

Staff Report to the Planning Commission

Application Number: 171056

Applicant: William Kempf

Owner: Mark Dettle APN: 028-101-32

Agenda Date: April 11, 2018

Agenda Item #: 7 Time: After 9:00 a.m.

Project Description: Proposal to demolish the existing improvements, remove one 42" diameter at breast height redwood tree, divide the parcel into two new residential parcels, construct frontage improvements in conformance with the East Cliff plan line, pave a portion of the alley, and construct two new single-family dwellings.

Location: Property located on the south side of East Cliff Drive at its intersection with 13th Avenue and an unnamed alley (21226 East Cliff Dr.)

Supervisorial District: First District (District Supervisor: John Leopold)

Permits Required: Minor Land Division, Coastal Development Permit, and Residential Development Permit

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171056, based on the attached findings and conditions.

Exhibits

A. Categorical Exemption (CEQA

determination)

B. Findings

C. Conditions

D. Project plans

E. Assessor's, Location, Zoning and

General Plan Maps

F. Water Will-Serve

G. Arborist Report

H. Comments & Correspondence

Parcel Information

Parcel Size:

8,648 square feet

Existing Land Use - Parcel:

Residential

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Existing Land Use - Surrounding:

Residential and commercial

Project Access:

13th Ave. and an unnamed alley

Planning Area:

Live Oak

Land Use Designation:

R-UH (Urban High Density Residential)

Zone District:

R-1-3.5 (Single-family residential - 3,500 square feet

minimum)

Coastal Zone:

X Inside

Outside

Appealable to Calif. Coastal Comm. X Yes

No

Environmental Information

Geologic Hazards:

Not mapped/no physical evidence on site

Soils:

Soils Report accepted under B-165022

Fire Hazard:

Not a mapped constraint

Slopes:

Grading:

Level lot

Env. Sen. Habitat:

Not mapped/no physical evidence on site 12 cubic yards of cut, 230 cubic yards of fill

Tree Removal:

One 42" in diameter at breast height redwood tree

Scenic:

Not a mapped resource

Drainage:

Preliminary drainage plan accepted

Archeology:

Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:

X Inside __ Outside

Water Supply:

City of Santa Cruz

Sewage Disposal:

County of Santa Cruz

Fire District:

Central Fire Protection District

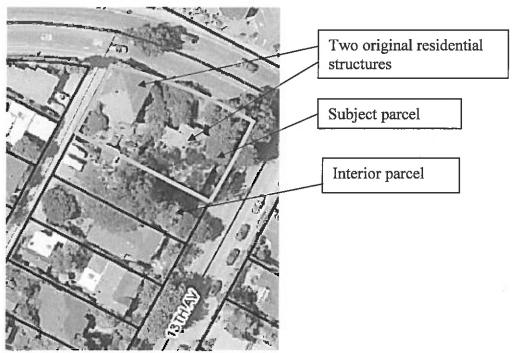
Drainage District:

Zone 5

History

In early 2016, the property owner applied for a Certificate of Compliance to determine the legality of two parcels. The two parcels were verified as being separate, legal parcels. One of the parcels is an interior parcel with frontages on both 13th Avenue and an unnamed alley. The second parcel is larger and fronts on East Cliff between 13th Avenue and the unnamed alley. This larger parcel was, until recently, developed with two residential structures; one of these structures has since been demolished.

APN: 028-101-32 Owner: Mark Dettle



Aerial 1: Subject Parcel

In 2016, having established the parcels' legality, the property owner applied to develop the interior lot with a single-family dwelling and detached garage. That application was approved by the Zoning Administrator at a public hearing October 21, 2016 and the house and garage are now nearing completion. The application also included the demolition of a residential structure and tree removals on the larger parcel, i.e. the subject parcel.

In 2017, the property owner applied for the current application which proposes to divide the larger parcel into two new parcels, remove the remaining house and a redwood tree, construct frontage and alley improvements, and construct two new single-family dwellings.

Project Setting

The subject parcel is at the northern edge of a single-family zone district that stretches from East Cliff Drive south to the coastal bluff overlooking Monterey Bay. East Cliff Drive is an arterial roadway connecting the harbor area to the west with Portola Drive to the east. East Cliff Drive is lined with a mix of zone districts. Commercial zone districts are located across East Cliff Drive from the subject parcel and also across 13th Avenue. The East Cliff Shopping Center is located about 600 feet to the east.

This residential neighborhood is a neighborhood in transition with many of the older single-story dwellings being reconstructed as larger, two-story homes. The subject parcel is developed with a nonconforming house that projects slightly into the East Cliff right-of-way. The house is proposed to be removed as a part of this application which, once removed, will be a significant improvement to drivers' line of sight in this location where visibility is already compromised due to a curve in East Cliff Drive. The alley that runs along the western side of the subject parcel provides access to parking areas and garages for many of the homes that have primary frontage on either 12th Avenue or

APN: 028-101-32 Owner: Mark Dettle

13th Avenue.

Minor Land Division

This application proposes to divide an approximately 8,600 square foot property into two parcels. The existing older residence is proposed to be removed and two new residences would be constructed, one on each new parcel.

With the improvements along East Cliff Drive deducted, the net parcel sizes would be 4,625 square feet for Lot 1 and 3,649 square feet for Lot 2. These lot sizes comply with both the General Plan Designation, which calls for densities of 2,500 to 4,000 square feet per unit, and the zone district, which requires a minimum of 3,500 square feet per unit.

Local Coastal Program Consistency

The proposed new single-family dwellings are in conformance with the County's certified Local Coastal Program, in that the structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The area supports both single-family dwellings and commercial structures. The residential neighborhood to the south is a mixture of one- and two-story homes. Most of the homes are of relatively simple, pitched roof designs. The proposed two-story, Craftsman-style homes are compatible with the existing range of architectural styles. The house on Lot 1 will be finished in stucco on the first floor and horizontal siding on the second floor, while the house on Lot 2 will be finished in stucco on the first floor and board and batten on the second floor. Both houses have Craftsman details such as brackets and double hung windows. The mass and bulk of both houses have been broken up with varied wall and roof planes. East Cliff Drive is an important road in the County. The architect designed both houses to ensure that the façades facing East Cliff Drive are appropriately detailed.

The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water. The project is appealable to the Coastal Commission because land divisions are not a principally permitted use.

Design Review

The site plan for the project reflects consideration of a number of factors. The first consideration is that the subject parcel has roadways on three sides, making both new parcels corner lots. New corner lots must provide a street side yard setback of 15 feet (interior lot side yards are five feet in R-1-3.5) which is the same as the required front yard setback. The lots will be accessed from 13th Avenue (Lot 1) and an alley (Lot 2) since the Department of Public Works prohibits driveway cuts onto arterial roadways when an alternative access is available. On Lot 2, parking is provided along the alley in order to preserve space for a backyard.

A landscape plan was provided for the site. Because of the new lots' location on a corner, the 30-foot sight clearance triangle is shown on the project plans. A condition of approval is included requiring that shrubs in this area will be kept to no more than three feet in height, and trees must be limbed up

Page 5

APN: 028-101-32 Owner: Mark Dettle

to seven feet once mature. This will insure that the new landscaping will not obstruct drivers' line of sight.

Because of the location of the project site along an important County road, the project architect submitted architectural drawings rather than design guidelines. As noted above, the style of the homes is Craftsmen which is compatible with the range of architectural styles seen in the neighborhood.

Improvement Plan

The project plans include civil engineering sheets that detail frontage and alley improvements, stormwater management, and grading volumes. A plan line was adopted by the Board of Supervisors for this location of East Cliff Drive. The proposed frontage improvements are consistent with the adopted plan and include a gutter, curb and four-foot wide sidewalk with transitions at either end.

In addition, the first 30 feet of the alley is proposed to be paved. South of the 30 feet of paving, a four-foot wide, 22-foot long segment of the alley would be paved along Lot 2's alley frontage. The intent of this paving is to improve the alley which is not maintained by the County and is currently in poor condition at its northern end. Staff has proposed a condition of approval requiring that the portion of the alley which is adjacent to Lot 2 be paved entirely. This is an additional 220 square feet of paving.

In terms of stormwater management, the project includes 4,274 square feet of impervious area, which is approximately 1,000 square feet more impervious area than the existing conditions. This 1,000 square feet of additional impervious area includes the proposed alley paving (see sheet C-1 of Exhibit D). The project's engineer proposes to manage runoff from these impervious areas in the following way. The northern portion of each parcel and the northern end of the alley will drain to East Cliff Drive. Rain falling on the new house roofs will be collected in gutters and the downspouts will discharge into landscape areas. Site grading will establish a positive grade away from the new dwellings (12 cubic yards of cut, 230 cubic yards of fill) and, for Lot 1, runoff will be directed into swales that will convey runoff from the western and southern portions of the roof to 13th Avenue. Runoff on 13th Avenue will travel about a block south before entering the storm drain system located in Prospect Street. Runoff from Lot 2 that is not directed to East Cliff Drive, will drain to the alley. This runoff also eventually reaches Prospect Street.

