



County of Santa Cruz

DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE

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July 14, 2025

Planning Commission
701 Ocean Street
Santa Cruz, CA 95060

Subject: Public hearing to consider appeal of Planning Department's denial of Coastal Development Permit Application, # 241334, a proposal to construct a single-family dwelling, carport and attached ADU at 625 Beach Drive

Honorable Commissioners:

Staff recommends that you deny the appeal of the administrative denial of Mr. Cove Britton's ("applicant") Coastal Development Permit Application, # 241334, a proposal to construct a single-family dwelling, carport and attached ADU at 625 Beach Drive, based on the following rebuttal of the letter of appeal. The application was submitted under SB 9, the State Law that allows ministerial approval of a second single family dwelling unit in a single-family zone. However, an SB 9 project must still comply with the Coastal Act, including the County's Local Coastal Program ("LCP"). Because the project, as proposed, did not comply with the Coastal Act, it was ineligible for ministerial approval under SB 9.

History

Coastal Development Permit ("CDP") Application #241334 was submitted on August 29, 2024, in response to corrections by Zoning and Environmental Planning on building permit APP-241004. The corrections provided that the building permit could not be approved prior to issuance of a Coastal Development Permit for the project.

The building permit application submittal itself followed submittal of a preapplication, PA231017, to assess whether the site was potentially eligible for SB 9. Application PA231017 was submitted on July 17, 2023, and withdrawn the next day before the County could provide a formal response describing the compliance issues facing an SB9 project on the site, although several conversations with the applicant occurred.

Thirty days after Coastal Permit application 241334 was taken in for processing, the County provided an incomplete letter delineating completeness and compliance issues. Many of the completeness issues were commonplace – the need for additional information on colors and materials, fencing and parking area details, landscaping, stormwater management, easements, problems with calculations of parcel area, lot coverage and floor area ratio. Staff also requested a letter from the applicant describing the special circumstances existing on the site to support variance findings for proposed exceptions to County zoning standards relating to setbacks, height, number of stories, parking, floor area ratio and lot coverage. However, the key compliance issue associated with the proposal pertained to allowable density: pursuant to Santa Cruz County General/Local Coastal (LCP) Plan policies 6.2.18.1 – Density Calculations and 6.2.17 Prohibit New Building Sites in Coastal Hazard Areas Code and Santa Cruz County Code ("SCCC") Section

13.10.323(B)(1), “Inside the urban services line or rural services line, land area is based on gross site area, minus any coastal bluffs, beaches, and land seaward of the mean high tide line of Monterey Bay.” Since the parcel is composed entirely of bluffs and beach area, it had insufficient land area to support a density of two primary dwelling units.

Many of the items identified as incomplete remained unresolved after the second routing, prompting issuance of a second incompleteness letter. The applicant subsequently submitted an appeal of the determination. Rather than proceed to hearing, the County worked directly with the project engineer to obtain the information necessary to complete the initial stormwater review without initiating a formal re-routing and waived the remaining completeness items. Staff determined the application complete, and the applicant withdrew their appeal of the completeness determination.

However, because the applicant chose not to revise the proposal to achieve compliance with applicable density and development standards, the County was unable to make the required findings of consistency to approve the CDP application pursuant to SCCC section [18.10.230 Findings required](#), subsection (1), as follows:

(b) Zoning Conformance. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of all pertinent County ordinances and the purpose of the zone district in which the site is located.

(c) General Plan Conformance. The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.

After a duly noticed administrative review, the application was accordingly denied on May 27, 2025. The staff report and its attachments are hereby incorporated into this report and are attached hereto (the staff report as Exhibit 1B and attachments as Exhibit 1C). On June 10, 2025, the applicant submitted a letter of appeal (Exhibit 1A).

