

Staff Report to the Zoning Administrator

Application Number: 141248

Applicant: Jim Stroupe **Owner:** Michael McGraw

APN: 041-121-39

Agenda Date: November 17, 2017

Agenda Item #: 3 Time: After 9:00 a.m.

Project Description: Proposal to construct a 2,098 square foot single-family dwelling with a 560 square foot attached garage, a 1,275 square foot unheated storage room below and 420 square feet of covered decks, and to grade approximately 145 cubic yards of material in the RA zone district. Requires 1) a Variance to reduce the required front yard from 40 feet to around 11 feet,2) a Variance to increase the height from 28 feet to approximately 31 feet, 3) a Variance to allow for a the provision of two parking spaces where three are required and 4) Preliminary Grading Review. This project also includes a combined Geologic and Soils Report Review and an Archaeologic Report Review.

Location: Property located on the west side of Los Arboles (585 Los Arboles), about half a mile east of the intersection with Trout Gulch Road.

Supervisorial District: Second District (District Supervisor: Zach Friend)

Permits Required: Setback Variance, Height Variance, Parking Variance and Preliminary

Gading Review

Technical Reviews: Geologic and Soils Report Review (REV 141110) and Archaeologic Report

Review (REV141114)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 141248, based on the attached findings and conditions.

Exhibits

A. Categorical Exemption (CEQA determination)

B. Findings
C. Conditions

D. Project plans
E. Assessor's, Location, Zoning and
General Plan Maps
F. Comments & Correspondence

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

Parcel Information

Parcel Size: 67,954 square feet (1.56 acres)

Existing Land Use - Parcel: Vacant residentially zoned parcel Rural residential neighborhood

Existing Land Use - Surrounding:

Project Access: Los Arboles

Planning Area: Aptos

Land Use Designation: R-R (Rural Residential) Zone District: RA (Residential Agriculture) X Outside Coastal Zone: Inside

Appealable to Calif. Coastal Comm. __ Yes X No

Environmental Information

Geologic Hazards: See submitted Geological Report on file.

Soils: See submitted Soils Report on file.

Mapped within a Critical Fire Hazard area. Project accepted by the Fire Hazard:

Aptos/La Selva Fire Protection District.

Slopes: Steeply sloped site

Oak woodland at that portion of the project site located in the right-Env. Sen. Habitat:

of-way for Los Arboles

Approximately 145 cubic yards of material Grading:

Tree Removal: Ten trees proposed to be removed. See Arborist Report on file.

Not a mapped resource Scenic:

Project accepted by the Stormwater Management Division. See plans Drainage:

and supplemental drainage calculations on file.

Not in a mapped resource area. See Archaeologic Report on file. Archeology:

Services Information

Urban/Rural Services Line: Inside X Outside

Private well Water Supply:

Septic disposal system Sewage Disposal:

Fire District: Aptos/La Selva Fire Protection District Not located in a Drainage District. Drainage District:

History

The existing parcel is currently vacant and unimproved. In 1991, Variance 91-0888 was approved by the Zoning Administrator to permit the construction of a two story single-family dwelling located approximately 5 feet from the edge of the right-of-way at Los Arboles. However, no Building Permit was submitted for construction of the dwelling and therefore Variance 91-0888 went void. Subsequently there were two pre-development applications submitted by previous property owners, one in in 2006 and one in 2009, both to discuss the potential for development of the parcel. However, neither of these resulted in the submittal of an application. The current property owner took possession of the parcel in March 2014, and application 141248 was submitted on November

10, 2014.

Project Setting

Los Arboles is a private, dead-end, right-of-way that runs uphill in a roughly south-southeasterly direction from Trout Gulch Road, and then turns sharply to run in a south to north direction, along the crest of a ridge. In the vicinity of the project site, the land on the eastern side of the road is characterized by large parcels that all gain access from Baker Road, a private street that runs along the valley below. The land drops off to the east of Los Arboles, toward Baker Road, and the steep slopes are covered by a dense and mostly undisturbed oak woodland. Parcels on the west side of Los Arboles are smaller and mostly developed with single-family homes. There are also some lots, such as the subject property, that are still vacant. West of Los Arboles, because of the relatively more intense development, the land is more open, and characterized by a mix of oak woodland and open grassland and other shrubby vegetation. The subject parcel has mostly been cleared of trees although some oaks and other woody vegetation lower down the slope and away from the road are now beginning to regenerate. The majority of the parcel is characterized by steep, west-facing slopes that fall away from the edge of the Los Arboles right-of-way. There is no level building site on the parcel.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 67,954 square feet (1.56 acres), located in the RA (Residential Agriculture) zone district, a designation that 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-R (Rural Residential) General Plan designation.

The applicable site and development standards for parcels in the RA zone district in accordance with County Code section 13.10.323 – "Development Standards for Residential Districts", are as set out in the following table:

	Required	Proposed	Permit
Front Yard – Dwelling	40 feet Minimum	11 feet	Variance
Front Yard – Propane / water tanks	5 feet / 3 feet minimum if a written requirement of the Fire Marshall	5 feet / 18 feet 6 inches	No
Side Yards –	20 feet Minimum	+/-33 feet	No
Side Yard — Propane / water tanks	5 feet / 3 feet minimum if a written requirement of the Fire Marshall	21 feet / 3 feet	No
Rear Yard -	40 feet Minimum	+/- 75 feet (70 feet at deck)	No
Height	28 feet Maximum	31 feet	Variance
Lot Coverage	10% Maximum		No
Floor Area Ratio	N/A	_	-

Because of the steeply sloping parcel, the proposed dwelling has been located in the northwestern corner of the lot, close to the right-of-way for Los Arboles, in an area where the site is marginally less steep. The proposed building site is also a requirement of the Geologic Investigation and Engineering Geotechnical Investigation for the parcel, which required that the house be located away from an existing shallow landslide scarp close to the southern property boundary. As a result, the proposed dwelling is required to be located within the required 40 foot front yard setback and will have a setback of 11 feet from the edge of the right-of-way for Los Arboles. This will require the approval of a Variance.

As a result of the proposed location of the dwelling close to the edge of the right-of-way for Los Arboles, the setback to the entrance of the proposed two-car garage will also be set back from the right-of-way by11 feet. As set out in County Code section 13.10.554, "Standards of off-street parking facilities," the minimum required depth for a standard parking space is 18 feet, therefore, there will not be sufficient paved area on the garage forecourt to accommodate off-street parking. Further, no parking is allowed in the portion of the driveway approach within the right-of-way, because this area is part of the turnaround required by the Fire Department for emergency vehicles. Therefore, as proposed, the project will provide only two off-street parking spaces where a minimum of three parking spaces are required by county Code. This also requires the approval of a Variance.

In addition, a Variance is required to allow for a dwelling that exceeds the maximum permitted 28 foot height limit. To minimize disturbance of the potentially unstable slopes, the proposed dwelling has been designed so that there will be no grading over the building site, except at the driveway entrance to the garage. Because of the need to minimize grading, and because the site drops off steeply behind the house and also in a southerly direction along Los Arboles, the proposed dwelling will have a height of around 31 feet at the southern end of the roof where the grade below is at the lowest elevation in relation to the adjacent road..

A complete list of Variance findings for the proposed reduction of the front yard setback, reduced parking and increased height at the proposed dwelling is included with this report.

Oak Woodland

The proposed project, which is for the construction of a single-family dwelling, also proposes rerouting a portion of the existing travelled roadway for Los Arboles. Adjacent to the subject parcel, the paved road currently runs close to the western edge of the 40 foot wide right-of-way and the remaining undeveloped right-of-way lying to the east of the road is mostly undisturbed woodland. The project plans indicate that the road will be relocated approximately 26 feet west of its current route to run along the western edge of the right-of-way. As a result, Los Arboles will swing away from the proposed dwelling. In addition to allowing for greater privacy at the proposed home, this relocation of Los Arboles has been proposed so that vehicles backing out of the garage do not back directly into the travelled roadway and so that the area in front of the proposed garage provides a turnaround for emergency vehicles.

