



July 15, 2025

Project No. 24037-SZ69-B45

Mr. Neehar Giri  
15124 Sobey Road  
Saratoga, CA 95070

**Subject:** Letter responding to geological aspects of County staff report for ZA  
Giri Residence  
APN 033-151-25  
4570 Opal Cliff Drive  
Santa Cruz, California

**References:** "Geological Investigation - APN 033-151-25 - 4570 Opal Cliff Drive - Santa Cruz, California", dated January 29, 2025, by Pacific Crest Engineering

"Staff Report to the Zoning Administrator – Application Number: 241408 – Applicant: Matson Britton Architects – Owner: Ziggy LLC – APN 033-151-25 – Site Address: 4570 Opal Cliff Drive", dated June 6, 2025, by County of Santa Cruz

Dear Mr. Giri,

Your Project Architect, Cove Britton of Matson Britton Architects, has requested our assistance in responding to the geological aspects of a County of Santa Cruz staff report to the Zoning Administrator, dated June 6, 2025. He has specifically asked us to address the issue regarding acceptable risk with respect to our coastal bluff top setback line and the proposed new development. Passages from the staff report with our responses can be seen below.

**Page 2 – County of Santa Cruz**  
*General Plan Consistency*

*Where structures are developed in locations known to present an elevated risk of hazards, such as areas prone to flooding, wave inundation, landslides, and bluff erosion, policies have been developed to discourage or prevent development that is exposed to risk over a decided interval. In areas exposed to bluff retreat, the geologic setback delineates the area where development is limited in acknowledgement of the elevated risk of hazard over 100 years.*

*This practice is implemented through General Plan Objective 6.2 (Slope Stability):*

*"To reduce safety hazards and property damage caused by landslides and other ground movements affecting land use activities in areas of unstable geologic formations, potentially unstable slopes and coastal bluff retreat."*

*Policy 6.2.13 acknowledges the necessity to consider significant measures as an alternative to continued development within the geologic setback, granting exceptions to foundation repairs of existing structures located within the setback only when the repair does not exceed 25% of the area of the structure and when relocation of the structure is not feasible due to lack of available site area.*

*Additional context is provided in Policy 6.2.20, which establishes a policy of encouraging the "relocation to a new footprint" structures damaged by disaster, disallowing reconstruction of significantly damaged structures (repairs exceeding 50 percent of the value of the structure) located within the Geologic Setback, and allowing only in-kind repairs.*

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## Pacific Crest Response

No new development is being proposed seaward of our 100-year bluff top retreat setback line. As such, all the proposed new developments are subject to an ordinary risk and are geologically feasible and in compliance with our geological report that was accepted by the County. Therefore the passages regarding policies provided by Staff are irrelevant.

Additionally the passage regarding relocation of structures damaged by disaster is misleading and irrelevant. No structures on the property have been damaged. Period.

Pages 2 and 3 – County of Santa Cruz  
Geologic Hazards Compliance

*The aforementioned General Plan policies are implemented by Santa Cruz County County Code Chapter 16 (Geologic Hazards). Specifically, SCCC 16.10.040 establishes a definition for “development” to indicate project types which are subject to the Geologic Hazards regulations. Most relevant to the proposed project is the following category of development:*

*(c) The addition of habitable square footage to any structure, where the addition increases the habitable square footage by more than 50 percent or 500 square feet, whichever is greater, over the existing habitable space within a consecutive five-year period. This allows a total increase of up to 50 percent of the original habitable space of a structure, whether the additions are constructed at one time or as the sum of multiple additions over a consecutive five-year period*

*By definition, the project is considered “development” in that the proposed addition (1,942 square feet) increases habitable square footage of the existing structure (2,022 square feet) by more than 50 percent (96 percent increase).*

*For projects located on coastal bluffs and beaches subject to coastal bluff erosion, SCCC 16.10.070 (H) (1) (a) mandates:*

*(a) For all development and for nonhabitable structures, demonstration of the stability of the site, in its current, pre-development application condition, for a minimum of 100 years as determined by either a geologic hazards assessment or a full geologic report.*

*SCCC 16.10.070 (H)(1)(b) further mandates that all projects constituting “development” are required to meet the geologic setback:*

*(b) For all development, including that which is cantilevered, and for nonhabitable structures, a minimum setback shall be established at least 25 feet from the top edge of the coastal bluff, or alternatively, the distance necessary to provide a stable building site over a 100-year lifetime of the structure, whichever is greater.*

*The Geologic and Geotechnical reports submitted with the application and reviewed and accepted by the County Geologist and Engineer, established a geologic setback of approximately 100 feet which is inland of the existing structure (Exhibit D, Sheet 17). Therefore, the existing home does not conform to the 100-year geologic setback.*

*Since the building site is anticipated to experience an elevated level of risk from slope instability over the next 100 years, the project is inconsistent with the Public Safety Element of the General Plan. An alternative project with the scope reduced to the extent that it falls below the threshold for “development” would allow for a similar design concept as that proposed. Therefore, a conditional of approval is recommended to allow the project to move forward in concept.*



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**Pacific Crest Response**

It appears that County staff are conflating the existing residence with the new proposed construction. No new development is being proposed seaward of our 100-year bluff top retreat setback line. As such, all the proposed new developments are subject to an ordinary risk and are geologically feasible and in compliance with our geological report that was accepted by the County. Therefore the passages by County Staff regarding the existing residence are irrelevant.

