

Capitola Planning Commission

Agenda Report



Meeting: July 17, 2025

From: Building, Planning, and Economic Development Department

Address: Coastal Bluff Adjacent to Park Avenue

Project Description: Application #25-0056. APN: 036-201-02. Coastal Development Permit and Fence Permit to construct approximately 1,300 linear feet of fencing and safety signs along a coastal bluff. The project is located within the CF (Community Facility) zoning district and the Environmentally Sensitive Habitat Area (ESHA).

This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Recommended Action: Consider application #25-0056 and **approve** the project based on the attached Conditions and Findings for Approval.

Property Owner: Santa Cruz Regional Transportation Commission (RTC)

Representative: Riley Gerbrandt, RTC, Filed: 1/28/25

Background: On May 14, 2025, staff from the City of Capitola and the Santa Cruz County Regional Transportation Commission (RTC) conducted a joint site visit to the Park Avenue section of the coastal rail corridor. The purpose of the visit was to evaluate the proposed fence location and observe recent bluff erosion and failures.

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.

A Coastal Development Permit and Fence Permit are required for the project due to its location within the Coastal Zone and the nature of the proposed improvements.

Discussion: The 10.4-acre project site is part of the Santa Cruz Branch Rail Line right-of-way, owned by RTC, is considered a rail facility and not open to the public. Except for properties along Grove Lane, no formal coastal access exists through the site, although unauthorized informal "volunteer" trails have developed.

The project installation of approximately 1,300 linear feet of wooden split-rail or wood-style prefabricated concrete fencing along the coastal side of the Santa Cruz Branch Rail Line, from near Grove Lane to a point east of the 850 and 870 Park Avenue condominiums. New safety signage is also proposed. The RTC will also remove an unpermitted wooden bench, clear minor vegetation, and grade to facilitate fence installation. The fence alignment has been designed to avoid impacting adjacent trees.

The proposed fence will be approximately four feet tall, with rails spaced 9–10 inches apart and installed several inches below the top of the post. The fence will follow the natural topography, ranging approximately 4–16 feet below the elevation of Park Avenue with limited visual impact from the street.

Development Standards: The proposed fencing is subject to the following standards outlined in CMC §17.60.030 – Fences and Walls. Below is each underlined provision followed by staff analysis:

- A. Fence Height. Maximum height for fences is six feet.
Staff Analysis: The proposed fencing is approximately four feet tall, well within the maximum allowed height.
- B. Intersection Sight Distance. Fences on corner parcels and adjacent to driveways must comply with visibility requirements per §17.96.050.
Staff Analysis: Not applicable.
- C. Decorative Features and Materials. An additional two feet is allowed for lattice or similar materials that are at least 50% transparent. Decorative arches above walkways may be up to 10 feet tall within setbacks.
Staff Analysis: Not applicable
- D. Use of Parking Spaces. Fences may not interfere with use of on-site or street parking spaces.
Staff Analysis: The fencing is located entirely within a rail corridor and does not interfere with any parking.
- E. Fences Along Arterials and Collectors. The Community Development Director may require reduced heights or transparency to preserve views along arterial/collector streets.
Staff Analysis: Park Avenue is a collector street, but the proposed split rail fence is visually open and well below the grade of the road, preserving the views of the Monterey Bay from the public right of way.
- F. Noise Walls. Planning Commission may allow fence height increases to mitigate noise along arterials.
Staff Analysis: The proposed fencing is not intended as a noise wall, and no increase in height is requested.
- G. 17.60.030(G): Coastal Access and Public Views. Fences shall not block public access to the coast or obstruct significant public views, as identified in the LCP.
Staff Analysis: The fencing is located on private RTC property with no formal coastal access points. Views from Park Avenue will be unobstructed. The unsafe informal trail which is located directly along the bluff will be fenced off to protect public safety from further risk of bluff collapse. The new fence is located between the railroad tracks and the bluff. The fence is proposed on the ocean side of an existing volunteer trail on the RTC property which is further inland than the volunteer bluff path.

Signage: The application includes four new signs installed at prominent locations marked on the site plan. This includes warning signs stating, “No Trespassing” and “Unstable Bluff” at each end and at two midpoints of the fence alignment. Pursuant to §17.80.030(G), governmental agency-installed signs to carry out its responsibility to protect public health, safety, and general welfare are exempt from sign permits.

CEQA: §Section 15301(f) of the CEQA Guidelines exempts minor changes to existing facilities, including but not limited to the addition of safety or health protection devices in conjunction with existing structures or facilities. The project includes the construction of a safety fence and related signage between an existing rail corridor and an unstable coastal bluff. The project does not involve an expansion of use.

Coastal Development Permit Findings:

- A. **The project is consistent with the LCP land use plan, and the LCP implementation program.**
The proposed development conforms to the City’s certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

B. The project maintains or enhances public views.

The proposed project is located on public property between Park Avenue and Monterey Bay. The project has been designed such that it will not negatively impact public landmarks and/or public views. Any existing public views will not be obstructed.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The proposed project includes safety fencing along an existing rail corridor. The proposed fencing pathway is located along heavily disturbed land to avoid impacts on surrounding resources and vegetation. The project maintains vegetation and will not negatively impact natural habitats or natural resources.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves safety fencing along an ocean bluff which will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves safety fencing along an unstable bluff. Pedestrians accessing the property routinely access hazardous sections of the property which the proposed fence seeks to prevent. The fence will not prevent access along legally established pathways and sidewalks, nor obstruct coastal views from such locations. Therefore, the fence will result in improved public safety and would not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves safety fencing and signage and will not negatively impact coastal resources.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed safety fencing complies with all applicable design criteria, design guidelines, area plans, and development standards. The operating characteristics are consistent with the CF (Community Facility) zone.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves safety fencing on a publicly owned transportation corridor. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the CF zoning district.

Conditions of Approval:

1. The project approval consists of the construction of approximately a 1,300-foot-long safety fence along the coastal side of the Regional Transportation Commission rail corridor and four warning signs for “no trespassing” and “unstable bluff”. An existing unauthorized bench will be removed as part of the project. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on July 17, 2025, except as modified through conditions imposed by the Planning Commission during the hearing.
2. No tree over six inches in diameter may be removed without separate permit. Fence alignment shall route around trunks where necessary.
3. No construction equipment may be staged within 10 feet of the bluff edge. Erosion control measures shall be followed.

4. This permit shall expire 48 months from the date of issuance. The applicant shall have construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.

Attachments:

1. Site Plan
2. Project Description
3. Fence Details

Report Prepared By: Sean Sesanto, Associate Planner

Reviewed By: Rosie Wyatt, Deputy City Clerk

Approved By: Katie Herlihy, Community and Economic Development Director