

California Coastal Commission
Central Coast Area
725 Front St., Suite 300
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(408)427-4863

Thba

August 28, 1996
REVISED

TO: Commissioners and Interested Persons

FROM: Tami Grove, District Director
Rick Hyman, Coastal Program Analyst

SUBJECT: SANTA CRUZ COUNTY: LOCAL COASTAL PROGRAM
MAJOR AMENDMENT NO. 2-96. For public hearing and
Commission action at its meeting of September 12, 1996,
to be held at the Eureka Inn - 7th & F Streets, Eureka

SUMMARY OF STAFF REPORT

DESCRIPTION OF AMENDMENT REQUEST

Santa Cruz County is proposing to amend its Local Coastal Program to:

- (a) redesignate 41st Ave./E. Cliff Dr. parking lot (AP# 032-181-04) from "Existing Parks and Recreation" to "Residential Urban Medium" and concurrently state that "Proposed Parks" is a preferred rather than existing use and residential is an alternate use in the Land Use Plan and
- (b) correspondingly rezone the site from "Parks, Recreation and Open Space-D" to "Public Facility" in the Implementation Plan.

This amendment is proposed to return the subject site's designation to its previously certified "Residential" one. The amendment was filed on July 24, 1996. A second part of this amendment request regarding mining was separately approved as minor amendment #2-96 on August 15, 1996. The standard of review of the Land Use Plan amendment is consistency of the Coastal Act. The standard for the Implementation Plan component is that it must be consistent with, and adequate to carry out, the policies of the certified Coastal Land Use Plan.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission approve the proposed amendments if modified for the reasons given in this report. Preservation of public parking, which is a Coastal Act priority would be supported by the suggested modification. (In order to suggest a modification the Commission must first vote to deny the amendment as submitted.)

SUMMARY OF ISSUES AND COMMENTS

Several persons expressed concern at the local level that the site's open space use and view remain. Such issues would be addressed in any future coastal development permit for the site. This amendment simply changes a designation. Residential and parking lot uses are allowed under both the current and the proposed designations. However, the amendment can be modified to give greater support to public parking.

ADDITIONAL INFORMATION

For further information about this report or the amendment process, please contact Rick Hyman or Diane Landry, Coastal Commission, 725 Front Street, Suite 300, Santa Cruz, CA 95060; Tel. (408) 427-4863.

EXHIBITS:

1. Location Map

ATTACHMENTS: Full Text of Proposed Amendments
Correspondence

I. STAFF RECOMMENDATION

MOTIONS AND RESOLUTIONS

A. DENIAL OF LAND USE PLAN AMENDMENT #2-96 AS SUBMITTED

MOTION:

"I move that the Commission certify Major Amendment #2-96 to the Santa Cruz County Land Use Plan as submitted by the County."

Staff recommends a "NO" vote. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

RESOLUTION:

The Commission hereby rejects amendments #2-96 to the Land Use Plan of the Santa Cruz County Local Coastal Program for the specific reasons discussed in the following findings on the grounds that it does not meet the requirements of Chapter 3 of the Coastal Act. There are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which the approval of these amendments would have on the environment.

B. APPROVAL OF LAND USE PLAN AMENDMENT #2-96, IF MODIFIED

MOTION:

"I move that the Commission certify Major Amendment #2-96 to the Santa Cruz County Land Use Plan of Santa Cruz County's Local Coastal Program as submitted by the County, if modified according to Modification "A".

Staff recommends a "YES" vote. An affirmative vote by a majority of the appointed commissioners is needed to pass the motion.

RESOLUTION:

The Commission hereby certifies the amendment to the Santa Cruz County Land Use Plan of Santa Cruz County's Local Coastal Program if modified for the specific reasons discussed in the following findings on the grounds that, as submitted, the amendment and the LUP as thereby amended meet the requirements of the Coastal Act. The amendment is consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) and approval will not have significant adverse environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

C. APPROVAL OF IMPLEMENTATION PLAN AMENDMENT #2-96 AS SUBMITTED**MOTION:**

I move that the Commission reject Major Amendment #2-96 to the Santa Cruz County Local Coastal Program Implementation Plan as submitted by the County.

Staff recommends a "NO" vote which would result in approval of this amendment as submitted. Only an affirmative (yes) vote on the motion by a majority of the Commissioners present can result in rejection of the amendment.

RESOLUTION:

The Commission hereby certifies Major Amendment #2-96 to the Implementation Plan of the Santa Cruz County LCP, for the specific reasons discussed in the following findings, on the grounds that the amendment conforms with and is adequate to carry out the certified Land Use Plan; and approval of the amendment will not cause significant adverse environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

II. SUGGESTED MODIFICATION

- A. Add to "Special Development Standards" entry for AP#032-181-04 on Figure 2-5 of the Land Use Plan:

Alternate residential use, if publicly acquired, limited to one house of similar scale to those in surrounding neighborhood.

III. RECOMMENDED FINDINGS

The Commission finds and declares:

- A. Redesignate 41st Ave./E. Cliff Dr. parking lot (AP# 032-181-04) from "Existing Parks and Recreation" to "Urban Residential-Medium Density" and concurrently state that "Proposed Parks" is a preferred rather than existing use and residential is an alternate use in the Land Use Plan (Figures 2.8 & 2.5).

