



## Staff Report to the Zoning Administrator

Application Number: **141027**

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**Applicant:** Charlene Atack  
**Owner:** Reed Geisreiter / County of Santa Cruz  
**APN:** 028-142-13 / No-APN-Spec

**Agenda Date:** April 18, 2014  
**Agenda Item #:** 4  
**Time:** After 9:00 a.m.

**Project Description:** The proposal is to install a tied-back shotcrete upper bluff coastal stabilization structure across the end of 13th Avenue and on a portion of APN 026-142-13, to grade approximately 15 cubic yards of material to extend the existing public overlook by around 180 square feet, to construct improvements including safety fencing and to allow for the retention of an existing fence post located at the point where the top of the coastal bluff intersects the property boundary with APN 028-142-13, in the R-1-6 and PR zone districts. This requires a Coastal Development Permit.

**Location:** The project is located at the southern end of 13<sup>th</sup> Avenue and on a portion of the parcel to the east of 13<sup>th</sup> Avenue (120 13<sup>th</sup> Avenue) at the point where the street terminates at the coastal bluff, approximately 860 feet from the intersection with Prospect Street.

**Supervisory District:** First District (District Supervisor: John Leopold)

**Permits Required:** Coastal Development Permit

**Technical Reviews:** None

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 141027, based on the attached findings and conditions.

### Exhibits

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| A. | Categorical Exemption (CEQA determination)         | F. | Letters from Haro, Kasunich and Associates dated October 15, 2010, May 31, 2012, and November 6, 2012. |
| B. | Findings   | G. | Comments and correspondence.   |
| C. | Conditions   |    |  |
| D. | Project plans                                      |    |  |
| E. | Assessor's, Location, Zoning and General Plan Maps |    |  |
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### Parcel Information

Parcel Size: 12,850 square feet / N/A  
Existing Land Use - Parcel: Single-family dwelling / Public beach overlook  
Existing Land Use - Surrounding: Residential neighborhood and beach/ocean  
Project Access: 13<sup>th</sup> Avenue  
Planning Area: Live Oak  
Land Use Designation: R-UL / O-R (Urban Low Residential / Existing Parks and Recreation)  
Zone District: R-1-6 / PR (Single-family Residential / Parks Recreation and Open Space)  
Coastal Zone: ☒ Inside ☐ Outside  
Appealable to Calif. Coastal Comm.: ☒ Yes ☐ No

### Environmental Information

Geologic Hazards: Coastal bluff  
Soils: Pinto Loam  
Fire Hazard: Not a mapped constraint  
Slopes: Steep coastal bluff  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: 15 cubic yards of fill to repair eroded top of bluff  
Tree Removal: No trees proposed to be removed  
Scenic: Coastal/beach viewshed  
Drainage: Preliminary plans approved by the Department of Public Works, Stormwater Division.  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside  
Water Supply: Santa Cruz City Water District  
Sewage Disposal: Santa Cruz county Sanitation District  
Fire District: Central Fire Protection District  
Drainage District: Zone 5

### Background

A portion of the land that lies within the right-of-way for 13th Avenue, between end of the road and the top of the coastal bluff, has been used for many years as an unofficial small public park and coastal overlook area. The area is not maintained as a public park by the County Parks and Recreation division and improvements in this area are minimal. At one time there was a beach access staircase from the end of 13th Avenue to the beach below, however these stairs were very badly damaged in storm events that occurred in 1977 and 1979 and were removed. Due to the high cost of providing a replacement staircase in an area subject to repeated tidal action, the County determined that it was infeasible to construct a replacement staircase in this location and

closed the area to pedestrian traffic. In June 1983 the County instead accepted a 5 foot beach access easement adjacent to 150 13<sup>th</sup> Avenue (Resolution 328-83) and the decision was made to relocate the 13<sup>th</sup> Ave stairway to this location. This revised coastal access was also approved subject to Coastal Commission Permit XS-82-37.

Although the beach access staircase was removed and the area closed, there is no fence or other barrier, and many members of the public have continued to access the beach by climbing down the coastal bluff and over the rip rap to the sand below. This repeated unauthorized foot traffic has, over time, caused significant erosion of the bluff face. In the past, residents on the street have been concerned about the impacts to the 13<sup>th</sup> Avenue bluffs from users and have contacted the Parks Department to do erosion control protection and prevent beach access. The Department of Public Works only maintains the paved area of the public street and the guardrail.

### **Permit History**

On January 18, 2013 Coastal Development Permit, Residential Development Permit and Variance 121143 was approved by the Zoning Administrator for the construction of a replacement garage at 120 13<sup>th</sup> Avenue (APN 028-142-13), to the east of the overlook at the end of 13<sup>th</sup> Avenue. This permit included the construction of a replacement fence along the front property line adjacent to the public overlook at the end of 13<sup>th</sup> Avenue and other landscape and yard improvements. The California Coastal Commission reviewed the approved staff report and plans for 121143 and determined that the project was inconsistent with a previous Coastal Permit, P-77-0933, that had been issued by the Commission in 1977 for the fence along the western/front property line.

Because of this and other concerns about the proposed project, the Coastal Commission indicated that they would call the project up on appeal. To avoid this, the property owner worked with the Coastal Commission to revise their project to reflect an acceptable design for the replacement front yard fence, along with other required modifications to 121143.

Application 131264 was submitted on October 25, 2013 for a Minor Variation to Coastal Development Permit, Residential Development Permit and Variance 121143 for the agreed upon revisions. However, that application cannot be approved until the proposed bluff stabilization project has been approved to allow for the retention of the existing final fence post at the bluff edge.

### **Project Setting**

The existing public overlook is located at the southern end of 13<sup>th</sup> Avenue beyond a metal guard rail that is located at the end of the paved street. The coastal bluff is approximately 24 feet in height and protected at its base by rip-rap. South of the overlook is the beach and the Pacific Ocean. The overlook area is mostly unimproved except for the provision of two public benches, and is characterized by bare trampled earth in the most heavily trafficked areas with unmaintained grass areas around the periphery. At the southeastern corner of the overlook there is a well worn pathway down the coastal bluff that has been created by repeated public access from 13<sup>th</sup> Avenue to the beach below.

The overlook is bordered to both the east and west by private homes. The street is continuously developed on both sides and constitutes a mixed neighborhood that is made up of mostly older one and two story single-family residential homes with some newer or remodeled structures.

### **Proposed Project**

A tied back shotcrete stabilization structure is proposed to be installed across the end of 13<sup>th</sup> Avenue which will extend approximately 16 feet onto APN 128-142-13. In addition, approximately 15 cubic yards of fill will be added between the proposed shotcrete structure and the existing eroded bluff edge and this will enlarge the public overlook area by around 180 square feet. The shotcrete wall will be colored and contoured to blend with the existing bluff face.

To protect the public safety and also to prevent continued public access down the bluff, a new safety rail is proposed to be erected along the ocean-facing edge of the overlook. This fence has been designed using an open wire mesh with redwood posts and a chamfered redwood cap that will protect public safety while providing the minimal obstruction to the public views of the beach and ocean. The southernmost 17 feet 6 inches of the proposed front yard fence on APN 028-142-13 (to be erected in conjunction with application 131264) will match this safety rail. As a result, public views to the east and along the coastline that are currently blocked by the existing solid fence, will be opened up, thereby enhancing the public overlook.

### **Zoning & General Plan Consistency**

The public beach overlook is located in the Parks Recreation and Open Space (PR) zone district, a designation which allows recreational and open space uses. The proposed bluff stabilization and public overlook improvements are a principal permitted use within the zone district and the zoning is consistent with the site's Existing Parks and Recreation (O-R) General Plan designation.

The portion of the proposed bluff stabilization that will be on APN 028-142-13 lies within the R-1-6 (Single-family Residential) zone district, a designation which allows for the repair and maintenance of existing topographic features. The proposed bluff stabilization, which will help protect the proposed front yard fence, is therefore allowed within the zone district and the zoning is consistent with the property's Urban Low Residential (R-UL) General Plan designation.

### **Local Coastal Program Consistency**

The proposed upper bluff stabilization is in conformance with the County's certified Local Coastal Program, in that the proposed project will be designed to be visually compatible, in scale with, and integrated with the character of the existing coastline. The exposed concrete surfaces of the proposed structure will have a contoured surface that follows natural bluff landforms in the vicinity to help to blend the structure into the existing natural bluff face. In addition, the concrete surface will be colored to match the color of the bluff face so that it will be natural in appearance. The proposed bluff stabilization will enhance an existing public overlook and expand the area by around 108 square feet.

The proposed upper bluff stabilization and public overlook improvements will not interfere with public access to the beach, ocean, or any nearby body of water. Although an unofficial beach access will be blocked by the provision of a new safety fence at the top of the bluff an existing beach access staircase is located approximately 85 feet north of the project site and this facility will continue to be available to public use. As a condition of approval of this project the applicant will be required to work with the County of Santa Cruz, Department of Public Works, to provide signage that directs the public to the official beach access.

Existing coastal views will be protected in that the proposed safety fence has been designed utilizing an open mesh that will minimize view impacts. In addition, in conjunction with an associated project on the adjacent residential property adjacent to the overlook, an existing solid board fence will be replaced with a see-through fence with a design to match the proposed safety rail, thereby opening up public views to the east and along the coastline that are currently not available.

### **Design Review**

The proposed bluff stabilization and public beach overlook improvements complies with the requirements of the County Design Review Ordinance, in that the proposed shotcrete structure will be textured and colored to blend with the existing coastal bluff to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. Further, the proposed safety rail has been designed to incorporate redwood posts and a chamfered redwood cap with an open wire mesh to minimize the impact of the fence on coastal scenic views.

### **Environmental Review**

Environmental Review has not been required for the proposed project since, as proposed, the project qualifies for an exemption under the California Environmental Quality Act (CEQA) consistent with the CEQA guidelines in Section 1, Existing Facilities (1530), in that the proposed bluff stabilization and public beach overlook improvements will be constructed mostly within an area designated for recreational uses with only a minor extension of the proposed work onto an adjacent residential parcel. The proposed repair and minor alterations to the coastal bluff to improve the existing public overlook will result in negligible expansion of the existing recreational use and no expansion to the adjacent residential use.

### **Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

### **Staff Recommendation**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **141027**, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

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# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 141027

Assessor Parcel Number: 028-142-13 / No-APN-Spec

Project Location: 120 13th Avenue / Street, Santa Cruz

**Project Description: Proposal to install a tied-back shotcrete upper bluff coastal stabilization structure across the end of 13th Avenue and on a portion of APN 028-142-13, to grade approximately 15 cubic yards to extend the existing public overlook by around 180 square feet and install fencing.**

**Person or Agency Proposing Project: Charlene Atack**

**Contact Phone Number: (831) 515-3344**

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.  
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).  
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.  
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).  
E. ☒ **Categorical Exemption**

Specify type: Class 1 – Existing Facilities (Section 15301)

**F. Reasons why the project is exempt:**

Repairs and minor alterations to existing topographical features involving negligible expansion of use.

In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Lezanne Jeffs, Project Planner

Date: \_\_\_\_\_

**EXHIBIT A**

## **Coastal Development Permit Findings**

- 1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.**

The portion of the right-of-way for 13<sup>th</sup> Avenue that is located beyond the end of the paved street is zoned for Parks Recreation and Open Space (PR), a designation which allows for recreational uses. The proposed bluff stabilization will improve an existing small public beach overlook and is therefore a principal permitted use within the zone district, and the zoning is consistent with the site's Existing Parks and Recreationl (R-UL) General Plan designation.

The portion of the proposed bluff stabilization that will be on an adjacent residential parcel, APN 028-142-13, lies within the R-1-6 (Single-family Residential) zone district, a designation which allows for the repair and maintenance of existing topographic features. The proposed bluff stabilization, which will help protect the existing fence post that is located at the edge of the coastal bluff, is therefore allowed within the zone district. The zoning of that parcel is consistent with the property's Urban Low Residential (R-UL) General Plan designation.

Therefore this finding can be made.

- 2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.**

This finding can be made, in that no such easements or restrictions are known to encumber the project site. Further, the proposed bluff stabilization will enhance an existing public overlook and expand the area by around 108 square feet. The existing beach access that is located approximately 85 feet north of the public overlook will continue to be available and improved signage is proposed as a condition of approval of this project to better direct the public to this facility.

- 3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.**

The exposed concrete surfaces of the proposed bluff stabilization structure will have a contoured surface that mimics natural bluff landforms in the vicinity to help to blend it into the natural and existing bluff face. In addition, the concrete surface will be colored to match the color of the bluff face so that it will be natural in appearance. The color, texture, and undulations of the seawall surface will be maintained throughout the life of the structure.

Therefore this finding can be made.

- 4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.**

This finding can be made, in that the project will enhance an existing public beach overlook that is located within the public right-of way at the end of 13<sup>th</sup> Avenue, between the end of the paved road and the coastal bluff. The proposed stabilization of the bluff face, repair of the bluff edge and addition of new safety railings will not interfere with public access to the beach, ocean, or any nearby body of water in that an existing beach access staircase is located approximately 85 feet north of the project site and this facility will continue to be available to public use. Existing coastal views will be protected in that the proposed safety fence has been designed utilizing an open mesh that will minimize view impacts. In addition, in conjunction with an associated project on the residential property adjacent to the overlook, an existing solid board fence will also be replaced with a see-through fence with a design to match the proposed safety rail, thereby opening up public views to the east and along the coastline that are currently not available.

The project site is not identified as a priority acquisition site in the County Local Coastal Program.

- 5. That the proposed development is in conformity with the certified local coastal program.**

This finding can be made, in that the proposed upper bluff stabilization and improvements to the existing public coastal overlook will be sited and designed to be visually compatible, in scale, and integrated with the existing coastal landscape and with the adjacent neighborhood. Additionally, recreational and public uses are allowed uses in Parks Recreation and Open Space (PR) zone district, as well as in the General Plan and Local Coastal Program land use designation.

## **Development Permit Findings**

- 1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.**

This finding can be made, in that the project is located in an area designated for recreational and private residential yard uses. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. Further, the proposed upper bluff stabilization structure has been designed in accordance with the recommendations of both a consulting Geotechnical Engineer and Geologist and has been reviewed by the County Geologist for conformance with the Geologic Hazards ordinance, chapter 16.10 of County Code. The proposed bluff stabilization will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure will be constructed over the existing bluff face.

- 2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.**

The proposed location of the upper bluff stabilization structure and associated public improvements within the right-of-way for 13<sup>th</sup> Avenue, and the conditions under which they will be operated or maintained, will be consistent with all pertinent County ordinances and the purpose of the Parks Recreation and Open Space (PR) and Single-family Residential (R-1-6) zone districts. This finding can be made in that the primary use of the property will continue to be a public beach overlook adjacent to existing residential properties and the bluff stabilization meets all current site standards for the respective zone districts in which it is located.

- 3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.**

This finding can be made, in that the proposed stabilization use is consistent with the use and density requirements specified for the Existing Parks and Recreationl (O-R) and Urban Low Residential (R-UL) land use designations in the County General Plan.

Further, the safety fence that will be erected in conjunction with the proposed bluff stabilization and public overlook improvements will be constructed using an open mesh design so as to minimize the impact on existing public views as specified in Policy 5.10.3 (Protection of Public Vistas).

The General Plan/Local Coastal Program sets out a hierarchy of land use priorities within the Coastal Zone. The first priority is agriculture and coastal dependant industry, the second priority is recreation, including public parks, visitor serving commercial uses and coastal recreation facilities, the third priority is private residential, general industrial and general commercial uses. Because the surrounding area is a densely developed urban neighborhood, the land uses and zoning designations in the area are for residential uses and parks and recreation. There are no existing or potential sites for higher priority coastal uses such as agriculture or coastal dependant

industry. The maintenance and enhancement of the existing coastal overlook is therefore in conformance with the public access and coastal recreation, policies, standards as set out in Policy 2.22.1 (Priority Uses within the Coastal Zone).

A specific plan has not been adopted for this portion of the County.

**4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.**

This finding can be made, in that the proposed bluff will not require the use of any public utilities and will not change the level of traffic generated by the existing coastal overlook.

**5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.**

The proposed upper bluff stabilization structure and fencing improvements will enhance an existing public overlook and therefore serve to upgrade the appearance of the neighborhood. Exposed concrete surfaces of the proposed bluff stabilization structure will have a contoured surface that mimics natural bluff landforms in the vicinity to help to blend it into the natural and existing bluff face. In addition, the concrete surface will be colored to match the color of the bluff face so that it will be natural in appearance. The proposed safety rail has been designed to incorporate redwood posts and a chamfered redwood cap with an open wire mesh that will minimize the impact of the fence on coastal scenic views and will be compatible with the existing, widely varying, physical design aspects of the neighborhood..

Therefore this finding can be made.

**6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.**

This finding can be made, in that the proposed shotcrete structure will be textured and colored to blend with the existing coastal bluff to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. Further, the proposed safety rail has been designed to incorporate redwood posts and a chamfered redwood cap with an open wire mesh, to minimize the impact of the fence on coastal scenic views. Therefore the proposed bluff stabilization and public overlook improvements will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and enhance the open space that is available to the surrounding area.

## Conditions of Approval

**Exhibit D:** 6 sheets prepared by Haro, Kasunich and Associates, Inc., dated 2/20/2014.

- I. This permit authorizes the construction of a tied-back upper bluff stabilization structure with a wire mesh safety fence, associated grading of around 15 cubic yards of material between the existing edge of the bluff and the new structure to extend the overlook area by approximately 180 square feet and the retention of the existing fence post at the edge of the coastal bluff on the property line with APN 028-142-13. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - C. Obtain an Encroachment Permit from the Department of Public Works for all work performed in the County road right-of-way.
  - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit final engineered plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    1. Supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval for the proposed shotcrete upper bluff protection structure to show conformance with the following requirement:

All concrete surfaces shall be contoured surface that mimics natural bluff

landforms in the vicinity to help to blend it into the natural and existing bluff face. In addition, the concrete surface will be an irregular colored nozzle finish to match the color of the bluff face so that it will be natural in appearance. The color, texture, and undulations of the seawall surface shall be maintained throughout the life of the structure.

2. The proposed safety fence will be 42" high as required by County code and will include 4" x 4" wire fence that is designed to be see-through as per submitted plans.
3. Grading, drainage, and erosion control plans.

NOTE: No additional drainage shall be directed toward the bluff. The irrigation plan, if one is necessary, shall be reviewed and approved by the geotechnical engineer prior to building permit approval

4. A stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control Best Management Practices Manual. The Manual may be found on our website at [sccoplanning.com](http://sccoplanning.com) by navigation to Environmental / Erosion and Stormwater Pollution Control / Construction Site Stormwater BMP Manual.
  5. Provide additional copies of the October 15, 2010, May 31, 2012, and November 6, 2012 letters from Haro, Kasunich and Associates.
  6. Provide a construction staging and access plan to be reviewed by the County Geologist.
- B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. A drainage fee will be assessed on the net increase in impervious area. The fees are currently \$1.14 per square foot, and are subject to increase based on the fee amount applicable at the time of permit issuance. Reduced fees (50%) are assessed for semi-pervious surfacing (such as gravel, base rock, paver blocks, porous pavement, etc.) to offset costs and encourage more extensive use of these materials.

For fee calculations please provide tabulation of new impervious and semi-impervious (gravel, base rock, paver blocks, pervious pavement) areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed please provide documentation such as assessor's records, survey records, aerial photos or other official records that will help establish and determine the dates they were built

- D. Provide an assessment of the existing onsite drainage systems. Identify any problems and proposed any needed improvements. Make clear on the plans how runoff directed toward the proposed bluff stabilization structure will be controlled and directed to a safe point of release
  - E. Record a maintenance agreement for all improvements within the County right-of-way (as noted in the permit description) to state that all improvements shall be the responsibility of the property owner for 120 13<sup>th</sup> Avenue (028-142-13). This requirement shall run with the land and is required to be recorded on the property deed. Prior to recordation the maintenance agreement shall be approved by the Department of Public Works, Encroachment Division.
  - F. Work with the Department of Public Works to provide signage designed to direct the public at the beach overlook area and on 13<sup>th</sup> Avenue to the existing beach access staircase. Submit details of the final, agreed upon signs.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. No equipment shall be used on the beach and any impacts must be minimized and any disturbances along the access route must be restored to pre-construction conditions upon project completion.
  - D. To the extent that is reasonably practical public access to the public overlook shall be maintained throughout the duration of construction of the project.
  - E. The project must comply with all recommendations of the project Geotechnical Engineer and Geologist.
  - F. Prior to Building Permit final the applicant shall submit:
    - a. Final inspection form signed and stamped by the soils engineer.
    - b. Final inspection form signed and stamped by the project geologist.
    - c. Final inspection form signed and stamped by the civil engineer.
  - G. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons

shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

- A. All improvements within the right-of-way for 13<sup>th</sup> Avenue shall be maintained in accordance with all provisions of the recorded Maintenance Agreement as approved by the Department of Public Works, Encroachment Division.
- B. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
  - 1. COUNTY bears its own attorney's fees and costs; and
  - 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

**Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Wanda Williams  
Deputy Zoning Administrator

\_\_\_\_\_  
Lezanne Jeffs  
Project Planner

---

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

**FOR TAX PURPOSES ONLY**  
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POR. NE. 1/4 SEC. 20,  
 T.11S., R.1W., M.D.B & M.

