

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
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**W15a**

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**Previous Coastal Commission Actions & Dates**  
Substantial Issue Found: 02/06/03  
De Novo Review - Project Denied: 05/08/03

**Revised Findings**  
Revised findings staff report prepared: 07/17/03  
Revised findings hearing date: 08/06/03  
Staff: SC-SC

**REVISED FINDINGS FOR DE NOVO APPEAL**

**Appeal number** .....A-3-STC-01-099; West Cliff Drive Multiuse Path Widening  
**Applicant**.....Department of Public Works; Attn: Mr. Tony Lau  
**Local Government**.....City of Santa Cruz  
**Local Decision**.....Approved with conditions (September 18, 2001)  
**Project Location** .....West Cliff Drive (Between Bay Street and Swanton Blvd.), Santa Cruz (Santa Cruz County)  
**Project Description** .....Widening of West Cliff Drive Multiuse Path from 8-12 feet to 14 feet between Bay Street and Swanton Blvd.  
**File Documents** .....City of Santa Cruz Certified Local Coastal Program (LCP); City of Santa Cruz Coastal Development Permit Application File 00-097; Geologic Review (8/27/01) Nolan, Zinn, and Associates  
**Commission Action** .....Denied  
**Date of Action** .....May 8, 2003  
**Commissioners on Prevailing Side:** Desser, Iseman, Orr, Allgood, Wan  
**Staff Recommendation** ..Adopt Revised Findings

**Staff Note:** The Commission denied the project on *de novo* review after public hearing at the May 2003 meeting in Monterey by a vote of 5-5. The Commission denied the project because of the lack of an Integrated Management Plan for West Cliff Drive, which is required in the LCP and which was also required pursuant to a coastal development permit condition in 1998. Staff has made substantive changes to all findings.

**Synopsis of the Coastal Commission May 8, 2003 action:** The City of Santa Cruz's application raised concerns regarding the lack of an Integrated Management Plan for West Cliff Drive, which is required by the LCP and by a condition placed on a 1998 coastal development permit for the City, and the fact that this major public works project could prejudice development of such an Integrated Management Plan. After public hearing, the Coastal Commission denied the project to widen the existing 8-to-12-foot wide multiuse path along the south side of West Cliff Drive between Bay Street and Swanton



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Boulevard for a total distance of approximately 13,500 linear feet (about 2.5 miles). The project would have widened the path to 14 feet for the majority of its width by extending the path into the existing road right of way, thus reducing the width of West Cliff Drive.

**Summary of Staff Recommendation:** Staff recommends that the Commission adopt the following revised findings in support of the Commission's action on May 8, 2003, denying the permit to widen the West Cliff Drive multiuse path, which is the subject of A-3-STC-01-099.

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## **1. PROJECT PROCEDURAL HISTORY**

The City Council of Santa Cruz approved the project on September 18, 2001, subject to multiple conditions. The West Cliff Drive Owners' Association, Mr. Aldo Giacchino, and Mr. John Walker appealed this approval to the Coastal Commission. The Applicant provided a 49-day waiver on October 17, 2001. On February 6, 2003, the Commission held the substantial issue hearing on the project and found that the appeals raised a substantial issue in terms of the project's consistency with the City of Santa Cruz LCP. As a result, the Commission took jurisdiction over the coastal development permit (CDP) for the project. On May 8, 2003 the Commission opened a public hearing for the *de novo* review of the proposed project and found the project inconsistent with the City of Santa Cruz LCP. This staff report provides findings in support of the Commission's action. The standard of review for the analysis



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of the *de novo* review of the project is the City of Santa Cruz LCP and the Public Access policies of the Coastal Act.

### **2. STAFF RECOMMENDATION ON REVISED FINDINGS**

Staff recommends that the Commission adopt the following revised findings in support of its May 8, 2003 denial of a coastal development permit for the proposed development.

**MOTION:** *I move that the Commission adopt the revised findings in support of the Commission's action on May 8, 2003 denying the development proposed under coastal development permit number A-3-STC-01-099, pursuant to the staff recommendation.*

### **STAFF RECOMMENDATION OF ADOPTION:**

Staff recommends a YES vote. Passage of this motion will result in adoption of the following resolution and revised findings as set forth in this report. The motion requires a majority vote of the members from the prevailing side present at the May 8, 2003 hearing, with at least three of the prevailing members voting. **Commissioners eligible to vote on the revised findings are Commissioners Desser, Iseman, Orr, Allgood, and Wan.** If the motion fails, the revised findings are postponed to a later meeting.

### **RESOLUTION:**

The Commission hereby adopts the findings and conditions set forth below for denial of a coastal development permit for the proposed development on the grounds that the findings support the Commission's decision made on May 8, 2003 and accurately reflect the reasons for that decision.

### **3. FINDINGS AND DECLARATIONS**

The Commission finds and declares as follows:

#### **A. Project Location**

The project site is the existing 2.5-mile West Cliff Drive multiuse path between Bay Street and Swanton Boulevard (see Exhibits 1 and 2 for location maps). The project site is located adjacent to West Cliff Drive within the existing road pavement and right-of-way, and within a residential and coastal recreational area.

A portion of the project site is located within a general Monarch butterfly habitat area designated in the City's General Plan/Local Coastal Program on Map EQ-9. The project site is adjacent to cliffs used as nesting sites by pigeon guillemots and black swifts, also shown on Map EQ-9. These three species are designated as sensitive species in the City's LCP.

#### **B. Project Description**

The project consists of widening the existing 8-to-12-foot-wide multiuse path along the south side of West Cliff Drive between Bay Street and Swanton Boulevard for a total distance of approximately



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13,500 linear feet (about 2.5 miles – see Exhibit 2). The project would widen the path to 14 feet except in four areas (approximately 8% of the path's length) where the roadway would be reduced to less than 22 feet if the path were widened to 14 feet. In these areas the path would range in width from 10.5 feet to 13.5 feet. A portion of the path, approximately 1,300 linear feet in the vicinity of the Lighthouse, has already been widened to 14 feet and is not subject to further improvement as part of the project. The project would be constructed in two phases over a two-year period: Phase 1 from Bay Street to Woodrow Avenue (7,000 linear feet); Phase 2 from Woodrow Avenue to Swanton Boulevard (6,500 linear feet) (see Exhibit 2 for location map of phases). The proposed path widening would be constructed in several small stages within each phase to minimize recreational and vehicular traffic impacts.

