

**Letter Opposing the Appeal of Denial of Coastal Permit Application 241334  
(625 Beach Drive)**

I live on Beach Drive on the cliff side just downcoast of the proposed project. A quick relevant introduction of myself, I have a Master degree in Urban Planning and my thesis was “Are We Ready? Is Santa Cruz County Prepared for Future Sea Level Rise, and What More Should Be Done?”. During the research phase, I interviewed Dan Carl, Gary Griggs, Zach Friend and many other stakeholders, so it is with this knowledge that I am speaking here.

Building a new construction in a flood zone, at sand level on the ocean side, these days is not just the owner’s risk, it’s a cost to the community. As we learned after the massive storm of January 5th, 2023, the aftermath’s cost was borne not solely on the owner that suffered damages, but was also paid by our tax dollars through FEMA, County of Santa Cruz, and by all of us with increasing government flood insurance cost which is subsidized. I urge you to look at this development not only as a one permit issue, but in the larger context of Santa Cruz County, and any other coastal communities out there.

And now specifically in regards to Coastal Permit Application 241334 for 625 Beach Drive Aptos, APN 043-152-54:

1. When 625 was on the market in 2015, it was clearly disclosed by the selling real estate agent that while it’s a split lot with land on both sides of the road, it is only zoned for one house and a second house on the beach side would not be permitted. The house was priced similarly to the houses on the bluff side of the street as opposed to the higher prices of the beach side homes. SB 9 was not passed until 2021 so there could be no expectation or reliance on the law coming into effect when they bought the parcel. Given they bought the home and lot knowing these restrictions, this is not a “taking” situation and the owners have not sustained a loss of value due to the Santa Cruz County LCP regulations preventing units being built on the beach side of the lot.

2. The proposed building site is in a FEMA EV zone that has been repeatedly hit by storms, huge surf and high tides. Many of the houses on the beach side of Beach Drive are still undergoing repairs on the damage caused by the January 2023 storm and the December 2024 storm. The sea level is rising and the problem will get worse. The only thing we can be sure of is that damage will occur to any house built there with costs not just to the owner but shared by FEMA, the County and the community. Secondly, after this damage occurs (or even before these days) the common request from beach side homeowners is for existing seawalls to be reinforced and/or rip rap seawalls to be

installed to protect the homes. Aside from being unsightly, seawalls have a significant negative impact on the beach by displacing adjacent sand, narrowing the beach and scouring. While it's a questionable policy whether we should continue to allow extensive repairs and the use of FEMA and other government money for rebuilding beachside houses in hazard zones such as this - knowing that they will be damaged again – we certainly should not allow brand new construction in these hazard areas.

3. SB 9 was implemented to address the continued housing crisis in the State and aims to help moderate and lower-income individuals and families find more affordable housing options. Even though SB 9 is a Statewide law that streamlines housing approvals, it explicitly preserves local authority under the Coastal Act which governs land use in sensitive coastal areas to address and protect: Public beach access Coastal views, Natural habitats and Hazardous areas (e.g., erosion, sea-level rise).

Under California Public Resources Code § 30000 et seq. (Coastal Act), all development in the Coastal Zone — including SB 9 lot splits and duplexes — must get a CDP, unless explicitly exempt and SB 9 does not exempt projects from CDPs. Furthermore, ADU's in the Coastal Zone must also comply with the California Coastal Act under California Government Code § 65852.2 and requires a CDP. Despite inserting an ADU into the plans, this does not qualify for “ministerial treatment” and the project must still be consistent with the LCP and requires an approved CDP.

This project would negatively impact public beach access, impair coastal view and would clearly be built in an hazardous area. All of these are issues the Coastal Act is designed to protect, why the current Santa Cruz County LCP was passed and why the CDP should be denied.

In addition, this project is not building new housing stock for the county which was the primary purpose of SB9. The proposed project, now three units, will continue to be used as a private vacation compound so there will not be additional housing being brought to the market.

4. Upon purchase of the house, the owners attempted to assert (via a letter from their lawyer to other owners on Beach Drive) that a decades-old easement across the lot for beach access was not valid. The previous owners in fact had erected a cyclone fence in 2010 that was impairing beach access through the easement and was ordered taken down by the County. (see Attachment 1 “Parcel Research Report-County of Santa Cruz”) Despite this, the new owners put up a chain barriers closing access to the easement after purchasing the property and developed the beach front portion of the lot with hard landscaping and added a storage structure and connected electricity under

the street to the structure apparently all without a permit as a Stop Work Order was issued by the County per the Parcel Research Report. This beach access easement was clearly shown in the Parcel Research Report at the time they purchased the property and they are sophisticated purchasers. As previously stated, the Coastal Act was designed to protect beach access.