Rebuttal to applicant’s appeal letter

The administrative decision found that multiple components of the proposed project failed to comply with County General Plan / LCP policies and zoning ordinance regulations. If the project is inconsistent with any policy or regulation of the Santa Cruz County General Plan, Local Coastal Program (LCP) or County Code, the findings for approval cannot be made. In fact, the project as proposed would violate multiple General Plan/LCP policies and implementing County Code. Following are the applicant’s arguments in bold, with the County’s detailed explanation of each area of noncompliance provided in regular type.

1. The County Staff’s Denial was Procedurally Improper

Staff Response: The letter of appeal states that “discretionary permits that require a Conditional Use Permit (“CUP”) or variance are required to be acted upon by the Zoning Administrator following a public hearing; therefore, County’s Staff’s siloed approach to the Project denial is contrary to the County Code requirements for processing an application, and thus is unlawful.”

The applicant applied for a two-unit development under SB 9, codified in Government Code Section 65852.21, which allows two residential units on a lot within a single-family residential zone to be approved ministerially, without discretionary review or a hearing if the proposed housing development meets certain criteria. SB 9 projects must comply with objective zoning and subdivision standards. In general, a local agency cannot apply an objective standard that would have the effect of physically precluding the construction of up to a total of two primary units on the parcel (apart from any ADUs), or that would physically preclude either of the two units from being at least 800 square feet in floor area.

SB 9 does not, however, supersede the Coastal Act. Proposed housing development projects that invoke SB 9, whether less than, equal to or greater than 800 square feet, must comply with the Coastal Act, which includes compliance with the County's certified Local Coastal Program ("LCP") (Pub. Resources Code §30500(a)). The LCP includes the County's Zoning Code, its General Plan, and any other actions necessary to implement the Coastal Act in the coastal zone (Pub. Resources Code §§30108.5–30108.6.) The only part of the Coastal Act that does not apply to SB 9 is the requirement to hold a public hearing.

The salient fact is that SB 9 does not override the Coastal Act or prohibit requiring a Coastal Permit compliant with a certified General Plan / LCP and implementing ordinances and only prohibits holding a public hearing. Government Code Section 65852.21(l) reads as follows:

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for a housing development pursuant to this section.

Pursuant to State law and the County's administrative procedures for processing discretionary CDPs, the subject application was reviewed and denied administratively without a public hearing. Because the proposed project did not conform to objective site and structural standards, variances to objective site standards would have been necessary for the project to proceed. However, the Santa Cruz County LCP, as implemented through SCCC Section 13.10.230, requires a public hearing for any variance or conditional use permit. Because SB 9 prohibits such hearings, such requests cannot be processed under its provisions.

Furthermore, the proposed project did not qualify for SB 9, because it did not comply with all applicable objective standards, including those contained in the LCP. Without the ability to process necessary variances, or other exceptions to site and development standards, the project would need to fully conform to Coastal site and structural standards – in addition to density limitations, for the County to make required findings of consistency with the General Plan, LCP, and implementing ordinances. Accordingly, the County denied the SB 9 CDP application administratively.

2.A. Basis of County Staff's Denial Is Its Conclusion that the Project Site has Zero Developable Lot Area; This Flawed Determination is Arbitrary and Inconsistent with County-Permitted Development in the Surrounding Area.

Response by Planning Staff and the County Geologist: The site contains only beach and bluff area, and the proposed density exceeds the County standard, as documented below.

The appellant does not challenge the application of County Code provisions excluding beach and bluff areas from density, lot coverage and floor area calculations – *only the determination that the parcel contains beach and bluff area*. The appellant states that the County has no definition of bluffs or beaches, and that therefore the determination should be based on “plain language.”

The County Code includes pertinent definitions to allow staff to evaluate areas that should be considered beaches and coastal bluffs, provided by SCCC Sections 16.10.040(8), (10), and (12), as follows:

(8) “Beach erosion” means temporary or permanent reduction, transport or removal of beach sand by littoral drift, tidal actions, storms or tsunamis.

(10) “Coastal bluff” means a bank or cliff along the coast subject to coastal erosion processes. ‘Coastal bluff’ refers to the top edge, face, and base of the subject bluff.

