



## Staff Report to the Zoning Administrator

Application Number: **171021**

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**Applicant:** A Fine Line Drafting and Design - Laurie Swett  
**Owner:** Payton Wong  
**APN:** 085-051-36

**Agenda Date:** April 6, 2018  
**Agenda Item #:** 3  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to construct a 1,999 square foot, two-story, single-family dwelling with a 103 square foot covered porch, a 339 square foot deck (260 square feet covered), 60 square feet of unconditioned storage and an attached 889 square foot garage. Requires a Variance to reduce the required front yard from 40 feet to 3 feet, street side yard (to Highway 9) from 20 feet to 8 feet, and the setback to the front of the garage from 20 feet to 15 feet, in the RA (Residential Agriculture) zone district.

**Location:** Property located on the west side of Highway 9 at the intersection with an unnamed right of way that is approximately 450 feet north of the intersection with Teilh Drive.

**Supervisory District:** 5th District (District Supervisor: Bruce McPherson)

**Permits Required:** Variance

**Technical Reviews:** Soils Report (REV151089) and Archaeologic Archival Review (REV171017)

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171021, based on the attached findings and conditions.

### Exhibits

- |   |   |
|---|---|
| A. Categorical Exemption (CEQA determination) | E. Assessor's, Location, Zoning and General Plan Maps |
| B. Findings                                   | F. Visual simulation and Colors and Materials sheets. |
| C. Conditions                                 | G. Comments & Correspondence                          |
| D. Project plans                              |   |

## Parcel Information

Parcel Size: Gross - 1.08 acres (47,471 square feet)  
Net - 0.83 acre (36,331 square feet)  
Existing Land Use - Parcel: Vacant residential parcel  
Existing Land Use - Surrounding: Residential parcels to the north, south and west, vacant  
Timber parcel to the east  
Project Access: Private right-of-way from Highway 9  
Planning Area: San Lorenzo Valley  
Land Use Designation: R-R (Rural Residential)  
Zone District: RA (Residential Agriculture)  
Coastal Zone: ☐ Inside ☒ Outside  
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

## Environmental Information

Geologic Hazards: Southwest corner of parcel within the mapped Floodway/Floodplain  
associated with the San Lorenzo River  
Soils: See soils report on file (REV151089)  
Fire Hazard: Not a mapped constraint  
Slopes: 0-15% slopes at building site, steep slopes (30->50%) in southwest  
corner at San Lorenzo River channel.  
Env. Sen. Habitat: Mapped as having biotic resources. No environmentally sensitive  
habitats at the proposed building site per site evaluation.  
Grading: No grading proposed at building site. 75 cubic yards of cut at  
driveway entrance from Highway 9.  
Tree Removal: Five redwood trees to be removed  
Scenic: Property is located within the Highway 9 Scenic Corridor  
Drainage: Preliminary drainage plans approved  
Archeology: See Archaeologic Archival Review on file (REV171017)

## Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside  
Water Supply: San Lorenzo Valley Water District  
Sewage Disposal: Septic System  
Fire District: Boulder Creek Fire Protection District  
Drainage District: Zone 8

## History

Application, 80-75-CC for a Certificate of Compliance to establish the legality of three existing parcels was approved by the Zoning Administrator on February 15, 1980. This resulted in the legalization of three parcels, Parcel A (APN 085-051-35) and two separate parcels, parcels B and C, that now together comprise APN 085-051-36 (the subject parcel).

In 2016, prior to the development of APN 085-051-36, application 161139 was submitted to determine the legality of the parcel. Because legality had already been determined by the recording of Unconditional Certificates of Compliance for the two underlying parcels, application 161139 was deemed unnecessary and later withdrawn. However, during the initial review of the application, the property owner was informed that, because the combined area of these two legal parcels was only 1.08 acre, the two underlying parcels (B and C) would need to be irreversibly combined into one parcel before any permit could be issued for a dwelling on the lot. This is because a septic disposal system requires a minimum site area of one acre. As a result an Affidavit to retain parcels B and C as one legal parcel (APN 085-051-36), was recorded at 2016-0028119 of Official County Records on August 2, 2016. Application 171021, the current application, was submitted on January 24, 2017.

### **Project Setting**

The parcel is located within the Highway 9 scenic corridor, approximately 3.8 miles north of the intersection with Highway 235 in the town of Boulder Creek. This section of the San Lorenzo River valley is relatively wide and open so that the Highway, which generally follows the course of the San Lorenzo River, is able to run a straighter course than it does further south where it is constrained by steep slopes. The area is characterized by dense areas of mixed woodland with tall stands of Coast Redwood and other woody vegetation including California Bay and Oak trees, with occasional grassy clearings that are mostly associated with residential and other developments. The project site is located on a gently sloped area of land between Highway 9 to the east and the San Lorenzo River to the west. Although the proposed building site is relatively level, approximately one-third of the parcel is constrained by very steep slopes that drop toward the river, which cuts across the southwest corner of the parcel. The site is further constrained by several very significant Redwood groves that the property owner wishes to preserve.