BASIS OF ANALYSIS: The following Coastal Act section excerpts are relevant for analyzing the proposed amendment:

30213: Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred.

30220: Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

30221: Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

30223: Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

SITE IMPORTANCE: The site which is the subject of the proposed amendment is 27,355 sq. ft. in size and is located on the northwest corner of East Cliff Drive and 41st Avenue in the Live Oak area of Santa Cruz County (see Exhibit 1). East Cliff Drive, in the vicinity of the site, closely parallels the shoreline, and provides access to the nationally-known Pleasure Point surfing areas. The prime Pleasure Point surfing locales extend approximately one mile from Rockview Drive to Key Beach. This area is extremely popular with surfers, most of whom arrive by car. Coastal Commission staff observations over the years estimate upwards to 500 surfers visit this section of the Live Oak shoreline on a day with inviting waves.

In addition to surfers, the Pleasure Point shoreline and East Cliff Drive is extensively used by beach-goers, walkers, skaters and bicyclists. The stretch of East Cliff Drive between 41st and 32nd Avenues is one of the few places where there is little intervening development between the public road and the sea (i.e., only three homes). It is, therefore, particularly popular because shoreline access is more available down the bluff and vistas to the sea are not obscured by homes.

Parking to serve visitors to the Pleasure Point area is, however, very limited. Visitors must compete with residents for on-street parking and, on summer weekends, pay for this privilege under a permit program. The on-street parking limitations are further exacerbated by the facts that many of the homes on Pleasure Point are older and do not provide adequate on-site parking for residents and East Cliff Drive itself has no on-street parking between 32nd and 41st' Avenues.

The only significant public parking lot on Pleasure Point is the subject site. The nearest other sites are limited to six spaces each (at O'Neill's house to the west and Key Beach to the east). The next nearest other public

lots are located about one mile upcoast at Moran Lake (40 spaces), also a popular visitor locale, and about one mile downcoast on the bluffs above Capitola Village. This latter lot does not, however, provide any proximate beach access and tends to be used for overflow parking for the village.

Finally, the Pleasure Point area is almost completely built-out with older single family homes on small lots. There are no other remaining vacant sites in the immediate vicinity which would be suitable for a parking lot.

As a result of all of these factors, the parking lot currently located on the subject parcel provides a very important access support function by giving visitors, who arrive at the shoreline by vehicle, a place to leave their cars. Although no parking counts are available, Coastal Commission staff observation over the years reveals extensive and tight use. At least 100 cars can fit on the lot. Because the site is not striped, vehicles can squeeze closer together than is permitted by marked parking spaces which are of a standard size (8 1/2' x 18' minimum per County Code). The County Public Works Department is currently sketching some alternative plans for improving the lot which would yield up to 75 formal spaces. Physical access to the shoreline for surfers and other beach-goers would be greatly restricted if parking facilities were not available for those many visitors who do not live on Pleasure Point.

The Coastal Act policies cited as relevant to the consideration of this amendment proposal clearly require that parcels such as this one should be used to support coastal access and/or to provide recreational opportunities unless it can be shown that these types of uses are already adequately provided for in the area. Currently, the parking lot use is consistent with these policies. It provides no-cost facilities which support a recreational use (PRC 30213). Also, the parking lot provides ocean beach access which cannot, by its nature, be located inland (PRC 30220); and, as demonstrated in the preceding discussion, parking in the Pleasure Point area is very limited and thus not adequately provided for elsewhere (PRC 30221).

AMENDMENT BACKGROUND: The site had been privately owned, with the County leasing it for parking. The lease with the County required that the site retain its long-standing "Residential" designation. The Coastal Commission had certified this designation in 1982. However, without apparent congruence of the lease terms, the County amended the Land Use Plan in 1994 to change the designation from "Residential" to "Park." The proposal thus returns the site to its previous designation.

Since the amendment was filed, the County's Redevelopment Agency has acquired the site, as called for in currently certified Land Use Plan provisions. This certified language to "provide public acquisition of the site to insure permanent public use for coastal access and support facilities" and for "Primary Public Access Facilities: Support continued acquisition and development of coastal beach land parking and other support facilities including...the 41st Avenue/ East Cliff parking..." is retained. The County is to be complimented for using its own funds to purchase a private parcel for public shoreline recreational support purposes. The County still is requesting the amendment in order to "permanently protect a substantial public

parking resource on the property...The amendment, through allowing limited private development opportunities on the property, would make it possible for the Agency to finance much-needed improvements in the area (bathrooms, showers, lot paving and landscaping) which would otherwise not happen for some time." (see attached correspondence)

ISSUE WITH AMENDMENT AS PROPOSED: Although the proposed amendment retains the quoted language, it also adds text stating that residential is an alternative use (See Attachment). It also redesignates the site to "Residential" use from "Existing Parks and Recreation." The proposed "Residential" designation allows public facilities (LUP policy 2.21.2). However, redesignation of the site to residential will allow for the complete conversion of the existing parking lot to a residential use. The County staff report estimated that three or four units could be developed on the 27,355 sq. ft. site. The Land Use Plan's minimum parcel size of 4,000 square feet could theoretically allow up to six units. Obviously, a land use designation which permits the complete elimination of this needed parking lot will not be consistent with the Coastal Act policies cited above, and therefore this amendment is denied as submitted. As discussed in the preceding paragraphs, the parking lot provides critically needed support for beach access.