(12) “Coastal erosion processes” means natural forces that cause the breakdown and transportation of earth or rock materials on or along beaches and bluffs. These forces include landsliding, surface runoff, wave action and tsunamis.

The subject project also includes a site-specific geologic report submitted as part of the application. The geologic report describes the general topography of the site and vicinity as including a roughly 110-foot-high coastal bluff, approximately 80 feet from the proposed development area, with the remainder of the property underlain by beach sand deposits. More specifically, the parcel is described within the geologic report as follows: “[t]he subject property lies atop a broad beach fronting the coastal bluff” and “[t]he development area is underlain by 25.5 to 26 feet of beach sand, which in turn overlies sandstone bedrock belonging to the Purisima Formation.” Further, the geologic report describes that “[t]he contact between the beach sand and the underlying bedrock ... marks the former scour elevation for the property. This scour elevation may be recreated in the future during a large coastal storm, particularly when considering the impacts of continuing rising sea levels and intensity and frequency of large storms.” The geologic report also discusses that the coastal bluffs in this area are subject to wave erosion and attack episodically, resulting in their over-steepened topography prone to landsliding.

The potential for large coastal storms, scour, and consequent beach and coastal erosion is also evidenced by the inclusion of a majority of the property in a FEMA VE zone with a “100-year” Base Flood Elevation of 22 feet (NAVD88). As included within the geologic report, the FEMA VE zone extends across the property indicating that coastal storms and wave action should be anticipated with regular occurrence.

As appropriately described in the geologic report, the subject property is composed of a coastal bluff and beach. These features are subject to beach erosion and coastal erosions processes as defined in the County Code. Although the definitions of “coastal bluff,” “coastal erosion processes” and “beach erosion” confirm that the parcel is comprised of bluff and beach, the beach designation also meets the tests of “reasonable interpretation” and, further, is consistent with County past practice and the submitted geologic report for the project.

The County's practice in reviewing development along Beach Drive for decades has been to define the portions of a site located seaward of the base of a coastal bluff as beach. To use the appellant's example, the staff report for CDP 07-0449 stated that "[d]ue to the location of the site *on the beach* across from the Coastal bluff, the site is subject to landslide and coastal flood hazards [emphasis added]." The very parcel cited by the appellant to support its argument that similar sites were never considered beach, was described by the County as a beach.

The County action to deny a proposed two-unit dwelling group did not "strip away" any vested property rights. The application was submitted under SB 330, which vests the ordinances in effect at the time of the preliminary application. Additionally, the subject parcel is currently developed with an existing dwelling, consistent with the neighboring parcels along Beach Drive. Property rights are subject to legal density limitations, site standards and other zoning laws.

In support of the proposed dwelling group, the appellant misleadingly cites a General Plan policy supporting infill development. While the General Plan includes a broad goal of supporting infill development, this does not confer an entitlement for property owners to construct an unlimited number of units on a given site. The County General Plan / LCP policies and Santa Cruz County Code establish specific density limits on the maximum number of units that may be constructed on any given parcel. In the Beach Residential (RB) zone district, the minimum lot area required for a dwelling group consisting of two units is 8,000 square feet. (SCCC §13.10.323 (B)(3)(c)). The subject property does not meet this requirement. In the RB district, as in other urban Coastal Zone districts, the area used to calculate residential density excludes beaches and coastal bluff areas, pursuant to Santa Cruz County Code Section 13.10.323(B)(1). As a result, the site does not contain the minimum developable area required to support two dwelling units.

"Calculation of Land Area. Inside the urban services line or rural services line, land area is based on gross site area, minus any coastal bluffs, beaches, and land seaward of the mean high tide line of Monterey Bay.

This section is reinforced by SCCC Section 13.10.700-D:

"Density means the number of primary dwelling units or the number of people per acre of land or other given land area. Appropriate density ranges are provided for each land use designation in the General Plan and each zone district in the SCCC. Maximum allowed density is calculated as follows:

(1) Within the USL/RSL, maximum density is based on gross site area, minus any coastal bluffs, beaches, and all land seaward of the mean high tide line of Monterey Bay.

