

CALIFORNIA COASTAL COMMISSION

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F13a

Prepared April 10, 2023 for April 14, 2023 Hearing

To: Commissioners and Interested Persons

From: Kevin Kahn, Central Coast District Manager
Nolan Clark, Coastal Planner

**Subject: Additional hearing materials for F13a
LCP Amendment Number LCP-3-SCO-23-0003-1-Part A (Tiny Homes on
Wheels)**

This package includes additional materials related to the above-referenced hearing item as follows:

Additional correspondence received in the time since the staff report was distributed

RECEIVED

California Coastal Commission
Central Coast District
725 Front Street, Suite 300
Santa Cruz, CA 95060

APR 05 2023

April 2, 2023

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RE: Limit Tiny Homes to CZU Fire Victims *only* in the San Lorenzo Valley

Dear Commissioners,

We oppose the Tiny Homes Amendment for Santa Cruz County that would add Section 13.10.680 to the Local Coastal Program thus allowing tiny homes to be classified as a Single Family Dwellings or an Accessory Dwelling Units in the San Lorenzo Valley.

The housing needs of CZU fire victims should not be linked to the County/State's needs for more housing. This amendment should be restricted to fire victims only and not as a way to satisfy the State Housing Element.

CEQA Section 21080.5(d)(2)(A) (DeMinimis designation) Adding housing to the San Lorenzo Valley *will* have significant adverse environmental effect. More housing, more people, more environmental degradation.

As lifelong residents of the San Lorenzo Valley, we have seen significant increases in illegal housing in our SFD neighborhood with non-permitted ADU's along with house trailers, some sitting in parking areas in front of homes. One trailer, approximately 35 feet long, sits on an empty lot (Middle Drive and Riverside Drive) and illegally occupied--*per the County's own law*. This situation is a primer for what you will see with unregulated Tiny Homes: decks, bouncy houses, multiple sheds for stuff, refrigerators outside, garbage cans and multiple vehicles including boats, and additional trailers.

For two years neighbors have tried to have the illegal trailer removed yet County Code Enforcement and our Supervisor *can't make it happen*. Minimum fines levied by the County haven't stopped grey water discharge from the trailer in a high groundwater area 200 feet from the San Lorenzo River. How is that helping steelhead? There is also an illegal electrical line across a fence from the owner of the property to the *renters* in the trailer (fire hazard!). If the County is unable to effectively enforce their own existing regulations, then adding even more homes in our area is untenable. What happened to the county law requiring any new homes to an acre instead of per parcel?

The Valley is full of: garage conversions; splitting of SFD's into duplexes; multiple sheds on one property, and we live with trailers, boats, RV's, and mobile homes that people store on the street. If the County isn't regulating its current laws, how is adding new laws going to work? It isn't.

Septic Tanks – According to Santa Cruz County's own Environmental Health *"The SLV has the highest septic system density of any comparable area in the state."*

To call the addition of Tiny Homes, "DeMinimus" is a total misrepresentation of the impact that more people will have on our ecosystem. It is exactly why the river is in the shape it is in! The San Lorenzo Valley is on SEPTIC TANKS--we have no sewer system. When the electricity fails, these expensive, new \$80,000 engineered systems shut down and toilets

don't flush. We just had the power off for five days this week. What Coho Salmon would want that?

Egress - During the CZU fire our entire valley had to leave, all about the same time. Adding more people on Highway 9 is frightening. That "highway" is crowded enough during school time. In an emergency we need to get out Now, with less people clogging the road. no more. Highway 9 is a two-lane road on a good day-- **which is now closed!!** The latest storm left many people unable to return home. **All** the roads getting in and out were closed! Using the San Lorenzo Valley to satisfy the Housing Element of the County/State General Plan is a Plan for Disaster.

