

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(831) 427-4863 FAX (831) 427-4877  
[www.coastal.ca.gov](http://www.coastal.ca.gov)

**W17**

# CENTRAL COAST DISTRICT (SANTA CRUZ) DEPUTY DIRECTOR'S REPORT

*For the*

*May Meeting of the California Coastal Commission*

MEMORANDUM

Date: May 12, 2010

TO: Commissioners and Interested Parties  
FROM: Charles Lester, Central Coast District Deputy Director  
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the May 12, 2010 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the Central Coast District.

***REGULAR WAIVERS***

1. 3-10-010-W Jimmy L. & Karen E. Withrow (Pacific Grove, Monterey County)

***DE MINIMIS WAIVERS***

1. 3-09-060-W San Jose State University Foundation, Moss Landing Marine Labs, Attn: Paul Harris, Director, Finance And Accounting (Moss Landing, Monterey County)
2. 3-10-011-W Monterey Peninsula Yacht Club (Monterey, Monterey County)
3. 3-10-019-W City Of Pacific Grove (Pacific Grove, Monterey County)
4. 3-10-021-W City Of Santa Cruz (Santa Cruz, Santa Cruz County)

***EMERGENCY PERMITS***

1. 3-10-017-G Santa Cruz Port District (Santa Cruz, Santa Cruz County)

**TOTAL OF 6 ITEMS**

## DETAIL OF ATTACHED MATERIALS

### REPORT OF REGULAR WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>3-10-010-W</b> Jimmy L. & Karen E. Withrow	Second story addition of 369 square feet to an existing history single family residence.	143-18th Street, Pacific Grove (Monterey County)

### REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>3-09-060-W</b> San Jose State University Foundation, Moss Landing Marine Labs, Attn: Paul Harris Director Finance And	Consolidate and modernize the current aquaculture research and educational training facilities into one building which requires the demolition of two existing buildings and reconstruction of one 1498 square foot building, and a 1738 square foot concrete pad to house tanks for sea weed. New facility will hook up to municipal water and sewer.	7722 Sandholdt Road, Moss Landing (Monterey County)
<b>3-10-011-W</b> Monterey Peninsula Yacht Club	Construct a 198 square foot addition to an existing 2,500 square foot building; to include ADA compliant ramp to replace an existing stair entrance.	31 Wharf #2, Monterey (Monterey County)
<b>3-10-019-W</b> City Of Pacific Grove	Addition of an approximately 64 square foot restroom to an existing 392 square foot park facility.	Park Place & Forest Avenue (Jewell Park), Pacific Grove (Monterey County)
<b>3-10-021-W</b> City Of Santa Cruz	Install storm drain infiltration box adjacent to retaining wall.	Main & Beach Streets (on beach adjacent to retaining wall where Main & Beach Streets intersect), Santa Cruz (Santa Cruz County)

### REPORT OF EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property or to maintain public services.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
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CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

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<b>3-10-017-G</b> Santa Cruz Port District	Request to extend the dredge operations through Friday, May 14, 2010.	Yacht Harbor, Santa Cruz (Santa Cruz County)
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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** April 28, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-10-010-W  
Applicants: Jimmy and Karen Withrow

**Proposed Development**

Remodel and second story addition (369 square feet) to an existing historic single family residence including replacement of existing metal roof with new composition shingle, new glass entry doors, and new wood windows located at 143 18<sup>th</sup> Street (APN 006-163-011) in the City of Pacific Grove.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13250 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed residence would be compatible with the size, scale, and aesthetics of the residential neighborhood in which it is located, and it includes drainage BMPs to reduce storm water runoff and remove contaminants prior to conveyance off-site. The proposed renovations were reviewed and received discretionary approval by the City's Architectural Review Board and Historic Preservation Board to ensure conformance with the requirements of the City's Municipal Code and the certified Land Use Plan. The project has no potential for adverse effects on coastal resources, including public access to the shoreline, and is consistent with Chapter 3 of the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, May 12, 2010, in Santa Cruz. If three Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Watson in the Central Coast District office.**



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** April 28, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Katie Morange, Coastal Planner *KM*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-09-060-W  
Applicants: San Jose State University Research Foundation, Attn: Paul Harris

