



## Staff Report to the Zoning Administrator

Application Number: **111031**

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**Applicant:** Kenn Williams  
**Owner:** Michael & Christine Krause  
**APN:** 080-241-23

**Agenda Date:** May 11, 2011  
**Agenda Item #:** 1  
**Time:** After 10:00 a.m.

**Project Description:** This is a proposal to construct, in two phases, an approximately 3,600 square foot single-family dwelling with a detached 1,600 square foot garage (Phase 1), with a second dwelling unit to be constructed as a second story above the garage (Phase 2).

**Location:** The property is located about on the west side of Twilight Lane about 1500 feet from Twilight Lane's intersection with Empire Grade (*no situs*).

**Supervisory District:** Third District (District Supervisor: Coonerty)

**Permits Required:** Coastal Development Permit, Residential Development Permit

**Technical Reviews:** Preliminary Grading Review (250 cubic yards of cut and 300 cubic yards of fill)

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 111031, based on the attached findings and conditions.

### Exhibits

- |                                |                                      |
|--------------------------------|--------------------------------------|
| A. Project plans               | E. Assessor's, Location, Zoning and  |
| B. Findings                    | General Plan Maps                    |
| C. Conditions                  | F. Letter from Kathleen Lyons, Plant |
| D. Categorical Exemption (CEQA | Ecologist, of Biotic Resources Group |
| determination)                 | G. Comments & Correspondence         |

### Parcel Information

Parcel Size:	5.28 acres
Existing Land Use - Parcel:	Vacant
Existing Land Use - Surrounding:	Residential and Timber
Project Access:	Twilight Lane
Planning Area:	Bonny Doon

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Land Use Designation: R-R (Rural Residential)  
Zone District: RA (Residential Agriculture)  
Coastal Zone: X Inside    Outside  
Appealable to Calif. Coastal    Yes X No  
Comm.

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Lompico-Felton Complex and Sur-Catelli Complex  
Fire Hazard: Mapped critical fire hazard (SRA-High)  
Slopes: 5-30% at building site  
Env. Sen. Habitat: Mapped as potential Sandhills/no physical evidence on site  
Grading: 250 cubic yards of cut, 300 cubic yards of fill  
Tree Removal: No Significant Trees proposed for removal, five trees to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line:    Inside X Outside  
Water Supply: Well  
Sewage Disposal: Septic  
Fire District: Cal Fire  
Drainage District: N/A

### History & Project Setting

The subject parcel was part of a four parcel minor land division recorded in September of 1971. Twilight Lane provides access to all four parcels. Since the land division occurred, two of the four parcels have been developed with single-family dwellings. As a part of their development, Discretionary Permits 01-0541 and 03-0071 were issued for, primarily, grading work.

The subject parcel slopes from east to west, with the driveway following a level area to the building site. Steeper slopes are located to the north, west and south of the building site. Chaparral is the predominant vegetation.

The current proposal is for a two phase development. The first phase is to construct a single-family dwelling and a garage which will be connected by a breezeway. The second phase is to construct a second unit above the garage. The project requires a Coastal Development Permit because of its location within the Coastal Zone and a Residential Development Permit because the proposed garage exceeds 1,000 square feet. The proposed development will not be visible from any public vista.

## **Zoning & General Plan Consistency**

The subject property is about 5.28 acres in size and is located in the RA (Residential Agriculture) zone district, a designation which allows residential uses. The proposed single-family dwelling, the second unit, and the non-habitable accessory structure are all principal permitted uses within the zone district, and the zoning is consistent with the site's (R-R) Rural Residential General Plan designation. The proposed dwelling and accessory structures meet the required setbacks and other site standards of the RA zone district.

## **Local Coastal Program Consistency**

The proposed single-family dwelling, second unit and non-habitable accessory structure are in conformance with the County's certified Local Coastal Program, in that the structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings and large accessory structures. Size and architectural styles vary widely in the area, and the design submitted is consistent within the existing range of styles. The structures will have pitched roofs and will be finished in horizontal wood siding. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

## **Design Review**

The proposed single-family dwelling, second unit and non-habitable accessory structure comply with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as pitched roofs and horizontal siding to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The County's Urban Designer reviewed and accepted the proposed design (see project comments, included as Exhibit G). The proposed structure will not be visible from any public vista.

## **Non-habitable Accessory Structure**

For non-habitable accessory structures that are located outside of the Urban Services Line, as is the case with the subject garage, County Code 13.10.611(c)(3) requires a discretionary permit with public notice if the structure exceeds 1,000 square feet.

In this case, the proposed garage/workshop is 1,600 square feet in size. Two garage doors provide access to the interior of the garage. At the back of the garage is an area labeled as "storage" which is about 620 square feet. The exterior of the garage is to be finished in the same materials as the dwelling. Large accessory structures are a feature of the rural landscape and the proposed garage will be compatible with development in the area.

County Code 13.10.611(d) lists the required conditions for permits issued for non-habitable accessory structures. These include a requirement that the property owner record a declaration of restriction acknowledging that the structure is non-habitable and may not be used or rented out as a dwelling unit or converted to a habitable structure. The required conditions are included in the

attached conditions of approval.

## **Second Unit**

Phase two of this proposal is the construction of a second unit above the garage. County Code 13.10.681 (Second Units) details the limitations and requirements for second units. Outside of the Urban Services Line, on parcels greater than 2.5 acres without public sewer, the maximum allowed size of a second unit is 1,200 square feet.

Although elevations and floor plans were not submitted for the second unit, as long as the second unit meets the requirements of the Second Unit Ordinance, which includes a requirement that the design, materials and color of the second unit be compatible with that of the main dwelling, the second unit will be compatible with the development on the subject parcel and the surrounding neighborhood. A condition of approval is included that requires that the building permit plans be consistent with all of the requirements of the County's Second Unit ordinance (13.10.681) and the RA zone district standards.

## **Sandhills Habitat**

The subject property is mapped as potential Sandhills Habitat, a sensitive habitat that may support federally endangered plants and animals. A biotic assessment was prepared for the property by Biotic Resources Group (Exhibit F). This assessment, accepted by Environmental Planning staff, concludes that no sensitive habitat or species were found on the site.

## **Driveway**

The proposed driveway does not meet the County's minimum width of 12 feet. A condition of approval is included requiring that the building permit plans meet this minimum. In addition, the applicant is aware that if, in the course of widening the driveway, it becomes necessary to remove a tree greater than 40 inches in diameter at breast height (DBH); any clump of five or more trees greater than 20 inches DBH; or 10 or more (total) trees in excess of 20-inches DBH, a Significant Tree Removal Permit will be required. Significant Tree Removal Permits are required for trees meeting the above characteristics that are located within the Coastal Zone (County Code 16.34).

## **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 **111031**, based on the attached findings and

conditions.

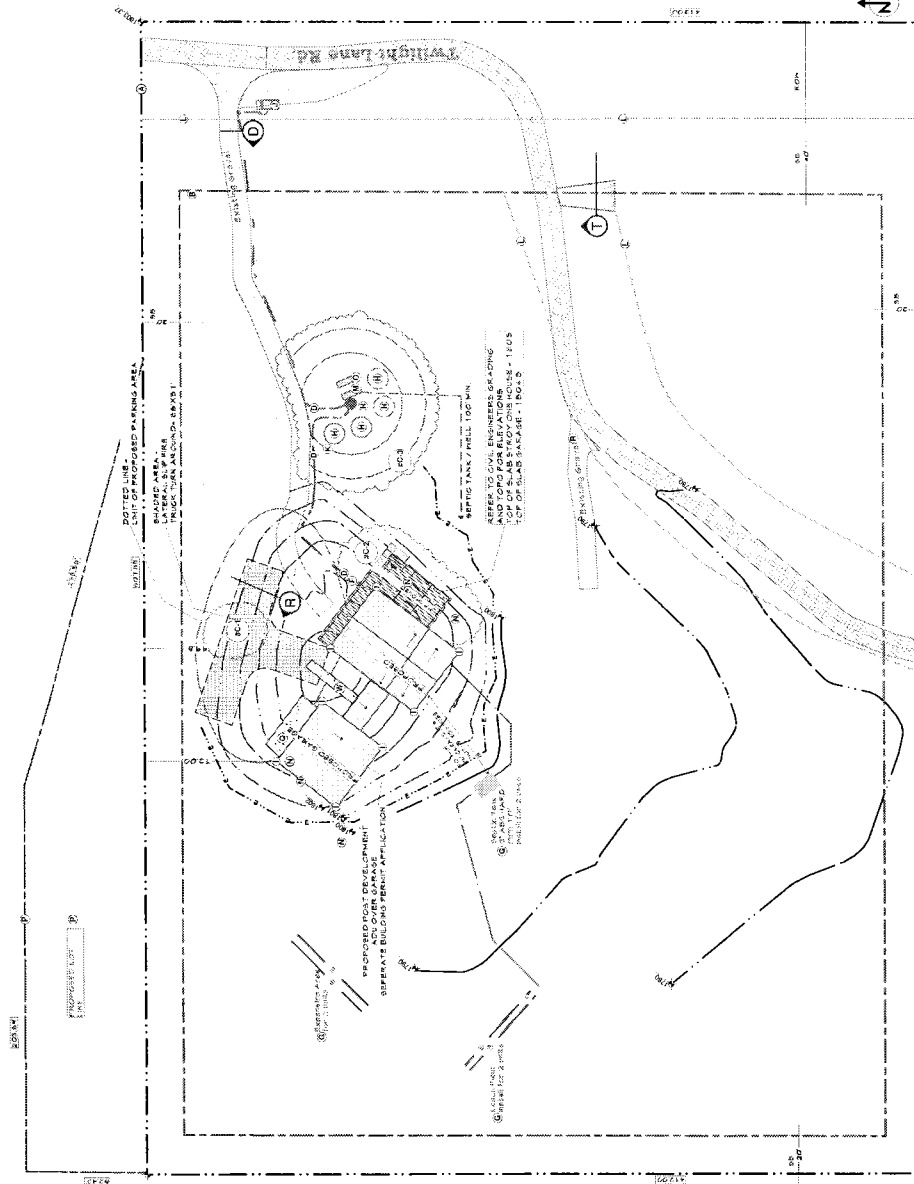
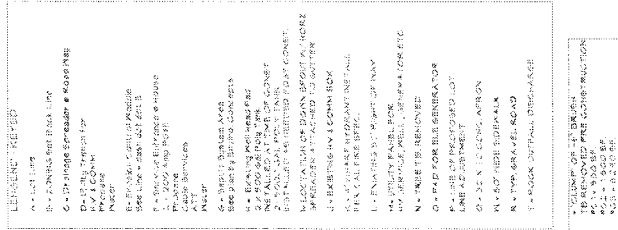
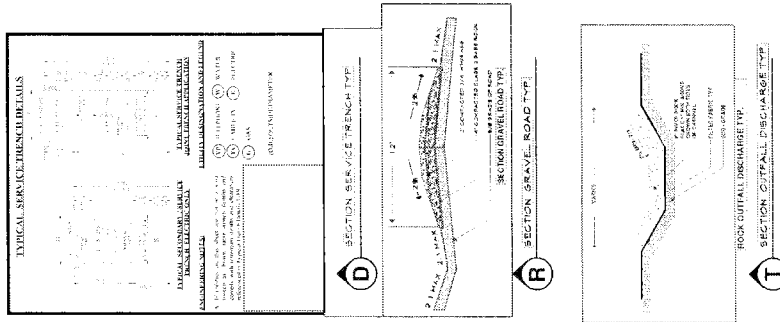
**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

Report Prepared By: Annette Olson  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3134  
E-mail: [annette.olson@co.santa-cruz.ca.us](mailto:annette.olson@co.santa-cruz.ca.us)



SITE PLAN

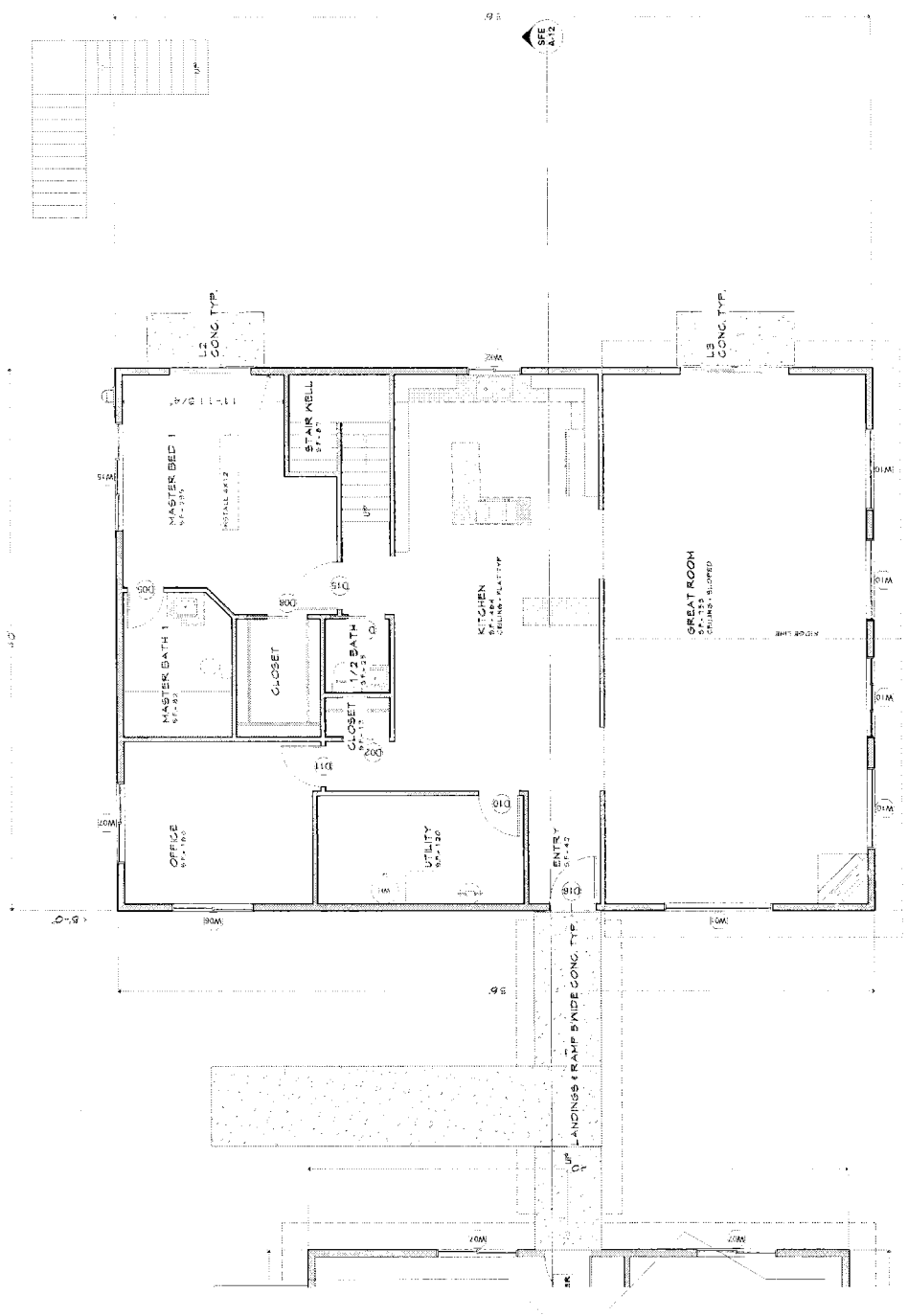


# Site Plan Proposed

Scale: 1" = 50'

Site of  
Proposed 2 Story Home w/ Garage  
TWILIGHT LN address not assigned  
SANTA CRUZ, CA 95060  
apn: 08024128

STORY 1 FLOOR PLAN  
SCALE 1/4" = 1'-0"



FLOR PLAN STORY 1

SHEET  
A-3  
OF  
12

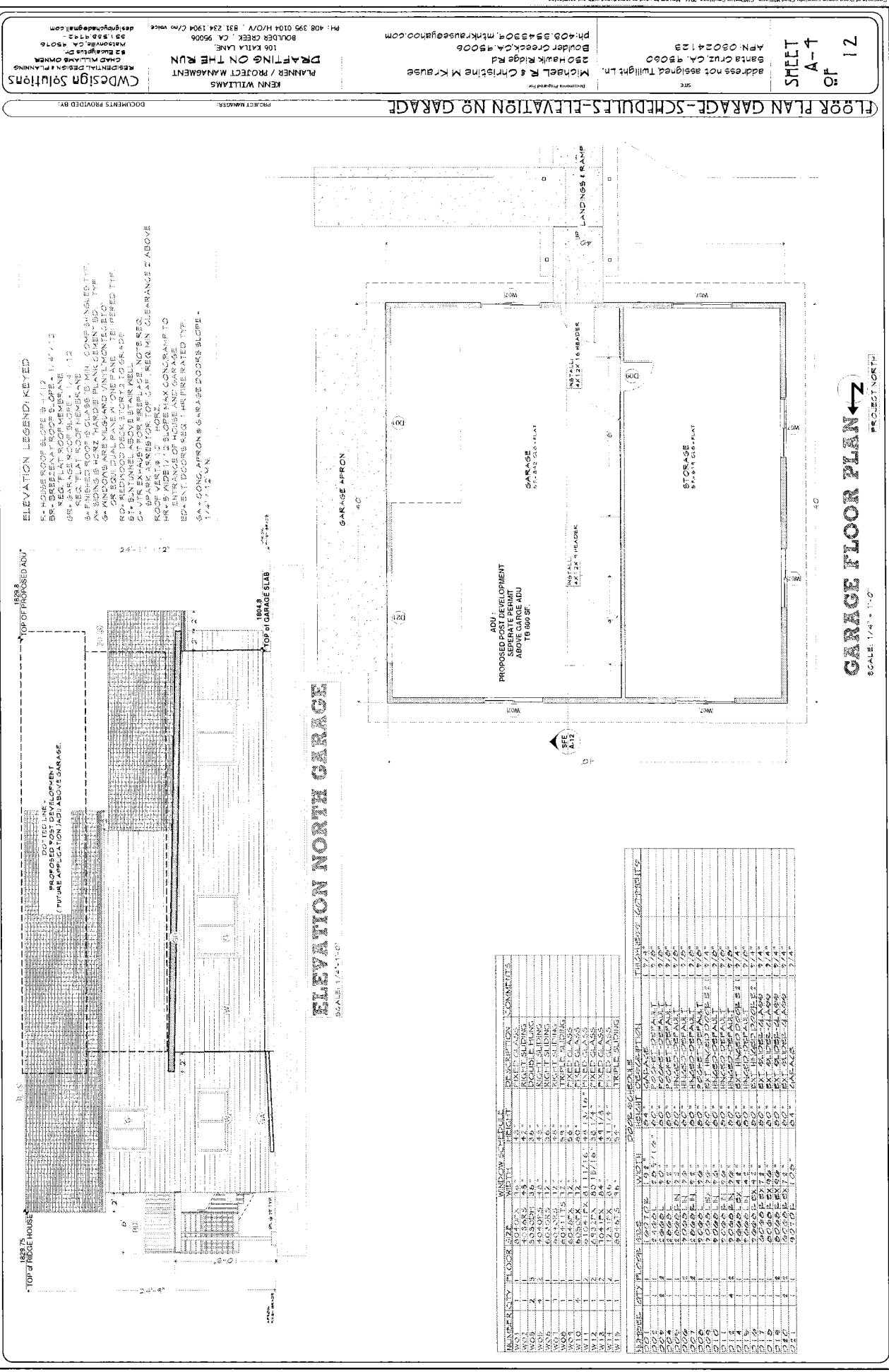
Address not assigned, Twilight Ln.  
Santa Cruz, CA 95060  
APN: 06024123  
Michael R & Christine M Krause  
250 Hawk Ridge Rd  
Boulder Creek, CA 95006  
ph: 408.5543304, mtkkrause@yahoo.com

KENN WILLIAMS  
PLANNER / PROJECT MANAGEMENT  
DRAFTING ON THE RUN  
106 KALIA LANE  
BOULDER CREEK, CA 95060  
PH: 408 395 0104 H/O/V, 831 234 1904 C/no voice