The County of Santa Cruz Planning Department has not come close to adequately approving plans for CZU Fire Victims who want to rebuild in the San Lorenzo Valley. Instead of offering Tiny Homes to CZU Fire victims, the County should help rather than hinder their rebuilding dreams. Why deny homeowners the ability to have a full fledged home?? There would be no need for tiny homes if people could get their building plans approved! Only they should have the option of a tiny home *if they want it.* (See attached) .

After 2^{1/2} years - 911 houses lost, only 24 have been rebuilt!!!

Water - Has anyone discussed this project with the San Lorenzo Valley Water District? During the CZU fire 50% of our water delivery system was destroyed. The five-mile pipeline has not been repaired. So more straws in a dwindling water capacity is unreasonable. Let's save some water for the Red Bellied Newt.

We already have low income housing here, we *are* a low-income area. *We have met our fair share of affordable housing.* We have (formerly) Arnesson's Apartments (10 units); a trailer park (30 units) behind Greek Orthodox Church, a newly established Veteran's Village plus 8 modular units housing up to house 40 veterans, and other small apartment complexes in our area. And of course, hundreds of illegal units throughout the Valley that are *not counted* as housing but certainly should be included in a housing count and have an impact on the San Lorenzo River and its ecosystem.

Again, how is adding more regulations going to effectively work if the County doesn't enforce their own existing regulations? The County of Santa Cruz is eyeing us to satisfy housing elements. Look elsewhere, somewhere that has a sewer system, good roads, reliable power, and water.

Please, Vote to limit Tiny Homes to CZU Victims only

Chris Moran, Environmental Analyst, Retired
Richard Moran, former Director, San Lorenzo Valley Water District
10310 California Drive
Ben Lomond, CA 95005



Cc:

Santa Cruz County Board of Supervisors
Santa Cruz County Planning Department
Jimmy Panetta, Congressman
John Laird, Senator

FIRE FAMILIES RESPOND TO MCPHERSON COMMENTS

📅 MARCH 3, 2023 🌐 SLVPOST.COM

Agenda item 38 of the Board of Supervisors (BOS) January 31, 2023 meeting, addressed an amendment of the County's contract with 4Leaf, the Pleasanton, CA construction management firm which had been hired after the CZU fire to streamline and manage the permitting process for fire victims hoping to rebuild. The program for fire victims was called the Legacy Older Structures Program (LOSP) and was enacted three months after the fire. New action taken by the BOS widens the scope of LOSP to include victims of the recent storms. County staff reports those numbers include over 200 homes red and yellow tagged.

During the discussion, Supervisor Bruce McPherson homed in on the topic of the CZU fire requesting more information about the process which has been broadly condemned as a failure. "I'm just a little concerned about how it has gone and I just don't know the answer and there won't be a single answer, but I'd like to see some analysis to inform how we manage the storm rebuilding and what success looks like and what we should realistically expect," McPherson said. Two and half years after the fire McPherson wondered if there was a way to collect and analyze data so that county leadership might have a better idea of why the process has been so challenging.

McPherson mistakenly told the Sentinel, "The county isn't standing in the way, people just aren't proceeding. If there's a reason 4Leaf or the county is standing in the way, well then I want to know about it." He went on to insist that the county's fire recovery has been done "comparatively well" to neighboring regions in fire recovery mode.

McPherson's comments raised reactions from families attempting to rebuild who counter his assertions that it must be something other than County obstruction. Fire survivor and community advocate Antonia Bradford curated letters from fire victims, building professionals, and community members who have witnessed first-hand the many reasons for the County's failure to support the rebuilding process. Read those letters in full in Antonia's column [Open Letters to Bruce McPherson and County Leadership](#). See excerpts below.

BROKEN PROMISES FROM THE VERY BEGINNING

When the county said they were going to help us, I believed them. I believed them when they told us they wouldn't treat us like new builds. I believed them when they said they would remove the obstacles and create a fast track for us to get permits.

None of it was true. The county has been our biggest obstacle BY FAR in our efforts to return home.