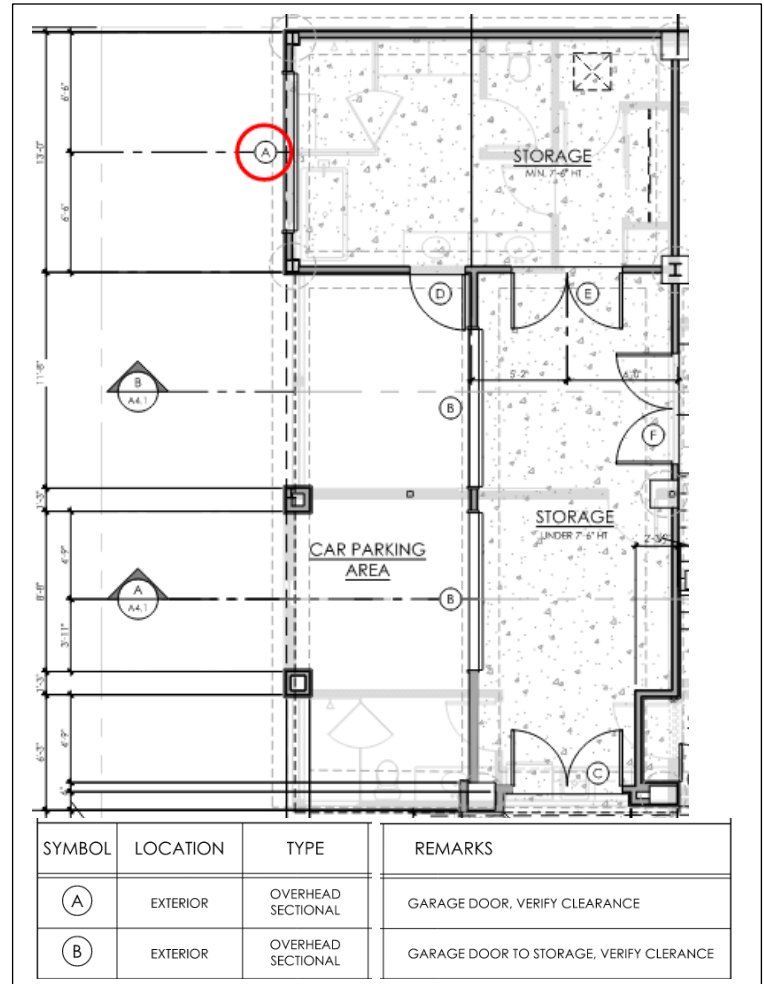
Because bluff and beach areas are excluded from the calculation of lot area for density purposes, the parcel has effectively no developable area that can be counted toward supporting two primary dwelling units. As such, the site does not meet the minimum area required to allow for two units under the applicable zoning regulations. The residential density limitation is not subject to a variance, even if one could otherwise be considered, because density is not classified as a site or structural standard; but governs intensity of use. The project's non-conformance with permitted density directly conflicts with the required findings for consistency with the Coastal Act and the County's Local Coastal Program. Accordingly, the Coastal Development Permit must be denied.

2.B. The Project Is Not Subject to a 20-Foot Setback Limited to “Garages” and “Carports” as Defined in the County Code.

Staff Response: The enclosed area accessed by garage door “A” (circled at right) was labelled as a garage in the initial plans but relabeled as storage in the second routing. The County Code defines a garage as follows:

“Garage” or “carport” means a non-habitable accessory structure or a portion of a main structure, having a permanent roof, and designed for the storage of motor vehicles and large enough to accommodate at least one compact car parking space (SCCC 13.10.700-G).

The space is clearly “designed for the storage of motor vehicles.” At 21 feet long by 13 feet wide, the space is large enough to accommodate a full-size parking space. Moreover, as with the parking areas under the ADU, the proposed concrete floor is reinforced to withstand the weight of a motor vehicle. Therefore, despite the revised label, this area is a garage. The garage fails to comply with the minimum 20’ garage setback in the RB zone district (SCCC [Table 13.10.323-1](#)), and therefore cannot be approved.