### **Zoning & General Plan Consistency**

The subject property is located in the RA (Residential Agriculture) zone district, a designation that allows residential uses. The proposed residence 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 parcel contains approximately 47,471 square feet (1.08 acres). However, because a portion of the parcel lies within the Highway 9 right-of-way, the net site area of the parcel, excluding the right-of-way, is only 36,331 square feet (0.83 acre).

As set out in County Code section 13.10.323, site standards are based upon the net site area of a parcel. The minimum site area for parcels in the RA zone district is one acre. The subject parcel is therefore nonconforming to the zone district standards in that the net site area is less than one acre (0.83 acre). However, because the net site area of the parcel is greater than 80 percent of the required minimum parcel size, as set out in County Code section 13.10.323(D)(2)(a), all site standards for the zone district are applied as they would be for a conforming parcel.

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

	Required	Proposed	Permit Req'd
<b>Front Yard</b> (Northern property line, at unnamed right-of-way)	40 feet Minimum	3 feet	Variance
<b>Street Side Yard</b> (Eastern property line at Highway 9)	20 feet Minimum	8 feet	Variance
<b>Side Yard*</b> (Western property line)	20 feet Minimum	64 feet	No
<b>Rear Yard*</b> (Southern property line)	20 feet Minimum	181 feet	No
<b>Setback to Garage Entrance</b>	20 feet Minimum	15 feet	Variance
<b>Height</b>	28 feet Maximum	25 feet	No
<b>Lot Coverage</b>	10% Maximum	8.25%	No
<b>Floor Area Ratio (FAR)</b>	N/A	N/A	N/A
<p>* Side and Rear Yards are superseded in the southwestern corner of the parcel by the 50 foot Riparian Corridor measured from the "bank-full flowline" of the San Lorenzo River. The proposed dwelling does not encroach into the Riparian Corridor.</p>			

In addition to the portion of the parcel that lies within the right-of-way for Highway 9, the developable area of the parcel is further restricted by the San Lorenzo River, which cuts across the southwestern corner of the site. Approximately 15% of the remaining site area lies either within the channel of the river, in the FEMA designated floodway or in the 100-year floodplain areas. A further 15% of the site area is very steeply sloped where the land falls towards the river. In addition, as required by the project Geotechnical Engineer, a minimum setback of 30 feet is required from the top of the slope, and this further restricts the buildable portion of the parcel. As a result, the developable portion of the parcel is restricted to the northern and eastern portions of the lot. The building site is further constrained by several mature Redwood groves.

The proposed two-story single family dwelling has been located between the Redwood groves in the northwestern corner of the parcel, such that it would be 8 feet from the edge of the right-of-way for Highway 9 and 3 feet from the right-of-way that serves both this parcel and adjacent parcel, APN 085-051-35. Therefore Variances have been requested to reduce the required 40 foot front yard to 3 feet and the required 20 foot street side yard to 8 feet. A further Variance has been requested to reduce the required 20 foot minimum setback to a garage entrance, to 15 feet.

Although the proposed dwelling, at its closest point, would be 3 feet from the edge of the private right-of-way that runs along the northern property boundary, it should be noted that the dwelling would be just over 25 feet from the edge of the paved driveway and the setback from the paved road to the garage entrance would be greater than 35 feet. A complete list of Variance Findings is included with Exhibit B of this report.

The proposed three-bedroom home will comply with the requirements of County Code section 13.10.552(A) "Schedule of off-street parking space requirements" in that a total of three standard parking spaces will be provided on the parcel, two in the attached garage and one adjacent to the western elevation of the proposed dwelling.

### **Design Review**

The proposed project is subject to the County Design Review Ordinance, in that the dwelling is located within the Highway 9 scenic corridor. The site of the dwelling has been chosen to allow for the retention of several large groves of mature Redwood trees that will surround the proposed home and help to screen and soften the structure in views from Highway 9. A significant grove of Redwoods that is located in the right-of-way between the edge of the travelled roadway and the proposed dwelling will almost completely screen the structure in views from the scenic highway, except in views directly along the driveway. The proposed home complies with the requirements of County Code in that it has been designed with varied roof and wall planes that will break up the mass and bulk of the structure. Although the structure includes two stories, the second story will be located within the roofline of the building and all windows at the second floor will be within shed-style dormers. This design allows the first floor eave line to be retained, which will visually reduce the vertical scale of the structure. To further soften the proposed development, the colors and materials of the proposed dwelling include darker shades such as pewter grey and natural wood which will help to blend the home into the shadows of the woodland understory. Therefore the proposed project will not have a significant visual impact on the natural landscape or in views from Highway 9 or surrounding land uses.

