



Staff Report to the Zoning Administrator

Application Number: **111122**

Applicant: Derek Van Alstine
Owner: Michael Inglis
APN: 033-151-10

Agenda Date: September 16, 2011
Agenda Item #: 4
Time: After 10:00 a.m.

Project Description: Proposal to demolish an existing 2,700 square foot single-family dwelling with an attached garage and to construct a replacement 4,418 square foot 2 story single family dwelling and attached garage. Requires a Coastal Development Permit.

Location: Property located on the southeast side of Opal Cliffs Drive (4800 Opal Cliffs Drive) at about 130 feet northeast of the intersection with Court Drive.

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

Permits Required: Coastal Development Permit

Technical Reviews: Geologic Report and Soils Report. See application REV111020

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 111122, based on the attached findings and conditions.

Exhibits

- | | |
|------------------|---|
| A. Project plans | D. Categorical Exemption (CEQA determination) |
| B. Findings | E. Assessor's, Location, Zoning and General Plan Maps |
| C. Conditions | |

Parcel Information

Parcel Size:	16,095 square feet (gross), 13,310 square feet (net)
Existing Land Use - Parcel:	Single-family residence
Existing Land Use - Surrounding:	Single-family residential neighborhood
Project Access:	Opal Cliff Drive
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium residential)
Zone District:	R-1-5 (Single-family Residential)

Coastal Zone: X Inside Outside
Appealable to Calif. Coastal X Yes No
Comm.

Environmental Information

Geologic Hazards: Project is located on a coastal bluff
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: Level for the developable portion, coastal bluff and beach at the
southeastern end of the parcel.
Env. Sen. Habitat: No physical evidence on site.
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Mapped within a scenic resource area, existing/proposed dwelling not
visible from the beach.
Drainage: Existing/proposed drainage towards Opal Cliffs Drive
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5

History and Project Setting

The existing one story single-family dwelling on the parcel was constructed in 1947. Building Permits were issued for a 224 square foot addition in 1973, and for remodeling including conversion of the garage to living area in 1981. In 1988 Coastal Development Permit 88-1096 was approved for the addition of an attached garage, and a Building Permit was issued for the construction, resulting in the current configuration. This house is now in a poor state of repair.

The parcel is located on the southeastern side of Opal Cliff Drive, atop the bluff above Private's Beach. The main portion of the property, an area of around 13,310 square feet occupied by the dwelling and yard area, is roughly level with a slight slope away from the coastal bluff. However, the southeastern end of the parcel, an area of around 2,785 square feet, drops away almost vertically to the beach that lies some 45 to 50 feet below. The base of the bluff is currently protected by an existing older concrete seawall constructed in 1985. Access to the beach is via a fenced private park and a staircase. The entrance to the park is located on the far side of the neighboring property, and the gate lies approximately 140 feet northeast of the subject parcel.

Proposed Project

This application seeks to demolish the existing dwelling and garage, and to construct a

replacement two story residence with an attached garage in roughly the same location. In addition to the proposed new house, there are concurrent applications currently under review for the replacement of the existing seawall that runs along the foot of the bluff on this property and on adjacent parcels to the southwest and northeast (APN's 033-151-09 and 033-151-11) and for grading associated with the seawall project. A Geologic Report and a Soils Report have been submitted for review in connection with the application for the seawall and have been referenced in support of this application.

Coastal bluff/Geologic Hazards

The coastal bluff located on the southeastern portion of the subject parcel is an elevated marine terrace of about 45-50 feet high, protected at its base by a seawall. At the time of construction in 1985, the seawall was extended up-coast onto the adjacent parcel at 4660 Opal Cliff Drive, towards existing seawalls in order to help prevent accelerated erosion from wave action. This wall is in need of repair and maintenance. Applications for the construction of approximately 210 linear feet of "cutoff" retaining wall, of approximately 6 feet maximum height at the base of an existing seawall, and to restack existing riprap, have been submitted to the California Coastal Commission and to the County of Santa Cruz for review. A Geologic Report and Soils Report were submitted to the County for review in support of these applications and for the proposed dwelling on the subject parcel.

Based upon the Geologic Report prepared by Rogers E. Johnson and Associates, dated January 31, 2011, it has been determined that, assuming that the existing seawalls are repaired and that these and the proposed seawall are properly maintained to prevent erosion at the toe of the bluff, the estimated bluff top retreat over the next 100 years will be about 25 feet. The report recommends that there should be no development within this area. The proposed dwelling complies with this required minimum 25 foot setback from the coastal bluff.

To ensure that the proposed dwelling will comply with all recommendations set out in the Geologic Report, no Building Permit will be issued for construction of the house until both a Coastal Permit for the seawall project has been obtained from the California Coastal Commission, and a Building Permit and associated Grading Permit has been issued by the Santa Cruz County Planning Department for that work. Further, prior to the final of the Building Permit for the house, all work required for the seawall related building permit is to be completed and signed off via a final inspection.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 16,095 square feet, located in the R-1-5 (Single-family Residential) zone district, a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UM) Rural Residential General Plan designation.

Local Coastal Program Consistency

The proposed demolition and reconstruction is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in

the area all contain single family dwellings. The size and architectural styles of homes in the area vary widely, and the design submitted is compatible with the existing range of styles. While the project is located between the shoreline and the first public road, it is not identified as a priority acquisition site in the County's Local Coastal Program. No coastal access easements cross the subject property and a public pedestrian access point already exists about 140 feet northeast of the project site at the entrance to Private's Beach. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review and scenic resources

The proposed replacement single-family dwelling will not significantly impact scenic resources in the area. Owing to the height of the bluff, which rises almost vertically from the narrow beach area below, the proposed dwelling will not be visible in views from the scenic beach. In addition, the proposed dwelling will not interfere with any existing public ocean views, since the proposed house replaces an existing dwelling on the parcel that currently blocks ocean views from Opal Cliff Drive.

The proposed new house has been designed to comply with the requirements of the County Design Review Ordinance. The proposed project incorporates site and architectural design features to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. These features include a second story that is completely contained within the roof area of the proposed house and a color palette of muted natural shades,. In addition, the second floor has been designed such that there are no windows facing onto Opal Cliff Drive and therefore, as viewed from the street the proposed house will appear to be single story.

Environmental Review

The proposed replacement dwelling is categorically exempt from review under the California Environmental Quality Act (CEQA) consistent with the CEQA guidelines in Section 15303: New Construction or Conversion of Small Structures.

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 111122, based on the attached findings and conditions.