CWDesign Solutions  
RESIDENTIAL DESIGN & PLANNING  
CHAD WILLIAMS OWNER  
82 Blueprints Dr.  
Watsonville, CA 95076  
551 555 4142  
design@cwdesign.com

PROJECT MANAGER  
DOCUMENTS PROVIDED BY:





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**PROJECT MANAGER**  
KEN WILLIAMS  
PLANNER / PROJECT MANAGEMENT  
DRAFTING ON THE RUN  
106 KATLA LANE  
BOULDER CREEK, CA 95006  
PH: 408.399.0104 H/O/V: 931.724.1904 C/O VOICE  
design@kwilliamsdesign.com  
931.934.4112  
MADONNA, CA 95026  
KENDALL WILLIAMS  
OWNER  
RESIDENTIAL DESIGN PLANNING  
CWD DESIGN SOLUTIONS

**DATE**  
APR. 08/24/12  
SANTA CRUZ, CA 95060  
ADDRESS NOT ASSIGNED TWILIGHT LN.  
250 HAWK RIDGE RD  
BOULDER CREEK, CA 95006  
PH: 408.354.5300, M/KR@CWDDESIGN.COM

**SHEET**  
A-4  
OF  
12

**FLOOR PLAN GARAGE-SCHEDULES-ELEVATION NO GARAGE**

**DOCUMENTS PROVIDED BY:**

FLÖÖR PLAN STÖRY 2, ELEKTATION 50 GARAGE

DOTTED LINE"  
PROPOSED POST DEVELOPMENT ADU  
(SEPERATE APPLICATION)  
ABOVE GARAGE

1829.8  
TOP OF PROPOSED ADU

APPROX  
FINISH GRADE  
1804.8'  
TOP of GARAGE SLAB  
SEC. 10' 1 YR.

# TELEVISION SOURCEBOOK

SCALE: 1/6" = 1'-0"

( 30-0 )

^ Z O  
W  
S  
T  
U

REDWOOD DECK  
1000 SF.

C-74

30.0

**STORY 2 FLOOR PLAN** 

SCALE: 1/4" = 1'-0"

PROJECT NORTH

# EVOLUTION IN THE GENOME

[illegible]

ELEVATION EAST

DECLASSIFICATION LEGEND: KEYED

[illegible]

# NOTABLE

Q14. Q15. Q16. Q17. Q18.

# LEVITON KES

86-5-9-01

# EXHIBIT A

SHEET  
A-7  
OF  
12

Address not assigned Twilight Ln.  
Santa Cruz, CA 95060  
APN: 08024139

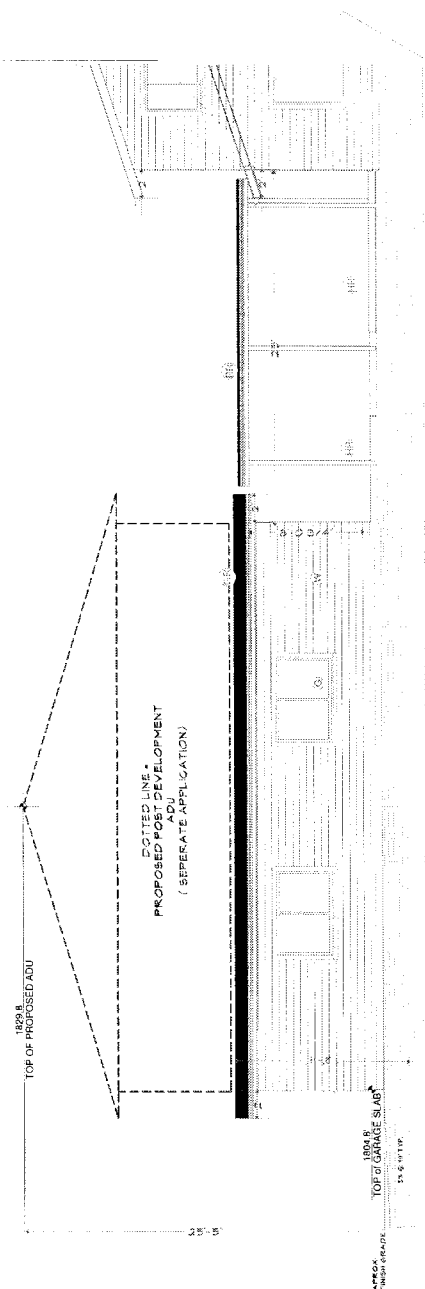
Documents Prepared For  
Michael R & Christine M Krause  
250 Hawk Ridge Rd  
Boulder Creek, CA 95006  
Ph: 408.954.3309, mtkkrause@yahoo.com

KENN WILLIAMS  
PLANNER / PROJECT MANAGEMENT  
DRAFTING ON THE RUN  
106 KATLA LANE  
BOULDER CREEK, CA 95006  
PH: 408.398.0104 H/O/V, 831.234.1904 C/O/V

CWDesign Solutions  
RESIDENTIAL DESIGN & PLANNING  
CHAD WILLIAMS OWNER  
82 Buckwheat Dr  
Watsonville, CA 95076  
831.858.1142  
cwsdesignsolutions@gmail.com

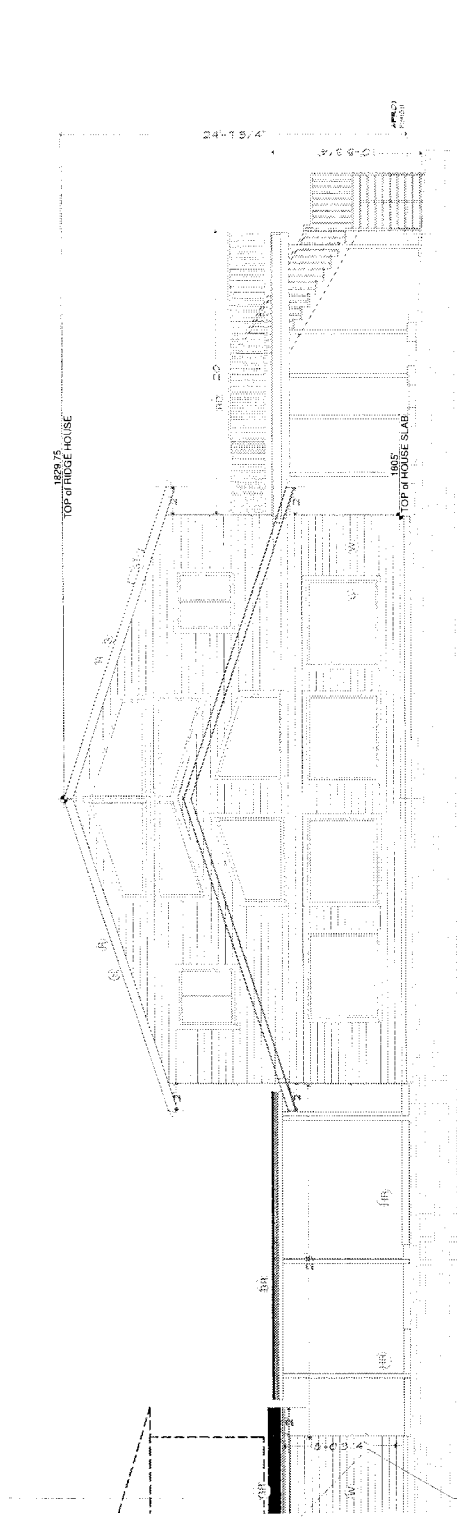
ELEVATIONS WEST

ELEVATION WEST  
SCALE: 1/4" = 1'-0"



- ELEVATION LEGEND: KEYED
- S= HOUSE ROOF SLOPE IS 4/12
  - DR= GREEN GLASS DOUBLE GLAZED 1/4" / 12
  - GR= GARAGE ROOF SLOPE 1/4" / 12
  - REQ= FLAT ROOF MEMBRANE
  - B= FINISHED ROOF IS CLASS B MIN. COMP. SHINGLES TYP.
  - SH= SHINGLES ARE VULGAR VINT. MCNTEGOTO TYP.
  - G= NINE GLASS ARE VULGAR VINT. MCNTEGOTO TYP.
  - RD= REDWOOD DECK STOPS TO GRADE
  - ST= STAINLESS STEEL EXHAUST PIPE
  - CA= CEMENTATION EXHAUST PIPE
  - SP= SHARK ANCHOR TOP CAP REQ. MIN. CLEARANCE 5' ABOVE ROOF VERT. 10' HORZ.
  - HR= 3/8" X 12" SLOPE HAS CONGRUITY TO
  - ED= ENT. DOORS REQ. 1" PRE-DRATED TYP.
  - PS= PRE DEVELOPMENT NATURAL GRADE

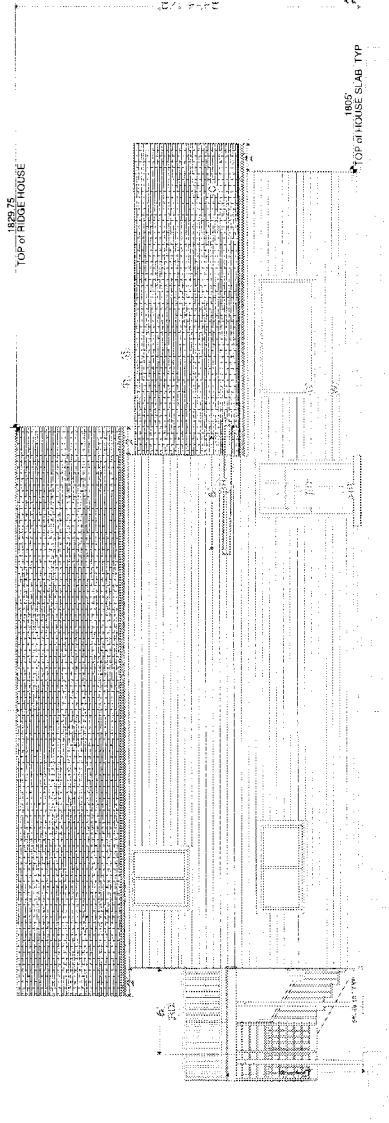
ELEVATION WEST  
SCALE: 1/4" = 1'-0"