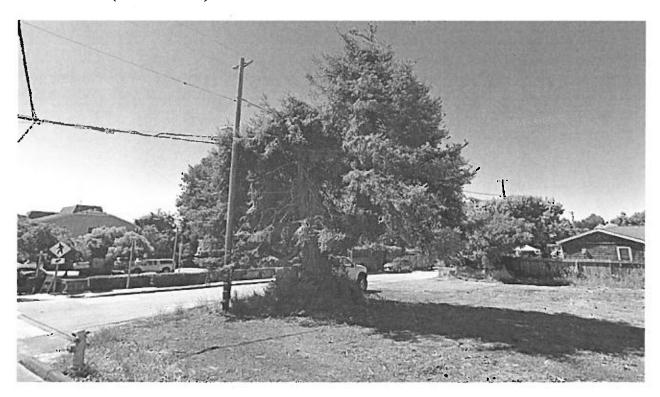
Redwood Tree Proposed Removal

Nigel Belton, a certified arborist, provided an analysis of the redwood tree which is proposed to be removed. The tree is located along the 13th Avenue frontage about 30 feet south of the intersection of 13th Avenue and East Cliff Drive under electrical lines and partially within the sight clearance triangle. The tree is large—about 13 feet in diameter at its base and 42-inches in diameter at breast height—with two main leaders. Because of its location under electrical lines, one of the leaders has been topped (see photo below) creating an atypical redwood tree form. The arborist notes that, "...this tree does not represent a particularly good specimen from an aesthetic standpoint" (Exhibit G). Mr. Belton goes on to explain that because of the proximity of the proposed house, the form of the tree would be further compromised because of the need to severely trim the western branches to

Application #: 171056 Page 6

APN: 028-101-32 Owner: Mark Dettle

accommodate the proposed building; this is despite the proposed house being setback four additional feet more than the required 15-foot street side yard setback, i.e. 19 feet. In addition, the arborist notes that construction would likely affect the critical root zone of the tree. The proposed landscape plan, includes seven new trees along the East Cliff Drive and 13th Avenue frontages and an additional five trees along the southern property line. Three neighbors have indicated their desire to retain the tree (see Exhibit H).



CEQA Exemption

The project is exempt from further review under the California Environmental Quality Act (CEQA) as it qualifies for the Minor Land Division exemption (15314, Class 14) since four or fewer parcels are being created; the subject parcel is zoned residential; the project is in conformance with the General Plan; and all urban services are available.

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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- APPROVAL of Application Number 171056, based on the attached findings and conditions.

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:

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Report Reviewed By:

Steven Guiney, AICP Principal Planner

Development Review

Santa Cruz County Planning Department

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: 171056					
Assessor Parcel Number: 028-101-32					
Project Location: 21226 East Cliff Dr.					
Project Description: Divide an existing parcel into two new parcels and construct two single family dwellings and related improvements					
Person or Agency Proposing Project: William Kempf					
Contact Phone Number: (831) 459-0951					
A The proposed activity is not a project under CEQA Guidelines Section 15378. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).					
<u>Ministerial Project</u> involving only the use of fixed standards or objective measurements without personal judgment.					
D. <u>Statutory Exemption</u> other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).					
E. X Categorical Exemption					
Specify type: Class 15 - Minor Land Divisions (Section 15315)					
F. Reasons why the project is exempt:					
Minor land division within the urban services line with all urban services available.					
In addition, none of the conditions described in Section 15300.2 apply to this project.					
America Date: 4/2/18					
Annette Olson, Project Planner					

Subdivision Findings

1. That the proposed subdivision meets all requirements or conditions of the Subdivision Ordinance and the State Subdivision Map Act.

This finding can be made, in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan and the Zoning Ordinance as set forth in the findings below.

2. That the proposed subdivision, its design, and its improvements, are consistent with the General Plan, and the area General Plan or specific plan, if any.

This finding can be made, in that the proposed division of land, its design, and its improvements, will be consistent with the General Plan. The project creates two residential parcels. The property is located in the R-UH (Urban High Density Residential) General Plan designation which allows a density of one parcel for each 2,500 to 4,000 square feet of net developable parcel area. The proposed project is consistent with the General Plan, in that each residential parcel will contain a minimum of 3,500 square feet of net developable area.

The project is consistent with the General Plan in that the full range of urban services is available, including public water and sewer service. Lot 1 will be accessed by 13th Avenue and Lot 2 will be accessed by an unnamed alley.

The subdivision, as conditioned, will be consistent with the General Plan regarding infill development, in that the proposed residential development will be consistent with the pattern of surrounding development, and the design of the proposed structures is consistent with the character of similar developments in the surrounding area.

No specific plan has been adopted for the area.

3. That the proposed subdivision complies with Zoning Ordinance provisions as to uses of land, lot sizes and dimensions and any other applicable regulations.

This finding can be made, in that the use of the property will be residential in nature, unit densities meet the minimum standards for the R-1-3.5 (Single-family residential – 3,500 square feet minimum) zone district where the project is located, and the project will be consistent with the required site standards of the R-1-3.5 zone district.

4. That the site of the proposed subdivision is physically suitable for the type and density of development.

This finding can be made, in that no challenging topography affects the building site, technical reports prepared for the property conclude that the site is suitable for residential development, and the proposed building envelopes are properly configured to allow development in compliance with the required site standards. No environmental resources would be adversely impacted by the proposed development.

5. That the design of the proposed subdivision or type of improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

This finding can be made, in that no mapped or observed sensitive habitats or threatened species will be adversely impacted through the development of the site.

6. That the proposed subdivision or type of improvements will not cause serious public health problems.

This finding can be made, in that municipal water and sewer services are available to serve the proposed parcels. As a result of the demolition of the existing house which intrudes slightly into the East Cliff Drive right-of-way, sight distance for drivers will be improved as a result of the project.

7. That the design of the proposed subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision.

This finding can be made, in that no such easements are known to affect the project site.

8. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

This finding can be made, in that the resulting parcels are oriented to the extent possible in a manner to take advantage of solar opportunities.

9. 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 residences will incorporate architectural design features such as pitched roofs, varied materials, and porches to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The surrounding neighborhood contains commercial and single-family residential development. The design and layout of the proposed land division is compatible with the surrounding pattern of development.

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts 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 R-1-3.5 (Single-family residential - 3,500 square feet minimum), a designation which allows residential uses. The proposed land division is a principal permitted use within the zone district, consistent with the site's R-UH (Urban High Density 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 as 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 and 13.20.140 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 will be complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top. County Code 13.20.130(B)(2) calls for the retention of mature trees over six inches in diameter except where circumstances require their removal. In this case, a 42-inch in diameter at breast height redwood tree is proposed for removal. The tree is located beneath the electrical wires along 13th Avenue and a small portion is within the 30-foot sight distance triangle which is intended to preserve the line of sight for drivers. The tree has an unusual form, with a very large base and two leaders. One of the leaders has been topped to accommodate the electric lines. According to the project arborist, Nigel Belton, accommodating the tree in the site plan would require additional severe pruning which would further compromise the tree's form. Construction is likely to result in damage to the critical root zone which could compromise the tree's health.

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 the nearest through 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 project site is not located between the shoreline and the first public road. Consequently, the land division will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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

This finding can be made, in that the proposed new dwellings are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-3.5 (Single-family residential - 3,500 square feet minimum) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area's residential neighborhood contain single-family dwellings. Size and architectural styles vary in the area, and the design submitted is not inconsistent with the existing range of styles.

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 project is located in an area designated for residential uses. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

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 location of the land division and two new homes and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-3.5 (Single-family residential - 3,500 square feet minimum) zone district as the primary use of the property will be two new single-family dwellings that meets all current site standards for the 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 residential use is consistent with the use and density requirements specified for the R-UH (Urban High Density Residential) land use designation in the County General Plan.

The proposed land division will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the land division will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed land division will be properly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed land division will comply with the site standards for the R-1-3.5 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

The projects comply with General Plan Policy 2.3 which requires that land division projects demonstrate that the site and building designs do not preclude the future construction of an accessory dwelling unit (ADU). In this case, because of the small size of the parcels, new construction would

be difficult, but conversion ADU's would be possible. For Lot 2, the upstairs southern bedroom could be converted and for Lot 1, the garage could be converted and, if desired, there is room to expand the garage if a larger unit were desired.

A specific plan has not been adopted for this portion of the County.

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 proposed land division would create two new residential parcels and two new single-family dwellings, i.e. one additional parcel and home. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day. The existing house offsets the trip generation for one of the new houses. An increase of one peak trip, will not adversely impact existing roads and intersections in the surrounding area.

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 structures would be located in a mixed neighborhood containing a variety of architectural styles, and the proposed land division is consistent with the land use intensity and density of the neighborhood. The homes in the area are mostly simple, pitched roof designs. The proposed Craftsman style homes will be compatible with the neighborhood.

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 land division 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

Land Division 171056

Applicant: William Kempf, Architect

Property Owner: Mark Dettle

Assessor's Parcel Number(s): 028-101-32

Property Address and Location: Property located on the south side of East Cliff Drive, between

13th Avenue and an unnamed alley (21226 East Cliff Drive)

Planning Area: Aptos

Exhibit(s):

D. Tentative Map – TM-1: prepared by Richard Irish, revised to 10/2017.
 Civil Engineering & Topographic Map – C1, C2, C3 and TM3: prepared by Richard Irish, revised to 10/2017

Architectural Plans – A1.1, A2.1, A3.1, A4.1, A4.2, and A5.1: prepared by William C. Kempf, architect, dated 9/1/17 except sheets A1.1 and A2.1, revised to 10/30/17. Landscape Plan – L1: prepared by Gregory Lewis, Landscape Architect, revised to 8/10/17.

All correspondence and maps relating to this land division shall carry the land division number noted above.

- I. Prior to exercising any rights granted by this Approval, the owner shall:
 - A. Sign, date and return one copy of the Approval to indicate acceptance and agreement with the conditions thereof.
- II. A Parcel Map for the land division must be recorded prior to the expiration date of the tentative map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:
 - A. The Parcel Map shall be in general conformance with the approved Tentative Map and shall conform to the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
 - B. This land division shall result in no more than two (2) residential parcels.
 - C. The minimum parcel area shall be 3,500 square feet of net developable land per unit.