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

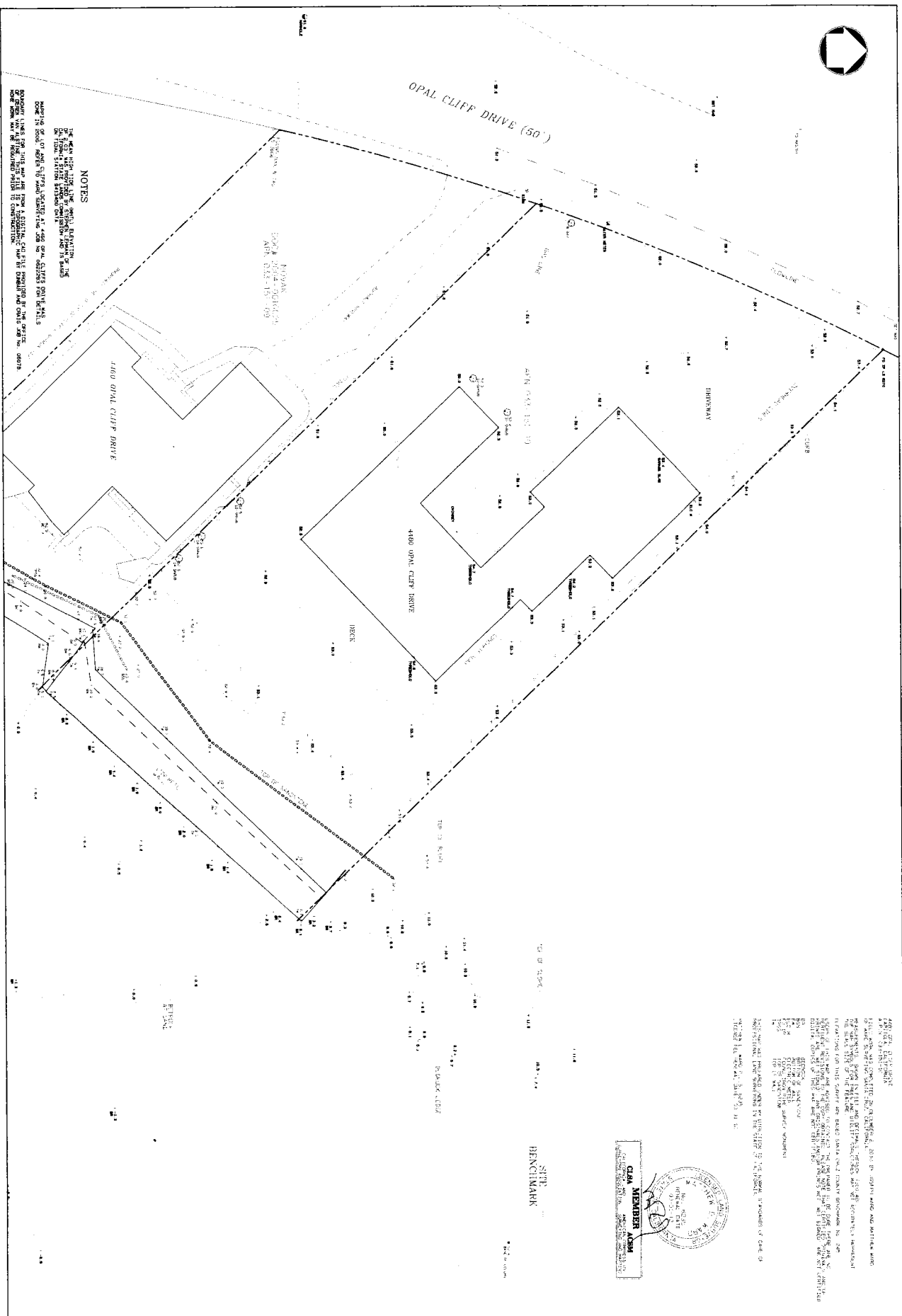
The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Lezanne Jeffs
Santa Cruz County Planning Department
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E-mail: lezanne.jeffs@co.santa-cruz.ca.us

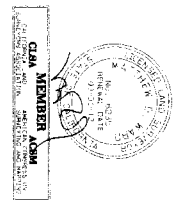


OPAL CLIFF DRIVE (50')

NOTES
THE NEW 100' WIDE DRIVE, 50' WIDE SIDEWALK, AND 5' WIDE CURB ARE LOCATED AT 4480 OPAL CLIFF DRIVE. THE DRIVE AND SIDEWALK ARE TO BE CONSTRUCTED BY THE OWNER. THE DRIVE AND SIDEWALK ARE TO BE CONSTRUCTED BY THE OWNER. THE DRIVE AND SIDEWALK ARE TO BE CONSTRUCTED BY THE OWNER.