The route of the relocated road has been laid out to avoid existing mature trees to the greatest extent possible. However, plans show that relocation of the road will require the removal of up to 17 existing trees; 15 Coast Live Oak and 2 Douglas Fir trees. Based upon the submitted Arborist's Report, the Coast Live Oaks to be removed have a diameter at breast height (DBH) of between 10 and 21 inches. Of these 3 are dead, or nearly dead, 2 are in poor condition and 9 are noted as being in a fair condition. Only 1 Oak tree is assessed as being in a good condition. The two Douglas Firs, which are smaller and have a DBH of 10 and 13 inches, are also listed as being in fair condition. To mitigate the removal of these trees, the application includes a Landscape Restoration Plan which proposes the planting of replacement trees at a ratio of 1:1 for each tree that will be removed (17 trees required). All replacement trees will be Coast Live Oak. In addition to tree planting, the Landscape and Restoration Plan includes for the planting of other native California shrub and groundcover species.

During all earthwork operations for the relocation of the road the project arborist will be required to be on-site to ensure that all remaining trees are protected in accordance with the recommended Tree Protection Plan. Following construction of the project the applicant will be required to provide a final accounting of all trees that were removed and show that the final number of replacement trees equals the total number of trees removed. All replacement trees and other plantings will be required to be installed and approved prior to the final inspection clearance of the proposed dwelling.

Geology and Slopes

The proposed dwelling is proposed to be constructed at the top of a steeply sloping parcel in an area that is marked with small spurs and erosional ravines. To ensure the safety of the development no grading is proposed at the building site. In addition, a buried retaining wall (pin-pile wall) is proposed to be constructed across the down-slope edge of the dwelling as well as below the proposed septic system, extending across the entire width of the parcel. To protect the slopes from stormwater runoff, all surface drainage from the proposed dwelling will be collected and carried in a pipe to Trout Gulch Road. All proposed development on the site hasbeen designed and will be constructed in strict accordance with the approved Engineering Geologic Evaluation and Geotechnical (soils) Reports for the project. These reports have been reviewed and approved by the County Geologist and Civil Engineer.

Archaeology

The site is not mapped as being within a known Archaeological resource area. Further, an Archaeological Report was submitted in support of this application which confirms that the project site does not contain any sites of potential archaeological significance.

Environmental Review

As proposed, the project qualifies for an exemption under the California Environmental Quality Act (CEQA), consistent with the CEQA guidelines in Section 3, New Construction or Conversion of Small Structures (15303). The proposed dwelling is will be constructed within an area designated for residential uses and, with the approval of Variances, will conform to all of the required site and development standards for the zone district

APN: 041-121-39 Owner: Michael McGraw

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

• Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

• APPROVAL of Application Number 141248, 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

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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: 141248
Assessor Parcel Number: 041-121-39 Project Location: 585 Los Arboles, Aptos CA
Project Description: Proposal to construct a 2,098 square foot dwelling with a 560 square foot garage and 420 square feet of decks and grade approximately 80 cubic yards
Person or Agency Proposing Project: Jim Stroupe
Contact Phone Number: (831) 688 3300
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).
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 single-family dwelling in a residential zone district.
In addition, none of the conditions described in Section 15300.2 apply to this project.
Date: Lezanne Jeffs, Project Planner

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. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources. Further, the proposed dwelling will be constructed in accordance with the Geologic and Engineering Geotechnical Reports that have been prepared for the project and that have been reviewed and approved by the County Geologist and Civil Engineer. These reports require the construction of a buried retaining wall (pin-pile wall) across the entire parcel, parallel with the right-of-way for Los Arboles that will retain the entire upper portion of the site. Further, all proposed runoff will either be directed away from the sloping parcel, or will be collected and carried in a pipe to Trout Gulch Road. The proposed drainage plan has been reviewed and approved by the County Stormwater Management Division of the Department of Public works.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the single-family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA (Residential Agriculture) zone district. The primary use of the property will be one Single-family dwelling that, with the approval of Variances to allow for a reduced front yard setback, increased height and reduced on-site parking, 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 R-R (Rural Residential) 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, in that, except for a reduced front yard setback and increased height, it meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance). The single-family dwelling will not adversely shade adjacent properties because it will be located over 100 feet from the closest neighboring dwelling, and will meet or exceed current side and rear yard setbacks for the zone district.

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 dwelling is located on a rural parcel and, with the approval of Variances for a reduced front yard setback and increased height, will comply with the site standards for the RA zone district (including side and rear yard setbacks, lot coverage, floor area ratio, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed single-family dwelling is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only one or two peak trips per day (estimated peak trips per dwelling unit), and such an increase will not adversely impact existing roads or intersections in the surrounding area. The proposed single-family dwelling will be constructed in conformance with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the conservation of energy and resources and will therefore not overload utilities.

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 rural 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.

The proposed single-family dwelling is not subject to the Design Standards and Guidelines as set out in County Code sections 13.11.070 through 13.11.076. However, the proposed home 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.

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The project is located in an area that is zoned RA (Residential Agriculture), a designation that allows residential uses. A single-family dwelling is a principal permitted use within a residential zone district and the zoning is consistent with the site's R-R (Rural Residential) General Plan designation.

The special circumstances that apply to this lot are that the entire parcel is steeply sloped. Therefore there is no building site available on the parcel where a functional dwelling that conforms to all of the site and development standards for the zone district could be built.

The dwelling is proposed to be located in the northwestern corner of the lot where it will meet or exceed the required side and rear yard setbacks. However, because of the potentially unstable steep slopes that fall away directly from the edge of Los Arboles, the project Geologist and Geotechnical Engineer have required that the structure be located close to the edge of the right-of-way and at least 50 feet north of a shallow escarpment caused by a past slope failure. As a result it is not possible to meet the 40 foot front yard setback required by the Residential Agriculture zone district. The dwelling is therefore proposed to be located approximately 11 feet from the edge of the right-of-way. There are no feasible alternative sites on the parcel.

The proposed residence has been designed to provide a level living area that is roughly at the grade level of the adjacent roadway so as to allow for direct vehicular and pedestrian access from Los Arboles. However, because of the steep drop off westwards, away from Los Arboles, and because of gentler slopes to the south along Los Arboles, the grade at the southwestern corner of the proposed structure is over 20 feet lower than at the northeastern corner. Therefore although the majority of the dwelling will conform to the maximum 28 foot height limitation, because the land drops away, the ridgeline at southern end of the structure will have an approximate height of 31 feet at the peak of the roof.

County Code requires the provision of three off-street parking spaces for the proposed three bedroom home and if the site was level it would be possible to construct a two-car garage with a driveway forecourt area in front that would accommodate two additional vehicles. As proposed, only two off-street parking spaces will be available for the proposed dwelling because the subject parcel is steeply sloped, resulting in a requirement that the dwelling be located close to the edge of the right-of way for Los Arboles. Therefore the driveway forecourt will have a length of only 11 feet, insufficient area to accommodate additional parking.

Therefore this finding can be made.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

This finding can be made, in that the intent and purpose of the residential zone districts is to provide for residential uses and further, off-street parking is required for all residential uses. The proposed two-story single-family dwelling with an attached two-car garage will be in harmony with other dwellings in the neighborhood. Existing development along Los Arboles includes a wide variety of one and two-story structures and the proposed dwelling will be compatible with the existing range of styles. Although the dwelling will exceed the 28 foot height limit, the structure will not appear to be excessively tall as viewed from the street because the land drops away beneath the structure. Furthermore, because Los Arboles will be re-routed eastwards of its current location, this will allow for the provision of landscaping and new tree planting between the travelled roadway and the dwelling that will screen and soften the proposed development.

