ATTACHMENT 5

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Date: January 21, 2000
Agenda Item: No. 9
Time: After 10:00 a.m.

0256

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 98-0426

APN: 057-061-16

APPLICANT: Betty Cost, Rich Beale Land Use Consultants

OWNER: Brian Hinman and Suzanne Skees

PROJECT DESCRIPTION: Proposal to construct a three-story single family dwelling with basement, an attached garage and two attached habitable accessory structures for pool use, comprised of two bathroom/changing rooms of less than 100 square feet each located above the garage totaling approximately 14,766 square feet, and a detached, 277 square foot non-habitable accessory structure (generator house), and to grade about 5,560 cubic yards for the building site, courtyard, pool, driveway and access road. Requires a Coastal Development Permit, a Large Dwelling Review, a Residential Development Permit to increase the 28 foot height limit to about 5 1 feet by increasing the required 20 foot setbacks by 5 feet for every foot over 28 feet in height to 135 feet, and to construct two habitable accessory structures greater than 17 feet in height with bathrooms, and Preliminary Grading Approval.

LOCATION: Property is located on the east side of a 50 foot right-of-way approximately 0.75 miles northeast from its intersection with Highway 1 (at sign for 2074), then about 600 feet southeast. The right-of-way intersects the east side of Highway 1 about one mile north of the intersection of the entrance to Ano Nuevo State Park.

FINAL ACTION DATE: February 24, 2000 (per one time 90 day extension to the Permit Streamlining Act)

PERMITS REQUIRED: Coastal Zone, Residential Development Permits and Large Dwelling Review

ENVIRONMENTAL DETERMINATION: Negative Declaration with Mitigations
COASTAL ZONE: _X_ yes ___ no APPEALABLE TO CCC: _X_ yes ___ no

PARCEL INFORMATION

PARCEL SIZE: 49.7 acres
EXISTING LAND USE: PARCEL: Vacant rural parcel
SURROUNDING: Rural residential, agriculture and timber production
PROJECT ACCESS: An unnamed 50 foot right-of-way off of Highway 1.
PLANNING AREA: North Coast
LAND USE DESIGNATION: Agriculture (AG)
ZONING DISTRICT: Commercial Agriculture (CA)
SUPERVISORIAL DISTRICT: Third District

ENVIRONMENTAL INFORMATION

Item	Comments
a. Geologic Hazards	a. Active landslide on property - engineering geologic and soils reports and report review completed.**
b. Soils	b. USDA type 101, 167, 173, 174, Aptos loam, Santa Lucia shaly

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	clay loam, Sur Catelli Complex and Tierra-Watsonville complex; preliminary soils report and review completed **
c. Fire Hazard	c. None mapped
d. Slopes	d. 5 to 50+% Building Site approximately 20%
e. Env. Sen. Habitat	e. Mapped biotic - Native Monterey Pine Forest and riparian habitat at man made pond. Biotic Assessment Report and review completed **
f. Grading	f. About 5,560 cubic yards proposed for road improvements, driveway and building pad
g. Tree Removal	g. 8 trees bver 20 inch diameter proposed. Biotic Assessment Report, Biotic Report review and Arborist Report **
h. Scenic	h. None mapped and not visible from Highway 1 (designated Scenic road). Portions of the roof line may be visible from Ano Nuevo State Reserve.
i. Drainage	i. To manmade pond
j. Traffic	j. Minimal increase
k. Roads	k. Existing, improvements required to meet current Fire standards including some widening and four turnouts
1. Parks	1. Adequate, The project will be conditioned to pay the park impact fees for one new single family dwelling with 15 bedrooms, where the Zoning Ordinance definition of "bedroom" is used.
m. Sewer Availability	m. Septic, preliminary clearance approved
n. Water Availability	n. Mapped adequate quantity/good quality, minimal increase in water usage
o . Archaeology	o. Mapped sensitive site - archaeologic report was negative**

** Report was required. Reports are on file with the Planning Department.

SERVICES INFORMATION

W/in Urban Services Line: __yes _X_no
Water Supply: Private well
Sewage Disposal: Private septic system
Fire District: California Department of Forestry Fire Protection District
Drainage District: None

PROJECT DESCRIPTION AND BACKGROUND

This application seeks approval to construct a new single family dwelling with two habitable accessory structures of less than 100 square feet each (pool bath/changing rooms), a pool and a 277 square foot non-habitable accessory structure (generator house). The proposed dwelling utilizes the rural Gothic Revival architectural style. The proposed dwelling is approximately 12,532 square feet of habitable, conditioned space and 15 bedrooms, with an additional 1,700+ square feet of non-habitable space including the garage and a portion of the underground basement and about 850 square feet of covered porches and outdoor stairways. Typical of

Gothic architecture, the proposed dwelling is tall with a steeply pitched roof. The pitch of the roof results in habitable areas within the attic which function as a third story.

The subject parcel is 49.7 acres in size and is bounded on the west by the San Mateo County line (see location map, Exhibit D). This property was formerly part of the historic Steele Ranch, which was founded by two brothers in 1869. The Steele Ranch holdings encompassed 7,000 acres and were divided into two of the largest dairies of the time, the Cascade Ranch and the Green Oak Ranch. These properties were subdivided by the Steele family in 1955, creating the subject parcel and its neighboring properties. Most of the Steele Ranch properties have now passed out of the family's hands. There is no record of any agricultural use on the subject parcel, after the dairy operations ceased.

The property slopes down roughly east to west. The highest elevations are located at the northeast comer of the property. The ridge top is located on the adjacent property near the property line. The northeast comer has slopes of 47% to 29%. This area is comprised of open Monterey pine forest with scattered oaks, madrones, fir and ceanothus. The mixed Monterey pine forest continues along the northern half of the east end of the property. The proposed building site is located within the Monterey pine forest on a slope of 12 to 25%. Immediately east of the subject parcel is Ano Nuevo Creek. The creek is characterized by a wide, steep sided and heavily forested arroyo which runs roughly parallel to the subject parcel's eastern property line. The majority of the parcel has slopes between 16% and 30% and drains towards a manmade pond. This-pond was used for livestock during the operation of the Steele Ranch. The pond is surrounded by a well developed riparian community. The northwest comer of the property is more gently sloped (12-18%) and is predominantly grassland interspersed with coyote bush scrub. The far southeastern comer is the most steeply sloped portion of the property (>60%). This area drains into the arroyo formed downstream of the pond. This area is dominated by scrub, oaks and eucalyptus groves. The majority of the parcel is mixed grasslands which is predominantly non-native grass species with interspersed native coastal prairie species. Among the grasslands are scattered areas of scrub comprised mainly of coyote bush, poison oak and native blackberry. Several small, marshy seeps containing hydrophilic plant species are located on the slopes above the pond.

The project proposes approximately 5,560 cubic yards of grading. An estimated 1 ,0 10 cubic yards will be required to upgrade the existing access road to the Fire Department's current standards and to construct the driveway in conformance with the California Department of Forestry (CDF) and County Environmental Planning standards. The remainder of the grading is for construction of a level building pad under the building footprint, terraces, swimming pool and parking. The basement will generate an additional 1,000 cubic yards of excavated material which will be incorporated into landscaping berms and the remainder dispersed around the building site. Under current regulations, basement excavations are exempt from the County's Grading ordinance. The project grading is balanced and no fill materials will leave the site. This project is subject to Environmental Review due to grading volumes in excess of 1,000 cubic yards. This project has completed Environmental Review and a mitigated negative declaration has been issued (Exhibit C).

Characteristic of Gothic structures, the proposed dwelling will be about 46 feet high. However,

for zoning purposes the building height is measured from the original or final grade, whichever is greater. Thus, due to the slope of the site and that the structure will be partially constructed on fill, the structure will actually exceed the 28 foot height limit by 23 feet. In accordance with site development standards, the applicant proposes increasing the required setbacks by five feet for every foot over 28 feet. A Coastal Development Permit, a Large House Review and Residential Development Permits are required for this proposal.

DISCUSSION AND ANALYSIS

Zoning and Agricultural Issues

The parcel is zoned Commercial Agriculture (CA) and has a General Plan designation of Agriculture (AG). The Commercial Agriculture (CA) is an implementing zone district for the Agriculture General Plan designation. A single family dwelling is a conditionally allowed use in this zone district within the Coastal zone, provided the findings set forth in County Code section 13.10.3 14(a) and (b) can be met. Primarily, the dwelling must be found to not reduce, restrict or adversely affect agriculture in the area, be incidental to agricultural use and be located to minimize potential land use conflicts and to remove little or no land from agricultural production or potential production. The primary agricultural use in this area is livestock grazing, although there are some similar agricultural properties producing cut flowers, ollalie berries, kiwi fruit, pumpkins and Christmas trees in the area. The owner is investigating the feasibility of viticulture on a portion of the property. As stated previously, there has not been any recent agricultural uses on the subject property. The proposed residential development has been designed to avoid adverse impacts to the potential agricultural uses on the subject property or to agricultural uses of the adjacent agricultural parcels. First, the proposed building site is located within the Monterey pine forest area which is unsuitable for any prime agricultural use. Second, about one acre will be occupied by the dwelling, appurtenances and the defensible space required by the fire agency, this constitutes about 2% of the total parcel area. Thus, the residential use would still be ancillary to any commercial agricultural use of the parcel based on the fact that the farmable portion of the parcel is large enough (20 to 40 acres) to constitute a minimum economic farm unit capable of supporting livestock grazing (for which it is most suited), kiwi fruit, cut flowers or Christmas trees and that neither arable nor grazing land has been utilized for the building site. The required agricultural findings are provided in Exhibit A.

The required setbacks for the CA zone district are 20 feet for front, sides and rear yards. The subject parcel is bordered by lands zoned Commercial Agriculture to the north and south (see Exhibit F). County Code section 16.50.095 requires a minimum 200 feet agricultural buffer setback between type 1, 2 or 3 commercial agricultural properties and adjacent residential development in order to avoid land use conflicts between residential and agricultural land uses. The proposed residence will be located over 600 feet from the agricultural land to the north. At its closest proximity, the proposed dwelling will be 300 feet from the adjacent (southern) CA property. The property owners of the northern parcel are in the process of establishing a commercial organic farm. The southern CA parcel is not currently in commercial cultivation. Nevertheless, the proposed residential use has been sited to avoid conflicts with proposed or possible future commercial agricultural activities and to remove as little land as possible from potential agricultural production and will thereby not reduce, restrict or adversely affect agricultural operations in the area. Thus, the proposed project is consistent with the Agriculture

policies set forth in Section 5.13 of the County's 1994 General Plan.

The subject parcel is bordered on the northeast, east and southeast by properties zoned for Timber Production (TP) (see zoning map, Exhibit F). In accordance with Timber Production regulations, the property owner will be required to record an acknowledgment for development located adjacent to timber production lands as a condition of approval.

Residential Development Issues

The height of the proposed three story dwelling as measured under current zoning regulations measures 5 1 feet from the highest point of the structure to the lowest grade (existing or proposed), The highest point of the structure sits over the both cut and fill on the graded building pad. The height of the dwelling from the final grade is about 47 feet. Three story dwellings are allowed on parcels larger than one acre outside of the Urban Services Line, and Section 13.10.323(e)5 provides site standard exceptions for structures exceeding 28 feet. This section states that building heights which exceed 28 feet are allowable if all required yards are increased by five feet for each foot over the permitted building height. In general, for buildings over 35 feet in height on a parcel of 2.5 acres or larger, a level IV approval is required. The applicant is proposing increasing the required 20 foot setbacks to a minimum of 135 feet to accommodate the additional building height, in accordance with section 13.10.323(e)5. As shown in Exhibit K, the required setbacks are 135 feet and the proposed setbacks are 600 feet to the north property line, over 900 feet to the right-of-way in the front yard (west property line), over 500 feet to the south property line and 300 feet to the southeast property line. As this project is subject to a higher level approval, this Residential Development approval is subject to the same level of review. The findings for this site standard exception are provided under the Residential Development Findings (Exhibit A).

Regulations regarding maximum lot coverage or floor area ratio are not applicable to the CA zone district. Nevertheless, residential development exceeding 7,000 square feet is subject to the provisions of County Code sections 13.10.3 14 (Agricultural Zone), 13.10.325 (Large Dwelling Permit Requirements and Design Guidelines) and Chapter 13.11 (Site, Architectural and Landscape Design Review). The habitable and non-habitable square footage for the proposed dwelling as measured using current methods for calculating Gross Building Area is 14,765.5. The calculations for Gross Building Area are included as Exhibit H. Because of the proposed dwelling's large size, the project has been-reviewed for conformance with the design guideline set for in the County General Plan and Zoning ordinances. County Code section 13.10.325 Large Dwelling Design Guidelines sets forth design recommendations for large dwellings to minimize potential impacts to the surrounding neighborhood. These design guidelines include minimizing the changes in the natural topography of the building site, minimizing and balancing graded cuts and fills, utilizing colors and materials to reduce the appearance of building bulk, maintaining ridge line silhouettes unbroken by building elements, maintaining compatibility with homes in the surrounding neighborhood and use of architectural features to break up massing.

Grading and Geologic Issues

About 4,400 cubic yards of grading is for the building pad, hardscape, parking and the swimming

pool. The building site is not located on a ridge line or other prominent topographic feature, but on a moderate slope. The Gothic Revival design requires a level building site, therefore, the dwelling will be placed on a graded pad. There are more level areas on the subject parcel than the proposed building site which would require significantly less grading, however, those areas are also the prime agricultural portions of the property. Hence, the more sloping site outside of the meadow was chosen. A cut/fill pad is proposed in order to minimize the site grading. In addition, retaining walls are proposed where feasible to further reduce the site grading.. Landscaping mounds will be placed adjacent to the driveway in order to balance the cut and fill. Given these design considerations, the overall grading is not excessive for the scope of the proposed development. The majority of the grading will occur behind the dwelling. The area on . the adjacent property, behind the proposed development, is heavily forested with a large arroyo formed by Ano Nuevo Creek. The forest, riparian trees and the arroyo itself form a natural visual barrier between the future development at the rear of the property and the adjacent (currently undeveloped) parcels. The overall visual appearance of the property's topography will not be significantly altered by the proposed grading. Full geologic and geotechnical studies have been completed and accepted by the Planning Department, addressing the building and septic site and proposed grading. The project geologist has delineated a geologically safe building envelope and has verified that the project plans are in conformance with his report recommendations.

Visual Issues

Due to the height and mass of the proposed structure, visual analysis was required to determine if the project would be visible from Highway 1, a General Plan designated scenic road, and from Ano Nuevo State Reserve and to assess the potential impacts. Ano Nuevo State Park is located approximately two miles from the proposed building site, and Highway One is located over 0.5 miles from the project. Scaffolding was erected to simulate the height (5 1 feet above existing grade at the roofline) and mass of the proposed structure. This scaffolding was covered with highly visible "Safety Orange" construction fencing. County staff then made observations from Highway 1 and from Ano Nuevo State Park.

The originally proposed building site was located near the northeast comer of the property near the 560 foot elevation contour (Attachment 14 of Exhibit C). An active landslide is located at this site and the applicant proposed excavating and recompacting the landslide mass into an engineered fill slope. The volume of this earthwork was estimated at 73,000 cubic yards. Most of the residence and possibly some of the earthwork at the originally proposed location would have been readily visible from Ano Nuevo State Park (Attachment 13 of Exhibit C). Consequently,* the project was relocated to a lower elevation, below the 520 foot contour, with a gentler topography (average 18% versus an average slope of 28%) in order to minimize potential visual impacts, reduce the site grading, and to build on a stable site outside of the prime agricultural lands (Attachment 15 of Exhibit C). Full engineering geologic and geotechnical reports have been prepared and accepted by the Planning Department. The reports confirm the building and septic sites are stable, address site grading, drainage, driveway construction and erosion control. Subject to the conditions, the project conforms with the County's 1994 General Plan policies for Geologic Hazards (section 6.2) and Erosion (section 6.3).

The County's 1994 General Plan policy for Visual Resources (Section 5.10.10) states that public

vistas from designated scenic roads shall be afforded the highest level of protection, and Highway 1 is designated as a Scenic Road. The proposed house is not visible from Highway 1 at the original nor the current proposed building sites. This is largely due to site topography and a eucalyptus grove located along the western edge of the right-of-way on the west property line of the subject parcel. This grove of trees is located on an adjacent parcel in San Mateo County. A condition of the San Mateo County Development permit (PLN 1999-00296) for the property prohibits the removal of this Eucalyptus grove. To ensure that the subject dwelling will not be visible from Highway 1 in the future, the applicant will be required to plant a row of trees along the right-of-way using Monterey Cypress (which have also been used in Ano Nuevo area for wind breaks), to function as a back-up visual barrier to the existing Eucalyptus grove.

The majority of the dwelling is screened from Ano Nuevo State Reserve by the grove of Eucalyptus trees discussed above. Additional screening is provided by the trees located along the arroyo downstream of the pond and to a lesser extent from the Monterey pines on the site. Based on the location of the fluorescent orange scaffolding, the chimneys, portions of the roof and highest gables can be discerned from three locations in Ano Nuevo State Park, along portions of the path by the pond, near the staging area kiosk and on the highest sand dune on the Ano Nuevo Point path (see Attachment 17 of Exhibit C). Along the path and near the staging area, small portions of the chimney and roof can be detected by the naked eye, but only after the project site has been visually located using magnification (binoculars) and the neighbor's residence (APN 057-06 1- 17) as a reference point. The visible portions of the structure were evident because of the, strong contrast of the orange tape viewed through trees and against a backdrop of tree canopies. The proposed colors of the new dwelling, a dull grayish, tannish green body, dark forest green trim and an acid-aged copper (non-shiny) roof, which will appear to be a dark, mottled, forest green, will be much less conspicuous within the context of the landscape than the fluorescent orange fence material.

The scaffolding representing the roof and chimneys is most visible from one sand dune near Ano Nuevo Point which is along the trail in the area frequented by visitors. On the site visit to the dune in November 1998, the proposed building location was not visible to the naked eye. During the winter, the sand dune shifted and increased in elevation. As a result, much of the roof and chimneys could be observed, as verified during a subsequent site visit in August 1999. Again, the story poles were identifiable due to the contrast of the fluorescent orange mesh against the dark forest background.

In order to determine how much the orange color contributed to the visibility, a light green mesh was placed over the orange tape to partially conceal it. With the green mesh in place, it is more difficult to see the story poles with the naked eye. A photo montage was prepared to represent the naked eye view from the Ano Nuevo sand dune. The proposed dwelling was digitally inserted into the photograph. As shown in the photo montage, the dwelling cannot be distinguished by the naked eye. However, under magnification the roof and the peak of the main gable can be discerned. According to State Parks staff, the window glare from the existing house can be very intrusive from Ano Nuevo Point in the late afternoons. It is useful to compare the proposed residence with the existing neighboring residence (located on APN 057-061-17). The existing residence can be observed from Ano Nuevo Park, because there is a large meadow in front and some of the brush and dead Monterey pines interspersed in the meadow area have

been removed over time. In addition, the window trim has been painted a white or nearly white color which causes the dwelling to stand out from the background. This structure, which is more visible than the proposed dwelling due to the trim color and lack of tree screening, is still not readily apparent to the casual observer. With respect to potential glare issues, staff cannot definitively determine if portions of the transom windows in the highest gables are located above the foreground tree line, due to the distances and scales involved. Therefore, in order to avoid the possibility of intrusive glare, the glazing in these windows are required to utilize low-reflective glass. In addition, the sixteen required replacement trees will be placed between the proposed dwelling and the line of sight to Ano Nuevo Reserve. These trees shall be Douglas fir or Coast redwood which will reach similar or greater heights than the Monterey pines and will eventually provide additional screening. Thus, the proposed project will not exacerbate the glare situation.

As stated above and in the letter from the State Department of Parks and Recreation, Attachment 7 of Exhibit C, portions of the proposed project are visible from Ano Nuevo State Park. However, based on the scaffolding and careful evaluation of same, staff respectfully disagrees with State Parks staffs assertion that the project is visible from all points within the park and that it will be visually intrusive. Staff noted that a small portion of the scaffolding could be observed from the "Staging Area" within the park and from the path to Ano Nuevo Point. However, the scaffolding was observed with difficulty, requiring knowledge of where to look for the scaffolding and active searching in order to discern it. At the highest point within the park, the top of the sand dune, more of the scaffolding was discernible than at the staging area. Staff and the project applicants met separately with State Parks staff at Ano Nuevo Park to view the scaffolding and discuss the visual issues. At the August 4, 1999 site visit, Planning and State Parks staff reviewed the plans and orange mesh story poles. Staff discussed color choices (greens and deep forest green) which, it was agreed, would camouflage the structure and minimize its visibility. State Parks staff voiced concerns regarding the loss of screening due to the loss of the dying Monterey pines over time and the possible effect of window glare. Later, when the green netting was placed over the fluorescent orange mesh to verify this assertion, the scaffolding was difficult to distinguish even at the sand dune. In summary, the physical distance between the project site and the park (over 2 miles, also see location map, Attachment 1 of Exhibit C), the proposed tannish green and deep forest green colors for the structure and the natural screening, all serve to diminish the visibility of the proposed development. To mitigate any potential window glare, the highest windows (transom windows) in the gables will be required to utilize low-reflective glass. Consequently, the project will have negligible, if any, visual impacts on the visitors in Ano Nuevo Park.

The purpose of General Plan Objective 5.10b New Development within Visual Resource Areas is to "ensure that new development is appropriately designed and constructed to have minimal to no adverse impact upon identified visual resources". Policy 5.10.1 designates visual resource areas: vistas from designated scenic roads, Coastal Special Scenic Areas and unique hydrologic, geologic and paleontologic features identified in Section 5.9 of the General Plan. The project site is not visible from a designated scenic road, is not located within a mapped Scenic Resource area nor a Coastal Special Scenic Area and is not an area identified in Section 5.9. Nevertheless, portions of the dwelling could be visible from Ano Nuevo State Reserve as evinced by the orange scaffolding. As the intent of the General Plan is to protect scenic resources and public

viewsheds, the project has been redesigned and conditioned to minimize adverse impacts to the Ano Nuevo Park viewshed, The project conforms with the General Plan Visual Policies in that the proposed project will not be apparent to the casual observer and the corresponding visual impact will be insignificant.

Large Dwelling and Design Review

The County's Large Dwelling policies require that the proposed structure is compatible with its surroundings and will be adequately screened and that the structure will not adversely affect neighboring properties' privacy or solar access. The properties within the vicinity' of the subject parcel range in size from 13 acres to over 100 acres. Two adjacent parcels are developed with single family dwellings and appurtenant structures. Parcel 057-061-l 1 is a 63 acre CA zoned parcel with a roughly 3,500 square foot dwelling and miscellaneous outbuildings. This dwelling is built in an old farm house style. Parcel 057-061-17 is a 13 acre CA zoned parcel developed with a single family dwelling and appurtenant structures totaling 6,017 square feet. This dwelling is built in a modem, log cabin style. A single family dwelling, guest house and garage are proposed for the adjacent 84 acre San Mateo County property. This dwelling and guest house utilizes a modem, "Sea Ranch" style of architecture, and the proposed structures on this site total about 7,600 square feet. The architectural styles vary in this area, but all may be broadly characterized as larger than average sizes on large properties.

The Gothic Revival architectural style became popular in America during 1830- 1875. During that period, the predominant architectural styles were Greek Revival followed in popularity by the Gothic Revival and Italianate styles. The project design is based upon an existing Gothic Revival house referred to as the "Rose Hill Plantation" located in Bluffton, South Carolina and constructed around 1858 (Exhibit I). The proposed Gothic Revival mansion would be out of place within the context of an urbanized neighborhood given its size. The proposed structure is compatible with the area and site within the context of its proposed setting, located the edge of a large open, undeveloped rural property with a forested backdrop. The dwelling cannot be viewed from any public road, and is screened by trees and/or topography from the two existing and one proposed residences. The west (front), north and south building facades are typical Carpenter Gothic Revival architecture, echoing the historic Rose Hill Plantation (Exhibit I) which utilizes wood frame construction, a steeply pitched metal roof and tall narrow cross gables. The rear (east) portion of the structure incorporates some elements of "Castellated" Gothic Revival architecture with the use of two tower features. The south and north ends of the proposed dwelling echos later additions to the sides of the Rose Hill Plantation. On the proposed dwelling, these are two story as opposed to the original's single story additions. The articulation of the larger wing as viewed from the south and southwest in Exhibit I does not harmonize well with the overall architecture of the structure. Staff would recommend the continuation of the roof and eave length as with the other areas of the house and the utilization of additional gables to alleviate this awkwardness. Because of its considerably smaller size, the similar projection at the north end does not detract from the overall design. The structure is screened from the neighboring residences and this southern portion of the structure cannot be seen from any public venue. The closest proximity of the proposed structure to any property line is 135 feet, and there are additional physical barriers which screen the project from this undeveloped property. The proposed dwelling is about 300 feet away from the property line of the closest developed

property. In addition, the neighboring residents have sent letters of support for the project as designed. Thus, this design issue becomes more a matter of taste and personal preference.

The roof top deck shown in the northwest view in Exhibit I has been deleted from the project plans and replaced with a roof (see project plans, Exhibit K) in conformance with zoning regulations which prohibit second story rooftop decks. The railing shown on the southern wing is for decorative purposes only as this portion of the rooftop cannot be accessed via the attic or second floor. In accordance with design review and coastal regulations, the project landscaping will utilize predominantly drought tolerant and native, species with restricted turf areas. Future screening trees are provided as part of the preliminary landscape plans. The project, subject to the attached conditions (Exhibit B), will be adequately camouflaged and screened from public view and will not adversely impact public view sheds, neighboring property privacy or solar access. Findings for the Large Dwelling and for Design and Coastal Review can be made (Exhibit A).

Accessory Structures

The regulations for accessory structures and uses are provided in Section 13.10.6 11 of the County Code. These regulations are to ensure that the accessory structures are incidental to the main structure and to provide notice to future and current property owners that conversion of any accessory structure is subject to civil penalties. The 277 square foot, non-habitable accessory structure is clearly appurtenant to the main structure and will serve to house a generator for emergency use. The two habitable accessory structures are approximately 90 square feet each and will serve as changing and bathrooms to the swimming pool. These structures are attached to the main dwelling but can only be accessed from the pool terrace, thus they are considered separate structures. Section 13.10.6 11 (c)3 .(ii) states that no accessory structure shall have a toilet installed, but allows for granting exceptions, subject to a level IV use permit, for structures less than 70 square feet or where required under particular circumstances. The proposed pool bathrooms are slightly larger than 70 square feet, but are of insufficient size to convert to any other use. Exceptions have been granted for bathrooms in pool houses for sanitary reasons. These structures are single story and on the pool terrace level, however, due to site grading a portion of these structures may exceed 17 feet in height when measuring to the excavated grade for the garage below. The findings can be made for the increased height as the appearance of the structures will actually be a single story.

Biotic Issues

The proposed building site is located within a mapped Biotic Resource area, representing the native Monterey pine forest. In addition, there is a riparian habitat in and around the artificial pond. A Biotic Assessment report prepared by The Habitat Restoration Group, dated May 20, 1997 has been reviewed and accepted by the Planning Department (Attachments 10 and 11 of Exhibit C). In addition, an Arborist's Report (Attachment 16 of Exhibit C) has been submitted in conformance with the Biotic Report Review addressing the trees within the building envelope. See the Environmental Review document (Exhibit C), section C., Biotic Factors, for detailed discussion of the biotic resources and issues. The project is consistent with the County General Plan policies for Sensitive Habitats. This has been accomplished through building site location,

reduced and balanced grading and through landscaping and revegetation. As a result, only one living significant tree and a few Monterey pine saplings will be removed, the remaining seven trees to be removed are already dead. The project will be conditioned to conform with the Arborist's report recommendations to minimize impacts to the remaining trees. The project conforms with the riparian and wetlands policies in that the residential development will be significantly further that the minimum 110 foot distance from any wetland or natural body of standing water (pond), and no earthwork shall be authorized for the access road within 100 feet of the pond. The existing access road within 100 feet of the pond will be paved which is exempt from the riparian ordinance and further will reduce dust and silt impacts to the riparian area. Intensified runoff due to new impervious surfaces and erosion will be controlled through the implementation of an engineered drainage and erosion control plan.

CONCLUSION AND RECOMMENDATION

In conclusion, the project, subject to the attached conditions (Exhibit B), conforms with the County's 1994 General Plan policies and ordinances. Please see Exhibit "A" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff recommends the following actions:

1. Certification of the Negative Declaration in accordance with the California Environmental Quality Act; and;
2. Approval of Application No. 98-0426 based on the findings and subject to the attached conditions.

EXHIBITS

A. Findings
B. Conditions
C. Negative Declaration
D. Location Map
E. Assessor's Map
F. Zoning Map
G. General Plan Maps
H. Gross Building Area Calculations
I. 3-D Perspectives
J. Correspondence
K. Project Plans by Kirk Petersen (on file with the Planning Department)
L. Engineering Geologic Report and Addenda by Rogers Johnson and Associates (on file)
M. Geotechnical Reports by Reynolds & Associates and by Steven Raas & Associates (on file)
N. Biotic Assessment Report by The Habitat Restoration Group (on file)
0. Arborist Report by Ellen Cooper (on file)
P. Cultural Resource Evaluation was completed by Robert Cartier of Archaeological Resource Management (on file)
Q. Visual Analysis Photo Montage (on file)

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.

Report Prepared By: Cathleen Carr

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ATTACHMENT 5

AGRICULTURAL FINDINGS

Required Special Findings for Level 5 (or Higher) Development on "CA" and "AP" Zoned Properties County Code Section 13.10.314 (a)

1. THAT THE ESTABLISHMENT OR MAINTENANCE OF THIS USE WILL ENHANCE OR SUPPORT THE CONTINUED OPERATION OF COMMERCIAL. AGRICULTURE ON THE PARCEL AND WILL NOT REDUCE, RESTRICT OR ADVERSELY AFFECT AGRICULTURAL OPERATIONS IN THE AREA.

The historic agricultural use on this parcel was livestock grazing, although there has not been any recent agricultural use. The property is isolated, undeveloped, with some livestock fencing which is in extreme disrepair. The prime location for agriculture on this parcel is the large meadow running north to south along the western side of the property. The proposed residential development has been designed to avoid adverse impacts to the potential agricultural uses on the subject property or to agricultural uses of the adjacent agricultural parcels. The proposed building site is located within the Monterey pine forest area along the eastern margin of the parcel which is unsuitable for any prime agricultural use. The meadow area remains open and available for agriculture and the dwelling is located a sufficient distance away to prevent on site conflicts between agricultural and residential uses. The owner is investigating the feasibility of viticulture on a portion of the property, and the residential development would encourage re-establishment of an agricultural use.

2. THAT THE USE OR STRUCTURE IS ANCILLARY, INCIDENTAL OR ACCESSORY TO THE PRINCIPAL AGRICULTURAL USE OF THE PARCEL,
OR
NO OTHER AGRICULTURAL USE IS FEASIBLE FOR THE PARCEL.

Although there currently is no agricultural use on the parcel, the proposed residential use would still be ancillary to any commercial agricultural use of the parcel based on the fact that the farmable portion of the parcel is large enough (20 to 40 acres) to constitute a minimum economic farm unitcapable of supporting livestock grazing (for which it is most suited). The potentially arable portion of the property is located north of the building site and pond. Similar agricultural properties (in location, topography and size) in the area produce cut flowers, ollalie berries, kiwi fruit, pumpkins, squash and Christmas trees. About one acre will be occupied by the dwelling, appurtenances and the defensible space required by the fire agency, which comprises about 2% of the gross parcel area. This one acre site is located away from the prime agricultural area and in the pine forest. Since neither arable nor prime grazing land has been utilized for the building site, all of the potential agricultural lands are available to use.

3. THAT SINGLE-FAMILY RESIDENTIAL USES WILL BE SITED TO MINIMIZE CONFLICTS, AND THAT ALL OTHER USES WILL NOT CONFLICT WITH COMMERCIAL AGRICULTURAL ACTIVITIES ON SITE, WHERE APPLICABLE, OR IN THE AREA.

EXHIBIT A

As discussed above, the residential use has been sited outside of prime agricultural lands on the parcel. In addition, the site is located at a higher topographic level than the majority of the prime agricultural areas, which further reduces potential conflicts with future on-site agriculture. Moreover, the proposed residential use at its closest proximity is still 300 feet or more away from any adjacent agriculturally designated lands which will adequately protect the adjacent agricultural lands from potential land use conflicts.

4. THAT THE USE WILL BE SITE TO REMOVE NO LAND FROM PRODUCTION (OR POTENTIAL PRODUCTION) IF ANY NON-FARMABLE POTENTIAL BUILDING'SITE IS AVAILABLE,

OR

IF THIS IS NOT POSSIBLE, TO REMOVE AS LITTLE LAND AS POSSIBLE FROM PRODUCTION.

The proposed development site removes no land from production or potential production as it is sited within the Monterey pine forest on a slope and adjacent to a densely forested area.

Required Special Findings for Residential Uses on "CA" and "AP" Zoned Properties within the Coastal Zone County Code Section 13.10.314 (b)

1. THAT THE PARCEL IS LESS THAN ONE ACRE IN SIZE;

OR

THAT THE PARCEL HAS PHYSICAL CONSTRAINTS (SUCH AS ADVERSE TOPOGRAPHIC, GEOLOGIC, HYDROLOGIC OR VEGETATIVE CONDITIONS). OTHER THAN SIZE WHICH PRECLUDE COMMERCIAL AGRICULTURAL USE;

OR

THAT THE RESIDENTIAL USE WILL BE ANCILLARY TO COMMERCIAL AGRICULTURAL USE OF THE PARCEL BASED ON THE FACT THAT EITHER:

(a) THE FARMABLE PORTION OF THE PARCEL, EXCLUSIVE OF THE BUILDING SITE, IS LARGE ENOUGH IN ITSELF TO CONSTITUTE A MINIMUM ECONOMIC FARM UNIT FOR 3 CROPS, OTHER THAN GREENHOUSES, SUITED TO THE SOILS, TOPOGRAPHY AND CLIMATE OF THE AREA

OR

(b) THE OWNERS OF THE SUBJECT PARCEL HAVE A LONG-TERM BINDING ARRANGEMENT FOR COMMERCIAL AGRICULTURAL USE OF THE REMAINDER OF THE PARCEL, SUCH AS AN AGRICULTURAL EASEMENT.

This nearly 50 acre parcel is large enough to constitute an economic farm unit for several crops, exclusive of the building site. The historic agricultural use on the parcel has been grazing lands for dairy cattle. The property could still support a small herd of dairy cattle or goats or other

livestock on the large meadow area. Similar agricultural properties (in location, topography and size) in the area produce cut flowers, ollalie berries, kiwi fruit, pumpkins, squash and Christmas trees. While the site's soils are not ideal for cultivated flower, berry, kiwi and squash type vegetables, with irrigation and good management practices there is sufficient area available to be economically feasible.

2. THAT THE RESIDENTIAL USE WILL MEET ALL THE REQUIREMENTS OF SECTION 16.50.095 PERTAINING TO AGRICULTURAL BUFFER SETBACKS.-

The closest proximity of the proposed residence to any adjacent agricultural land is 300 feet which exceeds the 200 foot agricultural buffer setback required by Section 16.50.095.

3. THAT THE OWNERS OF THE PARCEL HAVE EXECUTED BINDING HOLD HARMLESS COVENANTS WITH THE OWNERS AND AGRICULTURAL OPERATORS OF ADJACENT AGRICULTURAL PARCELS. SUCH COVENTANTS SHALL RUN WITH THE LAND AND SHALL BE RECORDED PRIOR TO ISSUANCE OF THE DEVELOPMENT PERMIT.

The permit has been conditioned to require that the property owners sign and record an Acknowledgment of adjacent agricultural land and a hold harmless agreement on the subject parcel's property deed prior to approval of any building permit for the dwelling.

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 construction of a new single-family dwelling is conditionally permitted in the "CA" zone district according to a density of one dwelling per parcel and one dwelling is proposed. The "CA" zone district is consistent with the General Plan and Local Coastal Program land use designation of Agriculture (AG).

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The parcel is not governed by an open space easement or similar land use contract. The private right-of-way on the parcel provides access to other property owners with legal access to parcels they own. The project will not conflict with any existing easement or development restriction such as public access, utility as none exist, nor will it interfere with the legal access rights of other users of the private right-of-way.

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 proposed single-family dwelling has been located on the site to minimize visibility within the Ano Nuevo State Reserve viewshed and is not visible from Highway 1 - a General Plan designated Scenic Road. The dwelling is screened from sight along Highway 1 by the topography and by several groves of trees. The structure is mostly screened from the Ano Nuevo Park viewshed by a grove of eucalyptus and other trees. The dwelling has been conditioned to utilize a green color scheme which will blend any unscreened portions into the forested backdrop and to utilize low- reflective glazing on the transom windows which may be unscreened thereby minimizing potential glare. The planting of additional trees is required between the dwelling and the line of sight to the Park to provide additional screening in the future. An existing neighboring residence (located on APN 057-06 1- 17) can be observed from Ano Nuevo Park, because there is a large meadow in front and some of the brush and dead Monterey pines interspersed in the meadow area have been removed over time. In addition, the window trim has been painted a white or nearly white color which causes the dwelling to stand out from the background. This structure, which is more visible than the proposed dwelling due to the trim color and lack of tree screening, is still not readily apparent to the casual observer. Furthermore, the existing dwelling is at least 1/4 mile closer to Ano Nuevo State Reserve than the proposed dwelling. Thus, due to the distance of 2 to 2.5 miles between the project and Ano Nuevo State Reserve and the use of camouflaging coloration and low reflective glazing, the dwelling will not be noticeable to the casual visitor to Ano Nuevo State Reserve. The grading of about 5,560 cubic yards for the dwelling and access improvements has been balanced so no material will be exported. The building site grading has been designed to maintain the overall appearance of the natural topography and has been minimized through project redesign to a new location and through use of retaining walls. The project is not on a ridge line, and does not obstruct any public views. The design and siting of the proposed residence will minimize impacts on the site and the dwelling is screened from the adjacent homes and all public roads. The project has been designed to minimize tree removal while maintaining potentially useable agricultural lands within a geologically safe building envelope. A preliminary landscape plan has been submitted which utilizes predominantly native, drought tolerant species. All trees removed (living and dead) are required to be replaced at a ratio of 2: 1 utilizing native species recommended by the project arborist. Thus, the project is consistent with the design criteria, special use standards and conditions of County Code Section 13.20.130 et seq., in that the project has minimized grading, is not on a prominent ridge, and is visually compatible with the character of the surrounding area.

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.

The project site is not located in the appealable area between the shoreline and the first through public road. Consequently, the proposed dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. In addition, the project site is not identified as a priority acquisition site in the County Local Coastal Program, and is not designated for public recreation or visitor serving facilities. The subject parcel is not contiguous with any publicly owned land and has not been identified as a priority land for acquisition for the State Parks system.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.

The proposed single-family dwelling is consistent with the County's certified Local Coastal Program in that a single family dwelling is a conditionally permitted use in the Commercial Agricultural zone district in the Coastal Zone, and the development permit has been conditioned to maintain a density of one dwelling per parcel and to maintain the prime agricultural portions of the property. The structure is sited, designed and landscaped to be visually compatible and integrated with the character of the surrounding neighborhood. In addition, the proposed dwelling will not generate significant visual impacts to scenic resource areas (Highway 1 and Ano Nuevo State Reserve) in the vicinity. This has been verified by a visual analysis that was 'conducted during the Environmental Review process for this project. Project impacts have been mitigated through project redesign and required conditions that meet the requirements of Section 13.20.130. Project impacts have been evaluated through CEQA required Environmental Review and mitigation measures have been designed to address all identified impacts and potential impacts of the project. These mitigation measures have all been incorporated into the project design or the permit conditions. Therefore, the location of the building will harmonize with the scenic rural environment of the area.

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, OR BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the single family dwelling, habitable and non-habitable accessory structures and the conditions under which they 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 be materially injurious to properties or improvement in the vicinity, as the proposed project complies with all development regulation applicable to the site with the exception of the 28 foot maximum height and the bathrooms in the accessory structures (pool

changing rooms). County Code Section 13.10.323(e)5 permits this additional height provided the required setbacks are increased by 5 foot increments for each foot over 28 feet, which this project proposes. Solar access and privacy to existing or future residences will not be affected due to natural vegetative and topographic screening and the physical separation between the structure and adjacent property lines (a minimum of 135 feet). As discussed in the accompanying findings regarding the preservation of agricultural land, the structure will not remove agricultural land from production or future production and will not affect any adjacent agricultural lands. The project is located in an geologically stable area as determined by 'the project-geologist and soils engineer. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. In order to ensure structural and site stability, specific soils engineering is required in the Conditions of Approval for specific foundation, grading and drainage design criteria prior to grading and building permit issuance. Environmental Review conducted for the project did not identify potentially significant environmental issues except for visual issues, which are discussed in Coastal Development Findings #3 and #5 and biotic issues which are discussed in Finding #3 below.

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 project site is located in the CA zone district. As discussed in Finding #1 and the Agricultural Findings, the dwelling and appurtenant structures will be located on the 49.7 acre parcel so to preserve prime agricultural lands. The dwelling and accessory structures, subject to the concurrent proposed residential development exception, and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the CA zone district. As discussed above the project meets the requirements for exceeding the 28 foot height limit. The dwelling exceeds 7,000 square feet and has been reviewed with respect to the large dwelling and design review regulations. The large dwelling and design review findings can be made for the proposed large dwelling. The dwelling meets the County's Geologic Hazards ordinance in that engineering geologic and soils engineering reports have been completed and reviewed which delineate appropriate building and septic sites for the project. The design of the proposed single-family dwelling is consistent with that of the surrounding neighborhood, and is sited, designed and landscaped to be visually compatible and integrated with the character of surrounding area, and by that meets the intent of County Code Section 13.10.130, "Design Criteria for Coastal Zone Developments" and Chapter 13.11 "Site, Architectural and Landscape Design Review." Homes in the area are in general larger than average on large parcels, with a variety of architectural styles and finish materials. The proposed Gothic Revival single-family dwelling will utilize a dark forest green colored roof, with an acid-aged copper material, with dark forest green trim and chimneys with a complementary green color on the body of the home. The exterior surface of the residence is proposed to be wood. The exterior will be painted with neutral, green tone colors. The proposed colors and materials harmonize with those of the natural surrounding.

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.

The project is located in the Agricultural land use designation. As discussed in the Agriculture Findings, the proposed single-family dwelling has been located to be consistent with the General Plan policies and zoning regulations for the protection of agriculture and residential development on CA zoned property in the coastal zone. As discussed in the Coastal Zone Findings for this project, all LCP policies have been met in the proposed locations of the project and with the required conditions of this permit. Grading has been minimized through relocation, and the use of retaining walls and a balanced cut/fill design. A Biotic Assessment Report has been prepared for this project and reviewed by the Planning Department. The report has identified sensitive species and habitats with recommendations for mitigating potential impacts. The sensitive habitat issues have been assessed as part of the Environmental Review process and the mitigation measures have been incorporated into the conditions of approval. The project conforms with all Riparian protection policies in that the structures are located over 110 feet from any water body and no grading is authorized under this approval within 100 feet of any water body. The visual issues have been minimized through coloration and use of low-reflective glazing on the transom windows which may not be screened by the existing trees. The visual issues are discussed in detail in Coastal Zone Findings #3 and #5.

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.

The use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity as there will be no significant increase in traffic and minimal increase in the intensity of use, as a result of the proposed single family dwelling and appurtenant structures. Adequate off-street parking will be provided for the proposed use.

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 single-family dwelling will complement and harmonize with the existing and proposed land uses in the vicinity (agricultural, rural residential, timber production and recreation) and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood. The proposed dwelling is located in an area of sparse development with larger than average dwellings on large parcels. While the dwelling is substantially larger than existing development, it is located on a nearly 50 acre parcel such that the openness of the property is maintained for future agricultural use or for open space and wildlife habitat. The structure is naturally screened from existing residences in the area by vegetation and topography. Moreover, the dwelling will utilize green tone coloration which blends with the surrounding vegetation. Thus, the project is compatible and integrated with the character of the surrounding neighborhood and the natural setting.

LARGE DWELLING REVIEW FINDINGS:

1. THE PROPOSED STRUCTURE IS COMPATIBLE WITH ITS SURROUNDINGS GIVEN THE NEIGHBORHOOD, LOCATIONAL AND ENVIRONMENTAL CONTEXT AND ITS DESIGN IS CONSISTENT WITH THE LARGE DWELLING DESIGN GUIDELINES IN COUNTY CODE SECTION 13.10.325(d); OR

2. THE PROPOSED STRUCTURE, DUE TO SITE CONDITIONS, OR MITIGATION MEASURES APPROVED AS PART OF THIS APPLICATION, WILL BE ADEQUATELY SCREENED FROM PUBLIC VIEW AND WILL NOT ADVERSELY IMPACT PUBLIC VIEWSHEDS, NEIGHBORING PROPERTY PRIVACY OR SOLAR ACCESS, AND ITS DESIGN IS CONSISTENT WITH THE LARGE DWELLING DESIGN GUIDELINES SET FORTH IN COUNTY CODE SECTION 13.10.325(d).

The project proposes a 14,766 square foot dwelling. The proposed structure, due to both site conditions and mitigation measures for coloration and low-reflective glazing on the transoms, will be adequately screened from public view and will not adversely affect public viewsheds. The increased setbacks to accommodate the building height and for buffering from adjacent agricultural lands, create sufficient distances between the proposed dwelling and the adjacent parcels. This, in conjunction with natural vegetative and topographic screening, will prevent visual, privacy and solar access conflicts with the neighboring parcels. The dwelling is consistent with the design guidelines of 13.10.325(d) in that the changes in the natural topography are minimized, the grading has been minimized through building site relocation and the use of retaining walls and balancing cut and fill. Materials, such as a non-reflective roof and low-reflective glazing on transoms in conjunction with green coloration, particularly dark forest greens on the roof and chimneys will be utilized to blend the structure into the surrounding landscape and minimize its visibility. The project will not be constructed on any prominent ridge and has been relocated, from the building site originally proposed, to reduce visibility. The structure is compatible with the surrounding development and with the size of the isolated, rural parcel. Structure mass is broken through the use of cross gables and windows. The project will not block any public viewsheds

3. 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.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the single family dwelling complies with the required development standards with the exception of height. County Code Section 13.10.323(e)5 permits this additional height provided the required setbacks are increased by 5 foot increments for each foot over 28 feet,

which this project proposes. Solar access and privacy to existing or future residences will not be affected due to natural vegetative and topographic screening and the physical separation between the structure and adjacent property lines (a minimum of 135 feet). The project has been located to minimize potential visual impacts to public viewsheds and to preserve potential agricultural lands and open space on the property. The project location and design preserves nearly all of the property in an undeveloped, natural state. The primary elements of the site design are appropriate to the project site and surrounding development, resulting in compatible development due to natural screening and the large size of the rural parcel. The site grading is moderate given the steepness of the slope, however, developing on a less sloping site would conflict with the preservation of agricultural land and open space. The appearance of the site grading will be limited and the appearance of the natural landforms will be maintained. The landscaping shall be designed to relate to both the building and site design, using drought tolerant predominantly native species. Replacement trees will be planted between the dwelling and the line of site for Ano Nuevo State Reserve to ensure tree screening in the future. The architectural design is Gothic Revival which was popular between 1830- 1875 and is based on an existing historic structure. The proposed Gothic Revival mansion would be out of place within the context of an urbanized neighborhood given the inherent size and height. The proposed structure is compatible with the area and site within the context of its proposed setting, located the edge of a large open,. undeveloped rural property with a forested backdrop. The dwelling cannot be viewed from any public road, and is screened by trees and/or topography from the two existing and one proposed residences. The west (front), north and south building facades are typical Carpenter Gothic Revival architecture, utilizing wood frame construction, a steeply pitched metal roof and tall narrow cross gables. The rear (east) portion of the structure incorporates some elements of "Castellated" Gothic Revival architecture with the use of two tower features. The articulation of the larger wing as viewed from the south and southwest does not harmonize well with the overall architecture of the structure. Staff would recommend the continuation of the roof and eave length as with the other areas of the house and the utilization of additional gables to alleviate this awkwardness. Nevertheless, the structure is screened from the neighboring residences and this southern portion of the structure cannot be seen from any public venue. In addition, the setback distances (minimum 135 feet), physical barriers which screen the project from nearby properties and the separation between development, about 300 feet to the property line of the closest developed property and the support of the neighboring residents cause this design issue to become a matter of taste and personal preference. While the design is based on a historic structure, it is unique in light of current architectural trends.

CONDITIONS OF APPROVAL

Coastal Development, Residential Development and Large Dwelling Review Permit 98-0426 0267

Applicant: Rich Beale Land Use Consultants

Property Owners: Brian Hinman and Suzanne Skees

Assessor's Parcel No. 057-06 1 - 16

Property location and address: Located on the east side of a 50 foot right-of-way approximately 0.75 miles northeast from its intersection with Highway 1 (at sign for 2074), then about 600 feet southeast. The right-of-way intersects the east side of Highway 1 about one mile north of the intersection of the entrance to Ano Nuevo State Park. No situs.

North Coast Planning Area

Exhibits: K. Architectural, Site and Preliminary Grading Plans:

Sheets P 1, P3-P6	Preliminary Grading Plans by Robert Dewitt, RCE, revision date 5/27/99
Sheets P2	Preliminary Grading Plan by Robert Dewitt, RCE, revision date 12/28/99
Sheets T1, L1, L2	Site and Landscape Plans by Kirk Peterson, Architect, revision date 12/28/99
Sheets A-1.1-1.3,	Roof and hardscape plan and architectural cross sections by Kirk Peterson, Architect, revision date 12/28/99
Sheets A-2.1-2.6	Floor plans by Kirk Peterson, Architect revision date 12/28/99
Sheets A-4.1-4.4	Architectural Elevations by Kirk Peterson, Architect, revision date 12/28/99
Sheets A-5.4	Structural Cross section and Generator Bldg floor plan and elevation by Kirk Peterson, Architect, revision date 12/28/99
Sheet P2 of P6	Tree Location Plan superimposed on Preliminary Grading Plan, revision date 12/28/99

I. 3-Dimensional Renderings by Kirk Peterson, Architect

Q. Photo Montage for Visual Analysis, undated

I. This permit authorizes the construction of a 14,766 square foot three-story single family dwelling with attached garage and two habitable accessory structures less than 100 square feet each (pool changing and bathrooms), a detached 277 square foot non-habitable accessory structure and approximately 5,560 cubic yards of grading. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the

EXHIBIT B

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.

C. Obtain a Grading Permit from the Santa Cruz County Planning Department.

D. Pay a negative Declaration filing fee of $25.00 to the Clerk of the Board of the County of Santa Cruz as required by the California Department of Fish and Game mitigation fees program. .

E. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).

II. Prior to issuance of a Building Permit the applicant/owner shall:

A. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "K" on file with the Planning Department. Any changes between the approved Exhibit "K," including, but not limited to the attached exhibits for site, architectural and landscaping plans, and the final Architectural Plans must be submitted for review and approval by the decision-making body. Such proposed changes will be included in a report to the decision-making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. Any changes that are on the final plans that do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review. The final plans shall include, but not be limited to, the following:

1. Exterior elevations identifying finish materials and colors. Colors shall be dark forest green for the roof, trim and chimneys and muted tones in the green and brown color family for the body of the structure.

2. Floor plans identifying each room and its dimensions.

3. A site plan showing the location of all site improvements, including, but not limited to, points of ingress and egress, parking areas, accessory structures, septic location and retaining walls. A standard driveway and conform is required.

4. Window schedule. All transoms above the windows in the upper gables shall utilize low-reflective glazing materials.

5. A final landscape plan. This plan shall include the location, size, and species of all existing and proposed trees and plants within the front yard setback and shall

meet the following criteria:

a. Sixteen replacement trees of native Douglas Fir and/or Coast Redwood of a minimum 5 gallon size shall be installed between the dwelling and the line of sight to Ano Nuevo State Reserve. No trees shall be planted within the driplines of existing trees.

b. Turf Limitation. Turf area shall not exceed 25 percent of the total landscaped area. Turf area shall be of low to moderate water-using varieties, such as tall fescue. Turf areas should not be used in areas less than 8 feet in width.

C. Plant Selection. At least 80 percent of the plant materials selected for non-turf areas (equivalent to 60 percent of the total landscaped area) shall be drought tolerant. Native plants are encouraged. Up to 20 percent of the plant materials in non-turf areas (equivalent to 15 percent of the total landscaped area), need not be drought tolerant, provided they are grouped together and can be irrigated separately.

d. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.

e. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.

Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be utilized to maximize the efficiency of water applied to the landscape.

Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.

Summer watering of established trees, except as recommended by

the project Arborist is prohibited.

The irrigation plan and an irrigation schedule for the established landscape shall be, submitted with the building permit application. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.

Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.

f. The final landscape plan shall show plantings of Monterey Cypress (*Cupressus macrocarpa*) for a distance of 1200 feet along the right of way that begins at the northwest comer of the parcel and trends southeast. The plantings shall be 15 gallon, spaced 20 to 25 feet on center.

g. The landscape plan shall specify all mitigations and treatment recommended in the Arborist Report for maintaining the existing trees within the project area.

6. Follow all recommendations of the geotechnical and geologic reports in the construction drawings submitted to the County for Building and Grading Permits. All recommendations contained in the County acceptance letter dated March 25, 1999, shall be incorporated into the final design. A plan review letter from the geotechnical engineer and project geologist shall be submitted with the plans stating that the grading, drainage, erosion control and building plans have been reviewed and found to be in compliance with the recommendations of the geotechnical and geologic reports. Submit two copies of all technical reports, addenda and plan review letters with the building application.

7. An engineered drainage plan which shows how and where buildings, paved driveways, and other impervious areas will drain without adverse effects on adjoining properties. Show on the plans submitted, all proposed impervious areas within the parcel.

8. Comply with all regulations for septic system placement by Environmental Health Services. The septic system shall be located in an area approved, in writing, by the project geologist.

9. Meet all requirements and pay the appropriate plan check fee of the County Fire District. If the access road where it crosses the dam for the pond it is narrower than the standard twelve feet, the owner/applicant shall provide a written statement from the fire agency that the access is adequate without widening.

10. Any new electrical power, telephone, and cable television service connections shall be installed underground.

11. All improvements shall comply with applicable provisions of the Americans With Disabilities Act and/or Title 24 of the State Building Regulations.

B. Submit two copies of a geotechnical report addressing specific foundation, retaining wall, grading and drainage design to the Zoning Counter of the Planning Department for review and acceptance. The permit fee in effect at the time of submittal shall be paid.

C. Obtain a Grading Permit. This requires submittal of a grading permit application to the Zoning Counter, including four copies of complete grading, drainage, and erosion control plans in conformance with County standards. The permit fee in effect at the time of submittal shall be paid. The Grading Permit shall be approved prior to building permit issuance.. All requirements of the approved Grading Permit are, by reference, hereby incorporated into the conditions of this permit.

No land clearing, grading or excavating shall take place between October 15 and April 15 unless a separate winter erosion-control plan is approved by the Planning Director.

Final Grading Plans shall include:

1. Final Grading Plans shall incorporate all recommendations for tree protection including revisions to site grading and protective barriers. These measures shall be shown and specified on the plans. Six foot high protective barriers shall be placed around all trees within 30 feet of ground disturbance and must be shown around each applicable tree on the plan.

2. Final plans shall specify that no earthwork of any volume shall take place on the access road where is crosses the dam for the pond. The plan shall indicate the existing width of the road at the crossing and if it is narrower than the standard twelve feet, the owner/applicant shall provide a written statement from the fire agency that the access is adequate without widening.

3. Detailed Erosion Control plans are required. The Erosion Control Plan shall include, but is not limited to:

a. Silt fence, or other effective barrier, on both side of the access road where it crosses the dam, while surfacing is underway. Baserock and fines must be prevented from reaching the pond and drainage;

b. Silt fence on the downslope side of the driveway and on the perimeter of the disturbance area at the building site.

c. Interim erosion control measures to be implemented during site grading and construction, including contingency measures for inclement weather.

d. Erosion control measures to be implemented upon completion of site grading and construction.

4. Grading plans shall be prepared by a licensed Civil Engineer and shall conform with all soils engineering and geologic report recommendations and shall reference these reports.

5. Letters of review and approval by the project soils engineer and geologist for conformance with all report recommendations.

D. Pay the Santa Cruz County Park Dedication fee in effect at the time of building permit issuance. On January 21, 2000, this fee would total $8,670.00 based on the formula of $578 per bedroom X 15 bedrooms (where 15 rooms in the proposed dwelling meet the definition of "bedroom" in the Santa Cruz County Zoning ordinance). These fees are subject to change without notice.

E. Pay the Santa Cruz County Child Care fee in effect at the time of building permit issuance. On January 21, 2000, this fee would total $1,635.00 based on the formula of $109 per bedroom X 15 bedrooms (where 15 rooms in the proposed dwelling meet the definition of "bedroom" in the Santa Cruz County Zoning ordinance). These fees are subject to change without notice.

F. Pay the applicable Department of Public Works Drainage fees. On January 21, 2000, this fee would total $250, but is subject to change without notice.

G. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in till of all applicable developer fees and other requirements lawfully imposed by the school district.

H. Record the following Declarations of Acknowledgment, on forms provided by the Planning Department, in the Office of the County Recorder on the subject property deed:

1. A declaration providing notice of potential Geologic Hazards relating to landsliding, slope instability and seismic shaking hazards to the parcel prior to building permit issuance. This document will be prepared by the County Geologist.

2. A Statement acknowledging the adjacent agricultural land use and the agricultural buffer setbacks.

3. A Statement acknowledging the adjacent Timber Production land use and timber harvesting activities.

4. A declaration of restriction to maintain a detached non-habitable accessory structure

5. A declaration of restriction to maintain two habitable accessory structures.

6. A declaration of restriction to maintain a structure as a single family, dwelling.

7. A declaration of restriction to retain the dead tree snags to the north of the building site, any relocated Ano Nuevo pine trees, the 16 replacement trees in perpetuity, and limiting tree removal in areas which provide screening or the forested backdrop to the project per Condition VI.B. In addition, the Declaration shall also specify that other vegetation will be managed such that a "fire ladder" configuration does not develop in the area surrounding the structure(s).

Any or all of these declarations may be combined in form at the Planning Director's discretion.

III. Prior to site disturbance and during construction:

A. Prior to any disturbance on the property, the owner/applicant shall stake the perimeter of the structure(s), septic field; driveway, and the discharge point of drainage pipes. The project geologist shall inspect the staking in the field in order to verify that the structure(s) and the grading are correctly located on the ground relative to the building areas that were agreed upon during the geologic review process, and to verify that discharge of drainage will not adversely affect slope stability. A letter approving the staking shall be submitted to Planning staff for review and approval.

B. Prior to site disturbance, the project arborist shall provide all necessary pre-construction care to existing trees as outlined in the approved tree mitigation plan and shall inspect the temporary protective fencing. The arborist shall provide a letter to the Planning Department approving the fencing and indicating that all pruning and

other pre-treatment has been accomplished.

C. Prior to site disturbance or surfacing of the existing road for construction access the owner/applicant shall arrange for inspection of the silt fence and other erosion control measures.

While road surfacing is underway, baserock and fines must be prevented from reaching the pond and drainage.

D. Erosion shall be controlled at all times. Erosion control measures shall be monitored, maintained and replaced as needed. No turbid runoff shall be allowed to leave the immediate construction site.

E. Pursuant to Sections 16.40.040 and 16.42.100 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 16.42.100, shall be observed.

F. Dust suppression techniques shall be included as part of the construction plans and implemented during construction.

IV. 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 and Grading Permits plans shall be installed.

B. All disturbed areas shall be landscaped or seeded and mulched with an appropriate plant species.

C. All inspections required by the building and grading permits shall be completed to the satisfaction of the County Building Official and the County Senior Civil Engineer.

D. The soils engineer and geologist shall submit letters to the Planning Department verifying that all construction has been performed according to the recommendations of the accepted geotechnical and geologic reports and addenda. Copy of these letters shall be kept in the project file for future reference.

E. Prior to final inspection, provide a letter of inspection from the project arborist evaluating tree health (existing and replacement plantings) and providing follow up

recommendations.

F. The applicant/owner shah call the Project Planner at 454-3225, a minimum of three working days in advance to schedule an inspection to verify the required development permit conditions has been met. The inspection shall include a site visit to Ano Nuevo State Reserve to verify that the structure is adequately camouflaged and window glare has been minimized. Modifications to the structure's color scheme and window schedule shall be required if determined necessary.

V. Operational Conditions

A. The structure shall be maintained in a neutral coloration in the green and brown family which blends with the surrounding landscape. All light coloration is strictly prohibited.

B. All landscaping shall be permanently maintained.

1. The sixteen replacement trees shall be permanently maintained. Any replacement tree which dies shall be immediately replaced. The replacement tree shall be located between the dwelling and the line of sight to Ano Nuevo State Reserve.

2. The project arborist shall inspect and evaluate the health of all trees within 30 feet of the project's grading and the replacement trees for a period of five (5) years. The owner/applicant shall provide the Planning Department with an annual inspection report by the project arborist. The report shall detail any actions that must be taken to ensure the continued success of the mitigation plantings and the health of the existing Ano Nuevo pines and oaks. Treatment for pitch canker in all new, replanted, and remaining trees shall be a part of the annual inspection.

3. All screening and backdrop trees (the arroyo adjacent to the pond, adjacent to the access right-of-way, within the designated area of "defensible space" and behind the dwelling) for the dwelling, designated in the exhibit map for the declaration of restriction, shall be maintained. No tree over 12 inches dbh (diameter at breast height) within these areas shall be removed unless the tree is evaluated in a report prepared by a certified Arborist and a Significant Tree Removal permit is obtained.

Over the counter tree removal permits shall not be issued for this site.

C. All transoms above the windows in the highest windows shall use low-reflective glazing.

D. All exterior lighting shall be shielded so as to direct light toward the ground or to

illuminate the first and second story of the structure. Light shall be shielded from adjacent properties. All lights on the structure or in adjacent trees shall be located no higher than the second story. Illumination of the third story and third story roof eave lights is prohibited.

E. Modifications to the architectural elements including but not limited to exterior finishes, window placement, roof pitch and exterior elevations are prohibited, unless an amendment to this permit is obtained.

F. The accessory structure (habitable and non-habitable) shall not to be converted into a dwelling unit or into any other independent habitable structure in violation of County Code Section 13.10.611.

1. The accessory structures shall not have a kitchen or food preparation facilities and shall not be rented, let or leased as an independent dwelling unit. Under County Code Section 13.20.700-K, kitchen or food preparation facilities shall be defined as any room or portion of a room used or intended or designed to be used for cooking and/or the preparation of food and containing one or more of the following appliances: any sink having a drain outlet larger than 1 1/2 inches in diameter, any refrigerator larger than 2 1/2 cubic feet, any hot plate, burner, stove or oven.

2. The structure(s) may be inspected for condition compliance twelve months after approval, and at any time thereafter at the discretion of the Planning Director. Construction of or conversion to an accessory structure pursuant to an approved permit shall entitle County employees or agents to enter and inspect the property for such compliance without warrant or other requirement for permission.

G. 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.

VI. 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, it 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.

E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement which incorporates the provisions of this condition, or this development approval shall become null and void.

VII. Mitigation Monitoring Program

The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 2 1081.6 of the California Public Resources Code, a monitoring and reporting program for the above mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval, including the terms of the adopted monitoring program, may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code.

A. Mitigation Measure: Conditions II.A.6. and III.A. (Geologic and geotechnical hazards)

Monitoring Program: Prior to approval of the applications for Building and Grading Permits, the building and grading plans submitted by the owner/applicant must have attached review letters from the project geologist and soils engineer verifying that all recommendations of the geologic and soils reports and addenda have been met. Inspection letters from the project geologist will be required to verify development locations conform to the report recommendations based on site staking prior to construction and verifying that the completed project also conforms with the report recommendations. The project soils engineer must submit letters of inspection for keys and compaction testing during grading operations and for foundation excavations prior to pour and inspection by the County Building Inspectors. In addition, the soils engineer must prepare a final letter verifying that the completed project also conforms with the report recommendations. A copy of all review and inspection letters shall be retained in the project tile. The County Geologist and Senior Civil Engineer shall be responsible for verifying receipt of all required geologic and geotechnical documentation.

B. Mitigation Measure: Conditions II.A.1., II.A.4., II.A.5.f., IV.F., V.A through C. (Minimize visual impacts)

Monitoring Program: The owner/applicant shall submit construction and landscaping drawings for Building permits based on Exhibit K of this permit. Planning staff will verify that final landscape plans incorporate the required screening trees, that the final colors and materials samples meet the coloration requirements and the window schedule requires low-reflective glazing on the upper transoms for the highest gables. Final colors and installation of landscaping will be inspected and verified by Planning staff prior to Building Permit final.

C. Mitigation Measure: Conditions II.A.5.a, e, g and II.H.7, (Avoid tree removal impacts)

Monitoring Program: An arborist (Ellen Cooper) has prepared report in conjunction with the biotic consultant (Habitat Restoration Group) which addressed tree removal mitigation, recommendations for replacement trees and actions to be taken to preserve the trees within or adjacent to the site grading and disturbance areas. This report was submitted prior to public hearing and has been accepted by the Planning Department. Final landscape plans will be reviewed by Planning staff to verify compliance with these conditions. Planning staff will prepare a declaration of restriction restricting tree removal and designating preservation areas, as well as vegetation management to prevent "fire ladders", which must be recorded on the property deed prior to building permit approval.

D. Mitigation Measure: Conditions II.C.1., III.B., IV.E., V.B.2. (Maintain long term health of the mature trees)

Monitoring Program: The applicant/owner shall submit revised grading plans

showing the temporary fencing at the dripline of each tree within thirty feet of ground disturbance, prior to approval of grading or building permits. The project arborist must submit a letter verifying that all pre-site disturbance tree treatment has been performed and that the protective fencing is in place. Environmental Planning Grading Inspectors shall not authorize grading prior to receipt of this letter. The building and grading permits will not be finaled by Planning staff if a letter of inspection from the project arborist evaluating tree health (existing and replacement plantings) and providing follow up recommendations has not been received. The conditions require an annual inspection by the project arborist to evaluate the health of all trees within 30 feet of the project's grading and the replacement trees after project final. This report must include any actions necessary to ensure the continued success of the mitigation plantings and the health of the existing Ano Nuevo pines and oaks. The implementation of these measures must be a part of the annual inspection. As a condition of approval, this inspection report must be submitted to the Planning Department annually for a five year period after the building permit is finaled. Noncompliance with this Condition of approval may result in the owner paying 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.

E. Mitigation Measure: Conditions II.A.9, II.C.2., III.C. and III.C.3.a.,b. (Protect species from sedimentation)

Monitoring Program: The final grading plans will be rechecked to verify that there will no widening of the access road where it crosses the pond on the dam. The final plans shall indicate the existing width of the access at the crossing, and if it is narrower than the standard twelve feet, the owner/applicant shall provide a written comment from the fire agency that the access is adequate without widening. This will be verified by Planning staff.

F. Mitigation Measure: All of Condition II.C.3.a and b, III.C. and III.D. (Prevent erosion, off site sedimentation, and pollution of creeks)

Monitoring Program: Planning staff will verify that all required erosion control measures are specified on the final grading plans prior to grading permit approval and issuance. The Grading Inspector shall verify that all required silt fences or equivalent barriers are in place during the preconstruction meeting prior to commencing grading.

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 TWO YEARS FROM DATE OF APPROVAL UNLESS YOU OBTAIN YOUR BUILDING PERMIT AND COMMENCE CONSTRUCTION.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

_____
Don Bussey
Deputy Zoning Administrator

_____
Cathleen Carr
Project Planner

County of Santa Cruz

PLANNING DEPARTMENT
701 OCEAN STREET, SUITE 400, SANTA CRUZ, CA 95060-4073
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
ALVIN D. JAMES, DIRECTOR

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

98-0426 BETTY COST, RICHARD BEALE LAND USE CONSULTANTS

Proposal to construct a three story single family dwelling with basement and attached garage totaling approximately 14,500 square feet, two attached habitable accessory structures for pool use comprised of two bathroom/changing rooms of less than 70 square feet each located above the garage, and a detached, 280 square foot non-habitable accessory structure (generated house), and to grade about 5,560 cubic yards for the building site, courtyard, pool, approximately 1,200 feet of driveway, widening approximately 1,800 feet of access road and providing four runouts for emergency vehicles along the access road. Requires a Coastal Development Permit, a Large Dwelling Review, a Residential Development Permit to increase the 28 foot height limit to about 51 feet by increasing the required 20 foot setbacks by 5 feet for every foot over 28 feet in height with bathrooms, and a Preliminary Grading Approval. Property is located on the east side of a 50 foot right-of-way approximately 0.75 mile northeast from its intersection with Highway 1 (at sign for 2074), then about one mile north of the intersection of the entrance to Ano Nuevo State Park.

APN(s): 057-061-I 6 Cathleen Carr, planner Zone District(s): CA

Findinas:

This project, if conditioned+ to comply with required mitigation measures or conditions shown below, will not have significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project attached to the original of this notice on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Reauired Mitiaation Measures or Conditions:

____ None

_X_ Are Attached

Review Period Ends July 29, 1999

Date Approved By Environmental Coordinator January 3, 2000

KEN HART
Environmental Coordinator
(408) 454-3127

If this project is approved, complete and file this notice with the Clerk of the Board:

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by _____

on _____. No EIR was prepared under CEQA.

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THE PROJECT WAS DETERMINED TO NOT HAVE SIGNIFICANT EFFECT ON THE ENVIRONMENT.

Date completed notice filed with Clerk of the Board: _____

EXHIBIT C

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De minimis Impact Finding

Project Title/Location (Santa Cruz County):

98-0426

Brian Hinman
37 Broadway
Los Gatos, CA 95030

Project Description:
Proposal to construct a three story single family dwelling with basement and attached garage totaling appioxirnately 14,500 square feet, two attached habitable accessory structures for pool use comprised of two bathroom/changing rooms of less than 70 square feet each located above the garage, and a detached, 280 square foot non-habitable accessory structure (generated house), and to grade about 5,560 cubic yards for the building site, courtyard, pool, approximately 1,200 feet of driveway, widening approximately 1,800 and providing four turnouts for emergency vehicles along the access road. Requires a Coastal Development Permit, a Large Dwelling Review, a Residential Development Permit to increase the 28 foot height limit to about 51 feet by increasing the required 20 foot setbacks by 5 feet for every foot over 28 feet in height with bathrooms, and-a Preliminary Grading Approval. Property is located on the east side of a 50 foot right-of-way approximately 0.75 mile northeast from its intersection with Highway 1 (at sign for 2074), then about one mile north of the intersection of the entrance to Ano Nuevo State Park.

Findings of Exemption (attach as necessary):

An Initial Study has been prepared for this project by the County Planning Department according to the provisions of CEQA. This analysis shows that the project will not create any potential for adverse environmental effects on wildlife resources.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section
711.2 of the Fish and Game Code.

Ke Hart

KEN HART
Environmental Coordinator
for Alvin D. James, Planning Director
County of Santa Cruz

Date: Jan. 6, 2000

ATTACHMENT 5

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Date: Dec 20 ~~June 21~~, 1999
Staff Planner: Cathleen Carr

ENVIRONMENTAL REVIEW
INITIAL STUDY

APPLICANT: Betty Cost, Richard Beale Land Use Consultants APN: 057-061-16
OWNER: Brain Hinman and Suzanne Skees
Application No: 98-0426 Supervisorial District: Third
Site Address: No situs
Location: Property is located on the east side of a 50 foot right-of-way approximately 0.75 miles northeast from its intersection with Highway 1 (at sign for 2074), then about 600 feet southeast. The right-of-way intersects the east side of Highway 1 about one mile north of the intersection of the entrance to Ano Nuevo State Park.

EXISTING SITE CONDITIONS

Parcel Sizes: 49.7 acres
Existing Land Use: Vacant parcel
Vegetation: Grasses, native Monterey pine groves, riparian vegetation around pond
Slope: 0-15% 10.0 acres, 16-30% 27.4 acres, 31-50% 9.2 acres, 51% 3.1 acres

Nearby Watercourse: One unnamed artificial pond, property adjacent to Ano Nuevo Creek
Distance To: Over 100 feet to proposed residence, existing access road is immediately adjacent to the pond
Rock/Soil Type: Tierra-Watsonville Complex, Santa Lucia shaly clay loam, Aptos loam

ENVIRONMENTAL CONCERNS

Groundwater Supply:	Mapped good quantity/quality	Liquefaction:	Minimal potential
Water Supply Watershed:	None mapped	Fault Zone:	None mapped
Groundwater Recharge:	None mapped	Floodplain:	None mapped
Timber and Mineral:	None mapped	Riparian Corridor:	Pond, Ano Nuevo Creek on adj parcel
Biotic Resources:	Mapped biotic		
Fire Hazard:	None mapped	Solar Access:	Adequate
Archaeology:	Mapped	Solar Orientation:	Adequate, N & W
Noise Constraint:	None	Scenic Corridor:	None
Erosion:	Mapped moderate potential	Electric Power Lines:	None
Landslide:	Active slide on property	Agricultural Resource:	Type 3

SERVICES

Fire Protection: California Department of Forestry
Drainage District: None
School District: Pacific Elementary and Santa Cruz High School Districts
Project Access: 50 foot right-of-way off of Highway 1
Water Supply: Private well
Sewage Disposal: Septic system

PLANNING POLICIES

Zone District: Commercial Agriculture (CA)
Within USL: No
General Plan: Agriculture (AG)
Special Designation: Future Parks (General Plan Futures)
Coastal Zone: Yes

PROJECT DESCRIPTION: ATTACHMENT 5

Proposal to construct a three story single family dwelling with basement and attached garage totaling approximately 14,500 square feet, two attached habitable accessory structures for pool use comprised of two bathroom/changing rooms of less than 70 square feet each located above the garage, and a detached, 280 square foot non-habitable accessory structure (generator house), and,,, to grade about 5,560 cubic yards for the building site, courtyard, pool, approximately 1,200 feet of driveway, widening approximately 1,800 feet of access road and providing four turnouts for emergency vehicles along the access road. Requires a Coastal Development Permit, a Large Dwelling Review, a Residential Development Permit to increase the 28 foot height limit to about 5 1 feet by increasing the required 20 foot setbacks by 5 feet for every foot over 28 feet in height, and to construct two habitable accessory structures greater than 17 feet in height with bathrooms, and a Preliminary Grading Approval.

ENVIRONMENTAL REVIEW CHECKLIST.

PROJECT SETTING

The subject property is a 49.7 acre parcel located in northern Santa Cruz County. The property is bounded on the west by the San Mateo County line (see location map, Attachment 1). This property was formerly' part of the historic Steele Ranch. The Steele Ranch was founded by two brothers in 1869. The Steele Ranch holdings encompassed 7,000 acres and were divided into two of the largest dairies of the time, the Cascade Ranch and the Green Oak Ranch. These properties were subdivided by the Steele family in 1955, creating the subject parcel and its neighboring properties. Most of the Steele Ranch properties have now passed out of the family's hands.

The subject parcel is zoned Commercial Agriculture (CA) and is bordered on the north and south by a 63 acre CA zoned property and a 13 acre CA property, respectively. The property is adjacent to a 122 acre Timber Production (TP) zoned property on the northeast comer, a 40 acre TP parcel on the east and a 40 acre TP property at the southeast comer. There is a 20 acre Special Use zoned property which meets the subject parcel at the southwest comer. A map of the Santa Cruz County zoning is included as Attachment 3. A portion of Big Basin State Park is located southeast of the subject property, and the main portion of Ano Nuevo State Park is located to the southwest.

The property slopes down roughly east to west. The highest elevations are located at the northeast comer of the property. The ridge top is located on the adjacent property near the property line. The northeast comer has slopes of 47% to 29%. This area is comprised of open Monterey pine forest with scattered oaks, madrones, fir and ceanothus. The mixed Monterey pine forest continues along the northern half of the east end of the property. The proposed building site is located within the Monterey pine forest on a slope of 12 to 25%. Immediately east of the subject parcel is Ano Nuevo Creek. The creek runs roughly parallel to the subject parcel's eastern property line. Ano Nuevo Creek is characterized by a wide, steep sided arroyo which is heavily forested. The majority of the parcel has slopes between 16% and 30% and drains towards a manmade pond. This pond was used for livestock during the operation of the Steele Ranch. The pond is surrounded by a well developed riparian community. The northwest comer of the property is more gently sloped (12-18%) and is predominantly grassland interspersed with coyote bush scrub. The far southeastern comer is the most steeply sloped portion of the property (>60%). This area drains into the arroyo formed downstream of the pond. This area is dominated by scrub, oaks and eucalyptus groves. The majority of the parcel is mixed grasslands which is predominantly non-native grass species interspersed with native coastal prairie species. Among the grasslands are scattered areas of scrub comprised mainly of coyote bush, poison oak and native blackberry. Several small, marshy seeps containing hydrophilic plant species are located on the slopes above the pond.

The original building site was located near the northeast comer of the property near the 560 foot elevation contour (Attachment 14). An active landslide is located at this site and the applicant proposed excavating

and recompacting the landslide mass into an engineered fill slope. The volume of this earthwork was estimated at 73,000 cubic yards. ~~It appeared that the~~ Most of the residence and possibly some of the earthwork at ~~this~~ the originally proposed location ~~site~~ would be readily visible from Ano Nuevo State Park (Attachment 13). Consequently, the project was relocated to a lower elevation, below the 520 foot contour, with a gentler topography (average 18% versus an average slope of 28%) in order to avoid the visual impacts, to minimize the site grading and to build on a stable site (Attachment 15). The grading volumes have been substantially reduced as the site is no longer located on a landslide mass and is located on a more gradual slope. 395

A. GEOLOGIC FACTORS

	Significant: No or Unknown Mitigation	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Could the project, or its related activities affect, or be affected by, the following:				
1. Geologic Hazards: earthquakes (particularly surface ground rupture, liquefaction, seismic shaking), landslides, mud slides or other slope, instability, or similar hazards?	—	X	—	—

Several landslides have been identified on the property. An Engineering Geologic Investigation Report and Addendum have been prepared for this project by Rogers Johnson and Associates on October I, 1996, May 7, 1998 and February 16, 1999. Geotechnical Reports have been completedfor this project by Reynolds and Associates on April 16, 1998 and by Steven Raas and Associates, Inc. in February 1999. These reports have been reviewed and accepted by the County Geologist in a memo dated March 2.5, 1999 (Attachment 8). The proposed building site is stable and a geologic envelope and appropriate septic location have been determined through these investigations. The preliminary plans have been reviewed and accepted by the Consulting Geologist and Geotechnical Engineer (Attachment 9). The development permit will be conditioned to conform with the recommendations contained in the geologic and geotechnical reports and the conditions contained within the reviews.

2. Soil Hazards: soil creep, shrink swell (expansiveness), high erosion potential?	—	X	—	—

The Watsonville-Tierra soil complex has a potential for low bearing strength and high expansivity. The Aptos loam, however, is nof *noted for these problems. The home site is located within the area of Aptos loam soils. Portions of the development, however, will be located within Watsonville-Tierra soils. Geotechnical investigations (Reynolds and Associates dated April 16, 1998 and Steven Raas and Associates, Inc. dared February 1999) has been completed in conjunction with the engineering geologic report addressing the soils issues related to site stability and preliminary grading plans. Per the County* Geologist, *an addendum report and report review will be required as a condition of this development permit to address final foundation and retaining wall design criteria. This work shall be completedprior to building and grading permit approval for the proposed residential development.*

3. Change in topography or ground surface relief features?	—	—	X	—

The project will require approximately 5,560 cubic yards of grading. Approximately 1,010 cubic yards will be required to upgrade the existing access road to the Fire Department's current standards and to construct ~~the~~ roughly 1,200 feet of driveway in conformance with the County Environmental Planning and California Department of Forestry standards. The remainder of the grading is for the building pad, hardscape, parking and the swimming pool. The building site is not located on a ridge top or other

prominent topographic feature, but on a moderate to gentle slope. The Gothic Revival design requires a level building site, therefore, the dwelling will be placed on a graded pad. A cut/fill pad is proposed in order to minimize the site grading. In addition, retaining walls are proposed where feasible to further reduce the site grading. Landscaping mounds will be placed adjacent to the driveway in order to balance the cut and fill. Given these design considerations, the overall grading is not excessive for the scope of the proposed development. The majority of the grading will occur behind the dwelling. The area near the property line, behind the proposed development, is heavily forested with a large arroyo formed by Ano Nuevo Creek. The forest, riparian trees and the arroyo itselfform a natural visual barrier between the future development at the rear of the property and the adjacent (currently undeveloped) parcels. The overall visual appearance of the property's topography will not be significantly altered by the proposed grading.

4.	The destruction, covering or modification of any unique geologic or physical feature?	___	___	X

The development site is located away from the landslide features and prominent ridge tops. The overall character of the sloping site will remain.

5.	Steep slopes (over 30%)?		X	___

Portions of the property are steeper than 30%. The building site and driveway are located on slopes less than 30%.

6.	Coastal cliff erosion?		___	X
7.	Beach sand distribution?	___	___	___ X
8.	Any increase in wind or water erosion of soils, either on or off site?		X	___

Development and construction has the potential to increase soil erosion, however, implementation of an erosion control plan, as required prior to the approval and issuance of building and grading permits, will minimize this potential. The grading plans will be engineered and will include erosion control measures and engineered drainage plans. The drainage and grading plans shall be reviewed and approved by the project geotechnical engineer to ensure conformance with their recommendations. Furthermore, the project shall be conditioned such that the geotechnical engineer shall inspect the drainage improvements prior to permit finals in order to avoid potential erosion impacts which often result from ill-placed drainage improvements. The grading permit application and plans must be reviewed and approved by the County Geologist an&or the Planning Department's Senior Civil Engineer. The plans will be reviewedfor proper erosion and drainage control. Grading and/or land clearing is prohibitedprior to obtaining a building permit.

B. HYDROLOGIC FACTORS

Could the project affect, or be affected by, the following:

1.	Water related hazards such as flooding or tidal waves?			X
2.	Private or public water supply?	___	___	X

	Significant: No or unknown Mitigation	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact

The development of this parcel will require development of a well. The area is within a mapped area of good quality and quantity ground water.

3. Septic system functioning (inadequate percolation, high watertable, proximity to water courses)? ___ ___ X

The engineering geologist has identified suitable areas for a septic system located away from potentially unstable ground. An Environmental Health Specialist found a suitable septic site within this geologically stable area. The applicant has obtained an adequate Preliminary Lot Inspection Report, from County Environmental Health, which demonstrates that the site is *suitable for onsite* sewage *disposal. The Environmental Health Specialist's plan is adequate for 15 bedrooms. Environmental Health regulations require that the septic leach lines be located a minimum of 100 feet from the pond. The proposed septic system will not adversely affect soil stability or the pond.*

4. Increased siltation rates? X ___

The proposed project is located within a designated "Least Disturbed Watershed" (see Attachment 6). This designation is specifically for the watersheds for Ano Nuevo Creek and for Green Oaks Creek. Despite its proximity, the project site does not drain into Ano Nuevo Creek. The majority of the property, including the building site, drains into the pond or the arroyo downstream of the pond. The limits of grading for the building site are located over 750 feet from the pond and the proposed driveway, at its closest proximity, is over 280 feet away from the pond and over 125 feet from the arroyo. This arroyo eventually drains into Green Oaks Creek more than one half mile from the pond.

County General Plan policy requires that development meet strict standards for erosion control and protection of water quality. In addition to erosion control issues discussed in A.8., winter grading (between October I.5 and April 15) may only be undertaken with a special Winter Grading Approval. This work would only be authorized where appropriate winter erosion and drainage control measures are proposed and time lines allow for work to be completed prior to the main storm season. Placement of silt fencing between the pond and all grading/road improvement work will be required for this project as specified in the Biotic Report Review. Finally, in addition to erosion control measures, the physical distance between the project site and the pond and arroyo as well as the physical distance between the arroyo and its confluence with Green Oaks Creek will reduce the potential for silt *contamination of Green Oaks Creek.*

5. Surface or ground water quality (contaminants including silt-urban runoff, nutrient enrichment, pesticides, etc.)? X

See discussion under B.4.

6. Quantity of ground water supply, or alteration in the direction or rate of flow of ground waters? X

	Significant: No or Unknown Mitigation	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact

Development and use of a *groundwater* well for *this* residential *development will* not affect *the area groundwater.*

7. Groundwater recharge? X

The subject parcel is not located within a designated groundwater recharge area.

8. Watercourse configuration, capacity, or hydraulics? ___ X

9. Changes in drainage patterns or the rate and amount of runoff? ___ X ___

Some increase in the rate of runoff is expected due to the increase in impervious surfaces due to the roof and hardscape. Engineered drainage plans, including discharge locations and energy dissipator designs, will be required as part of the building and engineered grading plans. As discussed in A.8., the soils engineer must review and approve the drainage plans to ensure proper design and placement of all drainage improvements. The grading plans, which must include drainage plans, must be prepared by a licensed civil engineer to insure proper design. Moreover, the final drainage improvements shall be inspected and approved prior to permit finals as a condition of this development permit, Preliminary grading plans show drainage improvements including energy dissipaters and discharge locations away from areas of instability. These efforts will mitigate any impact from increased runoff

10. Cumulative saltwater intrusion? ___ X

11. Inefficient or unnecessary water consumption? ___ X

Final landscape plans will be required to utilize predominantly drought tolerant and native species. In addition, permit conditions will require final landscaping plans to group plants into hydro zones according to their water requirements. Preliminary landscape plans, in general, conform with these requirements.

12. Change in the amount of surface water in any water body? X

C. BIOTIC FACTORS

Could the project affect, or be affected by, the following:

1. Known habitat of any unique, rare or endangered plants or animals (designate species if known)? X ___

The building site is located within a mapped Biotic Resource area of native Monterey Pine forest. The native Monterey Pine (Pinus radiata) is listed as a rare and endangered species by the California Native

Significant: No or Unknown Mitigation	Potentially Significant Unless Mitigated	Less Than significant Impact	No Impact

Plant Society. The native Monterey Pine forests are primarily found in the coastal areas of northern Santa Cruz and southern San Mateo Counties. The native stands of these trees are threatened by pitch canker disease and turpentine beetle infestation. A number of trees on the subject parcel show signs of pitch canker infection (Biotic Assessment report prepared by The Habitat Restoration Group, dated May 20, 1997, see Attachment 10). ~~Nine~~ Five of the pines located within the building envelope are dead and will be removed, along with an additional 40 inch diameter Monterey pine and a few young seedlings that are located near or within the building envelope. The site grading has been designed to minimize impacts to the existing Monterey pines. Grading will occur within 15 feet of six Monterey pines larger than 18 inches in diameter In accordance with the conditions specified in the Biotic Report Review, all tree work (trimming, removal, removal and replanting of seedlings, and any preparation for earthwork located within the driplines of any trees) will be conducted by a certified arborist. Landscaping will be required to be compatible with the Monterey pine forest habitat and replacement trees shall be from native Ano Nuevo stock.

An Arborist's report has been prepared by Ellen Cooper for this project (Attachment 16). The arborist evaluated the 35 trees (Monterey pines, Coast live oaks, Coast redwoods, Douglas firs and Madrones) located within or adjacent to the proposed construction zone. The arborist determined that one 40 inch Ano Nuevo pine will be lost. In addition, the arborist determined that the proposed construction would not adversely affect seven other pines. All of the Monterey pines on the site are in fair to poor health, due to pitch canker and secondary insect infestations. Due to the widespread infestation in the area, the arborist does not recommend the relocation of saplings or planting replacement Monterey pines on the site. Instead, the arborist recommends 2:1 replacement of all of the large trees which will be removed (one living and seven dead), using Coast live oaks, Douglas fir or Coast redwoods.

The freshwater pond located on the property is a potential breeding and rearing habitat for jive Federal and State Species of Special Concern: the Red-legged frog (Rana aurora draytonii), the San Francisco garter snake (Thamnophis sirtalis tetrataenia), the southwestern pond turtle (Clemmys marmorata marmorata), the California Tiger salamander (Ambystoma tigrinum californiense) and the Yellow warbler (Dendroica Netechif). these species were observed by the biologist during the biotic review. Nevertheless, primary and secondary habitat for these species were noted in and around the pond area. The proposed grading for the building pad is 750 feet away *from the pond at if's closest point. Silt fencing and additional erosion control measures will be required to be placed between any earthwork and the pond prior to commencing the earthwork and at all times until the site is revegetated. The access road passes on top of the dam and culvert which formed the pond. Silt fencing will be required between any road improvements and the pond. The road, which is compacted earth and gravel, will be paved. This will reduce dust and siltation impacts to the pond.*

Cooper's hawk (Accipiter cooperi), a State Species of Special Concern was observed on the subject property. Cooper's hawk is an uncommon migrant visiting this area during the winter. Suitable wintering habitatfor this species occurs throughout the site. Since the majority of this nearly SO acre parcel will be left undisturbed, the project will have no impact to minimal impact upon this species. In addition, undisturbed roosting and resting sites are located further east on the subject parcel and on the adjacent parcels.

A Biotic Assessment report was prepared by The Habitat Restoration Group (Attachment IO) on May 20, 1997. This report was reviewed by the Planning Department's Consulting Biologist in a letter dated November 5, 1998 (Attachment 1 1), and the report was accepted by the Planning Department on November 30, 1998 (Attachment I I). while the Biotic Assessment by The Habitat Restoration Group was preparedfor the original building site, it does address the currently proposed building site. The County Consulting Biologist and County staff visited the current building site, reviewed the Biotic report and

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recommended conditions relative to this site. Adherence to the mitigations recommended in the Biotic Report Review letter will reduce any potential adverse impacts to a less than significant level.

2. Unique or fragile biotic community (riparian corridor, wetland, coastal grasslands, special forests, intertidal zone, etc)? X

A fragile biotic community, a wetland/riparian habitat surrounding a small pond, exists on the parcel. The access easement and road is immediately adjacent to the pond. See C. 1. second paragraph for discussion regarding the pond

The subject property is located in an area where native coastal prairie grasslands are known to occur. While native grassland species were observed by the project biologist, the grasslands found on the property are dominated by non-native species. Thus, no natural coastal prairie grassland will be disturbed by the project. Other than the Monterey pines (discussed above in C.1.), no special status plant species were observed. Mowing of the grasslands for fire protection will be beneficial to the native grass species, enhancing their-ability to compete with the non-native stock.

Several large, dead pines (snags) are found throughout the Monterey pine forest. These snags are important sources of food and shelter for numerous bird species. As discussed in C. I., ~~nine~~ seven dead ~~pines~~ trees will be removedfrom the building envelope. Several large snags will be retained north of the building site. A condition will be placed on the development and recorded on the property deed to retain the large snag adjacent to the originally proposed building site.

Adherence to the mitigations recommended in the County's Biotic Report Review (Attachment II) will reduce any potential adverse impacts to a less than significant level.

3. Fire hazard from flammable brush, grass, or trees? X

A moderate to high fire hazard is associated with both grasslands and pine forests. The owner is required by the California Department of Forestry (CDF) to maintain a defensible space of 30 feet uphill and 60 feet downhill around the proposed residence. This defensible space will be provided through mowing high grasses and trimming vegetation within the defensible area to prevent the formation of fire ladders into the surrounding tree canopy. The prevention of fire ladders will be especially important, as the Monterey pines surrounding the residence, which are pyrophytes, must be preserved.

Maintenance of the defensible space will not affect the riparian vegetation of the pond or Ano Nuevo Creek, and may enhance the native grassland species within this area. A condition will be placed on the project and recorded on the property deed to maintain the native Monterey pines so that these trees are not removed in order to clear the defensible space.

The access road will be widened in some areas to meet the standard width of 12 feet and four turnouts will be added to provide adequate access for emergency vehicles, with the proviso that the section of road over the dam may be paved, but not widened through grading. All portions of the road and driveway with gradients steeper than 15% will be paved. The owner is required by CDF to provide afire hydrant and 4,000 gallons of water storage for fire purposes. Any of the existing culverts which do not meet the required load capacity of 25 tons or greater shall be replaced (See CDF comments, Attachment 7).

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4. Change in the diversity of species, or number of species of plants or animals?		X		___

The project has been sited and the grading designed to minimize the impacts to the existing Monterey pine forest. ~~The~~ Five of the six Monterey pines over 12 inches in diameter within the disturbance area are already dead. ~~All seedlings and saplings within the disturbance area will collected and replanted under the supervision of a certified arborist~~. One large Monterey pine will be lost. The project arborist does not recommend in-kind replacement of these Monterey pines due to the severity of the pitch canker infestation at this site. There will a loss of Monterey pine seedlings within the building envelope. These seedlings also show signs of pitch canker infection. The project shall be conditioned to limit future removal of dead or nearly dead Monterey pines to those that are an imminent threat to health and safety to the residence and driveway. There are numerous Monterey pines at the northeastern corner of the property which shall be preserved.

D. NOISE

Will the project:

1. Increase the ambient noise level for adjoining areas?				X

Temporary increase of noise during construction. Because it is temporary and limited to weekday operations between 7 a.m. and 6 p.m., the noise impacts are not significant.

2. Violate Title 25 noise insulation standards, or General Plan noise standards, as applicable?			___	X
3. Be substantially affected by existing noise levels?				X

E. AIR

Will the project:

1. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?				X
2. Expose sensitive receptors to substantial pollutant concentrations?			___	X
3. Release bioengineered organisms				

	Significant: No or Unknown Mitigation	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
or chemicals to the air outside of project buildings?				X
4. Create objectionable odors?				X
5. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect areas, or change the climate either in the community in the community or region?				X

F. ENERGY AND NATURAL RESOURCES

Will the project:

1. Affect or be affected by timber resources?				X

The property is bordered on the northeast, east and southeast by properties zoned for Timber Production (TP) (see zoning map, Attachment 3). The'proposed dwelling will be a minimum of 135 feet from the property line with a TP property, but improvements associated with the residence will be located within 35 feet. Ano Nuevo Creek runs along the property line on the adjacent TP parcels. The wide arroyo provides a significant buffer between the proposed residential development and the timber property, should logging occur close to the property line. Current County regulations restrict logging within riparian corridors, which will further serve to buffer the proposed residential development. Nevertheless, the property owner will be required to record an acknowledgment that the Subject property is located adjacent to timber production lands.

The proposed development will not affect the adjacent timberlands,

2. Affect or be affected by lands currently utilized for agriculture or designated for agricultural use?			X	—

The subject parcel is zoned CA - Commercial Agriculture and is bordered by lands zoned Commercial Agriculture to the north and south (see Attachment 3). The property on the west is located within San Mateo County and is presently used for agriculture. The owner of this property has recently obtained a permit to convert an existing agricultural well to domestic use, and ~~it is anticipated that the owner will be~~ has appliedying for a residential permit ~~in the near future~~. The San Mateo County Planning Commission approved a Coastal Development permit (PLN 1999-00296) for a 6,500 square foot residence with a detached 600 square foot guest house, detached garage and lap pool. This permit, however, was recently appealed by the Coastal Commission and has not been issued pending for further review. The CA property to the north contains the ranch houses for the old Steele Ranch. The land is currently fallow, but the new owners are planning to put the land into organic produce. The proposed residence will be located 600 feet or more from the proposed organic farm to the north. At its closest proximity, the dwelling proposed under this project will be 300 feet from the adjacent (south) CA property. County

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policies require a 200 foot agricultural buffer between CA zoned properties and adjacent habitable structures. The proposed residence complies with this policy.

The primary agricultural use in this area is livestock grazing. The proposed residential development will not impact this agricultural use on the subject property or any of the adjacent parcels. First, the dwelling will be located within the Monterey pine forest area which already is not suitable for a prime agricultural use. Second, though a ~~certain amount of space~~ about 7,000 square feet will be occupied by the dwelling and appurtenances, ~~however~~, ~~this~~ a residence is allowed by the zoning, as long as the following findings can be made: that the residential use would be ancillary to commercial agricultural use of the parcel based on the fact that the farmable portion of the parcel, exclusive of the building site, is large enough to constitute a minimum economic farm unit for three crops other than greenhouses; that the residential use will not reduce, restrict or adversely affect agricultural operations in the area; and that the dwelling is sited to minimize conflicts with commercial agricultural activities and remove as little land as possible from potential agricultural production. In this case these findings can be made. ~~Furthermore,~~ Lastly, only ~~a small percentage~~ one acre ~~(less than 5~~ approximately 2%) of the property will be ~~used~~ used for residential use and defensible space (for fire safety purposes) for the residence.

3.	Encourage activities which result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner?	—	—	X
4.	Have a substantial effect on the 'potential use, extraction, or depletion of a natural resource (i.e., minerals or energy resources)?			X

G. CULTURAL/AESTHETIC FACTORS

Will the project result in:

1.	Alteration or destruction of of historical buildings or unique cultural features?			X
2.	Disturbance of archaeological or paleontological resources?			X

Over half of the subject parcel is located with in a mapped Archaeological Sensitive Area (Attachment 5). The proposed building site is located outside of the mapped resource area. Nonetheless, a Cultural Resource Evaluation was completed by Robert Cartier of Archaeological Resource Management in December of 1996 (Attachment 12). No historic or prehistoric cultural resources were noted. A condition of approval will be included to require, pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with the proposed 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

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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 16.42.100, shall be observed.

3. Obstruction or alteration of views from areas having important visual/scenic values? X X

Ano Nuevo State Park is located approximately two miles from the proposed building site. Highway One is located over 0 5 miles from the project. A visual analysis was conducted to evaluate the potential impacts the development may have on the Highway and Ano Nuevo State Park viewsheds (Attachment 13). Scaffolding was erected to simulate the height (51 feet above existing grade at the roofline) and mass of the proposed structure. This scaffolding was covered with highly visible "Safety Orange" construction fencing. County staff then made observations from Highway 1 and from Ano Nuevo State Park. The chimneys and portions of the structure are visible using magnification (binoculars) from ~~two~~ three discrete locations in Ano Nuevo State Park: along portions of the path by the pond, the staging area kiosk and on the highest sand dune on the Ano Nuevo Point path (see Attachment 17) ~~using magnification (binoculars)~~. Small portions of the chimney and roof can be detected by the naked eye, but only after the project site has been visually located using the neighbor 's residence as a reference point and then verifying this observation using binoculars. The visible portions of the structure were evident because of the strong contrast of the orange tape viewed through trees and against a backdrop of tree canopies. ~~Nonetheless, the project was never readily noticeable using the naked eye~~. The proposed colors of the new dwelling, a dull greyish, tannish green body, dark forest green trim and an acid-aged copper (non-shiny) green roof, which will appear to be dark mottled forest green will be less conspicuous within the context of the landscape than the orange fence material.

The scaffolding and chimneys are most visible from one sand dune near Ano Nuevo Point which is along the trail in the area frequented by visitors. On the site visit to the dune in November 1998 the proposed building location was not visible to the naked eye. During the winter the sand dune shifted and increased in elevation. As a result most of the roof and chimneys became visible, as checked during a subsequent site visit in August 1999. Again, the story poles were identifiable due to the contrast of the fluorescent orange mesh against the dark forest background.

In order to determine how much the orange color contributed to the visibility, a light green mesh was placed over the orange tape to partially conceal it. With the green mesh in place it is more difficult to see the story poles with the naked eye. A photo montage was prepared to represent the naked eye view from the Ano Nuevo sand dune. The proposed dwelling was digitally inserted into the photograph. As shown in the photo montage, the dwelling cannot be distinguished by the naked eye. However, under magnification the roof and the peak of the main gable can be discerned. This raises the concern that the window in this gable could create bright reflections at low sun angles that will be highly visible from Ano Nuevo. Glare and reflection from the neighbor house (parcel number 057-061-17) is a visual intrusion at the Park. However, due to the long distance, it could not be definitively determined whether or not the top portion of the highest window in this gable will be visible above the trees in the foreground. Therefore, in order to avoid the possibility of intrusive glare, the glazing in the transoms of these windows shall be required to be low-reflective glass.

Staff and the project applicants ~~have sought to meet~~ met with State Parks staff at Ano Nuevo Park to view the scaffolding and discuss the visual issues . At the August 4, 1999 joint site visit, Planning and State Parks staff reviewed the plans and orange mesh story poles. Staff discussed color choices (gray and deep

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green) which, it was agreed, would camouflage the structure and minimize its visibility. State Parks staff voiced concerns regarding the loss of screening due to the loss of the dying Monterey pines over time, and the possible effect of window glare. ~~State Parks did not join staff during on site evaluation.~~ As stated above and in the letter from the State Department of Parks and Recreation, Attachment 7, portions of the proposed project ~~is~~ are visible from Ano Nuevo State Park. However, based on the scaffolding and careful evaluation of same, staff respectfully disagrees with State Parks staffs assertion 'that the project is visible from all points within the park and that it will be visually intrusive. Staff noted that a small portion of the scaffolding could be observed from the "'Staging Area" within the park and from the path to Ano Nuevo Point. However, the scaffolding was observed with difficulty, requiring knowledge of where to look for the scaffolding and active searching in order to discern it. At the highest point within the park, the top of the sand dune, more of the scaffolding was discernible than at the staging area. However, when the green netting was placed over the fluorescent orange mesh, the scaffolding was difficult to distinguish even at the sand dune.

The view of the proposed residence is largely blocked by a significant grove of eucalyptus trees located along the western edge of the right-of-way on the west property line of the subject parcel. This grove of trees is located on an adjacent parcel in San Mateo County. Consequently, the property owner has no control over the maintenance of this grove. There are young eucalyptus trees are sprouting near this grove on the other side of the right-of-way on the northern neighbor's property and on the subject property. (We note that a condition of San Mateo County Development permit (PLN 1999-00296), the removal of this eucalyptus grove is prohibited. However, this permit has been appealed by the Coastal Commission and it is not known at this time whether the condition that preserves the Eucalyptus will be part of the final permit.)

Cultivating a grove of trees in this area using Monterey Cypress (which has also been planted in this area for wind breaks) on the subject property will further ensure protection of the public viewshed in the event the Eucalyptus are thinned or cleared in the future. The planting and maintenance of a row of Monterey Cypress, about 1,200 feet long, to function as a back-up visual barrier to the existing Eucalyptus Grove, will therefore be required. Native Monterey pine, Douglas fir, coast redwood, live oak or Monterey Cypress could also be planted outside of the defensible space ~~in front of the residence~~ between the dwelling and the line of sight of Ano Nuevo Park, where the dying Monterey pines are located, in order to further screen the residence. The project arborist has recommended using Coast redwood, Douglas fir or Coast live oak for replacement trees because of the difficulty of protecting pines from infestation. Of these recommended species, Coast redwood is the preferred species as they are faster growing and sufficiently tall and broad to provide effective screening in the future.

It is useful to compare the proposed residence with the existing neighbor residence located on Assessor's Parcel Number 057-061-17. The existing residence can be observed from Ano Nuevo Park. It is not well screened by trees, which have been removed over time. In addition, the window trim has been painted a white or nearly white color which prevents the dwelling from blending into the background. This structure, which is more visible due to the trim and lack of tree screening than the proposed dwelling will be, is still not readily apparent to the casual observer. However, according to Parks staff, the window glare from the existing dwelling can be very intrusive from Ano Nuevo Point in the late afternoons. Because all or nearly all of the glazing on the proposed dwelling will be located below the tree line and the four glazed transoms above the windows, which may not be fully screened, will utilize low-reflective glass, the proposed project will not exacerbate this situation.

In summary, the physical distance between the project site and the park (over 1.5 miles, also see location map, Attachment I), the proposed tannish green and deep forest green colors for the structure and the natural screening all serve to diminish the visibility of the proposed development. To mitigate any

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potential window glare, the highest windows (transom windows) in the gables will be required to utilize low-reflective glass. Consequently, the project will have negligible, if any, visual impacts on the visitors in Ano Nuevo Park.

Lastly, there is the additional issue of whether the project, which, with mitigation, does not have a significant visual impact by itself, might contribute incrementally to the overall visual impact of the existing homes in a manner that is significant. Based on the foregoing analysis, which includes storey pole and flagging visual information, computerized visual simulation, input from an arborist and staff at Ano Nuevo Park, the negligible impact remains small in the context of the existing visual environment.

4. Being visible from any adopted scenic highway or scenic corridor? X ___

The project is not located within a designated scenic corridor. Highway 1 is a designated scenic road but the proposed development will not be visible from Highway 1 (see Attachment 13). This is largely due to site topography, the eucalyptus grove discussed above in G. 3. and screening by an additional cypress grove between Highway 1 and the property. For example, the adjacent residence on Assessors Parcel Number 057-061-I 7, which has significantly fewer trees screening the site and is closer to Highway 1 than the proposedproject, is not visible from Highway 1.

5. Interference with established recreational, educational, religious or scientific uses of the area? X X

The results of the visual analysis, using the orange scaffolding and green mesh covered facsimiles of the structure, established that the residence will only be visible from the sand dune, isolated locations on the path by the pond and the staging kiosk, to those who are actively seeking to view it, ~~from limited vantage points within the state park~~. Given this limited view, and considering the proposed deep forest green color scheme, added tree screening, and use of low-reflective glass on the transom windows which will further camouflage the dwelling, there will be minimal to no impact on the public's recreational or educational activities at Ano Nuevo State Reserve.

H. SERVICES AND UTILITIES

Will the project or its related activities result in:

. 1. A breach of national, state, or local standards relating to solid waste or litter management? X

2. Expansion of or creation of new utility facilities (e.g., sewage plants, water storage, mutual water systems, storm drainage, etc.) including expansion of service area boundaries? X

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3. A need for expanded governmental services in any of the following areas:				
a. Fire protection?			X	

The proposed residential development will generate a small increase in fire protection demand; however, the level of this increase for one single family dwelling is not substantial.

b. Police protection?			X	

See discussion under item H.3.a. above. This discussion is also applicable to police protection.

c. Schools?			X	

See discussion under item H. 3.a. above. This discussion is also applicable to public schools. In addition, the dwelling constructed on the subject parcel will be subject to the payment of school impact fees at the time of building permit issuance to help offset the impacts of the incremental increase in public school services generated by the construction and use of a new dwelling unit.

d. Parks or other recreational facilities?			X	

See discussion under item H. 3.a. above. This discussion is also applicable to parks. The proposed dwelling will be subject to the payment of Parks capital improvementfees at the time of building permit issuance to help offset the impacts of the incremental increase in public parks usage and needs generated by the construction and use of a new dwelling unit.

e. Maintenance of public facilities including roads?				X

The project is accessed via a private road and, therefore, is not publicly maintained. Any increased maintenance resulting from increased use of this road will be the sole responsibility of the private road association.

f. Other governmental services?				X
4. Inadequate water supply for fire protection?				X
5. Inadequate access for fire protection?			X	

The private road is narrow varying in width from approximately 10 to 14 feet. The road will be improved to the standards required by the local fire agency, the California Department of Forestry (CDF) with the proviso that the road cannot be widened by adding fill or excavation within 100 feet of the pond. CDF has approved the conceptual development plans. Final plans must be approved by CDF prior to issuance of building permits.

	Significant: No or Unknown Mitigation	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact

I. TRAFFIC AND TRANSPORTATION

Will the project result in:

1.	An increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	___	X	___

According to the Institute of Traffic Engineers, a single family dwelling generates an average of 10 vehicle trips per day. The addition of 10 vehicular trips on the private right-of-way and along Highway 1 each day will not result in an amount of traffic beyond the carrying capacity of the roadways used for this traffic.

2.	Cause substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?			X
3.	Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?	___	___	X
4.	Alterations to present patterns of circulation or movement of people and/or goods?	___	___	X
5.	Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?		___	X
6.	Cause preemption of public mass-transportation modes?	___	___	X

J. LAND USE/HOUSING

Will the project result in:

1.	Reduction of low/moderate income housing?			X
2.	Demand for additional housing?	___		X
3.	A substantial alteration of the present or planned land use of an area?	___		X

The planned use for this parcel as delineated by the zoning and General Plan designations is Commercial Agriculture. A single family residence is an allowed use in the CA zone district outside of the Coastal

3+9

	Significant: No or Unknown Mitigation	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact

Zone and a conditional use within the Coastal Zone, subject to findings that the residential use will not adversely impact future agricultural uses. The proposed residential development is designed and situated such that the maximum amount of arable acreage and grazing lands are maintained and are ~~the majority of the property remains~~ available for agricultural use. As discussed previously in F.2., the project is consistent with the agricultural policies.

4.	Change in the character of the community in terms of terms of distribution or concentration of income, income, ethnic, housing, or age group?				X
5.	Land use not in conformance with the character of the surrounding neighborhood?			X	

See discussions on Timber and Commercial Agriculture in F. 1. and F. 2. respectively. The parcels adjacent to property on the northeast, east and southeast are zoned Timber Production. The property on the southwest is zoned Special Use. The property on the west is located within San Mateo County and is used for agriculture. Commercial Agriculture zoned properties are located on the south and north (see Attachment 3). Currently, only the parcels on the north and south are developed with single family dwellings. The northern parcel contains two dwellings and numerous outbuildings of various ages. The southern parcel was developed in 1993 with an approximately 6,017 square foot residential development on a substantially smaller (13 acre) parcel. The parcel located to the west (San Mateo County) has obtained ~~a permit to convert an agricultural well to a domestic use, but as of yet, no other development or building applications have been submitted~~ a Coastal Development permit from San Mateo County for a 6,500 square foot single family dwelling, a 600 square foot detached guest house, a four car garage and lap pool on an 84 acre parcel. This permit is currently under appeal by the Coastal Commission.

Although this is a large dwelling, the project is in general conformance with this setting of single family dwellings and outbuildings in an agricultural/timber production area, with large parcel sizes. The project requires residential development permits and special review for the size and height, but does not require any variances to the zoning site standards.

K. HAZARDS

Will the project:

1.	Involve the use, production or disposal of materials which pose hazard to people, animal or plant populations in the area affected?	___	___		X
2.	Result in transportation of significant amounts of hazardous materials, other than motor fuel?	___	___		X
3.	Involve release of any bioengineered organisms outside of controlled laboratories?	___	___		X
4.	Involve the use of any				

TP

320

	Significant: No or Unknown Mitigation	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
pathogenic organisms on site?				X
5. Require major expansion or special training of police, fire, hospital and/or ambulance services to deal with possible accidents?				X
6. Create a potential substantial fire hazard?				X
7. Expose people to electro-magnetic fields associated with electrical transmission lines?				X

L. GENERAL PLANS AND PLANNING POLICY

1. Does the project conflict with any policies in the adopted General Plan or Local Coastal Program? If so, how?			___	X

The project is consistent with all applicable County General Plan policies in that the project has been designed to avoid adverse impacts to identified sensitive habitats. This has been accomplished through relocating the building site, reducing grading and through landscaping and revegetation. In accordance with the County's General Plan, a Biotic Report (Attachment 10) has been prepared for this project and accepted-by the Planning Department (Attachment 11). The project conforms with the riparian and wetlands policies in that the residential development will be significantly further that the minimum 1 10 foot distance from any wetland or natural body of standing water (pond). No earthwork shall be authorized for the access road within 100 feet of the pond. The access road will be paved within 100 feet of the pond which is exempt from the riparian ordinance and further will reduce dust and silt impacts to the riparian area. Intensified runoff due to new impervious surfaces and erosion will be controlled through the implementation of an engineered drainage and erosion control plan.

The proposal is consistent with the policies for protecting least disturbed watersheds as discussed in the paragraph above. In addition, the development area, including the areas of vegetation management for fire safety (defensible space), is a maximum of one acre. While the dwelling is over 14,000 square feet in size, the building foot print is a significantly smaller, at approximately 5,400 square feet. The smaller footprint is achieved by having two main stories, an attic (third story) and an underground basement. The smaller footprint equates to less impermeable area and therefore less runoff than a one or two story structure of comparable square footage. An engineered drainage plan is required to ensure that runoff from impervious surfaces is properly dissipated to prevent erosion and protect downstream water quality.

The proposed project is consistent with the County General Plan 's visual resources policies in that the proposed structure will not be visible from Highway 1. In addition, the project conforms with the General Plan policy on Protection of Public Vistas as the visibility of the structure from Ano Nuevo Park is negligible, minimized by the location of the structure, natural screening; ~~and~~ the use of green tone colors which blend the structure in with the forested background and the use of low-reflective glass on the transom windows which may be located above the foreground tree line (Please see discussion in G. 3., G. 4. and G.5. and see Attachment 13). Additional screening will be required to insure the structure remains minimally if at all visible to the general public should the surrounding Monterey pines succumb to pitch canker disease or the Eucalyptus on the neighbor parcel be cleared..

	Potentially Significant: No or Unknown Mitigation	Significant Unless Mitigated	Less Than Significant Impact	No Impact

0321

The project is compatible with the County's Agriculture policies as a the single family residence++ ~~principal permitted use on commercial agricultural land. Furthermore, the project~~ has been sited ~~to as the building site is located~~ at the edge of the forested portion of the property, away from prime grazing lands. The proposed residential site, including all appurtenant structures and defensible space, encompasses a maximum area of one acre which is less than 2% of the parcel. The development exceeds the minimum 200 foot separation between adjacent commercial agriculture designated land and residential development, thereby avoiding any potential agricultural and residential land use conflicts.

The proposed development is consistent with the County General Plan policies for slope stability and erosion, because the building site and septic leach fields are located outside of areas subject to landsliding as determined through engineering geology and geotechnical reports. The project site and driveway are located on slopes less than 30% and has been designed to minimize grading. Engineered grading and drainage plans will be requiredfor this project which must be reviewed and approved by the project Geotechnical Engineer and the County Geologist in order to ensure site stability, proper design and erosion control.

2. Does the project conflict with any local, state or federal ordinances? If so, how?

3. Does the project have potentially growth inducing effect? — — X

No. ~~Thus, g~~Growth inducement would only result if the parcel could be subdivided and the proposed development 'would facilitate this subdivision. The County 's General Plan policies require lands within the CA zone district to have a minimum of 20 arable acres per parcel to be subdivided. Arable acres are defined by soil types and by slopes less than 25%. ~~It is unlikely that t~~There ~~are~~ may be 40 arable acres on this parcel. However, the following findings are required in order to subdivide Commercial Agricultural lands in the coastal zone: 1) That the division is necessary for continued commercial agricultural use of the parcels, 2) that the proposed parcel sizes will not be detrimental to the economic viability of commercial agricultural operations on said parcels, adjoining or nearby parcels, 3) That the division is for exclusive agricultural purposes, 4) That all parcels are of sufficient size to constitute a minimum economic unit for 3 crop types, other than greenhouse agriculture, suited to the soils, topography and climate, and in no case shall be less than 20 acres, 5) That no conflicts with adjacent agricultural operations shall result from the division 6) That such division will not create the potential for residential use other than that determined to be ancillary to commercial agriculture and 7) That such division will not hamper or discourage long-term commercial agricultural operations. These findings are extremely difficult to make and given a primary agricultural use of grazing lands on the subject parcel, any parcel division would be found detrimental to agriculture. Moreover ~~important~~, the subject parcel is located within an area designated as a Least Disturbed Watershed (Attachment 6). Land divisions within this General Plan resource designation require a minimum of 40 gross acres per parcel. As the subject parcel is less than 50 acres, it cannot be subdivided under the County's 1994 General Plan.

Most of the surrounding Santa Cruz County parcels are also located within the Least Disturbed Watershed (Attachment 6) which would limit or preclude subdivision of these lands. In addition, the majority of the larger parcels in the vicinity of the subject parcel are zoned Timber Production (TP). Minimum parcel sizes for subdivision of TP zoned property in the Coastal zone are currently 160 acres without clustered development and 40 acres per dwelling unit if the dwellings are clustered and the timberlands held in a single large parcel. Thus, subdivision of these properties are unlikely.

Significant: No or Unknown Mitigation	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact

The CA (Commercial Agriculture) zone district in the Coastal Zone allows for development one single family dwelling unit per parcel, under a Level 5 Use Approval, providing that the residential use is ancillary to agricultural uses and will not adversely affect agricultural uses on the subject or adjacent parcels, ~~which is being proposed~~ which the applicant is proposing.

4. Does the project require approval of regional, state, or federal agencies? Which agencies?

No regional, state or federal approval is required for the proposed project.

9323

MANDATORY FINDINGS OF SIGNIFICANCE

	YES	NO
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?		X
2. Does the project have the potential to achieve short term, to the disadvantage of long term environmental goals? (A short term impact on the environment is one which occurs in a relatively brief, definitive period of time while long term impacts will endure well into the future.)	___	X
3. Does the project have impacts which are individually limited but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant. Analyze in the light of past projects, other current projects, and probable future projects.)	___	X
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	___	X

TECHNICAL REVIEW CHECKLIST

	REQUIRED	COMPLETED*	N/A
APAC REVIEW			X
ARCHAEOLOGIC REVIEW	XXX	XXX	
BIOTIC ASSESSMENT	XXX	XXX	
GEOLOGIC HAZARD ASSESSMENT			X
GEOLOGIC REPORT	XXX	XXX	
RIPARIAN PRE-SITE			X
SEPTIC LOT CHECK	XXX	XXX	
SOILS REPORT	x x x	XXX**	
OTHER:			
Preliminary grading approval	XXX	XXX	
Visual Analysis	XXX	XXX	
Axiometric view of proposed residence	XXX	XXX	
Preliminary Landscape Plans	x x x	XXX	
Arborist Report	XXX	XXX	

*Attach summary and recommendation from completed reviews

** For stability analysis and preliminary grading only.

List any other technical reports or information sources used in preparation of this initial study:

Photo Montage and color photographs (on file with the Planning Department)

ENVIRONMENTAL REVIEW ACTION

On the basis of this initial evaluation:

— I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described below have been added to the project. A NEGATIVE DECLARATION will be prepared.

I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

12/27/99
Date

Signature

For: KEN HART
Environmental Coordinator

Attachments:

1. Location Map
2. Assessors Parcel Map
3. Zoning Map
4. General Plan Map
5. Map of Archaeological Resources
6. Map of Least Disturbed Watershed
7. Comments from Reviewing Agencies
8. Discussions, Conclusions and Recommendations from Geologic and Geotechnical Review by Joe Hanna, County Geologist dated March 25, 1999
9. Preliminary Plan Review letters by Rogers Johnson and Associates, Consulting Engineering Geologists, dated March 19, 1999 and May 25, 1999 and by Steven Raas and Associates, Consulting Geotechnical Engineers, dated March 18, 1999
10. Biotic Assessment by Habitat Restoration Group, dated May 20, 1997
11. Review by County Consulting Biologist dated November 5, 1998 and Report Review by Suzanne Smith dated November 30, 1998
12. Prehistoric Cultural Resource Reconnaissance Report
13. Photographs from Visual Analysis
14. Site Plan of Original Building Site
15. Site Plan of Proposed Building Site
16. Arborist Report
17. Map of Ano Nuevo Reserve
18. Letters of Public Comment

98-0433instudy
June 24, 1999
Revised
January 26, 2000

NEGATIVE DECLARATION MITIGATIONS

NAME: Betty Cost for Hinman and Skees
APPLICATION: 98-0426
A.P.N: 57-061-16

NEGATIVE DECLARATION MITIGATIONS

A. In order to mitigate geologic and geotechnical hazards:

1. Prior to approval of any building or grading permit, the project geologist and project geotechnical engineer shall each review the grading, drainage, erosion control, and building plans, and provide a letter of approval to Planning staff;

2. Prior to any disturbance on the property, the owner/applicant shall stake the perimeter of the structure(s), septic field, driveway, and the discharge point of drainage pipes. The project geologist shall inspect the staking in the field in order to verify that the structure(s) and the grading are correctly located on the ground relative to the building areas that were agreed upon during the geologic review process, and to verify that discharge of drainage will not adversely affect slope stability. A letter approving the staking shall be submitted to Planning staff for review and approval.

B. To ensure that visual impacts at Ano Nuevo State Park are minimized, prior to public hearing, the owner/applicant shall:

1. ~~Prior to public hearing,~~ Revise the landscape plan to show plantings of Monterey Cypress (*Cupressus macrocarpa*) for a distance of 1200 feet along the right of way that begins at the northwest corner of the parcel and trends southeast. The plantings shall be 15 gallon, spaced 20 to 25 feet on center, in order to provide visual screening from viewpoints in Ano Nuevo State Park when the trees are mature. This grove will function as secondary screening in case the eucalyptus grove on the adjacent parcel is'thinned or cleared in the future;

2. Revise the plans to show that ~~T~~the color of all exterior materials shall be muted tones in the green and brown color family;

3. Revise the plans to show that the glazing in the transom above the windows in the upper gables shall be a low-reflective material that will prevent bright reflection and glare from low angle sun.

C. In order to mitigate impacts caused by tree removal, the owner/applicant shall:

1. Prior to public hearing, submit a tree removal mitigation plan prepared by the biotic consultant (Habitat Resources Group) jointly with a licensed arborist, that identifies the number of Monterey Pines and oak trees to be removed, the number that will be moved and replanted outside the disturbance area, the number of replanting candidates that show signs of pitch canker, and the individuals that are at risk of decline from nearby grading. The plan shall specify the process for salvaging and replanting the younger Ano Nuevo pines from the building envelope, including any important timing requirements, and the process for collecting seed and propagating additional

individuals to be planted, at the ratio of 2:1, as replacements for the trees that will be lost. The plan shall also specify the actions to be taken (pruning, watering, root care, etc.) by the arborist to prepare trees in proximity to construction for the disturbance that they may encounter.

2. Prior to approval of grading or building permits, submit a revised landscape plan for review and approval that:

a. Indicates where the replacement Ano Nuevo pines and oak trees will be located (minimum replacement ratio is 2: 1, with one additional tree for each tree that is being moved and replanted and that is showing signs of pitch canker);

b. Includes notes specifying that all replacement trees shall be propagated from the gene stock on the property, that there will be no plantings within the dripline of native trees, and no summer watering of established native trees.

3. Prior to approval of grading or building permits, record a Declaration of Restriction on the property deed that designates the snags to the north of the building site, the relocated Ano Nuevo pine trees, and the replacement trees, as trees to remain in place in perpetuity. The Declaration shall also specify that other vegetation will be managed such that a "fire ladder" configuration does not develop in the area surrounding the structure(s).

D. In order to ensure the long term health of the mature trees that are shown on the improvement plans as being preserved, the owner/applicant shall do the following:

1. Prior to approval of grading or building permits, revise the grading plan to show temporary, six foot fencing at the dtipline of each tree that is within thirty feet of ground disturbance;

2. Prior to site disturbance, the project arborist shall provide all necessary pre-construction care to existing trees as outlined in the approved tree mitigation plan and shall inspect the temporary protective fencing. The arborist shall provide a letter to thes Planning Department approving the fencing and indicating that all pruning and other pre-treatment has been accomplished;

3. Prior to final inspection, provide a letter of inspection from the project arborist evaluating tree health (existing and replacement plantings) and providing follow up recommendations. For five years following the final approval the owner/applicant shall provide Planning staff with an annual inspection report from the project arborist. The report shall detail any actions that must be taken to ensure the continued success of the mitigation plantings and the health of the existing Ano Nuevo pines and oaks. Treatment for pitch canker in all new, replanted, and remaining trees shall be a part of the annual inspection.

E. In order to prevent impacts on protected species from sedimentation into the pond and riparian area, prior to public hearing, the owner/applicant shall:

1. Revise the grading plan to indicate that there will no widening of the access road where it crosses the pond on the dam. The plan shall indicate the existing width of the

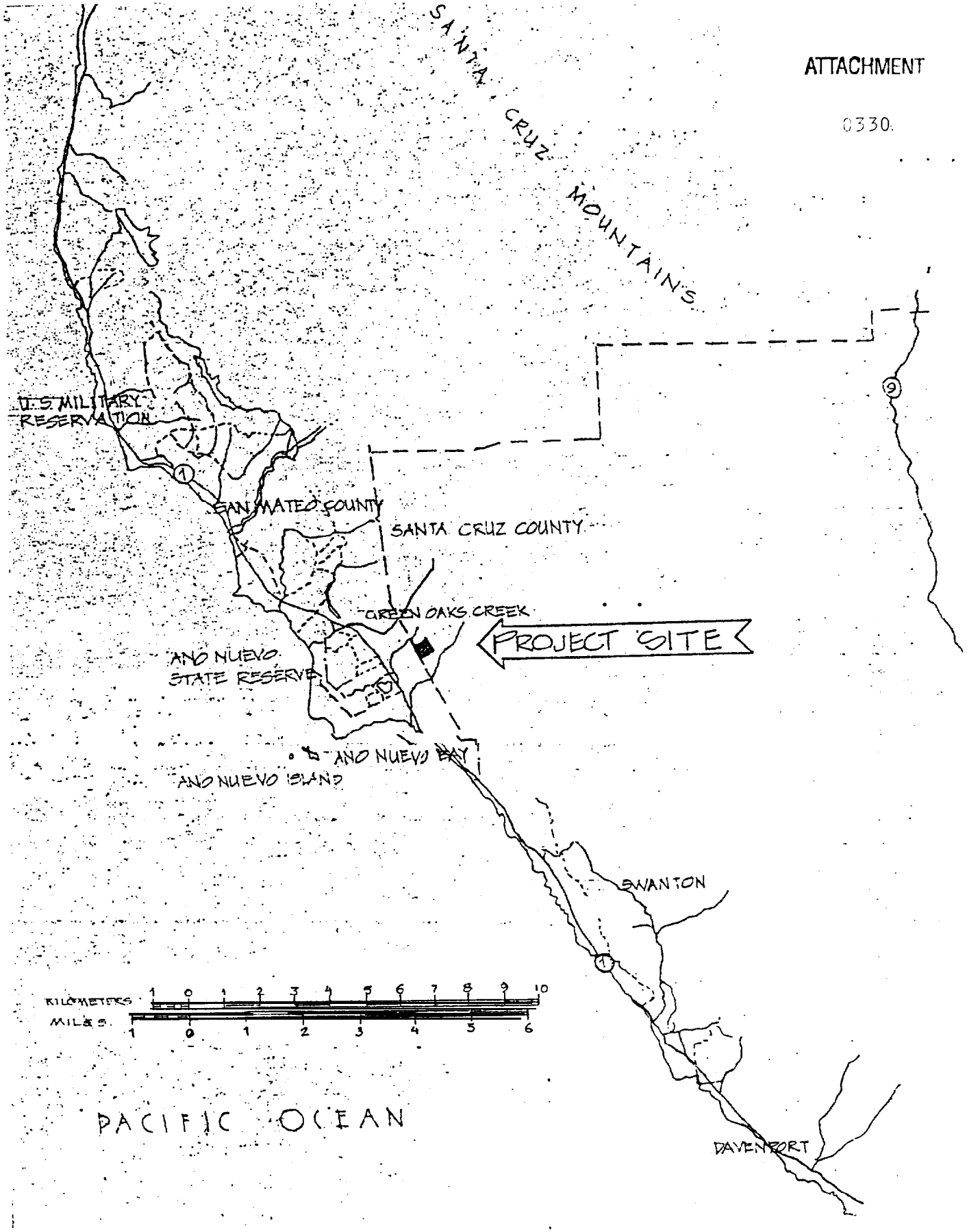
access at the crossing, and if it is narrower than the standard twelve feet, the owner/applicant shall provide a written comment from the fire agency that the access is adequate without widening.

F. In order to prevent erosion, off site sedimentation, and pollution of creeks, prior to the approval of grading or building permits, the erosion control plan shall be revised to include the following:

1. Silt fence, or other effective barrier, on both side of the access road where it crosses the dam, while surfacing is underway. Baserock and fines must be prevented from reaching the pond and drainage;

2. Silt fence on the downslope side of the driveway and on the perimeter of the disturbance area at the building site.

Prior to site disturbance or surfacing of the existing road for construction access the owner/applicant shall arrange for inspection of the silt fence and other erosion control measures.



LOCATION MAP

ATTACHMENT 5

0331

57-C

Tax Area Code
86-001

Assessor's Map No. 57-
County of Santa Cruz, Ca
Aug. 1956

POR. SECS. 15, 21, 22, 26, 27 & 28, T. 9 S., R. 4 W., M.D.B.&M.

FOR TAX PURPOSES ONLY

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

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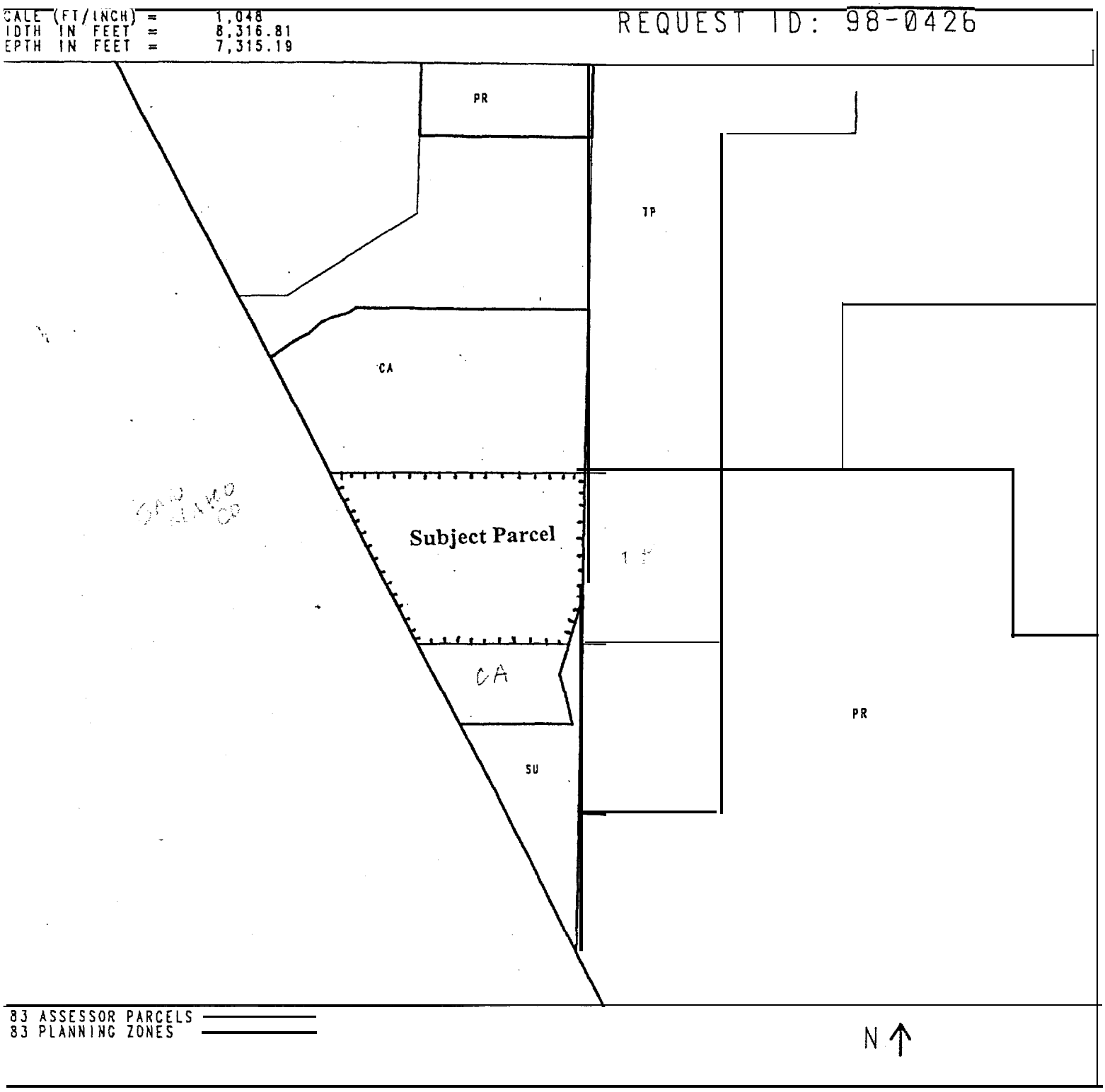
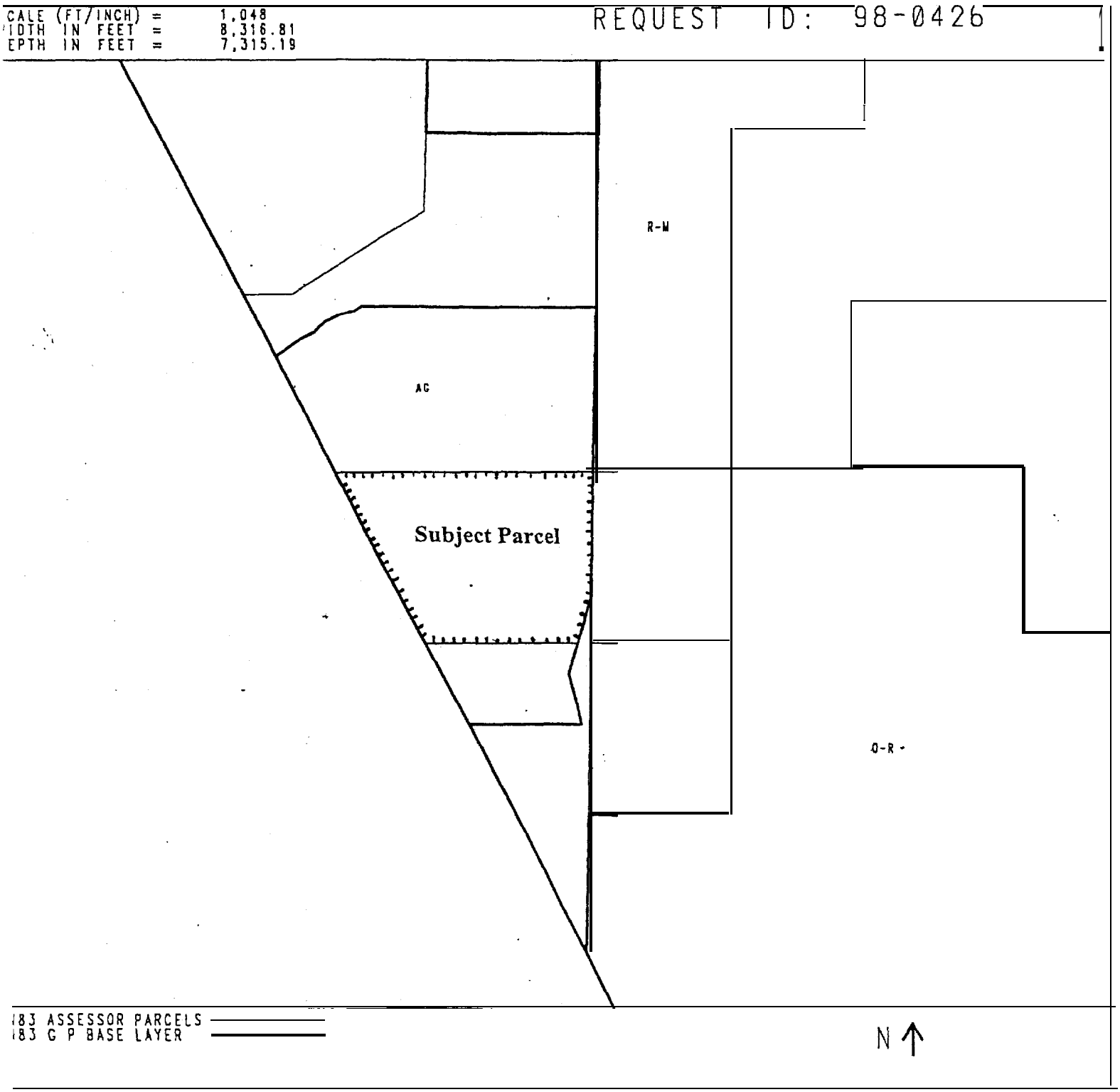
ASSESSOR'S PARCEL MAP

ATTACHMENT 2


SCALE (FT/INCH) = 1,048
WIDTH IN FEET = 8,316.81
DEPTH IN FEET = 7,315.19
REQUEST ID: 98-0426
PR
TP
CA
Subject Parcel
CA
PR
SU
83 ASSESSOR PARCELS
83 PLANNING ZONES
N

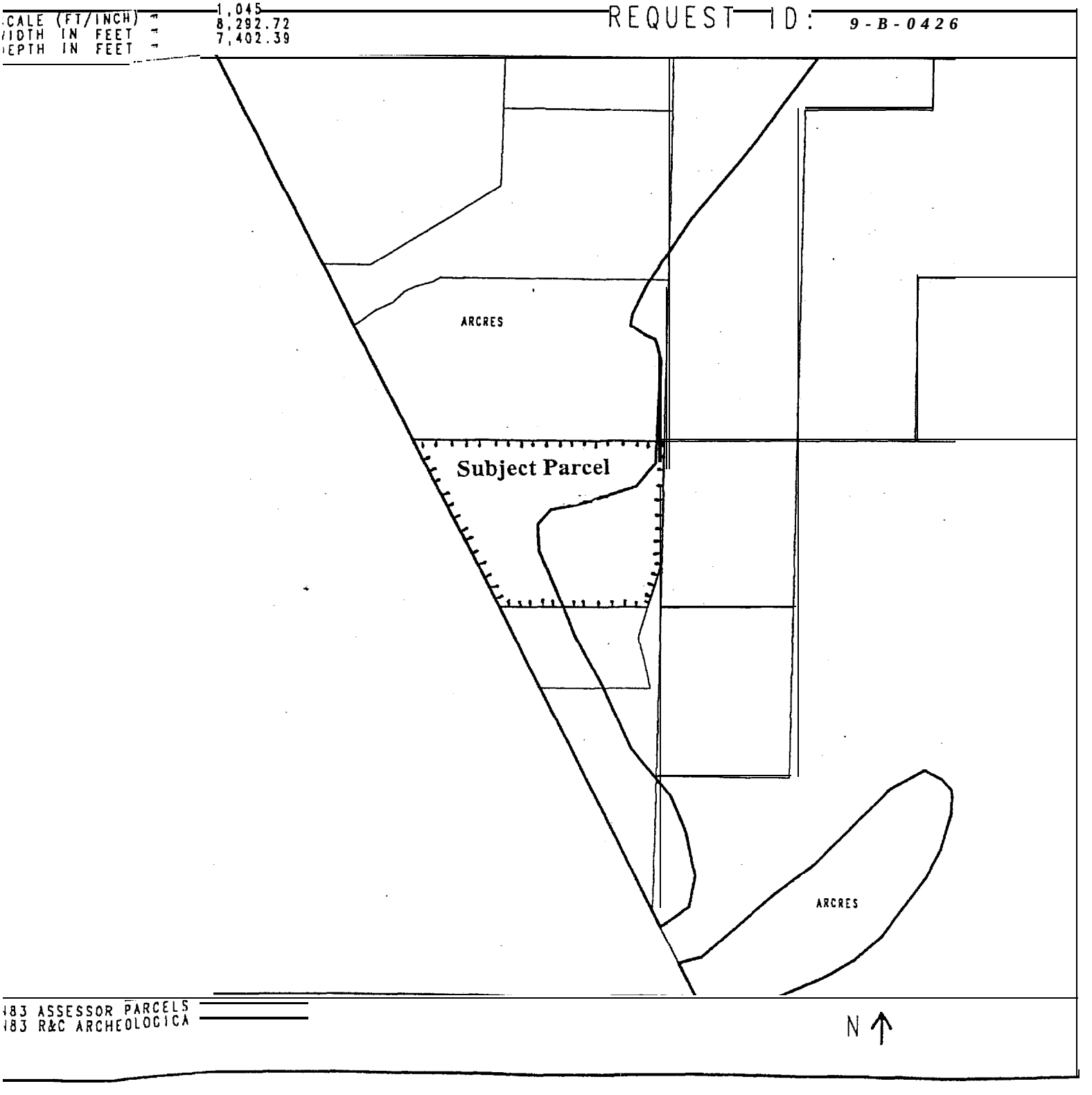
ZONING MAP

ATTACHMENT 5

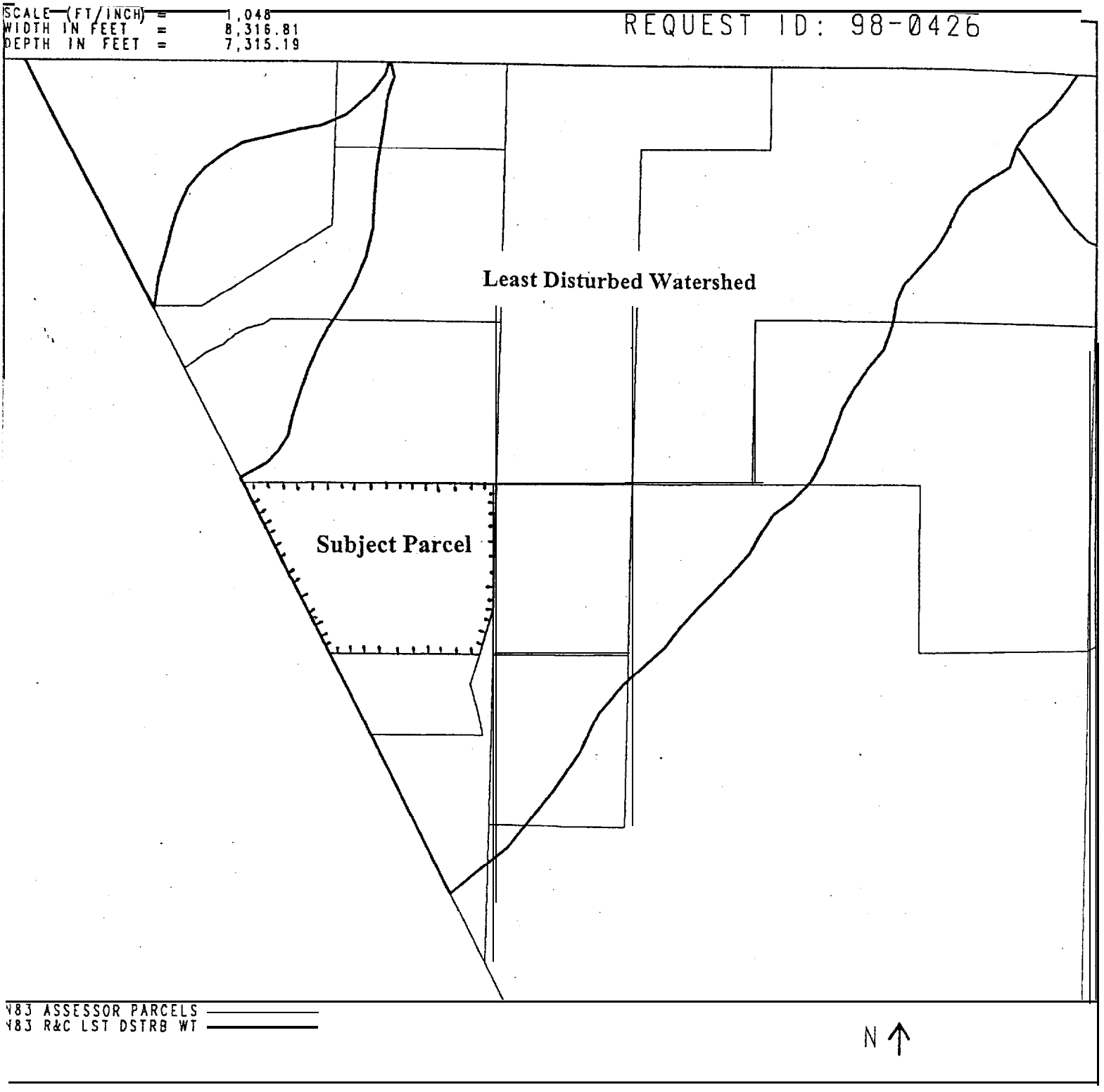


GENERAL PLAN MAP

ATTACHMENT 4



ARCHAEOLOGICAL RESOURCES MAP



LEAST DISTURBED WATERSHED MAP

ATTACHMENT 6

County of Santa Cruz

ATTACHMENT 5

PLANNING DEPARTMENT
701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
ALVIN D. JAMES, DIRECTOR

0376

April 28, 1999

Betty Cost/Rich Beale
Rich Beale Land Use Consultants
100 Doyle Street, Suite E
Santa Cruz, CA 95062

Subject:. Application No. 98-0426 Assessor's Parcel No.: 057-061-l 6
Owners: Brian Hinman and Suzanne Skees

Dear Betty and Rich:

This letter is to inform you of the status of your application.

At this time, your application has been found to be incomplete. In order for further processing of your application to occur, you are requested to supply the following information or materials:

Environmental Health:

Septic system design shall accommodate the number of bedrooms (please note that the "bedroom" count is 15) and shall be located in an area outside of landslide and/or other slope stability problems areas. The geologist and soils engineer must address and approve the septic location,

The additional items listed above shall be submitted to my attention in a single package. You have until July 27, 1999 to submit the information indicated. Pursuant to Section 18.10.430 of the Santa Cruz County Code, failure to submit the required information may lead to abandonment of your application and forfeiture of fees. You should contact me if there are extenuating circumstances which you believe warrant additional time.

Alternatively, you may withdraw the application and any unused fees will be refunded to you. If your decision is to withdraw, please address a letter stating your desire to withdraw.

You have the right to appeal this determination that the application is incomplete pursuant to Section 18.10.300 of the County Code and Section 65943 of the Government Code. To appeal, submit a $195.00 fee and a letter addressed to the Planning Director stating the determination appealed from, and the reasons you feel the determination is unjustified or inappropriate. The appeal letter and fee must be received by the Planning Department no later than 5:00 p.m., May 12, 1999.

ATTACHMENT 7

Additional Issues

ATTACHMENT 5

In addition to evaluating the completeness of your application, our initial review has identified other issues which will affect the processing of your project. These issues are discussed below. These issues will be raised as part of the Environmental Review. To avoid delays, these issues should be addressed prior to Environmental Review. Please call me if you would like to discuss any of these items.

3337

Environmental Planning:

Note that the landscape plan will have to be revised to, at a minimum, indicate:

- Modifications to the plant list to meet the conditions of the biotic review (remove invasive exotic species, add native shrubs, modify tree list to include only trees that are native and already present on site *(via propagation of site materials only)*, no lawn irrigation close to oaks and pines, etc.).
- Arborist to prune pines and to remove the pines that are taken out, according to specified procedures.
- Show dripline restrictions
- Specify location of replacement pines
- Show any pines within 30 feet of the driveway, **if** there are any.

Erosion Control:

- The erosion control needs modification, but this initial plan is adequate to continue processing the application. The erosion control will have to show, at a minimum:
- the location of the pond and marsh/riparian vegetation
- Silt fence as required in biotic review
- Disturbance envelope

Grading:

- Provide calculations for. basement excavation volume
- Show basement on grading section(s)
- Identify the receiving location for the 3,000 or so cubic yards of export.

State Parks:

State Parks remain concerned regarding visibility from Ano Nuevo State Park; see enclosed letter

Development Review:

The new building site is substantially lower in elevation from the previous two sites which were evaluated for visual impacts. Nevertheless, the north and-south chimneys have become substantially taller and larger-than in the previous submission. Although the chimney is not measured as part of the height for zoning purposes, their visibility is an issue. Please construct brightly colored story poles, representing the roof' line of the new location and the north and south chimney flues (colored construction fencing is optional) for a re-evaluation. Please complete prior to Environmental Review.

The Generator house may need to be relocated, due to geologic concerns. This will be evaluated as part of Environmental Review.

ATTACHMENT 7

A copy of the various reviewing agencies' comments are enclosed for your information. Should you have further questions concerning your application, please contact me at (83 1) 454-3225. Please note, I will be out of the office from April 29 through May 18, 1999.

ATTACHMENT 5

Sincerely,

Cathleen Carr

Cathleen Carr
Project Planner

cc: Brian Hinman
Supervisor Wormhoudt

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ATTACHMENT 7

ATTACHMENT 5

Bay Area District
250 Executive Park BLVD.
Suite 4900
San Francisco, CA 94134-3306

March 21, 1999

Santa Cruz County Planning Department
Governmental Center
701 Ocean Street
Santa Cruz, CA 95060

RE: Comments on Development Permit Application # 98-0426

TO: Project Planner Cathleen Carr

The following comments are submitted by the California State Parks regarding the proposed 'construction of a three story, single family dwelling, of approximately 14,494 square feet located in the coastal view shed adjacent to state park lands.

These comments are similar to the comments that were submitted on July 13, 1998 in a letter from this agency.

Visual Impact Related to Año Nuevo State Reserve

Año Nuevo State Reserve is an internationally visited unit of the California State Park System and is located 50 miles south of San Francisco on the San Mateo County coastline. This Reserve was created because of the extraordinary natural, cultural, and visual resources. The educational and interpretive program at the Reserve is used as a model at a national level related to protecting coastal resources. Approximately 250,000 people visit the Reserve annually.

Visitors to the Wildlife Protection Area walk a 1 .5-mile trail out to Año Nuevo Point. When walking back from this point of land these visitors enjoy one of the most spectacular and extraordinary vistas along the State of California. These visitors view pristine coastal mountains with no current intrusive visual impacts. This kind of experience, so near to a major metropolitan area, is found no where else in the state.

This updated proposal has the project located at a lower elevation from the original. Staff at Ano Nuevo State Reserve was able to view the orange construction ribbon of this proposed site from almost every location on Ano Nuevo Point. The site was

partially blocked by the Monterey Pine trees that are located directly west of the site. The construction ribbon was only partially obstructed by these trees. We believe the county should consider the probability that these Monterey Pines will be effected by the pitch canker disease and will die. When this occurs the site will be completely exposed for miles in either direction from the State Reserve.

0340

Therefore, as planned, this proposed development would be highly visible and intrusive from all portions of the State Reserve on the western side of Highway One. This development would have an extreme negative impact on the visual resources related to this State Reserve.

Within the Santa Cruz County General Plan associated with coastal development language exists in policies 5.10.1, 2, and 3 that prohibit or restrict development that effect the visual resources. San Mateo County also has similar language. This development should be evaluated extensively with these policies in mind.

The California State Parks believes that this proposed development will effect visual resources at Año Nuevo State Reserve and the related coastal view shed. Please notify this office of any further information regarding this proposed development. If you have any questions related to these comments please contact Supervising Ranger Gary Strachan at 650-879-2025.

Sincerely,

Ronald Schafer
District Superintendent

CA Department of Forestry Completeness Comments

DEPARTMENT NAME: CDF/Co. Fire
The job copies of the building and fire systems plans and permits must be onsite during inspections.
Fire hydrant shall be painted in accordance with the state of California Health and Safety Code. See authority having jurisdiction.
A minimum fire flow 200 GPM is required from 1 hydrant located within 150 feet.
SHOW on the plans an water tank for fire protection with a "fire hydrant" as located and approved by the Fire Department if your building is not serviced by a public water supply meeting fire flow requirements.. For information regarding where the water tank and fire department connection should be located, contact the fire department in your jurisdiction.
NOTE on the plans that the building shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA 13D and Chapter 35 of California Building Code and adopted standards of the authority having jurisdiction.
NOTE that the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Fire Sprinkler System to this agency for approval. Installation shall follow our guide sheet.
NOTE on the plans that an-UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT.
Building numbers shall be provided. Numbers shall be a minimum of four inches in height on a contrasting background and visible from the street, additional numbers shall be installed on a directional sign at the property driveway and street.
NOTE on the plans the installation of an approved spark arrester on the top of the chimney. The wire mesh shall be 1/2 inch.
NOTE on the-plans that the roof covering shall be no less than Class Arated roof.
NGTE on the plans that a 30 foot clearance will be maintained with non-combustible vegetation around all structures or to the property line (whichever is a shorter distance.). Single specimens of trees. ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure are exempt.
SHOW on the plans, DETAILS of compliance with the Access Standards of the Santa Cruz County General Plan (Objective 6.5 Fire Hazards).
The access road shall be 12 feet minimum width and maximum twenty percent slope.
All bridges, culverts and crossings shall be certified by a registered engineer. Minimum capacity of 25 tons. Cal-Trans H-20 loading standard.
SHOW on the plans. DETAILS of compliance with the driveway requirements.

APN : 05706116 Application NO.: 98-0426 Date : June 15, 1999
Discretionary Comment - continued Page : 2

The driveway shall be _____ feet minimum width and maximum twenty percent slope.

0342

All Fire Department building requirements and fees will be addressed in the Building Permit phase.
Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.
72 hour minimum notice is required prior to any inspection and/or test.
Note: As a condition of submittal of these plans, the submitter, designer and installer certify that.these plans and details comply with the applicable Specifications., Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewing agency.

CA Department of Forestry Miscellaneous Comments

Environmental Health Completeness Comments

Applicant revised sewage disposal permit for the new development;EHS has approved 15 bedrooms as per sewage diposal permit # 97-151

Environmental Health Miscellaneous Comments

Leachfields and expansion areas shall not be located in fill or be located in a location which may jeopardize slope stability.

DPW Road Engineering Completeness Comments

NO COMMENT

DPW Road Engineering Miscellaneous Comments

NO COMMENT

DPW Driveway/Encroachment Completeness Comments

No Comment, project adjacent to a non-County maintained road.

DPW Driveway/Encroachment Miscellaneous Comments

No comment.

ATTACHMENT 7

COUNTY OF SANTA CRUZ
CDF/SANTA CRUZ COUNTY FIRE
DEPARTMENT

0343

STEVE WERT, Fire Chief
P.O. Drawer F-2
6059 Highway 9
Felton, CA 950 18
(408)335-5353

ATTACHMENT 5

FIRE PROTECTION REQUIREMENT GUIDE

1. **Structure requires the installation of an automatic tire sprinkler system throughout all portions of the building.**

   Classification. NFPA 13D **or equivalent.**

2. . **Shall provide 4,000 gallons of water storage dedicated to fire protection, with an approved National Standard Thread (NST) connector with a valve, (contact your local fire authority as to proper connector size). Fire equipment shall be able to access the connector within 6 feet by way of an approved roadway or driveway. Secure required permits from the Building Department prior to installation OR shall be within 500 feet of an approved hydrant, Water System.**

3. **Shall provide Smoke detectors, per UBC.**

4. **Driveways/roadways serving 2 or less homes shall be not less than 12 feet in width. Driveways/roadways serving 3 or more homes shall be not less than 18 feet in width.**

5. **Ail driveways/roadways shall have an all weather surface. All weather is described as 6 inches of compacted baserock class 2 or equivalent.**

6. **No driveway/roadway shall exceed a grade of 20%. Where grades exceed 15%, surface shall be hard surface, asphaltic, or concrete a minimum of 2 inches thick and shall not exceed 200 feet in length.**

7. **All driveways/roadways that dead-end shall provide an approved turn around. Turn around maybe of "T" type, hammer head, or cu-de-sac type. Turning radius shall be not less than 35 feet.**

a. **Bridges shall be certified by a Registered Engineer and shall meet the minimum requirements for Cal Trans H-20 loading. Weight limits shall be posted on the approached to the bridge.**

9. **Street names and address shall be posted and clearly visible. Letters/numbers shall be 4 inches in height by 3/8 inch in stroke on a contrasting background.**

ATTACHMENT 7

SANTA CRUZ COUNTY
FIRE DEPARTMENT

COUNTY OF SANTA CRUZ

6059 Highway 9
(408) 335-5354

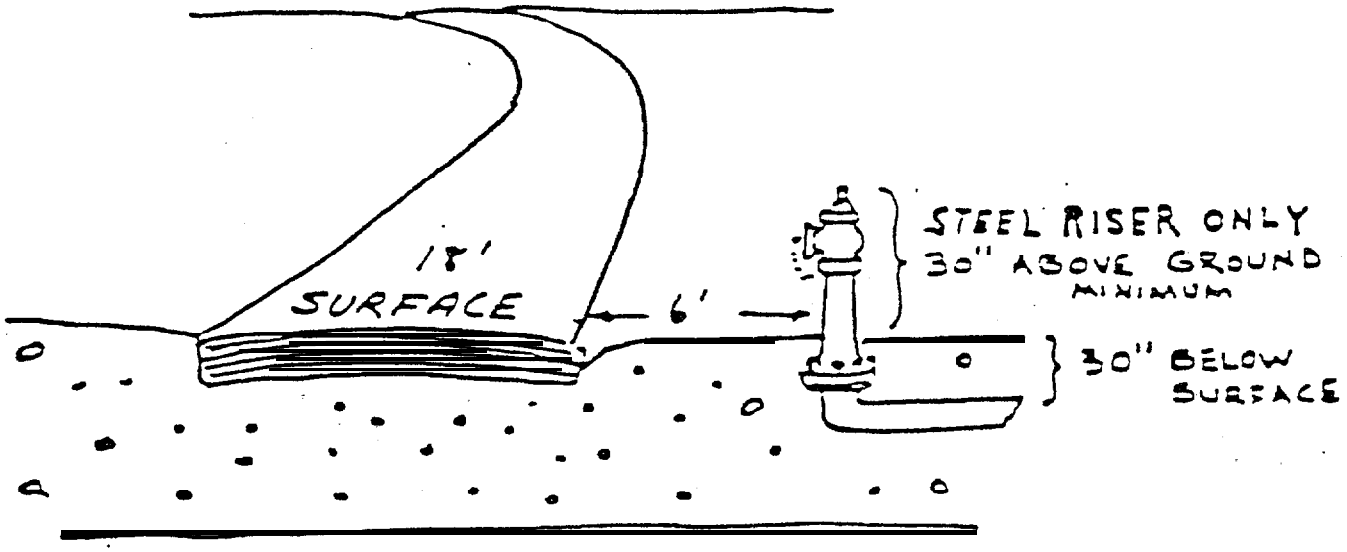
P.O. Drawer F-2, Felton, CA 95018-0316

ATTACHMENT 5

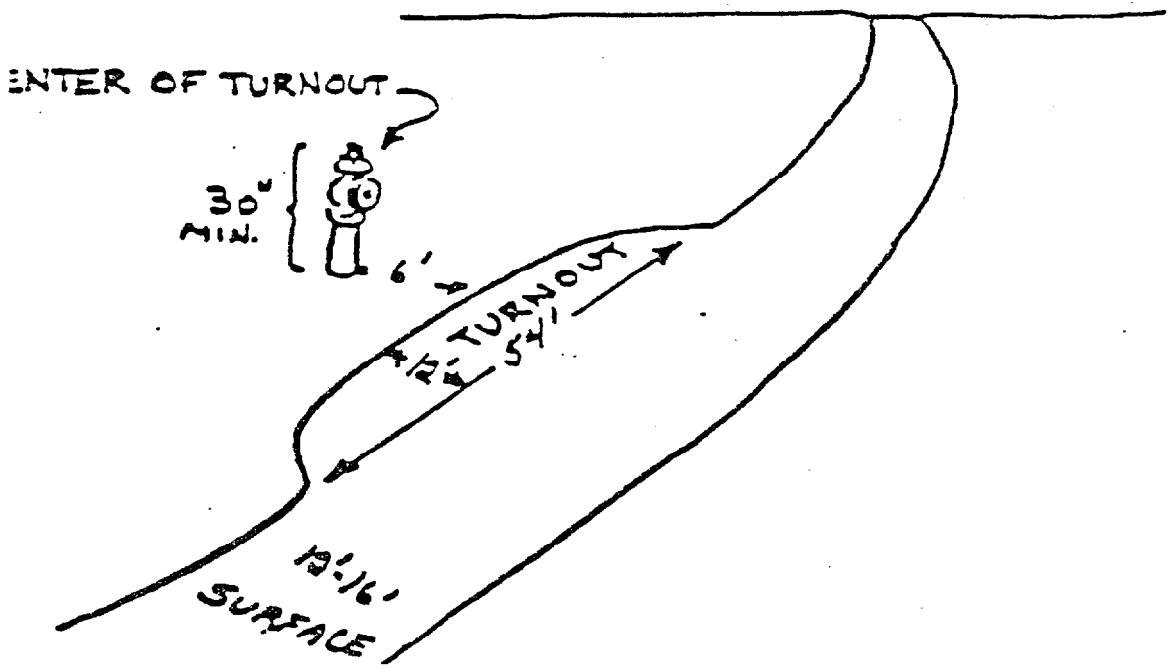
Steve Wert
Fire Chief

0544

REQUIREMENTS FOR THE LOCATION AND INSTALLATION OF FIRE HYDRANTS ON DRIVEWAY AND ACCESS ROADS



HYDRANT TO BE PAINTED FIRE RED.



ATTACHMENT 7

Objective 6.5 Fire Hazards

ATTACHMENT 5

To protect the public from the hazards of fire through citizen awareness, mitigating the risks of fire, responsible fire protection planning and built-in systems for fire detection and suppression,

0345

Policies

65.1 Access Standards

Require all new structures, including additions of more than 500 square feet, to single-family dwellings on existing parcels of record, to provide an adequate road for fire protection in conformance with the following standards:

(a) Access roads shall be a minimum of 18 feet wide for all access roads or driveways serving more than two habitable structures, and 12 feet for an access road or driveway serving two or fewer habitable Structures. Where it is environmentally inadvisable to meet these criteria (due to excessive grading, tree removal or other environmental impacts), a 12-foot wide all-weather surface access road with 12-foot wide by 35-foot long turnouts located approximately every 500 feet may be provided with the approval of the Fire Chief. Exceptions: Title 19 of the Caliiomia Administrative Code, requires that access roads from every state governed building to a public street shall be all-weather hard-surface (suitable foi use by tire apparatus) roadway not less than 20 feet in width Such roadway shall be unobstructed and maintained only as access to the public street.

(b) Obstructionof the road width, as required above, including the parking of vehicles, shah be prohibited. as required in the Uniform Fii Code.

(c) The access road surface shall be "all weather", which means a minimum of six inches of compacted aggregate base rock, Class 2 or equivalent, certified by a licensed engineer to 95 percent compaction and shall be maintained. Where the grade of the access road exceeds 15 percent, the base rock shall be overlain by 2 inches of asphaltic concrete, Type B or equivalent, and shall be maintained.

(d) The ma&mum grade of the access road shah not exceed 20 percent, with grades greater than 15 percent not permitted for distances of more than 200 feet at a time.

(e) The access road shall have a vertical clearance of 14 feet for its entire width and length, including turnouts.

(f) Gates shall be a minimum of 2 feet wider than the access road/driveway they serve. Overhead gate structures shall have a minimum of 15 feet vertical clearance

(g) An access road or driveway shall not end farther than 150 feet from any portion of a structure.

(h) A turn-around area which meets the requirements of the fire department shall be provided for access roads and driveways in excess of 150 feet in length.

(i) No roadway shall have an inside turning radius of less than 50 feet Roadways with a radius curvature of 50 to 100 feet shall require an additional 4 feet of road width. Roadways with radius curvatures of 100 to 200 feet shall require an additional 2 feet of road width.

(j) Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures.

(k) Bridges shall be as tide as the road being serviced, meet a minimum load bearing capacity of 25 tons, and have guard rails. Guard rails shall not reduce the required minimum toad width. Width requirements may be modified only with written approval from the Fire Chief. Bridge capacity shah be posted and shall be certified every five years by a licensed engineer. For bridges served by 12 foot access roads, approved turnouts shall be provided at each bridge approach.

(l) AU private access roads, driveways, turn arounds and bridges are the responsibility of the owner(s) of record and shall be maintained to ensure the fire department safe and expedient passage at all times.

(m) To ensure maintenance of private access roads, driveways, turnarounds and bridges, the owner(s) of parcels where new development is proposed shall participate in an existing road maintenance group. For those without existing maintenance agreements, the formation of such an agreement shall. be required.

(n) All access road and bridge improvements required under this section shah be made prior to permit approval, or as a condition of permit approval.

(o) Access for any new dwelling unit or other structure used for human occupancy, including a single-family dwelling on an existing parcel of record, shall be in the duly recorded form of a deeded access or an access recognized by court order.

Diagrammatic representations of access standards are available at the Santa Cruz County Planning Department and local fire agencies.

65.2 Exceptions to Access Road Standards

Exceptions to these standards may be granted at the discretion of the Fire Chief for single-family dwellings on existing parcels of record as follows:

(a) When the existing access road is acceptable to the Fire Department having jurisdiction.

(b) In addition, any of the following mitigation methods may be required: .

(1) Participation in an exiting or formation of a new road maintenance group or association.

(2) Completionof certain road improvements such as fill pot holes, resurface access road. provide turnouts, cut back brush, etc.are made, as determined by the fire officials, and provided that the fire department determines that adequate fire protection can still be provided.

(3) Provision of approved fire protection systems as determined by the Fire Chief.

(c) The level of road improvement required shall bear a reasonable relationship to the magnitude of development proposed.

6.53 Conditions for Project Approval

Condition approval of all new structures and additions larger than 500 square feet, and to single family dwellings on existing parcels of record to meet the following fire protection standards:

(a) 'Address numbers shall be posted on the property so as to be clearly visible from the access road. Where visibility cannot be provided, a post or sign bearing the numbers shall be set adjacent to the driveway or access road to the property and shall have a contrasting background. Numbers shall be posted when construction begins.

(b) Provide adequate water availability. This may be provided from an approved water system within 500 feet of a structure, or by an individual water storage facility (water tank, swimming pool, etc.) on the property itself. The fire department shall determine the adequacy and location of individual water storage to be provided. Built-in fire protection features (Le., sprinkler systems) may allow for some exemptions of other fire protection standards when incorporated into the project.

(c) Maintain around all structures a clearance of not less than 30 feet or to the property line (whichever is a shorter distance) of all flammable vegetation or other combustible materials; or for a greater distance as may be prescribed by the fire department.

(d) Provide and maintain one-half inch wire mesh screens on all chimneys.

(e) Automatic smoke detection devices shah be installed and maintained in accordance with the California Building Code and local Fire Department regulations. Sprinkler and fire alarm systems, when installed, shall meet the requirements of the local Fire Department.

(f) Provide adequate disposal of refuse. All development outside refuse collection boundaries shall be required to include a suitable plan for the disposal of flammable refuse. Refuse disposal shall be in accordance with state, County or local plans or ordinances. Where practical. refuse disposal should be by methods other than open burning.

(g) Require fire retardant roofs on all projects, as specified in the County Fire Code and the Uniform Fire Code. Exterior walls constructed of fire resistant materials are recommended, but are not necessarily required.

ATTACHMENT 5

County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
ALVIN D. JAMES, DIRECTOR

0747

Memorandum

Date: March 25, 1999

To: Cathleen Carr

From: Joe Hanna, County Geologist

SUBJECT: Hinman APPL#98-0426

As you requested, we have reviewed the most recent information submitted to the County concerning the Hinman grading and building plans for APN 57-061-16. The primary new information is:

- ADDENDUM GEOLOGIC REPORT By Rogers E. Johnson dated February 16, 1999, and
- GEOTECHNICAL INVESTIGATION FOR THE STEELE RANCH PROPERTY DATED FEBRUARY 1999 By Steven Raas and Associates dated February 1999, and
- PRELIMINARY GRADING PLAN By February 1999 By Robert de Witt and Associates

We have also had several discussions with the geologist concerning the subject site's proposed development and have met with the geologist in the field to come to a common understanding of the geology.

Of primary concern in the first review was the re-locating of the structure away form the a landslide where a deep excavation is required to remove the landslide to. provide a stable building site. This work required significant heroic grading which conflicted with County Code making this particular site less likely to be approved. To avoid these code problems, the proposed location has now been changed and is now approximately where the geologist identified a "fault" in the initial engineering geologist report. The geologist has now re-studied this fault and has determined that the fault feature is actually a small gravity related fracture that which does not poses a significant constraint to development.

Moving the proposed home site has also reduced the amount of grading from close to one hundred thousand cubic yards of earth movement to less that three thousand.

ATTACHMENT 8

Correspondingly to the reduction in grading, the amount of site disturbance has been reduced, and the possibility off-site impacts has been significantly reduced. Further the grading is now clearly feasible and requires only standard grading practices.

ATTACHMENT 5

The project must be conditioned for a grading permit and geotechnical report review at the time of the building permit. A engineered drainage plan should be submitted as part of that grading permit application and the geotechnical engineer and engineering geologist must approve the plans and site staking prior to the start of grading. A final letter must be obtained at the completion of construction that confirms that all of the requirements of the reports have been completed.

ATTACHMENT 8

ROGERS E. JOHNSON & ASSOCIATES
CONSULTING ENGINEERING GEOLOGISTS
1729 Seabright Avenue, Suite D
Santa Cruz, California 95062
Bus. (831) 425-1288
Fax. (831) 425-1136

3-49

March 19, 1999

Mr. Brian L. Hinman
37 Broadway
Los Gatos, California 95030

Job No. G96025-06

Re: Review of Geotechnical Report, Preliminary Grading Plan, and Architectural Plans
Hinman Property ("Steele Ranch"), APN 057-06 1- 16
Santa Cruz County, California

Dear Mr. Hinman:

As required by the Santa Cruz County Planning Department, we have reviewed the following documents pertaining to the proposed development on the subject property:

1. "Geotechnical Investigation for Steele Ranch Property, APN 057-06 1- 16, Santa Cruz County, California," by Steven Raas and Associates (February 18, 1999).

2. Preliminary grading plan (including drainage and erosion control) by Robert L. DeWitt & Associates (6 sheets, February 1999).

3. Architectural plans by Kirk E. Peterson & Associates (14 sheets, February 24, 1999).

In addition to reviewing these documents for consistency with our geologic recommendations, our current scope of services has included discussions with Daleth Foster of Steven Raas and Associates (project geotechnical engineers); Kirk Peterson (project architect); Martha Shedden of Robert L. DeWitt and Associates (project civil engineers); and Betty Cost of Richard Beale Land Use Planning (project planners). We also revisited the site on March 16, 1999 to facilitate our review.

Geotechnical Report

The geotechnical report is consistent with the conclusions and recommendations of our Addendum to Geologic Report (Johnson and Associates, February 16, 1999).

Preliminary Grading Plan.

The preliminary grading plan is in general conformance with our geologic recommendations, subject to the following conditions:

1. The proposed homesite grading, in conjunction with a soldier pile wall (or structural equivalent) above the pool/spa terrace, is in conformance with Recommendation 4 of our Addendum Report, provided that the soldier pile wall meets with the approval of the project geotechnical engineer. At the present time the design of this wall has not been specified.

2. The proposed driveway alignment depicted on Sheets P2 and P3 is in conformance with Recommendation 3 of our Addendum Report, except near Station 22+80 (see Point 3 below). We have not investigated the existing access road shared by the subject property and the neighboring parcel to the south (see Sheet P1).

3. The proposed driveway near Station 22+80 (Sheet P2) lies within 35 feet of a shallow, dormant debris slide scar at the break in slope to the southeast (roughly between the 48" pine and 14" madrone depicted on the plan). The toe of the proposed outboard fill wedge lies within 25 feet of this feature. Site drainage should not be allowed to discharge into this area. The slide should be monitored for signs of reactivation and progressive headward retreat throughout the lifetime of the development. If this occurs, the slide may have to be repaired, or a retaining wall built at the toe of the fill wedge, or both. These mitigations can be specified at a later date, if and when they become necessary.

4. Drainage control for the homesite has not been specified on this preliminary version of the grading plan, except for two schematic energy dissipators below the retaining wall at elevation 484 (see Sheet P2). We request the opportunity to review the final drainage control plan when it becomes available. Our office will assist the project civil engineers, as necessary, in selecting drainage discharge points that will not contribute to slope erosion or instability. The discharge points will also be contingent, in part, on the final location of the proposed leach field (not depicted on the grading plan).

5. Drainage control along the driveway is shown schematically on Sheet P3 with six energy dissipators at intervals. The actual discharge points should be approved in the field by the project geotechnical engineer and/or project geologist prior to construction. Of particular concern is the highest dissipator, between Stations 21+00 and 22+00, which if misplaced would direct runoff toward a dormant erosional scar along the break in slope to the southeast. (On Sheet P2, this erosional scar lies between the 33" pine and 35" pine). Careful placement of the dissipator will avoid exacerbating erosion in this area.

Architectural Plans

The architectural plans are in general conformance with our geologic recommendations, subject to the following conditions:

1. The project geotechnical engineer should approve the foundation for the proposed residence when those design details become available.

2. The proposed generator house depicted on Sheet A2 lies within 35 feet of a dormant erosional scar along the break in slope to the southeast (near the 33" pine). Site drainage should not be allowed to discharge in this area. The erosional scar should be monitored for signs of reactivation throughout the lifetime of the development. If this occurs, erosion control measures should be implemented as necessary to protect the generator house. Alternatively, this structure could be shifted 25 feet to the west, along contour, to establish a SO-foot setback from the break in slope. Wherever the generator house is located, its position should be coordinated with the placement of the nearest upslope drainage dissipator for the driveway.

If you have any questions, please contact us at your earliest convenience.

Sincerely,

ROGERS E. JOHNSON & ASSOCIATES

Alan 0. Allwardt
Project Geologist
R.G. No. 5520

Rogers E. Johnson
Principal Geologist
C.E.G. No. 1016

AOA/REJ/cjr

copies: Addressee
Richard Beale Land Use Planning, attn: Betty Cost (4)
Robert L. DeWitt and Associates, attn: Martha Shedden
Kirk E. Peterson and Associates
Steven Raas and Associates, attn: Daleth Foster

Steven Raas & Associates, Inc.
CONSULTING GEOTECHNICAL ENGINEERS
444 AIRPORT BOULEVARD, SUITE 106 WATSONVILLE, CA 95076
(831) 722-9446 FAX (831) 722-9158
E-MAIL:srai@pacbell.net

98142-SZ15-A51
March 18, 1999

Brian Hinman
C/O Richard Beale, Land Use Planning Inc.
100 Doyle Street, Suite E
Santa Cruz, CA 95062

Subject: Plan Review of Preliminary Grading Plans
Steele Ranch Property
APN 057-061-16
Santa Cruz County, California

Dear Mr. Hinman,

At the request of Richard Beale we have reviewed the preliminary grading plans prepared by Robert DeWitt and Associates, signed and stamped March 3, 1999. The preliminary grading plans appear to be in general conformance with the recommendations contained in our Geotechnical Investigation dated February 18, 1999.

Final grading plans should include drainage details and discharge locations for retaining wall drains, roof drains, area drains and roadway drains. Additionally, we would like to review estimated discharge quantities at each discharge point to help determine appropriate locations for outflow so as to minimize the potential for slope erosion and/or failures,

If you have any questions, please call our office.

Very truly yours,

STEVEN RAAS & ASSOCIATES, INC.

Steven M. Raas
Principal Engineer
G.E. 2039
Exp. 6/30/02

Daleth Foster
Senior Engineer
C.E. 57965
Exp. 6/30/02

G:\USERS\DF\JOBS\98142\PRL.DOC
Copies: 3 to Richard Beale, Land Use Planning Inc.
1 to Brian Hinman
1 to Robert L. DeWitt and Associates, Attn: Martha Shedden
1 to Rogers E. Johnson and Associates, Attn: Alan Allwardt
1 to Kirk Peterson and Associates, Attn: Kirk Peterson

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ATTACHMENT 9

ATTACHMENT 5

ROGERS E. JOHNSON & ASSOCIATES
CONSULTING ENGINEERING GEOLOGISTS
1729 Seabright Avenue, Suite D
Santa Cruz, California 95062
Bus. (831) 4251288
Fax. (831) 425-I 136

0353

25 May 1999

Job No. G96025-06

Mr. Brian L. Hinman
37 Broadway
Los Gatos, CA 95030

Re: Review of Revised Sewage Disposal Plan
Hinman Property ("Steele Ranch")
APN 057-061-16
Santa Cruz County, California

Dear Mr. Hinman:

We have reviewed the revised Sewage Disposal Plan for the subject property by Environmental Concepts (April 27, 1999). This plan is in general conformance with our geologic recommendations (Johnson and Associates, February 16, 1999).

Please Call if you have any questions,

Sincerely,

ROGERS E. JOHNSON & ASSOCIATES

Alan 0. Allwardt
Project Geologist
R.G. No. 5520

Rogers E. Johnson
Principal Geologist
C.E.G. No. 1016

AOA/REJ/cjr

copies: Addressee
Richard Beale LUP, attn: Betty Cost (4)
Robert L. DeWitt and Associates, attn: Martha Shedden
Kirk E. Peterson and Associates
Steven Raas and Associates, attn: Daleth Foster
Environmental Concepts, attn: Julie Mabie

ATTACHMENT 9

ATTACHMENT 5

Hinman Property
(Año Nuevo House)
Biotic Assessment

Preparedfor:

Mr. Robert Hughes
The Building Works

Prepared by:

The Habitat Restoration Group
Attn: Kathleen Lyons

817-01

May 20, 1997

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ATTACHMENT 10

ATTACHMENT 5

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Appendix

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INTRODUCTION

The Hinman property is located in northern Santa Cruz County, east of Highway 1 near Año Nuevo State Reserve. The property abuts Steele Ranch. The site is proposed for a single family residence.

An assessment of the biotic resources within the Hinman property was conducted by The Habitat Restoration Group (HRG) in fall 1996 and April 1997 for Mr. Robert Hughes of The Building Works. The focus of the assessment was to identify sensitive biotic resources within the proposed development area ("the Año Nuevo House"), as depicted on the rough grading plan (DeWitt and Associates, dated March 1997).

Specific tasks conducted for this study include:

- Characterize and map the major plant communities within the proposed development area;
- Identify sensitive biotic resources, including plant and wildlife species of concern and native trees, within the proposed development area, and
- Evaluate the potential effects of the proposed land uses on sensitive biotic resources and recommend measures to avoid or reduce such impacts,

EXISTING BIOTIC RESOURCES

METHODOLOGY

The biotic resources of the Hinman property were assessed through literature review and field observations. The site was surveyed on two days: in fall 1996 and April 1997. The major plant communities on the site, based on the classification system developed in Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland, 1986), were identified during the field reconnaissance visits. The communities within the proposed development area, including the proposed driveway, were mapped onto the project base map (Figure 1 and Plan Sheet A).

To assess the potential occurrence of special status biotic resources, two electronic data bases were accessed to determine recorded occurrences of sensitive plant communities and sensitive species. Information was obtained from the California Native Plant Society's (CNPS) inventory (Skinner & Pavlik, 1994), CNPS Electronic Inventory (1996), and. California Department of Fish & Game's (CDFG) RareFind database (CDFG, 1996) for the Año Nuevo and Franklin Point U.S.G.S. quadrangles. The location of native trees, and the extent of their dripline, within the proposed development area were noted and are depicted onto the project base map (Figure *2* and Plan Sheet B). Plant and wildlife species observed on the site during the 1996 and 1997 site visits are listed in Appendix A and B, respectively.

This report summarizes the findings of the reconnaissance-level biotic assessment. The potential impacts of the proposed development (i.e., single family residence) on sensitive resources are discussed below. Measures to reduce significant impacts to a level of insignificance are recommended, as applicable.

EXISTING BIOTIC RESOURCES

Six plant communities were observed on the Hinman property: non-native grassland, coyote brush scrub, Monterey pine forest, native grassland, freshwater marsh, and riparian woodland. Three of these communities (i.e., non-native grassland, coyote brush scrub and Monterey pine forest) occur within the proposed development area, as depicted on Figure l and Plan Sheet A.

Non-Native Grassland

The grassland on the majority of the property is dominated by annual, non-native grass species. This grassland type is prevalent throughout much of the property, including portions of the development area (Figure 1).

The dominant plant species are non-native and include: wild oat (*Avena barbata), soft* chess (*Bromus mollis*), plantain (*Plantago lanceolata*), common *flax* (*Linum usitatissimum*), common catchfly (*Silene gallica*), and dandelion (*Taraxacum officinale*). Native species are comprised of California poppy (*Eschscholtzia californica*), blue-eyed *grass* (*Sisyrinchium bellum*), soap root (*Chlorogalum*

ATTACHMENT 5

0359

FIGURE 1

The Habitat Restoration Group

Development Area
Plant Community Map

LEGEND
- Monterey Pine Forest
- Coyote Brush Scrub
- Non-native Grassland
- NNG

Scale: 1" = 20'

NORTH

Project No. 817.01

Date 4/97

Sheet of

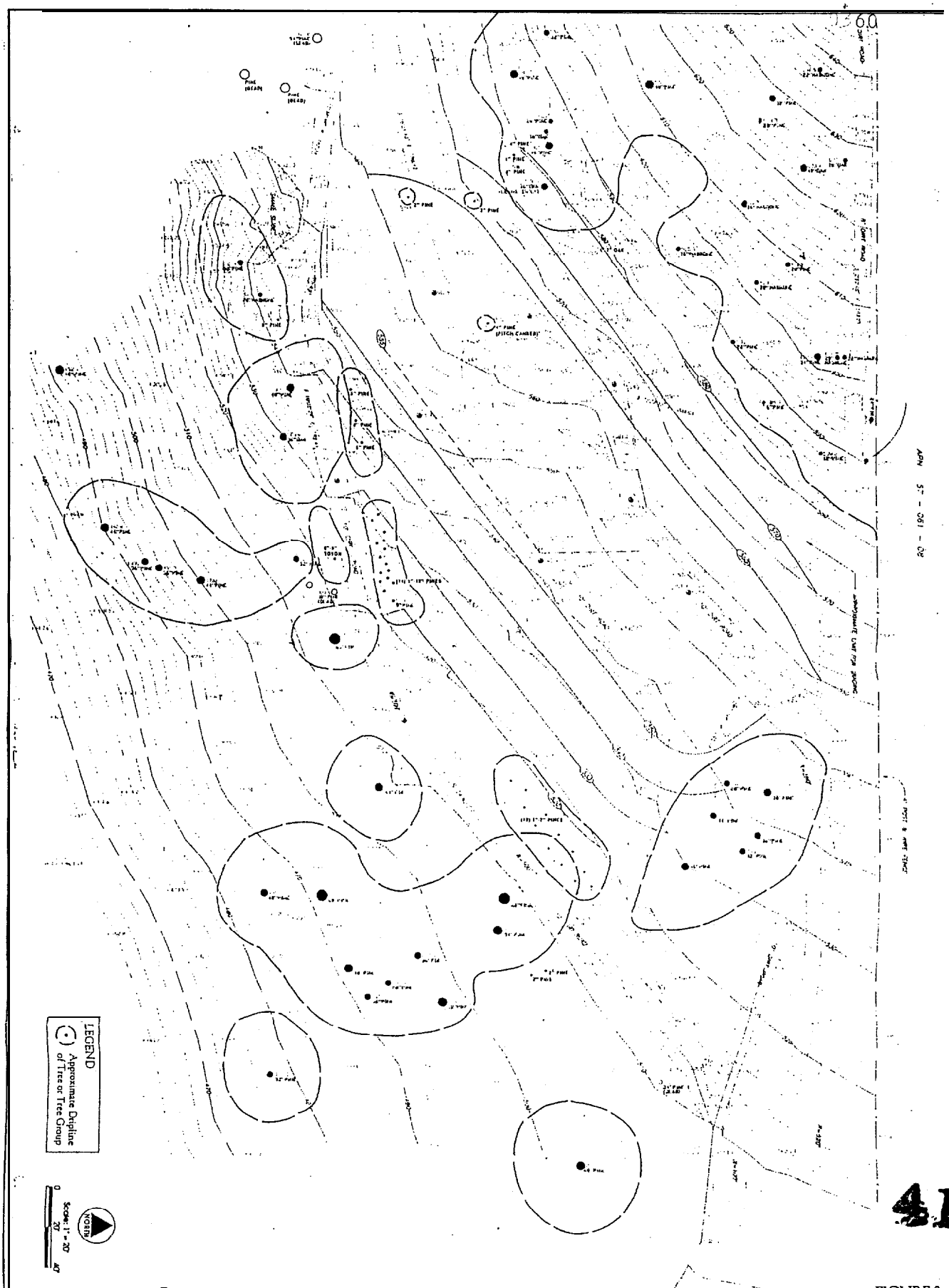
NNG

TO OAKWOOD STUDY LIMITS

TO CODE VALLEY OUTFALL

TO OAKWOOD DRIVE

ATTACHMENT 10



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ATTACHMENT 6

FIGURE 2

The Habitat Restoration Group
P.O. Box 6006 • 6180 Highway 9 • Felton, CA 95018
Telephone (408) 335-6800 • Fax (408) 335-6810

Development Area
Tree Assessment

NO	Revisions	Scale	Sheet
4		1" = 20' - 0"	
3		Project No. 817-01	
2			of
1		Date 4/97	

pomeridiamrm), hedgenettle *(Stachys* sp.), corymbose tarweed (*Hemizonia corymbosa*), and sanicle (*Sanicula* sp.).

The non-native grassland **is** used by a wide variety of wildlife species and provides an important foraging resource. The grasses and forbs provide an abundance of seeds and attract insects, providing food for granivorous and insectivorous wildlife. Sparrows, rabbits and rodents are commonly found in this habitat. Consequently, grasslands are valuable foraging sites for raptors, such as hawks and owls, and other predators including coyote (*Canis latrans*), gray fox *(Urocyon cinereoargenteus),* bobcat (*Lynx rufus*), skunk(s), and snakes. Aerial foraging species also include: swallows and bats. In general, wildlife use of grasslands is highest where an interface between woodland habitats and water sources provides a habitat mosaic supporting more diverse uses.

Wildlife observed in or foraging over the non-native grassland include: western meadowlark (*Sturnella neglecta*), red-tailed hawk (*Buteo jamaicensis),* red-winged blackbird *(Agelaizu phoeniceus*), scrub jay (*Aphelocoma coerulescens*), house finch (*Carpodacus mexicanus*), violet-green swallow *(Tachycineta thalassina*), European starling (*Sturnus vulgaris*), common raven (*Corvus corax*), and band-tailed pigeon (*Columba fasciata*).

Coyote Brush Scrub

The property supports areas of scrub, dominated by coyote brush (*Baccharis pilularis*). Patches of scrub occur throughout the lower portions of the property and within the proposed development area (along the proposed driveway) (Figure 1).

The scrub is characterized by shrubs of coyote brush and poison oak *(Toxicodendron diversilobrrm),* interspersed with Califomia blackberry (*Rubus ursinus*). Grasses and forbs common to the adjacent non-native grassland **also** occur between the shrubs; typical plant species include: wild oat, plantain, soft chess, bracken fern *(Pteridizrm aquilinum*), and blue-eyed grass,

Coyote brush scrub provides important cover and foraging resources for several granivorous and insectivorous wildlife species.

Wildlife species observed within the coyote brush scrub include: Anna's hummingbird (*Calypte anna*), chestnut-backed chickadee (*Parus rufescens*), and Stellar's jay (*Cyanocitta stelleri*). Signs of wild pig (Sus *scrofa)* were also observed within the coastal scrub/ non-native grassland interface.

Monterey Pine Forest

The Monterey pine forest inhabits the upper slopes of the project site. A portion of the forest occurs within the proposed development area, The forest is characterized by the presence of Monterey pine (*Pinus radiata*), a conifer of limited natural distribution. Up to about 10,000 years ago, Monterey pines are thought to have formed dense forests along the coast range. As the climate changed,

however, the pine became restricted to five distinct locations; the populations at Año Nuevo is the most northern natural occurrence of the species. 0362

The pine forest on the Hinman property is comprised of young and older-growth pine trees (2 to 60" in diameter), as well as associated trees species of Douglas fir (*Pseudotsuga menziesii*), madrone (*Arbutus menziesii*), and coast live oak (*Quercus agrifolia*). The understory is dense in some places with California blackberry, bracken fern, poison oak, blue blossom (*Ceanothus thrysiflorus*), California rose *(Rosa californica*), and ocean spray (*Holodiscus discolor).* Open areas amid the pines are also present; these areas are thick with pine needle duff and have scattered herbaceous plants (e.g., Douglas iris and annual grasses).

A few pines within the proposed development area appear infected with pine pitch canker, caused by the fungus *Fusarium subglutinans pini.* This fungus is an aggressive pathogen of pines introduced from southern United States and Mexico and has resulted in significant damage to both naturally occurring and planted pine stands. Most, if not all infected, trees die. There has been some success in preventing infestations and/or prolonging the life of trees by spraying insecticide on the bark to prevent invasion by beetles, proper storage of pine firewood, and proper disposal of tree waste.

Within the Monterey pine forest, the wildlife value varies with the amount of canopy cover and density and diversity of understory plants. In general, wildlife species diversity and abundance is highest where vegetation is highly stratified, offering a greater variety of niches for wildlife. Areas where the forest intergrades with scrub communities create a mosaic that is also highly stratified and of high value to wildlife. A variety of woodland birds utilize Monterey pine forest habitat for nesting, foraging and cover. Raptors such as great horned owls (*Bubo virginianus*), Cooper's hawks *(Accipiter cooperi),* western screech owl (*Otus kennicotti)* and northern pygmy owls (*Glaucidium gnoma)* may also be found nesting in this habitat. Representative mammalian species expected to use this habitat include: broad-footed mole *(Scapanzrs latimanus*), dusky-footed woodrat *(Neotoma fzrscipes),* deer mouse *(Peromysctrs maniculatus*), Virginia opossum *(Didelphis virginiana),* black-tailed deer (*Odocoileus hemionus*), Merriam's chipmunk (*Eutamias merriami),* western gray squirrel (*Sciurus griseus*), bobcat, gray fox, striped skunk *(Mephitis mephitis),* and several bat species. Mountain lions (*Felis concolor*) may also use this habitat.

Snags (standing dead trees) are important resources for cavity-nesting birds, such as woodpeckers, chickadees and wrens, and perching raptors such as hawks and owls. Snags also support wood-boring insects which provide food for bark gleaning insectivorous birds. A pair of turkey vultures *(Cathartes aura)* were observed perching on one of the snags west of the proposed development envelope and four pygmy nuthatches *(Sittapygmaea)* were gleaning insects off of an adjacent snag. Approximately 4 snags are present within or adjacent to the development envelope.

Other important food plants for wildlife are shrubs and vines (e.g., poison oak and blackberry). These plants provide seasonal food such as berries and nuts for many bird and mammal species. Where a dense duff layer is present, moist ground conditions provide habitat for large invertebrate populations, providing prey for insectivores such as shrews and moles.

Wildlife species observed within the Monterey pine forest include: Cooper's hawk, pygmy nuthatch, red-breasted nuthatch (*Sitta canadensis*), California quail (*Callipepla californica*), mourning dove *(Zenaida macroura)*, Anna's hummingbird, northern *flicker* (*Colaptes auratus),* hairy woodpecker *(Picoides villosus*), acorn woodpecker (*Melanerpes* fomicivorous), brown creeper *(Certhia americana),* chestnut-backed chickadee, Hutton's vireo (*Vireo huttoni),* Bewick's **wren** (*Thryomanes bewickii*), American robin (*Turdus migratorius*), California brown towhee *(Pipilo crissalis*), rufous-sided towhee *(Pipilo erythropthalmus*), wrentit *(Chamea fasciata*), European starling, and house finch. Signs of mammals within the Monterey pine forest include black-tailed deer, coyote and striped skunk.

Ripnrian Woodland .

The riparian woodland occurs along the perimeter of the existing farm pond and along a seasonal tributary. This area is adjacent to the existing access road and is outside of the proposed development area. The vegetation is dominated by willow (*Salix* sp.), coast live oak (*Quercus agrifolia*), and scattered madrone and Monterey pine trees. The understory is comprised of California blackberry, California rose *(Rosa californica*), and Douglas iris (*Iris douglasiana*).

One of highest levels of wildlife species diversity and abundance in California is associated with riparian habitats. Factors which contribute to the high wildlife value include: the presence of surface water, the variety of niches provided by the high structural complexity of the habitat, and the abundance of plant growth. Riparian habitat within the study area is used by wildlife for food, water, escape cover, nesting, migration and dispersal corridors, and thermal cover.

A high degree of avian species diversity within the riparian is attributed to dense plant cover and several canopy components. The presence of surface water and ample supply of insects provide a strong foraging base for birds. Bird species observed in the riparian forest during the wildlife surveys conducted in November 1996 and April 1997 include: Allen's hummingbird (*Selasphorous sasin*), Anna's hummingbird (*Calypte anna*), black phoebe *(Sayornis nigricans),* chestnut-backed chickadee (*Parus rufescens*), pacific-slope flycatcher (*Empidonax difficilis*), American robin (*Turdus migratorius*), Wilson's warbler (*Wilsonia pusilla*), Brewer's blackbird (*Euphagus cyanocephalus*), Stellar's jay (*Cyanocitta stelleri),* scrub jay *(Aphelocoma coerulescens*), California brown towhee *(Pipilo fuscus*), song sparrow (*Melospiza melodia*), Bewick's wren (*Thryomanes bewickii),* red-winged blackbird *(Agelaizrsphoeniceus),* and Hutton's vireo *(Vireo huttoni*).

Many mammals inhabit riparian forest habitats and/or use them as migratory corridors between adjacent habitats. Mammals expected to utilize the riparian forest and pond area on the property include: California *vole* (*Microtus californicus*), Botta's pocket gopher (*Thomomys bottae),* western harvest mouse (*Reithrodontomys megalotis*), California pocket mouse (*Perognathus californicus*), deer mouse, California mouse (*Peromyscus californicus*), brush mouse (*Peromyscus boylii*), dusky-footed woodrat, black-tailed jack rabbit (*Lepus californicus*), brush rabbit (*Sylvilagus bachmani*), Audubon's rabbit (*Sylvilagus audobonii*), broad-footed mole, opossum (*Didelphis marsupialis*), Trowbridge's shrew (*Sorex trowbridgii*), raccoon *(Procyon*

lotor), feral cat (*Felis domesticus*), bobcat, gray fox, coyote, long-tailed weasel (*Mustela frenata*), striped skunk *(Mephitis mephitis),* deer, and wild pig.

Herpetofauna inhabiting the riparian forest and pond area seek refuge under downed woody material and small mammal burrbws. Many amphibian and reptilian species depend.on riparian areas for insect foraging, migration, and dispersal corridors from nearby aquatic breeding grounds. Species potentially found within this habitat include: California newt *(Taricha torosa*), ensatina (*Ensatina eschscholtz*), California slender salamander (*Batrachoseps attenuatus*), arboreal salamander (*Aneides lugubris*), western toad (*Bufo boreas*), Pacific tieefrog (*Hyla regilla*), western fence lizard (*Sceloporus occidentalis*), southern alligator lizard (*Gerrhonotus multicarinatus*), Pacific gopher snake *(Pitzrophis melanoleucus*), and western terrestrial garter snake (*Thamnophis elegans*).

Freshwater Marsh and Seeps

The vegetation **in** and around the perimeter of the existing farm pond, as well as nearby hillside areas are comprised of species typical of freshwater marshes and seeps. The freshwater marsh and seeps are located outside of the proposed development area.

The pond vegetation is dominated by stands of cattail *(Typha* sp.) and acute bulrush (*Scirpus acutus var. occidentalis).* Associated plant species include: spreading rush (*Juncus patens*), sedge (*Carex* sp.), common horsetail (*Equisetum arvense*), chain fern (*Woodwardia fimbriata*), tinkers penny (*Hypericum anagalloides*), and willow herb (*Epilobiom ciliatum* ssp. *watsonii*). The seep along the hillside south of the pond also supports a dense growth of rushes and sedges. This area exhibited surface water and/or saturated soils during the April 1997 field survey.

A small seep was observed approximately 200 feet downslope (i.e., west) of the proposed development area. The vegetation is comprised of typical wetland plant species, including iris-leaved rush (*Juncus xiphioides)* and velvet grass (*Holcus lanatus*). Saturate soil conditions were observed during the April 1997 field survey.

The freshwater marsh habitat provides refuge, drinking water, and breeding grounds for a variety of water-dependent wildlife species similar to that described for the riparian woodland. The wildlife value of this wetland habitat is of increasing importance due to the decreasing amount of wetland habitat within California. Emergent vegetation in freshwater marsh habitats provides many bird and amphibian species with dense cover for nesting and breeding. A variety of wildlife species that inhabit other habitats rely on freshwater marshes for drinking water. Freshwater marsh is considered an important breeding and rearing area for several special status species such as the Federally endangered San Francisco garter snake and the Federally threatened California red-legged *frog* (*Rana aurora draytonii*). These species are discussed in further detail **in** the Special Status Wildlife Species section.

The freshwater pond adjacent to the Hinman access road is potential breeding habitat for California red-legged frogs, San Francisco garter snakes, and California tiger salamanders

(*Ambystoma tigrinum californiense*). None of these species were observed during the field reconnaissance but bullfrogs (*Rana catsbeiana*) were present during the April 1997 survey.

Native Grassland

Areas on the property were observed to contain dense stands of native grasses, including purple needlegrass (*Nassella pulchra*) and California oat grass (*Danthonia californica*). These areas are probably remnants of an historic native grassland (i.e., pre-European settlement). The native grassland patches are located outside of the proposed development area amid the non-native grassland and coyote brush scrub.

Wildlife utilization of the native grassland areas is expected to be similar to the adjacent non-native grassland.

SENSITIVE BIOTIC RESOURCES

Sensitive Habitats

Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity. The following plant communities were found within the Hinman property and are considered sensitive habitats according to Santa Cruz County: wetlands (i.e., freshwater marsh and open water), riparian woodlands, native grasslands, and Monterey pine forest.

Only one sensitive habitat, the Monterey pine forest, occurs within the proposed development area. Forty-seven Monterey pine trees were observed within the proposed development area. The trees range in size from less than 2" to over 50" in diameter. There are four dead pine trees within the development area, including several trees that appear to be infested with pitch canker. The location of the trees, including the approximate extent of each tree's dripline, is depicted on Figure 2 (Plan Sheet B).

Special Status Plant Species

Plant species of concern include those listed by either the Federal or State resource agencies as well as those identified as rare by CNPS (Skinner & Pavlik, 1994). The search of the CNPS and CNDDB inventories resulted in nine special status species of concern with recorded occurrences in the Año Nuevo and Franklin Point quadrangles. These species and their status codes are shown in Table 1. **NO** special status species, other than the native Monterey pine tress (discussed previously), were observed within the proposed development area on the Hinman property during the reconnaissance surveys. Due to the lack of suitable habitat within the development area, the occurrence of other special status **species** is not expected.

Table 1. List of Special Status Plant Species with the Potential to Occur or Known to Occur in the Vicinity of the Hineman Property, Santa Cruz County, California

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Common Name	Scientific Name	Status	Suitable Habitat	Observed April 1997
Blasdales Bent Grass	*Agrostis blasdalei*	CNPS.....List 1B State.....none Federal.....FSC	• coastal scrub • coastal prairie • closed cone forest	no
Cloris's Popcorn Flower	*Plagiobothrys chorisianus* var. *chorisianus*	CNPS.....List 3 State.....none Federal.....none	• chaparral • coastal prairie	no
Kelloggs horkelia	*Horkelia cuneata* ssp. *sericea*	CNPS.....List 1B State.....none Federal.....FSC	• closed cone forest • maritime chaparral • coastal scrub	no
Monterey Pine	*Pinus radiata*	CNPS.....List 1B State.....none Federal.....FSC	• closed cone forest	yes
Pt. Reyes Meadowfoam	*Limnanthes douglasii* ssp. *sulphurea*	CNPS.....List 1B State.....CE Federal.....FSC	• coastal prairie • freshwater marshes	no
San Francisco Campion	*Silene verecunda* ssp. *verecunda*	CNPS.....List 1B State.....none Federal.....FSC	• coastal scrub • chaparral • coastal prairie	no
Santa Cruz Clover	*Trifolium buckwestiorum*	CNPS.....List 1B State.....none Federal.....none	• coastal prairie	no
Santa Cruz Microseris	*Stebbinsoseris dicipiens*	CNPS.....List 1B State.....none Federal.....FSC	• closed cone forest • chaparral • coastal prairie	no
Schreibers Manzanita	*Arctostaphylos glutinosa*	CNPS.....List 1B State.....none Federal.....FSC	• closed cone forest	no

CNPS Status:

List 1B: These plants (predominately endemic) are rare through their range and are currently vulnerable or have a high potential for vulnerability due to limited or threatened habitat, few individuals per population, or a limited number of populations. List 1B plants meet the definitions of Section 1901, Chapter 10 of the CDF&G Code.

List 3: This is a review list of plants which lack sufficient data to assign them to another list.

State List:

CE = endangered

Federal List

FSC = Federal species of concern

Special Status Wildlife Species

Species of concern include those listed by either the Federal or State resource agencies as well as those identified as Federal and/or State species of special concern. The text below summarizes the current status and occurrence of sensitive wildlife species that are known or potential users of the Hinman property area; these species are also listed on Table 2. 0367

Three Federal and State species of special concern were considered as potentially occurring on or near the property: California red-legged frog, southwestern pond turtle (*Clemmys marmorata marmorata*), and San Francisco garter snake (*Thamnophis sirtalis tetrataenia).*

California Red-Legged Frog (*Rana aurora draytonii*). The Federally-listed threatened California red-legged frog, inhabits quiet ponds, marshes and streams with dense emergent vegetation, such as cattails. This frog is active year round and exhibits little movement away from aquatic environments. Reproduction occurs between January and July with peak activity in February. Clusters of eggs are attached to emergent vegetation 7 to 15 cm below the surface. After 6 to 14 days, eggs hatch and metamorphosis occurs within 3.5 to-7 months later. Sexual maturity is not reached until 3 to 4 years and their life span is approximately 8 to 10 years, The reduction in geographic distribution can be attributed to habitat destruction and alteration, overexploitation and introduction of exotic predators (e.g., bullfrogs). A perennial wetland area abuts the existing access road on the western border of the property. Although no California red-legged frogs **were** observed during the reconnaissance survey, the wetland provides suitable habitat for this species.

San Francisco Garter Snake (*Thamnophis sirtnlis tetrataenia*). The San Francisco garter snake is a Federally and State listed endangered species. The San Francisco garter snake (SFGS) is found in San Mateo County and at Waddell Creek in northern Santa Cruz County. Two known populations of SFGS are located in Pilarcitos Creek in Half Moon Bay and in Denniston Creek, north of the project site (CNDDB, 1996). Primary habitat for the SFGS is comprised of marshy areas bordering freshwater ponds, lakes, and reservoirs with dense emergent vegetation. The SFGS spends much of its time seeking refuge within dense vegetation and the water, feeding on amphibians, and avoiding predation. Secondary habitat for this species include: grasslands near ponds and riparian habitat along creek corridors, but only if primary habitat is nearby.

The primary food sources for the SFGS is the California red-legged frog, but the Pacific tree frog, western toad, and California newt may also be taken. Similar to most reptiles, the SFGS is most active during the spring and summer and is relatively inactive during the fall and winter. Mating occurs in the fall and spring, but primarily during warm days in March. Young are born sometime during July or August.

No San Francisco Garter Snakes were observed on the project site but suitable primary and secondary habitat appear present near the pond and adjacent grasslands on the property.

Table 2. List of Special Status Wildlife Species with the Potential to Occur or Known to Occur in the Vicinity of the Hinmnn Property, Santa Cruz County, California

Common Name	Scientific Name	Status	Observed April 1997
California Red-Legged Frog	*Rana aurora draytonii*	State .....SCS Federal.....FT	no
San Francisco Garter Snake	*Thamnophis sirtalis tetrataenia*	State .....CE Federal.....FE	no
Southwestern Pond Turtle	*Clemmys marmorata marmorata*	State .....SCS Federal.....FSC	no
California Tiger Salamander	*Ambystoma tigrinum californiense*	State .....SCS Federal.....FSC	no
Yellow Warbler	*Dendroica petechia*	State .....SCS Federal..... none	no
Cooper's Hawk	*Accipiter cooperi*	State .....SCS Federal..... none	yes

State List:

CE = State-listed as endangered
SCS = State species of concern

Federal List

FSC = Federal species of concern
FT = Federally listed as threatened
FE = Federally listed as endangered

Southwestern Pond Turtle (*Clemmys marmorata marmorata*). Southwestern pond turtles are a Federal and State species of special concern. Southwestern pond turtles are found in ponds, marshes, rivers, streams, and irrigation ditches containing aquatic vegetation. They are usually seen sunning on logs, banks, or rocks near banks. They nest in burrows which can be up to several hundred feet away from river or pond banks and may therefore be found in woodlands,- grasslands, and in open forest. Eggs are laid April to **August** although time varies with locality.

No turtles were observed in the pond during the November 1996 or **April 1997; however,** the area may provide suitable habitat for this species.

California Tiger Salamander (*Ambystoma tigrinum californiense*). The California tiger salamander is a State species of special concern. The tiger salamander **is** most commonly found in low elevation annual grassland habitat and breeds in seasonal ponds or pools where predatory fishes are absent. Since they are probably poor burrowers, tiger salamanders require dry-season refuge sites adjacent to breeding grounds where California ground squirrel (*Spermophilus beecheyi*) and Botta's pocket gopher (*Thomomys bottae*) burrows are present.

No California tiger salamanders were observed in/or near the pond or adjacent grasslands during the November 1996 and April 1997 surveys, but these habitats may provide suitable habitat for this species.

Yellow Warbler (*Dendroica petechia*). **The yellow warbler** is a State species of special concern. Yellow warblers **are** common during spring and fall migration in central California, and uncommon to locally fairly common during the breeding season. Breeding pairs are closely associated with. open canopy riparian habitat along streams and lakes, and are most numerous where substantial areas of riparian habitat remain along major creeks and rivers. A variety of riparian trees are used during foraging, but habitats with willows and cottonwoods or willows and sycamores, with **dense** undergrowth, seem to be favored. Outside the breeding season, this species may occur in **a variety** of habitats, but is still most numerous in riparian habitats. Yellow warblers are much reduced in numbers over much of their California breeding range, largely due to loss of riparian habitat and nest parasitism by the brown-headed cowbird.

The yellow warbler' s diet consists of spiders and insects, which it gleans from understory vegetation and the canopies of deciduous trees. Yellow warblers are relatively numerous in good riparian habitat **(in** Santa Cruz County), preferring willows and cottonwoods for *nest* trees. Nests are constructed low in trees, typically from 2 to 12 feet above the ground. Suitable habitat may occur around the existing pond, however nesting was not observed during the 1997 reconnaissance.

Cooper's Hawk(*Accipiter cooperi*). The Cooper's hawk is a State species of special concern. Cooper's hawks prefer forested habitats in mountainous regions, but also use riparian woodlands. Coopefs hawks build **stick;** the local breeding season probably spans March/April through July. Cooper's hawks are uncommon migrants and winter visitors. Migrant and wintering individuals occur in *a* variety of habitats, including oak woodland, conifer and mixed broadleafforests, grasslands, residential areas and riparian woodland. Habitat destruction and falconry practices have been attributed to this species' decline in California.

Potentially suitable wintering habitat for Cooper's hawks occurs throughout the site, One Cooper's hawk was observed flying over the proposed development area during the November 1996 survey.

IMPACTS AND MITIGATION DISCUSSION

IMPACT CRITERIA

The thresholds of significance presented in Appendix VI of the Guide to the California Environmental Quality Act (CEQA) were used to evaluate project impacts and to determine if the proposed development of the single family residence pose significant impacts to biological resources. For this analysis, **significant** impacts are those that substantially affect either:

- A **species** (or it's habitat) listed or proposed for listing by State or Federal governments as rare or endangered (i.e., California red-legged, frog, San Francisco garter snake);
- Breeding/nesting habitat for a State species of special concern (i.e., southwestern pond turtle);
- A plant considered rare **(i.e.,** List 1B) by CNPS (i.e., Santa Cruz clover);
- A habitat regulated by State or Federal law (i.e., riparian, wetlands); or
- **A** habitat recognized as sensitive by Santa CNZ County (i.e., riparian, wetlands, Monterey pine forest).

Impacts were not considered significant to vegetation communities or habitats species (i.e., non-native grassland, coyote brush scrub) that are not protected, are generally common, and do not support listed candidate or special concern.

POTENTIAL IMPACTS AND MITIGATION MEASURES

The proposed residential development was evaluated as to potential direct and indirect impacts to sensitive biotic resources. Examples of direct impacts are the removal of habitat for driveway improvements and house construction. Examples of indirect impacts include: disturbance to biotic resources from increased human uses on the property (e.g., noise, lighting, or discharge of residential development run-off into natural areas).

Measures are recommended to reduce impacts from the proposed residential development, including: design the development in a manner that minimizes and mitigates impacts to native Monterey pine tress and use of native plant species in landscaping. Resource management actions are also recommended for the preservation of the Monterey pine forest as mitigation for potential indirect impacts. Measures include: the removal of invasive non-native plant species, removal of diseased pines, and long-term management of the forest.

Potential Impact. Direct and Indirect Impacts to Monterey Pine Forest. Development of the single family residence will remove thirty-two (32) native Monterey pine trees, ranging in size from 2 to 28" in diameter. Two of the small pines appear infected with pine pitch canker. The development will also remove two coast live oak trees (2" and 28" in diameter).

Project grading will also occur within the dripline of four trees (one coast live oak and three pines). Seven trees may be affected by lirnbing to provide road clearances (five pines, one Douglas fir, and one

madrone). Both grading and tree limbing activities may adversely affect tree health and vigor. Liibing of the pines may increase the trees potential to become infected by pine pitch canker and lead to tree mortality.

Two drainage culverts (with rock dissipaters) are proposed downslope of the loop road. The southernmost culvert is directed at a grove of Monterey pines. Changes in drainage around these trees may adversely affect tree health and vigor, increasing the potential for infection by pine pitch canker and tree mortality.

As-the native Monterey pine forest is recognized as a sensitive habitat by Santa Cruz County and CDFG, direct and indirect impacts to pine trees (and associated habitat) are considered significant, yet mitigable, impacts.

Recommended Mitigation. Project grading should minimize removal of the Monterey pine forest to the greatest extent feasible. If feasible, the roads and development envelope should be relocated to minimize removal of trees and grading, cut, and fill under the driplines of existing trees. The dripline is considered to be the distance of the trunk to the outer edge of the foliage;

For retained trees within 30 feet of road construction, utility trenching or rough grading for home construction, the trees should be protected by the placement of 6-foot high plastic construction fencing along the outside edge of the dripline of the tree or grove of trees. The fencing should be maintained throughout the site preparation period and should be inspected periodically **for** damage and proper functioning.

For construction activities occurring within the dripline of any of the retained trees, the following construction guidelines should be implemented. It is recommended that a consulting arborist serve as a site inspector during the phases of construction that may affect tree health.

(i) In order to reduce root damage, construction activities should minimize grading, filling, or other type of soil disturbance within the dripline of the tree. The most critical zone is within 10 feet of the tree trunk.

(ii) If 1/3 or more of the roots are disturbed, the injured tree should **be** watered so that the ground **is** soaked to a depth of 18 inches, extending outward to the dripline of the tree.

After the construction period is over, retained trees that were adjacent to construction activities (road or home construction activities within the dripline of the tree) should be monitored yearly during the summer for five years. The monitoring should be conducted by a certified arborist or qualified botanist or horticulturist. A data sheet for tree monitoring should be used. The health of the trees should be evaluated, and recommendations made, as appropriate. The occurrence of pine pitch canker should also be assessed on a yearly basis. Monitoring reports should be submitted to the County on a yearly basis.

Trees that have been removed by construction or display severe decline (following construction), or are infected with pine pitch canker should be removed and replaced with a tree of the same species at a minimum of 1: **1** ratio (1 tree planted for each tree that dies or is removed by construction activities).

Stock needs to be grown from seeds that have originated at the project site, preferably with a similar soil type, elevation, and exposure to maintain the local gene pool. This is particularly critical for replacement of the Monterey pines.

Any landscaping near or within the Monterey pine forest, yet outside of home development envelope, should consist of plant materials that are compatible with the existing vegetation. Tree plantings shall be limited to native species already present at the project site, and shall use container stock grown from propagation materials collected on-site. Container stock may be contract grown at a local native plant nursery that specializes in native species.

There should be minimal planting under the dripline of the native trees, and the natural leaf mulch or duff on the ground under the tree dripline should not be removed. This organic material conserves water, provides nutrients, improves soil structure, decreases soil pH, and moderates soil temperature.

In general, no summer watering will be done within six feet of oak or pine tree trunks. Fungal root diseases of oaks, including oak root fungus and crown rot, are favored by warm moist conditions. Changes in drainage that affect the microclimate of the pines may also stress the pine trees. Stressed trees attract bark beetles and they may become infected with pitch canker.

Pruning of pine trees should follow the guidelines developed by the California Department of Forestry. These guidelines include: the use of sterilized tree pruning equipment, burying or burning of tree waste, and/or fumigation of infected debris. The landowner should consult with a qualified arborist regarding pruning Monterey pines and/or disposal of Monterey pine debris.

Long-term management of the Monterey pine forest around the proposed development area is also recommended. Management actions should include: the periodic removal of invasive, non-native plant species (e.g., French/Scotch broom, acacia, pampas grass, star thistle) and periodic assessment and treatment of pine trees infected with pine pitch canker. Management of the pine forest around the house site and adjacent areas will help to reduce the spread of this disease. The landowner may also wish to voluntarily participate in a multi-parcel forest management program, wherein pine forest management practices (e.g., the use of prescribed fire) could be investigated and implemented.

ATTACHMENT 5

LITERATURE CITED AND REFERENCES

California, State of, Department of Fish & Game. 1996. Designated Endangered, Threatened or Rare Plants and Candidates with Official Listing Dates,

California, State of, Department of Fish & Game, 1996. Natural Diversity Data Base, Natural Communities. 1996 Rarefind program.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. La Roe. 1979. Classification of Wetlands and Deepwater Habitats of the United States. FWS/OBS-79-3 1. U.S. Fish & Wildlife **Service,** Office of Biological Services, Washington, DC.

Hickman, J. 1993. The Jepson Manual Higher Plants of California. Berkeley: University of California Press.

Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. CDFG Unpublished report, October 1986.

Reed, P. 1988, National List of Plant Species that occur in Wetlands: California. USFWS Biological Report 88(26.10), May 1988.

Skinner, M.W. and B.M. Pavlik. 1994. California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California. CNPS Special Publication No. 1 (Fifth Edition).

APPENDIX A

Vascular Plant Checklist - Hinman Property - APN 57-061-16
(Species observed on April 22, 1997)

APPENDIX A

Vascular Plant Checklist - Hinman Property - APN 57-061-16[1,2]*
(Species observed on April 22, 1997)

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FERNS AND FERN ALLIES

BLECHNACEAE
Woodwardia fimbriata (giant chain fern)

DENNSTAEDTIACEAE
Pteridium aquilinum var. *pubescens* (bracken fern)

EQUISETACEAE
Equisetum arvense (common horsetaii)

POLYPODLACEAE
Polypodium californicum var. *californicum* (California polypody)

CONIFERS

PINACEAE
Pinus radiata (Monterey pine)
Pseudotsuga menziesii (Douglas fir)

TAXODIACEAE
Sequoia sempervirens (coast redwood)

FLOWERING PLANTS-DICOTS

ANACARDIACEAE
Toxicodendron diversilobum (poison oak)

APIACEAE
Sanicula sp. (sanicle)

ASTERACEAE
Achiliea borealis (yarrow)
Anaphalis margaritacea (pearly everlasting)
Baccharis pilularis (coyote brush)
Carduus pycnocephalus * (Italian thistle)
Gnaphalium sp. (everlasting)
Hemizonia corymbosa (corymbose tarweed)
Taraxacum officinale * (dandelion)

CARYOPHYLLACEAE .
Silene gallica * (common catchfly)

CUCURBITACEAE
Marah fabaceus (California man-root)

ERICACEAE
Arbutus menziesii (madrone)

FABACEAE
Lotus formosissimus (coast hosackia)

FAGACEAE
Quercus agrifolia (coast live oak)

HYPERICACEAE
Hypericum anagafloides (tinker's penny)

LAMIACEAE
Stachys sp. (hedge nettle)

LINACEAE
*Linum usitatissimum** (common flax)

ONAGRACEAE
Camissonia ovata (sun cup)
Epiiobirrm ciliatum ssp. *watsonii* (Watson's ciliate willow herb)

PAPAVERACEAE
Eschscholtzia californica (California poppy)

PLANTAGINACEAE
*Plantago lanceolata** (English plantain)

POLYGONACEAE
Polygonum sp. (water smartweed)
*Rumex acetosella** (sheep sorrel)

PRIMULACEAE
Anagallis arvensis * (scarlet pimpernel)

RHAMNACEAE
Ceanothus thyrsiflorus (blue blossom)

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ROSACEAE
Heteromeles arbutifolia (toyon)
Holodiscus discolor (ocean spray)
Rosa californica (California rose)
Rubus ursinus (creeping blackberry)

SALICACEAE
Salix laevigata (red willow)

SCROPHULARIACEAE
Mimulus aurantiacus (sticky monkey-flower)
Scrophularia californica ssp. californica (California figwort)

SOLANACEAE
Solanum douglasii (Douglas' nightshade)

FLOWERING PLANTS - MONOCOTS
ARACEAE
Zantedeschia aethiopica (Calla lily)

CYPERACEAE
Carex sp. (sedge)
Cyperus eragrostis (eragrostoid cyperus)
Scirpus acutus var. *occidentalis* (acute bulrush)

IRIDACEAE
Iris douglasiana (Douglas' iris)
Sisyrinchium bellum (blue-eyed grass)

JUNCACEAE
Juncus effusus var. *brunneus* (common rush)
Juncus patens (spreading rush)
Juncus xiphioides (Iris-ieaved rush)

LILIACEAE
Allium unifolium (single-leaved onion)
Chlorogalum pomeridianum var. *divaricahrm* (Indian soap root)

POACEAE
Avena barbata * (slender wild oat)
*Bromus diandrus** (ripgut grass)
*Bromus hordeaceus** (soft chess)
Danthonia California var. *americana* (American oatgrass)
Festuca arundinacea (tall fescue)
*Holcus lanatus** (velvet grass)
Lolium perenne * (perennial ryegrass)
Nassella pulchra (purple needlegrass)

0377

TYPHACEAE
Typha sp. (cattail)

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[1] Special status plants (RTE's) appear in bold type (Skinner & Pavlik, 1994).
[2] Nomenclature from Thomas (1961) with Jeuson Manual updates (Hickman 1993); common names according to Hickman (1993), Abrams (1923, 1944, 1951), Abrams & Ferris (1960), and Bailey (1973).
* Non-native species.

APPENDIX B

WILDLIFE SPECIES OBSERVED OR PREDICTED TO OCCUR IN THE HINMAN PROPERTY PROJECT SITE/STUDY AREA

APPENDIX B

WILDLIFE SPECIES OBSERVED OR PREDICTED TO OCCUR N THE HINMAN PROPERTY PROJECT SITE/STUDY AREA

0579

KEY:

0 - Wildlife species or their signs observed in the study area.
P - Wildlife species expected to occur in the study area.
P? - Wildlife species which may occur in the study area, but information on this species occurrence in the study region is incomplete or lacking.
n - Bird species known or suspected to nest in the study area.
a - Bird species known or expected to occur in the study area primarily as aerial transients.
* - Bird species recorded only very rarely in the study area (i.e., fewer than five times in the last ten years).

CLASS: AMPHIBIA

ORDER: CAUDATA (Salamanders)

FAMILY: AMBYSTOMATIDAE (Mole Salamanders and Relatives)	
California Tiger Salamander *(Ambystoma tigrinum californiense)*	P
Pacific Giant Salamander *(Dicamptodon ensatus)*	P
FAMILY: SALAMANDRIDAE (Newts)	
Rough-skinned *Newt (Taricha granulosa)*	P
California *Newt (Taricha torosa)*	P
FAMILY: PLETHODONITDAE (Lungless Salamanders)	
Ensatina (*Ensatina eschscholtzi*)	P
California Slender Salaniander *(Batrachoseps attenuatus)*	P
Black Salamander (*Aneides flavipunctatus*)	P
Arboreal Salamander (*Aneides lugubris*)	P

ORDER: SALIENTIA (Frogs and Toads)

FAMILY: BUFONIDAE (True Toads)	
Western Toad (*Bufo boreas*)	P
FAMILY: HYLIDAE (Treefrogs and Relatives)	
Pacific Treefrog (*Hyla regilla*)	P
FAMILY: RANIDAE (True Frogs)	
California Red-legged Frog (*Rana aurora draytoni*)	P
Bullfrog (*Rana catesbeiana)*	0

CLASS: REPTILIA

ORDER: TESTUDINESS (Turtles) 0380

FAMILY: EMYDIDAE (Pond and Marsh Turtles)
Western Pond Turtle *(Clemmys marmorata)* P

ORDER: SQUAMATA (Lizards and Snakes)

SUBORDER: SAURIA (Lizards)

FAMILY: IGUANIDAE (Iguanids)
Western Fence Lizard *(Sceloponn occidentalis)* P
Coast Horned Lizard (*Phrynosoma coronatum*) P
FAMILY: SCINCIDAE (Skinks)
Western Skink (*Eumeces skiltonianus*) P
FAMILY: TEIIDAE (Whiptails and Relatives)
Western Whiptail *(Cnemidophonu tigris)* P
FAMILY: ANGUIDAE (Alligator Lizards and Relatives)
Southern Alligator Lizard (*Gerrhonotus multicarinatus*) P
Northern Alligator Lizard (*Gerrhonotus coeruleus*) P

SUBORDER: SERPENTES (Snakes)

FAMILY: BOIDAE (Boas)
Rubber Boa (*Charina bottae*) P
FAMILY: COLUBRIDAE (Colubrids)
Ringneck Snake (*Diadophis punctatus*) P
Racer(*Coluber constrictor)* P
Gopher Snake (*Pituophis melanoleucus*) P
Common Kingsnake (*Lampropeltis getulus*) P
Common Garter *Snake (Thamnophis sirtalis)* P
San Francisco *Garter Snake (Thamnophis sirtalis tetrataenia)* P
Western Terrestrial *Garter* Snake *(Thamnophis elegens)* P
Western Aquatic Garter *Snake (Thamnophis couchi)* P
Giant Garter Snake (*T.* c. *@gas)* P
FAMILY: VIPERIDAE (Vipers)
Western Rattlesnake (*Crotalus viridis)* P

CLASS: AVES

ORDER: FALCOMFORMES (Vultures, Hawks, and Falcons)

FAMILY: CATHARTIDAE (American Vultures)
Turkey Vulture (*Cathartes aura)* *0*

FAMILY: ACCIPITRIDAE (Hawks; Old World Vultures, and Harriers)	
Black-shouldered Kite (*Elanus caenrleus)*	P
Bald Eagle *(Halieaeetus leucocephalus*)	P
Northern Harrier *(Circus cyaneus*)	P
Sharp-shinned Hawk *(Accipiter striatus*)	P
Cooper's Hawk *(Accipiter cooperii*)	0
Red-shouldered Hawk (*Buteo lineatus*)	0
Red-tailed Hawk *(Buteojamaicensis)*	0
Golden Eagle (*Aquila chrysaetos*)	P
FAMILY: FALCONIDAE (Caracaras and Falcons)	
American Kestrel *(Faico sparverius*)	P
Merlin (*Falco columbarius*)	P
ORDER: GALLIFORMES (Megapodes, Currassows, Pheasants, and Relatives)	
FAMILY: PHASIANIDAE (Quails, Pheasants, and Relatives)	
California Quail (*Callipepla californica*)	*0*
ORDER: COLUMBIFORMES (Pigeons and Doves)	
FAMILY: COLUMBIDAE (Pigeons and Doves)	
Rock Dove (*Columba livia*)	P
Band-tailed Pigeon (*Columba fasciata*)	*0*
Mourning Dove (*Zenaida macroura*)	O
ORDER: STRIGIFORMES (Owls)	
FAMILY: TYTONIDAE (Barn Owls)	
Barn Owl (*Tyto alba*)	P
FAMILY: STRIGIDAE (Typical Owls)	
Western Screech-Owl (*Otus kennicotti*)	P
Great Homed *Owl* (*Bubo virginianus*)	P
Northern Pygmy-Owl (*Glaucidium gnoma*)	P
ORDER: APODIFORMES (Swifts and Hummingbirds)	
FAMILY: TROCHILIDAE (Hummingbirds)	
Black-chinned Hummingbird (*Archilochus alexandri*)	P
Anna's Hummingbird (*Calypte anna*)	O
Allen's Hummingbird (*Selasphorus sasin*)	*0*
ORDER: PICIFORMES (Woodpeckers and Relatives)	
FAMILY: PICIDAE (Woodpeckers and Wrynecks)	
Lewis' Woodpecker (*Melanerpes lewis*)	P
Acorn Woodpecker (*Melanerpes formicivoroza)*	*0*
Red-breasted Sapsucker *(Sphyrapicus ruber*)	P

Nuttall's Woodpecker (Picoides *nuttallii*)	P
Downy Woodpecker (*Picoides pubescens*)	P
Hairy Woodpecker (*Picoides villosus*)	0
Northern Flicker (*Colaptes auratus*)	O

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ORDER: PASSERIFORMES (Perching Birds)

FAMILY: TYRANNIDAE (Tyrant Flycatchers)	
Olive-sided Flycatcher (*Contopus borealis*)	P
Pacific-slope Flycatcher (*Empidonax difficilis*)	0
Black Phoebe (*Sayornis nigricans*)	0
Say's Phoebe, (*Sayornis saya*)	P
Ash-throated Flycatcher (*Myiarchus cinerascens*)	0
FAMILY: HIRUNDINIDAE (Swallows)	
Tree Swallow (*Tachycineta bicolor*)	P
Violet-green Swallow (*Tachycineta thalassina*)	0
Northern Rough-winged Swallow (*Stelgidopteryx serripennis*)	P
Barn Swallow (*Hirundo rustica*)	P
FAMILY: CORVIDAE (Jays, Magpies, and Crows)	
S teller's Jay (*Cyanocitta stelleri*)	O
Scrub Jay (*Aphelocoma coerulescens*)	O
Common Raven (*Corvus corax*)	O
FAMILY: PARIDAE (Titmice)	
Chestnut-backed Chickadee (*Parus rufescens*)	O
Plain Titmouse (*Parus inornatus*)	P
FAMILY: AEGITHALIDAE (Bushtit)	
Bushtit (*Psaltriparus minimus*)	P
FAMILY: SITTIDAE (Nuthatches)	
Red-breasted Nuthatch (*Sitta canadensis*)	0
White-breasted Nuthatch (*Sitta carolinensis*)	P
Pygmy Nuthatch (*Sitta pygmaea*)	0
FAMILY: CERTHIIDAE (Creepers)	
Brown Creeper (*Certhia americana*)	P
FAMILY: TROGLODYTIDAE (Wrens)	
Bewick's Wren (*Thryomanes bewickii*)	0
House Wren (*Troglodytes aedon*)	P
Marsh Wren (*Cistothorus palustris*)	P
FAMILY: MUSCICAPIDAE (Old World Warblers, Gnatcatchers, Kinglets, Thrushes, Bluebirds, arid Wrentit)	
Golden-crowned Kinglet (*Regulus satrapa*)	P
Ruby-crowned Kinglet (*Regulus calendula*)	P
Swainson's Thrush (*Catharus ustulatus*)	P
Hermit Thrush (*Catharus guttatus*)	P
American Robin (*Turdus migratorius*)	0
Wrentit (*Chamaea fasciata*)	0
FAMILY: MIMIDAE (Mockingbirds and Thrashers)	
Northern Mockingbird (*Mimus polyglottos*)	P

FAMILY: BOMBY CILLIDAE (Waxwings)	
Cedar Waxwing (*Bombycilla cedrorum*)	P
FAMILY: STURNIDAE (Starlings)	
European Starling (*Sturnus vulgaris*)	O
FAMILY: **VIREONIDAE** (Typical Vireos)	
Solitary Vireo (*Vireo solitarius*)	P
Hutton's Vireo (*Vireo huttoni*)	O
Warbling Vireo (*Vireo gilvus*)	P
FAMILY: EMBERIZIDAE (Wood Warblers, Sparrows, Blackbirds, and Relatives)	
Orange-crowned Warbler (*Vermivora celata*)	P
Yellow Warbler (*Dendroica petechia*)	P
Yellow-rumped Warbler (*Dendroica coronata*)	P
Black-throated Gray Warbler (*Dendroica nigrescens*)	P
Townsend's Warbler (*Dendroica townsendi*)	P
Hermit Warbler (*Dendroica occidentalis*)	P
MacGillivray's Warbler (*Oporornis tolmiei*)	P
Common Yellowthroat (*Geothlypis trichas*)	P
Wilson's Warbler (*Wilsonia pusilla*)	O
Yellow-breasted Chat (*Icteria virens*)	P
Western Tanager (*Piranga ludoviciana*)	P
Black-headed Grosbeak (*Pheucticus melanocephalus*)	P
Lazuli Bunting (*Passerina amoena*)	P
Rufous-sided Towhee (*Pipilo erythropthalmus*)	O
California Towhee (*Pipilo crissalis*)	O
Chipping Sparrow (*Spizella passerina*)	P
Brewer's Sparrow (*Spizella breweri*)	P
Lark Sparrow (*Chondestes grammacus*)	P
Savannah Sparrow (*Passerculus sandwichensis*)	P
Grasshopper Sparrow (*Ammodramus savannarum*)	P
Fox Sparrow (*Passerella iliaca*)	P
Song Sparrow (*Melospiza melodia*)	O
White-throated Sparrow (*Zonotrichia albicollis*)	P
Golden-crowned Sparrow (*Zonotrichia atricapilla*)	P
White-crowned Sparrow (*Zonotrichia leucophrys*)	P
Dark-eyed Junco (*Junco hyemalis*)	O
Red-winged Blackbird (*Agelaius phoeniceus*)	O
Western Meadowlark (*Sturnella neglecta*)	O
Brewer's Blackbird (*Euphagus cyanocephalus*)	P
Hooded Oriole (*Icterus cucullatus*)	P
Northern Oriole (*Icterus galbula*)	P
FAMILY: FRINGILLIDAE (Finches)	
Purple Finch (*Carpodacus purpureus*)	P
House Finch (*Carpodacus mexicanus*)	O
Pine Siskin (*Carduelis pinus*)	P
Lesser Goldfinch (*Carduelis psaltria*)	P
Lawrence's Goldfinch (*Carduelis lawrencei*)	P
American Goldfinch (*Carduelis tristis*)	P

FAMILY: PASSERIDAE (Weaver Finches)	
House Sparrow (*Passer domesticus*)	P

. CLASS: MAMMALIA

ORDER: MARSUPIALIA (Opossums, Kangaroos, and Relatives)

FAMILY: DIDELPHIDAE (Opossums)	
Virginia Opossum (*Didelphis virginiana*)	P

ORDER: INSECTIVORA (Shrews and Moles)

FAMILY: SORICIDAE (Shrews)	
Trowbridge's Shrew (*Sorex trowbridgii*)	P
FAMILY: TALPIDAE (Moles)	
Broad-footed Mole (*Scapanus latimanus*)	P

ORDER: CHIROPTERA (Bats)

FAMILY: VESPERTILIONIDAE (Vespertilionid Bats)	
California Myotis (*Myotis californicus*)	P

ORDER: LAGOMORPHA (Rabbits, Hares, and Pikas)

FAMILY: LEPORTIDAE (Rabbits and Hares)	
Brush Rabbit (*Sylvilagus bachmani*)	P
Audubon's Cottontail (*Sylvilagus audubonii*)	P
Black-tailed Hare (*Lepus californicus*)	P

ORDER: RODENTIA (Squirrels, Rats, Mice, and Relatives)

FAMILY: SCIURIDAE (Squirrels, Chipmunks, and Marmots)	
Merriam's Chipmunk (*Tamias merriami*)	P
California Ground Squirrel (*Spermophilus beecheyi*)	P
Western Gray Squirrel (*Sciurus griseus*)	P
FAMILY: GEOMYIDAE (Pocket Gophers)	
Botta's Pocket Gopher (*Thomomys bottae*)	O
FAMILY: HETEROMYIDAE (Pocket Mice and Kangaroo Rats)	
California Pocket Mouse (*Perognathus californicus*)	P
FAMILY: CRICETIDAE (Deer Mice, Voles, and Relatives)	
Western Harvest Mouse (*Reithrodontomys megalotis*)	P
California Mouse (*Peromyscus californicus*)	P
D&r Mouse (*Peromyscus maniculatus*)	P
Brush Mouse (*Peromyscus boylii*)	P
Pinyon Mouse (*Peromyscus truei*)	P
Dusky-footed Woodrat (*Neotoma fuscipes*)	P

FAMILY: ARVICOLIDAE (Voles and Allies)	
California Vole (*Microtus californicus*)	P
ORDER: CARNIVORA (Carnivores)	
FAMILY: CANIDAE (Foxes, Wolves, and Relatives)	
Coyote (*Canis latrans*)	0
Gray Fox (*Urocyon cinereoargenteus*)	0
FAMILY: PROCYONIDAE (Raccoons and Relatives)	
Raccoon (*Procyon lotor*)	P
ORDER: ARTIODACTYLA	
FAMILY: SUIDAE (Pigs)	
Wild Pig (*Sus scrofa*)	0
FAMILY: CERVIDAE (Deer, Elk, and Relatives)	
Black-tailed Deer (*Odocoileus hemionus*)	0

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PLANNING DEPARTMENT

GOVERNMENTAL CENTER

COUNTY OF SANTA CRUZ

701 OCEAN STREET, ROOM 400, SANTA CRUZ, CALIFORNIA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

0386

November 30, 1998

Ms. Betty Cost
Richard Beale Land Use Planning
100 Doyle Street, Suite E
Santa Cruz, CA 95062

SUBJECT: BIOTIC REPORT REVIEW

Dear Ms. Cost:

The County's consulting biologist, Mr. Bill Davilla, has completed his review of the submitted "Hinman Property (Año Nuevo House) Biotic Assessment," prepared by The Habitat Restoration Group, May 20, 1997. Attached is a copy of his review for your information. This letter will review his report and clarify recommended conditions of approval for your pending project.

County staff and Mr. Davilla concur with the recommended mitigations regarding minimizing impacts to removal of the Monterey pines. I have spoken to Cathleen Carr regarding relocation of the proposed building site, and I understand that several alternatives have been discussed since Mr. Davilla's review. Should-the project site be relocated to the "flatland" area within proximity to the wetland site, additional biotic review will be required to verify habitat and potential impacts to the Federally listed California Red-legged frog. No additional biotic review is required if the proposed house site remains on either of the two upland sites reviewed by Mr. Davilla and myself. To prevent any potential take from occurring, the following condition of approval shall be required for the currently proposed upland construction site:

* Silt fencing shall be required along the roadway during construction of the house and driveway to prevent silt from entering the pond and also to prevent the incidental death of frogs by heavy equipment driving on site.

* The freshwater marsh shall not be modified in any significant way without further biotic review. Current drainage patterns in and around the marsh shall be retained.

Habitat Restoration Group conducted a survey of the parcel for the presence of special-status plant species with known occurrences in the north coast region. No evidence was found of any species other than Monterey pine which is listed as a rare and endangered species by the California Native

Plant Society in this native Año Nuevo population. Regarding the removal of Monterey pine trees, the following conditions of approval are required:

0387

* Project grading shall minimize removal of the Monterey pine forest to the greatest extent feasible.. Roads and development shall be relocated to minimize removal of trees and grading, cut and fill under the driplines of existing trees. The dripline is considered to be the distance of the trunk to the outer-most edge of the widest foliage.

* Removal and pruning of Monterey pines shall be implemented by a certified Arborist. All guidelines developed by the California Department of Forestry regarding Monterey pines shall be followed. These include, but are not limited to: the use of sterilized tree pruning equipment, burying or burning of tree waste, and/or disposal of Monterey pine debris.

* For retained trees within 30 feet of road construction, utility trenching or rough grading for home construction, the Monterey pines shall be protected by the placement of plastic construction fencing along the outside edge of the dripline of the tree or grove of trees. the fencing shall be maintained throughout the site preparation perid and should be inspected periodically by a certified arborist for damage and proper functioning.

* For construction activities occurring within the dripline of any of the retained trees, the following construction guidelines shall be implemented and reviewed by a certified arborist on site during the phasing of the construction which may affect tree health:

  (i) In order to reduce root damage, construction activities shall minimize grading, filling, or other type of soil disturbance within the dripline of the tree,

  (ii) If 1/3 or more of the roots are disturbed of any tree, the injured tree should be watered so that the ground is soaked to a depth of 18 inches, extending outward to the dripline of the tree, or as recommended by a certified arborist.

* After construction is completed, retained threes that were adjacent to construction.activities (road or home construction activities within the dripline of the tree) shall be monitored yearly during the summer for five years. The monitoring shall be conducted by a certified arborist or qualified botanist or horticulturist. A data sheet for tree monitoring shall be used. The health of the tree shall be evaluated, and recommendations made, as appropriate. The occurrence of pine pitch canker shall also be assessed on a yearly basis. Monitoring reports shall be submitted to the County Planning Director on a yearly basis.

* Trees that have been removed by construction of display severe decline following construction, or are infected with pine pitch canker shall be replaced at a 1:1 ratio (i tree planted for each tree that dies or

is removed by construction activities). Replacement stock shall be grown from seeds collected on the project site, preferably soil type, elevation, and exposure, to maintain the local gene pool, especially of the Monterey pines, Ano Nuevo stock. 0308

* Landscaping near or within the Monterey pine forest, yet outside of house development envelope, shall consist of plant materials that are compatible with the existing vegetation. Tree plantings shall be limited to native species already present at the project site and shall use contained stock grown from propagation materials collected on-site. Container stock may be contract grown at a local native plant nursery that specializes in native species.

* There shall be minimal planting under the dripline of the native trees, and the natural leaf mulch or duff on the ground under the tree dripline shall not be removed. This organic material conserves water, provides nutrients, improves soil structure, decreases soil pH, and moderates soil temperature.

* In general, no summer watering shall be done within six feet of oak or pine tree trucks. Fungal root diseases of oaks, including oak root fungus and crown rot, are favored by warm moist conditions. Changes in drainage that affect the microclimate of the pines may also stress the pine trees. Stressed trees attract bark beetles and they may become infected with pitch canker.

* Non-native noxious weeds shall be eradicated from the parcel where necessary.

* Drainage culverts shall not direct water towards stands or individuals of Monterey pines or oak trees.

If you have any questions regarding the resuits of this biotic review, please telephone me at (831) 454-3162.

Sincerely,

Suzanne Smith
Resource Planner

enclosure

cc: Cathleen Carr

ECOSYSTEMS WEST
CONSULTING GROUP

November 5, 1998

Ms. Suzanne Smith
Planning Department
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: Brian Hinman Biotic Review, Application No. 98-0426 EBR

Dear Suzanne:

This letter reports the findings of a "biotic review" of the biotic report entitled "Hinman Property (Ano Nuevo House) Biotic Assessment" prepared by The Habitat Restoration Group. The Hinman parcel (APN 057-061-16) is located approximately ½ mile east of Highway 1 across from Ano Nuevo State Park in Northern Santa Cruz County, California. The owner has requested construction of a 13,3 16 square foot single family dwelling and accessory dwellings on the 40+/- acre parcel. The biotic assessment was conducted on the Hinman Property by HRG in Fall 1996 and April 1997 with findings submitted in a report dated May 20, i997.

HRG characterizes this parcel as supporting primarily non-native grassland, Monterey pine forest, and coyote brush scrub. Pockets of native grassland and a small pond supporting freshwater marsh and riparian vegetation were also characterized. A field visit with Suzanne Smith and myself was conducted in September 1998. The focus of this visit was to look at that portion of the parcel proposed for development including the house site, access driveway, and leach fields. The development site consists primarily of non-native grassland, and Monterey Pine forest. Portions of the building envelope supports mixture of evergreen tree species such as madrone (*Arbutus menziesii*), coast live oak (*Quercus agrifolia*), and Douglas fir (*Pseudotsuga menziesii*) and Monterey pine trees (*Pinus radiata*). More open areas support an array of non-native gasses and native herbs. HRG provides a comprehensive list of species observed in the building envelope in their report as well as an inventory of trees within and adjacent to the development area.

HRG conducted a survey of the parcel for the presence of special-status plant species with known occurrences in the north coast region (see Table 1 of HRG report). They found no evidence of any of these species, other then Monterey pine and state that there is no suitable habitat present within the deveiopment area. Their surveys were timed for the appropriate flowering phenologies for these target species. One special-status species, Monterey pine occurs within the buiiding envelope. Monterey pine is listed as a rare and endangered species by the California Native Plant Society (CNPS) within three native populations, this one being the Ano Nuevo population. They noted that many of these individuals exhibited evidence of pitch canker infestation (this was confirmed during our field visit). This malady is becoming a problem with conifers throughout the central coast and has only been recently documented in the Ano Nuevo stand.

HXG cites that this proposed development will result in the removal of thirty-two of the forty seven native Monterey pine trees (see Figure 1 of HRG report). HRG treats impacts to Monterey pine as a significant but mitigatable impact. To mitigate to less-then-sigificant they suggest that the development envelope be relocated to minimize direct loss of Monterey pine. Since the

7909 Harvard Drive • Ben Lomond, CA. 95005
Phone 408 336-4956 • FAX 336-9539

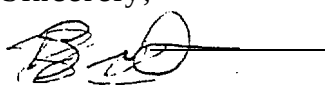
current building envelope will require 'massive cut and fill to correct slope-stability problems, only relocation of the building envelope will reduce these impacts to less-than-significant. I concur with this recommendation. The remainder of their recommended mitigation activities for Monterey pine and other woodland tree species should be adopted and included a building permit conditions. 0390

A landscaping and erosion control plan should be developed and County approved as part of the final site plans. Non-native noxious weeds should be eradicated from the parcel where necessary. Although not currently proposed for direct impacts, the freshwater marsh should not be modified in any significant way. An current hydrology patterns should be retained. No sedimentation should be permitted to enter the pond or the downstream riparian community.

Based on the results of this biotic report and my knowledge of this site, I concur that this **project** should not result in significant impacts to special-status species or habitats on the parcel if the development envelope is relocated down slope and to the southeast of the currently proposed site and if other proposed mitigation measures are implemented.

Should you require further information or clarification, please don't hesitate to contact me.

Sincerely,



Bill Davilla
Principal/Senior Botanist

CULTURAL RESOURCE EVALUATION OF APN 057-006-16 LOCATED NORTH OF AN0 NUEVO STATE RESERVE IN THE COUNTY OF SANTA CRUZ

Note: This copy has been edited by Planning staff to protect any identified cultural resource.
CCarr

FOR
THE BUILDING WORKS
2998 SOUTH BASCOM AVENUE
SAN JOSE, CA 95124
#60800-96-442

BY
ARCHAEOLOGICAL RESOURCE MANAGEMENT
496 N. FIFTH STREET
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ROBERT CARTIER, PRINCIPAL

DECEMBER 4, 1996

ADMONITION

Certain information contained in this report is not intended for general public distribution. Portions of this report locate significant archaeological sites in the region of the project area, and indiscriminate distribution of these data could result in the desecration and destruction of invaluable cultural resources. In order to ensure the security of the critical data in this report, certain maps and passages may be deleted in copies not delivered directly into the hands of environmental personnel and qualified archaeologists.

THE PRINCIPAL INVESTIGATOR

ABSTRACT

Archaeological research was carried out for a 50 acre parcel located north of Ano Nuevo State Reserve, east of Highway 1 in the County of Santa Cruz. The research included an archival search in the State records and a surface survey of the property. The archival research and the surface survey did not find any cultural resources within the subject area One historic ranch house, SMA-167H, is located approximately 2,000 feet away from the property. It is therefore concluded that the proposed project would have no direct or indirect impact upon cultural resources.

REQUEST FOR ARCHAEOLOGICAL EVALUATION

The archaeological evaluation was 'carried out to determine the presence or absence of any significant cultural resources. Archaeological services were requested in November 1996 in order to provide an evaluation that would investigate the possible presence of cultural resources. This study meets both the requirements of CEQA (California Environmental Quality Act).

QUALIFICATIONS OF ARCHAEOLOGICAL RESOURCE MANAGEMENT

Archaeological Resource Management has been specifically engaged in cultural resource management projects in central California since 1977. The firm is owned and operated by Dr. Robert Cartier, the Principal Investigator. Dr. Cartier has a Ph.D. in Anthropology, and is certified by the Society of Professional Archaeologists (SOPA) for conducting cultural resource investigations as well as other specialized work in archaeology.

LOCATION AND DESCRIPTION OF THE SUBJECT AREA

The subject area consists of 50 acres of land north of the Ano Nuevo State Reserve about a half mile east of Highway 1 in the County of Santa Cruz. On the USGS 7.5 minute quadrangle of Franklin Point, the Universal Transverse Mercator Grid (UTMG) centerpoint of the project area is 562290/4109840. The elevation ranges from 320 feet to 680 feet MSL and the nearest source of fresh water is the Ano Nuevo Creek located approximately 200 feet east of the subject area's southeast comer.

The proposed project consists of the construction of a single family residence with the necessary grading, trenching, and other earth moving activities.

METHODOLOGY

The methodology used in this investigation consisted of an archival search, a surface reconnaissance, and a written report of the findings with appropriate recommendations. The archival research is conducted by transferring the study location to a state archaeological office which maintains all records of archaeological investigations. This is done in order to leam if any archaeological sites or surveys have been recorded within a mile of the subject area. Each archival search with the state is given a file number for verification. The surface reconnaissance portion of the evaluation is done to determine if traces of historic or prehistoric materials exist within the study area. This survey is conducted by a field archaeologist who examines exposed soils for cultural material. The investigator is looking for early ceramics, Native American cooking debris, and artifacts of stone, bone, and shell. A report is written containing the archival information, record search number, the survey findings, and appropriate recommendations. A copy of this evaluation is sent to the state archaeological office by requirements of state procedure.

SURFACE RECONNAISSANCE

A "general surface reconnaissance" was conducted by a field archaeologist on all open land surfaces in the subject area. A "controlled intuitive reconnaissance" was performed in places where burrowing animals, exposed banks and inclines, and other activities had revealed subsurface stratigraphy and soil contents. The boundaries of the subject area were clearly marked by fence lines on the east and west sides, and stakes on the north and south sides. There was good accessibility to the entire property. The parcel is on the west facing side of the coastal mountains on a sloping hillside with the majority of the area covered in seasonal grasses. A thin scatter of scorch broom and scrub oak was also noted The east and northeast portions of the project area had a fairly dense oak, madrone, and pine tree forest There was a small reservoir located near the southwest comer of the property. The area surrounding the reservoir was covered in dense shrubs and grasses with a few scattered oak trees. At the time of the survey, there were no structures within the parcel. Surface visibility of the native soils was good in the majority of the area, except visibility was poor in the area of the dense forest near the east boundary. The native soils varied from a medium brown silty sand to a medium orangish brown clay loam Rock types present included sandstone and siltstone. No prehistoric or historic cultural resources were noted.

CONCLUSION AND RECOMMENDATIONS

Based upon the archival research and the surface survey, it d&s not appear that any cultural resources exist within the subject area It is therefore concluded that the proposed project would have no direct or indirect impact on cultural resources. In the event, however, that archaeological traces (human remains, artifacts, concentrations of shell/bone/rock/ash) are encountered, all construction within a fifty meter radius of the find should be stopped, the Planning Department notified and an archaeologist retained to examine the find and make appropriate recommendations.

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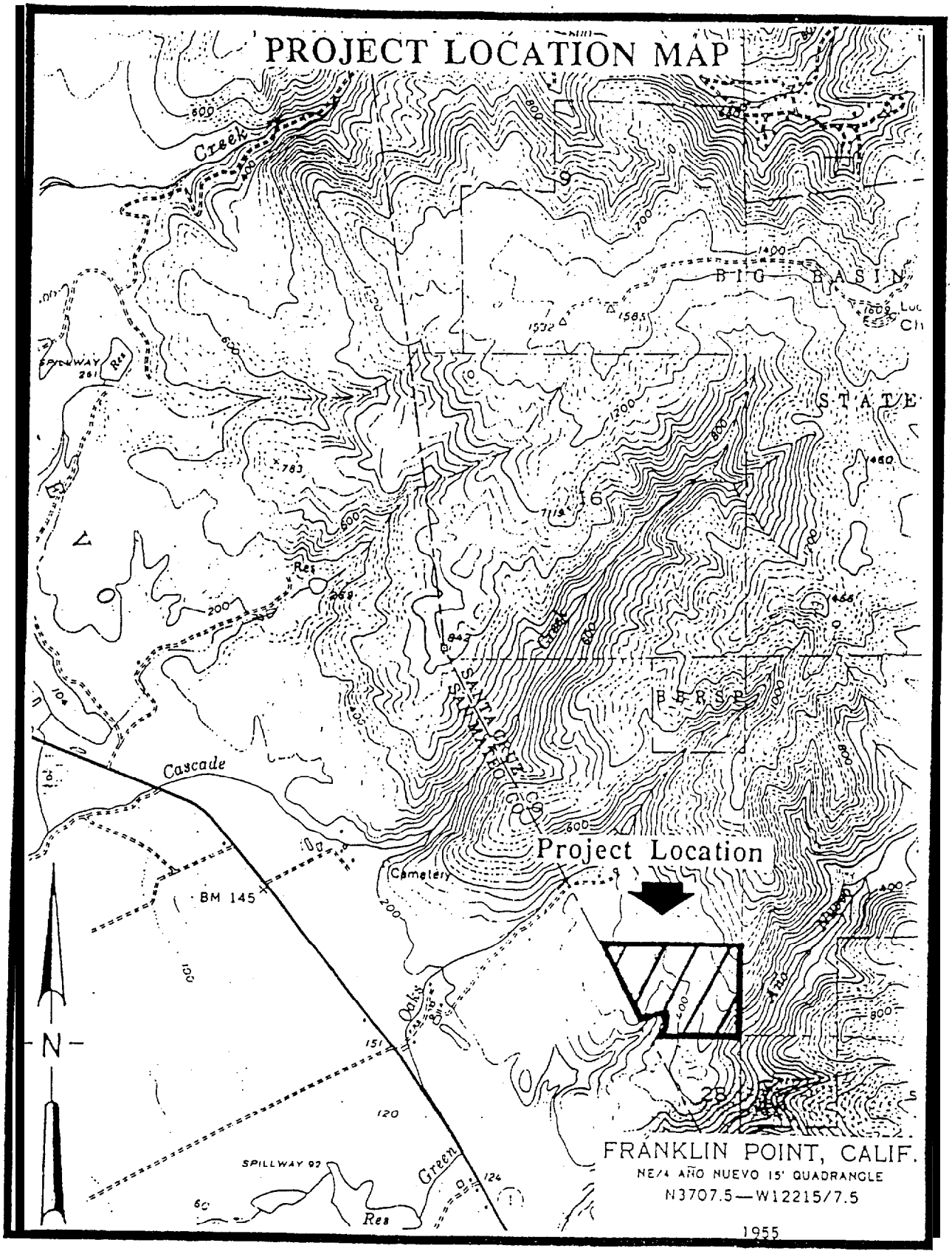

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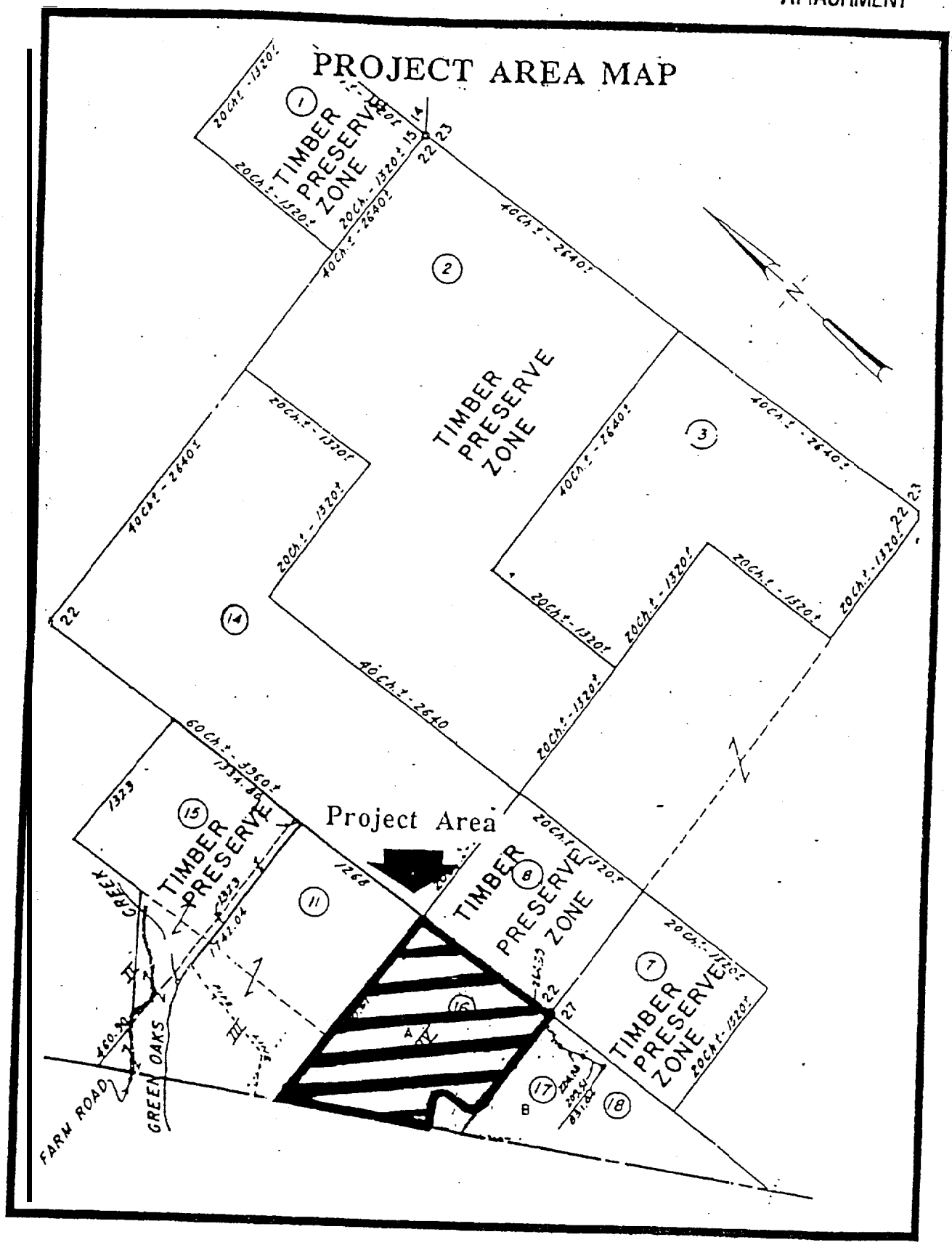
ATTACHMENT 12


PROJECT AREA MAP
TIMBER PRESERVE ZONE
TIMBER PRESERVE ZONE
TIMBER PRESERVE ZONE
TIMBER PRESERVE ZONE
TIMBER PRESERVE ZONE
Project Area
GREEN OAKS FARM ROAD
40 Ch.s - 2640'
20 Ch.s - 1320'
60 Ch.s - 3960'

VISUAL ANALYSIS

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The project site was surveyed by a licensed surveyor, Scaffolding was erected at the peak of the proposed dwelling, 5 1 feet above the existing grade, and the chimneys 6 1 feet above existing grade, representing the final height of the constructed dwelling. Bright orange construction fencing was strung between the scaffolding,. The project site was then viewed from two locations along Highway 1 and while walking the loop trails off the main entrance to Ano Nuevo State Park.

In addition to the orange fencing on the scaffolding, the residence on APN 057-061-17, adjacent to the subject parcel, was used as a landmark to identify the subject site. The residence at APN 057-06 l-l 7 is located at a slightly lower elevation than the subject parcel. This dwelling is located within a meadow area and is painted a dark brown color with whitish window trim.

Due to the dense eucalyptus and cypress groves as well as areas of road embankments, the proposed project is not visible from Highway 1. Due to similar circumstances, the adjacent residence also cannot be viewed from Highway 1.

At Ano Nuevo Park, the neighboring house can be viewed from the main loop trail near the staging area. This house is visible primarily due to the white window trim and lack of tree screening when viewed from the Park. A small portion of the scaffolding and chimney was observed, but only after sighting on the neighboring house, then scanning the project location using binoculars. Once this portion of the scaffolding was sighted using the binoculars, it could be discerned by the naked eye. The subject site benefits from greater screening by eucalyptus and cypress groves, than the adjacent parcel.

The path to Ano Nuevo Point is not open to the general public. The public may only access this area with a guided tour. The project site was observed at the head of this path. The scaffolding for the proposed project was slightly more visible at this point. A slightly larger comer of the roof and chimney could be observed, again after fixing on the neighboring residence with binoculars and sweeping the project location. The small portion of the scaffolding was not evident to the naked eye prior to identifying the site with magnification.

In conclusion, the proposed dwelling will not be visible from any location along Highway 1 A small portion of the proposed residence may be observed from Ano Nuevo State Park. The use of earth tone colors in the green and brown family will significantly reduce the proposed dwelling's visibility. The neighboring residence with its more open, meadow setting and white window trim is more readily visible than the proposed project will be. Nevertheless, this existing dwelling is not visually intrusive for the casual visitor to Ano Nuevo State Park.

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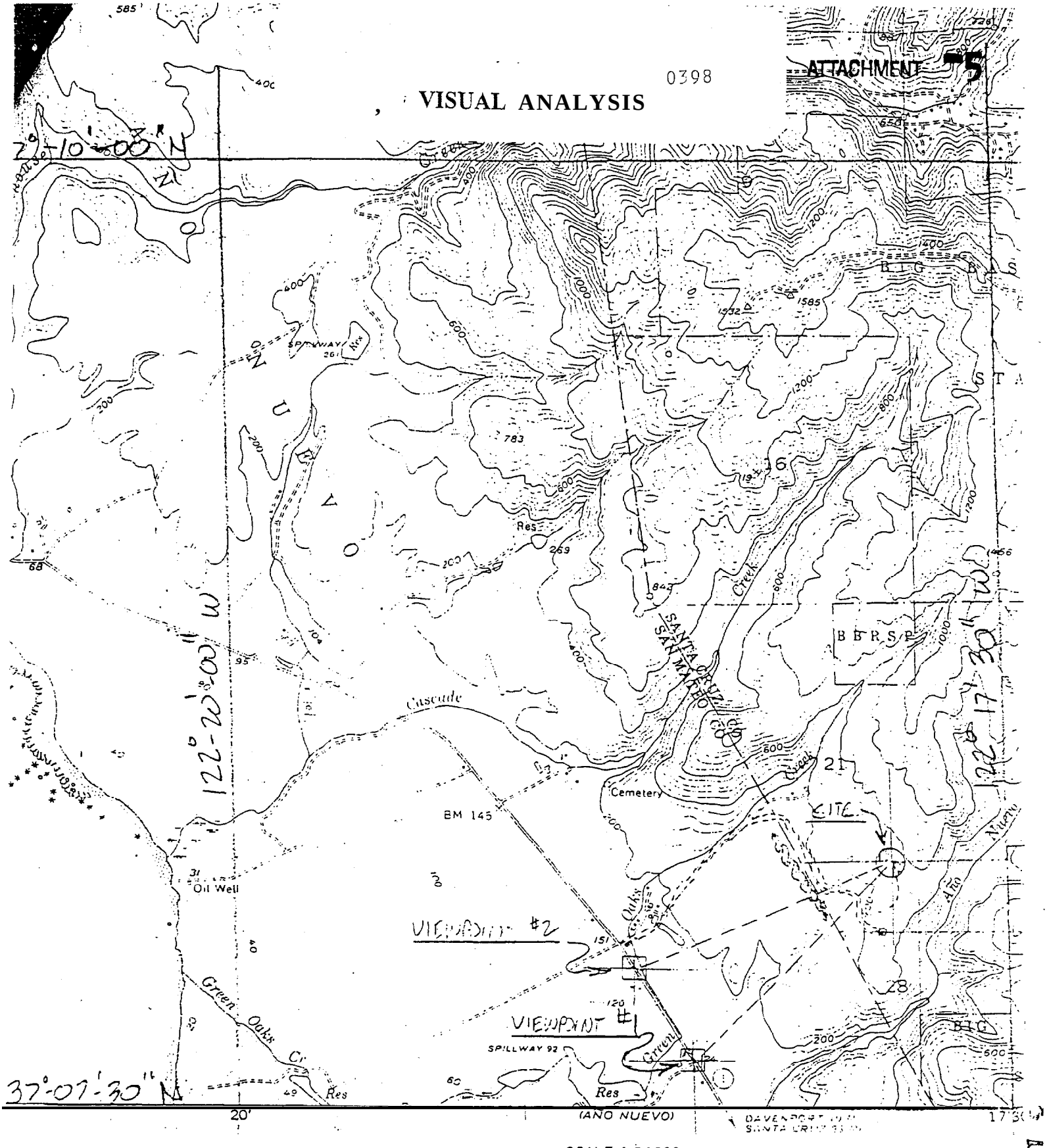
VISUAL ANALYSIS



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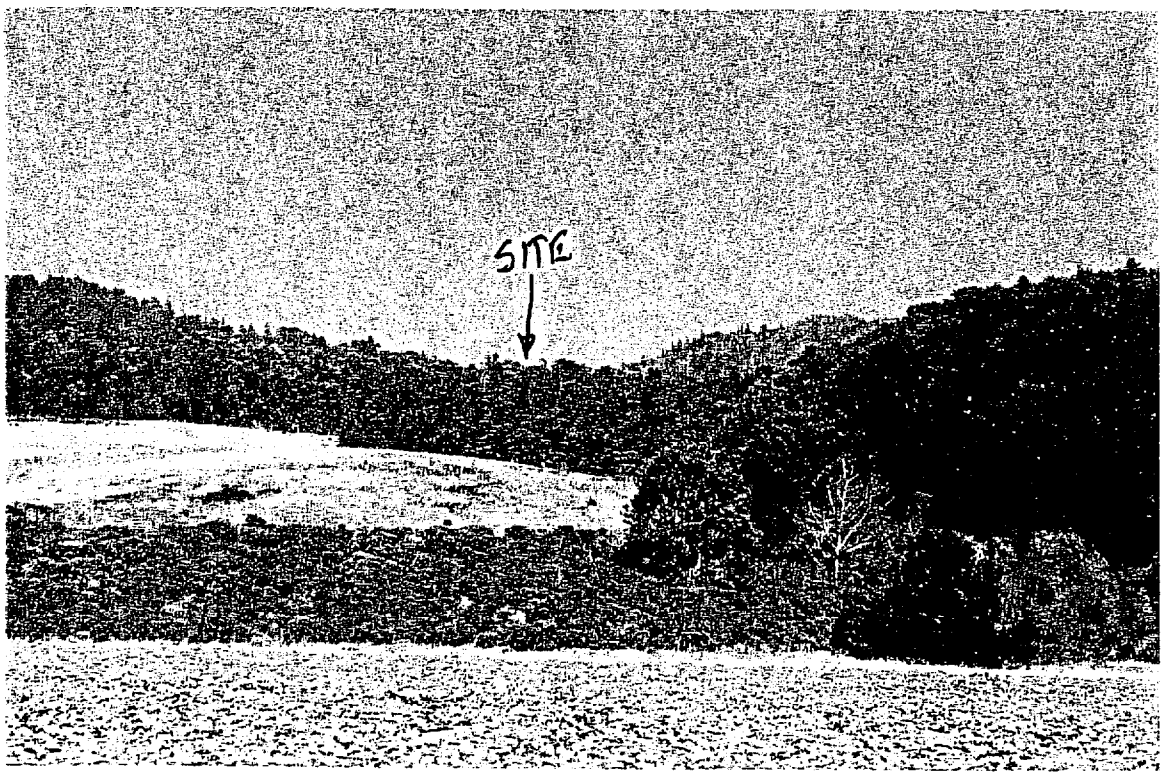
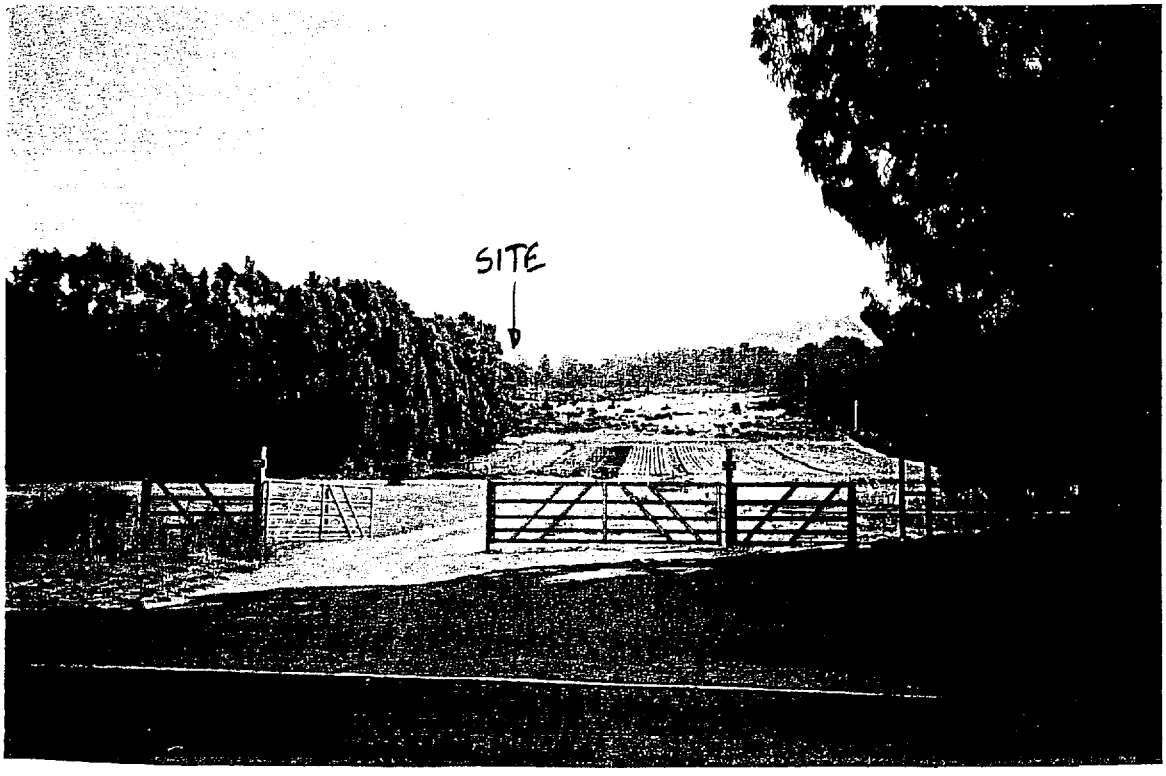
FRANKLIN POINT
USGS 7½' QUAD

ATTACHMENT 5

ATTACHMENT 5



View Towards Site From Viewpoint #2 - Highway 1



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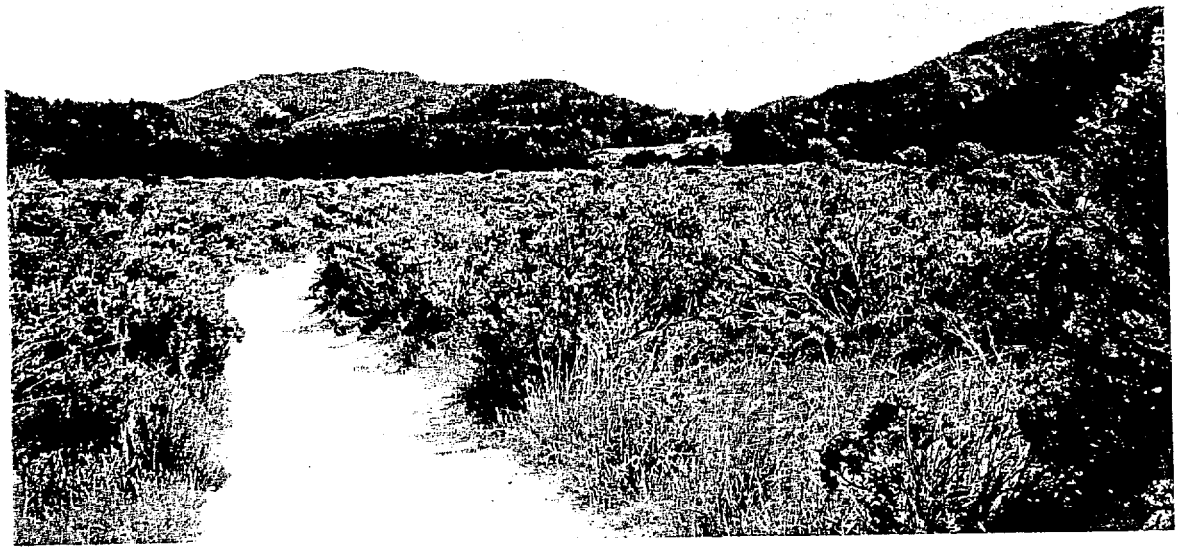
View Towards Site From Viewpoint #1 - Highway 1

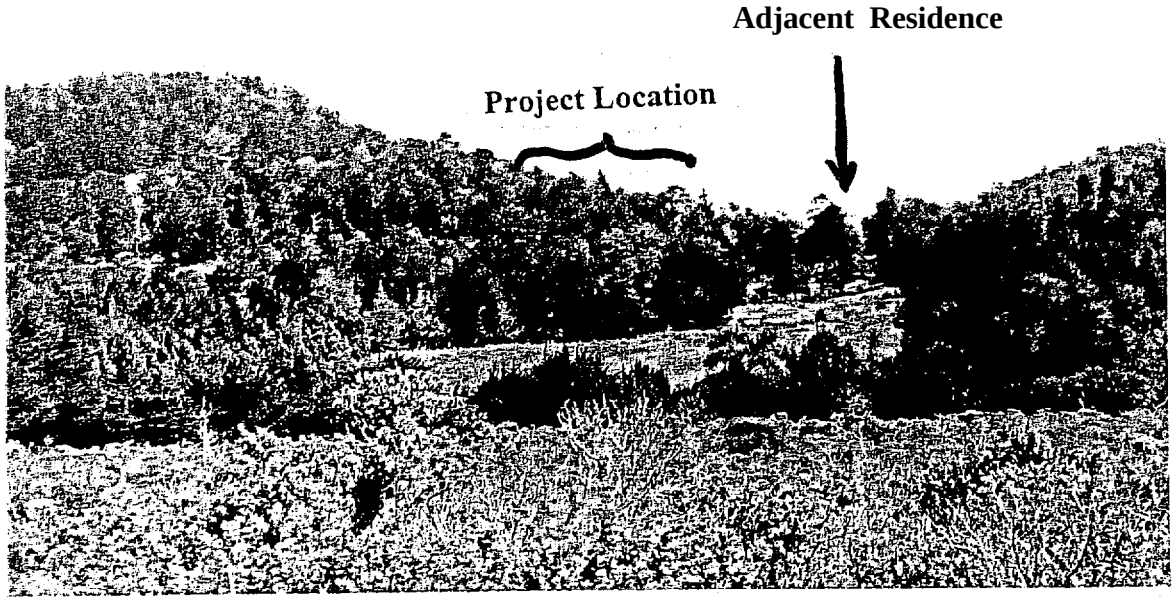
ATTACHMENT 1

Scaffolding Showing Ridgeline of Residence and Chimneys

Scaffolding Viewed from Entrance to Subject Parcel



Using 50 mm Lens (Naked Eye View)



Using 210 mm Lens (Binocular View)

View From Staging Area at Ano Nuevo State Park

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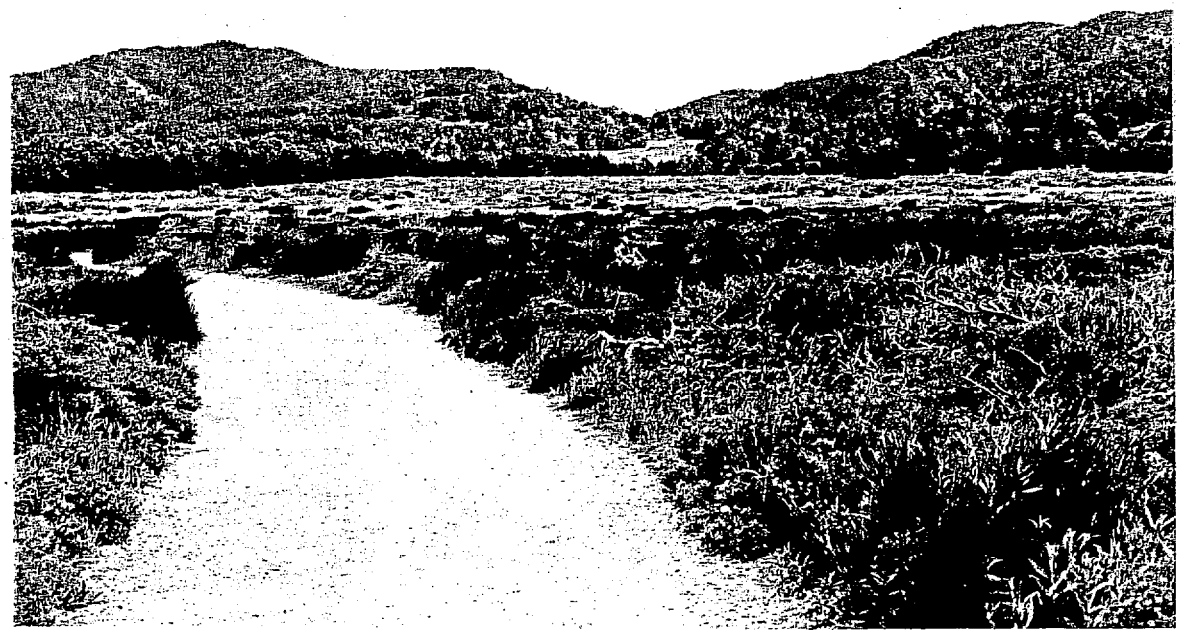
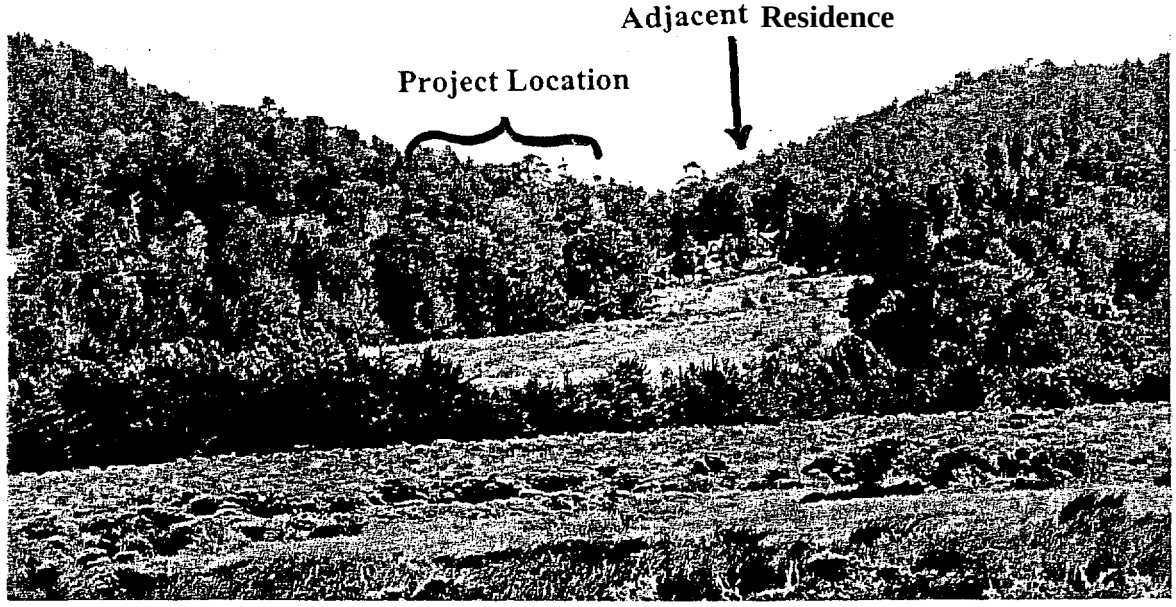


Using 50 mm Lens (Naked Eye View)



Using 210 mm Lens (Binocular View)

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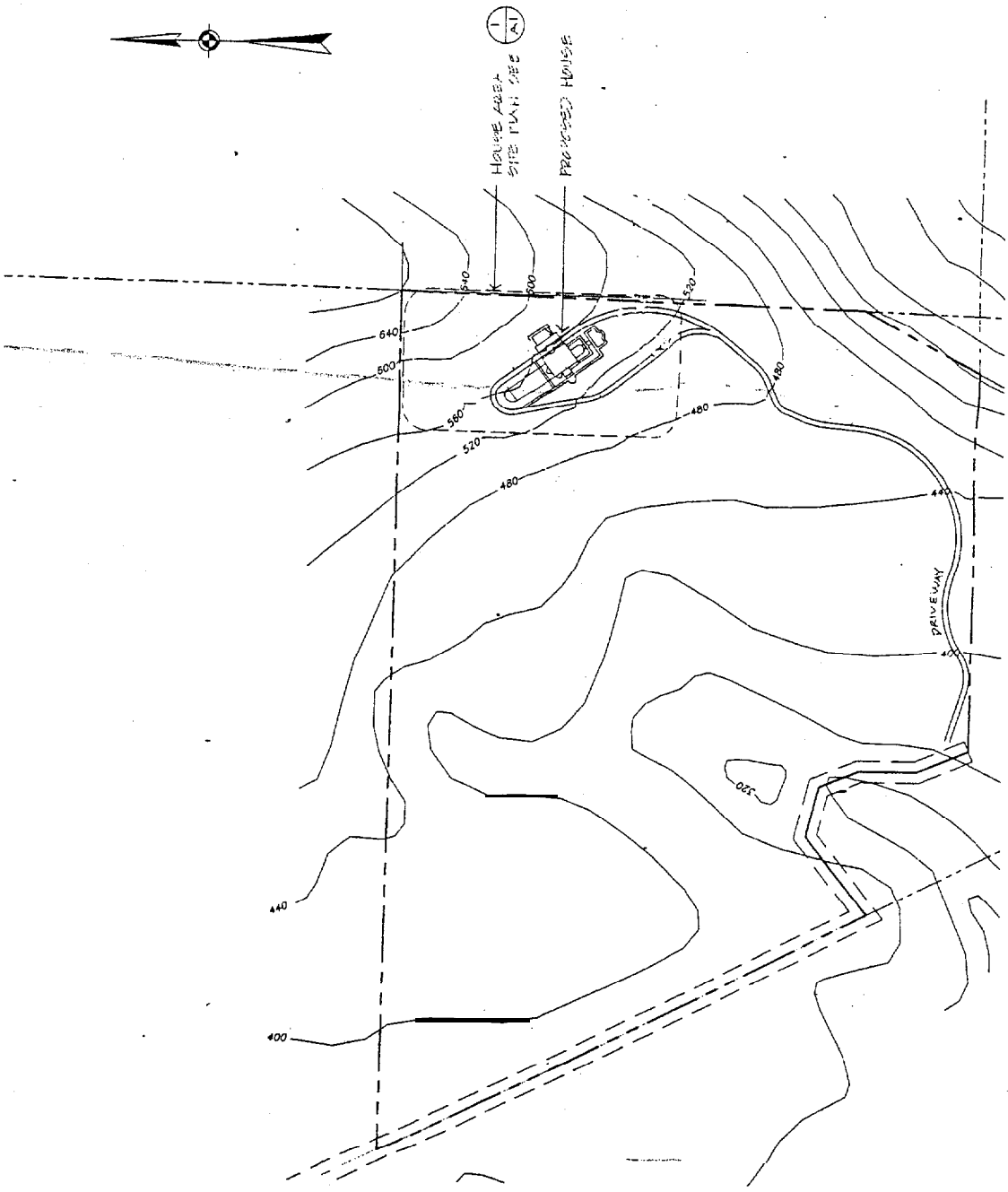
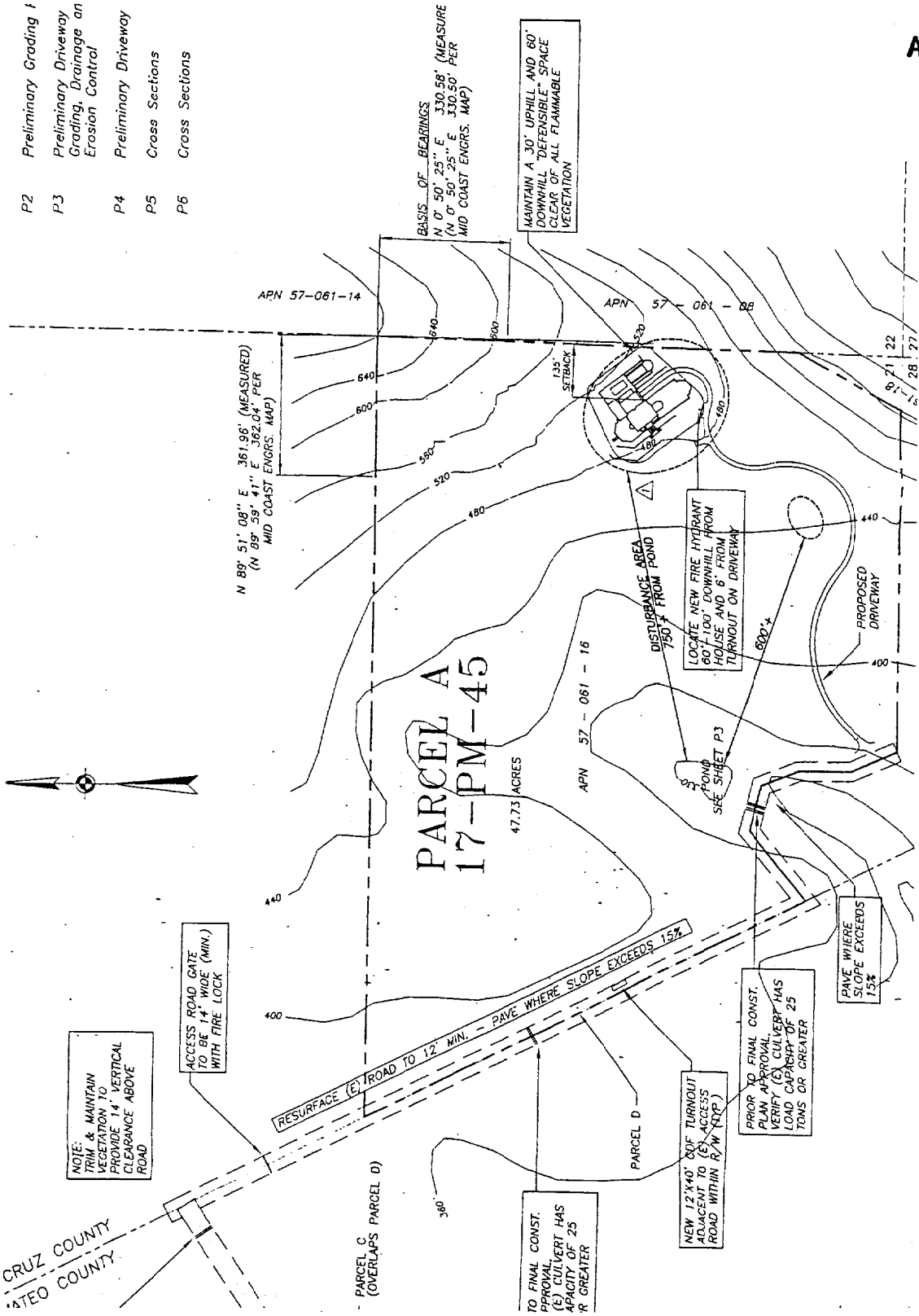
VISUAL ANALYSIS

ATTACHMENT 1



SITE PLAN FOR ORIGINALLY PROPOSED BUILDING SITE

ATTACHMENT 5



SITE PLAN FOR CURRENT PROPOSED BUILDING SITE

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ATTACHMENT 1

ATTACHMENT 5

0005

HINMAN PROPERTY
(Ano Nuevo House)
Arborist Report

Prepared For:
Kathleen Lyons

Prepared By:
Ellen Cooper Consulting Arborist
(831) 426-6845

July 17, 1999

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ATTACHMENT 1 6

On July 15, 1999, I made a site visit to the property referred to as the Hinman Ano Nuevo House (A.P.N. 57-061-16). The site plan and preliminary grading plan by Robert Dewitt & Associates Inc. ,dated February 1999, indicates that there are 35 trees located within or adjacent to the zone that will be impacted by construction activities. 0406

Following is a list and description of these trees.

Tree #1 is a Pinus radiata (Monterey Pine). It has a DBH {diameter at breast height) of 34". This tree is dead.

Tree #2 , #3 and #4 are Arbutus menziesii (Madrone). These trees are located immediately adjacent to one another. The trees are approximately 20' tall with a 25' average crown spread. There are no signs of disease or insect infestation. The trees are located approximately 15' back from a proposed 3 to 1 cut slope. All roots encountered should be severed cleanly and not torn The face of the slope should be wet to a depth of 2' then mulched with 3" of bark immediately after grading. The area of the root zone between 8' from the root crown and the outer edge of the dripline should be moistened to a depth of 2' and then mulched. The trees should not be fed.

Tree #5 is an Arbutus menziesii (Madrone). It has 4 trunks with a DBH of 30". The tree is approximately 40' tall with an average crown spread of 25'. There are no signs of disease or insect infestation. The tree is located approximately 15' back from a proposed 3 to 1 cut slope. All roots encountered should be severed cleanly and not torn The face of the slope should be wet to a depth of 2' then mulched with 3" of bark immediately after grading. The area of the root zone between 8' from the root crown and the outer edge of the dripline should be moistened to a depth of 2' and then mulched. The tree should not be fed.

Tree #6 is an Arbutus menziesii (Madrone). It has 4 trunks with a DBH of 36". The tree is approximately 45' tall with an average crown spread of 25'. There are no signs of disease or insect infestation. The tree is located approximately 15' back from a proposed 3 to 1 cut slope. All roots encountered should be severed cleanly and not torn. The face of the slope should be wet to a depth of 2' then mulched with 3" of bark immediately after grading. The area of the root zone between 8' from the root crown and the outer edge of the dripline should be moistened to a depth of 2' and then mulched. The tree should not be fed.

Tree #7 is a Pinus radiata (Monterey Pine). It has a DBH of 60". The tree is approximately 65' tall with an average crown spread of 30'. It leans towards the north at 10 degrees off vertical. The tree is located 60' back from a proposed cut slope. The project should have no impact on this tree.

The tree has some tip die back occurring in the upper canopy. This die back is a sign that the tree is infected with Pitch Canker, a fungal disease spread by insects. The most common signs of the disease are the dead branches tips. Cankers on the trunk exude large quantities of pitch that often streaks the trunk like wax dripping down a

0407

candle. Often the cankers cannot be seen as the are high up in the canopy and hidden by branches. Many unopened cones are seen on infected and dead limbs. Control of this disease is difficult. Pruning of branch tips is only practical on small trees with slight infestations. Fungicides have shown little effect on the this disease because they do not readily penetrate the bark of the tree.

Supplemental water in the summer and fall in the form of deep slow irrigation every 6 weeks will help the tree retain its vigor and fight off bark beetle attacks.

The Monterey Pines in California appear to have been affected by a series of disease and insect infestations that have devastated the native and non-native populations. It is thought that the trees, weakened by years of-drought in the early 1980's, became susceptible to these attacks. Infestations of Sequoia Pitch Moth, an insect whose larvae bore underneath the bark of a tree causing the tree to exude masses of yellowish colored pitch; and Pitch Canker described above, further weaken the trees causing a slow decline. The final assault is made by bark beetles. Infestations of Red Turpentine Beetle and Five Spined Bark Beetle can eventually girdle a tree causing it to die suddenly. Insecticides have proven to have little effect on the beetle populations in part because the insecticides do not penetrate the bark thoroughly. Applications need to be thorough and repeated annually.

Trees infested with bark beetles should be cut down and chipped or burned on site. Logs for firewood should not be stored on‘site or transported.

Tree #8 is a Pinus radiata (Monterey Pine). It has a DBH of 54". The tree is approximately 75’ tall with an average crown spread of 30’. The tree is located 30’ back from a proposed cut slope. The tree has some tip die back occurring in the upper canopy. This die back is sign that the tree is infected with Pitch Canker. See notes for Tree #7. The project should have no impact on this tree.

Tree #9 is a Pseudotsuga menziesii (Douglas Fir}. It has DBH of 36". it is approximately 70’ tall with an average crown spread of 20’. The tree appears to be free of disease and insect infestation. It has broken limbs and dead branches and twigs typical of trees growing in groves. The tree is located 30’ back from a proposed cut slope. The project should have no impact on this tree.

Tree #10 is a Pinus radiata (Monterey Pine). It has a DBH of 28". The tree is approximately 70’ tall with an average crown spread of 25’. The tree leans towards the west at 10 degrees off vertical. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located 15’ from a proposed fill slope. Care should be taken to prevent fill from being placed within 15’ of the root crown of the tree. The project should have no impact on this tree.

Tree #11 is a Pinus radiata (Monterey Pine). It has a DBH of 36". The tree is approximately 30’ tall with an average crown spread of 25’. The tree leans towards the

west at 10 degrees off vertical. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located 8' from a proposed fill slope and immediately adjacent to a proposed stairway. This stairway should be redesigned to be at least 5' from the root crown of the tree. The fill slope should be reconfigured so that fill is not placed within 15' of the root crown of the tree. 0408

Tree #12 is a Pinus radiata (Monterey Pine). It has a DBH of 48". The tree is approximately 30' tall with an average crown spread of 25'. Most of the scaffold'limbs and thus the weight of the crown are located on the side of the tree facing west. Extensive tip die back in the upper crown indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located 20' from a proposed fill slope Care should be taken to prevent fill from being placed within 15' of the root crown of the tree. The project should have no impact on this tree.

Tree #13 is a Pinus radiata (Monterey Pine). It has a DBH of 60". The tree is approximately 85' tall with an average crown spread of 35'. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located 55' from a proposed fill slope. The project should have no impact on this tree.

Tree #14 is a Pinus radiata (Monterey Pine). It has a DBH of 40". The tree is approximately 75' tall with an average crown spread of 25'. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located 50' from a proposed 4' retaining wall. The project should have no impact on this tree.

Tree #15 Pinus radiata {Monterey Pine). It has a DBH of 40". The tree is approximately 75' tall with an average crown spread of 25'. The tree is not dead as indicated on the plan, but appears to be heavily infested with Pitch Canker (see notes for Tree #7).and Turpentine Beetle {see notes above). A proposed 4' retaining wall necessitate the removal of this tree.

Tree #16 is a Pinus radiata (Monterey Pine). It has a DBH of 48". The tree is dead.

Tree #17 is a Pinus radiata (Monterey Pine). It has a DBH of 48". The tree is dead.

Tree #18 is a Quercus agrifolia (Coast Live Oak). It has three trunks with a DBH of 34". The tree is approximately 35' tall with an average crown spread of 35'. The tree appears to be free of disease and insect infestation. The preliminary grading plan indicates that cutting will take place around 75% of this tree. This amount of cut will seriously compromise the health of this tree. The feeder roots are with in 18" of the surface and extend out from the root crown beyond the dripline of the tree. If 75 % of these roots are destroyed the tree will go into immediate decline. I recommend that the grading be revised and that this tree be saved. This is the healthiest tree on the site and an asset to the project.

Tree #19 is a Pseudotsuga menziesii (Douglas Fir). It has DBH of 19". It is

approximately 45' tall with an average crown spread of 15'. The tree appears to be free of disease and insect infestation. It has broken limbs and dead branches and twigs, typical of trees growing in groves. The tree is located 30' back from a proposed fill slope. The project should have no impact on this tree.

Tree #20 is a Pseudotsuga menziesii (Douglas Fir). It has DBH of 18". It is approximately 45' tall with an average crown spread of 15'. The tree appears to be free of disease and insect infestation. It has broken limbs and dead branches and twigs typical of trees growing in groves. The tree is located 20' back from a proposed cut slope. The project should have no impact on this tree.

Tree #21 is a Pinus radiata (Monterey Pine). It has a DBH of 38". The tree is approximately 75' tall with an average crown spread of 30'. The tree leans towards the southeast at 15 degrees off vertical. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located 4' from a proposed cut slope that is part of the driveway design. This cut would likely sever stabilizing roots of this large tree compromising its structural stability. The cut would also affect 30% of the root zone of this tree damaging the trees ability to obtain water and nutrients. I recommend that grading for the road be modified to give the tree more room.

Tree #22 is a Pinus radiata (Monterey Pine). It has a DBH of 36". The tree is approximately 75' tall with an average crown spread of 25'. The tree leans towards the northwest at 15 degrees off vertical. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located 12' from a proposed cut slope that is part of the driveway design. All roots encountered should be severed cleanly and not torn. The face of the slope should be kept damp to a depth of 2'until it can be mulched with 3" of bark immediately-after grading. The area of the root zone between 8' from the root crown and the outer edge of the dripline should be moistened to a depth of 2' and then mulched. The tree should not be fed.

Tree #23 is a Pinus radiata (Monterey Pine). It has a DBH of 34". This tree is dead.

Tree #24 is a Pinus radiata {Monterey Pine). It has a OBH of 42". The tree is approximately 70' tall with an average crown spread of 25'. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located on a proposed fill slope and there is a proposed 4' retaining wall that curves around 3 sides of the tree, approximately 5' from the tree. Care should be taken when excavating the footing for the retaining wall, to prevent severing of stabilizing roots.

Tree #25 is a Pinus radiata (Monterey Pine). It has a DBH of 30". The tree is approximately 60' tall with an average crown spread of 20'. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located in front of a proposed fill slope and the retained area described above (see Tree #24). Care should be taken to ensure that soil is not piled up around the root crown and that water is diverted to either side of the root crown of this tree.

0410

Tree #26 a Pinus radiata (Monterey Pine). It has a DBH of 48". The tree is approximately 80' tall with an average crown spread of 35'. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The tree is located 20' in front of a proposed fill slope. The project should have no impact on this tree.

Tree #27 a Quercus agrifolia (Coast Live Oak). It has a DBH of 8". The tree is dead.

Tree #28 a Quercus agrifolia (Coast Live Oak). It has a DBH of 24". The tree approximately 35' tall with an average crown spread of 25'. The tree appears to be free of disease and. insect infestation. The preliminary grading plan indicates that a fill slope will be located 25' from the tree. The project should have no impact on this tree.

Tree #29 a Quercus agrifolia (Coast Live Oak). It has a DBH of 18". The tree approximately 25' tall with an average crown spread of 20'. The tree appears to be free of disease and insect infestation. The preliminary grading plan indicates that a fill slope will be located 40' from the tree. The project should have no impact on this tree.

Tree #30 is a Pinus radiata (Monterey Pine). It has a DBH of 45". The tree is approximately 70' tall with an average crown spread of 25'. Tip die back indicates that the tree is infested with Pitch Canker. See notes for Tree #7. The project should have no impact on this tree.

Tree #31 is a Pinus radiata (Monterey Pine). It has a DBH of 42". This tree is dead.

Tree #32 a Quercus agrifotia (Coast Live Oak). It has a DBH of 13". The tree is approximately 17' tall with an average crown spread of 15'. The tree appears to be free of disease and insect infestation. There will be an asphalt-turnaround approximately 23' from this tree. According to the grading plan there will be no grading necessary for this turnaround. The project should have no impact on this tree.

Tree #33 is a Sequoia sempervirens (Coast Redwood). It has a DBH of 48". The tree is dead.

Tree #34 is an Arbutus menziesii (Madrone). It has a DBH of 17". The tree is approximately 30' tall with an average crown spread of 18'. There are no signs of disease or insect infestation. The tree is 15' from the toe of a fill slope. The project should have no impact on this tree.

Tree #35 is an Arbutus menziesii (Madrone). It has a DBH of 14". The tree is approximately 20' tall with an average crown spread of 15'. There are no signs of disease or insect infestation. The tree is 15' from the toe of a fill slope. The project should have no impact on this tree.

In general the Monterey Pine trees are in fair to poor health. The are all infested with Pitch Canker to varying degrees. It is unlikely that any of these trees will survive in the

long term. The numerous dead and dying trees are an indication that this remnant grove is in serious decline. Once a Monterey Pine is weakened by Pitch Canker, bark beetles find the tree and weaken it further until the tree is riddled with galleries underneath the bark. This eventually leads to the girdling and death of the tree.

0411

I do not recommend that any pine saplings be moved and replanted. Further, I do not recommend that seed be collected and propagated for revegetation with Monterey Pine trees. The seedlings will soon be infested and wilt not survive. The sapling are likely already infested with Pitch Canker since the entire grove is infested. There are no effective methods for preventing or treating the infestations of Pitch Canker or bark beetles.

t do recommend that other native trees be planted as replacement trees for any live trees that are removed (Tree #15) at a 2 to 1 ratio and for any dead trees that are to be removed (Tree # 1,16,17,23,27 31 and 33) at a 2 to 1 ratio. The total number of living and dead trees to be removed will be 8. The total number of replacement trees will be 16.

The Quercus agrifolia (Coast Live Oak) the Sequoia sempervirens (Coast Redwood) and the Pseudotsuga menziesii (Douglas Fir) would all be good native replacement trees. Seed from trees on the site can be collected and propagated.

Acorns from nearby oaks should be collected from early October to early November when they ripen. Acorns should be picked directly from the trees and not off the ground. The fully mature acorns wilt fall easily when knocked from a tree. Acorns should be shiny, plump and free of worm holes. The caps should be removed and the seeds soaked for 1 hour in water. Seeds that float should be discarded. The seeds should then be dried and stored in sealed plastic bags in a cool place.

Seeds for all of the trees should be planted in locations with good drainage, after the first fall rains have soaked the soil. Seeds should be laid sideways in a shallow hole and covered with 1" of soil. If a seed has germinated the small root should be directed downward. Alternately, seeds can be planted in containers, to be transplanted when they have put on their first leaves.

Mesh protection cages for protection from predation by deer, squirrels and birds will need to be arranged around each seed or seedling, at least 1'-0" above the ground and 8" below the ground. Three inches of chipped bark mulch should be placed around the seeds or seedling in a 18" diameter circle. The plants should be watered through at least 2 dry seasons. Cages should be removed when the plants have reached the tops of the enclosure.

All trees to remain that will not be directly impacted by construction activities, should be fenced at their dripline, with construction webbed fencing staked with 5" metal t-stakes at 4'-0" on center. See the attached plan for fencing location.

Hinman

Tree	DBH	Species	Condition	Recommendation
#1	34"	M. Pine	Dead	
#2	23"	Madrone	Good	Protect During Grading
#3	12"	Madrone	Good	Protect During Grading
#4	8"	Madrone	Good	Protect During Grading
#5	30"	Madrone	Good	Protect During Grading
#6	36"	Madrone	Good	Protect During Grading
#7	60"	M.Pine	Pitch Canker	Protect During Construction
#8	54"	M.Pine	Pitch Canker	Protect During Construction
#9	36"	D. Fir	Fair	Protect During Construction
#10	28"	M.Pine	Pitch Canker	Protect During Construction
#11	36"	M.Pine	Pitch Canker	Redesign Grading to Save
#12	48"	M. Pine	Pitch Canker	Protect During Construction
#13	60"	M.Pine	Pitch Canker	Protect During Construction
#14	40"	M. Pine	Pitch Canker	Protect During Construction
#15	32"	M.Pine	Pitch Canker	Remove
#16	48"	M. Pine	Dead	
#17	48"	M.Pine	Dead	
#18	34"	Live Oak	Good	Redesign Grading to Save
#19	19"	D.Fir	Fair	Protect During Construction
#20	18"	D. Fir	Fair	Protect During Construction
#21	38"	M.Pine	Pitch Canker	Redesign Grading to Save
#22	36"	M. Pine	Pitch Canker	Protect During Grading
#23	34"	M.Pine	Dead	
#24	42"	M.Pine	Pitch Canker	Protect During Construction
#25	30"	M.Pine	Pitch Canker	Protect During Grading
#26	48"	M.Pine	Pitch Canker	Protect During Construction
#27	8"	Live Oak	Dead	
#28	24"	Live Oak	Good	Protect During Construction
#29	18"	Live Oak	Good	Protect During Construction
#30	45"	M.Pine	Pitch Canker	Protect During Construction
#31	42"	M.Pine	Dead	
#32	13"	Live Oak	Good	Protect During Construction
#33	48"	Redwood	Dead	
#34	17"	Madrone	Good	Protect During Construction
#35	14"	Madrone	Good	Protect During Construction

ATTACHMENT 5

REGULATIONS:

1. The Wildlife Protection Area is open only during these hours:
   - April through Sept: 8am - 6pm
   - Oct through Nov: 8am - 4pm
   - Dec through Mar: Guided walks only

   Access may be further limited at any time.

2. In the Wildlife Protection Area, visitors are allowed only in areas designated by rope fencing and signs.

3. All visitors must stay at least 25 feet from all seals.

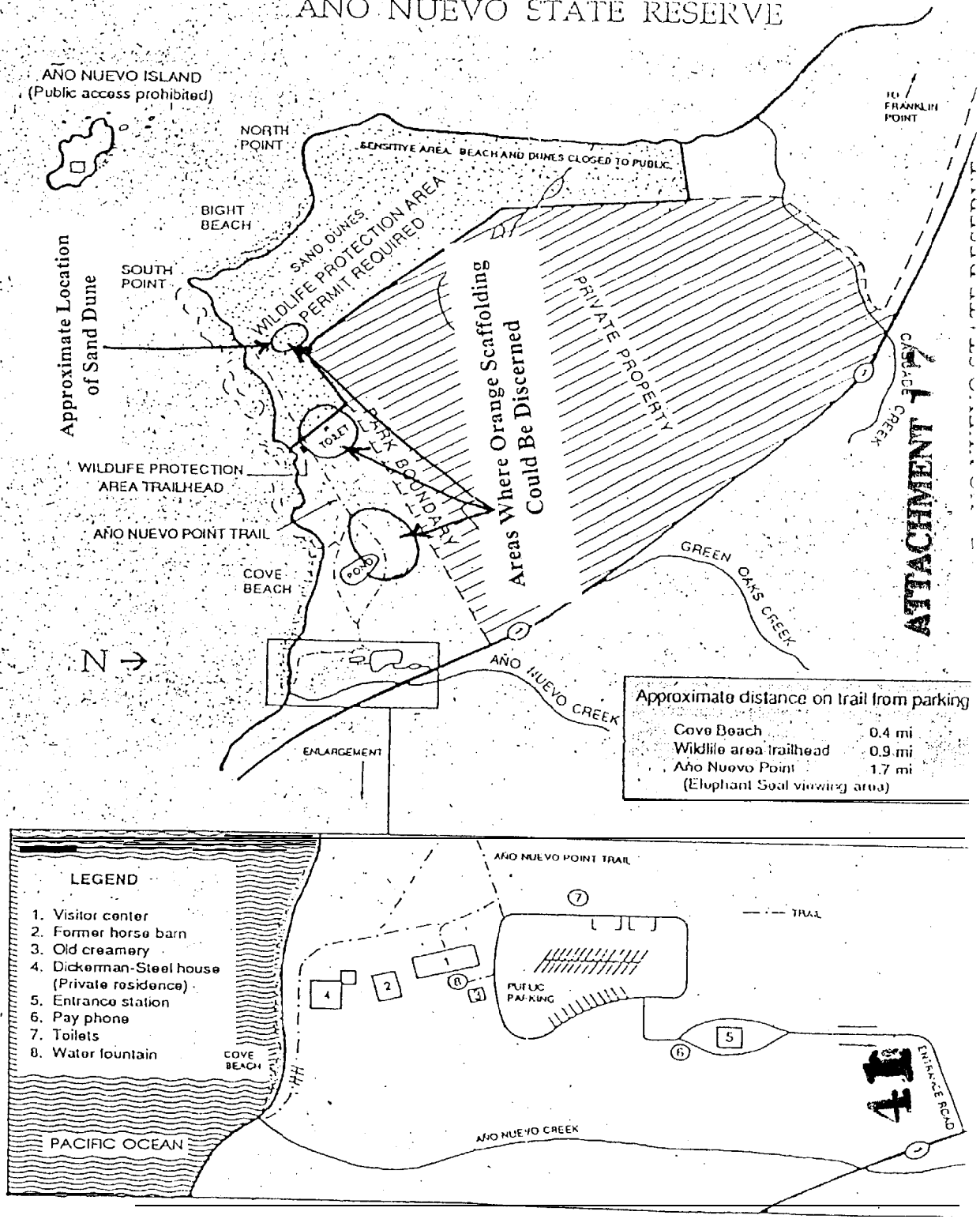
4. No harassment or disturbance of any animal is allowed under state and federal law.

5. No collecting of any natural objects such as shells, rocks, plants, etc.

6. No smoking or eating in the Wildlife Protection Area.

7. No access to Año Nuevo Island is allowed.

8. No dogs.



STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse

ATTACHMENT 5

Gray Davis
GOVERNOR

STREET ADDRESS: 1400 TENTH STREET ROOM 222 SACRAMENTO, CALIFORNIA 95814
MAILING ADDRESS: P.O. BOX 3044 SACRAMENTO, CA 95812-3044
916-445-0613 FAX 916-323-3018 www.opr.ca.gov/clearinghouse.html

Loretta Lynch
DIRECTOR

July 28, 1999

0414

Paia Levine
Santa Cruz County
701 Ocean Street
Santa Cruz, CA 95060

Subject: Hinman/Skees Residence
SCH#: 99062 117

Dear Paia Levine:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period closed on July 27, 1999, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the eight-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts

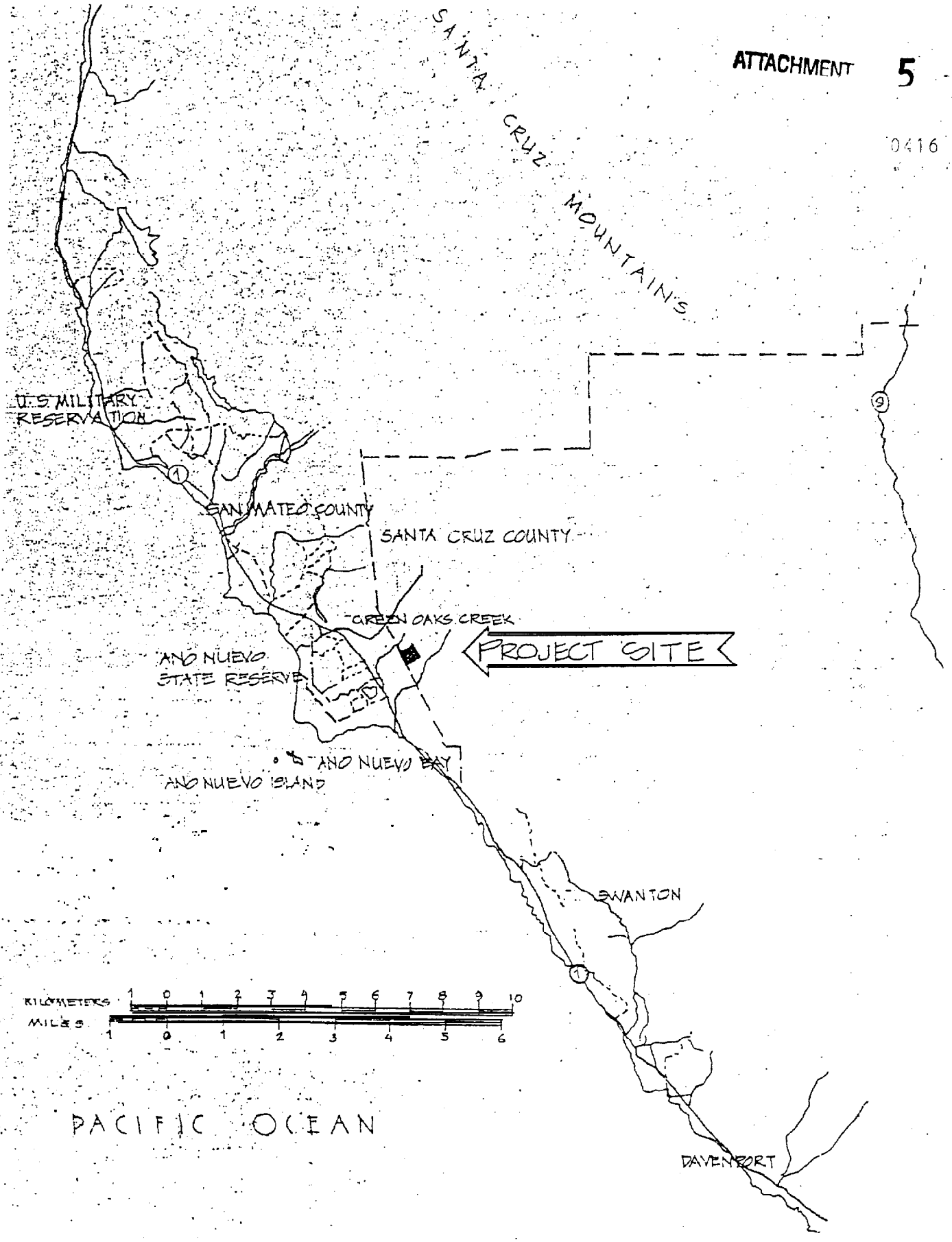
Terry Roberts
Senior Planner, State Clearinghouse

pls. place in project file -

ATTACHMENT 18

See Exhibit J.

for correspondence



LOCATION MAP

41

EXHIBIT D

ATTACHMENT 5

57-C

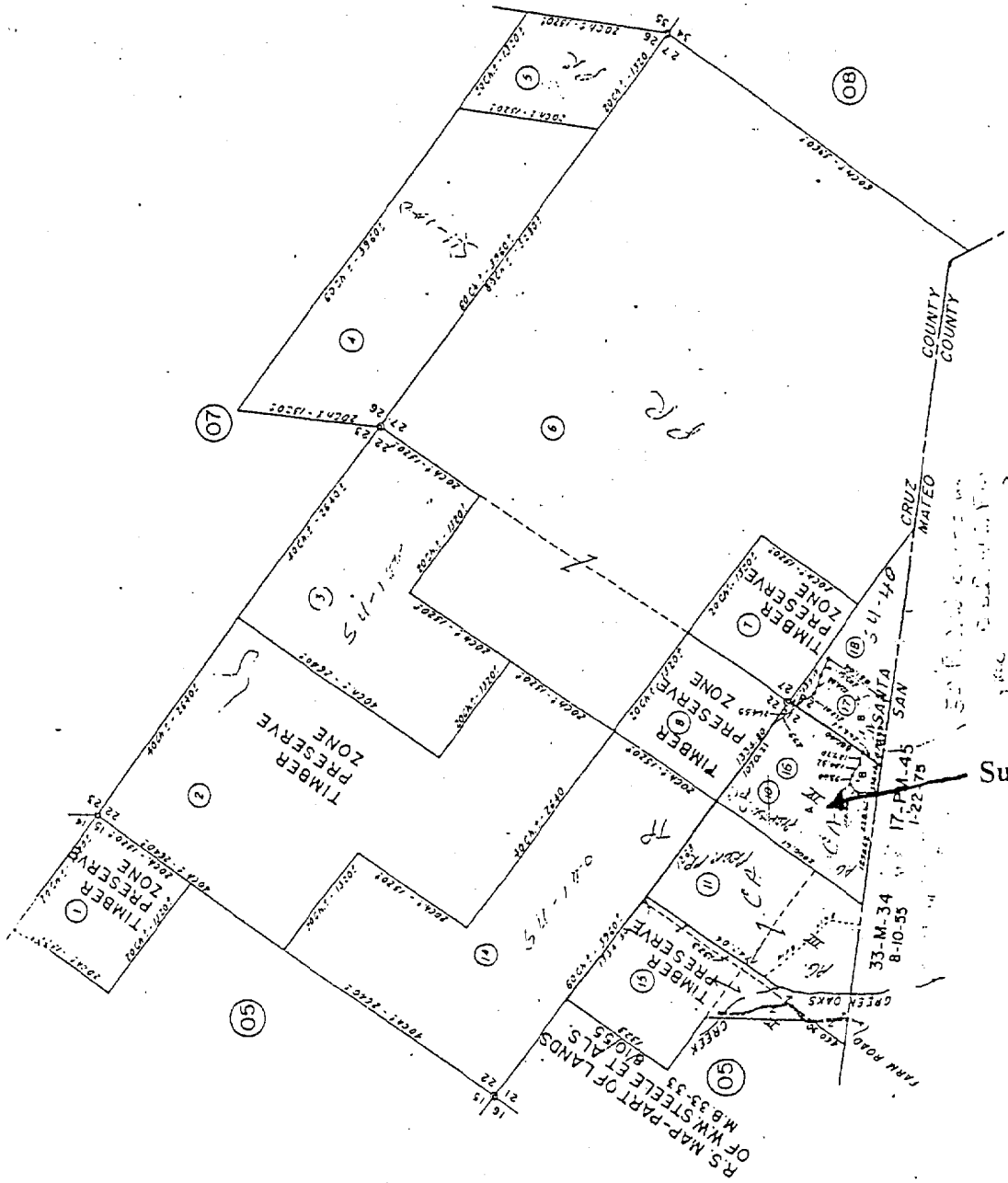
Tax Area Code
86-001

Assessor's Map No. 57-(
County of Santa Cruz, Co
Aug. 1956

FOR TAX PURPOSES ONLY

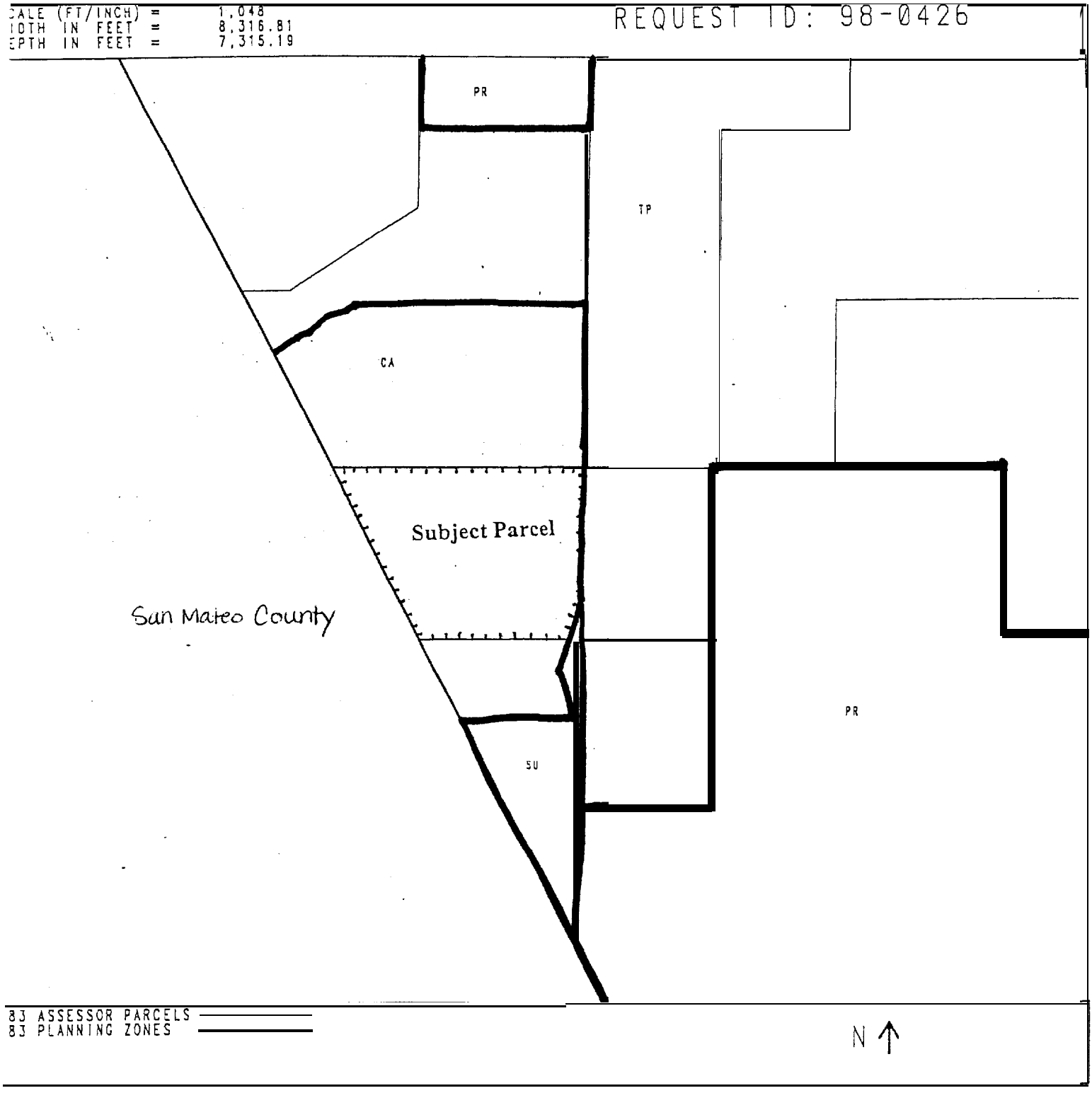
POR. SECS. 15, 21, 22, 26, 27 & 28, T. 9 S., R. 4 W., M. D. B. & M.

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



ASSESSOR'S PARCEL MAP

EXHIBIT E

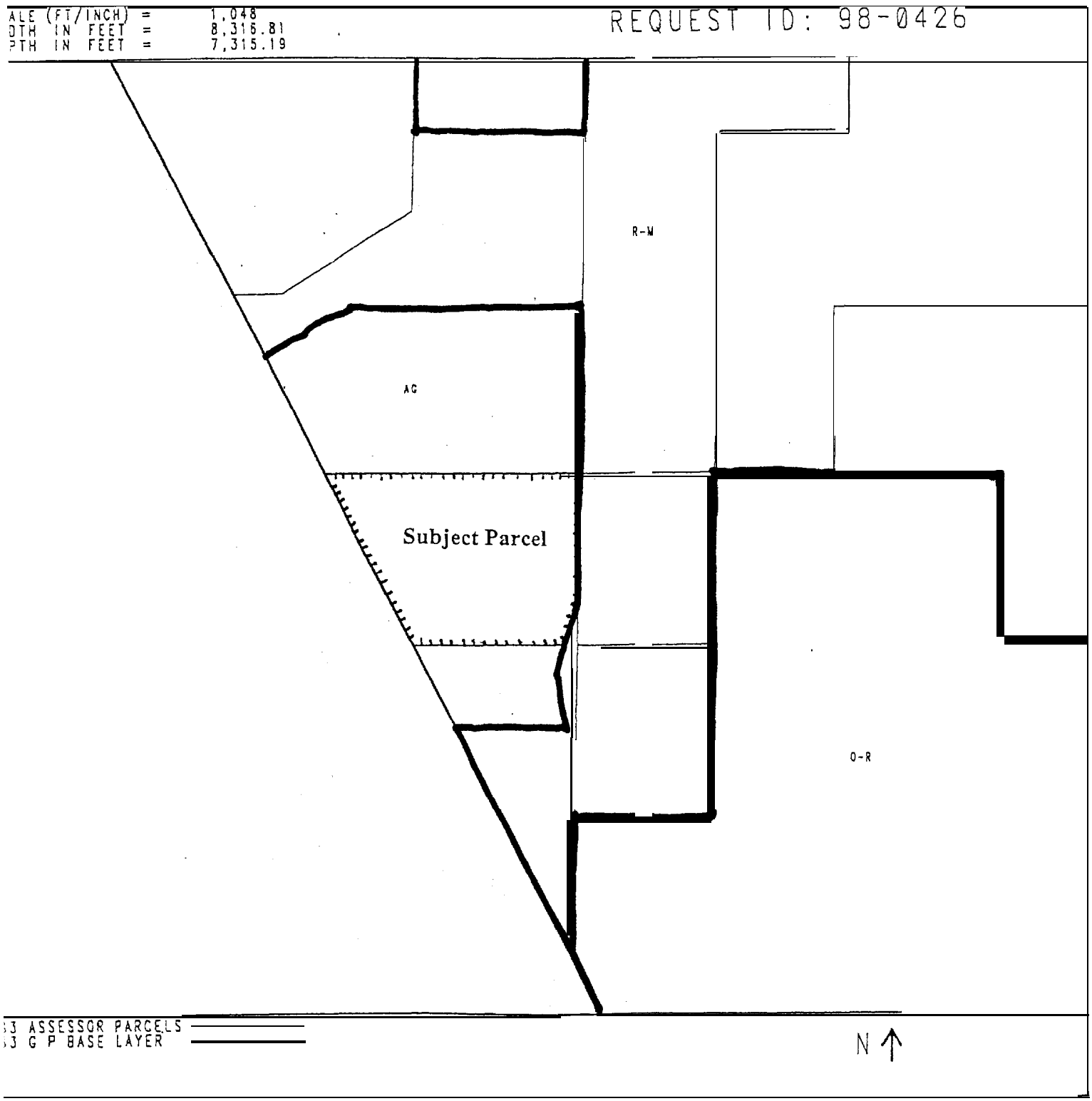


ZONING MAP

. EXHIBIT- F

ATTACHMENT 5

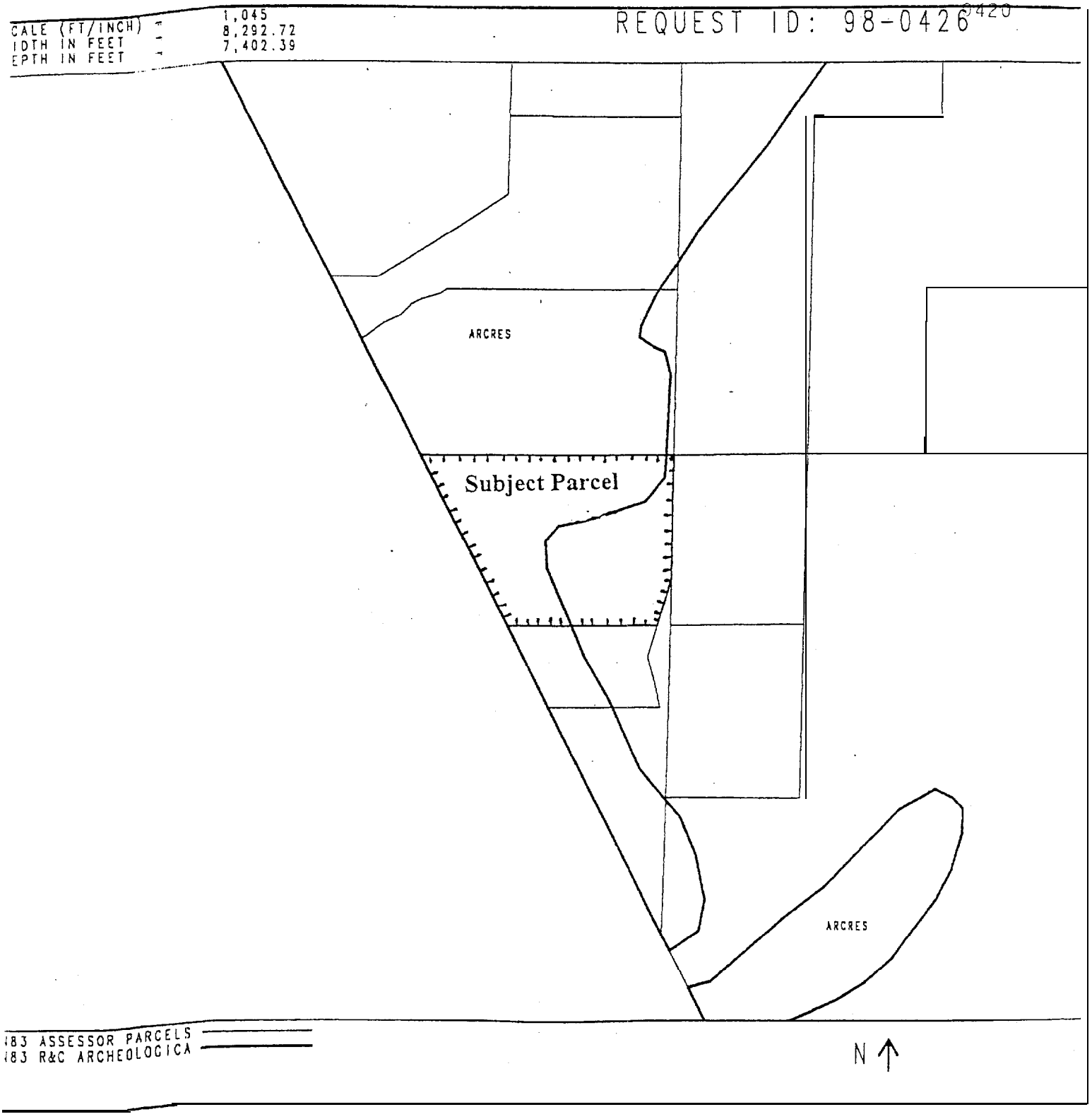
0419



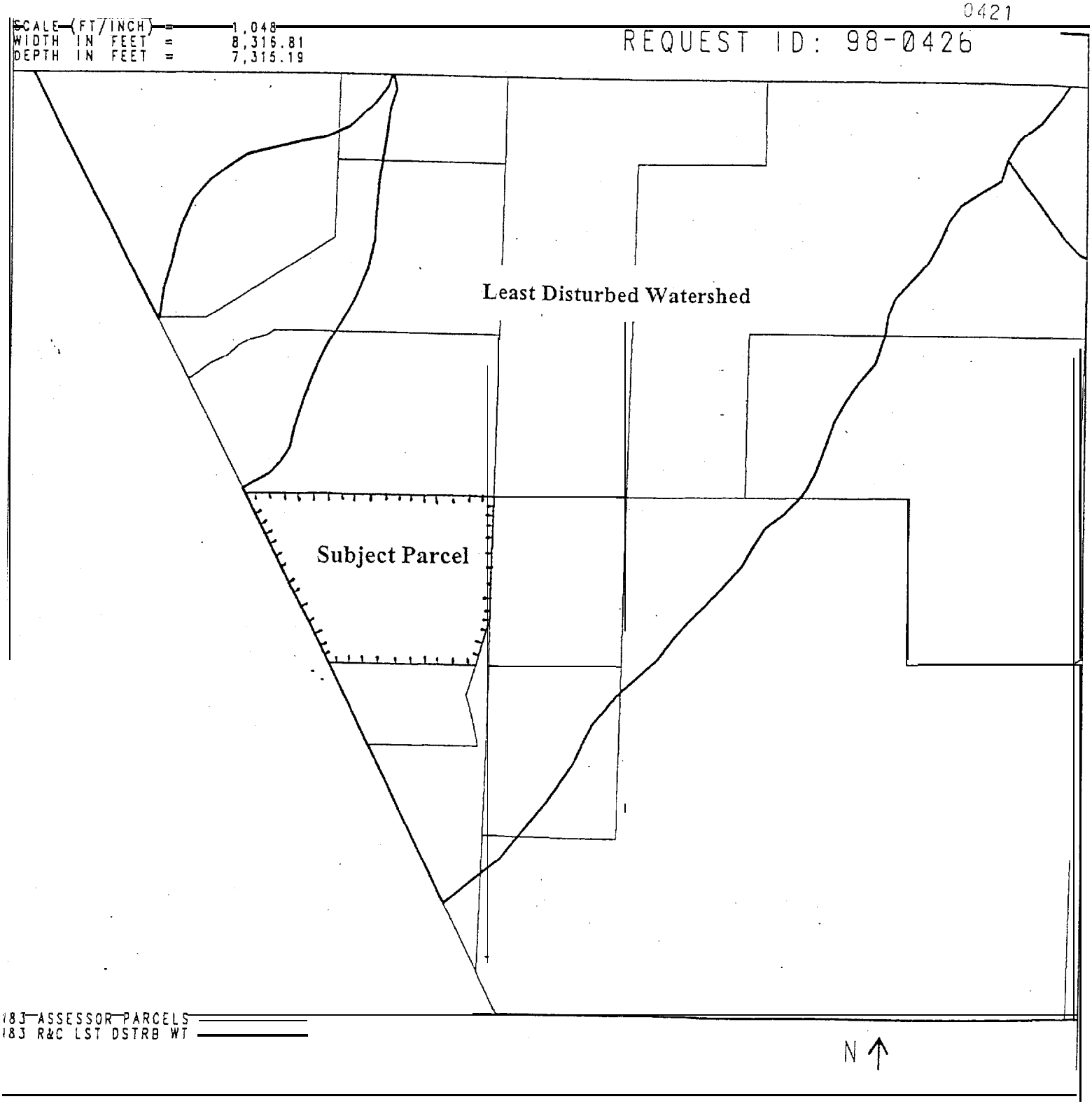
GENERAL PLAN MAP

±1

EXHIBIT G



ARCHAEOLOGICAL RESOURCES MAP



LEAST DISTURBED WATERSHED MAP

98-0426

ATTACHMENT 5

GROSS BUILDING AREA
SUPPLEMENTAL APPLICATION SUBMITTAL REQUIREMENTS

The following floor area calculations help staff to process your application with more speed and efficiency. Please include the index on the cover sheet of your plans, and submit a separate set of calculations for each proposed and existing building.

BUILDING SFD ✓ (Indicate which building on the plot plan.)
EXISTING ___ PROPOSED ✓ (Check one.)

'LOT COVERAGE CALCULATIONS'

1. Zone District: CA
2. Parcel Area: ~~4~~ sq. ft. 49.7 acres
3. Area of Rights-of-way: N/A sq. ft.
4. Net Parcel Area (2 - 3): N/A sq. ft.
5. Coverage by Structures: N/A sq. ft.
   (Total footprint of all structures over 18" in height.)
6. Percentage of Parcel Coverage (5 ÷ 4 X 100): N/A %

HEATED SPACE CALCULATION

1. Total Heated Space: ~ 12,858 sq. ft.
2. Total Unheated Space: ~ 1,722 sq. ft.

FLOOR AREA CALCULATIONS BY TYPE OF SPACE

NOTES: (e) = existing square footage
(p) = proposed square footage
See accompanying definitions for an explanation of each of the following categories. INCLUDE ONLY THOSE CATEGORIES THAT APPLY TO THE BUILDING.

1. BASEMENT/UNDERFLOOR
   If any part of the basement or underfloor is 7'6" or higher (& for underfloor, there is an interior stair & flooring):
   a. TOTAL BASEMENT/UNDERFLOOR AREA GREATER THAN 5' IN HEIGHT.....: 3125*

   * 892 is unconditioned

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.

2. FIRST FLOOR
   a. Area w/ ceilings less than 16' in height (e)___ (p)3662
   b. Area w/ ceilings 16' - 24' (X 2) (e)___ (p)___
   c. Area w/ ceilings >24' (X3) (e)___ (P I -
   d. TOTAL FIRST FLOOR AREA (a + b + c) 3662

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.

EXHIBIT H

98-0426

ATTACHMENT 5

3. SECOND FLOOR

a. Area W/ ceilings less than 16' in height (e)____ (p) 4387

b. Area w/ceilings 16' - 24' (x 2) (e)____ (p)____

c. Area w/ceilings >24' (x3) (e)____ (p) 489

d. TOTAL SECOND FLOOR AREA (a t b + c) 4876

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.
		4876

4. MEZZANINE

a. TOTAL MEZZANINE AREA.....

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.
		—

5. ATTIC

If any part of the attic is 7'6" or higher:

a. TOTAL ATTIC AREA GREATER THAN 5' IN HEIGHT....

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.
		2087

6. GARAGE

a. Total Garage Area (e)____ (p) 830

b. Credit (e) -225 (p) -225

c. TOTAL GARAGE AREA..... (a - b) 605

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.
		605

7. TRELLIS AND ARBOR

If the top of the trellis or arbor is solid:

a. TOTAL AREA UNDERNEATH TRELLIS OR ARBOR..;.....,

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.

8. UNENCLOSED, COVERED AREAS

If there are covered areas on more than one side of the building, submit items a - d for each side on a separate sheet. The first 3' does not count.

Covered Porches & walkways

		Rear (< 1/3)	Front (> 1/3)	Side (> 1/3)
a. Total area below eave, overhang, projection, or deck more than 7'6" in height	(e)____ (p) 124	435	255.5	
b. Area of first 3' of eave or 140 sq. ft. whichever is larger	(e)____ (p) <167>	140	140	
c. Remaining area (a - b)	(e)____ (p) Ø	295	115.5	
d. TOTAL COVERED AREA OF SIDE				

1) Use one of the following:

a) If length of covered area exceeds 1/3 of the building length on that side:

TOTAL COVERED AREA OF SIDE (enter c)..... 295 + 115.5

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.

98-0426

ATTACHMENT 5

OR,

b) If length of covered area is less than 1/3 of the building length on that side:
TOTAL COVERED AREA OF SIDE (enter 0.50 X c) .....

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.
		Ø

0424

e. TOTAL COVERED AREA OF ALL SIDES (enter sum of all sides) .....

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.
		410.5

9. TOTAL FLOOR AREA OF THE BUILDING (Sum all of the categories above.) .....

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.
		N/A

10. TOTAL FLOOR AREA OF ALL BUILDINGS (Sum of the floor area of all buildings.) .....

EXISTING SQ. FT.	PROPOSED SQ. FT.	TOTAL SQ. FT.
		N/A

11. FLOOR AREA RATIO CALCULATIONS-:
Proposed FAR: N/A % (net parcel area%proposed floor area from #10 X 100)

12. LARGE DWELLING CALCULATIONS:
Total Proposed Floor Area: 14,765.5 sq.ft. (Proposed floor area from #10, minus barns and other agricultural buildings.)

ATTACHMENT 5

WHAT AREAS ARE COUNTED TOWARD.....

0425

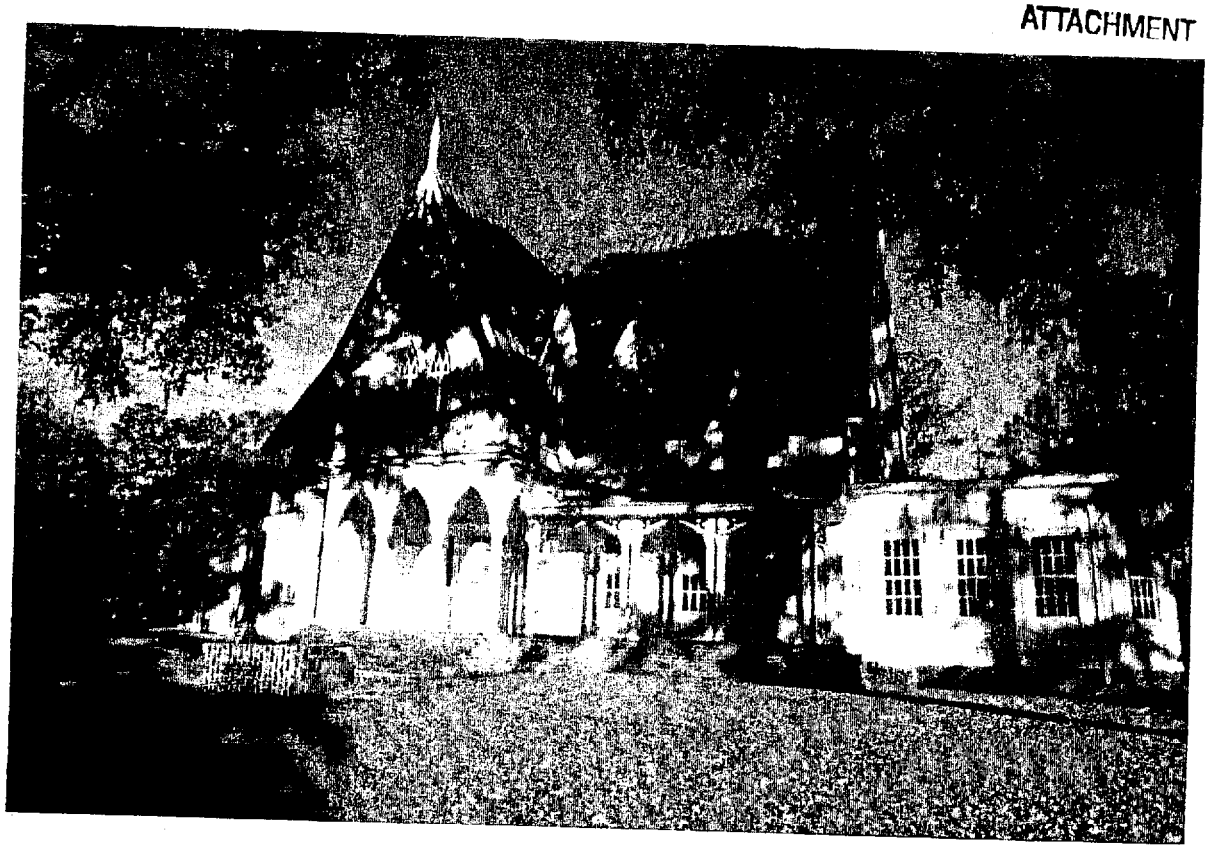
	LOT COVERAGE	FLOOR AREA	BUILDING FEES	~~4500~~ 7000 SQ. FT. LIMITATION
Conditioned space per CAC Title 24	Y	Y	Y	Y
Uncovered decks and porches <18 inches in height	N	N	N	N
Uncovered decks and porches >18 inches in height (Bldg. fees count when decks exceed 30 inches)	Y	N	Y	N
Covered, enclosed porches, decks and stairways and landings	Y	Y	Y	Y
Uncovered Cantilevered Balconies	N	N	Y	N
Covered- Cantilevered Balconies	Y	Y	Y	Y
<3 foot eaves and chimneys	N	N	N	N
>3 foot eaves	N	Y	N	Y
Open underfloor areas without floors	N/A	N	N	N'
Open underfloor areas with floors and interior stairs	N/A	Y	Y	Y
Basement areas with headroom heights >5 feet	N/A	Y	Y	Y
Up to 225 sq. ft. of garage or carport	Y	N	Y	N
Areas greater than 225 sq. ft. of garage or carport	Y	Y	Y	Y

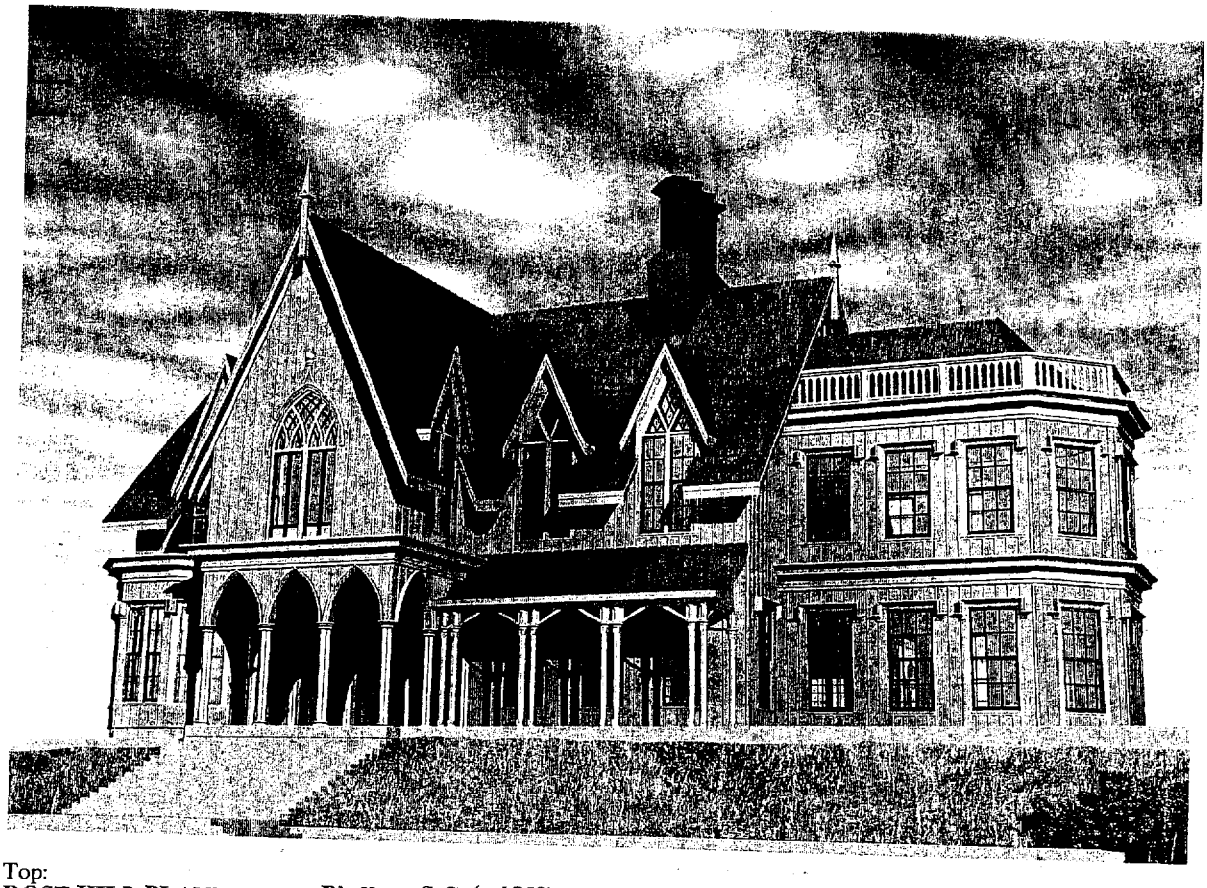
Attic spaces with headroom heights <5 feet	N/A	N	N	N
Attic spaces with ceiling heights >7'6" minus areas with <5 ft. headroom heights	N/A	Y	N	Y
Barns and similar agriculture-related structures	Y	N	Y	N

0426

Y = YES, AREA IS COUNTED
N = NO, AREA IS NOT COUNTED
N/A = DOES NOT APPLY

Revised July 20, 1992





Top:
ROSE HILL PLANTATION, Bluffton, S.C. (c. 1858)

Bottom:
View From Southwest, at AÑO NUEVO HOUSE (c. 2000)
for Brian Hinman and Susan Skees

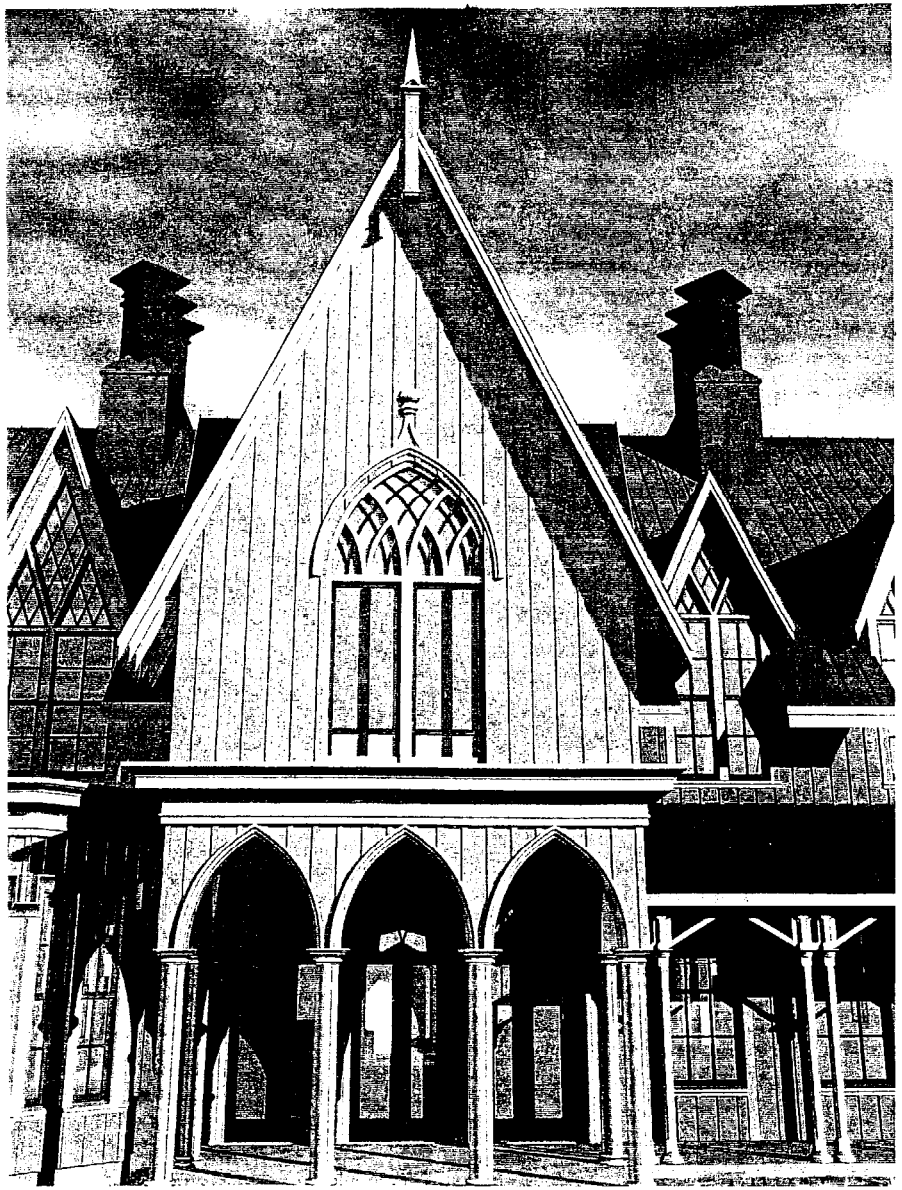
ROSE HILL PLANTATION, Bluffton, S.C. (c. 1858)

View From South at AÑO NUEVO HOUSE (c. 2000)
for Brian Hinman and Susan Skees

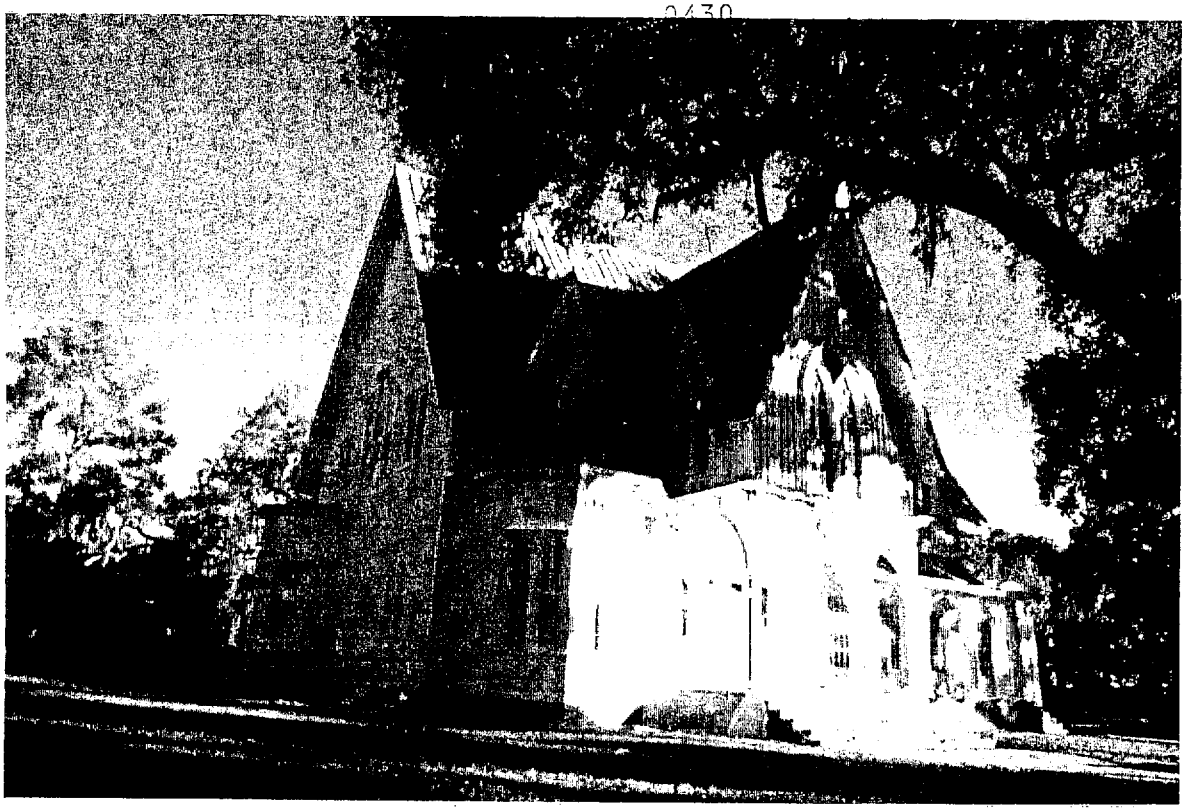
ATTACHMENT 5

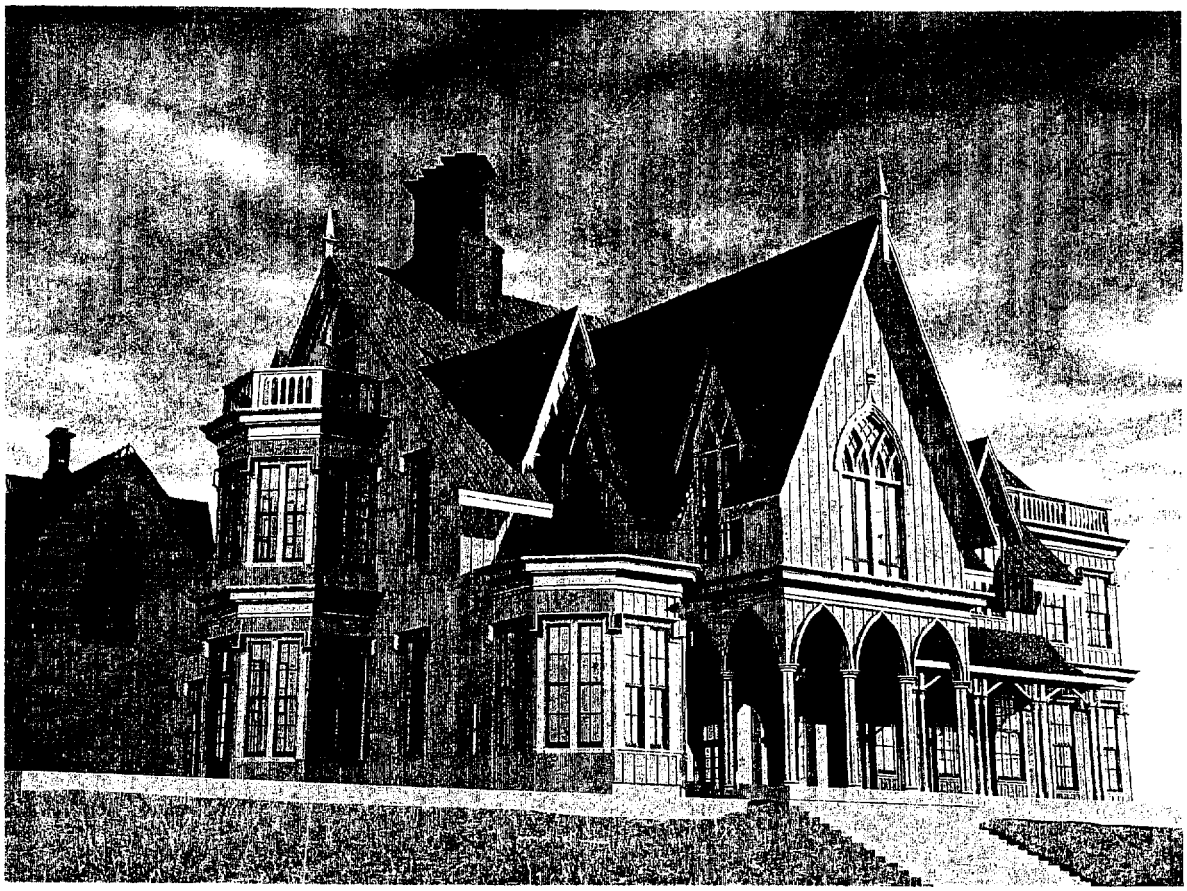
0429

ROSE HILL PLANTATION, Bluffton, S.C. (c. 1858)



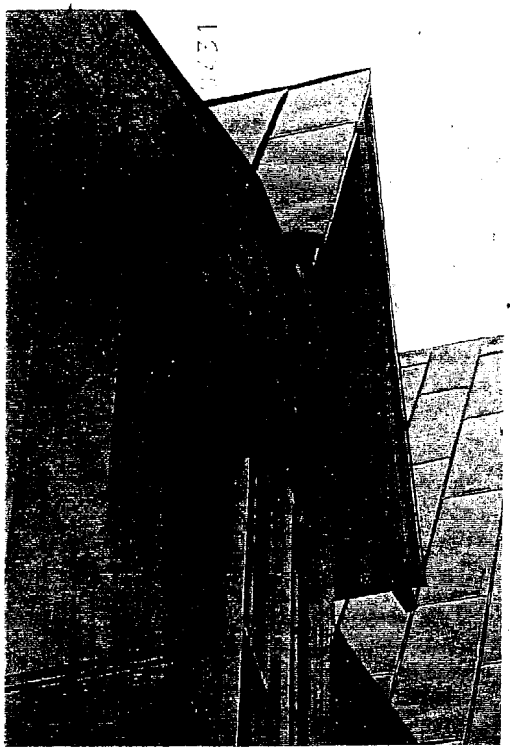
West Gable and Porch, AÑO NUEVO HOUSE (c.2000)
for Brian Hinman and Susan Skees

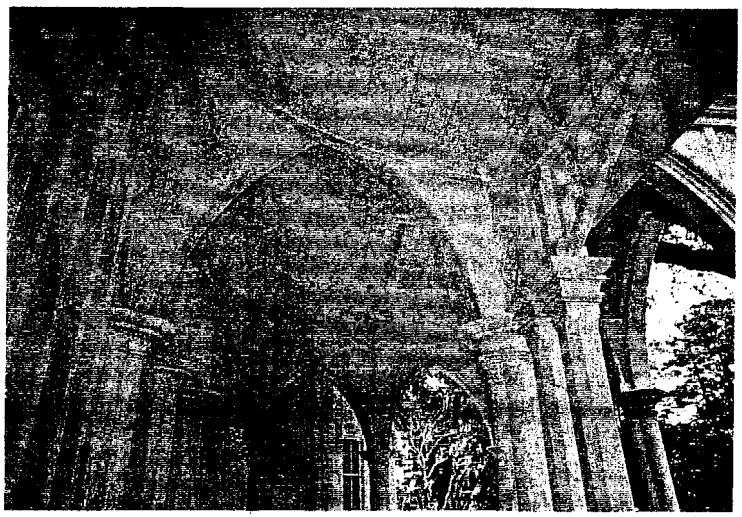


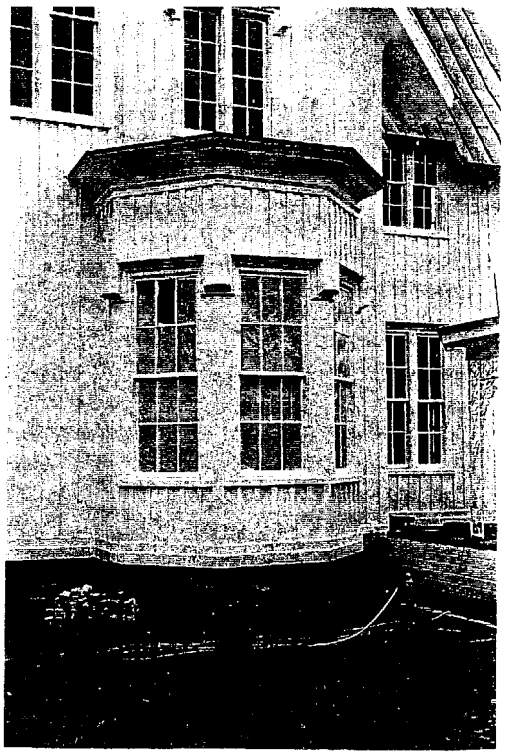


Top:
ROSE HILL PLANTATION, Bluffton, S.C. (c. 1858)

Bottom:
View From Northwest at AÑO NUEVO HOUSE (c. 2000)
for Brian Hinman and Susan Skees







ROSE HILL PLANTATION
Bluffton, S.C.
c. 1858

MOSSWOOD
Oakland, CA
c. 1864

Residence Office - 683 San Miguel Ave - Santa Clara California 95050-5157

Mr. Paia Levin
Santa Cruz County Planning Department
Government Center
701 Ocean Street
Santa Cruz, Caifornia 95060

Residence Office
Jim orosco
683 *San Miguel Ave*
Santa Clara California 95050-5157
US
Tel.: 408 247-4196
Fax: 408 985-7992
f-mail: Jimyo@aol.com

Your Ref.Negative Declaration #98-0246/APN 57-061-16

Date

Fri 29/Oct 99

Coastal Development

Sir:

I recently was made aware of the reference planning under consideration by your office. Upon reading the details of this dwelling, I was very frankly astounded that any one that cares at all about the quality of life in our state would consider such a proposal. A three story, single family dwelling of 14,494 sq. feet?

The size alone seems more than enough for a small hotel, but to consider building it on our San Mateo Coast is insulting at the very least.

I ask you to reconsider this matter and to keep in mind how South Lake Tahoe dealt with very similar situation when faced with the overbuilding around the lake. As you may recall, the lake was facing a water pollution problem due to an overpopulation situation, and even though there was opposition, the building stopped and the probability that Lake Tahoe will enjoyed by yours and my descendants is now more of a sure thing.

Please note that Highway One is and has been one of the most scenic highways in this state. I am a Docent at Ano Nuevo State Park and I talk to people from all over the world that come to enjoy our state and they all speak of the wonders of California and this great highway.

If this proposal to build this “Home” goes through, it would go a long way to proving that we are indeed trying to make our state one long and smoggy Los Angeles.

Please do not allow your vision to be clouded by developers who only have their bank accounts in mind.

With kind regards Jim Orosco

A1

EXHIBIT J

ATTACHMENT 5

ROSALIND CAROL

Oct 26

1434

Dear Planner

Re Neg Dec # 98-02426/APN
57-061-16

I am writing to express my negative feelings about the single family dwelling of 14,494 sq feet visible to over 200,000 people a year as they walk the trail at Arno Nuevo. What is your intrusive visual impact statement?

Rosalind Carol

1 PYXIE LANE, SAN CARLOS, CA 94070-1506 650-592-9394 FAX: 650-592-1116
E-MAIL: ROSCAROL@AOL.COM

ATTACHMENT 5

650 Hidden Beach Way
Aptos, Ca. 95003
October 25, 1999

0175

Paia Levin
Santa Cruz County Planning Department
Santa Cruz Government Center
701 Ocean Street
Santa Cruz, Ca. 95060

RE: Negative Declaration #98-02426/APN 57-061-l 6

This letter is in reference to the above parcel being considered for development across from Ano Nuevo State Reserve.

The three story, single family dwelling, approximately 14, 494 sq. ft., being considered for that parcel is located in a coastal viewshed adjacent to state park lands. It is in the view of over 200,000 visitors to Ano Nuevo annually. At present, the view one sees from the State Park is open space and lovely natural settings.

As a visitor to that area many times per year, for over 25 years, I have always enjoyed the pristine lands surrounding Ano Nuevo. I support keeping the lands in that area as they are, with little or no development. There are too few open spaces that the public can enjoy for generations to come. Please list my letter among those who oppose the development being considered for that parcel. Thank you.

Sincerely,

Fay Levinson

Fay Levinson

41

ATTACHMENT 5

KIRK E. PETERSON & ASSOCIATES ARCHITECTS

October 14, 1999

0436

Cathleen Powell Carr
Planning Department
Santa Cruz County
701 Ocean Street
Santa Cruz, Ca 95060

Dear Cathleen,

You have received the sample of the roofing copper. The sample was treated with chemical solutions to approximate the patina (oxidation) that would result from years of exposure to weather. This work was done at the Artworks Foundry in Berkeley, which does castings for sculptures of all sizes by artists from the U.S. and abroad.

When the patination was done I was there. The copper sheets were washed with a solution of cupric nitrate (liver sulfur) to produce the darker black/brown tones. Ammonium sulfate was also used on the sample, producing the green tones. This same process can be field applied to the finished roof of the new house, to approximate an accelerated weathering process. Some variation in the coloration is inherent in the process, and is desirable because it will be like the varied tonality of the landscape.

The traditional treatment of the roof would be to simply let nature takes it's course. The weather would create a patina over time. There would be a dramatic change from shiny copper to a dull gray/brown in the first few months, after which the roof would gradually darken. The proximity to the ocean would cause the process to occur more quickly than it would inland, due to the salt in the air. This 'low tech' approach would not require the use of chemical processes, but would not be as fast as the proposed procedure.

There is a fairly new home with a copper roof right on the ocean bluff at Pescadero. The roof was allowed to weather naturally, and has turned a dull gray/brown/ green color. The Rose Hill Plantation in Bluffton, S.C. (circa 1858) is the inspiration for the design of the Hinman-Skees Home. It sits within 200 feet of a coastal salt marsh. It was recently restored and has a fairly new copper roof. This roof has also turned a gray/brown /green color. We will provide some photographs of these homes for your review. I have mentioned these examples to help allay any fears that the proposed roof will be a dramatic color.

For more specific information about the patina process you could also call Pietro Mussi, proprietor of Artworks Foundry in Berkeley at 510-644-2735 (though he will be in Italy for the next few weeks). I believe his firm is going to be doing some patina work on a new copper roof on the S.F. Peninsula: so the process described above will have been tested by the time the Hinman-Skees house is roofed.

Please feel free to call me if you have any questions.

Sincerely,

Kirk E. Peterson

Kirk E.Peterson

cc: Richard Beale
Brian Hinman
Pietro Mussi

5253 COLLEGE AVENUE OAKLAND CALIFORNIA 94618
vox:510-547-0275 fax: 510-5347-4173 email Art2Arch@pacbell.net

ATTACHMENT 5

David R. Lee and Cheryl L. Moser
P. O. Box 2232
El Granada, CA 94018

0437

August 9, 1999

Ms. Kathleen Carr
County of Santa Cruz
Planning Department
701 Ocean Street
Santa Cruz, CA 95060

Re: Hinman/Skees Project

Dear Ms. Carr:

We have been coastside residents for many years and currently own the approximately 84 acre parcel of land in San Mateo County, directly west of and abutting the Hinman's property. We are writing this letter in strong support of their project.

We have had an opportunity to review their building site, including the currently installed "story poles" and netting. We have also had a chance to review in detail their building and grading plans, sketches and conceptual photos of the planned project. We have also had extensive conversations with the Hinman's to discuss their planned use of materials, landscaping plans and the integration of their project into the natural coastal ecosystem.

In summary, we are delighted to have such a unique architectural project in proximity to our property with neighbors that share our sensitivity to the coastside environment. While it is not possible to see their proposed building site through the dense treeline surrounding the eastern boundary of our property, if we had no such treeline we would still be delighted to see a magnificent example of Gothic revival architecture in such a beautiful area of the Northern California coast.

From what we can tell from our review of the Hinman's proposed building site from the Cabrillo Highway, it is not visible from view. Even if it were visible, the substantial distance from the highway and the "footprint" of their proposed home would make such impact barely perceptible.

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While our love of the beauty of the coast might otherwise cause us to want to prevent any further development of any kind, having neighbors that share the same appreciation of the coastal beauty and who seem deeply committed to building a home in an environmentally conscious manner is a significant benefit to those of us who live on the coast as well as for others who will share the coast for many years to come. We would be happy to elaborate on the content of this letter or our views regarding the Hinman's project. Please feel free to contact us at (650) 726-4528.

Yours truly,

David R. Lee

Cheryl L. Moser

ATTACHMENT 5

0439

John H. & Sybil Pfluke
221 Kingsiey Avenue
Palo Alto, CA 94301

County of Santa Cruz Planning Dept.
701 Ocean Street
Santa Cruz, CA 95060

Dear Ms. Carr,

We are writing in regard to Mr. Brian Hinman's proposed pians for construction of a 14,500 square foot home in Santa Cruz County near Atio Nuevo State Reserve. We are the current owners of ap# 057-061-I 1, which is adjacent fo Mr. Hinman's parcel and proposed building site. We are not opposed to his building plan. We feel that his plan would blend in with the surrounding landscape and not detract from the beauty of the area. Our son and his wife live on our property and they too believe that the proposed development would in no way be detrimental to our planned use of our property.

Sincerely,

John H. Pfluke

Sybil A. Pfluke

ATTACHMENT 5

0440

2060 Cabrillo Hwy.
Pescadero, CA 94060
(650) 879-1009

July 29, 1999

County of Santa Cruz Planning Dept.
701 Ocean St.
Santa Cruz, CA 95060

To Whom It May Concern:

We are writing in regard to Mr. Brian Hinman's proposed plans for construction of a 14,500 square foot home in Santa Cruz County, near Ano Nuevo State Reserve. We are live-in caretakers and future inheritors of ap# 057-061-l 1, which is adjacent to Mr. Hinman's parcel with the proposed building site. We heartily approve of his plans, both in terms of his chosen building site and the details of his architectural plans for the home and accessory structures. We feel that his proposed building site, being nestled into the hills and existing trees, would sufficiently blend his proposed home into the landscape and would in no way infringe upon the beauty of the surrounding rural coast side. Furthermore, the architectural plans for the home and structures are of sound and pleasing design.

We look forward to being neighbors with Mr. Hinman and his family and are in full support of his proposed plans. If you have any questions, do not hesitate to contact us at the above address and phone number.

Sincerely,

Stephanie Jennings and Paul Pfluke

ATTACHMENT 5

SIERRA CLUB

Santa Cruz Regional Croup of' the Ventana Chapter

P.O. Box 604,Santa Cruz, California 95061 (408) 426-4453

0441

July 29, 1999

FAX to 831/454-2131

Planning Department
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

To: Cathleen Carr, Planner
Re: 98-980426 Betty Cost, Richard Beale,Applicant
Negative Declaration with Mitigations

Dear Cathleen Carr:

The Sierra Club has several questions and comments about this negative declaration and its mitigations. Judging from the orange scaffolding, the house will be visible from Ano Nuevo State Reserve. Is there mare scaffolding representing the entire dimensions of the house hidden behind the Monterey pines? If so, what is the height of these pines? When they die, which may happen soon, how tall will replacement trees have to be to hide the house from the Reserve? Will the planned trees in the mitigations be that tall?

The Sierra Club would suggest that a bond be posted to assure that various landscape mitigations be carried out even if the property changes hands,

No site plan waa included in the negative declaration documents.

Is it likely that proposed houses on adjacent parcels will also be partly visible from Ano Nuevo State Reserve? If so, the cumulative impact of these structures will change the current "wild and natural" view from the coast.

Yours truly,

George Jammal, Chair
Santa Cruz Regional Group

cc. Supervisor Mardi Wormhoudt

ATTACHMENT 5

Celia Scott, *A.I.C.P*
ATTORNEY AT LAW
1520 Escalona Drive
Santa Cruz, California 95060
Telephone and FAX *(831) 429-6166*

0442

July 29, I.999

Ken Hart, Environmental Coordinator
County of Santa Cruz, Planning Dept.
701 Ocean Street
Santa Cruz, CA 95060

Transmitted by fax to 831-454-2131

Re: Preliminary. Environmental Determination
Negative Declaration for Application No. 98-0426, APN 057-061-16
'Betty Cost, Richard Beale, Land Use Consultants

Dear Ken:

As a member of Friends of the North Coast, I am concerned about several aspects of the above-referenced Negative Declaration and proposed construction of a 14,500 square foot house on the Santa Cruz north cost in the vicinity of Ano Nuevo and Eig Basin State Parks.

First, the project description appears to be incomplete, in that it' does not include the length or location of the access road, or any site plan which provides a footprint of the main residential structure, the accessory buildings, etc. The lack of a site location for the residential *structure* is particularly troubling, 'since the Negative Declaration claims that the structure has been relocated from its original. proposed site. There i's no evidence in, the Negative Declaration to support that claim. The only large-scale plans that I have viewed show the structure in its original location at the highest point of the property. .

Second, the Initial Study describes the proposed single-family residence as a principal permitted use on Commercial Agriculture (CA) zoned land (see p. 16). This appears to be incorrect. Under Section 13.10.312(a) (1) and the Agricultural Uses Chart of the zoning ordinance, single-family dwellings in the coastal zone are required to have a Level V review (not permitted by right). Nothing in the stated purposes of. the CA district (Section 13.10.311(a)), indicates that construction of single-family dwelling's is the purpose of CA zoning. Furthermore, the enormous size of this residence (largest in the county?) 'is not consistent with the basic purpose of the CA district, namely to preserve agricultural lands. What IS the relationship between this residence and the preservation of agricultural land?

Third, the adequacy of the biotic review for the present site (nowhere clearly delineated in the Negative Declaration) is unclear. Attachment 11 says specifically "Should the project site be 'relocated to the 'flatland' area within proximity to the wetland site, additional 'biotic review will be required to verify habitat and potential impacts to. the Federally listed California Red-legged frot." It is not possible

ATTACHMENT 5

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to tell from the documentation in the Initial' Study whether the proposed dwelling is located On one of the two upland sites or on the flatland site . In either case,, there does not appear to have been a Reg-legged frog survey conducted in accordance with the U.S. Fish and Wildlife survey protocol, nor does USF&WS appear' to have been consulted.

Furthermore, the second condition of approval listed on p. 1 of Attachment 11, regarding the freshwater marsh; is not included in the iist of proposed mitigation measures, despite. the statement on p. 7 of the Initial Study tinder biotic factors. It is also unclear how many Monterey pines, or trees generally, are being removed at the re-located building site, i.e., less than the 32 of 47 Monterey pines being removed by the previous proposal? What evidence is there that any of the mitigations proposed, including replanting and propagating of this sensitive species, are actually feasible?

Fourth, the analysis of visual impacts is incomplete aswell. The viewpoints selected do not include any viewpoints from Big Basin State Park trails, or any other viewpoints from higher elevations than the, proposed structures. There is a difference of opinion as to visibility from Ano Nuevo State Park, according to the letter from the State Parks Dept. Having personally viewed the site from the Ano Nuevo viewpoints,it is clear to me that the house will be visible from Ano Nuevo State Park; There is also no analysis of potential cumulative visual impacts, since this structure will be added to the existing visible neighboring residence, and there are many undeveloped parcels wihin the immediate vicinity of the proposed structure. The planting of Monterey 'Cypress trees (a very slow-growing species) will admittedly not provide screening until the trees are "mature", an un-disclosed period of time. There is also no discussion of the overall impact on the north coast viewshed, the most unspoiled coastal vista in Santa Cruz County, nor apparently any consideration of mitigating visual impacts by reducing the size and height of the proposed dwelling, which is of unusual and unconventional scale for an alleged single-family structure..

Fifth, there is no 'analysis of the potential cumulative impact of more 14,500 sq.ft. dwellings on the Ano Nuevo Creek watershed, which is a least disturbed watershed under County General Plan policies. There is something fundamentally wrong if structures. this, size can be constructed in a least disturbed watershed on prime agricultural land.

Finally, public notice for this determination was posted out of view of any members of the public except those who use the private access road. It clearly should have been posted at Highway 1 for the notice to be considered "public",

Thank you for consideration of these comments. I am also formally requesting written notice of any further action, public hearings, etc. on this project.

Yours truly,

Celia Scott

cc: Supervisor Wormhoudt
State Dept. of Parks & Recreation

ATTACHMENT 5

TE OF CALIFORNIA—RESOURCES AGENCY GRAY DAVIS, Governor

DEPARTMENT OF PARKS AND RECREATION

Bay Area District
250 Exccutivc Park BLVD.
Suite 4900
San Francisco, CA 94 134-3306

0444

July 27, 1999

Santa Cruz County Planning Department
Governmental Center
701 Ocean Street
Santa Cruz, CA **95060**

RE: Comments on Negative Declaration # 98-0426/APN 57-061-16

TO: Planner Paia Levine

The following comments are submitted by the California State Parks regarding the proposed construction of a three story, single family dwelling, of approximately 14, 494 square feet located in the coastal view shed adjacent to state park lands.

These comments are similar to the comments that were submitted on July 13, 1998 and March 21, 1999 in letters from this agency, except for added comments on the Negative Declaration.

Visual Impact Related to Año Nuevo State Reserve

Año Nuevo State Reserve is an internationally visited unit of the California State Park System and is located 50 miles south of San Francisco on the San Mateo County coastline. This Reserve was created because of the extraordinary natural, cultural, and visual resources. The educational and interpretive program at the Reserve is used as a model at a national level related to protecting coastal resources. Approximately 250,000 people visit the Reserve annually.

Visitors to the Wildlife Protection Area walk a 1.5-mile trail out to Año Nuevo Point. When walking back from this point of land these visitors enjoy one of the most spectacular and extraordinary vistas along the coast of California. These visitors view pristine coastal mountains with no current intrusive visual impacts. This kind of experience, so near to a major metropolitan area, is found no where else in the state.

Staff at Ano Nuevo State Reserve were able to view the orange construction ribbon of this proposed site from numerous locations on Ano Nuevo Point, especially the

ATTACHMENT 5

0445

highly visited areas. The proposed site is visible along the entire length of the trail coming in from the point. In some locations the site was partially blocked by the Monterey Pine trees that arc located directly west of the site. The construction ribbon was only partially obstructed by these trees. We believe the county should consider the probability that these Monterey Pines will be effected by the pitch canker disease and will die. When this occurs the site will be completely exposed for miles in either direction from the State Reserve.

Therefore, as planned, this proposed development would be visible and intrusive from portions of the State Reserve on the western side of Highway One. This development would have a negative impact on the visual resources related to this State Reserve.

Specific Comments on Negative Declaration

- State Reserve staff disagrees with county statements that " the chimneys and portions of the structure are visible from ... discrete locations in Ano Nuevo State....." (Page 11, Environmental Review Initial Study). These portions of the structure will be seen from the two most visited portions of the Reserve: the Staging Area and the southern portion of Ano Nuevo Point.
- State Reserve staff disagrees with the indicated impact level assigned on page 12 #4. "of less than significant impact". This structure will be one of the most visible human made structures to visitors walking in from Ano Nuevo Point.

Within the Santa Cruz County General Plan associated with coastal development language exists in policies 5.10.1, 2, and 3 that prohibit or restrict development that effect the visual resources. San Mateo County also has similar language. This development should be evaluated extensively with these policies in mind.

The California State Parks believes that this proposed development will effect visual resources at Año Nuevo State Reserve and the related coastal view shed. Please notify this office of any further information regarding this proposed development. If you have any questions related to these comments please contact Supervising Ranger Gary Strachan at 650-879-2025.

Sincerely,

For

Ronald Schafer
District Superintendent

ATTACHMENT 5

Bill Williams
P.O. Box 1088
Santa Cruz, Ca. 95060

0446

5 July 1999

CATHLEEN CARR
Planner
Planning Dept.
701 Ocean Street
Santa Cruz, Ca. 95060-4073

Re.: Request to DENY # 98-0426
APN. 057-061-16 - Environmental Review Staff
HWY 1 at 2074,

Dear Ms. CARR:

Would you please be kind enough and DENY the above application on all counts.

If the owner/applicant wants to build a THREE-story, 51 feet tall house, please advise him/her to go to an area where the building code/ordinances allow such structures,' NOT HERE.

Please DENY:

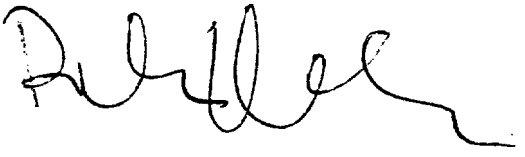
1. 5560 cu.yd. grading

2. THREE-story house

3. TWO habitable accessory structure;

Thank you,

Yours truly,



Pat Boling 2074 Highway One ♦ Pescadero, CA 94060

May 3, 1999

Cathleen Carr
701 Ocean Avenue, 4th Floor
Santa Cruz, CA 95060

Dear Ms. Carr:

This letter is about the granting of a building license to Mr. Brian Hinman. We have known the Hinmans since they first ventured up our road in search of a home site several years ago. They bought the acreage just north of ours, and we have found them to be a very endearing and hospitable family in our dealings with them ever since. Consequently, we have no doubts that they are straightforward in their plans and would welcome them as neighbors.

Sincerely,

Marion S. Boling

Pat Boling

MICHAEL BRAUDE
2031 Ashton Avenue
Menlo Park, California 94025

650-233-2796
mabraude@aol.com

0448

VIA FACSIMILE

February 25, 2000

Santa Cruz County Board of Supervisors
Santa Cruz, California

Re: Hinman House, Application No. 98-0426

Dear Board:

I ask you to oppose the approval of the Hinman House, Application No. 98-0426.

As a docent at Año Nuevo State Reserve, I have the opportunity to share the beauty of the southern San Mateo County and northern Santa Cruz County coast with thousands of visitors, from both around the world and the greater Bay Area. It would be unfortunate if these visitors had their feelings about Aiio Nuevo and the enjoyment they receive from its natural wonder compromised because they caught sight of a monstrous home on a ridge overlooking the park, a ridge which is quite visible from the dunes area of the park. Claiming that the trees in the area will block the view of the home is troublesome. What is to prevent the owners from removing the trees once they are in the house? Claims that trees will be planted are no better, as it would take years for such trees to provide any kind of screen.

In addition, I am concerned about the environmental impact of such construction. Roads built, as well as grading done, on the property are likely to cause an increase in erosion. Eroding soil finds its way into the creeks in the watershed, almost always resulting in a negative impact to wildlife that depends on that creek (such as the endangered San Francisco Garter Snake and its main prey, the threatened California Red-Legged Frog). Water for the home will have to come from the watershed, either as rainfall that is captured and never makes it into the watershed or from a well that removes water from the watershed. Either way, it is to the detriment of the watershed.

Finally, as the population of the greater Bay Area continues to increase, the need to find new places to build homes increases as well. I can understand and appreciate one's desire to live in the coastal mountains. However, allowing the construction of this house (when there are already other parts of the coast that have been developed in which such construction might be more appropriate) will serve to open this area for further development, which will only exacerbate the environmental problems already mentioned. For this, and the other reasons discussed here, I urge not to approve the construction of the Hinman House.

0449

Thank you for your time.

Sincerely,

Michael Braude

W

Supervisor Mardi Wormhoudt
County Government Center
701 Ocean Street
Santa Cruz, CA 95060

February 3, 2000

0450

Dear Supervisor Wormhoudt,

The purpose of this letter is to voice our opposition to the proposed three story "Hinman house" in northern Santa Cruz county, and to challenge the determination made by the zoning administrator regarding this dwelling. We understand that you may have concerns about this proposal, also.

Several points made in opposition to the Hinman house proposal during the January 21, 2000 meeting appeared to be not considered weighty enough by the zoning administrator to cause alteration or denial of the proposal. **We disagree with his finding.** Some of the points made and questions raised that reveal the inappropriateness of the proposal, and which we agree with, include the following:

- How does a dwelling of this size rate as being "appropriate" for the surrounding area in the "Large Dwelling Review" process? How could an enormous gothic castle-like dwelling be considered to meet the appropriateness test? How could the size, scope, and architectural style of the Hinman buildings be any less like what exists on this section of coast now? **There is absolutely nothing like this proposal.** The huge, elegant, historical Victorian homes built over 100 years ago on this coast (before the **age** of permits) are dwarfed by the Hinman house. The Hinman house should not pass the review process. If it somehow meets all other tests, then it should be limited to whatever size holds it below the need for the large dwelling review.

- Año Nuevo State Reserve (not "park"), receives the state's highest level of protection, existing as a natural area of outstanding physical beauty, where human influence is **minimal. A view of an enormous home on a hill above the Reserve, without question, detracts from the experience** of **some people who visit this internationally renowned Reserve. Who will** pay the cost of this intrusion on the view shed? What mitigation is included for this impact?

- Does the county want to be responsible for opening the floodgates of approval for numerous other proposals of this type which may be on the horizon? If nearly 15,000 s.f. is acceptable, then why wouldn't 12,000 s.f. be acceptable on the next parcel? The impacts are long-term and cumulative. **With an approval of this proposal, the county would be showing that its own planning process does not address potential precedent setting decisions.**

***Altering or denying this proposal is a chance for the county to preserve the last scenic corridor in the county that is mostly free from development. The** Hinman house flagging is visible from several high dunes in Año Nuevo State Reserve. A completed, nearly 15,000 s.f. dwelling that is 51 feet high *will* be visible from the dunes and numerous other areas within the Reserve, and

elsewhere. The house is currently surrounded by a forest of diseased and dying Monterey Pine. When these trees are gone, the house will be even more visible. And besides, what incentive exists for a landowner to limit their own view of the countryside below them? Enormous, expensive dwellings like the Hinman proposal are obviously designed to preserve a premium view, no matter what small changes may be made to address view shed issues. Is the permitting process really designed to allow one family, who would visit their mansion on week-ends only, to place such a large footprint on the cherished, pristine view shed of the north coast? We hope not!

0451

Thank you for listening to our concerns about the proposed Hinman house near Año Nuevo State Reserve.

Sincerely,

Paul Keel and Erika Perloff
3100 Cabrillo Highway
Pescadero, CA 94060
(650) 879-0170