**Proposed Development**

Demolish and rebuild the Moss Landing Marine Laboratory (MLML) aquaculture research and educational training facility, which would consist of demolition of two buildings (1,750 square feet total) and construction of one new 1,498 square foot building at 7722 Sandholt Road, between Sandholt Road and the sandy beach, in the Moss Landing community of unincorporated Monterey County.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project involves consolidating and modernizing MLML's current small scale aquaculture research facility at this site into one building, and will not involve an increase in students or faculty at the site, or an increase in water use or sewer capacity. The building has been sited and designed to be low profile and clustered/consolidated adjacent to existing development on the upcoast side of the property (downcoast of the site is undeveloped dunes) and consistent with the character of development in the Moss Landing area. The project will help MLML continue its aquaculture research efforts – efforts that will help inform better coastal management decisions in the long run – and will not prejudice future decisions on projects nearby (including MLML's proposed pier and public accessway project associated with this site and the area seaward of it). In sum, the proposed project is consistent with the Coastal Act and certified Monterey County Local Coastal Program.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, May 12, 2010, in Santa Cruz. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Katie Morange in the Central Coast District office.**



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** April 28, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DC*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-10-011-W  
Applicant: Monterey Peninsula Yacht Club

**Proposed Development**

Construct 198 square foot expansion to the existing men's and women's restroom facilities at the Monterey Peninsula Yacht Club to comply with the Americans with Disabilities Act (ADA) requirements and to create an accessible ramp between the existing sidewalk and the Yacht Club. The project is located at the foot of Monterey Fisherman's Wharf where it meets the recreational trail, near Monterey City Beach in the City of Monterey, Monterey County.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project will improve and provide upgraded ADA-compliant restroom facilities and an associated ADA access ramp at this location. The project is fairly minor in scope, and would provide a small ramp connection where none currently exists, thus enhancing the utility of the Yacht Club and complying with ADA requirements. Although adjacent to the public recreational trail at the entrance to Fisherman's Wharf, the project will not adversely affect these public use areas. The proposed project includes appropriate best management practices to protect water quality and public recreational access during construction. In sum, the proposed project is a minor expansion that can be found consistent with the requirements of the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, May 12, 2010, in Santa Cruz. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Watson in the Central Coast District office.**



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** April 28, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-10-019-W  
Applicant: City of Pacific Grove

**Proposed Development**

Energy efficiency and Americans with Disabilities Act (ADA) improvements and 63 square foot addition to the Jewel Park community building, including a new ADA-compatible restroom, new roofing, aluminum-clad wood windows, and new door at Jewel Park in the City of Pacific Grove, Monterey County.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project is fairly minor in scope and scale, and will result in a slight increase in floor area for the one-room Jewel Park community building to house a new ADA-compliant restroom. The interior of the building would be redone, and the exterior appearance would be upgraded as well with new windows and doors, and a new pitched roof to provide better articulation and character. The proposed project includes appropriate construction best management practices to protect water quality and public access during construction, and should result in enhanced public recreational opportunities overall at Jewel Park. In sum, the proposed project will enhance public access and recreational opportunities consistent with the requirements of the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, May 12, 2010, in Santa Cruz. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Watson in the Central Coast District office.**



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** April 28, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DGC*  
Susan Craig, Coastal Planner *S. Craig*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-10-021-W  
Applicant: City of Santa Cruz Public Works Department

**Proposed Development**

Install a steel storm water infiltration box and associated drain rock on the beach adjacent to an existing retaining wall located near the intersection of Main Street and Beach Street in the City of Santa Cruz.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant for the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