Our geologically feasible site is not anticipated to be encroached upon by bluff retreat in less than 100 years. All new developments are proposed to be located landward of that boundary. Staff's mention that the existing home does not conform to the 100-year bluff retreat line is misleading and irrelevant.

Page 3 – County of Santa Cruz  
*Conditional Approval*

*Notwithstanding noncompliance of the overall proposed development, staff recommends conditional approval including the requirement to reduce the project scope to comply with the Geologic Hazards regulations by falling below the threshold for "development". Thus, the total habitable square footage of the project cannot exceed 1,012 square feet or 50 percent of the existing habitable square footage*

**Pacific Crest Response**

The proposed development complies with our report recommendations to be located landward of our 100-year bluff retreat line. Staff's insistence that reducing the project scope (i.e. the new proposed development) somehow infers that the proposed new development layout doesn't comply with the County code. It bears repeating this for a third time in our opinion:

**No new development is being proposed seaward of our 100-year bluff top retreat setback line. As such, all the proposed new developments are subject to an ordinary risk and are geologically feasible and in compliance with our geological report that was accepted by the County. Therefore the proposed new development complies with County Code.**

Furthermore, it is important to understand that the size of the proposed new development has no bearing on the hazard or the risk to it so long as it is located landward of the setback line. Recommending reducing the size of the proposed development is irrelevant to the potential hazard and risk related to bluff retreat if the new development is located landward of our bluff retreat line.

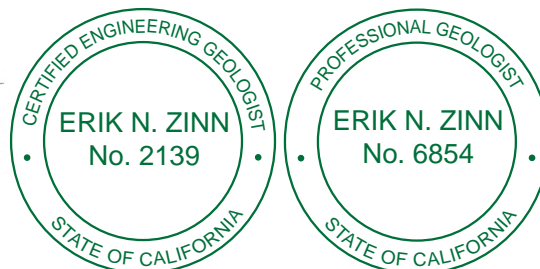
If you have any questions or comments regarding this letter, please contact us at your earliest convenience.

Sincerely,

**PACIFIC CREST ENGINEERING INC.**



Erik N. Zinn  
Principal Geologist  
P.G. #6854, C.E. G. #2139



**Civil Engineering**

303 Potrero Street  
Suite 42-202  
Santa Cruz, CA 95060  
831-425-3901  
[www.riengineering.com](http://www.riengineering.com)

Santa Cruz County Planning Commission  
Via Email

Subject: Project at 4570 Opal Cliff Drive (APN: 033-151-25), Clarification of Chapter 16.10 Application

Dear Commissioners,

As the licensed civil engineer for the proposed remodel, addition, and ADU at 4570 Opal Cliff Drive, we write to provide our opinion of how Chapter 16.10 of the Santa Cruz County Code applies to this project.

Santa Cruz County Code Chapter 16.10 governs geologic hazard review and applies only to projects that meet its definition of “development.” This definition exists solely to trigger the requirements of the chapter and does not impose a prohibition or limit on square footage.

Section 16.10.040(19) states: *“For the purposes of this chapter, and this chapter only, any project that includes activity in any of the following categories is considered to be development or development activity.”*

Section 16.10.040(19)(c) states: *“The addition of habitable square footage to any structure, where the addition increases the habitable square footage by more than 50 percent or 500 square feet, whichever is greater, over the existing habitable space within a consecutive five-year period.”*

The project as proposed meets the definition of Section 16.10.040(19)(c).

A project exceeds that threshold, it must demonstrate geologic stability and meet the geologic setback requirement in Section 16.10.070(H)(1)(b): *“A minimum setback shall be established at least 25 feet from the top edge of the coastal bluff, or alternatively, the distance necessary to provide a stable building site over a 100-year lifetime of the structure, whichever is greater.”*

The project met the definition of development in Section 16.10.040(19)(c) and therefore must conform to the requirement of Section 16.10.070(H)(1)(b). The proposed project does.



