



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET - 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131

October 1, 2018

Agenda Item #6

Planning Commission, Consent Agenda  
Meeting of October 24, 2018

Subject: 1-Year Status Report, Skydiving Use, 515 Calabasas Road  
Permit #: **131132**  
Assessor's Parcel #: **049-091-24**  
Owner: **Volker Haag**

Honorable Commissioners:

The commercial skydiving permit at 515 Calabasas Road was originally approved by the Zoning Administrator on 8-2-2013. (The original conditions of approval of Permit 131132 are attached as Exhibit A.) Following the use approval, the skydiving activity continued to receive complaints from several neighbors – that the activity was noisy, was noncompliant with established glide paths, invaded personal privacy and was not an allowed use in the A (Agriculture) zone district. In 2016, the Zoning Administrator reviewed the status of the permit and directed staff to report to the Planning Commission and to recommend amendment or revocation of the permit to address the complaints received.

On June 14, 2017, the Planning Commission amended the Conditions of Approval of permit 131132 (Exhibit B, Amended Conditions, Permit 131132) to limit the jump activity at 515 Calabasas to 18 half days per year, of which no more than 6 half-days were allowed between June 1 and Labor Day, and to limit the number of neighborhood notifications regarding potential jump activity to no more than 20 per year. Jump activities at 515 Calabasas Road were allowed only when the parachute landing site at the airport was closed. The Planning Commission also directed staff to report back on the first year of activity at 515 Calabasas Road under the amended permit conditions, including a discussion on how the activity has been proceeding for both the permit holder and the neighbors. The amended conditions became effective on 8/22/17, when the Board of Supervisors declined to hear an appeal filed by attorney Jean Marinovich on behalf of two property owners. Attorney Marinovich subsequently filed litigation against the County seeking to invalidate the permit on behalf of owners associated with two properties in the vicinity. This litigation is pending.

The amended conditions of approval incorporated guidelines for the 1-year status report, stating that it was required to include the number of half days that the Calabasas site was used in the first year of operation, the number of half days during the summer restriction period, and the number of notifications provided. This information was provided in a report submitted by the operator (Exhibit C), summarized below:

<b>Half Days and Notifications in First Year of Operation</b>			
Reporting period: 8/22/17 through 8/21/18			
<b>Allowed</b>		<b>Occurred</b>	
Annual Activity:	18 half days	First year activity:	13 half days
Summer Activity:	6 half days	Summer Activity:	4 half days
Annual Notifications:	20	First year Notifications:	16 (approximate)

The operator stated that the limitations on noticing, total half-days and summer half-days inhibited his enterprise this year, though he found the weather less cloudy than usual with fewer airport closures than expected. If more cloudy days occurred, he stated, the skydiving business would be hampered by not having enough auxiliary use during summer to cover the airport closures (Exhibit C, last page).

Staff visited the skydiving operation on Monday, September 10, to check permit compliance at 515 Calabasas and at the Skydive Santa Cruz business location and airport parachute landing area (PLA). Staff also observed the sign-in procedure, training and jump execution of two skydiving clients on that date. Staff found the skydiving operation and procedures to be compliant with the conditions of approval, as follows (Exhibit D):

- Signs were posted on the ground at 515 Calabasas, indicating the location of parking and prohibiting yelling.
- Signs posted at the site, in the training plane, in the jump plane and at the airport landing site requiring participants not to yell or use inappropriate language, and to use normal speaking tones when under chute.
- Participants were required to sign a waiver stating that they understood and agreed to comply with prohibitions on excessive noise or inappropriate language.
- Planning staff observed trainers requesting participants to avoid yelling or using inappropriate language, although the permit does not specifically require such training on jumps landing at the airport.
- Trainers have signed declarations stating that, during the period of 8/22/17 through 8/22/18, all participants were warned both on the ground and in the air not to yell or use inappropriate language.

Though not bound at the airport landing site by the conditions of permit 131132, the jump participants did not make any audible noise under chute, nor did the chutes make any noise once open. The sound of the chutes opening was barely audible on the ground. Once on the ground, one participant emitted a single, discrete "woo" at the volume of a standard speaking voice.

## **Complaints**

In preparing this report, staff emailed attorney Jean Marinovich and two property owners who filed the appeal (Marinovich, by email forwarded by Jean Marinovich, and Partridge). Staff received a response from Jean Marinovich (Exhibit E) alleging that the landing zone at 515 Calabasas Road was used on October 19 without notice, and that her clients saw skydivers floating directly over their home in violation of flight path requirements. An email from the airport manager was provided by attorney Marinovich stating that the airport had not closed the Parachute Landing Area (PLA) at the airport on that day, but that the airport manager had forwarded the inquiry to the operator determine whether "they have a differing view" according to Marinovich.

Staff received the following response from Priscilla Partridge and Dave Kikuchi (Exhibit F), with the following comments:

- At least one time we saw the 515 landing site used without prior notification and we reported to Code Compliance
- After that we received weekly letters but no specific dates as to which half-days were to be jumped, so that would be equal to 8 half-days (10 letters times 8 half-days = 80 half days...all summer long)
- Jumps continue to occur over our house along with screaming and yelling

The operator, contacted by project planning staff for preparation of this report, stated he did not conduct jumps on 7/2 or 7/22, but that he performed recreational jumps on 7/14 and 7/21 that did not involve paying clients but were requested by neighbors for private celebrations. On one of these occasions a single jump event with two tandem parachutes was executed involving neighbors' participation, and on the other occasion two sport parachutes were involved without a tandem participant. The operator stated that around this time he observed several paragliders landing at nearby properties, which could easily be mistaken for parachutes. (A paraglider is similar in appearance to a parachute, but the canopy may be longer and more tapered.)

Code compliance received a service request on 7/30/2018, alleging that the landing zone at 515 Calabasas was used without notice on 7/2, 7/14, 7/21 and 7/22, and that the flight paths were noncompliant. Undated photographs were submitted with the complaint that were inadequate to verify the accuracy of the complaint.

A notice was sent to the operator of this service request. Code enforcement staff contacted the operator, Mr. Haag, regarding the complaint. Mr. Haag informed them that the landing site at the subject parcel was utilized for two recreational jumps on 7/14. The recreational jumps on 7/21 landed at 511 Calabasas Road, next door to the subject site (APN 04917157). Code staff informed Mr. Haag that permit 131132 did not provide for recreational or demonstration jumps at 515 Calabasas Road, and that such activity was considered a violation (Exhibit G). With this verbal warning, the case was resolved.

The operator stated that he has received no direct complaints, either from neighbors of 515 Calabasas Road or from neighbors of the airport landing area. The operator said he has not received any request to avoid activity on a specified date.