An existing 12-inch-in-diameter storm drain pipe currently outlets from Beach Street through a 4-foot retaining wall and empties directly onto the sand of Main Beach, approximately 250 feet from the ocean. The storm water from the outlet channels through the sand, including through the nearby sand volleyball courts. Trash that passes through the storm drain pipe is deposited directly onto the sand. The proposed steel infiltration box will connect to the existing storm drain pipe and will promote the infiltration of storm water through the drain rock that will be installed below the box, and ultimately into the sand below the drain rock. Any trash that comes through the storm drain pipe will be collected in the steel infiltration box. An access lid will allow City staff to vacuum out the box as necessary to remove the trash. The top of the infiltration box will be about 30 x 30 inches in size, will stand about two feet above the sand directly adjacent to the existing retaining wall, and will be located about 20 feet inland from the nearest volleyball court. The proposed project will promote the infiltration of storm water, will prevent storm water from channeling through the sand and disrupting the sandy beach (including the nearby volleyball courts), and will ensure that trash is not deposited onto the beach from this storm drain. In sum, the proposed project is a water quality enhancement that will better filter and treat runoff and better protect public sandy beach resources, thus protecting coastal resources, including public access. Therefore, the proposed project can be found consistent with the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, May 12, 2010 in Santa Cruz. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Susan Craig in the Central Coast District office.**





California Coastal Commission

# EMERGENCY COASTAL DEVELOPMENT PERMIT

## Emergency CDP 3-10-017-G (Santa Cruz Port District Dredging)

Issue Date: April 21, 2010

Page 1 of 3

This emergency coastal development permit (ECDP) authorizes the Santa Cruz Port District to: 1) increase the maximum amount of sandy material that may be dredged from the Santa Cruz Small Craft Harbor's entrance channel and disposed of onto the beach or into the nearshore environment from 350,000 cubic yards per dredge season (pursuant to CDP 3-05-065) to a maximum of 450,000 cubic yards for the 2009/2010 dredge season only; and 2) to allow entrance channel dredging and disposal operations to continue through May 14, 2010 (CDP 3-05-065 requires that such dredging and disposal operations cease on April 30<sup>th</sup>) (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee's representative, Brian Foss, it appears that winter and spring storms coupled with high ocean energy have caused deposition of higher than normal amounts of sandy material into the Harbor's entrance channel, creating unsafe conditions for boaters who need to traverse the entrance channel waters to both access the Monterey Bay and return safely to the Harbor. Thus, an emergency situation (representing a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, and property) has been identified at the subject site, and that the proposed emergency development is necessary to prevent the imminent loss of and/or damage to boats using entrance channel waters at the Harbor. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this ECDP; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

The emergency development is hereby approved, subject to the conditions listed on the attached pages.

*DAN CARL* 4/21/2010

Dan Carl, Central Coastal District Manager for Peter M. Douglas, Executive Director

Enclosures: (1) Emergency Coastal Development Permit Acceptance Form; (2) Regular Permit Application Form

cc: Kirk Lingenfelter, California Department of Parks and Recreation  
Deirdre Whalen, Monterey Bay National Marine Sanctuary  
Debra O'Leary, U.S. Army Corps of Engineers  
Peter von Langen, California Regional Water Quality Control Board  
Melissa Scianni, U.S. Environmental Protection Agency  
Ed Kendig, Monterey Bay Unified Air Pollution District

# **Emergency CDP 3-10-017-G (Santa Cruz Harbor Dredging)**

**Issue Date: April 21, 2010**

**Page 2 of 3**

## **Conditions of Approval**

1. The enclosed ECDP acceptance form must be signed by the Santa Cruz Port District's designated representative and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by May 6, 2010). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed by May 14, 2010 unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is for the 2009/2010 dredging season only.
5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California Department of Parks and Recreation, Monterey Bay National Marine Sanctuary, U.S. Army Corps of Engineers, California Regional Water Quality Control Board, U.S. Environmental Protection Agency, Monterey Bay Unified Air Pollution Control District). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. The emergency dredging and disposal shall be limited in scale and scope to entrance channel dredging and disposal as identified in the Santa Cruz Port District's letter dated April 16, 2010 and received in the Coastal Commission's Central Coast District Office via email on April 16, 2010.
8. Except for the maximum dredge sediment amount and the dredging season end date, all emergency dredging and disposal operations authorized by this ECDP shall otherwise conform to the requirements of CDP 3-05-065 and CDP 3-05-065-A2.
9. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of dredging and disposal operations.
10. Copies of this ECDP shall be maintained in conspicuous locations at the Santa Cruz Small Craft Harbor at all times, and such copies shall be available for public review on request. All persons involved with the dredging and disposal operations shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it.
11. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
12. The issuance of this ECDP does not constitute admission as to the legality of any development