Widening of the path into the existing road right of way would reduce the width of West Cliff Drive from the existing width of 23-40 feet to 22-36 feet. The road width would be reduced to 22 feet for approximately 8% of its length. One lane in each direction would be maintained. The width of the majority of West Cliff Drive would be in the 24-foot range.

Construction of the project would include the following:

1. Removal of existing curb, gutter, and catch basins;
2. Construction of new curb, gutter, and installation of new catch basins;
3. Raising the widened portion of the path to match the elevation of the existing path;
4. Paving a level course on the newly raised portion of the path;
5. Repair of the existing path, header boards and erosion problems;
6. Paving the full width of the path.

### **C. City Approval**

The City of Santa Cruz created an 11-member West Cliff Drive Task Force in March 1997 to study the issues and problems surrounding the West Cliff Drive pathway, which is a 2.5-mile multiuse path on the seaward side of West Cliff Drive. The Task Force presented the City Council with recommendations in January 1998 that included widening the path to 16 feet wherever possible and reducing the roadway width along West Cliff Drive to 20 feet to slow motor vehicle speeds. Due to concerns from residents and the Fire Department regarding the 20-foot road width, the project was modified to include a 14-foot path width and road narrowing to 22 feet in several locations. An Initial Study was completed for the proposed project on May 24, 2001. The Zoning Administrator adopted the Mitigated Negative Declaration and approved the Design and Coastal Permits on August 1, 2001. The West Cliff Drive Owners' Association appealed the Zoning Administrator's approval to the City Council on August 9, 2001. On September 18, 2001, the City Council approved the path-widening project, without change to the conditions placed on the project at the Zoning Administrator level.



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### 4. COASTAL DEVELOPMENT PERMIT DETERMINATION

#### A. West Cliff Drive Management Plan

LCP Parks and Recreation Policy 1.7.6 requires development of a West Cliff Drive integrated plan and states:

*Develop and implement an integrated design, land use, recreation, cliff stabilization, and landscaping plan for West Cliff and East Cliff Drives to enhance public access, safety and recreational enjoyment in these areas.*

- *Create a continuous pathway along the coast by enhancing physical linkages between West Cliff and East Cliff Drives and the Beach Promenade*
- *Lay out criteria for maintaining riprap, protection of paleontological resources and bird nests, and trail maintenance*
- *Monitor the beach profile and recreational use of beaches to obtain baseline information for analyzing riprap proposals and their recreational impacts and establish criteria for a maximum permitted coverage of sandy beaches by seawalls*
- *Analyze facilities and the need for additional or rehabilitation of existing lighting, restrooms, drinking fountains, artistic and landscape enhancements, benches, bike parking, directional and interpretive signs, accessways, stairways, overlooks, and improved safety proposals*
- *Develop design criteria for shoreline structures (e.g., minimize amount of material and coverage; emphasize use of non-glare, non-reflective, natural or natural-appearing materials, incorporation of access facilities)*
- *Ensure continued monitoring of and possible remedial work for wastewater outfall protective rock (pursuant to Moffatt and Nichol's "Santa Cruz Outfall Monitoring Program")*
- *Develop locational and non-point source pollutant criteria for dealing with drainage discharges*
- *Examine the feasibility of periodic street closure or limiting vehicular access along the length of West Cliff Drive and consider opening up West Cliff Drive between Washington and Beach Streets to bicycles and pedestrians only.*

Consistent with LCP Parks and Recreation Policy 1.7.6, the Commission previously required submission of a West Cliff Drive Integrated Management Plan as part of permit condition compliance. In 1998, the City applied for permit 3-90-111-A2 to construct engineered armor stone (riprap) revetments at two locations on West Cliff Drive. Special Condition #5 of that permit required the City to submit to the Commission for review and approval a West Cliff Drive Integrated Development and Management Plan (Plan), consistent with Parks and Recreation Policy 1.7.6 (see Exhibit 3 for the full text of Special Condition #5). The Plan was to be submitted within two years of approval of permit 3-90-111-A2 (i.e., by 6/8/00). At the time of this staff report, the Plan had not been submitted to the Commission. Thus, the permit condition has not been fulfilled and the City is in violation of CDP 3-90-111-A2.



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The purpose of Parks and Recreation Policy 1.7.6 is to develop a plan that analyzes West Cliff Drive regarding the variety of issues that affect the area, including shoreline erosion and restoration, drainage and water quality, public facilities, public access and recreation, biological resources, landscaping, etc. An Integrated Management Plan would identify and analyze the existing conditions along West Cliff Drive including areas highly subject to erosion, identification of the full right-of-way and options for its use, areas where existing riprap potentially could be replaced by contoured and textured vertical seawalls, etc. An Integrated Management Plan would address the concerns and issues on West Cliff Drive in a comprehensive manner. In particular, such a Plan would provide a framework for future public development (such as the proposed path widening project) along West Cliff Drive that balances the objectives of protecting beach access, maximizing public access along the multiuse path, responding to shoreline erosion, and so forth.

The City submitted a draft West Cliff Drive Integrated Management and Development Plan in April 2002, to Commission staff. The Plan presented in one document the various land use, design, recreation, circulation, environmental quality, coastal erosion and safety policies and standards in the current LCP that are particularly important in protecting and managing West Cliff Drive coastal resources and public access features. The Plan contained additional background information not present in the certified LCP; however, the Plan did not contain any comprehensive statement of objectives, new analysis, or new policies regarding the important issues discussed above.

City staff and Commission staff met on several occasions (including at West Cliff Drive) to further discuss the issues and additional types of policies Commission staff would like to see in the Plan. More recently, staff has received a letter from Planning Director Eugene Arner stating that the City plans to include the Plan in its General Plan/LCP update, which the City is currently undertaking but is not anticipated to be completed until 2006.

