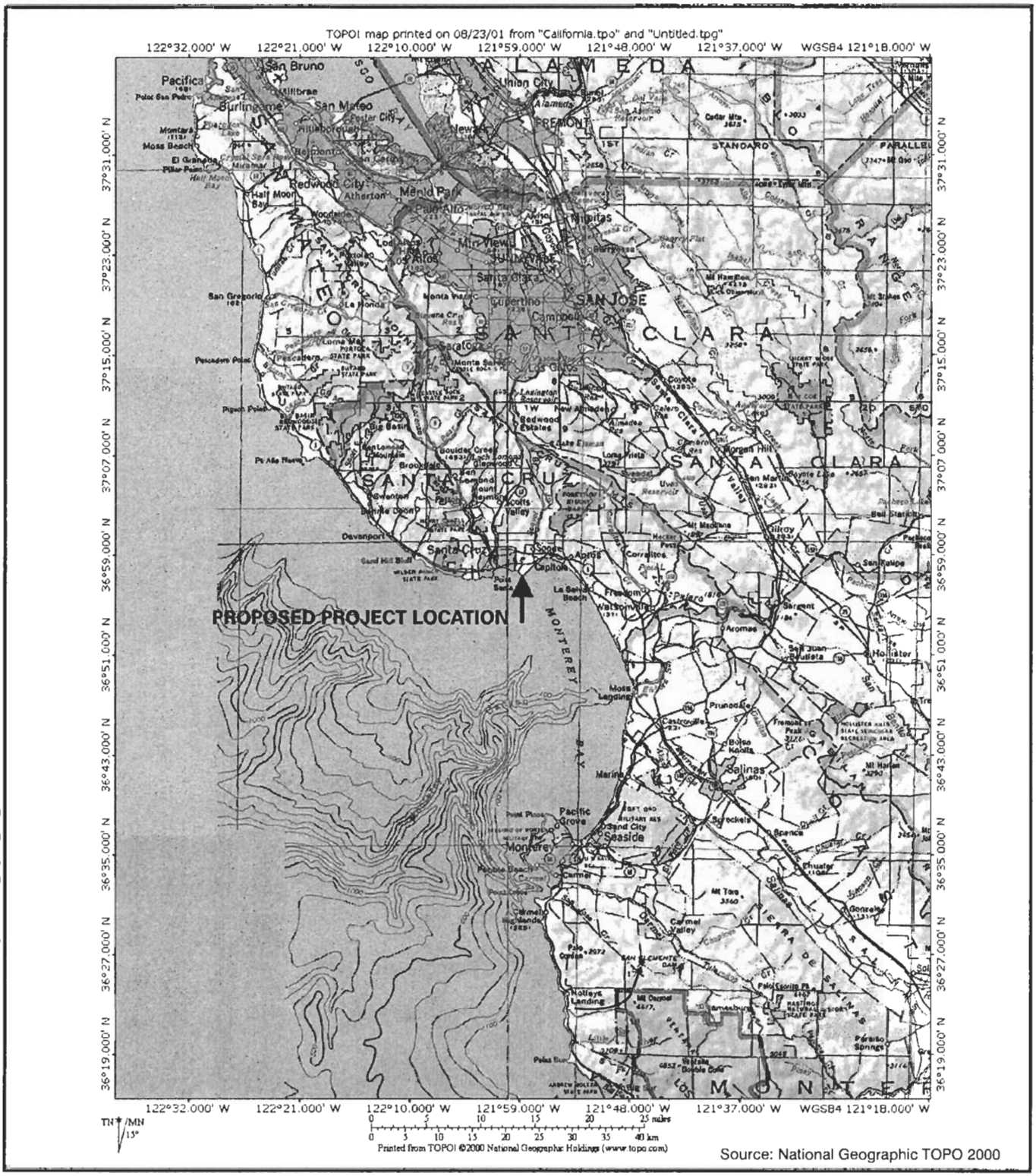


Source: National Geographic TOPO 2000

R:\New\11762-SantaCruz\Graphics\RegionalMap_Figure_1-1_RV.cdr - 04-05-06 - YE

The proposed East Cliff Drive Bluff Protection and Parkway Project is midway between Santa Cruz and Capitola in Santa Cruz County, California. It is approximately 75 miles south of San Francisco, on the north shore of Monterey Bay.

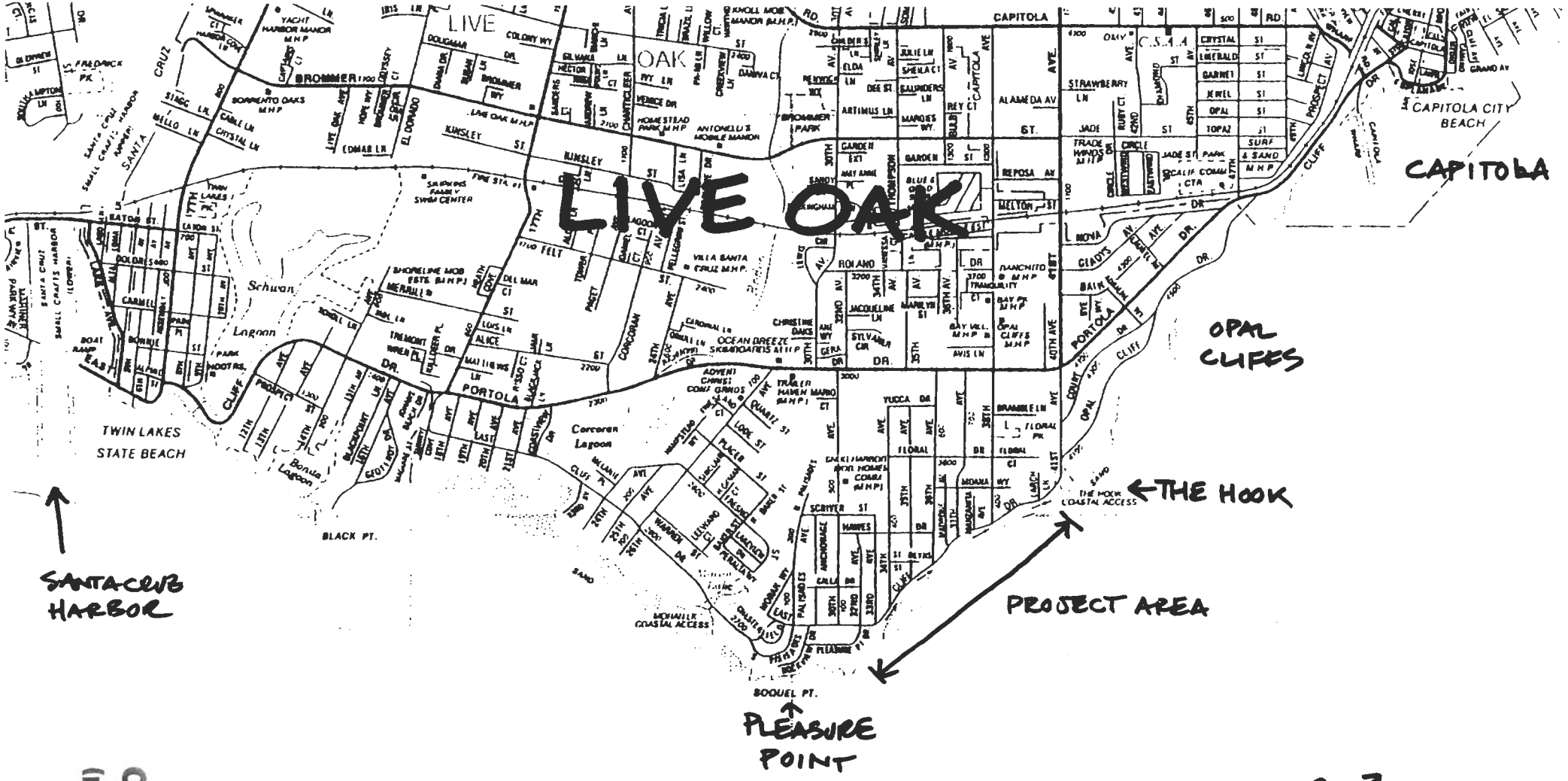
Regional Location Map

Santa Cruz, California

CCC Exhibit A
(page 1 of 6 pages)

Figure 1-1

Tetra Tech, Inc.



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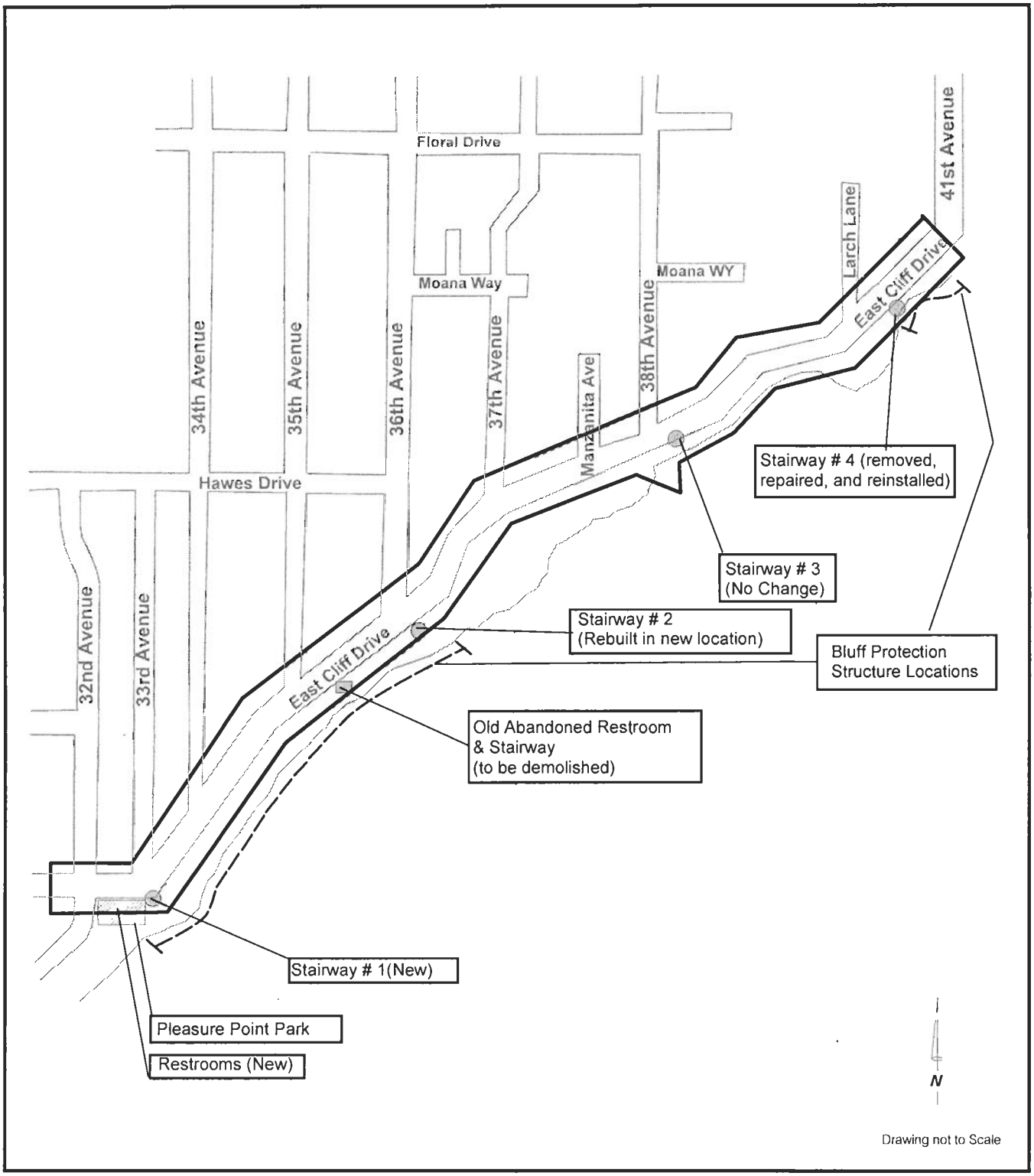
(page 2 of 6 pages)



P:\11762-Santa Cruz\GIS\Santa Cruz wor 11/16/2001 - YE

This figure shows changes to stairways, restrooms, and development of Pleasure Point Park that would be conducted under the proposed project.

Legend
- Bluff Protection Structures
- Project Area
- Coastline

Project Overview

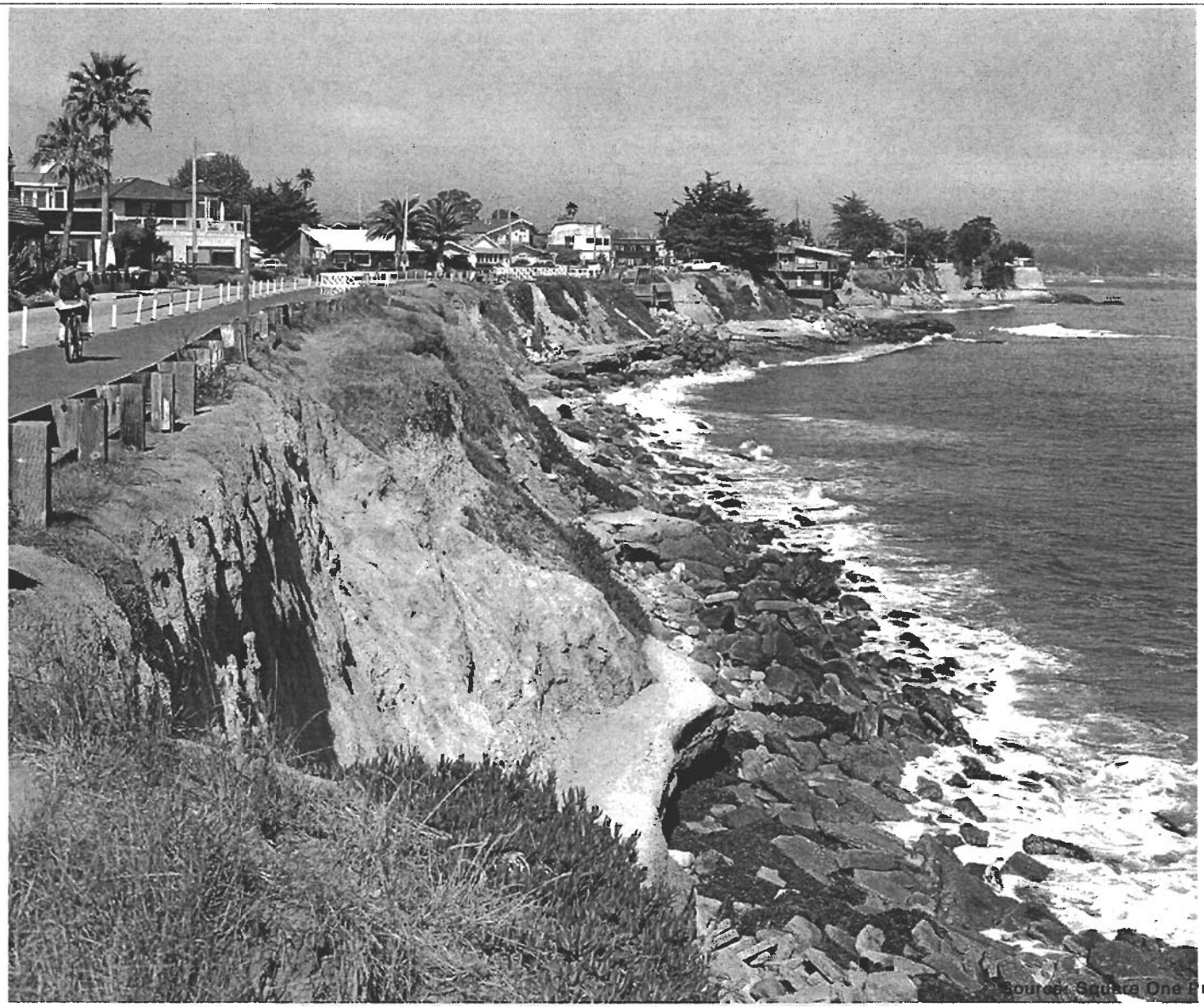
Santa Cruz, California

CCC Exhibit A
(page 3 of 6 pages)

Tetra Tech, Inc.

Figure 2-1a

CCC Exhibit A
(page 4 of 6 pages)



Source: Square One Productions 2005

Existing conditions at the project area include concrete rubble, sculpted and colored soil nail walls constructed as emergency repairs in 2004 (lower left-hand corner of picture), white protective railing around areas of failed roadway, nonnative vegetation and minimal beach area due to the concrete rubble and rock riprap.

Existing Conditions, Bluff View

Santa Cruz, California

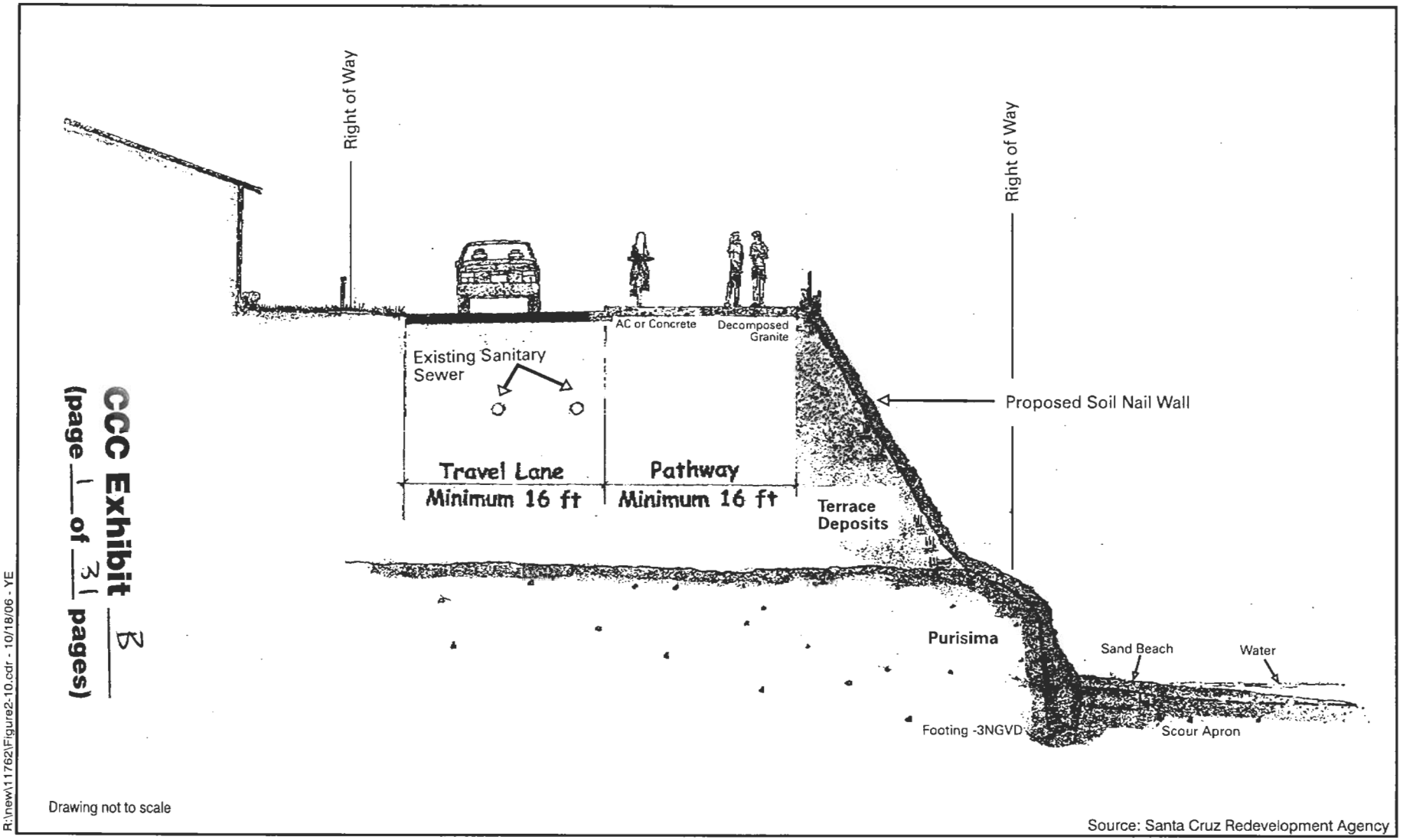
Figure 5-1a

Tetra Tech, Inc.

R:\New\11762\Figure5-1a 03-27-08.rYE

VIEW UPCOAST ALONG EAST CLIFF DRIVE

CCC Exhibit A
(page 6 of 6 pages)



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(page 1 of 31 pages)

R:\new\11762\Figure2-10.cdr - 10/18/06 - YE

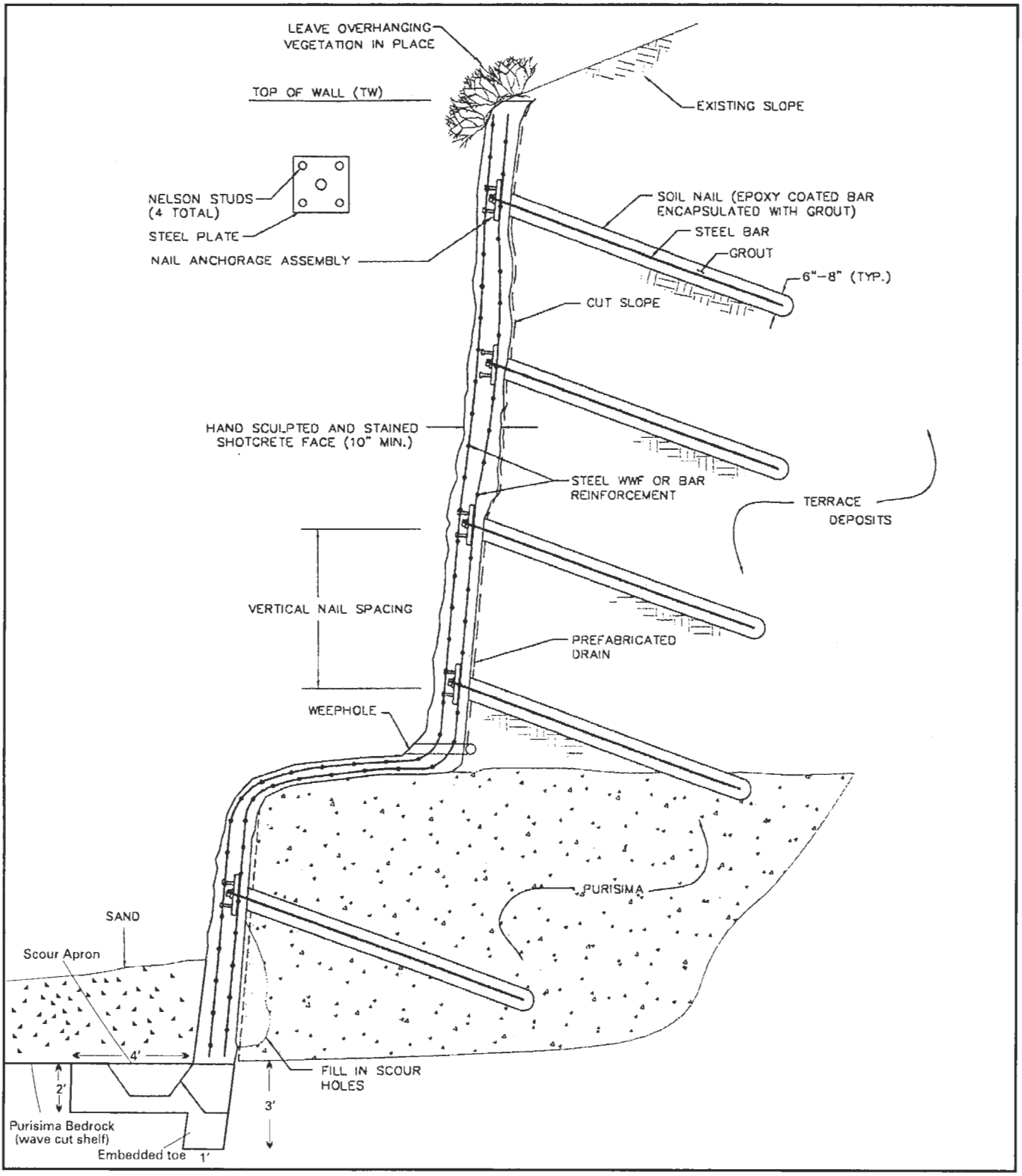
The proposed action involves a bluff protection structure, a dedicated bike path, and pedestrian lane at the top of the bluff.

Representative Cross Section of Bluff Protection Structure and Parkway Improvements

Santa Cruz, California

Figure 2-10

Tetra Tech, Inc.



Typical soil nail construction, as proposed for alternatives 1, 2, and 3.

Soil Nail Wall Construction

Santa Cruz, California

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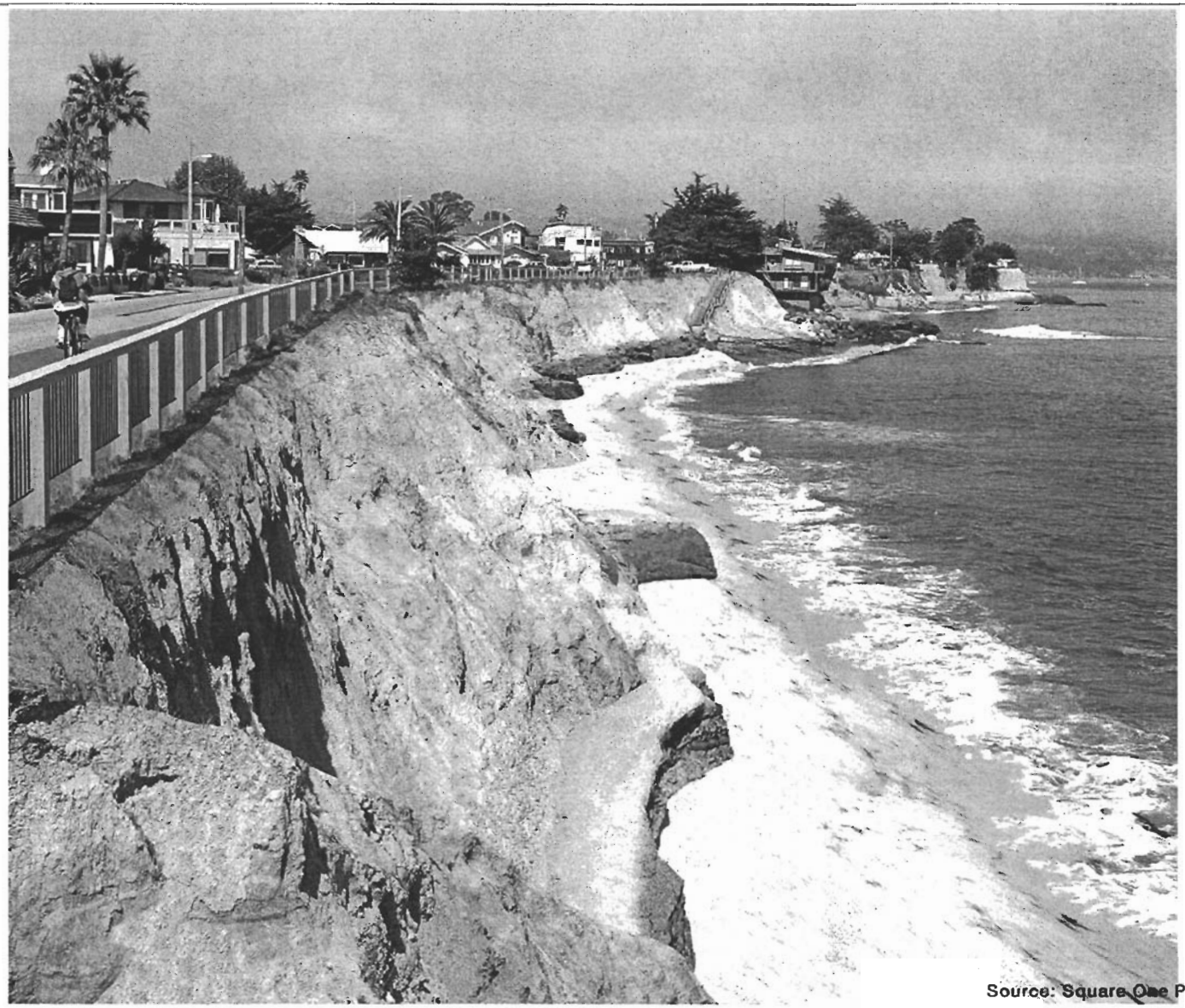
(page 2 of 31 pages)

Tetra Tech, Inc.

Figure 2-4



Source: Square One Productions 2005

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(page 3 of 31 pages)

The visual simulation for Alternative 1 shows the bluff armoring in the project area and the removal of concrete rubble. Parkway improvements would include fencing, two 8-foot paths, and landscaping. Any rock riprap would be relocated to stairway areas for added protection.

