

**CALIFORNIA COASTAL COMMISSION**

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**F14a**

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**APPEAL STAFF REPORT - SUBSTANTIAL ISSUE DETERMINATION**

**Appeal number**.....A-3-SCO-03-071, Live Oak Library  
**Applicant**.....Santa Cruz County Redevelopment Agency  
**Appellants**.....Mary Searl & Steve Barlow; Charles Paulden  
**Local government**.....Santa Cruz County  
**Local decision**.....Approved with conditions (June 6, 2003)  
**Project location**.....Existing Live Oak Library site at 2380 Portola Drive adjacent to Corcoran Lagoon in the unincorporated Live Oak area of Santa Cruz County.  
**Project description**.....Demolish the existing Live Oak Library and replace it with a new library building and related amenities. Project includes replacement of the existing one-story library with a one and two-story craftsman style library structure, realigned parking lot, and enhanced water quality treatment and filtration system.  
**File documents**.....Santa Cruz County Certified Local Coastal Program (LCP); Santa Cruz County CDP Application File 03-0002; Coastal Commission CDP Application File 3-03-088 (Live Oak Library Corcoran Lagoon Restoration).

**Staff recommendation ...No Substantial Issue**

**Summary of staff recommendation:** The County approved a project to demolish the existing one-story, 17-foot tall, roughly 6,000 square foot library (5,000 square foot building and 1,000 square foot enclosed patio) and replace it with a 13,500 square foot structure in about double the existing footprint in a mix of one and two stories up to 28 feet tall adjacent to Corcoran Lagoon in the Live Oak area of Santa Cruz County. The approved project also includes reconfigured and improved parking areas, walkways, landscaping, and water quality filtration and treatment. The approved project retains the informal public path along the Lagoon's edge, and includes viewing areas and interpretive panels along the path.

The Appellants generally contend that the approved project is inconsistent with the land use, sensitive habitat, view, and recreation policies of the LCP.

The project raises some issues due to the fact that it is to be constructed adjacent to the significant habitat and viewshed of Corcoran Lagoon. However, the Library site is located on pre-Coastal Act fill that is not ESHA and that has been historically developed with urban uses for some time, including the

**California Coastal Commission****October 2003 Meeting in San Diego**Staff: D. Carl Approved by: *DSL*

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existing Library development itself. The approved project does intensify the use somewhat by providing more than double the existing Library square footage. The increased square footage will lead to an increased intensity of use (including the second story elements that are more visible from within the Lagoon, a portion of the building extending closer to it, and any associated additional noise, lights, and activity) at this location that does raise some habitat questions. However, the increased use intensity will be relatively small over that that exists currently, and it is not expected to significantly disrupt the Lagoon habitat. In addition, the approved project includes several elements that will improve the adjacent Lagoon habitat. For example, a "treatment train" for site runoff using a biofiltration swale area and an advanced engineered filtration device that will serve to ensure runoff leaving the site (and entering the Lagoon) is filtered and treated to remove typical runoff pollutants. Also related to the project, but being heard separately at the October Commission hearing because it is located within the Commission's retained permitting jurisdiction (application number 3-03-088, item number F15d), is a restoration project for the Lagoon edge adjacent to the site that will remove invasive and non-native plants and replace them with non-invasive native Lagoon species. Existing chemically treated railroad ties on the site (historically used to define parking areas) will be removed, and thus any existing leaching of chemicals from these ties during storm events will be eliminated.

In terms of views, additional public view blockage as seen from Portola Drive will be extremely minimal and insignificant. Public views of the ocean horizon will not be blocked. Although the additional massing and formalized site design will incrementally contribute a more urban quality into the existing Lagoon viewshed aesthetic, it is important to note that the project site is already within an urban context, with large residential structures ringing much of the Lagoon and located directly inland of the site opposite Portola Drive. To the west is the KSCO radio station and its large, tall transmission towers that extend out into the middle of the lagoon proper. In any case, and in this context, the project's generally low-slung architecture, along with the site landscaping, the retained eucalyptus grove, and the Lagoon restoration, will help to soften viewshed impacts. The design is coastal craftsman in feel, and includes a number of varied structural offsets and projections, and a second story set back from the first, that together help to reduce the perception of mass. Overall, the project presents an attractive design that will blend with the existing character of the site and the surrounding built and natural environment.

Finally, the project retains the existing public footpath along the Lagoon edge, and incorporates a viewing area with interpretive panels into it.

Overall, although the Appellants raise some pertinent issues regarding Lagoon habitat and viewshed protection, these issues do not rise to the level of a substantial issue in terms of this project's conformance with the certified LCP. The project is an attractive public project that strikes an appropriate balance between its development intensity and its viewshed location near the Lagoon. Not insignificantly, the project provides an opportunity to enhance public awareness of the Lagoon and similar coastal resources by bringing the public to it in an attractive setting containing amenities and interpretive information. Many of these folks are either persons who might not otherwise experience such wetland interpretation, and/or are younger children to whom such an experience can help form their appreciation and continued support for protecting such resources.



Thus, Staff recommends that the Commission find that no substantial issue exists with respect to this project's conformance with the certified LCP, and that the Commission decline to take jurisdiction over the coastal development permit for the project.

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## **1. Appeal of Santa Cruz County Decision**

### **A. Santa Cruz County Action**

Santa Cruz County approved this proposed project subject to multiple conditions on June 6, 2003 (see exhibit C for the County's adopted staff report, findings and conditions on the project). The County's approval was by the Zoning Administrator. The Zoning Administrator's approval was not appealed locally (i.e., to the Planning Commission or to the Board of Supervisors).<sup>1</sup>

Notice of the Zoning Administrator's action on the coastal development permit (CDP) was received in the Coastal Commission's Central Coast District Office on June 26, 2003. The Coastal Commission's ten-working day appeal period for this action began on June 27, 2003 and concluded at 5pm on July 11, 2003. Three separate appeals were received during the appeal period, from (1) Mary Searl & Steve Barlow; (2) Charles Paulden; and (3) Patricia Matejcek for "Harbor to the Hook." Subsequently, it was determined that neither Patricia Matejcek nor the Harbor to the Hook organization had standing to make the appeal.<sup>2</sup> Thus, there are two valid appeals (see below).<sup>3</sup>

### **B. Appeal Procedures**

Coastal Act Section 30603 provides for the appeal of approved coastal development permits in jurisdictions with certified local coastal programs for development that is: (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance; (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff; (3) in a sensitive coastal resource area; (4) for counties, not designated as the principal permitted use under the zoning ordinance or zoning district map; and (5) any action on a major public works project or energy facility. This project is appealable

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<sup>1</sup> Normally local appeals must be exhausted before an appeal can be made to the Coastal Commission. In Santa Cruz County's case, the appeals process is that Zoning Administrator decisions can be appealed to the Planning Commission, and Planning Commission decisions can be appealed to the Board of Supervisors (and the Board can also independently elevate an item to the Board for consideration). However, because Santa Cruz County charges a fee for local coastal permit appeals, aggrieved parties can appeal lower decisions directly to the Commission. Since the appeal in this case is of a Zoning Administrator decision, the Appellants have availed themselves of the direct appeal route.

<sup>2</sup> To have standing to make an appeal, one must be an "aggrieved person" where "aggrieved person" means any person who, in person or through a representative, appeared at a Santa Cruz County public hearing in connection with the action, or who by other appropriate means prior to a hearing, informed the County of the nature of his or her concerns, or who for good cause was unable to do either (Coastal Act Sections 30625 and 30801). In this case, neither Ms. Matejcek nor the "Harbor to the Hook" organization took part in the local permitting process for this item leading up to and including the County decision since appealed. As a result, they do not qualify as "aggrieved" with standing to submit an appeal in this matter.

<sup>3</sup> Note that Ms. Matejcek's appeal raised similar issues as Mr. Paulden's appeal, and in fact included identical LCP citation sections. Thus, even though Ms. Matejcek does not have standing to make the appeal, her issues are addressed through Mr. Paulden's appeal.



because it is located adjacent to Corcoran Lagoon and it is not the principally permitted use for this site.<sup>4</sup>

The grounds for appeal under Section 30603 are limited to allegations that the development does not conform to the standards set forth in the certified LCP or the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a de novo coastal development permit hearing on an appealed project unless a majority of the Commission finds that "no substantial issue" is raised by such allegations. Under Section 30604(b), if the Commission conducts a de novo hearing, the Commission must find that the proposed development is in conformity with the certified local coastal program. Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act, if the project is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone. This project is so located and thus this additional finding would need to be made in a de novo review in this case.

The only persons qualified to testify before the Commission on the substantial issue question are the Applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo stage of an appeal.

## **C. Appellants' Contentions**

### **Appellants Mary Searl and Steve Barlow**

Ms. Searl and Mr. Barlow's appeal contends that the project will erode neighborhood views, and that there are less "environmentally and residentially disturbing" sites available. Please see exhibit D for their complete appeal document.

### **Appellant Charles Paulden**

Mr. Paulden's appeal generally contends that the approved project is inconsistent with LCP policies protecting Corcoran Lagoon, coastal views, open space, park and recreation land, and that it is inappropriately sited at this location for these reasons and because it is not consistent with LCP land use priorities. Mr. Paulden has organized his appeal contentions into five general areas: general LCP issues (use priorities, public service adequacy, etc.), biological resources, views, open space, and recreation. Please see exhibit E for the Mr. Paulden's complete appeal document.

### **Summary**

Together, the appeal contentions can be organized broadly into four main issue areas: land use, environmentally sensitive habitat areas (ESHAs), views, and recreation. The analysis that follows is likewise organized on these four areas. There is obviously some overlap between these broad areas, and

<sup>4</sup> Note that community facilities, including libraries, are principally permitted uses in the subject C-1 zone district only if they are less than 2,000 square feet. Projects larger than that must be reviewed at level 5 (i.e., Zoning Administrator) or above. The LCP is structured to correlate reviews at a level 5 or above as conditional uses.



some of the Appellant-identified categories areas are inherent to each (e.g., Mr. Paulden's open space concerns also relate to protection of the lagoon and views). Such overlap is acknowledged and analyzed below. In general, Ms. Searl and Mr. Barlow's appeal contentions are included in those of Mr. Paulden, except for their additional contention regarding the impact of the project on the adjacent residences.

## **2. Staff Recommendation on Substantial Issue**

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal was filed. A finding of no substantial issue would mean that the County's decision in this matter would be final (conversely, a finding of substantial issue would bring the project under the jurisdiction of the Commission for hearing and action).

**Motion.** I move that the Commission determine that Appeal Number A-3-SCO-03-071 raises **no** substantial issue with respect to the grounds on which the appeal has been filed under §30603 of the Coastal Act.

**Staff Recommendation of No Substantial Issue.** Staff recommends a **yes** vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

**Resolution to Find No Substantial Issue.** The Commission hereby finds that Appeal Number A-3-SCO-03-071 does not present a substantial issue with respect to the grounds on which the appeal has been filed under §30603 of the Coastal Act regarding consistency with the Certified Local Coastal Program and/or the public access and recreation policies of the Coastal Act.

## **Recommended Findings and Declarations**

The Commission finds and declares as follows:

## **3. Project Description**

### **A. Project Location**

The proposed development is located adjacent to Corcoran Lagoon in the unincorporated Live Oak area of Santa Cruz County (see exhibit A). Corcoran Lagoon is one of a series of coastal lagoons in Live Oak that have been hemmed in over time by the increasingly dense development, primarily residential, of coastal Live Oak. Corcoran Lagoon extends from the beach shoreline under a bridge at East Cliff Drive (i.e., the first through public road) and inland to Portola Drive. The library site is on the inland side of



Corcoran and is accessed off of Portola Drive. Residential development surrounds Corcoran, and a radio station, KSCO, is located due west – also directly adjacent to the Lagoon (and including 3 tall radio transmission towers within the Lagoon itself).

The Library site is located on a roughly 4 acre parcel of which approximately 2½ acres is occupied by the Lagoon itself and the remainder is pre-Coastal Act fill that has historically been developed with building and parking areas. The fill area is currently occupied by a roughly 6,000 square foot library building (5,000 square foot building and 1,000 square foot enclosed patio) nearest Portola with a parking lot on the Lagoon-side of the building. The building is one-story and 17-foot tall. Prior to the existing library use, the building and site were used as a nightclub, with parking occupying the remainder of the site between the building and the Lagoon. A small fence rings the site on the Lagoon side roughly demarking the boundary between the disturbed area of the site and the Lagoon portion of the site. The area inland of the fence line includes a graveled weedy area used historically for overflow parking. A tall eucalyptus grove runs along the edge of the lagoon along the fence line on the southeast of the site. A small vegetated swale currently collects runoff prior to directing it to the Lagoon.

See exhibit B for a site plan with site characteristics noted.

## **B. County Approved Project**

The County approval allows the Applicant to demolish the existing library building and replace it in an expanded footprint (roughly double) with a 13,500 square foot structure in a mix of one and two stories up to 28 feet tall at its maximum. The structure would be finished with fiber cement board and bat upper stories, stucco lower story, and a series of wood gables and pedestals designed to evoke a coastal-craftsman style. The approved project also includes reconfigured and improved parking areas, walkways, and landscaping. A portion of the existing graveled weedy area would be combined with the area of the existing vegetated swale to create a larger bio-filtration area for site runoff that would itself then filter through a new engineered filtration device prior to entering the Lagoon. The area immediately under the eucalyptus grove canopy would be left undisturbed since the eucalyptus duff and feeder roots have acclimated in this area (and removal would adversely affect the tree grove). The existing wooden split rail fence would be replaced in kind and in the same location. Existing chemically treated railroad ties (used historically to define parking areas) would be removed and disposed of properly offsite. The approved project retains the informal public path along the Lagoon's edge, and adds a viewing area and interpretive panels along it.

See exhibit B for County-approved plans (including a photo-simulation)<sup>5</sup> and exhibit C for the adopted County staff report, findings, and conditions approving the project.

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<sup>5</sup> Note that not all approved plan sheets are shown in exhibit B. Rather, exhibit B includes an existing and proposed site plan, and elevations of the proposed Library building.



## 4. Substantial Issue Findings

The Appellants raise issues regarding the project's conformance with the land use, ESHA, viewshed, and recreation policies of the LCP (see exhibits D and E for the complete appeal documents). The Appellants exclusively cite LCP Land Use Plan (LUP) policies. The LCP policies identified by the Appellants in each issue area are identified below,<sup>6</sup> followed by a analysis of the project's conformance with the cited policies in relation to the appeal reasons. As detailed below, the appeals do not raise a substantial issue with respect to the project's conformance with the Santa Cruz County LCP.

### A. Land Use

#### 1. LUP Chapter 2 ("Land Use") Policies Cited by Appellants

***LUP Policy 2.1.4 Siting of New Development.** Locate new residential, commercial, or industrial development, within, next to, or in close proximity to existing developed areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on environmental and natural resources, including coastal resources.*

***LUP Policy 2.2.3 Reservation of Public Works Capacities for Coastal Priority Uses.** In the Coastal Zone, reserve capacity in existing or planned public works facilities for Coastal Priority Uses. For a description of those uses, see sections 2.22 and 2.23.*

***LUP Policy 2.21.1(a) Public Facility/Institutional Land Use Designation.** Utilize a Public Facility land use designation on the General Plan and LCP Land Use Maps to designate public and quasi-public facilities uses and integrally related public facility support facilities. Recognize an intensity of use for existing public and private institutions at existing levels of development: Permit new development or increases in intensity of use for public institutions and private non-residential public facilities uses where consistent with infrastructure constraints, and scenic, natural and agricultural resource protection.*

***LUP Objective 2.22 Coastal Dependent Development.** To ensure priority for coastal-dependent and coastal-related development over other development on the coast.*

***LUP Policy 2.22.1 Priority of Uses within the Coastal Zone.** Maintain a hierarchy of land use priorities within the Coastal Zone:*

*First Priority: Agriculture and coastal-dependent industry*

*Second Priority: Recreation, including public parks; visitor serving commercial uses; and coastal recreation facilities.*

*Third Priority: Private residential, general industrial, and general commercial uses.*

<sup>6</sup> Note that the Appellants cite some policies as LCP policies that are General Plan policies, and not LCP policies, including General Plan Policy 2.21.5, General Plan Policy 2.21.7, General Plan Objective 7.15, and General Plan Policy 7.15.1. These policies are not included here because they have no bearing on the LCP consistency question.





***LUP Policy 2.22.2 Maintaining Priority Uses.*** Prohibit the conversion of any existing priority use to another use, except for another use of equal or higher priority.

***LUP Policy 2.23.2 Designation of Priority Sites.*** Reserve the sites listed in Figure 2-5 for coastal priority uses as indicated. Apply use designations, densities, development standards, access, and circulation standards as indicated.

***LUP Policy 2.23.3 Master Plan Requirements for Priority Sites.*** Require a master plan for all priority sites, with an integrated design providing for full utilization of the site and a phasing program based on the availability of infrastructure and projected demand. Where priority use sites include more than one parcel, the master plan for any portion shall address the issues of site utilization, circulation, infrastructure improvements, and landscaping, design and use compatibility for the remainder of the designated priority use site. The Master Plan shall be reviewed as part of the development permit approval for the priority site.

That portion of LCP Figure 2-5 applicable to the Live Oak area ("Coastal Priority Sites – Live Oak") designates the site as the Corcoran Lagoon Overlook Coastal Priority Site. This site is subject to the following special development standards:

***LUP Coastal Priority Site – Corcoran Lagoon Overlook***

*Designated Priority Use: Preferred Use:*

- 1) Coastal wetland protection and development of coastal access and recreation facilities, potentially including a coastal wetlands interpretive center.
- 2) "Neighborhood Commercial": Development of visitor serving commercial uses or public uses or offices.

*Special Development Standards:* Site improvement shall include protection and restoration of the Corcoran Lagoon wetland and adjacent riparian area.

*Circulation and Public Access Requirements:* Commercial development of the site shall improve and dedicate public access facilities including a pathway, seating, and wildlife observation areas along the lagoon frontage.

## **2. Consistency Analysis**

The Appellants' contentions in this issue area are generally that the Library use is inappropriate at this location, primarily because of the Lagoon proximity but also because it isn't a priority use, and isn't a coastal dependent use.

### **Priority of Use for this Site**

Although the LCP establishes a hierarchy of use priorities, and prohibits conversion of a higher to a lesser priority use (LUP Policies 2.22.1, and 2.22.2), it does not specifically require that development be one of the higher priority uses (such as a coastal dependent use; LUP Objective 2.22.). Rather, the LCP



asks that decision makers take the use priorities into account with new development, and specifically encourages coastal dependent development. When a change in use is proposed, the LCP prohibits a conversion to a lower priority use. In this case, the use is currently a public library, and the project would not change this. Public libraries (and public facility uses in general) are not identified in the LCP's use hierarchy. In any event, maintaining the library use, and not changing it to a coastal dependent use, is allowed by the cited policies, and does not conflict with them.

In addition, the LCP identifies certain sites as Coastal Priority Sites within the County's coastal zone. The library site is identified as the "Corcoran Lagoon Overlook Coastal Priority Site" per LUP Policy 2.23.2 and LUP Figure 2-5. Designated priority uses for this site include access and recreation facilities, potentially interpretive facilities, public uses, and even offices (see above). The Appellants contend that a library is inconsistent with this section. However, LUP Figure 2-5 clearly identifies public uses (such as a library) as a "designated priority use." The approved Library will also include an access trail (along the Lagoon), and interpretative panel along the trail. These additions to the project help to address the interpretive and access designations of LUP Figure 2-5 (although not required by the LCP). The Library itself is one large interpretive facility inasmuch as it provides an opportunity to enhance public awareness of the Lagoon and similar coastal resources by bringing the public to it in an attractive setting with amenities and interpretive information. Many of these folks are either persons who might not otherwise experience such wetland interpretation, and/or are younger children to whom such an experience can help form their appreciation and continued support for protecting such resources. The project is therefore consistent with the cited policies.

LUP Policy 2.23.3 requires that a master plan be prepared for development of priority sites. The project does not include the required master plan, and this raises an LCP issue. However, the approved project addresses the whole of the site and satisfies the intent of the master plan requirements. In other words, although a "master plan" was not created, the approved project is the functional equivalent in this case. As a result, the lack of a master plan does not in this case rise to the level of a substantial issue in terms of this project's conformance with the LCP.

#### **Adequate Public Services**

The LCP directs development to existing developed areas with adequate public services, and where it will not have significant adverse effects on resources (LUP Policy 2.1.4). The Library is within the developed Live Oak area within the LCP's urban service line. The Library is currently served by all necessary public services and these are adequate to serve the proposed larger library. The project is, therefore, consistent with the first part of LUP Policy 2.1.4.

Likewise, there is no indication that there are any public works capacity problems that would require capacity to be reserved for a higher priority use (LUP Policy 2.2.3). In addition, LUP Policy 2.2.3 refers to the Coastal Priority Uses of LUP Sections 2.22 and 2.23. As seen above, the library use is an identified priority use for this site (per LUP Section 2.23 and its identification as a "Designated Priority Use" for the "Corcoran Lagoon Overlook Coastal Priority Site" (LUP Figure 2-5)). Thus, even were there to be public works capacity issues, the approved project is a priority for limited public works



capacities. The project is consistent with LUP Policy 2.2.3.

The Appellants also cite LUP Policy 2.21.1(a) that has similar requirements for public service adequacy in relation to development. This LUP Section is not explicitly applicable inasmuch as it is directed to property designated for public facility and institutional land uses, and this property is not so designated. A more broad reading of the section, though, is that it applies to public facilities such as libraries. In any case, with this more inclusive reading, and for the same reasons stated above, there is adequate infrastructure to serve the project and it is not inconsistent with this policy.

### **Resource Impacts**

The second part of LUP Policy 2.1.4 requires siting new development where it will not have "significant adverse effects" on resources.<sup>7</sup> LUP Policy 2.21.1(a) similarly requires the project to be consistent with natural resource protection. The project raises some concern in this respect due to the fact that it is to be constructed adjacent to the significant habitat of Corcoran Lagoon. However, the Library site is (and has been historically) developed with urban uses for some time, including the existing Library development itself. The approved project does intensify the use somewhat, and this raises some potential habitat concerns, but it is not expected to lead to significant adverse effects over that that exist now (see ESHA section that follows for more detail on this point). The project also includes components that should have beneficial impacts on the Lagoon environment, including the enhanced water quality filtration, removal of old chemically treated railroad ties, and restoration of the Lagoon edge vegetation. The project retains the existing public footpath along the Lagoon edge, and incorporates a viewing area with interpretive panels into it. See also ESHA section that follows for more detail.