LCP Parks and Recreation Policy 1.7.6 thus requires an Integrated Management Plan for West Cliff Drive, and submission of the Plan was required by June 2000 per Special Condition #5 of CDP 3-90-111-A2. The City states that completion of an Integrated Management Plan for West Cliff Drive will be included as part of its General Plan/LCP update in the next several years, but completion of the General Plan/LCP update is not scheduled until 2006, six years after the Plan was required to be submitted per Special Condition #5 of CDP 3-90-111-A2. As noted, the Integrated Management Plan will address a variety of issues that affect the West Cliff Drive area, including shoreline erosion and restoration, drainage and water quality, public facilities, public access and recreation, biological resources, landscaping, etc. Construction of a major public works project such as the proposed path widening should be done in the context of an Integrated Management Plan. Widening the path prior to completion of the Plan could prejudice the Plan regarding the above-stated issues. The Commission therefore finds that development of a West Cliff Drive Integrated Management Plan must be accomplished before a project to widen the multiuse path can be approved. Thus, because the path-widening project has not been developed in the context of an overall management plan for West Cliff Drive, the project is



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inconsistent with LCP Parks and Recreation Policy 1.7.6 requiring development of a West Cliff Drive Integrated Management Plan. Therefore, the project must be denied.

### **B. Hazards**

Applicable City of Santa Cruz LCP policies regarding hazards and development along coastal bluffs and beaches include:

**Land Use Policy 3.5.1:** *Protect coastal bluffs and beaches from intrusion by non-recreational structures and incompatible uses and along the shoreline require new development or remodeling to be sited and designed so as to avoid a "wall" of buildings.*

**LU Policy 4.4:** *Public works projects (including new roads, wastewater facilities and water facilities) in any area within the City (including the Coastal Zone) will be subject to the same land use policies as private development.*

**Community Design Policy 2.2:** *Preserve important public views and viewsheds by ensuring that the scale, bulk, and setback of new development does not impede or disrupt them.*

**Safety Policy 1.2:** *Mitigate hazards posed by cliff retreat.*

**Safety Policy 1.2.2:** *Require site-specific geologic investigations for all development within 100 feet of existing coastal bluffs.*

**Safety Policy 1.2.3:** *Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.*

**Environmental Quality Policy 4.1.3:** *Require coastal protective structures, signs, and public facilities to be sensitive to the natural setting and minimize alteration of the natural shoreline.*

The City of Santa Cruz has constructed shoreline protective structures along West Cliff Drive since the 1960's. Severe winter storms of 1977-78, 1979-80, and 1982-83 resulted in significant erosion damage. In the early 1990's, eight revetments were reconstructed and expanded and, in a major erosion control effort, the City constructed seven new rock revetments (CDPs 3-90-111 and 3-90-111-A1). In 1997-98, heavy rain and storm waves again eroded away large sections of bluff in several locations along West Cliff Drive and the City constructed two additional revetments in these areas (CDP 3-90-111-A2). After the severe storms of December 2002 caused additional bluff erosion that damaged the multiuse path, the City was granted an emergency permit to armor an area of the eroding unstable bluff with seven tons of riprap (CDP 3-03-004-G).

City of Santa Cruz Public Works staff state that the expected life of the path-widening project is 25 years. Given the amount of bluff erosion that has regularly occurred along West Cliff Drive since the 1970's, it is reasonable to expect that additional significant shoreline erosion will occur in the next 25



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years, or over the life of the project. LCP Safety Policy 1.2.3 allows for development of shoreline protective devices to protect existing structures, such as the multiuse path. In recent years, the primary response to shoreline erosion along West Cliff Drive has been the installation of riprap, often done as the result of an emergency situation. The incremental installation of riprap has numerous ill effects on a number of coastal resources: Riprap covers pocket beaches (inconsistent with Land Use Policy 3.5.1), is visually and aesthetically unattractive (inconsistent with Community Design Policy 2.2), and is insensitive to the natural setting and does not minimize alteration of the natural shoreline (inconsistent with Environmental Quality Policy 4.1.3). In addition, riprap harbors garbage and rats, and may inhibit public access to remaining beach areas due to difficulties in traversing the riprap.

The response to shoreline erosion along West Cliff Drive should not be driven by emergencies; instead, a comprehensive plan should be in place that would include evaluation of the areas most likely to erode in the near future, as well as an alternatives analysis of possible responses to shoreline erosion, with the emphasis on preserving pocket beaches, eliminating obstacles to access, and improving visual aesthetics along this beautiful and highly visited part of the coast.

As stated above in Finding A, the West Cliff Drive Integrated Management Plan must be developed prior to approval of a path-widening project along West Cliff Drive. The Plan will include a section on shoreline erosion management that will contain new policies regarding shoreline erosion response and shoreline restoration. The Plan will include identification of the areas along West Cliff Drive that are most likely to erode in the near future (e.g., within the next five years), as well as those areas likely to erode further in the future. In addition, the Plan will include a range of alternative responses to shoreline erosion in these identified areas, including a no structure alternative for areas where it may be possible to move the path and other infrastructure inland, as well as structural alternatives, including the construction of vertical seawalls that are contoured and textured to mimic the surrounding cliff face. Given that the Plan will address erosion and hazard issues in a comprehensive manner, approval of the path-widening project before completion of the Plan could prejudice the Plan. Thus, the project is inconsistent with LCP Parks and Recreation policy 1.7.6 regarding development of a West Cliff Drive Integrated Management Plan. Thus the project must be denied.

### **C. Biological Resources**

Applicable City of Santa Cruz LCP policies regarding protection of natural vegetation communities and wildlife habitats are as follows:

**Environmental Quality Policy 4.1.2:** *Preserve the habitat of and minimize disturbance to seabird rookeries and roosting areas along the coastline.*

**Environmental Quality Policy 4.5:** *Continue the protection of rare, endangered, sensitive and limited species and the habitats supporting them as shown in Map EQ-9 or as identified through the planning process or as designated as part of the environmental review process. (See Map EQ-9).*

**Environmental Quality Policy 4.5.3:** *Protect monarch butterfly overwintering sites and ensure*



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*adequate buffering of these sites from development.*

**Environmental Quality Policy 4.5.3.2:** *Require development in the vicinity of designated monarch sites to undergo environmental impact analysis and for development affecting sites prepare a management plan addressing preservation of the habitat that includes criteria such as:*

*Prohibiting the cutting, thinning, pruning or removal of any tree or shrub (especially nectar plants used by monarchs) except as necessary for safety of homes or persons and requiring replacement of comparable vegetation; prohibiting pesticide use and keeping all water sources clean; allowing construction only during the months when monarchs are not present; and keeping smoke from infiltrating monarch roosting sites.*