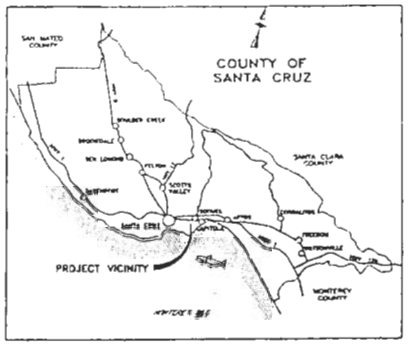
Visual Simulation, Alternative 1, Bluff View

Santa Cruz, California

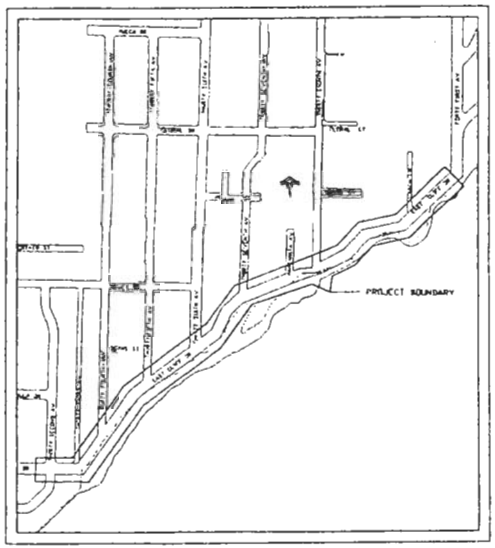
Figure 5-2a

Tetra Tech, Inc.

P/11762/Figure_5-2a/4-4-02/rv



LOCATION MAP



VICINITY MAP

APPROX. SCALE: 1"=600'

EAST CLIFF DRIVE PARKWAY

PRELIMINARY DESIGN PLANS

32nd AVE TO 41ST AVE

SANTA CRUZ COUNTY REDEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 510
SANTA CRUZ, CA 95060
PHONE(831)454-2280 FAX (831)454-3420

DRAWING INDEX

SHEET#	SHEET TITLE
A	COVER SHEET
S1-S6	PEDESTRIAN & BIKE PATH SITE PLAN
C1-C3	PRELIMINARY GRADING PLANS
C4-C7	PRELIMINARY GRADING SECTIONS
D1-D3	PRELIMINARY DRAINAGE PLANS
L1-L6	PRELIMINARY LANDSCAPE PLANS
SN1-SN3	SIGNAGE & SANCTUARY TRAIL MARKER PLANS
DET1	ILLUSTRATIVE SECTION / CURB DETAILS / MBNMS ELEMENTS
DET2	PLEASURE POINT PARK RESTROOM PLANS / FENCE DETAILS

PROJECT INFORMATION

Project Area Calculations - all estimates based on preliminary plans, subject to modifications and adjustments based on permit conditions and construction requirements

Pleasure Point Park

• Total area:	6,500 sf	(604 m²)
• New stabilized DG paving and building footprint	3,290 sf	(283 m²)
• Landscape area	3,410 sf	(317 m²)

Parkway/Roadway

• Total existing A/C road & path area	102,546 sf	(9,537 m²)
• New paved surface area	10,580 sf	(984 m²)
• Decreased paved area	2,205 sf	(206 m²)
• Net increase paved area	8,376 sf	(778 m²)
• Total landscape areas	15,462 sf	(1,436 m²)
• Calculated area of new curb & gutter A/C path & DG path (includes portions of existing A/C road shown above)	42,500 sf	(3,910 m²)

Bluff Protection Structure

• Soil Nail Wall 32nd to 36th Aves		
Total length	1,100 lf	(335 m)
Length of footing/scour apron	1,100 lf	(335 m)
Upper bluff construction	810 lf	(247 m)
Existing cribwall (emergency repairs)	290 lf	(88 m)
Estimated surface area	37,766 sf	(3,512 m²)
• Hook Area Wall		
Total length	300 lf	(93 m)
Estimated surface area	7,648 sf	(715 m²)

SHEET
A

CCC Exhibit B
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ATTACHMENT 9

ATTACHMENT 9

COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE

PARKWAY PLAN

PEDESTRIAN & BIKE PATH SITE PLAN

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DATE: 7/28/06
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BY	REVISION	DATE
PR/AK	SITE TURN/PARKING DIAS. ADDED	11/1/06

LEGEND

- C / ROW LINE
- NEW CURB & GUTTER
- NEW HIGH WATER LINE
- NEW PAVING EDGE
- NEW SAFETY RAILING
- NEW SPLIT RAIL FENCE
- A/C PATH
- SOIL NAIL WALL
- STAMPED DECOMPOSED GRANITE PAVING
- NEW LANDSCAPE AREA
- EXISTING LANDSCAPE TO REMAIN

SITE FURNISHINGS

- BENCH WITH BACK
- PICNIC TABLES
- TRASH / RECYCLE CONTAINER
- BIKE RACK

* NUMBER & LOCATION OF FEATURES MAY BE MODIFIED IN FUTURE PHASES OF LIME & KERMAN

MONTEREY BAY

EAST CLIFF DRIVE

34TH AVENUE

33RD AVENUE

32ND AVE

PLEASURE PT. DR.

032-211-06 MORROW

032-212-12 BOOMAR

032-212-13 THOMPSON

032-212-16 CHEVAR

032-201-44 BERRY

032-201-45 CHRISTENSEN

032-242-09 LAWRENCE

032-253-03 COUNTY OF SANTA CRUZ

NEW BEACH ACCESS STAIRWAY

LANDING OF EXISTING NATURAL LADDER

NEW CONCRETE RETAINING WALLS

NEW SOIL NAIL WALLS

NEW ACCESS RAMP

NEW CONCRETE SIDEWALK

NEW LANDSCAPING TO BE PLANTED

EXISTING LANDSCAPE TO BE REMOVED

EXISTING LANDSCAPE TO REMAIN

EXISTING WALL REPAIRS, TYP.

NOTE: ALL LAYOUT PAVED OR SHARED GEOTECHNICAL ENGINEER'S FINAL LETTER TO LATEST UPDATE FOR FINAL LOCATION OF WALL & REPAIRS

DRAWING NAME: ECLIFF.DWG
SHEET NAME: EC-S1

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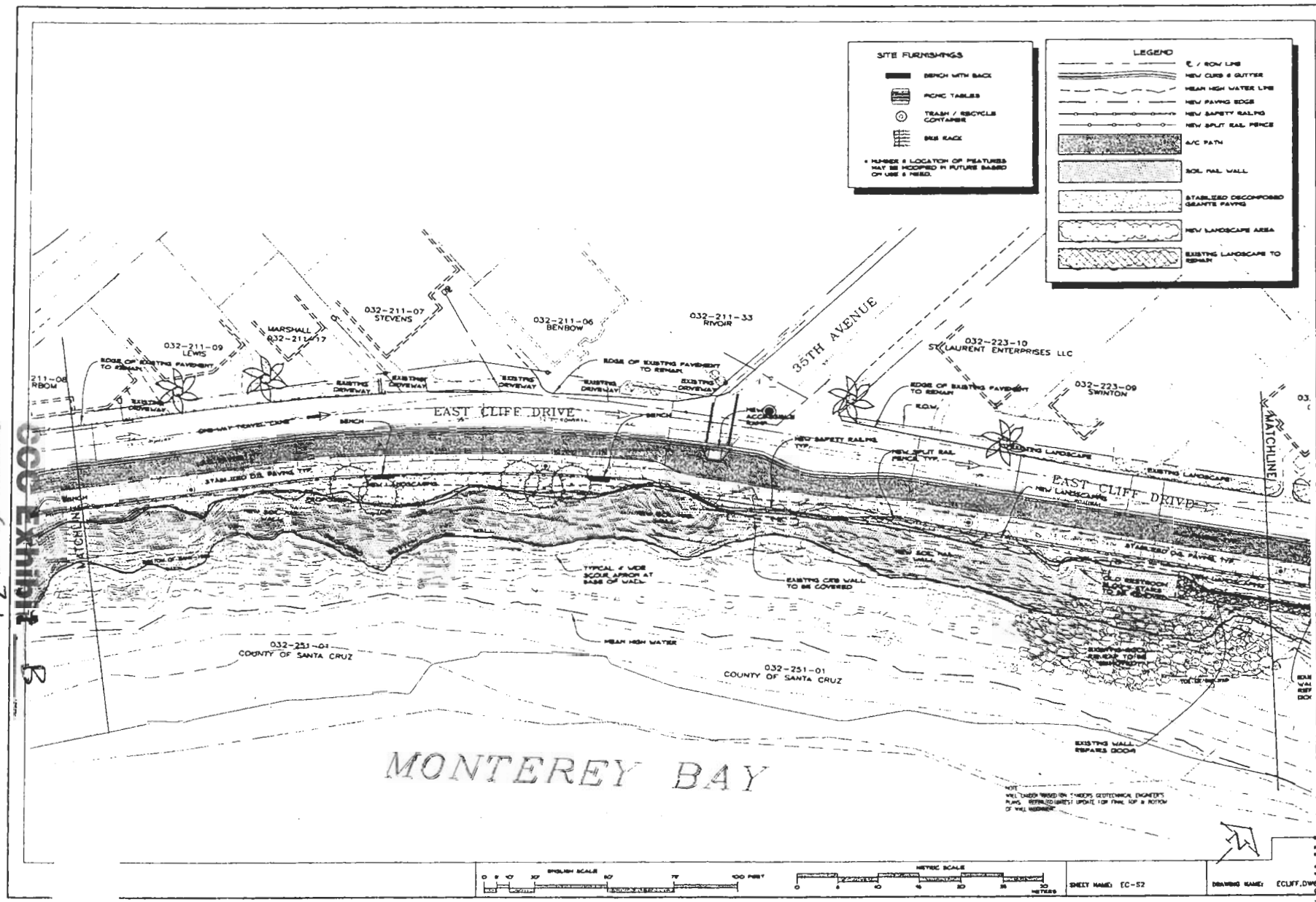

COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PEDESTRIAN & BIKE PATH SITE PLAN

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CCC Exhibit B
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MATCHLINE 9

ATTACHMENT 9

COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE

PARKWAY PLAN

PEDESTRIAN & BIKE PATH SITE PLAN

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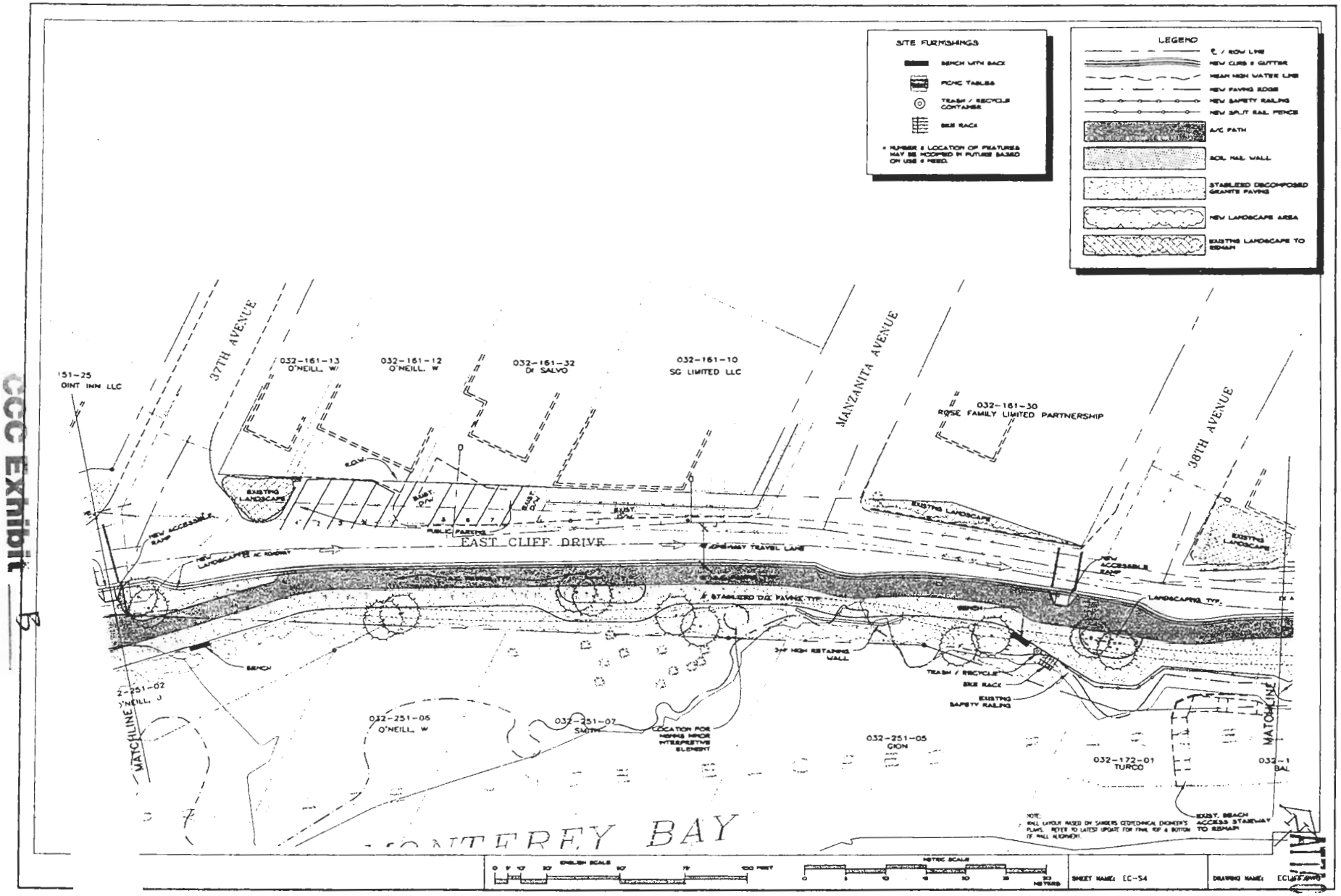

COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PEDESTRIAN & BIKE PATH SITE PLAN

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ATTACHMENT 9

COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE

PARKWAY PLAN

PEDESTRIAN & BIKE PATH SITE PLAN

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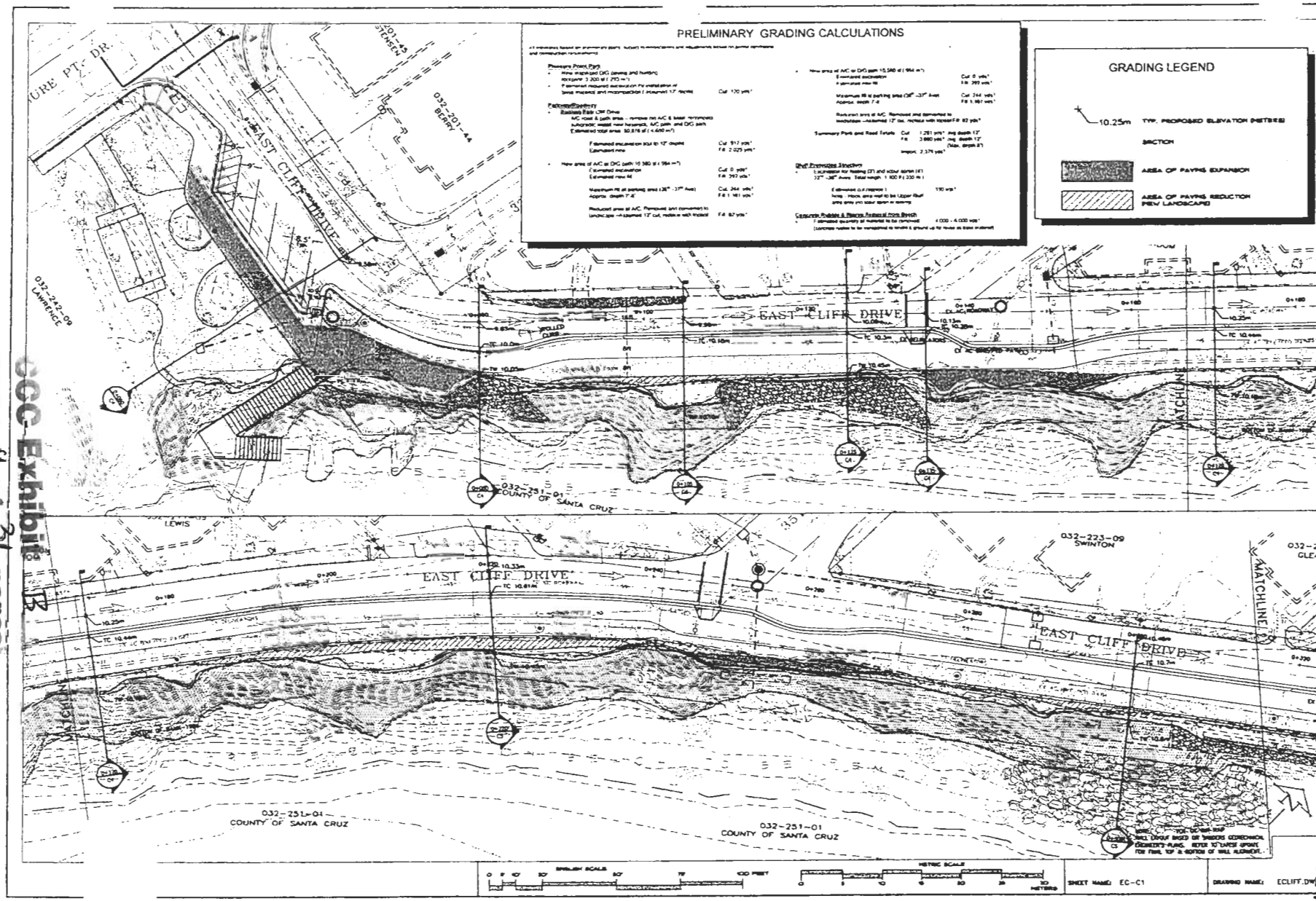

DATE	REVISION	BY
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COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PRELIMINARY GRADING PLAN

DRAWN: AK
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DATE: 7/28/06
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SHEET C1 of 27

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ATTACHMENT 9

COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE

PARKWAY PLAN

PRELIMINARY GRADING PLAN

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DATE: 7/28/06

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COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE

GRADING PLAN

PRELIMINARY GRADING PLAN

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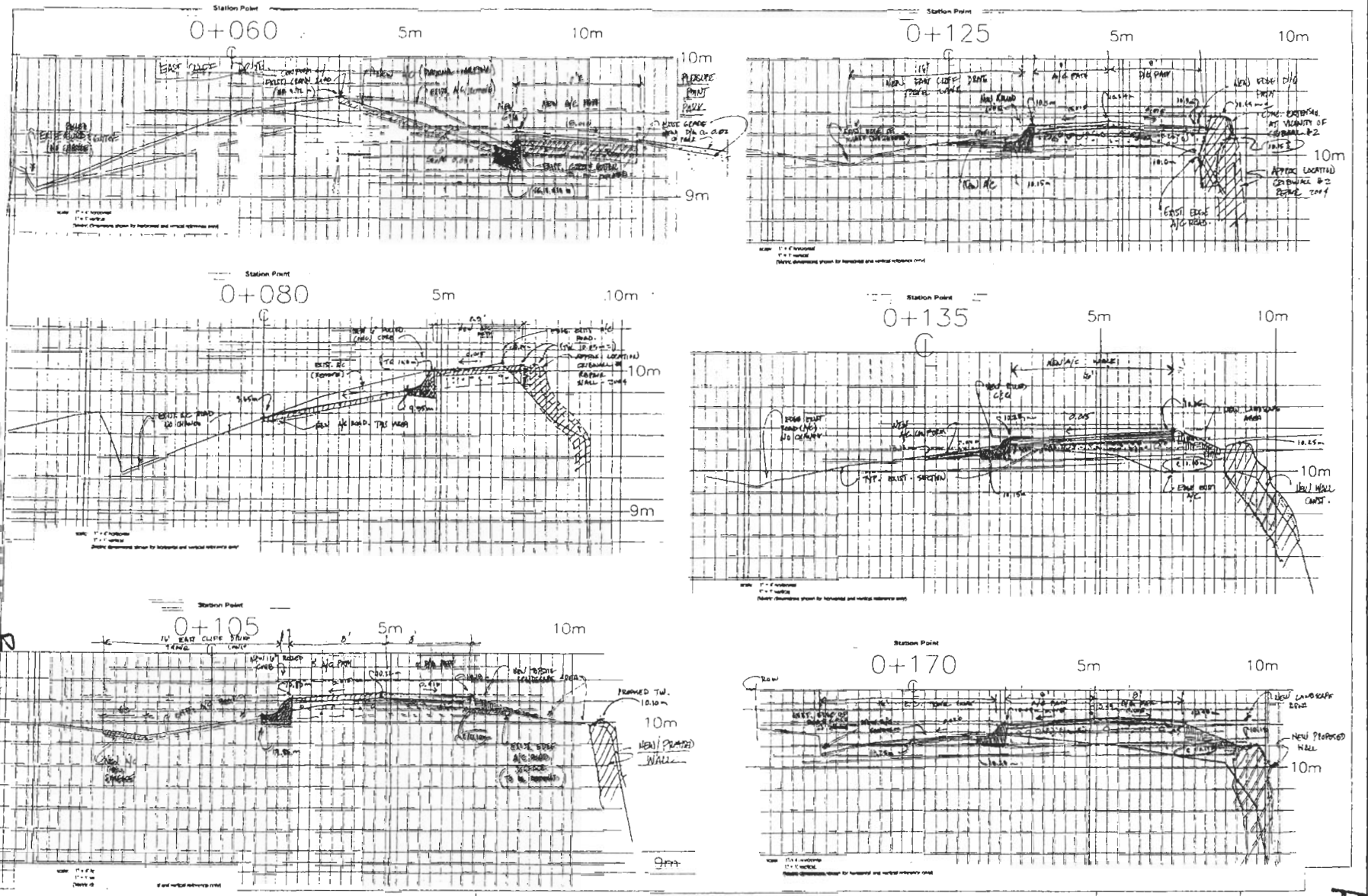

COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
GRADING - SECTIONS
PRELIMINARY

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C-4

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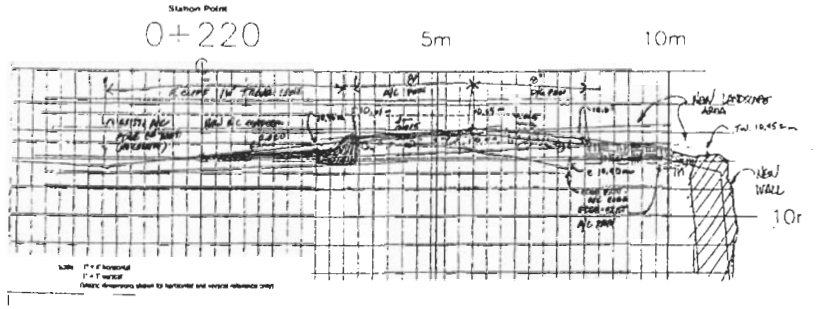

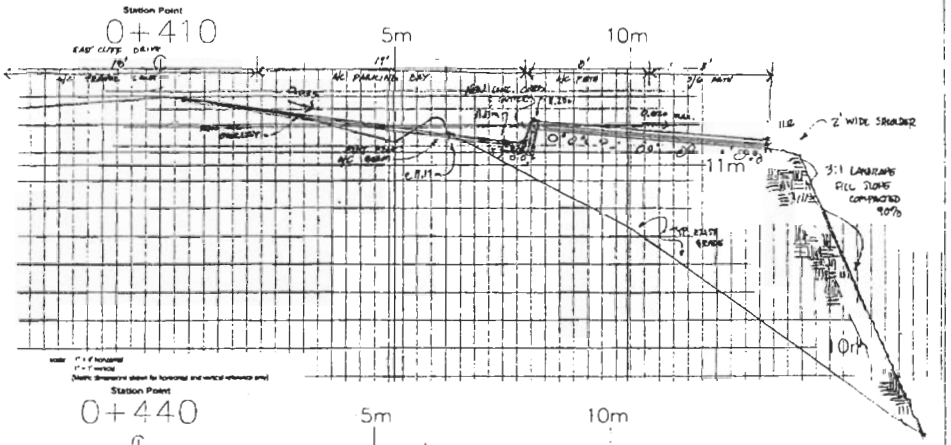

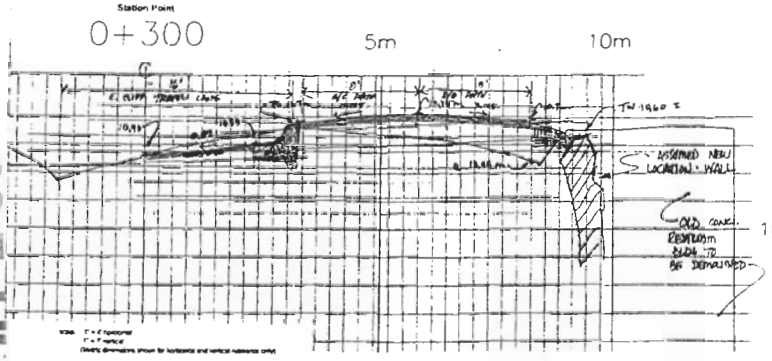

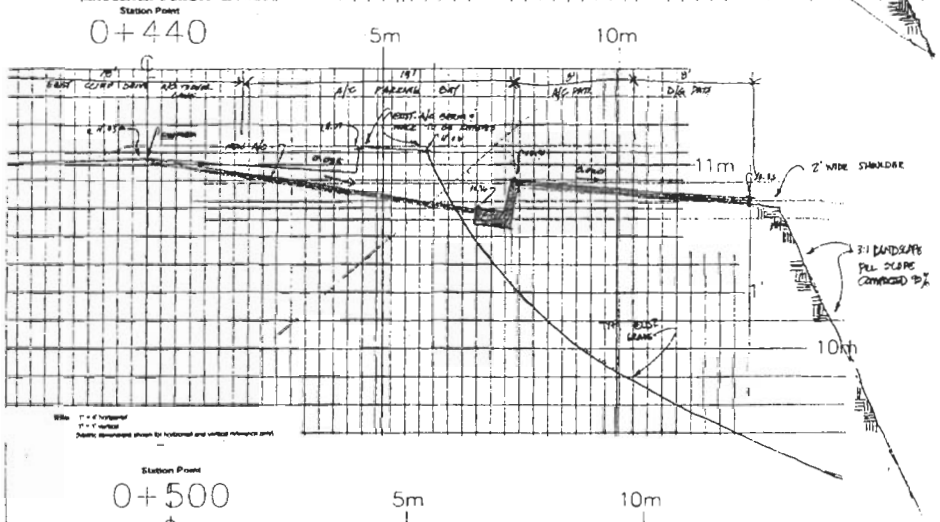

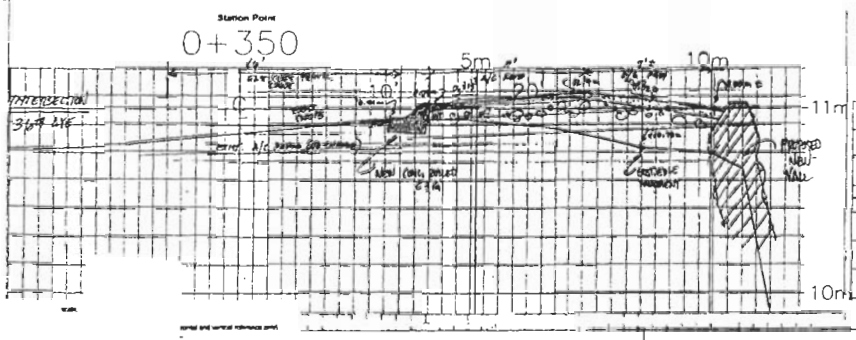

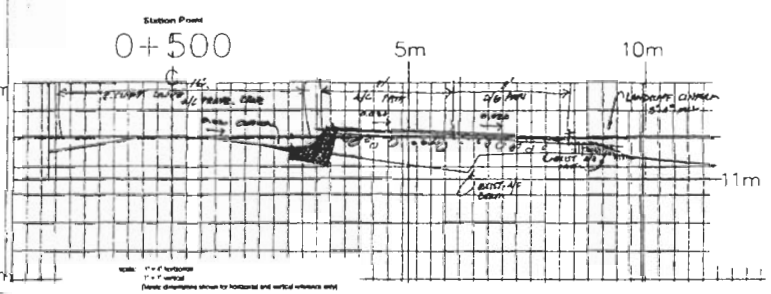

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REVISION	
DATE	

COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE

GRADING - SECTIONS

PRELIMINARY

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ATTACHMENT 9

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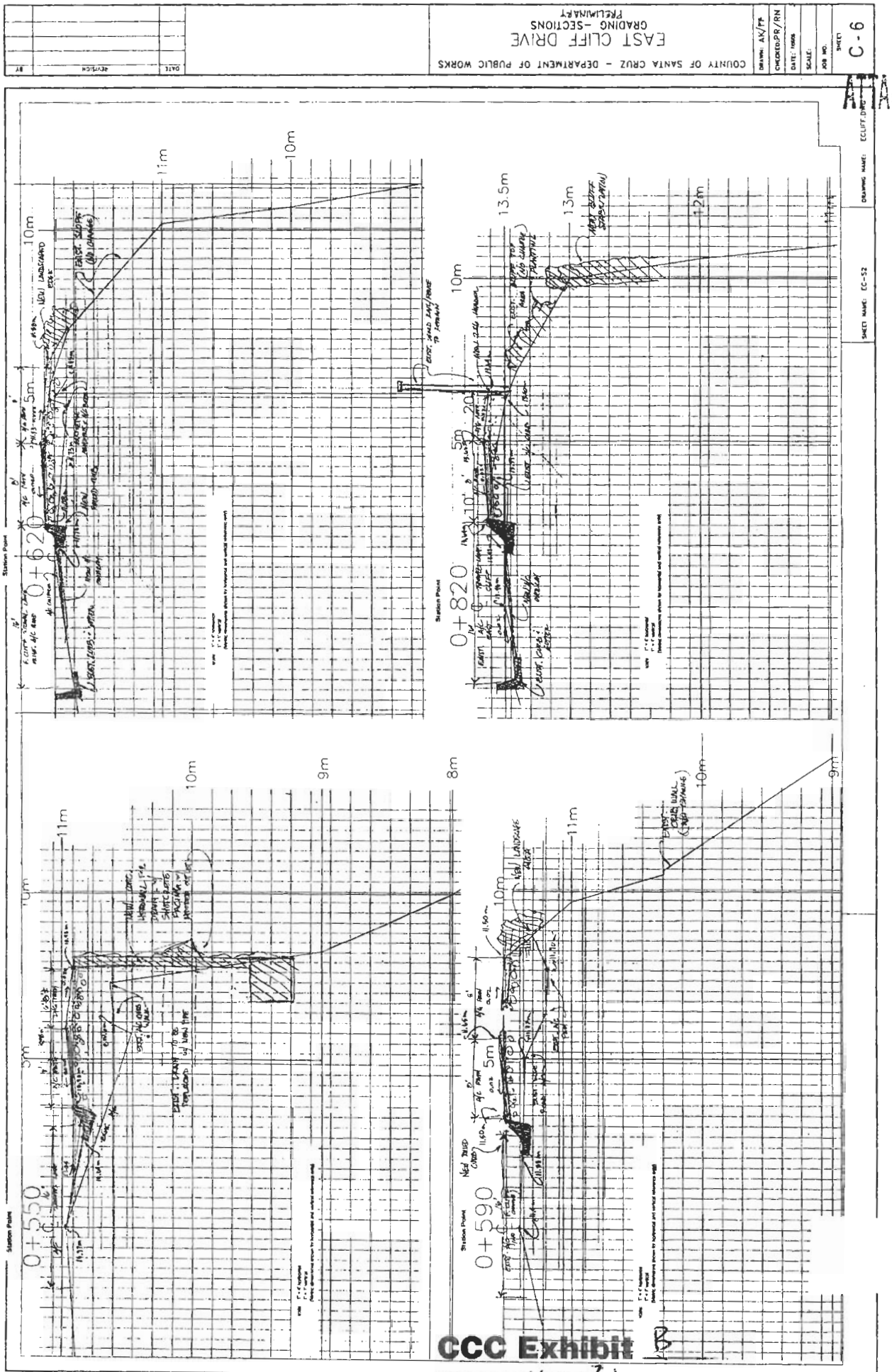