WARD SURVEYING
622 SEVENTH AVENUE
SANTA CRUZ, CA 95062
(831) 425-5005



CLM MEMBER

SITE BENCHMARK

4480 OPAL CLIFF DRIVE
CAPITOLA, CALIFORNIA

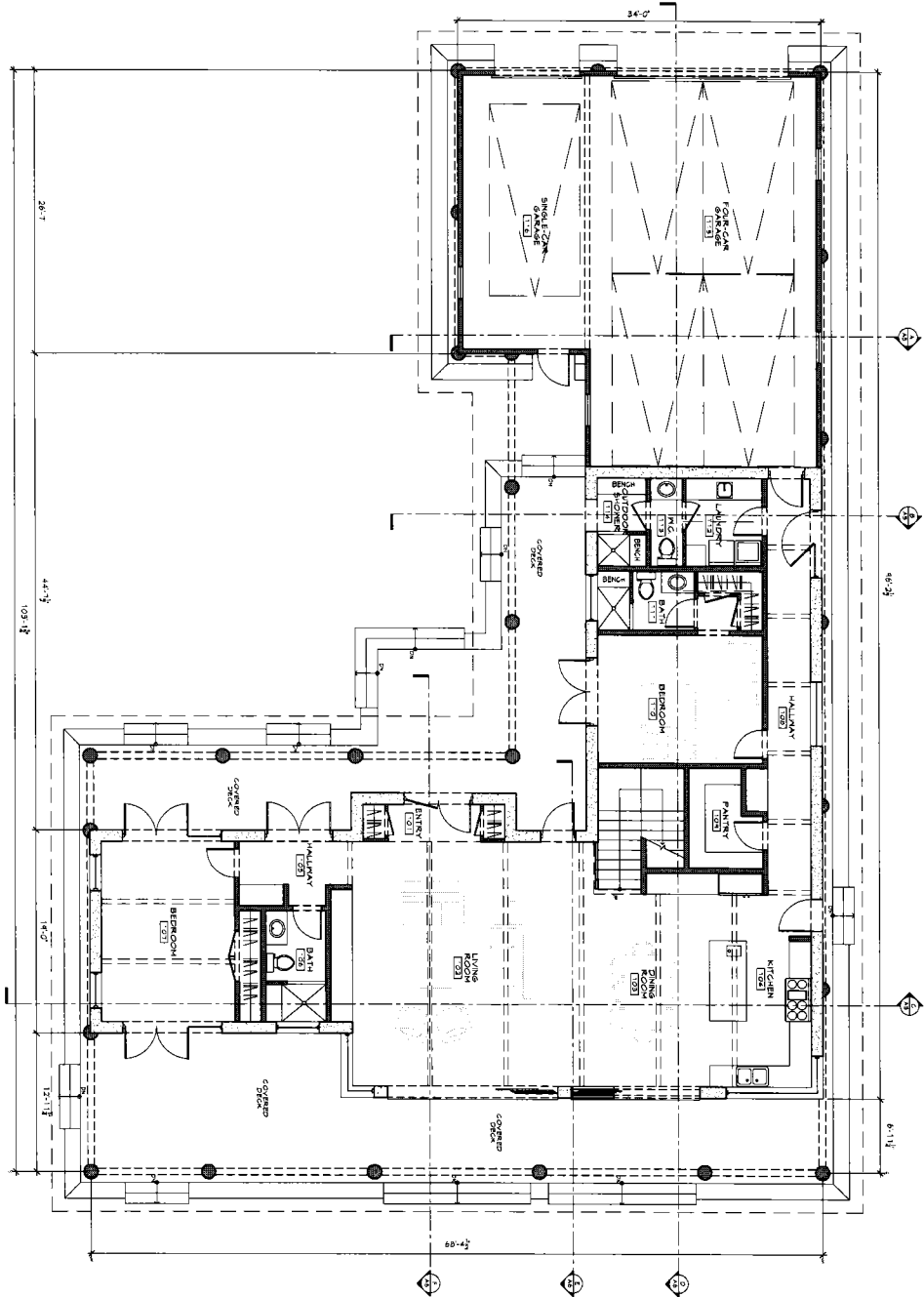
SHEET
OF 1

EXHIBIT A

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100-YEAR BLUFFTOP SETBACK
DETERMINED BY GEOLOGIC
INVESTIGATION BY ROGERS &
JOHNSON AND ASSOCIATES DATED
31 JANUARY 2011.

1 FIRST FLOOR PLAN
SCALE 3/16"=1'-0"



WALL LEGEND

[Symbol]	NEW 2x4 STUD WALL
[Symbol]	NEW 2x6 STUD WALL
[Symbol]	NEW 1/2" GYPSUM ON 2x4 W/ 5/8" J-BOARDS
[Symbol]	EXISTING WALL TO BE REMOVED
[Symbol]	EXISTING WALL TO REMAIN

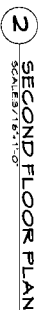
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NOVAK RESIDENCE
4480 OPAL CLIFF DR.
SANTA CRUZ, CA 95062

DVAD
Derek Van Alstine
Residential Design Inc.

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
716 SOQUEL AVENUE SUITE A, SANTA CRUZ, CALIFORNIA
(831) 426-8400 PHONE (831) 426-8446 FAX

EXHIBIT A



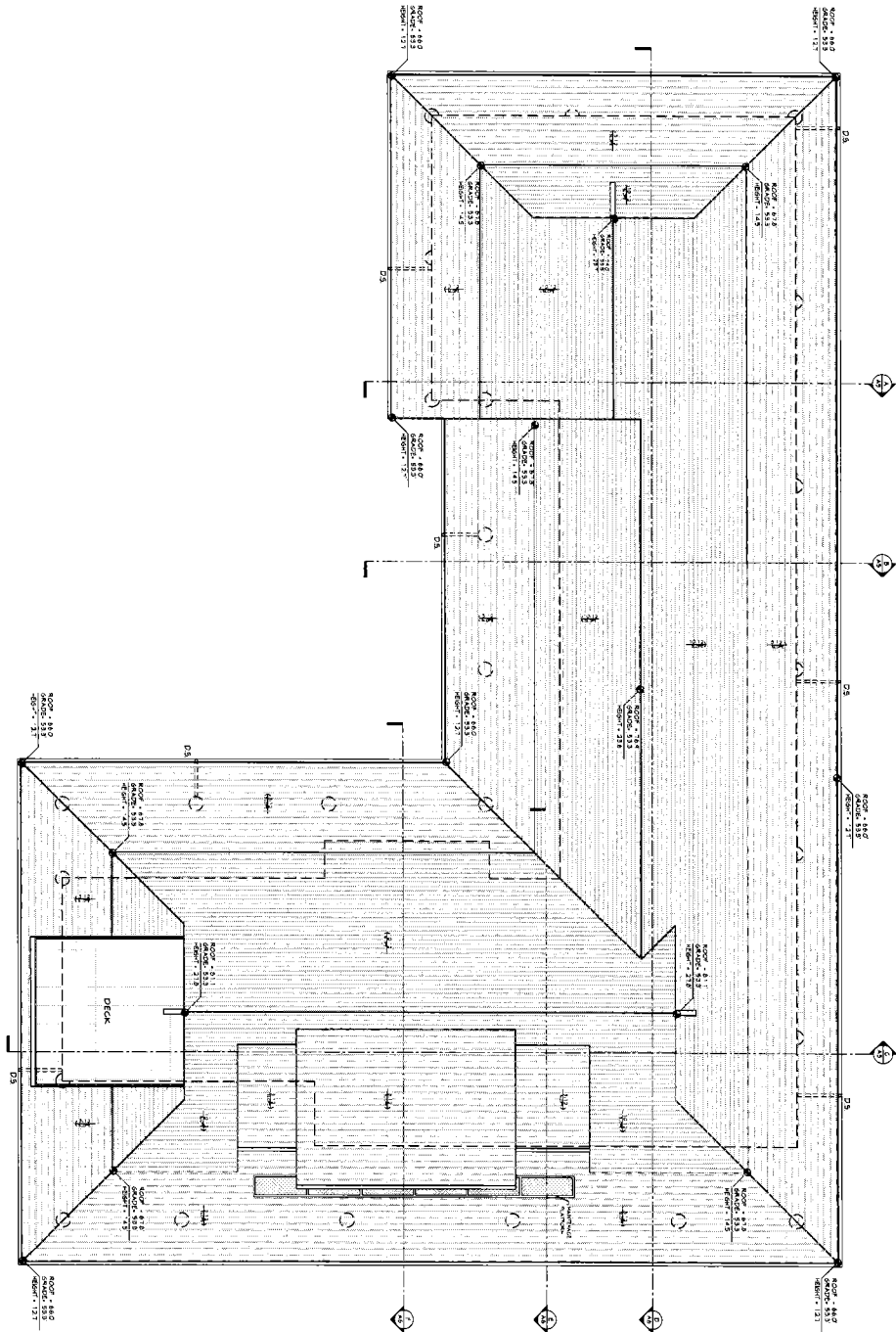
WALL LEGEND

03-17-10
INSTEAD ELSA SPEAKING IN SARAH'S ROOM.
#REF? 7, 2011
DENISEN FORU PRESENT
JUNE 18, 2011
MUNICIPALITY OF BELLVILLE
JULY 19, 2011
BELLEVILLE MUNICIPALITY
REVENUE
SECTION TWO OF FOUR