DOCUMENTS PROVIDED BY:

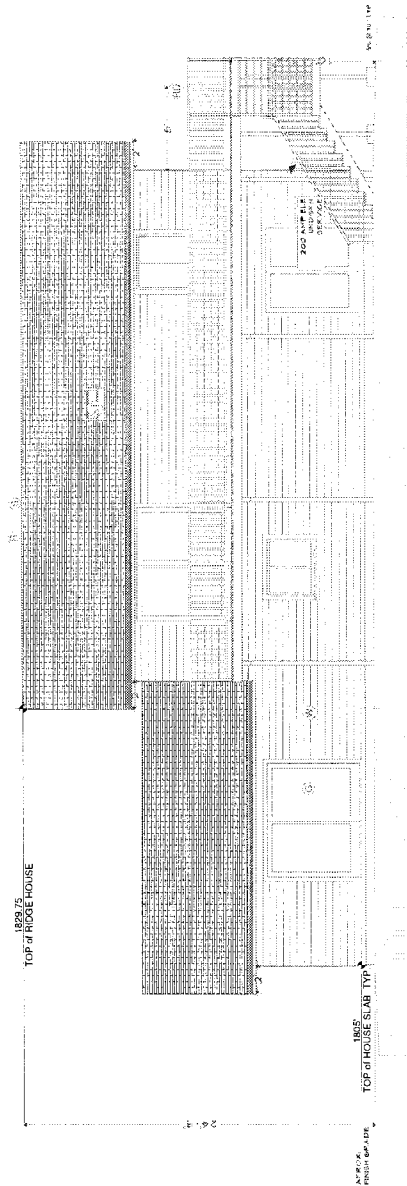
ELEVATION NORTH HOUSE

SCALE: 1/4"=1'-0"



ELEVATION SOUTH HOUSE

SCALE: 1/4"=1'-0"



ELEVATION LEGEND: KEYED

- R- HOUSE ROOF SLOPE 5/4/12
- BR- BRICK/PAT ROOF SLOPE 1/4/12
- REG- FLAT ROOF MEMBRANE
- GA- GARAGE ROOF SLOPE 1/12
- SH- SHED ROOF SLOPE 1/12
- BF- FINISH IS HORIZ. HARDIE PLANK CENT SID. TYP.
- GF- FINISH IS ART. MIMICKS VINYL MONOTECTO. TYP.
- RD- RIGIDWOOD DECK 5/8"X3 TO GRADE
- BT- BUTTRESS ABOVE STAIR WELL
- LC- LATH & PLASTER FOR FREESTYLE NOTE RED
- RA- RAFTERS 24" ON C/P. REG. MIN. CLEARANCE 7' ABOVE
- RM- 5" WIDE 1/12 SLOPE MAX CONC RAMP TO
- EN- ENTRANCE OF HOUSE AND GARAGE
- ED- EXIST. DOORS REG. 1 1/2" S. PREPARED TYP.
- EG- PREP. DEVELOPMENT NATURAL GRADE
- PG- PROPOSED GRADE

SHEET  
A-0  
OF  
12

ADDRESS NOT ASSIGNED TWILIGHT LN.  
SANTA CRUZ, CA 95060  
APN: 09024123

Michael R. & Christine M. Krause  
250 Hawk Ridge Rd  
Boulder Creek, CA 95006  
PH: 408.954.3304, mtkkrause@gmail.com

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BOULDER CREEK, CA 95006  
PH: 408.399.0104 H/O/V, 831.234.1904 C/NO VOICE

CWDesign Solutions  
RESIDENTIAL DESIGN & PLANNING  
CHAD WILLIAMS OWNER  
52 BUCKLEBUSH CT.  
MARIETTA, GA 30066  
PH: 533.4742  
design@cwdesignsolutions.com

**SHEET A-9**

**OF 12**

address not assigned, Twilight Ln.  
Banta Cruz, CA. 95060  
APN: 08024129

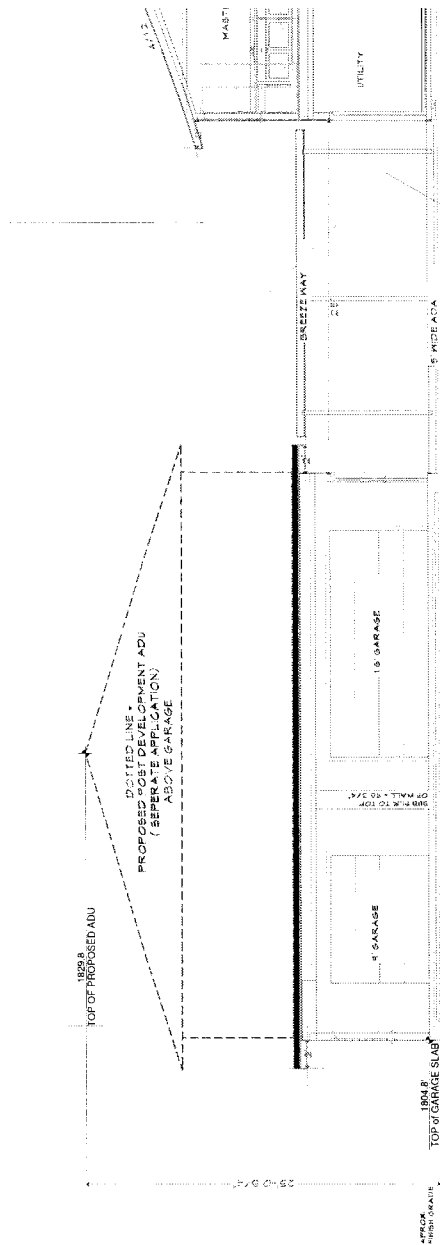
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DRAFTING ON THE RUN  
106 KILIA LANE  
BOULDER CREEK, CA. 95006  
PH: 408.554.3304, mtknkr@earthlink.net

250 Hawk Ridge Rd  
Boulder Creek, CA. 95006  
PH: 408.554.3304, mtknkr@earthlink.net

CWDesign Solutions  
RESIDENTIAL DESIGN & PLANNING  
95 EIGHTH ST.,  
CHICO, CALIFORNIA 95926  
TEL: 530.897.1331  
WWW.CWDDESIGN.COM