- D. The following items shall be shown on the Parcel Map:
 - 1. Building envelopes located according to the approved Tentative Map. The building envelopes for the perimeter of the project shall meet the minimum setbacks for the R-1-3.5 zone district of 15 feet for front and street side yards, 5 feet for side yards, and 15 feet for rear yards.
 - 2. Show the net area of each lot to nearest square foot.
 - 3. The owner's certificate shall include:
 - a. An irrevocable offer of dedication of road right of way on East Cliff Drive, as indicated on the approved Exhibit "D".
 - 4. All easements and dedications to be recorded prior to recordation of the Parcel Map.
 - 5. Include the Minor Land Division number "171056" on all sheets of the Parcel Map.
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
 - 1. New parcel numbers for all of the parcels must be assigned by the Assessors Office prior to application for a Building Permit on any parcel created by this land division.
 - 2. Obtain a Demolition Permit from the Santa Cruz County Building Official, for the existing residence to be demolished and comply with any requirements of the Monterey Bay Air Resources District (MBARD).
 - 3. Lots shall be connected for water service to the City of Santa Cruz Water District. All regulations and conditions of the water district shall be met. Proof of water service availability is required prior to issuance of a building permit on any parcel.
 - 4. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the sanitation district shall be met. Proof of sewer service availability is required prior to issuance of a building permit on any parcel.
 - 5. All future construction on the lots shall conform to the architectural drawings approved for this land division and shall also meet the following additional conditions:

- a. All future development shall comply with the development standards for the R-1-3.5 zone district. Development on each parcel shall not exceed 40% lot coverage, or 50% floor area ratio, the required garage setback of 20-feet, or other standard as may be established for the zone district.
- b. The parking area on Lot 2 that is adjacent to the alley shall be surfaced in pavers or similar (as shown on Sheet A5.1 of Exhibit D), in order to distinguish it clearly from the alley paving.
- c. The alley along Lot 2's western property line shall be fully paved.
- 6. All future development on the lots shall comply with the requirements of the geotechnical report for this project.
- 7. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
- 8. Prior to any building permit issuance or ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Department of Public Works and the Planning Department. Earthwork between October 15 and April 15 requires a separate winter grading approval from Environmental Planning that may or may not be granted.
- 9. Any changes from the approved Exhibit "D", including but not limited to the Tentative Map or Preliminary Improvement Plans, must be submitted for review and approval by the Planning Department. Changes may be forwarded to the decision making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. Any changes that are on the final plans which do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review.
- III. Prior to recordation of the Parcel Map, the following requirements shall be met:
 - A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
 - B. Either provide evidence that the property owner has joined an existing maintenance association or create a maintenance agreement for the shared access of the alley. If the latter, please submit the maintenance agreement for staff review.
 - C. Meet all drainage requirements of the Department of Public Works, Stormwater Management Services section. See discretionary comments dated 11/16/17.

- D. Meet all requirements of the Environmental Planning section of the Planning Department, including:
 - 1. Plans shall reference the soils report and include a statement that the project shall conform to the report's recommendations.
 - 2. The applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form.
- E. Meet all requirements of the Santa Cruz County Sanitation District including, without limitation, the following standard conditions:
 - 1. Submit and secure approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.
 - 2. Pay all necessary bonding, deposits, and connections fees.
- F. Engineered improvement plans for all water line extensions required by City of Santa Cruz Water District shall be submitted for the review and approval of the water agency.
- G. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries. Backflow prevention devices must be located in the least visually obtrusive location.
- H. All requirements of the Central Fire Protection District shall be met.
- I. Park dedication in-lieu fees shall be paid for two (2) new bedrooms. This assumes that the two houses on the subject parcel had/have two bedrooms each. If this is not the case, please submit evidence to document the number of bedrooms. These fees are currently \$1,000 per bedroom, but are subject to change.
- J. Child Care Development fees shall be paid for two (2) bedrooms. This assumes that the demolished houses were two bedrooms each. If this is not the case, please submit evidence to document the number of bedrooms. These fees are currently \$109 per bedroom, but are subject to change.

- K. Add a note to the Parcel Map that the affordable housing fees for this project, that are in effect at the time of building permit issuance, shall be paid in compliance with the Affordable Housing Requirements specified by Chapter 17.10 of the County Code.
- L. Submit and secure approval of engineered improvement plans from the Department of Public Works and the Planning Department for all roads, curbs and gutters, storm drains, erosion control, and other improvements required by the Subdivision Ordinance, noted on the attached tentative map and/or specified in these conditions of approval. A subdivision agreement backed by financial securities (equal to 150% of engineer's estimate of the cost of improvements), per Sections 14.01.510 and 511 of the Subdivision Ordinance, shall be executed to guarantee completion of this work. Improvement plans shall meet the following requirements:
 - 1. All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified in these conditions of approval. Plans shall also comply with applicable provisions of the State Building Code regarding accessibility.
 - a. The proposed driveways and frontage improvements shall be constructed per the approved improvement plans for this permit, except as modified by these conditions.
 - b. The parking area on Lot 2 that is adjacent to the alley shall be surfaced in pavers or similar (as shown on Sheet A5.1 of Exhibit D), in order to distinguish it clearly from the alley paving.
 - c. The alley along Lot 2's western property line shall be fully paved.
 - 2. Complete drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils.
 - 3. A detailed erosion control plan shall be submitted which includes the following: a clearing and grading schedule that limits grading to the period of April 15 October 15, clearly marked disturbance envelope, revegetation specifications, silt barrier locations, temporary road surfacing and construction entry stabilization, sediment barriers around drain inlets, etc. This plan shall be integrated with the improvement plans that are approved by the Department of Public Works, and shall be submitted to Environmental Planning staff for review and approval prior to recording of the Parcel Map.
- M. Submit a final Landscape Plan for the entire site for review and approval by the Planning Department. The landscape plan shall specify plant species, size and location, and shall include irrigation plans, which meet the following criteria and must conform to all water conservation requirements of the local water district.

- IV. All future construction within the property shall meet the following conditions:
 - A. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. Obtain an Encroachment Permit from the Department of Public Works for any work performed in the public right of way. All work shall be consistent with the Department of Public Works Design Criteria unless otherwise specifically excepted by these conditions of approval.
 - B. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan that may or may not be granted.
 - C. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
 - D. Prior to any site disturbance on the subject property, the following conditions shall be met:
 - 1. A preconstruction meeting shall be scheduled 1-4 days prior to commencement of earthwork. Attendees shall include Environmental Planning staff, the grading contractor, the soils engineer and the civil engineer.
 - 2. All sediment control measures shall be installed as shown on the approved plans.
 - E. In order to prevent impacts to nesting birds, tree removal activities shall be limited to the period between September 1 and February 1, if feasible. If the trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for raptor or migratory songbird nests 3-4 days prior to site disturbance. A report with the biologist's findings shall be provided to the Planning Department, in care of the Resource Planner, prior to removal of the tree. If protected birds are nesting within the project area, tree removal shall be avoided until the young have fledged.
 - F. In order to avoid impacts to special status bats, tree removal activities shall be limited to the months between November 1 and March 1, if feasible. If the trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for special status bats 3-4 days prior to site disturbance. A report with the biologist's findings shall be provided to the Planning Department, in care of the Resource Planner, prior to removal of the tree. If protected bats are roosting within the project area, tree removal shall be avoided until the roosts are vacated.
 - G. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time

during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

- H. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
 - 1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
 - 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
 - 3. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- I. No fences or trees may be constructed within the public utility/sign easement located along the East Cliff Drive frontage.
- J. Construction of improvements shall comply with the requirements of the approved geotechnical report(s) for this project. The project geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report(s).
- K. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lots.

V. Operational Conditions

A. All landscaping within the 30-foot sight distance triangle located at the intersections of East Cliff Drive and 13th Avenue and East Cliff Drive and the unnamed alley, shall be maintained such that no plants block sight distance. Shrubs shall be maintained at 30 inches or less and trees shall be limbed up to seven feet to ensure clear linè of sight.

- VI. In the event that future County inspections of the subject property disclose non-compliance 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 Approval revocation.
- VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
 - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
 - C. <u>Settlement</u>. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
 - D. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.
 - E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement, which incorporates the provisions of this condition, or this development approval shall become null and void.

AMENDMENTS TO THIS LAND DIVISION APPROVAL SHALL BE PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE.

This Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the 14-day appeal period. The Parcel Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking at least 90 days prior to the expiration date and in no event later than 3 weeks prior to the expiration date.

Approval Date:

Effective Date:

Expiration Date:

Steven Guiney, AICP
Principal Planner

Annette Olson
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 Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.