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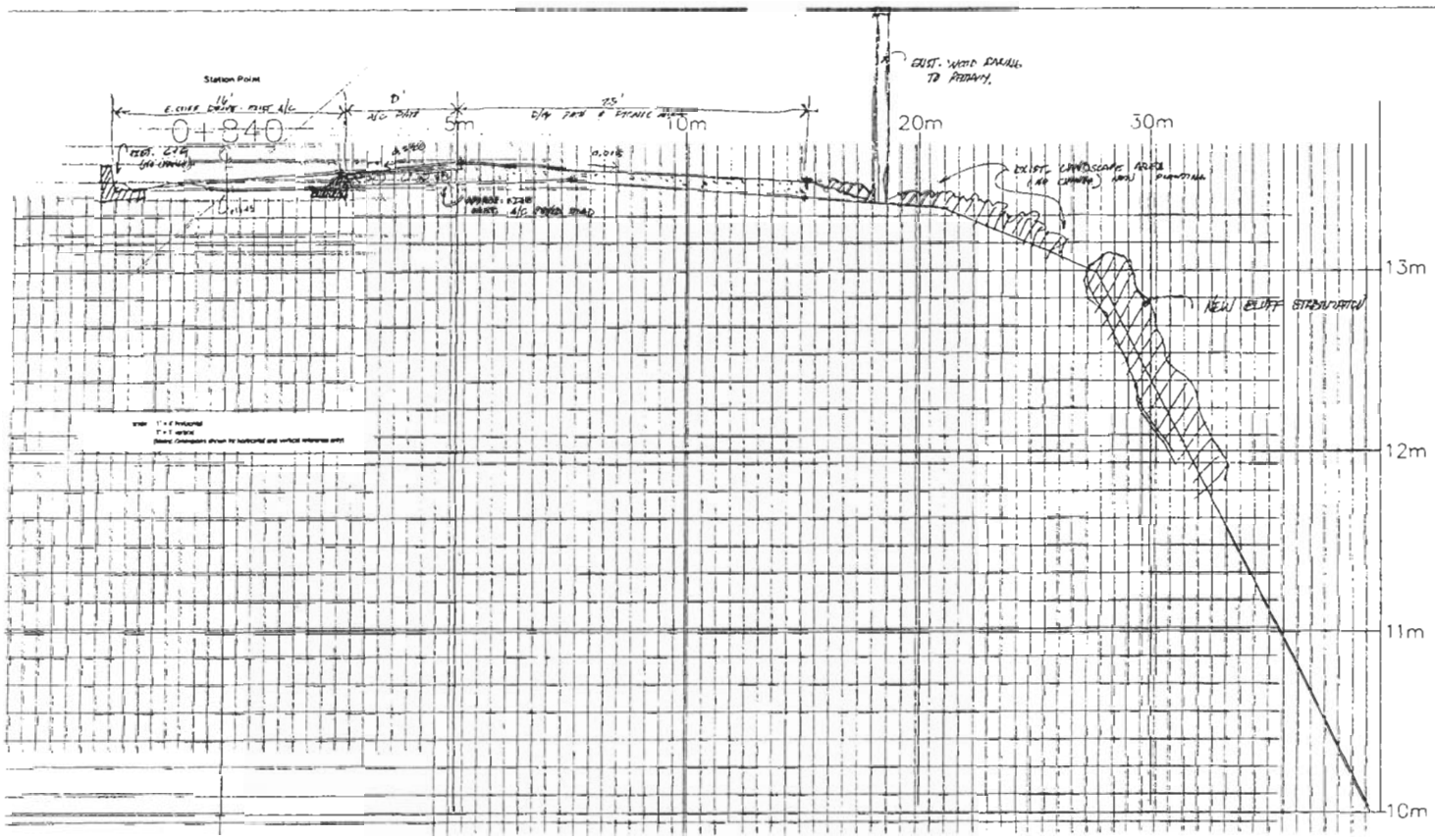

COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
GRADING -SECTIONS
PRELIMINARY

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SCALE:
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SHEET C-7

SHEET NAME: EC-S2
DRAWING NAME: ECLIFF.DWG

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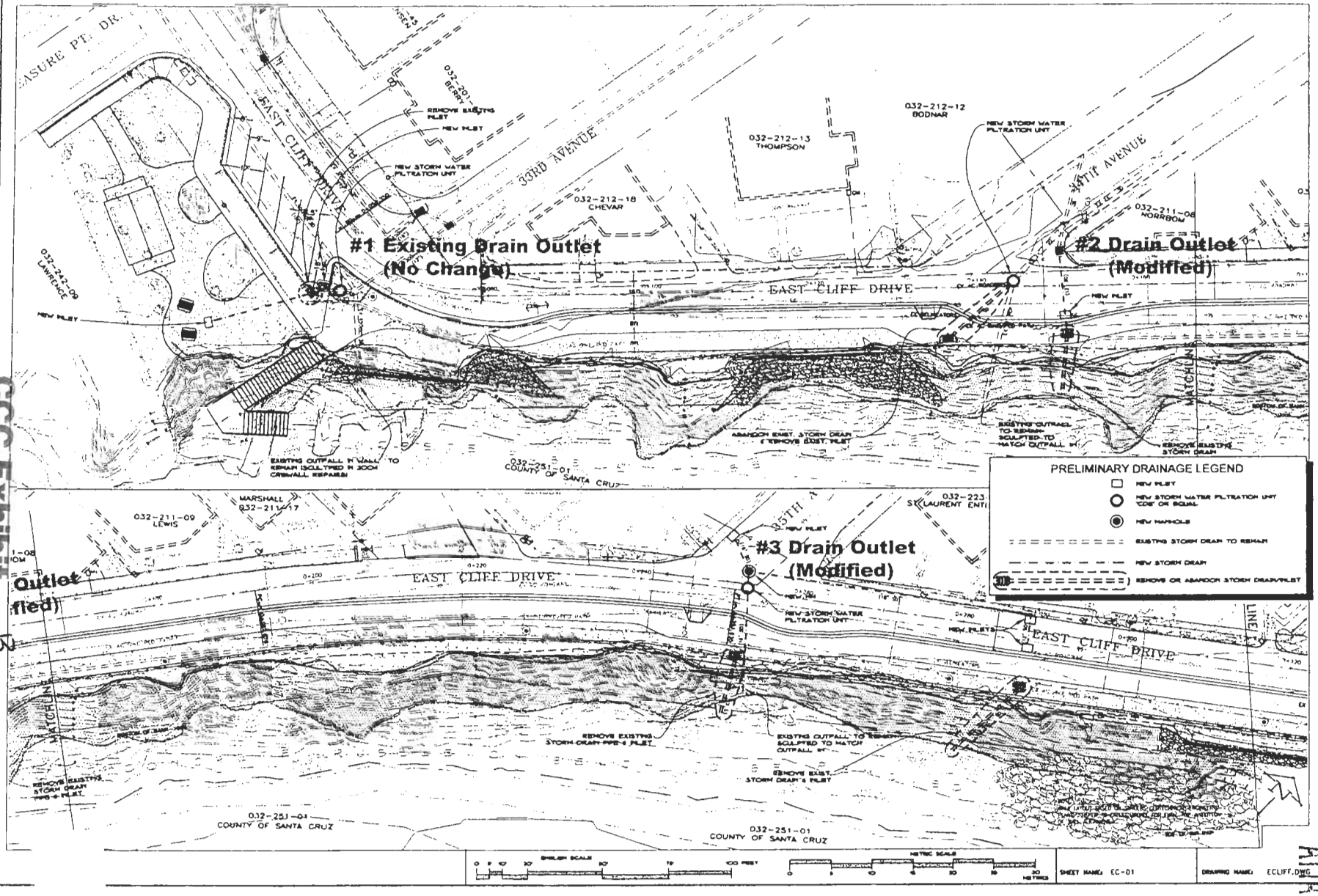

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COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PRELIMINARY DRAINAGE PLAN

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ATTACHMENT 9

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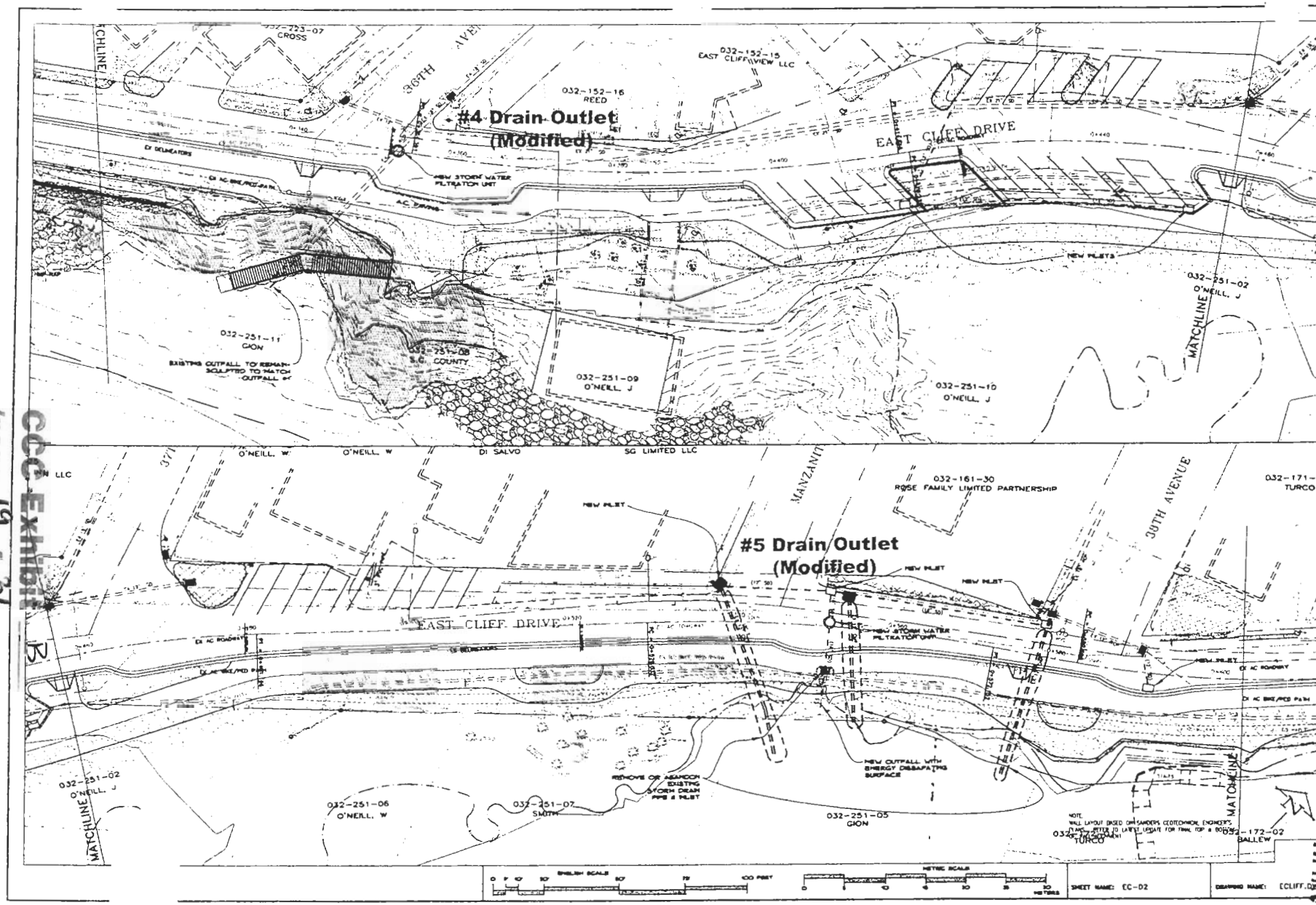

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COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PRELIMINARY DRAINAGE PLAN

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ATTACHMENT 9

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(page 19 of 31 pages)

ATTACHMENT 9

COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN

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SHEET	D3 27

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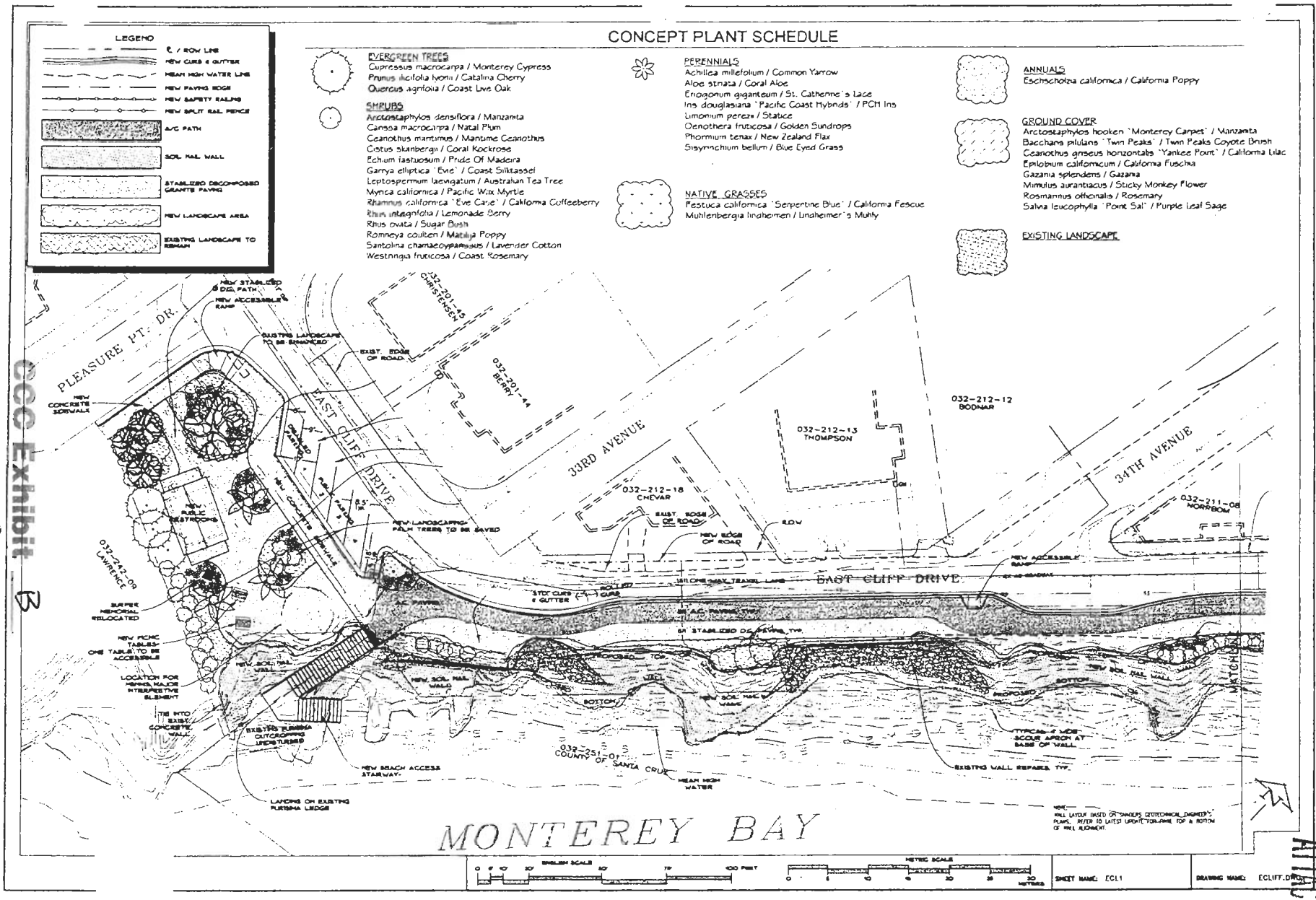

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COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PRELIMINARY LANDSCAPE PLAN

REVISION	DATE	BY
ADDED SITE, TURN/PARKING DIMS	11/1/06	PR/AK

DRAWN: AK
CHECKED: PR
DATE: 7/28/06
SCALE: 1:200
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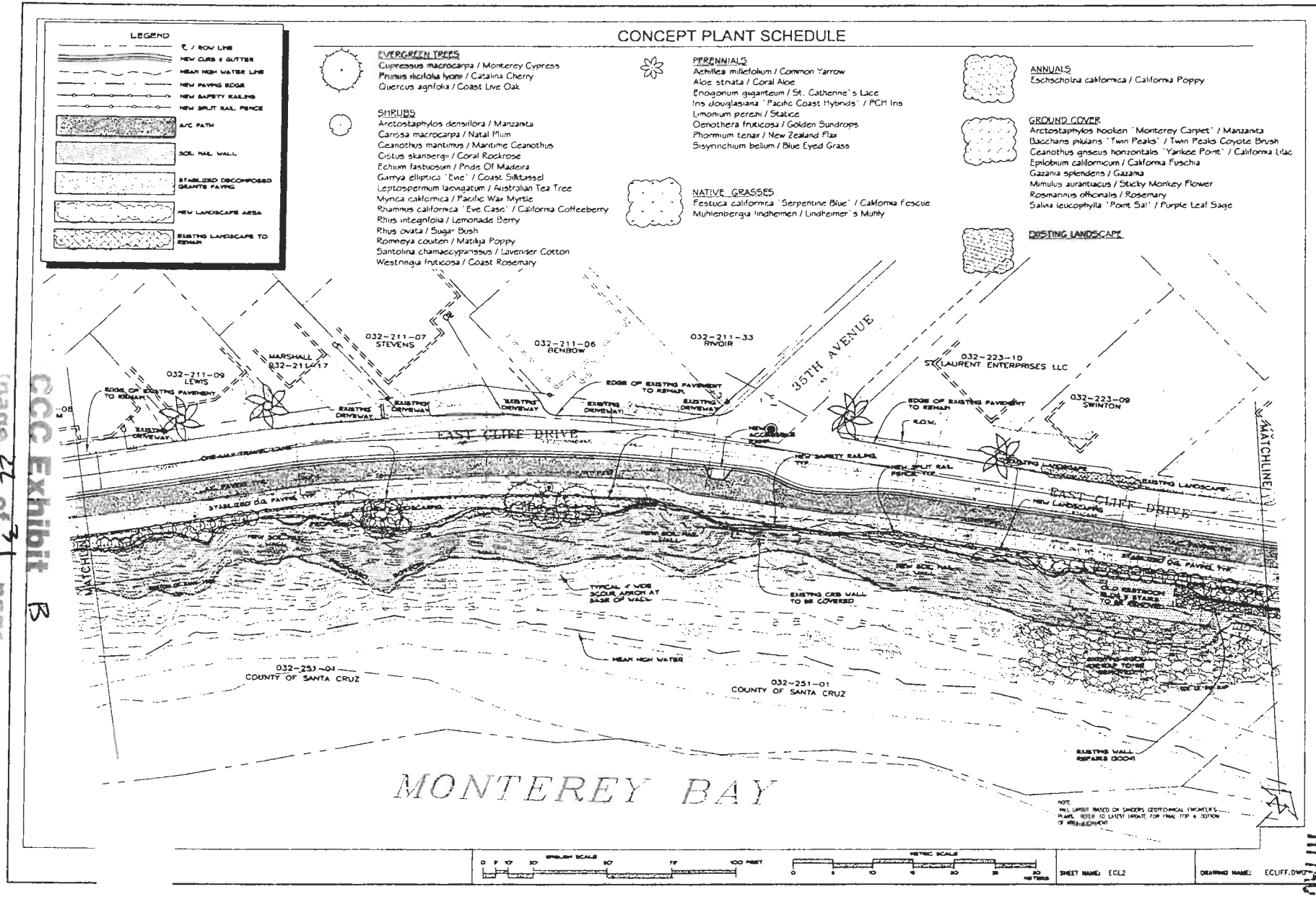

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COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PRELIMINARY LANDSCAPE PLAN

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DATE: 7/28/06
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SHEET 2 OF 27

CCC Exhibit B (page 22 of 31 page)

ATTACHMENT 9

ATTACHMENT 9

CONCEPT PLANT SCHEDULE

LEGEND

- ℄ / ROW LINE
- NEW CURB & GUTTER
- MEAN HIGH WATER LINE
- NEW PAVING EDGE
- NEW SAFETY RAILING
- NEW SPLIT RAIL FENCE
- A/C PATH
- SOIL NAIL WALL
- STABILIZED DECOMPOSED GRANITE PAVING
- NEW LANDSCAPE AREA
- EXISTING LANDSCAPE TO REMAIN

EVERGREEN TREES
Cupressus macrocarpa / Monterey Cypress
Prunus ilicifolia lyoni / Catalina Cherry
Quercus agrifolia / Coast Live Oak

SHRUBS
Arctostaphylos densiflora / Manzanita
Carissa macrocarpa / Natal Plum
Ceanothus maritimus / Maritime Ceanothus
Cistus skanbergii / Coral Rockrose
Echium fastuosum / Pride Of Madeira
Garrya elliptica 'Evie' / Coast Silktassel
Leptospermum laevigatum / Australian Tea Tree
Myrica californica / Pacific Wax Myrtle
Rhamnus californica 'Eve Case' / California Coffeeberry
Rhus integrifolia / Lemonade Berry
Rhus ovata / Sugar Bush
Romneya coulteri / Matilija Poppy
Santolina chamaecyparissus / Lavender Cotton
Westringia fruticosa / Coast Rosemary

PERENNIALS
Achillea millefolium / Common Yarrow
Aloe striata / Coral Aloe
Eriogonum giganteum / St. Catherine's Lace
Iris douglasiana 'Pacific Coast Hybrids' / PCH Iris
Limonium perezii / Statice
Oenothera fruticosa / Golden Sundrops
Phormium tenax / New Zealand Flax
Sisyrinchium bellum / Blue Eyed Grass

NATIVE GRASSES
Festuca californica 'Serpentine Blue' / California Fescue
Muhlenbergia lindheimeri / Lindheimer's Muhly

ANNUALS
Eschscholzia californica / California Poppy

GROUND COVER
Arctostaphylos hookeri 'Monterey Carpet' / Manzanita
Baccharis pilularis 'Twin Peaks' / Twin Peaks Coyote Brush
Ceanothus griseus horizontalis 'Yankee Point' / California Lilac
Epilobium californicum / California Fuschia
Gazania splendens / Gazania
Mimulus aurantiacus / Sticky Monkey Flower
Rosmarinus officinalis / Rosemary
Salvia leucophylla 'Point Sal' / Purple Leaf Sage

EXISTING LANDSCAPE

NOTE:
WALL LAYOUT BASED ON SANDERS GEOTECHNICAL ENGINEER'S PLANS. REFER TO LATEST UPDATE FOR FINAL TOP & BOTTOM OF WALL ALIGNMENT

ENGLISH SCALE 0 5 10 20 50 70 100 FEET
METRIC SCALE 0 5 10 15 20 25 30 METERS

SHEET NAME: ECL3 | DRAWING NAME: ECLIFF.DWG

DATE	REVISION	BY
11/1/06	SITE FURN/PARKING DWGS. ADDED	PR/AX

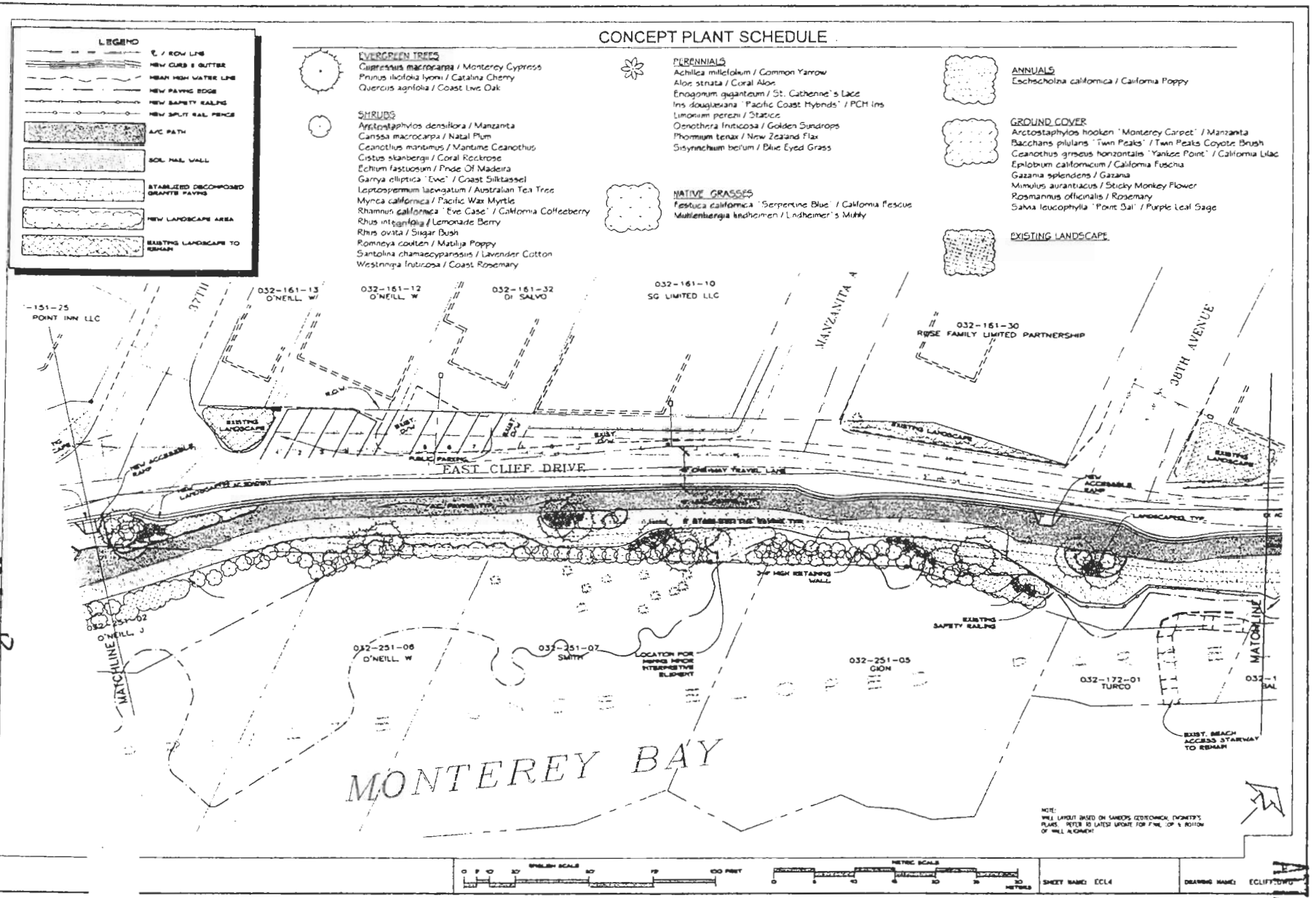
SANTA CRUZ COUNTY REDEVELOPMENT AGENCY
701 OCEAN STREET, SANTA CRUZ, CA 95060
PHONE: (831) 454-2280 FAX: (831) 454-3420

COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PRELIMINARY LANDSCAPE PLAN

DRAWN: AK
CHECKED: PR
DATE: 7/28/06
SCALE: 1:200
JOB NO.
SHEET L3 of 27

CCC Exhibit B
(page 23 of 31 pages)



BY	REVISION	DATE
PR/AK	ADDED SITE PLAN/PARKING DIMS.	11/1/06

SANTA CRUZ COUNTY REDEVELOPMENT AGENCY
701 OCEAN STREET, SANTA CRUZ, CA 95060
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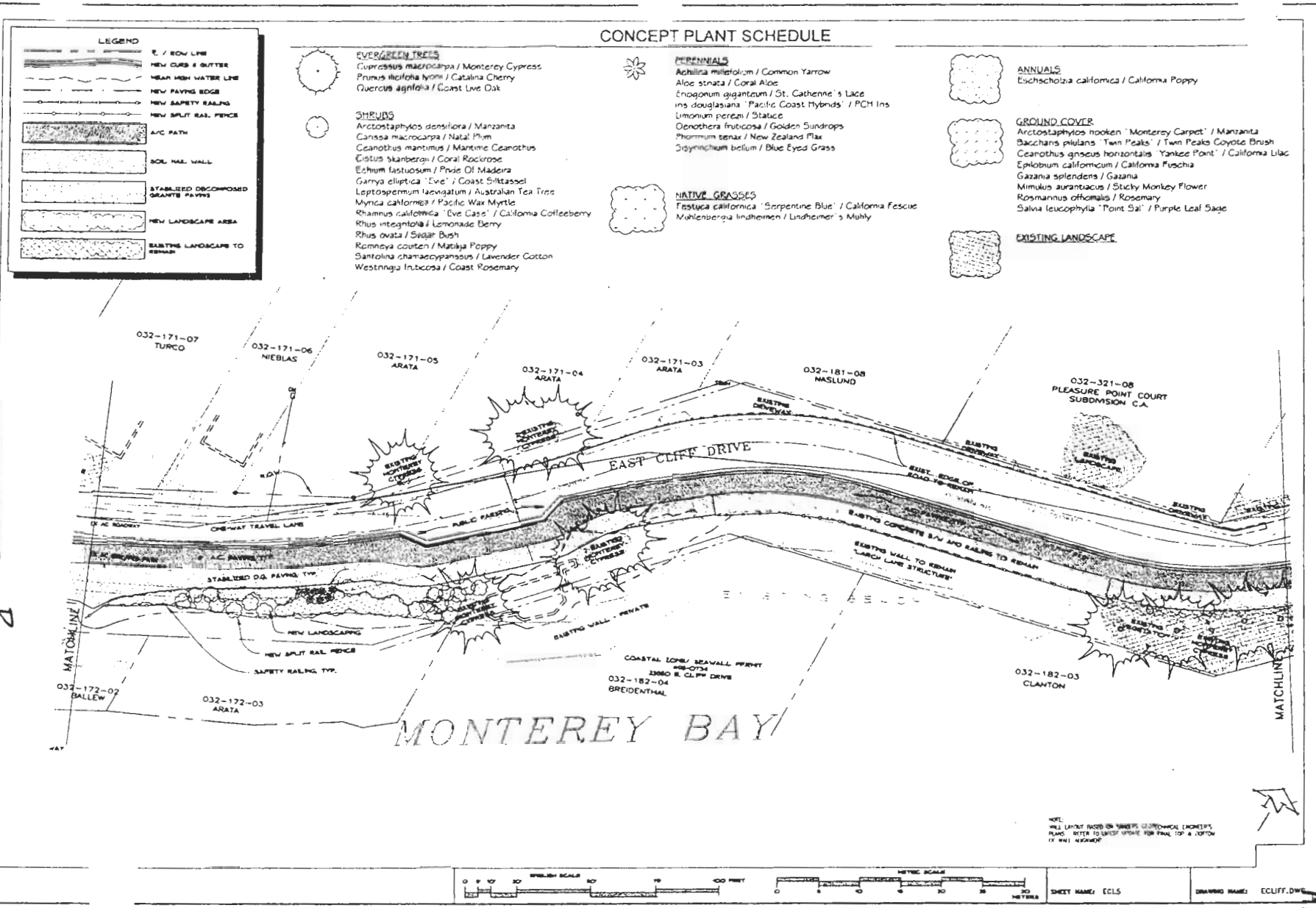
COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PRELIMINARY LANDSCAPE PLAN

DRAWN: AK
CHECKED: PR
DATE: 7/28/06
SCALE: 1:200
JOB NO.
SHEET L4 OF 27

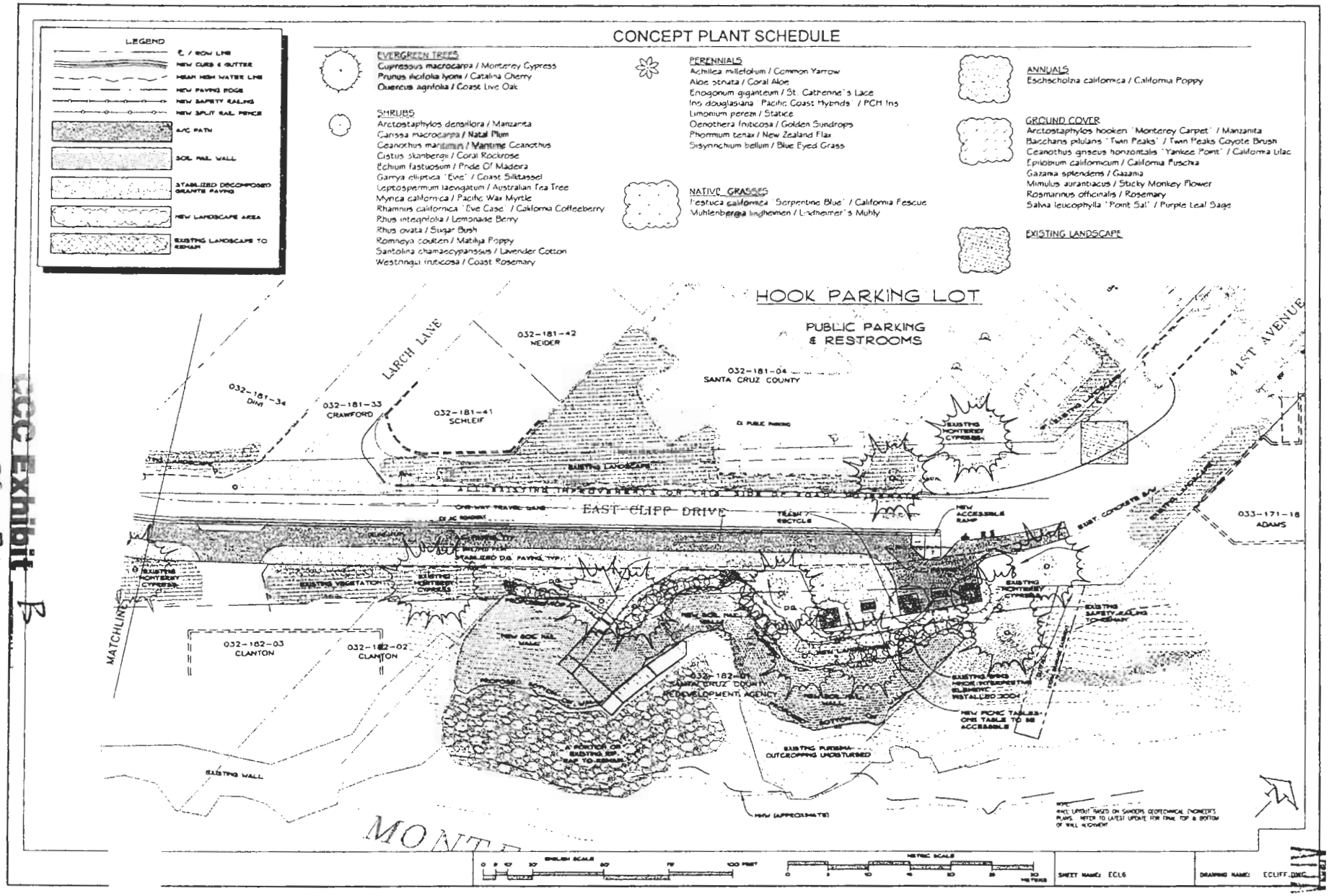
CCC Exhibit 8 (page 24 of 31 pages)

ATTACHMENT 9



CCC Exhibit B (page 25 of 31 pages)

ATTACHMENT 9



REVISION	BY
DATE 11/1/06 SITE PLAN/PARKING DIMS ADDED	PR/AK

SANTA CRUZ COUNTY REDEVELOPMENT AGENCY
701 OCEAN STREET, SANTA CRUZ, CA 93060
PHONE: (831) 454-2280 FAX: (831) 454-3420

COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

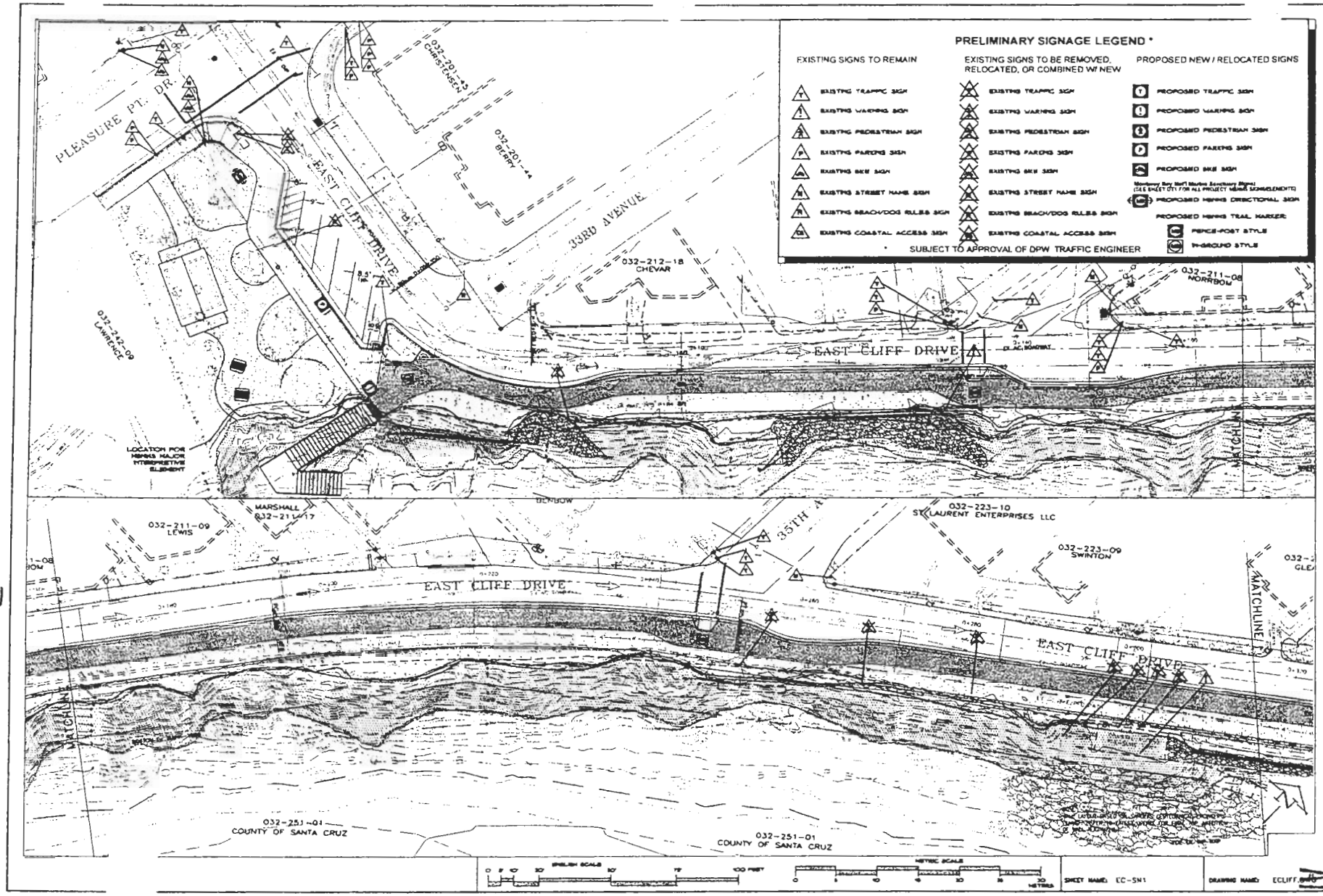
EAST CLIFF DRIVE
PARKWAY PLAN
PRELIMINARY LANDSCAPE PLAN

DRAWN: AK
CHECKED: PR
DATE: 7/28/06
SCALE: 1:200
JOB NO.
SHEET L6 of 27

Page 26 of 31 pages

Exhibit B

ATTACHMENT 6



COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
SIGNAGE & SANTCUARY TRAIL MARKER PLAN

SANTA CRUZ COUNTY REDEVELOPMENT AGENCY
701 OCEAN STREET, SANTA CRUZ, CA 95060
PHONE: (831) 454-2280 FAX: (831) 454-3420

DATE	REVISION	BY
11/1/06	SITE FURN/PARKING DIMS. ADDED	PR/AK

DRAWN: AK
CHECKED: PR/RN
DATE: 7/28/06
SCALE: 1:200
JOB NO.
SHEET SN1 of 27

ATTACHMENT 9

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(page 27 of 31 pages)

ATTACHMENT 9

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(page 28 of 31 pages)

ATTACHMENT 9

COUNTY OF SANTA CRUZ – DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
SIGNAGE & SANITCUARY TRAIL MARKER PLAN

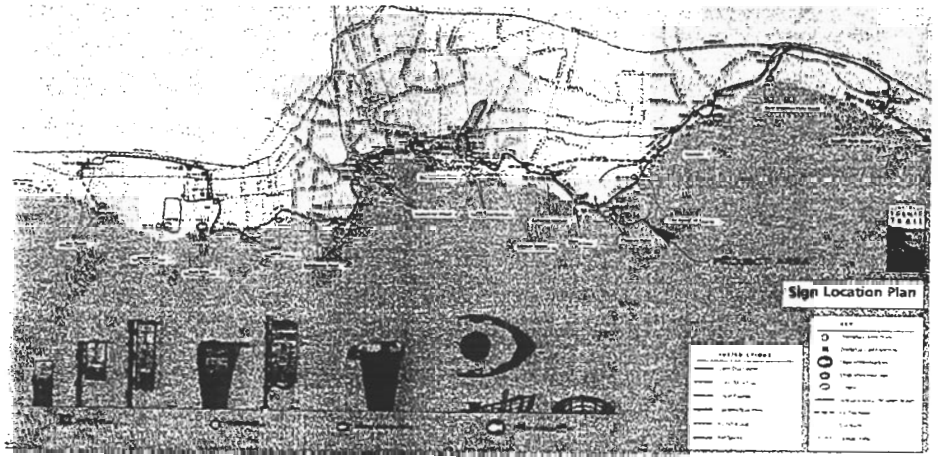
DRAWN: AK
CHECKED: PR/RN
DATE: 7/28/06
SCALE: 1:200
JOB NO.:
SHEET: SN3 of 27

SANTA CRUZ COUNTY REDEVELOPMENT AGENCY
701 OCEAN STREET, SANTA CRUZ, CA 95060
PHONE: (831) 454-2280 FAX: (831) 454-3420

BY	REVISION	DATE
PR/AK	SITE PLAN/PARKING DIMS. ADDED	11/1/06

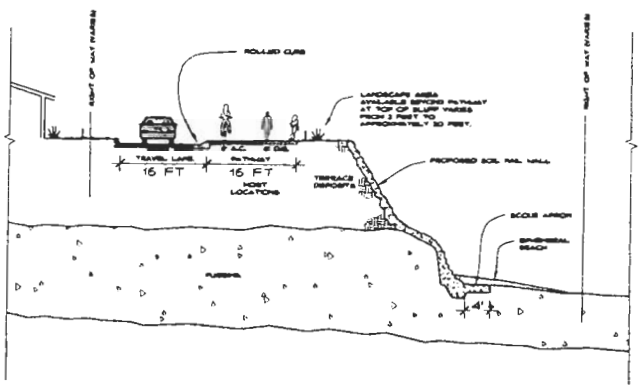
B

CCC Exhibit ____
(page 29 of 31 pages)



SIGN LOCATION PLAN

MBNMS SCENIC TRAIL



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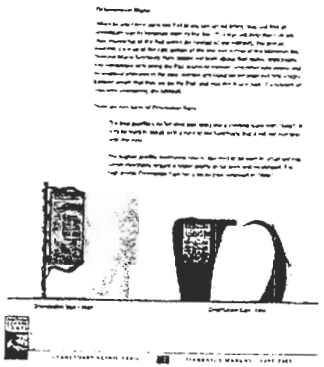
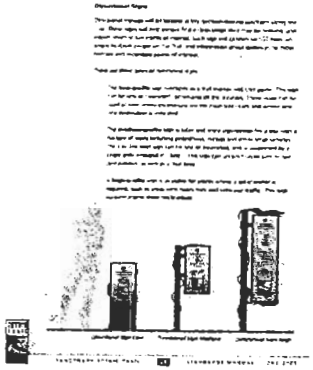


ORIENTATION SIGN

MBNMS SCENIC TRAIL

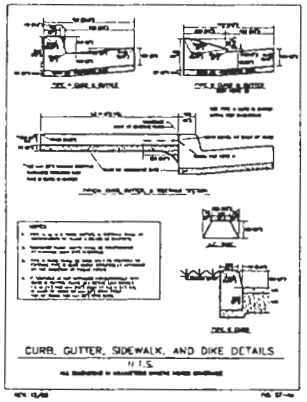


DIRECTIONAL SIGN

MBNMS SCENIC TRAIL

MINOR INTERPRETIVE EXHIBIT

MBNMS SCENIC TRAIL



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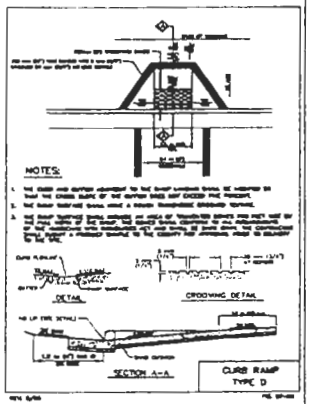
TYPE B



CURB RAMP

TYPE D

DATE	REVISION	BY
11/1/06	SITE TURN/PARKING DIMS. ADDED	PR/AK

SANTA CRUZ COUNTY REDEVELOPMENT AGENCY
701 OCEAN STREET, SANTA CRUZ, CA 95060
PHONE: (831) 454-2280 FAX: (831) 454-3420

COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
ILLUSTRATIVE SECTION / MBNMS TRAIL SIGNAGE

DRAWN: AK
CHECKED:
DATE: 7/28/06
SCALE: AS NOTED
JOB NO.
SHEET
DT 27

SHEET NAME: EC-DT1

DRAWING NAME: ECLIFF.DWG

ATTACHMENT 9

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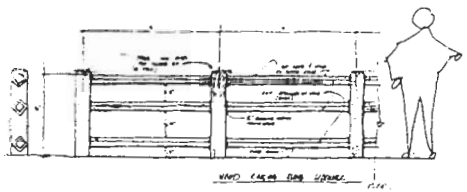
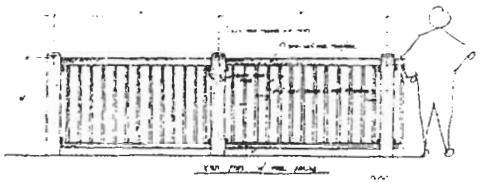
page 30 of 31 pages

CCC Exhibit B
page 21 of 21 pages



WOOD RAIL FENCE

SCALE: 3/4"=1'-0"



WOOD POST W/ STEEL RAILING

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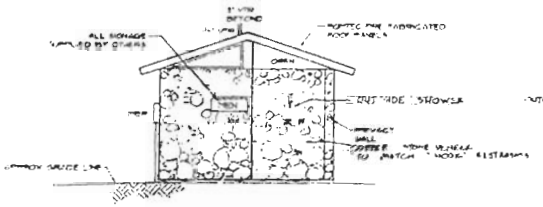

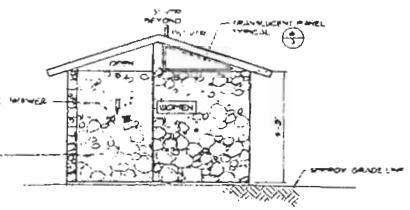

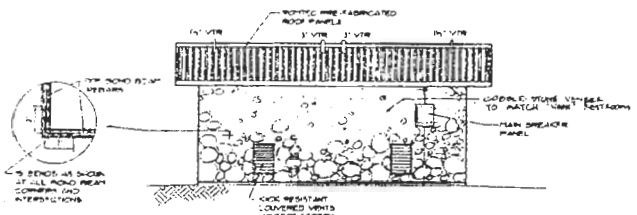

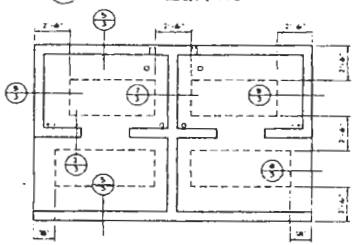

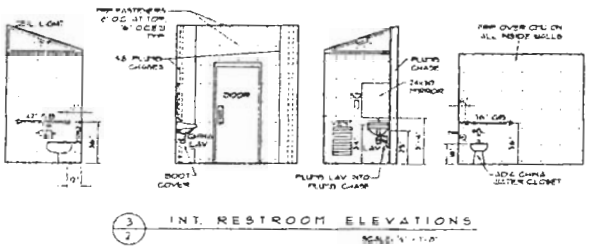

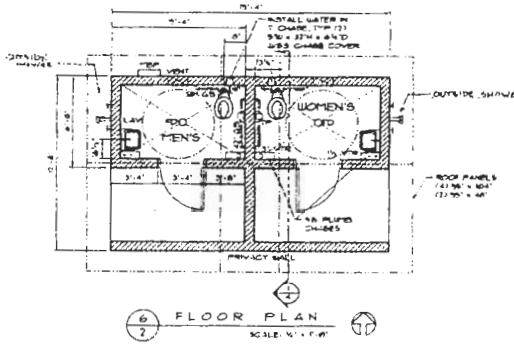

NEW RESTROOM BUILDING

PLEASURE POINT PARK

SCALE AS NOTED

REVISION	DATE	BY
SITE PLAN/PARKING DIMS. ADDED	11/1/06	PR/AK

SANTA CRUZ COUNTY REDEVELOPMENT AGENCY
701 OCEAN STREET, SANTA CRUZ, CA 95060
PHONE: (831) 454-2280 FAX: (831) 454-3420

COUNTY OF SANTA CRUZ - DEPARTMENT OF PUBLIC WORKS

EAST CLIFF DRIVE
PARKWAY PLAN
PLEASURE POINT PARK RESTROOM PLANS / FENCE DETAILS

DRAWN:	AK
CHECKED:	PR
DATE:	7/28/06
SCALE:	AS NOTED
JOB NO.	
SHEET	DT2 of 27

SHEET NAME: EC-DT1

DRAWING NAME: EC_DT1.DWG

ATTACHMENT 9

COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT
701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, PLANNING DIRECTOR

March 6, 2007

AGENDA DATE: March 20, 2007

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: Public hearing to consider Application 00-0797 for the East Cliff Drive Bluff Protection and Parkway Project with associated Environmental Impact Statement/ Environmental Impact Report (EIS/EIR)

Members of the Board:

On January 24, 2007, the Planning Commission held a public hearing to consider the East Cliff Drive Bluff Protection and Parkway Project and associated EIS/EIR. The project is located within and adjacent to the East Cliff Drive public right-of-way between 32nd and 41st Avenues in the Pleasure Point area of Live Oak. The project includes: 1) construction of roadway, bicycle, pedestrian, and park site improvements; 2) grading authorizations for these improvements and two bluff protection structures, one between 33rd and 36th avenues and the second at 41st Avenue; and 3) recognition of three existing, smaller bluff protection structures authorized by an emergency permit in 2004. The applicant is the County of Santa Cruz Redevelopment Agency and Department of Public Works.

The Planning Commission has recommended certification of the EIS/EIR and approval of this application to your Board. This public hearing has been set to consider this proposal.

Project Discussion

The East Cliff Drive Bluff Protection and Parkway Project consists of a proposal to reconstruct a portion of East Cliff Drive to add a pedestrian and bicycle access parkway along the ocean side of the roadway and to provide bluff protection structures. There are two components to the project approval requirements. The first includes a County Coastal Development Permit and other permits to: construct the roadway and parkway improvements from 32nd Avenue to 41st Avenue with landscape and drainage improvements and to formalize parking; approve a Park Master Site Plan and park improvements for the Pleasure Point park/overlook with a Variance to construct a new public restroom facility within the required 30-foot setback; recognize existing bluff crib wall repairs authorized by Emergency Coastal Development and Grading Permit 04-0307; perform grading to construct roadway improvements and shoreline protection structures and remove beach riprap and rubble; and, certify an Environmental Impact Report.

The second component under California Coastal Commission permit jurisdiction includes construction of 1,100 feet of bluff protection (soil nail walls) between 33rd and 36th Avenues and 300 feet of bluff protection at the Hook area at 41st Avenue, one new and two replacement beach access stairways, and demolition of an abandoned restroom building at the stairs between 35th and 36th Avenues. As a note,

the road and parkway project as proposed can likely not occur without the bluff stabilization portion of the project, which is under the Coastal Commission's jurisdiction.

An EIS/EIR (Attachment 4) was done for the total project including both jurisdictional segments. The Revised Final East Cliff Drive Bluff Protection and Parkway EIS/EIR document addresses all of the potential impacts and alternatives analysis for the entire project. See the EIS/EIR project description discussions in Chapters 1 and 2 for details on the entire proposed project. The EIS/EIR further breaks up the entire project into 3 smaller projects consisting of the Main Bluff Protection Structure, the Parkway, and The Hook Bluff Protection Structure. The proposed project as referenced in this report is analyzed in the EIS/EIR under Alternative 1: Full Bluff Armoring (Preferred Alternative).

Road and Parkway Improvements

The proposed road improvements consist of a 16-foot one-way vehicular travel lane in the eastbound direction from 32nd to 41st Avenue (about ½ mile long), similar to the existing alignment. The bicycle and pedestrian improvements will consist of two parallel paths: an 8-foot wide asphalt bicycle/multi-use path and a typical 8-foot wide stabilized decomposed granite pedestrian path located adjacent to the roadway on the ocean side between the travel lane and bluff top. A rolled or "battered" curb will be provided between the roadway and the pedestrian/bicycle path to provide a grade separation from vehicular traffic and to control surface drainage, while accommodating additional width needed for emergency access. The proposed project will improve pedestrian and bicycle access and safety along East Cliff Drive, and contribute to an improved network of bicycle and pedestrian facilities with the implementation of this portion of the Monterey Bay National Marine Sanctuary (MBNMS) Scenic Trail.

A 5 to 10-foot wide landscaped buffer of native and coastal adapted vegetation will be installed along the paths where there is sufficient room. The new landscaping also includes several native Monterey Cypress trees. Parkway furniture including benches, tables, trash and recycling containers will be provided along the parkway and will be maintained by the Parks Department. Low split rail fencing is proposed along the parkway, except when metal and wood safety railings are necessary where the path is immediately adjacent to the top of bluff. Trail markers and interpretive elements will also be installed as part of the MBNMS Scenic Trail.