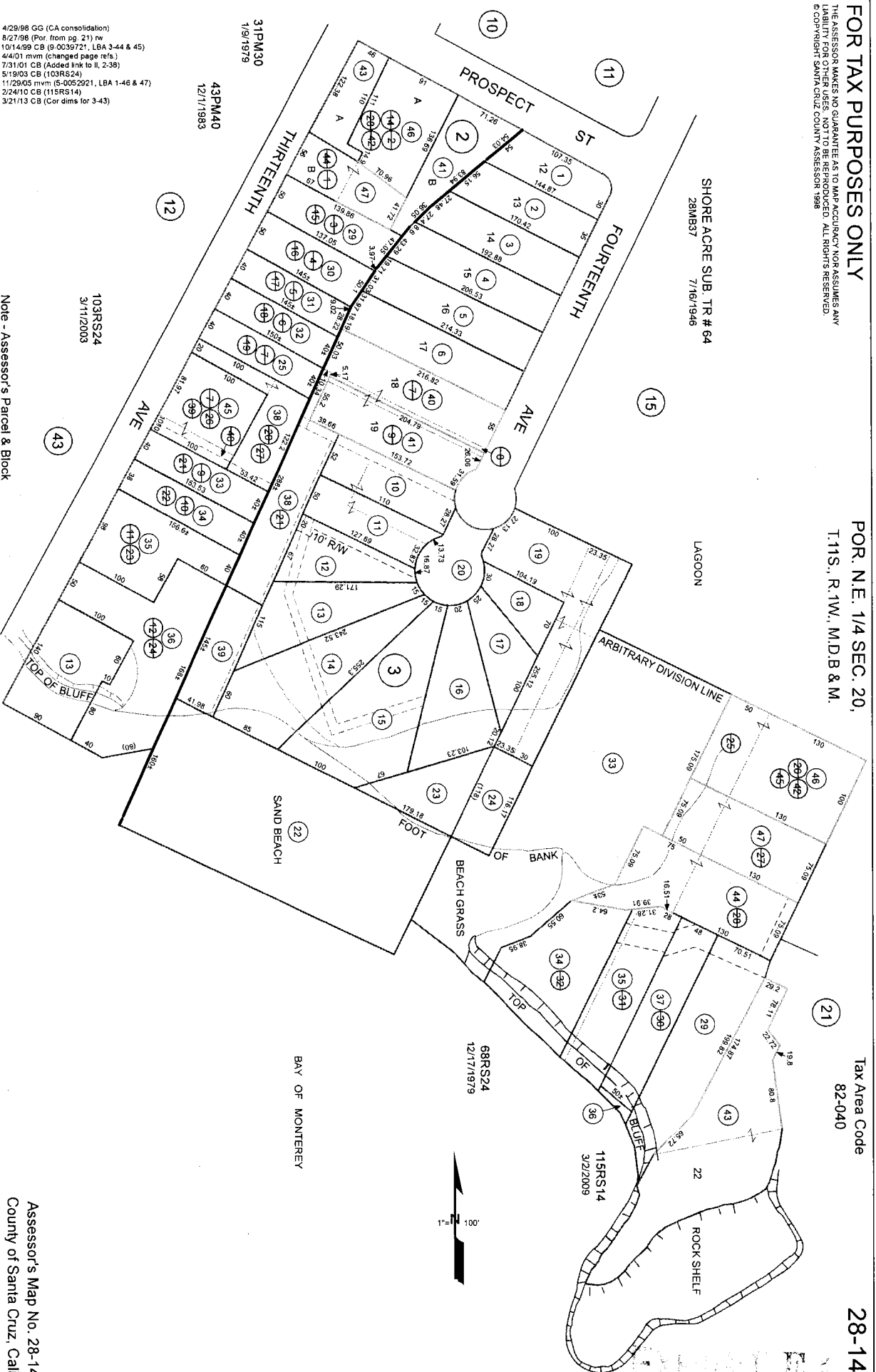
Tax Area Code  
 82-040

28-14

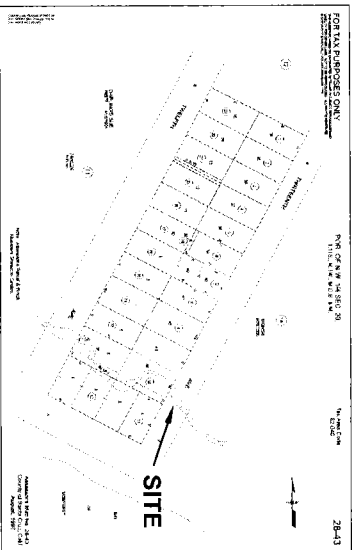
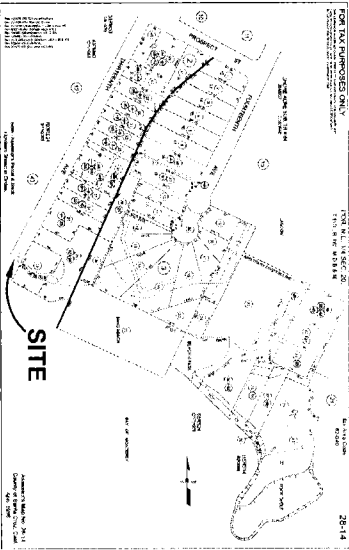
Rev 4/29/98 GG (CA consolidation)  
 Rev 5/27/98 (Por. from pg. 21) rw  
 Rev 10/14/99 CB (9-0039721, LBA 3-44 & 45)  
 Rev 4/4/01 mvm (changed page ref.)  
 Rev 7/31/01 CB (Added link to II, 2-38)  
 Rev 5/19/03 CB (103RS24)  
 Rev 1/29/05 mvm (5-0052921, LBA 1-46 & 47)  
 Rev 2/24/10 CB (115RS14)  
 Rev 3/21/13 CB (Cor dims for 3-43)

Note - Assessor's Parcel & Block  
 Numbers Shown in Circles.

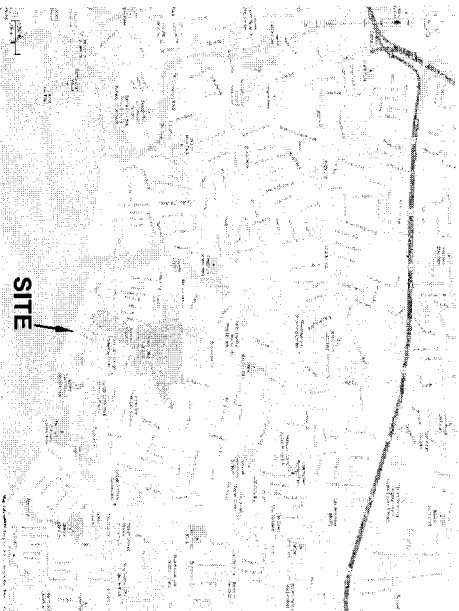
Assessor's Map No. 28-14  
 County of Santa Cruz, Calif.  
 April 1998



**COASTAL OVERLOOK IMPROVEMENT PLANS  
120 THIRTEENTH AVENUE & THIRTEENTH AVENUE PARCEL  
SANTA CRUZ, CA 95062  
A.P.N. 028-142-13 & THIRTEENTH AVENUE**



APN MAPS



VICINITY MAP

**SHEET INDEX**

- SHEET 1 - TITLE SHEET
- SHEET 2 - PLAN VIEW
- SHEET 3 - CROSS SECTIONS
- SHEET 4 - GENERAL NOTES
- SHEET 5 - AERIAL PHOTO
- SHEET 6 - FENCE DETAILS

**PROPERTY OWNER:**

Reed Geisreiter  
120 Thirteenth Avenue  
Santa Cruz, CA 95062  
(APN 028-142-13)

And

County of Santa Cruz  
(Thirteenth Avenue Parcel)

**PLAN PREPARERS:**

John Kasunich, G.E. 455  
Mark Foxx, C.E.G. 1493  
HARO, KASUNICH & ASSOCIATES, INC.  
116 East Lake  
Watsonville, CA 95076  
(831)722-4175 (831)722-3202 FAX

**PROJECT SURVEYOR:**

Bryan Happee, P.L.S. 8229  
DUNBAR & CRAIG  
1011 Cedar St.  
Santa Cruz, CA 95060  
(831) 426-3560

**NOT FOR CONSTRUCTION  
COASTAL DEVELOPMENT PERMIT SUBMITTAL**

REVISIONS	BY

**TITLE SHEET  
COASTAL OVERLOOK IMPROVEMENT PLANS  
120 THIRTEENTH AVENUE & THIRTEENTH AVENUE PARCEL  
SANTA CRUZ, CA 95062**

**HARO, KASUNICH AND ASSOCIATES, INC.**  
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS  
116 EAST LAKE AVE., WATSONVILLE, CA 95076 (831) 722-4175