2.C. The Project Is an Elevated One-Story Residence Raised with an Underfloor Consistent with FEMA Standards Applied to the Other Properties in the Community.

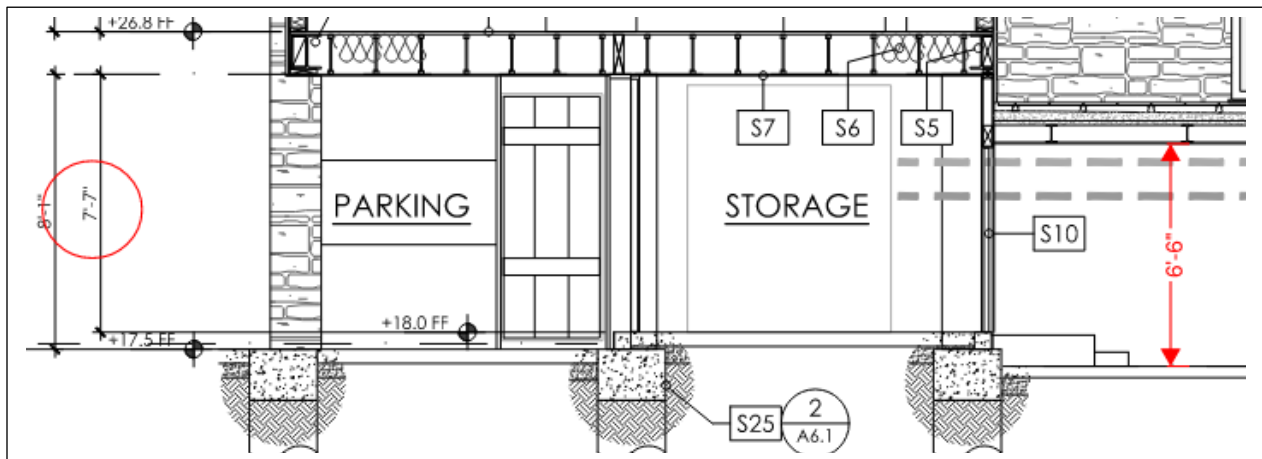
Staff Response: The County Code allows underfloor areas to be used for storage but does not provide for their use as garages. The section of the structure with a bedroom above and garage/storage below has two stories and is therefore noncompliant with the standards for the RB zone district, which limit structures to one story on the seaward side of Beach Drive. (SCCC [Table 13.10.323-1](#)).

An enclosed area with driveway access, garage door, a floor area and ceiling height meeting parking standards, and concrete flooring with the structural strength to support motor vehicles, is a garage and story, not an underfloor area as defined by 13.10.700-U:

Underfloor. For planning and zoning purposes, an underfloor is a non-habitable space between the underside of the first story floor framing (joists or girders that directly support

the floor sheathing) and the grade below. An underfloor is not considered a “story” (see definition). To qualify as underfloor, the space may be used for storage but cannot have a finished floor, insulation, or conditioned space, and there must be no stairway access to the underfloor area.

It should also be noted that the proposed ceiling height within these garage and carport/storage areas has been increased to allow for an additional over 1-foot of headroom. Without this increase, which is not required to meet flood elevation standards, there would be insufficient clearance to accommodate a vehicle.



If garages were not considered a story, any proposed structure on a floodplain could propose reinforced concrete breakaway floors in garage areas on the ground elevation, designate it as underfloor and effectively provide extra stories – two stories in zone districts where only one story is allowed, three stories in areas where only two are allowed. This would nullify the limits on stories established by the Board of Supervisors through the Zoning Ordinance. In the Coastal Zone, where residents are particularly sensitive about height, views and privacy, this is particularly problematic. Since the proposed structure is two stories, it violates the RB zone district and the findings for approval cannot be made.