### **Environmental Review**

As proposed the project qualifies for an exemption under the California Environmental Quality Act (CEQA). The proposed dwelling is consistent with the CEQA Guidelines, Section 3 – New Construction or Conversion of Small Structures (Section 15303), in that the project proposes the construction of a single-family dwelling in an area designated for residential uses. In addition, none of the conditions described in Section 15300.2 apply to this project.

### **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**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **171021**, based on the attached findings and conditions.

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

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

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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: 171021

Assessor Parcel Number: 085-051-36

Project Location: No Situs

**Project Description:** Construct a 1,999 square foot two-story single-family dwelling with a 103 square foot covered porch, a 339 square foot deck (260 square feet covered), 60 square feet of unconditioned storage and an attached 889 square foot garage.

**Person or Agency Proposing Project:** A Fine Line Drafting and Design, attn. Laurie Swett

**Contact Phone Number:** (831) 338 6217

- 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. ☒ **Categorical Exemption**

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

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

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

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

\_\_\_\_\_  
Lezanne Jeffs, Project Planner

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

**EXHIBIT A**



## 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 insure the optimum in safety and the conservation of energy and resources.

The proposed reduction in setbacks will not be materially detrimental to public health safety and welfare or injurious to property or improvements in the vicinity, in that the proposed dwelling will be located over 25 feet from the edge of the paved driveway adjacent to the northern property boundary. This right-of-way serves only two parcels, the subject property and APN 085-051-35, and therefore traffic volumes along this road are very low. Furthermore, as required by Caltrans, the project will include upgrades to the intersection of the private right-of-way and Highway 9, which will increase sight distance and safety for traffic entering or leaving the driveway. The proposed home will be over 48 feet from the edge of Highway 9 and will not obstruct sight distance for vehicles travelling along that road.

Parking associated with the proposed project will not obstruct traffic along the private driveway in that a total of three standard parking spaces will be provided on the parcel for the proposed three-bedroom home in compliance with the requirements of County Code section 13.10.552(A) "Schedule of off-street parking space requirements".

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 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 reduced front yard and street-side yard setbacks and a reduced setback to the garage entrance, complies with all of the site and development standards for the zone district. A complete list of Variance findings is included with this report.

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 residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, as specified in Policy 8.1.3 (Residential Site and



Development Standards Ordinance), in that, where reduced setbacks are proposed, these are adjacent to existing rights-of-way that separate the proposed dwelling from adjacent homes. The closest neighboring structure is approximately 50-60 feet north of the proposed dwelling. Moreover, the proposed structure meets all other site and development standards for the zone district. Therefore the residence will not adversely shade adjacent properties.

The proposed residence 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, with the approval of Variances to allow for reduced front yard and street-side yard setbacks, and a variance to allow for a reduced setback to the garage entrance, the proposed residence will comply with the site standards for the RA zone district (including interior-side and rear yard setbacks, lot coverage, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity. A complete list of Variance findings is included with this report.

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 residence is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be one peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads or intersections in the surrounding area.

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 and therefore the proposed single-family dwelling will 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 rural setting that includes residential properties developed with a variety of architectural styles. The proposed residence is consistent with the physical design aspects, land use intensities, and dwelling unit densities in the area.

- 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 project is subject to the County Design Review Ordinance, in that the dwelling is located within the Highway 9 scenic corridor. The site of the dwelling has been chosen to allow for the retention of several large groves of mature Redwood trees that will surround the proposed home and help to screen and soften the structure in views from Highway 9. A significant grove of Redwoods that is located in the right-of-way between the edge of the travelled roadway and the proposed dwelling will almost completely screen the structure in views from the scenic highway,

except in views directly along the driveway. The proposed home complies with the requirements of County Code in that it has been designed with varied roof and wall planes that will break up the mass and bulk of the structure. Although the structure includes two stories, the second story will be located within the roofline of the building and all windows at the second will be within shed-style dormers. This design allows the first floor eave line to be retained, which will visually reduce the vertical scale of the structure. To further soften the proposed development, the colors and materials of the proposed dwelling include darker shades such as pewter grey and natural wood which will help to blend the home into the shadows of the woodland understory. Therefore the proposed project 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 negatively 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.**