The proposed dwelling will not be materially detrimental to public health, safety, or welfare or be injurious to property or improvements in the vicinity in that the structure has been sited and designed in strict conformance with the Geologic and Engineering Geotechnical Reports that have been prepared for the project and that have been reviewed and approved by the County Geologist and Civil Engineer. These reports require the construction of a buried retaining wall (pin-pile wall) across the entire parcel, parallel with the right-of-way for Los Arboles that will retain the dwelling and all site improvements located on the up-slope portion of the site. Further, all proposed run-off will either be directed away from the parcel, or will be collected and carried in a pipe to Trout Gulch Road. The proposed drainage plan has been reviewed and approved by the County Stormwater Management Division of the Department of Public Works. The relocation of the paved roadway for Los Arboles allows for the provision of a compliant turnaround for emergency vehicles in front of the dwelling as required by the Fire Marshall. Furthermore, because the roadway will be moved away from the proposed dwelling, cars backing out of the garage will not have to reverse into traffic travelling along Los Arboles.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made. The granting of a Variance to reduce the front yard setback to 11 feet, allow for a structure with a maximum height of 31 fee,t and recognize the provision of only two parking spaces for a three bedroom single family dwelling will not constitute a grant of special privilege to this parcel because there is no alternative site on the parcel where a dwelling could feasibly be constructed and no available level area where one additional parking space could be provided. Furthermore, Variance approvals have been granted on adjacent parcels. These include Variance 89-1050 to reduce the required 40 foot front yard from 40 feet to 5 feet on APN 041-121-40 the adjacent parcel to the north and Variance 06-0453 to reduce the required 40 foot front yard from 40 feet to 5 feet and to increase the maximum 28 height limit to about 30 feet on APN 041-121-42.

Conditions of Approval

Exhibit D: Project plans, 9 sheets, prepared by James Reed Stroupe, Architect, one dated 1 Sept., 2016; one dated 1 Nov., 2016; two dated 8 Dec., 2017, and 6 dated 29 June, 2017, and 4 sheets prepared by R. I. Engineering dated August 2017.

- I. This permit authorizes the construction of a 2,098 square foot single-family dwelling with a 560 square foot attached garage and a 1,277 square foot unheated storage room below, as indicated on the approved Exhibit "D" for this permit. 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 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.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
- 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
 - 2. 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 sheet in 8 1/2" x 11" format for Planning Department review and approval.
 - 3. Grading, drainage, and erosion control plans.

- 4. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 31 feet.
- 5. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
- B. Meet the following requirements of the Environmental Planning Section of the Planning Department:
 - 1. All recommendations of the project Arborist for the protection of trees to be retained (including the specific locations for tree protection fencing and a required observation schedule), shall be incorporated into the project plans.
 - 2. Provide a tree protection plan showing the precise location of the tree protection fencing as recommended by the project arborist.
 - 3. Provide a plan review letter from the project arborist approving the final revised grading, utility, and tree protection plans.
 - 4. Plans shall reference the approved Engineering Geologic Evaluation report by titles, authors and dates, and include a statement that the project shall conform to the report's recommendations.
 - 5. The applicant shall provide a plan review letter from the project Geologist approving the final revised plans once all agency comments have been addressed.
 - 6. Plans shall reference the approved Geotechnical (soils) report by titles, authors and dates, and include a statement that the project shall conform to the report's recommendations.
 - 7. The applicant shall provide a plan review letter from the project Geotechnical Engineer approving the final revised plans once all agency comments have been addressed.
 - 8. The applicant shall provide a Stormwater Pollution Control Plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual. The Manual may be found on

our website at www.ccoplanning.com by navigating to Environmental / Erosion and Stormwater Pollution Control / Construction Site Stormwater BMP Manual.

- 9. Provide proof of an easement or other legally enforceable documentation granting permission to tie into the existing drainage system through APN 041-121-15 (125 Los Arboles).
- 10. A "Notice of Geologic Hazards, Acceptance of Risk, and Liability Release" shall be recorded on the parcel with the format and content of that document to be reviewed and accepted by the County of Santa Cruz prior to recordation. The Notice will provide for property owner (and all successors and assigns) agreement to an acknowledgement of geologic hazards, an acceptance of and assumption of risk, a waiver of liability against the County, and an indemnification of the County
- C. Submit a final Water Efficient Site Restoration and Landscaping Plan (including a signed Water Efficient Landscape Checklist and Certificate) prepared in accordance with the requirements of the Water Efficient Landscape Ordinance (County Code Chapter 13.13) by a certified/licensed landscape architect, landscape contractor, civil engineer, landscape irrigation designer, landscape irrigation auditor, or water manager. The landscape plan shall specify plant species, size and location, and shall include irrigation plans, and shall meet the following criteria:
 - 1. Replacement Trees. A minimum of one replacement tree is to be planted for each existing tree that is to be removed during the construction of the proposed project. All trees shall be Coast Live Oak (Quercus agrifolia) and shall be 15-gallon size or larger when planted. All tree planting within 100 feet of the proposed dwelling shall take into consideration Fire Department requirements for a 100 foot buffer around the structure within which only single specimen trees are allowed.
 - 2. <u>Plant Selection</u>. All of the plant materials selected shall be well-suited to the climate of the region and require minimal water once established (drought tolerant). Native plants are encouraged. Up to 20 percent of the plant materials, need not be drought tolerant, provided they are grouped together and can be irrigated separately. Turf areas are not permitted.
 - 3. <u>Soil Conditioning</u>. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.

- 4. <u>Irrigation Management</u>. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid runoff, over-spray, low head drainage, or other similar conditions where water flows onto downslope portions of the parcel, adjacent property, non-irrigated areas, walks, roadways or structures.
 - a. The irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit applications. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.
 - b. Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be used to maximize the efficiency of water applied to the landscape.
 - c. Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.
 - d. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.
- D. Meet all requirements of the County Department of Public Works, Stormwater Management.
 - 1. The applicant is responsible for obtaining proper permission such as an easement or other documentation granting permission to tie into the existing system going through private property. The documentation must specify who will maintain and be financially responsible if any failure occurs.
 - 2. A recorded maintenance agreement is required for the proposed detention system. Please contact the County of Santa Cruz Recorder's office for appropriate recording procedure. The recorded maintenance agreement needs to specify the following:
 - a. Details of what needs to be maintained.
 - b. How often each drainage improvement needs to be maintained.
 - c. What to look for indicating maintenance is required.

d. Maintenance procedures for each specific drainage improvement.

The maintenance agreement form can be picked up from the Public Works office or can be found online at: http://www.dpw.co.santa-cruz.ca.us/Storm Water/FigureSWM25A.pdf

- 3. Please provide tabulation on the plans of new impervious and replaced impervious areas resulting from the proposed project. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: In order to clear the Hold, one of these options has to be exercised:
 - a. The civil engineer must inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient.
 - b. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
 - The civil engineer may review as-built plans completed by the c. contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone number. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the asbuilt plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold, if the submittal is satisfactory.
- E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.

- F. Meet all requirements and pay any applicable plan check fee of the Santa Cruz County Fire Protection District.
- G. Pay the current fees for Parks and Child Care mitigation for 3 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- H. Pay the current fees for Roadside and Transportation improvements. Currently, these fees are, respectively, \$3,000 and \$3,000 per unit.
- I. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for a dwelling 2,001 2,500 square feet is \$3 per square foot.
- J. Provide required off-street parking for 2 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.
- 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 the proposed 1,275 square foot room at the lower floor as non-habitable storage. You may not alter the wording of this declaration. Follow the instructions to record and return the form to the Planning Department.
- III. All future construction within the property shall meet the following conditions:
 - A. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan that may or may not be granted.
 - B. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
- IV. Prior to any site disturbance on the subject property, the following conditions shall be met:
 - A. A preconstruction meeting shall be scheduled 14 days prior to commencement of earthwork. Attendees shall include Environmental Planning staff, the project Arborist, the grading contractor, the project Geologist, the soils engineer and the civil engineer. Tree protection fencing and perimeter erosion control will be inspected by Environmental Planning staff. In addition, findings of the bird survey (if required, see C. below) will be reviewed.

