



Staff Report to the Zoning Administrator

Application Number: **06-0032**

Applicant: Dee Murray
Owner: Paula & Jonathan Holtz
APN: 63-071-21

Agenda Date: July 7, 2006
Agenda Item #: 5
Time: After 10:00 a.m.

Project Description: Proposal to construct a two-story single family dwelling with a detached nonhabitable accessory structure (garage/storage). Project includes grading of about 275 cubic yards. Proposed home and garage to be built in phases, to include a one bedroom single family dwelling at phase 1, and garage and additional two bedrooms at phase 2.

Location: 400 Via Venado, about ½ mile from the intersection of Brisa del Mar and Bonny Doon Road.

Supervisory District: Third District (District Supervisor: Wormhoudt)

Permits Required: Coastal Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0032, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|--|----|------------------------------|
| A. | Project plans | E. | Assessor's parcel map |
| B. | Findings | F. | Zoning and General Plan maps |
| C. | Conditions | G. | Agency Comments |
| D. | Categorical Exemption (CEQA determination) | | |

Parcel Information

Parcel Size: 21.2 acres
Existing Land Use - Parcel: Undeveloped residential parcel
Existing Land Use - Surrounding: Residential, Timber production
Project Access: Existing private roads from Bonny Doon Road
Planning Area: Bonny Doon
Land Use Designation: R-M/R-R (Mountain Residential/Rural Residential)
Zone District: A (Agriculture) at building envelope
Coastal Zone: Inside Outside
Appealable to Calif. Coastal Comm. Yes No

Environmental Information

Geologic Hazards: Building site within approved geologic envelope
Soils: Site-specific soils report approved by County
Fire Hazard: Not a mapped constraint
Slopes: Construction sited to avoid nearby steep slopes
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Grading of **275** cubic yards
Tree Removal: **3** madrones to be removed; design avoids tree removals
Scenic: Not a mapped resource under **1994** General Plan; visible from Wamella Road on Coast Dairies property (to be public vistas on public land in near future)
Drainage: Onsite drainage improvements to be made
Archeology: Archeological Site Review completed & returned negative

Services Information

Urban/Rural Services Line: Inside Outside
Water Supply: Small mutual water system
Sewage Disposal: Private septic system
Fire District: County Fire
Drainage District: n/a

History

This parcel was created as part of the Redwood Meadows Ranch subdivision, permit **82-0226**. In **1993**, Minor Variation **93-0076** added portions of Agricultural Lot A1 to residential lots including the subject parcel. The restrictions and requirements on Lot A1 remain on the transferred portions. The present proposed development lies within the smaller original parcel configuration and within the approved building envelope.

A Coastal Permit (**94-0121**) for a relatively massive residential development (**6,400** square feet total floor area) was approved for this parcel in January **1995**. However, the project was never

built and the permit expired. At that time, the Coast Dairies property (multiple large parcels)--from which the subject site can be seen--had long been held as private land and was not anticipated to become public parkland with scenic public vistas, as it now is. Consequently, the visual resource requirements placed on application 94-0121 were minimal.

Project Setting

The proposed residence is sited at the end of Via Venado on the gently-sloping top of a steep-sided ridge that runs east-west. Past the homesite, the ridge drops away steeply to the west as well, so that the site forms something of a topographic nose.

The building site area is graced by mature madrone, *oak*, and redwood trees, which provide the elegant frame for beautiful views in several directions, including the forested canyon of Mill Creek to the north, the canyon of San Vicente Creek to the west and south, and coastal grasslands and the Pacific Ocean to the southwest. Very little development is visible in any direction. This could easily be considered one of the very most beautiful rural homesites in all of Santa Cruz county.

Phased Construction and Future Additions

As proposed, the first phase of construction will result in a moderate-sized two story 27 foot high house with first floor heated area of 1475 square feet and second floor of 609 square feet. The second phase would add, at a later date, an additional **545** square feet at the first floor only. This small second phase would be on the north side of the house and would therefore not affect the visual resource considerations discussed below. The specific floor plan and elevations of the second phase are included in the Exhibit A project plans.

