandard dwellings is upgraded. Assistance from community volunteers in identification of visually degraded structures and grounds could be encouraged for this purpose.*

*LUP Chapter 6.0 Public Works*

*6.7.1.6: Water Supply - Policy: Development shall only be approved if it is first clearly demonstrated that the development will be served by an adequate, long-term public water supply.*

*6.7.1.7. Water Supply - Policy: To minimize the need for the development of new water sources and facilities and sewer treatment needs, the City shall promote water conservation both in City operations and in private development.*

*6.7.2.4: Sewer Service - Policy: Development shall only be approved if it is first clearly demonstrated that there is adequate, long-term public wastewater treatment capacity to serve such development.*

*6.7.3.4: Circulation - Policy: To protect public access to the shoreline and reserve limited road capacity for coastal priority uses, development shall be required to identify and appropriately offset all circulation impacts, with preference given to mitigation measures designed to improve public recreational access and visitor-serving circulation.*

*Transitional/Supportive Housing and Emergency Shelter Amendments*

The proposed transitional and supportive housing and emergency shelter changes, as well as the proposed visitor-serving office use change, would affect the commercial and industrial areas of the City's coastal zone, and applicable provisions of the LUP include:

*LUP 7.1 Land use designations*

*Visitor Serving – Mixed Use: This designation accommodates a complementary range of hotels and motels, bed and breakfast accommodations, convention facilities, restaurants, recreational uses and retail sales primarily for the convenience of visitors. This category is intended to foster the establishment of a pedestrian-oriented area near the beachfront, the train station, and the entrance to the Oceano Dunes State Vehicular Recreation Area, and Pismo State Beach that provides convenience goods and services for visitors to Grover Beach and the surrounding neighborhood areas. Opportunities to provide family oriented businesses within this area should be explored. The Visitor Serving- Mixed Use category allows for both vertical (different uses stacked above one another) and horizontal (different ground level uses on a single parcel) mixed use opportunities.*

*In general, ground floor development within the Visitor Serving - Mixed-Use designation should be reserved for retail shops, eating and drinking establishments, and visitor accommodations, with the upper floors reserved for additional visitor accommodations, offices and dwellings. To assure adequate space for visitor-serving uses, properties within this designation should not include general retail stores unless oriented to visitors, auto repair, or business services. Although mixed-use development is encouraged, it is not required.*

*The ratio of building floor area to site area shall not exceed 3.0. The Zoning Regulations will establish maximum building height and lot coverage, and minimum setbacks from streets and other property lines, as well as procedures for exceptions to such standards in special circumstances. However, the maximum building height for structures in this designation shall be 40 feet or 3 stories, whichever is greater. A higher building height may be established for specific areas by the Development Code.*

*When dwellings are provided in the Visitor Serving - Mixed Use zone, they shall not exceed 20 units per acre. So long as the floor area ratio is not exceeded, the maximum residential density may be developed in addition to nonresidential development on a site.*

*Industrial: The Industrial designation allows for planned industrial parks, warehouses, retail uses when accessory to a warehouse or industrial use, light manufacturing and assembly, and similar and compatible uses. In addition, the Industrial designation accommodates smaller service businesses such as contractor's yards and car storage. This designation also allows for automobile service and repair shops, wholesalers and commercial uses related to building and mechanical material sales and supply.*

*The ratio of floor area to site area shall not exceed 0.50. The Zoning Regulations will establish maximum building height and lot coverage, and minimum setbacks from streets*

*and other property lines, as well as procedures for exceptions to such standards in special circumstances. Development review will determine a project's realized building intensity, to reflect existing or desired architectural character in a neighborhood.*

*Dwellings may be provided as part of a specially approved mixed-use development which may include live-work settings, caretaker's residences, or other similar and compatible living arrangements. The appropriate residential density would be set considering the maximum residential density allowed in any neighboring residential area.*

### **Consistency Analysis**

In the City of Grover Beach's coastal zone, Residential Common Area Developments, otherwise known as Planned Unit Developments (PUDs), are allowed in the Coastal Medium Density Residential Zone (CR2) and Coastal High Density Residential Zone (CR3). The proposed changes to the IP's PUD standards would eliminate the required minimum lot size (3,500 square feet) and the open space area requirement (35% of the total lot area) for new lots with a PUD.<sup>3</sup>