APPROVAL WITH MODIFICATIONS: Modifications to the proposed amendment are, however, available and will bring the proposal into consistency with the Coastal Act and with other County LCP policies. The proposed amendment can be modified to limit potential impacts to public parking to a level that has a reasonable chance of being mitigated and/or found acceptable in the future permit process. A modification can add policy language that conforms to the County's intent to develop no more than one residence on part of the site, similar in scale to the surrounding neighborhood. Notably, under the current land use designation and associated zoning, a single residential unit is permitted, and a modification can retain this level of flexibility. The County is contemplating dividing off one residential parcel, to help recoup the cost of developing the remainder of the site with repaving, landscaping, and a restroom. Immediately surrounding parcels are in the 7,500 to 8,500 square foot range. However, with several multiple unit parcels and smaller parcels nearby, the actually net density is likely lower. Minimum parcel size for one home is 4,000 square feet. For illustrative purposes, one initial sketch plan for improving the site that County staff has prepared shows a 5,200 square foot residential lot, or 19% of the site. A remainder public parcel with 54 formal parking spaces along with a restroom is shown, too. This example is 28% fewer spaces than the maximum that the County staff has so far sketched as fitting on the site. It is the intent of the amendment modification that, while providing flexibility, any new residential lot created should be the smallest feasible size, in keeping with the cottage-like lot development pattern of most of the neighborhood.

The only potential issue that arises with this modified amendment is if some parking spaces necessary to support coastal recreational use are precluded by residential development, where they would have been feasible to maintain and where they are not compensated for elsewhere or in other ways. This is not expected to occur because there are various scenarios to mitigate for any parking loss. Land Use Plan program #3.3d calls for developing "a County

program and support[ing] a state program to develop and maintain parking facilities serving recreation areas which ensure traffic safety, bicycle safety, adequate parking supply, and minimum disruption to surrounding neighborhoods." The County is currently cooperating with the Commission in a study to address public access in the vicinity of the subject site, as a follow-up to the Regional Cumulative Assessment pilot program (ReCAP). Examination of and plans for improving on-street parking, acquiring or leasing other off-street parking, and improving non-automotive access and other recreational support facilities may result in a project or projects linked to developing the subject site and mitigating any parking loss. For example, the County could complete plans to purchase the former Albatross site on Corcoran Lagoon and then develop it for public parking and improve trail links from there to and along the coast to the subject site. Or the County or a private party could provide off-street weekend beach parking in an underutilized commercial lot on or near 41st Avenue. There may also be room for some parking bays along East Cliff Drive when it is reconstructed.

In conclusion the modified, amended Land Use Plan as it pertains to the subject parking lot site would have a residential land use plan designation, with policy language allowing at most one house, now that the site is in public ownership. The Plan would also still contain text calling for the site to be developed as a public parking lot. It would have a notation calling for a regional public facility (i.e., not neighborhood-serving only). It would require a master plan for the site, "with an integrated design providing for full utilization of the site" (policy 2.23.3). The required coastal permit process and the environmental review process of the California Environmental Quality Act would be the forums for analyzing any development proposal for consistency with these provisions (i.e., weighing any parking loss with compensatory access improvements and/or providing mitigation measures). As explained by the County, the one house option fits in with these other provisions in that it allows the County to receive some revenue to finance the public access improvements. Taken together, all of these provisions will ensure that the subject site and any development of it continue to provide public recreational facilities and/or support for such coastal and water-oriented facilities at low-cost. Thus, the proposed amendment can be approved as being consistent with the cited Coastal Act sections. Especially given the noted options for addressing any impacts, the Commission does not anticipate that these provisions can be interpreted to approve a future coastal permit that reduces public access opportunities. This approval does not prejudice any future action that the Commission may take (e.g., in the appeal process) to ensure that public access opportunities are maintained. The Commission intends to continue working cooperatively with the County in this regard.

B. Rezone 41st Ave./E. Cliff Dr. parking lot (AP# 032-181-04) from "Parks, Recreation and Open Space -D" to "Public Facility" in the Implementation Plan.