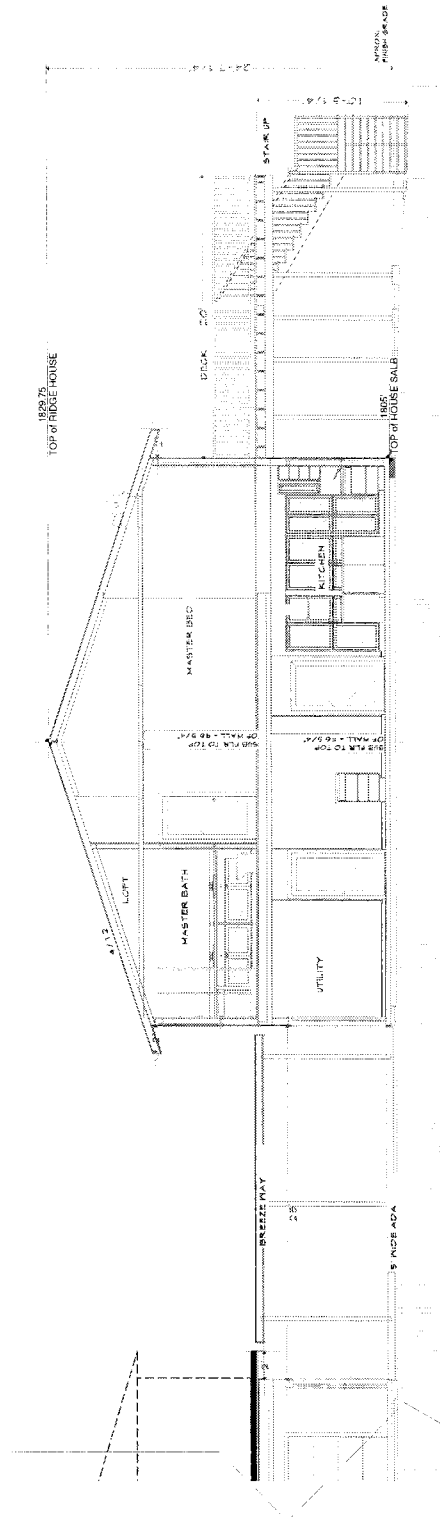
SECTION EAST



# ESTIMATION

4.12

9. DATE: 12.01.20



# SECTION EAST

25

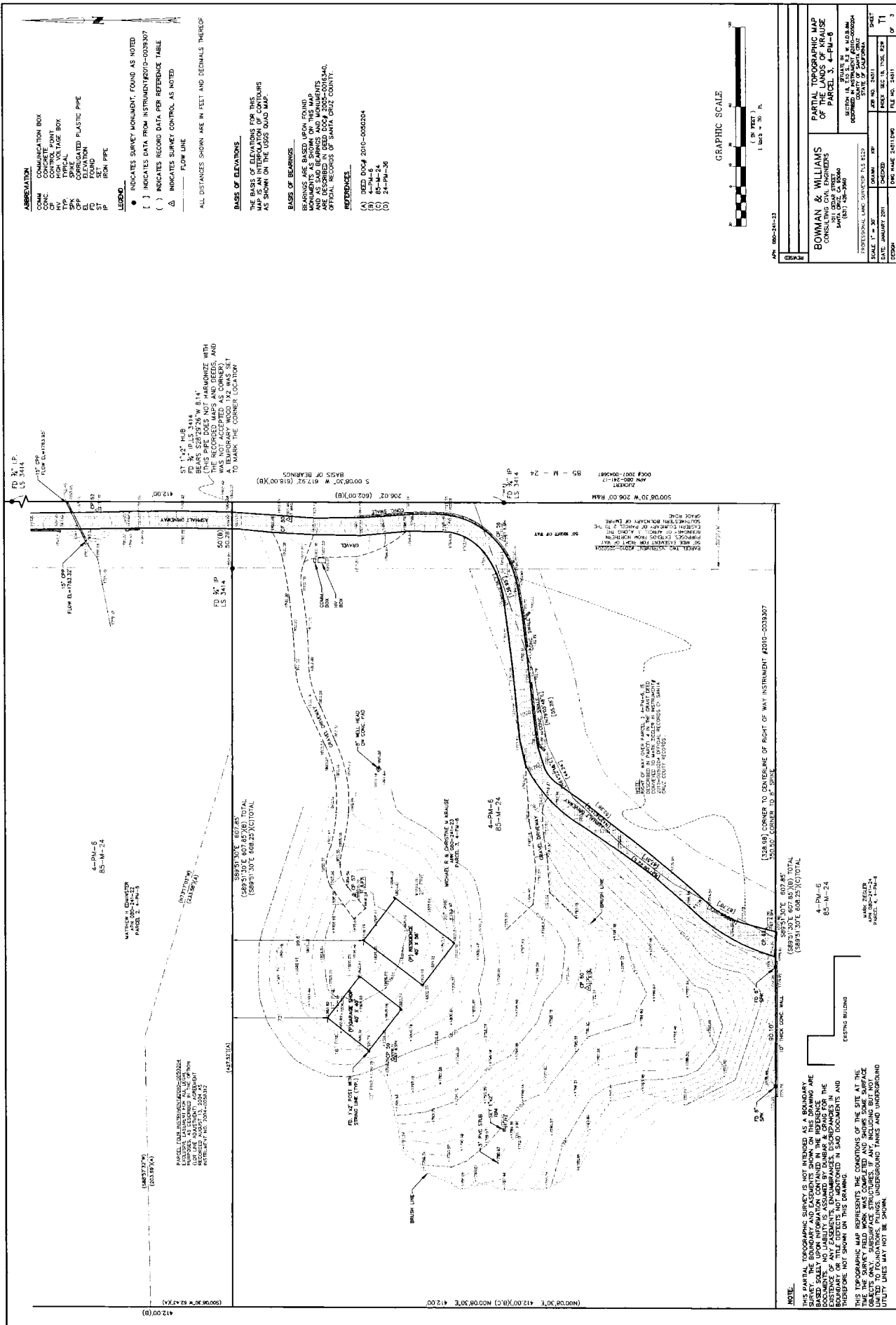
$$P_{\text{eff}} \approx 1.4 \times 10^8$$

# EXHIBIT A









## **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 RA (Residential Agriculture), a designation which allows residential uses. The proposed single-family dwelling, second unit and non-habitable accessory structure are principal permitted uses within the zone district, and the zoning is consistent with the site's (R-R) 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, as no such easements or restrictions are known to encumber the project site.

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

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors will be natural in appearance and complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top.

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, second unit and non-habitable accessory structure 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 integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the RA (Residential Agriculture) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings and large accessory structures. Size and architectural styles vary widely in the area, and the design submitted is consistent within the existing range of styles.

## **Development Permit Findings**

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

This finding can be made, in that the location of the proposed garage and complies with all applicable site standards for the RA zone district, 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 California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed garage 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 garage and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA (Residential 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 garage use is consistent with the use and density requirements specified for the Rural Residential (R-R) land use designation in the County General Plan. Because the garage is not a dwelling unit, it has no effect on density.

The proposed garage 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 garage is located in a rural area characterized by low-density development, and will meet current setbacks for the zone district.

The proposed garage will be properly proportioned to the parcel size and 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 garage will comply with the site standards for the RA 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.

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 garage is to be constructed on an existing undeveloped lot. Although the garage will not generate any traffic, the expected level of traffic generated by the entire proposed project is anticipated to be only two peak trip per day (one 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 garage, in phase one, will be one-story in height (once the second unit is constructed on top of the garage, the structure will become two-stories), in a rural neighborhood of single-family homes with large accessory structures. The proposed garage is consistent with the land use intensity and density of the neighborhood. Large accessory structures are a feature of the rural landscape. The proposed 1600 square foot garage will harmonize with the land uses in the vicinity as it will be in scale with the proposed dwelling and surrounding development.

## Conditions of Approval

Exhibit A: 12 Sheets: Sheets A1 – A9, by CWDesign Solutions, architectural drawings, no date; Sheets T1, G1, G2 by Bowman & Williams, Consulting Civil Engineers, dated January 2011, February 2011 and February 2011 respectively.

- I. This permit authorizes the construction of a single-family dwelling, second unit and non-habitable accessory structure. 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, 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 Building Permits from the Santa Cruz County Building Official for the residence and garage (Phase 1) and for the second unit (Phase 2).
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
  - D. 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.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. 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. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.

2. Grading, drainage, and erosion control plans.
  3. Details showing compliance with fire department requirements. The proposed structure(s) are located within the State Responsibility Area (SRA) and the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
- B. Comply with the requirements of Environmental Planning, including:
1. Show the width of the proposed driveway as being 12 feet.
  2. Provide a driveway profile from its intersection with Twilight Lane to the house, so that it can be determined what driveway surfacing will be required. If the plans show the driveway as being surfaced with baserock plus oil and screening or asphalt, a driveway profile will not be required.
  3. Correct the 1802 contour on the southwest side of the house: it should be shown as 1801 and should correctly daylight.
  4. Show how drainage will be controlled on-site (from the structure as well as the driveway so as not to cause erosion).
  5. All trees adjacent to the driveway alignment shall be shown on the Building Permit plans with labels indicating their diameter at breast height. A Significant Tree Removal Permit will be required if a tree or trees, meeting the thresholds described in County Code Chapter 16.34, are to be removed.
- C. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- D. Comply with all requirements of the Department of Public Works, Drainage, including showing the downspouts discharging on splashbocks.
- E. Comply with all requirements of the Department of Public Works, Road Engineering, including:
1. Show the pavement conditions, sight distance and road-width of Twilight Lane at its intersection with Empire Grade on the site plan. Note that potholes or poor pavement conditions must be repaired per County standards; sight distance of 250 feet in either direction of Empire Grade is required; and Twilight Lane must be 18 feet in width at its intersection with Empire Grade.
- F. Meet all requirements and pay any applicable plan check fee of Cal Fire.
- G. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer. The soils report will need to be updated to the 2010 California Building Code.
- H. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal.

- I. **For Phase One:** Pay the current fees for Parks and Child Care mitigation for five bedroom(s). **For Phase Two:** Pay the current fees for Parks and Child Care mitigation for the number of proposed bedrooms in the second unit. Currently, these fees are, respectively, \$578 and \$109 per bedroom.
  - J. **For Phase One:** Provide required off-street parking for four cars.  
**For Phase Two:** Provide one additional parking space for each bedroom in the proposed second unit. 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.
  - K. 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.
  - L. Complete and record a Declaration of Restriction to maintain a structure as a non-habitable accessory structure. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. The project must comply with all recommendations of the approved soils reports.
  - D. 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.
- IV. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- B. The garage shown on Exhibit A shall comply with regulations for non-habitable accessory structures in County Code Section 13.10.611.
- C. The garage shown on Exhibit A shall contain amenities only as allowed by Table One (Amenities Regulation) County Code Section 13.10.611(c)(2). It is the property owner's responsibility to obtain all required permits for additional amenities.
1. D. The garage shown in Exhibit A cannot be converted to, used, rented, let or leased as a separate, independent dwelling unit as defined in County Code Section 13.10.700-D.
- E. The County of Santa Cruz shall recover reasonable attorney fees and costs in bringing any legal action to enforce this agreement together with recovery of any rents collected for the illegal use of the structure or, in the alternative, for the recovery of the reasonable rental value of the illegally converted structure from the date of conversion. The amount of any recovery of rents or of the reasonable rental value of any illegally converted structure shall be deposited in the a fund designated by the Board of Supervisors. Said structure will be subject to periodic compliance inspections by County staff. Nothing in this section or the agreement shall be deemed to be a waiver of any property owner's rights to due process or to avoid unreasonable searches. This agreement is binding on all subsequent buyers, heirs, assignees or holders of interest in the subject property herein described.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
  - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
  - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
    1. COUNTY bears its own attorney's fees and costs; and



2. COUNTY defends the action in good faith.

- C. 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.

**Please note: This permit expires three years from the effective date listed below unless a building permit is obtained for the first phase of the project consisting of one of the primary structures described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Steven Guiney, AICP  
Deputy Zoning Administrator

\_\_\_\_\_  
Annette Olson  
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.

# 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: 111031  
Assessor Parcel Number: 080-241-23  
Project Location: no situs

**Project Description: Proposal to construct a new single-family dwelling, second unit and non-habitable accessory structure greater than 1,000 square feet.**

**Person or Agency Proposing Project: Kenn Williams**

**Contact Phone Number: (408) 395-0104**

- 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:

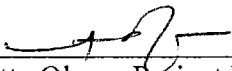
E.   X   **Categorical Exemption**

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

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

Construction of one single-family dwelling and accessory structure in a residential zone.