2.D. The Project’s Height of 22 Feet is Permitted Under a CUP and Design Review.

Staff Response: The current Santa Cruz County LCP as implemented by the County Code requires a public hearing to process a Conditional Use Permit (SCCC Chapter 18.10). As explained above, a public hearing cannot be required under State law (Gov. Code §65852.21(l)). An application to exceed the objective maximum height standard pursuant to SCCC Section 13.10.323(F)(6)(b), therefore cannot be processed administratively. Without a CUP to exceed the height limit by five feet, the project must comply with all site and structural standards. In the RB zone district, the maximum allowed height for a single-family dwelling is 17 feet. (SCCC [Table 13.10.323-1](#)). The proposed height, approximately 22 feet, exceeds the maximum height and therefore cannot be approved.

2.E. The Project Contains Adequate Parking

Staff Response: None of the proposed parking spaces on the plans comply with County standards, as the depicted spaces are 7'10" to 8' wide. However, the garage (labeled as storage), two semi-carports and one space in front of the existing dwelling appear to be sufficient to accommodate four compliant parking spaces. The revised Santa Cruz County Code (13.16.030(C)) provides that when a residential use is intensified, "additional off-street parking shall be provided for the additional increment of square footage or bedrooms based on the requirements in SCCC [13.16.050](#)." The additional increment is comprised of a proposed one-bedroom single-family dwelling and an ADU. SCCC Section 13.16.050(D) requires one space for a proposed 1-bedroom single-family dwelling and one space for a proposed ADU, for a total of two additional off-street spaces. Each parking space must be 8.5' x 18' minimum. The proposed "tucked under" carports appear to have sufficient area to provide the required parking.

Appellant contends that the project complies with FAR and lot coverage standards

Staff Response: The proposed structures (dwelling and ADU) exceed the objective standards of both lot coverage and floor area ratio (FAR) on the parcel, which would require approval of variances. Previous versions of the County Code did not exclude bluffs and beaches from parcel area for lot coverage and FAR calculations. However, in 2009 the Board of Supervisors approved an ordinance amendment that excluded bluff and beach areas from lot coverage and FAR calculations on blufftop parcels. In 2024, as part of the Sustainability Update, the Board of Supervisors updated the County Code to exclude bluffs and beaches areas from lot coverage and FAR calculations on parcels at the base of the bluff, pursuant to [SCCC 13.10.510](#):

(E) Maximum Allowed Floor Area. For zone districts subject to a maximum floor area ratio (FAR), calculate maximum allowable floor area (square feet) as follows: multiply maximum allowed FAR (percentage) by gross site area (square feet), excluding any coastal bluffs, beaches, and land seaward of the mean high tide line of Monterey Bay. See definition of "floor area ratio" and related definitions in SCCC 13.10.700.

(F) Maximum Allowed Lot Coverage. For zone districts subject to a maximum lot coverage percentage, calculate maximum lot coverage (square feet) as follows: multiply maximum allowed lot coverage (percentage) by gross site area (square feet), excluding any coastal bluffs, beaches, and land seaward of the mean high tide line of Monterey Bay.

As a result of these code changes, because the site is comprised exclusively of beach and bluff areas (as discussed above) the subject site has no land area for a basis to increase lot coverage and FAR. A variance to increase the allowed lot coverage and FAR cannot be approved pursuant to SB 9, because it would require a public hearing, which is specifically precluded.

