

RESOLUTION NO.

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AUTHORIZING SUBMITTAL TO THE CALIFORNIA COASTAL COMMISSION FOR THE CERTIFICATION OF AN AMENDMENT TO THE LOCAL COASTAL PROGRAM AMENDING MUNICIPAL CODE CHAPTER 17 TO CORRECT DRAFFTING ERRORS, RESOLVE AMBIGUITIES, IMPROVE CODE ORGANIZATION, ADDRESS NEW LEGISLATION, AND REZONE THE MONARCH COVE INN; AND AMENDING THE CAPITOLA ZONING MAP AND THE CAPITOLA COASTAL LAND USE PLAN MAP (GENERAL PLAN LAND USE MAP) TO MODIFY THE ZONING AND LAND USE DESIGNATION OF THE MONARCH COVE INN PROPERTY.

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981 and has since been amended from time to time; and

WHEREAS, the City Council adopted the General Plan Update on June 26, 2014; and

WHEREAS, the Local Coastal Program Land Use Plan is a comprehensive long-term plan for land use and physical development within the City's coastal zone and includes the Coastal Land Use Plan Map; and

WHEREAS, on October 12, 2020 the City of Capitola adopted a comprehensive Zoning Code update that applied to areas outside of the coastal zone; and

WHEREAS, on April 15, 2021 the Coastal Commission certified the Zoning Code resulting in the updated code applying throughout the city, including in the coastal zone; and

WHEREAS, on April 15, 2021 the Coastal Commission did not certify proposed amendments to the Zoning Code and Zoning Map to change the Monarch Cove Inn property from a Visitor Serving base zone to R-1 Single-Family Residential base zone with a Visitor Serving overlay zone; and

WHEREAS, on April 15, 2021 the Coastal Commission advised the Monarch Cove Inn owner and the City of Capitola to bring the proposed Monarch Cove Inn amendments back before the Coastal Commission as a separate item for consideration; and

WHEREAS, Coastal Commission staff requested a third-party consultant to assess the Monarch Cove Inn's profitability and real estate value; and

WHEREAS, the City contracted with Kosmont Companies to prepare a Feasibility Study and Broker Assessment of Value to evaluate the owner's statements regarding profitability and financial positioning; and

WHEREAS, the permit history shows that the owner made major development proposals in 2001 and 2014 to add buildings, guest rooms, guest facilities, and amenities in effort to upgrade and modernize the property. Both proposals were met with significant opposition by the surrounding neighborhood and the 2014 project was ultimately withdrawn.

WHEREAS, since the updated Zoning Code was adopted and certified by the Coastal

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Commission, City staff has identified a number of needed amendments to the Zoning Code to correct drafting errors, resolve ambiguities, improve code organization, and address new issues that have arisen since the updated code was adopted; and

WHEREAS, the draft ordinance was then circulated for a 60-day public review period on October 11, 2022; and

WHEREAS, at duly noticed public hearings on October 20 and November 3, 2022, the Planning Commission reviewed the proposed Zoning Code amendments, including the proposed Monarch Cove map amendments; and

WHEREAS, on November 3, 2022, the Planning Commission recommended to the City Council adoption of the proposed Zoning Code amendment; and

WHEREAS, before introducing this Ordinance, the City Council adopted Resolution No. 4293 - 2022 to amend the General Plan Land Use Map to change the Monarch Cove Inn land use designation from Visitor Serving to Single-Family Residential with Visitor Serving Overlay.

WHEREAS, the General Plan Land Use Map serves as the Local Coastal Program Coastal Land Use Plan Map; and

WHEREAS, the Capitola City Council conducted duly noticed public hearings on November 10, 2022, at which the City Council introduced and performed a first reading of the added and revised municipal code sections. On November 22, 2022, the City Council adopted the ordinance amending Chapter 17 of the Municipal Code and the Zoning Map; and

WHEREAS, the City Council determined that the amendments are consistent with the General Plan and that the revisions would be internally consistent with all other provisions of the Municipal Code.

WHEREAS, the amendments would become a component of Implementation Plan of the City's Local Coastal Program and is intended to be implemented in a manner that is in full conformance with the California Coastal Act.

WHEREAS, following the City Council's adoption, Capitola staff submitted the Zoning Code update to the Californian Coastal Commission staff for preliminary review in preparation for Local Coastal Plan (LCP) certification; and

WHEREAS, the Local Coastal Program Implementation Plan establishes specific land use and development regulations to implement the Local Coastal Program Land Use Plan, and Chapter 16 (Subdivision), Chapter 17 (Zoning) and the Zoning Map are part of Capitola's Local Coastal Program Implementation Plan; and

WHEREAS, the City provided Public Notice, as required under Coastal Act 30514 et seq., for Certification of the LCP Implementation Plan and Corresponding Maps.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of the City of Capitola, that this Resolution declares and reflects the City's intent to amend the LCP Implementation Plan as it pertains to Chapter 17 (Zoning) and the Capitola Zoning Map, and the City's Coastal Land Use Plan Map as it pertains to the General Plan Map, as drafted, if certified by the California Coastal Commission, in full conformity with the City of Capitola LCP and

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provisions of the California Coastal Act.

BE IT FURTHER RESOLVED, that the City Manager or his designee is directed to submit the said Coastal Commission LCP Amendments to the California Coastal Commission for its review and certification. If the Coastal Commission approves the amendment package, it will take effect automatically upon Coastal Commission approval. If the Coastal Commission modifies the amendment package, only the modifications will require formal action by the City of Capitola.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 22th day of November, 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Sam Storey, Mayor

ATTEST: _____

Julia Moss, City Clerk