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

  
\_\_\_\_\_  
Annette Olson, Project Planner

Date:   4/5/11

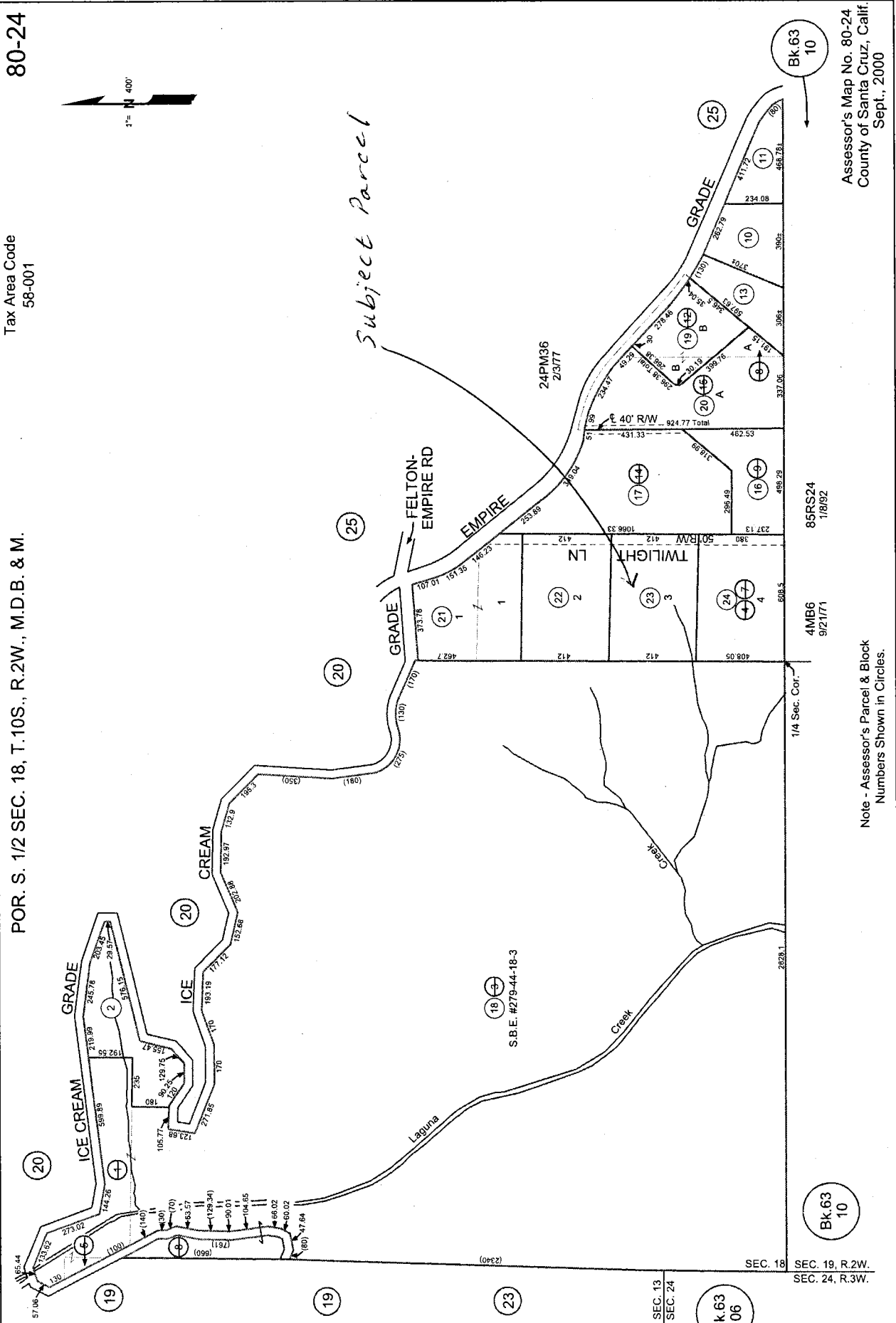
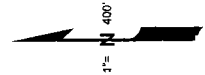
FOR TAX PURPOSES ONLY

POR. S. 1/2 SEC. 18, T.10S., R.2W., M.D.B. & M.

Tax Area Code  
58-001

80-24

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2000



Electronically Redrawn 9/29/00 mmm  
Rev 4/12/01 CB (1-0006212 to 15, 5p 1-21 to 24)

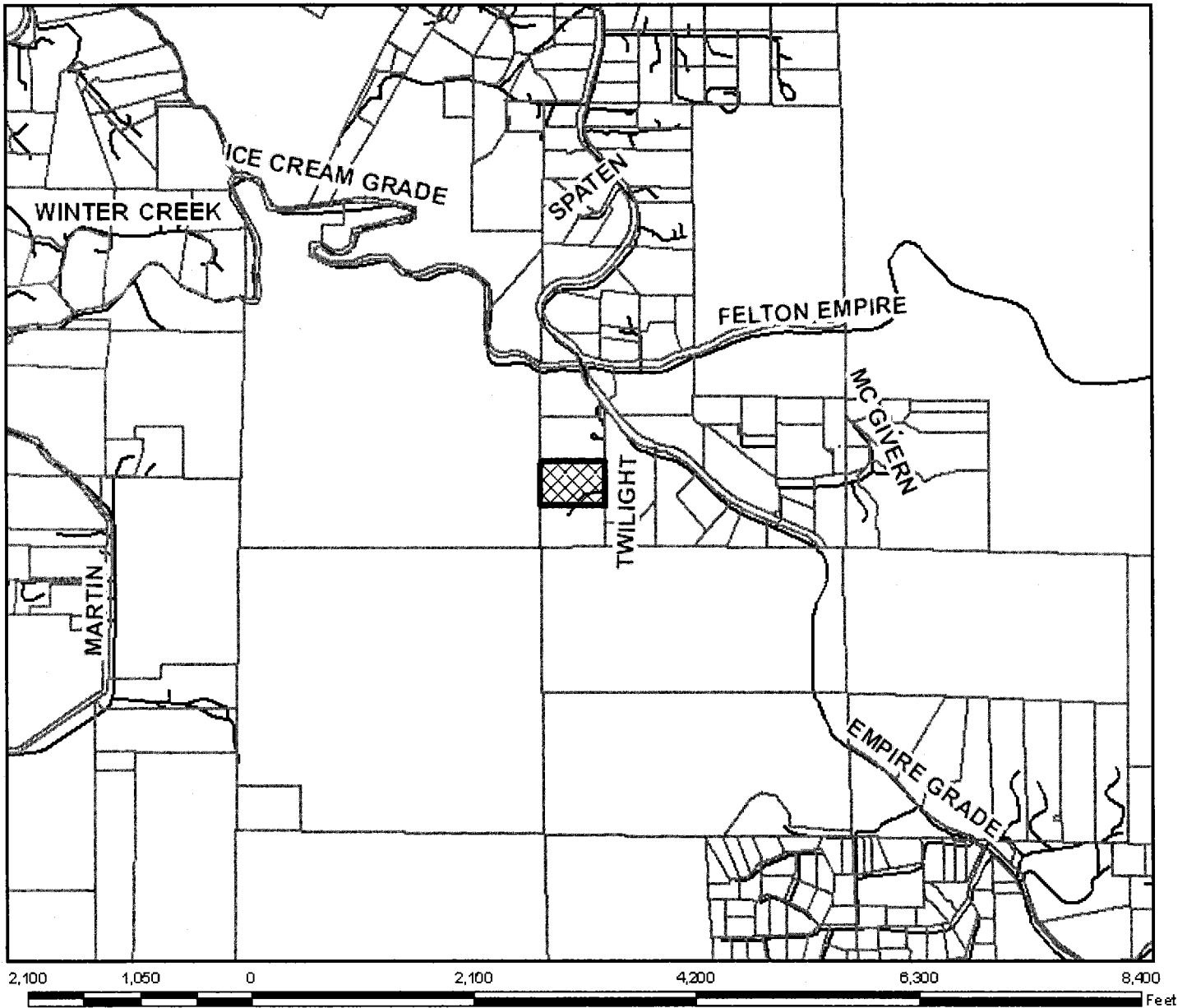
Note - Assessor's Parcel & Block  
Numbers Shown in Circles.

Assessor's Map No. 80-24  
County of Santa Cruz, Calif.  
Sept., 2000




EXHIBIT

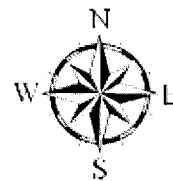


# Location Map



## LEGEND

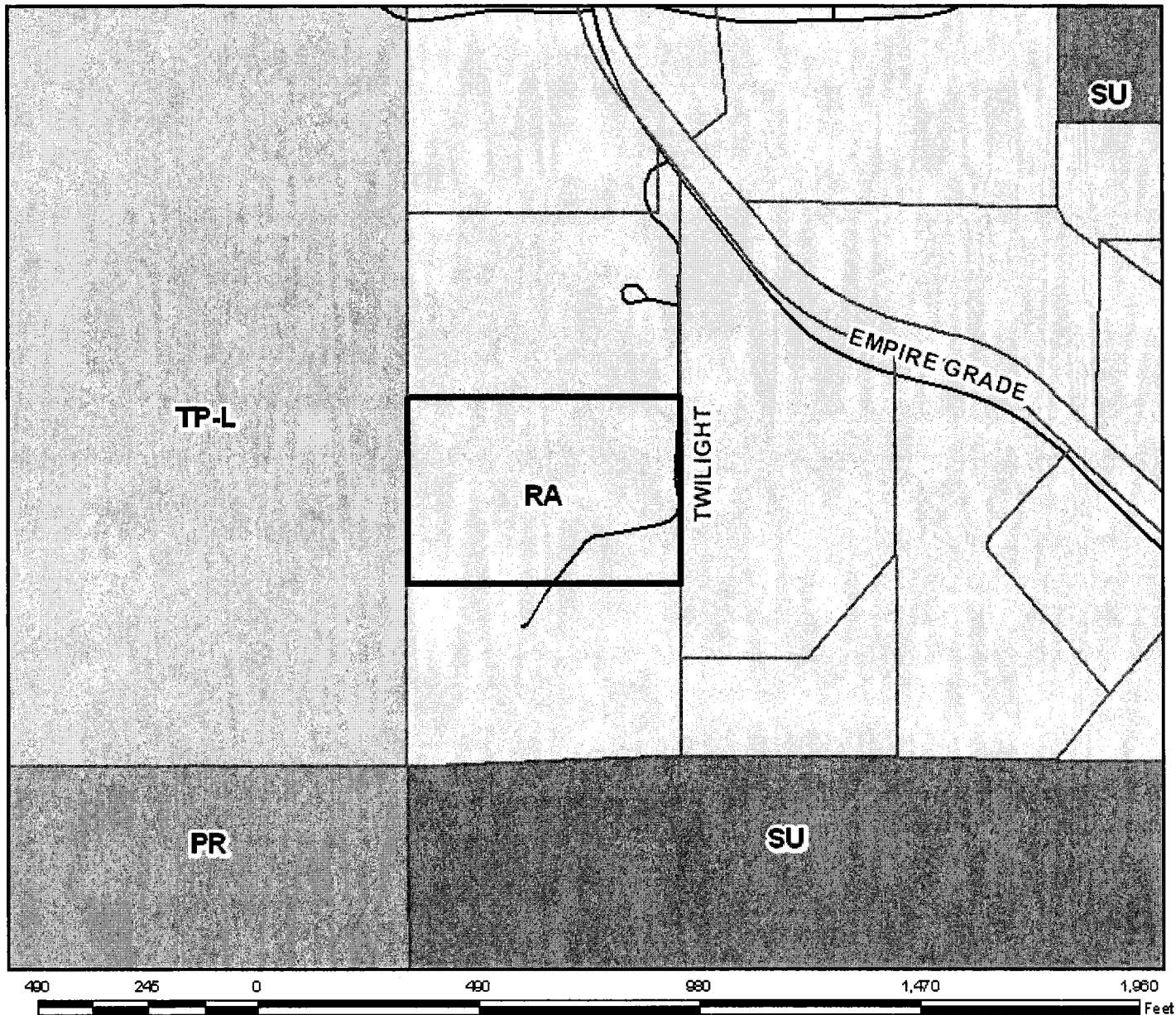
-  APN: 080-241-23
-  Assessors Parcels
-  Streets