- B. All tree protection fencing and sediment control measures shall be installed as shown on the approved plans.
- C. If tree removal will occur during the bird nesting season, February 1 through August 15, a qualified biologist shall conduct nesting bird surveys no more than 2 weeks prior to vegetation removal. If active nests are observed, the biologist shall designate a buffer zone around the nest tree or shrub as follows: 200 feet for nesting raptors and 50 feet for all other bird species. No vegetation removal shall take place within the buffer zone until the biologist has determined that all chicks have fledged and are able to feed on their own.
- V. 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. Meet the following specific requirements of the Environmental Planning Section of the Planning Department:
 - 1. All procedures discussed during the required preconstruction meeting shall be followed.
 - 2. Periodic inspections will be made by the Resource Planner during all grading and construction activities.
 - 3. <u>Grading:</u> All site grading shall be carried out in accordance with the following additional requirements
 - a. The Resource Planner shall be contacted before Rough Grading clearance to confirm that the grading has been completed as shown on the grading and building plans.
 - b. The Resource Planner shall be notified of any changes to the grading plan. All inspections required by the grading permit shall be completed to the satisfaction of the County Planning Director.
 - c. Field Compaction testing must be conducted throughout the project, and the location and elevation of each test must be accurately documented on a copy of the grading plan. At a minimum, field compaction tests must be taken every 2 feet of vertical height randomly throughout the graded area. Tests shall also be taken in isolated areas of fill. Compaction curves shall be developed for all imported material.

- d. A letter from the Geotechnical Engineer shall be presented to the Building Inspector and the Resource Planner before the rough grading clearance. The letter shall include all compaction tests and locations, and shall conclude that the site is ready for the pouring of concrete for the foundations.
- e. The geotechnical engineer shall sign a "Special Inspector Form" for the proposed grading work.
- f. A final inspection of the Grading Permit shall occur on site the after completion of the grading.
- 4. Before final inspection clearance for the dwelling, final acceptance letters are required from the Civil Engineer, Engineering Geologist, Geotechnical Engineer and the earthwork contractor certifying the project was constructed in conformance with the grading permit and approved project plans. The final acceptance letter from the project civil engineer shall include an as-built plan, and a written summary of all Change Orders.
- 5. The field observations by the Geotechnical Engineer's representative must be noted on a copy of the grading plans. These critical features can be photographed and accurately located on a copy of the grading plan, or be located by the project surveyor. A copy of the inspection map must be included with the final geotechnical report.
- 6. With the final geotechnical report, the Geotechnical Engineer must conclude, in writing, that the drainage facilities are installed on firm native material and/or on compacted fill and/or CLSM, and must state that the expected settlement is within the tolerance of the installed drainage facilities.
- 7. The project must comply with all recommendations of the approved soils (Geotechnical) reports and Engineering Geologic Investigation reports.
- 8. Prior to final inspection clearance for the Building permit, the project Arborist shall provide a final inventory of all trees that were required to be removed during construction. In addition, the Arborist shall provide an updated report on the health of all remaining trees within 10 feet of the dwelling, relocated roadway and from all other areas of site disturbance from the construction of the project.
- 9. A hold will be placed on the Building Permit until all replacement tree planting and site restoration landscaping has been installed. A minimum of one replacement tree will be required for each tree that was removed, as well as for any tree that is determined by the project Arborist to have been negatively impacted by the construction to the extent that the ongoing health of the tree cannot be guaranteed.

- C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- D. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.

VI. Operational Conditions

- A. All drainage improvements shall be permanently maintained in good working order.
- B. All tree planting and landscaping shall be maintained in a healthy condition and any dead or dying plants shall be replaced. Within 100 feet of the structure all restoration planting shall be maintained in accordance with Fire Department requirements. Trees shall be maintained as single specimen trees and selective pruning to remove dead or dying branches is permitted.
- C. 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.
- VII. 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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

Please note: This permit expires 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:		
Wanda Williams Deputy Zoning Administrator	Lezanne Jeffs Planner IV	

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.

585 Los Arboles Aptos, CA 45003 APN 041-121-39

sheet number

GENERAL NOTES

Tie downspouts to an underground solid pipe and discharge into an approved drainage aystem.

SITE NOTES

DRAINAGE NOTES

Disturb as small an area as possible Replant all disturbed area with per Between 15 October and 15 April, I

EROSIONS CONTROL NOTES

Structural Engineering

Energy Consultant

Dob Patterson, CE 17950 Berts Gersyon Road Seifman, Cettlomis 97907 (801) 295-2250

Deferred Submittals

ARCHITECT fames Reed Strou P.O. Box 366 Aptos, CA 95001 (153) 666-3500

intain address numbers to be plainly visible from the street all be a minimum 3-1/2inches high and of a color contrastir

intain a 30-foot cleanance with non-combustible vegetation around structures.

1 Fire Rushing = Type V-B, sprintlaned.
2 Occupancy = Realdential, Single Family D
Requirements of the "Shaple Family Duell
4 These plans are in compliance with the C, and Fire Codes, 2019 and District amend

Roof Trusess shall be engineered by Miss Industries, Inc. and propured by Pacific.
 Henger May, Philasorwille, California 450 Tb, (301) 720-919, Mr. Hills Hammann

 Phe Sprinker Spilven shall be designed and testaled by Huldstate Fire Protection Co., Inc., P.O. Box 4451, Selfren, Celifornia 99112, (851) 422-6361. Hr. Doug Tanner. Fireplaces shall be purchased as pre-built inserts and installed by the gen

Survayor

Seologist

(£ SITE Vicinity Map road map (8) PROJECT TEAM

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PROJECT DATA

Geotechnical Engineer

PROJECT DESCRIPTION

Septic Consultant

Civil Engineer

and Assessor's Map Vicinity Map, Project Data

> 2-car garage.
> The house will be 9 bedrooms and 2 baths.
> A new septic system will be provided.
> Diveaus and utility connections are included.
> The private road, Los Arboles, will be moved toward the far side of the right-of-wey. Construct a new single family residence with an attache

Applicable Codes

DRAMING INDEX

10 Tree Replanting and Landscape Restor 51 concluse servey 64 mt. Hnussal 3

Grading Summary Total Volume of Cut + Total Volume of Fill Total Continued Cut and Fill

61,454 equare feet 9,462 equare feet 5,10 % 2,659 equare feet 2,049 equare feet 560 equare feet 420 equare feet Area Summary Lot size
Building Footprint
Lot Coverage
Total Building Area
Heated Area
Unheated Sarage
Covered Porchas Madmum Depth of Cut Madmum Depth of File Assessor's Map No. 41-12 County of Sents Cruz, Call. Dec., 1998 **3**

SITE

Θ

(E

EXHIBIT

Assessor's Parcel Map

1" = 400'-0"

3

(N A

FOR TAX PURPOSES ONLY

POR. APTOS RANCHO 4-12 SEC. 5 & SEC. 8 T-115, R. 1E. M.D. B. M.

STATES E7P1429

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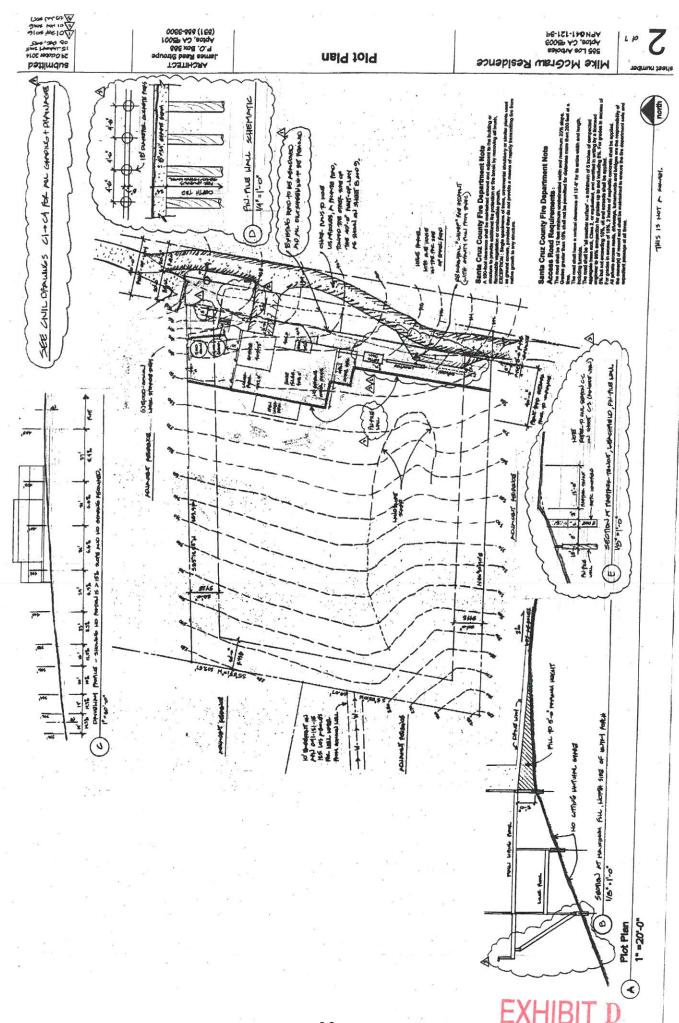
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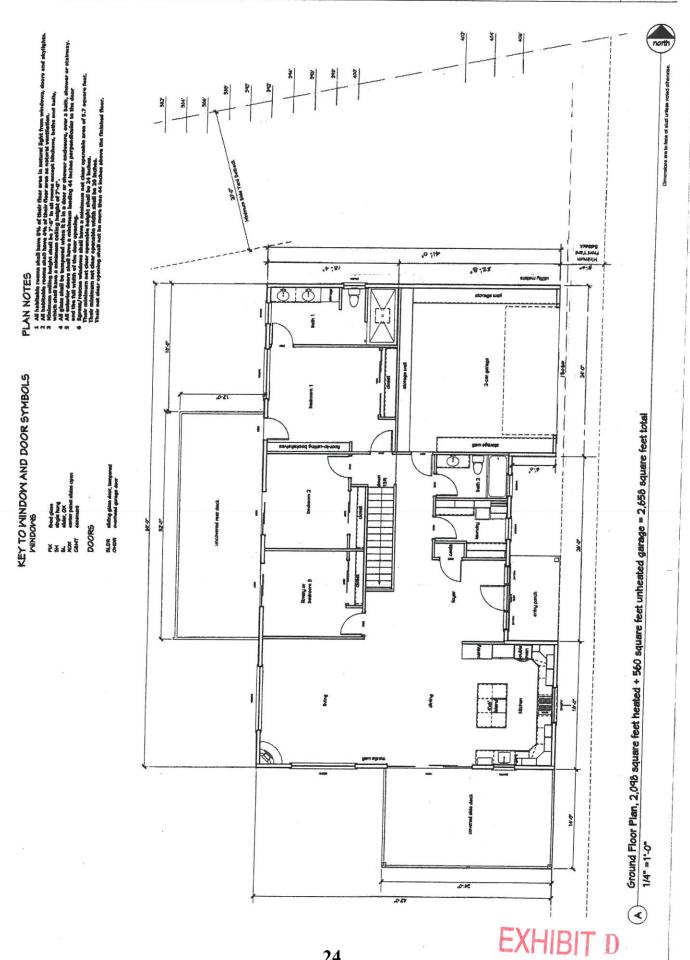
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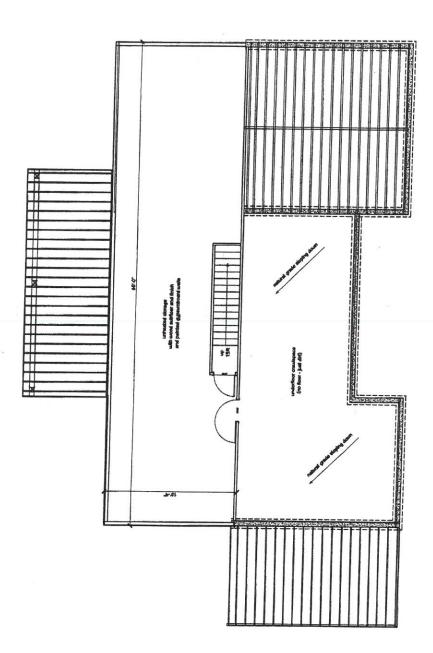
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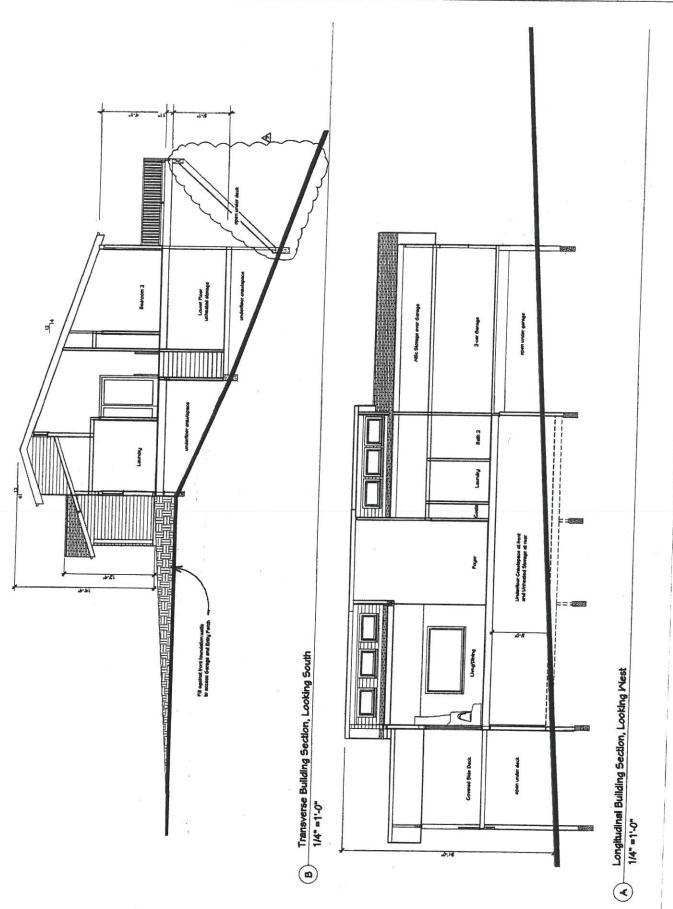