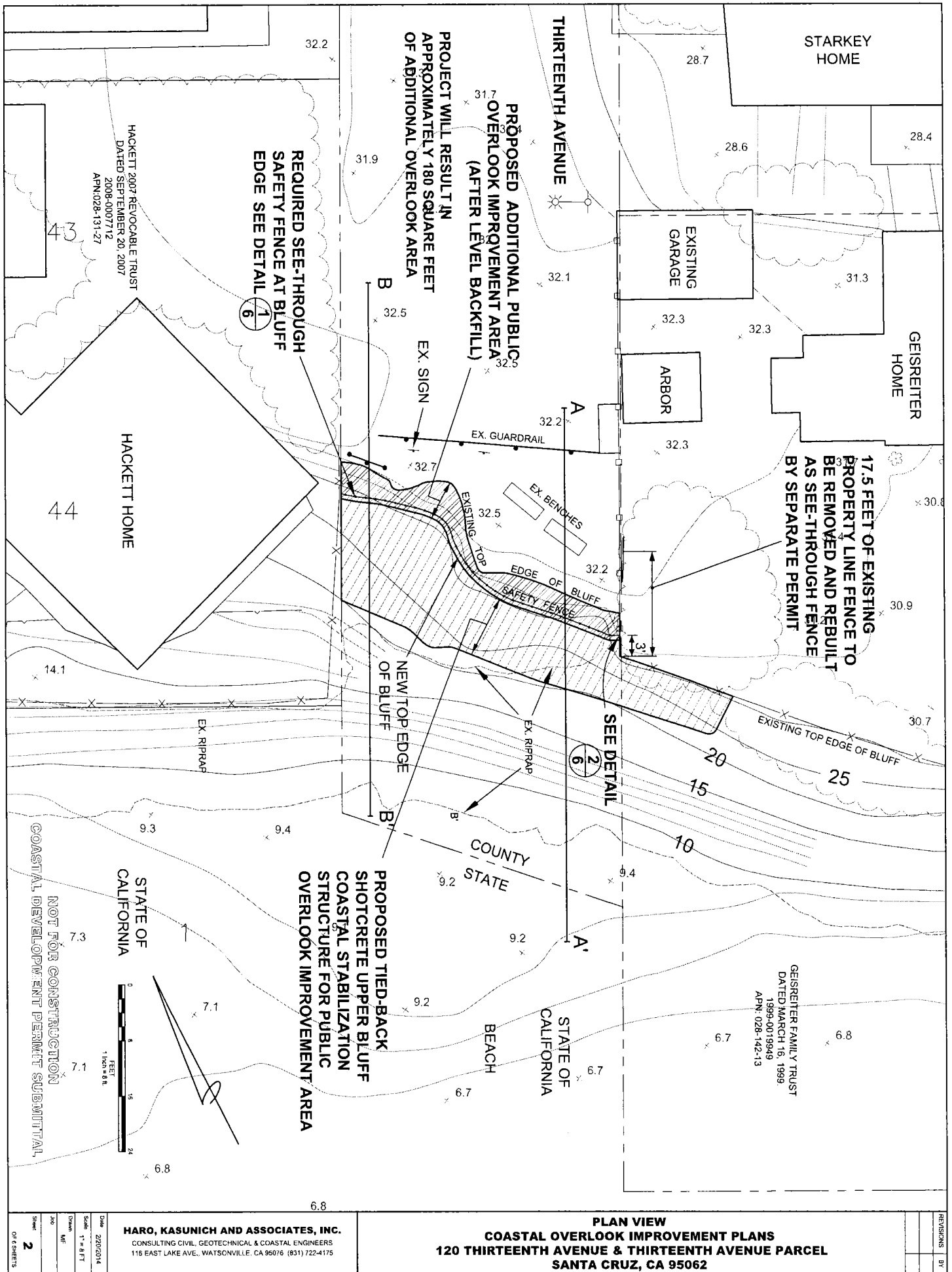
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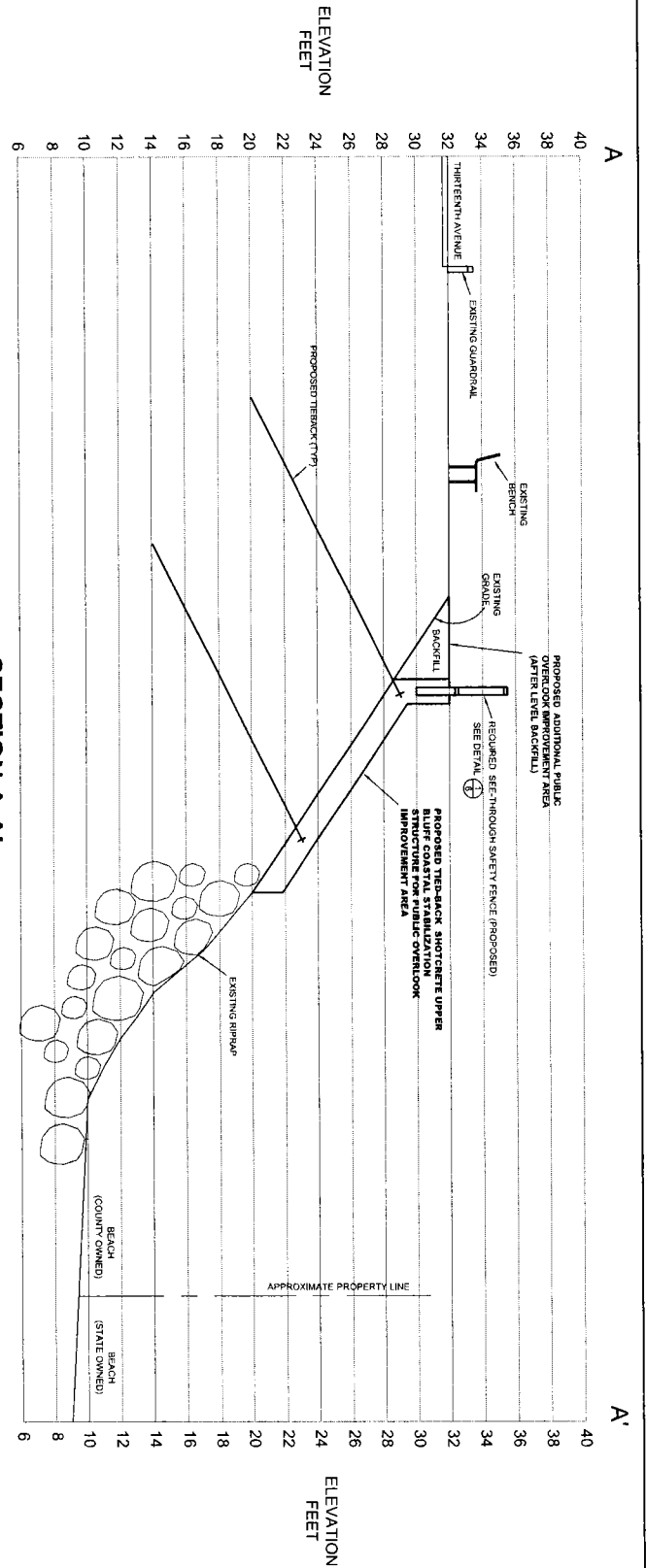
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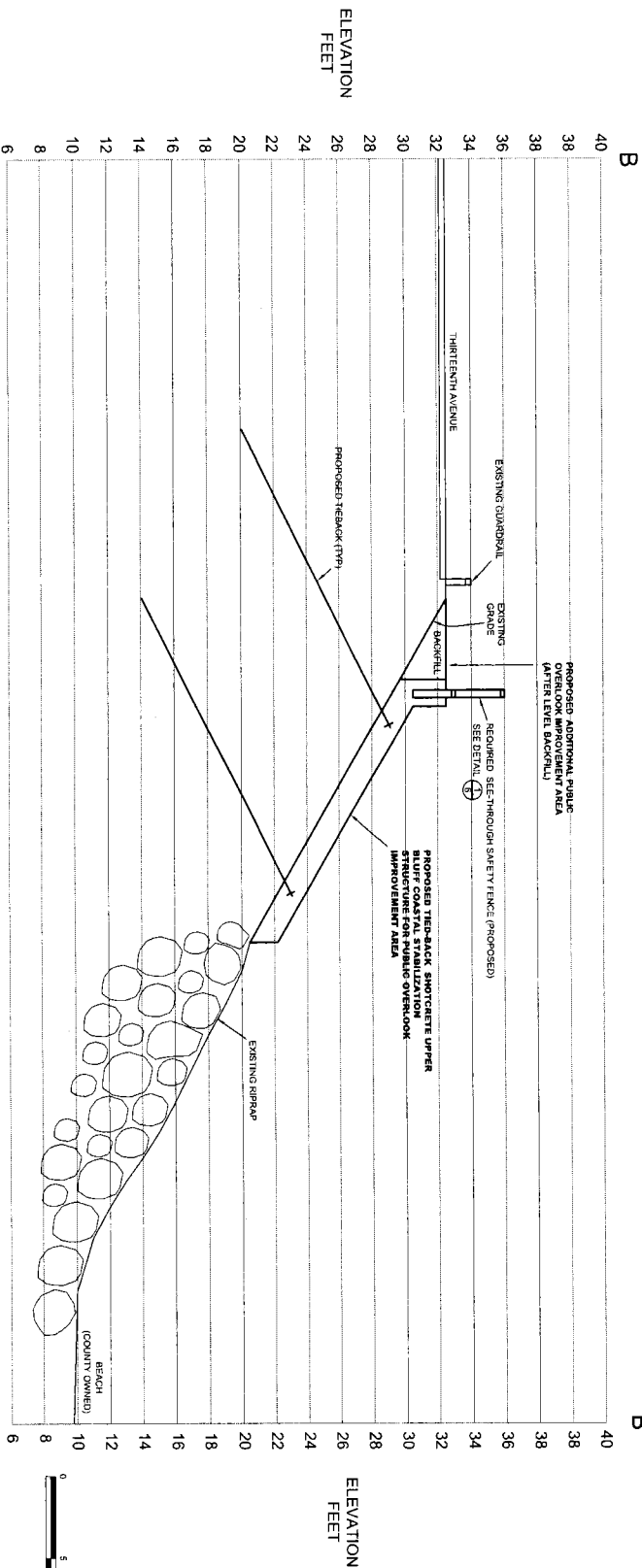
Rev:

Sheet: 1  
OF 6 SHEETS





**SECTION A-A'**



**SECTION B-B'**

NOT FOR CONSTRUCTION  
COASTAL DEVELOPMENT PERMIT SUBMITTAL



**HARO, KASUNICH AND ASSOCIATES, INC.**  
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS  
116 EAST LAKE AVE., WATSONVILLE, CA 95076 (831) 722-4175

**CROSS SECTION  
COASTAL OVERLOOK IMPROVEMENT PLANS  
120 THIRTEENTH AVENUE & THIRTEENTH AVENUE PARCEL  
SANTA CRUZ, CA 95062**

REVISIONS BY

Sheet  
3  
OF 6 SHEETS

Date: 2/20/2014  
Scale: 1" = 5 FT. H&V  
Drawn: MF

**Purpose and Overview:** The purpose of these plans is to provide for stabilization of the present coastal

[illegible]

The proposed work is partly on salary and partly privately.

D. Exposed subgrade under drainage culvert pipes and below the pipes shall be compacted to 90 percent relative compaction. All drainage discharge locations shall be approved by the Engineer.

a bid shall be conclusive evidence that the Contractor has investigated and is satisfied as to the condition of the work to be performed.

This plan shows the proposed grading, drainage and general erosion control measures to be implemented. Between October 15 and April 15, exposed soil shall be protected from erosion at all times. Such protection may consist of mulching, planting of vegetation of adequate density, or covering soils with plastic. Exposed

**GRADING**  
Excavation: Excavated materials shall be used as backfill or disposed of where directed by Owner or Engineer at an approved dumpsite.  
scals on disturbed slopes shall be protected from erosion prior to October 15.