Map Created by  
County of Santa Cruz  
Planning Department  
February 2011

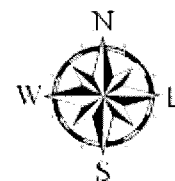


# Zoning Map



## LEGEND

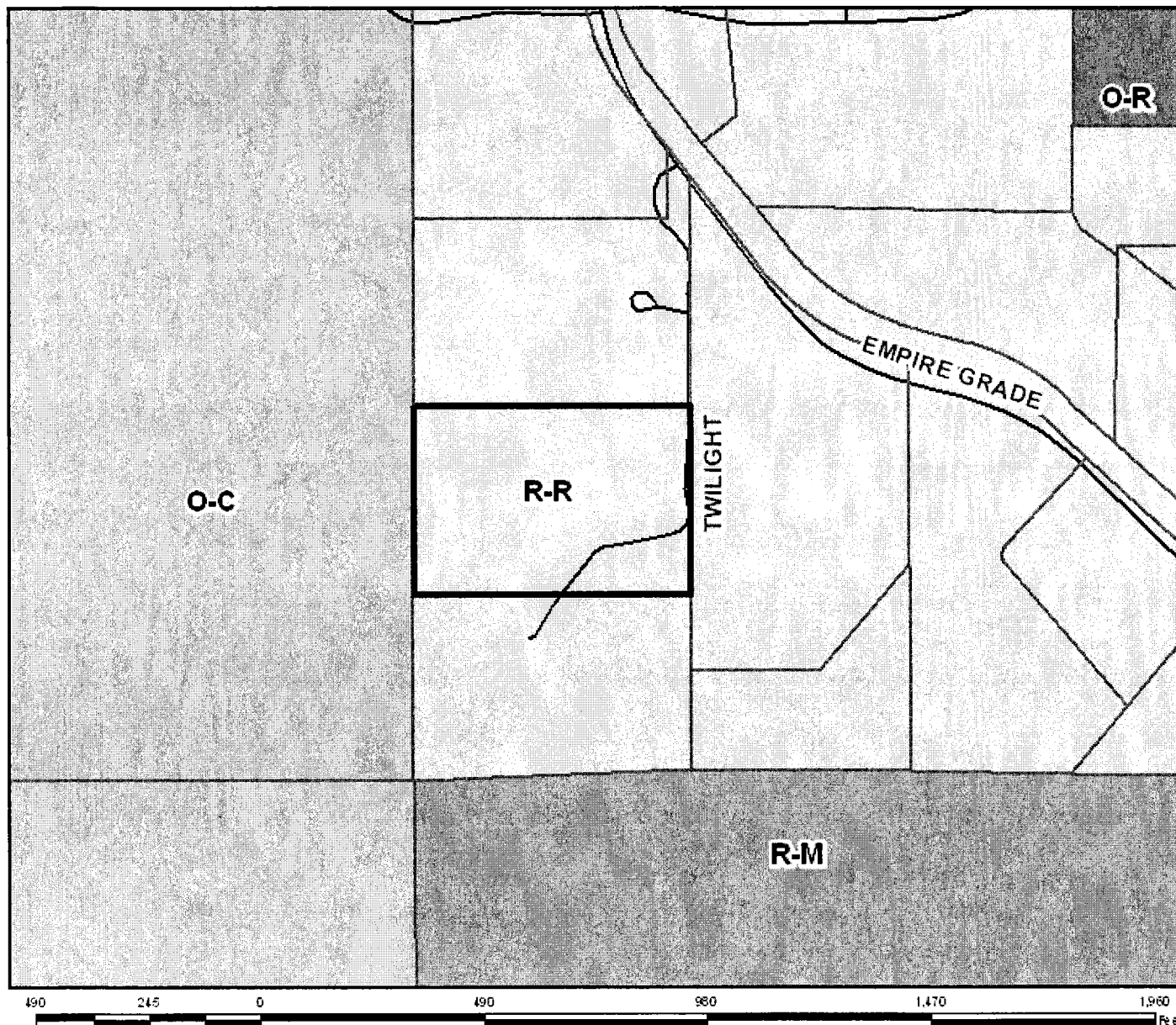
-  APN: 080-241-23
-  Assessors Parcels
-  Streets
-  AGRICULTURE RESIDENTIAL
-  TIMBER PRODUCTION
-  PARK
-  SPECIAL USE




Map Created by  
County of Santa Cruz  
Planning Department  
February 2011

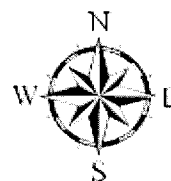


# General Plan Designation Map



## LEGEND

-  APN: 080-241-23
-  Assessors Parcels
-  Streets
-  Residential-Rural
-  Resource Conservation
-  Residential-Mountain
-  Parks and Recreation



Map Created by  
County of Santa Cruz  
Planning Department  
February 2011

# Biotic Resources Group

Biotic Assessments ♦ Resource Management ♦ Permitting

January 30, 2011

Mrs. Christine and Mr. Michael Krause  
259 Hawk Ridge Road  
Boulder Creek, CA 95006

c/o Kenn Williams Planner/Project Management

**RE: Lands of Krause, Parcel 3 APN (080-241-23): Results of Botanical Review**

Dear Mr. and Mrs. Krause,

The Biotic Resources Group conducted an updated botanical review of your property near the intersection of Empire Grade and Ice Cream Grade (Twilight Lane) in the Felton/Bonny Doon area of Santa Cruz County, as per your request. The review was conducted on January 28, 2011 and was focused on updating my previous botanical report (BRG, 2001) on the potential occurrence of special status plant species and/or habitats in the area proposed for residential construction. The results of this updated botanical review are described herein.

## **ASSESSMENT METHODOLOGY**

A site visit of the proposed development area on the parcel was conducted on January 28, 2011. The subject property (APN 080-241-23) is accessed from Twilight Lane, a private road off Empire Grade Road. The property is undeveloped except for a paved road (portion of Twilight Lane that serves subject property and two adjacent parcels), two dirt roads/driveways and previously cleared areas. The property is proposed for residential development (single residence with garage, Site Plan, CW Design Solutions). These proposed house/garage area and existing well site were viewed on foot during the field visit, coupled with a review of my previous report.

**Previous Biological Reviews:** A spring 2001 survey concluded that mixed evergreen forest and knobcone pine forest/chaparral dominate the proposed residential development areas and no sensitive habitats were present in these areas. This spring survey also failed to observe any special status plant species within the proposed development areas.

The purpose of the 2011 site assessment was to ascertain if site conditions on the parcel had substantially changed since the 2001 site visit and to re-evaluate whether the proposed development area supports special status plant species and/or habitats.

## **ASSESSMENT RESULTS**

The property supports a mosaic of mixed evergreen forest and knobcone pine forest/chaparral. The majority of the proposed development area has been previously cleared; the limits of the house and garage were staked in the field.

The majority of the proposed residential development area is bare, although there is a substantial amount of natural re-growth of native shrubs and sub shrubs. Young plants of brittle-leaved manzanita

(*Arctostaphylos crustacea* var. *crustacea*) and Ft. Bragg manzanita (*Arctostaphylos nummularia*) were evident within the development area. Other species include deer weed (*Lotus scoparius*) and huckleberry (*Vaccinium ovatum*).

Vegetation in the surrounding area is dominated by knobcone pine (*Pinus attenuata*), coast live oak (*Quercus agrifolia*), canyon live oak (*Quercus chrysolepis*), chinquapin (*Castanopsis chrysophylla*), Ft. Bragg manzanita, brittle-leaved manzanita, yerba santa (*Eriodictyon californicum*), and chamise (*Adenostoma fasciculatum*). Occasional trees include madrone (*Arbutus menziesii*) and Douglas fir (*Psdeudostuga menziesii*). Douglas firs are more prevalent on the lower elevation areas of the property. Understory species include California blackberry (*Rubus ursinus*) and bracken fern (*Pteridium aquilinum*). Although the January site visit was conducted outside the blooming period for many plant species, the likelihood for the presence of special status plant species is considered low, due to unsuitable habitat conditions. This observation is consistent with observations made in spring 2001.

### **Sensitive Habitats**

Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity. Within the Felton/Bonny Doon region, Ponderosa pine forest and silver-leaved manzanita chaparral are considered sensitive habitats. This designation is due to the prevalence of native plant species, known/potential for rare, threatened or endangered species and its limited distribution within the region.

No sensitive habitats were observed within the proposed residential area on the subject property.

### **Special Status Plant Species**

Plant species of concern include those listed by either the Federal or State resource agencies as well as those identified as rare by CNPS. One special status species has been recorded from the project vicinity, as per CNDDDB records. An occurrence of Santa Cruz Mountains beardtongue (*Penstemon rattanii* var. *kleei*) has been documented from the knobcone pine forest near Empire Grade Road and Ice Cream Grade Road (CNDDDB, 2006). No individuals of this species were observed within the proposed development area during the January 2011 site visit; which is consistent with observations made in spring 2001. In addition, the property does not support any individuals of Ponderosa pine or silver-leaved manzanita, nor does the parcel provide suitable habitat for these species.