The other resource issue identified by the Appellants to which LUP Policies 2.1.4 and 2.21.1(a) apply is scenic viewshed protection.<sup>8</sup> In this case, and due to its inland location (again, see exhibit A), the viewshed involved is primarily the inland Lagoon viewshed, and not the immediate shoreline beach viewshed.<sup>9</sup> The new building will be about 55 feet longer than the existing 135 foot building frontage along Portola Drive and this will lead to some additional blockage of public views (from Portola). This public view blockage will be nearly zero because the area where the building would be extended is already heavily vegetated and provides nearly no through views. The only public ocean view across the library site is provided from westbound Portola Drive as one passes the Library building – this view would be unaffected by the project. The new second story will also block some private residential views. However, the inland residences are located up slope of the library at a higher elevation, and these residential units themselves are 2 and 3 stories high, so additional private view blockage would be relatively small. The somewhat larger building will also be visible in other public views (such as from East Cliff Drive). However, the additional building size is insignificant within the context of existing on-

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<sup>7</sup> For more detail on ESHA issues, see "ESHA" section that follows.

<sup>8</sup> For more detail on view issues, see "Views" section that follows.

<sup>9</sup> That is not to say that the site is not visible from the beach, because there are areas along the beach where one could see the site. Rather, the site is not prominent in the beach viewshed because it is located well inland of the beach (about a quarter of a mile) and there are intervening landforms (on either side of East Cliff Drive) that constrict such view corridors.



site development and surrounding development, including the large residential structures just inland of the site, and the radio station and towers protruding into the Lagoon area. The project would remain relatively low-slung, and replace the existing structure with an attractive coastal craftsman style building. Additional public view blockage as seen from Portola Drive will be minimal and insignificant. This is due to the fact that the existing Library building already blocks the view from Portola (and has for some time), and the additional building element extends only slightly towards the east into a view corridor that is already somewhat blocked by existing vegetation and the existing eucalyptus grove. Improvements to the remainder the site, and the restoration of the Lagoon edge, will serve to offset any impacts due to increasing the size of the Library (see also viewshed section that follows for more detail).

The project does not raise a substantial issue with the cited policies.

## **B. ESHA**

### **1. LUP Chapter 5 ("Conservation and Open Space") Policies Cited by Appellants**

*LUP Objective 5.1 Biological Diversity. To maintain the biological diversity of the County through an integrated program of open space acquisition and protection, identification and protection of plant habitat and wildlife corridors and habitats, low-intensity and resource compatible land uses in sensitive habitats and mitigations on projects and resource extraction to reduce impacts on plant and animal life.*

*LUP Policy 5.1.1 Sensitive Habitat Designation. Designate the following areas as sensitive habitats: (a) areas shown on the County General Plan and LCP Resources and Constraints Maps; (b) any undesignated areas which meet the criteria (policy 5.1.2) and which are identified through the biotic review process or other means; and (c) areas of biotic concern as shown on the Resources and Constraints Maps which contain concentrations of rare, endangered, threatened or unique species.*

*LUP Policy 5.1.2 Definition of Sensitive Habitat. An area is defined as a sensitive habitat if it meets one or more of the following criteria: (a) Areas of special biological significance as identified by the State Water Resources Control Board. (b) Areas which provide habitat for locally unique biotic species/communities, including coastal scrub, maritime chaparral, native rhododendrons and associated Elkgrass, mapped grasslands in the coastal zone and sand parkland; and Special Forests including San Andreas Live Oak Woodlands, Valley Oak, Santa Cruz Cypress, indigenous Ponderosa Pine, indigenous Monterey Pine and ancient forests. (c) Areas adjacent to essential habitats of rare, endangered or threatened species as defined in (e) and (f) below. (d) Areas which provide habitat for Species of Special Concern as listed by the California Department of Fish and Game in the Special Animals list, Natural Diversity Database. (e) Areas which provide habitat for rare or endangered species which meet the definition of Section 15380 of the California Environmental Quality Act guidelines. (f) Areas*



which provide habitat for rare, endangered or threatened species as designated by the State Fish and Game Commission, United States Fish and Wildlife Service or California Native Plant Society. (g) Nearshore reefs, rocky intertidal areas, seacaves, islets, offshore rocks, kelp beds, marine mammal hauling grounds, sandy beaches, shorebird roosting, resting and nesting areas, cliff nesting areas and marine, wildlife or educational/research reserves. (h) Dune plant habitats. (i) All lakes, wetlands, estuaries, lagoons, streams and rivers. (j) Riparian corridors.

**LUP Policy 5.1.3 Environmentally Sensitive Habitats.** Designate the areas described in 5.1.2 (d) through (j) as Environmentally Sensitive Habitats per the California Coastal Act and allow only uses dependent on such resources in these habitats within the Coastal Zone unless other uses are: (a) consistent with sensitive habitat protection policies and serve a specific purpose beneficial to the public; (b) it is determined through environmental review that any adverse impacts on the resource will be completely mitigated and that there is no feasible less-damaging alternative; and (c) legally necessary to allow a reasonable economic use of the land, and there is no feasible less-damaging alternative.

**LUP Policy 5.1.6 Development Within Sensitive Habitats.** Sensitive habitats shall be protected against any significant disruption of habitat values; and any proposed development within or adjacent to these areas must maintain or enhance the functional capacity of the habitat. Reduce in scale, redesign, or, if no other alternative exists, deny any project which cannot sufficiently mitigate significant adverse impacts on sensitive habitats unless approval of a project is legally necessary to allow a reasonable use of the land.

**LUP Objective 5.2 Riparian Corridors and Wetlands.** To preserve, protect and restore all riparian corridors and wetlands for the protection of wildlife and aquatic habitat, water quality, erosion control, open space, aesthetic and recreational values and the conveyance and storage of flood waters.

**LUP Policy 5.2.7 Compatible Uses With Riparian Corridors.** Allow compatible uses in and adjacent to riparian corridors that do not impair or degrade the riparian plant and animal systems, or water supply values, such as non-motorized recreation and pedestrian trails, parks, interpretive facilities and fishing facilities. Allow development in these areas only in conjunction with approval of a riparian exception.

**LUP Policy 5.2.10 Development in Wetland Drainage Basins.** Require development projects in wetland drainage basins to include drainage facilities or Best Management Practices (BMPs) which will maintain surface runoff patterns and water quality, unless a wetland management plan specifies otherwise, and minimize erosion, sedimentation, and introduction of pollutants.

**LUP Objective 5.4 Monterey Bay and Coastal Water Quality.** To improve the water quality of Monterey Bay and other Santa Cruz County coastal waters by supporting and/or requiring the best management practices for the control and treatment of urban run-off and wastewater discharges in order to maintain local, state and national water quality standards, protect County



*residents from health hazards of water pollution, protect the County's sensitive marine habitats and prevent the degradation of the scenic character of the region.*

***LUP Policy 5.4.14 Water Pollution from Urban Runoff.*** Review proposed development projects for their potential to contribute to water pollution via increased storm water runoff. Utilize erosion control measures, on-site detention and other appropriate storm water best management practices to reduce pollution from urban runoff.

***LUP Objective 5.7 Maintaining Surface Water Quality.*** To protect and enhance surface water quality in the County's streams, coastal lagoons and marshes by establishing best management practices on adjacent land uses.

***LUP Objective 5.11 Open Space Preservation.*** To identify and preserve in open space uses those areas which are not suited to development due to the presence of natural resource values or physical development hazards.

***LUP Policy 5.11.1(a) and (b) Designation of Urban Open Space Lands (O-U).*** Designate Urban Open Space (O-U) areas on the General Plan and LCP Land Use Maps to identify those lands within the Urban Services Line and Rural Services Line which are not appropriate for development due to the presence of one or more of the following resources or constraints: (a) Coastal bluffs and beaches; (b) Coastal lagoons, wetlands and marshes...

## **2. Consistency Analysis**

The Appellants contend that the project is located within ESHA, and is not adequately protective of Corcoran Lagoon.

### **Development in ESHA**

The Appellants indicate that the project is located within ESHA inconsistent with the LCP. This is inaccurate. As described above (in the project location section), the site is completely developed with a library building, parking lot and landscaping inland of the existing fence line. The high water mark of the Lagoon is approximately 25 feet or so on the lagoon side of the fence line. Everything inland of the fence line has been disturbed by existing and past development and is not ESHA. In other words, the fence line roughly demarks the boundary between the disturbed area of the site and the Lagoon and the Lagoon upland/buffer portion of the site. Since all development approved is within the fence line, there is no development in ESHA.

### **Impact of Development Adjacent to ESHA**

The Appellants indicate that the project will not maintain or enhance Corcoran Lagoon as required by LUP Policy 5.1.6 for development adjacent to ESHA. Similarly, the Appellants contend that the use is incompatible with wetland and riparian corridor protection (LUP Objective 5.2 and Policy 5.2.7).

The project raises some concern in this respect due to the significance of the Corcoran Lagoon habitat



and its LCP status as a result. Over time, the lagoons in coastal Live Oak have been increasingly hemmed in by a rising tide of urban development, and Corcoran lagoon is no different in this respect. It is appropriate that projects, and particularly public improvement projects, be carefully scrutinized and designed in this context. That said, the other context relevant to this impact discussion in this case is the fact that the Library fill site is (and has been historically) developed with urban uses for at least 45 years, including most recently the existing Library development itself.

The approved project does intensify the use by increasing the square footage of the main structure (roughly doubling the existing square footage). Although the number of users isn't expected to increase significantly, and the amount of parking spaces provided is roughly the same with the existing configuration as with the new one, the increased intensity of use (including the second story elements that are more visible from within the Lagoon, the portion of the building extending closer to it by about 50 feet, and any associated additional noise, lights, and activity) does raise some potential habitat concerns. However, the additional development is not expected to lead to significant adverse effects over that that exists now. The project also includes components that should have beneficial impacts on the Lagoon environment, and that should serve to offset any impacts due to the increased intensity of use. Habitat enhancements include the enhanced water quality filtration system (see also below), the removal of the old chemically treated railroad ties (that can leach into the Lagoon currently), and the removal of invasive plants and the restoration of the native Lagoon edge vegetation adjacent to the site.

In terms of the appeal contention that the use is incompatible per LUP Policy 5.2.7, that LUP section provides some criteria of what would be compatible uses, namely uses "that do not impair or degrade the riparian plant and animal systems, or water supply values." As described above (and also below in terms of water quality), the riparian plant system will be enhanced by virtue of the wetland species restoration and the water quality filtration elements of the project. Any additional impacts from the project on animals in the riparian and wetland area (as described above), will be offset by the beneficial components of the project. Because of this, the project will not "impair or degrade" these resources and can be found a compatible use per LUP Policy 5.2.7.

Overall, the project will at the least maintain, and should enhance, the Lagoon habitat and is thus consistent with the cited ESHA policies.

### **Water Quality**

The Appellants contend that although the proposed water quality treatment system proposed is better than the existing system, it is not adequate to protect water quality and should be made better by requiring pervious pavement. The LCP sections cited by the Appellants in this regard are LUP Objective 5.4 and Policies 5.2.10, 5.4.14, and 5.7 (see above). The water quality "treatment train" developed for this project allows runoff to percolate into the substantial pervious areas of the site. Runoff that collects on impervious areas of the site (i.e., the parking lot, walkways, and roofs) is all directed through a vegetated bio-filtration swale (sized and designed using the state stormwater BMP handbook). The swale





allows for filtration, absorption and infiltration of the pollutants carried by the runoff.<sup>10</sup> Runoff moves through the swale to its low point where the project then includes installation of new advanced engineered filtration unit (a "Continuous Deflection Separator" (CDS) filter unit). After flowing through the CDS unit, water is allowed to enter the Lagoon through the existing discharge pipe. So as not to overwhelm the swale during periods of heavy runoff, and to ensure parking lot areas receive the most swale treatment, "cleaner" runoff from the roof is directed via subsurface drain pipe nearer to the CDS drain unit than runoff from the parking lot.

The water quality treatment train system developed for this project incorporates many of the BMP concepts that the Commission generally encourages. The runoff associated with the project will be effectively filtered and treated. The system approved by the County has been reviewed and found acceptable by the Commission's water quality staff. The Applicant has also committed to removing the chemically treated railroad ties on the site (historically used to define parking areas), and thus any existing leaching of chemicals from these ties during storm events will be eliminated, further enhancing water quality. The pervious pavement suggested by the Appellants could incrementally increase the water quality benefit above that approved by the County, but it isn't clear that it would lead to a substantial increased benefit in light of the water quality treatment train incorporated into the project. Moreover, the approved project is already consistent with the cited LCP policies in this regard.

### **Open Space**

The Appellants also cite several open space policies of the LUP (see above), but do not make specific appeal contentions in reference to them (see exhibits D and E). A portion of the site that is on the Lagoon side of the fence is designated "Urban Open Space" in the LUP pursuant to cited LUP Objective 5.11 and Policy 5.11.1.<sup>11</sup> No development is proposed in this area, and it will remain urban open space. The project is not in conflict with these cited policies.

The project does not raise a substantial issue with the cited policies.

## **C. Views**

### **1. LUP Chapter 5 ("Conservation and Open Space") Policies Cited by Appellants**

*LUP Objective 5.10.a Protection of Visual Resources. To identify, protect, and restore the aesthetic values of visual resources.*

*LUP Objective 5.10.b New Development in Visual Resource Areas. To ensure that new development is appropriately designed and constructed to minimal to no adverse impact upon*

<sup>10</sup> That is, as stormwater runoff flows through the swale, pollutants are filtered, absorbed, and "taken up" by the swale vegetation and soils. Such swales are particularly effective at removing sediment and particulate debris, as well as petroleum hydrocarbons, nutrients, and heavy metals.

<sup>11</sup> The portion of the site containing the Lagoon proper is also designated "Lake, Reservoir, Lagoon."





identified visual resources.

***LUP Policy 5.10.3 Protection of Public Vistas.*** *Protect significant public vistas...from all publicly used roads and vistas points by minimizing disruption of landform and aesthetic character caused by grading operations, ... inappropriate landscaping and structure design.*

***LUP Policy 5.10.6 Preserving Ocean Vistas.*** *Where public ocean vistas exist, require that these vistas be retained to the maximum extent possible as a condition of approval for any new development.*

***LUP Policy 5.10.8 Significant Tree Removal Ordinance.*** *Maintain the standards in the County's existing ordinance which regulates the removal of significant trees and other major vegetation in the Coastal Zone, and provide appropriate protection for significant trees and other major vegetation in areas of the County located within the Urban Services Line.*

## **2. Consistency Analysis**

The Appellants' contentions in this issue area are generally that the project will block public and private views, and that it results in the removal of a significant tree.

The project includes additional structure massing, including adding a second story element that increases the height from 17 feet to 28 feet maximum where there is a second story (see elevations and photo-simulation in exhibit B). The project would lead to some additional blockage of Lagoon views (in the foreground) and peek-a-boo views of the ocean (further away) as seen from Portola Drive (and inland residences), and would introduce additional structures into the view of the Lagoon as seen from Portola (and inland) as well as East Cliff Drive and the beach.

Due to its inland location (again, see exhibit A), the viewshed involved is primarily an inland Lagoon viewshed, and not the immediate shoreline beach viewshed.<sup>12</sup>

Additional public view blockage as seen from Portola Drive will be minimal and insignificant. This is due to the fact that the existing Library building already blocks the view from Portola (and has for some time), and the additional building element extends only slightly towards the east into a view corridor that is already blocked by substantial existing vegetation and the existing eucalyptus grove.<sup>13</sup> The only public ocean view across the library site is provided from westbound Portola Drive as one passes the Library building – this view would be unaffected by the project. There will be incremental additional blockage of private residential views (inland of Portola Drive) due to the extended building and due to the second

<sup>12</sup> That is not to say that the site is not visible from the beach, because there are areas along the beach where one could see the site. Rather, the site is not prominent in the beach viewshed because it is located well inland of the beach (by about a quarter of a mile) and there are intervening landforms (on either side of East Cliff Drive) that constrict such view corridors.

<sup>13</sup> The existing building frontage along Portola is roughly 135 feet and the new building would have about 55 additional feet of frontage along Portola.



story elements.<sup>14</sup> However, the LCP does not protect such private views, and the impact of such view blockage on the general public is essentially zero. Moreover, the inland residences are located up slope of the library at a higher elevation, and these residential units themselves are 2 and 3 stories high, so additional private view blockage would be relatively small, and much of this against the backdrop of the existing eucalyptus grove and the far vegetated side of the lagoon over the top of the existing library building elevation (and not of lagoon or white-water).

The more important issue raised by the Appellants is the degree to which the changed development at this location impacts the existing Lagoon viewshed as seen from public roads (East Cliff and Portola Drives) and from the beach. In this evaluation it is important to note that the project site is within an urban context, with large residential structures ringing the Lagoon and located directly inland of the site opposite Portola Drive. To the west is the KSCO radio station and its large, tall transmission towers that extend out into the lagoon proper.

The additional massing and formalized site design will incrementally contribute a more urban quality into the existing Lagoon viewshed aesthetic. However, the generally low-slung architecture, along with the site landscaping, the retained eucalyptus grove, and the Lagoon restoration, will help to soften this impact. The design is coastal craftsman in feel, and includes a number of varied offsets and projections, and a second story setback from the first, that together help to reduce the perception of mass (see elevations and photo-simulations in exhibit B). Overall, the project presents an attractive design that will blend with the existing character of the site and the surrounding built and natural environment.

The Appellants contend that one significant eucalyptus tree will be removed, and indicate that this is inconsistent with the LCP. However, the LCP allows for this and the County made the requisite findings (see exhibit C). The removal of the one significant tree on the fringe of the larger eucalyptus grove, and located adjacent to Portola Drive, should have an insignificant impact on the public viewshed.

The Appellants also contend that the exemption for front yard setback reduces the space for landscaping. The exemption cited by the Appellants refers to the variance that the County granted to allow the front yard (i.e., Portola Drive) to be reduced from 20 feet to 5 feet for a portion of the building. The portion to which the variance applies is located in the footprint of the existing building. In other words, the existing lesser setback for that portion of the structure will be maintained. Also, the setback is measured from the right-of-way, and not from the street's curb and gutter. The improved curb and gutter at this location is located about 25 feet inland of the structure's edge. This intervening area is landscaped, and the existing landscaping would be augmented with the project. The variance allowed for a greater setback from the Lagoon (on the opposite side of the building), and there is little evidence to indicate that it resulted in inadequate landscaping as the project includes substantial landscaping as well as wetland plant

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<sup>14</sup> It is noted that the Applicant has not sought to develop the structure to the maximum 35 foot height allowed in the subject C-1 zone district. Rather, the maximum height of the structure is 28 feet (at the second story element) with the majority of it less than that. In other words, the structure is lower than the zoning code allows it to be. This is atypical in terms of most development approved by the County in Live Oak where the norm is private development that is built to the max zoning standards as opposed to responding to other constraints and design criteria. The lower height in this case clearly responds to the viewshed and natural environment aesthetic, and is appropriate in this regard – particularly for a public project.



restoration.

Finally, as also described in the previous section, the Appellants also cite several open space policies of the LUP (previously cited), but do not make specific appeal contentions in reference to them (see exhibits D and E). The portion of the site that is on the Lagoon side of the fence is designated Urban Open Space in the LUP pursuant to cited LUP Objective 5.11 and Policy 5.11.1.<sup>15</sup> No development is proposed in this area, and it will remain urban open space. The project is not in conflict with these cited policies.

The project does not raise a substantial issue with the cited policies.

## **D. Recreation**

### **1. LUP Chapter 7 ("Parks, Recreation, and Public Facilities") Policies Cited by Appellants**

***LUP Objective 7.1a Parks and Recreation Opportunities.** To provide a full range of public and private opportunities for the access to, and enjoyment of, park, recreation, and scenic areas, including the use of active recreation areas and passive natural open spaces by all ages, income groups and people with disabilities with the primary emphasis on needed recreation facilities and programs for the citizens of Santa Cruz County.*

***LUP Policy 7.1.1 Existing Park, Recreation and Open Space Designation (O-R).** Designate on the General Plan and Local Coastal Program Land Uses and Facilities Maps those areas existing as, or suitable for, Parks, Recreation and Open Space uses.*

***LUP Policy 7.1.3 Parks, Recreation and Open Space Uses.** Allow low intensity uses which are compatible with the scenic values and natural setting of the county for open space lands which are not developable; and allow commercial recreation, County, State and Federal parks, preserves, and biotic research stations, local parks and passive open space uses for park lands which are developable.*

***LUP Objective 7.2 Neighborhood Parks.** To provide neighborhood parks, at a standard of 3 net usable acres per 1000 population, consisting of conveniently located, easily accessible parks serving local residential neighborhoods in the urban portion of the County.*

***LUP Policy 7.5.1 Regional Park Siting and Standards.** Select park sites based on the unique resource opportunity and the suitability of the environmental characteristics for recreational use, rather than their relationship to population centers or acreage standards based on projected population. Typical regional parks serve the entire County and are in the range of 50-500 acres, but larger or smaller sites based on the specific recreational opportunity should be considered.*

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<sup>15</sup> Again, the portion of the site containing the Lagoon proper is also designated "Lake, Reservoir, Lagoon."



***LUP Policy 7.7.2 Recreational Boating.** Encourage increased recreational boating opportunities for County residents by cooperating with the Port District and the cities of Capitola and Santa Cruz to provide dry storage facilities for small boats.*

***LUP Policy 7.7.22 Access to Environmentally Sensitive Habitats.** Obtain controlled public access to environmentally sensitive habitats through grants, dedications of easements or other means, including as a condition of new development approval, subject to policy 7.6.2. Open the access only for education or nature study purposes, and only when improvements and management are adequate to protect the resources.*

## **2. Consistency Analysis**

The Appellants contentions in this issue area are generally that a library use precludes the use of the site for low-intensity recreational use and wetland interpretation.<sup>16</sup>

The site is currently occupied by a Library, the only Library in Live Oak. As such, the site is already occupied. In other words, this is not a vacant site for which an initial use determination can be, or must be, made. In this narrow sense, the Appellants contentions do not have merit.

That said, considering the Appellants contentions in a broader LCP sense, the project does provide some low-intensity recreational use and wetland interpretation. For example, the project retains the existing public footpath along the Lagoon edge, and incorporates a viewing area with interpretive panels into it. The Library itself is also one large interpretive facility inasmuch as it provides an opportunity to enhance public awareness of the Lagoon and similar coastal resources by bringing the public to it in an attractive setting with amenities and interpretive information. Many of these folks are either persons who might not otherwise experience such wetland interpretation, and/or are younger children to whom such an experience can help form their appreciation and continued support for protecting such resources. The facility is a public facility that would be open and available to the public.

The site is not designated in the LUP as "Existing Parks and Recreation" as indicated by the Appellants. Rather, the developed portion is designated "Neighborhood Commercial," and the remainder is a combination of "Urban Open Space" and "Lake, Reservoir, Lagoon." There is some disconnect between LUP Policy 7.1.1 and the LUP's land use designations because there isn't an "Existing Park, Recreation and Open Space" designation. Rather, there are separate open space and parks designations. In any case, no development (other than restoration) is proposed in that portion of the site designated "Urban Open Space" and "Lake, Reservoir, Lagoon" (i.e., the only portion of the site to which it might be inferred that the Policy 7.1.1 "Existing Park, Recreation and Open Space" designation applies).

The project does not raise a substantial issue with the cited policies.

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<sup>16</sup> See also "Land Use" section preceding.



## **E. Other**

The issues raised by the Appellants have been detailed in the preceding findings. Where explicit reference was not made to arguments stated within the Appellants' appeal documents, that is because the findings encompassed those issues and/or other appeal reasons that were explicitly identified accounted for them. In any case, the preceding findings address all of the appeal contentions with the exception the general theme associated with the appeals that there are less environmentally damaging feasible locations for a library that should be pursued instead of the subject site. As has been detailed in the preceding findings, the project does not raise the type of significant LCP impact issues that would require consideration of alternative sites, and there is nothing in the LCP that would otherwise require such an exercise in the absence of such significant impacts. It is noted in any case that this site is not an undeveloped, undisturbed site on which development is being proposed for the first time. Rather, there is already a library facility at this location and the site has been developed for urban uses for many years. In addition, if an alternative site were pursued, there is no guarantee that this site wouldn't revert to a different type of use that could have worse impacts on the environment and/or significantly less public benefits.

The project does not raise a substantial issue in this regard.

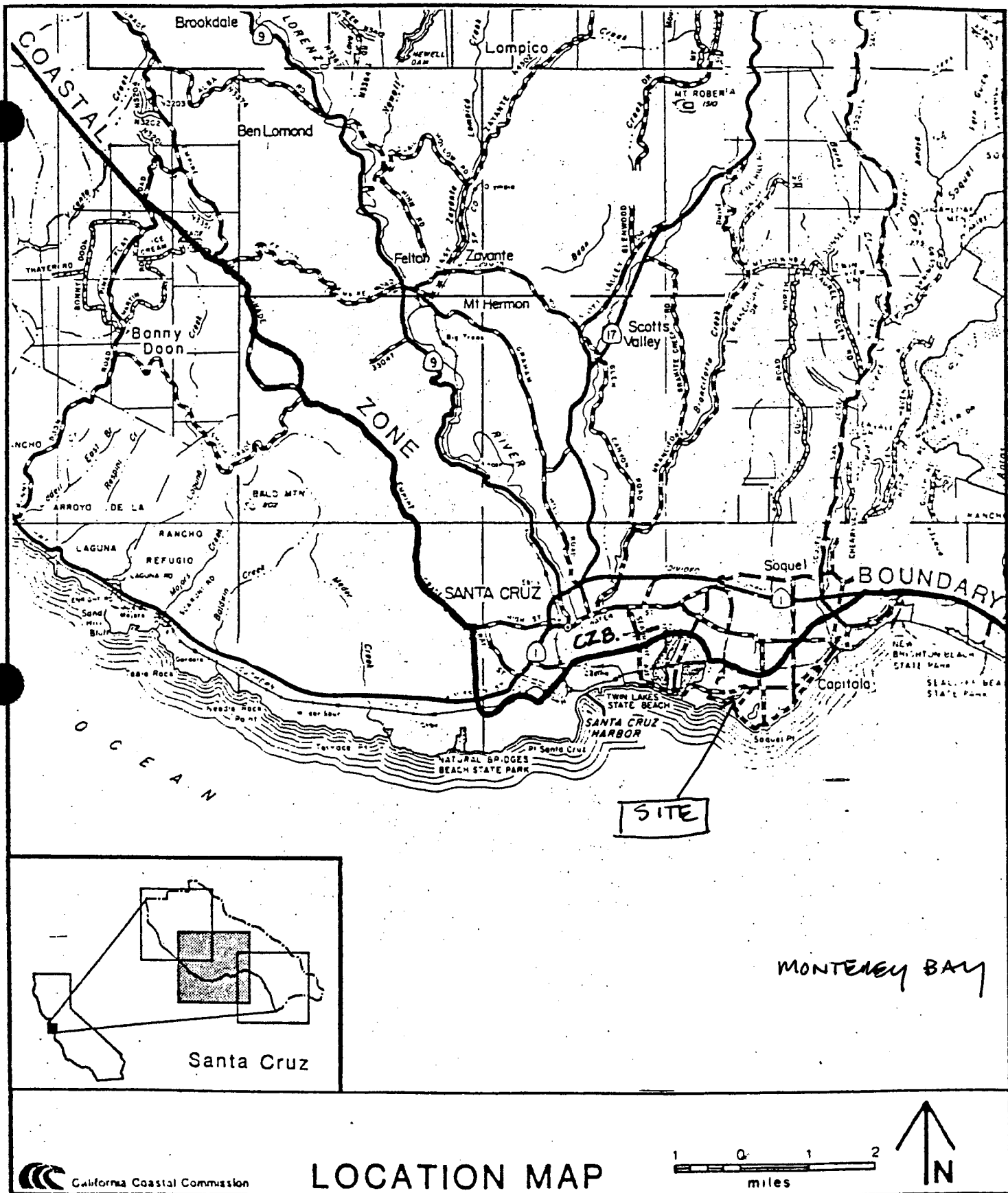
## **F. Substantial Issue Conclusion**

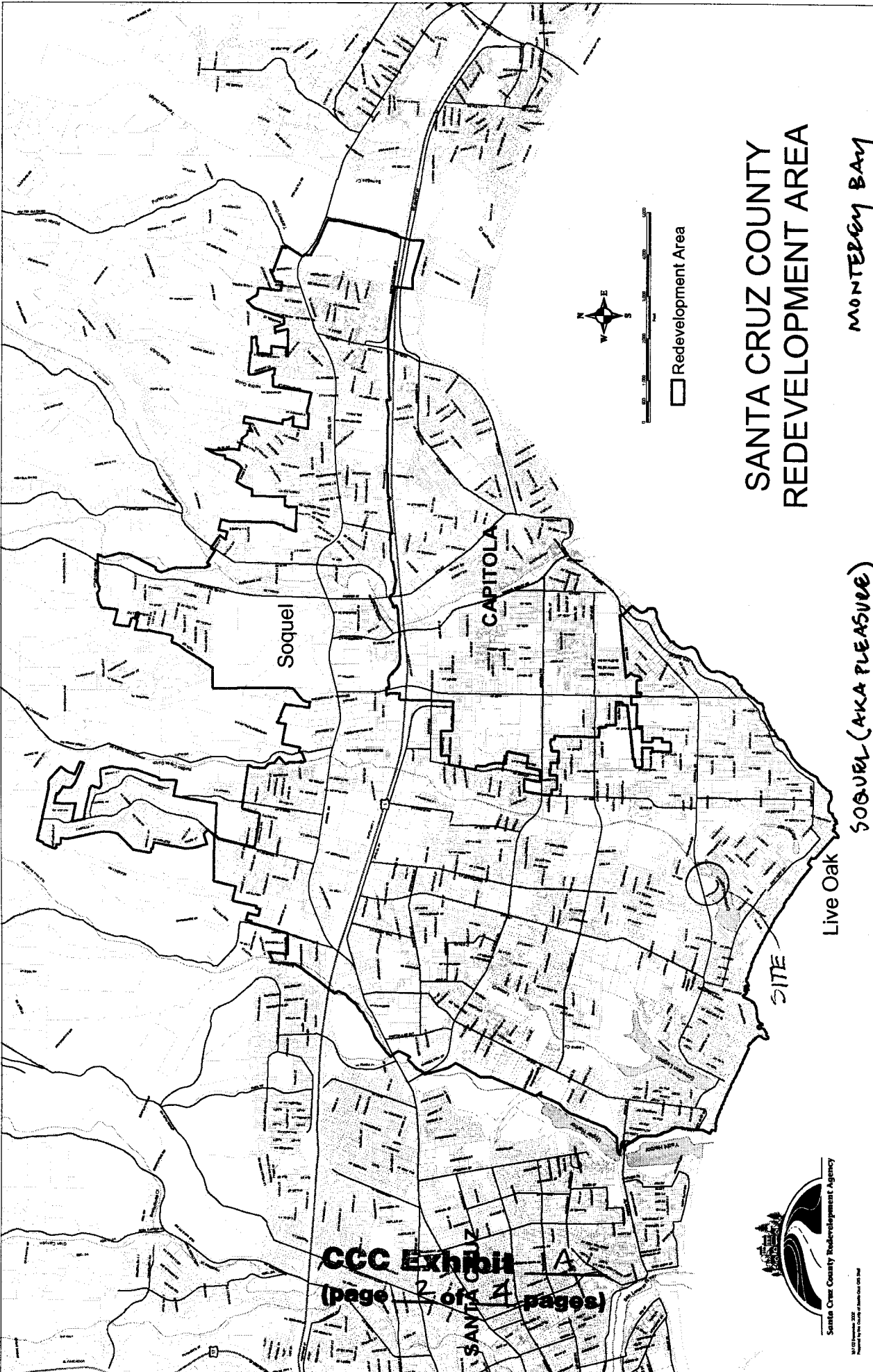
Although the Appellants raise some relevant issues regarding Lagoon habitat and viewshed protection, these issues do not rise to the level of a substantial issue in terms of this project's conformance with the certified LCP. The project is an attractive public project that strikes an appropriate balance between its development intensity and its location next to a sensitive habitat and within an urban coastal viewshed. The project includes substantial mitigating elements, including the water quality filtration system, the building design elements, significant landscaping, continued trail access with new interpretive information, and the Lagoon restoration. Not insignificantly, the project also provides an opportunity to enhance public awareness of the Lagoon and similar coastal resources by bringing the public to it in an attractive setting with amenities and interpretive information. Many of these folks are either persons who might not otherwise experience such wetland interpretation, and/or are younger children to whom such an experience can help form their appreciation and continued support for protecting such resources.

The Commission finds that no substantial issue exists with respect to this project's conformance with the certified Santa Cruz County LCP and declines to take jurisdiction over the coastal development permit for the project.









# SANTA CRUZ COUNTY REDEVELOPMENT AREA

MONTEREY BAY

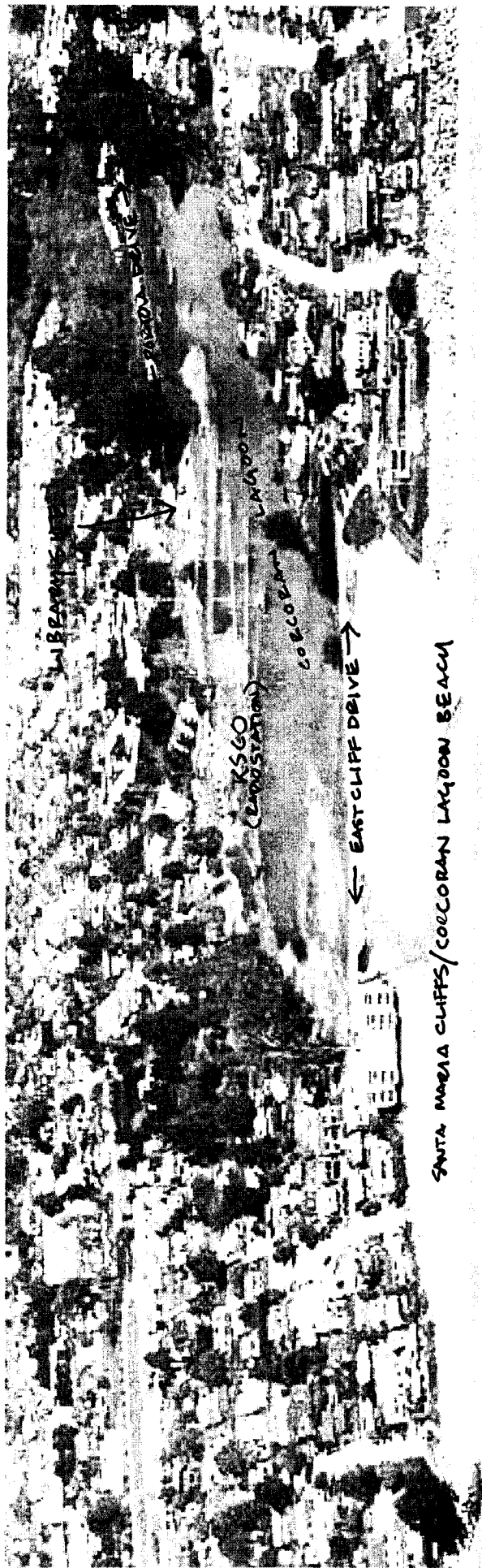
SOQUEL (AKA PLEASURE)  
POINT

CCC Exhibit 1A  
(page 2 of 4 pages)



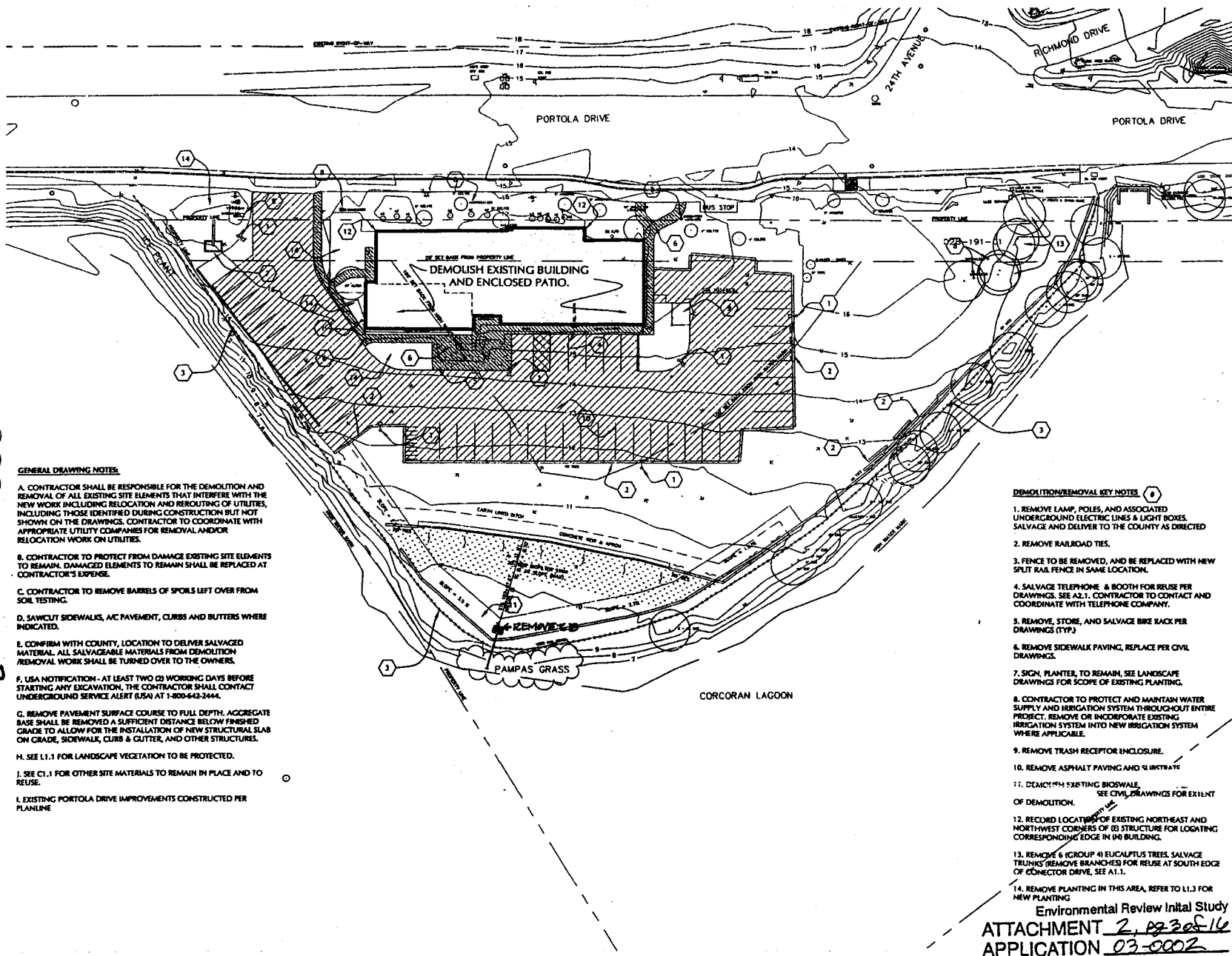






SOURCE: CALIFORNIA COASTAL RECORDS PROJECT, IMAGE #628, 3/16/2002





**GENERAL DRAWING NOTES**

- A. CONTRACTOR SHALL BE RESPONSIBLE FOR THE DEMOLITION AND REMOVAL OF ALL EXISTING SITE ELEMENTS THAT INTERFERE WITH THE NEW WORK INCLUDING RELOCATION AND REROUTING OF UTILITIES, INCLUDING THOSE IDENTIFIED DURING CONSTRUCTION BUT NOT SHOWN ON THE DRAWINGS. CONTRACTOR TO COORDINATE WITH APPROPRIATE UTILITY COMPANIES FOR REMOVAL AND/OR RELOCATION WORK ON UTILITIES.
- B. CONTRACTOR TO PROTECT FROM DAMAGE EXISTING SITE ELEMENTS TO REMAIN. DAMAGED ELEMENTS TO REMAIN SHALL BE REPLACED AT CONTRACTOR'S EXPENSE.
- C. CONTRACTOR TO REMOVE BARRELS OF SPOILS LEFT OVER FROM SOIL TESTING.
- D. SAWCUT SIDEWALKS, AC PAVEMENT, CURBS AND BUTTERS WHERE INDICATED.
- E. CONFIRM WITH COUNTY, LOCATION TO DELIVER SALVAGED MATERIAL. ALL SALVAGEABLE MATERIALS FROM DEMOLITION /REMOVAL WORK SHALL BE TURNED OVER TO THE OWNERS.
- F. USA NOTIFICATION - AT LEAST TWO (2) WORKING DAYS BEFORE STARTING ANY EXCAVATION, THE CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (USA) AT 1-800-642-2444.
- G. REMOVE PAVEMENT SURFACE COURSE TO FULL DEPTH. AGGREGATE BASE SHALL BE REMOVED A SUFFICIENT DISTANCE BELOW FINISHED GRADE TO ALLOW FOR THE INSTALLATION OF NEW STRUCTURAL SLAB ON GRADE, SIDEWALK, CURB & GUTTER, AND OTHER STRUCTURES.
- H. SEE L1.1 FOR LANDSCAPE VEGETATION TO BE PROTECTED.
- I. SEE C1.1 FOR OTHER SITE MATERIALS TO REMAIN IN PLACE AND TO REUSE.
- J. EXISTING PORTOLA DRIVE IMPROVEMENTS CONSTRUCTED PER PLANLINE

**DEMOLITION/REMOVAL KEY NOTE**

1. REMOVE LAMP, POLES, AND ASSOCIATED UNDERGROUND ELECTRIC LINES & LIGHT BOXES. SALVAGE AND DELIVER TO THE COUNTY AS DIRECTED.
2. REMOVE RAILROAD TIES.
3. FENCE TO BE REMOVED, AND BE REPLACED WITH NEW SPLIT RAIL FENCE IN SAME LOCATION.
4. SALVAGE TELEPHONE & BOOTH FOR REUSE PER DRAWINGS. SEE A2.1. CONTRACTOR TO CONTACT AND COORDINATE WITH TELEPHONE COMPANY.
5. REMOVE STORE, AND SALVAGE BIKE RACK PER DRAWINGS (TYP).
6. REMOVE SIDEWALK PAVING, REPLACE PER CIVIL DRAWINGS.
7. SIGN, PLANTER, TO REMAIN, SEE LANDSCAPE DRAWINGS FOR SCOPE OF EXISTING PLANTING.
8. CONTRACTOR TO PROTECT AND MAINTAIN WATER SUPPLY AND IRRIGATION SYSTEM THROUGHOUT ENTIRE PROJECT. REMOVE OR INCORPORATE EXISTING IRRIGATION SYSTEM INTO NEW IRRIGATION SYSTEM WHERE APPLICABLE.
9. REMOVE TRASH RECEPTOR ENCLOSURE.
10. REMOVE ASPHALT PAVING AND SUBSTRATE.
11. DEMOLISH EXISTING BIOSWALE. SEE CIVIL DRAWINGS FOR EXISTENT OF DEMOLITION.
12. RECORD LOCATION OF EXISTING NORTHEAST AND NORTHWEST CORNERS OF (B) STRUCTURE FOR LOCATING CORRESPONDING EDGE IN (B) BUILDING.
13. REMOVE (6) GROUP (4) EUCALYPTUS TREES. SALVAGE TRUNKS (REMOVE BRANCHES) FOR REUSE AT SOUTH EDGE OF CORCORAN DRIVE. SEE A1.1.
14. REMOVE PLANTING IN THIS AREA, REFER TO L1.3 FOR NEW PLANTING.