# **Emergency CDP 3-10-017-G (Santa Cruz Harbor Dredging)**

**Issue Date: April 21, 2010**

**Page 3 of 3**

undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



**California Coastal Commission**

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May 11, 2010

To: Commissioners and Interested Parties

From: Charles Lester, Senior Deputy Director, Central Coast District

Re: Additional Information for Commission Meeting Wednesday, May 12, 2010

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
W19b, SCO-1-10 Part 2	Santa Cruz County	Correspondence	1

William G. Swinton  
2-3515 E Cliff Dr  
Santa Cruz, CA 95062

May 7, 2010

California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105-2219  
(415) 904-5200 FAX (415) 904-5400

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CENTRAL COAST AREA

Central Coast District Office  
725 Front Street, Suite 300  
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**Re: Agenda Item W19b, Wednesday, May 12, 2010 "Santa Cruz County LCP Amendment Number 1-10 Part 2 (Pleasure Point Community Design Combining Zone District).** Proposed amendment to the Santa Cruz County certified Local Coastal Program

Commissioners:

I am writing to you concerning the above agenda item. **I would like to draw your attention to the amendment to the Santa Cruz County certified Local Coastal Program to increase second story setbacks to 10'** in the new overlay zoning district. Perhaps some may find this change as a fair and effective mechanism to implement the Pleasure Point Community Plan's goals. However, I find significant problems with this proposed LCP amendment and cannot support it. **As many said in the Pleasure Point Community Plan meetings and the public hearings in Santa Cruz County, it's the details of implementing the Plan's goals that will be difficult. This LCP Amendment is flawed --- mistakes happen.**

The staff report says "*The proposed PP District would help to protect and enhance the special character of the Pleasure Point community by limiting the mass and scale of second story development*", but this is incorrect: **The LCP Amendment does not limit "the mass and scale of second story development" but rather only rearranges the shape of the bulk and mass, while actually constraining the future diversity of architecture in the neighborhood.** It pushes the future style towards a style rarely seen in the existing home designs.

#### **Effects of the Proposed Amendment**

1. **A (super)-majority of existing 2-story homes in Pleasure Point immediately become non-conforming**

The problem with the proposed increased 2<sup>nd</sup> story setback is that **it will make the majority of existing two story homes in the district clearly non-conforming.**

Throughout the processes that resulted in this proposed amendment being brought before your Commission, I and others have been asking the MIG consultants and the Santa Cruz County Planning Commission and Supervisors to determine how many homes would immediately become non-conforming. To date, to my knowledge, this inventory data has not been collected and/or made available to the public. **This Amendment is being brought forth with no real insight into the number of existing homes being affected.**

Lacking any official data and curious as to whether this LCP change would reflect the character of the existing home stock, **I wondered how many homes in Pleasure Point would become non-conforming with respect to the increased 2<sup>nd</sup> story setback** being proposed. As a test sampling, I decided to take an informal but inclusive survey of the properties on one of main streets in Pleasure Point, East Cliff Drive. **I inventoried every structure between the Hook and Moran Lake (“26<sup>th</sup> beach”), including all parcels that directly abutted East Cliff Drive**, either front yard, side yard (corners), or backyard – in short, if a parcel with a home “touched” East Cliff Drive it was included. What I found was very interesting:

- There are 94 structures in this section of East Cliff Drive.
- 61 of these are two stories (65%)
- Of these 61 two story structures, 50 would become non-conforming if either version of the increased setback ordinance were adopted. **In other words, 82% of the existing two story structures on this landmark Pleasure Point street would become non-conforming.**
- Even if one were to account for at all homes on this street, both 1 and 2 story, 50 out of 94, or 53%, a majority (!), would become non-conforming.

I would expect that you may find similar results in the entire proposed district were surveyed.

**An Amendment is being proposed that makes 4 out of 5 existing 2 story homes, which one may argue are in fact “the character”, now non-conforming, or “out of character”.**

Please think about this.

An LCP Amendment is being proposed, in the name of preserving “neighborhood character”, that makes 4 out of 5 existing 2 story homes, many of which have been in the neighborhood for decades, **which one may argue are, in fact, “the character of the neighborhood”**, now non-conforming, or “out of character”.

Does this make sense?