Additional Grounds for Denial

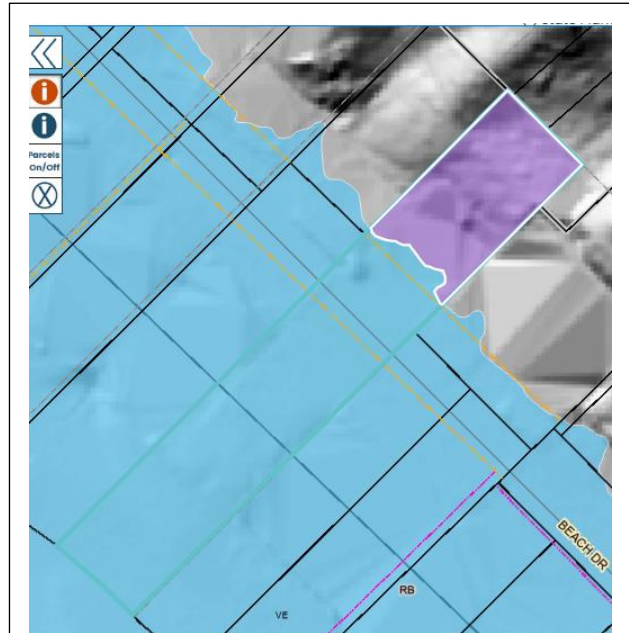
The applicant's appeals letter failed to challenge several key compliance issues that were identified as causes for denial of Administrative Coastal Development Permit #241334. If a proposed project fails to comply with any or all the following LCP policies, as is the case for the submitted project, the required findings for consistency with the County General Plan / LCP cannot be made and the project must be denied.

County General Plan Policy 6.2.18.1 – Density Calculations

The Santa Cruz County General Plan mandates the following requirement for density calculations within the Coastal Zone:

(LCP) Exclude areas subject to coastal inundation, as defined by geologic hazard assessment or full geologic report, from use for density calculations. (Board of Supervisors Resolution 81-99).

As confirmed by the project geologic report, the subject parcel is located primarily within a 100-year floodplain (FEMA VE Insurance Zone), with approximately 4,740 square feet lying outside the floodplain. The RB zone district requires a minimum of 4,000 square feet of site area per primary dwelling unit, meaning at least 8,000 square feet land located outside the floodplain is necessary to support two dwellings. As the parcel does not meet this threshold, staff cannot support a finding of consistency with County General Plan / Local Coastal Program Policy 6.2.18.1. Therefore, the proposed application cannot be approved.



100-Year Floodplain. Parcel boundary in pale blue-green, portion outside flood plain purple.

6.2.17 Prohibit New Building Sites in Coastal Hazard Areas

The Santa Cruz County General Plan mandates that new building sites shall not be approved in Coastal Hazard areas.

(LCP) Do not allow the creation of new building sites, lots, or parcels in areas subject to coastal hazards, or in the area necessary to ensure a stable building site for the minimum 100-year lifetime, or where development would require the construction of public facilities or utility transmission lines within coastal hazard areas or in the area necessary to ensure a stable building site for the minimum 100-year lifetime.

The subject lot currently contains one existing building site, developed with an existing single-family home. A new building site, as defined by SCCC Section 13.10.700-S (below), thus cannot be approved for a second primary dwelling.

“Building site” means an area of land occupied by or proposed as a location for a building or for a manufactured or mobile home on a permanent foundation.

The applicant has submitted a Coastal Development Permit application to create a second building site whereon to construct a new primary dwelling unit. General Plan Policy 6.2.17 prohibits the creation of new building sites in areas subject to coastal hazards. As defined by the General Plan Glossary, areas subject to tsunami inundation are Coastal Hazard Areas.

COASTAL HAZARD AREAS (LCP) Areas which are subject to physical hazards as a result

of coastal processes such as landsliding or erosion of a coastal bluff, and inundation or erosion of a beach by storm and tsunami waves [emphasis added].

Because the proposed new building site is within an area subject to coastal hazards, including, but not limited to: coastal erosion and inundation by coastal storms, and landsliding, as discussed within the geologic report, it is inconsistent with the General Plan policy prohibiting the creation of new building sites in Coastal Hazard Areas. Because, staff cannot support making the finding of consistency with the County General Plan / LCP Policy 6.2.17, the project cannot be approved.