Environmental Review Initial Study  
ATTACHMENT 2, 03-0002  
APPLICATION 03-0002

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County of Santa Cruz

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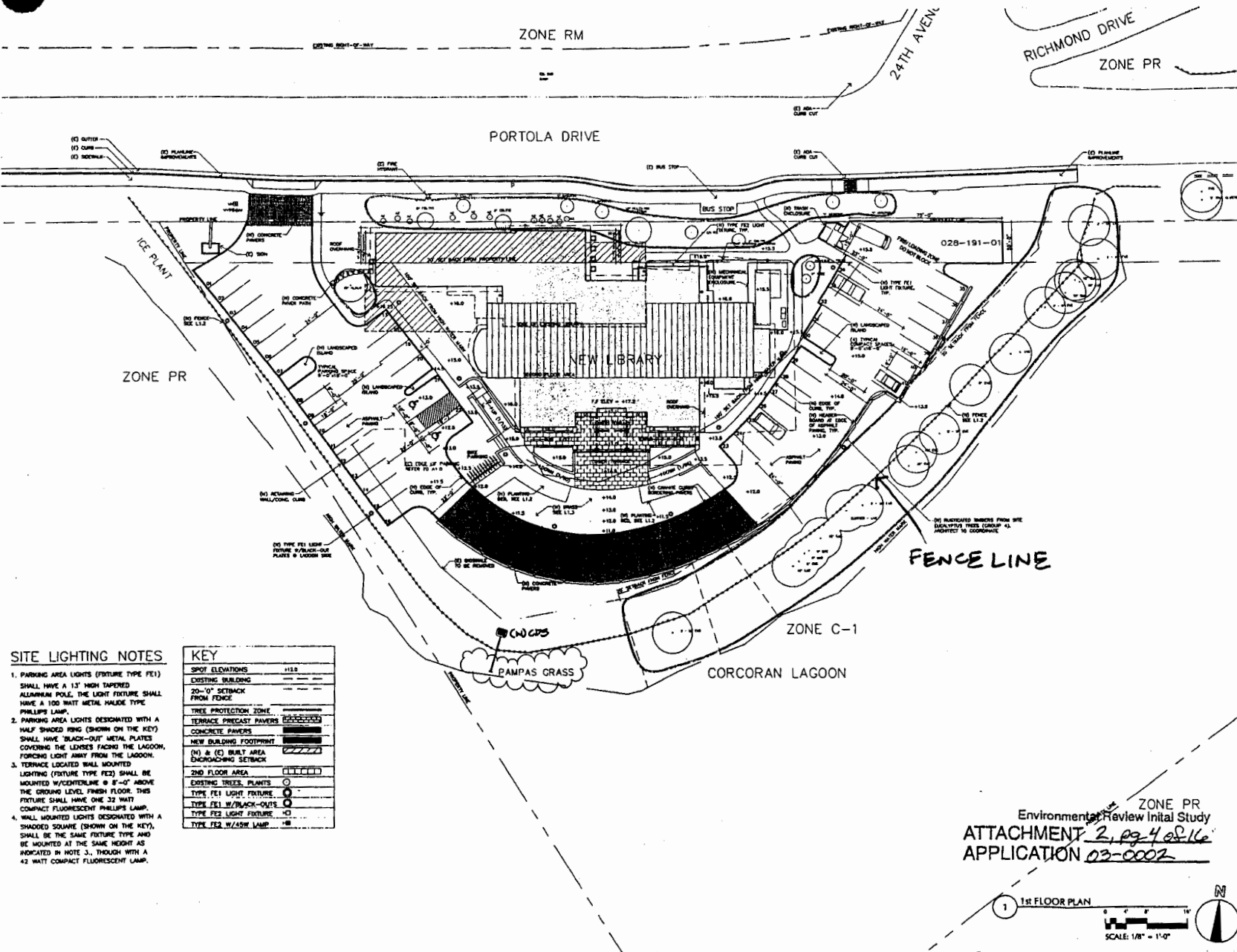
DATE: 12.18.02  
REVISIONS:  
Revised 03.12.03

PLANNING SUBMITTAL  
SHEET TITLE:  
**SITE DEMOLITION  
AND EXISTING  
CONDITIONS PLAN**

NOT FOR  
CONSTRUCTION

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DRAWN BY: BPL, LWW  
CHECKED BY:  
JOB NUMBER: 200102.01  
SHEET: **A1.0**

EXHIBIT G 1



**RIPLEY**  
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County of Santa Cruz

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Santa Cruz, California

DATE: 12.18.02  
REVISIONS:  
Revised 03.12.03

PLANNING SUBMITTAL  
SHEET TITLE: **SITE PLAN**

Environmental Review Initial Study  
ATTACHMENT 2, pg 4 of 16  
APPLICATION 03-0002

NOT FOR CONSTRUCTION

DRAWN BY: BPL/WW  
CHECKED BY: CTO/CKD  
JOB NUMBER: 200102.01

SHEET: **A1.1**

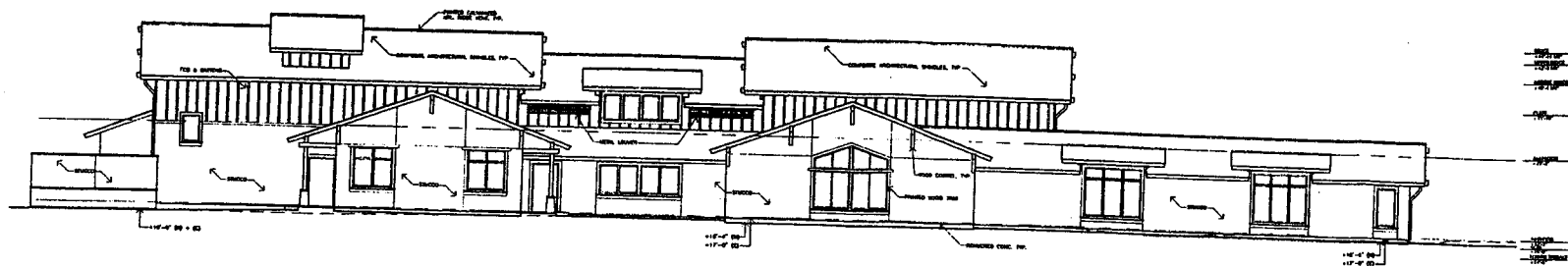
EXHIBIT G 1

**SITE LIGHTING NOTES**

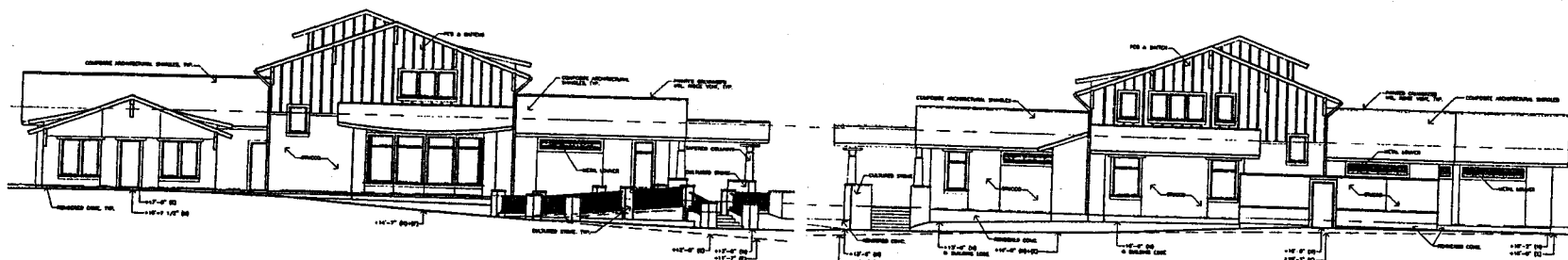
1. PARKING AREA LIGHTS (FIXTURE TYPE FE1) SHALL HAVE A 13' HIGH TAPERED ALUMINUM POLE. THE LIGHT FIXTURE SHALL HAVE A 100 WATT METAL HALIDE TYPE PHILLIPS LAMP.
2. PARKING AREA LIGHTS DESIGNATED WITH A HALF SHADED RING (SHOWN ON THE KEY) SHALL HAVE "BLACK-OUT" METAL PLATES COVERING THE LENSES FACING THE LAGOON, FORCING LIGHT AWAY FROM THE LAGOON.
3. TERRACE LOCATED WALL MOUNTED LIGHTING (FIXTURE TYPE FE2) SHALL BE MOUNTED W/CENTERLINE @ 8'-0" ABOVE THE GROUND LEVEL. FRESH FLOOR. THIS FIXTURE SHALL HAVE ONE 32 WATT COMPACT FLUORESCENT PHILLIPS LAMP.
4. WALL MOUNTED LIGHTS DESIGNATED WITH A SHADED SQUARE (SHOWN ON THE KEY), SHALL BE THE SAME FIXTURE TYPE AND BE MOUNTED AT THE SAME HEIGHT AS INDICATED IN NOTE 3., THOUGH WITH A 42 WATT COMPACT FLUORESCENT LAMP.

**KEY**

SPOT ELEVATIONS	+13.0
EXISTING BUILDING	
20'-0" SETBACK FROM FENCE	
TREE PROTECTION ZONE	
TERRACE PRECAST PAVERS	
CONCRETE PAVEMENT	
NEW BUILDING FOOTPRINT	
(H) & (C) BUILT AREA ENDOCHANGING SETBACK	
2ND FLOOR AREA	
EXISTING TREES, PLANTS	
TYPE FE1 LIGHT FIXTURE	
TYPE FE1 W/BLACK-OUTS	
TYPE FE2 LIGHT FIXTURE	
TYPE FE2 W/45W LAMP	

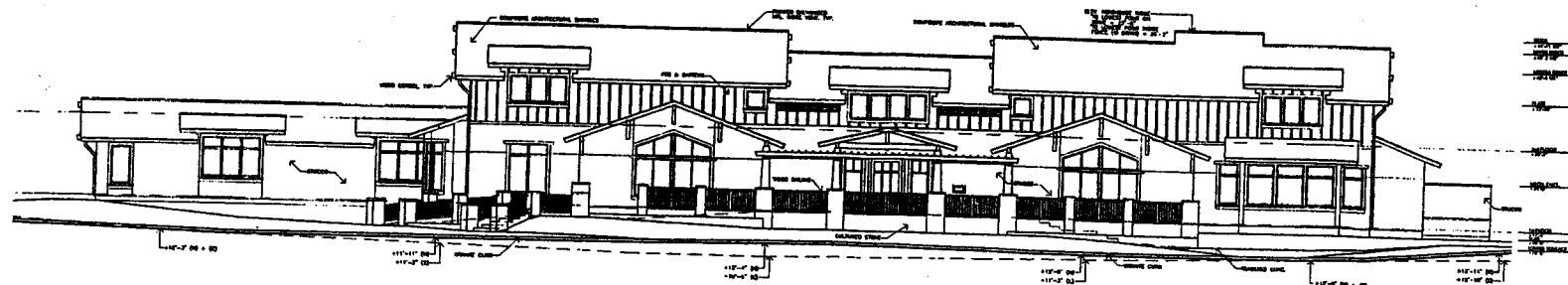


4 North Elevation



3 West Elevation

2 East Elevation



1 South Elevation

- Sheet Notes:
- Existing grade is indicated by a dashed line.
  - New and Existing grades are cut at the following locations:
    - South Elevation: Along a continuous radius centered on the southern connector drive.
    - East Elevation: 10'-0" East of the Teen's room (far eastern) exterior wall.
    - West Elevation: 10'-0" West of the Non-Fiction room (far western) exterior wall.
    - North Elevation: 6'-0" North of the AV/Computer areas (northern bay) exterior wall.

Environmental Review Initial Study  
ATTACHMENT 2, 2.14.18  
APPLICATION 03-0002

**RIPLEY**  
ARCHITECTS  
ARCHITECTURE  
INTERIORS  
PLANNING  
1726 Franklin Street  
Suite 101  
Oakland, CA 94612  
510.267.2293  
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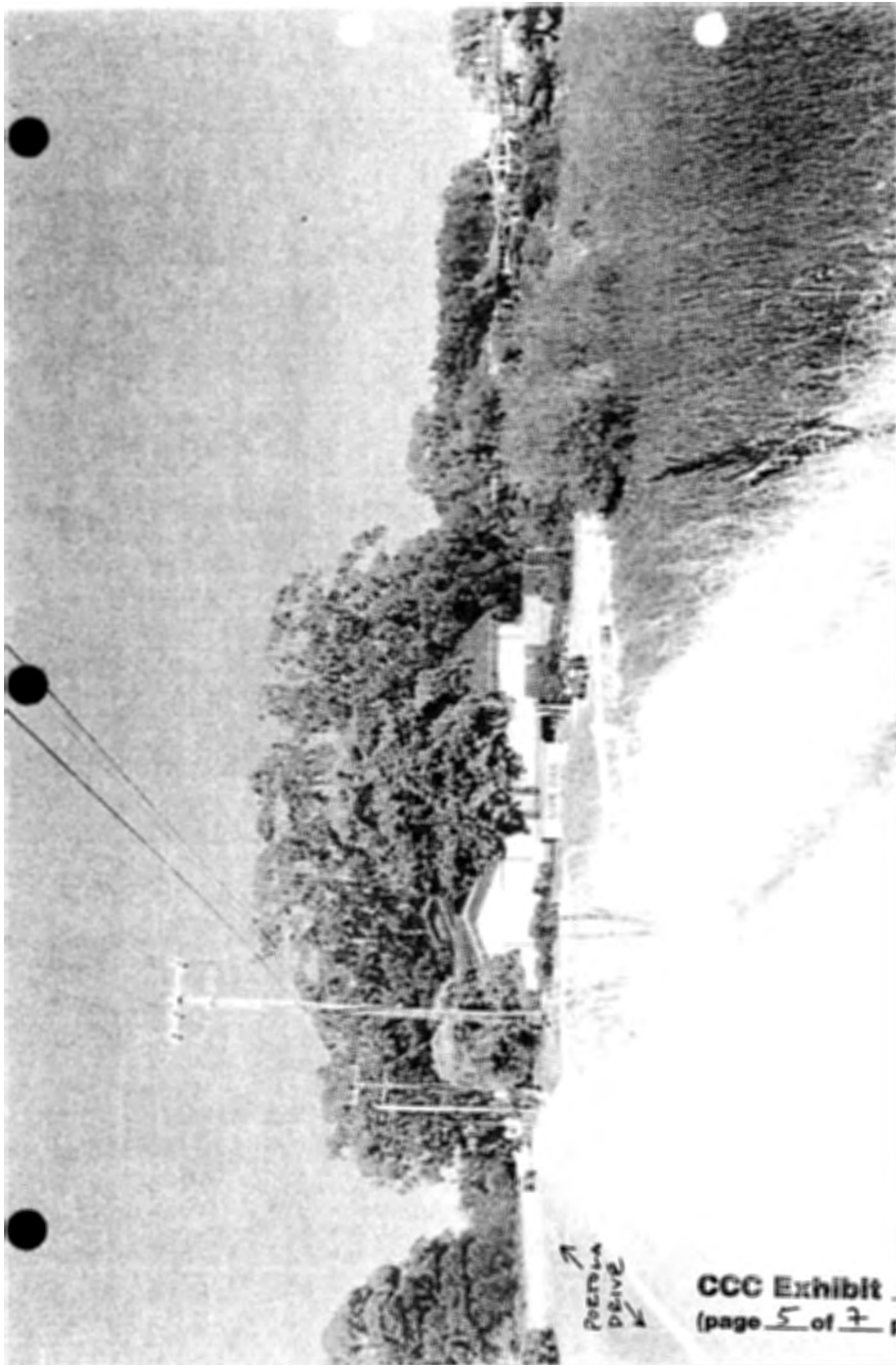
Live Oak Library  
County of Santa Cruz  
2380 Portola Drive  
Santa Cruz, California

DATE: 12.18.02  
REVISIONS:  
Revised 03.12.03

PLANNING SUBMITTAL  
SHEET TITLE:  
**BUILDING  
ELEVATIONS**

NOT FOR  
CONSTRUCTION

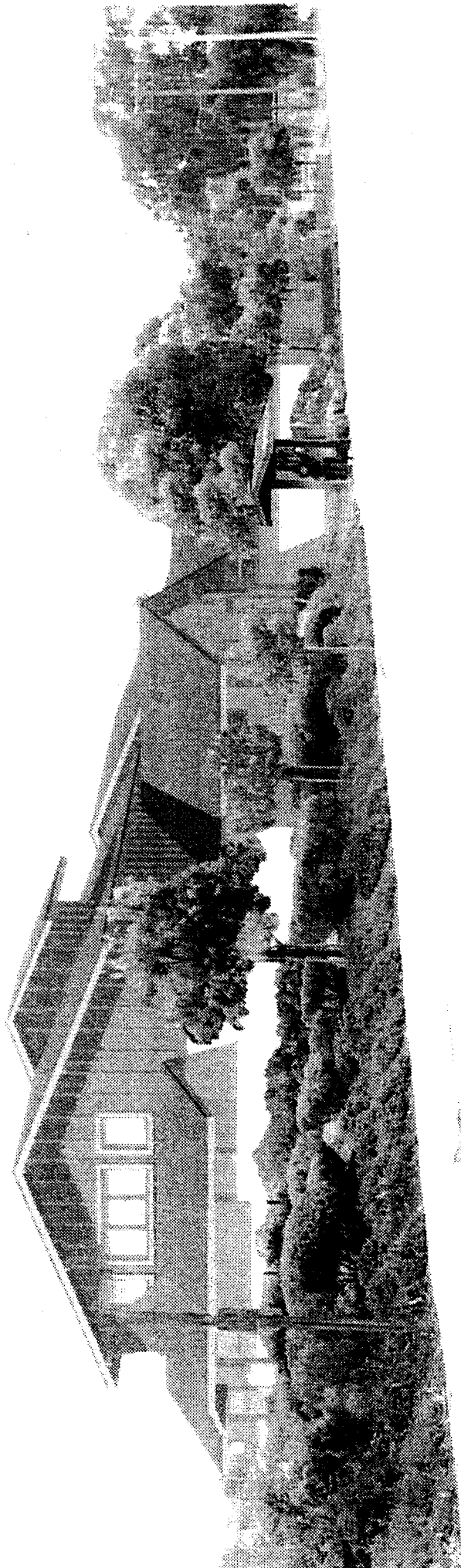
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CHECKED BY:  
JOB NUMBER: 200102.01  
**A3.1**  
**EXHIBIT G1**



CCC Exhibit  
(page 5 of 7 pages)

VIEW OF SITE FROM EASTBOUND PORTOLA DRIVE  
NEW LIVE OAK LIBRARY - VISUAL SIMULATION





PORTOLA DRIVE  
↖ ↗

VIEW OF LIBRARY STRUCTURE FROM WESTBOUND PORTOLA DRIVE





VIEW OF SITE ACROSS LAGOON FROM EAST CLIFF DRIVE



## STAFF REPORT TO THE ZONING ADMINISTRATOR

**APPLICATION NO.:** 03-0002

**APN:** 028-421-01

**APPLICANT:** Santa Cruz County Redevelopment Agency

**OWNER:** Santa Cruz County Redevelopment Agency

**PROJECT DESCRIPTION:** Proposal to demolish an existing 5,000 square foot commercial building with approximately 1,000 square foot enclosed patio (Live Oak Library) and construct a replacement two-story 13,500 square foot building for a permanent public library. Project includes redesign and improvement of the parking and circulation, installation of drainage and landscape improvements, and grading approximately 900 cubic yards within the previously disturbed portions of the site.

**LOCATION:** On the south side of Portola Drive, across from the intersection of 24<sup>th</sup> Avenue (2380 Portola Drive), Live Oak.

**PERMITS REQUIRED:** Amendment to Coastal Permit and Commercial Development Permit 97-0096, Variance to reduce the required 20-foot front setback to about 4 feet from the edge of right-of-way, significant tree removal for one 30-inch eucalyptus tree, design review, preliminary grading approval, soils report review, and environmental assessment.

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**COASTAL ZONE:** X Yes    No

**APPEALABLE TO CCC:** X Yes    No

### PARCEL INFORMATION

**PARCEL SIZE:** 3.89 acres

**EXISTING LAND USE:**

**PARCEL:** Commercial building used as interim library, lagoon

**SURROUNDING:** Residential, Commercial, Open Space

**PROJECT ACCESS:** Portola Drive

**PLANNING AREA:** Live Oak

**LAND USE DESIGNATION:** C-N, O-U, O-L (Neighborhood Commercial, Urban Open Space, and Lakes/Reservoirs/Lagoons)

**ZONING DISTRICT:** C-1, PR (Neighborhood Commercial and Parks, Recreation and Open Space District)

**SUPERVISORIAL DISTRICT:** First District

### ENVIRONMENTAL INFORMATION

a. Geologic Hazards

b. Soils

c. Fire Hazard

a. Not mapped; See Lowney & Assoc. report dated 8/7/03

b. Marine Terrace Deposits; Pinto Loam-Watsonville-Elkhorn

c. No impacts

**CCC Exhibit** C  
**(page 1 of 28 pages)**

- |                       |   |
|-----------------------|---|
| d. Slopes             | d. 0-15%  |
| e. Env. Sen. Habitat  | e. Wetland on site will not be disturbed                        |
| f. Grading            | f. Preliminary Grading Approval for 900 cubic yards             |
| g. Tree Removal       | g. One 30-inch eucalyptus significant tree to be removed        |
| h. Scenic             | h. Not a mapped resource; site visible from along/across lagoon |
| i. Drainage           | i. Drainage improvements proposed                               |
| j. Traffic            | j. Anticipated increase of 60 p.m. peak hour trip ends          |
| k. Roads              | k. Existing roads adequate, Portola Drive recently improved     |
| l. Parks              | l. N/A  |
| m. Sewer Availability | m. Adequate   |
| n. Water Availability | n. Adequate   |
| o. Archeology         | o. Not mapped/no physical evidence on site                      |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line: X Yes \_\_\_ No

Water Supply: Soquel Creek Water District

Sewage Disposal: Santa Cruz County Sanitation District

Fire District: Central Fire Protection District

Drainage District: Zone 5

### **HISTORY**

Several community meetings were held prior to submittal of this application and the project design was inspired by input both from the Live Oak community and City/County Library staff.

The Redevelopment Agency, together with the County Department of Public Works, constructed a major street improvement project in 1997 from 17<sup>th</sup> Avenue to 24<sup>th</sup> Avenue including the library project frontage. These improvements included the construction of curb, gutters, sidewalks, parking bays (south side only), bus turnout, street trees, and cross walks.

A Coastal Zone Permit, Commercial Development Permit, and a Variance to reduce the required 5 foot front setback to 0 feet for the monument sign was approved in 1997 with an issued Negative Declaration to remodel the existing 5,000 square foot commercial building to be used for the Live Oak Interim Library (Application #97-0096). In 1996 the County board of Supervisors approved a program for the Santa Cruz County Redevelopment Agency to enter into an agreement to purchase the building and associated parcel of land. The Board approved program included a conceptual plan for the library at this site with the possible long-term use for a regional library. The interim library development was designed to consider this potential future use for a permanent library at this location.

A commercial restaurant use (formerly the Albatross nightclub and restaurant) was approved prior to that in 1994, also with a Negative Declaration. At that time a General Plan and Local Coastal Plan Amendment was processed to remove the "D" park overlay designation from the C-1 commercial zoning.

### **PROJECT SETTING**

The project is located on a commercially zoned parcel within a primarily residential neighborhood of the Live Oak area fronting on the major arterial road of Portola Drive and the Corcoran Lagoon (Exhibit A). The parcel is developed with a commercial building, currently used for the interim library use that will be demolished with a new building constructed for the permanent library use.

The site consists of an approximately 4-acre triangularly shaped parcel located at 2380 Portola Drive in the Live Oak area of Santa Cruz. The site is bordered by Portola Drive to the north, and is surrounded by wetlands of the Corcoran Lagoon along the other edges of the property. A two-story apartment complex exists across Portola Drive and single-family residences exist across the lagoon. The KSCO radio station building with large antennas is located on the adjacent parcel to the west of this site. The site slopes gently from Portola Drive to the lagoon shoreline. Plans indicate that the present site ground elevation is approximately 16 feet near Portola Drive, and slopes about 2 percent to an elevation of 9 feet at the bank of the surrounding estuary shoreline.

The existing library is a one-story wood-frame structure that appears to be supported on a slab-on-grade foundation. The top-of-floor elevation of the existing library is about 17 feet. There is the possibility that the existing library slab is on about 1 to 2 feet of undocumented fill. The site has ornamental landscaping along the Portola Drive frontage and sides of the building. An asphalt concrete driveway and parking lot is located adjacent to the existing building on the west, south and east sides of the building. A turf area that serves as a bio-filter strip exists south of the parking area. A narrow worn foot-path (apparently created simply by historic use) is located along the south side of the grass area abutting the low wood rail fence, which defines the useable portions of the site. To the east and past the fence, the parcel slopes off a bit to an existing eucalyptus grove along the eastern perimeter with the natural wetland vegetation of Corcoran Lagoon extending past that to the parcel boundaries. Old railroad ties exist along the perimeter of the parking area and along the fence.

Minor portions of the existing building encroach into the Portola Drive setback area and into the 100-foot setback from the high water mark of Corcoran Lagoon. Other existing uses, which encroach into the 100-foot setback, include the parking, circulation, bio-filter strip and other drainage improvements. A bus stop pull out exists in front of the building on Portola Drive. Another small cluster of eucalyptus trees exist in the northeast corner of the site by Portola Drive. The segment of recently completed Portola Drive improvements installed in front of the project site was constructed to about 43 feet from curb to curb within an approximately 84-foot right-of-way with 5-foot bike lanes and sidewalks along both sides of the road.