The City's Housing Element (which is not part of the LCP) encourages changes to the PUD standards to encourage development of the small, underutilized parcels in the higher density residential zones, including with respect to lot coverage specifically (Housing Element Program 1.4). The City states that the minimum lot size requirement of 3,500 square feet in the CR3 zone prevents the typical 7,500-square-foot lot from being developed with any more than two PUD units. The elimination of the minimum lot size requirement would allow the maximum density, consistent with the zoning, to be developed. So in the case of a 7,500-square-foot lot zoned CR3, up to four units could be developed in a PUD under the proposed change.<sup>4</sup>

This change is consistent with the LUP's land use designations for medium and high density residential, which specifically allow for multi-family and duplex housing, and would also be consistent with the LUP's specific units-per-acre specified for each designation, which is six-to-nine-units per gross acre for medium density residential and 10-to-20-units per gross acre for high density residential. On its face, the proposed change would allow for more dense residential development (i.e., more units per acre than under the current PUD standards), but the new allowable density would actually be the same as what is currently allowed under the CR2 and CR3 zoning absent a PUD. In other words, the amendment would allow for a PUD to be developed at the same density and coverage limits as say, an apartment complex, but with the benefits of a PUD (namely, single-family residences on their own separate lots with the ability to

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<sup>3</sup> As a result of the elimination of the minimum lot size, the City also proposes to increase maximum lot coverage from 35% to 50% in the R2 zone and from 35% to 60% in the R3 zone to accommodate the increased density, but this particular change would not apply in the coastal zone because the City did not specify that it would apply in the CR2 and CR3 zones.

<sup>4</sup> The City's CR3 zoning allows for 20 units per acre. The City calculates gross acreage as the entire area of a lot measured to the center line of the street so, according to the City, for a typical 7,500 square foot lot, the actual total gross acreage can be around 9,250 square feet when the street area is included. The following calculation provides the allowed number of units on a 9,250-square-foot CR3-zoned parcel: 9,250 square feet / 43,560 square feet (one acre) = 0.21 acre x 20 = 4.2 units.

be sold separately). Elimination of the open space area<sup>5</sup> requirement for PUDs would accommodate the change to allow for density consistent with the zoning, since such maximum density may not be achievable if 35 percent of each lot is required to be committed to common open space. This proposed change means that PUD projects are not required to provide common open space area and that they would more closely resemble non-PUD multi-family projects. Again, the primary difference between a standard multi-family residential project (like an apartment building) and a PUD project in CR2 or CR3 is that the PUD consists of single-family units that are on separate lots with the ability to be bought and sold individually. Furthermore, the PUD standards require private yard area on each lot, which is something that is not required for non-PUD multi-family residential projects, so PUDs are already required to provide more outdoor living space than their standard residential counterparts on the same CR2- and CR3-zoned lots. As such, the amendment does not represent a material or significant change that would invoke LCP inconsistencies in regards to potential coverage and density issues, including with respect to public services, and PUD projects must still meet the applicable LCP standards related to environmentally sensitive habitat area (ESHA), wetlands, flood hazards, and public view requirements. The proposed change is therefore consistent with and adequate to carry out the LUP.

The second set of proposed changes related to the City's Housing Element would allow transitional and supportive housing<sup>6</sup> in all zones that already allow residential use and would reduce the minimum distance between emergency shelters.<sup>7</sup> With respect to transitional and supportive housing, this use is currently allowed in the City's coastal zone in all residential districts (Coastal Planned Low Density Residential (CPR1), Coastal Low Density Residential (CR1), Coastal Medium Density Residential (CR2), and Coastal High Density Residential (CR3)). The amendment would also add this type of housing to the City's coastal zone for commercial and industrial districts (Coastal Visitor-Serving Commercial (CVS), Coastal Commercial (CC), Coastal Industrial (CI), and Coastal Industrial Commercial (CIC)), which also currently allow residential use. Regarding emergency shelters, which are allowed only in the City's emergency shelter overlay zone in the CI district, this use is currently required by IP Section 2.90.030.C to be 1,000 feet from another emergency shelter. The proposed amendment would reduce that distance to 300 feet. These proposed changes are specifically identified in the Housing Element (Program 4.4) as actions needed to implement the City's housing goals and policies (and ultimately, to be consistent with State housing laws).

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<sup>5</sup> IP Section 4.30.030 defines open space (in a PUD context) as landscaped areas, open patios, open walkways, lawns and outdoor common recreation areas.

<sup>6</sup> IP Section 9.10.020 defines "transitional housing" as rental housing for stays of at least six months but where the units are recirculated to another program recipient after a set period, as defined in Section 50675.2 of the State's Health and Safety Code. Transitional housing may be designed for homeless individuals or families transitioning to permanent housing. Supportive housing is defined in Section 50675.14 of the Health and Safety Code and has no limit on the length of stay, is linked to onsite or offsite services, and is occupied by a target population as defined in the Health and Safety Code.