5. At over 22 feet tall this structure will be the tallest on the beach side of the street by several feet and will undoubtedly impact coastal views which the Coastal Act is designed to prevent. Only three of the 30 houses on the beach side of the street reach close to 20 feet and the next tallest house at just over 20 feet is also built to new FEMA Hazard Zone specifications as a complete remodel. These structures, if allowed to continually be built, will necessarily impair coastal views in order to comply with FEMA building requirements. Again, it's a policy question on allowing existing damaged structures in the Hazard Zone to be rebuilt but the County should certainly not compound the problem by allowing new construction. As these houses continue to be damaged and then seek permission to rebuild to much greater height in order to comply with FEMA requirements, the views will be even more impacted. I should also note, there has been zero reach out to impacted neighbors about the project.

6. From reviewing the architectural plans, it proposes a very large house with only one master bedroom and a 364 sq/ft ADU. Given there is only one bedroom in the plans, one might question how the proposed "underfloor" area at 7'6" height will truly be used. Despite express restrictions by FEMA on finishing and occupying such areas, owners of other houses on the beach side that have been built to FEMA requirements have converted the underfloor to livable space with disastrous results when the 2023 storm hit in particular but actually ended up being flooded even during much smaller storms than the 2023 storm.

In summary, the project does not conform to the Santa Cruz County Local Coastal Plan. There is already one house on the lot. The proposed additional housing is in a FEMA designated EV zone and the LCP for this area is clear that intensification of housing on the seaward side of the bluff is not allowed due to clear risk of coastal hazards (primarily, sea level rising and increasing storm and wave attacks) to any such development as we've seen repeatedly in recent years. Further, as noted above, the project will impair coastal views and the lot has a beach access easement on it (currently blocked) which the project will effectively eliminate. For all the reasons above, the CDP should be denied and we ask that you deny the appeal.



# C O U N T Y O F S A N T A C R U Z

## PARCEL RESEARCH REPORT - WITHOUT INSPECTION

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Date: 7/10/2025

Time: 8:09.31

**APN:** 04315254

SITUS ADDRESS: 625 BEACH DR, APTOS CA 95003-5307

MAILING ADDRESS: 16101 N RAY RD, LODI CA 95242

### PARCEL INFORMATION:

SQ FT: 15,115.32 (ESTIMATE) ACREAGE: 0.35 (ESTIMATE) BUILDING SQ FT: 2,568

ZONING: RB PLANNING AREA: APTOS

SUPERVISORIAL DISTRICT: Supervisorial District 2 GENERAL PLAN: O-R; R-UL

### CURRENT ASSESSOR'S CHARACTERISTICS (Does not confirm legality)

|                       |                    |             |                |
|-----------------------|--------------------|-------------|----------------|
| YEAR BUILT: 1966      | ROOM COUNT: 5      | BEDROOMS: 4 | BATHROOMS: 3/0 |
| MISC OTHER BUILDINGS: | NUMBER OF UNITS: 1 | USL: Yes    | RSL: No        |

### PARCEL SPLIT/COMBOS

| PARCEL IN | PARCEL IN STATUS | PARCEL OUT | PARCEL OUT STATUS | DATE OF APN CHANGE |
|-----------|------------------|------------|-------------------|--------------------|
| 04315254  | Active           | 04315254   | Active            |                    |



# C O U N T Y O F S A N T A C R U Z

## PARCEL RESEARCH REPORT - WITHOUT INSPECTION

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Date: 7/10/2025

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### CODE COMPLIANCE COMPLAINT:

| SR#   | Request Date | Inspector    | Additional Information  |
|-------|--------------|--------------|---|
| 3621  | 03/04/2010   | MAUREEN HART | CYCLONE FENCE PUT UP AROUND PROPERTY BLOCKING ACCESS TO BEACH. PUBLIC EASEMENT.   |
| 14662 | 07/21/2015   | JOSE PEREZ   | <b>REFERRED BY CODE, COMPLAINT:</b> COMPLETE REMODEL, HOME WAS GUTTED, ELECTRICAL, DRY WALL, INSULATION, PLUS BEING DONE WITHOUT PERMITS. LRG<br>7-17-2015--PER PM: GIVEN TO JP TO INVESTIGATE. LRG<br><b>STOP WORK ORDER ISSUED BY JP ON 7-20-2015--INTERIOR REMODEL, ALL NEW ELECTRICAL, PLUMBING, MECHANICAL, SOME FRAMING, POSSIBLE NEW BATHROOMS TOO ALL WITHOUT PERMITS.--*--ON OR BEFORE: 7-30-2015--OWNERS TO OBTAIN BUILDING, PLUMBING, ELECTRICAL, AND MECHANICAL PERMITS (ALL REQUIRED INSPECTIONS MUST BE COMPLETED &amp; PERMITS FINALED).--PER JP: PLANS NEEDED.--PER STOP WORK ORDER CUREC FEES APPLY. LRG</b> |