NOVAK RESIDENCE
4480 OPAL CLIFF DR.
SANTA CRUZ, CA 95062

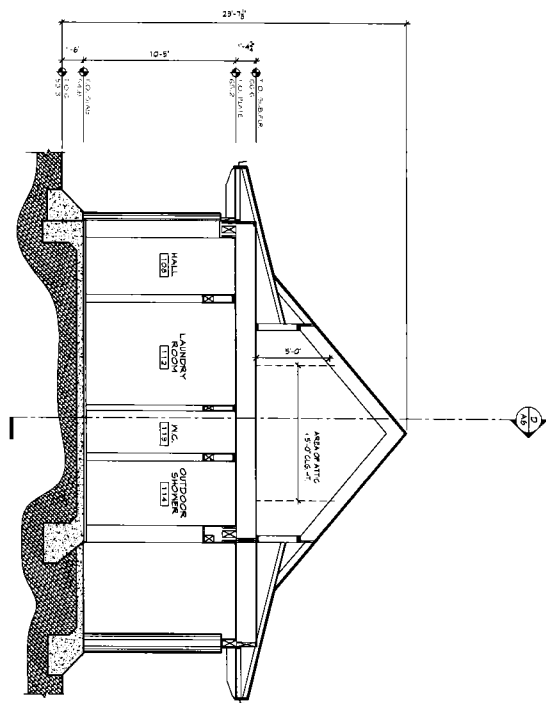
DVRD
 Division of
 Veterans' Affairs

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
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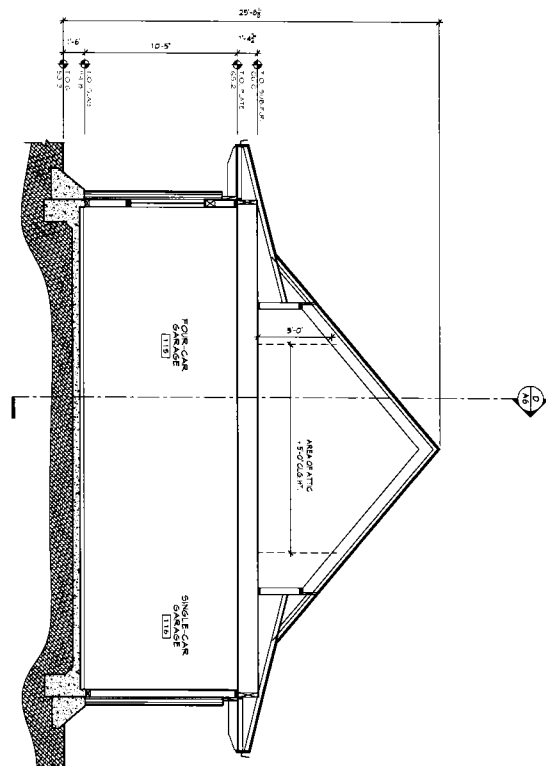


3 ROOF PLAN
SCALE: 1/8" = 1'-0"

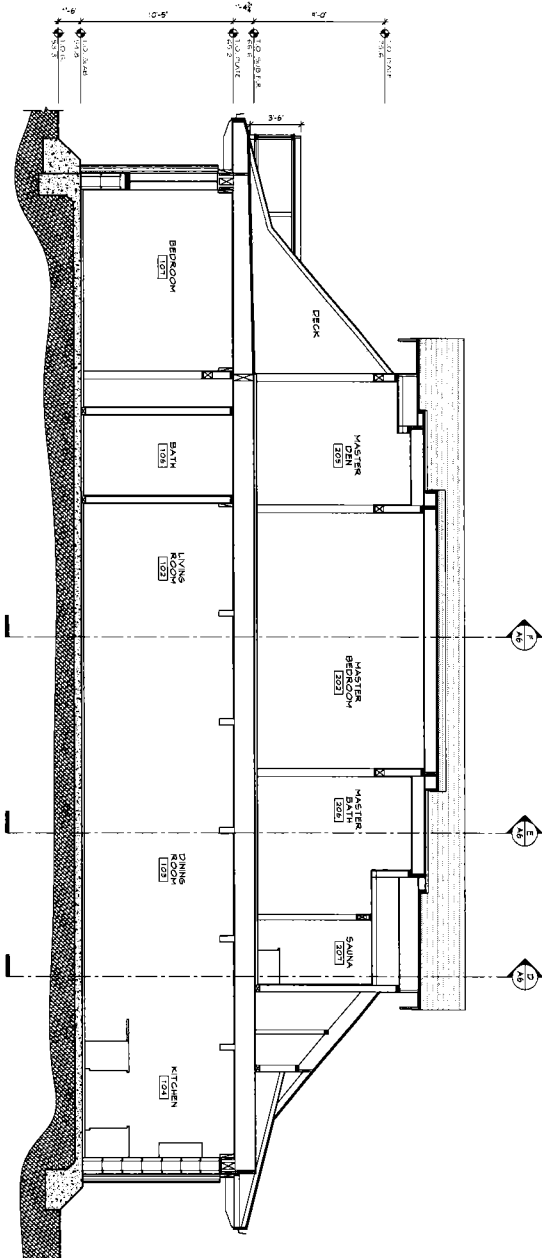




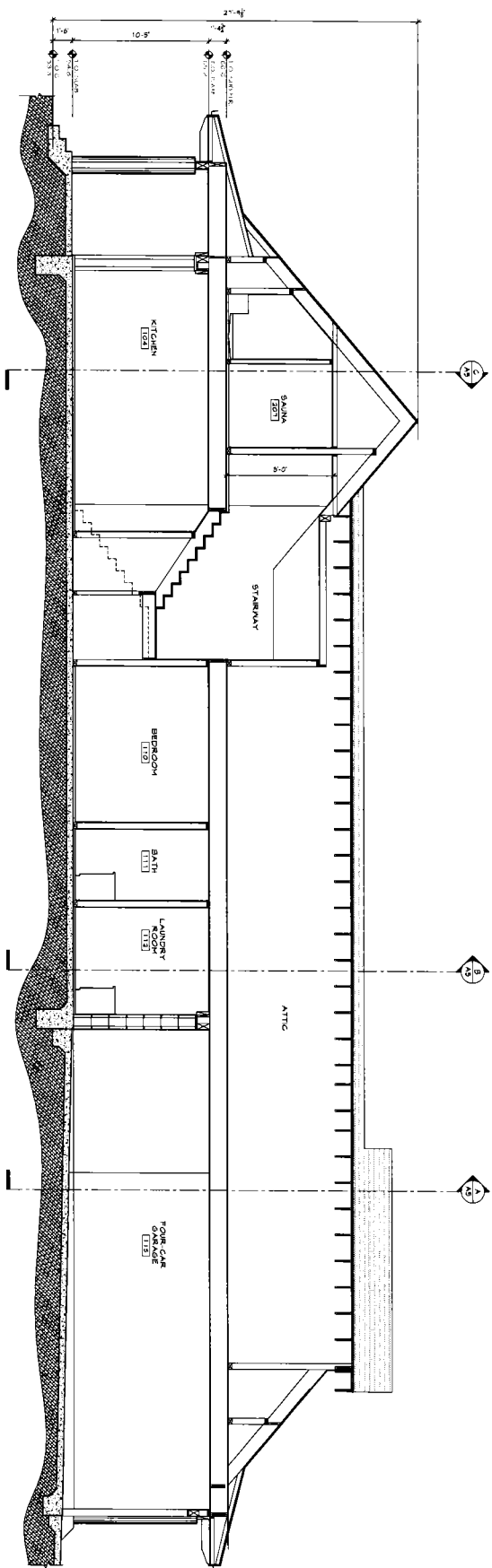
B SECTION B
SCALE 1/4" = 1'-0"