Park Development

This project includes a Master Site Plan review for the park Coastal Priority Site pursuant to General Plan Land Use Policy 2.23.2 and Figure 2-5 and pursuant to the PR zone requirements in Code Section 13.10.355. These requirements are addressed by the project plans. Pleasure Point Park is approximately 7,635 square feet in area and is located at the westernmost end of the proposed project site, at the southeast corner of the 32nd Avenue/Pleasure Point Drive and East Cliff Drive intersection. This park serves as a primary viewing area for the beach and the surf below and is heavily used by surfers as an access point to the beach. Proposed improvements to the park include the construction of a small restroom with an outdoor shower (constructed in a style similar to that of the one at the Hook Parking lot), drainage facilities, landscaping, and outdoor seating and picnic tables. The large palm trees on the site will be retained. This site is also identified as a location for a major MBNMS Scenic Trail interpretive element and will be the location of a new beach access stairway (Stairway 1).

The proposed public restroom at the park requires a Variance for the setbacks. The PR zone requires that all new structures maintain a 30-foot setback (pursuant to County Code Section 13.10.353). This park is located on a small lot relative to typical PR park sites, there are limited opportunities to situate the small building on this corner parcel (with no location option that would not require a variance), and the new public restroom will replace the existing portable restrooms. It is important with siting this

CCC Exhibit 6
(page 2 of 46 pages)

restroom that it be located back from the adjacent public roadway and that it not disrupt views of the adjacent coast. For additional discussion see the Variance Findings (Attachment 1).

Grading/Riprap Removal and Drainage

The project includes grading approval for roughly 4,200 cubic yards of grading for the roadway, parkway, park, and bluff protection structures. It also includes an estimated 4,000 to 6,000 cubic yards of concrete rubble and riprap to be removed from the beach area between 32nd and 36th Avenues. Removal will be done with cranes and dump trucks staged from the road above the beach. This work would result in more beach area available to the public and improve aesthetics. Some of the rock riprap may be relocated to areas around the base of the stairs for added protection during large storms.

The roadway improvements include upgrades to the major street drainage outfalls with improved storm water treatment devices and consolidation of the storm drain outfall units where feasible. The road sections and park site are designed to drain away from the top of the bluff into new catch basins that will be equipped with improved filtration and water quality mechanisms, as per best management practices. New advanced stormwater treatment system (e.g. "CDS", "Vortechs" or similar brand) filtration units will be installed for all new outfalls in the project area as part of the parkway improvements. The outfall pipes will also be partially shielded from view, angled and covered with colored concrete to blend with the surrounding bluff structure, making them less obtrusive and more compatible with the visual character of the area.

Emergency Wall Repairs

In 2004 coastal erosion and deterioration of the reinforcement had severely damaged four crib-retaining walls between 33rd and 36th Avenues along the bluff adjacent to East Cliff Drive. Inspections by Sanders & Associates Geostructural Engineers (SAGE) revealed an immediate need to repair these existing walls to avoid failures of the walls and to protect public safety. Based on their conclusion that the walls were in an advanced stage of failure and that collapse should be considered imminent (Attachment 7, Exhibit H), it was determined that emergency measures were warranted to prevent the loss of the roadway and utilities and to ensure public safety. (See also later SAGE reports that provided additional bluff evaluation, threat and slope stability analyses in the EIS/EIR, Appendix G.)

The County Department of Public Works oversaw a contract to complete the repairs to the crib walls pursuant to Permit 04-0307 (see Emergency Repair Plans, Attachment 9, and Permit 04-0307, Attachment 7, Exhibit H). This work was completed by installing approximately 300 linear feet of soil nail walls over the face of the existing crib walls, then adding primary and secondary shotcrete and finish facing. The final finish was sculpted and stained to create a natural appearance and closely match the natural bluffs (see EIS/EIR Existing Conditions Photos, Figures 5-1a and 5-1b). All work was staged from the roadway above, with no mechanical equipment required to be on the beach. This repair work complied with the emergency coastal and grading provisions of Chapters 13.20.090 and 16.20.116 of the County Code.

Scenic/Visual Resources and Design Review

East Cliff Drive is a significant stretch of coastal bluff in the Live Oak area that offers a continuous unobstructed view of Monterey Bay. The adjacent area is also considered an important coastal scenic resource in the General Plan. The length of the project area offers exceptional public views and vistas and, because East Cliff Drive between 33rd Avenue and 41st Avenue is designated as a "County Scenic Road," public vistas along this road are afforded the highest level of protection. The General Plan specifically designates Pleasure Point Park and The Hook as "Coastal Priority Sites" to preserve

coastal access and views. The proposed Sanctuary Scenic Trail also designates the Pleasure Point Park site, the area near 35th Avenue, and The Hook area as minor or major interpretive and viewing sites for Monterey Bay.

The proposed project complies with these policies and the requirements of the County Design Review Ordinance in that the elements of the project minimize visual impacts and incorporate design features to reduce the visual impacts of the project on surrounding land uses and the natural landscape. A complete evaluation of Visual Resources and impact assessment is presented in the EIS/EIR Chapter 5. This chapter includes existing photos of the project area (Figures 5-1a and 5-1b) and visual simulations of the proposed project (Figures 5-2a and 5-2b). The proposed improvements to the parkway and bluffs would be visually compatible with the surrounding development and may provide some beneficial impacts on scenic views that result from the parkway improvements and beach clean up. (See attached Coastal Development Permit Findings and Development Permit Findings for further discussion on project compatibility with General Plan and LCP visual resource policies and the Visual Resources discussion in the CEQA Findings, Attachment 1.)

Zoning, General Plan and Local Coastal Plan Consistency

The project area is primarily located in the Parks, Recreation and Open Space (PR) zone district. The project's primary recreation and open space uses and activities are allowed uses and principally permitted uses within this zone district. The proposed public park and recreational improvements to the Pleasure Point Park parcel (APN 032-242-10) at the west end of the project are consistent with the site's PR-D zoning with the "D" Designated Park Site Combining District. The attached plans and project description (Attachment 9 and Attachment 7, Exhibit F) address the park Master Site Plan requirements of the PR zone district pursuant to Code section 13.10.355.

The project is also consistent with the site's Existing Parks and Recreation (O-R) General Plan designation and in conformance with the County's certified Local Coastal Plan (LCP). The proposed improvements are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The proposed project was evaluated in EIS/EIR Chapter 3 with regard to consistency with the relevant objectives and policies of the General Plan and compatibility with the existing and proposed land uses in the surrounding area. It was determined that the project would have beneficial impacts, be consistent with the General Plan and LCP, be compatible with uses in the project area, and be compatible with adjacent uses.

The proposed project is consistent with and, in many cases, implements specific objectives, policies and programs of the General Plan/LCP. The project site is located between the shoreline and the first public road and a portion of the project area is identified as a priority acquisition site in the County General Plan/LCP. Consistent with Land Use Chapter 2, the proposed public parkway and park improvements would: maintain the recreational priority use for the project area and reserve the coastal priority sites with specific programs implemented for these designated sites; be consistent with the specific development standards, circulation and public access criteria identified for the priority sites; and, improve public access to the beach and ocean. As well, the project is consistent with the Structural Shoreline Protection Measures Policy 6.2.16 that limits the construction of bluff protection projects to locations where they are needed to protect existing structures that are threatened, and to protect public works, public beaches, and coastal dependent uses. See the Coastal Development Permit Findings and Development Permit Findings (Attachment 1) for additional discussion on the project's consistency with Zoning requirements and General Plan/LCP objectives, policies and programs.

Environmental Review/CEQA Compliance

Environmental review was required and performed for the proposed project per the requirements of the California Environmental Quality Act (CEQA). After completing an Initial Study, the County Planning Department issued a Notice of Intent to prepare an EIR for the proposed project in January 2001. Initially, the proposed East Cliff Drive Bluff Protection and Parkway Project was to be co-funded by the County Redevelopment Agency and Army Corps of Engineers. As such, the project was subject to compliance with both the National Environmental Policy Act (NEPA) and CEQA. Consistent with NEPA and CEQA, which encourage coordinated environmental reviews, a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was prepared. The Draft EIS/EIR was released for public comment in March through May of 2003. A Final EIS/EIR was then prepared and released in October 2003. However, on November 7, 2003, after a submittal by the Army Corps of Engineers, the California Coastal Commission determined that the proposed project was not fully consistent with the California Coastal Management Act (CCMA), and objected to the Army Corps' request for a consistency determination on the project. Consequently, the Army Corps never issued a Record of Decision (under NEPA regulations) for the project and the County never certified that Final EIS/EIR.

The current bluff protection and parkway project is now totally sponsored by the County Redevelopment Agency and Department of Public Works. In an effort to fully address the issues raised by the Coastal Commission on the original EIS/EIR, a Revised Draft EIS/EIR was prepared and released for public comment from May 8 through June 26, 2006. The main differences between the Revised Draft and the original EIS/EIR are: 1) inclusion of a systematic geotechnical evaluation and threat analysis that more explicitly documents the threat that coastal erosion poses to East Cliff Drive, associated public utilities, road improvements, and the County right-of-way; 2) an expanded alternatives discussion that more fully explains why non-structural alternatives were initially considered but eliminated from further study; and 3) updates to the project description and portions of the impact analysis to reflect the emergency cribwall repairs that were constructed in 2004.

The November 2006 Revised Final EIS/EIR identifies 17 potentially significant impacts associated with the proposed project (Alternative 1) in seven resource categories including: recreation, noise, visual resources, geological resources, biological resources, traffic and transportation, emergency services, utilities, and paleontological resources. The Revised Final EIS/EIR also identifies mitigation measures that would reduce all of the potentially significant impacts from the proposed project to a less-than-significant level and adequately address these issues. The required CEQA Findings have been prepared explaining how each significant impact was addressed (Attachment 1). A Mitigation Monitoring and Reporting Plan (MMRP) was also written as a companion document (Attachment 5) to the Revised Final EIS/EIR and will be used to assure that all of the mitigation measures are implemented. Additionally, all of the EIS/EIR mitigation measures have been included as enforceable Conditions of Approval for the project (Attachment 2).

Additional California Coastal Management Act (CCMA) Issues

County Planning staff have determined that the Revised Final EIS/EIR and the MMRP fully satisfy CEQA requirements. As well, the County's Coastal Development Permit Findings conclude that the project within the County's jurisdiction is consistent with the General Plan/Local Coastal Plan, which implements the Coastal Management Act. County staff believes these items have been adequately addressed.

However, Coastal Commission staff has previously submitted some comments and recommendations on this project that go beyond the scope of CEQA or that do not accommodate the stated project objectives. It is therefore anticipated that these topics may come up later in the Coastal Commission

review process within the context of the CCMA. These topics can be grouped into three general categories: 1) Project Alternatives or Permutations; 2) The Significance of Impacts and Appropriate Mitigation; and, 3) Use of the Public Right-of-Way. (For additional details see the discussion in the staff report to the Planning Commission, Attachment 7.)

Planning Commission Recommendation

The Planning Commission recommended certification of the EIS/EIR and approval of the project, with additional direction for the applicant and staff to look into two issues that arose at the public hearing: parking along the ocean side of the roadway and consideration of a surfer dedication/memorial.

Parking

Some members of the public spoke at the Planning Commission expressing concerns or opposition to proposed parking on the ocean side of East Cliff Drive. The Planning Commission requested that the applicant work with staff "on possible revisions to parking on the ocean side to increase the viewshed while keeping accessible parking available to the public". As a note, the new parkway paths will be located on the ocean side of public parking configurations proposed.

The Redevelopment Agency has provided a letter dated February 27, 2007 that addresses parking alternatives and options considered (see Attachment 8). The three parking options are: A) maintain existing parking conditions (Figure 1); B) proceed with proposed parking as shown on the project plans (Figure 2); or C) consider a new parking alternative (Figures 3a & 3b). The new alternative proposal results in a compromise between maintaining the existing number of parking spaces on the ocean side of the road, while providing for a new accessible parking space.

Currently, there is no public parking at the park site at the west end of the project area at 32nd Avenue and Pleasure Point Drive. The alternative proposal ("C" above) reduces the five spaces originally proposed with the project at the west end at the park down to one new accessible space located in front of the existing market and three spaces moved to the inland side of the road (Figure 3a). As well, the alternative reduces the parking to the east of the O'Neill residence from 11 spaces to 5 spaces (Figure 3b). The two existing diagonal spaces to the west of the residence would be converted to two parallel spaces. Overall, the proposed modifications demonstrated in Figures 3a and 3b result in a reduction in the total number of parking spaces from the original project proposal from 35 spaces to 27 spaces.

This alternative maintains the existing number of public parking spaces in the project area now, while providing for the conversion of an existing on-street space to a new accessible parking space located at the west end of the parkway. Currently the only accessible parking is in the Hook parking lot at the eastern end of the project area at 41st Avenue. The proposal also maintains the existing diagonal spaces on the inland side of the roadway between 36th and 38th Avenues (though the number is reduced due to formalizing the spaces), maintains the existing 65 visitor spaces at The Hook parking lot built by the County in 1997, and maintains on-street parking opportunities on the local neighborhood streets.

While there is not a minimum required parking space criteria that applies to this project, the California Coastal Commission has typically supported maximizing public parking opportunities along the coastline. They also support maximizing the public scenic viewshed of the coastline and minimizing visual impacts. In a preliminary review of the proposed alternative, Coastal Commission staff has indicated support for reduced parking on the ocean side of the road.

Staff has determined that the proposed modifications, together with existing on-street parking in the adjacent neighborhoods, will adequately serve the park, parkway improvements, and access to the coast while providing a balance of maintaining the scenic and natural qualities of the coastline and minimizing impacts to views from the public roadway. This proposal also accommodates needed accessible parking at the west end of the parkway. Staff believes that this proposal responds to the concerns expressed at the Planning Commission hearing. Therefore, it is Planning staff's recommendation that this project be approved with the parking modifications as represented in Figures 3a and 3b, and with direction that the details of the design be incorporated into the final construction plans (language added as new Condition IV.I).

Dedication/Memorial Signs

The Planning Commission also gave direction that staff was to report about the possibility of honoring late surfer Jay Moriarity. The applicant is proposing to incorporate some form of memorial at the park or parkway in honor of Jay Moriarity in the final project development. As this was expressed at the Planning Commission hearing as an item of interest, the applicant is requested to carry this intent forward in the future discussions with the community and related reviews for incorporation into the project (language added as new Condition IV.J). It should be noted, the Parks Department also provides opportunities to provide memorial benches pursuant to its memorial program. As well, the Parks Department and Arts Commission will be responsible for conducting a separate process to incorporate public art into this project.

Conclusion

Based on the evaluation conducted during environmental review, the project, as conditioned and mitigated, will not result in any new significant impacts or have a significant effect on the environment. All required findings can be made to approve this proposal. The project is consistent with the General Plan and Local Coastal Plan and the proposed improvements are compatible with the existing land uses in the surrounding area. Development Permit Findings (Attachment 1) have been made and Conditions of Approval (Attachment 2) have been developed for this proposal with modifications as presented in this report.

Based on the discussions at the Planning Commission public hearing, it is recommended that the following two conditions be added to the Conditions of Approval.

1) Add as new Condition #IV.I. the following language:

   Provide a revised parking plan in the final construction drawings for Planning Director review and approval consistent with the revised parking proposal as demonstrated in Attachment 8, Figures 3a and 3b.

2) Add as new Condition #IV.J. the following language:

   The applicant shall work with the community to incorporate some form of memorial in honor of surfer Jay Moriarity into the final park/parkway development plan and discuss the appropriate placement and other related issues with the community and interested agencies.

RECOMMENDATION

It is therefore RECOMMENDED that your Board take the following actions:

1. Certify the Revised Final East Cliff Drive Bluff Protection and Parkway EIS/EIR (Nov. 2006) under the California Environmental Quality Act, based on the attached EIS/EIR CEQA Findings, Conditions, and Mitigation Monitoring and Reporting Plan.

2. APPROVE Application 00-0797 based on the Findings (Attachment 1) and revised Conditions (Attachment 2) with added Conditions IV.I. and IV.J., with acknowledgement that the parkway project design as proposed is contingent upon approval of bluff protection structures by the California Coastal Commission.

Sincerely,

Tom Burns
Planning Director

RECOMMENDED:

SUSAN A. MAURIELLO
County Administrative Officer

cc: Betsey Lynberg, Redevelopment Agency
John Presleigh, Department of Public Works

Attachments:
1. Findings
2. Conditions of Approval
3. CEQA Environmental Notice of Determination
4. Revised Final EIS/EIR for the East Cliff Drive Blufftop Protection and Parkway Project (on file with the Clerk of the Board)
5. Mitigation Monitoring and Reporting Plan (on file with the Clerk of the Board)
6. Planning Commission Minutes for January 24, 2007
7. Planning Commission Staff Report for January 24, 2007, with Exhibits A - M (on file with the Clerk of the Board)
8. Project Parking Alternative letter from the Redevelopment Agency dated February 27, 2007, with Figures 1, 2, 3a and 3b
9. Project Plans – Reduced (full size plans on file with the Clerk of the Board)

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CCC Exhibit C
(page 8 of 46 pages)

public improvement, and the County right-of-way, 2) an expanded alternatives discussion that more fully explains why non-structural alternatives were initially considered but eliminated from further study, and 3) updates to the project description and portions of the impact analysis to reflect the emergency cribwall repairs that were constructed in 2004.

Changes were also made to the Revised EIS/EIR to reflect that the project no longer includes any federal funds, and would be financed entirely by the Redevelopment Agency. As a result, the Corps' involvement is now limited to authorization of the bluff protection structure under Section 404 of the Clean Water Act, Nationwide Permit #13. This nationwide permit has already undergone NEPA review, so the NEPA analysis included in the Revised Final EIS/EIR is essentially superfluous, and CEQA requirements prevail. However, in an effort to conserve funds and avoid potential confusion over this procedural change, references to the EIS/EIR have not been changed to refer only to an EIR. Deleting the language at this point in the planning process could be problematic, while retaining the terminology is not detrimental.

The November 2006 Revised Final EIS/EIR identifies 17 potentially significant impacts associated with the proposed project (Alternative 1) in seven resource categories including: recreation, noise, visual resources, geological resources, biological resources, traffic and transportation, emergency services, utilities, and paleontological resources. The Revised Final EIS/EIR also identifies mitigation measures that would reduce all of the potentially significant impacts from the proposed project to a less-than-significant level and adequately address these issues. The required CEQA Findings have been prepared explaining how each significant impact was addressed (Exhibit B). A Mitigation Monitoring and Reporting Plan (MMRP) was also written as a companion document to the Revised Final EIS/EIR and will be used to assure that all of the mitigation measures are implemented (Exhibit D). Additionally, all of the EIS/EIR mitigation measures have been included as enforceable Conditions of Approval for the project (Exhibit C).

FROM PLANNING COMMISSION STAFF REPORT – AS REFERENCED BY BOARD OF SUPERVISORS' STAFF REPORT PAGE 6

Additional California Coastal Management Act (CCMA) Issues

Although the Revised Final EIS/EIR and MMRP fully satisfy CEQA requirements, Coastal Commission staff submitted comments and recommendations that go beyond the scope of CEQA or do not accommodate all of the project objectives as defined by the applicant. The County Coastal Development Permit Findings conclude that the project within the County's jurisdiction is consistent with the General Plan/Local Coastal Plan, which implements the Coastal Management Act. Regardless, it is anticipated that these topics may come up later in the Coastal Commission review process within the context of the CCMA. These topics can be grouped into three general categories.

1. Project Alternatives or Permutations: Coastal Commission staff requested that the Revised EIS/EIR more fully evaluate additional project alternatives or permutations. Additional project alternatives and alternative components were further considered and included in the Revised EIS/EIR. Examples such as soft solutions for arresting coastal bluff erosion, reversing the East Cliff Drive traffic direction, closing East Cliff Drive to vehicles to create a linear park, and separated parkway paths were evaluated. However, though these alternatives were considered, they were deemed unsuitable because they were either infeasible, would not accomplish the project objectives, or went beyond the scope of the project proposal. The discussion of alternatives considered but eliminated can be found in the Revised EIS/EIR Chapter 2.4.

2. The Significance of Impacts and Appropriate Mitigation: In compliance with CEQA, the Revised EIS/EIR evaluates anticipated impacts based on changes to the existing environment, and proposes mitigation that will reduce significant impacts to a less than significant level. Some comments on the Revised Draft EIS/EIR submitted by Coastal Commission staff are more from the perspective of the CCMA, which is fundamentally different from CEQA in some ways. For example, rather than evaluating impacts in relation to the existing environment, the baseline for impact analyses is established by environmental conditions in 1972 when the CCMA was enacted coupled with permitted

projects since that date. Differences between CEQA and the CCMA and staff interpretations have resulted in differing conclusions about the significance of some of the project impacts and the appropriate level of mitigation. Specific areas of differing conclusions include project impacts to: visual resources, sand supply, surfing, and long-term beach loss due to sea level rise.

Nonetheless, the applicant has attempted to address these concerns to the extent possible. Most notably, they have commissioned the U.S. Geological Survey to collect offshore and nearshore bathymetric information and other data to further the understanding of physical conditions and processes that affect wave breaks and surfing in the area. While the Revised EIS/EIR concluded that the proposed project would not significantly impact surfing in the Pleasure Point vicinity, this work was initiated in a good faith effort to recognize and respond to concerns raised by Coastal Commission staff and others with regard to potential changes to the area over time.

3. Use of the Public Right-of-Way (ROW): Consistent with the CCMA, the proposed parkway is designed to maximize public access to and use of coastal resources in the project vicinity. As part of the EIS/EIR review, some questions were raised however about more fully utilizing the public ROW and whether some of the parkway features, such as the roadway and bicycle path, could be expanded. This additional use of the ROW issue is believed to be outside the scope of the EIS/EIR. However, expansion of the parkway features are constrained by space limitations in some cases and, in others, cannot be accomplished without affecting other parkway amenities. As well, additional changes to the inland side are not necessary to achieve the goals and objectives of the project or to construct the parkway. Finally, during project community meetings local residents expressed concerns about unnecessary development on the inland side of the roadway and changes to the character of the area. The current parkway design reflects a number of changes that were incorporated as a result of the extensive public review process. It is recognized that private encroachments exist into the public ROW and that reduction of these is an important long-term objective. The current design represents a balance that maximizes public access to the shoreline while being responsive to community concerns.

Conclusion

As proposed and conditioned, the project satisfies CEQA requirements and 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.

Staff Recommendation

- Recommend to the Board of Supervisors to certify the Revised Final East Cliff Drive Bluff Protection and Parkway EIS/EIR (Nov. 2006) under the California Environmental Quality Act, based on the attached EIS/EIR CEQA Findings, Conditions, and Mitigation Monitoring and Reporting Plan.

- Recommend to the Board of Supervisors **APPROVAL** of Application **00-0797** based on the attached Findings and Conditions, with acknowledgement that the parkway project design as proposed is contingent upon approval of bluff protection structures by the California Coastal Commission.

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.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

California Environmental Quality Act Findings

East Cliff Drive Bluff Protection and Parkway Project - Environmental Impact Report

When an environmental impact report (EIR) has been completed for a project, the California Environmental Quality Act (CEQA) and County Environmental Review Guidelines require that written findings be made for each significant impact identified in the EIR prior to agency approval of the project. These findings are as follows:

1. Changes or alterations have been required or incorporated into the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR, and that such significant effects are acceptable due to overriding considerations because specific benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project.

The CEQA Findings for the proposed East Cliff Drive Bluff Protection and Parkway Project (Application 00-0797) are presented below. **Project design features and/or mitigation measures have been identified in the Revised Final EIS/EIR[1] that would reduce all potentially significant impacts to a less-than-significant level.** All mitigation measures have been compiled in a Mitigation Monitoring and Reporting Plan (MMRP) and are included as permit conditions for the proposed project.

Recreation

1. Impact: Public access to and use of the shoreline and ocean would be disrupted in the project vicinity during construction.
   Finding: Mitigation 4.1 requires that at least one stairway to the beach be kept open at all times during construction and, to the maximum extent feasible, that access be maintained to key viewing sites (e.g., Pleasure Point Park and The Hook). Mitigation 9.1 includes additional measures to maintain public access during construction, such as prohibiting construction activities on weekends and holidays and scheduling use of construction vehicles, to the extent feasible, to avoid peak commute hours (i.e., 7 AM to 9 AM and 3 PM to 6 PM).

Visual Resources

2. Impact: The proposed bluff protection structure would impact views, particularly from the ocean, by creating a bluff face that is more uniform in appearance than the natural cliff face.
   Finding: State-of-the art technology would be used to reduce visual impacts. The soil nail wall would be covered with cement shotcrete, which would be sculpted and stained to mimic the natural contours of the cliff face. In addition, Mitigation 5.1 requires that native vegetation be planted along the bluff top to cascade over the cliff face, and that the ends of the bluff protection structure be designed to blend into the bluff face or existing walls to minimize visually distinct meeting points.
3. Impact: The proposed parkway improvements would include features such as benches, railings and signs that would be definite and regular in shape and contrast with the natural forms of the bluff and beach.
   Finding: Mitigation 5.2 would minimize the visual effects of the parkway by requiring: a) use of decomposed granite in pedestrian areas, wherever feasible; b) use of wood and other natural materials where appropriate for stairways, benches, railings and signs; c) development and implementation of a signage plan to assure that signs are minimized, designed to be compatible with the surrounding area,

[1] Dated November 2006, Volume 1 of 2

and located to avoid obstruction of scenic views; and d) that trees planted along the bluff edge be located to preserve scenic views and, wherever possible, shield man-made features from view.

Geological Resources

4. Impact: The ends of the bluff protection structures are a potential focus of continued or enhanced erosion (outflanking), which could cause failure of the structures over time or result in damage to neighboring properties.
   Finding: As recommended in the geotechnical engineering report, the ends of the bluff protection structures would be terminated with a tapered catenary (a type of smooth curve). This would maintain the natural geometry of the existing bluff face which, in turn, would prevent outflanking and wave deflection that could undermine the structures or damage adjoining properties. This design feature would be further strengthened by implementation of Mitigation 6.1, which requires an annual inspection program, with particular attention given to the ends of the walls, followed by any necessary maintenance and repairs.

Biological Resources

5. Impact: Construction activities could adversely affect intertidal habitat and associated fish and wildlife species through habitat loss, physical disturbance (e.g., crushing, desiccation), increased siltation, or fuel spills.
   Finding: Construction impacts would be reduced by accomplishing as much work as possible from the bluff top using bucket trucks and cranes. Impacts from activities that must be done at the base of the bluff, such as installation of the soil nail wall scour apron, would be minimized through implementation of Mitigation 8.1. This mitigation incorporates several measures including: a) plan review and periodic monitoring of construction activities by a qualified biologist to ensure that habitat loss is minimized; b) installation of a silt fence or other barrier to minimize sedimentation of the intertidal area; and c) implementation of additional best management practices to prevent and reduce sedimentation and pollution, including specific fuel spill prevention and cleanup measures.

6. Impact: Construction activities that result in increased siltation or spilled fuel could also adversely impact subtidal and nearshore habitat.
   Finding: Implementation of Mitigation 8.1, particularly the silt fence barrier and spill pollution plan, would also minimize impacts to subtidal and nearshore habitat.

7. Impact: Construction noise could disturb special status wildlife species, such as the southern sea otter and California brown pelican that occur in the project vicinity.
   Finding: Implementation of Mitigation 8.3 would adequately address this potential impact by requiring: a) wildlife surveys prior to and during construction to detect the presence of sensitive species, b) reducing construction-related noise by limiting the number of heavy equipment in any one area and maintaining maximum feasible distances from sensitive species, and c) use of other BMPs for noise reduction (e.g., temporary soundproof structures to house portable generators). While special status birds are not likely to nest in the project area, Mitigation 8.3 also requires bird nest surveys prior to and during construction so any nests can be removed (if empty) or protected with a buffer (if eggs present), as appropriate.

Traffic

8. Impact: Construction vehicles (e.g., dump trucks and cement trucks) could disrupt local traffic and roadway use.
   Finding: Construction-related traffic impacts would be minimized through Mitigation 9.1, which requires development and implementation of a traffic mitigation plan. Elements of the plan would include limiting construction vehicles to primary arterials and collector streets, prohibiting weekend construction, limiting equipment use during peak commute hours (i.e., 7 AM to 9 AM and 3 PM to 6 PM), posting a phone number for registering complaints, and other appropriate measures.

9. Impact: Establishing a construction staging area could require narrowing a section of East Cliff Drive between 32nd and 41st avenues. During certain construction activities, such as crane operation, it would likely be necessary to completely close off a segment of East Cliff Drive, requiring traffic to detour around the construction zone.
Finding: The traffic mitigation plan called for under Mitigation 9.1 would also address these impacts by requiring temporary fencing or barricades around the staging area(s), development of detour plans, installation of signs to alert motorists to lane closures, limiting lane closures to non-commute hours (i.e., 8:30 AM to 4:30 PM), providing a public safety monitor or flag person to direct traffic during lane closures, and other similar measures. The plan would also include provisions to ensure that local residents have continued access to their property.