SANTA CRUZ, CA 95062 RESIDENCES FOR: THIRTEENTH AVENUE, TWO NEW ы \sim 4

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TOTS 2 & 3 PERSPECTIVE VIEWS

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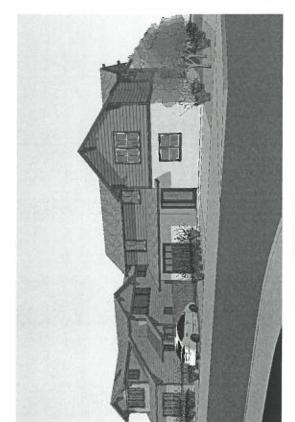
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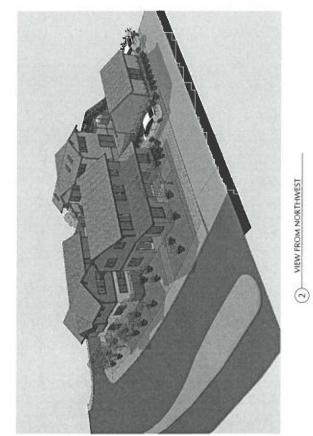


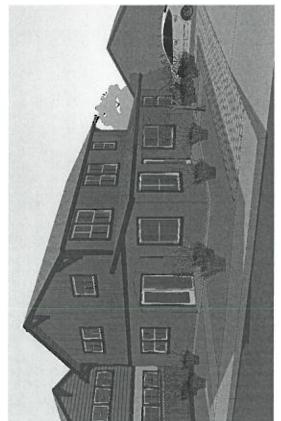




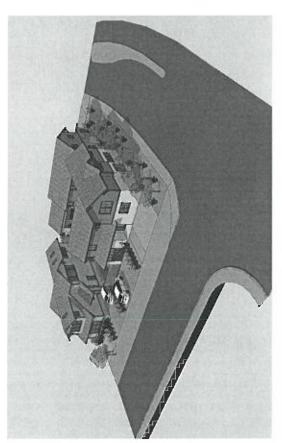




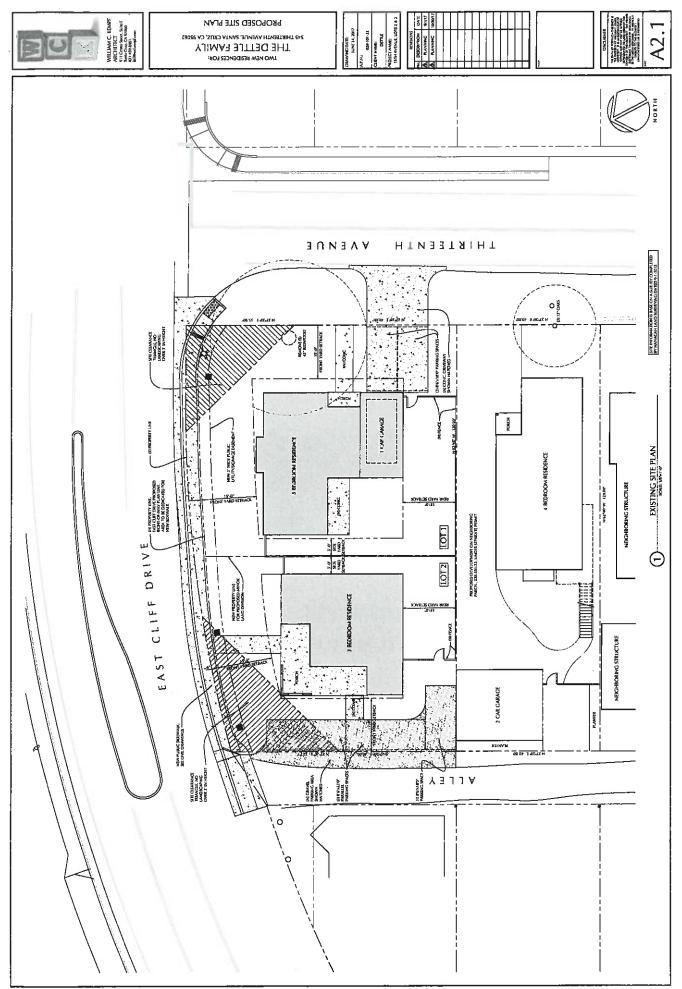








4 VIEW FROM NORTHEAST





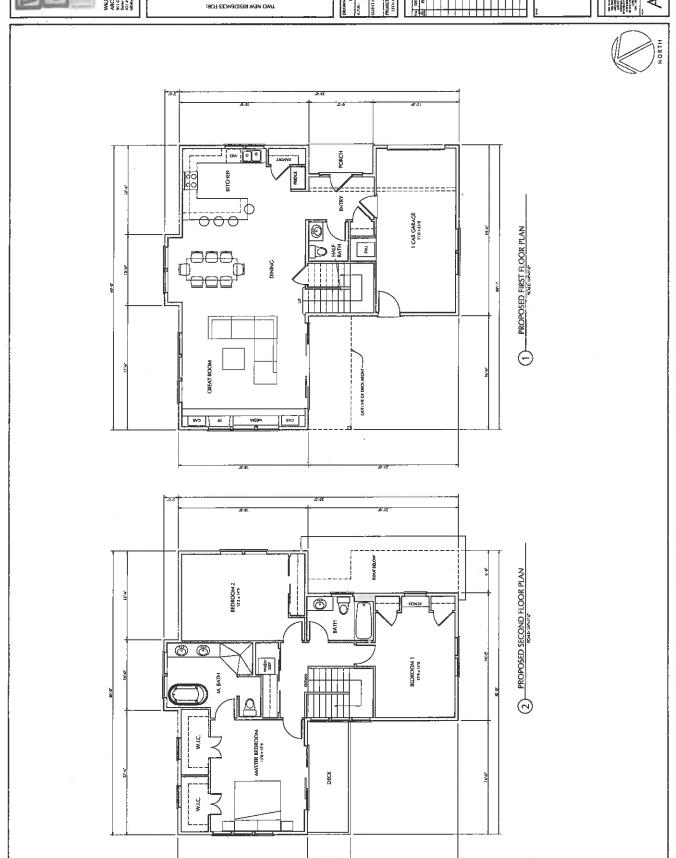
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THE DETTLE FAMILY

THO NEW RESIDENCES FOR:











FOL 3 - PROPOSED FLOOR PLANS

THE DETTLE FAMILY

THE DETTLE FAMILY

THE DETTLE FAMILY

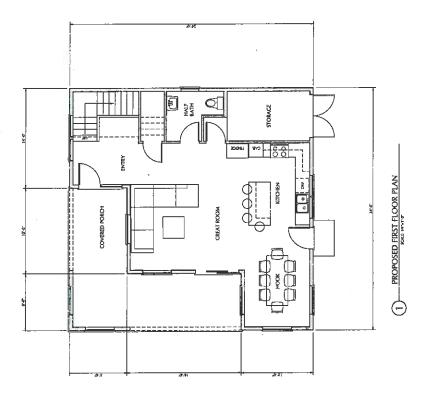


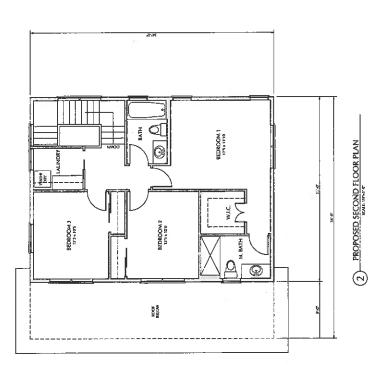


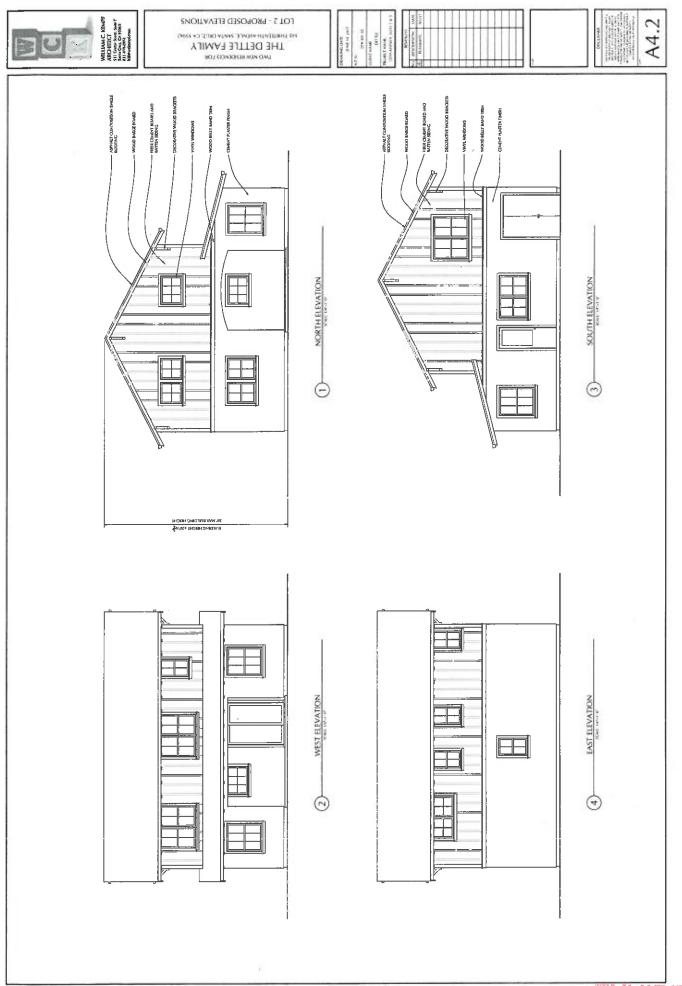


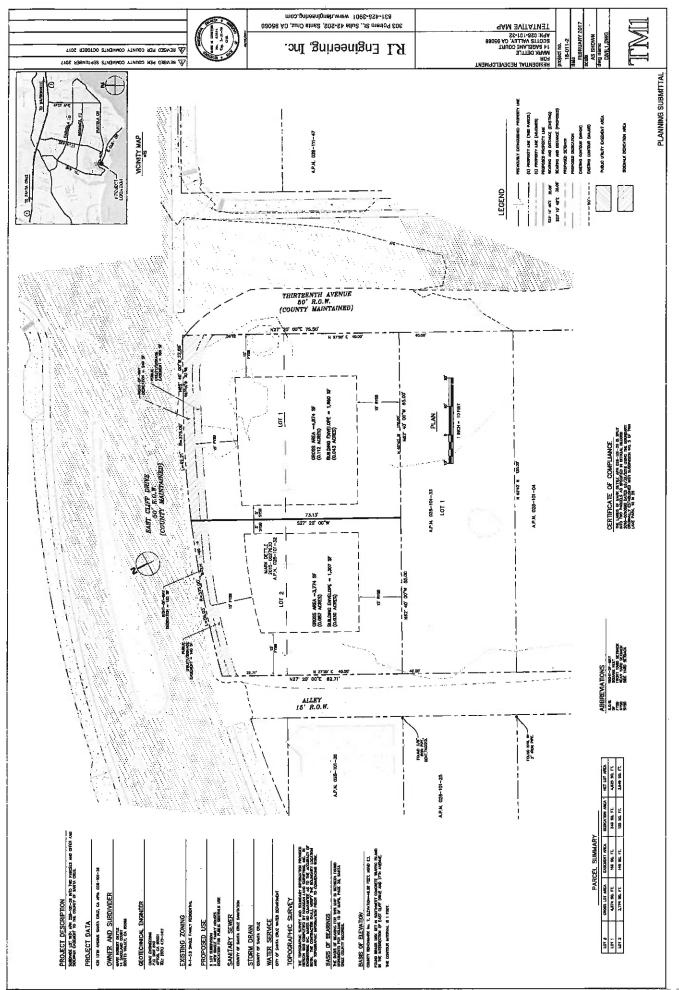


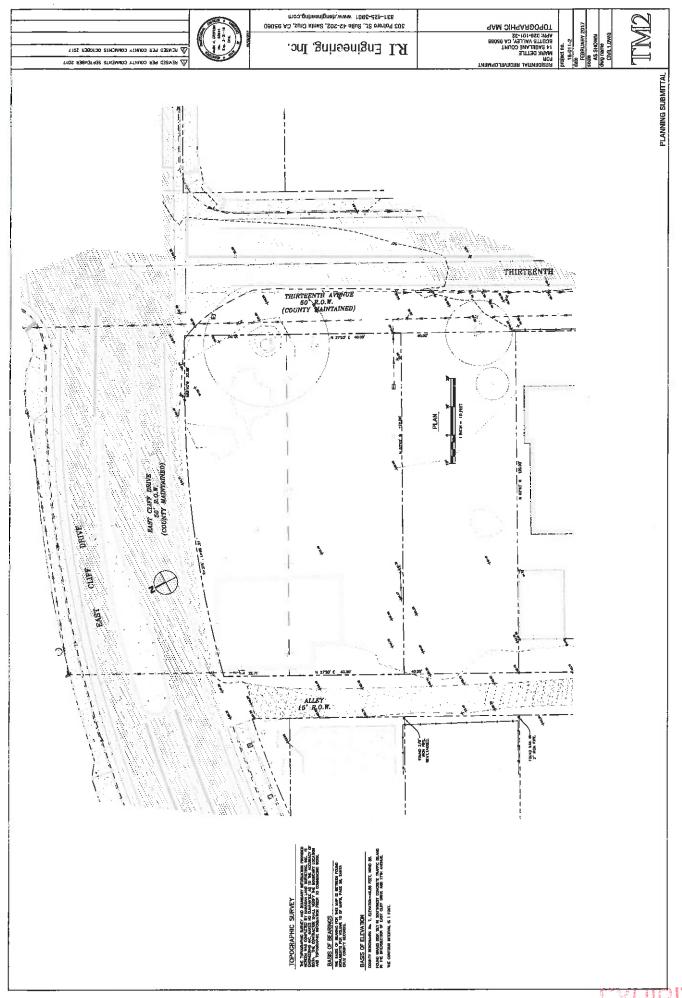


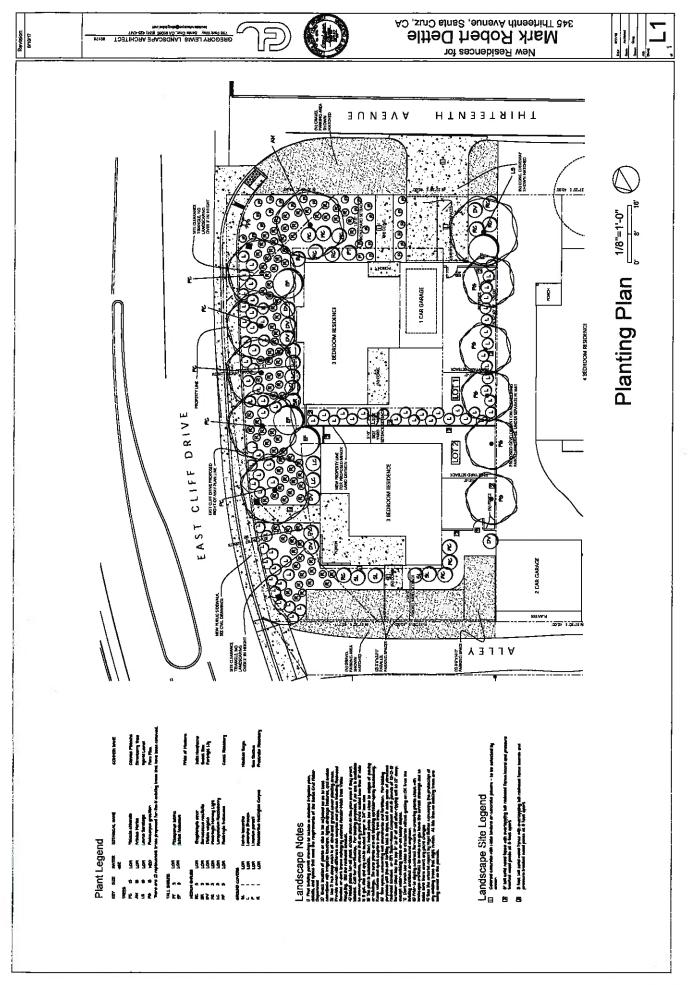


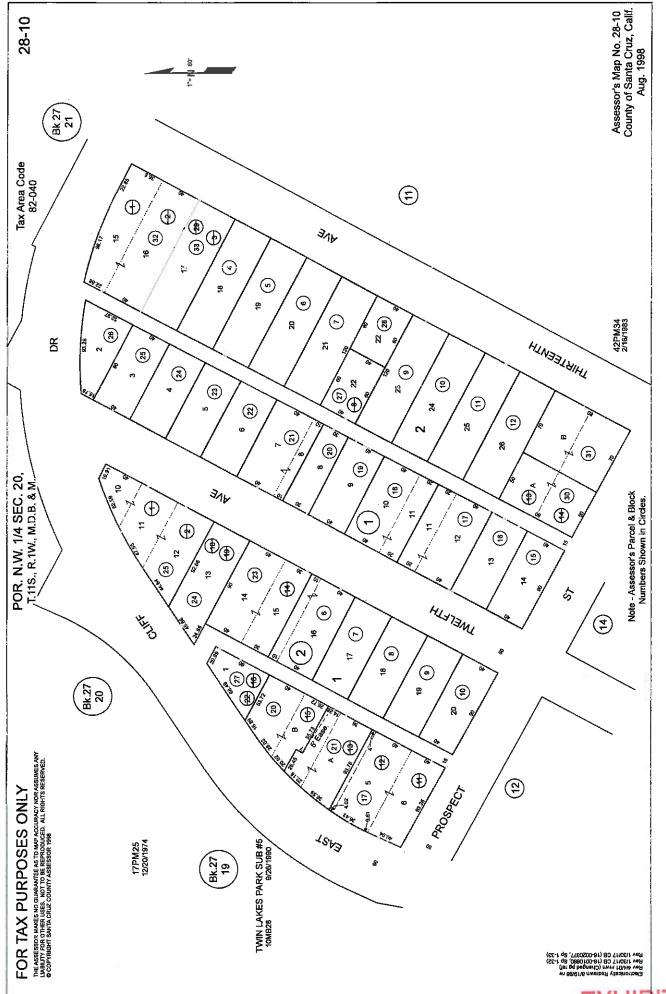


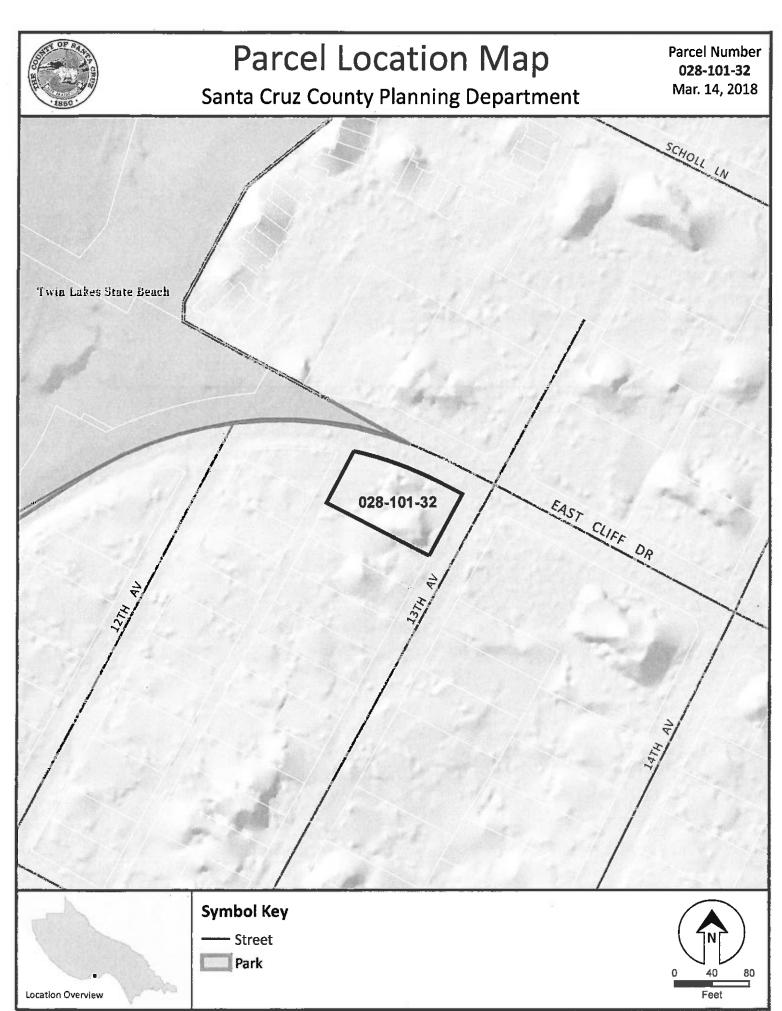










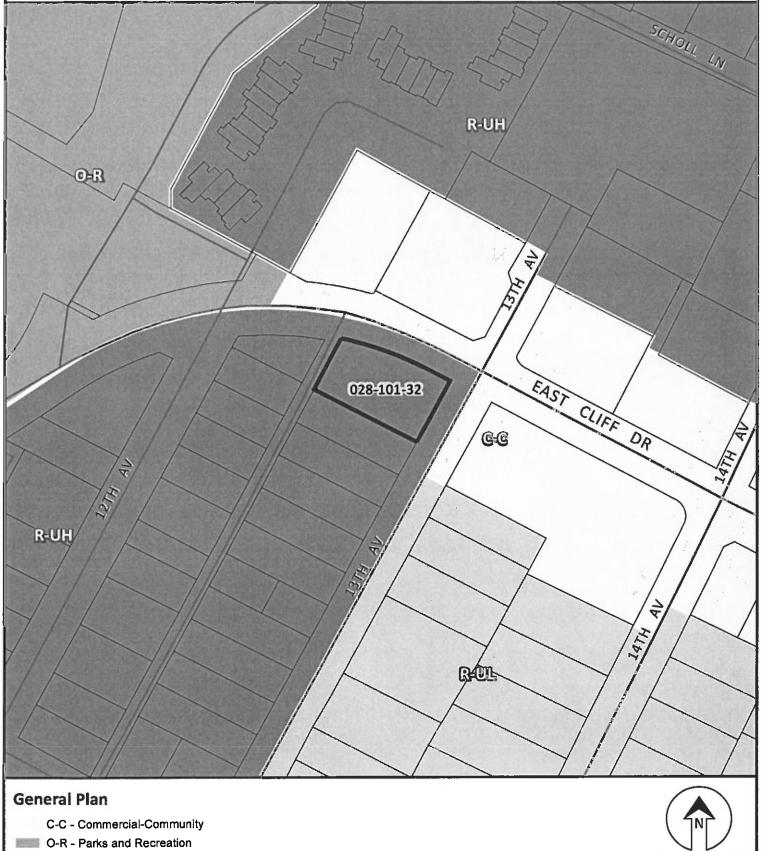




Parcel General Plan Map

Santa Cruz County Planning Department

Parcel Number **028-101-32** Mar. 14, 2018



R-UL - Residential - Urban Low Density

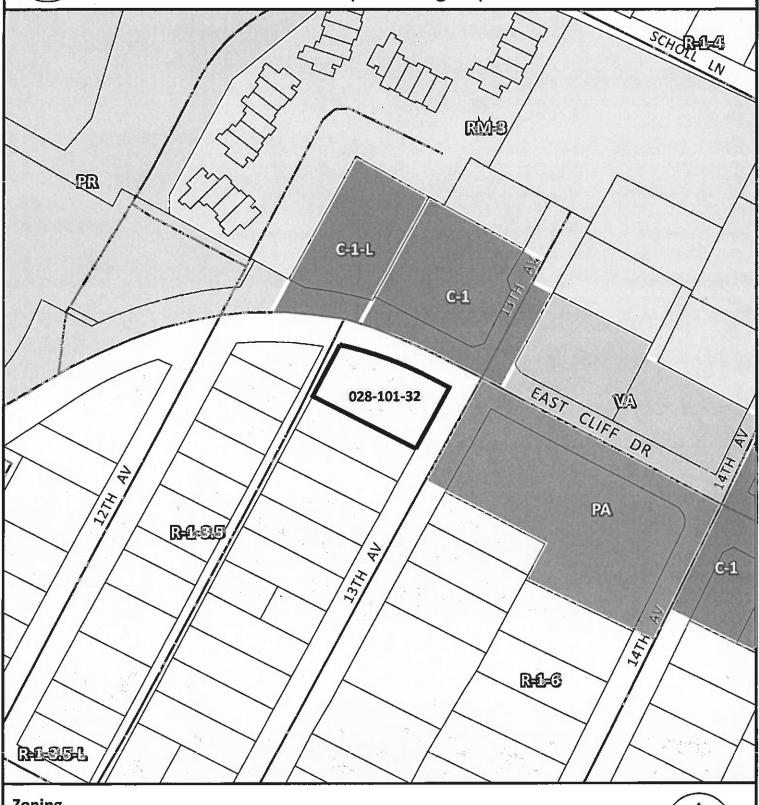
R-UH - Residential - Urban High Density

OF SALES

Parcel Zoning Map

Santa Cruz County Planning Department

Parcel Number **028-101-32** Mar. 14, 2018



Zoning

- (C-1) Commercial Neighborhood
- (PA) Professional-Administrative Office
- (PR) Parks, Recreation, and Open Space
 - (R-1) Single-Family Residential



(RM) Residential Multi-Family

(VA) Visitor Accommodations



WATER DEPARTMENT

212 Locust Street, Suite C. Santa Cruz CA. 95060. Phone (831) 420-5200. Fax (831) 420-5201.

February 3, 2016

Mark Dettle 14 Sageland Ct. Scotts Valley, CA 95066

Re:

APN 028-101-29 (435 13th Ave.)

Proposed Lot Split and Construction of (N) Single Family Dwelling

Dear Mr. Dettle:

This letter is to advise you that the subject parcel is located within the service area of the Santa Cruz Water Department and potable water is currently available for normal domestic use and fire protection. Service will be provided to each and every lot of the development upon payment of the fees and charges in effect at the time of service application and upon completion of the installation, at developer expense, of any water mains, service connections, fire hydrants and other facilities required for the development under the rules and regulations of the Santa Cruz Water Department. The development will also be subject to the City's Landscape Water Conservation requirements.

At the present time:

the required water system improvements are not complete; and financial arrangements have not been made to the satisfaction of the City to guarantee payment of all unpaid claims.

This letter will remain in effect for a period of two years from the above date. It should be noted, however, that the City Council may elect to declare a moratorium on new service connections due to drought conditions or other water emergency. Such a declaration would supersede this statement of water availability.

If you have any questions regarding service requirements, please call the Engineering Division at (831) 420-5210. If you have questions regarding landscape water conservation requirements, please contact the Water Conservation Office at (831) 420-5230.

Sincerely,

Rosemary Menard

Water Director

EXHIBIT F

Nigel Belton Consulting Arborist

September 7, 2017

Mark Dettle 14 Sageland Court Scotts Valley, CA 95066 mmld@sbcglobal.net

Subject - Project Arborist's Review of Resubmittal Plans for the Two Residences to be Built on the Dettle Family Property on the Corner of East Cliff Drive and Thirteenth Avenue - Santa Cruz:

APN 028-101-28

Dear Mark,

Please be advised that I reviewed the most recent plans prepared by William C. Kempf - Architect and R.I. Engineering, concerning the status of the remaining Coast Redwood Tree situated within Lot One (Revision Date - 9/1/17).

This remaining tree is identified as #9 in the original tree inventory and arborist's report. It is recommended for removal at this time because of its broad growth pattern and poor trunk location relative to the footprint of the proposed residence on Lot 1.

The construction plans show that the west side of this tree's canopy will encroach well into the profile of the proposed residence. I noted that the great majority of the canopy on this side of the tree will have to be removed to facilitate the building this new structure. I also noted that this tree does not represent a particularly good specimen from an aesthetic standpoint.

The majority of the canopy of the subject tree is approximately 40-feet in height (with the exception of a single top in the center, which is even taller). The plans show that the roof peak directly opposite the tree, will be 28-feet tall. It is evident that the great majority of canopy on the west side of this tree will have to either be severely pruned back or removed entirely because of its close proximity and broad growth pattern. Remaining limbs on that side of the tree will have to be stub cut for clearance or cut to the trunk. This action will result in a severely misshapen and unattractive tree.



Ph / Fax (831) 688-1239

P.O. Box 1744 - Aptos, CA 95001 - CCL # 657930 - beltonnigel@gmail.com

Subject - Project Arborist's Review of Resubmittal Plans for the Two Residences to be Built on the Dettle Family Property on the Corner of East Cliff Drive and Thirteenth Avenue - Santa Cruz:

It is also important to note that the base of the trunk at grade is disproportionately large when compared to the growth pattern of a typical Coast Redwood Tree of this size. The base of the trunk was measured with a diameter tape and it approximated 13-feet in diameter at near soil grade. It is apparent that the trunk will be setback about 13-feet from the foundation of the new house. This setback distance represents a very close proximity, when taking into consideration the likely impacts of the proposed construction work on the tree's Critical Root Zone area. The Critical Root Zone area for this tree is within the area within the canopy drip-line perimeter (about 35-feet wide). The majority of this tree's root structure is located near the soil surface (generally found within the top 36-inches of the upper soil profile in most cases) and as such, significant root loss and damage would be inevitable if this tree is preserved in place. Such damage would result in a significant decline in health and may also result in tree mortality.

This tree must be removed before proceeding with construction activities and the stump and larger surface roots should be ground out at the same time.

