

ORDINANCE NO. 2019-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING SECTIONS OF THE CITY OF SANTA CRUZ MUNICIPAL CODE PERTAINING TO LOCATIONS PERMITTING ACCESSORY DWELLING UNITS AND PARKING STANDARDS FOR ACCESSORY DWELLING UNITS

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

**Section 1.** Section 24.04.130 (Decision-Making Body with Final Authority on Application Approval) of Chapter 24.04 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.04.130 DECISION-MAKING BODY WITH FINAL AUTHORITY ON APPLICATION APPROVAL.**

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The following table indicates the decision-making body who can approve, deny or conditionally approve an application, whether or not a public hearing is required, and the bodies to which appeals can be made:

*Subsections (1) through (3) remain unchanged.*

Permits/Actions****	Public Hearing Requirement and Decision-Making Body Which Can Approve an Application			Appeal Bodies (in order)
	No Public Hearing	Public Hearing		
	Action	Recommendation	Action	
Coastal Permit	ZA (ADU)		ZA*	CPC/CC/CCC*
Administrative Use Permit: Large Family Daycare Homes and Temporary Uses	ZA			CPC/CC
Other uses as listed by individual zoning districts as requiring an Administrative Use Permit			ZA	CPC/CC
Conditional Driveway Permit			ZA	CPC/CC
Conditional Fence Permit	ZA		ZA	CPC/CC

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Slope Regulations Modifications (Variance)			CPC	CC
Slope Regulations Modifications (Design Permit)	ZA			CPC/CC
Design Permit – Substandard lots: new two-story structures and second-story additions, excluding ADUs	ZA		ZA	CPC/CC CPC/CC
Large homes per Section 24.08.450			ZA	CPC/CC
Wireless telecommunications facilities	ZA		ZA	CPC/CC
New structures or improvements to existing structures in the WCD Overlay which are exempt or excluded from coastal permit requirements	ZA			CPC/CC
New structures or improvements to existing structures in the WCD Overlay which require a coastal permit			ZA	CPC/CC
Demolition Permit				
1. Single-family residential	ZA			CPC/CC
2. Multifamily residential			CPC	CC
3. Historic demolition permit			HPC	CC
4. Nonresidential	ZA**		ZA**	CPC/CC
General Plan Text and Map Amendments		CPC	CC/CCC***	
Historic Alteration Permit			HPC	CC
Administrative Historic Alteration Permit	ZA			HPC/CC
Historic Building Survey: Building designation, deletion		HPC	CC	
Historic District Designation		HPC/CPC	CC	
Historic Landmark Designation		HPC	CC	

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Mobile Homes (Certificate of Compatibility)	ZA			CPC/CC
Mobile Home Park Conversion			CPC	CC
Outdoor Extension Areas per Section 24.12.192	ZA			CPC/CC
Planned Development Permit		CPC	CC	
Project (Major) Modification	Hearing by ZA or body approving application			Appeal to next highest body(ies)
Project (Minor) Modification	ZA			CPC/CC
Relocation of Structures Permit	ZA			CPC/CC
Revocation Permit	Hearing by ZA or body approving application			Appeal to next highest body(ies)
Sign Permit	ZA			CPC/CC
Special Use Permit			CPC	CC
Variance			ZA	CPC/CC
Watercourse Variance			CPC	CC
Watercourse Development Permit	ZA			CPC/CC
Zoning Ordinance Text and Map Amendments				
Amendments recommended by CPC		CPC	CC/CCC***	
Amendments not recommended by CPC		CPC		CC/CCC***
<b>CCC = California Coastal Commission    CC = City Council    CPC = City Planning Commission    HPC = Historic Preservation Commission    ZA = Zoning Administrator</b>				
* For projects seaward of the mean high tide line, and in the case of appealable actions, the California Coastal Commission shall be the decision-making body which can finally approve an application.				
** Such permits shall be issued administratively, without a public hearing, unless a cultural resources evaluation, prepared by a qualified consultant as determined by the zoning administrator, determines that the building or structure is eligible for listing on the city Historic Building Survey.				
*** California Coastal Commission in case of CLUP policy, CLIP elements.				

\*\*\*\* At a regularly scheduled meeting, a majority of the council may take an action to direct any project or amendment to be called from a lower hearing body prior to a final action or during an appeal period in accordance with Section 24.04.175(2).

**Section 2.** Section 24.10.230 (Use Permit Requirement for R-S Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.230 USE PERMIT REQUIREMENT.**

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1. The following uses are subject to approval of an administrative use permit and a design permit:

- a. Family animal farm.
- b. Temporary structures and uses.
- c. Young farmer projects on sites of twenty thousand square feet or more on which a child may be permitted to raise one kid, lamb, or calf for a one-year period.
- d. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
- e. Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence).