## ANALYSIS AND DISCUSSION

This proposal is to demolish the existing approximately 6,000 square foot (with enclosed patio) interim Live Oak Library commercial building and construct a replacement two-story 13,500 square foot building with terrace decking along the south side for a permanent public library. The project includes redesign and improvement of the parking and circulation, installation of landscape and drainage improvements and grading approximately 900 cubic yards. The improvements will occur within previously disturbed portions of the commercially developed site, as contained by the existing fence line near the edge of the lagoon.

The project also includes: removal and replacement of lamp poles and associated underground

electric lines and light boxes, removal of railroad ties, removal of perimeter fence and replacement with a new wood rail fence in the same location, removal and replacement of walkway paving, removal and replacement of asphalt paving and substrate, removal and replacement of trash enclosure, demolition and replacement of drainage bio-swale, installation of an enhanced storm-water filtration unit, removal of a total of six trees (all eucalyptus) including one 30-inch significant tree, removal and replacement of ornamental landscaping near the building, and additional parking area landscaping with irrigation. The existing sign and surrounding planter will be retained. Construction will also involve 900 cubic yards (cy) of fill and 455 cy of excavation, resulting in 445 cy of import. Construction and permanent access will be via the one driveway off Portola Drive. The additional library square footage accommodates special areas and features including computer workstations and reading areas for both adult and children, with room for added library services not previously possible due to the buildings original limited space. See project plans for additional project details.

New site features and amenities included an upper over-view terrace with arbor and a second lower terrace. Pedestrian access to the library is provided by ADA compliant walkways, ramps and steps. Vehicular, handicapped and bicycle parking spaces comply with the requirements of Section 13.10.552 of the County code. There is also a trash enclosure and a "hammerhead" vehicle turn-around for emergency vehicles and delivery access at the east end of the parking area drive. All on-site pathways, stairs, ramps, drives and parking areas are designed with low profile lights designed with illumination cut-off capability to protect the sensitive lagoon environment and night time sky from atmospheric light contamination, as well as, the residential properties across the lagoon. Landscaping includes elements to preserve the unique coastal and lagoon views, with trees and vegetation appropriate to the nearby lagoon.

Proposed parking, circulation and drainage improvements within the 100-foot riparian setback do not exceed previous, historic use of the area. The established setback is measured from Corcoran Lagoon's high water mark. According to the interim library approval, development associated with that project was within the County's designated wetland buffer area and Section 16.30.050(e) "Exemptions" of the County Code applied in that the proposed drainage and habitat restoration included in that project were exempt and no Riparian Exception Permit was required. That project provided a replacement drainage system consisting of a biofilter vegetation strip constructed to prevent contamination of the lagoon from parking lot runoff, disability access and parking spaces, bicycle parking, and parking lot lighting (sensitive to the adjacent wildlife habitat), as well as, landscaping around the building, including trees and an irrigation system.

This project includes a permanent two-step water filtering process before release into Corcoran Lagoon. First, the water is filtered through an organic biofilter system. Second, the filtered water is then collected in a distribution box with additional filtration for release into the lagoon. During construction, special provisions are in place to collect surface construction run-off water and contaminants from discharging into the lagoon. Refer to the civil drawings, C-1 and C-2.

The property is a 3.89-acre lot, located in the C-1 and PR (Neighborhood Commercial and Parks, Recreation and Open Space District) zone districts, designations which allow permanent library uses. The proposed library use is a principal permitted use within the C-1 zone district and the project is consistent with the site's (C-N, O-U, O-L) Neighborhood Commercial, Urban Open Space, and Lakes/Reservoirs/Lagoons General Plan designations. The proposed neighborhood

serving public library use is in conformity with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain the KSCO commercial radio station on the adjacent parcel to the west, two-story multi-family residential across the street to the north, and single family residential across the lagoon to the south. Size and architectural styles vary widely in the area, and the design submitted is compatible with the existing range and with the nearby residential developments. The project site is not located between the ocean's shoreline and the first public road and consequently, the proposed project will not interfere with public access to the beach or ocean. This property was once identified as a priority acquisition site in the County's Local Coastal Program, but was purchased by the County Redevelopment Agency in 1997 for use as a public library. The proposed regional library will serve the general public with areas to view and walk adjacent to the lagoon setting, and therefore, maintain the public's access to the Corcoran Lagoon shore. The project is also consistent with the County's "Coastal Zone Design Criteria" and the "Site, Architectural and Design Ordinances".

#### Design Review

Architecturally, the proposed structure has been designed to be compatible with residential structures in the vicinity. And though it will be a two-story structure, the area of the second story was minimized over a portion of the central area of the first floor, and the roofline lowered to reduce the bulk and mass of the structure. The proposed design incorporates traditional coastal architectural features with a low profile design and complimentary trim and features. This style includes pitched roofs, board and batt siding on the second story, and an enhanced entryway facing the lagoon with wood pillars, stone around the entry, and entry terracing with a vine covered wood trellis. The new building features lap siding, stucco, and natural stone with wood trim, aesthetically blending with the coastal lagoon setting. The colors will be in natural tones of greens and tans with complimentary roofing and accessory rock facing along the walls to further blend with the surrounding natural environment (see colors and material board).

The proposed building architecture, site design, and additional amenities were reviewed by the Planning Department, Urban Designer pursuant to the Design Review Ordinance, Chapter 13.11. The site design, site amenities and features, building design, circulation, parking lot, and landscaping were all reviewed and found to be in compliance with the design review regulations with just a few exceptions under the site and parking lot design criteria (see attached letter with comments from Larry Kasparowitz, dated May 7, 2003). The following is a discussion in response to these comments as to why particular features were not feasible or required to be incorporated into the new library design.

#### Site Design:

- 1) With regard to the location and type of access to the site, the streetscape relationship, and the street design and transit facilities comments, it does not work in the project design to provide an entry that faces Portola Drive. Due to the front yard setback constraints and the site shape with the limited useable portions of the site curving out in a semi-circle toward the lagoon, this space provided more working room for a better defined entryway with terracing and allowed for more exposure for the public to the natural lagoon setting. The building size and configuration limitations within the "building envelope" also do not allow for space to provide a second workable entry without sacrificing valuable book, work room, or circulation space. As well, due to security concerns the City/County Library System does not



want more than one entrance to their facilities.

- 2) The provision of a second access driveway to Portola Drive at the northeasterly end of the parking lot was discussed with the Department of Public Works Road Engineering staff and considered in the project analysis to provide better circulation onsite and to achieve a second ingress and egress point. However, due to the following concerns: library staff concerns regarding the site being potentially used for through traffic; the awkward three-way intersection alignment with Portola Drive, 24<sup>th</sup> Avenue and Richmond Drive at this location; potential traffic backup while negotiating a left turn; the concern of additional driveway cuts and access to and from the busy Portola Drive roadway with vehicles traveling at high speeds and potential issues of sight visibility; potential impacts along Portola Drive if a stop sign is added at 24<sup>th</sup> Avenue; possible impacts to the connector parking area drive which is limited in width due to the drainage biofilter requirements; and due to the fact that the proposed parking and drive configuration has been reviewed by the Central Fire Department and satisfies their criteria for a turn around, it was concluded by Public Works and Planning staff that there was not sufficient benefits to out-weigh these concerns and to require a second driveway at this time.
- 3) An entry separation median at the single project entrance/exit has been discussed with the Department of Public Works and is not being required for the following reasons: the existing driveway apron has sufficient width to accommodate 41 vehicles, and does not warrant a lane separator; there is not enough distance to expand the entry and install an island separator which would allow for wide enough lanes to accommodate large service and delivery vehicles; the close proximity of the large alder tree to the entry could result in impacts to the tree's root system; increasing the entry to the west could likely impact the existing library monument sign, landscaping, lagoon edge slope and cause one or two parking spaces to be lost or reduced to "small" compact spaces.
- 4) A book drop-off area in the front of the building or elsewhere on the site was considered, but rejected for several reasons as follow: there is not sufficient useable space to accommodate another lane along the front, and this would potentially conflict with the existing bus stop turnout which could be used for a quick person drop-off or pick-up; an additional lane could also be at the expense of existing and proposed landscaping in front of the building, which is an important element to soften the building and tie it into the adjacent natural lagoon environment; the library staff was also adamant against a book drop-off box due to common contamination of the books by trash deposited into the container; and, the project is being conditioned to provide a priority book drop-off parking space close to the library entrance.

#### Landscape Design:

- 1) The project applicant acknowledged that there are concerns that the tips of the narrow landscape islands in the parking area often get run over and become maintenance problems. They agreed to consider the suggestion to use river or decorative rock and will address this as a detail in the construction documents, however they wished to maintain the flexibility to evaluate other suitable materials or solutions while fine-tuning the landscape and hardscape elements of the construction plans. It was not included as a condition of approval as it applied to very few planting islands and would not result in a significant element in considering the overall project design.
- 2) The project is conditioned to include the Landscape Architect's license number on the final landscape plans.
- 3) The exterior lighting as proposed on the project plans is in compliance with the design



review regulations, however, additional lighting conditions were added to ensure that all future exterior lighting on this site is compatible with the regulations and respective of the sensitive nature of this site and to nearby residences.

#### Variance

The existing structure is significantly non-conforming as it extends into the front setback approximately 1 foot within 5 feet of the existing vehicular right-of-way for Portola Drive per the current zoning development standards which require a 10 foot setback for commercial structures within the C-1 zone, though this is increased to 20 feet by being located across from residential zoning. Due to the non-conforming status, regulations apply as to how much of the existing structure can be modified. Pursuant to County Code Section 13.10.265, no more than 50% of any of the non-conforming walls or portions of foundation can be removed, without a Level 5 Variance. Due to the age and condition of the existing building, the entire building is proposed to be removed. A Variance request was applied for with this application in order for a larger replacement building to be constructed in its place. The proposed structure will follow the same front building encroachment line except in one portion where the encroachment is reduced approximately 48 square feet. The proposed encroachment was not determined to be significant due to the existing configuration of the site, existing road improvements and right-of-way width. Portola Drive was improved by the Redevelopment Agency and Department of Public Works with full improvements including bike lanes, curbs, gutters and sidewalks, well within the existing right-of-way. The building will be located about 23 feet from the existing edge of curb with an approximately 18-foot landscape strip between the building and edge of sidewalk.

The site is also a triangular shape with the adjacent lagoon and arcing 100-foot riparian setback significantly limiting the buildable area. It was important in the project design to minimize the second story portion of the building to address neighborhood input from the community meetings. The design also had to address minimum square footage and interior functioning criteria to achieve the minimum requirements of a regional library facility and to adequately serve the range of users' needs. The KSCO radio station building to the west and the large apartment complex across the street are also setback sufficiently from the edge of roadway. Due to the width of Portola Drive, the closest structures would be located roughly 100 feet away. Due to the facts that Portola Drive is fully improved along this portion of the project frontage, there is an existing 16 to 18-foot landscape strip that will be enhanced between the proposed building and the sidewalk, it is approximately 23 feet to the edge of roadway, and the new structure will also be one story in height within the setback area, and thus, sufficient light, air and open space will be maintained around the building, it was concluded that the intent of setback regulations will be achieved.

#### Environmental Review

Environmental review was completed for this project and a Negative Declaration was issued on May 1, 2003. Mitigation measures associated with the Declaration include compliance with recommendations contained in the geotechnical report; compliance with recommendations contained in the arborist report; and, installation of erosion control measures prior to October 15<sup>th</sup>.

Six non-native eucalyptus trees (greater than 6 inches in diameter) will be removed within the northeasterly portion of the proposed parking area. One of these six trees is a Significant Tree with a 30-inch diameter trunk. The trees in this group (Group 4) were identified in the latest arborist report as poorly structured. The proposed development could result in these trees

presenting a high risk of failure so they were recommended for removal. Two arborists' reports are provided describing the condition of the existing trees, mitigation necessary to protect certain groupings of trees, and recommendations for specific tree removal based on evaluations related to the tree species and its environment. See arborist reports (Attachment 5). An additional 19 eucalyptus trees along the lagoon edge will be retained, however, and protected in a wide tree protection zone, which extends past the driplines to insure their future survival. Suggestions for the tree preservation zone, fencing, pruning, and tree preservation guidelines provided in the arborist reports will be followed to ensure preservation of the eucalyptus grove through construction. Chain link fencing will be in place during the course of construction to protect the designated cluster of eucalyptus trees from damage.

Some development will occur within the 100-foot riparian setback in areas that have been previously disturbed. The new parking lot and vehicle circulation will replace the existing parking lot and gravel areas used for circulation and overflow parking. New bio-swale and drainage improvement facilities will replace the previous ones in the same general location. No encroachments will occur into sensitive riparian habitats.

The existing Portola Drive frontage landscape will be protected and maintained during construction. Along the project frontage and within the parking areas the existing plant materials will be supplemented with new plant material as part of the proposed landscaping. New plant materials will be in keeping with the coastal zone, respectful of the sensitive nature of the existing habitat, be non-invasive, and preserve and protect the existing habitat, compliment the architecture of the building and be compatible with the native vegetation of Corcoran Lagoon.

Although not required by the County in conjunction with this project, permit, or environmental review, a native vegetation restoration study and plan has been completed for a portion of the site. The Habitat Restoration project will be completed by the County Redevelopment Agency in an attempt to restore the habitat along the lagoon edge, outside of the development area proposed with this permit. The area of study includes the area between the existing wood rail fence and the "high water mark" of Corcoran Lagoon. This area is located within the jurisdiction of the California Coastal Commission and permits will be processed accordingly. The proposed restoration project will be submitted as a separate permit package and processed through the California Coastal Commission and County of Santa Cruz, as needed depending upon the respective jurisdictions.

#### Additional Considerations

A second access driveway to Portola Drive at the northeasterly end of the parking area was brought up for consideration by the Department of Public Works Road Engineering and Planning Department's Urban Planner to provide better circulation onsite and to achieve a second ingress and egress point. However, due to concerns expressed above (see Design Review discussion) it was concluded that this second driveway would not be required at this time. The proposed parking area circulation with fire truck back-up/turn-around area at the end satisfies the Central Fire Department's criteria for access.

Another consideration initiated by the Department of Public Works was whether to provide a center turn-lane in Portola Drive to the west of the existing/proposed driveway. This was one of the future considerations of the plan-line for Portola Drive; however, it was not implemented.

Though this could allow for better traffic circulation and additional convenience in accessing and leaving the project site, implementing the center turn lane would shift the west bound travel lane to the north and would result in the loss of on-street parking along the north side of Portola Drive, in front of the apartments, whose residents use these spaces regularly. In addition, the improvements were not warranted by the new traffic peak hour trips and anticipated trip distribution that would be generated by this project. This project does not preclude Public Works from adding a center turn-lane at this location in the future, as sufficient right-of-way exists.

County Code Section 15.12.030 "Improvement Fee Required" requires that all new development pay the County established Transportation and Roadside Improvement fees. The established fees based on net new traffic trips for the replacement library would total \$16,800. This fee is being waived, however, due to the County Redevelopment Agency's significant funding of previously installed and scheduled improvements to Portola Drive and other major circulation roads in the area. Previous Portola Drive improvements included full roadway and roadside improvements from 17<sup>th</sup> to 24<sup>th</sup> Avenues including the project's frontage area. Future improvements (anticipated completion in 2005) include Portola Drive to the east from 24<sup>th</sup> to 26<sup>th</sup> Avenues.

Old railroad ties exist along the perimeter of the parking area and along the fence near the lagoon and bio-filter area. As suggested in comments by the California Coastal Commission, these railroad ties are shown on the project plans and required in the permit conditions to be removed to prevent any possible future chemical leaching into the lagoon.

The existing natural footpath/trail along the outer edge of the development area near the wood fence is required in the permit conditions to be retained for public use. Plans are required to be submitted showing at least one lagoon viewing area along the southerly edge within the fence line, with a sign providing interpretive information regarding Corcoran Lagoon and perhaps the native habitat and species associated with it.

In lieu of obtaining a building permit, the construction drawings will be submitted to the International Code Council (I.C.C), formerly known as I.C.B.O., for code compliance review, as recommended by the Santa Cruz County Building Official.

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

## RECOMMENDATION

Staff recommends:

1. **APPROVAL** of Application Number **03-0002**, based on the attached findings and conditions.
2. **Certification** of the Mitigated Negative Declaration as complying with the California Environmental Quality Act (Exhibit G).

## EXHIBITS

- A. Project Plans by Ripley Architects, dated December 18, 2002, revised March 12, 2003 (full size plans on file with the Planning Department)
- B. Findings: Coastal Development Permit, Commercial Development Permit, Variance, and Significant Tree Removal
- C. Conditions of Approval
- D. Assessor's Parcel Map
- E. Zoning Map
- F. General Plan Map
- G. Environmental Review Negative Declaration and Initial Study with Attachments
- H. Comments & Correspondence including: Memo by Larry Kasparowitz dated May 7, 2003, Soils Report Review Letter by Kent Edler dated January 15, 2003, Memo from Dan Carl, CA Coastal Commission dated January 17, 2003, etc.
- I. Arborist Letter by James P. Allen & Associates, dated July 8, 2002 and Arborist Report by Nathan Lewis, dated April 19, 2002, amended May 1, 2002
- J. Visual Simulation and Rock Sample Photo
- K. Colors and Materials Board (on file with the Planning Department)

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT  
ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY  
PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE  
ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

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### **COASTAL DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

The property is zoned C-1 and PR (Neighborhood Commercial District and Parks, Recreation and Open Space District), a designation that allows a permanent library facility use as stated in the Neighborhood Commercial Use Chart. This neighborhood commercial service use is a principal permitted use within the zone district, consistent with the developed area of the site's Neighborhood Commercial (C-N) General Plan designation. The portion of the parcel within Corcoran lagoon is designated Urban Open Space (O-U) and Lakes/ Reservoirs/Lagoons (O-L).

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The proposed replacement library does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site. The County designated Open Space area of the property is the lagoon portion and no development will occur in this area.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 et seq.

The proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

Section 13.20.130 also provides design criteria for coastal zone developments. These include that the development be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding areas. The library building is sited as far to the front of the parcel as possible, away from Corcoran Lagoon and will be of a scale, materials, and colors to blend with the lagoon environment. The existing landscaping will be supplemented with lagoon compatible, native and ornamental plantings. Numerous additional trees will be added along the lagoon side of the building and within the parking area. Section 13.20.130(b)2. requires that grading, earth moving, and removal of major vegetation be minimized. The project proposes to remove one large eucalyptus tree in the northeastern portion of the site to provide for parking and circulation. This is the only significant tree removal that is proposed with this project. Many other (about 20) existing large eucalyptus trees will be preserved onsite. The proposal includes minor earth moving in the form of surface-grading of the parking and biofilter areas and engineered fill and/or subgrade soil preparation as needed for the new building pad.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN THE NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

Figure 2-5, page 2-51 of the 1994 County General Plan includes specific information regarding the subject parcel and identifies the property as one of the coastal priority sites within Live Oak. Two preferred uses were identified for this site: 1) Coastal wetland protection and development of coastal access and recreation facilities, potentially including a coastal wetlands interpretive center; and 2) A "Neighborhood Commercial" development of visitor serving commercial uses or public uses or offices. The public library use qualifies under the second option. The project provides bench seating and observation areas along the terraced decking at the entrance to the library, facing the lagoon. An unimproved public trail/informal worn footpath has been historically used in the area between the bio-swale and fence area along the edge of the lagoon. The decking and path will address public access policies of the General Plan. At least one small public wildlife observation pop-out area is required along this trail. The proposed project meets the intent of General Plan policies by providing a "Neighborhood Commercial" community facility use with outside lagoon viewing areas on this parcel. Special development standards identified include that the site improvement shall include protection and restoration of the Corcoran Lagoon wetland and adjacent riparian area. This project does not propose development outside of previously disturbed areas and will not impact Corcoran Lagoon or the adjacent riparian or wetland areas. A separate Restoration Plan is being processed by the County Redevelopment Agency through the State Coastal Commission to revegetate native planting along the edge of the wetland area, past the fence, in an area that will not be disturbed by this proposal.

The project site is not located between the ocean shoreline and the first public road. Consequently, the library development will not interfere with public access to the beach or ocean. Nor, will the project affect public access to the lagoon or any other body of water. The project site was identified as a priority acquisition site in the County Local Coastal Program and purchased by the County Redevelopment Agency. The project is not considered a visitor serving use. The County General Plan/Local Coastal Program has the subject parcel of land designated as Neighborhood Commercial over the developed portions of the site and Urban Open Space over the lagoon areas. These land use designations will ensure that the environmentally sensitive lagoon and riparian areas will be protected and the developable portions of the site will not exceed the currently developed area, and public access and existing visual resources will be maintained. The Corcoran Lagoon is currently accessed by the public via East Cliff Drive, Portola Drive, and other surrounding roads and pathways.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.



The proposed project is in conformity with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, libraries are allowed uses in the C-1 (Neighborhood Commercial) and PR (Parks, Recreation and Open Space) zone districts of the area, as well as the General Plan and Local Coastal Program land use designations. Developed parcels in the area contain commercial and multi-family residential uses. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

The site is located in an area that is subject to the following Local Coastal Plan policies: "Sensitive Habitat Protection" in Objective 5.1.4 and Objective 5.1.3 "Environmentally Sensitive Habitats". These sensitive habitat preservation policies require that developments maximize distances between the wetlands and the improvements. The library building was designed to maintain the 100' riparian setback from the high water mark of the lagoon. The project under consideration will not increase development within the buffer area of the lagoon wetland. Work in this area consists of a replacement biofilter drainage area, replacement parking and circulation, and minimal landscaping. A substantial portion of the subject parcel lies within the lagoon and is covered with lagoon typical vegetation which is a sensitive setting with high wildlife values, this area will not be developed and the proposed interim library use will not generate significant noise or lighting that may be detrimental to this sensitive habitat. Objective 5.1.6 "Development Within Sensitive Habitats" and Objective 5.1.7 "Site Design and Land Use Regulations": the project will be designed to prevent impacts that would significantly degrade the lagoon area, and shall be compatible with the continuance of the wildlife habitat. The project will prevent impacts that would degrade the lagoon by using a drainage system consisting of a vegetative filter strip of adequate width to filter contaminants from urban runoff prior to entering the lagoon and by replacing the existing silt and grease trap with an enhanced storm water filtration device (e.g. a CDS or equivalent filtration unit). All drainage of the parking and circulation areas will sheet flow to this biotic filtering system. The majority of the building drainage will be piped directly to the enhanced filtering unit prior to release into the lagoon. The front landscaping and a portion of the building drainage will be directed to the existing improvements in Portola Drive. By supporting the continuance of the lagoon wildlife and ecosystem the project is therefore consistent with the Local Coastal Program's intention to protect sensitive habitat.

### **COMMERCIAL DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the proposed library building and the use of the surrounding property and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity in that the project is located in an area designated for commercial service uses and the location of the structure and supporting facilities are not encumbered by physical constraints to development. Construction of the replacement building will comply with prevailing building technology and the Uniform Building Code to insure the optimum in safety and the conservation of energy and resources. The existing parking and circulation area will be upgraded and street improvements along the property frontage were recently improved for public safety. The proposed library will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure will be setback about 23 feet from the edge of Portola Drive, with the variance for the front setback, and meets all other setback requirements including the 100-foot riparian setback, that ensure access to light, air, and open space in the vicinity.