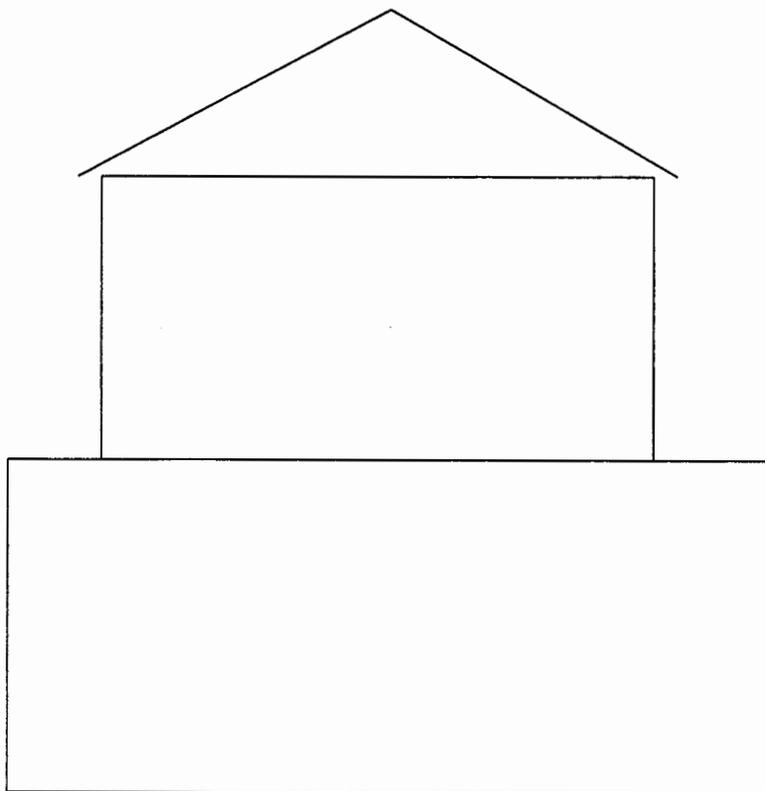
In fact, in the MIG managed Community workshops, there was a good deal of discussion on a variety of architectural techniques with regard to second stories that might be used to implement the Plan's goals — many of the alternatives ultimately discarded unilaterally by the consultants — would not result in the creation of a large number of non-conforming homes.

2. The cost of building a 2 story home or adding a second floor addition is increased

It costs more to not be able to use your 1<sup>st</sup> floor walls to hold up your second floor. More engineering costs, more materials cost to transfer loads either laterally to the 1<sup>st</sup> floor walls or down through living space. Period.

3. Over time, the architectural diversity of our neighborhood is diminished.

**The 2<sup>nd</sup> floor setbacks do NOT reduce the size, bulk or mass of new or remodeled homes. I repeat: The 2<sup>nd</sup> floor setbacks do NOT reduce the size, bulk or mass of new or remodeled homes** Instead, over time (20-30 years), they will result in a type-formed, more uniform, less interesting neighborhood. Homeowners will add 2<sup>nd</sup> stories. Homeowners will be constrained by the new building envelope. **The front elevation of all homes will eventually look like this.** If you like “wedding cake”, then Pleasure Point will be the neighborhood for you. However this is not the dominant or characteristic style of the neighborhood now.



Thus, a key aspect of the neighborhood identified in the Planning meetings --- diversity of style --- is constrained and boxed in (pun intended).

4. Over time, the front yard setbacks are reduced to 10'.

As homeowners struggle to "see around" a neighbor who has taken advantage of the new reduced porch setback, homeowners will also build porches into the existing 15' setback up to the new 10' porch setback

This leads to more type-forming == less diversity of design freedom.

**SUMMARY**

I urge you to NOT adopt the LCP Amendment.

I submit your Commission needs

- To understand the number of citizens you are immediately affecting with regards to making their home non-conforming, and
- To get a sense of the existing home design for yourselves; **to try to understand if it makes sense to adopt an LCP Amendment, in the name of preserving "neighborhood character", that makes 4 out of 5 existing 2 story homes, many of which have been in the neighborhood for decades, which one may argue are, in fact, "the character of the neighborhood", now non-conforming, or "out of character".**

It is this "paradox" that I suggest is problematic and indicative of a flaw in this attempt to implement the Pleasure Point Community Plan.