<sup>7</sup> IP Section 9.10.020 defines an "emergency shelter" as a facility for the temporary overnight shelter of indigents operated by a public or non-profit agency.

The corresponding LUP land use designations to the commercial and industrial zoning districts (Visitor Serving – Mixed Use and Industrial, respectively) allow for various uses, including residential. Specifically, the LUP states that for the Visitor Serving – Mixed Use designation, the development of maximum residential density in addition to nonresidential development on a site is allowed so long as the floor area ratio is not exceeded, and that dwellings may be provided in these areas at a density not to exceed 20 units per acre. With respect to the Industrial land use designation, the LUP states that dwellings may be provided as part of a specially-approved mixed use development, and that density should be consistent with the maximum allowed residential density of the neighboring residential area. The addition of transitional and supportive housing to the commercial and industrial zoning districts would be consistent with the LUP's allowance for residential use in those areas, and would not introduce a new type of use incompatible with existing allowed uses. All existing LCP standards with respect to physical development of a site for residential use, as well as all existing standards related to ESHA, public view requirements, etc., would continue to apply in these districts and, as such, the addition of another type of residential use to the commercial and industrial districts is consistent with the LUP. The proposed change is therefore consistent with and adequate to carry out the LUP.

The portion of the emergency shelter overlay zone that is located in the coastal zone is a one-block industrial area along South 4<sup>th</sup> Street between Leoni Drive and Calvin Court, and thus the proposed change related to distances between shelters would apply to a relatively small area. The proposed reduction in distance is a change in the standards for an existing use, and is consistent with the LUP's allowance for this type of use in the Industrial land use designation (“dwellings...as part of a specially approved mixed use development, which may include live-work settings, caretaker's residences, or other similar and compatible living arrangements”). The distance reduction would not result in any impacts to coastal resources or public access given the nature of this type of use already allowed in an existing developed, industrial area.

The other portions of the proposed amendment encompass minor procedural clean-up and clarifications to the IP. First, as described above, Chapter 5 of the Development Code is comprised of site development standards related to flood hazards, street improvements and street trees, utility undergrounding, grading, drainage, and stormwater management. The LCP includes the sections related to flood hazards, street improvements and street trees, and utility undergrounding, but not the grading, drainage, and stormwater management standards and specifications since those are covered by other resource protection policies and regulations in the LCP. So, the City proposes to simply make this clarification in the list of what components of the Development Code comprise the IP in the introductory text of the Development Code. This change corrects an inadvertent mistake in the Development Code and makes clear what sections comprise the existing IP, and is consistent with and adequate to carry out the LUP.

Next, the proposed addition of visitor-serving offices as an allowed use in the coastal zone commercial zoning districts (Coastal Visitor-Serving Commercial (CVS) and Coastal Commercial (CC)) corrects the inadvertent deletion of this type of office use in these districts that occurred in 2014 when the City updated its LCP. This proposed change is consistent with the LUP's specific allowance for offices and visitor-serving uses in the applicable land use designation (Visitor Serving – Mixed Use) and, as such, implements the LUP's development vision in these two commercial zoning districts.

Finally, the proposed amendment provides for an automatic extension of a CDP for 60 days or until the extension application is acted on (whichever comes last), beginning at the time the City receives an extension application. The IP does not currently specify what time extension, if any, is granted by filing a CDP extension application. The amendment also adds language allowing additional extensions beyond the three year-long extensions currently allowed in the event that other federal, state, or local permits required for the project have not yet been obtained (provided the delay has not been caused by the Applicant's failure to pursue those other permits). Both of the proposed changes to the IP would make more specific the existing procedural regulations related to CDP implementation, and would strengthen the LCP by providing increased clarity related to the issuance of CDP extensions, and thus these changes are consistent with and adequate to carry out the LUP.

### **C. 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. (14 CCR § 15251(f).) Local governments are not required to undertake environmental analysis for proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. When it applies, CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

The City determined that the action on the amendment is not a project within the meaning of CEQA (14 CCR Section 15378) and is therefore exempt from further review under CEQA. Specifically, the City found that the proposed amendment would not result in any direct or indirect physical change in the environment, and specific projects will be evaluated for potential impacts at the time they are proposed. This report has discussed the relevant coastal resource issues with the proposal. All above findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).