### CODE COMPLIANCE CASE(S)

| Case No. | Processed Date | Milestone | Case Info |
|----------|----------------|-----------|-----------|
| NV24444  | 07/31/2020     | Completed |           |



# COUNTY OF SANTA CRUZ

## PARCEL RESEARCH REPORT - WITHOUT INSPECTION

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Date: 7/10/2025

Time: 8:09.31

### BUILDING APPLICATIONS:

APPLICATION #: B-241243

APPLICATION DATE: 01/16/2024

STATUS: Routing

### BUILDING PERMITS

PERMIT #: B-241243

ISSUED DATE:

PROJECT DESCRIPTION: This application was created as a result of Master Application APP-241004.  
Construct an attached 364sf Studio ADU .

APPLICATION #: B-241242

APPLICATION DATE: 01/16/2024

STATUS: Routing

### BUILDING PERMITS

PERMIT #: B-241242

ISSUED DATE:

PROJECT DESCRIPTION: This application was created as a result of Master Application APP-241004.  
An existing 2,558sf residence of remain with a proposed 2,128sq SFD added to the Beach side of the property a 273 garage, 275 carport,  
275storage area with 386sf deck and 350sf rooftop deck, include elevator.  
**DEFERRED SUBMITTALS; PV SYSTEM / WINDOWS & DOORS / CONCRETE STAIRS / RADIANT HEATING / SPRINKLER SYSTEM**

APPLICATION #: B-203195

APPLICATION DATE: 07/28/2020

STATUS: Stop Work

### BUILDING PERMITS

PERMIT #: B-203195

ISSUED DATE: 07/28/2020

PROJECT DESCRIPTION: LRA  
Flood Zone (VE) No inspections until permits are obtained by Home owners for all work requiring building and coastal development permits.  
Install new electrical sub-panel for exterior lighting, switch & GFCI outlets at an existing SFD.install smoke & carbon monoxide alarms.



# C O U N T Y O F S A N T A C R U Z

## PARCEL RESEARCH REPORT - WITHOUT INSPECTION

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Date: 7/10/2025

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### BUILDING APPLICATIONS:

**APPLICATION #:** B-153533

**APPLICATION DATE:** 08/04/2015

**STATUS:** Closed

### BUILDING PERMITS

**PERMIT #:** B-153533

**ISSUED DATE:** 10/26/2015

**PROJECT DESCRIPTION:** Interior remodel to an existing 4 Bedroom, 3.5 Bath 2-story SFD to include remove a Kitchenette and relocate the lower level Kitchen to the upper level. Project to include floor plan changes to redesign and reconfigure rooms, install a new F.A.U., rewire and replumb SFD. Results in a 2-story SFD w/ 4 Bedrooms(one called Office), 3.5 Baths, Living/Dining Rm., Game Rm., Laundry, Decks. Install listed smoke detectors and carbon monoxide alarms or combination smoke and carbon monoxide detectors/alarms in the existing dwelling.

**APPLICATION #:** APP-241004

**APPLICATION DATE:** 01/16/2024

**STATUS:** Routing

### BUILDING PERMITS

**PERMIT #:** B-241242

**ISSUED DATE:**

**PROJECT DESCRIPTION:** This application was created as a result of Master Application APP-241004. An existing 2,558sf residence of remain with a proposed 2,128sq SFD added to the Beach side of the property a 273 garage, 275 carport, 275storage area with 386sf deck and 350sf rooftop deck, include elevator.  
**DEFERRED SUBMITTALS; PV SYSTEM / WINDOWS & DOORS / CONCRETE STAIRS / RADIANT HEATING / SPRINKLER SYSTEM**

### BUILDING PERMITS

**PERMIT #:** B-241243

**ISSUED DATE:**

**PROJECT DESCRIPTION:** This application was created as a result of Master Application APP-241004. Construct an attached 364sf Studio ADU .



# C O U N T Y O F S A N T A C R U Z

## PARCEL RESEARCH REPORT - WITHOUT INSPECTION

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### BUILDING APPLICATIONS:

APPLICATION #: 0062622C-00146626

APPLICATION DATE: 04/03/2007

STATUS: Closed

### BUILDING PERMITS

PERMIT #: 0062622C-00146626

ISSUED DATE: 04/03/2007

PROJECT DESCRIPTION: ALUS Application Type : ELECTRICAL Project Description : EL: Electrical upgrade to replace an existing 200amp service with an new 200amp main meter panel at an existing SFD.