The proposed detached, nonhabitable accessory structure (garage/storage) of 711 square feet is planned to be postponed to a second construction phase, in which case its footprint area will first be improved as an uncovered parking area

Visual Resources

At the time a previous home design was approved for a Coastal Permit in 1995 (permit 94-0121), the staff report noted that the building site is on a ridgeline, in a location which is (1) within the building envelope indicated under subdivision approval 82-0226 and (2) not visible from designated scenic roads such as Highway 1 and Bonny Doon Road. Nonetheless, recognizing that the project is on a prominent ridge location, the approved dwelling was required to use colors which would help blend it in to the landscape.

Since that time, the scenic 7,000 acre Coast Dairies property has been acquired by the Trust for Public Land and is in the process of transfer to public ownership.



View of proposed home site from upper right-fork portion of Warnella Road on the Coast Dairies property, looking eastward across the canyon of San Vicente Creek. House will sit above the area of exposed chaparral slope, with mature trees on the ridge as the backdrop.

From onsite at the proposed building site, one may observe portions of Wamella Road on the Coast Dairies property, situated across the steep, scenic canyon formed by San Vicente Creek. Wamella Road will offer scenic public views in which the proposed building site will be one of the few signs of development. Other homes in the Redwood Meadows Ranch development are not exposed to view from Wamella Road.

Wamella Road is in part paved and in part baserocked, and is planned for public access, including hiking, possible bicycle access, and disabled persons' vehicles. General Plan Policy 5.10.3 calls for protection of significant public vistas, which may include mountain hillside views and wooded forests, and in the Coast Dairies public-access context, scenic vistas are a primary value to be considered and protected.

Also, in the Coastal Zone context of the proposed project, the Coast Dairies lands are an important part of the "surrounding area" with which the Coastal Zone Design Criteria (County Code **13.20.130**) requires the new development to be visually compatible.

The subject property is contiguous on its west boundary to one of the Coast Dairies parcels, but at a much lower elevation in the stream canyon where the proposed development and visual resources are not in play.

The subject property was not mapped as a designated scenic resource area in the 1994 General Plan mapping, so the 13.20.130(c) requirement for the development to "be located, if possible, on parts of the site not visible or least visible from the public view" does not strictly apply here.

As a further consideration, the proposed project is within an approved land division building envelope, and the County's visual resource regulations do not, for most situations, require that new development be completely out **of** sight.

(The building envelopes in the Redwood Meadows Ranch land division include desirable building footprint locations but were in some other respects poorly laid out and typically include some oversteepened land that is not at all suitable for development. Inexplicably, when some building envelopes including this one were revised to address some of these concerns, areas clearly unsuitable for development continued to be included in the envelope layouts.)

The proposed house footprint could feasibly be shifted eastward so that it is in a less exposed, less visible position on the ridge, where there is substantial tree cover. However, for the owners, this would reduce the breadth and quality of landscape views available to the occupants when inside the new residence or on the patio of the residence. So, that is not what the owners would choose if not absolutely required to do so. As discussed above, relocating the footprint is not absolutely required by County regulations in this particular set of circumstances.

Another consideration is that the public vistas from the Coast Dairies lands will generally be from more than a little distance, on the order of one mile to several miles distance. With these greater distances, careful attention to colors and materials, a drought-tolerant native landscape plan, and required retention of some screening vegetation can be fairly effective in reducing visual impacts to an acceptable level. With these visual design elements in place, casual recreational users at Coast Dairies may often not notice the house in the landscape.

The nicely articulated house design includes a varied, stepped-back south façade and varied-height roof configuration. The house size is moderate and the colors/materials are well-chosen. As a result the house design is in the optimum range for visual harmony with the natural setting. The site design also takes care to retain mature trees and minimize grading. The house roofline will not project above the ridgeline's forest backdrop that will remain undisturbed to the immediate north of the house.

Colors & materials include unpainted cedar shake siding covering, forest green composition roof, and green window frames/trim.

Section II of the Conditions of Approval limits any added future visual impact. The section II conditions include a requirement for additional future development to be located out of view of the public views on the Coast Dairies lands.

Section II of the Conditions of Approval places a limit on future tree removal around the building site, and requires that several existing tree saplings southwest of the house be allowed to grow undisturbed, into at least one tree that softens the direct view of the house from Warnella Road.

In staffs judgement, the project design concept, combined with permit conditions, reflects a reasonable balance for protecting visual resources.