10. Impact: The parkway improvements could compromise bicycle safety because bicyclists traveling westbound would be required to cross to the ocean side of East Cliff Drive at 41st Avenue to access the pathway then cross back to the inland side of the road at 32nd Avenue to connect to existing bike lanes.
Finding: Implementation of Mitigation 9.3 would minimize bicycle safety impacts by requiring installation of a sign(s) at the intersection of 32nd Avenue/Pleasure Point Drive/East Cliff Drive stating "Bikes Must Cross" to the inland side of the road. A similar sign is already located at the intersection of 41st Avenue and East Cliff Drive to direct bicyclists to the ocean side of the roadway.

Emergency Services

11. Impact: Closing segments of East Cliff Drive during construction could adversely impact emergency services in the project area by limiting access to structures, fire hydrants, and the beach.
Finding: The traffic management plan required in Mitigation 9.1 would address this impact. The traffic plan must be designed to ensure emergency vehicle access along East Cliff Drive at all times, and the local fire and police departments must be notified of planned lane closures and detour routes at least 48 hours in advance. In addition, Mitigation 10.1 requires that a copy of the traffic mitigation measures be provided to the Central Fire Protection District and American Medical Response.

12. Impact: Closing segments of East Cliff Drive during construction could also delay emergency services and increase response times by requiring emergency vehicles to use a less direct route or by increasing traffic congestion in the project area.
Finding: This impact would also be addressed through implementation of the traffic management plan required in Mitigation 9.1, and by providing a copy of the applicable mitigation measures to the Central Fire Protection District and American Medical Response, as required in Mitigations 10.1 and 10.2.

Paleontological Resources

13. Impact: Construction of the bluff protection structure would disturb and cover over important paleontological resources.
Finding: Mitigation 11.1 would address this impact by requiring preparation of a specific mitigation plan, which would have to be approved by the Planning Department, prior to any ground disturbance. The plan must include the following, or comparable, measures: a) a paleontological survey and collection of surface fossils prior to construction; b) preservation of fossiliferous boulders and cobbles that have educational value and, if possible, placement in interested institutions (e.g., museum or university); c) monitoring throughout construction of the bluff protection structure, and salvage and placement of any additional important fossil materials uncovered; and d) preparation of a final report upon completion of construction describing what fossils were salvaged, where they were placed, and other related information.

Noise

14. Impact: Construction noise would cause short-term impacts on nearby residences and other sensitive land uses in the project area.
Finding: This impact would be lessened through implementation of Mitigation 13.1, which restricts use of motorized equipment to Monday through Friday from 7:30 AM to 4:30 PM, and requires the posting of a phone number for registering complaints about noise problems. In addition, Mitigation 8.3 requires limiting the number of heavy equipment used in any one area and implementation of other noise reduction BMPs.

Utilities

15. Impact: Drilling into the face of the cliff to install the bluff protection structures could disturb or damage underground utility pipelines and disrupt service to those served by the affected utility.
Finding: Mitigation 14.1 addresses this impact by requiring coordination with local utilities prior to construction to determine both the horizontal and vertical locations of all underground pipelines. The specific drilling locations for the soil nail walls will then be designed to avoid all underground utilities.

Cumulative Impacts

16. Impact: Construction of the bluff protection structures, in combination with existing and other proposed seawalls, could result in cumulative impacts to visual resources.
Finding: The project's contribution to cumulative visual impacts would be offset by several design features including: a) use of state-of-the art shotcrete surfacing to mimic the appearance of the natural bluff face; b) replacement of the existing, more visually obtrusive, cribwall near the end of 35th Avenue; c) removal of rubble and riprap on the beach along the base of the bluff, d) removal and replacement of the old, crumbling restroom; and e) removal of the "temporary safety barricades" and replacement with new railings.

17. Impact: Construction of the bluff protection structures, in combination with existing and other proposed seawalls, could result in cumulative impacts to paleontological resources.
Finding: Santa Cruz County General Plan Policy 6.2.12 requires that new developments be set back from coastal bluffs. This policy should limit the need for future bluff protection projects, and any associated impacts, along coastal cliffs in currently undeveloped areas. In other coastal areas, where development and paleontological resources exist, the cumulative impact of future bluff armoring projects could be reduced through implementation of measures like those included in Mitigation 11.1. The County of Santa Cruz and California Coastal Commission can and should require this or similar mitigation for future bluff protection structures that could impact paleontological resources.

Coastal Development Permit Findings

East Cliff Drive Bluff Protection and Parkway Project

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 East Cliff Drive right-of-way and project site area is zoned Parks, Recreation and Open Space District (PR). The purpose of the PR district is to preserve and protect the County's undeveloped lands and public lands as open space. This finding can be made, in that the proposed project furthers the purpose of the PR district and serves to preserve, protect, maintain and implement the recreation, open space, and park uses of the public coastal access road, beach areas below, stair accesses to the beach and surf, and the bluff-top parkway and park. The PR designation allows public facilities and open space uses, including the proposed project uses with public roadway and parkway improvements, recreational uses, open space uses, parking, drainage improvements, park improvements with public restroom, and repair of the coastal bluff crib walls.

The site (APN 032-242-10) at the west end of the project area will be developed as a small public park with recreational facilities consistent with the PR-D zoning and "D" Designated Park Site Combining District. The "D" Designated Park Site denotes parcels designated in the General Plan and Local Coastal Program Land Use Plan to be developed as proposed park sites. PR district principal permitted uses in the Coastal Zone include open-space uses not involving permanent structures and public open-space recreational uses, including appurtenant uses and structures, on developable lands. The major elements of the project are principal permitted uses within the PR zone district; however, elements such as the public restroom are not. The PR zone and PR-D combining districts implement and are consistent with the site's (O-R) Parks, Recreation and Open Space General Plan designation and proposed park and regional park overlays.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that the proposal does not conflict with any known public access, utility, or open space easement or development restrictions that encumber the site. Rather, the project serves to protect public access, utilities, and open space by shoring up failing crib walls along the bluff to protect the coastal access roadway with significant public utilities, maintain beach access, and protect bluff-top and beach open space areas. Existing public utility facilities within East Cliff Drive will be better protected with the project improvements. As well, the larger project improves public access to the beach and surf with the installation of new and replacement stairways from the upper parkway. This includes a new stairway to be constructed near the end of 33rd Avenue at Pleasure Point Park, replacement of an existing stairway between 35th and 36th Avenues with new stairs just east of its current location to provide easier surfing access. The project also preserves the existing beach stairway accesses near the end of 38th Avenue and at the Hook overlook.

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.

Section 13.20.130 of the County Code establishes the design criteria for coastal zone development. This section requires that new development be sited, designed and landscaped to be visually compatible and integrated with the character of the surrounding neighborhood. Subject to concurrent approval of the proposed variance, the proposed project is consistent with all applicable regulations under County Code Section 13.20.130 for development within the Coastal Zone. The project includes developing facilities that are compatible with adjacent residential and commercial uses and the natural environment. Enhancing recreational use in the project area and stabilizing the road would have a beneficial impact on the surrounding uses. The proposed project will be visually compatible and integrated with the character of the surrounding neighborhood and natural environment by maintaining the existing character of the site, as well as, in how the project is sited, designed and landscaped. Project design characteristics will minimize impacts

on the site and the surrounding neighborhood. See additional discussion under Coastal Development Finding #5 below with regard to project consistency with the Visual Resource policies in the General Plan and LCP.

The project includes design elements to make it consistent with the surrounding neighborhood and natural environment in terms of materials and colors. Though the project site is located along the bluff top and the walls along the face of the bluff will be visible from the small beaches below, the colors and materials are natural in appearance and complementary to the site. The project minimizes impacts to the neighborhood and natural environment as it includes open railings, low split rail fencing, and bluff walls that will be textured, sculpted and stained to mimic natural coastal bluffs. The design of the walls minimizes visual intrusion by incorporating materials and finishes which will be compatible with and harmonize with the character of the area, and that will appear natural when finished. The restroom facility has also been sited and designed to be least intrusive in the coastal scenic corridor by utilizing earth tone colors and materials and by landscape screening of the structure from the scenic corridor and adjacent development.

Site disturbance was minimized in that grading, earth moving, and removal of major vegetation is minimized. Special landscape features such as prominent natural landforms and tree groupings were retained. Site disturbance is minimized by the proposed work being performed from the top of the bluff to minimize disturbance to the beach and natural marine environment. Large beach rubble and rock riprap is proposed to be removed from the base of the bluff; however, this is not a natural feature and was placed there some time ago for bluff protection. All mature trees in the project area will be retained, including large Monterey Cypress and palm trees (planted years ago by community volunteers), and existing tree groves adjacent to the proposed parkway. No major vegetation will be removed with this project. Existing vegetation was preserved where possible and replaced where removal was necessary with new enhanced planting.

New and replacement vegetation is compatible with the surrounding vegetation and suitable to the climate, soil, and ecological characteristics of the area. The proposed plantings are primarily native plants. The plantings were chosen to ensure plant species that would grow, withstand the intensity of public use to be generated by the project, and survive in this extreme coastal environment where successful planting options are limited. This is a relatively urban environment that is not adjacent to wetlands, lagoons, or other sensitive habitats with respect to plant types, which could particularly suffer from the use of non-native or invasive plant species. The proposed plantings will also serve to minimize the visual impacts of the wall project, with new planting used along the parkway to cascade over the bluff walls. New evergreen trees will also be planted including Monterey Cypress, Catalina Cherry, and Coast Live Oak trees that blend with the neighborhood and coastal environment. The new Monterey Cypress trees proposed along the project and at the overlook at the Hook area will supplement the existing mature Monterey Cypress trees in those areas.

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.

This finding can be made, in that the project site is located between the shoreline and the first public road and it will conform to the relevant public access and recreation policies of the General Plan and Local Coastal Program (GP/LCP) and of Chapter 3 of the Coastal Act. In fact, the proposed project will improve public access to the beach and ocean. A portion of the project site is identified as a priority acquisition site in the County LCP. This site has been acquired by the County and is being developed with this proposal to the land use and development standards prescribed by the GP/LCP.

The project conforms to the GP/LCP land use plan in that it is consistent with and implements the goals of Land Use Chapter 2. This project achieves Land Use Objective 2.22 that prioritizes coastal-related development on the coast. The improvements for a public park and enhanced coastal recreational access with public safety provisions address the land use priorities within the Coastal Zone as identified in Policy 2.22.1. The Pleasure Point "Overlook" park site (APN 032-242-10) is designated as a Coastal Priority Site pursuant to GP Land Use Policy 2.23.2 and Figure 2-5. The proposed project is consistent with and implements the designated priority use of "Existing Park, Recreation and Open Space: Development of coastal overlook and access with supporting improvements". The proposed park site design with new public restroom, park furniture, public art, and landscaping satisfies this policy. The priority use development standards are satisfied in that the new public restroom facility at the park is situated toward the west end of the parcel to preserve views of the coastline and public coastal access at this parcel is preserved and enhanced with the new stairway. The circulation and public access requirements are also satisfied in that the County owned coastal overlook and access is being improved for public use with the proposed park, additional parking improvements, and new beach access stairway. This project includes a park master plan review as part of the development permit for the park priority site pursuant to Policy 2.23.3. These requirements are addressed by the project plans. The plans demonstrate an integrated design providing for full utilization of the park site. This is a small park site with limited facilities and no additional phasing program or future land uses are proposed with this project, as there is no room for additional park features nor any anticipated unmet infrastructure availability or projected demand. The County Parks Department will perform regular park facility management and landscape maintenance.

No changes are proposed with this project to "The Hook" coastal priority site (APN 032-181-04) at 41st Avenue and East Cliff Drive, which was previously developed by the County Redevelopment Agency and Public Works Department as a beach access parking facility. The "East Cliff Drive Overlook" priority site (APN 032-251-02) is designated as an existing park, recreation and open space use with development of a coastal overlook with supporting improvements. That parcel is undeveloped except for a few benches and is privately owned. Site improvements are not proposed for that parcel with this project other than parkway path improvements and a portion of public parking along the top of the bluff; however, development of this project does not preclude the possibility of additional public coastal overlook improvements in the future.

The project is consistent with the General Plan Chapter 7 Parks, Recreation and Public Facilities in that numerous objectives, policies, and programs of this section are implemented by the proposed project. The proposed project includes completion of the blufftop Pleasure Point Outlook regional park and enhances the overlook area across from the existing developed parking facility at The Hook in conformance with the objectives of the Chapter 7, Public Parks and Recreation Facilities Figure 7-2 the major policies, objectives and programs relative to the project are addressed as follows:

Policy 7.1a Parks and Recreation Opportunities – with the proposed pedestrian and bicycle parkway, increased safety conditions, accessible improvements and formalized parking, the project implements and enhances the range of public 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.

Policy 7.5.7 Beaches as Regional Parks – access is improved to the coastline and beach area to enhance regional recreational opportunities for County residents.

Programs:

a. Live Oak Primary Public Access Facilities are implemented in the development of the regional park facility, parking, and other support facilities provided in association with the Pleasure Point Overlook.

Objective 7.6 Trails and Recreation Corridors – the proposed parkway project enhances the countywide system of hiking and bicycling trails, which provide access to and connect the various parks, recreation areas, beaches and urban areas.

Programs:

h. The project includes evaluation and implementation of the one-way street system on East Cliff Drive to facilitate a wide, safe pedestrian and bicycle promenade. The project includes construction of a facility including landscape enhancement and coastal bank protection as designated.

Objective 7.7a Coastal Recreation – by improving the pedestrian parkway for pedestrians and bicyclists, improving accessible access measures along the parkway, providing new and replacement stairways to the ocean for surfers and other recreational users, and shifting the one-lane traffic to the east side of East Cliff Drive to reduce the load on the bluff side, the project maximizes public use and enjoyment of coastal recreation resources for all people, including those with disabilities, while protecting those resources form the adverse impacts of overuse.

Objective 7.7b and 7.7c Shoreline and Beach Access – the project maintains, improves and adds new shoreline and beach access to the coast with adequate improvements to serve the general public and the coastal neighborhoods which is consistent with the Coastal Act, meets public safety needs, protects natural resource areas from overuse, protects public rights and the rights of private property owners, and minimizes conflict with adjacent land uses. Visual and physical access to the beach is maintained, enhanced, and provided with the project.

Policy 7.7.1 Coastal Vistas – the project encourages and enhances pedestrian enjoyment of ocean areas and beaches by the development of vista points and overlooks with benches and railings at Pleasure Point Park, the overlook at The Hook and along the parkway, as well as improving facilities for pedestrian access to the beach.

Policy 7.7.4 Maintaining Recreation Oriented Uses – the project maximizes protection of the coastal bluff top areas and beaches from intrusion by non-recreational structures and incompatible uses.

Policy 7.7.5 Coastal Bicycle Route – the project provides for safe bicycle travel along the Pleasure Point coastal corridor by developing a coordinated, continuous bicycle route parallel to the shoreline.

Policy 7.7.6 Hiking and Biking Trail Network – the project implements the hiking and bicycle trails system that provide access to and connect the various parks, beaches, recreation and urban areas.

Programs:

a. Associated project provides new and replacement stairs to improve beach access and safety.
b. This project improves standard and accessible parking opportunities to serve visitors to the Live Oak coastline in the limited locations where they are feasible and compatible with the neighborhood and natural setting.
c. The project provides for the development and maintenance of vista points and overlooks with benches and railings at various points along East Cliff Drive including the west end at Pleasure Point Drive, the promenade along east Cliff Drive between 32nd and 41st Avenues, and the eastern end at 41st Avenue.

Policy 7.7.10 Protecting Existing Beach Access – the project proposes to preserve, protect and enhance existing pedestrian access to all beaches to which the public has a right of access.

Programs:

a. The project maintains and improves public access stairs at all primary access points along this portion of East Cliff Drive and maintains local access to all neighborhood access points.

e. The project implements this program to improve, widen, and complete pedestrian/bikeway along East Cliff Drive between 32nd and 41st Avenues where right-of-way permits exist and includes the installation of additional benches and landscaping.

Policy 7.7.13 Access Maintenance Responsibility and Liability – the project implements the policy to complete, open and maintain coastal access ways before the first public road and the shoreline.

Programs:
e. The project implements the program to improve, widen, and complete pedestrian/bikeway along East Cliff Drive between 32nd and 41st Avenues with the installation of additional benches and landscaping.
f. The project includes a sign program for the project area with public access signage.

Policy 7.7.15 Areas Designated for Primary Public Access – the project maintains the Pleasure Point/East Cliff Drive and end of 41st Avenue primary public access points.

Programs:
d. The project enhances pedestrian connection from the Hook parking lot at the intersection of 41st Avenue and East Cliff Drive and enhances the landscaping compatible with the surrounding area.
e. The lot at the intersection of East Cliff Drive and Pleasure Point Drive is County owned and the project proposes to improve the park facility as part of the pedestrian/bikeway system, as a vista point, and for a staging area for surfing.

Policy 7.7.18 Areas Designated for Neighborhood Public Access – the project maintains a system of neighborhood access points appropriate for access by local residents at the stairway between 35th and 36th Avenues, at 38th Avenue, and at 41st Avenue.

Policy 7.7.19 Improvements at Neighborhood Access Points – the project provides improvements appropriate to neighborhood access points including: path improvements and bicycle parking, and provides for future maintenance, recycling, and garbage collection in the project area.

Policy 7.7.24 Environmentally Damaging Trails – the project proposes to reduce the number of trails to destinations where the present level of use is causing deterioration to sensitive habitats or serious erosion problems.

Policy 7.7.25 Unsafe Trails – the project discourages public use of access trails, which are hazardous because safety improvements have not been provided or cannot be built due to physical limitations.

Objective 3.8a System Development Policy – the project develops a bikeway network maximizing the safety and convenience of users of all levels of experience within that system. The network includes the opportunity for recreational use.

Programs:
a. The project provides for bicycle use in the planning, designing, and constructing of this County project.
f. The proposed bikeways were planned, designed, and will be constructed consistent with the adopted Bikeway Plan.

Policy 3.8.7 Recreation – the project includes the improvement of bicycle routes to facilitate access to recreational areas including regional parks and beach areas.

The project also implements the Monterey Bay Sanctuary Scenic Trail through the project area. The Scenic Trail is a recreational and interpretive coastal pathway that links existing and new trail segments into a continuous coastal trail around Monterey Bay, accommodating pedestrians, bicyclists, and accessible travel.

The purpose of the trail is to enhance appreciation and protection of the marine sanctuary by promoting public use and enjoyment at its shoreline. The project also includes three interpretive and viewing sites for Monterey Bay as designated for the Pleasure Point Park site, the area near 35th Avenue, and at the Hook area.

As well, East Cliff Drive is designated as a portion of the Santa Cruz County's Master Bikeway Plan. The Bikeway Plan defines a network of regional bikeways, which serve the County and adjacent cities. The improved bicycle access through the project will help formalize the bikeway connections between Capitola, southern portions of the County, and the City of Santa Cruz.

5. That the proposed development is in conformity with the certified local coastal program.

Road, public facilities, park, recreational and open space uses are allowed uses in the PR and PR-D (Parks, Recreation and Open Space District, with "D" park site combining designation) zone district of the site, as well as the General Plan and Local Coastal Program O-R (Parks, Recreation and Open Space) land use designation with proposed park and regional park overlays. The proposed project is consistent with development standards applicable to parcels within the Coastal Zone. Additionally, the proposed project is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding residential neighborhood and natural coastal environment.

The project site is located between the shoreline and the first public road. This project as proposed and conditioned will conform to the public access and recreation elements of the GP/LCP. In fact, the proposed project will improve public access to the beach and ocean. A portion of the project site is identified as a priority acquisition site in the County Local Coastal Program. This site has been acquired by the County and is being developed with this proposal to the land use and development standards prescribed by the GP/LCP land use chapter.

The proposed project is also consistent with General Plan/LCP Chapter 3, Circulation policies, objectives, and programs in that pursuant to Bikeway System Development (Program b.) bicycle-parking facilities are located at all primary public access points to the beaches and at the park. Pursuant to Policy 3.8.7, bicycle route improvements are proposed to facilitate access to recreational areas such as the beach areas, regional park, and major tourist recreational facilities along this stretch of the Monterey Bay coastline, thereby promoting recreational bicycle use as eco tourism. Recreational Access Objective 3.14 is also satisfied in that the project improves access to the County's recreational resources, using multiple means. Capacity on East Cliff Drive is reserved for recreational traffic. A separated portion of the right-of-way is designated for the exclusive use of bicycles and pedestrians. As well, the project implements Policy 3.14.2 regarding road improvements which provide access to recreational resources as a transportation improvement priority.

The proposed project is consistent with, and in many cases implements specific objectives and policies of the General Plan/LCP Visual Resources, Chapter 5 including the following Policies: 5.10.3 – Protection of Public Vistas; 5.10.6 – Preserving Ocean Vistas; 5.10.7 – Open Beaches and Bluff Tops; 5.10.8 – Significant Tree Removal Ordinance; 5.10.10 – Designation of Scenic Roads; 5.10.12 – Development Visible from Urban Scenic Roads; 5.10.13 – Landscaping Requirements; 5.10.15 – Design Review for Public Projects Visible from Scenic Roads; and 5.10.18 – Signs Visible from Scenic Roads. See EIS/EIR Chapter 5 Visual Resources for additional discussion. These polices are adhered to in that the project: preserves scenic vistas in the project area along East Cliff Drive; is designed to minimize visual impact and improves the scenic viewshed by using natural appearing materials and finishes, such as decomposed granite for the path, cobble stone veneer for the public restroom, and wood for the fences, which would blend with the character of the area; includes bluff stabilization structures that conform to the natural contours and are stained to match the natural landscape and integrate with the natural landforms; proposes no removal of significant trees or major vegetation; includes enhanced landscaping using native and characteristic species appropriate to the area; and minimizes signage.

The project area is within the East Cliff Drive scenic road corridor of the coastal zone. The crib wall repairs are visible from the beach, but the new walls are an improvement from the old failing crib walls, which appeared as long gray horizontal beam structures and were not naturalized or blended with the existing bluff in any way. The scenic resource preservation policies of the Local Coastal Program require that development minimize visual intrusion from the beach and from scenic roadways (GP/LCP Objective 5.10b). New permanent shoreline protection structures visible from a public beach must use natural materials and finishes to blend with the character of the area and integrate with the landform. The proposed finished surface contours are blended with the adjacent natural terrain to achieve a smooth transition and natural appearance. The finish sculpting and coloring of the concrete also results in a naturalized bluff appearance that integrates with surrounding natural bluffs. Potential visual intrusion is minimized and the project has no adverse impact upon the surrounding visual resources. As well, the walls are on the bluff face and are not readily visible from East Cliff Drive and all existing public ocean vistas from the roadway are preserved. Disturbed areas are required to be revegetated for erosion control purposes with a seed mix consisting of native plants and wildflowers wherever possible.

Chapter 6 of the General Plan/LCP, Public Safety and Noise, includes objectives and policies aimed at protecting the community from natural hazards, as well as from hazards from the built environment. Section 6.2 includes policies relating to slope stability and includes specific policies for Coastal Bluffs and Beaches. Policy 6.2.16 establishes structural shoreline protection measures and certain design and study requirements, including monitoring and maintenance programs. The Geologic Resources and Coastal Processes associated with the project are analyzed in the EIS/EIR Chapter 6. The coastal bluff evaluations in the Sanders & Associates Geostructural Engineering (SAGE) reports included in EIS/EIR Appendix G, together with the Geological Resources review in the EIS/EIR and the associated Mitigations 6.1a and 6.1b and Conditions III.D and III.E address the applicable General Plan coastal bluff policies.

The crib wall repairs are consistent with the structural shoreline protection measures policy (GP/LCP 6.2.16). This policy limits structural shoreline protection measures to structures that protect public works, public beaches, or coastal dependent uses. These walls serve all three uses in that they help preserve the public roadway and associated utilities above and the public beach below with associated coastal dependent uses. Removal of the failing crib-walls would have created environmental impacts and potentially weakened the bluff more as opposed to protecting it. There are no feasible non-structural measures to adequately protect the bluff, beach and roadway above (from either an engineering or economic standpoint). The walls are located against the bluff face above the beach, above the high water mark, and do not reduce or restrict public beach access, adversely affect shoreline processes or sand supply, increase erosion on adjacent properties, or cause harmful impacts on wildlife and fish habitats or archaeological or paleontological resources. The wall repairs do not impact recreational opportunities along the beach and minimize any visual intrusion. The location of the walls are based on existing County benchmarks as referenced on the plans. The structures were designed and constructed pursuant to prevailing building technologies, engineering standards, and materials performance standards (such as ASTM, AASHTO, ACI, and CALTRANS specifications) to insure the optimum in safety and stability. The project is also conditioned such that a permanent monitoring and maintenance program is instituted. As well, all of the work was performed from the top of the bluff and no construction equipment was permitted on the beach.

Though the proposed project site is not mapped as archaeological or geologic paleontological resources, due to the extent of bluff work and associated grading for the bluff protection structures, potential Cultural/ Archaeological and Paleontological Resources impacts by the project were analyzed in the EIS/EIR (Chapter 11) consistent with Chapters 5.19 and 5.9 of the General Plan/LCP. No archaeological or historical resources eligible for the National Register were identified within the project area, but there is the potential for undiscovered sites beneath the surface and possibly under East Cliff Drive. Conditions III.N and IV.E were included to accommodate this in the case these resources are found during construction. The project must comply with General Plan/LCP Chapter 5.9 to protect paleontological resources which stand out as rare or unique and representative in Santa Cruz County because of their scarcity, scientific or educational value,

aesthetic quality or cultural significance. As the coastline is rich in fossil resources and the sedimentary rocks in the area have high potential for containing significant nonrenewable paleontologic resources, EIS/EIR Mitigations were included to insure that these resources are accommodated and no significant impacts occur. The project results in a beneficial impact on paleontological resources in that it would eliminate the public disturbance of these resources in the project area, and lessen the probability of the destruction of fossil resources that may occur during future emergency repairs such as the construction of retaining walls.

For additional discussion regarding the proposed project's conformity with the certified local coastal program, see the discussion above under #4., as the GP/LCP objectives and policies noted above with regard to public access, public recreation, land use, and development along the shoreline, also apply to this finding as well.

Development Permit Findings
East Cliff Drive Bluff Protection and Parkway Project

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.

This finding can be made in that the project is located in an area designated for park and open space uses. The proposed project will improve the health, safety and welfare of pedestrians, bicyclists, and coastal recreational users by widening and improving pedestrian and bicycle paths, improving accessible access along the coast, and protecting the safety of recreational users by securing the dangerous coastal bluffs and adding and improving stairway accesses to the beach and surf. These improvements will serve persons residing and working in the neighborhood as well as the general public with increased access to the coastline. The proposed pathway improvements are expected to enhance overall bicycle and pedestrian circulation in the area, help reduce bicycle-pedestrian conflicts by providing separate pathways, and generally increase the number of people who walk and bicycle to and within the project area. The formalization and improvements in public parking proposed with the project will also be beneficial to the public with regard to coastal access opportunities, may reduce circulation through the neighborhood side streets, and increases accessible parking adjacent to the coast. A new stairway at Pleasure Point Park will also improve public access to the ocean, where surfers currently climb down the cliff to the water, and the replacement and relocation of the stairway near 36th Avenue should also improve access safety.

Construction will comply with prevailing County Public Works and California Department of Transportation standards as well as, where applicable, prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed roadway and parkway improvements include a 16-foot one-way eastbound travel lane with slight grade separated bicycle and pedestrian pathways up to 8 feet wide each (and of differing materials for distinction). This design will result in improved roadway safety for passenger vehicles, pedestrians, and bicyclists traveling along the coast. New crosswalks will also be provided at side street intersections. The travel lane width with adjacent rolled curb path also fully accommodates emergency vehicle access. The proposed improvements are consistent with and implement Transportation System Goals, objectives, policies and programs of the General Plan, Chapter 3 - Circulation. See additional Transportation discussion in Chapter 9 of the EIS/EIR. The potential project construction traffic impacts on the local circulation network were evaluated in the EIS/EIR. Mitigations were included with the EIS/EIR where necessary to insure that design, construction, and operational impacts are minimized. For example, Mitigation Measure 9.1 is designated to minimize impacts of construction-related traffic and staging on normal vehicle traffic and area roadway use; Mitigations 8.3 and 13.1 require that noise reduction techniques be utilized during construction; and, Mitigation 4.1 insures that recreational opportunities are maintained during construction of the project.

The proposed project will not be materially injurious to properties or improvements in the vicinity in that the project complies with all development regulations applicable to the site, subject to the concurrent approval of the proposed variances for the public restroom at the park. The variances allow a reduction in the required PR zone 30-foot side setbacks for the public restroom, however the structure as proposed will not deprive adjacent properties or the neighborhood of light, air, or open space with the granting of the variances (see attached Variance Findings). The park will also be regularly maintained by the County Parks Department.