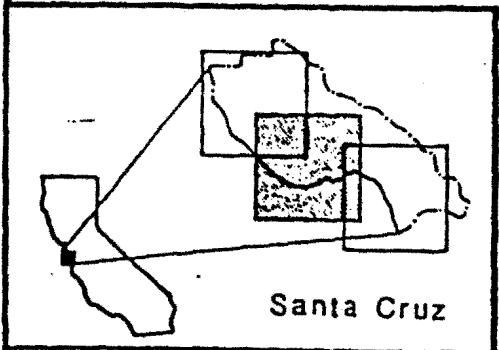
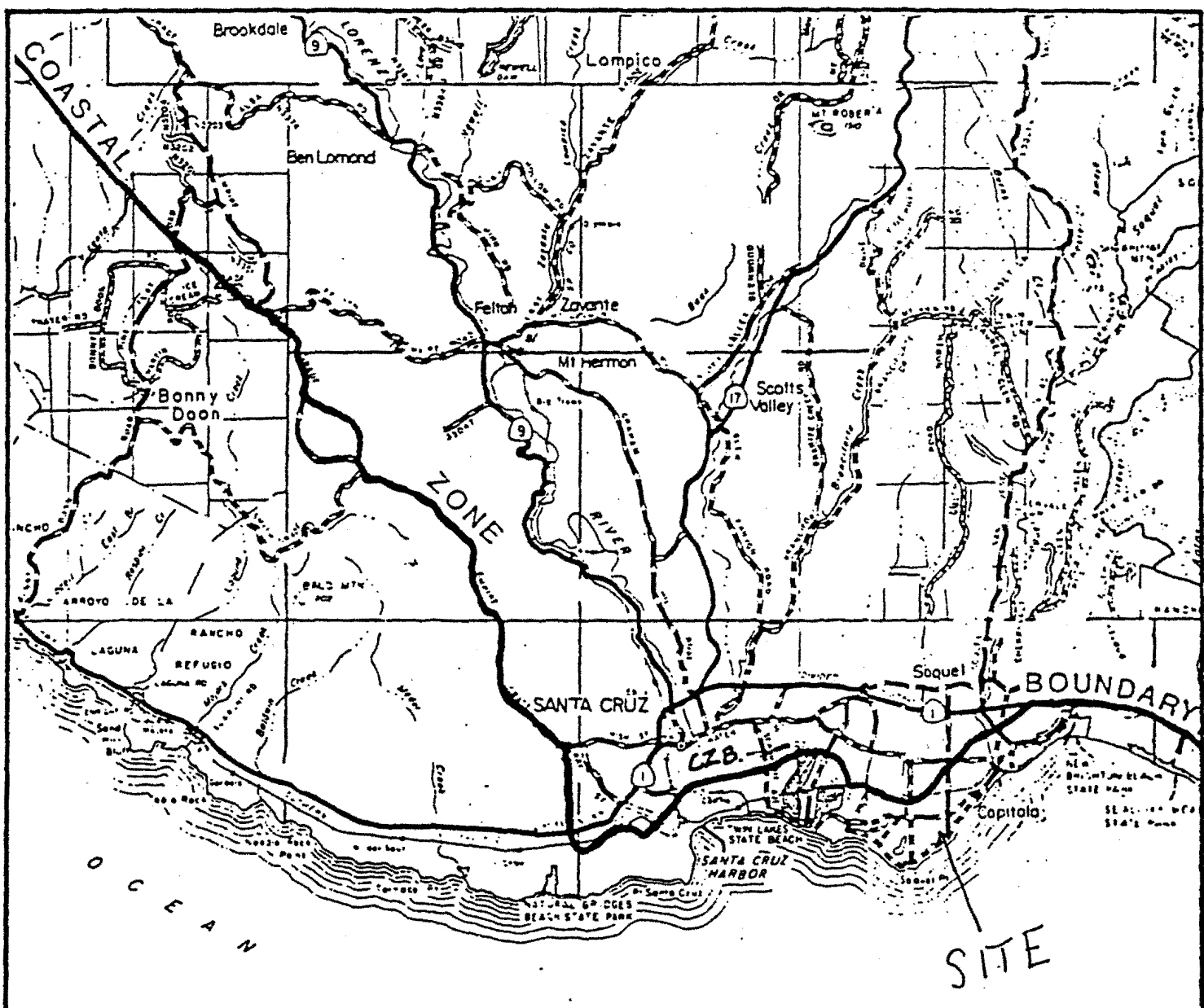
The "Public Facility" zone district is listed in the Implementation Plan as one that can implement a "Residential" land use designation. The district allows residential uses pursuant to a master use permit, as well as parking areas, parks, and recreational facilities. The zoning is appropriate in this

case because the site contains a public parking lot, as described in the previous finding. The master use permit must trigger environmental review under the California Environmental Quality Act. The proposed zoning district appropriately will help ensure that the analysis process noted in the Land Use Plan approval findings occurs, as it emphasizes public facilities over residential uses and establishes a thorough process for considering residential uses.

The proposal also eliminates the "D" overlay district since it was not part of the previous zoning as certified by the Commission. This district is applied to land proposed for park use. It establishes a process for the County to consider public acquisition and/or redesign as part of the development application review process. The County has already acquired the site, rendering somewhat moot the necessity to retain the "D" overlay. While the "D" overlay would still add emphasis to the County's intent in retaining public use over all or part of the subject site, it is not necessary to implement the amended Land Use Plan designation. Thus, this implementation amendment can be approved as being consistent with and adequate to carry out the Land Use Plan as will be amended and modified.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's review and development process for LCP's and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. The Commission can and does utilize any environmental information the local government has developed. The County certified a "Negative Declaration" for the proposed amendments. Coastal Commission staff commented with concern about possible residential development. The Commission concurs with the "Negative Declaration" and finds no significant adverse environmental impact from this proposal, as modified.