**Environmental Quality Policy 4.5.4:** *Preserve Black Swift and Pigeon Guillemot habitat by monitoring the effects of erosion repair work along West Cliff Drive and timing construction in areas near these habitats to avoid disturbing them during the nesting season, ensuring that no significant adverse impact occurs.*

The project site is located within a general monarch butterfly habitat area designated in the City's General Plan/LCP. Monarch butterflies use a eucalyptus grove at Lighthouse Field on Pelton Avenue (which intersects with West Cliff Drive) as an overwintering roosting site. Pelton Avenue would be used as a detour during a portion of the project's construction. This would result in substantially increased traffic on Pelton Avenue in the vicinity of the monarch butterfly roosting area (from approximately 800 vehicles per day to an estimated 7,000 vehicles per day). The additional traffic on Pelton Avenue could adversely affect monarch butterflies that are roosting at Lighthouse Field by contributing to increased mortality of monarch butterflies stranded on the roadway by cold temperatures and storm winds during the fall and winter. Thus, the City conditioned its approval to require that construction be staged to avoid detours down Pelton Avenue during the late fall and winter months. The City, however, would allow detours to take place down Pelton Avenue until October 31<sup>st</sup>. According to a recent study of the monarch butterfly overwintering site at Lighthouse Field<sup>1</sup>, by October 25, 2001 the monarch butterfly population at Lighthouse Field had already reached 3,300 individuals. Commission staff also consulted with a local monarch butterfly expert (John Dayton) who stated that there could be an impact to butterflies (due to traffic mortality) if the detour is allowed to take place until the end of October because by that time the monarch butterfly population is well along towards its peak winter population. Thus the project, as conditioned by the City, is inconsistent with the Environmental Quality policies of the certified LCP regarding protection of monarch butterflies and therefore must be denied.

The LCP defines black swifts and pigeon guillemots as sensitive species. Sensitive species are those species that rely on specific habitat conditions that are limited in abundance, restricted in distribution, or are particularly sensitive to development. The project site is located within a general black swift and pigeon guillemot habitat, as shown on Map EQ-9 in the City's LCP. These birds use coastal bluffs and

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<sup>1</sup> Leong, K.L.H. 2002. Lighthouse Field State Beach Monarch Butterfly Overwintering Site, First Year Study, Winter 2001-2002. Internal Report. 44 p.



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caves for habitat. Black swifts are a California species of special concern. The local breeding population is present from late May to September. Black swifts are sensitive to disturbance during the nest building, egg laying, and incubation phases of the nesting cycle, which locally spans from late May to early July. Pigeon guillemots are fairly common along rocky shores. This species nests in cliff crevices with a breeding season from mid-April through August. Originally, the City planned to complete the path widening between September and November, outside both bird species' nesting season. Thus, the City did not condition its approval to require protections for these bird species. However, the City now proposes to do some of the work in the spring and summer, which could affect these species. Thus the project is inconsistent with Environmental Quality Policies 4.1.2, 4.5, and 4.5.4 regarding protection of sensitive bird species and therefore must be denied.

### **D. Public Access, Recreation, and Safety**

Applicable Coastal Act Public Access policies include:

**Coastal Act Section 30210:** *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

**Coastal Act Section 30213 (in part):** *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

Applicable City of Santa Cruz LCP policies regarding public access, recreation, and safety include:

**LCP Parks and Recreation Policy 1.7:** *Develop plans to repair, maintain and maximize public access and enjoyment of recreational areas along the coastline consistent with sound resource conservation principles, safety, and rights of private property owners.*

**LCP Parks and Recreation Policy 1.7.1:** *Maintain and enhance vehicular, transit, bicycling, and pedestrian access to coastal recreation areas and points.*

**Zoning Ordinance Section 24.08.400:** *The purpose of the design permit is to promote the public health, safety and general welfare through the review of architectural and site development proposals and through application of recognized principles of design, planning and aesthetics and qualities typifying the Santa Cruz community...*

**Zoning Ordinance Section 24.08.430(7):** *The site plan shall minimize the effect of traffic conditions on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances, exit drives and walkways; through the adequate provision of off-street parking and loading facilities; through an adequate circulation pattern within the boundaries of the development; and through the surfacing and lighting of off-street parking facilities.*

**Land Use Policy 3.5:** *Protect coastal recreation areas, maintain all existing coastal access points open*



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*to the public, and enhance public access, open space quality and recreational enjoyment in a manner that is consistent with the California Coastal Act.*

**Land Use Policy 3.5.3:** *Require new development and public works projects to provide public access from the nearest public roadway to the shoreline and along the coast, except where it is inconsistent with public safety, protection of fragile coastal resources, or where adequate access exists nearby.*

**Land Use Policy 3.5.4:** *Wherever feasible and appropriate, distribute public facilities (including parking areas) throughout the coastal recreation area to mitigate the impacts of overcrowding or overuse by the public of any single area.*

**Land Use Policy 3.5.5:** *Develop and implement plans to maximize public access and enjoyment of recreation areas along the coastline.*

**Land Use Policy 5.3.5:** *Ensure that visitor-serving facilities are arranged and developed in a compact, integrated manner to reduce automobile circulation and emphasize pedestrian movement.*

**Land Use Policy 5.6:** *Require land use development to integrate into the larger circulation system by interconnecting its system of roads, pedestrian and bike paths with existing facilities and also design access to nearby areas in a manner that minimizes the necessity for automobile travel and potential automobile and pedestrian/bike conflicts.*

West Cliff Drive consists of a 2.5-mile stretch of two-lane roadway directly adjacent to the bluffs above the Pacific Ocean (see Exhibit 2). Residential use is found on the inland side of West Cliff Drive, with only one house located on the bluff side. Highlights along West Cliff Drive include the Steamer's Lane surfing area, the Mark Abbott Memorial Lighthouse, Lighthouse State Beach, and the multiuse path. West Cliff Drive draws tourists and locals alike for the natural beauty of the coastline and the variety of public recreation and access amenities found along this stretch of the coast. The popularity of the multiuse path has created conflict among its many users due to its relatively narrow width, which varies from 8 to 12 feet.

The approved project would increase the width of the path to 14 feet, except where the roadway would be reduced to less than 22 feet. The path will be between 10 ½ and 13 ½ feet in four areas, with an accompanying road width of 22 feet. Areas of reduced path width and 22-foot road width account for approximately 8% of the project's length.