This project increases the safety for motorists, bicyclists and pedestrians along East Cliff Drive and for beach-goers below in that the crib walls were in an emergency state of disrepair and there was serious risk of failure that could have impacted the use of the public road and underground utilities and the safety of the users of the road or along the adjacent public beach. The walls that were repaired are located within the road right-of-way down the bluff face and do not affect any public or private buildings. Construction complied

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with prevailing building technologies (including performance standards for the materials such as ASTM, AASHTO, ACI, and CALTRANS specifications) to insure the optimum in safety. The repaired crib walls will not deprive adjacent properties or the neighborhood of light, air, or open space, as they are vertical walls located along the face of the bluff. As well, all of the work was performed from the top of the bluff and no construction equipment was permitted on the beach.

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 proposed project and conditions under which it will be maintained will be consistent with all pertinent County ordinances and the purpose of the PR (Parks, Recreation and Open Space District) and PR-D zone districts in that the primary use of the property will be parks, recreation and open space. This project includes a park Master Site Plan review pursuant to the PR zone requirements in Code Section 13.10.355 Special Standards and Conditions. This requirement is addressed by the project plans. No additional phasing or future land uses are proposed with the project. The project also complies with all applicable design criteria and site standards for the PR zone district, with the inclusion of the variances for the required 30-foot setbacks for the public restroom building (see attached Variance Findings).

The project satisfies the intent of the PR District criteria for the retention of open space (Code Section 13.10.354) in that unlike most PR parcels, this project site is primarily located within the East Cliff Drive right-of-way, and as such the project has retained as much open space as possible, while maximizing public access opportunities. The only building is a new public restroom at the park to replace the existing portable restroom and an old abandoned restroom at the 36th Avenue stairs. As well, most of the development elements of the project replace previously developed and disturbed areas associated with the road and old crib walls.

The project site is primarily located within the East Cliff Drive road right-of-way and on County owned land. The primary use of the road right-of-way remains a roadway that is designed to be consistent with current site standards, County Public Works Design Criteria, and State Department of Transportation standards and consistent with the purpose of a roadway. The public road and pedestrian and bicycle paths will be maintained by the Department of Public Works. The park site will be regularly managed and maintained by the County Parks Department, with additional landscape maintenance as required in the EIS/EIR Mitigations for Visual Resources 5.1 and 5.2.

The crib wall repair locations and the conditions under which they will be maintained will also be consistent with pertinent County ordinances and the purpose of the PR (Parks) zone district. The primary use of the associated properties above and below these walls is public access. The repair of the crib walls supports that use. The crib wall repairs will result in increased safety for users of East Cliff Drive, the public beach, and the public stairs down to the beach. This is consistent with the purposes of the PR (Parks) zone district. As well, the walls will improve coastal stability in compliance with General Plan requirements (GP 6.2). The crib wall repairs are consistent with General Plan policy 6.2.16 and Zoning Code Sections 16.10.070(h) and 16.20.115. In that, these structural shoreline protection measures are necessary to protect the existing adjacent public roadway with vital public facilities and associated improvements (including sewer, water, gas, electric and telephone services), the public beach and access stairway, and coastal dependent uses from a significant threat. An analysis of reasonable alternatives to the proposed structures was provided in the EIS/EIR. Non-structural measures would not be feasible and would be inadequate in place of the crib wall protection measures. These shoreline protection measures were placed as close as possible to the old crib walls and the access road requiring protection. These protection measures will not reduce or restrict public beach access, adversely affect shoreline processes and sand supply, adversely impact recreational resources, increase erosion on adjacent property, create a significant visual intrusion, or cause harmful impacts to wildlife or fish habitat, archaeologic or paleontologic resources. The crib wall repairs minimize visual

impact by employing materials that blend with the color and texture of natural materials in the area. The design of the soil nail walls followed approved engineering standards. A construction staging strategy and schedule were also provided in conjunction with issuance of the emergency coastal and grading permit to minimize disturbance to the beach. The proposal prohibited any work from the beach, specified access and staging areas, and provided a plan for repairs that included recovery of material potentially dislodged onto the beach. As well, Condition III.E and Mitigation 6.1b require a permanent monitoring and maintenance program for the project walls.

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 majority of the parkway project will be located within the East Cliff Drive public right-of-way and County owned land. The proposed development of the Pleasure Point Park including a public restroom and pedestrian and bicycle pathway with additional landscaping, public viewing areas, and improved parking is consistent with parks, recreation, and open space uses allowed in the Parks, Recreation and Open Space (O-R) land use designation in the County General Plan. The project is also consistent with the "Proposed Park" future land use and "Regional Park" overlay designations for the park site and does not preclude future development of public park improvements on parcels 032-251-02 and 032-251-10 under private ownership. This project includes a park master plan review for the Live Oak Coastal Priority Site (Pleasure Point Overlook) consistent with General Plan Land Use Policy 2.23.2 and the special development standards and public access requirements as established for the priority use in Figure 2-5 for parcel 032-242-10. These requirements are addressed by the project plans and no additional phasing or future land uses are proposed with this project. The future development of coastal overlook improvements for the priority use (East Cliff Drive Overlook) on parcel 032-251-02 is not precluded by this development. Project park site maintenance will be performed by the County Parks Department with maintenance conditions as noted in the EIS/EIR Mitigations for Visual Resources 5.1 and 5.2. No specific plan has been adopted for this portion of the County.

The proposed project is also consistent with the goals, policies, and objectives of Chapter 3, Circulation, of the County General Plan/LCP. The project is consistent with the Planned Urban Roadway Improvements as referenced in General Plan Figure 3-18 (page 2 of 4) for East Cliff Drive. The proposed parkway project will maintain the existing roadway use of East Cliff Drive and will not increase roadway vehicular capacity, as there is currently one one-way vehicular travel lane that will be retained as such. The proposed improvements to better accommodate pedestrian, bicycle and accessible access and safety is also consistent with General Plan/LCP Chapter 3. The General Plan Circulation Goals addressed with the project include transportation system, mode choice, auto use reductions, regional goals, parking, access, bikeway system, safety, and aesthetics goals. The new pedestrian path will connect with existing sidewalks along the ocean side at each end of the proposed project: at Pleasure Point Drive and at 41st Avenue.

The proposed park public restroom building will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and with the variance approval will meet site and development standards for the zone district and be consistent with General Plan Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the structure will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood. As well, the proposed public restroom will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that, with the variance approval, the proposed building will comply with the site standards for the PR-D zone district (including setbacks and height) and will result in a low profile structure with materials and colors consistent with the neighborhood and coastal environment.

The crib wall repairs are beneficial to the adjacent public facilities and beach uses consistent with the use requirements specified for the Parks and Recreation land use designation in the County General Plan. The walls are located above the purisima bedrock layer and do not impact the public beach below or available open space. The walls serve to better protect access to the coast and the health and safety of coastal users. The walls also have a sculpted finish that is colored and stained to be consistent with natural bluffs in the area.

Cultural and Paleontological Resources were analyzed in the EIS/EIR (Chapter 11) consistent with General Plan Chapters 5.19 and 5.9. Mitigations were included to insure that no significant impacts to paleontological resources occur. See additional discussion under Coastal Development Permit Findings #5 above.

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 project will not overload utilities in that adequate sewer, water, and storm drain capacity is available to serve the project. In addition, the proposed project is not expected to cause a permanent increase in vehicle trips to the project area, as it does not involve any new or expansion of existing traffic-generating land uses. The new road design will also not increase vehicular capacity on East Cliff Drive. As such, long-term traffic volumes, existing roads and intersections in the project vicinity should not be adversely impacted by the proposed project. This is consistent with Chapter 3.12 of the County's General Plan/LCP. As well, project construction will not adversely impact existing roads and intersections in the surrounding area. There will be temporary increases in vehicle and truck trips in the project vicinity during construction activities, however as mitigated and conditioned (EIS/EIR Mitigations 9.1 and 9.2) the impacts of project construction-related traffic and staging on normal vehicle traffic and area roadway use will be minimized. More over, the bluff wall repairs and proposed improvements will further protect the existing public roadway and public utilities in East Cliff Drive.

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 project will complement and harmonize with the project area and surrounding uses and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood, in that the proposed project is designed to improve pedestrian, bicycle and accessible access and safety along the coast with the new parkway from 32nd Avenue to 41st Avenue, without significantly changing the character of the existing uses. The roadway improvements are designed to comply with prevailing County Public Works and California Department of Transportation standards to insure the optimum in safety and the conservation of energy. As well, the crib wall repairs did not result in any land use density impacts and the walls were finished in a manner to blend with the nearby natural bluffs.

The proposed public restroom structure at the park is located in a residential neighborhood containing a variety of architectural styles. The proposed restroom building will have a low profile at less than 12 feet height and will have an exterior cobble stone veneer to match the restrooms at the Hook and blend with the park and coastal environment. The proposed structure will be compatible with the character of the area given the utilization of natural earth tone materials and colors for the restroom. Furthermore, the proposed landscaping adjacent to the parkway and at the park will soften and screen the new improvements and restroom facility from the scenic corridor and adjacent development.

6. That 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.

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The proposed development is consistent with the Design Standards and Guidelines of the County Code (Chapter 13.11) in that the proposed parkway and park improvements and new public restroom building are 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 or the East Cliff Drive scenic corridor along the coast.

Design elements are included with the project to minimize visual impacts of the proposal (as demonstrated in the visual simulations of the proposed project in the EIS/EIR, Visual Resources Chapter 5, Figure 5-2a). The fencing along the parkway is limited to low wood rail fences (or similar natural appearing materials) wherever possible, with the use of steel safety railings with wood posts where necessary for protection purposes next to cliffs. The new public restroom at the park will have a low profile at approximately 12 feet height and is proposed to have a cobble stone veneer to match the restrooms at the Hook and to blend with the park and coastal environment. The building will be compatible with the character of the area given the utilization of natural earth tone materials and colors. The repaired crib walls are also of an appropriate scale and type of design that is compatible with the aesthetic qualities of the surrounding properties and they do not reduce or visually impact available open space in the surrounding area. The walls were finished with a sculpted and textured material that transitions into the natural bluff at the ends and is stained with colors to replicate natural bluff soil and rock formations.

Landscaping is proposed along the parkway to enhance the streetscape, to emphasize the pedestrian pathway, and to blend with the natural coastal environment. The landscape area beyond the pathway at the top of the bluff varies from 3 feet to roughly 20 feet. The proposed landscaping adjacent to the parkway and at the park will also soften and screen the new improvements and restroom facility from the scenic corridor and adjacent development. No trees are proposed to be removed with the project and tree protections will follow an arborist's recommendations during construction.

No exterior lighting is proposed other than minimum security lighting as needed at the park restroom facility. Lighting is required to be directed downward to avoid generation of fugitive light and glare, consistent with County Code Section 13.11.074(d). Signage is kept to a minimum and shall comply with Section 13.10.582 of the County Code. Directional and informational signage along the parkway complies with designs designated by the Monterey Bay National Marine Sanctuary Scenic Trail standards. Outdoor furniture and fixtures shown on the Parkway Plan in the park and along the length of the parkway shall relate to and be integral elements of the project and landscape design in the coastal environment. These include elements such as benches, trash receptacles, raised planters, fencing, lighting, freestanding signs, etc.

Variance Findings

East Cliff Drive Bluff Protection and Parkway Project

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 Parks Recreation and Open Space (PR) District requires all yards to meet a 30-foot building setback. The Pleasure Point Park site (APN 032-242-10) is located on a corner parcel that is roughly 7,700 square feet in size and irregular in shape. The site narrows to approximately 41 feet along Pleasure Point Drive with the rear of the parcel adjacent to the coastal bluff at about 74 feet width. The parcel has about 133 feet of frontage along East Cliff Drive. Strict adherence to the required 30-foot setback for all yards would result in no place to locate a permanent structure onsite. A small public restroom (about 250 square feet) is proposed to replace the existing portable toilets onsite provided by the Parks Department. No other permanent structures are planned for this park site other than the new coastal access stairway at the east end of the property.

The public restroom should be located back from the public right-of-way of the intersecting streets and not located too close to the coastal bluff. It is also important to minimize the impacts that could have occurred at other locations on the site, including locating the restroom back from the street frontage, minimizing view impacts from the public roadways, and not obstructing views through the site of Monterey Bay. The proposed location of the restroom also provides for protection of three mature palm trees onsite. Therefore, this finding can be made, in that the parameters of the site including the small size, shape, and location on a corner lot adjacent to the coastal bluff does not provide for any placement of a needed public restroom at this park site without variances to the PR zone 30 foot yard setback standard. Other properties under the PR zoning enjoy greater privileges by virtue of a more conventional shape and size than the subject parcel.

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.

This finding can be made, in that the proposed location of the public restroom will still be situated about 12 feet off the side property line and about 23 feet off the East Cliff Drive property line. This results in greater setbacks than typically provided in a residential area. The restroom will also have a low profile with a height of approximately 12 feet, will be located about 12 feet from the nearest structure, will be adequately screened, and will be located more in line with the adjacent property's garage than living space. Due to this, the new building will not impact the adjacent property's access to light, air and open space. An existing good neighbor fence between the park parcel and the abutting residential parcel (APN 032-242-09) to the south along Pleasure Point Drive will also minimize potential nuisances to the residential property. This restroom facility is designed to be a low maintenance facility to be managed by the County Parks Department.

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 a variance for the subject parcel will not constitute a grant of special privilege in that other irregularly shaped park properties under similar limitations would be given similar consideration. This small pocket park is located on a parcel that is more typical of an urban residential parcel in size at about 7,700 square feet. Most PR zoned park sites would typically be located on much larger parcels, in which case the PR setbacks of 30 feet for all yards could more consistently apply. The application of these setbacks for this parcel, which has an average width of less than 60 feet, would result in no place onsite where a public restroom could be located. The public restroom is a key element to this park site and to implementing the General Plan/LCP and would require a variance anywhere on the site. This is a small, low scale building and potential impacts to the neighborhood have been minimized with the proposed design and location.

(w/Revisions At Board)

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Conditions of Approval

East Cliff Drive Bluff Protection and Parkway Project

Exhibit E:

- East Cliff Drive Parkway – Preliminary Design Plans prepared by Santa Cruz Redevelopment Agency, dated 7/28/06 and Revised 11/1/06.
- Conceptual Drawings – Coastal Bluff Stabilization Project prepared by Sanders & Associates Geostructural Engineering, Inc (SAGE), dated 1/6/06.
- East Cliff Drive – Emergency Repairs at Existing Crib Walls prepared by SAGE, dated 5/28/04.

This permit authorizes the applicant to exercise a Coastal Development Permit, Park Master Site Plan, Variance, and Grading Approval to construct the East Cliff Drive Bluff Protection and Parkway Project (00-0797) and includes the follow-up permits for four crib wall repairs/ re-construction completed as authorized under the Emergency Coastal Development and Grading Permit (04-0307).

I. <u>Prior to exercising any rights</u> granted by this permit including, without limitation, any construction or <u>site disturbance</u>, the applicant/owner shall:

A. Present all changes to the project as a result of California Coastal Commission review to the Planning Department for consistency review with this approval prior to start of work. Significant changes to the design or concept that results in increased impacts or intensity of use shall be taken back to the hearing body for review and approval.

B. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.

C. Obtain a Demolition Permit from the Santa Cruz County Building Official as needed for the public restroom and stairs located between 35th and 36th Avenues.

D. Obtain a Building Department review for accessibility and other elements as needed for the new park public restroom building from the Santa Cruz County Building Official.

E. Obtain a Planning final grading plan review from an Environmental Planning engineer.

F. Conduct a pre-construction meeting prior to any site disturbance of each phase of the project. The meeting shall be organized by the applicant and shall include attendees such as the construction contractor, Department of Public Works inspector, the project engineer, environmental planning staff, the project biologist, the project arborist, archeologist, and any other consultants key to the site disturbance and construction operations. Environmental planning staff shall identify the attendees required for each project phase. The meeting shall take place after the required surveys have been conducted and the disturbance envelope for that phase of the project construction has been fenced, but prior to other site disturbance. All permit requirements and EIS/EIR mitigation measures and monitoring are to be reviewed at this meeting.

G. Ensure that the conditions required with Emergency Permit 04-0307 for the crib wall repairs (Exhibit H) were satisfied with the project completion.

II. <u>Prior to start of construction</u> the applicant/owner shall comply with the following conditions:

A. Submit final plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "E" on file with the Planning Department. Changes from the approved Exhibit "E" for this development permit should be identified with the final plans. Final plans shall include the following additional information:

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1. Identify exterior finish materials and colors for the park restroom building, walls and fences for Planning Department approval. Color boards must be in an 8.5" x 11" format.
2. Detailed grading, drainage, and erosion control plans in conformance with County standards.
3. Building plans for the public restroom should include detailed elevations and clearly depict the total height of the proposed structure.
4. Floor plans for the public restroom should identify each room and its dimensions and satisfy accessible criteria.
5. Details showing compliance with fire department requirements.
6. Site plans showing the location of all site improvements, including but not limited to points of ingress and egress, parking areas, accessory structures, parkway furniture, and signage.
7. A Final Landscape Plan for the entire site specifying the species, their size, and irrigation plans and meet the following criteria:
   a. Soil Conditioning. In new planting areas, where feasible and appropriate, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.
   b. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation system, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid runoff, over spray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.

      Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be utilized to maximize the efficiency of water applied to the landscape.

      Plants having similar water requirements shall be grouped together in distinct hydro zones and shall be irrigated separately.

      The irrigation plans and an irrigation schedule for the established landscape shall be submitted to the Planning Staff for review. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydro zones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.

      Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.

B. Submit two copies of the approved Discretionary Permit with the Conditions of Approval attached to Planning.

C. Meet all requirements of the Department of Public Works Drainage and pay Zone 5 County Flood Control and Water Conservation District fees, as applicable to the proposed park improvements.

D. Final planting, irrigation and restroom construction plans and irrigation schedule shall be reviewed and approved by the Santa Cruz City Water Department and shall meet department requirements including payment of any connection and inspection fees prior to new water service or water connection. Final planting and irrigation plans shall also comply with the Water Conservation Office requirements as stated in their memo dated September 26, 2006.

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E. Final plans shall note that Santa Cruz County Sanitation District will provide sewer service and shall be reviewed and accepted by the District. All requirements of the District shall be met including completion of the conditions identified in their memo dated September 19, 2006 and payment of any connection and inspection fees relative to the new public restroom. An abandonment permit shall be obtained as needed for the old restroom building prior to demolition.

F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District as stated in their letter/memorandum dated September 11, 2006.

G. All new electrical power, telephone, and cable service connections shall be installed underground. Contact AT&T as needed to confirm existing facility locations prior to digging.

H. All improvements shall comply with applicable provisions of the Americans with Disabilities Act and/or Title 24 of the State Building Regulations. Construction plans should be submitted for an accessible plan check review and address items identified in the building accessibility memo dated September 21, 2006.

I. Submit 3 copies of a geologic/soils letter prepared and stamped by a licensed Geological/ Geotechnical Engineer that addresses whether construction plans were prepared in accordance with the previous report recommendations.

J. Consult with the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and comply with their requirements relative to project construction equipment and restroom demolition.

K. Consult with the County Parks Department regarding final park plans, planting and irrigation plans, and to define maintenance and management responsibilities.

L. Parking spaces should meet dimension standards and curbs or wheel stops provided where needed to prevent vehicles from blocking pathways. Public parking should be clearly striped and differentiated from private driveways.

M. Final plans shall be reviewed by the Planning Urban Designer. If water heating is proposed for the public restroom, consider providing solar hot water for the showers (and add changing screening if possible). As a part of the art component for the county park, consider the Pleasure Point surfing history as a possible theme for the artwork.

N. All permissions, rights, easements and/or dedications shall be obtained as necessary for work performed outside of the public right-of-way or County owned properties on private property.

O. The final landscape plan shall be returned to the Planning Commission for approval.

III. This section of Conditions includes project conditions that reflect the mitigation measures presented for the Revised Final EIS/EIR Alternative 1 (the number reference in the Condition heading corresponds to the mitigation measure numbering). These conditions have elements that must be satisfied prior to start of construction, during project construction, after construction and prior to final inspection. The applicant/owner shall comply with the following conditions:

A. **Recreation 4.1** – To minimize impacts on recreational use during construction, the Santa Cruz County Department of Public Works (DPW) and its Construction Contractor shall include the following measures in construction planning:

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1. Mitigation measures to assure recreational access to the project area shall be implemented, including pedestrian and bicycle use of the path along East Cliff Drive, as described in Mitigation 9.1 (Transportation).
2. The DPW Construction Inspector, in conjunction with the Contractor for the projects, shall ensure that, during construction and to the maximum extent feasible, access is maintained to key locations for viewing, such as Pleasure Point Park, the bluff near 35th Avenue, the overlook near Larch Lane, and the overlook at The Hook.
3. The DPW Construction Inspector, in conjunction with the Contractor for the projects, shall ensure that all stairs remain open, to the extent feasible, and that at least one stairway remains open and accessible at all times during construction.

B. **Visual Resources 5.1** – To minimize visual impacts of the bluff protection structures, DPW and its Construction Contractor shall:
1. Prepare a final parkway design plan that incorporates the measures included in both this mitigation and Mitigation 5.2 below. The final design plan shall be submitted to the County Redevelopment Agency (RDA) and Planning Department for review and approval prior to any ground disturbance.
2. Vegetation shall be planted along the top of the bluff stabilization structures so as to replicate the pattern of natural vegetation that hangs over the bluff. These plantings shall be permanently maintained by the County Parks Department with appropriate drought-tolerant native vegetation.
3. At the ends of the bluff stabilization structure, the color, texture and other design features of the stabilization structure shall be designed to match the bluff face, while minimizing visually distinct meeting points.

C. **Visual Resources 5.2** – To minimize visual impacts of parkway-related improvements, DPW and its Construction Contractor shall incorporate the following design and construction elements into the parkway:
1. Resin stabilized decomposed granite shall be used for paving instead of asphalt wherever feasible, particularly near the bluff.
2. Wood, recycled, and other natural appearing materials shall be used to the extent possible and where appropriate for all stairways, benches, railings, and signs. Although wood has a greater bulk than other materials, such as metal, and its use in construction can result in greater obstruction of views, wood is more visually compatible with the colors and textures of the surrounding natural features and therefore is a more visually integrated building material. The stairs adjacent to the bluff protection structures shall be concrete to better match the structures where feasible. The railing shall also be designed and placed to maximize gaps and openings to avoid obstruction of views. Split rail fencing shall be used where there is landscaping between the path and the top of the bluff; otherwise, wooden posts with metal railings shall be used. Low-growing natural vegetation or setbacks shall be used instead of railings whenever possible.
3. A final sign plan shall be developed for the project area to ensure that the number of signs is minimized, and that signs are appropriately sized, compatible with the surrounding design and natural features, and located to avoid obstruction of scenic views. A single signpost shall be used for all signs, whenever possible, to minimize the placement of multiple signs.
4. New trees planted along the bluff shall be located to preserve scenic vistas and, whenever possible, to obstruct views of surrounding human-made features. New landscape plantings shall be installed as part of the parkway improvements.

D. **Geological Resources 6.1a** – To mitigate potential end effects associated with termination of the bluff protection structure adjacent to the O'Neill property, DPW and its Construction Contractor shall extend the bluff protection structure as close as is feasible to the edge of the O'Neill property. To protect this termination, the riprap shall be removed, the bluff protection structure

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shall be completed to the property line, and then the riprap shall be replaced only as necessary to arm the transition area. This will provide a high degree of protection to the bluff in the transition area and reduce the potential impacts of outflanking to less than significant levels. Removing and replacing the riprap will require coordinating with the property owner. The applicant shall also hold consultation(s) with Mr. O'Neill's engineers prior to finalizing the construction plans.

E. **Geological Resources 6.1b** – To minimize bluff or beach erosion problems adjacent to the project area and associated outflanking of the bluff protection structures, DPW shall implement an annual program of inspection, maintenance, and repair (as needed) of the bluff protection structures, with particular emphasis on the ends of the structures. (See added language in III.D.)

F. **Biological Resources 8.1** – To minimize impacts to intertidal habitat during construction, DPW's Construction Contractor shall ensure that the following measures are included in the construction plans for the bluff protection structures prior to planning final grading review and start of construction:

1. A qualified biologist shall review final construction plans immediately prior to the commencement of construction and monitor the site periodically during construction to ensure that the loss of habitat due to armoring is minimal.
2. The project biologist shall be present when beach rubble and riprap are removed to determine whether the work is creating a problem by displacing rats. If the biologist determines that a problem exists, a rat removal program shall be implemented by the Project Contractor before any rubble or riprap is further removed.
3. Concrete rubble and rock riprap shall be pulled away from the base of the cliff to construct a temporary rock riprap water barrier to the extent feasible. The purpose of this barrier is to help keep the trench and equipment out of the tidal waters during construction and will ultimately be removed, along with the concrete rubble and a portion of the riprap.
4. A silt fence or other barrier shall be installed to the extent feasible to prevent smaller grained material from affecting intertidal and offshore areas.
5. Best Management Practices (BMPs) shall be implemented as part of a program to reduce and prevent pollutant and sediment discharges. Spill cleanup procedures, prevention measures, and protocols for storing construction materials and wastes shall be developed by the Construction Contractor before work begins in the intertidal area.
6. A construction stormwater pollution prevention program shall also be developed for the projects. This program shall address the BMPs used to prevent, respond, and monitor potential sources of pollution to intertidal and offshore habitats.
7. Any construction equipment used on the beach for the footing shall be scheduled for the dry season (April 15 to October 15) to reduce the risk of fuel or siltation reaching the water column.
8. If a fuel or oil spill were to occur during construction, the spill shall be addressed in accordance to the spill response plan developed by the Construction Contractor for the project area and the following actions shall be taken:
   a. The source and the cause of the spill shall be identified and the spill source stopped.
   b. Spill migration shall be prevented using equipment in the on-site spill response kits (such as absorbent socks, pumps, or floating booms).
   c. The spill shall be cleaned up (emergency response personnel shall be called in for large spills).
   d. Impacts of the spill shall be monitored [by a qualified biologist or other experienced professional].
   e. The nature of the spill and corrective actions taken shall be documented, and reported to appropriate agencies.

   These measures shall be incorporated into DPW's construction contract for the firm selected to construct the projects [and approved by the Redevelopment Agency].

G. **Biological Resources 8.2** – To minimize disturbance to subtidal and nearshore habitats during construction, the measures noted above in Mitigation 8.1 shall be implemented.

H. **Biological Resources 8.3** – To minimize construction noise impacts on special status species, DPW and the Project Biologist shall ensure that the following measures are implemented prior to and during construction of the bluff protection structures:

1. To avoid impacts to migratory birds, their young, and nests, a qualified biologist shall survey immediately before and during project activities that occur within the California bird breeding season, which extends from February through August (Tate-Hall 2002). Surveys shall be conducted along the cliff and intertidal project areas. Nests identified on the premises during the pre-breeding season surveys shall be removed, with the exception of eagles' nests, in order to prevent their use during the breeding season. Additional surveys of buildings and natural areas directly affected by project activities shall be conducted throughout the California breeding season. Nests found during these surveys, with the exception of eagles' nests, shall be removed, as long as no eggs were present. If a nest with eggs is found, activities in the immediate vicinity shall be halted until the eggs hatch and the young fledge or until the U.S. Fish and Wildlife Service (USFWS) gives its approval.
2. Surveys to detect the presence of other sensitive species shall be initiated prior to the start of construction and continue periodically during the construction period.
3. BMPs for noise reduction shall be used to minimize and monitor potential sources of noise pollution.
4. Site personnel shall be instructed how to recognize sensitive species (harbor seals for example) and how to manage encounters if they do occur.
5. Construction-related noise shall be reduced (limiting the number of heavy equipment in any one construction area, for example) and maximum distances from sensitive species shall be maintained.

These measures shall be incorporated into the construction contract for the firm selected to construct the projects.

I. **Transportation 9.1** – To minimize interference with normal vehicular traffic, prior to initiation of construction activities, DPW's Construction Contractor shall prepare a construction traffic mitigation plan that includes, but is not necessarily limited to, the following measures:

1. Designated Access Routes. Appropriate construction vehicle routes shall be identified from Highway 1 to East Cliff Drive for each phase of the project. All traffic shall use primary arterial and collector streets to the maximum extent feasible. For construction at the upcoast end of the project area, traffic shall use Portola Drive to 30th Avenue. For construction at the downcoast end of the project area (The Hook), traffic shall use Portola Drive to 38th Avenue [and 41st Avenue].
2. No Weekend Construction. Construction activities shall be prohibited on East Cliff Drive on Saturdays, Sundays, and holidays [except for as approved by the DPW Construction Inspector for construction emergencies].
3. Limited Travel During Commute Times. Construction vehicles shall avoid, to the extent feasible, the peak commute hours of 7 AM to 9 AM and 3 PM to 6 PM.
4. Pedestrian and Bicycle Access. Bicycle and pedestrian access along East Cliff Drive shall be maintained during construction to the maximum extent feasible.
5. Fencing and Barricades. Construction areas shall be blocked off from vehicle, pedestrian, and bicycle traffic by such measures as temporary barriers or fencing.
6. Lane Closure/Blockage Timing. Lane closures shall be limited to noncommute times, to the extent feasible, such as between 8:30 AM to 4:30 PM.
7. Lane Closure/Blockage Monitor. A public safety monitor or flag person shall be present during all lane closures/blockages to regulate vehicle, pedestrian, and bicycle traffic through the construction zone.