Tree Protection

The owners obtained an Arborist's Report which evaluates the onsite tree conditions and provides specific tree root zone protection measures to be followed. The final plans for a Building and Grading Permit will incorporate a special "geo-grid" paved driveway construction

method for portions of the driveway, temporary construction fencing for root zones, coordinated location of utility trenching, and other measures to protect existing mature trees.

Design Review

The proposed single family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as protection of existing **trees**, moderate structure size, minimized grading, and natural colors and materials to reduce the visual impact of the proposed development on surrounding land **uses** and the natural landscape. **The** dwelling will not project above the treeline at **the** ridgeline, and the landscape design will utilize native plant material appropriate to the site conditions.

Comments by Other Agencies

Public Works Drainage commented that the project design does not sufficiently minimize impervious surfacing. However, as another important consideration, the project arborist has particularly recommended a paved surface (incorporating portions of on-grade “geo-grid” construction which minimizes subgrade disturbance) as the best short-term and long-term protection of root zones for the specimen trees near the driveway. **The** arborist advised that pervious asphalt or pervious concrete require conventional subgrade preparation that would be damaging to root zones.

Further, the compact two-story house footprint reduces impervious footprint, the driveway is in good part out-sloped to avoid collection of concentrated runoff, and the paved driveway stops short of **the** house (at the detached garage/parking) with a minimum-dimension fire truck turnaround, all of which reduces the collection of concentrated runoff and the amount of impervious surface.

Planning staff finds that with the need to balance competing design considerations, the project need not be required to further reduce impervious surfaces.

Public Works Road Engineering commented that additional length of third parking space is required, and that will be shown on subsequent Building & Grading Permit plans.

Split-zoned Parcel

As shown on the Exhibit F Zoning map, the parcel is split between 3 zone districts, including “A” Agriculture, “RA” Residential Agriculture, and a small portion of “TP” Timber Production. All of **the** approved building envelope, and the proposed project, lies within the Agriculture zone district. The project meets Agriculture zone district requirements.

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

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- APPROVAL of Application Number **06-0032**, 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 bearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned A (Agriculture), a designation which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, consistent with the site's (R-M/R-R) Mountain Residential/Rural 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 open space easement which continues to apply to the portion of the property which was formerly part of Agricultural Lot A-I, is not affected by the proposed project. None of the proposed project is in the open space easement area. The existing logging road easement on the property is also not affected, for the same reason.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that: the project is designed to be aesthetically compatible with the surrounding natural setting; grading and tree removal are minimized; the structures will not project above the treeline at the ridgeline setting; and the landscape plantings will fit in well with the site context of native vegetation.

Furthermore, the permit Conditions of Approval place specified limits on future development that would increase visual impacts.

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

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the single family dwelling 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 structure is sited and designed to be visually compatible, in

scale with, and suited to the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the A (Agriculture) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

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 and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

The proposed single family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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 single family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the A (Agriculture) zone district in that the primary use of the property will be one single family dwelling 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 Mountain Residential/Rural Residential (R-M/R-R) land use designation in the County General Plan.

The proposed single family dwelling 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 single family dwelling 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 single family dwelling will not be improperly 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 single family dwelling will comply with the site standards for the A 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.

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 single family dwelling is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only 1 peak trip per day (1 peak trip per dwelling unit), such an increase 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 project has been carefully designed to be visually harmonious and subordinate to the exceptional natural setting, including in choice of colors and materials, architectural form, total structure size, and minimization of site disturbance.

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

This finding *can* be made, in that the proposed single family dwelling has been designed to be visually compatible with the site and surrounding area, the dwelling will not project above the treeline at the ridgeline, and the landscape design will utilize native plant material appropriate to the site conditions.

Conditions of Approval

Exhibit A: Architectural plans by Clarke Shultes, revised April 10, 2006; and engineered site plans by Stoner & Associates, revised April 1, 2006.

- I. This permit authorizes the construction **of** a single family dwelling and detached nonhabitable accessory structure. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building & Grading Permit from the Santa Cruz County Building Official.
- II. General Conditions regarding limits to impact on public vistas and scenic viewshed:
 - A. The public vista points to be protected include those areas on the Coast Dairies property from which the subject project may be seen, such as portions of the road system located to the west across the canyon of San Vicente Creek, presently referred to as Wamella Road.
 - B. No additional development, other than that now shown on the Exhibit A plans, may take place on the subject property, if it will be visible from the Coast Dairies area. Any additions to the single family dwelling, or any new structures **or** construction including any affordable second unit, shall be so located and limited so as to be out of sight of viewpoints on Coast Dairies. This restriction also applies to minor, secondary structures or improvements such as decks, arbors, pools, spas, fences, terrace grading, irrigated gardens, retaining walls, and the like.