Respectfully submitted

Nigel Belton
Nigel Belton

Attachment - Assumptions and Limiting Conditions

EXHIBIT G



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 KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

30 January 2017

Mark Dettle 14 Sageland Court Scotts Valley, CA 95066

Subject:

Review of the Geotechnical Investigation for 435 13th Avenue dated 21 March 2016

by CMAG Engineering, Inc - Project No. 16-106-SC

Project Site:

435 13th Avenue, 21226 E Cliff Drive, & 21240 E Cliff Drive

APN 028-101-29

Application No. B-165022

Dear Mr. Dettle:

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 project design and construction shall comply with the recommendations of the report.
- 2. Final plans shall reference the report by title, author, and date. Final Plans should also include a statement that the project shall conform to the report's recommendations.
- 3. After plans are prepared that are acceptable to all reviewing agencies, please submit a completed Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The author of the soils report shall sign and stamp the completed form. Please note that the plan review form must reference the final plan set by last revision date. Any updates to report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report.

Electronic copies of all forms required to be completed by the Geotechnical Engineer may be found on our website: www.sccoplanning.com, under "Environmental", "Geology & Soils", and "Assistance & Forms".

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 its technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. may require resolution by other agencies.



Review of the <u>Geotechnical Investigation for 435 13th Avenue</u> dated 21 March 2016 by CMAG Engineering, Inc - Project No. 16-106-SC

APN 028-101-29 30 January 2017 Page 2 of 3

Please note that this determination may be appealed within 14 calendar days of the date of service. Additional information regarding the appeals process may be found online at: http://www.sccoplanning.com/html/devrev/plnappeal bldg.htm

Please contact the undersigned at (831) 454-3168 or Rick.Parks@santacruzcounty.us if we can be of any further assistance.

Sincerely,

Rick Parks, GE 2603

Civil Engineer – Environmental Planning County of Santa Cruz Planning Department

Cc:

Antonella Gentile, Environmental Planning CMAG Engineering, Inc. Attn: Adrian Garner, GE Review of the <u>Geotechnical Investigation for 435 13th Avenue</u> dated 21 March 2016 by CMAG Engineering, Inc - Project No. 16-106-SC APN 028-101-29 30 January 2017 Page 3 of 3

NOTICE TO PERMIT HOLDERS WHEN A SOILS REPORT HAS BEEN PREPARED, REVIEWED AND ACCEPTED FOR THE PROJECT

After issuance of the building permit, the County requires your soils engineer to be involved during construction. Several letters or reports are required to be submitted to the County at various times during construction. They are as follows:

- When a project has engineered fills and / or grading, a letter from your soils engineer
 must be submitted to the Environmental Planning section of the Planning Department prior
 to foundations being excavated. This letter must state that the grading has been
 completed in conformance with the recommendations of the soils report. Compaction
 reports or a summary thereof must be submitted.
- Prior to placing concrete for foundations, a letter from the soils engineer must be submitted to the building inspector and to Environmental Planning stating that the soils engineer has observed the foundation excavation and that it meets the recommendations of the soils report.
- 3. At the completion of construction, a Soils (Geotechnical) Engineer Final Inspection Form from your soils engineer is required to be submitted to Environmental Planning that includes copies of all observations and the tests the soils engineer has made during construction and is stamped and signed, certifying that the project was constructed in conformance with the recommendations of the soils report.

If the *Final Inspection Form* identifies any portions of the project that were not observed by the soils engineer, you may be required to perform destructive testing in order for your permit to obtain a final inspection. The soils engineer then must complete and initial an *Exceptions Addendum Form* that certifies that the features not observed will not pose a life safety risk to occupants.

From: Sent: Lynn Dunn <dunnreimers@mac.com> Tuesday, March 06, 2018 1:06 AM

To:

Annette Olson

Cc:

Scott Mcgilvray; Mary Maier; jack.sohriakoff@santacruzcounty.us; John Leopold; Tony Sloss; John Presleigh; Jondi Gumz; Susan@Coastal Craig; matt@mattleal.com; Kelley McClary;

marie dunn; Mark Lee; Bruce R. Holloway; Jeffrey Bettencourt; Wanda Williams

Subject:

SC man, 31, dies in East Cliff Drive motorcycle accident, Dettle property #171056

County Planner Annette Olson,

Below is my email to you 10/29/16. We are requesting you route app. 171056 to, Jack Sohriakoff, SC County Manager of Traffic Engineering and provide us a copy of his recommendations. The public has waited too long for an interim solution since the loss of redevelopment funds. This heavily trafficked blind corner, in our experience and many neighbors, the most unsafe blind corner in Live Oak. In the last 12 months, County Public Works readily installed many harbor construction signs on blind corner. Since(see below), PW Director John Presleigh's offer to me, of a blinking blind corner sign, for the discount rate of \$8,000, i have been researching less costly options. 1. A solar blinking sign like the one in front of the Capitola Police station, appears to be less costly and 2. a blind corner banner posted on one of the harbor construction signs designed by Jeff Bettencourt of Pleasure Point Design. The blind corner at 13th Ave and East Cliff drive has been public safety hazard for a decade due to the negligence of the owner/Public Works Director Mark Dettle. We are requesting Mark Dettle install the blind corner signage. 2000 Coastal Commission report states annually over 500,000 persons use the Harbor/Twin Lake beaches. Time is NOW.

Lynn Dunn & Charles Reimers

Begin forwarded message:

From: Lynn Dunn < dunnreimers@mac.com >

Subject: Santa Cruz man, 31, dies in East Cliff Drive motorcycle accident

Date: October 29, 2016 5:30:27 AM HST

To: Annette Olson <annette.olson@santacruzcounty.us>

Cc: Wanda Williams < wanda.williams@santacruzcounty.us >,

jack.sohriakoff@santacruzcounty.us, John Leopold

<John.Leopold@santacruzcounty.us>, john.presleigh@santacruzcounty.us

Annette,

As City SC PW Director Dettle develops his lot on the corner of East Cliff and 13th Ave, safety is the ultimate priority. Sidewalks on this corner will not address safety. I am sure Jack Sohriakoff will agree. Director Presleigh says the neighbors need to raise \$8,000 for a flashing solar warning signal signal i.e. the ones at the schools. Requesting future permits condition application for a flashing signal.

Keep me in the loop, I know I can get lots of signatures on a petition.

http://www.santacruzsentinel.com/article/NE/20160912/NEWS/160919914

Lynn Dunn 13th Ave.

From: Sent: Lynn Dunn <dunnreimers@mac.com> Tuesday, March 06, 2018 12:28 AM

To:

Annette Olson

Cc:

Scott Mcgilvray; Susan@Coastal Craig; Mary Maier

Subject:

Re: App's 161089 & 171056--Removal of significant redwood tree

Planner Annette Olson,

The redwood tree, is a significant tree as defined by county code. You stated, the owner is not required to apply separately for a significant tree removal permit, it's removal is evaluated as part of the coastal permit. In addition, your staff report justification/recommendation supporting removal of the redwood tree, will not be available until April 11, one week before the public hearing.

Based the application process and your posted description, it is our opinion you have approved the removal of the significant redwood tree and negotiated landscaping concessions with the owner. I have not reviewed the landscaping plan nor read the owner's, arborist, Nigel Belton's report recommendations but since he was hired by the owner, it is highly likely his landscaping plan and report also supports the removal of the redwood tree.

There are at least 3 dwellings plus a garage on the parcel. We do not agree, with 16.34.060F that removal of the redwood is necessary in conjunction with another permit to allow the property owner an economic use of the property consistent with the land use designation of the LCP Land Use Plan. Both applications 161089 & 171056 on Dettle's parcel is over-intensification of use, chap. 13. in the coastal zone.

We are requesting you reconsider your approval of the removal of the significant redwood tree in the coastal zone and support options saving this significant redwood tree. Who are the staff, this application will be routed to and what is dead line for their signatures?

Lynn Dunn & Charles Reimers 165 13th Ave On Mar 5, 2018, at 10:22 AM, Scott Mcgilvray wrote:

> Annette,

>

> Thank you for showing me through the drawings for the 2 houses that are being proposed for development in this project. I am pleased with the generous setbacks that are provided on all 3 sides of the projects. 13th, East Cliff and the Alley between 13th/12th. I am aware that site lines and setbacks were important considerations given the busy and blind nature of the corner of Eastcliff as it turns around from North to East as it reaches the plateau level.

> I am going to look one more time at the existing Redwood tree. If I have any suggestions as to how that tree might be saved, i will let you know. If I can think of any ways that the traffic speed can be lessened near there I will also send suggestions along.

> >

>

> Sincerely yours,

>

> Scott McGilvray

> 335 13th. Ave

> Santa Cruz

> CA

From: Sent: Lynn Dunn <dunnreimers@mac.com> Monday, February 26, 2018 11:31 AM

To:

Annette Olson

Cc:

marylmaier@gmail.com

Subject:

Re: 171056--Live Oaks and Redwood Trees--staff report

pls. resend, lost email re: your staff report. L. Dunn 165 13th Ave, On Feb 21, 2018, at 6:01 AM, Annette Olson wrote:

Hi Lynn.

When a tree meeting the significant tree criteria is a part of a larger Coastal Permit, they don't need to apply separately for a Significant Tree removal, i.e. it's removal is evaluated as a part of the Coastal Permit.

Thanks,
Annette

From: Lynn Dunn [mailto:dunnreimers@mac.com]

Sent: Monday, February 19, 2018 8:53 AM

To: Annette Olson < Annette. Olson@santacruzcounty.us > Subject: Re: 171056--Live Oaks and Redwood Trees

Did Dettle's consultant file a Significant Tree Removal App. Review Form for the Redwood Tree

On Feb 13, 2018, at 9:14 AM, Lynn Dunn wrote:

- 1. are the 2 live oak trees on the south property line of Mark Dettle's parcels being removed?
- 2. what is the name of arborist who reported on the redwood tree?