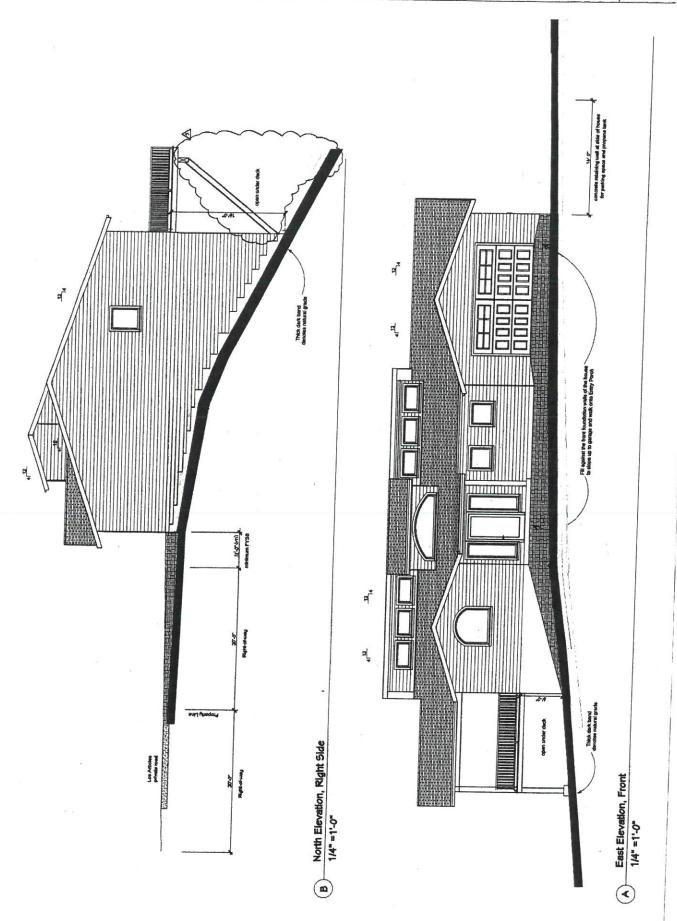






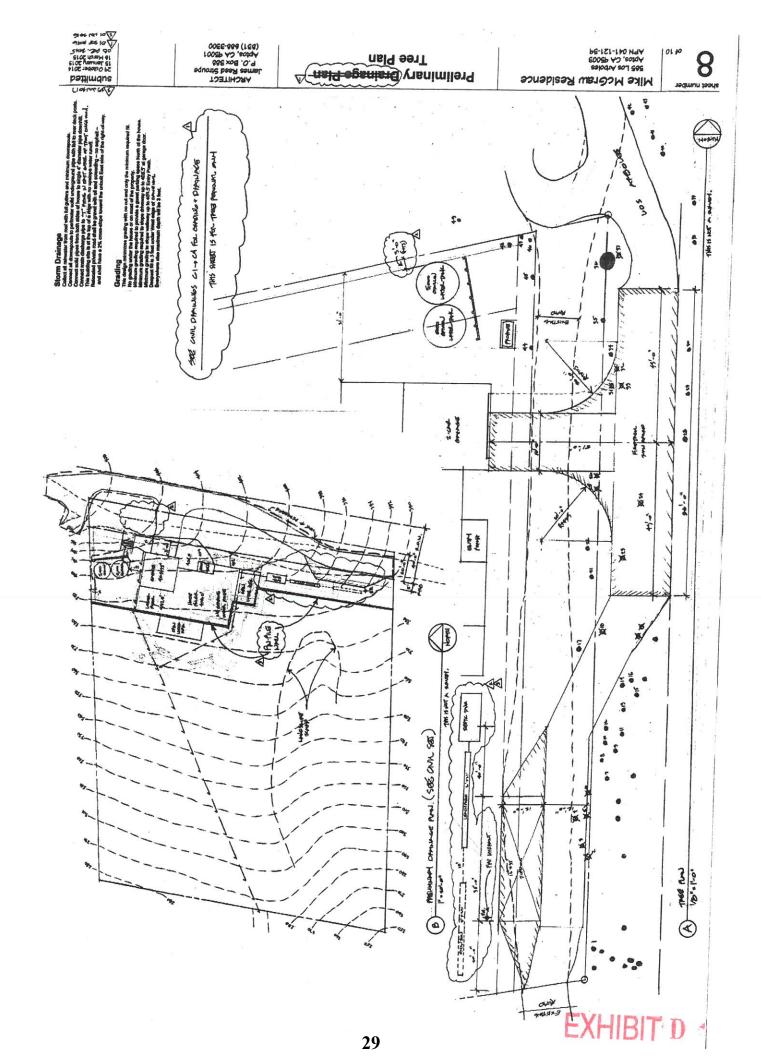
Lower Floor Plan, 1,215 square feet unheated storage 1/4" = 1:-0" **(**