8. Signage. Warning signage shall be visible during construction to alert motorists of potential lane closures/blockages and detours and to alert pedestrians and bicyclists of any safety hazards along the roadway.
9. Lane Closure Detour Plans. Detour plans shall be developed for periods when segments of East Cliff Drive must be completely closed to through-traffic.
10. Local Resident Access. Provisions shall be made to provide vehicular access to residences along East Cliff Drive with minimum delays during construction.
11. Staging Areas. Policies shall be developed for storing construction equipment, materials, and vehicles along East Cliff Drive. To the extent feasible, trucks and vehicles shall not be stored overnight on East Cliff Drive.
12. Phone Number for Complaints. The DPW Construction Inspector shall post at least one sign during active construction containing the name and telephone number of the staff person the public may contact to register complaints about construction traffic or access. DPW shall keep a written record of all such complaints and investigate the problems registered by the public within 48 hours of receiving the complaints.
13. Emergency Vehicle Access. Emergency vehicle access shall be provided along East Cliff Drive at all times during construction. The local fire and police departments shall be notified of the approximate time and duration of planned lane closures and appropriate detour routes at least 48 hours in advance of any road closures or detours.

J. **Transportation 9.2** – To minimize the effects of temporarily narrowing or closing East Cliff Drive during construction, safety measures and detour routes shall be implemented during lane blockages and closures as described above under Transportation 9.1.

K. **Transportation 9.3** – To minimize bicycle safety impacts at 32nd Avenue/Pleasure Point Drive, signs shall be installed by DPW at the intersection of 32nd Avenue/Pleasure Point Drive/East Cliff Drive similar to the existing signs at The Hook stating "Bikes Must Cross." These signs shall be installed facing east to ensure that bicyclists continuing westbound from the bicycle path obey the stop sign at Pleasure Point Drive before crossing to the existing bicycle lanes across the roadway.

L. **Emergency Services 10.1** – To minimize restricted access to roadway emergency facilities (e.g., fire hydrants) during construction:
1. DPW and its Construction Contractor shall implement the measures to mitigate restricted access impacts described in Transportation 9.1.
2. A copy of those mitigation measures shall be provided to the Central Fire Protection District and to American Medical Response.

M. **Emergency Services 10.2** – To minimize delays in emergency services during periods of construction:
1. DPW and its Construction Contractor shall implement the measures to reduce restricted access impacts described in Transportation 9.1.
2. A copy of those mitigation measures shall be provided to the Central Fire Protection District and to American Medical Response.

N. **Paleontological Resources 11.1** – A paleontological mitigation plan shall be prepared by RDA, and approved by the County Planning Department, prior to any ground disturbance. The mitigation measures identified below, or their functional equivalent, shall be included in the plan:
1. A paleontologic survey and surface collection (salvage) shall be conducted by a qualified paleontologist immediately before construction and after removal of existing riprap. Because coastal erosion in this region is rapid (especially during winter), important new fossils can be exposed at any time. A qualified paleontologist shall re-examine the

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protection structures and retaining structure building sites shortly before work begins. Furthermore, because extensive riprap presently obscures large sections of the platform and lower cliff in the project area, it is imperative that those bedrock regions are examined after the riprap and debris have been removed. Any significant fossils found prior to construction shall be collected and salvaged according to Society of Vertebrate Paleontology guidelines (1995, 1996).

2. Fossil-rich Purisima Formation boulders from the base of the cliffs between 33rd and 35th Avenues shall be preserved. Numerous, eroded fossiliferous Purisima boulders and cobbles adorn the beach at the southwest end of the project area. Because they are out of place, these rocks do not have great paleontological or biostratigraphic value; however, they may yet be paleontologically and educationally important. A qualified paleontologist shall monitor any removal of smaller, more transportable materials.
3. Those materials deemed to have educational value shall be offered to local institutions for teaching or research. The materials could also be set aside for future educational landscaping of a municipal or county site, or may be incorporated into the Pleasure Point Park. An agreement shall be reached between RDA and a consulting paleontologist. The consulting paleontologist shall locate and organize the transport of materials to an interested institution (e.g., Long Marine Lab and the University of California, Santa Cruz). Once a recipient for the materials is located, an agreement shall be reached regarding the collection, transportation, and storage costs associated with the materials. Larger boulders and blocks shall be left intact, on the beach area.
4. Paleontologic monitoring and salvage shall be conducted during construction. A qualified paleontologist shall monitor the building sites during any cliff or platform excavation. This is especially important at 41st Avenue, 38th Avenue, and between 33rd and 35th Avenues, where either the Purisima Formation platforms to be excavated for protection structure footings are particularly fossiliferous, or where the exposed Purisima Formation and terrace deposits have previously yielded significant fossils. Construction shall stop as directed by the qualified paleontologist to avoid resources if significant finds are uncovered. Any significant fossils discovered during building activities shall be collected and salvaged. This measure shall be included in the construction contract of the firm hired to construct the bluff protection structures.
5. Salvaged samples shall be prepared. Salvaged materials shall be identified by location, stratigraphic level, and known fossil content, and stabilized before they are removed from the site.
6. Salvaged samples shall be stored. With the understanding that museums and universities are not required to accept all fossil materials (Society of Vertebrate Paleontology 1996), the contracted paleontologist shall attempt to secure both a suitable and willing repository for storing any materials resulting from salvage operations. If a suitable repository is located, RDA shall make every reasonable effort to enter into a curation agreement with the repository that addresses the collection, transportation, and storage costs associated with salvaged materials. RDA shall cover the cost for a qualified paleontologist to monitor which materials are suitable for collection. Alternatively, if curation is not possible for all or some of the significant paleontological resources that would otherwise be lost due to project activities, then RDA shall relocate these resources in local public parks and/or local educational facilities as directed by the contracted paleontologist.
7. A final report shall be prepared. The qualified paleontologist overseeing collection and salvage of fossils from the site shall prepare a final report when construction is complete and fossils have been salvaged, prepared, identified, and stored. The report shall include methods, identity, stratigraphic position, significance, and final resting place of all salvaged fossils. Copies of the final report shall be sent to the County Planning Department and to all relevant California repositories, agencies, or institutions as determined by the qualified paleontologist.

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O. **Air Quality 12.1** – Before construction begins on the wall portions of the project, DPW's Construction Contractor shall provide the Monterey Bay Unified Air Pollution Control District (MBUAPCD) with information on the number and types of equipment to be used, the ages and sizes of diesel engines, and the anticipated frequency of equipment use during construction. The MBUAPCD will use this information to determine whether a diesel risk analysis is necessary. If so, and it is established that mitigation is necessary to reduce diesel emissions, the measures listed below shall be implemented to ensure compliance with MBUAPCD thresholds of significance and state health standards, unless MBUAPCD approves of comparable alternate mitigation:

1. All pre-1994 model year and older diesel equipment shall be retrofitted with EPA-certified diesel oxidation catalyst filters, or the entire construction and demolition fleet shall be fueled with B20 biodiesel fuel.
2. DPW or it Construction Contractor shall maintain records of all purchases of diesel oxidation catalyst filters or B20 biodiesel fuel identified in #1 above until all construction and demolition work has concluded.
3. MBUAPCD will have the right to inspect the construction and demolition equipment, as well as the records specified in #2 above at any time during construction or demolition.

P. **Noise 13.1** – To minimize impacts associated with short-term construction noise, DPW and its Construction Contractor shall ensure that the following noise control measures are incorporated into the final construction and design plans for the projects:

1. Construction that involves motorized equipment shall be limited to Monday through Friday from 7:30 AM to 4:30 PM to avoid the times of day and the days of the week when noise effects would cause the greatest annoyance to residents and to those using the area for recreation;
2. Exceptions to the specified construction hours will be allowed only for construction emergencies and when requested by the DPW Construction Inspector and approved by the County Planning Department.
3. A sign shall be posted that is clearly visible to users on East Cliff Drive that provides the phone number for the public to call to register complaints about construction-related noise problems. A single "disturbance coordinator" shall be assigned to log in and respond to all calls. All verified problems shall be resolved within 24 hours of registering the complaint.

Q. **Utilities 14.1** – DPW shall minimize the potential for encountering utility infrastructure by coordinating with the local utility service providers prior to beginning the projects. These providers shall be consulted to determine both the horizontal and vertical locations of all underground infrastructure within the corridor of the projects. Design of the structures and the drilling locations shall be planned to avoid the infrastructure beneath the road.

IV. All construction shall be performed in accordance with the approved plans. During project construction and prior to project completion and final inspection, the applicant/owner shall comply with the following conditions:

A. All site improvements shown on the final approved project plans shall be installed.

B. All required inspections shall be completed to the satisfaction of the County Building Official and/or other divisions as applicable.

C. The project must comply with all recommendations of the approved geologic/soils reports.

D. Dust suppression techniques shall be included as part of the road and parkway construction plans and implemented during construction.

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E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100 shall be observed.

F. Disturbed areas of the bluff top shall be revegetated for erosion control purposes. Where erosion control mixes are used to seed the bare areas, these should consist of only native plants and wildflowers wherever possible. An alternative that does not have the potential to spread non-native seeds should be used to cover bare surfaces, if feasible instead of straw mulch.

G. The project geostructural engineer should perform periodic inspections during grading and construction. The project geostructural engineer shall inspect the completed project and shall submit to Public Works and Environmental Planning a letter addressing that the improvements have been constructed in conformance with the approved project plans and the geostructural analysis/reports included as exhibits.

H. The final construction shall be in substantial compliance with the approved plans. Final "as-built" road and parkway construction and grading plans shall be filed with Public Works and a copy submitted to Planning to document in detail the final construction. Any variations in final construction from the plans marked Exhibit "E" on file with the Planning Department should be identified.

I. Provide a revised parking plan in the final construction drawings for Planning Director review and approval consistent with the revised parking proposal as demonstrated in Attachment 7, Figures 3a and 3b.

J. The applicant shall work with the community to incorporate some form of memorial in honor of surfer Jay Moriarity into the final park/parkway development plan and discuss the appropriate placement and other related issues with the community and interested agencies.

V. Operational Conditions

A. All newly constructed improvements, including walls, drainage and erosion control facilities, and landscaping shall be permanently maintained.

B. New drainage filtration facilities shall be maintained according to the following monitoring and maintenance procedures:
   1. The trap shall be inspected to determine if it needs to be cleaned out or repaired at the following minimum frequencies:
      a. Prior to October 15 each year; and,
      b. Prior to April 15 each year.
   2. A brief annual report shall be prepared by the trap inspector at the conclusion of each October inspection and submitted to the Drainage Section of County Public Works within 5 days of inspection. This monitoring report shall specify any repairs that have been done or that are needed to allow the facilities to function adequately.

C. 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 applicant shall be responsible to pay for the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

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ATTACHMENT 2

VI. Mitigation Monitoring Program

The Final EIR/EIS mitigation measures have been incorporated into the conditions of approval for this project as listed above under Conditions III. 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 as entirely presented in the Mitigation Monitoring and Reporting Plan (MMRP) with the East Cliff Drive Bluff Protection and Parkway Final EIS/EIR. The required monitoring program is specifically described in the MMRP document. The MMRP also includes each required mitigation measure, as well as the responsible parties and phases associated with the required monitoring for each mitigation. 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.

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 County Code Chapter 18.10.

Please note: This permit expires five years from the approval date noted below unless you obtain the required permits and commence construction.

Approval Date: March 20, 2007

Effective Date: March 20, 2007 (per Coastal Zone Appeal procedures - Code sec. 18.10.131)

Expiration Date: March 20, 2012

Mark M. Deming
Mark M. Deming, AICP
Assistant Planning Director

Melissa A. Allen
Melissa Allen
Project Planner

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

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ATTACHMENT 2

RECEIVED
JUN 1 0 2007
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT
701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, PLANNING DIRECTOR

June 12, 2007

APPROVED AND FILED
BOARD OF SUPERVISORS
DATE: June 26, 2007
COUNTY OF SANTA CRUZ
SUSAN A. MAURIELLO
EX-OFFICIO CLERK OF THE BOARD
BY Sharon Mitchell DEPUTY

AGENDA: June 26, 2007

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: East Cliff Drive Bluff Stabilization and Parkway Project - Parking Report

Members of the Board:

At a public hearing on March 20, 2007, the Board of Supervisors approved development permits for the East Cliff Drive Bluff Stabilization and Parkway Project (00-0797). At that hearing, the Board also directed staff to consult with the Coastal Commission and return with additional recommendations on parking restrictions, particularly with regard to disabled access to the coastal areas. More specifically, the Board discussion included interest in designating additional accessible parking spaces and incorporating measures to control overnight parking and camping, particularly in the vicinity of Pleasure Point Park and the O'Neill residence to the east.

Planning and Redevelopment Agency (RDA) staff has since consulted with Coastal Commission and Public Works Department staff. Attached is a letter with exhibits by RDA (see Attachment 1) that identifies the proposed recommendations for designating and managing approved parking spaces in the project area in response to the Board's concerns. That letter provides additional discussion of the background of this item and the proposed parking management measures recommended.

In summary, the proposal includes the following parking management measures:

a. Designate an additional accessible space near Pleasure Point Park and an additional accessible space to the east of the O'Neill residence;
b. Designate two drop off and loading spaces near 36th Avenue; and
c. Post signs prohibiting camping and parking from 11 pm to 5 am for the three parallel spaces opposite Pleasure Point Park and the five spaces east of the O'Neill residence at the completion of the project.

Planning has reviewed this proposal and determined that it adequately addresses the direction given by the Board at the public hearing, complies with applicable planning regulations and policies, and is consistent with the scope and conditions of the approved project relative to parking.

After your review and acceptance, RDA will file this parking management proposal with the Coastal Commission for consideration with the entire project, which is scheduled for a Coastal hearing in early August. Any significant changes to the County approved project by the Coastal Commission will be brought back to your Board for review at a later date.

RECOMMENDATION

It is therefore RECOMMENDED that your Board accept and file this report regarding parking management for the East Cliff Drive Bluff Stabilization and Parkway Project.

Sincerely,

Tom Burns
Planning Director

RECOMMENDED:

SUSAN A. MAURIELLO
County Administrative Officer

Attachments:
1. RDA Letter with Exhibits

cc: Tom Bolich, Director of Public Works
Jack Sohriakoff, Traffic Engineer, Department of Public Works
Steve Monowitz, District Manager, California Coastal Commission

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ATTACHMENT 1

County of Santa Cruz

REDEVELOPMENT AGENCY

701 OCEAN STREET, ROOM 510, SANTA CRUZ, CA 95060-4073

(831) 454-2280 FAX: (831) 454-3420 TDD: (831) 454-2123

BETSEY LYNBERG, AGENCY ADMINISTRATOR

June 12, 2007

Melissa Allen
Development Review Planner
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

Report on Parking Management Plan for the East Cliff Drive Bluff Stabilization and Parkway Project

Dear Ms. Allen:

At a public hearing on March 20, 2007, the Board of Supervisors approved development permits for the East Cliff Drive Bluff Stabilization and Parkway Project. As part of the discussion at that time staff was directed to consult with the Coastal Commission staff and return with additional recommendations on parking management in the vicinity of Pleasure Point Park and the O'Neill residence to the east. In particular the Board was interested in designating additional accessible parking spaces and measures to control overnight parking and camping. RDA and Planning staff has since consulted with Coastal Commission staff and staff in the Public Works Department and RDA staff has prepared this letter to summarize and recommend minor changes to the designation and management of parking in these two locations.

Background

In response to community concerns raised at the Planning Commission hearing on January 24, 2007, regarding proposed new parking on the ocean side of East Cliff Drive, RDA prepared alternative parking plans for the areas adjacent to Pleasure Point Park and the O'Neill residence. These plans presented by RDA and Planning staff at the public hearing before the Board of Supervisors on March 20th included the provision of one accessible parking space along East Cliff Drive west of the intersection of Pleasure Point Drive, three parallel parking spaces on the inland side of East Cliff across from Pleasure Point Park, two parallel parking spaces on East Cliff near the intersection of 35th Avenue west of the O'Neill residence and five diagonal parking spaces east of the O'Neill residence. All other parking along East Cliff Drive remained as shown on the plans considered by the Planning Commission. These proposed changes resulted in a reduction to the number of spaces evaluated in the project EIR, but no net loss of the total number of parking spaces for the area. These alternative parking plans were approved by the Board and achieve the following goals:

- The overall number of parking spaces are not reduced below the existing number of spaces,

ATTACHMENT 1

- The number of parking spaces on the ocean side of the road are not increased, protecting existing public view sheds to the maximum extent feasible,
- The size of Pleasure Point Park is maximized, and
- Accessible parking is designated at the west end of the project, thereby making accessible parking available at both ends of the project area.

Parking Management Recommendations

At the hearing on March 20th, the Board requested that staff look at designating additional accessible parking spaces and at posting signs for no overnight parking or camping for the parking spaces located at Pleasure Point Park and east of the O'Neill residence.

RDA and Planning staff has met with DPW engineers and local Coastal Commission staff to review suggested parking management recommendations. The conclusion is that a number of parking management measures can be implemented without altering the number of existing spaces in the area or changing the parking as approved by the Board. RDA staff proposes to accomplish this through the following:

1. Designate one additional space along the western park frontage on Pleasure Point Drive for accessible parking, as shown on Attachment 1. This results in two on-street accessible parking spaces at the west end of the project area.
2. Post signs prohibiting camping and overnight parking for the three parallel parking spaces proposed along the north side of East Cliff Drive across from Pleasure Point Park.
3. Maintain the two parallel parking spaces west of the O'Neill residence at the 35th Avenue intersection, but designate these as loading and drop-off spaces only, as shown on Attachment 2.
4. Designate one of the five diagonal spaces east of the O'Neill residence as an accessible parking space, as shown on Attachment 2.
5. Post signs prohibiting camping and overnight parking, for the five parking spaces east of the O'Neill residence.

While there are no clear standards within the Planning and Zoning code to determine the minimum number of parking spaces for parks, the code does identify the required proportion of accessible spaces when parking is provided. The requirement is for one accessible space per 25 total parking spaces. The project area along East Cliff Drive has 27 spaces. It is therefore appropriate to designate at least two accessible spaces with this project and to place them at intervals along this section of the roadway. The proposed recommendations result in a total of three accessible spaces. These new accessible spaces would be in addition to the existing accessible spaces provided at the Hook area parking lot at the end of 41st Avenue.

In addition to designating additional spaces for accessible parking, RDA staff has identified an opportunity to designate spaces for drop off and loading only. Two parallel spaces to the west of the O'Neill residence are appropriate to designate for this use. This area is at the midpoint between 32nd Avenue and 41st Avenue and conveniently located at a wide area at the top of the new beach access stairway.

Neighbors testifying at the public hearings identified the issue of extended parking as a problem along the bluff areas of East Cliff Drive, especially at night. At that time, Coastal Commission staff also expressed some concern regarding imposing restrictions, which might reduce public access to the beach and surf.

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An existing County ordinance already prohibits camping on public streets in Santa Cruz County (Section 9.70.060) and Coastal Commission staff agrees that camping in vehicles is not appropriate at this location. However, they are reluctant to prohibit night time parking as this can make access to the coast for activities such as nighttime surfing and kayaking more difficult and thus would prefer to minimize the hours when parking would be prohibited. Public Works staff has noted that signs will require specific hours in order to provide for enforcement for both camping and overnight parking, as camping is particularly difficult to enforce. The time limits typically enforced by the Sheriff's Department elsewhere in the County are no parking from 10 pm to 6 am. In order to address neighborhood concerns and those of the Coastal Commission staff, RDA staff recommends that parking in these spaces be prohibited from 11 pm to 5 am.

Conclusion

The parking recommendations described in this letter will not result in the reduction of the total number of parking spaces in the project area but instead focus on management of the spaces. The conversion of three existing spaces to accessible spaces will improve opportunities for visitors to enjoy the area and comply with current planning standards. Designation of drop off and loading spaces will improve access in this heavily used area. Posting some spaces for no camping and limiting hours of nighttime parking will minimize impacts to residents. We believe that these additional measures respond to the direction provided by the Planning Commission and the Board of Supervisors and are acceptable to the Coastal Commission staff.

RDA staff recommends that the Board of Supervisors be requested to accept and file this report regarding parking management recommendations for the East Cliff Drive Bluff Stabilization and Parkway Project with the following parameters:

1. Designate an additional accessible space near Pleasure Point Park and an additional accessible space to the east of the O'Neill residence;

2. Designate two drop off and loading spaces near 36th Avenue; and

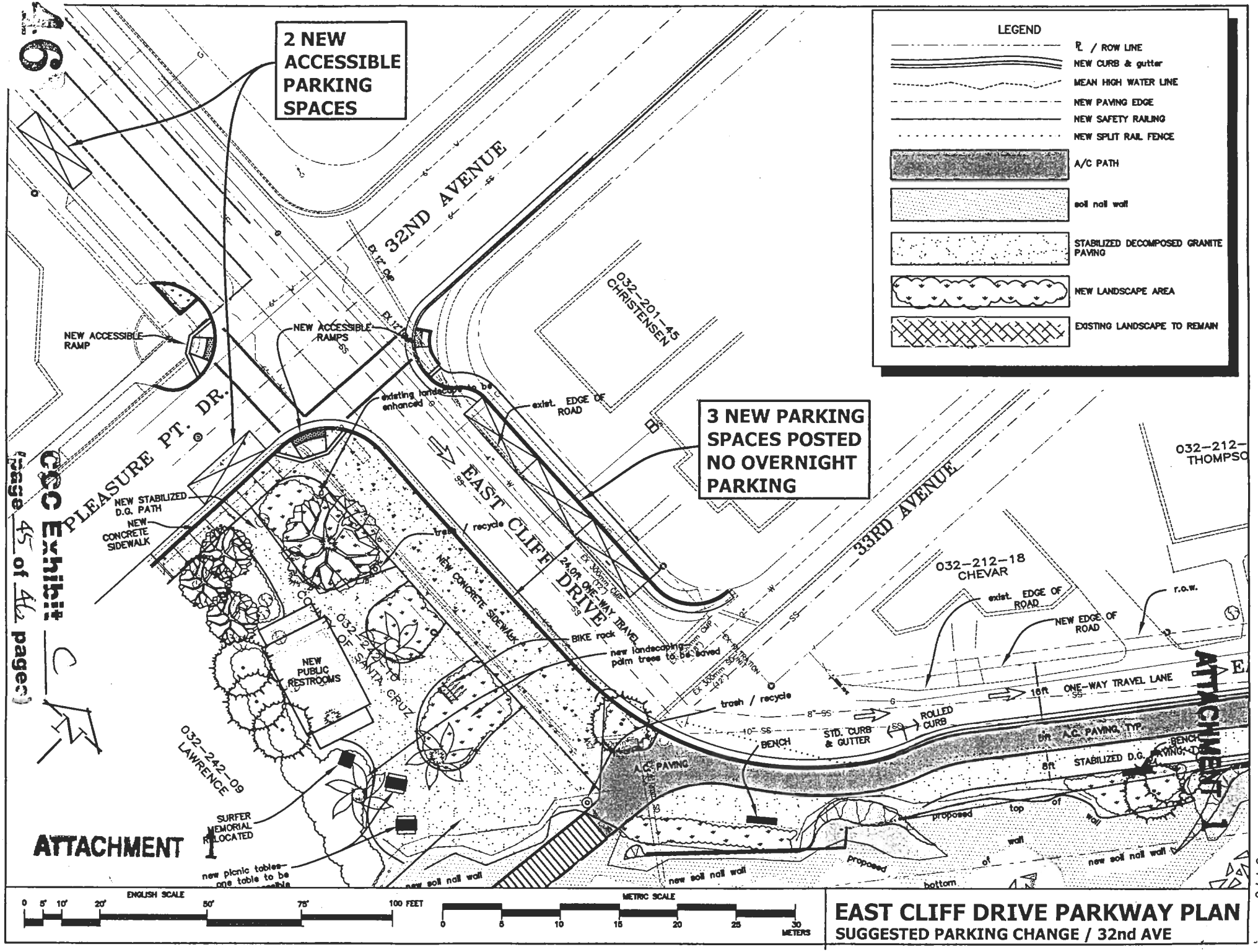
3. Post signs prohibiting camping and parking from 11 pm to 5 am for the three parallel spaces opposite Pleasure Point Park and the five spaces east of the O'Neill residence at the completion of the project.

Very truly yours,

Betsey Lynberg
Redevelopment Agency Administrator

Attachment 1 - Revised Parking Layout at 32nd Avenue
Attachment 2 - Revised Parking Layout at 36th Avenue

cc: Tom Burns, Planning Director
Tom Bolich, Director of Public Works
Jack Sohriakoff, Traffic Engineer, Department of Public Works
Steve Monowitz, District Manager, California Coastal Commission



ATTACHMENT 1

EAST CLIFF DRIVE PARKWAY PLAN

SUGGESTED PARKING CHANGE / 32nd AVE

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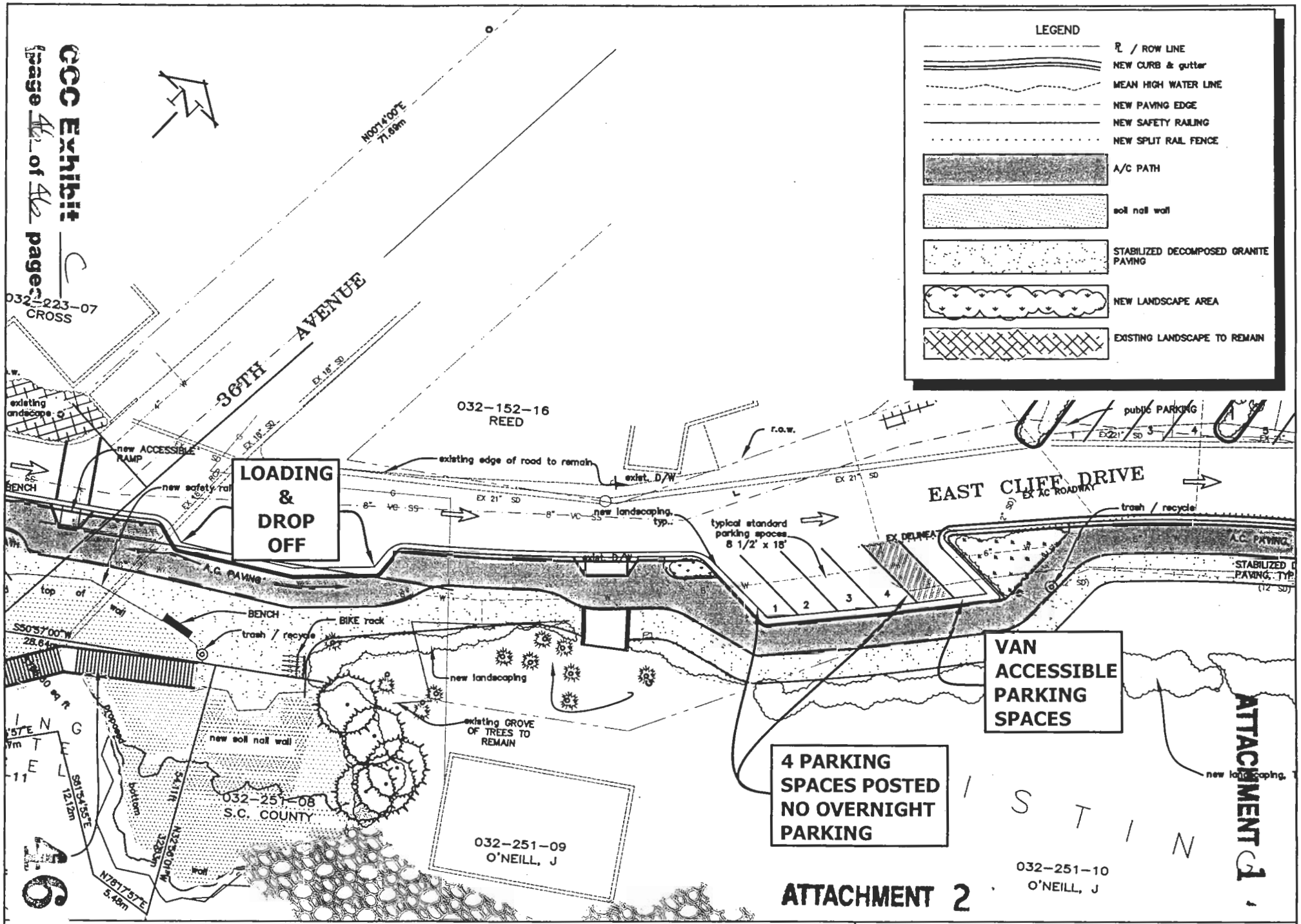

EAST CLIFF DRIVE PARKWAY PLAN
SUGGESTED PARKING CHANGE / 36th AVE