California Coastal Commission **LOCATION MAP**

County of Santa Cruz

Sheet 2 of 3
Exhibit 1
Santa Cruz Co LCP
Amendment #1-96

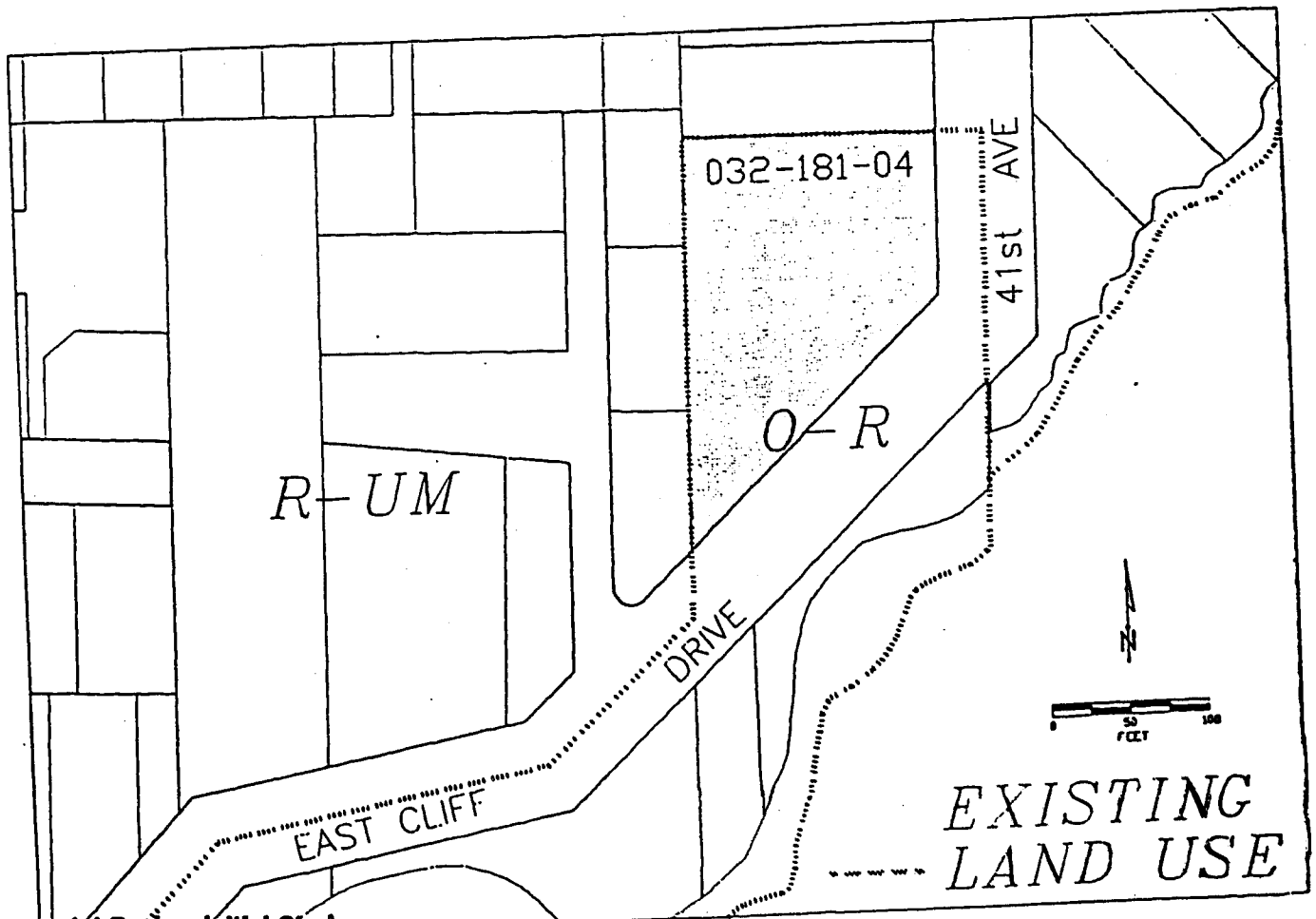
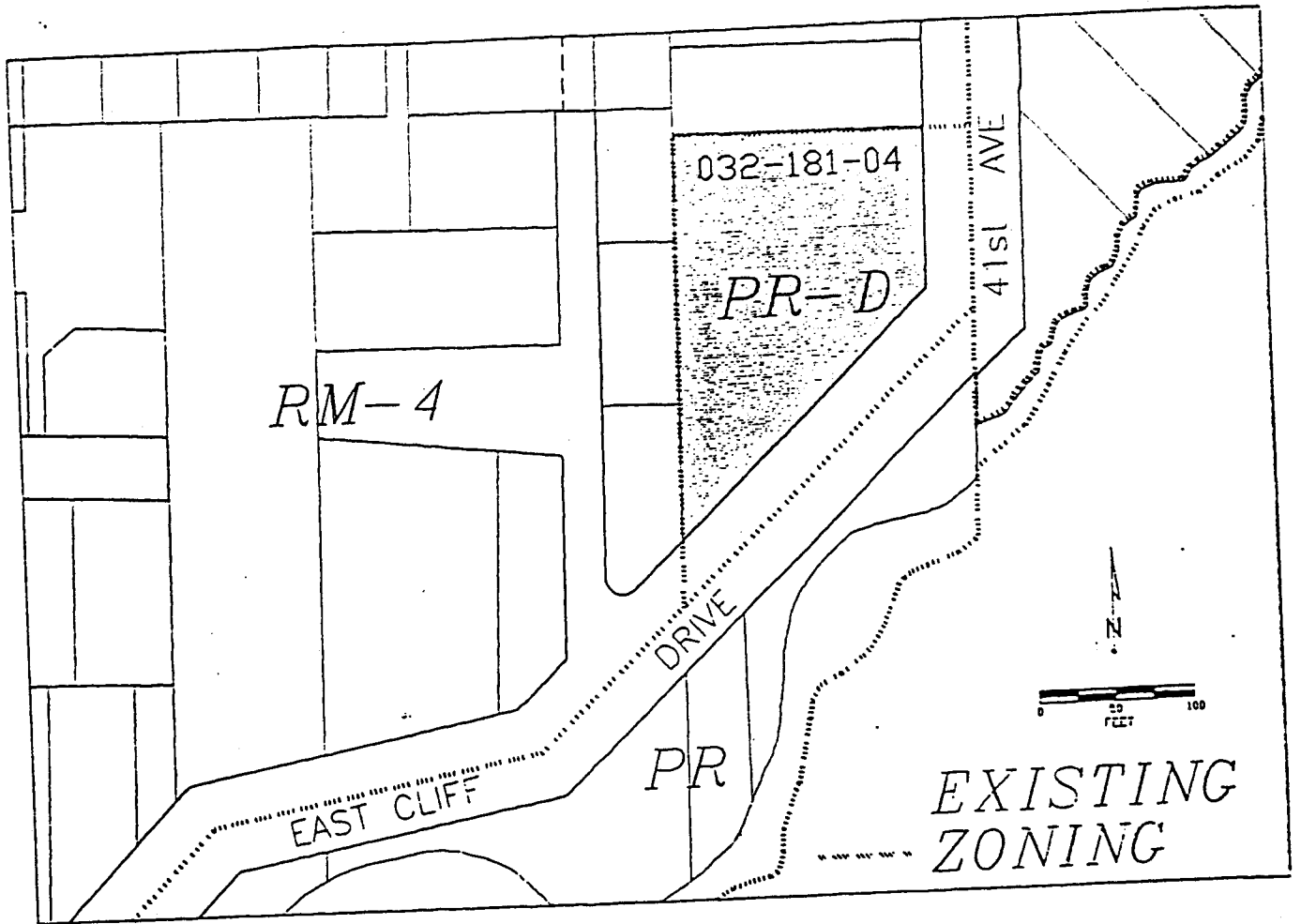
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