Learned Commissioners, as you deliberate non-trivial changes in zoning that would affect a 1000 or so homes and several thousand residents, for decades to come, I encourage you to critically question the proposed changes. As all agreed at the beginning of this process, the difficult part, of any initiative such as this, is in implementation. The proposed Plan implementation misses the goal. There are alternatives beside those the Consultants conceived.

It your responsibility to ask the bigger picture question: Does this make sense?

Please deny this LCP Amendment as it does not serve the goal.

Sincerely,



William G. Swinton

Attachment: Dec 2009 Survey data East Cliff Dr – The Hook to Moran Lake Park

December 2009 SURVEY covers structures directly lie on E Cliff Dr (any property edge) or on an E. Cliff corner (with address on side street)		percent of structures that are 2 story	Dec 2009 survey: Check mark if structure has 2nd story within 10' setbacks	Percent of existing 2 story structures that would become non-conforming (if 10' setbacks for 2nd story code changes are adopted)
TOTAL Structures (both 1 & 2 story) -->	94	64.89%		81.97%
	COUNTS -->	61	50	
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n	2-2796 E CLIFF DR	✓	✓	
n	2-2800 E CLIFF DR	✓	✓	
n	2-2802 E CLIFF DR	✓	✓	
n	2-2806 E CLIFF DR			
n	2-2811 E CLIFF DR	✓	✓	
n	just W of 2-2818 E CLIFF DR	✓	✓	
n	2-2818 E CLIFF DR			
n	2-2821 E CLIFF DR	✓	✓	
n	2-2825 E CLIFF DR	✓	✓	
n	2-2826 E CLIFF DR	✓	✓	
n	2-2830 E CLIFF DR	✓		
n	2-2834 E CLIFF DR	✓	✓	
n	2-2838 E CLIFF DR	✓	✓	
n	2800 Rockview	✓	✓	
n	2871 Chesterfield	✓	✓	
n	2873 Chesterfield	✓	✓	
n	2879 Chesterfield	✓	✓	
n	2871 Chesterfield	✓	✓	
n	2881 Chesterfield			
n	2883 Chesterfield	✓	✓	
n	2902 Chesterfield			
n	2-2885 E CLIFF DR			
n	2-2902 E CLIFF DR			
n	2-2905 E CLIFF DR	✓	✓	
n	40 Rockview			
n	43 Rockview			
n	2-2921 E CLIFF DR	✓	✓	
n	2-2931 E CLIFF DR			
n	2-2935 E CLIFF DR			
n	100 Anchorage	✓		
n	2-2940 E CLIFF DR			

n	2-2956 E CLIFF DR		✓	✓	
n	2-2951 E CLIFF DR		✓		
n	2-2960 E CLIFF DR		✓		
n	2-2965 E CLIFF DR		✓	✓	
n	2-2979 E CLIFF DR				
n	old motel 2-??? E CLIFF DR				
n	2-2951 E CLIFF DR				
n	2-3001 E CLIFF DR				
n	2-3002 E CLIFF DR				
n	2-3003 E CLIFF DR				
n	2-3005 E CLIFF DR				
n	2-3007 E CLIFF DR				
n	2-3010 E CLIFF DR		✓		
n	2-3030 E CLIFF DR		✓	✓	
n	2-3040 E CLIFF DR		✓	✓	
n	102 32nd Ave		✓	✓	
3220144	2-3211 E CLIFF DR		✓	✓	
3221218	2-3311 E CLIFF DR				
3221221	111 34TH AVE		✓		
3221108	2-3401 E CLIFF DR		✓	✓	
3221109	2-3435 E CLIFF DR		✓		
3221117	2-3439 E CLIFF DR		✓		
3221107	2-3451 E CLIFF DR				
3221106	2-3471 E CLIFF DR		✓	✓	
3221133	211 35TH AVE		✓	✓	
3222310	2-3501 E CLIFF DR				
3222309	2-3515 E CLIFF DR		✓	✓	
3222308	2-3535 E CLIFF DR				
3222307	2-3541 E CLIFF DR		✓	✓	
3225109	2-3610 E CLIFF DR		✓		
3215215	2-3635 E CLIFF DR		✓	✓	
3215228	2-3645 E CLIFF DR		✓	✓	
3215120	2-3651 E CLIFF DR		✓	✓	
3215125	2-3665 E CLIFF DR		✓	✓	
3216113	2-3701 E CLIFF DR				
3216112	2-3705 E CLIFF DR		✓	✓	
3216132	2-3715 E CLIFF DR		✓	✓	
3216110	2-3727 E CLIFF DR		✓	✓	
3216130	2-3777 E CLIFF DR		✓	✓	
3217107	2-3805 E CLIFF DR		✓		
3217106	2-3815 E CLIFF DR		✓	✓	
3217111	3846 MOANA WAY		✓	✓	
3217112	3846 MOANA WAY		✓	✓	
3217113	3846 MOANA WAY		✓	✓	
3217114	3846 MOANA WAY		✓	✓	
3217115	3846 MOANA WAY				
3217116	3846 MOANA WAY		✓	✓	
3217117	3846 MOANA WAY		✓	✓	
3232108	2-3911 E CLIFF DR				
3232108	2-3911 E CLIFF DR 1				
3232108	2-3911 E CLIFF DR 2				