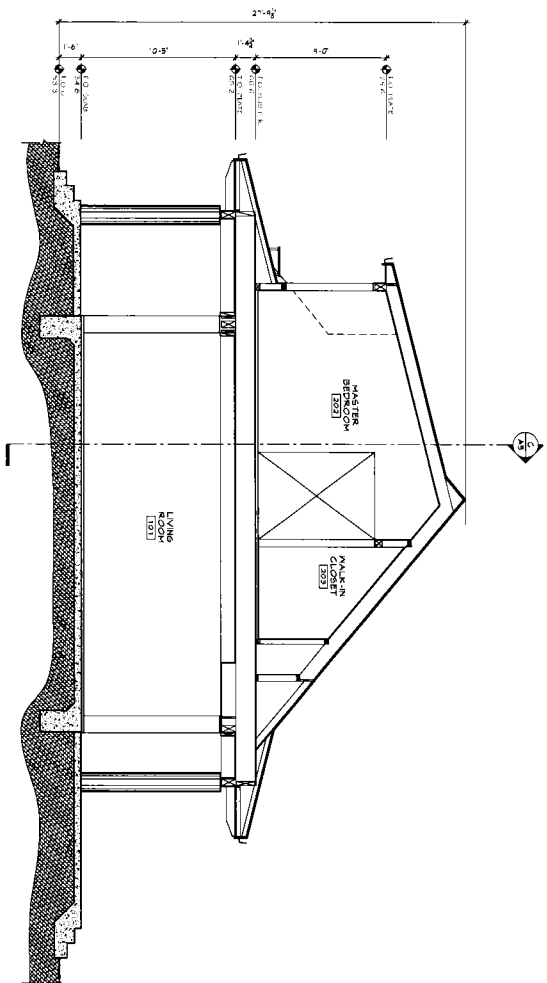
A SECTION A
SCALE 1/4" = 1'-0"



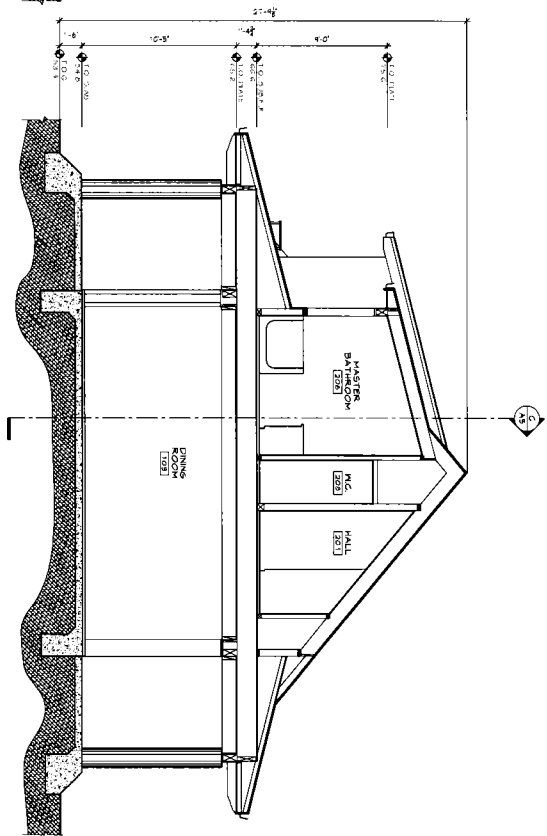
C SECTION C
SCALE 1/4" = 1'-0"



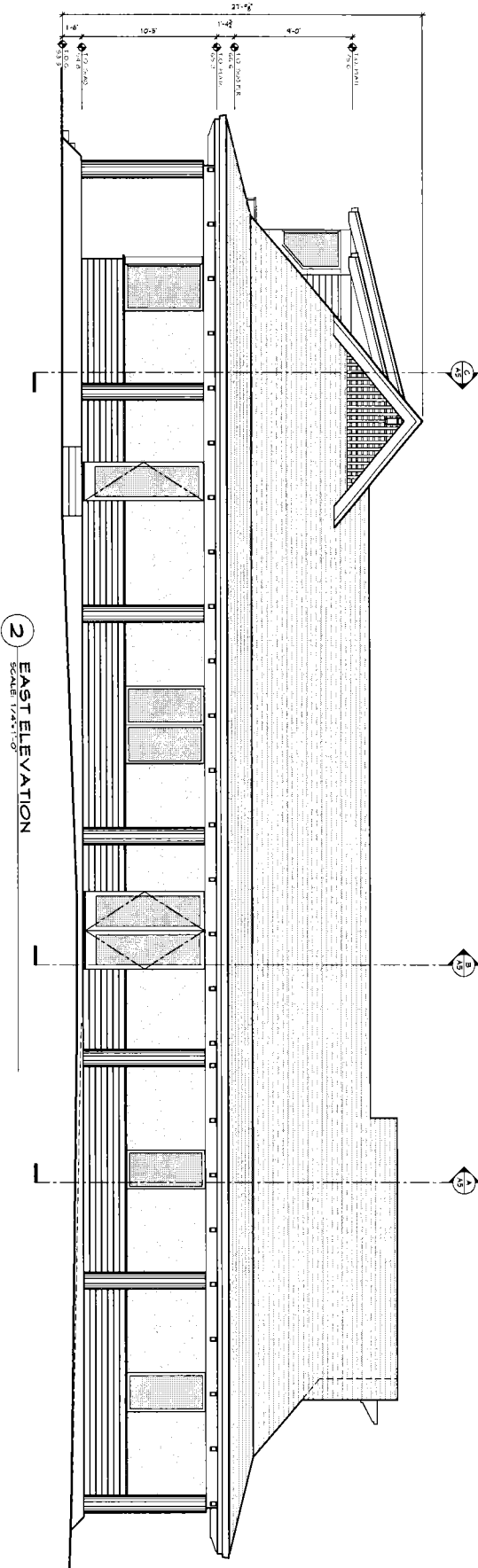
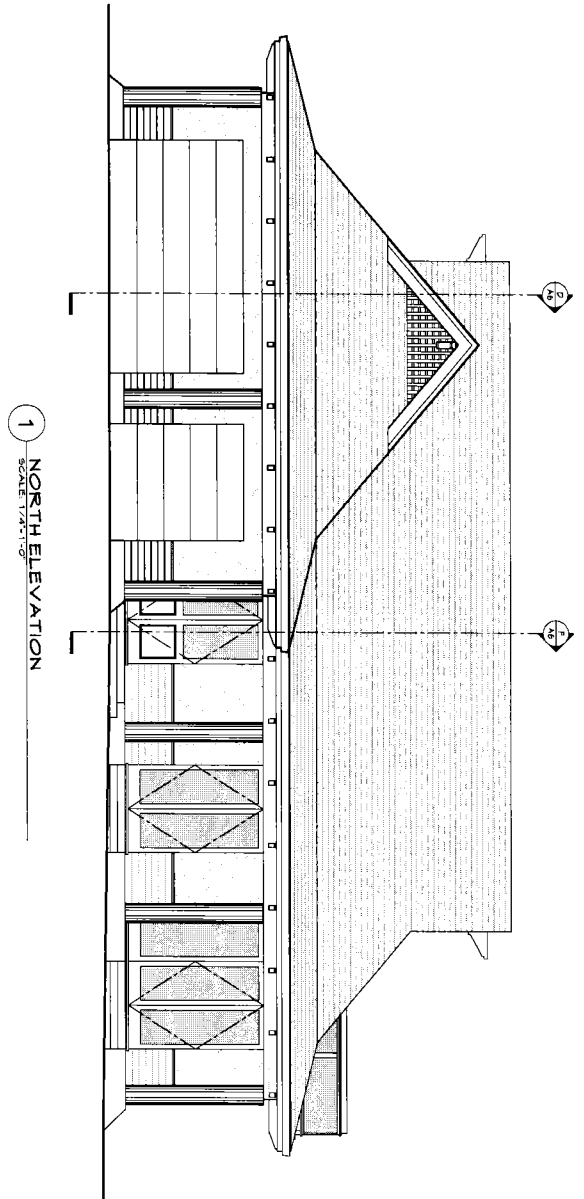
D SECTION D
SCALE 1/4" = 1'-0"