Broken promises from the very beginning. They required an extensive study for us right away, which was completely unnecessary and ended up adding to our costs. Breaking the promise of not treating us as new builds, but rather rebuilds, they instead made us adhere to the new-build code, which made it impossible to build in-kind for a reasonable price. At every step, we have encountered red tape and cost overruns. It's absolutely unconscionable.

The folks that we have worked with in the county, and basically FOUGHT with, start with No, and seemingly do everything they can to find a No when we all need Yes. They find silly, absurdist reasons to prevent folks from occupying rebuilt properties. They require geological surveys and studies that are near completely unnecessary; if folks were given a permit to build in a location when their house was created, they should be allowed to rebuild that same or a similar structure. This was a natural disaster, a fire in a forest. None of these geological requirements would save the next building from a fire. The idea that they are doing this for safety is either disingenuous or just poorly thought out. If you aren't going to tear down the thousands of buildings that were built before the over-zealous current code, you shouldn't force people rebuilding after a fire to build to that code. If it isn't too risky for folks to live in now, all you're doing is putting bureaucracy before citizens.

In theory, the county government and its employees are supposed to be here to help us. In reality, they are driving families into destitution and homelessness. I'm not sure how they sleep at night.

Christopher Bradford

The County Does Not Want Us to Rebuild

"After losing our home and everything my family had in the CZU fire, dealing with the county has been a nightmare, specifically the geology department. We submitted at least 5 geology reports, all stating we can safely build, but they were denied over and over again. More and more testing was required until we finally got one approved, almost exactly 2 years after our house burnt to the ground. It took a year and a half, two separate geology firms, hiring a lawyer and \$30,000 to finally get a report that would appease the county's geologist." – Tracy Walker

County Has Been a Hindrance

"I've seen and heard firsthand how the county has promised one thing and pulled back when the time came. The county had absolutely been a hindrance. They are not focused on assisting people back home and instead ride with any excuse to deny progress. It's been disheartening as a lifelong community member to witness." - Gretchen McNelis

CZU Survivors Getting Home Should be Considered "Important Enough"

"Don't tell me it's not possible to bypass the bureaucracy, because it clearly is ... when it's important enough. Seems like CZU survivors getting to go home should be considered "important enough." - Dan DeLong

The County HAS Stood in the Way

"You HAVE heard our concerns. You've heard our pleas for help. I've been in your office. I've been in the chamber during board meetings. I've sent emails. I've written articles. I have been in countless zoom meetings. The county HAS stood in the way. The county HAS forced many fire families into making a hard decision to walk away. We had to fight for a year to simply pass pre-clearance, and it almost broke me. One staff geologist demanded we do an advanced geo study that wasn't even on our land that would have cost a fortune. If you want to know why people aren't getting anywhere, the notorious planning department is the first place you should look."

"Inspectors are downright rude and abusing their powers. Denying finals for shower curtains, showing up at job sites just to giddily tell contractors the project is going to fail inspection. There is a reason only 24 homes have been rebuilt, and it is not because we don't want to. Supervisor McPherson, the roadblocks, delays, and adversarial nature of the departments on your watch have made it impossible for so many. Every time I see another fire family give up and leave after spending close to \$100K to move forward, my heart breaks just a little more." - Antonia Bradford

Photos by Christopher Bradford

Why Many are Giving Up

"Once the "preclearance" was completed the County would not issue approvals on what had previously been cleared. Fire survivors are giving up every day, and sadly we are now seeing foreclosed lots. Some lot owners are filing bankruptcy to try to stay the course to rebuild and not lose their land." - Chris Clayton

We Are Absolutely Delayed by the County

"It has been more than two and a half years since the CZU Fire took our home, but here we are still not able to apply for a building permit! The first major delay was commissioning the Atkins Study. That study took 8 months to complete and 2 months to review, causing a 10-month delay in pre-permitting. During that time, prices have gone up and professionals have become busy and unavailable." - Ann Black