The LCP contains a number of policies to provide for enhancement of public access and recreation. For example, LCP Parks and Recreation Policy 1.7.1 requires the maintenance and enhancement of vehicular, transit, bicycling, and pedestrian access to the coast. LCP Land Use Policies 3.5 and 3.5.5 call for enhancing and maximizing public access to coastal recreation areas. Regarding safety, LCP Parks and Recreation Policy 1.7 requires maximization of public access along the coastline consistent with safety. LCP Land Use Policy 5.6 requires that access be designed to minimize potential automobile and pedestrian/bike conflicts.



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The approved project does not provide separation of bicyclists and pedestrians on the path. The LCP, however, does not require separation of users on multiuse paths nor does it require any specific widths for multiuse paths. In addition, the California Highway Design Manual does not provide specific standards for widths of paths that allow for separation of bicyclists and pedestrians, but does recommend physical separation where possible. Some locales, such as Monterey, have developed 16-foot wide separated paths (10 feet for bicyclists (five feet in each direction, which is consistent with the Highway Design Manual's Class II Bikeway standards) and 6 feet for pedestrians) with different path materials for bicyclists (asphalt) and pedestrians (decomposed granite). City of Santa Cruz Public Works staff states that there is insufficient room along the West Cliff Drive path to adequately physically separate the different types of users, especially given the four "pinch points" where the path must narrow down to below 14 feet due to bluff and street-width constraints. One option that would allow for a larger path with separated users would be to reconfigure West Cliff Drive into a one-way street. The City, however, rejected this option because of concerns expressed by recreational users of West Cliff Drive and residents of the neighborhoods surrounding West Cliff Drive regarding limits to their access.

The City also considered reducing the road width to 10 feet per lane, for a total of 20 feet, which is the minimum road width allowable under American Association of Highway and Transportation Officials (AASHTO) guidelines. This would allow a 16-foot wide path for the majority of the path's length, which would potentially allow for physical separation between bicyclists and pedestrians for most of the path's length. West Cliff Drive, however, is a Designated Fire Access Route in Santa Cruz. The City's Fire Chief expressed concern to the City regarding the Fire Department's ability to respond effectively to emergencies if the road was reduced in width to 20 feet. The City's Fire Chief states that the 14-foot-wide path, which allows for a minimum street width of 22 feet, has mitigated the Fire Department's concern in this regard.

As stated above, a number of LCP policies provide for the enhancement of public access and recreation along the coastline. During the summer months and on weekends the existing multiuse path is often crowded, especially in certain areas, such as between Bay Street and the Lighthouse. The addition of two to six feet in width of the multiuse path will enhance the experience for recreational users of the path by allowing more room for path users, consistent with Parks and Recreation and Land Use policies requiring enhancement of recreation and public access.

LCP Parks and Recreation Policy 1.7, Zoning Ordinance 24.08.400, and Land Use Policy 3.5.3 require that new development, including public access and recreational development, provide for public safety and minimize potential automobile and pedestrian/bike conflicts. Widening of the path will improve safety because of the additional area that will be available to path users. Regarding commuter and other fast-moving bicyclists along West Cliff Drive, the option of dedicated bike lanes on West Cliff Drive to accommodate fast-moving commuting bicyclists (as opposed to slower moving recreational bicyclists that use the path) would require a minimum of 10 feet of width for the bike lanes (5 feet in each direction). To do so would require a combination of widening the road, narrowing the multiuse path, and removing parking, or possibly making West Cliff Drive a one-way street. The project is designed primarily to improve recreational access, and not to provide a commute corridor for bicyclists. The



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width of West Cliff Drive under the project will range from 22 feet to 36 feet. The road will be reduced in width to 22 feet for 8% of its length. The majority of West Cliff Drive will be in the 24-foot-wide range or greater, which generally should be adequate for fast-moving bicyclists to share with motor vehicles. Fast-moving commuting bicyclists also have the option of using Delaware Avenue, a wide street located nearby, instead of West Cliff Drive (see Exhibit 2). Given the high use of the path by both pedestrians and recreational bicyclists, it is doubtful that many high-speed commuting or racing bicyclists will use the path because they will need to slow down to avoid the many recreational users on the path. In any event, the wider path will be an improvement over the existing path in terms of providing more room which should lessen recreational user conflicts, especially in locations where the path is only eight feet wide currently. Thus the project is consistent with the Parks and Recreation and Land Use Policies of the LUP regarding safety.

Motor vehicle drivers on West Cliff Drive will be somewhat affected because of the narrowed road width and passing bicyclists. However, the minimum road width of 22 feet (for 8% of the length of West Cliff Drive) is two feet greater than the minimum allowed by AASHTO. In addition, a narrower road width will have the effect of slowing traffic, which should increase safety and recreational enjoyment. Also, it is the responsibility of drivers to drive with care and adhere to the speed limit (25 mph on West Cliff Drive) and give the right-of-way to pedestrians and bicyclists. Finally, Delaware Avenue is also an attractive option for motorists looking for a faster way through this section of Santa Cruz, rather than the slower paced, scenic drive offered by West Cliff Drive.

Currently, there are a number of sections along the inland side of West Cliff Drive that provide unmarked street-side parallel parking for visitor use. Parking is also available in parking bays along West Cliff Drive, as well as along the many side streets that intersect with West Cliff Drive. Per the City's staff report and according to Chris Schneiter, Assistant Director of Public Works, there will be no loss of parking along West Cliff Drive due to widening of the path and narrowing of the road. The number of spaces at parking bays as well as the number of parallel parking spaces along West Cliff Drive will not be reduced. The project plans clearly show that all the parking spaces in the existing parking bays will be retained. Retention of street-side parallel parking, however, is not shown on the plans. Thus, the City-approved project does not ensure that all inland street-side parking will be retained in the project. LCP Parks and Recreation policy 1.7.1 requires that vehicular access to coastal recreation areas be maintained. LCP Land Use policy 3.5.3 requires that public works projects provide public access from the nearest public roadway to the shoreline. Although the parking bays along West Cliff Drive will be retained, it is unclear how much of the existing street-side parking along West Cliff Drive will remain available to visitors when the road is narrowed to provide for a widened path. Although the widened path will enhance public access and recreation, the potential loss of parking along West Cliff Drive could be detrimental to public access. Also, absent a certified West Cliff Drive Integrated Management Plan that addresses the balance between vehicular access, parking, and pedestrian access, it is not clear that the project is consistent with LCP Parks and Recreation policy 1.7.1 and Land Use policy 3.5.3 of the City's LCP regarding public access. Thus, the project must be denied.