F SECTION F
SCALE 1/4" = 1'-0"



E SECTION E
SCALE 1/4" = 1'-0"



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DVRD
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SANTA CRUZ, CA 95062

NOVAK RESIDENCE
4480 OPAL CLIFF DR.
SANTA CRUZ, CA 95062

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DEREK VAN ALSTINE

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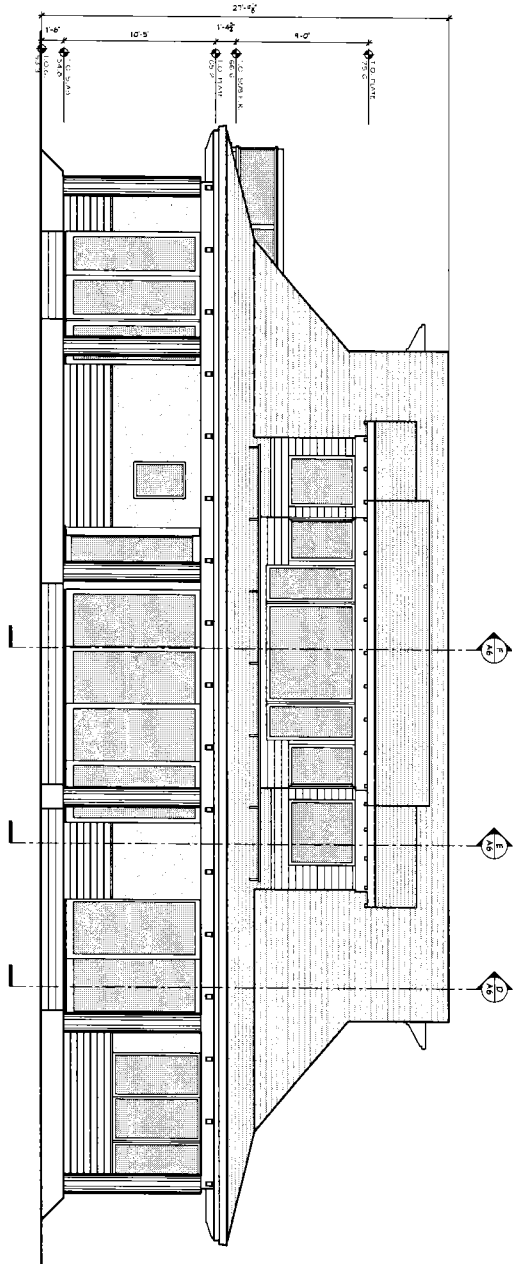
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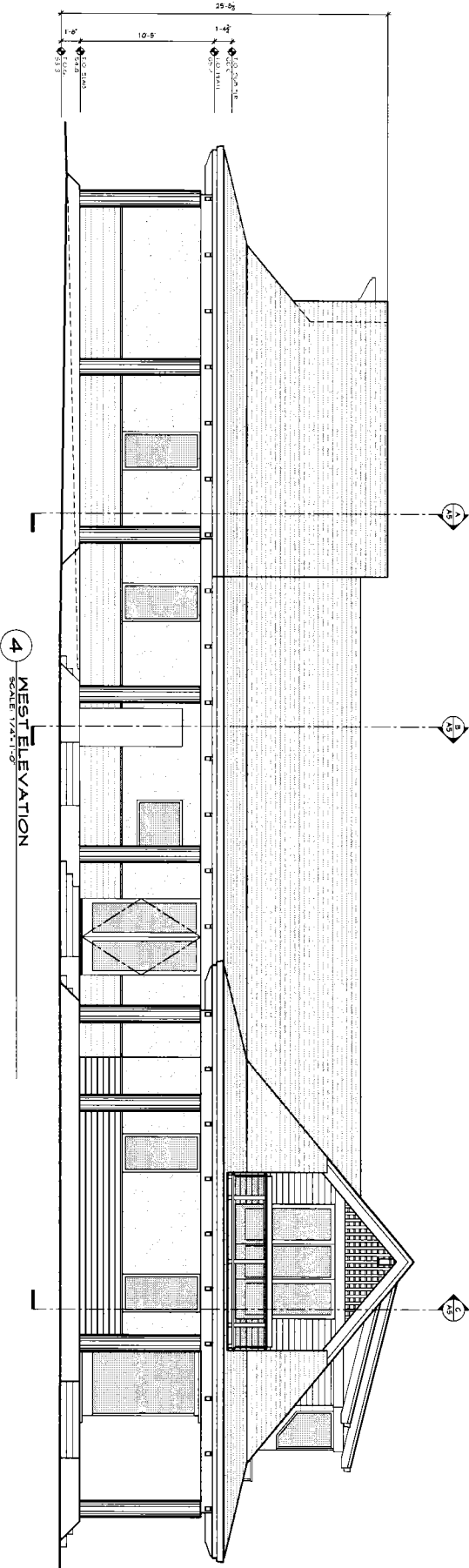
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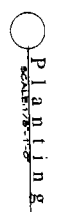


3 SOUTH ELEVATION
SCALE 1/4"=1'-0"



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

Lighting Notes
There will be no landscape/site lighting.



PLANTING AREA PREPARATION

- Planting
SCALE 1/8" = 1'-0"

Learning Objectives

[illegible]

The landscape contra

The landscape contractor shall provide an automatic drip irrigation system to all plantings, excluding the bluff top plantings.

