

Capitola City Council

Agenda Report



Meeting: October 9, 2025

From: Community and Economic Development Department

Subject: Withdrawn Appeal of Coastal Development Permit

Recommended Action: No action required.

Background: On July 17, 2025, the Planning Commission approved Application #25-0056 for a Coastal Development Permit and Fence Permit, submitted by the Santa Cruz Regional Transportation Commission (RTC). The project consists of approximately 1,300 linear feet of split-rail fencing and four safety signs.

The project site includes a stretch of coastal bluff located between the Santa Cruz Branch Rail Line and the Pacific Ocean. In 2023, severe winter storms caused multiple sections of the bluff to collapse, significantly reducing the buffer between informal walking paths and the bluff edge. These events intensified long-standing concerns about public safety, particularly given the presence of unauthorized foot traffic along informal trails on the coastal side of the rail line. The proposed fencing project is intended to deter unsafe access and prevent potential accidents near the unstable bluff edge.

On August 26, 2025, the City received a timely appeal of the Coastal Development Permit (CDP), citing concerns that the fence would limit informal public access to the bluff, reduce visitor opportunities, and conflict with Capitola's Local Coastal Plan (LCP) and the California Coastal Act. The appeal was specific to the CDP and did not contest the fence design or development standards.

Following the appeal, RTC and City staff met with the appellant and interested parties on multiple occasions to help clarify risks and hear concerns related to the fence alignment.

On September 29, 2025, RTC submitted a revised plan modifying portions of the fence alignment. The updated design allows access closer to the bluff in certain locations, while ensuring that, in all cases, the fence remains landward of the 20-year erosion setback. This modification provides opportunities for coastal public views while maintaining necessary safety protections.

On September 30, 2025, the appellant withdrew the fence appeal based on the amended design.

The amended alignment is considered a minor modification of the Planning Commission approval as the requested change complies with all post-decision criteria of Capitola Municipal Code (CMC) Section 17.156.070.C and the fence regulations of CMC Chapter 17.60. The Community and Economic Development Director may authorize minor changes to an approved project if the changes comply with all of the criteria of the two sections of code. On October 1, 2025, the minor modification was approved by the Director.

Attachments:

1. RTC Updated Fence Alignment (9/29/25)
2. RTC Updated Bluff Images (9/29/25)
3. Appellant Withdrawal

Report Prepared By: Katie Herlihy, Community and Economic Development Director

Reviewed By: Julia Gautho, City Clerk; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager