



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

TOM BURNS, PLANNING DIRECTOR

April 18, 2005

AGENDA DATE: APRIL 27, 2005

Planning Commission
county of santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: APPEAL OF COASTAL DEVELOPMENT PERMIT 04-0018, AN APPLICATION TO REMODEL AND CONSTRUCT AN ADDITION TO A SINGLE-FAMILY DWELLING

Members of the Commission:

This item is before your commission due to an appeal of the Zoning Administrator's approval of Coastal Development Permit application 04-0018 on February 18, 2005. The attached letter of appeal (Attachment 1) lays out the neighbor's concerns regarding the proposed project.

BACKGROUND

On January 14, 2004 application 04-0018 was submitted to the County requesting a Coastal Development Permit to remodel and construct minor additions to the existing single-family dwelling at 807 the Shore Line. During the application review process, the proposal was modified obtain approval from the Sand Dollar Beach Homeowner's Association and to conform to the County's Geologic Hazards ordinance regarding setbacks from coastal bluffs (16.10.070(h)).

As approved by the Zoning Administrator, the proposal includes the following changes/additions to the existing single-family dwelling:

- 1) A decrease in the roof pitch from $\frac{1}{2}$ to $\frac{1}{4}$ to allow an addition of about 100 square feet to the family room, resulting in an increase in height of about four feet at the southeast corner of the house (the tallest point on the house will remain unchanged).
- 2) Construction of a new master-bathroom of about 110 square feet at the north end of the house.
- 3) Minor additions totaling about 140 square feet along the northeast side of the house.
- 4) A new hip roof along the east side of the house to cover the new additions, replacing the existing gabled roof.
- 5) Construction of a new retaining wall at the western end of the property, designed to conform to the required 25 foot, 100 year coastal bluff setback established by the Geotechnical Engineer and accepted by the County Geologist.

- 6) Excavation under the existing house to construct a new garage into an existing crawl space and allow the addition of a living room, resulting in an addition of about **225** square feet.

ISSUES

The appellants claim the project as approved will be detrimental to the health and safety of the occupants due to encroachment into the required coastal bluff setbacks, the project will disrupt the scenic value of the area, and the approved design is not compatible with the neighborhood.

Coastal Bluff Issues

General Plan Policy **6.2.12** requires a minimum **25** foot setback from the top of a coastal bluff, or the minimum setback necessary to provide a stable building site for a period of **100 years**, as determined by a geologic and/or an soils engineering report accepted by the County. For the project, the Geotechnical report prepared by Haro, Kasunich, and Associates dated June **2004** (Attachment 3) determined the minimum setback for the site to be **25** feet, a determination accepted by the County Geologist (Attachment 4). No new habitable area may be constructed within this setback, so the project design has been altered to conform to the established setback by removing proposed improvements within the setback from the project.

In the appeal letter, the neighbor's contend that the measurement of the setback is not accurate and that the new development will impact the portions of the site within the setback. The location of the setback has been determined by the project Geotechnical Engineer and approved by the County Geologist, and the location of the setback must be shown on plans for the building permit stage. Prior to issuance of the building permit, the project's Geotechnical Engineer must review the plans showing the bluff setback and submit a plan review letter indicating final approval. A survey may be necessary if either the project Geotechnical Engineer or the County Geologist questions the location of the setback as represented on the plans. The appellant has not submitted evidence that would dispute the findings of the project Geotechnical Engineer and the County Geologist.

Impacts to public views in scenic resource areas

The residence is located in a scenic resource area due to the visibility of the site from a public beach and proximity to Sand Dollar Drive, a County designated scenic road. As the total addition is more than **500** square feet within a scenic resource area, the project required evaluation under the County's Site, Architectural, and Landscape Design Review Ordinance (Section **13.11**). The County's Urban Designer evaluated the impacts of the proposed additions and alterations in terms of the impact they would have on views from the beach and neighborhood compatibility.

The appellants contend the County did not adequately analyze the impact of the proposed additions and alterations on the public viewshed from the beach, as story poles with colored netting were not required during the Coastal permit review process. However, during review of the project by the Sand Dollar Beach Homeowner's Association, the owners erected story poles to assess impacts to private views and to create a visual simulation to demonstrate the increased visual impact the additions will have on the street and the beach (see Attachment 5 for visual simulation). Although the erected story poles lacked colored netting, they did demonstrate the proposed change in roof pitch and the addition of the rear bathroom sufficiently to determine that the proposed alterations will not significantly alter the bulk, mass, and scale of the existing dwelling. Staff did not require new story poles during review of this application as the submitted visual simulation proved the addition will

not significantly increase the **bulk** of the structure when viewed **from** the beach, as most of the addition is proposed on the north and east sides of the house opposite the beach.

The portions of the addition visible from the beach, a small portion of the new master bathroom and the 100 square foot living room addition with a decreased roof pitch, will not be readily noticeable to beachgoers as they will blend in with existing development. The additions will incorporate wood siding with earth tone colors to match the existing structure. The project site is surrounded on three sides by existing development of a greater height and bulk, including visually prominent townhouses to the east and three-story single-family dwellings to the rear that overshadow the Ubaldi residence and the proposed additions.

The appellants also claim that Coastal Development Permit finding five (that the proposed development is in conformity with the certified local coastal program) has not been adequately addressed, as it does not conclude that visual impact from the beach was "minimized." To obtain approval from the Sand Dollar Beach Homeowner's Association, the project architect reduced the proposed height of the roof along the south side of the house and replaced a gabled roof with a flat roof for the proposed master bathroom (Attachment 6). These alterations in the design, along with the proposed earth-tone colors, minimize the visual impact of the additions from the beach to the satisfaction of **staff** and the County's Urban Designer.

The residence is not visible from Sand Dollar Lane, a County designated scenic road, due to size, placement, and orientation of existing residential development on Sand Dollar Lane. Three-story houses on the north side of the Shore Line obscure views of the project site where gaps exist in development on Sand Dollar Lane.

Neighborhood compatibility

The proposed additions and alterations have been reviewed by the County's Urban Designer for conformance with the County's Coastal Zone Design Criteria (County Code Section 13.20.130) and the County's Design Review Ordinance (County Code Section 13.11.072) to evaluate neighborhood compatibility (Attachment 7). The Urban Designer determined the proposed additions and alterations to be visually compatible with the surrounding neighborhood as the bulk, mass, and scale will be similar (if not smaller) than the surrounding residences. Furthermore, the proposed colors and materials will be compatible with the range of earth-tone colors used in the vicinity.

Impacts to private views

The appellants state the developers of Sand Dollar Beach intended future development to preserve private views of neighboring properties. Correspondence from the original Planned Unit Development file seems to indicate private views were a factor in the design of the development, and the approval of unique site standards for different portions of the development supports this claim. However, the proposed alterations conform to the purpose and intent of the original Planned Unit Development since the additions will conform to all adopted site standards, including the maximum 25-foot height limit for the subject parcel.

The appellants also contend the County protects private views, per County Code section 13.11.072(b)(2), which states:

"Development should minimize the impact on private views from adjacent parcels, wherever practicable."

It is not the policy of the County Planning Department to protect private views, though the County may require slight modifications to a project to minimize impacts to private views. The proposed additions already minimize impacts to private views by limiting increases in height and changes to the roof line.

The Sand Dollar Beach Architecture Review Committee and the Sand Dollar Beach Homeowner's Association reviewed and approved the proposed addition on May 8, 2004 after multiple alterations to the roofline to address neighbor's concerns about views. These alterations included lowering the proposed height of the roof over the living room and addition, and replacing a proposed gabled roof over the new master bathroom with a flat roof (Attachment 6).

RECOMMENDATION

~~Staff~~ recommends your commission take the following actions:


1. **DENY** the appeal of application 04-0018.
2. **APPROVE** application 04-0018 subject to the findings and conditions of approval in the staff report to the Zoning Administrator approved on February 18, 2005, and certify the exemption to the California Environmental Quality Act.

Sincerely,



David Keyon

Project Planner
Development Review

Reviewed By: 
Cathy Graves
Principal Planner
Development Review

Attachments:

1. Appeal letter from Jonathan Wittwer, attorney representing appellants, dated 3/4/05
2. Staff report to the Zoning Administrator for the February 18, 2005 hearing.
3. Conclusions and Recommendations extracted from Geotechnical Report prepared by Haro, Kasunich, and Associates dated June 2004.
4. Letter from the County Geologist, dated April 15, 2005, with attached letter from project Geotechnical Engineer dated April 13, 2005.
5. Visual simulation submitted by applicant
6. Letters from applicant, dated 3/8/04 and 6/30/04, with extract of minutes from the Sand Dollar Beach Homeowner's Association's meeting of 5/8/04.
7. Urban Designer's comments, including Section 13.11 comments.

Jonathan Wittwer
William P. Parkin
Shandra Dobrovolsky

WITTWER & PARKIN, LLP

147 SOUTH RIVER STREET, SUITE 221
SANTA CRUZ, CALIFORNIA 95060
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2005 MAR 4 8:05 PM PARALEGAL Santa Cruz

March 4, 2005

Planning Commission
County of Santa Cruz
701 Ocean Avenue, 4th Floor
Santa Cruz, CA 95060

Re: Notice of Appeal of Approval of Application #04-0018 for Development of APN# 046-341-23; 807 The Shore Line, La Selva Beach

Dear Planning Commissioners:

This office represents the interests of Friends of Sand Dollar Beach ("Appellants"). Appellants appeal the February 18, 2005, decision of the County of Santa Cruz Zoning Administrator ("Zoning Administrator") to approve Application #04-0018 for development of the property located at 807 The Shore Line, La Selva Beach, California. Appellants are neighboring property owners of 807 The Shore Line and are concerned about the development of the above-referenced property and the impact this development will have on:

1. health and safety;
2. risks associated with the dynamics of receding coastal bluffs;
3. public expenses to address threatened undermining of a single-family dwelling;
4. scenic values in the area (both public and private); and
5. neighborhood compatibility.

Specifically, Appellants contend the Zoning Administrator incorrectly approved Application #04-0018 based on the reasons:

1. Setback Requirements From Coastal Bluff to Protect Health and Safety

The single-family dwelling on the above-referenced property is currently situated within the 25-foot setback from the coastal bluff. Setbacks from coastal bluffs are required to be a minimum of 25-feet. As is required by the General Plan for the County of Santa Cruz, Policy 6.2.11:

All development, including cantilevered portions of a structure, shall be set back a minimum of 25 feet from the top edge of the bluff. A setback greater than 25 feet may be required based on conditions on and adjoining the site.

See also County Code Section 16.10.070(h)(1)(ii) (new development must be set back at least 25 feet ~~from~~ the top edge of the coastal bluff).

Additions to structures are subject to the same setback requirement, as stated in General Plan Policy 6.2.13:

Improvements to existing structures located within the 25-foot minimum setback shall not encroach closer to the top of the bluff. All building additions, including second story and cantilevered additions, shall comply with the 25-foot setback.

See also County Code Section 16.10.070(h)(1)(v) (“additions, including second story and cantilevered additions, shall comply with the minimum 25 foot and 100 year setback”). This setback requirement originated in the General Plan for the County of Santa Cruz, Chapter 6: Public Safety and Noise. The purpose of Chapter 6 is **as** follows:

To protect human life, private property and the environment, and to minimize public expenses by preventing inappropriate use and development or location of public facilities and infrastructure in those areas which, by virtue of natural dynamic processes or proximity to other activities, present a potential threat to the public health, safety and general welfare.

General Plan, page 6-2. Therefore, any addition to the above-referenced property within the 25-foot setback of the coastal bluff violates the County Code and the County’s policy to prohibit development which **is** a potential threat to public safety, public coffers, and private property.

The Zoning Administrator and Applicant stated at the February 18, 2005, hearing that the 25-foot setback had **been** checked and **no** new development was proposed within that area. However, Appellants contend that this measurement **was** not accurate and new development will have an impact within this 25-foot setback area. Appellants **are** concerned about the impact the added weight from the addition to the property will have on **the** stability of the cliff below the property.

2. Impact on Scenic Resources

Appellants also appeal the approval of Application #04-0018 due to the increase in the **bulk** and height of the structure which will impact public views from the beach, public views in a scenic resource area, public views from a scenic road in a scenic resource area, the private views of the surrounding properties, and the overall compatibility of the neighborhood. **This** structure **is** visible from the beach and is located within a scenic resource area.

Pursuant to County Code Section 13.11.072(b)(2), any development, whether in a scenic resources area or not, shall be designed so that it *protects the public viewshed* where possible and “should *minimize the* impact *on private views* ~~from~~ adjacent parcels, wherever practicable.” (Emphasis added).

a. **View from the Beach**

For projects visible from beaches, the scenic integrity of the beaches shall be maintained. County Code Section 13.20.130(d)(2). This means that, pursuant to the County Coastal Zone Regulations “[t]he design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred.” County Code Section 13.20.130(d)(2)(ii). Because ~~this~~ project is visible from the beach, the design of the structure must not intrude on the view from the beach unless absolutely necessary and even then shall not be visually out-of-place in relation to the surroundings.

To ascertain the impact the proposed design would have on views from the beach, Appellants requested the County require the Applicant to erect poles and orange netting on the existing structure to simulate the proposed addition. The County and other interested members of the public would then have been able to visualize and photograph how the redesigned project would appear from the beach. Poles were erected and according to testimony at the February 18, 2005 Zoning Administrator hearing, these poles were used to establish the diminished view ~~from~~ the neighboring houses toward the beach, but did not establish the intrusion of the views from the beach. Indeed, Appellants contend that the poles erected could not have been seen well enough from the beach to determine the extent of intrusion to be caused from the addition to the single-family dwelling ~~at~~ 807 The Shoreline.

The County Code, ~~as~~ referenced above, states that “the design of permitted structures shall ‘minimize visual intrusion.’” The findings for approval of Application #04-0018 state that the visual intrusion from the project is “minimal.” This finding does not conclude that the design “minimized” the visual intrusion. Therefore, Appellants contend the Applicant has not complied with ~~this~~ County Code Section.

b. **View from Scenic Resource Area**

According to the County’s records, the subject property is located in an urban low residential, scenic resource area. **See** County Planning Information Interactive Map for APN 046-34-123. The General Plan directs that a design analysis for projects in these visual resource ~~areas~~ evaluate “against the context of their unique environment and regulate ~~structure~~ height, setbacks and design to protect these resources consistent with the objectives and policies of ~~this~~ [visual resources] section.” General Plan Policy 5.10.2. It is unclear from the approval ~~of~~ the project whether this analysis was performed.

c. **View from Private Homes in Area and Neighborhood Compatibility**

When evaluating any proposed design, wherever it is located, the County Code requires consideration of several factors when determining whether the new development preserves the integrity of existing land use patterns **and** complements the scale of the neighborhood. **See** County Code Section 13.11.072. Such characteristics include building bulk, massing and scale, and the relationship of the development to existing structures. County Code Section

13.11.072(a)(1)(C), (I). Chapter 13.11, definitions, explains that “[c]omplementary” site design, building design and landscape design is achieved when the proposed design responds to, or contributes to the existing land use patterns, character, and zoning context.”

The subject parcel is part of a Planned Unit Development developed in 1969. According to the Associate Planner at that time, “[a] fundamental concept of this development was to recontour the site allowing views either over or **through** adjacent areas.” *County of Santa Cruz Inter-Office Correspondence* to Planning Commission from Will Shepherd, dated November 7, 1969. (Attached as Exhibit A). In reference to Lots 1, 2, 3, and 4, the Associate Planner stated that “[s]taff review of building plans prior to the issuance of a building permit is suggested only as they relate to rear lot access and the view from adjacent properties.” While none of these lots is involved here, the foregoing demonstrates the intent to protect views from adjacent properties.

In addition, the developers of Sand Dollar Beach stated in a letter to the Planning Department:

Transfer of Lot **55** from Zone B to Zone A and transfer of Lot **48** from **Zone B** to Zone D. Now that the excavation has been done, if these lots were left in their original zones it would be possible to block views of the owners of the lots in back.

Letter from **G.B. Sinnock** to Santa Cruz County Planning Department, dated September 17, 1969. (Attached as Exhibit B). This is evidence that the developers were concerned with the views from all of the parcels within the development.

Not only must the County protect the public views from the beach but County Code Section 13.11.072(b)(2) requires it to minimize the impact the proposed development will have on the private views from adjacent properties. An addition to the bulk and height of this structure, a structure located within 25 feet of the coastal bluff, will interfere with the private view of **several** of the adjacent properties. At the February 18, 2005, hearing and in the findings for approval, the County contended that it does not protect private views. As discussed above, clearly views from private property in this neighborhood, and in the County in general, based on County Code Section 13.11.072(b)(2), are to be protected. **The** findings did not address this County Code Section, but rather concluded that the County does not protect private views. Appellants contend that this conclusion is not correct.

3. Conclusion

The above-referenced property is subject to layer upon layer of regulations designed to protect the scenic resources for the benefit of the public and the surrounding properties. **There are** the general requirements, applicable to all properties in the County to protect public views and minimize impacts on private views. **There are** the directives in the General Plan to protect visual resources when designing the bulk and height of a project in a scenic resource area. **In** addition, the County Code requires that in the Coastal Zone, development be designed to **comply** with coastal bluff setback requirements and to minimize visual intrusion.

It is a violation of the County Code for the proposed development to extend toward the coastal bluff. In addition, any design review by the County must consider the unique scenic resources of the area and the impact ~~this~~ development will have ~~on~~ the public view ~~as~~ well ~~as~~ the impact the development will have ~~on~~ views from adjacent properties.

Very truly yours,
WITTWER & PARKIN, LLP



Jonathan Wittwer

cc: Client

SANTA CRUZ

INTER-OFFICE CORRESPONDENCE

2005 MAR 4 PM 5

11/10/69 - WSS
telephoned Sinnock
agreed to conditions

Date: November 7, 1969

To : Planning Commission

From: Will Shepherd, Associate Planner

Subject: Use Permit No. 3470-U (Sand Dollar Beach)

As you may recall, George Sinnock has applied for a permit to modify certain requirements of the Planned Unit Development, generally in regard to building height, setbacks and development zones. At the Planning Commission meeting of October 8, the Commission took action on six of the ten proposed amendments, deferring action on the remainder to allow time for further study and field review by a special committee of the Commission. On November 3, Commissioners Atkinson and Poliard, with staff, met on site to review these items.

In addition to the following four requested amendments which were reviewed, a request by the applicant for determining the location of the private gate on Sand Dollar Lane was reviewed and a location recommended.

1. Amend the Front Setback in Zones B through H from 20 to 10 Feet.

Staff's concerns here were how to provide for on-site storage of the automobile and adequate separation between street area and lot for privacy, and whether or not to allow the reduction in the front setback;

Generally, the question of adequate privacy or "openness" is not too critical from a spacial point of view. A fundamental concept of this development was to recontour the site allowing views either over or through adjacent areas. As a result of this, the topographic change, both between tiers of lots and the street areas, appears to be sufficient to separate street area from lot areas. Couple this with the consideration that pedestrian movement will be through the park areas and that a portion of the street right-of-way (7 feet) will be part of the front yard area, and the reduction of 10 feet in the front yard requirement appears reasonable.

The question of automobile storage on-site, however, is more difficult. Uncovered parking of the automobile should take place within the lot area, both in recognition of the ordinance requirements and spacial amenity. The consensus of the Committee and staff would be to allow a reduction in the front yard requirement to 10 feet with the provision that the garage should be held to a 20-foot setback to allow for off-street parking.

2. Amend Rear Setback in Zone D from 15 to 10 Feet.

EXHIBIT

A

102m 1'

TO: Planning Comm.
FROM: Will Shepherd, Associate Planner
SUBJ: Use Permit No. 3470-U (Sand Dollar Beach)

November 7, 1969

-2-

3. Amend Rear Setback in Zone II, Lots 1, 2, 3, 4, 12, 13 & 14 from 15 to 10 Feet.

Both Amendment Nos. 2 and 3 were studied together in the context of reviewing this development essentially as a single-family development of small lots with open space areas. A question was raised regarding the appropriateness of the RH-3000 setback requirements. With this concept of development, standard setback requirements become somewhat difficult to adhere to in either the multi-family or single-family districts. In this case, staff can see the merit in holding to the R-1 District setback requirements, particularly at the perimeter of the development and in those lots which do not abut open space. Holding to these requirements will correspond to the requested amendments and, in addition, require setbacks in some areas along the perimeter of the development.

4. One-Foot Non-Access Strip at the Rear of Lots 1, 2, 3 & 4.

Staff will agree that the non-access strip should not be required if the following conditions are met:

- a. The front yard and primary means of access shall be oriented to Sea Horse Drive.
- b. The 30-foot rights-of-way at the rear of these lots shall be used primarily for access for storage, etc.
- c. Staff review of building plans prior to the issuance of a building permit is suggested only as they relate to rear lot access and the view from adjacent properties.

5. Location of Private Gate on Sand Dollar Lane.

Staff recommends that the private gate be located at the intersection of Sand Dollar Lane with Linda Vista Drive, approximately 50 feet westerly of the center line of the Linda Vista right-of-way.


WILL SHEPHERD

WES: cd

EL HONDO ~ U S

~~1100 El Honcho Street - P.O. Box 1209~~

~~Telephone 446-0516~~

New Location:

STOCKTON, CALIFORNIA 95204

1313 W. PENNSWOOD DRIVE

P.O. BOX 4003

STOCKTON, CALIF. 95204

PHONE 478-5421

Project Executive
GEORGE B. SINNOCK

Sept. 17, 1969

209

Mr. Henry Baker
Santa Cruz County Planning Dept.
Santa Cruz, Calif.

Re: Sand Dollar Beach:

Dear Henry:

Per our conversation of September 15th, we would like to amend the subdivision zoning development site plan for Sand **Dollar** Beach in the following manner: Transfer of Lot 55 from Zone B to Zone A and transfer Lot 48 from Zone B to Zone D. Now that the excavation **has** been done, if these lots were left in their original zones it **would** be possible to block views of the owners of the lots in back.

Under the maximum building heights allowable you will note we have two columns. The maximum building heights from the high point of the property and a maximum building height from the **low** point on the property. First of all we would like to eliminate the restriction of **heights** from the **low** point on the property since this restriction is automatically controlled by the height, restriction from the high point on the property and by putting this additional limitation we have found that it is very confusing to the prospective buyers to have the two **heights** restrictions when one is adequate to preserve the view of the other lots in the subdivision.

As far as the heights limitation from the high point of the property is concerned, we **would** like to amend it to read as follows:

A - 15	E - 17
B - 25	F - 17
C - 17	G - 17
D - 17	H - 25

This amendment will maintain or substantially improve the ocean and beach views of all the lots in the subdivision.

Because Sand Dollar Beach is a planned unit

DEVELOPERS OF SAND DOLLAR BEACH

12

EXHIBIT

B

H. B. --#2

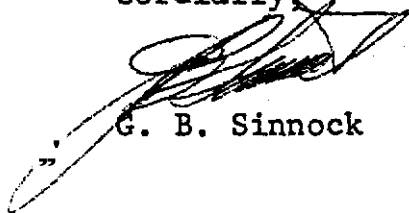
development with substantially 40 x 60 foot lots in Area B through H, we request that the front setback be amended to 10 feet. Upon physical inspection of the subdivision, it has been the suggestion of builders and buyers that the front setback be reduced ~~to 10 feet~~. This shorter setback would allow for more imagination in building designs and have a tendency to eliminate the stereo type subdivision because, as you know, it has been our desire and from the help that the Planning Department has so ably afforded us, been the aim to create a completely unique environment.

Throughout the subdivision the RM district requires a minimum 5 foot setback, The walkways which have been provided for access to the Homeowner's open areas is now 15 feet. The recommendation has been presented and a request is hereby made to have the side setback on the walkways side of Lots 8, 9, 15, 19, 20, 32, 36, 37, 48 and 49 be eliminated. In regard to the rear setback, it was requested that the rear setback in Zone D be amended to 10 feet. In Zone E allow Lot 87 to build on the rear lot line as allowed on all the other lots in the subdivision bordering upon a park area and in Zone H afford a 10 foot rear setback on Lots 1 to 4 and 12 to 14 and require no setback on the park exposed lots 5 to 11.

As we discussed, these changes are a result of numerous discussions with people who are interested in the subdivision, both as owners and builders.

In order to create the unique and stimulating development which we have all worked so hard to create, we feel that these changes are necessary and hope that they will meet with the Staff's approval and will have their recommendation before the Planning Commission on the 24th.

Cordially,


G. B. Sinnock

GBS/hs





Staff Report to the Zoning Administrator

Application Number: **04-0018**

Applicant: Robert Goldspink
Owner: Ronald and Esther Ubaldi
APN: 046-341-23

Agenda Date: February 15, 2005
Agenda Item #: **2**
Time: After 10:00 a.m.

Project Description: Proposal to remodel and construct additions to a single-family dwelling and to construct a new roof with increased pitch. Additions include an expanded kitchen and family room, a garage (replacing a carport), a living room, and a master bathroom. Total addition equals about 575 sq. ft. Also includes the demolition and construction of a new retaining wall along the northern property line.

Location: Property located at the northwestern end of The Shore Line about **350** feet north west of the intersection with Sand Dollar Lane (807 the Shore Line).

Supervisory District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Coastal Development Permit

Staff Recommendation:

- Approval of Application 04-0018, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | |
|---|-------------------------------------|
| A. Project plans | F. Zoning map |
| B. Findings | G. Sand Dollar Beach site standards |
| C. Conditions | H. Urban Designer's comments |
| D. Categorical Exemption (CEQA determination) | I. Comments & Correspondence |
| E. Assessor's parcel map | |

Parcel Information

Parcel Size:	3,136 square feet (EMIS Estimate)
Existing Land Use - Parcel:	Single-family dwelling
Existing Land Use - Surrounding:	Single-family and multi-family dwellings

Project Access: The Shore Line, a privately maintained road
Planning Area: La Selva Beach
Land Use Designation: R-UL (Urban Low Residential)
Zone District: RM-4 (Multi-family residential, 4,000 square feet per unit)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Site adjacent to coastal bluff, 25 foot setbacks apply
Soils: Beach sand (soils index number 109)
Fire Hazard: Not a mapped constraint
Slopes: Up to 75% slopes on site
Env. Sen. Habitat: Potential biotic, non on site as parcel already developed
Grading: Grading permit required for excavation, retaining wall
Tree Removal: No trees proposed to be removed
Scenic: Scenic resource area due to visibility from public viewshed
Drainage: Proposed drainage adequate
Traffic: No increase due to no increase to number of bedrooms
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Aptos/La Selva Fire Protection District
Drainage District: No Drainage District

Project Setting

The project site is located within the Sand Dollar Beach Planned Unit Development in La Selva Beach, a development with its own site standards independent of the **RM-4** zone district standards (detailed below). The site sits at the northern end of The Shore Line, bordering Residential Agricultural zoned land to the north. The edge of a coastal bluff is adjacent to the north-western (rear) property line, limiting development seaward of the existing house (see coastal bluff discussion, below).

Project scope

The owner seeks to remodel and construct various small additions to an existing three-bedroom single-family dwelling. The proposed changes include additional excavation on the lower level to add a living room and garage, and the addition of about 350 square feet on the 2nd floor for the

expansion of the family room, kitchen, bathroom, and the construction of a new master bathroom. No additional habitable area is proposed within the 25-foot coastal bluff setbacks established in the Geotechnical Report, which has been accepted by the County Geologist. An existing retaining wall will be demolished and reconstructed, a portion of which lies within the coastal bluff setback.

Zoning & General Plan Consistency

The subject property is located within the RM-4 zone district, but adheres to specific site standards for the Sand Dollar Beach development approved under Planned Unit Development Permit 2628-U in May 1966 and revised under 3470-U in 1969 (Exhibit G). The proposed additions have been designed to conform to the unique site standards, including the maximum 25-foot height limit. No Floor Area Ratio and lot coverage standards exist for this development. Parking requirements for the property only require two on-site spaces per unit (one covered and one uncovered), which will continue to be provided.

The **RM-4** zone district implements the R-UL (Urban Low Residential) General Plan/Local Coastal Program Land Use Designation. The density and intensity of the residential use on site will remain the same as originally approved under the Planned Unit Development, as no additional residential units or bedrooms are proposed.

Local Coastal Program Consistency

The proposed single-family residence is in conformance with the County's certified **Local** Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood as the overall bulk, mass, and scale of the structure will not be significantly altered by the proposed additions. The proposed materials will match the existing wood siding, and colors will be required to be earth-tone.

The proposal complies with General Plan/LCP Policy 5.10.7 (development on Open Beaches and Blufftops) in that the visual impact of the additions from the beach will be minimal. With the exception of the small living room addition and a portion of the master bathroom, the additions will occur at the front of the house opposite the sides visible from the beach. The visible additions (the family room addition and a small portion of the master bathroom addition) will be designed to integrate into the existing design and will not alter the bulk, mass, or scale of the structure in relation to neighboring residences as viewed from the beach.

No coastal access exists through the subject property, and the project will not alter existing coastal access for Place del Mer residents or the general public as a public access point already exists from The Shore Line.

Coastal bluff issues

A Geotechnical Report (by Haro, Kasunich, & Associates, dated June 2004, on file with the Planning Department) determined the existence of a coastal bluff immediately adjacent to the subject property, requiring a minimum 25 foot setback (the report determined the minimum 100-year setback to be 25 feet). This setback bisects the southwest corner of the existing dwelling,

passing through the deck and living room. Under the County's Geologic Hazards Ordinance (16.10.070(h)), no new development may be constructed within the coastal bluff setbacks, and, with the exception of proposed the retaining wall, the project has been designed to comply with this ordinance by limiting new development to areas outside the bluff setback.

The plans show a proposed retaining wall within the coastal bluff setbacks, which cannot be approved due to their proximity to the coastal bluff. Existing retaining walls within the setbacks may be repaired in kind. A condition of approval requires any new retaining walls to be located outside the 25 foot coastal bluff setbacks (Condition of Approval II.B.2).

Design Review

The County's Urban Designer evaluated the proposed addition and remodel for conformance with the County's Design Review ordinance (Chapter 13.11) and the County's Coastal Zone Design Criteria, and found the proposal to meet all standards as the height, bulk, mass, scale, materials, and colors will be compatible with the surrounding neighborhood and the natural setting of the site (Exhibit H).

Impacts to private views

Though the County does not protect private views, the potential loss of ocean views has been a concern of residents up-slope from the project site. During review by the Sand Dollar Beach Homeowner's Association, story poles were erected to assess impacts to private views. Due to the size and scale of the proposed additions, loss of private views will be minimal.

Conclusion

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

Staff Recommendation

- **APPROVAL** of Application Number **04-0018**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: David Keyon
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3561
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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.

This finding can be made, in that the property is zoned RM-4 (Multi-family residential, 4,000 square feet per unit), a designation which allows residential uses. The project will not alter the use of the site, which will remain a single-family residence. This use is a principal permitted use within the zone district, consistent with the site's (R-UL) Urban Low Residential General Plan designation.

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

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

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.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; and the proposed additions will not significantly alter the height, bulk, mass, or scale of the house when viewed from the beach.

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

This finding can be made, in that the proposed project will not impede public access, as no easements exist on site. Adequate public access already exists from The Shore Line, about 130 feet south of the project site.

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

This finding can be made, in that additions are designed to be visually compatible, in scale with, and integrated with the character of the existing dwelling, and subsequently the surrounding neighborhood. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

The proposal complies with General Plan/LCP Policy 5.10.7 (development on Open Beaches and Blufftops) in that the visual impact of the additions from the beach will be minimal. With the exception of the small living room addition and a portion of the master bathroom, the additions will occur at the front of the house opposite the sides visible from the beach.

Development Permit Findings

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

This finding can be made, in that the proposed additions will comply with coastal bluff setbacks and will be required to meet all applicable building plumbing, and electrical codes for the purposes of ensuring the health, safety, and welfare of residents or the general public. The additions will be required to meet all applicable energy codes.

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.

This finding can be made, in that the proposed addition complies with all applicable site standards of the Sand Dollar Beach Planned Unit Development, and the required coastal bluff setbacks required under Section 16.10.070(h) of the County Code and as established by the Geotechnical report prepared for the project. The additions will not alter the single-family residential use of the site, and will therefore comply with the purpose of the RM-4 zone district.

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

This finding *can* be made, in that the proposed addition meets the use and density requirements specified for the Urban Low Residential (R-UL) land use designation in the County General Plan.

The proposed additions will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, as all site standards for the Sand Dollar Beach Planned Unit Development will be met, as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance).

The proposed addition will also comply with all applicable Local Coastal Program policies for neighborhood compatibility and structures located on bluff tops or visible from a beach, as addressed in finding 5 of the Coastal Development Permit Findings, above.

A specific plan ~~has~~ not been adopted for the La Selva or San Dollar Beach Area.

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

This finding can be made, in that the additions are of such a small scale that any increase in demand for utilities will be minor, and no additional traffic will be generated.

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.

This finding can be made, in that the proposed additions will be designed to complement and harmonize with the existing single-family dwelling, which in turn is consistent with the mix of styles present in the Sand Dollar Beach development. As no new bedrooms or dwelling units are proposed, the additions will not increase the land use intensity or dwelling unit density of the site.

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

This finding can be made, in that the proposed single-family residence will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Project plans, 10 sheets, drawn by Robert Goldspink, dated 12/4/03 and revised 1/5/05.

- I. This permit authorizes the remodel and construction of additions to ~~an~~ existing single-family residence. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - D. Obtain a Grading Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. 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 "A" on file with the Planning Department. The final plans shall include the following additional information:
 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 2. Show the location of the 25 foot coastal bluff setback as established by the project Geotechnical ~~Engineer~~ on the site plan and the proposed floor plans. With the exception of repairs in kind, all new development must be located outside these setbacks (including ~~new~~ habitable space and retaining walls).
 3. A grading plan.
 4. A drainage plan detailing how runoff from all proposed impervious surfaces and the proposed retaining walls will be directed.
 5. An erosion control plan.
 6. Details showing compliance with fire department requirements.

- C. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - D. Submit a plan review letter from the project Geotechnical Engineer approving the final design of the additions and retaining walls.
 - E. Provide required off-street parking for two cars. Parking spaces must be 5.5 feet wide by 15 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - F. Complete and record a Declaration of Geologic Hazards. **You** may not alter the wording of **this** declaration. Follow the instructions to record and return the form to the Planning Department.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils reports.
- IV. Operational Conditions
- A. 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.

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 the effective date unless **you** obtain the required permits and commence construction.


Expiration Date:

3 | 4107

Application # 04-0018

APN: 046-341-23

Owner: Ronald and Esther Ubaldi


Don Bussey
Deputy Zoning Administrator


David Keyon
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 04-0018
Assessor Parcel Number: 046-341-23
Project Location: 807 The Shore Line

Project Description: Addition to an existing structure of less than 2,500 square feet or 50% of the existing floor area

Person or Agency Proposing Project: Robert Goldspink

Contact Phone Number: (831) 688-8950

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

Specify type:

E. ☒ Categorical Exemption

Specify type: 15301(e)

F. Reasons why the project is exempt:

Construction of minor addition exempt from CEQA

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


David Keyon, Project Planner

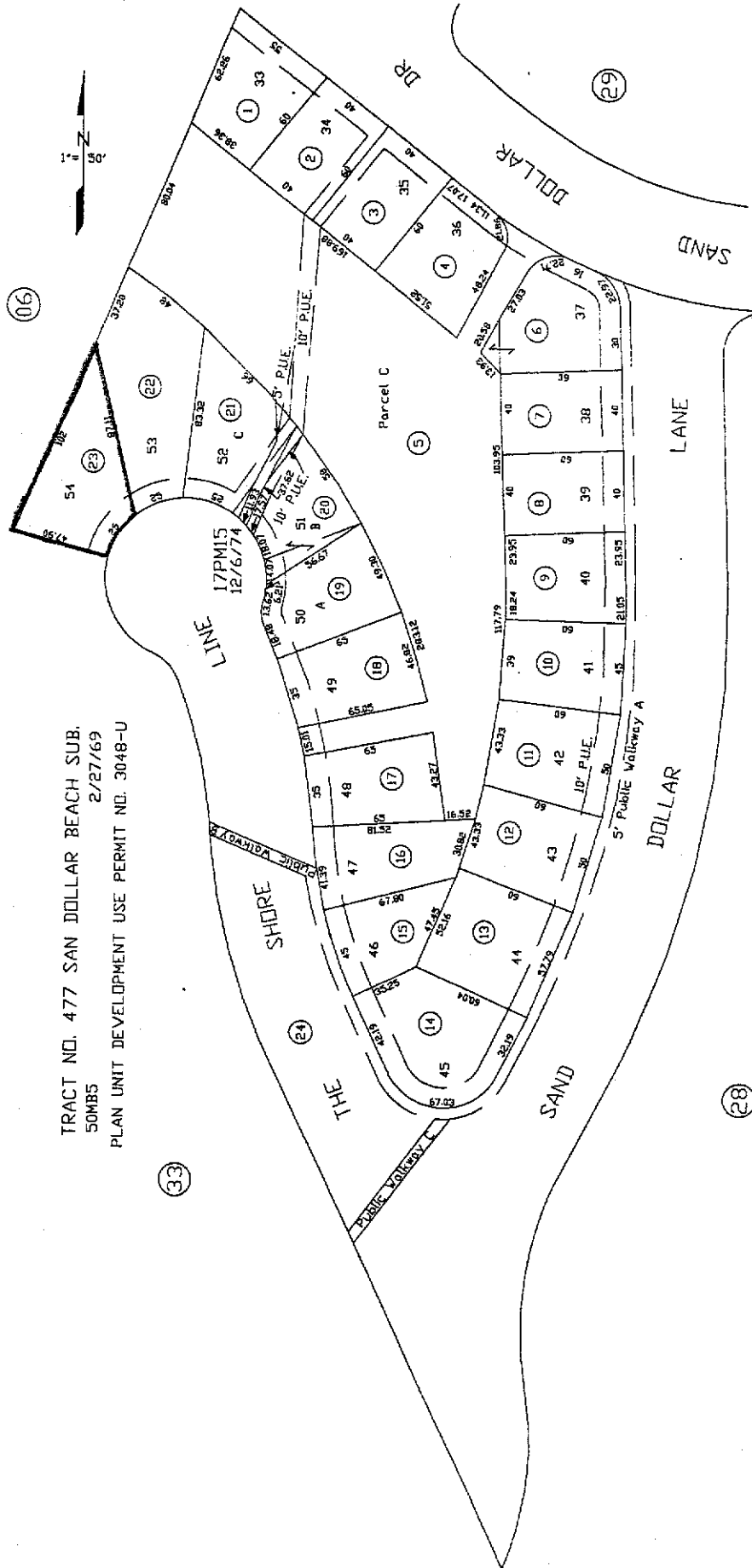
Date: 2/18/05

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POR. SAN ANDREAS RANCHO
 SEC. 3, T.12S., R.1E., M.D.B.&M.

Tax Area Code
 69-013

46-34

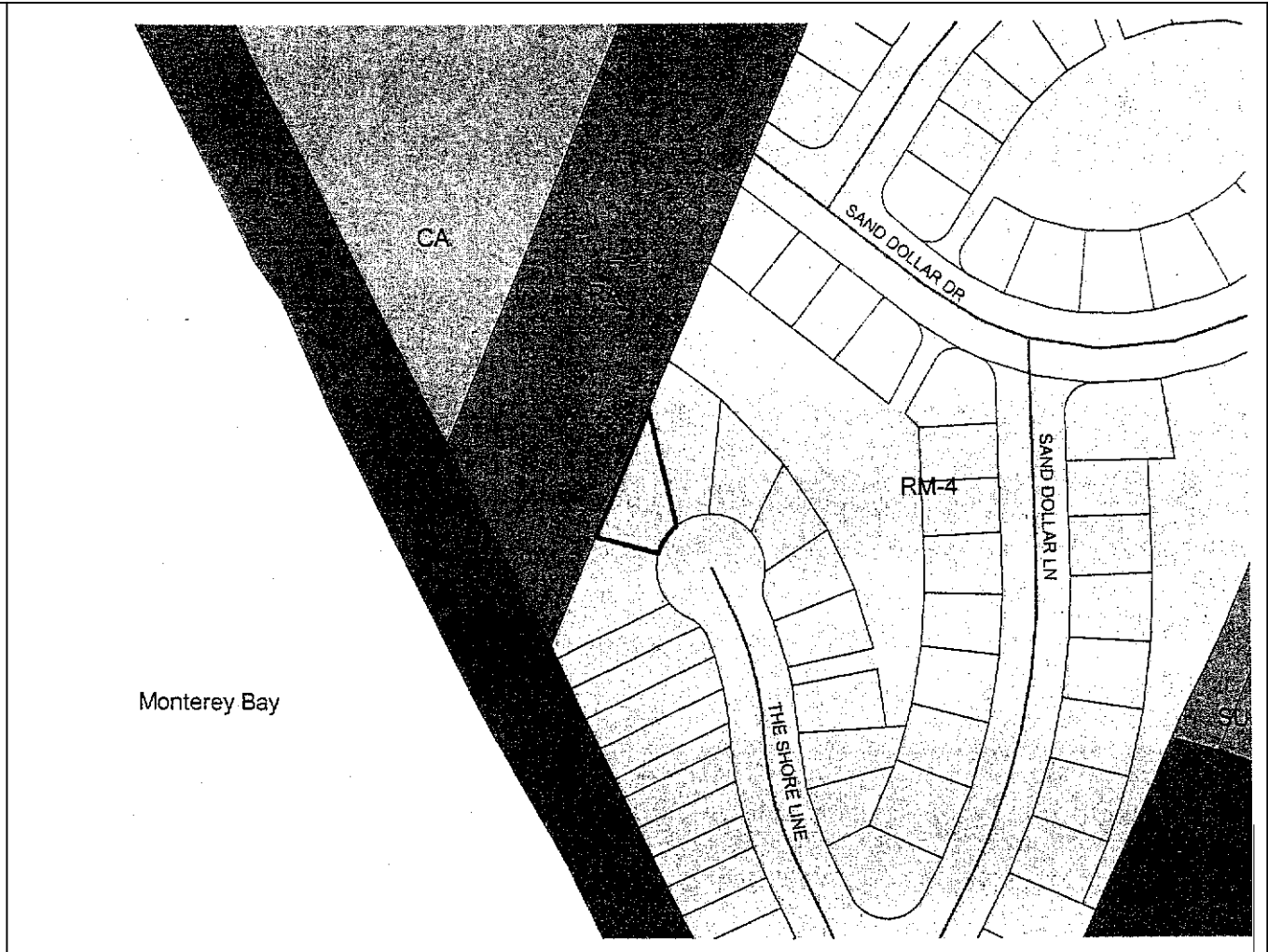


Assessor's Map No. 46-34
 County of Santa Cruz, Calif.
 Sept. 1995

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

Electronically drawn 9/12/95 KSA
 Rev. 5/10/90 CG (Add Lot Numbers, 1-19-21)

Zoning Map



200 0 200 400 600 Feet

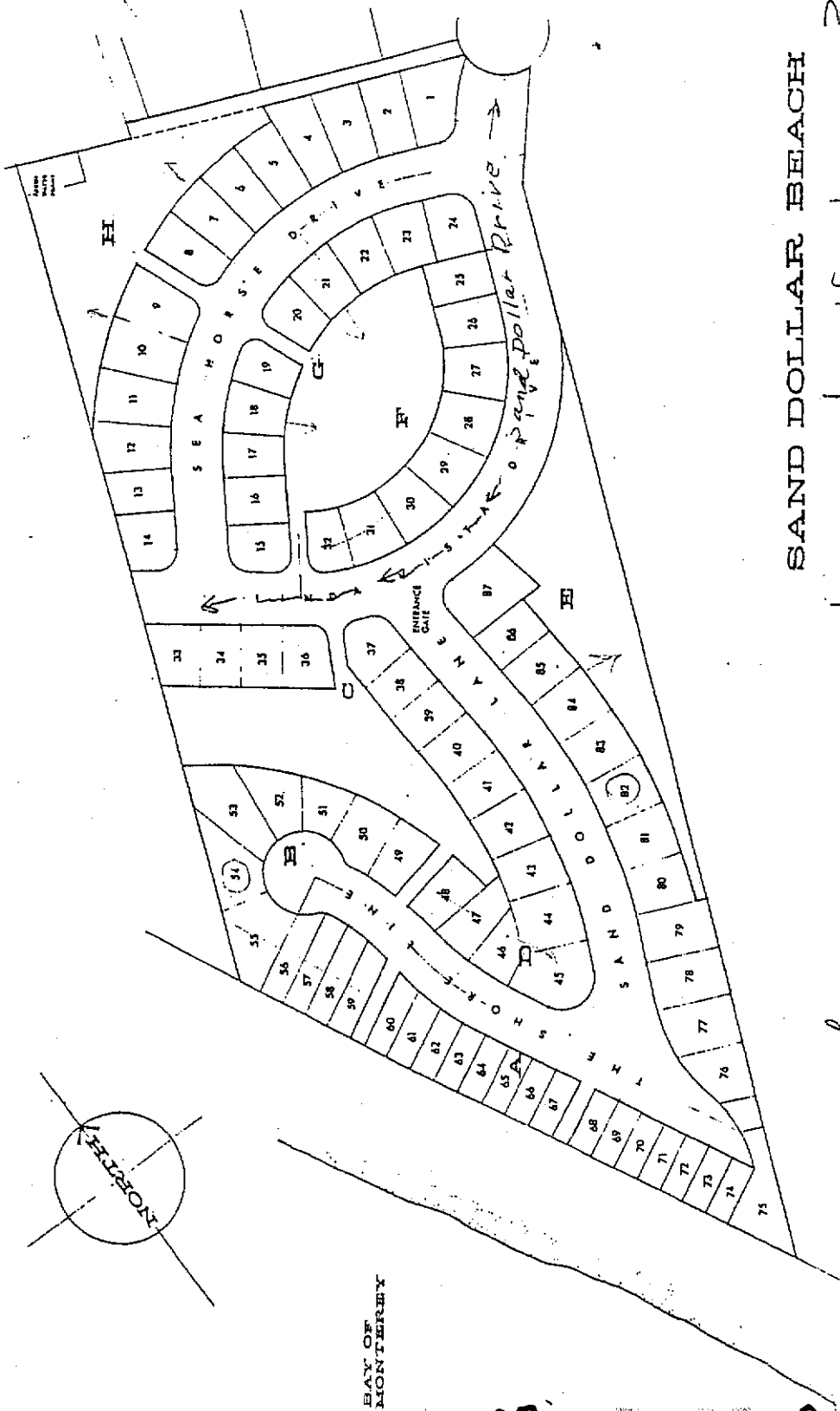
Legend

	APN 046-341-23
	Streets
	RM
	CA
	SU
	RA
	PR



Map created by Santa Cruz County
Planning Department:
January 2004

4



SAND DOLLAR BEACH

These are approved revised setbacks per 3470-11 (Jan 46-06-60)

USE	MAXIMUM BUILDING HEIGHT	LOT NUMBER	FRONT (STREET)	REAR	OFF-STREET PARKING	AUTHORIZED 2ND FLOOR AND ROOF PROJECTIONS	ZONE
SINGLE	FROM MON POINT OF PROPERTY	53-73	NO BUILDING MORE THAN 80 FT DEEP	NONE	COVERED	FRONT	A
SINGLE	25 FEET	49-54	10 FEET FOR DWELLINGS	NONE AT LOTS 15-20 INCLUSIVE	ONE	NONE	B
SINGLE	17 FEET	33-42	20 FEET FOR GARAGES	NONE AT PUBLIC WALK SIDE - LOT 49	ONE	ROOF OVERHANG ONLY	C
SINGLE	17 FEET	43-48	10 FEET FOR DWELLINGS	R-1 DISTRICT REQUIREMENTS 5 FT MIN	ONE	ROOF OVERHANG ONLY	D
SINGLE	17 FEET	78-87	20 FEET FOR GARAGES	NONE AT PUBLIC WALK SIDE - LOT 48	ONE	R-1 DISTRICT REQUIREMENTS	E
SINGLE	17 FEET	28-32	10 FEET FOR DWELLINGS	R-1 DISTRICT REQUIREMENTS 5 FT MIN	ONE	ROOF OVERHANG ONLY	F
SINGLE	17 FEET	18-24	20 FEET FOR GARAGES	NONE AT PUBLIC WALK SIDE - LOT 32	ONE	ROOF OVERHANG ONLY	G
SINGLE	20 FEET	1-14	10 FEET FOR DWELLINGS	R-1 DISTRICT REQUIREMENTS 5 FT MIN	ONE	ROOF OVERHANG ONLY	H

INTEROFFICE MEMO

APPLICATION NO: 04-0018 (2nd routing)

Date: July 15, 2004

To: David Keyon, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for an addition to a single family residence at 807 The Shore Line, La Selva Beach (Ronald and Esther Ubaldi / owner, Robert Goldspink, Architect / applicant)

GENERAL PLAN / ZONING CODE ISSUES

Design Review Authority

13.20.130 The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

Design Review Standards

13.20.130 Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓		
Ridgeline Development			

Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			NIA
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			NIA
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area	✓		
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			NIA
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative			N/A.
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the			NIA
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			NIA
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			NIA
Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			NIA

The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site [except for greenhouses).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Signs			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A
In the Highway 1 viewshed, except within the Davenport commercial area only CALTRANS standard signs and public parks, or public identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors			N/A
Beach Viewsheds			

Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive	✓		
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred	✓		

DISCUSSIONS, CONCLUSIONS & RECOMMENDATIONS

The primary geotechnical hazards at the referenced site include: an unprotected toe at the base of the coastal bluff subject to undercutting and erosion by wave action; potential landsliding of the loose near surface sands making up the coastal bluff; loose near surface fill soils; seismic shaking and site drainage.

The results of our investigation indicates that proposed structures setback greater than 25 feet may be founded on conventional spread footings or slab on grade foundation for structural support. For the proposed 2nd floor story addition located seaward of the 25 foot setback, we recommend underpinning the existing foundation with deepened reinforced piers.

We recommend the 2nd story master bedroom utilize a conventional spread footing bearing on 24 inches of engineered fill. We understand the first floor garage and living room addition will utilize slab-on-grade floors. We recommend slab-on-grade floors be founded on 12 inches of engineered fill. We understand the second story family room addition will utilize the existing slab foundation for structural support. We recommend underpinning the perimeter of the existing foundation with vertical reinforced deepened piers. Piers should have a minimum depth of 15 feet below existing grade in the areas seaward of the 25 foot setback and a minimum depth of 10 feet below existing grade in areas outside of the 25 foot setback.

All surface runoff and storm water collected on impermeable surfaces must not be allowed to spill freely over the top of the coastal bluff. Collected runoff should be direct to an approved discharge point.

Site Grading

1. The soil engineer should be notified at least four (4) working days prior to any site clearing or grading, so that the work in the field can be coordinated with the grading contractor, and arrangements for testing and observation can be made. The recommendations of this report are based on the assumption that the soil engineer will perform the required testing and observation during grading and construction. **It is** the owners responsibility to make the necessary arrangements for these required services.
2. Where referenced in this report, Percent Relative Compaction and Optimum Moisture Content shall **be** based on ASTM Test Designation D1557-00.
3. Areas to be graded should be cleared of all obstructions including loose fill, debris, trees not designated to remain, or other unsuitable material. Existing depressions or voids created during site clearing should be backfilled with engineered fill.
4. Cleared areas should then be stripped of organic-laden topsoil. Stripping depth is typically 2 to 4 inches. Actual depth of stripping may be deeper locally and should be determined in the field by the soil engineer. Strippings should be wasted off-site or stockpiled for use in landscaped areas if desired.

5. Areas to receive engineered fill should be scarified to a depth of 6 inches, moisture conditioned and compacted to at least 90 percent relative compaction. The area may then be brought to design grade with engineered fill.
6. Engineered fill should be placed in thin lifts not exceeding 8 inches in loose thickness, moisture conditioned, and compacted to at least 90 percent relative compaction. The top 6 inches of pavement and slab subgrades should be compacted to at least 95% relative compaction. The aggregate base below pavements should likewise be compacted to at least 95 percent relative compaction.
7. The on-site soils appear suitable for use as engineered fill. Materials used for engineered fill should be free of organic material, and contain no rock or clods greater than 6 inches in diameter, with no more than 15 percent larger than 4 inches.
8. We estimate shrinkage factors of about 20 percent for the on-site materials when used in engineered fills. The near surface native soil profile is likely to experience the greatest level of shrinkage when compacted to engineered fill.
9. After the earthwork operations have been completed and the soil engineer has finished his observation of the work, no further earthwork operations shall be performed except with the approval of and under the observation of the soil engineer.

Pier- and-Grade Beam Foundation

10. The drilled piers should be at least 18 inches in diameter. In general, piers should be drilled to a minimum depth of 15 feet below existing grade for structures within 25 feet

of the coastal bluff and 10 feet below existing grade for structures landward of the 25 foot setback. Piers designed and constructed in accordance with the above criteria may be designed for an allowable skin friction bearing capacity of 350 psf. The top 8 feet of soil should be neglected for piers located seaward of the 25 foot setback line. The top 4 feet should be neglected for piers landward of the setback line. The above bearing capacities may be increased by $\frac{1}{3}$ for wind and seismic loading.

11. For passive lateral resistance, an equivalent fluid pressure of 300 pcf may be assumed to act on one and a half pier diameters. The upper 8 feet of soil should be neglected when computing passive resistance for piers seaward of the setback line. The upper 4 feet of soil should be neglected when computing passive resistance for piers landward of the setback line. An active earth pressure of 60 pcf should be designed against the top 7 feet of piers located seaward of the 25 foot setback line.

12. Piers should be vertically reinforced their full length. The vertical reinforcement should be lapped and tied to the upper grade beam reinforcement. Actual reinforcement requirements should be determined by the structural designer.

13. Prior to placing steel and concrete, all foundation excavations should be thoroughly cleaned. The foundation excavations must be observed by the soil engineer or his representative, prior to placing concrete. If unusual or unforeseen soil conditions are found during construction, additional recommendations may be required.

Conventional Spread Footings

14. The proposed 2nd story master bedroom addition may be founded on a continuous exterior spread footing founded on 24 inches of redensified native soil. Floor loads may be founded on interior isolated pedestal footings founded on 24 inches of redensified native soil. The redensification should extend 3 feet horizontally beyond the perimeter footings.

Footings should be at least 12 inches wide and be embedded 12 inches for single story and 18 inches for two story, into redensified native soil. The embedment depth is measured from lowest adjacent grade.

15. The foundation trenches should be kept moist and be thoroughly cleaned of all slough of loose materials prior to pouring concrete. In addition, all footings located adjacent to other footings or utility trenches should have their bearing surfaces founded below an imaginary 1.5:1 plane projected upward from the bottom edge of the adjacent footings or utility trenches.

16. Spread footings bearing on redensified native soil can be designed for an allowable soil bearing pressure of 2,000 psf. The allowable bearing pressure may be increased by one-third for short term seismic and wind loads. Please refer to the aforementioned grading section for fill placement and compaction requirements.

17. Lateral loads on spread footings may be designed for a passive resistance developed as friction between the foundation bottom and the native subgrade; or as passive resistance acting along the face of the footings. It should be made clear that only one type of passive resistance should be used in the design of the spread footing.

1. For friction resistance a coefficient of 0.32 is considered applicable
2. For passive resistance acting along the face of the footing, an equivalent fluid pressure of 275 pcf is considered applicable. The top 6 inches of the embedded footing should be neglected when calculating passive resistance.

18. The footings should be reinforced as required by the structural designer based on loads transmitted to the footing but should contain at least four No. 4 reinforcing bars, two at the top and two at the bottom.

19. All foundation excavations should be observed by the geotechnical engineer or representative prior to placing steel reinforcement.

Slabs-on-Grade

20. Due to the loose near surface soil, concrete slabs should be supported on compacted native soil. We recommend that slabs-on-grade be supported on 12 inches of redensified native soil. Top 6 inches of slab subgrade compacted to 95 percent relative compaction and bottom 6 inches compacted to 90 relative compaction. Prior to construction of the slab, the subgrade surface should be proof-rolled to provide a smooth, firm, uniform surface for slab support. Slab reinforcement should be provided in accordance with the anticipated use and loading of the slab. We recommend consideration of reinforcing bars in lieu of conventional wire mesh.

21. In areas where floor wetness would be undesirable, a blanket of 4 inches of free draining gravel should be placed beneath the floor slab to act as a capillary break. In order to minimize vapor transmission, 10 ML visqueen with 3 feet of overlap should be placed

over the gravel. The membrane should be covered with 2 inches of sand or rounded gravel to protect it during construction. The sand or gravel should be lightly moistened just prior to pouring concrete, adequately spaced expansion joints, and good workmanship should minimize cracking and movement.

Retaining Wall Lateral Pressures

Retaining walls should be designed in accordance to the criteria given below.

22. Retaining walls should be designed to resist both lateral earth pressures and any additional surcharge loads. For design of retaining walls up to 8 feet high and fully drained, the following design criteria may be used:

- A. Active earth pressure for walls allowed to yield is that exerted by an equivalent fluid weighing 35 pcf for a level backslope gradient; and 50 pcf for a 2:1 (horizontal to vertical) backslope gradient. This assumes a fully drained condition.
- B. Where walls are restrained from moving at the top (as in the case of basement walls), design for a uniform rectangular distribution equivalent to $24H$ psf per foot for a level backslope, and $32H$ psf per foot for a 2:1 backslope, where H is the height of the wall.
- C. In addition, the walls should be designed for any adjacent live or dead loads which will exert a force on the wall (garage and/or auto traffic).
- D. Retaining walls that act as interior house walls should be thoroughly waterproofed.

23. For seismic design of retaining walls that support habitable structures, a dynamic surcharge load of $10H$ psf, where H is the height of the wall, should be added to the above active lateral earth pressures.

24. The above lateral pressure values assume that the walls are fully drained to prevent hydrostatic pressure behind the walls. Drainage materials behind the wall should consist of Class 1, Type A permeable material complying with Section 68 of Caltrans Standard Specifications, latest edition.

25. The drainage material should be at least twelve inches (12") thick. The drains should extend from the base of the walls to within twelve inches (12') of the top of the backfill. A perforated pipe should be placed (holes down) about four inches (4") above the bottom of the wall and be tied to a suitable drain outlet. Wall backdrains should be capped at the surface with clayey material to prevent infiltration of surface runoff into the backdrains. A layer of filter fabric (Mirafi 140N or equivalent) should separate the subdrain material from the overlying soil cap.

Flexible Pavements

26. Asphaltic concrete, aggregate base and sub-base, and preparation of the subgrade should conform to and be placed in accordance with the Caltrans Standard Specifications, latest edition, except that the test method for compaction should be determined by ASTM D1557-78.

27. To have the pavement sections perform to their greatest efficiency, it is important that the following items be considered:

- a. Moisture condition the subgrade and compact to a minimum relative compaction of 95 percent, at about 2 percent over optimum moisture content.
- b. Provide sufficient gradient to prevent ponding of water.
- c. Use only quality materials of the type and thickness (minimum) specified. Baserock should meet Caltrans Standard Specifications for Class II Aggregate Base, and be angular in shape.
- d. Compact the baserock to a relative dry density of 95 percent.
- e. Place the asphaltic concrete during periods of fair weather when the free air temperature is within prescribed limits per Caltrans specifications.
- f. Provide a routine maintenance program.

Surface Drainage

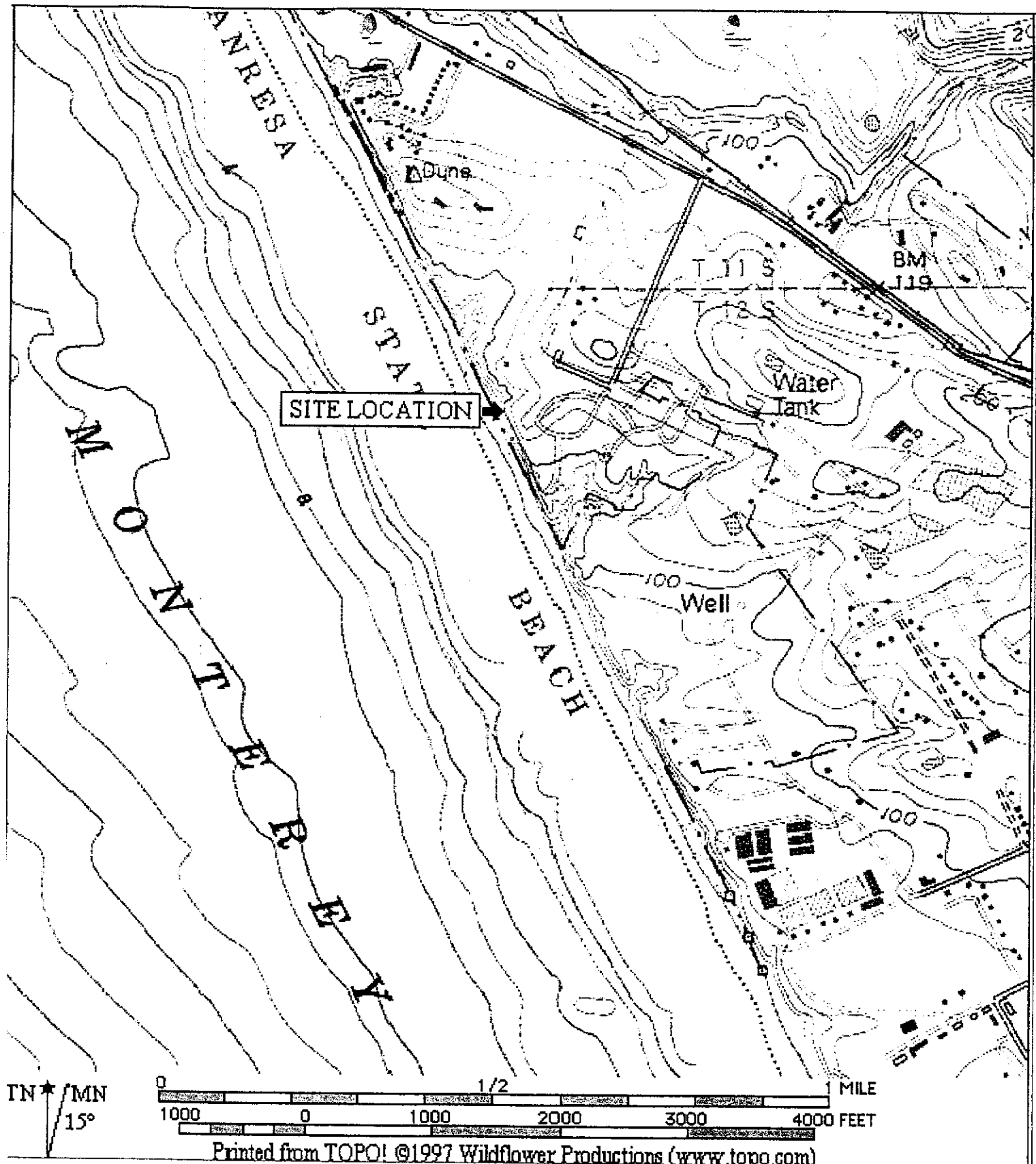
28. As discussed previously, strict control of surface drainage is an important part of this project. Under no circumstances should surface runoff be allowed to flow uncontrolled or concentrate onto the coastal bluff adjacent to the existing residence. Surface flow should be collected into closed conduits and released into an approved outlet.

29. All exposed soil should be landscaped as soon as possible after grading to reduce erosion. All slopes should be permanently protected against erosion as required by a landscape erosion control expert.

30. We recommend that full gutters be used along all roof eaves to collect storm runoff water and channel it through closed rigid conduits to a suitable discharge point.
31. Surface runoff should **not** be allowed to flow onto graded or natural slopes. Consideration should be given to catch basins, berms, concrete v-ditches, or drainage swales at the top of all slopes to intercept runoff and direct it to a suitable discharge point.
32. Water must not be allowed to pond adjacent to structural foundations or on the paved areas. Final grades should be provided with positive gradient away from all foundations in order to provide rapid removal of the surface water from the foundations to an adequate discharge point. Concentrations of surface water runoff should be handled by providing necessary structures, such as paved ditches, catch basins, etc.
33. Irrigation activities at the site should be done in a controlled and reasonable manner. Planter areas should not be sited adjacent to walls; otherwise, measures should be implemented to contain irrigation water and prevent it from seeping into walls and under foundations.
34. The migration of water or spread of extensive root systems below foundations, slabs, or pavements may cause undesirable differential movements and subsequent damage to these structures. Landscaping should be planned accordingly.
35. Drainage patterns approved at the time of fine grading should be maintained throughout the life of proposed structure.

Plan Review, Construction Observation, and Testing

36. Our firm must be provided the opportunity for a general review of the final project plans prior to construction so that our geotechnical recommendations may be properly interpreted and implemented. If our firm is not accorded the opportunity of making the recommended review, we can assume no responsibility for misinterpretation of our recommendations. We recommend that our office review the project plans prior to submittal to public agencies, to expedite project review. The recommendations presented in this report require our review of final plans and specifications prior to construction and upon our observation and, where necessary, testing of the earthwork and retaining wall foundation excavations. Observation of grading and retaining wall construction allows anticipated soil conditions to be correlated to those actually encountered in the field during construction.



SCALE	AS SHOWN	HARO, KASUNICH & ASSOCIATES, INC. GEOTECHNICAL AND COASTAL ENGINEERS 116 E LAKE AVENUE, WATSONVILLE, CA 95076 (831) 722-1475
DRAWN BY:	BILL S	
DATE	JUNE 2004	
REVISED		
JOB NO.	SC8592	SHEET NO. OF 1

FIGURE NO. 1

BASE PLAN BY ROBERT J. GOLDSPIK ARCHITECT
TOPOGRAPHY BY WARD SURVEYING

LEGEND:

(E) EXISTING

(P) PROPOSED



EXPLORATORY BORING



TEST PIT

(E) TOP OF COASTAL BLUFF

PROJECTED TOP OF
COASTAL BLUFF IN 100 yrs

(E) BEACH

(E) TOE OF BLUFF

(P) ADDITIONS

(E) RESIDENCE

EXISTING HOUSE
1ST FLOOR LEVEL 100.00

(P) 2ND STORY ADDITION

PROPOSED RAIL ROAD
TIE RET. WALL

PROPOSED
BULK DYKE

6 FT. HIGH WALL
TRUCK ENCLOSURE
(TOP OF WALL 1)

10' PUBLIC UTILITY
BASEMENT

THE SHORELINE

PROJECT NO: SC8592

DATE: 6/25/04

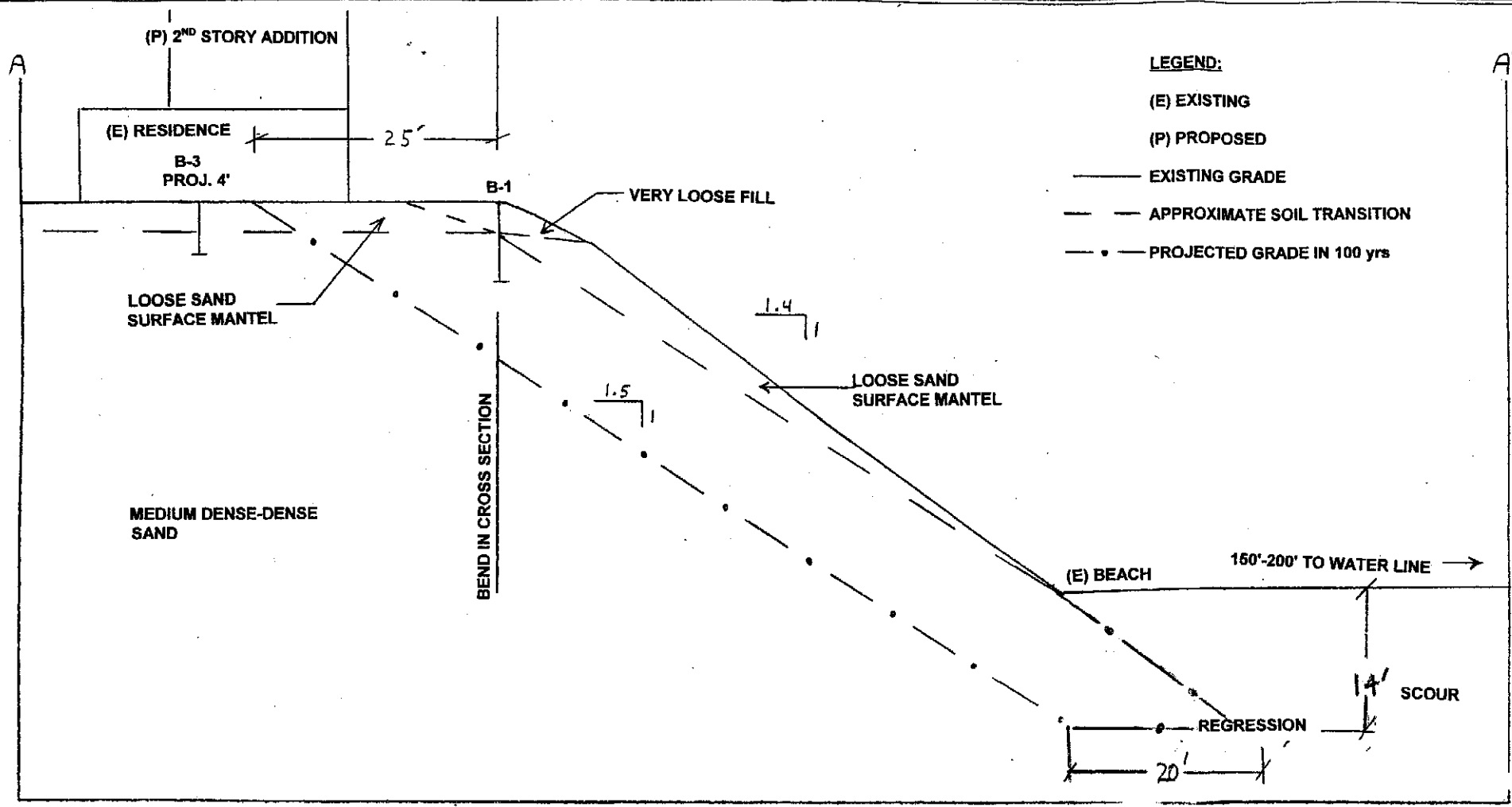
SCALE: 1"=10'

DRAWN BY: BILL S.

HARO. KASUNICH & ASSOCIATES

BORING SITE PLAN
807 THE SHORELINE
LA SELVA, SANTA CRUZ COUNTY, CA

FIGURE NO. 1



- LEGEND:**
- (E) EXISTING
 - (P) PROPOSED
 - EXISTING GRADE
 - - - APPROXIMATE SOIL TRANSITION
 - • - PROJECTED GRADE IN 100 yrs

PROJECT NO:	SC8592
DATE:	6/25/04
SCALE:	1"=10' (V=H)
DRAWN BY:	BILL S.

CROSS SECTION A-A'
807 THE SHORELINE
LA SELVA, SANTA CRUZ COUNTY, CA

HARO. KASUNICH & ASSOCIATES

Figure No. 3



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

TOM BURNS, PLANNING DIRECTOR

April 15, 2005

Ron and Esther Ubaldi
C/o Robert Goldspink and Associates, Inc.
8042 Soquel Drive
Aptos, CA 95003

Subject: Review of Geotechnical investigation by Haro, Kasunich, and Associates
Dated: April 13, 2005; Project No. **SC8592**
APN: 046-341-23, Application No. **04-0018**

Dear Ron and Esther Ubaldi:

The purpose of this letter is to inform you that the Planning Department has accepted the subject report and the following items shall be required:

1. All construction shall comply with the recommendations of the report.
2. Final plans shall reference the report and include a statement that the project shall conform to the report's recommendations.
3. Before building permit issuance plan review/letter shall be submitted to Environmental Planning. The author of the report shall write this letter and shall state that the project plans conform to the report's recommendations.
4. The report answers our questions detailed in our review letter of August 13, 2004. The setbacks comply with Code and the General Plan. All new development must be constructed behind the setback.

After building permit issuance, the soils engineer must remain involved *with* the project during construction. Please review the Notice to Permits Holders (attached).

Our acceptance of the report is limited to the technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. may require resolution by other agencies.

Please call the undersigned at 454-3175 if we can be of any further assistance.

Sincerely,


Joe Hanna
County Geologist

Cc: Haro, Kasunich and Associates, 116 East Lake Avenue, Watsonville, CA 95076

Project No. SC8592

13 April 2005

64-0018

APN 046-341-23

RON AND ESTHER UBALDI
clo Robert Goldspink & Associates, Inc.
8042 Soquel Drive
Aptos, California 95003

Subject: Response to Santa Cruz County Planning Departments
Geotechnical Concerns; Letter Dated 13 August 2004
From Joe Hanna, County Geologist

Reference: Proposed UbalDI Residence Addition and Remodel
807 The Shoreline
La Selva Beach, Santa Cruz County, California

Dear Mr. and Mrs. UbalDI:

At the request of your architect, Robert Goldspink we met with Santa Cruz County Geologist, Joe Hanna to discuss the coastal bluff in front of your residence and to outline additional information the County would like related to our Geotechnical Investigation dated June 2004. The following is our response presenting the additional information requested in the County's 13 August 2004 review letter, in the order presented.

1. In lieu of a geologic terrain map, we have conducted three additional field cross sections from the base of the bluff through the reference property and proposed residential additions. These cross sections were field mapped by a staff geologist and engineer from our office and present the condition of the bluff in March 2005. The cross-sections attached with this letter include the entire coastal slope in front of the UbalDI home from the beach to the top of the bluff and through the UbalDI residence.
2. Cross Section A-A, presented in our June 2004 geotechnical investigation, was the slope section portraying the shortest distance from the top of the bluff to the existing residence. Our projected 100 year slope regression analysis coincided with a 25 foot setback. We have reviewed the three additional cross sections recently surveyed. Cross Section D-D' projects the greatest setback necessary relative to our projected 100 year recession of the coastal bluff. Using a topographic map prepared by Santa Cruz County Public Works (attached) we determined the elevations of the backshore and top of bluff relative to NGVD Datum. The backshore of the beach at the base of the bluff is at an elevation of 15 to 22 feet

NGVD, a higher than normal elevation for backshore beaches in Central Monterey Bay. We then projected a future scour elevation of +2 feet **NGVD**. This low beach scour elevation has not occurred along the La Selva, Aptos, coastal beaches during our 25 years of coastal engineering practice. We then utilized regression rates at the toe of the scoured bluff of 20 feet based on a review of recent geologic reports along the same coastal bluff. We then projected a conservative stable coastal bluff slope gradient relative to deep beach scour and 20 feet of regression over 100 years. A stable slope gradient of 1.5:1 was used. The location of our projected 100 year erosion line coincided with a setback of 25 feet from the top of the existing bluff closest to the Ubaldi residence at Cross Section A-A. As a comparison, a setback from the top of the bluff of 0 feet was projected for Cross Section B-B', 0 feet for Cross Section C-C, and 28 feet for Cross Section **D-D'** utilizing the recent field profiles.

3. The 25 foot setback from the top of the bluff as well as our projected regression lines for 100 years has been applied to the project. The project architect has relocated all additions behind our setback line and the 25 foot minimum setback line required by Santa Cruz County. The minimum 25 foot setback line has been drawn in plan across the Boring Site Plan.
4. The three additional cross sections B-B', C-C', and **D-D'** are included with this letter.

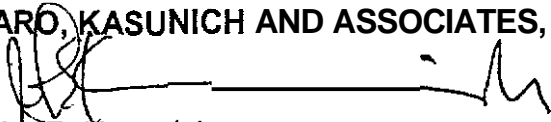
In summary, a minimum 25 foot setback from the top of coastal bluff for the Ubaldi property is reasonable. The bluffs in front of the Ubaldi residence are flatter than most coastal bluffs, indicating they have attained or been graded to a stable angle of repose. Projecting beach erosion, deep sand scour and regression over time indicates that the bluff top adjacent to the Ubaldi residence may recede 0 to 28 feet in the next 100 years. The proposed additions have been setback behind these projections and the minimum 25 foot County setback line.

Ron and Esther Ubaldi
Project No. SC8592
807 The Shoreline
13 April 2005
Page 3

If you have any questions, please contact our office.

Very truly yours,

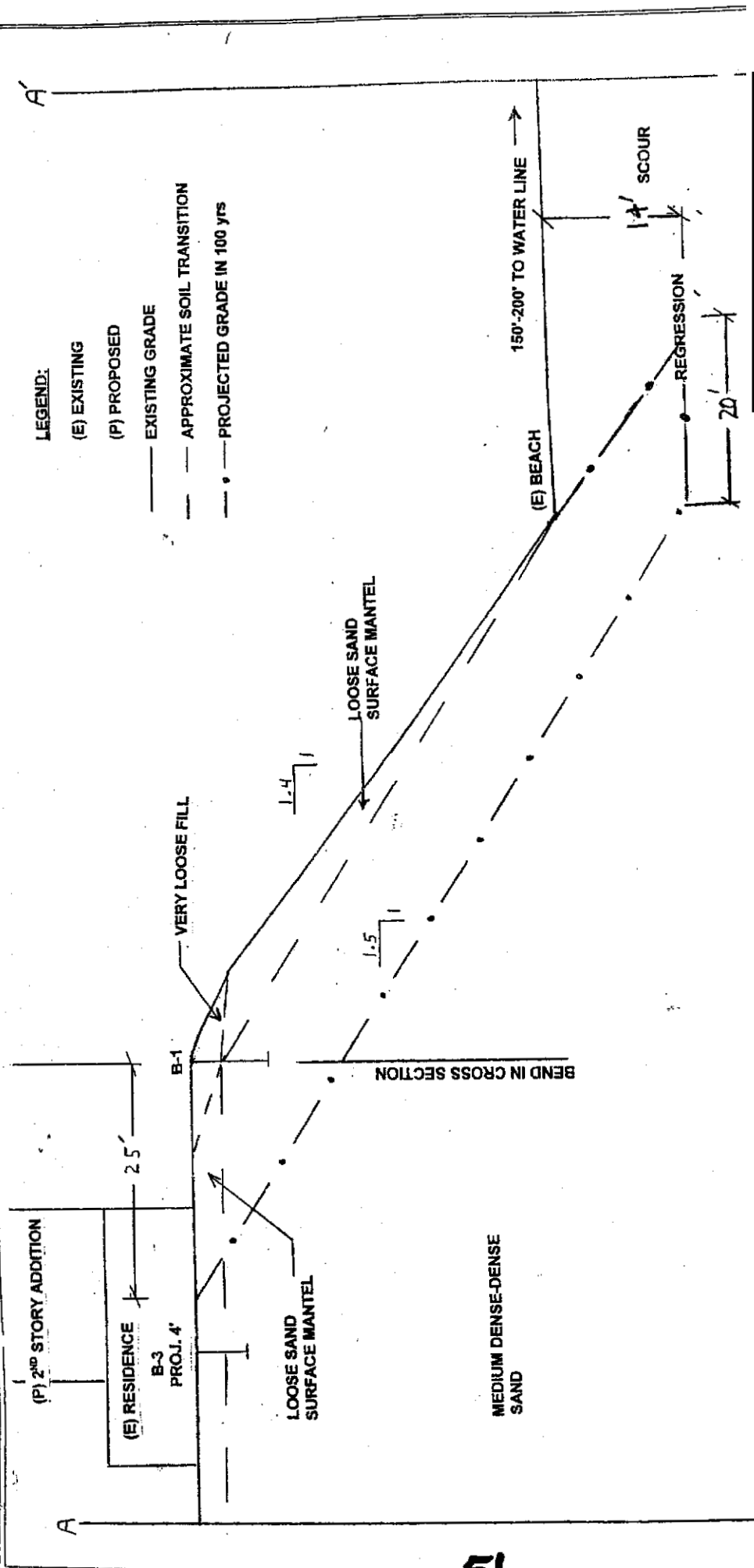
HARD, KASUNICH AND ASSOCIATES, INC.



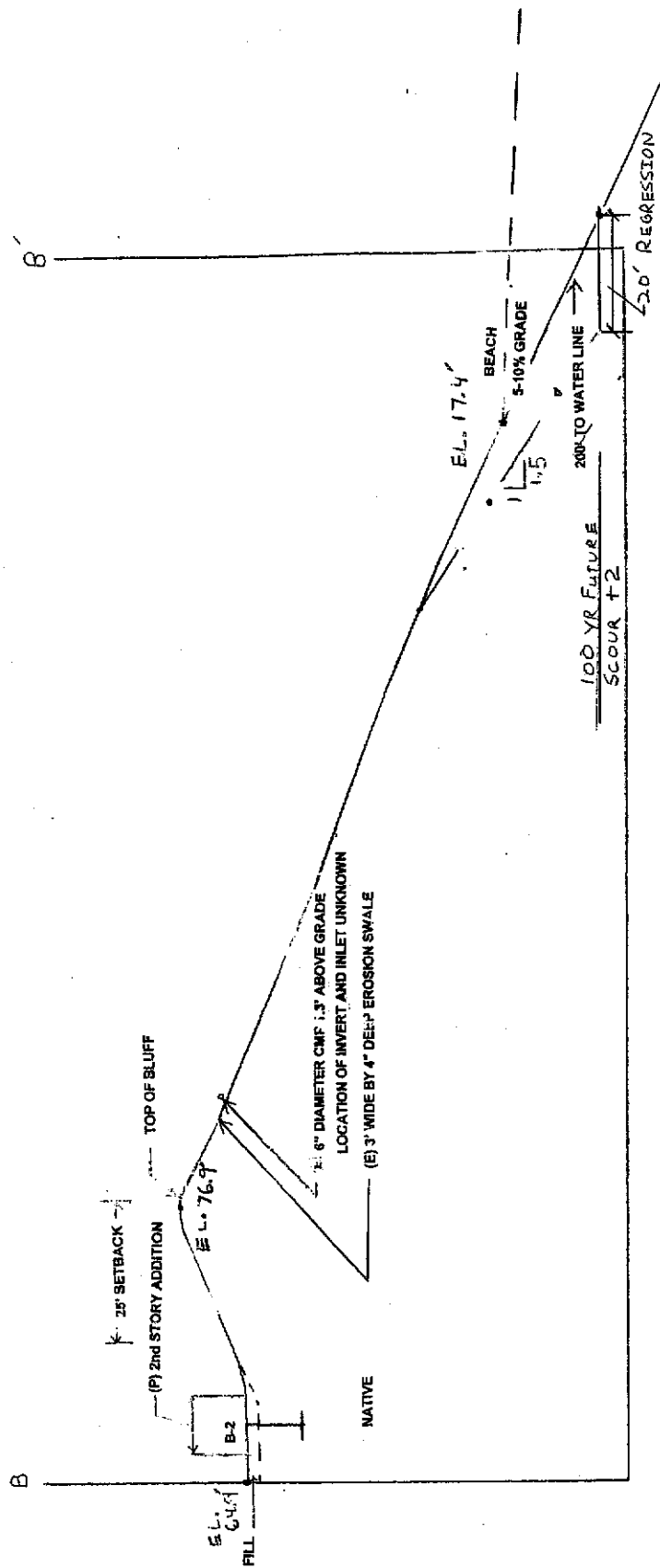
John E. Kasunich
G.E. 455

JEK/dk

Copies: 1 to Addressee
 3 to Robert Goldspink, Architect
 1 to Dave Kenyon, Project Planner
 1 to Joe Hanna, Santa Cruz County Geologist

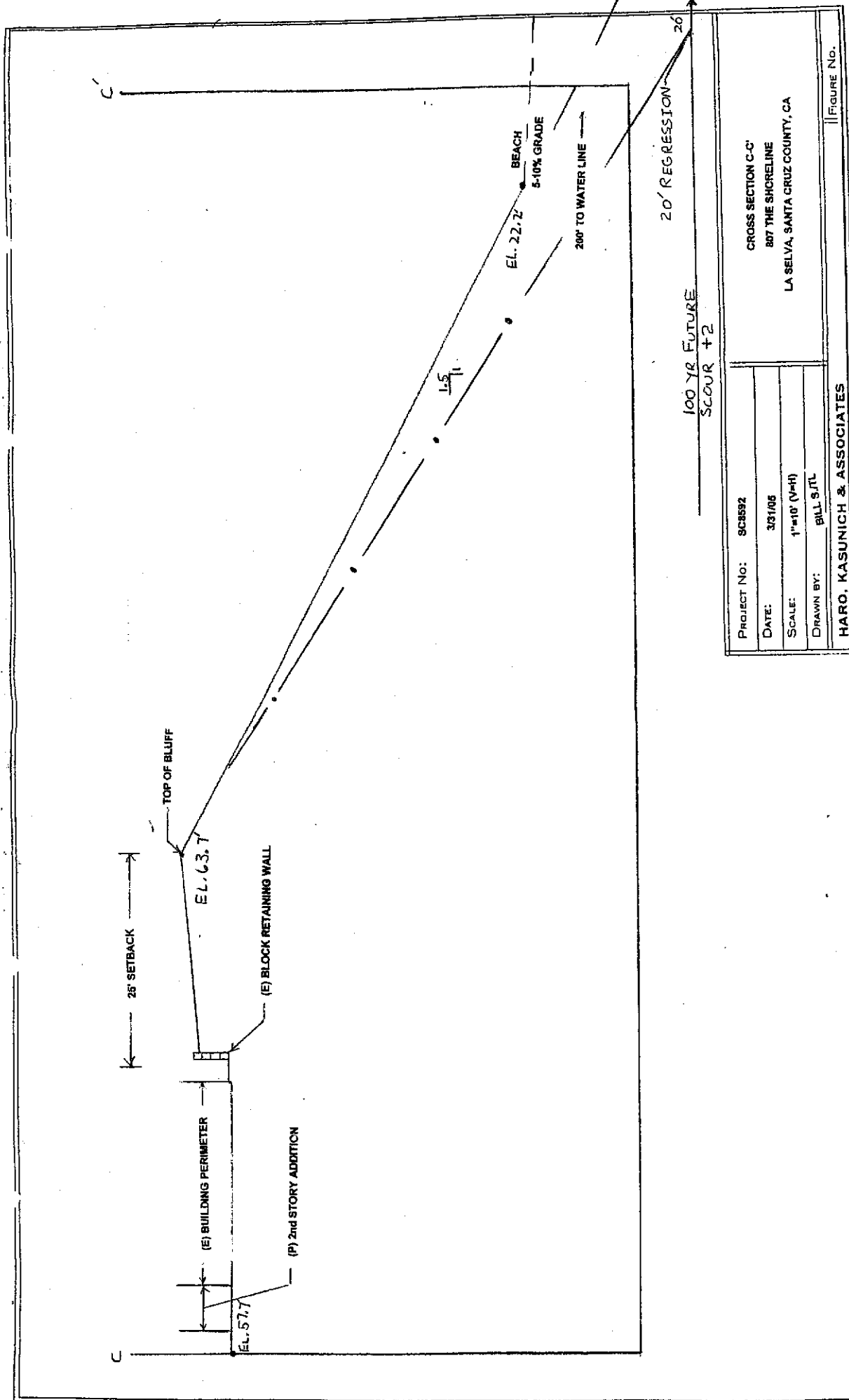


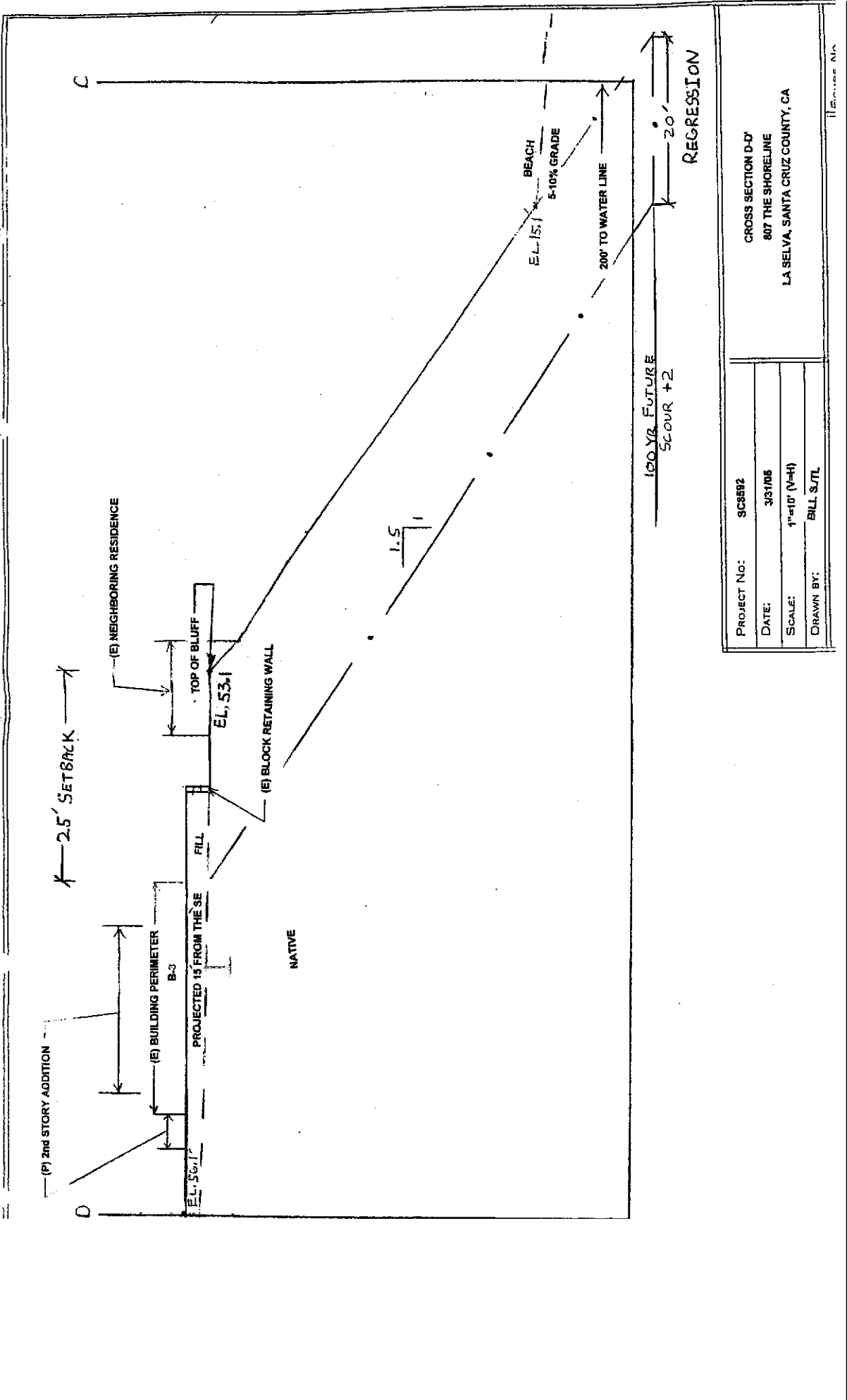
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DATE:	6/25/04
SCALE:	1"=10' (V=H)
DRAWN BY:	BILL S.
HARO, KASUNICH & ASSOCIATES	
CROSS SECTION A-A'	
807 THE SHORELINE	
LA SELVA, SANTA CRUZ COUNTY, CA	
FIGURE NO. 3	



PROJECT No:	SC8592	CROSS SECTION B-B'
DATE:	3/31/06	807 THE SHORELINE
SCALE:	1"=20' (V=H)	LA SELVA, SANTA CRUZ COUNTY, CA
DRAWN BY:	BILL S./TL	
HARO, KASUNICH & ASSOCIATES		FIGURE No.

SCALE
CHANGE



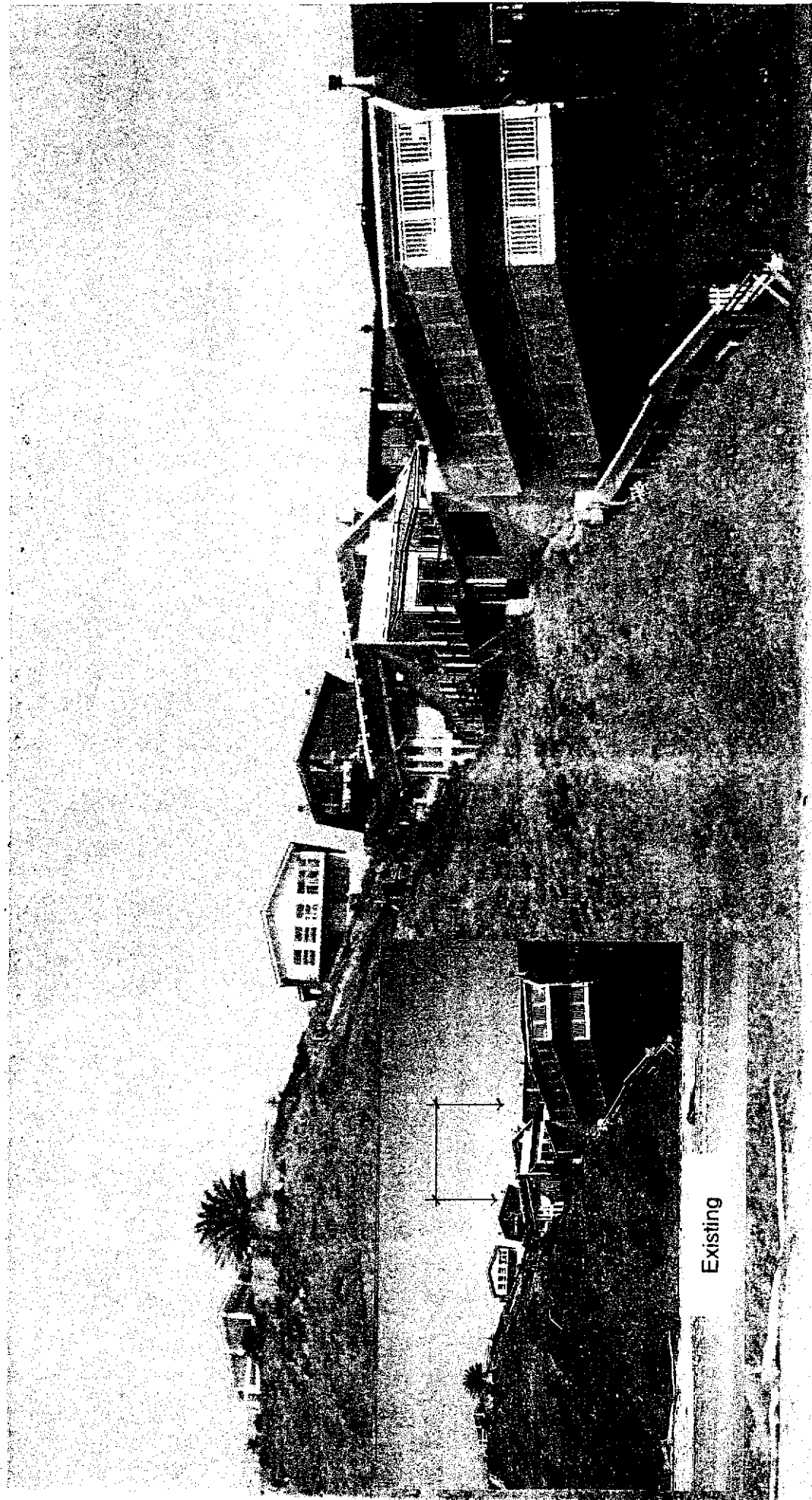


PROJECT NO:	SC3592
DATE:	3/31/06
SCALE:	1"=10' (V=H)
DRAWN BY:	BILL S/JL

CROSS SECTION D-D
807 THE SHORELINE
LA SELVA, SANTA CRUZ COUNTY, CA

Bill Selva M.A.





Existing

View from Beach
Showing Proposed Addition to Ubaldi Residence

807 The Shoreline La Selva Beach

Robert J Goldspink Architect 8042 Soquel Drive Aptos CA 95003 Tel (831) 688 8950 Fax (831) 688 4402
 March 23rd 2005

ROBERT J GOLDSPINK ARCHITECTS

March 8th 2004

Claire Hildreth
Sand Dollar Homeowners' Association
P.O. Box 491
Aptos CA 95001-0491

**UBALDI RESIDENCE
807 The Shoreline La Selva Beach**

Dear Claire,

I have pleasure in enclosing two copies of the following drawings for Architectural Review Committee approval:

- A. Drawing 2, Revision 1, dated 1.12.04
- B. Drawings 1, 3, 4 & 5, Revision 2, dated 2.19.04
- C. East Elevation Diagram, dated 3.5.04
- D. Composite photographs: 'View from Allen Residence showing Proposed Addition to Ubaldi Residence', dated 3.5.04

The above documents show an alternative design for the proposed addition/remodel to respond to comments from neighbors and their concerns regarding ocean views over the Ubaldi property. We have greatly reduced the height of the proposed addition and, as you will see from the East Elevation Diagram, the profile of the addition is approx. 52% smaller than the original proposal. Ron and Esther Ubaldi have made a number of sacrifices to make this possible;

- 1. They will no longer raise the Family Room floor to be level with the Master Bedroom
- 2. They will employ a steel frame to minimize the height of the roof framing
- 3. They will construct the Southeast corner of the roof as a hip to reduce roof height. All other roofs are single slope gable roofs; the hip, while reducing roof height, will not be in character with the original house
- 4. They will reduce new roof slopes to less than those of the original house

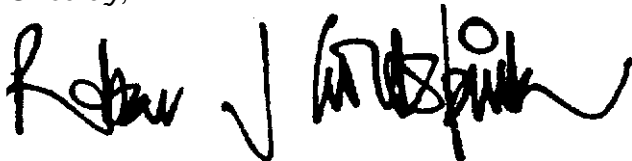
I had arranged to meet Chuck Allen last week to review the revised design proposals with him. However, it became apparent during our telephone conversation that he doesn't want the Ubaldis to change the outline of their building in any way and that even a reduction as great as that now proposed would not be acceptable to him. We agreed that there was little point in meeting; even a small addition would still be an addition and that would be too much for him. We had hoped to obtain neighbors' blessing to the revised design prior to submitting these documents as we thought this compromise proposal would result in middle ground acceptable to all parties.

I have again compared the design proposals with the CC & Rs and believe they comply in all aspects with the requirements of the CC & Rs.

I understand the next ARC meeting will be held at 2:00pm, Sunday March 21st; I will be there to present these alternative design proposals and respond to any questions.

Please call if you have any questions or require further copies of the above documents,

Sincerely,



Robert J Goldspink

cc: Esther & Ron Ubaldi, letter only

8042 Soquel Drive Aptos CA 95003 tel [831] 688 8950 fax [831] 688 4402

RobertGoldspink@aol.com

delivered 3-10-04 By RJG
4:40 pm

ROBERT J GOLDSPIK ARCHITECTS

June 30th 2004

*David Keyon, Project Planner
Planning Department
County of Santa Cruz
707 Ocean Street - 4th Floor
Santa Cruz CA 95060*

UBALDI RESIDENCE
807 The Shoreline La Selva Beach
APN 046 341 23
Application # 04-0018

Dear David,

/refer to our recent telephone conversation, your letter, dated February 17th 2004, and now respond as follows:

1. Parking

The Sand Dollar Beach regulations require two parking spaces; please see copies of 'Revised Exhibit A [Development Plan]' enclosed, 2 pages

Drawing 6 indicates 8' 6" width maneuvering path for car into garage and shows one additional space for parking, meeting the requirements for this subdivision

2. Landscape Plan

We enclose copies of Drawing 7

3. Color Board

We enclose copies of the Color Board. Original Color Board will be presented at the Zoning Administrator's Hearing

4. Photo-Simulation

We enclose an 11" x 17" photograph of the house taken from the beach rendered to show the proposed addition

5. Environmental Planning

- a. We enclose two copies of the soils report, prepared by Ham, Kasunich & Associates, dated June 29th 2004*
- b. See Drawing 1, Revision 2, for extent of retaining wall*
- c. Drawing 6 shows the existing retaining walls. Drawing 2 shows the existing Terrace extended to allow fire escape from the new Living Room. Retaining wall steps to follow slope of Westgrade. See Note on Drawing 2*
- d. Note D revised to reference new Sitework and Landscape Plan, Drawing 6*

6. Drainage

- a. Please see new Drainage & Erosion Control Plan, Drawing 7
- b. Please see the Impervious Area Diagram on Drawing 7, showing the increase in impervious area will be 359sf

We understand there may be additional comments regarding drainage and these will be addressed at the building permit application phase.

7. Sand Dollar Beach Architectural Review

We are pleased to provide a copy of SandDollar Beach Homeowners' Association meeting minutes of May 8th 2004, showing unanimous approval of the project.

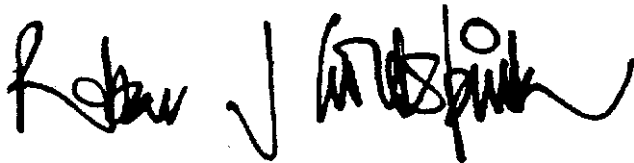
As discussed and as you will see from the drawing revision notes, the owners have made two revisions to the original design, each time reducing the size of the additions. Please see copies of my letters to the homeowners' association, dated March 8th and March 24th 2004.

Also, as discussed, we enclose copies of three photographs of the house taken with storey poles and string lines erected to show the final design proposals as approved by the homeowners' association.

We enclose 5 complete sets of all documents, except the soils report, where two copies are enclosed

Please call if you have any questions

Sincerely,



Robert J Goldspink

cc: Esther & Ron Ubaldi w/encl

EXTRACT FROM

Sand Dollar Beach Homeowners Association

Draft Minutes as at 5/11/04 - still subject to Board approval.

Board Meeting: Saturday, May 8, 2004.

Held at Lou's home, 763, The Shoreline: Time 9.30am to 12.20pm

Present: Lou Pavlina, Bill Russell, Dan Halloran, Cynthia Haines. Dan Halloran attended with proxy from Karen Strelitz who was not present.

Also Present: Dudley Frost, Ron and Esther Ubaldi, Robert Goldspink, Don Schnoor, Hank Greiner, Chuck and Ramon Allen, Jane Sinclair and Harold Lucht

The meeting was called to order at 9.35am.

3) Architecture Committee Report -

a) The revised plans for the Ubaldi property (lot 54), which had been submitted following the walk around at the last meeting, were discussed. Dan counseled the board to consider the governing documents, including the CC&R's and the Architectural Standards, copies of which were made available at the meeting, and provided photos of the "story pole lines" of the proposed change in roofline, taken from the decks of neighboring homes owned by the Allen, Russo, Pantellis and Greiner properties. Dan also stated that the Board had sought advice from an attorney with experience in Homeowner Association matters regarding board procedure in making such a decision, particularly on the interpretation of the wording regarding the impact on neighbors' views. He summarized the resultant legal opinion that the SDBHOA had received, which primarily was that the board could not take an arbitrary position not dictated by the CC&R's, but should follow a thorough due process, as it has. It was noted that the CC&R's and Architectural standards do not specifically prevent a change in roofline, nor prevent any specific impact on neighboring views in a remodel situation. There is language, however, in the governing documents addressing the need to consider the overall impact of the changes upon neighboring properties. The board needs to balance the rights of all homeowners in making the decision. Dan then reviewed some of the major compromises that the Ubaldis had made to accommodate the objections from the neighbors. These changes included a significant reduction in the proposed increase in height and slope of the living room roof and a much reduced height and slope of the bathroom roof.

Comments and objections were then made from the owners present whose views are still impacted, and a document from an independent appraiser was passed around giving an opinion of the financial impact on the valuation of the affected owners' properties. The relative subjectivity of any such appraisal process was discussed, and it was also pointed out that the relative value of the changes in the Ubaldi property would also have to be considered in making the decision.

In summary, the objections have now become clearly focused on whether or not the Ubaldi's can raise the roof line of their property at all, from where it was when they purchased the property. The neighbors present confirmed that they would continue to voice their objections whilst the plans included any roof line change.

Cynthia noted that the plans submitted by the Ubaldis would result in a beneficial gain in square footage to their property "king it more consistent with the size of the neighboring properties."

The Board acknowledged the efforts of the Ubaldis to try to reach a compromise and accommodate their neighbors, while acknowledging the position, opinions and efforts of the opposing neighbors, and thanked the Greiner's, Russo's and Allen's for their courtesy in allowing access to their decks for photographs. After due process and consideration of all the opinions received, the Ubaldi plans were given unanimous approval given by the SDBHOA Board. This approval is, of course, subject to any appeal to and decision from the County and Coastal Commission.

It was agreed that a copy of the minutes would be provided to everyone at the meeting.

INTEROFFICE MEMO

APPLICATION NO: 04-0018 (2nd routing)

Date: July 15, 2004

To: David Keyon, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for an addition to a single family residence at 807 The Shore Line, La Selva Beach
(Ronald and Esther Ubaldi/ owner. Robert Goldspink, Architect/ applicant)**GENERAL PLAN / ZONING CODE ISSUES**Desian Review Authority**13.20.130** The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria(✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓		
Ridgeline Development			
Structures located near riiges shall be sited and designed not to project above the ridgeine or tree canopy at the ridgeline			N/A

Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			NIA
Landscaping			
New or replacement vegetation shall	✓		
Location of development			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)			NIA
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			NIA
Structures			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for			NIA
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy			NIA
Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			NIA
Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			NIA

The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building duster or the natural vegetative cover of the site (except for greenhouses).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A
In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors			N/A

Blufftop development and landscaping (e.g., decks, patios, structures, trees , shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive	✓		
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred	✓		

Design Review Authority**13.11.040** Projects requiring design review.

- (a) Single home construction, and associated additions involving 500 square feet or more, within coastal ~~special~~ communities and sensitive sites as defined in this Chapter.

13.11.030 Definitions

- (u) "Sensitive Site" shall mean any property located adjacent to a scenic road ~~or~~ within the viewshed of a Scenic road as recognized in the General Plan; or ~~located on a coastal bluff~~, or on a ridgeline.

Design Review Standards**13.11.072** Site design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship			N/A
Street design and transit facilities			N/A
Relationship to existing structures	✓		
Natural Site Amenities and Features			
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles			N/A
Solar Design and Access			

Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
Noise			
Reasonable protection for adjacent properties	✓		

Evaluation Criteria	Meets criteria in code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Buildingscale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale is addressed on appropriate levels	3		
Design elements create a sense of human scale and pedestrian interest	3		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Planning Commission
Date: 4/27/05
Agenda Item #: 9
Time: **After** 9:00 a.m.

Item 9: Appl. # 04-0018

CORRESPONDENCE FROM THE APPELLANT

Jonathan Wittwer
William P. Parkin
Shandra Dobrovolsky

WITTWER & PARKIN, LLP
147 SOUTH RIVER STREET, SUITE 221
SANTA CRUZ, CALIFORNIA 95060
TELEPHONE: (831) 429-4055
FACSIMILE: (831) 429-4067
E-MAIL: office@wittwerparkin.com

April 19, 2005

Planning Commission
county of Santa Cruz
701 Ocean Avenue, 4th Floor
Santa Cruz, CA 95060

**Re: Supplemental Letter in Support of Appeal of Approval of Addition
Application #04-0018
APN# 046-341-23
807 The Shore Line, La Selva Beach**

Dear Planning Commissioners:

This office represents the interests of Friends of Sand Dollar Beach ("Appellants"). Appellants appealed the February 18, 2005, decision of the County of Santa Cruz Zoning Administrator ("Zoning Administrator") to approve Application #04-0018 for development of the property located at 807 The Shore Line, La Selva Beach, California. Appellants are neighboring property owners of 807 The Shore Line and are concerned about the development of the above-referenced property and the impact ~~this~~ development will have on:

1. health and **safety**;
2. risks associated with the dynamics of receding coastal bluffs;
3. public expenses to **address** threatened undermining of a single-family dwelling;
4. scenic values in the area (both public and private); and
5. neighborhood compatibility.

Appellants' letter dated March 4, 2005 ~~set~~ forth with specificity the **grounds** for granting ~~this~~ appeal. ~~This~~ letter will supplement that letter, and provide some important new evidence.

1. Setback Requirements From Coastal Bluff to Protect Health and Safety

Since the time of filing their appeal, Appellants have learned that the Zoning Administrator ~~was~~ apparently not aware that the Application was ~~still~~ incomplete because the items requested in the County Geologist's August 13, 2004 review letter had not yet been provided and the Geotechnical Report was "not accepted." (See letter dated August 13, 2004 from the Project Planner attached as Exhibit 1 and letter from the County Geologist of that same date attached as Exhibit 2.) The Applicant did not respond to the incompleteness letter and requests of the County Geologist until six days ago. (See letter of Haro, Kasunich & Associates

dated April 13, 2005 attached as Exhibit 3.) One of the primary issues as to which the County Geologist sought information was the stability of the slope and the proper setback from the coastal bluff.

This appeal is de *novus*. Under these circumstances, it is even more important that no deference be given to the Zoning Administrator decision because of the absence of critical slope stability information. Furthermore, Appellants submit that even though the Geotechnical Report "dated: April 13, 2005" was accepted on April 15, 2005 (a scant two days after its receipt), it still does not address all of the items requested by the County Geologist and acknowledges that the coastal bluff may recede as much as 28 feet in the next 100 years. Furthermore, Appellants have obtained a site specific review by Dr. Gary Griggs, Consulting Engineering Geologist, which concludes that the coastal bluff would be expected to recede 83 feet from the location of the 1994 bluff top. Appellants submit that the required findings cannot be made for the project as proposed in light of this new information.

In addition to the above described information which is inconsistent with the required findings for the project, the following information is still missing:

1. Discussion of "several relatively important physical features on the slope below the home that could influence slope Stability": "local erosion, related in part to a drainage outlet on the slope and slumping of the bluff." Two photos are attached showing this problem. (See Exhibits 4 and 5.)
2. A geologic/terrain map (three additional field cross-sections were substituted).
3. Elaboration on the source of the assumptions used and a systematic analysis of how these assumptions were developed. Regression rates were based on "a review of recent geologic reports along the same coastal bluff." These "recent geologic reports" have not been identified or made available to the public and there has been no systematic analysis of how the regression rates were developed.

The contradictory and missing information warrants either denial or further review of this project. The County and Coastal regulations involved have been demonstrated time and again to be founded on health and safety grounds and the sad experience of loss of life and major property damage from failure to learn from history regarding the failure of coastal bluffs.

The most pertinent regulations are the following. County Code Section 16.10.070(h)(1)(v) provides that "additions, including second story and cantilevered additions, shall comply with the minimum 25 foot and 100 year setback" (Emphasis added.) In fact, the Staff Report to the Zoning Administrator based the setback on a "not accepted" Geotechnical Report which "determined the minimum 100-year setback to be 25 feet" (p.3). The 100 year setback requirement is found in Chapter 16.10 of the County Code, a part of the County Local Coastal Program, as set forth below.

County Code Section 16.10.070(h)(1)(i) requires that for all development and for non-habitable structures, there must be demonstration of stability of the site in its current, pre-

development application condition, for a minimum of 100 years as determined by either a geologic hazards assessment or a full geologic report; and

County Code Section 16.10.070(h)1(ii) requires that for all development and for non-habitable structures, a minimum setback shall be established at least 25 feet from the top edge of the ~~coastal~~ bluff, or alternatively, the distance necessary to provide a stable building site over a 100-year lifetime of the structure, **whichever is greater**; and

County Code Section 16.10.070(h)1(iii) requires that the determination of minimum setback shall be based on the existing site conditions and **shall not take into consideration** the effect of any proposed protection measures such as shoreline protection structures, **retaining walls or deep piers**; and

County Code Section 16.10.070(h)1(v) requires that **additions, including second story and cantilevered additions, shall comply with** the minimum 25 foot and **100 year setback**. (Emphasis added)

According to the General Plan (Chapter 6: Public Safety and Noise), the purpose of these setback requirements is **as** follows:

To protect human life, private property and the environment, and to minimize public expenses by preventing inappropriate use and development or location of public facilities and infrastructure in those areas which, by virtue of natural dynamic processes or proximity to other activities, present a potential threat to the public health, safety and general welfare. General Plan, page 6-2.

Appellants have now obtained expert review of the 100-year setback from Dr. Gary Griggs, Consulting Engineering Geologist. His Report is attached hereto **as** Exhibit 6. Based on specific evidence ~~from~~ adjoining and nearby sites, he has concluded that the 100-year setback line would be approximately 83 feet further landward from the 1994 bluff edge compared to the 28 feet of landward coastal bluff recession estimated by the HKA qualitative analysis. Dr. Griggs concluded as follows:

All evidence from photographic record, ~~post-earthquake~~ observations, and long-term bluff retreat measurements indicate a slope which has continued to fail at a rate more rapidly than estimated by the HKA report. The house already encroaches 10 feet into the County required 25-foot minimum setback and the proposed addition will not comply with the setback requirement based on the distance necessary to provide a stable building site over a 100-year lifetime of the structure.

Therefore, Appellants submit that any addition to the above-referenced property within the required 100-year setback of the coastal bluff violates the County Code and the County's policy to prohibit development which is a potential threat to public safety, public coffers, and private property. Neither the deep piers nor the retaining walls proposed **as part** of **this** Application

may be considered **as** a basis for reducing the 100-year setback. Furthermore, the retaining walls may not be located in the 100-year setback area **as** appears to be allowed in Condition II.D.

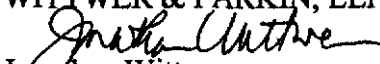
2 Impact on Scenic Resources: View from the Beach

Appellants continue to request that orange webbing be placed on the site to show the actual increase in the bulk and height of the structure which will impact public views from the beach and that **this** webbing be photographed by **County** Planning and presented to the **County** decision makers. Friends of Sand Dollar Beach further requests prior notice of the date of placement of such webbing and that it remain in place for at least 10 days.

Pursuant to County Code Section 13.11.072(b)(2), any development, whether in a scenic resources area or not, shall be designed **so** that it **protects the public viewshed** where possible and "should **minimize the impact on private views** from adjacent parcels, wherever practicable." (Emphasis added).

The finding for compliance with protection of views from the beach is that the impact will be "minimal." At the Zoning Administrator Hearing, **staff** described the impact **as** being minor in comparison to the overall structure. Neither of these characterizations is consistent with **County** Code Section 13.20.130(d)(2)(ii) which requires that "[t]he design of permitted structures **shall minimize visual intrusion.**" Piecemeal destruction of **the** view from the beach can occur from numerous allegedly "**minimal**" impacts. That is why the requirement is that the design "shall minimize" visual intrusion. There are clearly ways that **this** proposed development (or **a** reduced form of it) could minimize visual intrusion from the beach. These have not been fully explored.

Thank you for your consideration of these concerns.

Very truly yours,
WITTWER & PARKIN, LLP

Jonathan Wittwer

Encls. Exhibits 1-6
cc: Applicant
Friends of Sand Dollar Beach



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

TOM BURNS, DIRECTOR

August 13, 2004

Robert Goldspink
8042 Soquel Dr.
Aptos, CA 95003

Subject: Application # 04-0018; Assessor's Parcel # 046-341-23
Owner: Ronald and Esther Uabaldi

Dear Robert Goldspink:

This letter is to inform you of the **status** of **your** application. On January 14, 2004, the above referenced application was submitted for a Coastal Development Permit with the Santa Cruz County Planning Department. On February 11, 2004 additional information was requested for review of the project, including the submittal of a soils **report** for **review** by the County Geologist. On July 1st, 2004 **you** submitted the requested materials for review.

At **this** stage, **your** application is still considered incomplete **as** the review of the soils **report** identified additional issues which must be addressed before **staff** can recommend approval of the project.. For **your** proposal to proceed, the following items should be submitted:

1. Items requested **in** Joe **Hanna's** report review letter of **August 13, 2004**. Please submit the additional information requested in the attached soils **report** review letter. Satisfying these issues will require a redesign of the project, so additional full sets of plans will also be required to be submitted.

You should submit the required materials to the Planning Department at one time. If the design of the project **changes**, revisions to plans should be included in complete, updated sets of plans. Five (5) full sets of revised plans **shall** be **submitted** (Please submit all plans folded into an 8.5" x 11" format). **You** have until Tuesday, October 12, 2004, 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.

Alternatively, you may withdraw the application and any unused fees will be refunded to you. If you wish to withdraw the application, please notify me in writing.

You have the right to appeal **this** determination that the application is incomplete pursuant to Section 18.10.320 of the **County** Code and Section 65943 of the Government Code. To appeal, submit the required fee for administrative appeals 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 04-0018 2nd Incomplete Letter 8/13/04

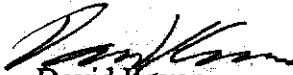
Page 1 of 2

EXHIBIT

than 5:00 p.m., Friday, August 27, 2004.

Should you have further questions concerning this application, please contact me at:
(831) 454-3561, or e-mail: david.keyon@co.santa-cruz.ca.us

sincerely,



David Keyon
Project Planner
Development Review

CC: Ronald and Eshter Ubaldi, Property Owners

Attachment: Geotechnical Report Review Letter from Joe Hanna, County Geologist, dated August 13, 2004



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060-4000
(831)454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, DIRECTOR

August 13.2004

Robert Goldspink. Architect
8042 Soquel Creek Drive
Aptos. CA 95003

SUBJECT: Review of Geotechnical Investigation by Haro, Katunich & Associates, Inc.
Dated: June 29, 2004, Project No. SC8592, APN: 046-341-23, Application
No.: 04-0018

Dear Mr. Goldspink

Thank you for submitting the Soil Report for the parcel referenced above. The Report was reviewed for conformance with County Guidelines for Soils/Geotechnical Reports and also for completeness regarding site-specific hazards and accompanying technical reports (e.g. geologic, hydrologic, etc.). The purpose of this letter is to inform you that the Planning Department has **not accepted** the report, and to explain the reasons that the report was not acceptable. This letter will also specify the additional information that is required to make the report acceptable.

A primary issue at 807 'The Shore Line', La Selva Beach, is the home's proximity to the Coastal Bluff and the related County requirement to setback all new development from the bluff. To address this bluff setback, the Engineers researched previous geologic work and conducted their own exploration to develop an accurate model of the slope. Utilizing this model, the Geotechnical Engineers performed a qualitative stability analysis to determine the stability of the slope over a one hundred-year period. They then drew Cross Section AA, and included the cross-section in their Report as an illustration of their conclusions.

In summary, Cross Section AA graphically shows that the site setback for the 100-year slope stability is coincidental with the standard minimum setback of 25 feet.

In our review of the Report and our field reconnaissance of the site, several portions of the report are unclear to us. Specifically, the Coastal Bluff setback intuitively appears appropriate. Even so, the interpretations used to develop these assumptions are not presented in the Report's dialog, making it difficult to verify the assumptions' accuracy. Furthermore, the Report lacks any mapping of the coastal bluff. Consequently, there is no way to substantiate the accuracy of the cross-section.

EXHIBIT

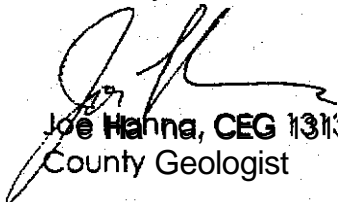
The Report also does not discuss several relatively important physical features on the slope below the home that could influence slope stability. These features include local erosion, related in part to a drainage outlet on the slope and slumping of the bluff.

Before Report acceptance the Engineer must clarify or supply the following information:

1. Complete, and submit, a geologic map/terrain map that represents all of the home site's physical features. This map must include the entire slope near the home from the home site to the beach.
2. Elaborate on the source of the assumptions used to develop Cross-Section AA. In this elaboration, provide a summary of the data, and a systematic analysis of how these assumptions were developed from this data.
3. Apply the setback to this project and revise the project to accommodate the setback.
4. Complete two additional cross-sections: one section crossing mid-way through the home and the other at the northern end of the home. Indicate these cross-sections on Figure 2 of the Geotechnical Report and the geologic/terrain map requested in Item 1.

Please complete the necessary revisions and addenda and submit the material for review. Please call us at 454-3175 if we can be of any assistance or e-mail us at pln829@co.santa-cruz.ca.us.

Sincerely,



Joe Hanna, CEG 13113
County Geologist

Cc: David Keyon, Project Planner
Bob Loveland, Resource Planner
Ronald and Esther Ubaldi, Owners

Project No. SC8592
13 April 2005

RON AND ESTHER UBALDI
c/o Robert Goldspink & Associates, Inc.
8042 Soquel Drive
Aptos, California 95003

Subject: Responseto Santa Cruz County Planning Departments
Geotechnical Concerns; Letter Dated 13 August 2004
From Joe Hanna, County Geologist

Reference: Proposed Ubaldi Residence Addition and Remodel
807 The Shoreline
La Selva Beach, Santa Cruz County, California

Dear **Mr.** and **Mrs.** Ubaldi:

At the request of your architect, Robert Goldspink we met with Santa Cruz County Geologist, Joe Hanna to discuss the coastal bluff in front of your residence and to outline additional information the County would like related to our Geotechnical Investigation dated June 2004. The following is our response presenting the additional information requested in the County's 13 August 2004 review letter, in the order presented.

1. In lieu of a geologic terrain map, we have conducted three additional field cross sections from the base of the bluff through the reference property and proposed residential additions. These cross sections were field mapped by a staff geologist and engineer from our office and present the condition of the bluff in March 2005. The cross-sections attached with this letter include the entire coastal slope in front of the Ubaldi home from the beach to the top of the bluff and through the Ubaldi residence.
2. Cross Section A-A, presented in our June 2004 geotechnical investigation, was the slope section portraying the shortest distance from the top of the bluff to the existing residence. Our projected 100 year slope regression analysis coincided with a 25 foot setback. We have reviewed the three additional cross sections recently surveyed. Cross Section D-D' projects the greatest setback necessary relative to our projected 100 year recession of the coastal bluff. Using a topographic map prepared by Santa Cruz County Public Works (attached) we determined the elevations of the backshore and top of bluff relative to NGVD Datum. The backshore of the beach at the base of the bluff is at an elevation of 15 to 22 feet

EXHIBIT 3

NGVD, a higher than normal elevation for backshore beaches in Central Monterey Bay. We then projected a future scour elevation of +2 feet NGVD. This low beach scour elevation has not occurred along the La Selva, Aptos, coastal beaches during our 25 years of coastal engineering practice. We then utilized regression rates at the toe of the scoured bluff of 20 feet based on a review of recent geologic reports along the same coastal bluff. We then projected a conservative stable coastal bluff slope gradient relative to deep beach scour and 20 feet of regression over 100 years. A stable slope gradient of 1.5:1 was used. The location of our projected 100 year erosion line coincided with a setback of 25 feet from the top of the existing bluff closest to the Ubaldi residence at Cross Section A-A. As a comparison, a setback from the top of the bluff of 0 feet was projected for Cross Section B-B', 0 feet for Cross Section C-C, and 28 feet for Cross Section D-D', utilizing the recent field profiles.

3. The 25 foot setback from the top of the bluff as well as our projected regression lines for 100 years has been applied to the project. The project architect has relocated all additions behind our setback line and the 25 foot minimum setback line required by Santa Cruz County. The minimum 25 foot setback line has been drawn in plan across the Boring Site Plan.
4. The three additional cross sections B-B', C-C', and D-D' are included with this letter.

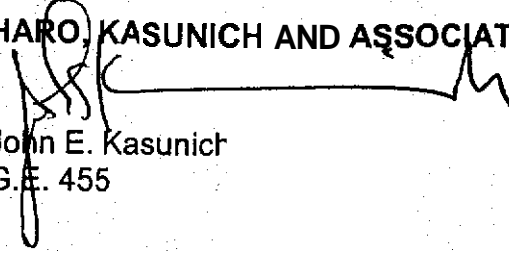
In summary, a minimum 25 foot setback from the top of coastal bluff for the Ubaldi property is reasonable. The bluffs in front of the Ubaldi residence are flatter than most coastal bluffs, indicating they have attained or been graded to a stable angle of repose. Projecting beach erosion, deep sand scour and regression over time indicates that the bluff top adjacent to the Ubaldi residence may recede 0 to 28 feet in the next 100 years. The proposed additions have been setback behind these projections and the minimum 25 foot County setback line.

Ron and Esther Uvaldi
Project No. SC8592
807 The Shoreline
13 April 2005
Page 3

If you have any questions, please contact our office.

Very truly yours,

HARO, KASUNICH AND ASSOCIATES, INC.


John E. Kasunich
G.E. 455

JEK/dk

Copies: 1 to Addressee
3 to Robert Goldspink, Architect
1 to Dave Kenyon, Project Planner
1 to Joe Hanna, Santa Cruz County Geologist



EXHIBIT 7

Gary B. Griggs
Consulting Engineering Geologist
326 Alta Avenue
Santa Cruz, California 95060
(831) 459-5006; cell (831) 332-9318

Jonathan Wittwer
Wittwer and Parkin, LLP
147 South River Street, Suite 221
Santa Cruz, CA 95060

Re: Review of **Coastal** Bluff Issues
807 The Shoreline, La Selva Beach

I have reviewed the Geotechnical investigation for the Proposed Ubaldi Residence Addition at 807 The Shoreline prepared by Haro, Kasunich and Associates (HKA) in June 2004 along with the associated borings, maps and cross-sections, as well as the letter from John Kasunich to the owners in response to concerns by Joe Hanna, County Geologist dated 13 April 2005. In addition, I visited the site on April 14, 2005 and also reviewed the oblique aerial photos taken of the site in 1972, 1979, 1987, 2002 and 2004. Several additional data sources were used in this site assessment, color images personally taken from an airplane a few weeks after the 1989 Loma Prieta earthquake in 1989, and the results of a FEMA funded coastal erosion study done on the bluffs and cliffs of Santa Cruz County, reported in both Moore and Griggs (2002) and Moore, Benurnof and Griggs (1999).

Geotechnical Investigation ~~for~~ the Proposed Ubaldi Residence Addition at 807 The Shoreline. While this report is 21 pages in length, the specific site information included is quite brief. Three shallow hand auger borings and one shallow test pit were dug to examine the materials beneath the site. Cross-section A-A shows that the corner of the house is 15 feet from the bluff edge at its closest point, 10 feet closer than allowed under the County's minimum coastal bluff 25 foot setback. The cross-section indicates that the outer 10 feet of the bluff consists of very loose fill and loose sand/surface mantle.

The HKA report states that the primary geotechnical hazards at the site include: an unprotected toe at the base of the coastal bluff subject to undercutting and erosion by wave action; potential landsliding and erosion of the coastal bluff; seismic shaking; loose near surface sands; and site drainage.

Based on "previous geotechnical and geologic investigations performed in the vicinity of the site", a "qualitative slope stability analysis" was performed to determine if the minimum setback of 25 feet was sufficient for the proposed addition. One of the issues here is that one corner of the existing structure, and

EXHIBIT 6

part planned for an expanded 2nd story, has already encroached 10 feet into the 25-foot setback. Three assumptions are listed, presumably — though **not** expressly -- having been taken from other site investigations in the vicinity:

- fourteen feet of scour below the unprotected toe of the bluff
- twenty feet of landward recession of the unprotected toe of the bluff
- a landward recession rate of the top of the bluff of three inches/year

These beach/bluff conditions were then projected on to the slope profile to determine where the bluff edge would be with 100 years of recession and shown in cross-section A-A. This qualitative analysis leads to 25 feet of recession, which would leave the outer 10 feet of the corner of the structure undercut or undermined. HKA recommends a concrete pier foundation be added underneath this portion of the house and proposed addition to deal with the expected erosion or retreat of the bluff.

It is difficult to comment on the three assumptions used as they were derived from other studies in the vicinity and the distances to those sites, what the geotechnical investigations discovered, and the relationship or similarity of those sites to the site in question are unknown. It is very difficult to extrapolate 100 years into the future with an adequate degree of assurance based on these general data or assumptions.

Effects of 1989 Loma Prieta earthquake in the La Selva Beach area.

The 1989 Loma Prieta earthquake produced widespread bluff failure along several hundred miles of California coast, from Marin to Monterey County. In northern Monterey Bay failures were mapped and reported by Plant and Griggs (1990, 1992) and Sydnor, et al, (1990). One of the largest earthquake induced bluff failures occurred about 1000 feet upcoast at Place de Mer (Figure 1) and led to failure of the complete bluff top area over about 1500 feet of bluff, damaging the foundation of a house on the top edge of the bluff, which was subsequently demolished.

Bluff failure also occurred on the hillslope immediately upcoast of the property in question (Figure 2) and led to collapse of the crest of the bluff and downslope movement of considerable material. Seismic events typically produce episodic failure as do major rainstorms, rather than a few inches/year.

FEMA funded Coastal Erosion Study.

Using state of the art softcopy photogrammetry, the coastal processes group at UC Santa Cruz was contracted by FEMA to document long term erosion rates for the coastline of both San Diego and Santa Cruz counties as part of a study designed to evaluate whether it made economic sense to put coastlines into the federal flood insurance program. The data developed for Santa Cruz County was incorporated in to a number of large maps and was based on stereo aerial photographs taken in 1953 and 1994 or spanning 41 years of both El Niño and La Nina cycles (Moore and Griggs, 2002) and Moore, Benumof and Griggs,

1999). Using the erosion rates for this 41-year time interval, FEMA requested a 60-year line in order to determine how much retreat may occur over the next 60 years for property loss and insurance determinations. Measurements and calculations made on the bluff edge immediately adjacent to the property in question, based on 41 years of historic retreat produce an edge -50 feet landward from the 1994 bluff edge. Projecting this 100 years into the future would produce a bluff edge that would be 83 feet from the 1994 bluff edge, 58 feet further inland than the qualitative analysis performed by HKA.

An additional consideration to take into account is an increased rate of sea level rise due to continued global warming, which would increase the rate of coastal retreat by additional factor.

Changes Observed from Oblique Aerial Photographs.

Oblique aerial photos from the California coastline.org web site from 1972 (Figure 3), 1979 (Figure 4), 1987 (Figure 5), 2002 (Figure 6) and 2004 (Figure 7), have been included below with descriptions of continuing bluff instability and failure or erosion of bluff face and crest of top of bluff.

Conclusion. All evidence from photographic record, post-earthquake observations, and long-term bluff retreat measurements indicate a slope which has continued to fail at a rate more rapidly than estimated by the HKA report. The house already encroaches 10 feet into the County required **25-foot** minimum setback and the proposed addition will not comply with the setback requirement based on the distance necessary to provide a stable building site over a 100-year lifetime of the structure.

Very truly yours, .


Gary B. Crofts, Ph.D.

Consulting Engineering Geologist

REFERENCES CITED

Moore, L.J. and Griggs, G.B. 2002. Long-term cliff retreat and erosion hotspots along the central shores of the Monterey Bay National Marine Sanctuary. *Marine Geology* 181:265-283.

Moore, L.J., Benumof, B.T., and Griggs, G.B. 1999. Coastal Erosion Hazards in Santa Cruz and San Diego Counties, California, *Journal of Coastal Research Special Issue* 28:1221-139.

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Sydnor, R.H., Griggs, G.B., Weber, G.E., McCarthy, R.J., and Plant, N. 1990. Coastal Bluff Landslides in Santa Cruz County Resulting from the Loma Prieta Earthquake of 17 October, 1989. *Calif. Division of Mines and Geology Spec. Pub.* 104: 67-82.

Plant, N., and Griggs, G.B. 1990. Coastal Landslides and the Loma Prieta Earthquake. *Earth Sciences* 43: 12-17.

Plant, N., and Griggs, G.B., 1991. The Impact of the October 17, 1989 Loma Prieta Earthquake on Coastal Bluffs and Implications for Land Use Planning. *Proc. Coastal Zone '91*:827-841.



Figure 1. Bluff failure at Place de Mer, ~ 1000 feet upcoast from Sand Dollar Beach from the Loma Prieta earthquake. Yellow dotted line delineates top of slope failure. Red arrow points to a house that was demolished following the earthquake due to loss of support.



Figure 2. Bluff failure adjacent to the property in question from 1989 earthquake. Dotted lines outline slope failure areas. Red arrow points to 807 The Shoreline.



Figure 3. Sand Dollar Beach development under construction in 1972 with lack of vegetation indicated erosion or recent failure (red arrow) along bluff crest uphill from eventual house site (circled).

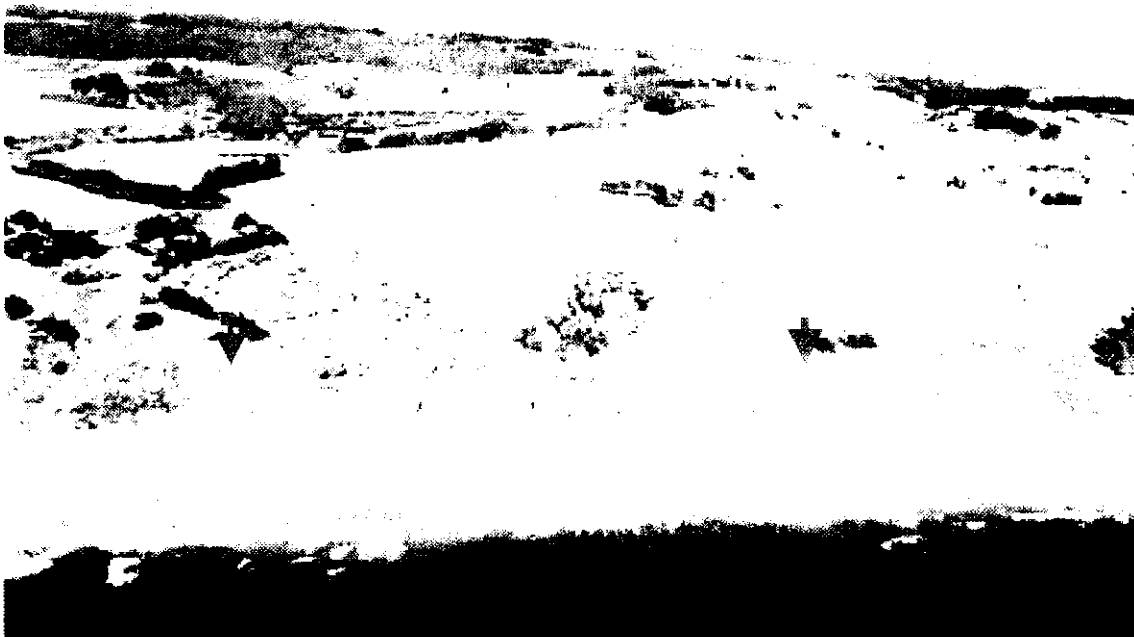


Figure 4. Bluff adjacent to Sand Dollar Beach in 1979. Note the evidence for recent bluff failure along the top of the bluff edge immediately upcoast from the house in question as well as downcoast from Sand Dollar Beach development (marked by red arrows). House in question is circled.

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Figure 5. Oblique aerial photograph taken of site and vicinity in 1987. Slope both up and downcoast show area with little vegetation indicating recent failure. House in question is circled.

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Figure 6. Oblique aerial photo of site and adjacent area taken in 2002 showing unvegetated scarp along crest of bluff (dashed line). House in question is circled

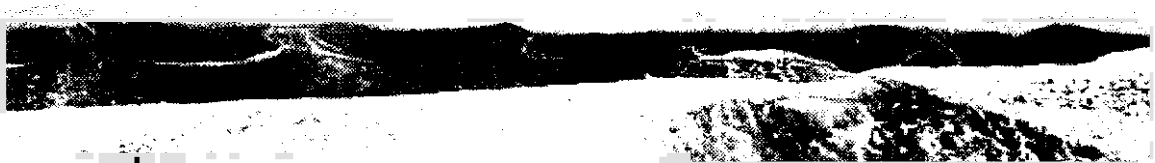


Figure 7. Oblique aerial photo of site taken in 2004. Slope is more vegetated than in past years but fresh scarp still exists along crest of bluff (dashed line). House in question is circled.

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