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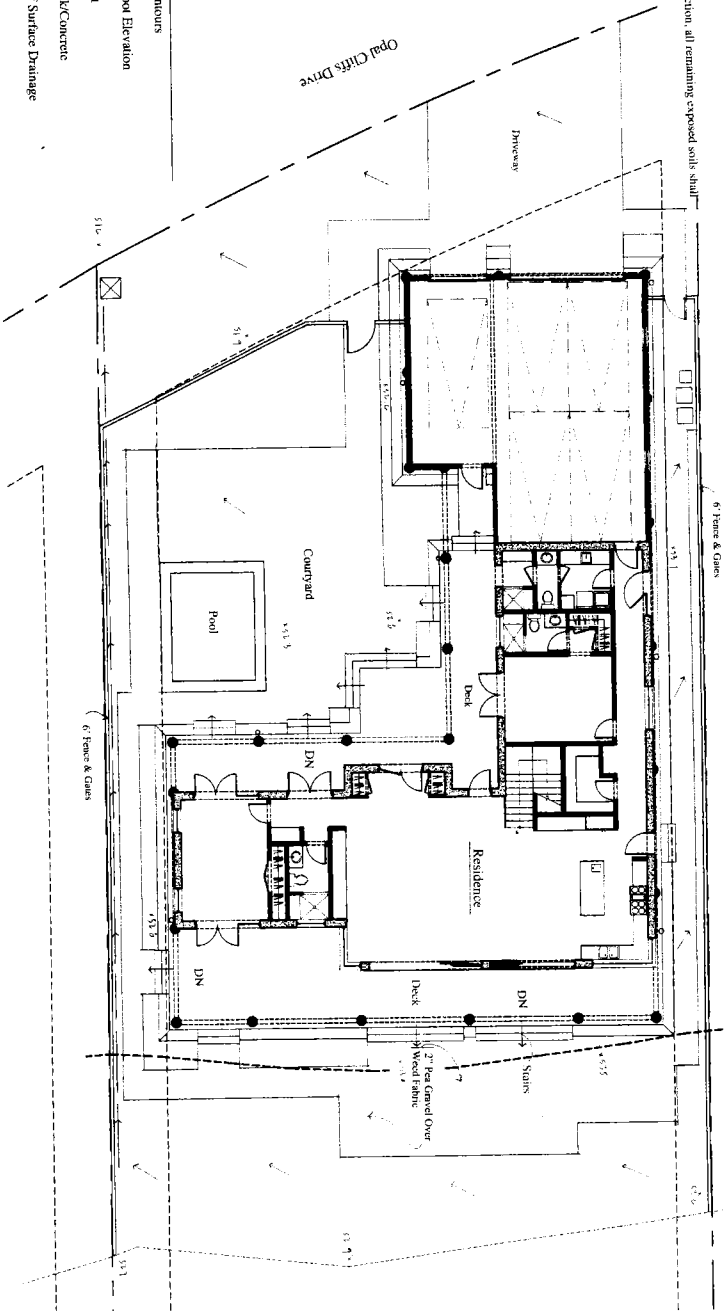
Erosion Control Notes

No clearing, grading or excavation shall take place between October 15th and April 15th. Any clearing, grading or excavation requires review and approval by the Planning and Building Department. The property owner shall be responsible for implementing and maintaining site erosion control measures at all times.

Unnecessary grading and soil disturbance shall be avoided.

All excavated material shall be removed to an approved disposal site or stockpiled on the site and covered with plastic sheeting during periods of rain.

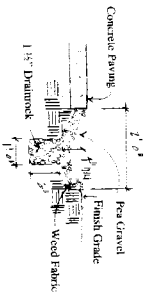
Upon completion of construction, all remaining exposed soils shall be planted or mulched.



- Legend**
- Existing Contours
 - Proposed Spot Elevation
 - Down Spout
 - Splash Block/Concrete
 - Direction of Surface Drainage
 - Straw Roll
 - Silt Fence
 - Construction Entrance
 - Solid PVC Drain Line
 - Bio Swale
 - 4" Perforated PVC Drain Line at Base of Rock Wrapped in Filter Fabric - Slope Pipe 1% Minimum
 - Drywell with Overflow Bubble

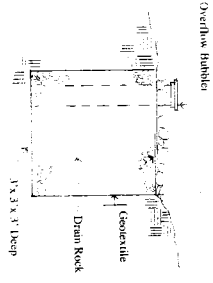
Drainage & Erosion Control Plan

North



Bio Swale Detail

Not to Scale



Dry Well Detail

Not to Scale

NOVAK RESIDENCE
4480 OPAL CLIFF DR.
SANTA CRUZ, CA 95062

Ellen Cooper
Landscape Architect

831-426-6845

Ca. Lic. #2937

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 R-1-5 (Single-family Residential), a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UM) 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 proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements as no such easements or restrictions are known to encumber the project site.

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

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style. The size and architectural design of homes in the area vary widely, and the design submitted is compatible with the existing range of styles. The proposed project incorporates site and architectural design features such as a second story that is completely contained within the roof area of the proposed house and a color palette of muted natural shades, to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The second floor has been designed such that there are no windows facing onto Opal Cliff Drive and therefore, as viewed from the street the proposed house will appear to be single story

The development site is on a prominent bluff top. However, the proposed replacement single-family dwelling will not significantly impact scenic resources because, owing to the height of the bluff, which rises almost vertically from the narrow beach area below, the proposed dwelling will not be visible in public views from the scenic beach. In addition, the proposed dwelling will not interfere with any existing public ocean views, since the proposed house replaces an existing dwelling on the parcel that currently does not allow ocean views from Opal Cliff Drive.

- 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 although the project is located between the shoreline and the first public road, it is not identified as a priority acquisition site in the County's Local Coastal

Application #: 111122

APN: 033-151-10

Owner: Michael Inglis

Program. No coastal access easements cross the subject property and a public pedestrian access point already exists about 140 feet northeast of the project site at the entrance to Private's Beach. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

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 R-1-5 (Single-family Residential) 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. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles.

Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for residential uses and the proposed dwelling complies with the required setback from the top of the bluff, as determined in the project Geologic Report prepared by Rogers E. Johnson and Associates. 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 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 these amenities.

- 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 with an attached 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 R-1-5 (Single-family Residential) zone district, as 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 Rural Residential (R-UM) 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 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 single-family dwelling will comply with the site standards for the R-1-5 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

The proposed single-family residence is in compliance with General Plan policies 5.10.2 and 5.10.7 in that it will not interfere with existing ocean views, since the proposed house replaces an existing dwelling on the parcel that currently prevents ocean views from Opal Cliff Drive. The proposed exterior colors and materials include muted natural shades that have been selected to blend in with the beach and coastal bluff setting and character of the area.

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 will replace a single-family dwelling that is currently developed on the lot. The existing house is to be demolished to make way for the new dwelling. In addition, the expected level of traffic generated by the replacement home is not anticipated to increase from the existing level of use and therefore the proposed development 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 structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single-family dwelling is consistent with the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed single-family dwelling will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

The proposed new house has been designed to incorporate site and architectural design features to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. These features include a second story that is completely contained within the roof area of the proposed house and a color palette of muted natural shades. The second floor has been designed such that there are no windows facing onto Opal Cliff Drive and therefore, as viewed from the street the proposed house will appear to be single story.

Conditions of Approval

Exhibit A: Architectural plans, 11 sheets, prepared by Derek Van Alstine, Residential Design Inc. dated July 14, 2011; Site Survey, 1 sheet, prepared by Ward Surveying, dated December 7, 2010, and Landscape plans, 3 sheets, prepared by Ellen Cooper, Landscape Architect, dated July 13, 2011.