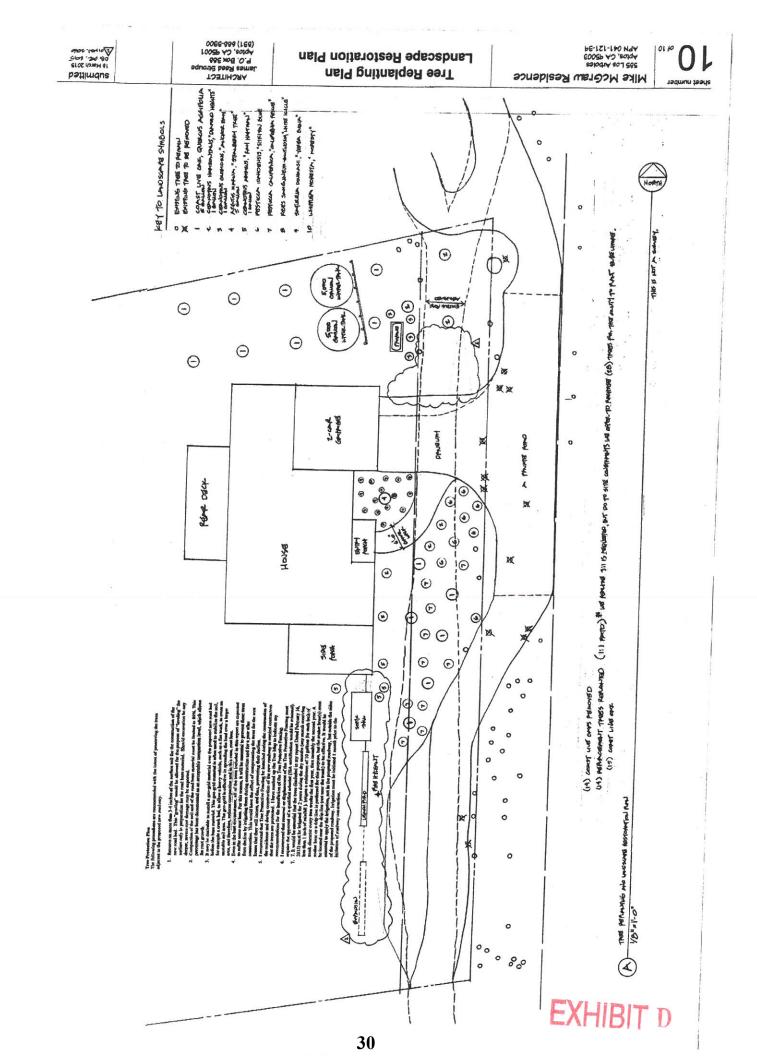


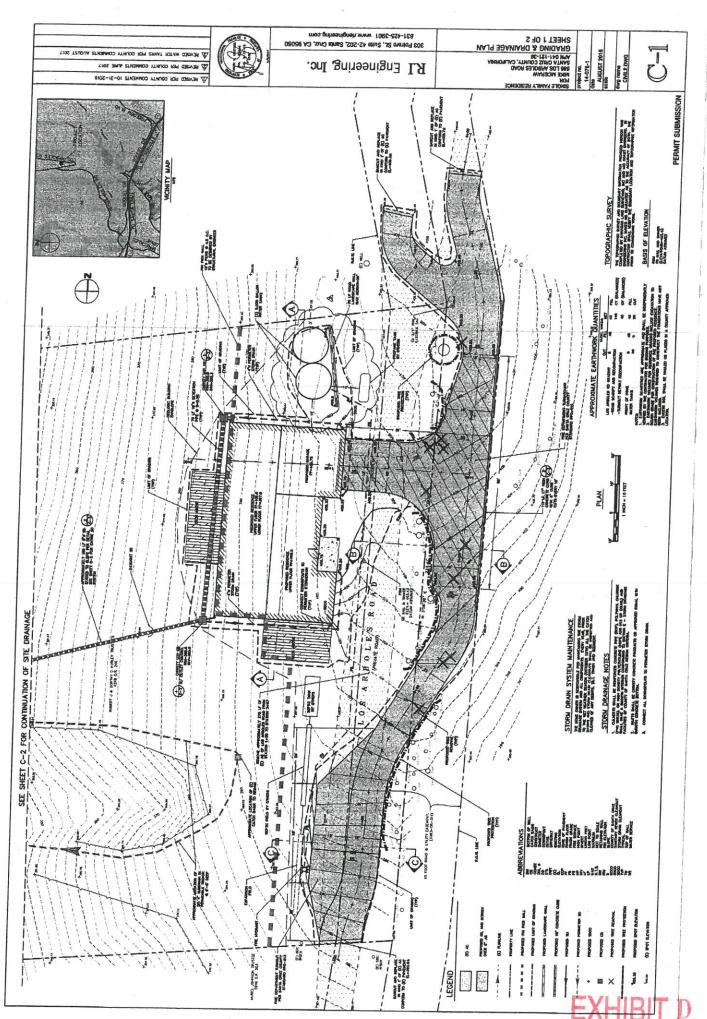


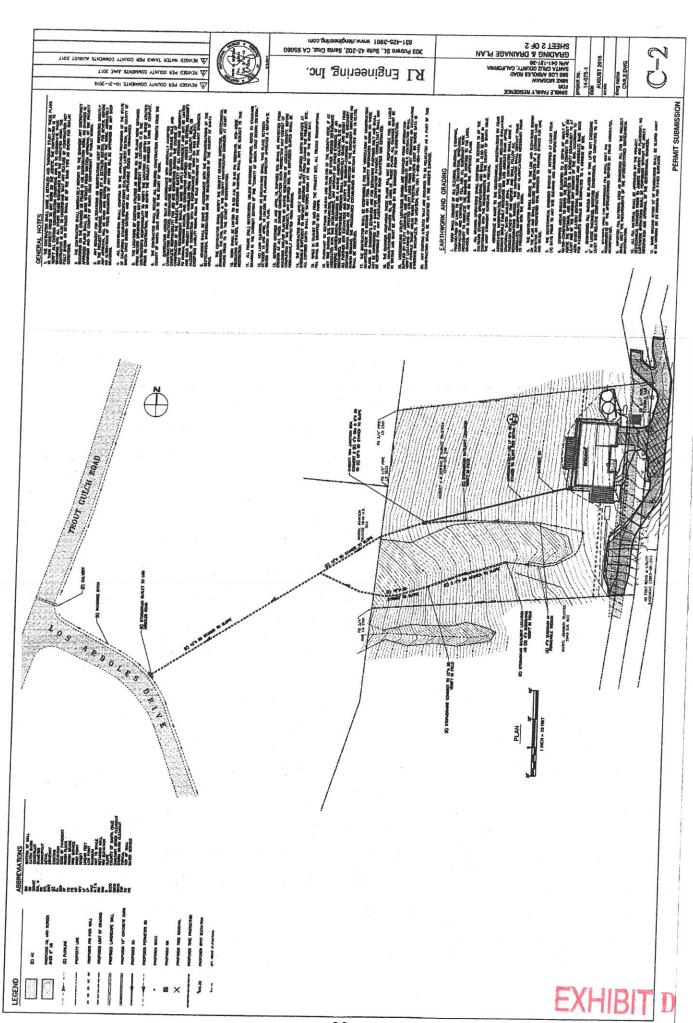
ARCHITECT lannes Reed Strout P.O. Box 366 Aptos, CA 45001 (631) 666-3300 24 04000 PS 2421, 284 80 11021, LALCES 505 Los Arboles Aptos, CA 45003 APN (41-121-34 **Exterior Elevations** West and South battimdue Mike McGraw Residence PRIVATE POND ШШШ No grading along this elevation, Natural and finish grades are the same. No grading along this elevation. Natural and finish grades are the same South Elevation, Left Side 1/4" =1:-0" West Elevation, Rear 1/4" =1.-0" **n**

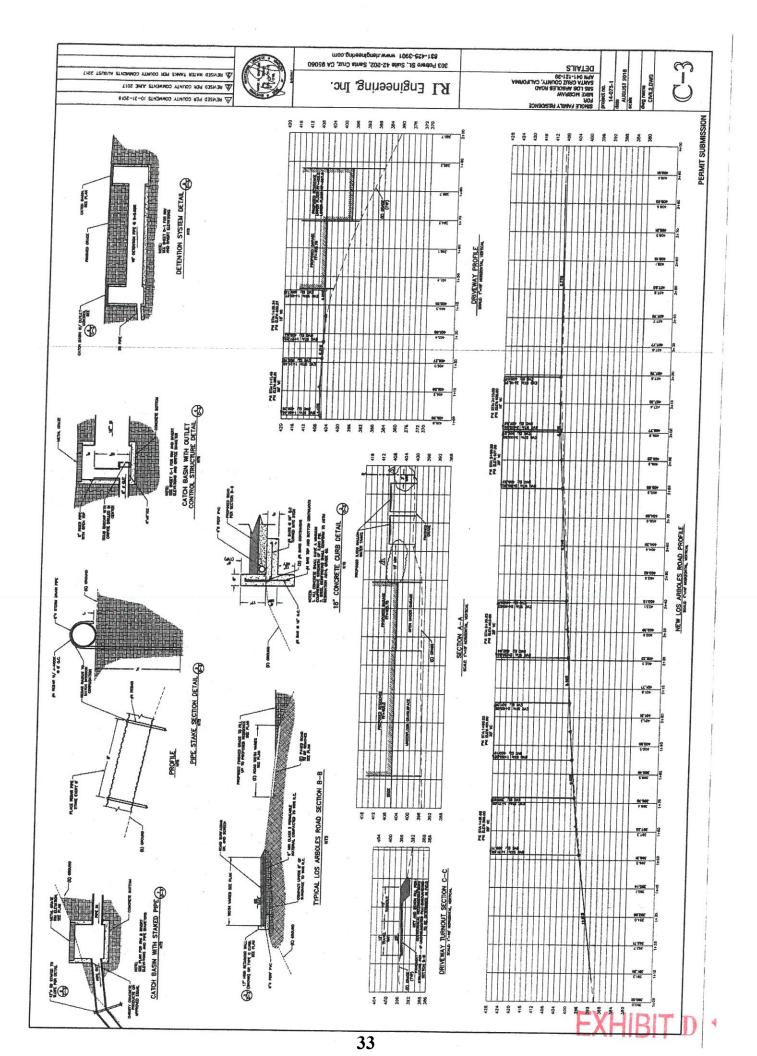
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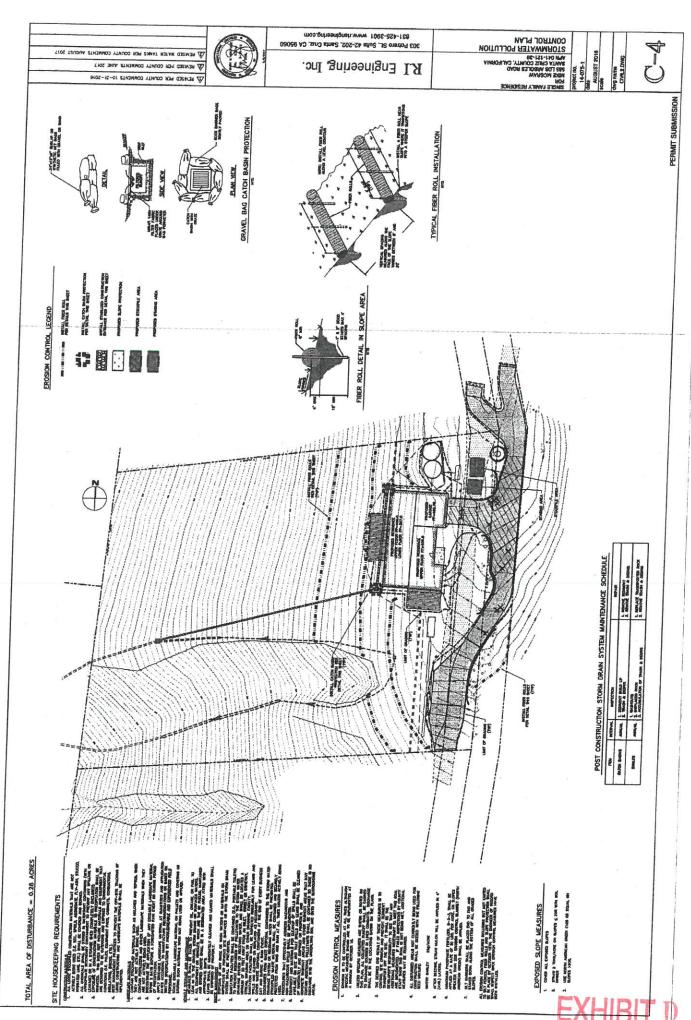