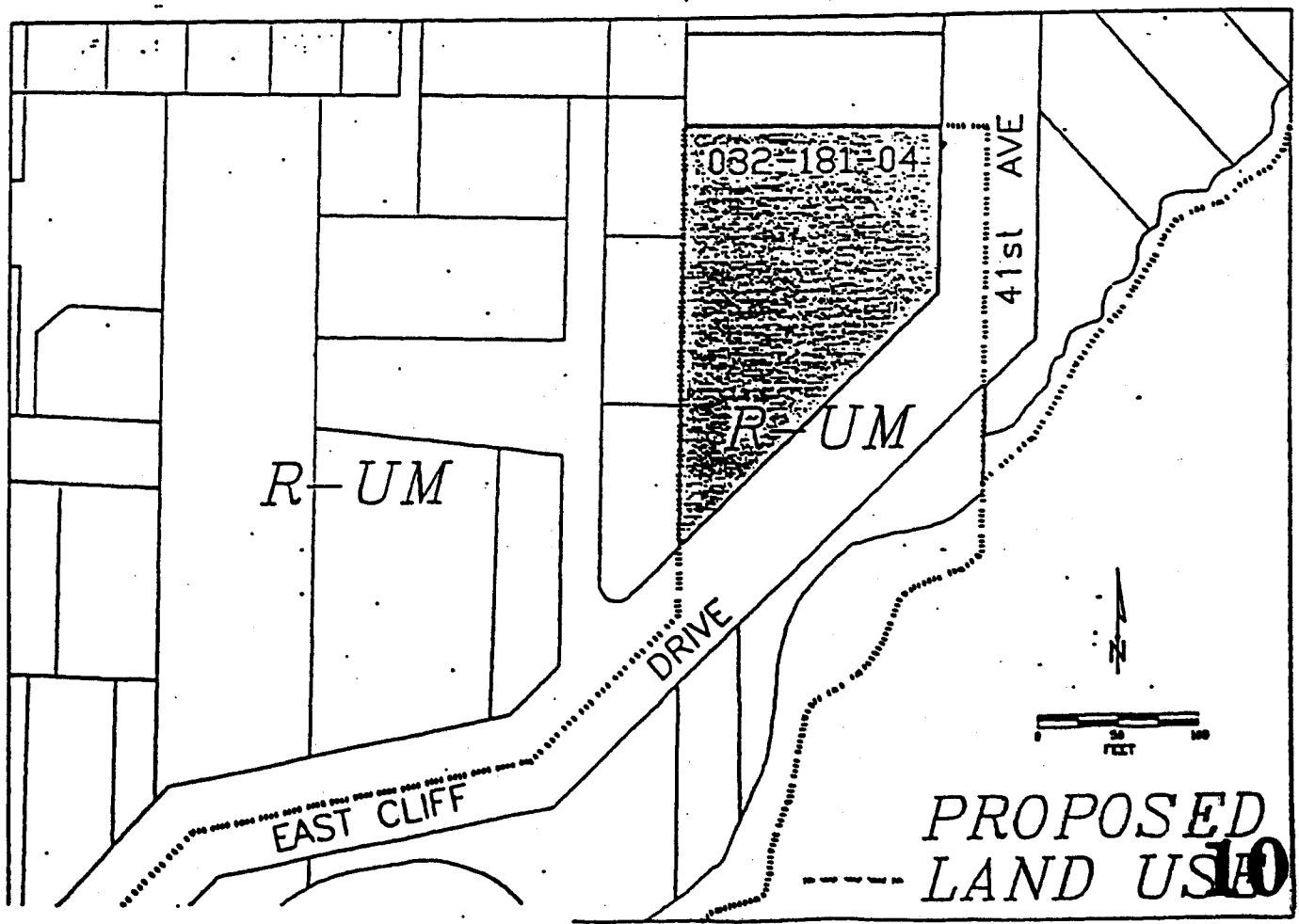
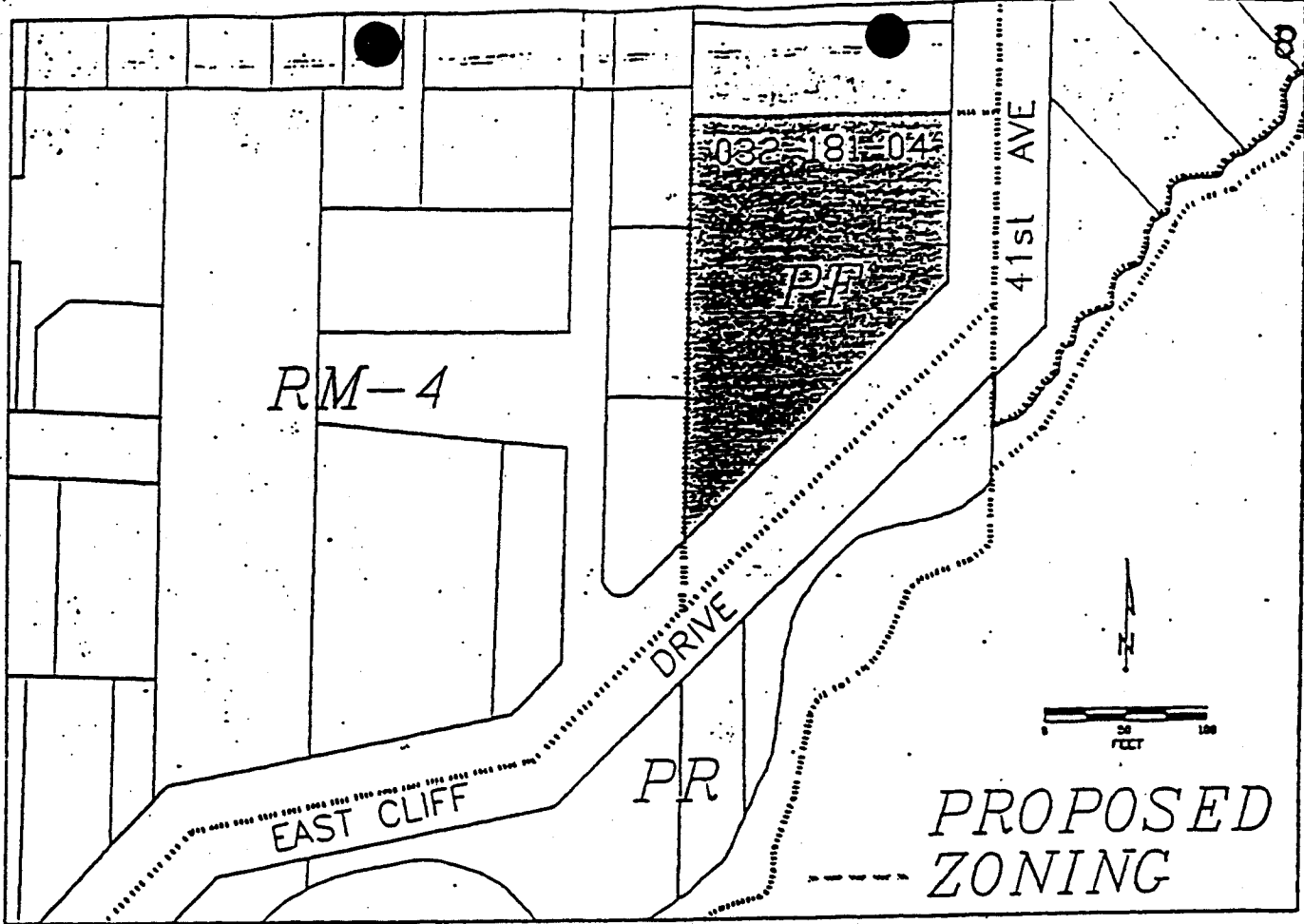
**SANTA CRUZ COUNTY LOCAL COASTAL
PROGRAM AMENDMENT # 2-96 MAJOR**