### **ASSESSMENT CONCLUSIONS**

Based on the January 28, 2011 field survey and review of the previous survey results from 2001, development of the proposed residence will not result in any significant impacts to sensitive habitats or result in the loss of any special status species (or their habitat).

### **Intended Use of this Report**

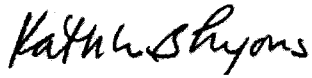
The findings presented in this biological review are intended for the sole use of Kenn Williams, Christine Krause, Michael Krause, and Santa Cruz County in evaluating the proposed residential land use for the subject parcel. The findings presented by the Biotic Resources Group in this report are for information purposes only; they are not intended to represent the interpretation of any State, Federal or County laws,



polices or ordinances pertaining to permitting actions within sensitive habitat or endangered species. The interpretation of such laws and/or ordinances is the responsibility of the applicable governing body.

Please give me a call if you have any questions on this report.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Lyons". The script is cursive and fluid.

Kathleen Lyons  
Plant Ecologist



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## Drainage Review

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**Routing No: 1 | Review Date: 03/14/2011**

GERARDO VARGAS (GVARGAS) : Complete

Application No.:111031

Application Complete

G\_V

### Completeness Items:

Application has been approved for the discretionary stage in regards to drainage.

### Miscellaneous Comments:

1. Indicate on the plan how the downspouts will be discharge.

Note: Per counter visit on March 11, 2011, applicant Ken Williams agreed to discharge downspouts on to splashblocks.

Note: - Projects are required to maintain predevelopment rates where feasible. Mitigating measures should be used on-site to limit increases in post-development runoff leaving the site. Best Management Practices should be employed within the development to meet this goal as much as possible. Such measures include pervious or semi-pervious pavements, runoff surface spreading, discharging roof and driveway runoff into landscaping, etc.

The applicant is encouraged to discuss the above comments with the reviewer to avoid unnecessary additional routings. A \$200.00 additional review fee shall be applied to all re-submittals starting with the third routing.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions.

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## Environmental Health Review

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**Routing No: 1 | Review Date: 03/10/2011**

JIM SAFRANEK (JSafranek) : Complete

The project is complete for EHS based on approved onsite sewage disposal testing by the applicant's septic consultant.

Prior to the BP phase the applicant will need to obtain an approved onsite sewage disposal permit application and Building Clearance from EHS.



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## Environmental Planning

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**Routing No: 1 | Review Date: 03/07/2011**

JESSICA DUKTIG (JDUKTIG) : Complete

March 7, 2011 Comments below by Kent Edler

\*\*\*Although the Parcel is mapped as Sandhills staff concludes that Sandhills Habitat does not exist on the property.\*\*\*

Completeness Comments - None

Compliance Comments - None

Misc. Comments / Conditions of Approval

The preliminary grading plans indicate that the driveway width from Twilight Lane to the house is less than the 12' required. Final plans shall show all grading and tree removal required to widen the driveway to 12'. Please note that if tree removal includes any greater than 40" dbh; any clump of 5 or more greater than 20" dbh; or 10 or more (total) in excess of 20" dbh, a significant tree removal permit will be required.

Final grading plans will need to show a driveway profile for the proposed driveway from the intersection of the existing paved driveway (Twilight Lane) to the house, so that it can be determined what driveway surfacing will be required. Grades from 0-5% require 6" of class 2 baserock; grades from 5%-15% require 6" baserock plus oil and screening. Final plans shall show the required driveway structural section. Note: If the plans are revised to indicate that the driveway surfacing will either be baserock plus oil and screening or asphalt, a driveway profile will not be required.

The proposed 1802 contour on the southwest side of the house is mis-labeled (should be 1801) and also does not daylight correctly.

Final plans shall show how drainage will be controlled onsite (from the structure as well as the driveway so as to not cause erosion).

The soils report will need to be updated to the 2010 California Building Code. The soils report / update will be reviewed with the building permit.

If trees are proposed to be removed between January 15 and September 15, a biologist shall perform a survey from nesting raptors and bats prior to removal. If found, tree removal shall wait until cleared by the biologist.

An erosion and sediment control plan is required to be submitted with the building permit. The plan shall show how erosion and sediment will be controlled during construction.

## Fire Review

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**Routing No: 1 | Review Date: 02/24/2011**

COLLEEN BAXTER (CBAXTER) : Complete

**OFFICE OF THE FIRE  
MARSHAL**



County of Santa Cruz, PLANNING DEPARTMENT

## Discretionary Application Comments 111031

APN 080-241-23

### Fire Review

Routing No: 1 | Review Date: 02/24/2011

COLLEEN BAXTER (CBAXTER) : Complete

SANTA CRUZ COUNTY FIRE DEPARTMENT / *CALFIRE*

#### CAL FIRE

##### SAN MATEO-SANTA CRUZ UNIT

6059 HIGHWAY 9

P.O. DRAWER F-2

FELTON, CA 95018

Phone (831) 335-6748

Fax # (831) 335-4053

JOHN FERREIRA

FIRE CHIEF

Date: 3/14/11

Planning Department

County of Santa Cruz

Attention: ANNETTE OLSON

701 Ocean Street

Santa Cruz, CA 95060

Subject: APN: 080-241-23 / Appl # 111031  
ADDRESS: NO SITUS

Dear ANNETTE OLSON:

Based upon a review of the plans submitted, County requirements appear to have been met, and  
**PLANS ARE APPROVED FOR PERMIT.**

The job copies of the building and fire system plans and permits must be on-site during inspection.

Each APN (lot) shall have separate submittals for building and sprinkler system plans.

The County of Santa Cruz Emergency Services Department/Addressing must approve or assign an address before Fire Department approval is obtained.

**NOTE** on the plans "these plans are in compliance with California Building and Fire Codes (2007 edition) and Santa Cruz County Amendments".

Print Date: 04/04/2011

Page: 3

**EXHIBIT G**



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**Fire Review**

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**Routing No: 1 | Review Date: 02/24/2011**

COLLEEN BAXTER (CBAXTER) : Complete

**SHOW** on the plans a 10,000 gallon water tank for domestic and fire protection service with a "residential hydrant" as located by the Fire Department if your building is not serviced by a public water supply meeting the fire flow requirements. For information regarding where the water tank and fire department connection shall be located, contact the Santa Cruz County Fire Marshals Office at 335-6748. A separate permit is required for tank/hydrant installation.

**NOTE** on the plans "all underground piping systems shall comply with the County Standard FPO-006 and shall require plan submittal and permit approval prior to installation. The standard is available at the Santa Cruz County Fire Marshals Office upon request".

**NOTE** on the plans "All buildings shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA 13-D, and adopted standards of Santa Cruz County."

**NOTE** on the plans "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. Underground plan submittal and permit, will be issued to a Class B, Class C-16, Class C-36 or owner/builder. No exceptions."

**NOTE** on the plans "building numbers shall be provided. Numbers shall be a minimum of four (4) inches in height on a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street."

**NOTE** on the plans "the installation of an approved spark arrester on the top of the chimney. The wire mesh not to exceed 1/2 inch."

**NOTE** on the plans "the roof covering shall be no less than Class "B" rated roof."

**SHOW** on the plans **DETAILS** of the Fire Department Turn-a-round in compliance with FPO-015 standard." Include dimensions. (See attached).

**NOTE** on the plans "the driveway / access road shall be in place prior to any framing construction, or construction will be stopped."



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## Fire Review

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**Routing No: 1 | Review Date: 02/24/2011**

COLLEEN BAXTER (CBAXTER) : Complete

**SHOW** on the plans, **DETAILS** of compliance with the access road requirements. The access road shall be **12** feet minimum unobstructed width and maxi-mum twenty percent slope. The access road fronting the project property corner to property corner shall conform to the minimum width standard.

### **ACCESS ROAD / DRIVEWAY REQUIREMENTS**

The access road / driveway shall be an "all weather" surface. "All Weather Surface" is defined as a minimum 6" of compacted aggregate base rock, Class II or equivalent, and certified in writing by a licensed engineer to 95% compaction for grades up to and including 5%. For grades in excess of 5% but not exceeding 15%, oil and screeds shall be applied to a minimum 6" of compacted aggregate base rock, Class II or equivalent, certified in writing by a licensed engineer to 95% compaction. For grades exceeding 15%, 2" of asphaltic concrete shall be applied over a minimum 6" of compacted aggregate base rock, Class II or equivalent, certified in writing by a licensed engineer to 95%.

The maximum grade of the access road shall not exceed 20%, with grades greater than 15% not permitted for distances of more than 200 feet at a time.

The access road shall have a vertical clearance of 13'-6" for its entire width and length, including turnouts.

An approved turn-a-round 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-around 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.

**NOTE** on the plans "a 100-foot clearance shall be maintained around and adjacent to the building or structure to provide additional fire protection or fire break by removing all brush, flammable vegetation, or combustible growth.

**EXCEPTION:** Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, pro-vided they do not form a means of rapidly trans-mitting fire from native growth to any structure."

**NOTE** on the plans "the job copies of the building and fire systems plans and permits must be on-site during inspections."



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## Fire Review

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**Routing No: 1 | Review Date: 02/24/2011**

COLLEEN BAXTER (CBAXTER) : Complete

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with 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 reviewer and reviewing agency.

Should you have any additional concerns, you may contact our office at (831) 335-6748.

## Project Review

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**Routing No: 1 | Review Date: 03/18/2011**

ANNETTE OLSON (AOLSON) : Incomplete

Complete once sign affidavit is submitted.

## Road Engineering Review

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**Routing No: 1 | Review Date: 03/10/2011**

ANWARBEG MIRZA (AMIRZA) : Complete

Disc. App. Complete:

Misc. Comments for Building Application to be included as conditions of approval:

Show the intersection details such as pavement conditions, sight distance and road-width of the private road Twilight Lane and Empire Grade in site plan.

Potholes or poor pavement conditions must be repaired per county standards.

Sight Distance of 250 feet in either direction is required on Empire Grade.

Eighteen feet of the roadway width is required at the intersection.

(Confirmed with the planner and the applicant on DPW counter)

## Urban Designer Review

---

**Routing No: 1 | Review Date: 03/14/2011**

ANNETTE OLSON (AOLSON) : Complete

Complete

No compatibility issues due to location.