**Diastolic Materials:** The Contractor shall carefully excavate all materials necessary of whatever nature and quantity that may be required to complete the work. The Contractor shall be responsible for the removal of the material and its disposal. The Contractor shall be responsible for the removal of the material and its disposal. The Contractor shall be responsible for the removal of the material and its disposal.

**Wall Backfill:** Retaining walls shall be backfilled with gravel where indicated by the Engineer. Gravel shall be placed in layers not exceeding 12" in thickness.

Chairs (permeable material Class 1, type A (Canadian specification 605-1.22) or 1/4 inch thick gravel) as selected by the Engineer. Gravel shall be compacted in lifts not exceeding two feet thick. Gravel shall be placed to within two vertical feet of finish grade. Drainpipes to allow seepage that accumulates in the grave to pass through the wall shall be installed as directed by the Engineer.

is transformed as soon as possible

As the test procedure evolves, field density tests shall be made by one Geotechnical Engineer to ensure

**PROTECTION OF IMPROVEMENTS**

The Engineer should be notified at least 10L (4) working days prior to any site clearing or grubbing so

with improvements of equal quality.

**EROSION CONTROL.**

And we really wanted to see how well our new design would work in the field, so we took it to the streets.

**DUST CONTROL**  
For dust control purposes, watering of exposed surfaces during clearing, excavation, stockpiling and grading, and in the late morning and the end of each workday shall be done. Grading activities shall be prohibited.

All equipment will be operated in accordance with the proper and safe manner by qualified personnel.

If undesirable conditions are encountered during construction, or if the proposed construction will differ from

The Registered Geotechnical and Civil Engineer and/or his representative shall be called to perform

Disturbance of the property beyond the limits of the necessary work shall be avoided. A serious

**SUPPLEMENTAL RECOMMENDATIONS**

REVISIONS	BY

1141

—

L

**PARCE**

## REVENUE PROJECTIONS

**TAL PLAIN**  
**NTH AVE**  
**062**

**L NOTES  
ND COAST  
THIRTEEN  
Z, CA 95**

**ERA  
S AN  
E &  
CRU**

**GENE  
ACCESS  
VENUE  
ANTA C**

**PUBLIC A**  
**TEENTH A**  
**SA**

To prevent any impacts upon the marine habitat, no overburden or waste cement may be allowed to adversely impact the

120

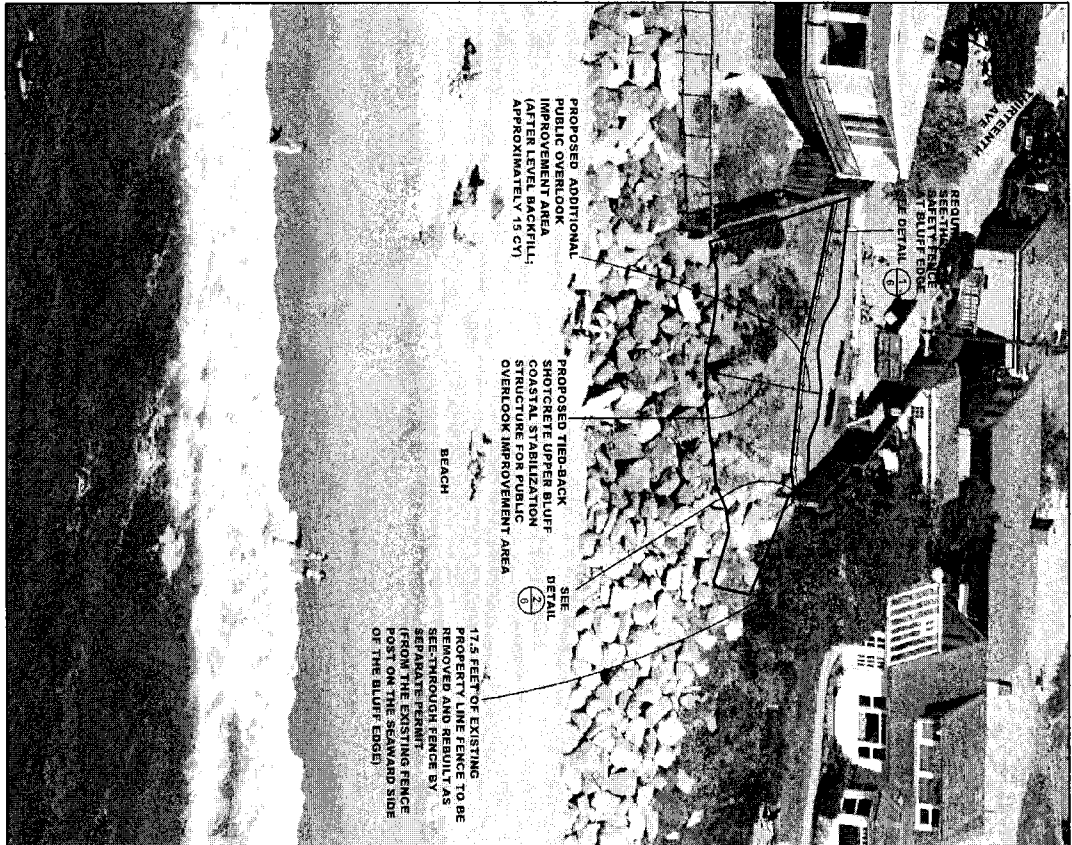
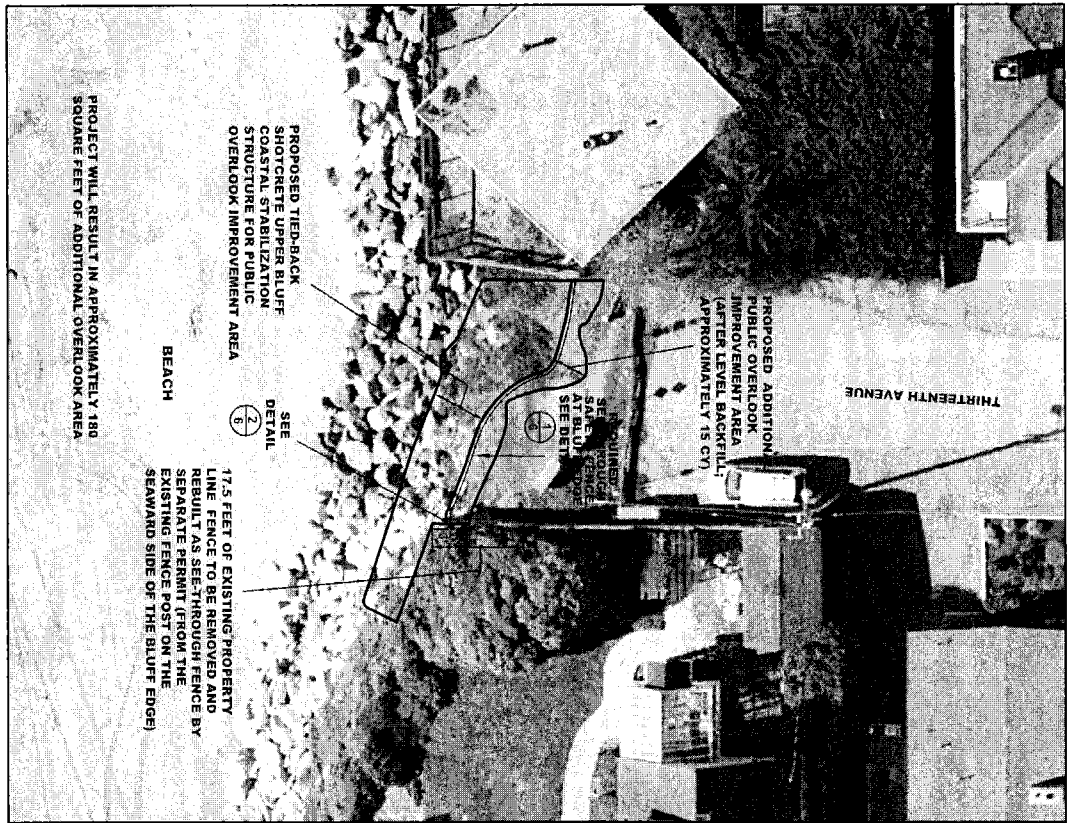
Contractor shall provide a consultation coordinator that can be contacted during consultation, should questions arise.

INC.	
RS	
75	

Job	
Sheet	4

**HARO, KASUNICH AND ASSOCIATES, INC.**  
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS  
118 EAST LAKE AVE. WATSONVILLE, CA 95076 (415) 722-4175

## 21



AERIAL PHOTO COURTESY OF WWW.CALFORNIACOASTLINE.ORG

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COASTAL DEVELOPMENT PERMIT SUBMITTAL

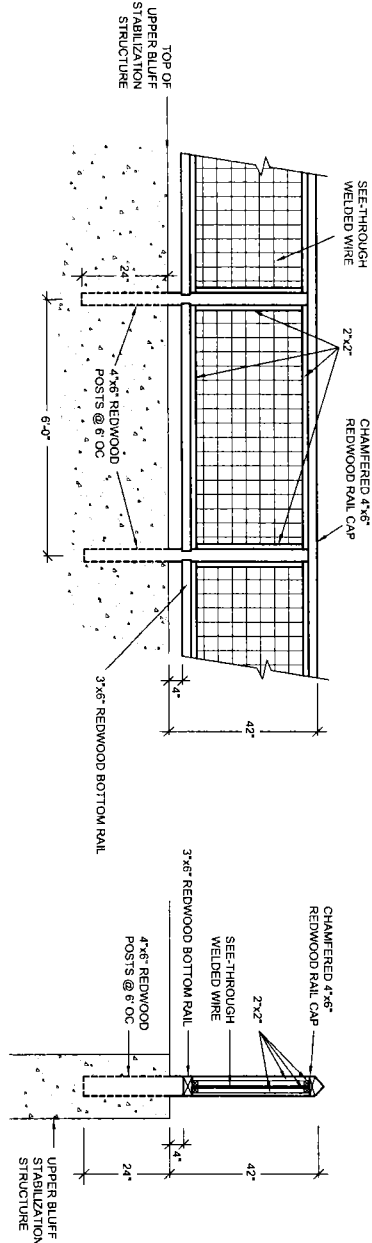
**HARO, KASUNICH AND ASSOCIATES, INC.**  
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS  
116 EAST LAKE AVE., WATSONVILLE, CA 95076 (831) 722-4175

**AERIAL PHOTOS**  
**COASTAL OVERLOOK IMPROVEMENT PLANS**  
**120 THIRTEENTH AVENUE & THIRTEENTH AVENUE PARCEL**  
**SANTA CRUZ, CA 95062**