### **Support for activity**

In support of the skydive activity, the operator stated that neighbors informed him that they "miss" the skydiving activity. He also stated that five neighbors have offered the use of their properties as landing sites.

### **Conclusion and Recommendation**

Based on a site inspection conducted by staff, information provided by the operator and information provided by code enforcement staff, the commercial skydiving operation has complied with permit requirements over the last year. The number of notices did not exceed the annual limits established by the Planning Commission, and the number of jumps at the subject parcel did not exceed either the annual or the summer limits established by the Planning Commission. The signage, training and waivers met and exceeded the amended Conditions of Approval. The operator was informed that the recreational jumps conducted on his parcel were in violation of his operating permit, and

the complaint was resolved on the basis of this warning. Presently, there are no open Code Enforcement Cases on the property.

**Staff recommends that the Planning Commission accept and file this report.**

Should you have further questions concerning this application, please contact me at: (831) 454-3234 or e-mail: [jerry.busch@santacruzcounty.us](mailto:jerry.busch@santacruzcounty.us)

Sincerely,



Jerry Busch  
Project Planner  
Development Review

Exhibits:

- Exhibit A: Original Conditions of Approval, Permit 131132
- Exhibit B: Amended Conditions of Approval, Permit 131132
- Exhibit C: Operator Report on Condition Compliance
- Exhibit D: Site Documentation on Condition Compliance, (9-10-2018)
- Exhibit E: Email from Jean Marinovich
- Exhibit F: Email from Priscilla Partridge
- Exhibit G: Code Compliance, Response to Service Request 16433

Recording requested by:

COUNTY OF SANTA CRUZ

When recorded, return to:

Planning Department  
Attn: Samantha Haschert  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

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### Conditions of Approval

Development Permit No. 131132

Property Owner: Volker Haag

Assessor's Parcel No.: 04909124

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**Exhibit D:** Program Statements and Maps, prepared by Volker Haag, property owner.

- I. This permit authorizes parachute landings to occur on the Agiructure (A) zoned parcel. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, 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. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
  - C. Submit a sign plan to the County Planning Department for review and approval. The sign plan shall provide details for a new directional sign that shall be installed on the subject parcel at the frontage of the parcel, clearly visible from Calabasas Road. The sign shall comply with the requirements of County Code Section 13.10.584.
  - D. The following language shall be added to the existing signage in the Skydive Surf City main office and shall be added to the waiver or contract that is signed by the customer prior to the skydive: "No noise above a normal speaking level is permitted when under the parachute." The applicant shall submit photos of the revised signs and a copy of the revised waiver/contract to the Planning Department for review and approval prior to exercising any rights granted by this permit.
  - E. Off-street parking shall be provided for a minimum of two vehicles in addition to

Conditions of Approval - Application Number: 131132 - APN: 04909124

EXHIBIT A

the parking spaces required for the residential use. A loading area shall remain available on site to accommodate the shuttle/van.

- F. Within 30 days of the effective date of this permit, the property owner/applicant shall submit to the Planning Department a revised landing path plan that shows the descent of skydivers occurring further to the south, away from the west adjacent Residential Agricultural (RA) zoned parcels. This new landing path shall be implemented upon Planning Department approval.

## II. Operational Conditions

- A. Operations hours are limited as follows:
1. May 1<sup>st</sup> through September 30<sup>th</sup>, skydive landings shall occur only between the hours of 10:00 a.m. and 7:00 p.m., Thursday through Tuesday.
  2. October 1<sup>st</sup> through April 30<sup>th</sup>, skydive landings shall occur only between the hours of 10:00 a.m. to 6:00 p.m., Thursday through Tuesday.
  3. No landings shall occur on Wednesdays.
- B. A maximum of four spectators shall be permitted on the site at any one time.
- C. Busses shall not be used to transport skydivers or spectators.
- D. All signage associated with the "No Yelling" policy shall remain on site and shall be maintained in a legible condition.
- E. The "No Yelling" policy shall be consistently enforced. Instructors shall discourage noise greater than a normal speaking level when under the parachute or on the ground.
- F. Skydives shall be limited to a maximum of two jumps per jump run and a maximum of 10 jump runs per day.
- G. The property owner/applicant shall notify the Planning Department within 5 days of receiving approval from the Watsonville Airport Manager to land skydivers at the airport. At that time, all skydive landings shall be made at the Watsonville Airport. APN 049-091-24 may be used only as an auxiliary landing site during times when the airport landing area is closed by the Airport Manager, unless a request is submitted by the applicant and approved by the Zoning Administrator to allow for additional landings at this site. The property owner/applicant shall mail notifications to neighbors at least 48 hours in advance of the landings occurring.
- H. This permit shall be reviewed by the Zoning Administrator at a public hearing after 6 months of operation to review condition compliance and the status of the process to land skydivers at the airport. The property owner/applicant shall submit tracking records as evidence of condition compliance and public testimony will be received. It has been noted that the business will be closed for the months of December and January; therefore, the 6 month review shall occur in April 2014.

Conditions of Approval – Application Number: 131132 - APN: 04909124

EXHIBIT A

After the 6 month review, the property owner/applicant will have the ability to submit a new application to increase the number of landings on APN 049-091-24.

- I. An update letter shall be mailed to all parcels that are located within 300 feet of the subject parcels boundaries every 2 months for one year starting on the effective date of this permit. The mailing list shall also include the county project planner and any member of the public who requests a copy of the update. The letter shall provide a status update of the approval to land skydivers at the airport. This notice is informational only and does not impact the issuance of this permit.
  - J. The operation shall comply with all applicable Federal regulations for a skydiving landing site at all times, including but not limited to lighting, signage, and markings of the landing site
- III. 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, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
  - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
    - 1. COUNTY bears its own attorney's fees and costs; and
    - 2. COUNTY defends the action in good faith.
  - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
  - D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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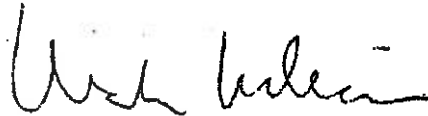
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.  
Conditions of Approval - Application Number: 131132 - APN: 04909124

**Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.**

Approval Date: 8/2/2013

Effective Date: 8/16/2013

Expiration Date: 8/16/2016



Wanda Williams  
Deputy Zoning Administrator



Samantha Haschert  
Project Planner

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**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.



## Amended Conditions of Approval, Permit 131132

*Adopted by Planning Commission June 14, 2017*

Existing language is in regular type. Adopted changes are indicated in ~~strikeout~~ / underline type.

I.D. The following language shall be added to the existing signage in the Skydive Surf City main office and shall be added to the waiver or contract that is signed by the customer prior to the skydive: "No noise above a normal speaking level is permitted when under the parachute." The applicant shall submit photos of the revised signs and a copy of the revised waiver / contract to the Planning Department for review and approval prior to exercising any rights granted by this permit. In addition, the applicant shall implement the following measures to minimize noise:

1. Place warning signs in the training plane and jump aircraft stating the following: "No noise above a normal speaking level is permitted when under the parachute."
2. Require clients to sign a section of the waiver agreement where the client must specifically agree not to shout, scream or use inappropriate language under parachute.
3. Require training instructors to remind jumpers of the noise restrictions in every training session
4. Prohibit use of 515 Calabasas Road when winds are stronger than 25 m.p.h. from the west.

II.G. ~~The property owner/applicant shall notify the Planning Department within 5 days of receiving approval from the Watsonville Airport Manager to land skydivers at the airport. At that time~~ Except as provided by this Condition G, all skydive landings shall be made at the Watsonville Airport. APN 049-091-24 may be used only as an auxiliary landing site during times when the airport landing area is temporarily closed by the Airport Manager, unless a request is submitted by the applicant and approved by the Zoning Administrator to allow for additional landings at this the auxiliary landing site. The airport landing site is considered closed by the Airport Manager when closed by direct action of the Airport Manager, or when the Specialized Aviation Services Operator, or the USPA appointed safety and training advisor, or the pilot in command of the jump aircraft observe conditions that make the Airport Parachute Landing Area unavailable for intended operations. The property owner / applicant shall mail or email notifications to neighbors and any other parties requesting notification, at least 48-24 hours in advance of landings occurring, but no more than 72 hours in advance of landings occurring, except for neighbors who request not to be notified. Notifications shall not exceed 20 per year. Landings shall not exceed 18 half-days per year, of which no more than 6 half-days per year shall occur on or between the dates of June 1 through Labor Day. A half-day is defined as a landing at any point before noon or a landing at any point after noon. If one

or more landings occur both before noon and after noon on a given day, that is equivalent to two half-days.

- (1) The operator shall provide to the Santa Cruz County Planning Department a use report summarizing the first year of activity following the effective date of this permit amendment. The report shall include the number of half days that the auxiliary site is used and the number half-days for which neighbors were notified, whether the site is used or not, during said first year.
- (2) If the operating permit for use of the airport Parachute Landing Area is terminated by the Airport Manager or other authorized party, the auxiliary landing site at 515 Calabasas Road shall no longer be used as a parachute landing area until such time as the airport permit is renewed or a new permit issued. If use of the auxiliary site at 515 Calabasas Road should cease for two years out of any five year period, permit 131132 shall become void and no further use of the auxiliary site may occur until such time as a new permit may be issued and rendered effective by the County of Santa Cruz.

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Approval Date:	<u>6-14-2017</u>
Effective Date:	<u>8-22-2017</u>
Expiration Date:	<u>8-22-2020</u>

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Appeals: The Planning Commission Action to amend permit 131132 was appealed to the Board of Supervisors. The Board of Supervisors voted 5-0 on August 22, 2017, not to take jurisdiction. No further appeals of this amendment may be submitted.

Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

September 9, 2018

## **Permit Holder Report to Santa Cruz County Planning Department**

### **Amended Conditions of Approval, Permit 131132**

Permit 131132 Condition II.G. (1) reads

"The operator shall provide to the Santa Cruz County Planning Department a use report summarizing the first year of activity following the effective date of this permit amendment. The report shall include the number of half days that the auxiliary site is used and the number half-days for which neighbors were notified, whether the site is used or not, during said first year. "

#### **Permit holder comment:**

Approximate number of notifications sent: 16 sent to complaining neighbors and some supportive neighbors. ("approximate" because there are 2 days that we are not sure about whether notices were sent. This was before we had our processes finalized. There will not be any uncertainties in the future)

Number of half days the auxiliary site was used: 13

Number of half days between June 1<sup>st</sup> and labor day: 4

Approximate number of jumps between 8/22/17-8/22/18: 32

Reasons for use: maintenance, fog ,clouds, gusty wind (1 time)

Approximate time duration of parachutes in the air below 1000 ft for a 12 months period time:  
30-35 min/year

Times that the airport landing area had been closed (and was not available) and we were not able to use the auxiliary landing area because we did not have notices out: 17 half days.

Neighbor complaints: Before August 2018 we had not been informed about any complaints from neighbors and in the letter that we received August 2<sup>nd</sup> about neighbor complaints, we were not given any dates. When I called to inquire about the dates the neighbor had complaint, I was given a few dates over the phone. If I recall correctly, on one of the dates I personally had jumped to enjoy my property with a family member for my sons birthday, on another date I had landed with a friend on a neighbor's property for a party but not on my property. We have never been informed about any dates in writing.

**Permit holder's evaluation of use:**

We got some limited but not much use out of the auxiliary landing area. However, we only have one 12 year period that we are looking at. In future years, there might be many more days that the airport landing area needs to be closed. 20 notices per year is likely to not be enough. It is absolutely vital for the business of the permit holder to be able to continue using the auxiliary landing area. We have been following the permit conditions religiously.

There were 17 half days in which we would have desperately needed to use the auxiliary landing area but could not because we were not able to predict the closure of the airport landing area ahead of times. So we did not use it as there had not been notices to neighbors sent out. This is a real hardship for us.

**Permit holder's request:**

In order to make this work for us we request to have the allowable number of

- notices increased from 20 to 32 notices per year.
- half days increased from 18 to 24.
- the number of half days between June 1 and labor day increased from 6 to 10
- the notice requirements changed to allow for "4 x on the day notices" ( 4 half days that we could use the auxiliary landing area during airport landing area closure without having notices out.

**Alternative Request:**

**We would like to request an alternative to simplify this process: We could get rid of the notices and make the total number of allowable jumps per year to 50. That would only be roughly 50 min of parachutes in the air under 1000 ft.**

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Permit 131132 reads:

“The applicant shall submit photos of the revised signs and a copy of the revised waiver / contract to the Planning Department for review and approval prior to exercising any rights granted by this permit.

**Permit holder:**

- We had submitted these item for county review in August 2017. We are attaching them again below.

In addition, the applicant shall implement the following measures to minimize noise:

1. Place warning signs in the training plane and jump aircraft stating the following: “No noise above a normal speaking level is permitted when under the parachute.”
2. Require clients to sign a section of the waiver agreement where the client must specifically agree not to shout, scream or use inappropriate language under parachute.
3. Require training instructors to remind jumpers of the noise restrictions in every training session
4. Prohibit use of 515 Calabasas Road when winds are stronger than 25 m.p.h. from the west.

**Permit holder:**

**1: Warning signs: Training Plane in Office**

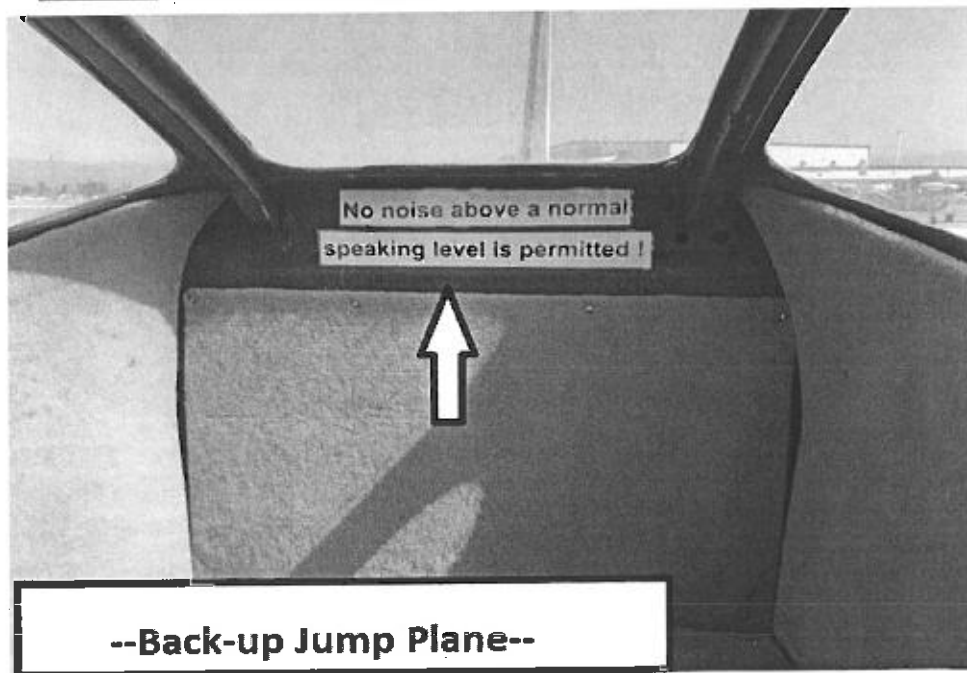
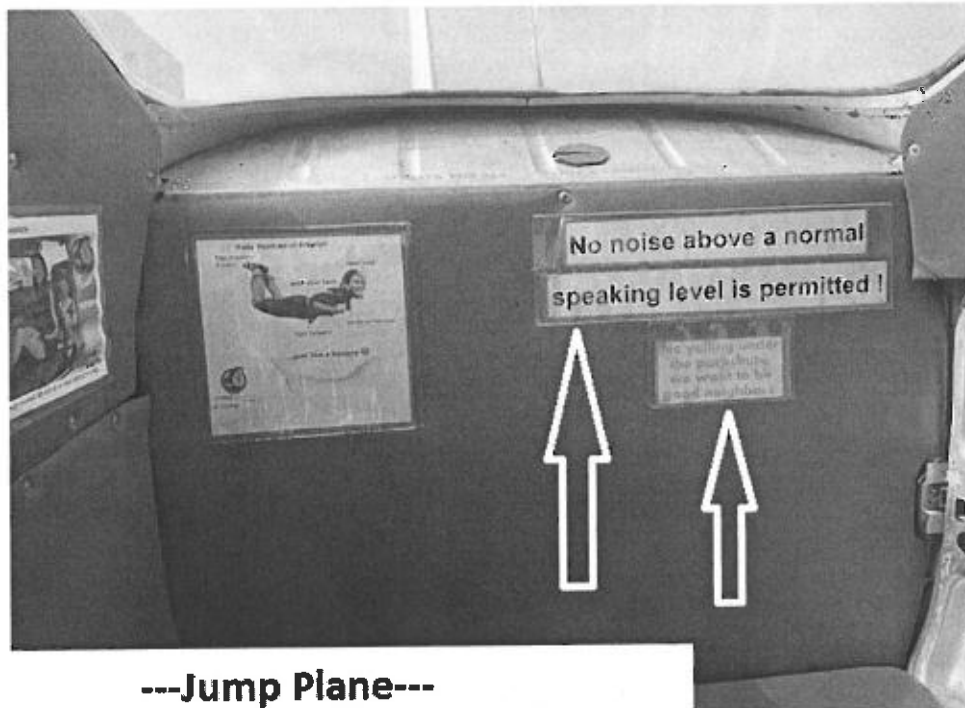


**Permit holder:**

**1: Warning signs (continued): Jump Planes**

**Wording: "Noise noise above normal speaking level is permitted!"**

**"No yelling under the parachute, we want to be good neighbors"**



**Permit holder comment:**

**1: Warning signs (continued): 515 Calabasas Rd**

- This auxiliary landing area had only been used for a small number of half days in the 12 months from 8/22/17—8/22/18
- there was less than only 25 min per year under parachute below 1,000 ft.



In addition, we volunteer to have a sign at the airport landing site:



In addition, the applicant shall implement the following measures to minimize noise:

...

2. **Require clients to sign a section of the waiver agreement where the client must specifically agree not to shout, scream or use inappropriate language under parachute.**

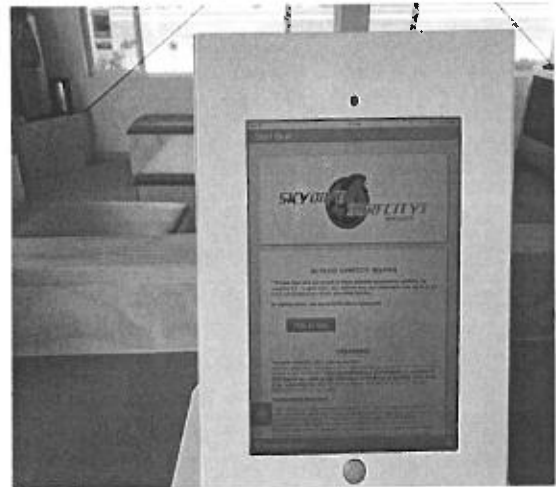
**Permit holder comment:**

**2. Waiver Agreement :** Waiver agreements had been adjusted per permit conditions in August 2017.

Wording of Electronic Waiver Agreement that every client will have to sign:

#### **NOISE ABATEMENT**

I understand and accept that yelling and screaming is prohibited on the ground, after landing, as well as in mid-air after the parachute has opened. No, noise above normal speaking level is permitted when under parachute. I specifically agree not to shout, scream or use inappropriate language under the parachute. I agree to follow these rules in order to keep down the noise level for neighbors surrounding our landing areas.



#### **NOISE ABATEMENT**

I understand and accept that yelling and screaming is prohibited on the ground, after landing, as well as in mid-air after the parachute has opened. No, noise above normal speaking level is permitted when under parachute. I specifically agree not to shout, scream or use inappropriate language under the parachute. I agree to follow these rules in order to keep down the noise level for neighbors surrounding our landing areas.

☐ **I Agree**



In addition, the applicant shall implement the following measures to minimize noise:

...

**3. Require training instructors to remind jumpers of the noise restrictions in every training session**

**Permit holder comment:**

**2 Training Session (noise restrictions)**

Each instructor will remind customers during training (on the ground), in the plane and during the parachute ride down of noise restrictions each and every time that we are using the auxiliary landing area.

See signed declarations of instructors.

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In addition, the applicant shall implement the following measures to minimize noise:

...

**4. Prohibit use of 515 Calabasas Road when winds are stronger than 25 m.p.h. from the west.**

**Permit holder comment:**

**4. Wind stronger 25 m.p.h.**

No parachute jumps were made onto 515 Calabasas Rd during times with winds stronger than 25 m.p.h. from the west between 8/22/17—8/22/18

See signed declarations of instructors.

Declaration of skydive instructor Steffan Embury

I am a skydive instructor with Skydive Surf City .

Between 8/22/2017 and 8/22/2018 , I have reminded each jump passengers in my care in every training session on the ground, in the airplane and under the parachute of the of the noise restrictions during each of the few jumps conducted onto 515 Calabasas Rd.

The noise restrictions are: "Customers are not permitted to yell or shout on the ground after landing, as well as in mid-air after the parachute has opened. No, noise above normal speaking level is permitted when under parachute. There can also not be any use of inappropriate language under the parachute."

During these times, I have not jumped onto 515 Calabasas Road when winds were stronger than 25 m.p.h. from the west.

Being able to use 515 Calabasas Rd as an auxiliary landing area at times that the airport landing area is closed, is fundamental for me to support myself financially. Although we were rarely able to use the auxiliary landing area, these few jumps really matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed September 09, 2018, at Watsonville California.



Declaration of skydive instructor

Dan Pushies

I am a skydive instructor with Skydive Surf City .

Between 8/22/2017 and 8/22/2018 , I have reminded each jump passengers in my care in every training session on the ground, in the airplane and under the parachute of the of the noise restrictions during each of the few jumps conducted onto 515 Calabasas Rd.

The noise restrictions are: "Customers are not permitted to yell or shout on the ground after landing, as well as in mid-air after the parachute has opened. No, noise above normal speaking level is permitted when under parachute. There can also not be any use of inappropriate language under the parachute."

During these times, I have not jumped onto 515 Calabasas Road when winds were stronger than 25 m.p.h. from the west.

Being able to use 515 Calabasas Rd as an auxiliary landing area at times that the airport landing area is closed, is fundamental for me to support myself financially. Although we were rarely able to use the auxiliary landing area, these few jumps really matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed September 9-18 , at Watsonville California.



Declaration of skydive instructor VOLKER HAAG

I am a skydive instructor with Skydive Surf City .

Between 8/22/2017 and 8/22/2018 , I have reminded each jump passengers in my care in every training session on the ground, in the airplane and under the parachute of the of the noise restrictions during each of the few jumps conducted onto 515 Calabasas Rd.

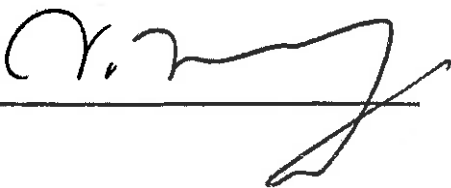
The noise restrictions are: "Customers are not permitted to yell or shout on the ground after landing, as well as in mid-air after the parachute has opened. No, noise above normal speaking level is permitted when under parachute. There can also not be any use of inappropriate language under the parachute."

During these times, I have not jumped onto 515 Calabasas Road when winds were stronger than 25 m.p.h. from the west.

Being able to use 515 Calabasas Rd as an auxiliary landing area at times that the airport landing area is closed, is fundamental for me to support myself financially. Although we were rarely able to use the auxiliary landing area, these few jumps really matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed September 9th, 2018, at Watsonville California.



A handwritten signature in black ink, appearing to read 'V. Haag', is written over a horizontal line.

Declaration of skydive instructor

Jordan Kilgore

I am a skydive instructor with Skydive Surf City .

Between 8/22/2017 and 8/22/2018 , I have reminded each jump passengers in my care in every training session on the ground, in the airplane and under the parachute of the of the noise restrictions during each of the few jumps conducted onto 515 Calabasas Rd.

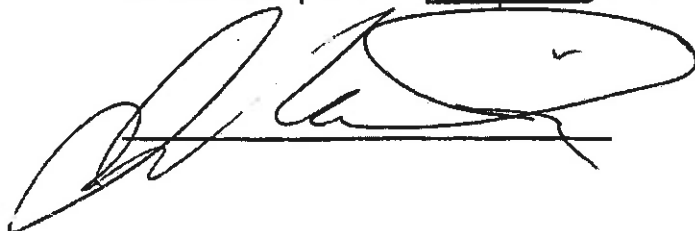
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I declare under penalty of perjury that the foregoing is true and correct.

Executed September 9<sup>th</sup> at Watsonville California.

A handwritten signature in black ink, appearing to read 'Jordan Kilgore', written over a horizontal line.

Declaration of skydive instructor Eric Miller

I am a skydive instructor with Skydive Surf City .

Between 8/22/2017 and 8/22/2018 , I have reminded each jump passengers in my care in every training session on the ground, in the airplane and under the parachute of the of the noise restrictions during each of the few jumps conducted onto 515 Calabasas Rd.

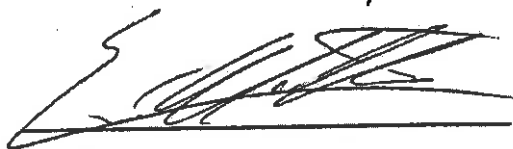
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I declare under penalty of perjury that the foregoing is true and correct.

Executed September 09 <sup>2018</sup> at Watsonville California.



Fueled by Gravity LLC

## **Jerry Busch**

---

**From:** Volker Haag <volkerhaag75@gmail.com>  
**Sent:** Tuesday, September 11, 2018 10:18 AM  
**To:** Jerry Busch  
**Subject:** auxiliary landing area

Hello Jerry,

I hope you were able to verify that all the signs are up as required by the permit and that we are enforcing the noise abatement rules.

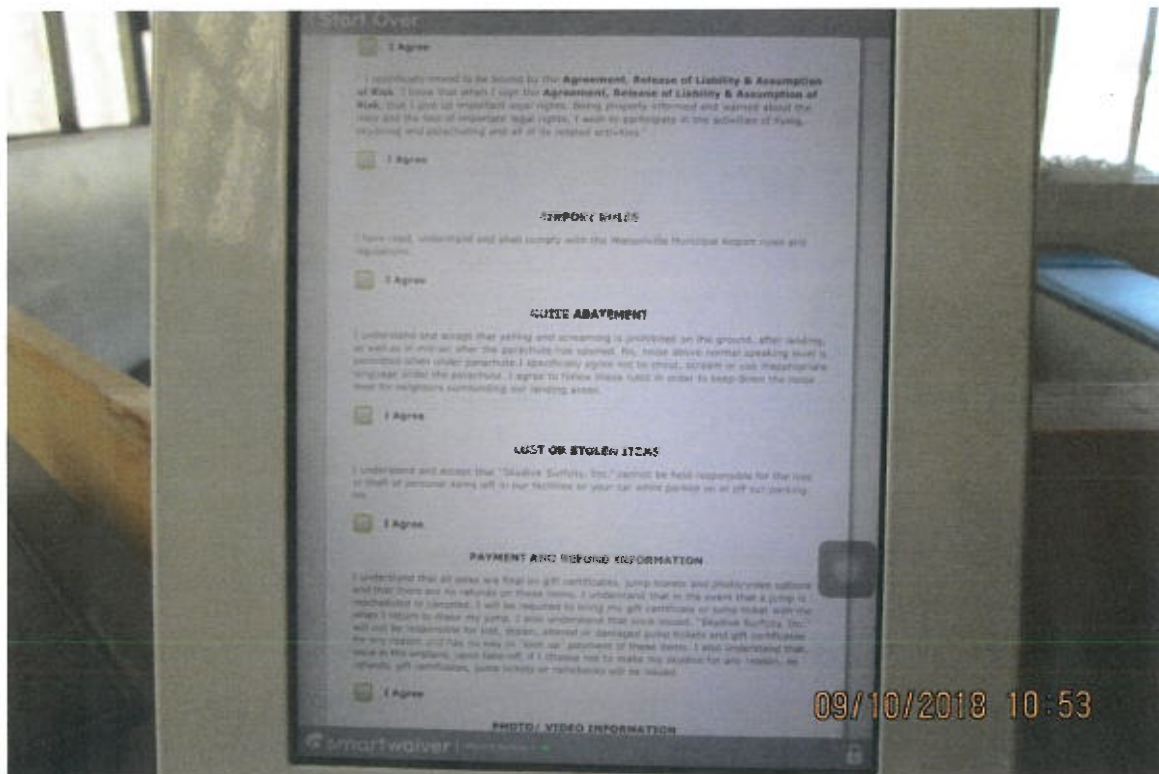
As the permit holder, I want to emphasize that

- 1 in the previous 12 months, we believe that we had less fog than in previous years We are worried that in future years the we might have more airport landing area closures
- 2 the total number of notices allowed are too low
- 3 the total numbers of half days are too low
- 4the restrictions that were put on the permit have a real negative impact on my business and present a real economic hardship for this company and its staff

Thank you  
Volker







**AIRPORT RULES**

I have read, understand and shall comply with the Watsonville Municipal Airport rules and regulations.

☐ I Agree

**NOISE ABATEMENT**

I understand and accept that yelling and screaming is prohibited on the ground, after landing, as well as in mid-air after the parachute has opened. No, noise above normal speaking level is permitted when under parachute. I specifically agree not to shout, scream or use inappropriate language under the parachute. I agree to follow these rules in order to keep down the noise level for neighbors surrounding our landing areas.

☐ I Agree

**LOST OR STOLEN ITEMS**

I understand and accept that "Skydive Surfcity, Inc." cannot be held responsible for the loss or theft of personal items left in our facilities or your car while parked on or off our parking lot.