Lynn Dunn 165 13th Ave

Begin forwarded message:

From: Lynn Dunn <dunnreimers@mac.com>

Subject: Re: 171056

Date: January 17, 2018 8:28:43 AM PST

To: Annette Olson

<Annette.Olson@santacruzcounty.us>

Cc: Wanda Williams

<<u>wanda.williams@santacruzcounty.us</u>>

Bcc: Robert Morgan <robertmorgan@baymoon.com>

- 2. What trees will be left on the property fronting east cliff?
- 4. None of the Proposed Development signs in my neighborhood include the email address of the planners. The onus is on the county. I addressed this issue with Wanda Williams over a year ago.

On Jan 17, 2018, at 8:11 AM, Annette Olson wrote:

Hi Lynn.

Thanks for your inquiry.

- 1. Yes. Mark Dettle is the owner.
- 2. One large redwood (that's been topped) is proposed for removal.
- 3. The house that protrudes into the line of sight will be removed. The County's site clearance triangle is going to be maintained.
- 4. I will check with the architect regarding my email and will get it added if necessary.

Let me know if you have any follow-up questions. Thanks,
Annette

From: Lynn Dunn [mailto:dunnreimers@mac.com]

Sent: Tuesday, January 16, 2018 2:54 PM

To: Annette Olson

<Annette.Olson@santacruzcounty.us>

Cc: Wanda Williams

< Wanda. Williams@santacruzcounty.us >

Subject: 171056

- 1. Is SC PW Director Mark Dettle the owner? If not, who?
- 2. How many redwood trees on the property?
- 3. How will the blind corner be addressed, public safety?
- 4. When will county post your email on the development sign?

Lynn Dunn 165 13th Ave

Begin forwarded message:

From: Lynn Dunn

<a href="mailto:dunnreimers@mac.comSubject: Fwd: Santa Cruz<a href="mailto:mail

12:27:43 AM PST

To: john.presleigh@santacru zcounty.us, travis.rieber@san

tacruzcounty.us

Cc: jgumz@santacruzsentine

<u>l.com</u>

Presleigh/Reiber:

Dettle's long term neglect of his 13th Ave property contributed to the death of this young family man. Get your 13th Ave encroachment priorities correct.

Lynn Dunn & Charles Reimers

Begin forwarded message:

From: Lynn Dunn dunnreimers@m
ac.com
Subject: Santa
Cruz man, 31,
dies in East Cliff
Drive
motorcycle
accident
Date: October
29, 2016 5:30:27
AM HST
To:Annette
Olson

<annette.olson@ santacruzcounty. us> Cc: Wanda Williams <wanda.williams @santacruzcount y.us>, jack.sohria koff@santacruzc ounty.us, John Leopold < John.Leopold@ santacruzcounty. us>, john.presleig h@santacruzcou nty.us

Annette,

As City SC PW Director Dettle develops his lot on the corner of East Cliff and 13th Ave, safety is the ultimate priority. Sidewalks on this corner will not address safety. I am sure Jack Sohriakoff will agree. Director Presleigh says the neighbors need to raise \$8,000 for a flashing solar warning signal signal i.e. the ones at the schools. Requesting future permits condition application for a flashing signal.

Keep me in the loop, I know I can get lots of signatures on a petition.

http://www.santacruzs entinel.com/article/N

E/20160912/NEWS/1 60919914

Lynn Dunn 13th Ave.

Bcc: Robert Morgan <robertmorgan@baymoon.com>

- 2. What trees will be left on the property fronting east cliff?
- 4. None of the Proposed Development signs in my neighborhood include the email address of the planners. The onus is on the county. I addressed this issue with Wanda Williams over a year ago.

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Hi Lynn.

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- 1. Yes, Mark Dettle is the owner.
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Annette

From: Lynn Dunn [mailto:dunnreimers@mac.com]

Sent: Tuesday, January 16, 2018 2:54 PM

To: Annette Olson

<a href="mailto:annette.Olson@santacruzcounty.us

Cc: Wanda Williams

<Wanda.Williams@santacruzcounty.us>

Subject: 171056

- 1. Is SC PW Director Mark Dettle the owner? If not, who?
- 2. How many redwood trees on the property?
- 3. How will the blind corner be addressed, public safety?
- 4. When will county post your email on the development sign?

Lynn Dunn 165 13th Ave

Begin forwarded message:

From: Lynn Dunn

<dunnreimers@mac.com> Subject: Fwd: Santa Cruz man, 31, dies in East Cliff **Drive motorcycle accident**

Date: February 22, 2017

12:27:43 AM PST

To: john.presleigh@santacru zcounty.us, travis.rieber@san

tacruzcounty.us

Cc: jgumz@santacruzsentine

l.com

Presleigh/Reiber:

Dettle's long term neglect of his 13th Ave property contributed to the death of this young family man. Get your 13th Ave encroachment priorities correct.

Lynn Dunn & Charles Reimers

Begin forwarded message:

From: Lynn Dunn <dunnreimers@m</pre> ac.com> Subject: Santa Cruz man, 31, dies in East Cliff Drive motorcycle accident Date: October 29. 2016 5:30:27 AM HST To: Annette Olson

From: Sent:

Lynn Dunn <dunnreimers@mac.com> Wednesday, February 21, 2018 9:43 AM

To:

Annette Olson

Re: 171056--Live Oaks and Redwood Trees Subject:

A.Olson: provide your staff report including your evaluation of the redwood tree. thx L.Dunn On Feb 21, 2018, at 6:01 AM, Annette Olson wrote:

Hi Lynn.

When a tree meeting the significant tree criteria is a part of a larger Coastal Permit, they don't need to apply separately for a Significant Tree removal, i.e. it's removal is evaluated as a part of the Coastal Permit.

Thanks. Annette

From: Lynn Dunn [mailto:dunnreimers@mac.com]

Sent: Monday, February 19, 2018 8:53 AM

To: Annette Olson < Annette. Olson@santacruzcounty.us> Subject: Re: 171056--Live Oaks and Redwood Trees

Did Dettle's consultant file a Significant Tree Removal App. Review Form for the Redwood Tree

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From: Lynn Dunn < dunnreimers@mac.com>

Subject: Re: 171056

Date: January 17, 2018 8:28:43 AM PST

To: Annette Olson

<Annette.Olson@santacruzcounty.us>

Cc: Wanda Williams

<wanda.williams@santacruzcounty.us>

From:

Scott Mcgilvray <scottm@wateraware.net>

Sent:

Saturday, March 17, 2018 10:04 AM

To:

Subject:

Annette Olson Re: Application # 171056

Annette,

Thank you for your time and interest. I have been looking at the tree and noticing it as I come and go from the corner of 13th and East Cliff. I think that the tree is far enough back from the corner that it does not affect any of the site lines, at least for a driver. I have observed this multiple times from the vantage point of a driver:

- 1. Traveling West on East Cliff, who might want to turn left onto 13th.
- 2. Traveling North on 13th. as a driver who arrives at the stop sign on 13th. This driver, when he stops at the stop sign is completely past the tree, so the tree has zero affect on site lines.
- 3. Traveling East on East Cliff. The tree is in a site line, but I doubt it is blocking any site 30' back from the corner, although I have not measured it. Further, since the only choices a driver traveling East of East Cliff has are driving straight through the intersection or turning right, I do not think the tree makes any impact on visibility for these choices.

The other consideration is the tree itself. It surely has been crudely topped. That was years ago,, and the tree has several viable replacement trunks that are not "under the power lines". And knowing something about Redwood trees because my profession since 1974 has been as a landscaper, the tree is healthy and will survive for many more years. I think that 2 or even 3 of the several trunks that exist on the tree since it has recovered from its decapitation could be removed and the tree would look better and be in fine health.

I have not decided about whether to register opposition to the tree removal....! would prefer not to register at all. I prefer to make these comments and hope that you will pass them on to the owner's project manager and ask that they consider this information for themselves. I have tried to put myself in the position of the owner, who is developing 3 properties on the corner, one of which he will live in. I think if I were the owner, and I thought the Redwood tree could be shaped up and grow on to be a good specimen of tree, I would try to save it. That Redwood tree is substantial and it will take 30 -40 years before any replacement planting can attain the scale that the redwood tree already has attained.

I am going out of town next week, and when we return, I will think about this some more. As I understand that the project will go to the planning commission in April, I think that there is no rush, but I do want to give you my thoughts at this point and allow you some time to reconsider before making your own recommendations..

Sincerely yours,

Scott McGilvray 335 13th, Ave.

- > On Mar 7, 2018, at 8:48 AM, Annette Olson <annette.olson@santacruzcounty.us> wrote:
- > Hi Scott.
- > It was a pleasure meeting you yesterday. If you have any concerns about the redwood tree, I'm happy to hear them.
- > Thank you,
- > Annette
- >
- > -----Original Message-----

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> From: Scott Mcgilvray [mailto:scottm@wateraware.net]
> Sent: Monday, March 05, 2018 12:22 PM
> To: Annette Olson <Annette.Olson@santacruzcounty.us>
> Cc: Lynn Dunn <dunnreimers@mac.com>
> Subject: Application # 171056
>
> Annette,
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> I am going to look one more time at the existing Redwood tree. If I have any suggestions as to how that tree might be saved, i will let you know. If I can think of any ways that the traffic speed can be lessened near there I will also send suggestions along.

> > Sincerely yours, > Scott McGilvray > 335 13th. Ave > Santa Cruz

> CA