The existing simple D-shaped deck platform about 18" high and 30 feet long, located west of the dwelling and west of the large redwood cluster, as shown on Exhibit A, may be maintained as-is, without any added improvements such as enclosures **or** coverings.
 - C. The existing residence colors and materials scheme, providing maximum visual blending of the house into the natural landscape, shall be permanently maintained.
 - D. The maintained landscape areas visible from Coast Dairies shall be permanently maintained in drought-tolerant, native vegetation, so as to avoid the creation of an area of bright green **or** bright color during the dry season.
 - E. Removal of trees on the ridge area around the house and garage shall be limited to the minimum necessary for safety purposes, such as removal of a dead **or** dying

tree, and only with the concurrence of a certified arborist or the County's Environmental Planning staff that there is a hazard justifying removal. The County may require replacement of trees that form the ridgeline backdrop on the north of the house. The notable cluster of mature redwood trees to the west of the house shall be permanently protected.

- F. The several madrone and *oak* saplings located on the relatively open, shrubby/grassy slope south and west of the dwelling, shall be allowed to grow undisturbed, so as to result in at least one **or** several mature trees which partially soften the full-on view of the house as seen from Warnella Road. Given that onsite trees are providing attractive framing (and potentially, a spot of shade) for the views from the house area, this requirement need not be a burden to the present and future owners. If in the future no trees are found to be serving this partial screening purpose, strategically-located madrone or *oak* plantings and ongoing monitoring may be required by the County.
- G. The second-phase addition to the single family dwelling, and the nonhabitable garage, as shown on the Exhibit **A** plans, are approved under this Coastal Permit and may be built at a future date, provided an approved Building Permit for same is obtained. Provided this Coastal Permit has been exercised and has therefore not expired, a further Coastal Permit approval **or** amendment is not required for the phase 2 house addition and garage shown in Exhibit **A**.

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

- A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
- B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued **for** the proposed development. The final plans shall include the following additional information:
 - 1. State the drawing scale on all plan sheets.
 - 2. Identify finish **of** exterior materials and color of roof covering for Planning Department approval. Any displays must be in 8.5" x 11" paper format, in color.
 - 3. Finalized grading, drainage, and erosion control plans.

4. For any structure proposed to be within 2 feet of the maximum height limit **for** the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure.
 5. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
 6. Details showing full implementation of the project arborist's recommendations for tree protection, incorporated into the civil engineer's site and grading plans.
 7. A finalized Landscape Plan.
 8. Finalized drainage design which includes, with concurrence of the project soils engineer, shifting eastward the flow dispersion channel which is now shown downslope of the house, under the goal of minimizing disturbance of the existing soils and vegetation on the slope below the house.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- D. After any revisions to plans, provide a brief plan check letter from the soils engineer, referencing the final revised-date plans and stating the plans are in conformance with the soils report and addendum recommendations.
- E. After any revisions to plans, provide a brief plan check letter from the project arborist, referencing the final revised-date plans and stating the plans are in conformance with the arborist's preceding written recommendations.
- F. Meet all requirements of and pay any applicable drainage fees to the County Department of Public **Works, Drainage**.
- G. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- H. Meet all requirements and pay any applicable plan check fee of the County Fire Protection District.

- I. Submit two copies of the soils report and addendum by Haro, Kasunich & Associates, which has been previously reviewed and accepted by the County.
 - J. Pay the current fees for Parks and Child Care mitigation for the number of bedrooms included in the Building Permit plans.
 - K. Pay the current **fees** for Roadside and Transportation improvements for **the** number of bedrooms included in the Building Permit plans.
 - L. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on **the** plot plan.
 - M. 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.
 - N. Prior to obtaining a Building Permit for **the** garage/storage structure, complete and record a Declaration of Restriction to construct a nonhabitable accessory structure. **You may not alter the wording of this declaration.** Follow **the** instructions to record and return the form to the Planning Department.
- IV. All construction shall be performed according to the approved plans for **the** Building Permit. Prior to final building inspection, the applicant/owner must meet **the** following conditions:
- A. Prior to any construction or site disturbance, a pre-construction site meeting shall be held, to include Environmental Planning (831-454-3259), the project arborist, the general contractor, and the grading contractor. At that time, **the** required temporary tree protection measures shall be 100% in place and ready for inspection, and shall be maintained in good order throughout **the** grading and construction process. The area protected from disturbance shall include the existing madrone and *oak* saplings located southwest of the southwest house corner.
 - B. Landclearing, grading, and excavation shall not take place between October 15 and April 15.
 - C. All site improvements shown on the final approved Building Permit plans shall be installed.
 - D. All inspections required by the building permit shall be completed to **the** satisfaction of the County Building Official.