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### **E. Landscaping**

Applicable Coastal Act policies regarding landscaping include:

**LCP Environmental Quality Policy 4.6:** *Encourage the planting and restoration of native rather than non-native vegetation throughout the City and also in areas where plants or habitats are diseased or degraded.*

**LCP Community Design Policy 2.2.1 (In part):** *Develop siting, scale, landscaping and other design guidelines to protect visually sensitive areas and ensure that development is compatible with the character of the area. Areas to be protected include...scenic coastal areas...*

**LCP CD Policy 5.2:** *Prepare and implement corridor plans for imageable paths addressing visitor-serving uses, high traffic volumes, pedestrian and bicycle access, building and parking siting and design, landscaping theme, undergrounding of utilities, commercial/residential transition, comprehensive signs and other amenities.*

**LCP CD Policy 6.2.4:** *Develop and adopt a landscape ordinance for new and rehabilitated landscaping with specific irrigation designs, planting and maintenance plans emphasizing unity, aesthetics, water efficiency and stressing the planting of a diversity of native, drought-resistant species.*

- *Compose a list of recommended landscaping species that are native, drought tolerant and have forage value for wildlife.*
- *Compose a list of noxious and invasive species and educate the public about their disadvantages.*
- *Make drought resistant trees and native species a part of the Master Street Tree List.*

**LCP Parks and Recreation Policy 1.4.6:** *Implement long-term use and landscape plans for West Cliff and East Cliff Drives (See policy PR 1.7.6).*

**LCP Parks and Recreation Policy 1.9.3:** *Where feasible, plant species that are native, drought-resistant and may be best suited for providing cover and food sources for wildlife and, where appropriate, provide educational signs about water conservation practices and plantings.*

**LCP Land Use Policy 4.4:** *Public works projects (including new roads, wastewater facilities and water facilities) in any area within the City (including the Coastal Zone) will be subject to the same land use policies as private development.*

**LCP Economic Development Policy 5.6.4:** *Improve visual appearance of visitor routes and entrances to the City.*

Landscaped areas along the seaward side of West Cliff Drive consist of landscaping strips/islands located between West Cliff Drive and the multiuse path, large and relatively flat bluff top areas on the seaward side of the path, and lawn areas adjacent to the Lighthouse/Surf museum. Between Bay Street



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and the Lighthouse (which is the heaviest used portion of the path) most of the strips/islands are landscaped with attractive drought tolerant, noninvasive plants such as sages and sea lavender. Once past the Lighthouse, however, virtually all the landscaping, whether in landscaped strips/islands or along the bluff top, consists of ice plant (*Carpobrotus edulis*). The California Exotic Pest Plant Council describes this species of *Carpobrotus* as belonging to *List A-1: Most Invasive Wildland Pest Plants; Widespread*.

As described above, except for one small section near the Lighthouse, the path will be widened by extending the width of the sidewalk in the direction of the West Cliff Drive roadway. Where there is a strip or island between the path and the roadway, the path will be widened into the landscaped area. In general, landscaping along the large bluff top areas will not be impacted by the project.

Other than provisions protecting existing trees along the path, the City's conditions of approval do not include any requirements for landscaping. A resolution regarding the project, passed and adopted by the City Council, included findings that provided for development and implementation of a landscaping plan by the Parks and Recreation Department after the path-widening project is completed. No specific date for completion of these tasks was included, however.

As discussed above, West Cliff Drive draws tourists and locals alike for the natural beauty of the coastline and the variety of public recreation and access amenities found along this stretch of the coast. Currently the landscaping along the majority of the multiuse path consists of invasive ice plant. LCP Community Design Policy 6.2.4 encourages the planting of a diversity of native, drought-tolerant species and discourages the use of invasive species, such as ice plant. In addition, LCP Community Design Policy 5.2 requires the preparation and implementation of corridor plans (including landscaping themes) for paths that address visitor-serving uses, such as West Cliff Drive and the multiuse path. LCP Economic Development Policy 5.6.4 calls for improving the visual appearance of visitor routes, such as West Cliff Drive, in the City. As stated above in Section A, LCP Parks and Recreation policy 1.7.6 requires development of an Integrated Management Plan for West Cliff Drive. One of the required components of the Plan is a landscaping plan. The City, however, has not completed the Integrated Management Plan. Additionally, LCP Parks and Recreation policy 1.4.6 calls for the implementation of a landscape plan for West Cliff Drive. Also, LCP Community Design policy 2.2.1 requires development of landscaping guidelines to protect visually sensitive areas, including scenic coastal areas. The City-approved project does not include a landscaping component. Thus, the project is inconsistent with the above-mentioned LCP policies regarding landscaping requirements. Therefore, the project must be denied.

### **F. Water Quality/Erosion**

Applicable LCP policies regarding water quality and erosion include:

**Environmental Quality Policy 2.3.1:** *Design and site development to minimize lot coverage and impervious surfaces, to limit post-development runoff to predevelopment volumes, and to incorporate storm drainage facilities that reduce urban runoff pollutants to the maximum extent possible.*



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**Environmental Quality Policy 2.3.1.3:** *Require low-flow-velocity, vegetated open channels, area drains incorporating grease and sediment traps, groundwater recharge facilities and detention ponds directly connected to impervious areas.*

**Environmental Quality Policy 2.3.1.5:** *Ensure that all parking lots, roads, and other surface drainages that will flow directly into coastal waters have oil, grease, and silt traps.*

**Environmental Quality Policy 3.1:** *Require site design and erosion control measures in areas subject to erosion hazards or adjacent to streams and wetland areas to minimize grading activities and vegetation removal.*

**Environmental Quality Policy 3.1.2:** *Prohibit grading and earth disturbance during wet winter months and ensure that any grading or stockpiles are stabilized and revegetated (or covered) before winter months.*

**Environmental Quality Policy 3.1.3:** *Require an erosion control plan for all new projects located within or adjacent to erosion hazard areas, and for all development proposals involving slopes exceeding 10%.*

### **1. Water Quality**

In general, the path will be widened by extending the width of the sidewalk in the direction of the West Cliff Drive roadway. Where there is a landscape strip between the path and the roadway, the path will be widened into the landscape strip. Where the path and roadway are adjacent (the majority of the project), the widening will involve moving the curb, which currently separates the existing path from the roadway, into the road, resulting in narrowing of the roadway and widening of the path.