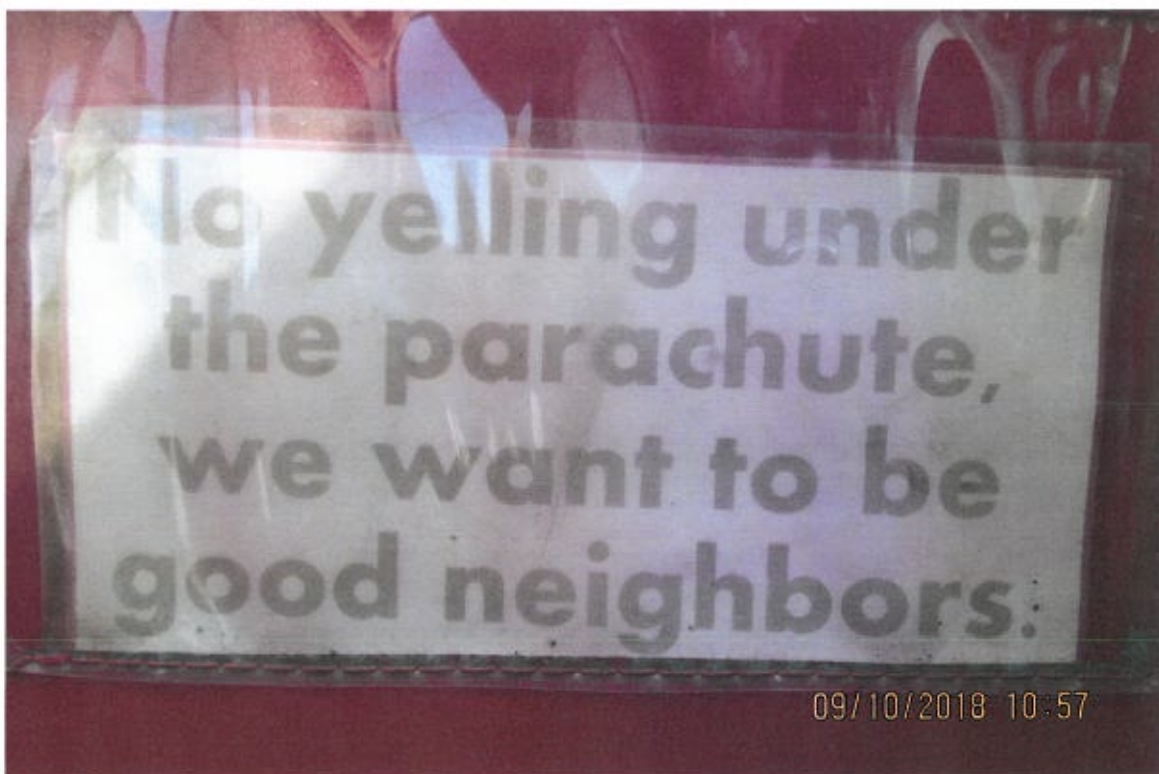
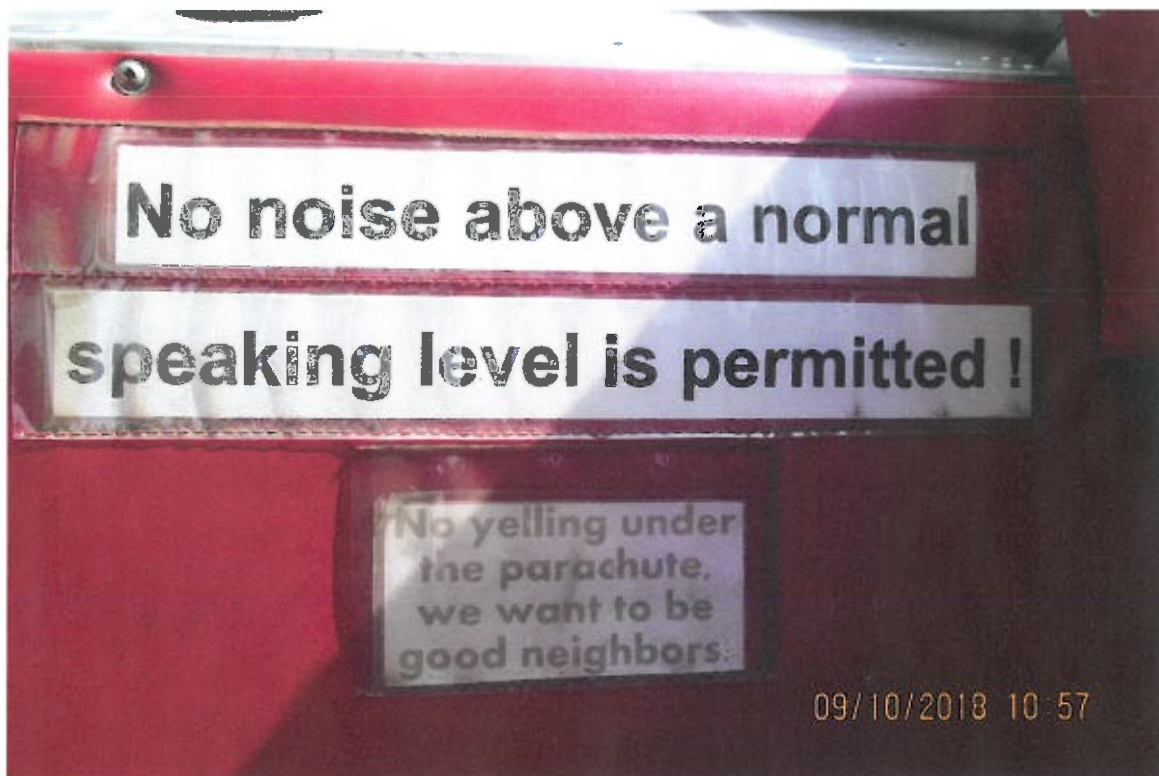
09/10/2018 10:53

☐ I Agree

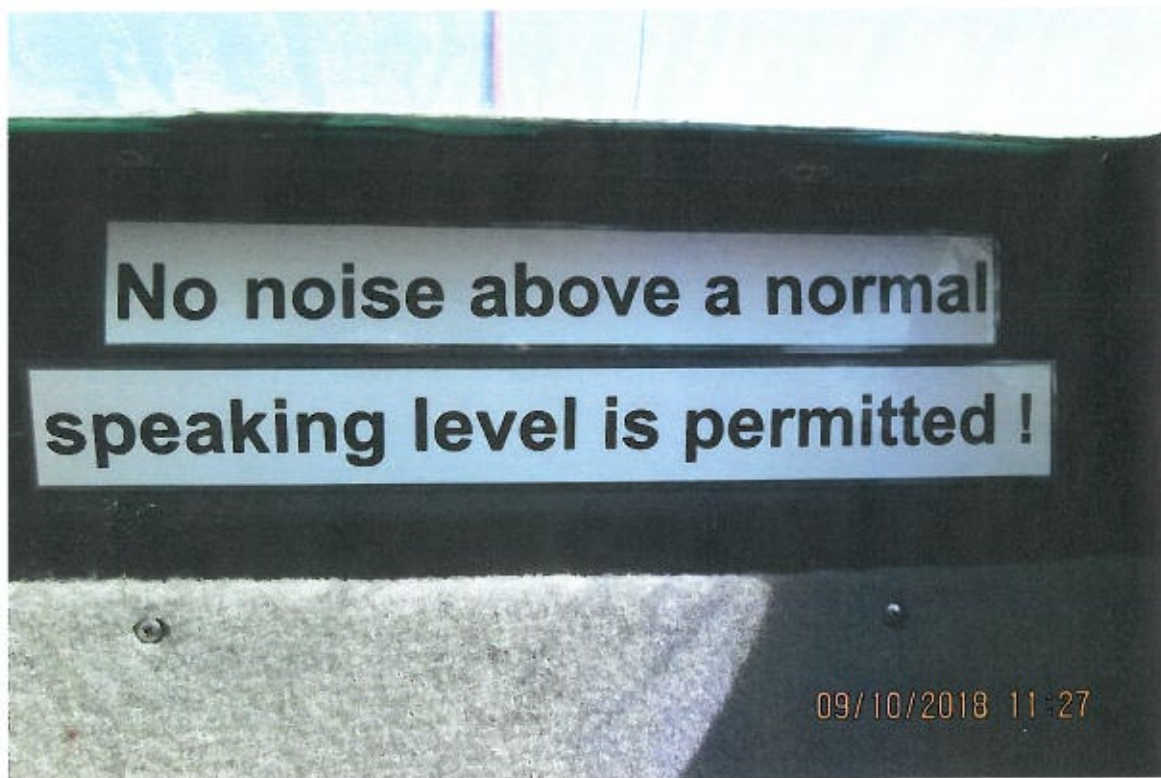














## **Jerry Busch**

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**From:** Jean Marinovich <jean.marinovich.esq@gmail.com>  
**Sent:** Friday, October 20, 2017 5:09 PM  
**To:** Jerry Busch  
**Subject:** skydiving violations

Hello Jerry,

Just letting you know that I am informed by my clients (Marinovich) that two parachutes flew directly over their home yesterday, October 19, 2017, around 5:25 pm. They received no previous notice. I have a call into the airport manager to determine whether the airport was closed.