- E. The project must comply with all recommendations of the approved soils report and addendum. The soils engineer must remain involved with the project during construction, providing the required observation and testing.
 - F. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, **or** other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- V. Operational Conditions
- A. The visual impact protections indicated under section II shall be permanently maintained. Failure of any property owner to do so, shall not release subsequent property owners from the obligation to do so. The County may require remedial actions by property owners to meet these requirements.
 - B. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- VI. As a condition of this development approval, the holder of this development approval (“Development Approval Holder”), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys’ fees), against the COUNTY, 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.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires on the expiration date listed below unless you obtain the required permits and commence construction.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Jack Nelson
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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

Application Number: 06-0032
Assessor **Parcel** Number: 63-071-21
Project Location: 400 Via Venado, Bonny Doon

Project Description: single family dwelling

Person or Agency Proposing Project: Dee Murray

Contact Phone Number: (831) 475-5334

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

Specify type:

E. **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. **Reasons why the project is exempt:**

Construction **of** a single family dwelling in an area designated for residential uses.

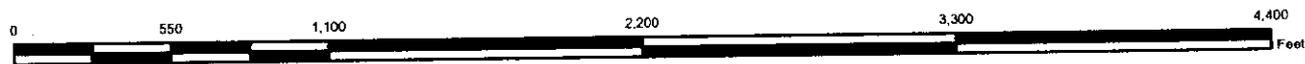
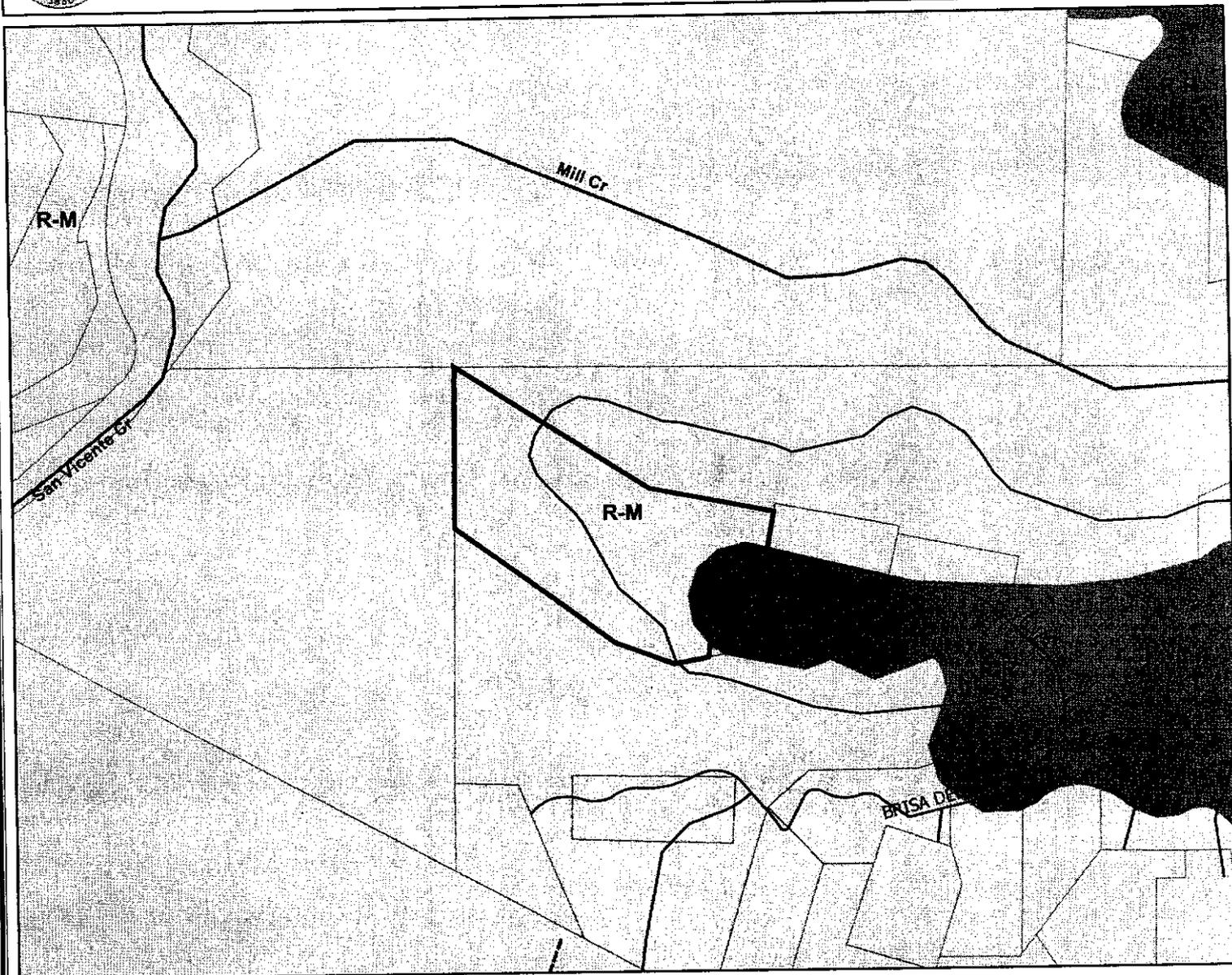
In addition, none of the conditions described in Section 15300.2 apply to this project.