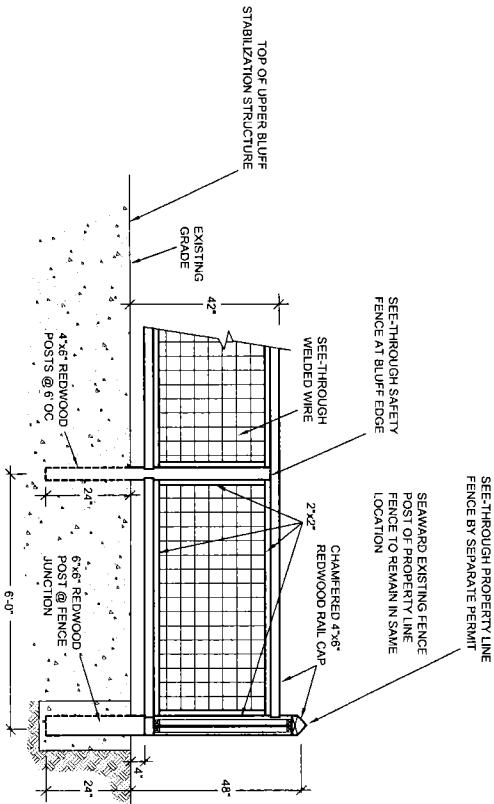
REVISIONS BY

Date	2/20/2014
Scale	NONE
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Job	5
Sheet	5
OF 15 SHEETS	

SEE-THROUGH WELDED WIRE TO BE STRONG HOT-DIP GALVANIZED WELDED WIRE PANELS WITH 1/4 IN. DIAMETER RODS ON 4 INCH CENTERS BOTH WAYS AVAILABLE FROM WWW.PREMIER1SUPPLIES.COM ITEM NUMBER 964500 40" X 72" WELDED WIRE PANEL WITH 4" X 4" OPENINGS OR EQUIVALENT AS APPROVED BY ENGINEER



**1 SEE-THROUGH SAFETY FENCE AT BLUFF EDGE DETAILS**  
SCALE: 1/2" = 1'-0"



**2 SEE-THROUGH FENCE AT JUNCTION**  
SCALE: 1/2" = 1'-0"

NOT FOR CONSTRUCTION  
COASTAL DEVELOPMENT PERMIT SUBMITTAL

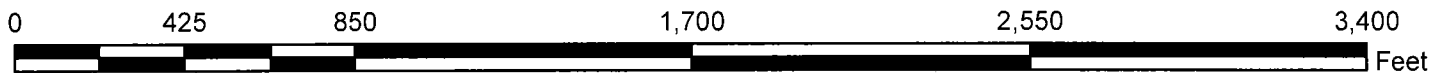
**HARO, KASUNICH AND ASSOCIATES, INC.**  
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS  
116 EAST LAKE AVE., WATSONVILLE, CA 95076 (831) 722-4175

**FENCE DETAILS**  
**COASTAL OVERLOOK IMPROVEMENT PLANS**  
**120 THIRTEENTH AVENUE & THIRTEENTH AVENUE PARCEL**  
**SANTA CRUZ, CA 95062**







REVISIONS 37

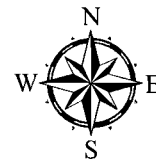


# Location Map



## LEGEND

-  APN: 028-142-13
-  Assessors Parcels
-  Street
-  CITY OF SANTA CRUZ
-  County Boundary
-  Lakes

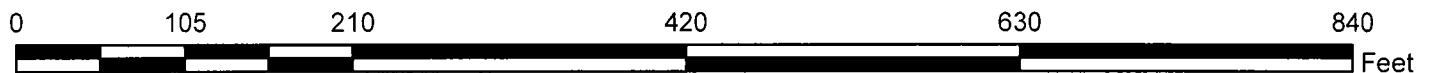
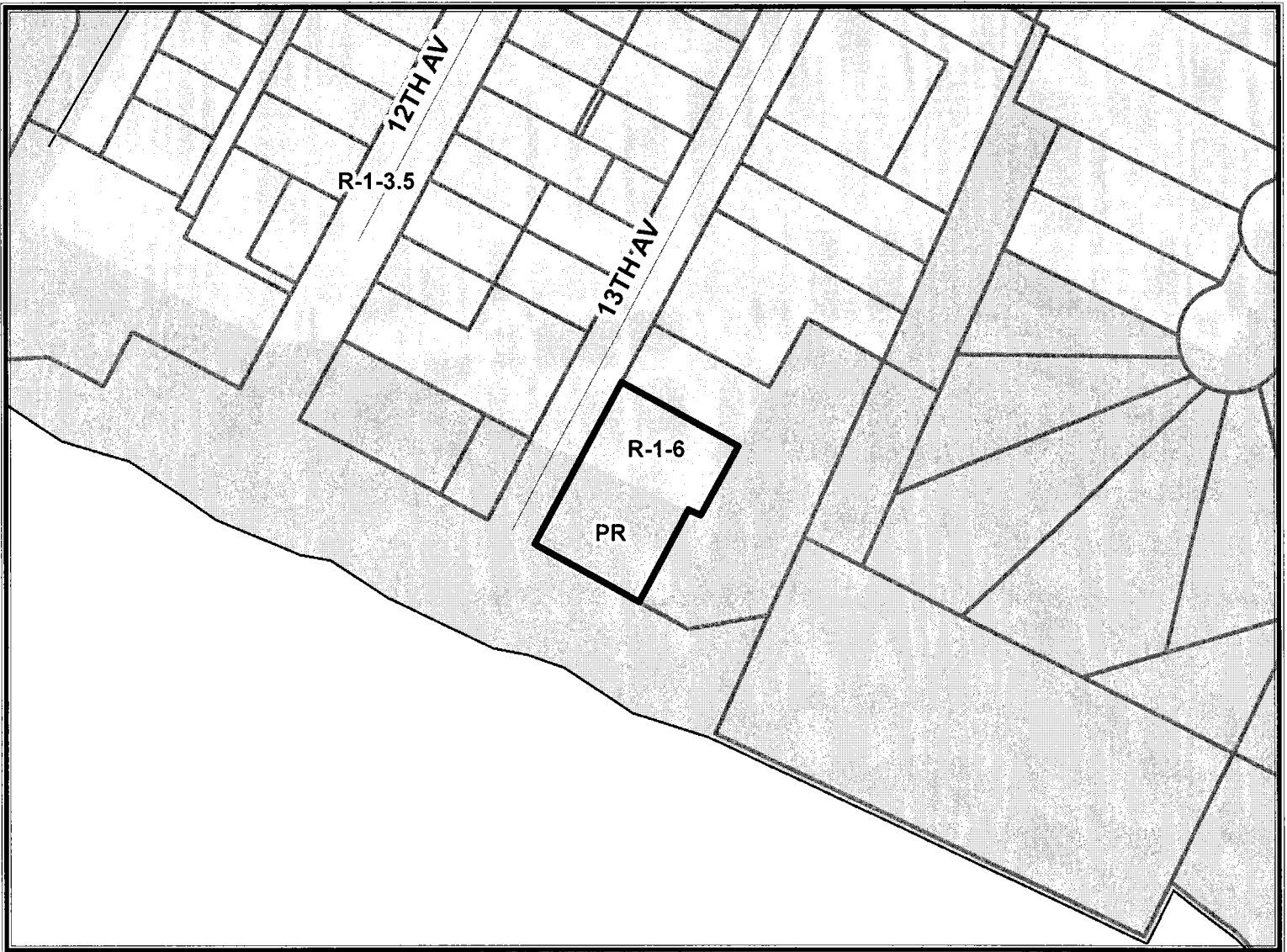


Map Created by  
County of Santa Cruz  
Planning Department  
April 2014

EXHIBIT B

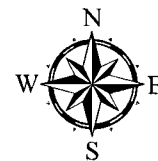


# Zoning Map



## LEGEND

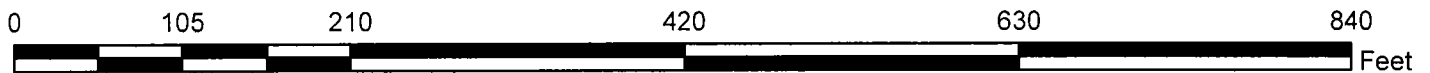
-  APN: 028-142-13
-  Assessors Parcels
-  Street
-  County Boundary
-  RESIDENTIAL-SINGLE FAMILY
-  PARK



Map Created by  
County of Santa Cruz  
Planning Department  
April 2014

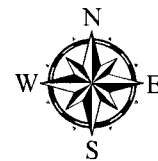


# General Plan Designation Map



## LEGEND

- APN: 028-142-13
- Assessors Parcels
- Street
- County Boundary
- Residential - Urban Low Density
- Parks and Recreation
- Residential - Urban High Density
- Lake



Map Created by  
County of Santa Cruz  
Planning Department  
April 2014

EXHIBIT E

Project No. SC9803  
15 October 2010

MR. REED GEISREITER  
120 13<sup>th</sup> Avenue  
Santa Cruz, California 95062

Subject: Summary of Geotechnical and Coastal Investigation and Coastal  
Protection Structure Maintenance

Reference: 120 13<sup>th</sup> Avenue and 130 13<sup>th</sup> Avenue  
Santa Cruz County, California

Dear Reed:

In late 2008, your dad (Bill Geisreiter) requested that Haro Kasunich and Associates make recommendations for maintenance, and assist him in obtaining a contractor to do maintenance work on the existing coastal protection structure adjacent to your family's home at 120 13<sup>th</sup> Avenue. Haro, Kasunich and Associates submitted a proposal to perform a Geotechnical and Coastal Investigation related to the maintenance work. The purpose of this letter is to summarize the work we did for you. The existing rip-rap coastal protection structure (called a "revetment") extends from the Santa Cruz County owned 13<sup>th</sup> Avenue right of way parcel downcoast across the oceanfront portion of the two Geisreiter Family Trust parcels (both are within Assessor Parcel Number 28-142-13) to the edge of cove where the revetment crosses onto the Starkey Family Trust (formerly Brattan) parcel (Assessor Parcel Number 28-142-36) and turns inland, eventually extending past the front of the Starkey home at 130 13<sup>th</sup> Avenue and terminating at the public beach access stairs.