Of 911 Homes, Only 24 Have Been Rebuilt

"Please don't for a moment think that these people who have lost their homes are doing anything other than struggling their best to rebuild. To publicly claim anything else is a disservice to their resilience and hard-fought efforts." – Cassie Mass

Nothing but Obstacles from the County

"What happened to "being there for fire victims" and a "streamlined process?" Not to mention, "will not be treated as new builds"?! I had to wait months for the completion of the study only to be told what I already knew, which was that my home was not in any threat of a debris flow. This was months that went by where the cost of materials only went up. I had to go back and forth with our insurance company proving to them that it wasn't us that was stalling the process. It was the county. Instead of being an adversary, it was all of our hopes that the county would be in our corner, looking for solutions and ways to support and rebuild the community, instead of standing in our way. You asked if the county or 4Leaf is standing in the way then you'd like to hear about it. I hope others come forward to tell you their stories because there are hundreds." –

Julie Lucia

Fire Survivors Should NOT Have to Fight Every Step of the Way to Rebuild Their Homes

"Those who lost everything they had in a fire and then found the grit and determination to begin again should not have to fight every step of the way for simply rebuilding their homes. We should be gathered around them finding all the ways we can make it easier. We should be cheering them on. This community needs better representation, advocacy and our elected officials should be championing them home." – Rebekah Uccellini-Kuby

McPherson's Statement Incorrect. Places Blame on the Victims

"How can Supervisor McPherson claim he does not know of the ways in which the County and 4Leaf have impeded rebuilding efforts? He and the Board have been told time and again of the problems. I respectfully suggest that reviewing the recordings of past Board of Supervisors meetings and the related public comments submitted to the record would be a good place to start." – Alison Breeze

From: CentralCoast@Coastal
To: Clark.Nolan@Coastal
Subject: Fw: Comments for the April 14, 2023 meeting, agenda item 13a, Santa Cruz County LCP Amendment No. LCP-3-SCO-23-0003-1-Part A (Tiny Homes)
Date: Wednesday, April 5, 2023 11:11:41 AM

From: Geoffrey Ellis <gneacc@aol.com>
Sent: Wednesday, April 5, 2023 10:07 AM
To: CentralCoast@Coastal <CentralCoast@coastal.ca.gov>
Subject: Comments for the April 14, 2023 meeting, agenda item 13a, Santa Cruz County LCP Amendment No. LCP-3-SCO-23-0003-1-Part A (Tiny Homes)

Members of the Commission:

Please **VOTE NO** on the tiny home amendment proposed by Santa Cruz County. It would have major impact on the coastal zone.

The County is telling the Commission that, since a trailer home (THOW) could be constructed only in place of a currently allowed ADU, little would change. However, allowing a THOW in place of a far more expensive ADU that hypothetically could have been built will result in much more construction in the coastal zone. Indeed, that is the intent of the ordinance.

One reason that a THOW is cheaper than an ADU is that a THOW avoids the requirement for solar panels that would have applied to a newly constructed ADU. Can solar panels be skipped with no environmental impact? If so, then someone needs to tell the California Energy Commission the good news.

Some THOW's, if allowed in the coastal zone, would become **hotel rooms** rented out by the day, greatly impacting their neighborhoods. Although the ordinance does not allow that, the financial incentives for property owners would be too large to ignore. Would the provision against short-term rental use be enforced? Our currently elected Sheriff has shown great reluctance to enforce misdemeanor violations of law, even in egregious cases of threats to assault persons with a deadly weapon, even where neighbors complained repeatedly and vehemently and even where the person making the threats was well known to the Sheriff's department. We cannot reasonably expect such a Sheriff to be concerned with a renter's length of stay.

Another property owner could go to civil court to seek an injunction against their neighbor running a **de facto hotel**. However, protection of the coastal zone should not depend on private litigation. I urge you to consider not just the words of the ordinance but the real effect that it would have. **VOTE NO.**

Geoffrey Ellis
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