The project includes a modest increase in impervious surface in those areas in which the widened path will extend into existing landscaping. The great majority of the path, however, will be widened directly into West Cliff Drive, which already consists of an impervious surface. Thus, the project would result in a minimal addition to the existing impervious surface of West Cliff Drive. New gutters and new storm drain inserts with grease and sediment traps would be installed as part of the project.

A geologic review was completed to evaluate the project with respect to geologic impacts and constraints. The geologic review also reviewed the drainage provisions of the project and determined that the drainage provisions in Phase I of the project plan will protect the sea cliff and adjacent areas from increased erosion or instability. In Phase II, specific drainage provisions will have to be developed for the several portions of the existing sidewalk that are below the grade of West Cliff Drive. Currently, the drainage sheet-flows toward the bluff top in this area. The geologic review recommends three possible options for these below-grade areas. Of these three, Commission water quality staff states that option #1 (which provides for sloping of the path toward the cliff in combination with erosion resistant planting strips along the seaward side of the path) is the preferable option.

Although the project will result in a minimal increase in impervious surfaces along West Cliff Drive and



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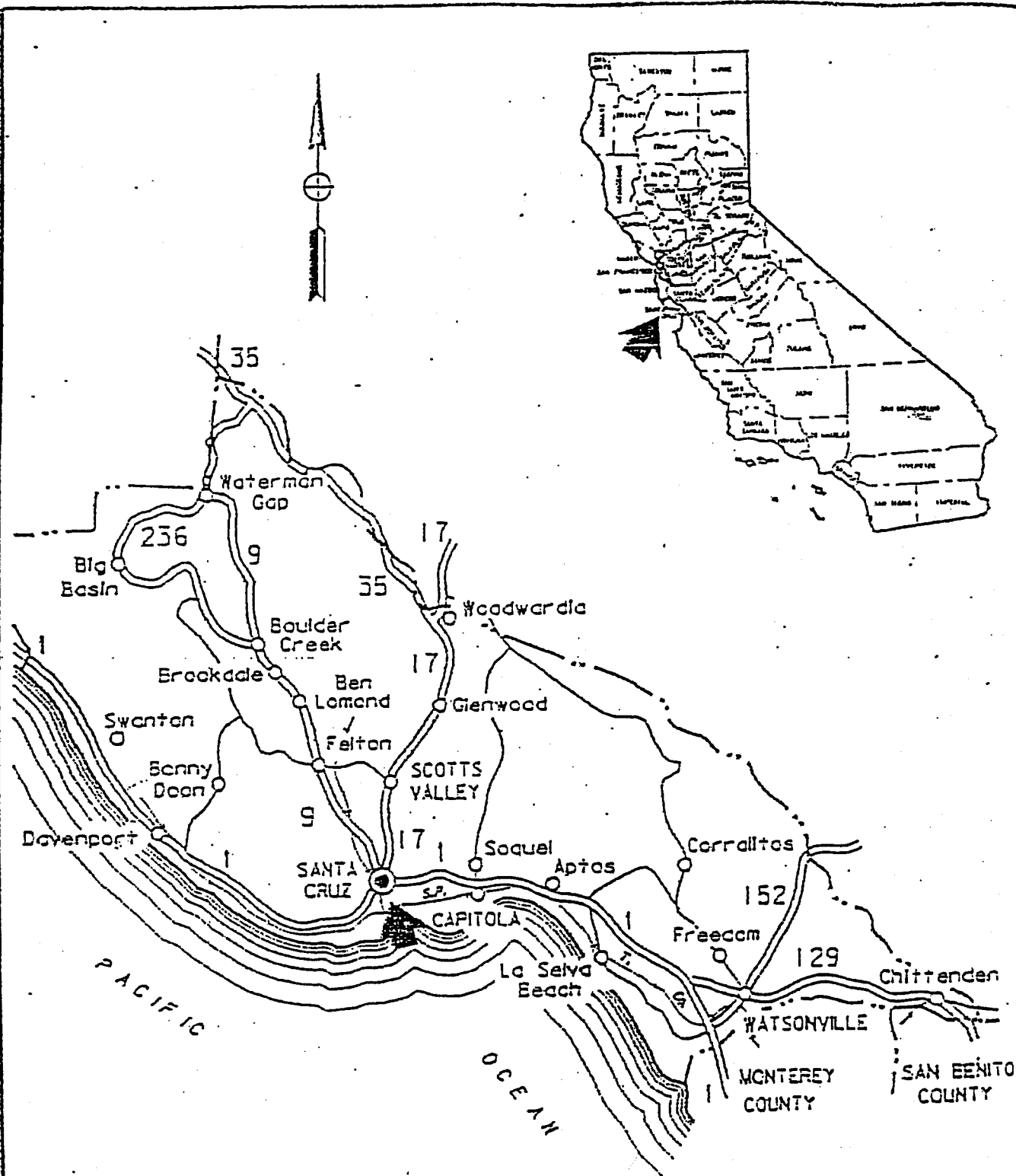
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although the project calls for installation of new gutters and new storm drain inserts with grease and sediment traps, LCP Parks and Recreation policy 1.7.6 requires development of a West Cliff Drive Integrated Management Plan, including development of locational and non-point source criteria for dealing with drainage discharges. Development of the Plan would potentially include requirements for additional water quality drainage controls above and beyond the standard silt and grease traps provided for in the project. Thus, development of the Plan should precede construction of the path widening. Therefore, the project is inconsistent with LCP Parks and Recreation Policy 1.7.6 and must be denied.

### **2. Erosion**

The geologic review concluded that the project would be exposed to potential instability due to sea cliff retreat and landsliding of the bluff during the project's lifetime, but that the project's exposure will be the same as that of the existing path. This seems a reasonable conclusion given that the path will be widened inland and away from the bluff top, except for a 150-foot section that will be extended approximately four feet towards the bluff top and will result in a path that is 30 to 95 feet from the bluff top edge. In any event, the City conditioned its approval to require an erosion control plan that includes erosion control measures on the outer edge of the bluff during construction and requiring that grading be done during periods of dry weather and prohibiting earth-moving activities between December 1<sup>st</sup> and March 1<sup>st</sup>. These conditions provide consistency with Environmental Quality policies 3.1, 3.1.2, and 3.1.3.





