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F17a

Prepared February 8, 2023 for February 10, 2023 Hearing

To: Commissioners and Interested Persons

From: Kevin Kahn, Central Coast District Manager
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**Subject: STAFF REPORT ADDENDUM for F17a
Appeal Number A-3-STC-22-0070 (St. Joseph Senior Housing Facility)**

The purpose of this addendum is to respond to the materials submitted by the Appellants (dated February 3, 2023 and located in the correspondence package for this item) after the staff report was distributed on January 20, 2023. The Appellants reiterate many of the same claims and assertions regarding the project's effect on coastal resources as specified in their appeal documents, as well as a few new ones, including suggesting that there were a number of errors made in the staff report.¹ Thus, this addendum provides some additional clarification and context in response to the Appellants' assertions. Such clarification does not modify the staff recommendation, which is still a recommendation that the Commission determine that the City's approval of the project does not raise a substantial LCP conformance issue in light of the appeal contentions.

To reiterate a primary point articulated in the staff report, very little of the project is located within the Commission's appeal jurisdiction and thus eligible for appellate review (i.e., only some parking, landscaping, parts of a pathway and driveway, and a garden constitute the physical development within the appeal jurisdiction). Thus, the Appellants' contentions regarding the residential component of the project are not within the Commission's appeal jurisdiction. However, even when viewing the project from a broader lens, staff continues to believe the project does not raise any LCP conformance issues of substantial note. Each of the issues raised by the Appellants are addressed in the staff report, but further clarification is provided below.

1. Coastal Hazards Risk

The Appellants continue to assert that the City-approved project does not minimize coastal hazards risk, including being built within a tsunami risk zone. However, the City's LCP does not have any specific maps related to tsunami risk and identification,

¹ On the latter, staff has identified one inadvertent discrepancy that needs correction (where the report indicates that the project would include two affordable senior housing units when it is actually three such units), but notes that it does not agree with the Appellants assertions otherwise.

and in fact the site is actually outside of designated 'Tsunami Hazard Area' per the Santa Cruz County Tsunami Hazard Areas maps from the California Geologic Survey.² Thus, while tsunami risk is potentially present in many coastal areas, this particular site does not appear to be designated by the LCP or otherwise as having an exceptional tsunami risk. And in addition, the City did evaluate the project in light of coastal hazards issues, finding that the project is outside of the 100-year and 500-year FEMA floodplain projections, and located over 300 feet inland from the coastal bluff and separated from it by West Cliff Drive and other infrastructure/buildings (see page 13 of the staff report). As such, the project adequately addresses coastal hazards issues, does not front directly atop a coastal bluff, and staff does not see any substantial LCP conformance issues on this topic.

2. Biological Resources

The Appellants continue to allege that the City's action will adversely impact sensitive coastal habitat, specifically monarch butterfly habitat at nearby Lighthouse Field State Beach, and is inconsistent with the Commission's previous action on CDP A-3-STC-01-045. However, staff respectfully disagrees. As explained on page 9 of the staff report, the City performed a biotic analysis and found the potential for monarch roosting at the site to be limited, that the project would not have any adverse impacts to monarchs and their habitats, and also included a series of measures meant to ensure there were no adverse indirect impacts as a result of the project (e.g., prohibitions on certain pesticides, monarch-friendly landscaping, etc.). And the Appellants misconstrue the Commission's findings in its 2002 approval of CDP A-3-STC-01-045. The Appellants argue the Commission prohibited a new driveway along Pelton Avenue as a necessary condition to protect monarch butterfly habitat. That is inaccurate. The Commission did not prohibit a driveway, but rather made a factual finding that a driveway wasn't proposed along Pelton Avenue and thus there wouldn't be any impacts to monarch habitat as a result. The Commission also found in that case that, per the City's monarch butterfly management study, a buffer of roughly 150 feet between the monarch grove and new development would be sufficient to protect against any adverse impacts. In the current appeal, the City evaluated the driveway exiting onto Pelton Avenue and found that there wouldn't be impacts because the project is already located in an urbanized setting and the ingress/egress is located over 150 feet away from the monarch grove. In short, the project does not raise any significant LCP conformance issues with respect to monarch habitat, and in fact appears consistent with the Commission's previous findings in CDP A-3-STC-01-045.

3. Traffic and Neighborhood Compatibility

The Appellants also argue the project is too large for the site, including in terms of being in excess of allowable residential density, excessive traffic, and overall incompatibility of the project in an area surrounded by single-family residences. With respect to density, it is true that the LCP isn't particularly clear about how this type of senior/group housing facility is to be evaluated. The LCP's density standards are structured in terms of full units (with a bedroom, bathroom, and kitchen) rather than in terms of group quarters and shared bedroom accommodations as are proposed in this project. In light of this,

² See [Santa Cruz County Tsunami Hazard Areas \(ca.gov\)](https://www.ca.gov/).

and to serve as a type of proxy for permissible intensity of use (to which density arguments are directed), the City evaluated the project as a whole to understand its compatibility with the site and adjacent neighborhood. The City concluded, including based on site-specific studies for issues like traffic generation and parking (see page 11 of the staff report) and overall site development, that the project would fit in with the overall character of the neighborhood and meet the LCP's zoning standards (e.g., related to building height, setbacks, floor area ratio, parking, etc.). In addition, the site previously housed a school, and the City determined that it wouldn't be introducing a more intense use to an area that was never accustomed to it. For all these reasons, the City concluded that the project is consistent with the site's zoning and otherwise will fit in with the neighborhood. Thus, the City provided factual support to justify its approval, and given that the project doesn't otherwise result in any adverse coastal resource impacts, the Appellants' allegations do not raise any substantial LCP conformance issues in this case.

4. Affordable Housing

And finally, the Appellants also appear to state the project will not include any affordable housing units, but the City's conditions of approval make clear that the project will include units provided to low-income residents in accordance with the City's affordable housing requirements. Staff notes that the report specifies that the City's approval required two such affordable units, but the City's approval was actually for three such units. As such, the staff report is modified herein to replace all references to the City's approval requiring two affordable senior housing units with three affordable senior housing units.

In conclusion, staff continues to recommend the Commission find the project does not raise a substantial LCP conformance issue and decline to take jurisdiction over the CDP.