An environmental review has been completed and a Negative Declaration issued on May 1, 2003. Mitigation measures included with the Declaration include the following: compliance with all recommendations contained in the Geotechnical Investigation to avoid impacts from potential geotechnical hazards on the property; compliance with all pertinent recommendations contained in the arborist reports to minimize negative impacts from the loss of mature trees; and, install all erosion control measures prior to October 15 in order to prevent erosion, off-site sedimentation, and pollution of Corcoran Lagoon. Conditions of the permit also ensure that all exterior lighting is to be designed and located to prevent impacts to the lagoon wildlife and surrounding properties.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The developed portion of the parcel is zoned C-1 (Neighborhood Commercial) and the portion within Corcoran Lagoon is zoned PR (Parks, Recreation and Open Space District). The proposed location of the library and the conditions under which it would be operated and maintained will be consistent with all pertinent County ordinances and the purposes of the C-1 and PR zone districts in that the primary use of the property will be a public library on the C-1 portion of the site that meets all current site standards for the zone district, with the granting of the front setback variance as part



of this permit. Measures were also taken to ensure the protection of the eucalyptus groves onsite and the lagoon environment including water quality and the natural riparian and wetland habitats.

The specific purposes of the C-1 Zone District include encouraging and recognizing commercial activities that include public facilities. Section 13.10.331(a) is to ensure that commercial facilities are constructed and operated such that they are compatible with adjacent development, and that high standards of urban design are maintained, minimizing impacts on residential areas and providing for adequate site layout, protection of solar access to adjacent property, landscaping, sign and building design and size, and on-site parking, loading, and circulation. The library use is consistent with these purposes in that the use and scale and style of the building is compatible with the adjacent residential development, the site development will not increase into sensitive habitat of the lagoon, and additional drainage and water quality improvement measures are provided including the bioswale system and upgraded CDS or equivalent filtration system to collect sentiment and contaminants from urban runoff into the lagoon.

There will not be any increases in riparian buffer encroachment associated with this project and thus, a Riparian Exception is not required. Per Section 16.30.050(a) "Exemptions", a Riparian Exception is not required for the continuance of any preexisting use or changes of use, which do not significantly increase the degree of encroachment into or impact on the riparian corridor. County Code Section 15.12.030 "Improvement Fee Required" requires that all new development pay the County established Transportation and Roadside Improvement fees. The established fees based on net new traffic trips would total about \$16,800; however, the County Redevelopment Agency is given credit for this amount due to their funding of previously installed and scheduled improvements to Portola Drive and other major circulation roads in the area. Previous Portola Drive improvements included the construction of curb, gutter, sidewalk, bike lanes, parking lane (south side only), street tree plantings, crosswalks, and a bus shelter and turnout from 17<sup>th</sup> to 24<sup>th</sup> Avenues including the project's frontage area. Future improvements (anticipated completion in 2004) include Portola Drive from 24<sup>th</sup> to 26<sup>th</sup> Avenues, completing the parcel's frontage to the east.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The parcel is located in the Neighborhood Commercial, Urban Open Space, Lakes/Reservoirs/Lagoons, and (C-N, O-U, O-L) land use designations. The developed portion of the parcel is designated for Neighborhood Commercial use in the General Plan. Objective 2.13 "Neighborhood Commercial" specifies community facility uses. A permanent public library meets this objective. The lagoon surrounds the existing developed portion of the site and is designated for Lakes, Reservoirs, and Lagoons. The policies for development in the commercial designation require that the type of use does not conflict with residential uses, the environment, or the scenic quality within the urban setting of the County. The proposal to use the site for an interim library is consistent with the General Plan objectives in that the building is buffered from nearby residential development to the north by Portola Drive, a County maintained arterial street, and the parking area is behind the building. The project will improve the parking and circulation area and increase visual amenities of the site with additional landscaping and a more architecturally aesthetic building. The project will enhance the natural environment of the lagoon and wildlife habitat through the upgraded drainage filtration system and by other conditions of the Permit. The proposed library development will also

maintain a complementary relationship with the natural environment as specified in General Plan Policy 8.6.5 (Designing With the Environment), in that the proposed library will be of a scale and built with materials and natural colors relative to the adjacent lagoon environment and compatible with the eucalyptus groves onsite.

Figure 2-5, page 2-51 of the 1994 County General Plan includes specific information regarding the subject parcel and identifies the property as one of the coastal priority sites within Live Oak. Two preferred uses were identified for this site: 1) Coastal wetland protection and development of coastal access and recreation facilities, potentially including a coastal wetlands interpretive center; and 2) A "Neighborhood Commercial" development of visitor serving commercial uses or public uses or offices. The public library use qualifies under the second option. The project provides bench seating and observation areas along the terraced decking at the entrance to the library, facing the lagoon. An unimproved public trail/informal worn footpath has been historically used in the area between the bio-swale and fence area along the edge of the lagoon. The decking and path will address public access policies of the General Plan. At least one small public wildlife observation pop-out area is required along this trail. The proposed project meets the intent of General Plan policies by providing a "Neighborhood Commercial" community facility use with outside lagoon viewing areas on this parcel. Special development standards identified include that the site improvement shall include protection and restoration of the Corcoran Lagoon wetland and adjacent riparian area. This project does not propose development outside of previously disturbed areas and will not impact Corcoran Lagoon or the adjacent riparian or wetland areas. A separate Restoration Plan is being processed by the County Redevelopment Agency through the State Coastal Commission to revegetate native planting along the edge of the wetland area, past the fence, in an area that will not be disturbed by this proposal.

A specific plan has not been adopted for this portion of the County and this site is located outside of the boundaries of the Pleasure Point Commercial Area Plan.

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The proposed use will not overload utilities or generate more than the acceptable level of traffic on the streets in the vicinity in that it is a replacement library on an existing developed lot that is already served by existing infrastructure in an area of existing commercial and residential multi-family uses. The current land use intensity levels set by the General Plan are assumed to generate acceptable levels of traffic and utility use. This project is consistent with those land use intensities.

Access is provided by a publicly maintained arterial street, Portola Drive. The Department of Public Works and County Redevelopment Agency recently completed a major street improvement project for Portola Drive that included the library site frontage. These improvements included the construction of curb, gutter, sidewalk, bike lanes, cross walks, parking lane, bus turnouts, new commercial and residential driveways, and street trees from 17<sup>th</sup> Avenue to 24<sup>th</sup> Avenue, including the project site frontage. The replacement library building will result in an estimated 60 additional p.m. peak hour traffic trip ends compared to the existing library (based on Institute of Traffic Engineers, trip generation, 6<sup>th</sup> Edition average figures for libraries). This number of new p.m. peak hour trips, considered relative to the existing traffic volume on Portola Drive (approximately 12,000

vehicles a day in 1998), or estimated peak hour trips (an average of about 1,200) will not significantly impact the surrounding road network, nor be sufficient to result in a lower level of service at nearby intersections.

The road improvement project is scheduled to be extended to the east along Portola Drive to 26<sup>th</sup> Avenue by the end of 2004. Any cumulative impacts of the project traffic will be mitigated by previous and future improvements to Portola Drive by the Redevelopment Agency. A typical mitigation for project trip generation increases is payment of Live Oak Transportation Improvement Area (TIA) fees, which are used to fund transportation improvements within the local area. The current fees for Roadside and Transportation improvements for 42 new trip ends (estimated by DPW for fee purposes) are each a \$200 fee per trip end, for a total TIA fee of \$16,800 to be split evenly between transportation improvement fees and roadside improvement fees. However, since the County Redevelopment Agency has funded the previous public road project and is funding the extension of it, it is appropriate that the previous and scheduled improvements to Portola Drive funded by the Redevelopment Agency serve as sufficient mitigation.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The proposed library will be in harmony with the existing commercial and residential uses in the vicinity. A library facility is a low intensity use creating minimal impact to the sensitive setting of the lagoon as compared to other potential commercial uses. Site disturbance has been established through previous development on this site (nightclub, restaurant, and interim library). This project will not exceed the previous development areas. The library will also be compatible with the physical design aspects and land use intensities of the surrounding neighborhood, in that the proposed structure is two stories, in a mixed neighborhood of one and two story commercial and residential buildings. The proposed library building and development on the lot is in scale with the other commercial and multi-family residential buildings in the area. The bulk of the structure was specifically minimized in the project design while maximizing useable interior library space to limit the structure primarily to one story with a minor two-story element above, to better blend with residential character existing in the area.

6. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed library will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Architecturally, the proposed structure has been designed to be compatible with the residential structures in the vicinity. And though it will be a two-story structure, the area of the second story was minimized over a portion of the central area of the first floor, and the roofline lowered to reduce the bulk and mass of the structure. The design is similar to a traditional California coastal style

theme with a low profile design and complimentary trim and features. This style includes pitched roofs, siding on the second story, and an enhanced entryway facing the lagoon with wood pillars, stone around the entry, and entry terracing with a vine covered wood trellis. The partial two-story building features board and batten siding, stucco, and natural stone with wood trim, aesthetically blending with the coastal lagoon setting. The colors will be in natural tones of greens and tans with complimentary roofing and accessory rock facing along the walls to further blend with the surrounding natural environment.

Special exterior lighting is identified on the project plans and criteria provided in the project conditions to ensure that the parking area and walkway lighting does not impact migratory waterfowl, nor nearby residential neighbors. The light placement and spray cut-offs are designed in order to prevent light splash offsite.

Pursuant to the County Design Review Ordinance, vehicle access section 13.11.074(a)(1)(iv) the pavement width for interior driveways should be a minimum of 24 feet for two-way circulation. However, section 13.11.053(a) provides for exceptions when flexibility in the application of the design standards are warranted due to (1) special site circumstances, and (2) when the objectives are better achieved by allowing flexibility. The proposed driveway narrows down to a width of 22 feet in the lower portion as it responds to environmental conditions near the lagoon, accommodates a sufficiently sized drainage bio-filter area, and provides safe and adequate access, accommodating larger vehicles as needed.

The proposed building architecture, site design, and additional amenities were reviewed by the Planning Department's Urban Designer pursuant to the Design Review Ordinance, Chapter 13.11. The site design, site amenities and features, building design, circulation, parking lot, and landscaping were all reviewed and found to be in compliance with the design review regulations with just a few exceptions under the site and parking lot design criteria (see attached letter with comments from Larry Kasparowitz, dated May 7, 2003). The following is a discussion in response to these comments as to why particular features were not feasible or required to be incorporated into the new library design.

#### Site Design:

- 1) With regard to the location and type of access to the site, the streetscape relationship, and the street design and transit facilities comments, it does not work in the project design to provide an entry that faces Portola Drive. Due to the front yard setback constraints and the site shape with the limited useable portions of the site curving out in a semi-circle toward the lagoon, this space provided more working room for a better defined entryway with terracing and allowed for more exposure for the public to the natural lagoon setting. The building size and configuration limitations within the "building envelope" also do not allow for space to provide a second workable entry without sacrificing valuable book, work room, or circulation space. As well, due to security concerns the City/County Library System does not want more than one entrance to their facilities.
- 2) Requiring a second access driveway to Portola Drive at the northeasterly end of the parking lot was discussed with (and supported by) the Department of Public Works Road Engineering staff and considered in the project analysis to provide better circulation onsite and to achieve a second ingress and egress point. However, due to the following: library staff concerns regarding the site being potentially used for through traffic; the awkward three way

intersection alignment with Portola Drive, 24<sup>th</sup> Avenue and Richmond Drive at this location; potential traffic backup while negotiating a left turn; the concern of additional driveway cuts and access to and from the busy Portola Drive roadway with vehicles traveling at high speeds and potential issues of sight visibility; potential impacts along Portola Drive if a stop sign is added at 24<sup>th</sup> Avenue; possible impacts to the connector parking area drive which is limited in width due to the drainage biofilter requirements; and due to the fact that the proposed parking and drive configuration has been reviewed by the Central Fire Department and satisfies their criteria for a turn around, it was concluded that there was not sufficient evidence to warrant this second driveway requirement at this time.

- 3) An entry separation median at the single project entrance/exit has been discussed with the Department of Public Works and is not being required for the following reasons: the existing driveway apron has sufficient width to accommodate 41 vehicles, and does not warrant a lane separator; there is not enough distance to expand the entry and install an island separator which would allow for wide enough lanes to accommodate large service and delivery vehicles; the close proximity of the large alder tree to the entry could result in impacts to the tree's root system; increasing the entry to the west could likely impact the existing library monument sign, landscaping, lagoon edge slope and cause one or two parking spaces to be lost or reduced to "small" compact spaces.
- 4) A book drop-off area in the front of the building or elsewhere on the site was considered, but rejected for several reasons as follow: there is not sufficient useable space to accommodate another lane along the front, and this would potentially conflict with the existing bus stop turnout which could be used for a quick person drop-off or pick-up; an additional lane could also be at the expense of existing and proposed landscaping in front of the building, which is an important element to soften the building and tie it into the adjacent natural lagoon environment; the library staff was also adamant against a book drop-off box due to common contamination of the books by trash deposited into the container; and, the project was conditioned to provide a priority book drop-off parking space close to the library entrance.

#### Landscape Design:

- 1) The project applicant acknowledged that there are concerns that the tips of the narrow landscape islands in the parking area often get run over and become maintenance problems. They agreed to consider the suggestion to use river or decorative rock and will address this as a detail in the construction documents, however they wished to maintain the flexibility to evaluate other suitable materials or solutions while fine-tuning the landscape and hardscape elements of the construction plans. It was not included as a condition of approval as it applied to very few planting islands and would not result in a significant element in considering the overall project design.
- 2) The project is conditioned to include the Landscape Architect's license number on the final landscape plans.
- 3) The exterior lighting as proposed on the project plans is in compliance with the design review regulations, however, additional lighting conditions were added to ensure that all future exterior lighting on this site is compatible with the regulations and respective of the sensitive nature of this site and to nearby residences.



### VARIANCE FINDINGS:

1. THAT BECAUSE OF SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY, INCLUDING SIZE, SHAPE, TOPOGRAPHY, LOCATION, AND SURROUNDING EXISTING STRUCTURES, THE STRICT APPLICATION OF THE ZONING ORDINANCE DEPRIVES SUCH PROPERTY OF PRIVILEGES ENJOYED BY OTHER PROPERTY IN THE VICINITY AND UNDER IDENTICAL ZONING CLASSIFICATION.

The required front setback is 20 feet, rather than the standard C-1 commercial zone front setback of 10 feet, because the useable portion of the subject property is located across the street from a multi-family residentially zoned property (RM-2.5). The property is currently developed with a commercial building located about 4 feet from the right-of-way of Portola Drive at the closest point. The proposed building will not encroach past the current building's encroachment and the distance and area of overall encroachment will be reduced. The special circumstance applicable to the subject property is the limited triangularly shaped development area combined with the building constraints associated with the site's location adjacent to the lagoon environment. The subject site is a triangular shaped lot. Within this area, over half of the parcel is located within Corcoran Lagoon. The resulting development area is a small roughly triangular shaped area outside of the high water mark of the lagoon and along Portola Drive across from 24<sup>th</sup> Avenue. The 100-foot riparian setbacks from the high water mark, which wrap around the useable area, and the front road setbacks combined, take up over half of the flatter developable area of the site. The new building was designed to maximize the benefits of a public library and the services that can be provided at this location, while not encroaching into the 100-foot riparian setback line to protect the lagoon environment and associated habitats.

The proposed replacement building does not extend past the existing library building within the front setback area. In fact, the new building represents a reduction in encroachment area from the non-conforming portions of the existing structure into the setback area. Though the right-of-way is much wider, the road improvements along the stretch of Portola Drive in front of the building and useable portion of the site have been fully improved with curb, gutter and sidewalk. No further easements or improvements are anticipated. The portions of the new building that encroach into the front yard setback will be located about 23 feet from the edge of paving and approximately 18 feet from the adjacent sidewalk, with an existing landscaped strip in between with trees, shrubs and groundcover that will be enhanced. The proposed building location with the variance would not impact any of the existing street or frontage improvements, including the existing fire hydrant and bus stop.

2. THAT THE GRANTING OF THE VARIANCE WILL BE IN HARMONY WITH THE GENERAL INTENT AND PURPOSE OF ZONING OBJECTIVES AND WILL NOT BE MATERIALLY DETRIMENTAL TO PUBLIC HEALTH, SAFETY, OR WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE VICINITY.

The granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity in that full public road improvements have recently been installed pursuant to an approved planline for Portola Drive along the front of the development and the additional right-of-way area along the proposed building frontage will not be used for any

additional road improvements. Consequently the building will be setback from the edge of pavement a minimum of about 22 feet and a minimum of approximately 16 feet from the edge of sidewalk. Hence, a typical setback is being maintained from the edge of roadway, just not from the edge of right-of-way and neither County Public Works or Redevelopment Agency has any plans to use more of the right away along this stretch of Portola Road. As the building steps back along the front, a significant portion of the building (over 40% of the building frontage) will be set back 20 feet from the front property line. Also, an enhanced landscaped buffer of about 18 feet will be located in the front yard area between the building and the sidewalk. Thus, this building setback will not be detrimental to the health, safety or welfare of the public use of the adjacent sidewalk or roadway.

The proposed project conforms to the intent of the Neighborhood Commercial land use designation in that a public library is an appropriate service commercial use in this designation. The proposed library building is consistent with the development regulations for the C-1 zone district as they relate to maximum height, parking, and side and rear setbacks, as well as, the riparian setback of 100 feet from the high water line of Corcoran Lagoon. The variance to the front yard setback has been requested to enable the applicant to maximize the useful area for the public library, and hence, allowing additional library resources, while maintaining the required riparian setback, parking allocations, and keeping the bulk of the building down with a minimal second story.

3. THAT THE GRANTING OF SUCH VARIANCES SHALL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGES INCONSISTENT WITH THE LIMITATIONS UPON OTHER PROPERTIES IN THE VICINITY AND ZONE IN WHICH SUCH IS SITUATED.

The granting of the variance to reduce the required front setback will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which this is situated in that the proposed building will not extend past the footprint of the existing building within the front setback and the developable area of this parcel is unique in that it is basically isolated from other parcels nearby by being approximately 75% surrounded by the lagoon. The subject parcel and those nearby were developed years ago (i.e. 1960's) under different development standards than currently exist. The nearest parcel to the west (028-441-03) is developed with an existing commercial building used as a Radio Station with transmitter towers. The property across Portola Drive (028-071-21) is fully developed with an approximately 70-unit multi-family apartment project in various buildings. The intent of setback regulations are to prevent overbuilding on a lot; to help control the mass and bulk of a structure; and to preserve open areas around structures to provide light, solar opportunities, air and ventilation for the surrounding properties and general public. This is all being accomplished with the proposed design even with the granting of the variance request.

## **SIGNIFICANT TREE REMOVAL FINDINGS:**

Per the Significant Trees Protection ordinance (County Code 16.34.060) one or more of the following findings must be made in order to grant approval for the removal of a significant tree:

1. THAT THE REMOVAL IS NECESSARY TO PROTECT HEALTH, SAFETY, AND WELFARE.

One of the six non-native eucalyptus trees (over 6-inches in diameter) to be removed within the northeasterly portion of the proposed parking area is considered a Significant Tree with a 30-inch diameter trunk. This tree is located in the far northeastern corner of the development area, near the proposed fire back-up/loading zone at the end of the parking lot. This tree is also one of the trees (Tree Group #4) to be removed that were identified in the latest arborist report as being "poorly structured" and that "their future development will result in trees presenting a high risk of failure" and thus, were recommended for removal to allow expansion of the parking area. See arborist report (Attachment 5). Though these trees are not required to be removed, the necessary paving improvements located within the dripline of the trees could impact the root zones and further reduce the integrity of these trees, and thus, their removal was supported. An additional 19 (24 counting double trees) eucalyptus trees along the lagoon edge, however, will be retained and protected in a wide tree protection zone, which extends past the driplines to insure the future survival of these trees. Suggestions for the tree preservation zone, fencing, pruning, and tree preservation guidelines provided in the arborist report will be followed to ensure preservation of the eucalyptus grove through construction.

2. THAT REMOVAL WILL NOT INVOLVE A RISK OF ADVERSE ENVIRONMENTAL IMPACTS SUCH AS DEGRADING SCENIC RESOURCES.

This tree is located just outside the front property line, within the Portola Drive right-of-way. This tree is located closer to the more developed portion of the site and the removal of it will not create any adverse environmental impacts, nor degrade existing scenic resources. A large grove of existing eucalyptus trees along the lagoon edge, past the existing and replacement split rail fence, will be maintained and protected onsite during construction. This line of trees provide significant scenic value both on and offsite as they serve to line or buffer the perimeter of the developed portion of the lot from the lagoon. These trees serve to soften and screen the developed area from across the lagoon and may provide raptor habitat. The removal of one non-native significant eucalyptus tree in the context of protecting 19 to 24 similar trees, which serve a purpose onsite, would not be considered an adverse environmental impact.



## CONDITIONS OF APPROVAL

- I. This permit authorizes the construction of a 13,500 square foot replacement permanent library and related facilities. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Demolition Permit from the Santa Cruz County Building Official, or submit final demolition plans for review by an equivalent State agency.
  - C. In lieu of obtaining a building permit, submit the construction drawings to the International Code Council (I.C.C.) for review.
  - D. Obtain a Grading Permit from Santa Cruz County Building Official or Planning Department as appropriate.
  - E. Obtain an Encroachment Permit from the Department of Public Works, as necessary for any work performed within the County road right-of-way, including tree removal, driveway paving and ADA sidewalk modifications. All work shall be consistent with the Department of Public Works Design Criteria.
  - F. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
- II. Prior to any site disturbance, tree removal, building demolition, or grading the applicant/owner shall also:
  - A. Submit Final Grading, Drainage, and Erosion Control Plans for review and approval by the Environmental Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
    1. The final project plans and construction must be consistent with the conditions identified in the County Soils Report review letter by Kent Edler, dated 1/15/03.
    2. The Erosion Control Plan shall be modified to show a detail for the temporary construction entrance (size of rock, depth, etc.).
  - B. Tree Protection Zones for existing trees and planting shall be protected with a 5-foot chain link fence during construction as identified on the project plans and in the arborist's report, except during installation of the new planting and irrigation system. The County Resource Planner and arborist shall conduct a pre-ground disturbance meeting to ensure tree protection measures are properly installed.

- C. In order to minimize negative impacts from the loss of mature trees, the applicant shall ensure that during site disturbance, grading, and construction the development complies with the pertinent recommendations contained in the Arborist Reports prepared by James P. Allen, dated July 8, 2002, with the exception of eliminating parking spaces 34, 35, and 36 and by Nathan Lewis, dated April 19, 2002, amended May 1, 2002.
- D. In order to prevent erosion, off-site sedimentation, and pollution of Corcoran Lagoon, if bare soil during site disturbance, grading or construction, is anticipated to be on the project site after October 15, the applicant shall ensure that all of the erosion control measures depicted on Sheet C1.2 of the project plan are in place prior to that date.

