

ORDINANCE NO. 2025-13

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING THE ZONING MAP RELATING TO THE SOUTHERN APPROXIMATELY 6.3 ACRES OF 2394 DELAWARE AVE, ASSESSOR'S PARCEL NUMBER 003-061-09, IN THE R-1-5/CZ-O ORIGINAL JURISDICTION (SINGLE FAMILY ZONE/COASTAL ZONE OVERLAY – ORIGINAL PERMIT JURISDICTION) DISTRICT. THE ZONING MAP IS PART OF THE LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN (LCP IP) AND THE AMENDMENT THERETO WILL REQUIRE APPROVAL BY THE CALIFORNIA COASTAL COMMISSION PRIOR TO TAKING EFFECT INSIDE THE COASTAL ZONE. (CEQA: EVALUATED UNDER AN ADDENDUM TO THE EIR FOR GENERAL PLAN 2030.)

WHEREAS, the Homeless Garden Project, a local nonprofit organization that provides organic agriculture job training to homeless individuals, among other services, has been utilizing the northern four acres of 2394 Delaware Avenue for organic gardening since 1995 and wishes to make this site the garden's permanent location; and

WHEREAS, Government Code Section 66300(b)(1) that prohibits a local jurisdiction from changing the general plan land use designation, rezoning, or taking another action that would have the effect of reducing the residential capacity of a site, with an exception under Government Code Section 66300(h) that allows such a reduction in capacity if the local jurisdiction concurrently upzones another site at the same hearing of the legislative body so that the result is no net loss of housing potential among the sites; and

WHEREAS, on November 19, 2024, the City Council passed a motion directing staff to make general plan and zoning changes to the northern four acres of the subject site while ensuring conformance with state law requiring no net loss of housing potential to facilitate creation of a permanent site for the Homeless Garden Project; and

WHEREAS, on December 10, 2024, the City Council passed a motion to waive processing fees for the Homeless Garden Project with respect to the motion from the November 19, 2024 City Council meeting; and

WHEREAS, the zoning designation change for the southern approximately 6.3 acres of the site would ensure no net loss of today's housing potential between the northern and southern ends of the site; and

WHEREAS, General Plan Action LU 1.1.4 calls for the site to include the Low-Medium Density (LM) land use designation, and the Multiple Residence – Low-Density (R-L) zone district implements that designation; and

WHEREAS, at its April 17, 2025 meeting, the Santa Cruz Planning Commission reviewed the proposed amendments to the Zoning Map and found that the public necessity, and the general community welfare, and good zoning practice shall be served and furthered; and that the proposed

amendments are in general conformance with the principles, policies and land use designations set forth in the General Plan, Local Coastal Plan and any adopted area or specific plan; and

WHEREAS, at its April 17, 2025 meeting, the Santa Cruz Planning Commission considered the proposed amendment to the Zoning Map as modifications to the Local Coastal Program and found that (1) the proposed amendment is deemed to be in the public interest; (2) the proposed General Plan and/or Local Coastal Program amendment is consistent and compatible with the rest of the General Plan and LCP and any implementation programs that may be affected; (3) the potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and (4) the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

WHEREAS, at its April 17, 2025 meeting, the Santa Cruz Planning Commission passed a motion that recommended the City Council approve the proposed amendments; and

WHEREAS, today's City Council agenda includes proposals to rezone both the northern and southern portions of the site that would ensure no net loss of housing potential if both were approved today; and

WHEREAS, the proposed amendments have been analyzed under an addendum to the EIR for General Plan 2030, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164.

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

Section 1. The Zoning Map shall be amended to change the zoning designation of the southern approximately 6.3 acres of the subject site from Single-Family Residential (R-1-5) to Multiple Residence – Low-Density (R-L) as depicted in Exhibit A.

Section 2. The City Council finds and determines that the adoption of this ordinance is considered a “project” under California Code of Regulations, Title 14, section 15378(a)(1) of the California Environmental Quality Act (CEQA) Guidelines, typically subject to environmental review. The City Council finds that these amendments have been considered under an addendum to the EIR for General Plan 2030 dated April 10, 2025.

Section 3. If any section or portion of this ordinance is found to be invalid by a court of competent jurisdiction, such finding shall not affect the validity of the remainder of the ordinance, which shall continue in full force and effect.

Section 4. This ordinance is part of the Local Coastal Program and shall take effect and be in full force after approval by the California Coastal Commission, but no earlier than thirty (30) days after final adoption.

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PASSED FOR PUBLICATION this 13th day of May, 2025, by the following vote:

AYES: Councilmembers Trigueiro, Newsome, Golder, O'Hara; Vice Mayor Kalantari-Johnson; Mayor Keeley.

NOES: None.

ABSENT: None.

DISQUALIFIED: Councilmember Brunner.

APPROVED: _____
Fred Keeley, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

PASSED FOR FINAL ADOPTION this 27th day of May 2025 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. 2025-13 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

Bonnie Bush, City Clerk Administrator

EXHIBIT A

Proposed Zoning

2394 Delaware Ave | Southern 6.3 Acres