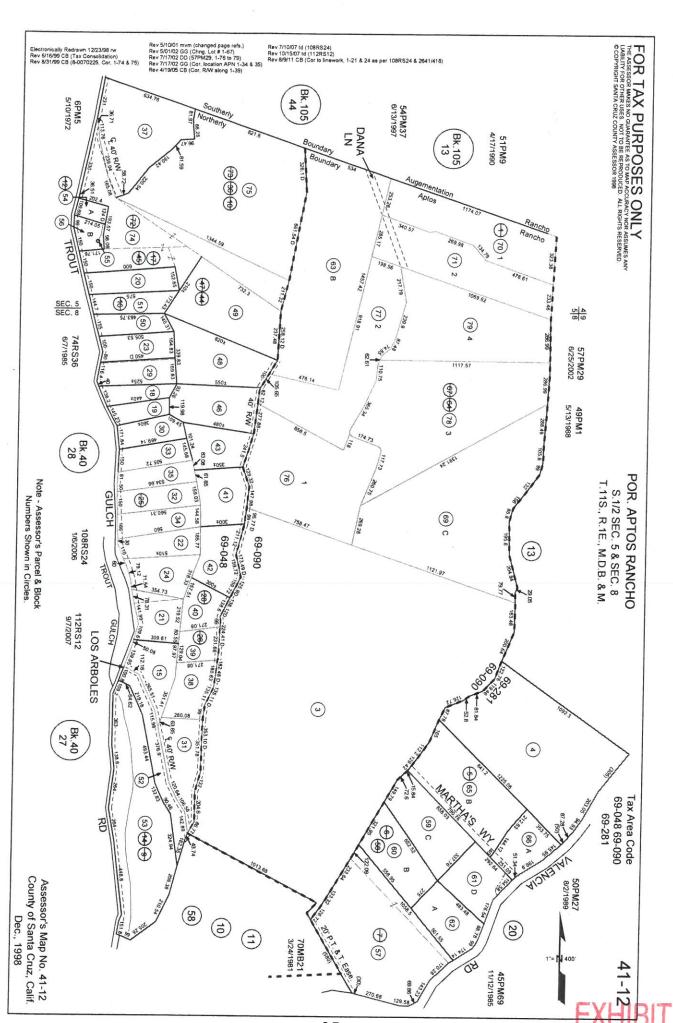






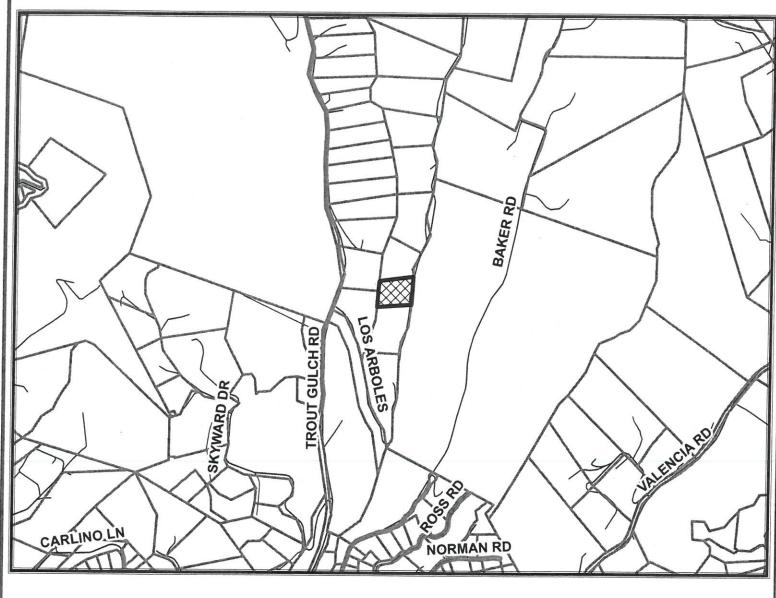








Location Map



0 650 1,300 2,600 3,900 5,200 Feet

APN: 041-121-39

Assessors Parcels

Street

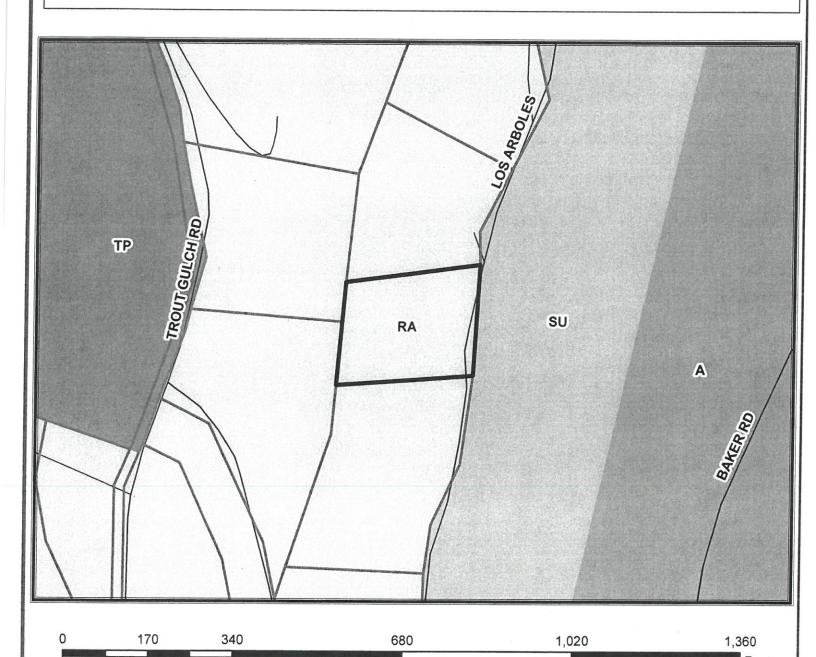


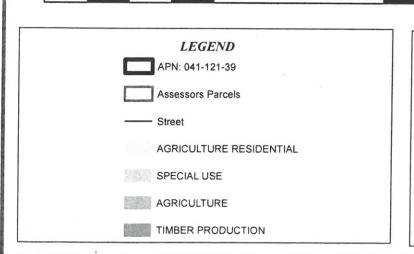
Map Created by County of Santa Cruz Planning Department December 2014

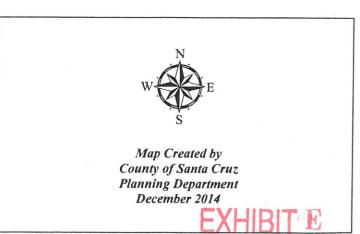
EXHIBIT E



Zoning Map

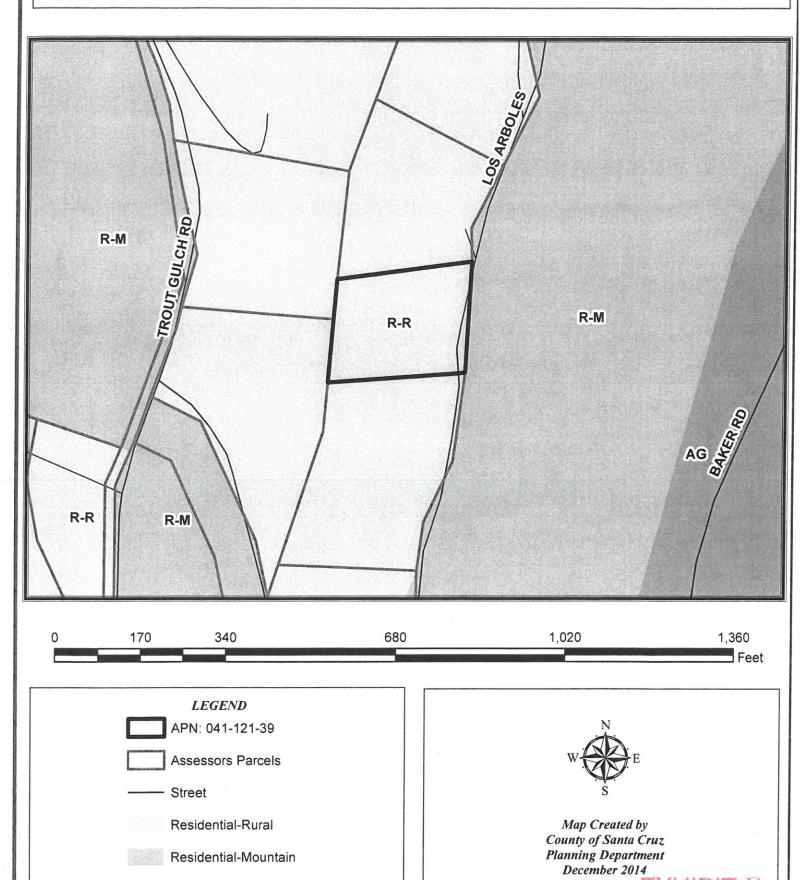








General Plan Designation Map



Agriculture