**Section 3.** Section 24.10.330 (Use Permit Requirement for R-1 Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.330 USE PERMIT REQUIREMENT.**

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1. The following uses are subject to approval of an administrative use permit and a design permit:

- a. Family animal farm.
- b. Temporary structures and uses.
- c. Young farmer projects on sites of twenty thousand square feet or more on which a child may be permitted to raise one kid, lamb, or calf for a one-year period.
- d. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
- e. Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence).

**Section 4.** Section 24.10.410 (Principal Permitted Uses for R-L Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.410 PRINCIPAL PERMITTED USES.**

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The following uses are permitted outright if a design permit is obtained for new structures and environmental review is conducted in accordance with city and state guidelines (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

1. Multiple dwellings, townhouse dwelling groups, and condominium projects in one or more structure(s). (830, 840)
2. Community care facilities including daycare (except family daycare homes), retirement homes and foster homes (six or fewer).
3. Small family daycare homes.
4. Large family daycare homes in single-family dwellings or duplexes.
5. Two-family dwellings.
6. Community garden.
7. Single-family dwellings.
8. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.
  - a. Home occupations subject to home occupation regulations as provided in Section 24.10.160.
  - b. Park and recreational facilities.
  - c. Room and board for not more than two paying guests per dwelling unit, when located within principal building.
  - d. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory Buildings, and Section 24.10.430.
9. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2, except accessory dwelling units are not subject to approval of a design permit.

10. Supportive and transitional housing.

**Section 5.** Section 24.10.430 (Use Permit Requirement for R-L Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.430 USE PERMIT REQUIREMENT.**

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2. The following uses are subject to approval of a special use permit and a design permit:

- a. Bed-and-breakfast inns, subject to requirements in Chapter 24.12, Part 9.
- b. Community care facilities including daycare (except family daycare homes), retirement home, foster home, and nursing home (seven or more persons).
- c. Dormitories, fraternity/sorority residence halls, boardinghouses.
- d. Health facilities for inpatient and outpatient psychiatric care and treatment.
- e. Off-street parking facilities accessory to a contiguous commercial property not to exceed one hundred feet from the boundary of the site it is intended to serve.
- f. Noncommercial recreation areas, buildings, and facilities such as parks, country clubs, golf courses, and riding, swimming and tennis clubs.
- g. Educational, religious, cultural, public utility or public service buildings and uses; but not including corporation yards, storage or repair yards, and warehouses.
- h. Social halls, lodges, fraternal organizations, and clubs, except those operated for a profit.

**Section 6.** Section 24.10.510 (Principal Permitted Uses for R-M Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.510 PRINCIPAL PERMITTED USES.**

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The following uses are permitted outright if a design permit is obtained for new structures and environmental review is conducted in accordance with city and state guidelines (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- 1. Multiple dwellings, townhouse dwelling groups, and condominium projects in one or more structures. (830, 840)

2. Community care facilities including daycare (except family daycare homes), foster home, and retirement home (six or fewer persons).
3. Community garden.
4. Small family daycare homes.
5. Large family daycare homes in single-family home or duplex.
6. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.
  - a. Park and recreational facilities.
  - b. Home occupations subject to home occupation regulations as provided in Section 24.10.160.
  - c. Room and board for not more than two paying guests per dwelling unit, when located within principal building.
  - d. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory Buildings, and Section 24.10.530.
7. Supportive and transitional housing.
8. Accessory Dwelling Units on parcels with an existing single-family dwelling, subject to the provisions of Chapter 24.16, Part 2, except accessory dwelling units are not subject to approval of a design permit.

**Section 7.** Section 24.10.565 (Principal Permitted Uses for R-H Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.565 PRINCIPAL PERMITTED USES.**

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The following uses are permitted subject to a design permit for new structures in compliance with the Beach and South of Laurel Design Guidelines and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses). Additionally, environmental review must be conducted in accordance with city and state guidelines:

1. Multiple dwellings, townhouse dwelling groups, and condominium projects in one or more structures; (830, 840)

2. Small community care residential facilities including daycare (except family daycare homes), foster homes, and retirement homes, with six or fewer persons; (800A)
3. Small family daycare homes; (510a)
4. Large family daycare homes in single-family dwellings or duplexes; (510a)
5. Supportive and transitional housing.
6. Accessory Dwelling Units on parcels with an existing single-family dwelling, subject to the provisions of Chapter 24.16, Part 2 except accessory dwelling units are not subject to approval of a design permit.