Prior to conducting our work we had made approximately 25 years of intermittent site observations, conversations with you, a brief site visit and review of some photographs and site plans, giving us a reasonable understanding of the coastal conditions at your home. We understand your property has been impacted by wave impact and runup during the past and coastal protection structures have been constructed to resist coastal erosion, bluff recession and wave impact. In 2008 we observed that the existing coastal protection structures have been deteriorating with age and were in need of repair and maintenance. We understand that prior to our involvement the California Coastal Commission had verbally indicated that it would not be possible for you to do any maintenance of the revetment without obtaining a new Coastal Development Permit

The purpose of our investigation was to evaluate the condition of your existing coastal protection structures, evaluate the appurtenant risks to your home and property, and address what recommended maintenance, repair or improvements should be made to your coastal protection structure. We did a reconnaissance of the site and reviewed

Mr. Reed Geisreiter  
Project No. SC9803  
120 13<sup>th</sup> Avenue and 130 13<sup>th</sup> Avenue  
15 October 2010  
Page 2

available data your family and the Starkey's provided to us, as well as data in our files regarding the site and region. This included the prior report we did for your property.

We had Dunbar and Craig (Licensed land surveyors) establish vertical elevation control points and prepare a topographic survey of the seaward part of your property showing the parcel lines, the approximate Mean High Tide Line, and actual elevations. The map included the area of rip rap to the east of your property that is on the parcel owned by the Starkey Family Trust. We located the existing coastal protection structures and prepared four profiles that relate its position to your home, patio, fence and other improvements. Based on the approximate position of the Mean High Tide Line mapped by Dunbar and Craig, we found that the revetment (including the portions buried by sand) was landward of the Mean High Tide Line and was not on State property. After obtaining a Right of Entry permit from the California State Parks Department, we used their 14<sup>th</sup> Avenue beach access route, and excavated 4 exploratory test pits on your property (out on the beach) with a backhoe. We used these test pits to examine surface and subsurface soil conditions in selected areas, short/long term scour, and the condition of the coastal protection structures. Our test pits exposed the bedrock platform below the beach sand and we measured its elevation.

We reviewed time sequential oblique and vertical aerial photography and historical plat maps to assess bluff recession and coastal erosion hazards, and help evaluate the condition of the revetment.

We also reviewed document files at the County of Santa Cruz and the California Coastal Commission offices.

The primary document of importance is California Coastal Commission Permit P-80-276 which was approved on 9/30/1980. The plans submitted with this permit were drawn by Ifland Engineers and dated 8-24-1979. They depict a revetment structure across the entire Geisreiter property and on a portion of the Starkey property. The revetment turns slightly into the cove on the Starkey property. Permit P-80-276 was issued to "Geisreiter, Brattan and Starkey" and included the following Conditions:

Condition: "5. It is the responsibility of the permittee, semi-annually, to maintain the seawall in good condition and remove large rocks that migrate significantly onto the sandy beach."

and

Mr. Reed Geisreiter  
Project No. SC9803  
120 13<sup>th</sup> Avenue and 130 13<sup>th</sup> Avenue  
15 October 2010  
Page 3

Condition: "6. This Permit authorizes future maintenance work on the seawall without a separate Coastal Permit but subject to the Assistant Executive Director and any conditions he deems appropriate."

In 1983, a severe series of coastal storms caused widespread damage to the California coast and impacted the Geisreiter and Starkey properties. Ifland Engineers prepared plans dated 2-11-1983 that depict restacking about 65 lineal feet of rip-rap that was installed in 1980 on the Brattan property and placing about 145 lineal feet of additional rip-rap on the Brattan (Starkey) property. On 3/9/1983 Santa Cruz County issued a Grading Permit to G. J. Brattan for this work which indicated 800 tons of rip-rap were to be placed. On May 5, 1983, Linda Locklin of the Coastal Commission signed a letter for Les Strnad (Les was the Coastal Commission Chief of Permits) and sent the letter to the Brattan's indicating that it had come to their attention that a Coastal Commission permit for this rip-rap was required. We found an unsigned copy of a Coastal Permit application dated 5-17-1983 in the Geisreiter records, naming Joe Brattan, H. Jean Starkey and William E. Geisreiter as permit applicants. Hand written notations on that application suggest it was received by the Coastal Commission on 5-17-1983 and returned to the applicant on 6-7-1983. We found a letter from Joe Brattan to Cathy Terry at the Coastal Commission dated August 4, 1983 transmitting a check in the amount of \$75.00 and 2 copies of Ifland Engineers drawings to the Coastal Commission. We reviewed the Coastal Commission files and there is no record of this permit application in their files.

Because there is no written record of this permit application in the Coastal Commission files, and there is no written record of any Coastal Commission approval of the 1983 work on the Brattan (Starkey) property, there is a possibility that the Coastal Commission could allege that the requirements in their May 5, 1983 letter were never complied with, and a Coastal Act violation exists. We consulted with Les Strnad, who has retired from the Coastal Commission, and he did further Coastal Commission research. He was unable to find any record of receipt of any such permit application or of the Coastal Commission's receipt of funds in the amount of \$75.00. He suspected that after these documents and funds were submitted to the Coastal Commission, a decision was made to allow the 1983 work under the future maintenance provisions required by the prior Permit P-80-276. He indicated that this would not be allowed today, but may have been allowed in 1983 because Coastal Commission staff was stretched thin from processing an abundance of permit applications related to the severe series of coastal storms caused widespread 1983 damage to the California coast. No written records of any Coastal Commission approval for the 1983 work were found.

Mr. Reed Geisreiter  
Project No. SC9803  
120 13<sup>th</sup> Avenue and 130 13<sup>th</sup> Avenue  
15 October 2010  
Page 4

In consultation with Les Strnad, we ultimately decided to prepare a 2009 Maintenance Plan that showed the 1980 coastal protection work, the 1983 coastal protection work that was presumed to be maintenance allowed under the provisions of the 1980 permit, and identified all of the historical maintenance with written approvals since then. These include:

On 8/20/1987 Lee Otter of the Coastal Commission issued a letter authorizing maintenance work on the seawall constructed pursuant to Coastal Development Permit P-80-276.

On 1/2/1990 Les Strnad of the Coastal Commission issued a letter to William Geisreiter approving his request to perform maintenance work on the seawall constructed pursuant to Coastal Development Permit P-80-276.

On 12/6/1991 Les Strnad of the Coastal Commission issued a letter to William Geisreiter approving his request to perform maintenance work on the seawall constructed pursuant to Coastal Development Permit P-80-276.

On 9/22/1997 Lee Otter of the Coastal Commission issued a letter to William Geisreiter approving his request to perform maintenance work on the seawall constructed pursuant to Coastal Development Permit P-80-276.

On 2/26/1998 Lee Otter of the Coastal Commission issued a letter to William Geisreiter approving his request to perform maintenance work on the seawall constructed pursuant to Coastal Development Permit P-80-276.

From 1999 to 2007, Bill Geisreiter attempted to get permission to do maintenance on the revetment, particularly near the end of 13<sup>th</sup> Avenue, in order to comply with the requirements of Permit P-80-276. Those attempts were unsuccessful, in part because of changing State Park and Coastal Commission policies.

We reviewed all of our collected field data, the survey, the photos and maps, and the prior plans in conjunction with the documents at the County of Santa Cruz and the California Coastal Commission. In the 2009-2010 winter, storms had lowered the beach sand elevations at the Geisreiter and Starkey properties, and exposed scattered rip-rap rocks seaward of the existing revetment. Some rocks had been plucked out of the revetment trunk since the last maintenance in 1997. Some areas of rock had settled. We recommended maintenance and repair of the revetment.

Mr. Reed Geisreiter  
Project No. SC9803  
120 13<sup>th</sup> Avenue and 130 13<sup>th</sup> Avenue  
15 October 2010  
Page 5

In prior discussions with Susan Craig, the Coastal Planner at the Coastal Commission, she indicated that her supervisor (Dan Carl) would not allow supplemental new rock to be used for maintenance. At the time of that discussion, in our opinion, beneficial maintenance that would strengthen the revetment could be completed without the need for supplemental new rock. In an effort to perform the beneficial maintenance without triggering a new coastal permit, we met with you and Bill and we all decided to limit the approval we were seeking to not include any new rip-rap.

We then prepared a plan dated 12/2/09, in conjunction with Ifland Engineers, depicting current site conditions and schematically showing recommended and required revetment maintenance (attached). We submitted the plan to the California State Parks Department (Victor Roth) and obtained a Right of Entry permit to use the State Parks 14<sup>th</sup> Avenue beach access road to gain necessary equipment (excavator) access to the beach to reach the revetment on the Geisreiter and Starkey properties. The excavator is not able to reach the base of bluff in this area without the excavator crossing State Parks Land.

The plan was then submitted to Susan Craig, the Coastal Planner at the Coastal Commission for the Santa Cruz section of the coastline; along with a request to perform maintenance work required by P-80-276. She initially verbally denied the maintenance request under the grounds that there were no maintenance provisions in permits of 1980 vintage, and indicated that a new coastal development permit would be required to perform maintenance. Further discussions revealed that she did not have a copy of P-80-276. We provided her a copy of that permit with a transmittal directing her attention to the required maintenance condition and the condition that authorizes future maintenance work on the seawall without a separate Coastal Permit. Finally, she sent an email on February 10, 2010 approving the Geisreiter family's request to perform maintenance work on the seawall constructed pursuant to Coastal Development Permit P-80-276.

On February 11, 2010, Reber Construction Company brought an excavator to the site and repaired and performed maintenance on the revetment by removing fugitive rocks from the beach, repositioning individual rocks that had been plucked from the structure, and re-orienting other rocks to provide better rock interlocking. Because of the high elevation beach sand levels during the work, only the exposed portion of the revetment could be maintained; the buried portion of the revetment was inaccessible. Best Management Plan criteria was used by the contractor. Mark Foxx of Haro, Kasunich and Associates was on-site to observe the work. After the rip-rap work was complete, the sand was smoothed out where rip-rap was excavated and the contractor left the site.

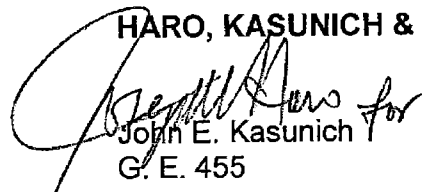
Mr. Reed Geisreiter  
Project No. SC9803  
120 13<sup>th</sup> Avenue and 130 13<sup>th</sup> Avenue  
15 October 2010  
Page 6

On 3/16/2010 Susan Craig of the Coastal Commission issued a letter (attached) confirming her February 10, 2010 approval of William Geisreiter's request to perform maintenance work on the seawall constructed pursuant to Coastal Development Permit P-80-276.