If winter grading or bare soil is anticipated after October 15, the owner/applicant shall arrange with Environmental Planning to inspect the site on or about September 15<sup>th</sup> to gauge the progress of the work onsite and if needed, arrange a follow-up inspection on or about October 15<sup>th</sup> to inspect the erosion control measures and to ensure that they have been adequately installed.

III. Prior to the start of construction the applicant/owner shall:

- A. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
  - 1. Identify finish of exterior materials and color range of paint and roof covering for Planning Department approval if changes are proposed (prior to or during construction) from the materials and color ranges considered with this Permit.
- B. Provide a Final Landscape Plan for Planning review that identifies the following:
  - 1. The species of the five 24-inch box upright deciduous trees to be installed adjacent to the building.
  - 2. Additional planting along Portola Drive at a minimum of 3 feet high at maturity with some mass to provide screening of the Air Conditioning Condenser units.
  - 3. Include the Landscape Architect's license number on the plans.
- C. In order to avoid impacts from potential geotechnical hazards on the property, the development shall comply with all recommendations contained in the Geotechnical Investigation for the Live Oak Library Addition prepared by Lowney Associates for Ripley Architects, dated August 7, 2002 (Report No. 1844-1). Prior to the final approval of project plans, the applicant shall submit a letter to Environmental Planning from the geotechnical engineer indicating that all recommendations are reflected on the final project plans.
- D. Submit to Department of Public Works – Drainage Department, a new completed Maintenance Agreement (Fig. SD-17 in the County Design Criteria standards) for the

new enhanced storm water filtration device (e.g. CDS or equivalent unit). Also, submit a maintenance schedule providing for annual inspection or other maintenance of the biofilter drainage system.

- E. Pay Zone 5 drainage fees to the County Department of Public Works as required. Drainage fees will be assessed on the net increase in impervious area. The fees are currently \$0.80 per square foot, but will increase to \$0.85 per sq. ft. on July 1, 2003.
- F. Pay the current fees for Child Care mitigation for new construction square footage, as applicable. Currently, these fees are \$0.12 per square foot on the net increase of 8,500 sq. ft. This fee is currently estimated at \$1,020, however the fees may change.
- G. Submit final plans (construction drawings) for approval by, meet all requirements, include on the final project plans details showing compliance with, and pay any applicable plan check fee of the Central Fire Protection District (see Fire District letter dated January 27, 2003) including, but not limited to the following:
  - 1. Note on the final plans the required fire flow of 1,500 gallons per minute (at 20 psi) as satisfied by the existing hydrant and the available fire flow.
  - 2. Note on the plans that an underground fire protection system working drawing must be prepared by the designer/installer and that the working drawings shall comply with the District underground fire protection system installation policy handout.
  - 3. Note on the plans that the building shall be protected by an approved automatic sprinkler system complying with the edition of NFPA 13 currently adopted in Chapter 35 of the California Building Code.
  - 4. Compliance with the District Access Requirements is required. All fire lanes are to be designated and approved by the Fire District.
- H. Submit final plans for approval by and meet all requirements of the City of Santa Cruz Water Department, including but not limited to the following:
  - 1. The design should comply with the water department's Water Efficient Landscape Ordinance. The sod area should be separated from the driveway pavement by a two-foot border of non-spray irrigated shrubs or landscape treatment, or, adequately address the City's concerns by other means.
  - 2. Final plans also must be reviewed by the City's Water Conservation office. This is necessary to determine if the existing 1-inch water service has adequate capacity to cover the new landscape area. A separate irrigation service may be required. If new water closets are tank style, not flushometer valves, the existing 1-inch water service may be reconfigured for 2-3/4 inch meters. Otherwise, irrigation service must be a new 3/4 inch connection from the street.
- I. All improvements shall comply with applicable provisions of the Americans With Disabilities Act and/or Title 24 of the State Building Regulations.
- J. The Tree Preservation Specifications in the James Allen arborist report, as applicable

to current plans with proposed tree removal, should be printed on pertinent site development plan pages.

- K. Provide required off-street parking for 41 cars. Parking spaces must be 8.5 feet wide by 18 feet long unless designated as compact spaces and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
  - L. Designate one of the parking spaces near the front entrance with signage as a "Priority Parking for Book Drop-Off" space.
  - M. This project is exempt from Roadside Improvement and Transportation Improvement (TIA) fees due to the significant funding by the County Redevelopment Agency of major CIP road projects including Portola Drive (from 17<sup>th</sup> to 41<sup>st</sup> Avenues) and numerous other public streets in the vicinity including Corcoran Avenue, Alice Street, and 17<sup>th</sup> Avenue.
- IV. All construction shall be performed according to the approved final plans. Prior to final occupancy inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved plans shall be installed.
  - B. The project must comply with all recommendations of the approved soils report.
  - C. An arborist's letter must be submitted to Environmental Planning indicating that recommendations contained in the arborist report(s) were adequately implemented.
  - D. Lighting shall be installed in compliance with the design review lighting requirements and Planning Urban Designer comments, including the following:
    - 1. All site, building, security and landscape lighting shall be directed onto the site and away (and the actual light sources not be directly visible) from adjacent properties.
    - 2. Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.
    - 3. All lighted parking and circulation areas shall utilize light standards to a maximum height of 15 feet or light fixtures attached to the building.
    - 4. Building and security lighting shall be integrated into the building design.
  - E. The existing natural footpath/trail along the outer edge of the development area shall be retained for public use. Plans should be returned to the Planner showing at least one lagoon viewing area, along the southerly edge within the fence line, with a sign providing interpretive information regarding Corcoran Lagoon and possibly the native habitat or species associated with it.
  - F. The existing railroad ties closest to the lagoon and the biofilter area shall be removed.
  - G. Construct pedestrian improvements along Portola Drive from 24<sup>th</sup> to 26<sup>th</sup> Avenues to

address parcel frontage improvement requirements (may be one side of Portola only).

V. Operational Conditions

- A. To prevent impacts from occurring after improvements have been implemented, the owner/tenant shall permanently maintain all required building and site improvements in good working order in accordance with all approved plans and technical reports prepared for the project.
- B. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- C. Obtain a Permit from the California Department of Fish and Game if required for any portion of this project.
- D. The library's public hours of operation shall be limited to between 8:00 A.M. and 10:00 P.M.
- E. Use activities shall be limited to typical library activities such as reading and research and other library oriented activities such as children's story-telling, poetry reading or other similarly related events.
- F. No external amplified music is allowed.

VI. Mitigation Monitoring Program

The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the above mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval, including the terms of the adopted monitoring program, may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code.

- A. Mitigation Measure: Condition III.C. - Comply with recommendations contained in the geotechnical report.

Monitoring Program: Environmental Planning must review a letter from the geotechnical engineer indicating that all recommendations are reflected on the final project plans prior to the final approval of project plans or the start of construction.

- B. Mitigation Measure: Condition II.B. & II.C. - Comply with recommendations contained in the arborist report.

Monitoring Program: Resource Planner and project arborist shall conduct a pre-ground disturbance meeting to ensure tree protection measures are properly installed. A letter from an arborist indicating that recommendations contained in the arborist report(s) were adequately implemented must be reviewed by Environmental Planning prior to final occupancy inspection.

- C. Mitigation Measure: Condition II.D. - Install erosion control measures prior to October 15th.

Monitoring Program: If winter grading or bare soil is anticipated after October 15, Environmental Planning must inspect the site on September 15<sup>th</sup> to gauge the progress of the work onsite and if needed, a follow-up inspection will be performed on October 15<sup>th</sup> to inspect the erosion control measures including silt fencing, hay bales, etc., to ensure that erosion control measures have been adequately installed.

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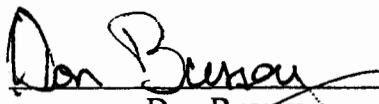
**Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.**

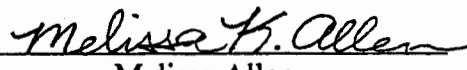
**PLEASE NOTE: THIS PERMIT EXPIRES FIVE YEARS FROM THE EFFECTIVE DATE UNLESS YOU OBTAIN ANY REQUIRED PERMITS AND COMMENCE CONSTRUCTION.**

Approval Date: June 6, 2003

Effective Date: June 20, 2003

Expiration Date: June 20, 2008

  
Don Bussey  
Deputy Zoning Administrator

  
Melissa Allen  
Project Planner

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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(408) 427-4863



APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT

Please review attached appeal information sheet prior to completing this form.

**RECEIVED**

## SECTION I. Appellant(s):

JUN 18 2003

Name, mailing address and telephone number of appellant(s):

MARY SEARL, STEVE BARLOW  
656 24TH AVE  
SANTA CRUZ, CA  
95062 (831) 475-7654  
Zip Area Code Phone No.

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

## SECTION II. Decision Being Appealed

1. Name of local/port government:

CO. OF SANTA CRUZ ZONING ADMINISTRATION

2. Brief description of development being appealed:

DEMOLISH EXISTING 5,000 SF INTERIM LIBRARY  
CONSTRUCTION OF TWO STORY 13,500 SF  
PERMANENT LIBRARY

3. Development's location (street address, assessor's parcel number, cross street, etc.):

2380 PORTOLA DR., SANTA CRUZ  
APN: 028-421-01  
CROSS STREET X 24TH AVE

4. Description of decision being appealed:

- a. Approval; no special conditions: \_\_\_\_\_  
b. Approval with special conditions:   X    
c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

## TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-3-SC0-03-071  
DATE FILED: 7/11/03  
DISTRICT: Central Coast

CCC Exhibit D  
(page 1 of 3 pages)

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 2)**

5. Decision being appealed was made by (check one):

- a. ☒ Planning Director/Zoning Administrator      c. ☐ Planning Commission
- b. ☐ City Council/Board of Supervisors      d. ☐ Other: \_\_\_\_\_

6. Date of local government's decision: 6/6/03

7. Local government's file number: APPLICATION # : 03-0002

**SECTION III Identification of Other Interested Persons**

Give the names and addresses of the following parties: (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:  
SANTA CRUZ COUNTY REDEVELOPMENT AGENCY

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearings (s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) THE ZONING ADMINISTRATOR STATED HE  
RECEIVED OVER 30 LETTERS FROM  
LOCAL RESIDENTS AND NEIGHBORS  
AGAINST THE PROJECT
- (2) SEVERAL NEIGHBORS AND ENVIRONMENTAL  
REPRESENTATIVES TESTIFIED AT THE  
6/6/03 ZA RECORDED PUBLIC HEARING  
IN OPPOSITION TO THE PROJECT
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

**SECTION IV. Reasons Supporting This Appeal**

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section which continues on the next page.



**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 3)**

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

THE PROPERTY IS LOCATED IN A COASTAL ZONE AND  
IS CURRENTLY BEING USED AS AN INTERIM LIBRARY,  
Housed in a previously existing building

THE PROJECT REQUIRES A MAJOR FRONTAGE  
VARIANCE TO ENABLE IT TO FULFILL MINIMUM  
RIPARIAN SETBACKS FROM A SENSITIVE COASTAL  
HABITAT AREA (CORCORAN LAGOON)

THE EXPANSION AND ADDITION OF A SECOND  
STORY WILL CAUSE MAJOR EROSION OF  
NEIGHBORHOOD VIEWS RESULTING IN SUBSTANTIAL  
DEGRADATION OF PROPERTY VALUES AND  
INDIVIDUAL PLEASURE

THERE ARE ALTERNATE SITES AVAILABLE THAT  
WOULD BE LESS ENVIRONMENTAL AND RESIDENTIALLY  
DISTURBING. AS WELL AS SAFER AND MORE  
ACCESSABLE TO PEDESTRIAN, VEHICULAR AND  
DISABLED PATRONS

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

Mary Searl, SB  
Signature of Appellant(s) or Authorized Agent

Date 6/17/03

NOTE: If signed by agent, appellant(s) must also sign below.

**SECTION VI. Agent Authorization**

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

**CCC Exhibit** D  
**(page** 3 **of** 3 **pages)**  
Signature of Appellant(s)  
Date \_\_\_\_\_



## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

427-4863

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT

Please review attached appeal information sheet prior to completing this form.

SECTION I. Appellant(s):

Name, mailing address and telephone number of appellant(s):

CHARLES PAULSEN  
415 PALISADES  
S.C.  
95062 Zip (831) 462-3423 Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government:

SANTA CRUZ

2. Brief description of development being appealed:

LIBRARY ON CORCORAN LAGOON

3. Development's location (street address, assessor's parcel number, cross street, etc.):

2380 PORTOLA APN 028-421-01  
SANTA CRUZ

4. Description of decision being appealed:

- a. Approval; no special conditions: \_\_\_\_\_  
b. Approval with special conditions: ✓  
c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:APPEAL NO: A-3-SC0-03-071DATE FILED: 7/11/03DISTRICT: Central Coast

RECEIVED

JUL 09 2003

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREACCC Exhibit E  
(page 1 of 13 pages)

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 2)**

5. Decision being appealed was made by (check one):

a. ☒ Planning Director/Zoning Administrator

c. ☐ Planning Commission

b. ☐ City Council/Board of Supervisors

d. ☐ Other: \_\_\_\_\_

6. Date of local government's decision: 6.6.03

7. Local government's file number: 03-0002(RA)

**SECTION III Identification of Other Interested Persons**

Give the names and addresses of the following parties: (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

SANTA CRUZ County Redevelopment Agency  
705 OCEAN ST.  
SANTA CRUZ

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearings (s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) SANTA CRUZ CHAPTER OF THE SIRRIA CLUB  
P.O. BOX 604  
S. CRUZ

(2) MIKE GUTH - HARBOR TO THE HOOK  
7-2905 ECLIFF DR  
S. CRUZ

(3) JAN BEAUTZ  
565 RISSO CT  
S. CRUZ

(4) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION IV. Reasons Supporting This Appeal**

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section which continues on the next page.

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 3)**

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

SEE ATTACHED

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

Charles Bulder  
Signature of Appellant(s) or Authorized Agent

Date July 9, 2003

NOTE: If signed by agent, appellant(s) must also sign below.

**SECTION VI. Agent Authorization**

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

# COASTAL COMMISSION APPEAL # A-3-SCO-03-071

**Oppose** <sup>COUNTY FILE</sup> \* 03-0002(\*\*) 2380 Portola Dr APN: 028-421-01

The removal of our small neighborhood library and replacing it with a regional destination library, which has been reduced in size, yet still crowds an environmentally sensitive site, is on a coastal lagoon that will block ocean views, crowd the sidewalk, which is next to radio and cell towers. This is a diminished project in ESHA.

The Redevelopment Agency originally planned this project for its land near 17<sup>th</sup> Ave and Capitola Rd.

The Coastal Plan and CEQA calls for public projects to be placed in the less environmentally sensitive sites.

By moving the project to a coastal lagoon, they have chosen one of the most sensitive sites available. There will be increased urban runoff from the expanded roof and paving, which will enter the lagoon. The soil next to the lagoon suggests liquefaction problems in case of earthquakes and the need to stabilize the land for the large building.

The large size of the building will require Variance to set backs and the removal of a significant tree. It will reduce the openspace that is now enjoyed by the community and fauna as well as block coastal views.

The radio towers need to be considered for EMF.

This site is proposed for a regional library and will increase the traffic on Portola, a major cross-town road, and cause conflict with cars using this Regional site. The Coastal Visitor will be endangered and inconvenienced by increased traffic as it backs up to enter and exit the site. The children walking from the three local schools will be endangered when coming to the site, as there are no traffic signals. Adding signals will increase delay on this transit corridor.

The size of the building will increase the sense of bulk along this more open area and bring a more urban character to this casual coastal community.

A better site for this project would be a redeveloped area on 17<sup>th</sup> and the railroad track across from the Swim Center and Shoreline Middle School. This site would be more accessible to the other schools in the area and have signals to cross the streets to the development. The coming bike and walking trail along the RR line will allow people to use alternate transportation and group activities to reduce the need for extra car trips.

Please stop this project now and do a full size regional library in an appropriate site.

The development of this environmentally sensitive habitat site for a regional library is inconsistent with the Local Coastal Plan.

This site is to be used as a coastal priority.

Higher priority uses are parks, recreation and interpretive centers. Corcoran Lagoon is designated to be enhanced with trails, parks and an interpretive center.

One proposed park acquisition site has been lost on Coastview as the County failed to purchase the site. Parking has been lost on Coastview as the County failed to preserve the prescriptive rights to this road. The site for an Interpretive Center will be lost if this County owned on Corcoran Lagoon site is used for a Regional Library.

#### LCP

##### 2.1.4 Siting of New Development

Locate new ... development, within, next to, or in close proximity to existing developed areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on environmental and natural resources, including coastal resources. The use of this site for a Library will precluded it from being used as an open space park, an interpretive center or any other coastal priority uses. This is inconsistent with the LCP.

##### 2.2.3 Reservation of Public Works capacity for Coastal uses.

...in the coastal zone, reserve capacity existing or planned public works facilities for coastal priority uses. This is not a coastal priority use. This is inconsistent with the LCP.

2.21.1(a) Permit new development or increase in intensity of use for public institutions ... where consistent with infrastructure constraints, and scenic, natural ... resource protection.

This project fills an environmentally sensitive site and blocks the scenic ocean view, removes scenic tree, adds runoff into Corcoran Lagoon, and threatens ESHA.

This is inconsistent with the LCP.

##### 2.21.5 Master Plan required prior to expand.

There is no Master Plan.

This is inconsistent with the LCP

##### 2.21.7 PF/IL use designation

(a)...scenic, natural resource-protect. (Fig. 2.8, p.2-59)

2.22 Coastal Dependent Development to ensure priority for Coastal dependent/related over other on the coast. This is not Coastal dependent/related.

This is inconsistent with the LCP

##### 2.22.1 Hierarchy

- 1 Ag and coastal dependent industry
- 2 Rec, parks, visitor serving, coastal related
- 2 Resident, industrial and general commercial

##### 2.22.2 Prohibit conversion from a higher priority to a lower.

This is not a Coastal dependent/related use and precludes the use of this site for Park, interpretive center or other Coastal dependent/related uses. This is inconsistent with the LCP.

#### 2.23.2 Designation of Priority Sites

Reserve the sites listed in Fig. 2-5 for coastal priority uses as indicated.

#### 2.23.3 Master Plan Requirements for Priority Sites

Require a Master Plan for Priority Sites.

#### Figure 2.5 Coastal Priority Sites- Live Oak

- \*Portola Dr at Rodeo Gulch- Preferred use, Park (028-091-24,25)
- \*Coastview Dr-Park, protect Corcoran Lagoon
- \*Corcoran Lagoon Overlook- potentially include coastal wetlands interpretive center
- \*Corcoran Beach-Permanent public Rec support above inundation.

**This is not a priority use in this environmentally sensitive habitat. In ESHA only uses dependent on the resources are allowed unless there is no feasible alternatives.**

The County, through Redevelopment, bought property for a Regional Library. This site, on Capitola Rd. near 17<sup>th</sup> Ave, is along a major road with sidewalks and bikeways. It is surrounded by high-density housing, schools and shopping. This site is large enough to build a full size Regional Library with minor environmental damage. The reduction in size of the proposed project on Corcoran Lagoon reduces the public benefits of the originally envisioned Library. This is necessary to fit it in this smaller environmentally constrained site. The use of this site for the proposed project will further diminish the public benefit by removing a building that could be used for a higher priority use, an interpretive center. This is inconsistent with the LCP.

#### Biological Resources

#### 5.1 Biological Diversity

##### 5.1.1 Sensitive Habitat Designation

##### 5.1.2 Designation of Sensitive Habitat Lagoons

(i)

##### 5.1.3 Environmentally Sensitive Habitat

...allow only uses dependent on such resources unless (b)... there is no feasible less damaging alternative.

There are many less damaging alternatives. Some owned by the applicant and originally purchased for this project, at 17<sup>th</sup> Ave and Capitola Rd. This is inconsistent with the LCP.

##### 5.1.6 Develop in sensitive habitats

Any proposed development must maintain or enhance the functional capacity of the habitat. This does not maintain or enhance. This is inconsistent with the LCP.

#### 5.2 Riparian Corridors and Wetlands- to preserve/ protect

##### 5.2.7 Compatible Use- Rec, trails, interpretive centers

This is not compatible use.



This is inconsistent with the LCP

#### 5.2.10 Best Management Practices

#### 5.4 MB and Coastal Water Quality

5.4.14 Water Pollution from Urban Runoff- on site detention, best management practices to reduce pollution.

#### 5.7 Surface Water Quality- protect/enhance...coastal lagoon

While the proposed runoff treatment is better than existing, the increase in roofing and paving will increase runoff and threaten water quality and ground water recharge.

Pervious paving with retaining ponds that allow filtered runoff to recharge the water table a best management practices.

This is inconsistent with the LCP

*SEE Supporting  
Material*

#### Visual Resources

5.10a protect  
b min or no impact

5.10.3 Protection of Public Vistas- landscape...unavoidably sited. This project needs exemptions from setbacks and reduces the space for landscape. This is inconsistent with the LCP.

#### 5.10.6 Preserving Ocean Vista

This project will block the ocean and lagoon view, will be visible from the shore and is not unavoidably sited. Other sites for this project are available that would fulfill the projects stated goal. This site calls for a reduced project to fit it in this sensitive site.

This is inconsistent with the LCP

5.10.8 Significant tree. The size of this project calls for removal of a significant tree.

This is inconsistent with the LCP

The General Plan and Coastal Plan calls for protection of Water Quality, Public Vistas, Wetland and Lagoons

Corcoran Lagoon is called out for parks and an interpretive center as well as trails. It would also provided the boating opportunities called for in the plan.

The Redevelopment Agency owns land that was to be used for a Regional Library and it could be built to the size that can function for this purpose at that site.

The Coastal Plan calls for preserving coastal resources for coastal dependent uses and allowing this type of project only when it can be fully mitigated and where there is not an alternate site available for this use.

#### Open Space

## 5.11 Open Space Preservation

- 5.11.1 a. Riparian
- b. Lagoon

## 7.1a Park and Rec opportunities

- b Distribution- preserve unique features of natural landscape.

### 7.1.1 Existing Park (O-R) or suitable

### 7.1.3 Park and Recreation Open Space

allow low intensity uses which are compatible with the scenic values and natural setting of the county for open space lands which are not developable and allow commercial recreation, county, state, and federal parks, preserves, and biotic research stations, local parks and passive open space for parklands that are developable.

Program 1...optimize recreational opportunities

## 7.2 Neighborhood Parks

...provide

Park site- Portola Dr/ Rodeo Gulch (fig. 7-2)

Program: Portola Dr/ Rodeo Gulch

### 7.5.1 Regional Parks Siting and Standards

Program: Live Oak- Corcoran Lagoon establish a Regional Park providing a coastal wetlands interpretive center with restoration and protection of the natural resources of Corcoran Lagoon (p. 7-20)

## Coastal Recreation

### 7.7.2 Recreational boating

## Long term Management of Coastal Access

### 7.7.22 Access to environmentally sensitive areas

Obtain public access to environmentally sensitive habitats ... including as a new condition of development approval... and only when improvements are adequate to protect the resources.