Jack Nelson, Project Planner

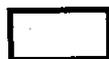
Date: _____



General Plan Designation



Legend

-  APN 063-071-21
-  PERENNIAL STREAM
-  Streets
-  Assessors Parcels
-  Residential-Mountain (R-M)
-  (i) (ii) (R)

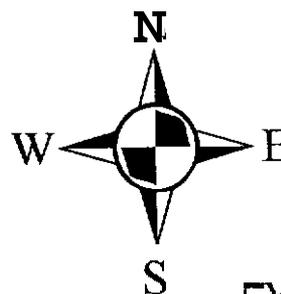


EXHIBIT F

Map Created by
 County of Santa Cruz
 Planning Department
 February 2006

C O U N T Y O F S A N T A C R U Z
Discretionary Application Comments

Project Planner: Jack Nelson
Application No.: 06-0032
APN: 063-071-21

Date: June 7, 2006
Time: 15:15:57
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON FEBRUARY 14, 2006 BY JOSEPH L HANNA =====
A Soils Report and Soils Report Review are required. A copy of the County's Guidelines for soils investigation is included for the applicant's information.
===== UPDATED ON MAY 11, 2006 BY JOSEPH L HANNA =====
The geotechnical engineering report has been reviewed and accepted. ===== UP-
DATED ON MAY 12, 2006 BY JOSEPH L HANNA =====
The Stoner Plan adequately addresses my comments.

Environmental Planning Miscellaneous Comments

1. Please indicate building env. on grading plans.
2. Show building permit application number for retaining wall no grading plans.
3. Provide point elevations around structures and at top/toe of the retaining walls
4. Explain method of compaction fill against the stem wall to the foundations
5. Include keyway to fill in the limits of grading
6. Show line that demarcates the boundary between the areas of cut and fill.
7. Detail and provide size and class of drain pipe, and inlets
8. Indicate stationing along plan review C-1. ===== REVIEW ON FEBRUARY 14, 2006 BY JOSEPH L HANNA =====

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON FEBRUARY 6, 2006 BY DAVID W SIMS =====
1st Routing

General Plan policies: <http://www.sccoplanning.com/pdf/generalplan/toc.pdf> 7.23.1
New Development 7.23.2 Minimizing Impervious Surfaces 7.23.5 Control Surface Runoff

The submitted drainage plan was reviewed for completeness and compliance with storm-water management controls provided by County policies listed above. The plan needs the following additional information and revisions prior to approving discretionary stage Stormwater Management review.