3232108	2-3911 E CLIFF DR 3				
3232108	2-3911 E CLIFF DR 4				
3232108	2-3911 E CLIFF DR 5				
3232108	2-3911 E CLIFF DR 6				
3232108	2-3911 E CLIFF DR 7		✓	✓	
3232108	2-3911 E CLIFF DR 8		✓	✓	
3232108	2-3911 E CLIFF DR 9		✓	✓	
3232108	2-3911 E CLIFF DR 10		✓	✓	
3218204	2-3850 E CLIFF DR		✓		
3218134	425 LARCH LN		✓	✓	
3218203	2-3920 E CLIFF DR				
3218141	432 LARCH LN		✓	✓	

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MAY 10 2010

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

W19b  
Approve  
Charles Paulden  
People for the Preservation of Pleasure Point

Pleasure Point Plan  
May 2010

“However, if the objective is to have smaller-scale residential development, some FAR reductions and/or modifications would probably be necessary to ensure that smaller residential stock was the outcome.<sup>4</sup> Finally, residential design guidelines and/or some form of design/architectural review board may ultimately prove necessary.<sup>5</sup>

Although a combination of these various methods, those proposed, would probably be appropriate to apply in the Pleasure Point area, developing such LCP tools deserves a public planning process that is better undertaken by the County than by the Commission through this LCP amendment.

The Commission encourages the County to pursue such tools for the LCP.

In the meantime, the proposed amendment includes regulations that provide a good start to controlling mass/scale and improving the visual quality and community character of the Pleasure Point neighborhood.”

Staff report, p 6

We think that the Commission would do more than the County to meet the LCP concerns that Staff has sighted.

The many LCP policies used to support this project are ones that we used to attempt to preserve the special character of Pleasure Point.

The attempt to preserve the historic Pleasure Point Roadhouse, preserve Neighborhood Compatibility and keep County projects from impacting ESHA and providing Community buildings large enough for public meeting sites, were all based on these and similar LCP points.

While we worked to develop the concept of a plan to preserve the special quality of Pleasure Point, We were not included in the final choices made to the code changes.

The process began with the idea to preserve a special coastal community, which is a favorite coastal destination and special to the people who live and visit here.

In order to seem “fair” to the developers, architects, realtors and those that did not want to preserve the special small beach community, the planners brought in people that did not live in the area and they seemed to be given more say than our group.

This seemed to cause a watering down of the neighborhood compatibility guidelines, which would have preserved this special neighborhoods quality.

The scale, bulk and style of the existing homes were supposed to be considered when designing new buildings.

The lack of protection of these aspects of design caused the community to want a special district to preserve Pleasure Point.

Unfortunately, these rules were not enforced.

The people, who compromised the preservation of scale, caused the concern of the residents and visitors, to raise this process to public awareness.

Our many appeals to the Coastal Commission may have in some part added in the development of the planning as well.

Scale, the main concern of the neighbors in most disputes over new projects, was not included in these new code changes.

I have pointed this out to the county, coastal staff points this out to your commission.

