

ORDINANCE NO. 2024-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING CHAPTER 24.12 – COMMUNITY DESIGN RELATED TO COASTAL DEVELOPMENT PERMIT AND LOCAL COASTAL PROGRAM REQUIREMENTS FOR HISTORIC SITE VARIATION REQUESTS

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

WHEREAS, on September 8, 2020, the Santa Cruz City Council adopted Ordinance 2020-19 amending Muni Code Chapters 24.08 and 24.12 to amend regulations related to electric vehicle charging stations and historic variations for properties designated as historic resources, and directed City Staff to submit those amendments to the California Coastal Commission for certification; and

WHEREAS, on March 15, 2024, the California Coastal Commission held a public hearing on the amendments to the adopted Local Coastal Program implementing ordinance 2020-19, amending Muni Code Chapters 24.08 and 24.12 related to electric vehicle charging stations and historic variations for properties designated as historic resources, adopted by the City Council and certified the amendments to the Municipal Code with modifications; and

WHEREAS, the modifications proposed by the California Coastal Commission to Municipal Code Sections 24.12.445 and 24.12.450 were submitted to the City by correspondence dated March 19, 2024, and

WHEREAS, the proposed amendments will have no effect on the natural environment, as they are purely administrative in content and are categorically exempt from CEQA under section 15061(b)(3), aka the “common sense” exemption, and further, insofar as the proposed changes to the Municipal Code are amendments to the Local Coastal Program Implementation Plan, the application of the proposed amendments in the coastal zone is statutorily exempt from California Environmental Quality Act (“CEQA”) review pursuant to CEQA Guidelines Section 15265 and the California Public Resources Code Section 21089.9.

BE IT ORDAINED By the City of Santa Cruz as follows:

Section 1. Section 24.12.445 – Variations to Regulations for Buildings and Sites on City Historic Building Survey and Contributing Buildings within City Historic Districts of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended to read as follows:

**24.12.445 VARIATIONS TO REGULATIONS FOR BUILDINGS AND SITES
ON CITY HISTORIC BUILDING SURVEY AND CONTRIBUTING
BUILDINGS WITHIN CITY HISTORIC DISTRICTS.**

Purpose: The purpose of these variations is to create incentives to help preserve, maintain and rehabilitate existing historic properties. Another purpose is to ensure that new construction and alterations are allowed in a manner which retains the integrity of the city's historic landmarks, buildings, sites, objects, and contributing buildings within districts.

Procedure: To obtain approval of any variation, an historic alteration permit is required and shall be approved in accordance with Sections 24.08.900 through 24.08.940, and shall also meet all of the relevant additional findings listed in Section 24.12.450. For use variations, an administrative use permit shall be approved by the zoning administrator in accordance with Sections 24.08.010 through 24.08.050 and must also meet all of the relevant additional findings listed in Section 24.12.450. For development within the coastal zone, a coastal permit may also be required in conformance with 24.08.200 et. seq., and the findings and standards specified in the Historic Alteration Permit shall also serve as coastal permit requirements, in addition to all other applicable LCP provisions. In the event of a conflict between the Historic Alteration Permit requirements and the LCP's coastal resource protection requirements (including related coastal hazards, sensitive habitat, agriculture, public recreational access, and open space), the coastal permit/LCP's coastal resource protection requirements shall govern.

- a. Variations to Development Standards. District regulations for height, stories, parking, setbacks, projections into required yards, open space, lot coverage, rear yard coverage, floor area limitations, fence heights, slope regulations and yards may be modified to the extent that it promotes the preservation, maintenance and rehabilitation of an historic structure or site.
- b. Variations to Uses. The following additional uses may be allowed on lots with listed historic buildings and on lots with contributing buildings within an historic district. This provision encourages the adaptive reuse of designated historic resources by permitting an additional use within some areas otherwise zoned primarily for residential, commercial or industrial uses.
 1. Multifamily uses in single-family residential zone district, subject to RL zoning density, lot size and lot width standards.
 2. Business and professional office uses (not including medical offices) in residential zone districts on up to two parcels where the majority of the parcel is within one hundred feet of commercially zoned property except for CN-zoned properties;
 3. Expansion of single-family homes in RM and RT zone districts;
 4. Expansion of nonconforming structures and uses.
 5. Residential uses may be allowed on the ground floor in commercial zones, except in the Downtown Plan area and in the Mission Street Design Plan area.

Section 2. Section 24.12.450 – Findings Required for Approval of Historic Variations of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended to read as follows:

24.12.450 FINDINGS REQUIRED FOR APPROVAL OF HISTORIC VARIATIONS.

In addition to historic alteration permit and administrative use permit findings, and Coastal Permit findings for projects within the Coastal Zone, the following findings are also required:

1. For All Variations: That the project involves rehabilitation and maintenance of historic structure(s) on the site to promote their long-term preservation.
2. For Lot Coverage and Floor Area Limitation Variations on Substandard Lots: That the variation results in a structure which is compatible with the following standards:
 - The maximum allowable lot coverage for structures shall be fifty-five percent;
 - The floor area for second stories shall not exceed fifty percent of the first-floor area, except in cases where the first floor constitutes forty percent or less lot coverage.
3. For Use Variations: That the use variation promotes the preservation and maintenance of the historic structure, and the effects of the proposed use, including traffic and parking, will not be detrimental to the surrounding area.
4. For Parking Variations: That such variation will not significantly affect traffic and parking on adjacent and nearby streets and properties.

Section 4. For areas of the City outside the Coastal Zone this ordinance shall take effect and be in force thirty (30) days after final adoption, and for areas of the City located inside the Coastal Zone this ordinance shall take effect and be in force thirty (30) days after final adoption but only following verification by the Executive Director of the California Coastal Commission that the approved ordinance conforms to the modifications requested by the California Coastal Commission.

ORDINANCE NO. 2024-11

PASSED FOR PUBLICATION this 13th day of August, 2024, by the following vote:

AYES: Councilmembers Newsome, Brown, Watkins, Brunner, Kalantari-Johnson;
Vice Mayor Golder; Mayor Keeley.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____
Fred Keeley, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this ____ day of _____, 2024 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Fred Keeley, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2024-11 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

Bonnie Bush, City Clerk Administrator