- 1) The energy dissipater pads at the drainage system outfalls will not adequately disperse runoff to meet requirements to hold runoff rates to pre-development levels up through the County design storm. Methods to achieve broader and more effective dispersion are needed. Detention will be allowed only to the extent that predevelopment runoff rates cannot be maintained through other applied measures, and where drainage problems are not resolved.

Project Planner: Jack Nelson
Application No.: 06-0032
APN: 063-071-21

Date: June 7, 2006
Time: 15:15:57
Page: 2

2) Architectural and Survey plan sheets indicate a large sized uncovered patio area NW of the residence and another uncovered patio on the SE. neither of which are accounted for on the Civil plans. These areas significantly increase impervious coverage. The access driveway and fire turn-around also create large areas of impervious coverage. Combined, these surface areas are excessive, and should either be minimized, or a significant portion constructed of pervious materials to meet policy 7.23.2. ===== UPDATED ON MAY 10, 2006 BY DAVID W SIMS =====
2nd Routing

Prior item 1) Dispersion pipes are accepted as an effective means of runoff mitigation. See miscellaneous comments for additional requirements to establish feasibility.

Prior item 2) Significant portions of the driveway have now been outsloped to disperse most runoff to landscape. Remaining concentrated flow is routed to one of the dispersion trenches. The method does not meet County policy to minimize impervious surfacing, and an exception to this policy should be obtained from the approving body if it will not be met.

See miscellaneous comments

Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON FEBRUARY 6, 2006 BY DAVID W SIMS =====

Although its use is encouraged, the silt and grease trap provided is not a required item for a single family residence. If retained. no maintenance agreement will be required for this specific use.

A recorded maintenance agreement may be required for certain stormwater facilities.

Because this application is incomplete in addressing County requirements, resulting revisions and additions will necessitate further review comment and possibly different or additional requirements.

All resubmittals shall be made through the Planning Department. Materials left with Public Works may be returned by mail, with resulting delays.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON MAY 10, 2006 BY DAVID W SIMS =====

Conditions of approval to be satisfied with the building application:

The applicant is cautioned that proposals found to be non-feasible after approvals and that then require substantial revision to correct, may be required to be returned to the approving body for reconsideration. If you have doubts regarding items listed below you are advised to address them now and resubmit.

A) The applicant will need to provide a review letter from the project soils engineer approving of the location and stability of the proposed dispersion trenches.

Project Planner: Jack Nelson
Application No.: 06-0032
APN: 063-071-21

Date: June 7, 2006
Time: 15:15:57
Page: 3

The slopes appear to be steep and acceptability of the proposed locations may not be obtainable.

B) The applicant will need to provide topographic information for a minimum of 50 feet around the full extents of the project area. The slopes below the approved dispersion trench locations should be detailed further than 50 feet.

C) Note on the plans the land slopes occurring directly below the approved locations of the dispersion trenches.

Other items:

D) Sheet C-1, the discharge pipe from the proposed garage does not provide effective dispersion. Some form of mitigation is needed.

E) Sheet C-3, the silt & grease trap in plan view does not occur in a paved area as shown on the detail.

Dpw Road Engineering Completeness Comments

===== REVIEW ON FEBRUARY 13, 2006 BY GREG J MARTIN =====

Each required parking space should be dimensioned and numbered. It appears that 3 parking spaces are required and that two shall be in the garage. Parking shall not be allowed within the fire turnaround.

If you have any questions please call Greg Martin at 831-454-2811. ===== UPDATED ON MAY 11, 2006 BY GREG J MARTIN =====

Previous comments have not been addressed. The plans are not deemed complete until each parking space is identified and numbered. Public Works can not review the plans for parking and circulation unless this information is provided.

If you have any questions please call Greg Martin at 831-454-2811. ===== UPDATED ON MAY 19, 2006 BY GREG J MARTIN =====

Previous plans did have a 3rd parking space contrary to previous comments. However, 24 feet of backout space is required as minimum. The plans only show 12 feet which is inadequate.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON FEBRUARY 13, 2006 BY GREG J MARTIN =====