DISTRICT 5  
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Map 1. Project Vicinity

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7/12/2001

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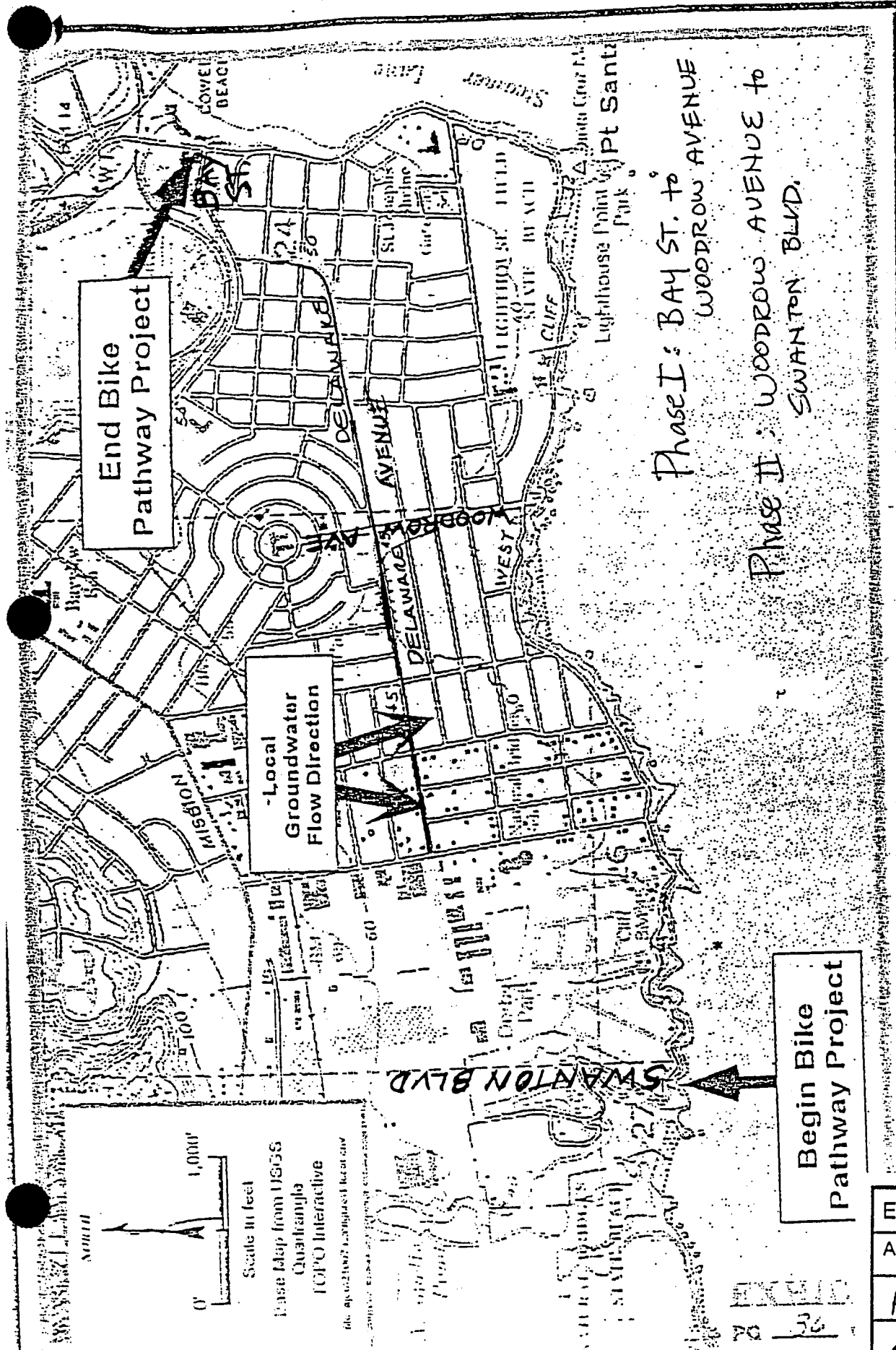


FIGURE  
1  
Job #  
21007

Location Map  
Initial Site Assessment (ISA)  
West Cliff Drive Pathway Widening Project  
Santa Cruz, California

Mr. Hayes & Associates  
Ecology and Environmental Engineering  
19400 Drive, Watsonville, Ca. 95076  
(722 - 3580 (831) 662 - 3100

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ity of Santa Cruz West Cliff Drive Seawalls

approved by the Executive Director. No concrete or construction debris shall be allowed to enter ocean waters. All construction materials and debris must be removed from the bluff/beach at the conclusion of the construction operation.

4. Final Engineering Report:

Within 30 days of completion of the project the applicant shall submit an engineering report by a qualified professional engineer verifying that the seawall has been constructed in conformance with the final approved plans.

4. PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall provide to the Executive Director for review and approval:

A. U. S. Army Corps of Engineers Permit: A copy of a U. S. Army Corps of Engineers permit, letter of permission, or evidence that no Corps permit is necessary.

B. Monterey Bay National Marine Sanctuary Approval: Written evidence of approval from the Monterey Bay National Marine Sanctuary or documentation that no such approval is necessary.

C. Shotcrete Management Provisions: A copy of the the contractor's shotcrete management plan.

Any modifications to the approved project may require, as determined by the Executive Director, an amendment to this permit or a separate coastal development permit.

5. West Cliff Drive Integrated Development and Management Plan. WITHIN TWO YEARS OF THE APPROVAL OF THIS PERMIT, the permittee shall submit to the Commission for review and approval a West Cliff Drive Integrated Development and Management Plan which will provide for integrated design, land use, recreation, cliff stabilization, and landscaping for the West Cliff Drive corridor consistent with Local Coastal Program Parks and Recreation Element Policy 1.7.6. Provided the City has made regular progress towards completion of the Management Plan, this time period may be extended by the Executive Director for good cause (including funding contingencies). The submittal shall include a schedule of implementation and shall identify potential funding sources. Subsequently, the City shall submit annual implementation status reports to the Executive Director by July 1 of each year.

While the City is not responsible for conducting a region-wide sand supply/beach replenishment study, the City shall agree to participate in such study, to the extent that funding is available.

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