Coastal Commission Review of Proposed SB 9 Ordinance

On December 17, 2024, the Santa Cruz County Board of Supervisors approved an LCP amendment to incorporate SB 9. The ordinance requires a Coastal Development Permit for any proposed SB 9 development in the Coastal Zone and limits to 800 square feet any proposed primary dwelling unit that fails to comply with County site and structural standards. No variances or other discretionary approvals that allow for modified site standards are allowed. The California Coastal Commission proposed revisions to prohibit SB 9 developments in the RB (Beach Residential) zone district and expanded the list of sites ineligible for SB 9 development (underlined below, LCP-3-SCO-24-0067-3):

13.10.327(C) Property Eligibility Requirements.

An eligible site shall not be in:

- (a) Areas identified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Government Code Section 65913.4.*
- (b) Historic district or property included on the State Historic Resources Inventory or designated or listed as a County historic property or historic district in the County's Historic Resources Inventory.*
- (c) Critical fire hazard area, as defined in SCCC 12.01.040.*
- (d) Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where proposed residences can meet the 100-year bluff erosion stability setback without reliance on any existing or proposed shoreline armoring.*

The policy behind excluding the RB zone from SB 9 eligibility is, according to the Coastal Commission, that “these beach-level parcels can face coastal hazards from both inland and seaward forces, and an increase in residential density in these areas would only expose more residents and development to significant risk.” On June 24, 2025, the Board of Supervisors approved the Coastal Commission changes. The SB 9 ordinance will take effect as soon as the County revisions are confirmed by the Coastal Commission.

The appellant's SB 9 application invoked SB 330, limiting project review to the regulations in effect at the time the application was submitted. However, were a new application to be submitted pursuant to the certified SB 9 ordinance, it would not be allowed in the RB zoning district or within the Coastal Hazards area, by provisions of the ordinance certified by the Coastal Commission and as consistent with the existing General Plan / LCP policies prohibiting new building sites in Coastal Hazard Areas.

Summary

The proposed project includes a proposal to construct a single-family dwelling, attached garage, partial carport and attached ADU at 625 Beach Drive. Pursuant to SB 9, codified in Government Code Section 65852.21, two primary residential units on a lot within a single-family residential zone shall be approved ministerially, without discretionary review or a hearing, if the proposed housing development meets certain criteria and objective standards. However, SB 9 does not supersede the Coastal Act, as confirmed by SB 9 itself. Proposed housing development projects that invoke SB 9 must comply with the Coastal Act, which requires an Administrative Coastal Permit application that is reviewed for compliance with the County's certified Local Coastal Program.

The proposed project does not comply with multiple policies of the County General Plan / LCP and sections of the County Code; accordingly, staff was unable to approve the Coastal Development Permit. The appeal letter asserts that the project complies with density, site and structural standards and suggests that a Conditional Use Permit (CUP) could be used to address height compliance. However, these claims are not supported by the application record. The project fails to meet County standards related to residential density, building height, number of floors, garage setbacks, lot coverage, floor area ratio, and the establishment of new building sites within Coastal hazard areas. Furthermore, a CUP would require a public hearing, which is expressly prohibited under SB 9 for qualifying projects. The relief sought by the appellant therefore cannot be granted under applicable law.

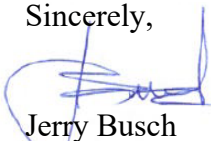
The Commission may uphold the appeal only if it finds that (1) the appellant's arguments regarding compliance are valid, and (2) the proposed project is consistent with applicable General Plan and Local Coastal Program policies related to Coastal hazard areas, as well as all relevant County Code implementing regulations and objective development standards.

Recommendation

Staff recommends that the Planning Commission deny the applicant's appeal and uphold the administrative staff decision denying application 241334.

Should you have further questions or concerns concerning this appeal, please contact me at: (831) 454-3234 or e-mail: jerry.busch@santacruzcountyca.gov

Sincerely,



Jerry Busch
Project Planner, Development Review

Exhibits

- Exhibit 1A – Letter of Appeal (Nossaman)
- Exhibit 1B – Staff Report for Application 241334, Including Exhibit B, Findings for Denial
- Exhibit 1C – Staff Report for Application 241334, Exhibits A and C-G
- Exhibit 1D – Public Comments