

Subject:

FW: Public meeting - Coastal Property Amendments

Dear Coastal Property Owners Association of Santa Cruz County member:

A County of Santa Cruz Public Planning Commission meeting is scheduled for:

Wednesday February 13, 2019 9:30 am
Board of Supervisors Chamber
County Government Center
701 Ocean Street, Room 525
Santa Cruz, CA 95060

It is important that we have a large attendance and participation during this meeting to support the proposed changes below and also suggest other amendment changes or concerns to the Planning Department and Planning Commissioners.

The Planning Department will conduct a study session during this Planning Commission public meeting. The question and answer format will be in lieu of the two workshops which the Planning Commissioners agreed to at the December 12, 2018 public meeting.

This objective is to help coastal property owners understand the proposed amendments, express our concerns about the amendments and support proposed changes.

A meeting was held today with the Planning Director Kathleen Previsich and Project Planner David Carlson during which our Coordinator Steve Forer suggested changes to the amendments based on input received from our small work group. The suggestions were well received and it is hoped that many will be incorporated into the amendments.

The following is a summary of the major changes we have proposed to the County's LCP

- We added the following caveat to the opening summary

No policy or language enacted herein shall affect or require any changes for existing permitted structures or armoring, including maintenance and repairs. The County may only require changes in the permit requirements for renewal of existing permits upon a showing of public safety hazards and danger. A property owner shall have a due process right to a hearing regarding the County's claim of public safety hazard or danger. All provisions in this document for permitting, fees, reports and other requirements shall apply only to new permits for new or reconstructed structures, new armoring or revised armoring, unless current permits conditions require otherwise.

- We built in recognition of the negative impact of the Santa Cruz Harbor and jetties on sand migration and losses to the beach east of the Harbor.
- Permit requests for new armoring should be expedited when property and structures are in emanate danger of erosion and risk to public safety.
- Repairs to existing armoring do not require a new permit, nor are subject to any of the new requirements.
- When required, permit renewals for armoring devices shall be issued in increments of ten years.
- The term of existing permits shall not be altered.
- Waiver of Liability shall be limited to potential harm or danger to the public or safety hazards due to natural erosion of cliffs, bluffs, sea level rise or storm surges, and shall NOT be recorded on the property deed, but instead be filed with the permit application. The County and Coastal Commission shall still be responsible for any negligence due to faulty permits, injury and damages to structures.
- Indemnification to the County & Coastal Commission shall be limited to injury or damages due to natural erosion of the cliffs and bluffs, sea level rise, or storm surges, and shall NOT be recorded on the property deed, but filed with the Permit application.
- Modification, reconstruction or replacement of structures shall be allowed in kind when the loss or damage is due to natural disasters such are fire, earthquake or flood.
- Sand mitigation fees shall be reasonable and based on the actual (not theoretical) sand loss, due to new or revised armoring. The sand mitigation shall take into account the natural migration of sand due to the Harbor jetty construction, storm surges or other oceanic events. The formula for

calculating the sand mitigation fee is still subject to negotiation, based on the most recent available science. We have asked for help from a renowned oceanographer and geologist at UCSC.

Sincerely,

Keith Adams

President

Coastal Property Owners Association of Santa Cruz County

www.coastalpropertyowners.org to join

831-479-4200

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