

RESOLUTION NO.

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 TITLE 17 (ZONING) TO IMPLEMENT THE 2023-2031 HOUSING ELEMENT OF THE GENERAL PLAN

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 of Capitola Municipal Code Title 17 (Zoning) is a component of the City's certified LCP Implementation Plan; and

WHEREAS, on August 22, 2024, the City Council adopted amendments to the 2023-2031 Housing Element of the General Plan (Housing Element) and an Addendum to the General Plan Final Environmental Impact Report;

WHEREAS, on August 30, 2024, the California Department of Housing and Community Development (HCD) certified the Housing Element;

WHEREAS, the Housing Element contains programs that require the City to amend Municipal Code Title 17 (Zoning Code) to implement Housing Element goals and policies within program-established timelines;

WHEREAS, recent state law updates and staff's review of the Zoning Code require further amendments to the Code to ensure consistency with state law and the prevention of any inconsistencies;

WHEREAS, City staff prepared draft amendments to Municipal Code Title 17, and the Zoning Map (together, the Zoning Code Amendments) to implement the Housing Element and address additional issues and policy goals that have arisen since the Zoning Code was last updated;

WHEREAS the Planning Commission held work sessions on February 1, February 16, May 2, June 6, July 23, August 15, and September 5, 2024 to consider preliminary draft Zoning Code Amendments, receive public comment, and provide feedback to City staff;

WHEREAS, the Planning Commission held a duly noticed public hearing on September 19, 2024 and October 3, 2024, at which time it reviewed the proposed Zoning Code Amendments, considered all public comments, and recommended the City Council approve the Zoning Code Amendments; and

WHEREAS, the Capitola City Council conducted duly noticed public hearings on October 24, 2024, at which the City Council introduced and performed a first reading of an ordinance to adopt the proposed Zoning Code Amendments and found the Zoning Code Amendments to be exempt from CEQA. On _____, 2024, the City Council adopted the ordinance; and

WHEREAS, the City Council determined that the Zoning Code 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 Zoning Code Amendments would become a component of the City’s Local Coastal Program Implementation Plan and are intended to be implemented in a manner that is in full conformance with the California Coastal Act.

WHEREAS, the Local Coastal Program Implementation Plan establishes specific land use and development regulations to implement the Local Coastal Program Land Use Plan, and Title 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 Section 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), as drafted, if certified by the California Coastal Commission, in full conformity with the City of Capitola LCP and 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 7th day of November, 2024, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Kristin Brown, Mayor

ATTEST: _____
Julia Gautho, City Clerk