ATTACHMENT

COMPLETE COPY OF PROPOSED AMENDMENTS

CHANGES SHOWN BY ARROWS IN MARGIN (←)
CHANGES INDICATED BY STRIKE-OUTS AND UNDERLINES
AS ADOPTED BY SANTA CRUZ COUNTY
(CLEAN COPY OF ADOPTED TEXT ON FILE AT COMMISSION OFFICE)

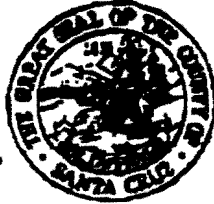




**Figure 2-5 (Continued)
Coastal Priority Sites-Live Oak**

Site Name and Assessor's Parcel Number	Designated Priority Use	Special Development Standards	Circulation and Public Access Requirements
Corcoran Beach 028-225-12 028-231-01	"Existing Park, Recreation & Open Space": Acquisition and improvement of beach parcels for coastal access, recreation and protection of coastal biotic habitat.	Locate permanent public recreational support facilities, as feasible, above the area subject to coastal inundation.	Provide coastal access parking as feasible.
41st Avenue at East Cliff Drive 032-181-04	"Existing Parks, Recreation & Open Space" <u>Preferred Use:</u> <u>"Proposed Parks, Recreation & Open Space"</u> : Continued use as a beach access parking facility. <u>Alternate Use: "Urban Medium Residential"</u>	Improve site with paving, landscaping, drainage, and visitor support facilities.	Provide public acquisition of the site to insure permanent public use for coastal access and support facilities. Improve pedestrian connections to the shoreline.
Pleasure Point Overlook 032-242-10	"Existing Park, Recreation & Open Space": Development of coastal overlook and access with supporting improvements.	Locate any private development of the property on the west end of the parcel to preserve public coastal access and views of the coastline.	Improve and dedicate coastal overlook and access for public use.
East Cliff Drive Overlook 032-251-02,06,07,10	"Existing Park, Recreation & Open Space": Development of a coastal overlook with supporting improvements.	None.	None.

REDEVELOPMENT AGENCY



COUNTY OF SANTA CRUZ

GOVERNMENTAL CENTER
TOM BURNS
AGENCY ADMINISTRATOR701 OCEAN STREET, ROOM 510 SANTA CRUZ, CALIFORNIA 95060-4000
PHONE (408) 454-2200 FAX (408) 454-3420 TDD (408) 454-2120

August 22, 1996

Tami Grove, District Director
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA. 95960**Pending Coastal Plan Amendment - The Hook Property**

Dear Tami:

As you know, the County Redevelopment Agency is actively involved in implementing a redevelopment plan for the Live Oak Area, which includes a substantial stretch of coastline adjacent to older "beach cottage" neighborhoods. One component of our redevelopment effort has been to improve beach access and parking opportunities for locals and visitors to the area. In addition to enhancing access to these unique coastal resources, such improvements, if carefully planned, can provide economic benefits to the area, while at the same time reducing visitor-related impacts to adjacent neighborhoods.

Over the past several years, we have been working closely with your local staff in exploring a wide range of coastal parking and access improvements. One of those projects is in the Pleasure Point area, adjacent to the Hook Property. That plan, which has already been partly implemented, involves stabilizing a number of sections of falling coastal cliffs, narrowing of the adjacent roadway to a one-way direction, expanding bicycle and pedestrian access along the cliff top, and providing permanently-protected beach parking.

The Coastal Plan amendment before you at this time is a key component of making this plan possible. By returning The Hook Property to its prior land use designation, one previously approved by the Commission, it will be possible for the Redevelopment Agency to permanently protect a substantial public parking resource on the property - parking that would otherwise have been completely lost to residential development. The amendment, through allowing limited private development opportunities on the property, would make it possible for the Agency to finance much-needed improvements in the area (bathrooms, showers, lot paving and landscaping) which would otherwise not happen for some time. Obviously, every effort will be made, through the planning of improvements to the property, to maximize the extent of parking on the property while at the same time, generating the financing needed for

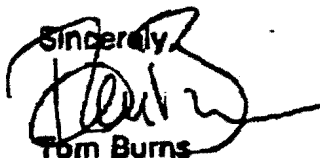
*Santa Cruz Co. #2-91
Correspondence*

construction of public improvements in the area.

We have reviewed the additional language proposed by your staff to accompany the amendment, which states specifically that residential use of the property be limited to one house of similar scale to those in the surrounding neighborhood, and have no problem with this language. Of course, we will work closely with your staff and the community to mitigate any potential adverse impacts to parking that results from this or any other public improvement project made in the beach areas.

I look forward to working with your staff in the coming months in developing a plan for facilitating these critically needed coastal access improvements.

Sincerely,



Tom Burns

RDA Administrator

cc. Board of Directors
Dan Shaw, County Planning Director