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## PARCEL RESEARCH REPORT - WITHOUT INSPECTION

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### DISCRETIONARY APPLICATIONS:

| App No | App Date   | Project Planner | Project Description  |
|--------|------------|-----------------|--|
| 111514 | 11/21/2011 | Annette Olson   | PERMIT to operate a 4 bedroom residential vacation rental for periods of not more than 30 days at a time for each rental. The occupancy of this rental is limited to 10 guests (2 per bedroom + 2 additional); the number of automobiles allowed is 2; and the number of people permitted at celebrations or gatherings (allowed only between 8:00 am and 10:00 pm) is 20 (twice the number of guests allowed). Children under 12 are not counted toward the maximums.   |
| 221192 | 07/01/2022 | Nathan MacBeth  | Proposal to recognize grading and installation of hardscape, and landscaping. Project includes removal of a 120 square foot non-habitable storage shed. Requires a Coastal Development permit.<br>Property located on both sides of Beach Drive approximately 1000 feet south of the Seacliff State Beach and access gate (625 Beach Drive).   |
| 241102 | 03/11/2024 | Jerry Busch     | Appeal of the zoning review determination for application APP-241004 that the proposed SB9 project requires a discretionary Coastal Development Permit (appellant is asserting that only a "ministerial" Coastal Development Permit may be required), that a public hearing is required, that a dwelling group is not allowed and that lot coverage standards could preclude approval of the proposed floor area; by appellants, Kevin and Sandy Huber, along with Cove Britton and John Erskine on their behalf; appeal submitted March 11, 2024. |



# C O U N T Y O F S A N T A C R U Z

## PARCEL RESEARCH REPORT - WITHOUT INSPECTION

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### DISCRETIONARY APPLICATIONS:

| App No   | App Date   | Project Planner | Project Description   |
|----------|------------|-----------------|---|
| 241334   | 08/29/2024 | Jerry Busch     | <p>*Appeal of completeness determination to Planning Commission filed by Nossaman LLP, on behalf of applicant Cove Britton, on March 12, 2025* ADDED 4/14/2025: APPEAL WITHDRAWN.</p> <p>Proposal to construct a two-story, detached single-family dwelling pursuant to SB9, with a rooftop deck, attached carport and storage rooms, and a pedestrian entrance gate, on a site where one single-family dwelling exists, thereby constituting a two-unit dwelling group; and to construct a second-story ADU attached to the proposed single-family dwelling. Requires a Minor Coastal Development Permit. Property located on Beach Drive (625 Beach Dr.) approximately one mile southeast of the intersection with Rio del Mar Boulevard.</p> <p>Appeal of DENIAL received by email from John Erskine of Nossaman LLP on behalf of the property owner, Kevin Huber, on June 10, 2025. As determined by the Planning Director, appeal to go to Planning Commission as allowed under SCCC18.10.124.</p> |
| 86-0976  | 10/02/1986 |                 | 86-09760  |
| PA221060 | 12/19/2022 |                 | Proposal to replace failing wood retaining walls. Requires a site consultation with Jessica deGrassi to determine if technical reports are required.  |
| PA231017 | 07/17/2023 |                 | Proposal to construct a new, 2,049 sq.ft. single-family dwelling, 357 sq.ft. attached accessory dwelling unit and an attached, 273 sq.ft. garage with an attached 280 sq.ft. storage room, on a site with an existing single-family dwelling. Requires an SB9 Eligibility Prescreen. Property is one parcel on both sides of Beach Drive (625 Beach Drive) approximately one mile southwest of the intersection with Rio del Mar Drive.   |



# C O U N T Y O F S A N T A C R U Z

## PARCEL RESEARCH REPORT - WITHOUT INSPECTION

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Date: 7/10/2025

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### DISCRETIONARY APPLICATIONS:

| App No    | App Date   | Project Planner |  | Project Description   |
|-----------|------------|-----------------|--|---|
| REV241009 | 01/16/2024 |                 |  | An existing 2,558sf residence of remain with a proposed 2,128sq SFD added to the Beach side of the property with a 364sf attached Studio ADU and a 273 garage, 275 carport, 275storage area with 386sf deck and 350sf rooftop deck, include elevator. Requires Combined Geo Soils Report Review (REV241009). This review is associated with APP-241004. |
|           |            |                 |  |   |

### CANNABIS APPLICATIONS:

| App No | App Date | Project Planner | Applicant Name | Project Description |
|--------|----------|-----------------|----------------|---------------------|
|        |          |                 |                |                     |
|        |          |                 |                |                     |