**The placement of a Library in this site precludes its use for the above referenced uses.**

**This is inconsistent with the LCP.**

The General Plan calls for Libraries to be sited in areas of concentrated development.

## 7.15 Library

### 7.15.1 Siting- Community Centers, Major Commercial

It also calls for clustered development. It calls for the use of the RR corridor. There is also call to use this corridor for bikes and Pedestrian access.

The coastal plan calls for an interpretive center on Corcoran Lagoon and the existing building could be used for this function, preserving significant trees, public vistas, park and boating opportunities, natural resources and landfill space.

The proposed expanded parking lot uses better practices but not best practices, which would use permeable surface which gathers rain and filters it before being allowed to percolate back into the water table to offset saltwater intrusion and protect the water quality of the lagoon and MBMS.

The best place for a Regional Facility would be centrally located for the community. This site is as far away from the freeway and the population as it could be in this part of the County.

**This is not a priority use in this environmentally sensitive habitat. In ESHA only uses dependent on the resources are allowed unless there is no feasible alternatives.**

The County, through Redevelopment, bought property for a Regional Library. This site, on Capitola Rd. near 17<sup>th</sup> Ave, is along a major road with sidewalks and bikeways. Its is surrounded by high-density housing, schools and shopping. This site is large enough to build a full size Regional Library with minor environmental damage. The reduction in size of the proposed project on Corcoran Lagoon, reduces the public benefits of the originally envisioned Library. This is necessary to fit it in this smaller environmentally constrained site. The use of this site for the proposed project will further diminish the public benefit by removing a building that could be used for a higher priority use, an interpretive center.

**As well as this County owned site; there are other sites that would fit in with the Counties site guidelines for Libraries.**

Redevelopment of the Warehouse district along the Railroad by 17<sup>th</sup> Ave near the Swim Center and School. This site is surrounded by housing and shopping, would have access by the train (LCP 3.7.1) as well as the proposed bike/hiking trail.

Another site for a Regional Library would be in the 41<sup>st</sup> Ave, Highway 1, Soquel Dr., Rodeo Gulch quadrant. This area is ripe for redevelopment and has the greatest access for a Regional Library. If this site were developed, the small, heavily used Capitola Library could be transferred here. In this case the small neighborhood Library on Corcoran Lagoon could be preserved with minimal environmental degradation and preservation of the Public purse.

These alternate sites would fulfill many of our General Plan and Coastal Plans objectives and protect the environment while serving our County and increasing our tax base by revitalizing these areas.

Please help the County fulfill the Coastal Plan to protect and enhance this special coastal place for the public. By turning down this project it will allow the County to make a better choice to site a Regional Library out of ESHA.

Charles Paulden  
[REDACTED]  
Santa Cruz Ca. 95062



In March new federal stormwater regulations will come into effect that will require building projects to contain all stormwater on site. Some local regulations will require that a certain percentage of a developed site to remain "green" or landscaped. Large porous paving installations have taken place at the parking lots of Miami's Orange Bowl and Ladd-Peebles Stadium in Mobile, Ala.



(Continued from page 14)

gas leaks, rust and brake dust. The system's structure prevents non-point source pollution and flooding. It has the ability to store 25 percent-per-volume for water storage.

"The system is unusual, it not only has the under drain system... it also has subsurface drainage," said Bill Wright, engineer and designer of the Reliant Stadium drainage system and Principal for W. L. B. Associates, Consulting Engineers in Houston. "We used six inch PVC pipe, perforated, between the drainage inlets that are in the parking lot. That pipe was in a trench and then the trench had crushed concrete that went backfilled to the elevation of the Invisible Structure plastic mat."

Said Steve Patterson, Senior Vice President and Chief Development Officer of the Houston Texans: "We have found the system to be a great amenity to our fans. It is much cooler than the asphalt that surrounds it and makes for a great tailgating area throughout the year,"

The new grass lot also creates a new source of revenue for Reliant Stadium owners, Harris County sports and Convention Center. The stadium facility can be used for outdoor concerts on the grass. Also, the facility can be used for National Rodeo parking. The added revenue adds to the cost benefits of the system.

Porous Paving ends up being cheaper than asphalt in the long run, because it cost less to maintain than asphalt. The grass only needs to be watered and mowed, while asphalt will need to be resurfaced up to three times over the course of 30 years.

Similarly large porous paving installations include Miami's Orange Bowl Stadium parking lot, Westfarms Mall parking lot, West Haven, Conn., and Ladd-Peebles Stadium parking in Mobile, Ala.

Porous pavements and turf reinforcements are commonly used in fire lanes, driveways, access roads, utility roads, and infiltration basins and parking lots.

*Jenn Voelker is a freelance writer and photographer. She currently on staff with Invisible Structures, Inc.*

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**CCC Exhibit**

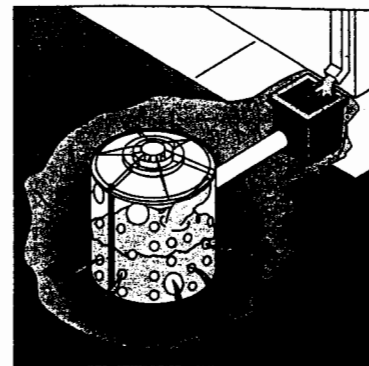
(page 10 of 13 pages)

# FLO-WELL® STORM WATER LEACHING SYSTEM

## Introducing the New Flo-Well® Storm Water Leaching System.

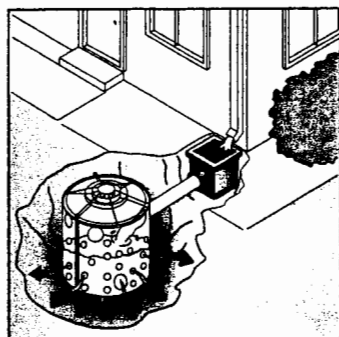
With the Flo-Well, water can now be discharged into the subsoil rapidly and easily. Unlike competitive systems, there is no need for piping systems to transport stormwater to a far-off discharge point, large heavy equipment, considerable excavation of current landscaped areas, nor large labor costs that those systems incur. With Flo-Well, water dispersion is now easier than ever.

Go to [www.NDSPRO.com/FloWell.asp](http://www.NDSPRO.com/FloWell.asp) for an easy to use online calculator that determines how many Flo-Well's are required to meet your drainage needs.

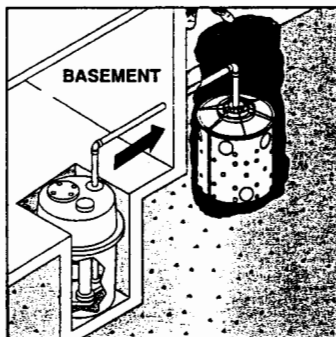


Discharge Stormwater into Subsoil

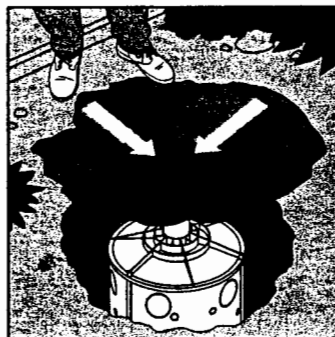
## Current Applications



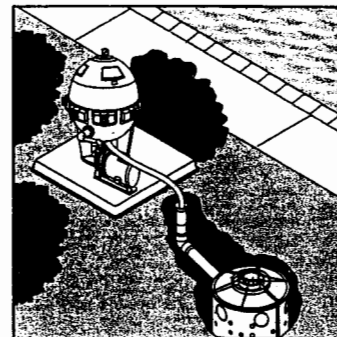
For gutters and downspouts



Install with sump pumps



Eliminates puddles

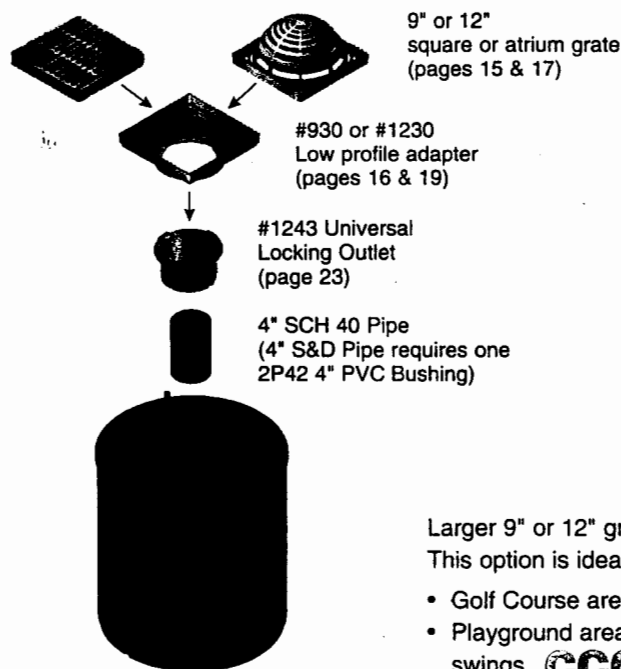


Pool backwash tank

**Flo-Well should be placed at least 10 feet from a structure or foundation.**

Flo-Well should be piped to rain gutters using a 9" or 12" catch basin below each downspout outlet (see diagram above). Proper drainage can be visually monitored, assuring that leaves and debris have not clogged the downspout.

## Options



9" or 12" square or atrium grate (pages 15 & 17)

#930 or #1230 Low profile adapter (pages 16 & 19)

#1243 Universal Locking Outlet (page 23)

4" SCH 40 Pipe (4" S&D Pipe requires one 2P42 4" PVC Bushing)

### Ideal as a stand-alone drain:

- Disturbs only 4 square feet of turf to install.
- Requires less than 10 cubic feet of soil removed to bury.
- Measures only 24" in diameter by 28.75" high.
- Weighs only 22 pounds.
- Holds over 48 gallons!

Or, connect to existing system for increased drainage capabilities.

### Ideal as a stand-alone reservoir:

- Collect and hold rainwater for lawn and garden irrigation. (used with a pump connected to a garden hose).
- Connect Flo-Well to rain gutters using a catch basin & grate below each downspout (see drawing above).
- Ideal solution for arid areas impacted by drought.

Larger 9" or 12" grates can be added to Flo-Well to manage surface water. This option is ideal for draining:

- Golf Course areas prone to puddling.
- Outdoor drinking fountain runoff.
- Playground areas under slides and swings.
- Outdoor showers at beaches.
- Wash down areas.

**CCC Exhibit E**  
(page 11 of 13 pages)

Note: All dimensions are nominal. All weights are for shipping purposes only.



# Porous Pavers at Reliant Stadium

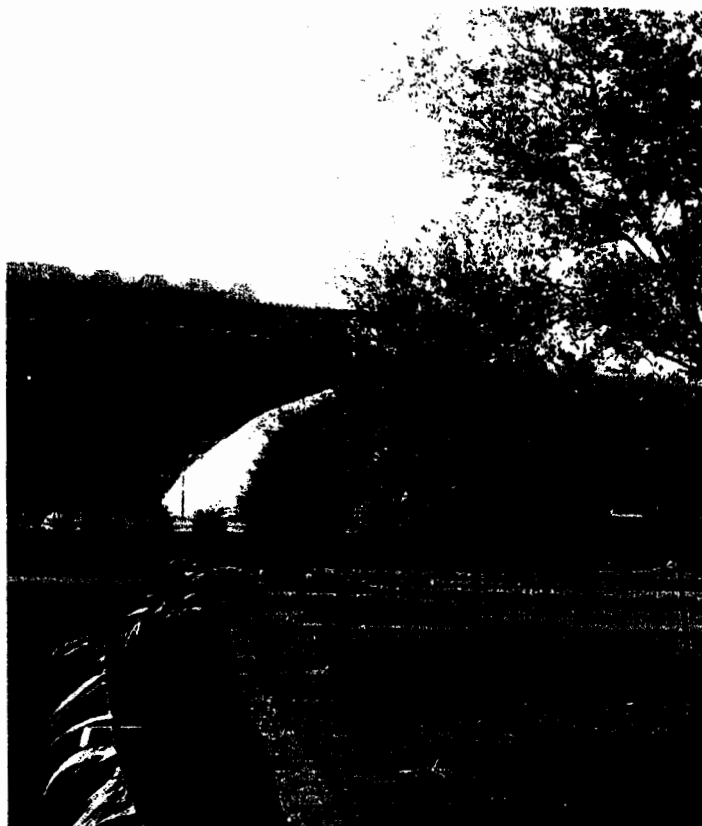
BY JENN VOELKER

**T**he utilization of grass porous pavements and turf reinforcement mats is nothing new to landscape industry professionals. What is unique, is the frequency to which Landscape Contractors are seeing large-scale jobs. With increasing environmental concerns, stormwater management issues, and

economic constraints, porous pavements are not only showing up in fire lanes and access roads, but in huge multimillion dollar facilities like the New Reliant Stadium in Houston.

Reliant Stadium, home to the NFL's Houston Texans, now has the world's largest engineered grass porous paving system. More than 317,000 sq. ft of the Reliant Park facility is a grass parking lot, reinforced with Grasspave2, manufactured by Invisible Structures, Inc., of Golden, Colo. The system pulls triple duty as a parking lot, stormwater system mitigator, and green space—part of the 30 acres of landscaping at Reliant Park.

The system is a flexible ring and grid system made from nearly 100 percent recycled high-density polyethylene plastic. The units are manufactured into rolls for easy transport and installation. It installs over an engineered road base, is filled with clean sand, and topped with grass. Grasspave2 provides 100 percent grass coverage with the engineered strength to support extremely heavy loads. At 5,271 psi, Grasspave2 has nearly twice the compressive strength as two inches of concrete (3,000psi). Any street legal vehicle can park or drive on the system.



"We wanted one interlocking homogeneous system over our entire parking lot," said Daren Penewitt, Associate, Hermes Architects in Houston, "This system offers that."

Landscape Contractors are installing more grasspave systems because new federal stormwater regulations coming in to effect in March will require building projects to contain all stormwater on site. In many areas of the country, local regulations also require a certain percentage of a developed site to remain "green" or landscaped.

Stormwater from Reliant Stadium's existing asphalt lot will run off the pavement onto the porous paving system, which has the ability to store and clean 444,000 gallons of storm water. This is due to the sand filled rings and the base course underlying the structure. Reliant Stadium features a nine-inch road base, absorbing rain and filtering it before it percolates back into the groundwater supply. Microorganisms in the grass break down pollutants from cars such as oil,

The porous paving has proved to be a great amenity to the football fans who visit Reliant Stadium. It makes tailgating nicer because the area is much cooler than the asphalt that surrounds the porous paved area.

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MONDAY, JUN 2, 2003

## SCIENCE

AUG 2 2 2003

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

## Suburban critters blamed for otters' demise

Cats', opossums' waste is deadly, UC team says

By Glen Martin  
CHRONICLE STAFF WRITER

A rash of sea otter deaths attributed to parasites may have its roots in the increasing urbanization of the California coastline.

Researchers believe that the parasites are being washed into coastal waters around Morro Bay and the Monterey Peninsula in the feces of cats and opossums, two animals that thrive in suburban areas. The parasites enter the marine food chain and ultimately end up infecting and killing otters, a threatened species.

If that theory proves correct, solutions will not be easy, experts say, given the fact that both cats and opossums are tenaciously rooted in the state's suburbs. Eliminating opossums may be possible in some areas, but not eliminating cats. So for now, experts are relying on a campaign to educate the public about the threat.

"We need to portray sea otters as sentinel animals," said Patricia Conrad, a UC Davis parasitologist. "We know these parasites are rampant in the environment. They represent a human risk. Animals are getting sick from them, and cat feces appear to be the link, it certainly would be desirable to reduce cat feces in the environment."

"Sea otters are a red flag, and need to help people see that, to make them aware of the basic problem," she said.

California sea otters, virtually wiped out by fur hunters by the end of the 19th century, were on rebound until the mid-1990s, since a population peak of 10 in 1995, their numbers have fallen to about 2,000 otters today. In the past four months alone, at least 100 have died.

## tozoans, parasite blamed

A recent UC Davis study found two protozoans — *Toxoplasma gondii* and *Sarcocystis neurima* — were responsible for an increasing number of California sea otter deaths. Another parasite lives in sand crabs, which sometimes eat, also was implicated in some deaths.

While *Toxoplasma* and *Sarcocystis* infect a wide variety of animals, only two species transmit the "cysts" in their feces — cats for *Toxoplasma*, and Virginia opossum for *Sarcocystis*.

firm parasite transmission



A 2-month-old California sea otter reclines next to its mother in a Monterey Bay kelp bed. In the past four months, about 100 have died.

"What we need at this point is a means of finding common ground between wildlife advocates and cat owners."

PATRICIA CONRAD, UC Davis parasitologist

routes from terrestrial animals to otters have been established, but researchers think contaminated cat and opossum feces could be accumulating in backyards, parks and vacant lots throughout the year, to be ultimately flushed into coastal waters during winter storms.

Cat owners also may be unwittingly distributing *Toxoplasma* by flushing biodegradable cat litter into municipal sewer systems.

The infective cysts then could be present in tidal waters and ingested by filter-feeding clams and mussels, or they might attach to algae and be consumed by abalone. The otters probably are infected by the parasites when they eat the shellfish, which are among their preferred foods. The study found high incidences of sea otter infection near freshwater outfalls.

## Dangers of population growth

The UC Davis study has particularly ominous implications for the state's surviving sea otters because the populations of both cats and opossums expand with human population. Suburbs are their preferred habitat.

Cats, of course, share homes with humans in high numbers, and there are large colonies of feral cats, many supported at feeding stations tended by animal fanciers. Opossums — not originally native to the West Coast but now one of California's most populous wild mammals — thrive in backyards, empty lots and even traffic medians.

"Virginia opossums typically live within 100 feet of the edge of forests or woodlots," said Rob MacKay, a professor of large animal

medicine at the University of Florida's College of Veterinary Medicine and an authority on opossums and their parasites.

"You never find them in the deep forest," MacKay said. "Whenever you start carving up woodlands, you expand the amount of opossum range logarithmically, since you're creating all that edge habitat."

From this perspective, he said, "Suburbs are very legitimate habitat — they constitute huge areas of wooded edges."

What can be done?

"You'd have to give (any major action) a lot of thought," said Conrad, the UC Davis parasitologist. "Before you jump in, you have to gain public support, and for that, you need the appropriate scientific data. We don't have that yet."

"We're certainly not going to eliminate cats — they're part of our society. What we need at this point is a means of finding common ground between wildlife advocates and cat owners. Anything else is impractical," Conrad said. For the immediate term, public education is the best approach, she said.

Some pet pundits worry that marketing trends in cat litter might be exacerbating the problem.

"In the past few years, we've seen this tremendous boom in biodegradable litters made from things like wheat straw and alfalfa," said Elaine Perednia, who runs a pet-sitting enterprise in San Francisco. The selling point for these products is that they are flushable and environmentally benign.

"More and more cat owners are switching to them, since they can clean out their cat box straight to the toilet," Perednia said. "Just from what I've seen, the amount of cat litter being flushed is enormous. The environment must really be getting bombarded with it."

Since the UC Davis report was released, Perednia said, she has advised her clients to bag soiled litter and deposit it into garbage cans for transport to sanitary landfills.

## Others blame polluted runoff

But some sea otter authorities question the conclusions of the UC Davis report and say that it

addresses only part of the problem. Polluted runoff from the Central Coast's expanding cities and suburbs, they say, is affecting the otters directly, making them more susceptible to parasitic infection.

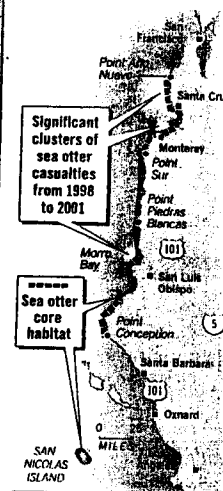
Steve Shimek, director of the Otter Project, a Monterey group devoted to the recovery of California's sea otter population, said that a study by the National Wildlife Health Center, an organization associated with the U.S. Geological Survey, found *Toxoplasma* and *Sarcocystis* were responsible for only 8 percent of otter deaths.

"That was recently revised to 25 percent, when otters that had died of shark attack were reassigned as parasite deaths if *Toxoplasma* or *Sarcocystis* was found during necropsy," Shimek said. That kind of methodology is dubious, he said, because it cannot be proved that parasitized otters become so dazed that they automatically fall prey to sharks.

"An otter that dies of shark attack should be listed as a shark attack victim," he said.

On the other hand, Shimek said, "What we do know with certainty is that otters carry toxic loads of chemicals such as DDT, PCB and butyltins, a direct result of runoff from our urbanized

## Sea otter deaths



Sources: ESRI, Chronicle Graphics

coastline." Shimek said such chemicals are known to suppress the immune system.

What otters require, Shimek said, is a plan for better sewage treatment infrastructure.

"We need plants that treat sewage to the point that all pathogens are killed. We need to eliminate sewage overflows, which are all too common on our coast. And we need to build buffer zones around waterways and the coast to handle nonpoint source pollution (runoff). The longer you can retain chemicals and pathogens in the soil, the more they'll degrade. We have to slow their distribution into the aquatic environment."

E-mail Glen Martin at [glenmartin@sfgate.com](mailto:glenmartin@sfgate.com).



## US PARK POLICE ARE HIRING POLICE OFFICERS

Applications are being accepted from ALL QUALIFIED APPLICANTS, through June 13, 2003. Salary range \$39,229 to \$78,026 per year. Contact OPM online at [www.usajobs.opm.gov](http://www.usajobs.opm.gov) or the United States Park Police Human Resources Unit: 202-619-7056. For qualifications and application information...

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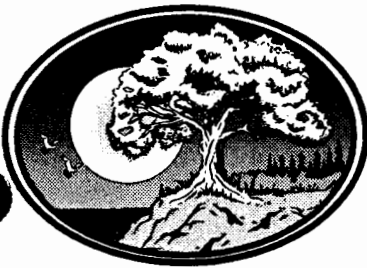
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**MENIERE'S DISEASE**

CCC Exhibit E  
(page 13 of 13 pages)







# *Live Oak School District*

Excellence is achieved through a caring partnership.

Steven D. Herrington  
Superintendent

**RECEIVED**

September 4, 2003

SEP 08 2003

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Dan Carl, Planner  
California Coastal Commission  
725 Front Street, 3rd Floor  
Santa Cruz, CA 95060

Dear Coastal Commission:


RE: Live Oak Library Expansion, APN 028-421-01, 2380 Portola Drive

It is our understanding that an appeal has been filed with your agency regarding the expansion of the existing Live Oak Library at 2380 Portola Drive. I would like to express support for greater library services within Live Oak.

As you may know, we have a wide mix of income levels and family backgrounds within our school district. It is important for both parents and children to have local access to the broadest range of reading material and computers in order to have a good learning environment within our community.

We would therefore request that you deny the appeal and allow the library expansion to move forward. The proposed location is a wonderful site to serve our community, serve our small neighborhood high school, and provide greater awareness of our sensitive coastal environment.

Sincerely,

  
Steven D. Herrington, Ph.D.  
Superintendent

SH/cs

**CCC Exhibit** F  
(page 1 of 1 pages)