Jean

**Jerry Busch**

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**From:** Jean Marinovich <jean.marinovich.esq@gmail.com>  
**Sent:** Wednesday, November 8, 2017 1:26 PM  
**To:** Jerry Busch  
**Subject:** Fwd: skydiving

Hello Jerry,

Please see the forwarded message from airport manager Rayvon Williams. As I emailed you last month, my clients saw skydivers floating directly over their home on October 19, 2017, at 5:25 pm to land on the Calabasas parcel. According to the airport manager, the airport landing site was not closed. Therefore it appears this landing was in violation of the permit. Please include this information in the county file.

Thanks,  
Jean

----- Forwarded message -----

**From:** Rayvon Williams <rayvon.williams@cityofwatsonville.org>  
**Date:** Wed, Nov 8, 2017 at 12:43 PM  
**Subject:** Re: skydiving  
**To:** Jean Marinovich <jean.marinovich.esq@gmail.com>  
**Cc:** Volker Haag <volker@skydivesurfcity.com>, Sam Rosas <sam.rosas@cityofwatsonville.org>

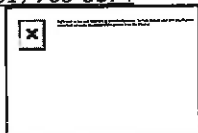
Good afternoon Ms. Marinovich....apologize for not returning your call but I was under the impression a member of the airport staff contacted you last month.

Regarding the date in question we have no record of the PLA being closed at the request of SkyDive Surf City on that date. Additionally the airport operations crew was not conducting any PLA maintenance on that day.

I'm cc'ing Skydive on this in case they have a differing view.

If I may be of further assistance please don't hesitate to contact me.

**Rayvon Williams, C.M., C.A.E.**  
Manager, Municipal Airport  
(831) 768-3574



[www.watsonvilleairport.com](http://www.watsonvilleairport.com)

On Wed, Nov 8, 2017 at 11:38 AM, Jean Marinovich <jean.marinovich.esq@gmail.com> wrote:  
Hello Rayvon,

EXHIBIT E



I left you a message a few weeks ago (October 20, 2017) to confirm whether or not the PLA was closed on October 19, 2017, at 5:25 pm. I did not hear back from you. Can you tell me what the records for that day show? Without this information, we have no way of identifying violations of the permit to use the Calabasas Road site.

Thanks,  
Jean Marinovich  
(831) 998-2302

## **Jerry Busch**

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**From:** Priscilla Partridge <kajimom2012@gmail.com>  
**Sent:** Sunday, September 16, 2018 5:20 AM  
**To:** Jerry Busch  
**Cc:** Jean Marinovich  
**Subject:** Re: First year of auxiliary use at 515 Calabasas Road

Jerry,

We are out of town and do not have our records available but would like the Planning Commission to be aware of the following:  
-At least one time we saw the 515 landing site used without prior notification and we reported to Code Compliance  
-After that we received weekly letters but no specific dates as to which half-days were to be jumped, so that would be equal to 8 half-days (10 letters times 8 half-days = 80 half days...all summer long)  
-Jumps continue to occur over our house along with screaming and yelling  
-On several occasions we heard the plane circling above the clouds looking for an opening in the clouds (dangerous and stressful)  
We still do not understand how our request to end the permit because it was no longer necessary, became a regular, weather-related use for more days than the original permit.

Priscilla Partridge and Dave Kikuchi

On Mon, Sep 10, 2018 at 9:34 AM Jerry Busch <[Jerry.Busch@santacruzcounty.us](mailto:Jerry.Busch@santacruzcounty.us)> wrote:

Hi, Priscilla –

I am preparing a report to the Planning Commission on the first year of auxiliary use of 515 Calabasas Road as an alternative, back-up site to the airport skydiving landing area. I wanted to ask you how it's been going since the Planning Commission revised permit 131132.

The subject year for reporting is from 8/22/2017 (effective date of amendments, when the Board of Supervisors declined to take jurisdiction on appeal) to 8/21/2018.

Looking forward to hearing back from you as soon as possible.

Thank you,

***Jerry Busch***

Planner IV, Development Review

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

**EXHIBIT F**

## Service Request #16433

infor infor Public Sector v8.4.0 infor Public Sector

Building Permits Planning Code Enforcement Use Permits Customer Service Resources System

LA Lookup Applications (PLLA) Planning Application InfoViewer Contact and Property Browser (RCPB) Service Request InfoView More

Service Request # 16433

Request Type  Complaint

Request Date 7/30/2018 11:56 Incident Date 7/2/2018 13:10

Call Date 7/30/2018 11:56

Taken By LJOHNSC Lonnie Johnson

Incident Date 7/2/2018 13:10

Information **Call Details** Inspection Resource Usage Log Attachments Associations Details Schedules

Call Duration 01:15:14 # of Calls 1

Taken By LJOHNSON Lonnie Johnson

☒ Customer Contact Requested ☐ Notify Customer Regarding Service Request Progress

Contact

Name  Day Phone ( ) - x

First, MI  Title  Foreign ☐ Evening Phone ( ) - x

Address

Fax ( ) - x

City  Pager ( ) - x  PIN

State/Province  Mobile ( ) - x

ZIP/PC  Country  E-mail

Contact Type

### Customer Comments

H2 H3 Normal **B I U**

**COMPLAINT:** Violation of condition of approval. Jumps auxiliary landing site used without prior written notice to neighbors. Dates include: 7/2, 7/14, 7/21, 7/22.

7-30-2018: Sent warning letter to PO. Will follow up with RP - LJ

8-6-2018: Received a call from PO. PO claims that no jumps were performed on 7/2 & 7/22 but admits to using site on 7/14 and 7/21 for personal jumps not related to business. - LJ

9-24-2018: Spoke with PO. PO clarified that the Jumps on 7/21 were on to a neighboring property. The only jump performed onto the 515 Calabasas site was on 7/14 and was for personal use. I reminded the PO that the 515 Calabasas site was to only be used when the airport site is closed. Base on the information gathered and the willingness of the PO to cooperate, I am resolving this case with a verbal warning. - LJ

**COMPLAINT:** Violation of condition of approval. Jumps auxiliary landing site used without prior written notice to neighbors. Dates include: 7/2, 7/14, 7/21, 7/22.

**7-30-2018:** Sent warning letter to PO. Will follow up with RP - LJ

**8-6-2018:** Received a call from PO, PO claims that no jumps were performed on 7/2 & 7/22 but admits to using site on 7/14 and 7/21 for personal jumps not related to business. - LJ

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EXHIBIT G