Our professional opinion is that the proposed additions, including the ADU, bedroom, and basement, which will be entirely located outside the mapped 100-year setback can be designed and constructed in conformance with the California Building Code and Santa Cruz County Building Code. Structural and civil improvements will be engineered and constructed accordingly. The geologic investigation and the geotechnical investigation have been completed by California licensed professionals using standard of care. Design of the improvements will be based on their recommendations as well as the applicable codes.

The Planning Commission should reject any interpretation that treats “development” status under Chapter 16.10 as a bar to compliant construction. The new square footage is located entirely outside the geologic setback, will be engineered to all current standards. We respectfully request that the project be allowed to proceed as proposed.

Sincerely,  
RI Engineering, Inc.

A handwritten signature in blue ink, appearing to read 'R. Irish'.

Richard Irish, PE  
RCE #45820

**Evan Ditmars**

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**From:** Cove Britton <cove@matsonbritton.com>  
**Sent:** Tuesday, July 22, 2025 11:07 AM  
**To:** Donovan Arteaga; Evan Ditmars  
**Subject:** Application 241408 - 4570 Opal Cliff Drive  
**Attachments:** covegiri (2).pdf; 24037 Letter responding to staff report - Giri - 4570 Opal Cliff Dr - 07-15-2025 (2).pdf

\*\*\*\***CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.\*\*\*\*

Santa Cruz County Planning Commission  
701 Ocean Street  
Santa Cruz, CA 95060

**Re:** Application No. 241408 – 4570 Opal Cliff Drive  
**Hearing Date: 7/23/25**

Dear Commissioners,

We submit this letter on behalf of the property owners at 4570 Opal Cliff Drive in connection with the pending appeal of Application 241408. We respectfully request that the Planning Commission approve the project as proposed and remove the improper condition limiting attached additions to 1,012 square feet.

This condition is based on a novel and incorrect interpretation of Santa Cruz County Code Chapter 16.10—an interpretation that has not been consistently applied and lacks both technical and legal justification. As one clear example, the Porter residence on Pleasure Point Drive was approved with an addition exceeding 70% of the existing habitable square footage in a similar coastal hazard zone, without triggering an arbitrary square footage cap. The inconsistency in application underscores the discretionary and unjustified nature of the staff’s current position.

**Chapter 16.10 is a procedural threshold, not a development cap.** As explained in the attached letter from RI Engineering, Section 16.10.040(19)(c) defines “development” solely to trigger geologic review—not to impose a hard limit on project scope. Once geologic feasibility is demonstrated through professional studies, Chapter 16.10 imposes no restriction on the amount of habitable space that may be addedcovegiri.

**The project meets all geologic safety standards.** The attached letter from Pacific Crest Engineering makes clear that all proposed additions are landward of the 100-year bluff retreat line, and thus are subject only to ordinary geologic risk. The project has been engineered to all applicable California Building Code and County Building Code standards and found to be geologically feasible. As Pacific

Crest puts it, “There is simply no geologic justification for reducing the size of the proposed development”24037 Letter responding....

Despite this, staff references policies such as General Plan Objective 6.2 and Policy 6.2.20, which address *in-kind repairs* or reconstruction of *damaged* structures within the geologic setback. These policies are inapplicable to this project and—as Pacific Crest rightly notes—irrelevant. No part of the proposed development lies seaward of the bluff retreat line, and no structures on the site have been damaged. To cite these provisions in this context is misleading.

**This is not a life safety issue.** Licensed civil and geotechnical professionals have certified the site’s stability and confirmed that the proposed improvements can be constructed safely and in conformance with all codes. The County has accepted both the geologic and geotechnical reports. There is no expert disagreement. Staff’s objection is a matter of bureaucratic interpretation, not scientific uncertainty or health and safety.

**Nor is there any legitimate public benefit to staff’s position.** Limiting this addition to 1,012 square feet does not reduce risk, does not enhance views, does not preserve habitat, and does not protect public access. What it does is penalize modest homes. Under this interpretation, a 5,000 square foot home can add 2,500 square feet, while a 1,500 square foot home is limited to just 750—regardless of site conditions. That is inequitable, regressive, and unsupported by any clear policy rationale.

We therefore request that the Planning Commission:

1. Remove the condition limiting the attached additions to 1,012 square feet;
2. Acknowledge that the 50% threshold in Section 16.10.040 is a procedural trigger, not a development limit;
3. Recognize the clear precedent of similarly situated projects, such as the Porter residence;
4. Disregard inapplicable General Plan policies cited in the staff report; and
5. Approve the project as proposed, with no redesign or forced detachment.

Enclosed are letters from the project’s consulting engineers that explain and support these points in detail.

Sincerely,  
[Your Name]  
[Your Title or Affiliation, if applicable]  
[Contact Information]

**Attachments:**

- Letter from RI Engineering, July 2025
- Letter from Pacific Crest Engineering, July 15, 2025

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Cove Britton  
Matson Britton Architects

O. (831) 425-0544