===== UPDATED ON MAY 11, 2006 BY GREG J MARTIN =====

===== UPDATED ON MAY 11, 2006 BY GREG J MARTIN =====

===== UPDATED ON MAY 19, 2006 BY GREG J MARTIN =====

Environmental Health Completeness Comments

===== REVIEW ON FEBRUARY 21, 2006 BY JIM G SAFRANEK =====

===== UPDATED ON FEBRUARY 21, 2006 BY JIM G SAFRANEK =====

NO COMMENT

Environmental Health Miscellaneous Comments

Project Planner: Jack Nelson
Application No.: 06-0032
APN: 063-071-21

Date: June 7, 2006
Time: 15:15:57
Page: 4

===== REVIEW ON FEBRUARY 21, 2006 BY JIM G SAFRANEK ===== The garage roof soak pit MAY be too close to the proposed septic leachfield. Check with the EHS District staff and correct if necessary prior to EH Building Clearance. 454-2735.

Cal Dept of Forestry/County Fire Completeness Comm

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON FEBRUARY 6, 2006 BY ROBERT J SHERMAN =====
DEPARTMENT NAME: CDF/COUNTY FIRE

The job copies of the building and fire systems plans and permits must be onsite during inspections.

Fire hydrant shall be painted in accordance with the state of California Health and Safety Code. See authority having jurisdiction.

A minimum fire flow 500 GPM is required from 1 hydrant located within 50 to 150 feet

SHOW on the plans a 10,000 gallon water tank for fire protection with a "fire hydrant" as located and approved by the Fire Department if your building is not serviced by a public water supply meeting fire flow requirements. For information regarding where the water tank and fire department connection should be located, contact the fire department in your jurisdiction.

NOTE that the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Fire Sprinkler System to this agency for approval. Installation shall follow our guide sheet.

NOTE on the plans that an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT.

Building numbers shall be provided. Numbers shall be a minimum of 4 inches in height on a contrasting background and visible from the street, additional numbers shall be installed on a directional sign at the property driveway and street.

NOTE on the plans the installation of an approved spark arrester on the top of the chimney. The wire mesh shall be 1/2 inch.

NOTE on the plans that the roof covering shall be no less than Class B rated roof. All Fire Department building requirements and fees will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

72 hour minimum notice is required prior to any inspection and/or test.

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with the applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewing agency.

Will serve letter needed for water supply ===== UPDATED ON MAY 2, 2006 BY COLLEEN L BAXTER =====

===== UPDATED ON MAY 2, 2006 BY COLLEEN L BAXTER =====

The access road shall be 12 feet minimum width and maximum twenty percent slope. SHALL BE 18 FEET WIDE IF SERVING 3 OR MORE HOMES.

SHOW on the plans, DETAILS of compliance with the driveway requirements. The

Project Planner: Jack Nelson
Application No.: 06-0032
APN: 063-071-21

Date: June 7, 2006
Time: 15:15:57
Page: 5

driveway shall be 12 feet minimum width and maximum twenty percent slope. The driveway shall be in place to the following standards prior to any framing construction, or construction will be stopped:

- The driveway surface shall be "all weather", a minimum 6" of compacted aggregate base rock, Class 2 or equivalent certified by a licensed engineer to 95% compaction and shall be maintained. - ALL WEATHER SURFACE: shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%. oil and screened for grades up to and including 15% and asphaltic concrete for grades exceeding 15%. but in no case exceeding 20%. - The maximum grade of the driveway shall not exceed 20%. with grades of 15% not permitted for distances of more than 200 feet at a time. - The driveway shall have an overhead clearance of 14 feet vertical distance for its entire width. - A turn-around area which meets the requirements of the fire department shall be provided for access roads and driveways in excess of 150 feet in length. - Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures. - All private access roads, driveways, turn-arounds and bridges are the responsibility of the owner(s) of record and shall be maintained to ensure the fire department safe and expedient passage at all times. - The driveway shall be thereafter maintained to these standards at all times.

SHOW DRIVEWAY PROFILE INCLUDING SLOPE, SURFACE AND WIDTH. SHOW DIMENSIONS OF TURN-AROUND ON PLANS, EITHER CIRCULAR OR HAMMERHEAD. ROOF CLASS MUST BE CLASS "B" OR BETTER, UWIC SHALL DICTATE ROOF CLASS.

Cal Dept of Forestry/County Fire Miscellaneous Com

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON FEBRUARY 6, 2006 BY ROBERT J SHERMAN =====

===== UPDATED ON MAY 2, 2006 BY COLLEEN L BAXTER =====

EXHIBIT G