We recommend that regular maintenance and repair of the revetment be conducted, in part to preserve Permit P-80-276, but also to maintain coastal protection at your property. The revetment should be inspected annually and after severe storms and during periods when beach elevations are very low. The beach elevations fluctuate based on the dredging activities at the Santa Cruz Harbor, and storm wave characteristics (direction, frequency, size, coincidence with extreme high tides, etc.) In some years, no maintenance, repair or improvement to the coastal protection will be needed. Less frequently, greater repair or emergency response will be required. The revetment appears to be in good condition right now. You should notify us when beach sand elevations are "abnormally" low so we can inspect the toe and lower trunk of the revetment.

We appreciate this opportunity to be of service to you on this project.

Respectfully submitted,

  
**HARO, KASUNICH & ASSOCIATES, INC.**  
John E. Kasunich for  
G. E. 455

Mark Foxx  
C. E. G. 1493

JEK/MF

Attachments: 1. Revetment Maintenance Plan by Ifland Engineers dated 12-2-2009  
2. California Coastal Commission March 16, 2010 letter approving  
revetment maintenance dated March 16, 2010

Copies 2 to Addressee

Project No. SC9803  
31 May 2012

REED GEISREITER  
120 13<sup>th</sup> Avenue  
Santa Cruz, California 95062

Subject: Proposed Garage Expansion  
Impact from Adjacent Coastal Bluff

Reference: 120 30<sup>th</sup> Avenue  
Santa Cruz, California

Dear Mr. Geisreiter:

As project geotechnical and coastal engineers for maintenance of the existing rock revetment, coastal protection structure at the referenced property we presented recommendations for and inspected the repair of the revetment structure located against the coastal bluff in front of your residential structure. The riprap rock that had drifted seaward onto the beach was salvaged and replaced on the revetment structure in appropriate areas.

You propose to expand your garage by widening it 12 feet seaward. This expansion will cover an existing grouted brick patio area. The top of the coastal bluff is located 85 to 100 feet from the existing garage building. It is our opinion the expansion of the single car garage to a two car garage as proposed will not negatively impact the coastal bluff; nor will the coastal bluff impact the proposed garage addition over the next 100 years if the existing rock revetment structure is maintained.

The proposed garage expansion will cover an existing grouted brick patio area. The proposed increase in impermeable area due to expanded roof coverage over an existing impermeable patio area will result in no change to storm water infiltration rates at the reference property.


EXHIBIT N.

Reed Geisreiter  
Project No. SC9803  
120 30<sup>th</sup> Avenue  
31 May 2012  
Page 2

If you have any questions, please call our office.

Very truly yours,

**HARO, KASUNICH AND ASSOCIATES, INC.**



John E. Kasunich  
G.E. 455

JEK/dk  
Copies: 1 to Addressee  
1 to Larry Rego

Project No. SC9803  
6 November 2012

MR. LARRY REGO  
P. O. Box 1878  
Capitola, California 95010

Subject: Response to Incomplete Application  
Additional Information Required from  
County of Santa Cruz Planning Department  
Application #121143  
APN 028-142-13

Reference: 120 Thirteenth Avenue  
Santa Cruz, California

Dear Mr. Rego:

At your request, we reviewed the most recent plans for the Giesreiter residence hardscape by Michael Arnone and Associates. The plans are also in a response to the Incomplete and Additional Information Request by Santa Cruz County dated 1 October 2012. Specifically we focused on Sheets L-1 and L-2, revision date 30 October 2012.

The revised plans show the full extent of existing and new concrete paving areas and indicate clearly where the new paving will extend beyond the limits of the current concrete paved area. Portions of the new and old concrete paving area do lie within the 25 foot setback from the edge of the coastal bluff. The proposed installation of the new concrete paving and the gradients to be established for drainage of this new concrete pavement area are positive. They direct storm water flow away from the coastal bluff towards a drainage inlet box as recommended in our geotechnical supplemental letter. The proposed concrete pavements will not negatively affect drainage. The new concrete pavements and the old concrete pavements flow positively to a drainage inlet that carries water away from the coastal bluff where it is discharged in a proper manner in a historic outlet on the northeast side of the reference property.

Based on our review of the County letter and the most updated landscape plans, it is our opinion that all geotechnical aspects of the proposed development have been adhere to.

Mr. Larry Rego  
Project No. SC9803  
120 Thirteenth Avenue  
6 November 2012  
Page 2

If you have any questions, please call our office.

Respectfully Submitted,

**HARO, KASUNICH AND ASSOCIATES, INC.**



John E. Kasunich  
G.E. 455

JEK/dk

Copies: 3 to Addressee  
1 to Reed Geisreiter  
120 13<sup>th</sup> Avenue  
Santa Cruz, California 95062

## Lezanne Jeffs

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**From:** Lezanne Jeffs  
**Sent:** Monday, April 07, 2014 4:39 PM  
**To:** 'Lynn Dunn'  
**Cc:** John Leopold  
**Subject:** RE: App. 14102--"safety" fencing-- 13th Ave. public outlook---Public Hearing

Dear Lynn

This application for a bluff stabilization project and for improvements to the existing overlook, including the safety fence, has not yet been approved by the Planning Department. The proposed project includes fencing as a requirement of the Department of Public Works for public safety reasons. This fence has been designed using an open wire mesh to minimize any impacts on coastal views. In addition, a portion of the existing solid fence at 120 13<sup>th</sup> Avenue will be replaced with similar wire mesh fencing to open views to the east that are currently blocked.

The project is scheduled to be reviewed by the Zoning Administrator at public hearing and a decision will be made at that time. The hearing is scheduled for April 18, 2014 at 9:00 am and will be held in the Board of Supervisors chambers on the 5<sup>th</sup> floor of the County building at 701 Ocean Street, Santa Cruz.

Following a decision by the Zoning Administrator to either approve or deny this application there will be a two week public appeal period, during which time an appeal (subject to the payment of fees) may be filed at the Planning Department. In addition, because the project falls within the appeals jurisdiction of the Coastal Commission, the project can also be appealed directly to the Coastal Commission. The Coastal Commission appeal period (10 working days) commences following the expiration of the county appeal period if no appeal has been filed. The proposed project will not be effective and no construction can commence until both appeal periods have expired.

The previous Variance and Coastal Development Permit application (121143), for a garage, a replacement front yard fence and landscape improvements on the adjacent parcel (120 13<sup>th</sup> Avenue) did not include any improvements in the right-of-way.

Sincerely,

*Lezanne*

**Lezanne Jeffs**

Project Planner

Development Review

Tel:(831) 454 2480

[lezanne.jeffs@co.santa-cruz.ca.us](mailto:lezanne.jeffs@co.santa-cruz.ca.us)

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**From:** Lynn Dunn [<mailto:dunnreimers@me.com>]  
**Sent:** Monday, April 07, 2014 2:02 PM  
**To:** Lezanne Jeffs  
**Cc:** John Leopold  
**Subject:** Fwd: App. 14102--"safety" fencing-- 13th Ave. public outlook---Public Hearing

To: County Planner Leanne Jeffs

Fm: Lynn Dunn & Charles Reimers, owners  
165 13th Ave. Santa Cruz, CA 950

Re: Proposed "safety" fencing @ public outlook.

Application 14102 proposes safety fencing across 13th Ave public outlook bluff.

There is no "safety" fencing @ 12th & 14th Aves and other Live Oak Aves @ public outlook bluffs.

This proposal obstructs the public view. We understand the County approved a variance for a

no cost improvement to the public outlook bluff that obstructs the public view. The County

approved this public view obstruction without notification of the neighbors. What is the date of the public hearing ?

## Lezanne Jeffs

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**From:** carlisplace@comcast.net  
**Sent:** Tuesday, April 08, 2014 11:22 AM  
**To:** Lezanne Jeffs  
**Cc:** Lynn Dunn  
**Subject:** fencing at end of 13th Ave.

To: Lezanne Jeffs  
From: Carli Stevens  
231 13th Ave. Santa Cruz

Dear Luzanne, Lynn Dunn was kind enough to copy your letter to me. My family has lived on 13th for over 34 yrs., after living in the house where Lynn and her husband live now, when we came to Santa Cruz in 1961. We loved it here so much we came back to the neighborhood. We have lots of gatherings at the end of the block as a neighborhood, and communicate quite frequently. I have been the Neighborhood Watch person since I asked to meet about five years ago with the Sheriff's at a meeting at Simpkins Center.

I just want to express my reaction to the notice on the Geisreiter's fence for the new project and fence. Unfortunately, Reed didn't give any of us a heads up on it, so the word spread about a fence, blocking the view, etc. He realizes that was not a good thing, that we do like to know what might happen in the future and he is willing to talk to anyone. They have been wonderful neighbors, and they treasure the home his grandfather built when there were buildings beyond the house that are gone. My reaction when I met with him and saw the plans, was that the fence will not obstruct the view, although I do feel it has never been a public safety concern without a fence. As see through as it is, a fence is a fence. People step or jump over the barriers out on West Cliff constantly, and disregard the signs. In all the years we have lived here, I don't recall an ambulance coming because someone fell down the cliffside.

Many years ago, we all backed the cement walkway down to the beach, and that has worked really well. (A better sign at the top of the stairs and an arrow would be better than the existing one at the bluff, or in addition to that one would be good.) Carl Conely, whose family still owns a small cottage next to our house, was the spearhead to getting the stairway in many years ago. We had and still do have elderly people who couldn't go to the beach and families with small children who couldn't go down the cliff. Safety and access was our main concern. A small fence on the cliff would make little difference for safety, but be a bit of a blot on the scenery as you sit on the benches.

I know the fence will be the biggest objection to the current proposal. I feel that the Geisreiter's, aside from funding a huge project to keep the land and add a little more, are acting in all of our best interests, not just theirs. I also feel they are giving up most of their privacy with requiring 15 ft. of the 17ft. for see thru fencing. I have expressed my opinion to several neighbors-a small fence, if mandated, is a minor thing in the whole picture of the two projects combined. However, I would not want objection to the fence on the cliff to forestall the progress. We all know this has been at least a two year process already. We also realize the County can't afford to keep the land from eroding.

Hopefully, this can be resolved with the hearings coming up. Thank you for your work on it, Carli Stevens

## Lezanne Jeffs

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**From:** Robert Brown [papa33044@yahoo.com]  
**Sent:** Friday, April 11, 2014 6:34 AM  
**To:** Lezanne Jeffs  
**Subject:** 120 13th Ave Fence

Lezanne,

We live at 254 13th Ave. and our neighbors of Reed Geisreiter. After reviewing his plan to "enhance" and protect the bluff at the end of street, we STRONGLY recommend approval of his plan with the proviso that we re-firb and raise the viewing benches so that the new 42" fence does not obstruct our precious view of the ocean. Please count this as a strong vote "FOR" this enhancement to our street.

Bob and Laurie Brown  
254 13th Avenue

831 479-1848