Style is not addressed in this code change,

Both staff and I agree that this is not going to help the county preserve the special visual quality of the area.

Reduction in the maximum FAR is the only way to keep the County from ignoring compatibility of size in preserving the not so big houses that make up the pleasing character of the beach cottage community.

Even as compatibility of style is ignored in the permission of architectural styles, not in keeping with the beach cottages, smaller structures will be less disruptive.

Bulk is addressed with slight modification of second story rules.

Set backs on 2<sup>nd</sup> stories are increased.

The permission to cover more of the lot on the 1<sup>st</sup> story is allowed to encourage less second story size.

We agree with staffs suggestion that FAR be reduced to reflect the smaller cottages that exist.

We think that lot coverage be reduced rather than expanded to accommodate house that overwhelm the space.

Then lot coverage allowed to the existing amount for the 1<sup>st</sup> story, rather than increasing it, would accomplish the same as increasing the lot coverage beyond the existing and creating smaller second stories to meet existing FAR.

Reduced FAR and reduced lot coverage, will better meet the goal for less overwhelming houses and second stories.

The encouragement of front porches can reinforce the quality of development promoted in the New Urbanism movement and reinforce the neighborhood quality in development.

The placement of garages flush or behind the house is of questionable value and increases the amount the driveway cover of the lots.

Garages forward of the house, to the north, would create sunny exposure that works very well in this area. This will be lost if they are no longer permitted.

The preservation of the shared street model is one of the best aspects of this plan.

As in Carmel, a smaller scale quality that is more natural defends the environment and calms traffic, while keeping pedestrians safer.

We encourage the shared street/green street model and note that this plan reinforces the communities desire to maintain it.

The preservation of the green/shared street style is another benefit for visual preservation of the area.

While these Code changes are minimal and in some cases maybe counter protective, we guardedly, do not oppose this project because it does not meet its potential to meet the objectives that Staff brought forward.

After years of effort and many appeals to the County and the Coastal Commission, we do not want to lose

the few changes that this project brings to help preserve Pleasure Point.

Though the plan includes the area from Moran Lagoon to Corcoran Lagoon to Pleasure Point, rather than the area from 41<sup>st</sup> Ave to Moran, Portola to the sea, the acknowledgement that Pleasure Point is a Special Coastal Community, is an important change.

This holds out hope that other changes of Code may come to address the question of preserving size of houses that are not so big. As pointed out by staff this would reduce FAR.

Design review might be seriously supported for Neighborhood Compatibility by the County supporting the Guidelines on the book or delegating the Design Review to a committee that would take the task more seriously than the County has of late.

Design review would address questions of Style, which would be in keeping with the pre modern character of the beach cottages

Lot coverage reduction would also help preserve space for gardens and help neighbors to have sun, air and privacy as well as views to the surrounding area..

Staff suggests that the County may continue working on this Plan, rather than the Commission. In the face of experience, that the County will continue this process, that will protect the Special Character of Pleasure Points beach cottage environment, is not accepted as likely.

Without the Commissions future overview of this, many incompatible projects will come forward.

We trust the Commission to have a greater will to enforce LCP, than the County.

We would like the Commission to include the Staffs recommendations to the Plan.

While we would like to see the County listen to Staff encouragement to add size reduction to Code, we are worried that the effort of many years will be lost if the Commission does not accept this weak movement towards the goal of preserving the special character of this area.

The County may decide not to move forward with any changes and if the Commission does not accept it as is, any incremental improvements maybe lost without this projects approval.

Therefore, in order to make some small gains, we support the acceptance of this project.

This might have done much more to fulfill the promises of this Planning process, i.e., to help preserve the special character of Pleasure Point, yet is better than before.

While we have little confidence that the County will make significant changes, that would address the main concern, Size, without direction from the Commission, we are worried the County will not do so and allow the few benefits that are proposed to be lost without your acceptance of these small changes.

The acceptance of these changes may give Planning and Staff the direction to be vigilant, to help preserve and protect the quality of Pleasure Point.

The quality that pleases many residents and visitors to this Special Coastal Community.

If not, the Commission will be called upon to exert its authority to preserve the coastal resources under its preview.

People for the Preservation of Pleasure Point