- I. This permit authorizes the demolition of an existing single-family dwelling with an attached garage and the construction of a replacement single-family dwelling and attached garage. **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 Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 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.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - E. 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.
 - F. Obtain a Coastal Development Permit from the California Coastal Commission for the seawall project.
 - G. Obtain a Building Permit and a Grading Permit for all construction related to the seawall project.
- II. **Prior to issuance of a Building Permit** for the dwelling 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. The applicant shall supply 2 additional copies of the approved color and material board on 8 1/2" x 11" paper, for attaching to the Building Permit plans.
 2. Provide a drainage plan prepared by a licensed civil engineer. All drainage is required to be directed away from the bluff edge.
 3. Provide information as required to show compliance with all requirements of Department of Public Works Stormwater Management, including details as to how impervious surfacing can be minimized. The requirement to minimize impervious surfacing can be achieved by the use of porous pavement (Paver blocks, pervious concrete, etc.). If impervious areas are not minimized, on-site detention will be required to mitigate for the net increase in impervious area.
 4. Submit an erosion control plan.
 5. Provide a plan review letter from the soils engineer referencing the final revised plans submitted for the building permit and stating that the plans reviewed conform to the recommendations provided in the geotechnical investigation.
 6. Provide a plan review letter from the project geologist referencing the final revised plans submitted for the building permit and stating that the plans reviewed conform to the recommendations provided in the geologic investigation.
 7. Submit plans that reference both the geotechnical investigation and the geologic investigation.
 8. Provide details showing the proposed replacement driveway including details such as driveway details, structural section, construction details and proposed drainage.
 9. Provide details showing compliance with fire department requirements.
- B. 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.
- C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.

- E. Pay the current fees for Opal Cliffs Recreation District and Child Care mitigation for 2 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - F. Pay the current fees for Roadside and Transportation improvements for 2 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$1,000 per bedroom.
 - G. 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.
 - H. 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.
- 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 report and geologic report.
 - D. Provide final letters of approval from the soils engineer, civil engineer, and project geologist for the completed work on both the house and the seawall project.
 - E. Complete all work required for the seawall building permit and obtain final inspections from all appropriate agencies.
 - 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.

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.

- 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, 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.

Application #: 111122
APN: 033-151-10
Owner: Michael Inglis

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure 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

Lezanne Jeffs
Planner
Project

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: 111122

Assessor Parcel Number: 033-151-10

Project Location: 4480 Opal Cliff Drive

Project Description: demolish existing dwelling and construct a 2,700 square foot 2 story single-family dwelling with an attached garage.

Person or Agency Proposing Project: Derek Van alstine

Contact Phone Number: (831) 426 8400

- 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 a replacement single-family dwelling in an area zoned for residential uses.

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

Lezanne Jeffs, Project Planner

Date: _____

3315

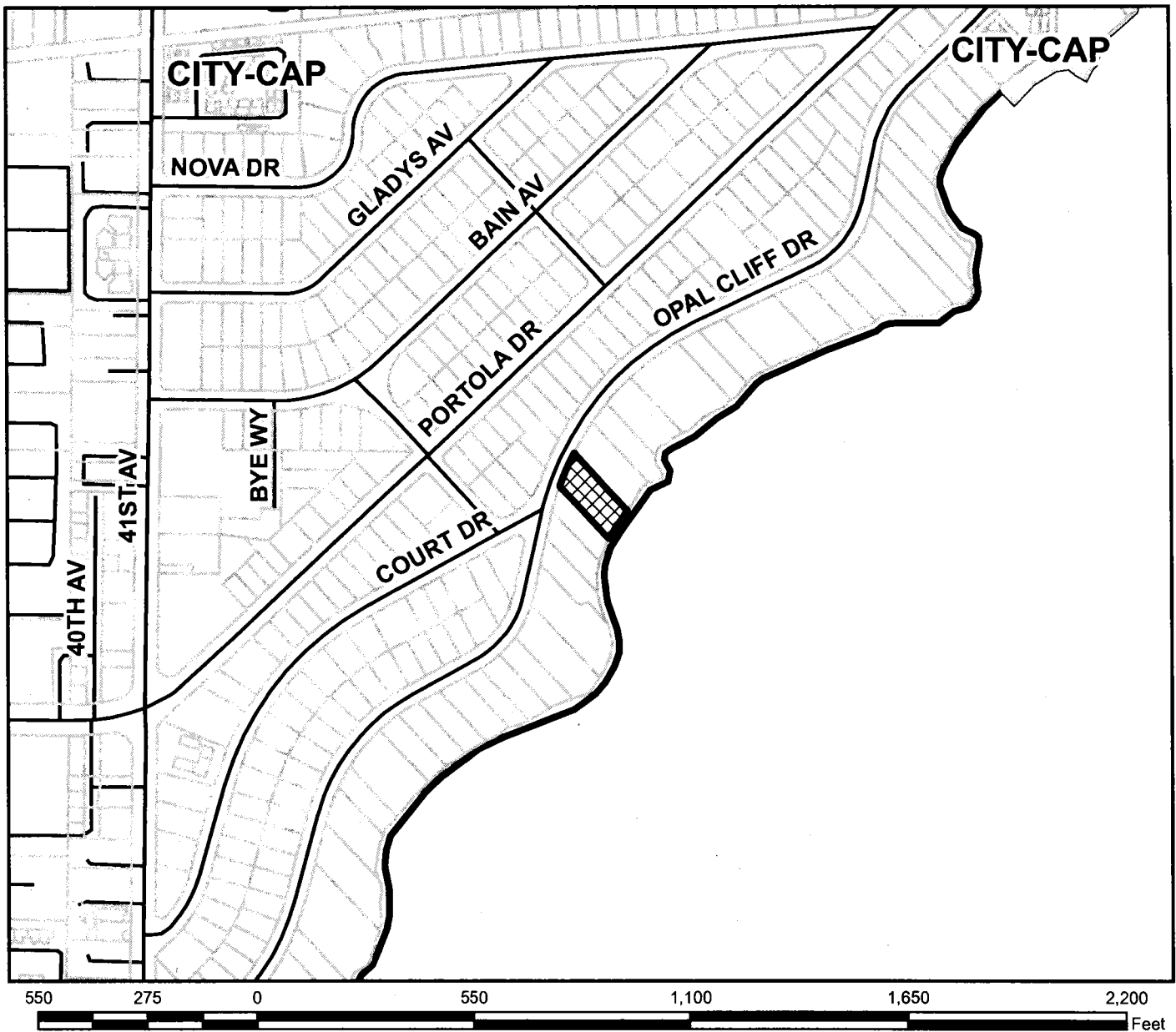
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Assessor's Map No. 33-15
County of Santa Cruz, Calif.
June 1995






EXHIBIT E

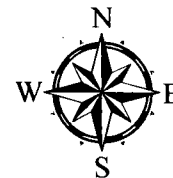


Location Map



LEGEND

-  APN: 033-151-10
-  Assessors Parcels
-  Streets
-  CAPITOLA
-  County Boundary



Map Created by
County of Santa Cruz
Planning Department
August 2011

EXHIBIT E

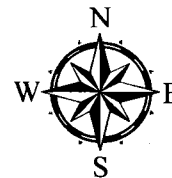


Zoning Map



LEGEND

-  APN: 033-151-10
-  Assessors Parcels
-  Streets
-  County Boundary
- RESIDENTIAL-SINGLE FAMILY
-  PARK



Map Created by
County of Santa Cruz
Planning Department
August 2011

EXHIBIT E



General Plan Designation Map



LEGEND



APN: 033-151-10



Assessors Parcels



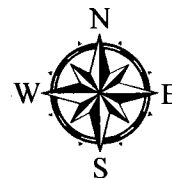
Streets



County Boundary

Residential - Urban Medium Density

Parks and Recreation



Map Created by
County of Santa Cruz
Planning Department
August 2011

EXHIBIT E