**Section 8.** Section 24.10.603 (Principal Permitted Uses for R-T(A) Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.603 PRINCIPAL PERMITTED USES.**

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1. The following uses are subject to approval of a design permit and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Duplexes; (810)
- b. Small family daycare facility in single-family home or duplex (510a);
- c. Accessory Uses. Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory Buildings.
- d. Supportive and transitional housing in single-family home or duplex.

2. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2, except accessory dwelling units are not subject to approval of a design permit.

**Section 9.** Section 24.10.604 (Use Permit Requirements for R-T(A) Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.604 USE PERMIT REQUIREMENT.**

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1. The following uses are subject to approval of an administrative use permit and a design permit and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):



- a. Single-family dwellings; (810)
- b. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;
- c. Multiple dwellings, townhouse dwelling groups, and condominiums (three to nine units); (830)
- d. Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence);
- e. Supportive and transitional housing in multifamily dwellings (three to nine units).

**Section 10.** Section 24.10.627 (Principal Permitted Uses for R-T(D) Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.627 PRINCIPAL PERMITTED USES.**

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1. The following uses are permitted, subject to a design permit, Conservation Overlay District (Section 24.10.4000) and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Single-family and duplexes (800, 810);
- b. Storage and equipment structures, if ancillary to principal residential use;
- c. Small family daycare homes in single-family homes or duplexes (510a);
- d. Accessory Uses. Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory Buildings;
- e. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2, except accessory dwelling units are not subject to approval of a design permit;
- f. Supportive and transitional housing in single-family home or duplex.

**Section 11.** Section 24.10.628 (Use Permit Requirements for R-T(D) Zone District) of Chapter 24.10 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.10.628 USE PERMIT REQUIREMENT.**

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1. The following uses are subject to approval of an administrative use permit and a design permit and other requirements of the Municipal Code (numerical references at the end of these

categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Small community care residential facilities.
- b. Temporary structures and uses.
- c. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
- d. Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence).

**Section 12.** Section 24.12.240 (Number of Parking Spaces Required) of Chapter 24.12 of the Santa Cruz Municipal Code is hereby amended to read as follows:

**24.12.240 NUMBER OF PARKING SPACES REQUIRED.**

1. Where the computation of required parking spaces produces a fractional result, fractions of one-half or greater shall require one full parking space.

*Rows a through v remain unchanged.*

	Use		Spaces Required			
<b>w.</b>	<b>Residential Uses</b>					
		<b>Number of Bedrooms</b>				
	<b>Type</b>	<b>Efficiency</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4 or more</b>
	Single-family (including townhouses)	1.0	1.0	2.0	2.0	3 + 1 for ea. addl. bedroom
	Houseboat, duplex, triplex, multiple mobilehome	1.0	1.5	2.0	2.0	3 + 0.5 for ea. addl. bedroom
	Lodging, rooming houses and bed-and-breakfast inns		2 spaces, plus 1 for each bedroom			
	Residence halls, dormitories		0.75 space for each guest or occupant			
	Senior housing development		1 for each 3 dwelling units or rooms intended for separate occupancy, plus an area of land equal to the required off-street parking for apartments, not including required open			

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		space, which could be converted to parking should the retirement center change to a multifamily residential use
Small ownership unit (SOU)		1 space for each dwelling unit
Single-room occupancy dwelling unit, less than 300 square feet		0.75 for each dwelling unit
Single-room occupancy dwelling unit, 300 square feet or more		1 for each dwelling unit
Accessory dwelling unit		1 parking space shall be provided on site when required per Section 24.16.140. These requirements are in addition to the required parking for the primary residence.
Community housing projects		In addition to meeting above residential parking requirements, 1 additional parking space for each 4 dwelling units shall be provided

*Rows x through aj remain unchanged.*

**Section 13.** This ordinance shall take effect and be in force upon certification by the California Coastal Commission.

PASSED FOR PUBLICATION this 22<sup>nd</sup> day of January, 2019, by the following vote:

AYES: Councilmembers Krohn, Glover, Meyers, Matthews, Brown; Vice Mayor Cummings; Mayor Watkins.  
 NOES: None  
 ABSENT: None  
 DISQUALIFIED: None

APPROVED: \_\_\_\_\_  
 Martine Watkins, Mayor

ATTEST: \_\_\_\_\_  
 Bonnie Bush, City Clerk Administrator

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PASSED FOR FINAL ADOPTION this 12<sup>th</sup> day of February, 2019 by the following  
vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Martine Watkins, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Bush, City Clerk Administrator

This is to certify that the above  
and foregoing document is the  
original of Ordinance No. 2019-03  
and that it has been published or  
posted in accordance with the  
Charter of the City of Santa Cruz.

\_\_\_\_\_  
Bonnie Bush, City Clerk Administrator