This finding can be made in that the project is located in an area that is zoned RA (Residential Agriculture), a designation that allows for 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 minimum site area for parcels in the RA zone district is one acre. However the subject parcel is nonconforming to this requirement in that, excluding all areas within the right-of-way for Highway 9, it has a net site area of only 0.83 of an acre. However, as set out in County Code section 13.10.323 (D)(2)(a), because the net site area of the parcel is greater than 80 percent of the required minimum parcel size, all development standards for the zone district are applied as they would be for a conforming parcel. In addition to having a reduced site area, the developable area of the parcel is further restricted by the San Lorenzo River, which cuts across the southwestern corner of the site. Approximately 15% of the remaining site area lies either within the channel of the river, in the FEMA designated floodway or in the 100-year floodplain areas. Another 15% of the site area is very steeply sloped where the land falls towards the river. In addition, as required by the project Geotechnical Engineer, a minimum setback of 30 feet is required from the top of the slope, and this further restricts the buildable portion of the parcel.

The approval of a variance is therefore justified because, due to the existing physical constraints, the only developable portion of the parcel is located in the northern and eastern portions of the lot. In addition, the building site is surrounded by several mature Redwood groves that further constrain the location of the proposed home. The proposed development of a dwelling with reduced front and street-side yard setbacks and a reduced setback to the garage entrance is appropriate to the site both with regard to the safety of the proposed structure and in that it preserves the natural environment to the greatest extent possible. Therefore the proposed home would be in character with other similar developments in the vicinity that are under identical zoning classification and that have similar constraints.

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.**

The intent and purpose of the residential zone districts is to provide for residential uses. The approval of a Variance for reduced front yard and street-side yard setbacks, and for a reduced setback to the garage entrance at the proposed dwelling, will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity in that the proposed structure will be located over 25 feet from the edge of the paved driveway adjacent to the northern property boundary. This right-of-way serves only two parcels, the subject property and APN 085-051-35, and therefore traffic volumes along this road are very low. Furthermore, as required by Caltrans, the project will include upgrades the intersection of the private right-of-way and Highway 9, which will increase sight distance and safety for traffic entering or leaving the driveway. The

proposed home will be over 48 feet from the edge of Highway 9 and will not obstruct sight distance for vehicles travelling along that road.

Parking associated with the proposed project will not obstruct traffic along the private driveway in that a total of three standard parking spaces will be provided on the parcel for the proposed three-bedroom home in compliance with the requirements of County Code section 13.10.552(A) "Schedule of off-street parking space requirements".

Therefore this finding can be made.

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.**

The granting of a Variance to recognize reduced front yard and street-side yard setbacks, and for a reduced setback to the garage entrance at the proposed dwelling, will not constitute a grant of special privilege because the physical constraints that are present at the parcel do not exist on most other parcels in the vicinity. However, it should be noted that, throughout the San Lorenzo Valley, due to similar constraints created by the local topography and the San Lorenzo River, many other homes have been constructed subject to the approval of variances for reduced setbacks. Further, many of the existing homes throughout the San Lorenzo Valley were constructed before the implementation of zoning ordinances and are currently nonconforming to the site standards for the zone district in which they are located, including reduced front yard and street-side yard setbacks and reduced setbacks to the entrance to a garage.

Therefore this finding can be made.

## CONDITIONS OF APPROVAL

**Exhibit D:** Project plans, 8 sheets, prepared by Laurie Swett, a Fine Line Drafting and Design, dated 1/23/2017 and 5 sheets prepared by Jarrod Swett, P.E., dated 11/28/2017.

- I. This permit authorizes the construction of a single-family dwelling 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 an Encroachment Permit from Caltrans for all off-site work performed in the Highway 9 right-of-way.
- 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. In addition to showing the materials and colors on the elevation, the applicant shall supply two additional copies of the approved color and material sheet in 8 1/2" x 11" format for inclusion with the Building Permit.
    3. All proposed fencing shall comply with the provisions of County Code section 13.10.525 – "Regulations for Fences and Retaining Walls within Required Yards". Proposed replacement fencing along the Highway 9 frontage shall not exceed 3 feet in height within the required 10 foot sight

**EXHIBIT C**

& Flood Control District(s) are not responsible for the upstream runoff or for the maintenance of the drainage pathway.”

- b. If this recorded agreement already exists, please provide a copy upon resubmittal.
5. Provide a maintenance schedule establishing the ongoing requirements for maintenance and monitoring of all permanent stormwater management facilities in compliance with County Code 7.79 (this schedule shall also be included in the maintenance agreement as a packet when the applicant records and notarizes their SWM-25A form). It will be the responsibility of the homeowner to inspect and maintain all drainage features.

A recorded maintenance agreement will be required for the drainage system on this parcel. Please include the following additional information as required by the CDC:

- a. Statement of the operating requirements to ensure proper performance of the stormwater management facility.
  - b. Specification of any Best Management Practices that must be implemented and maintained.
  - c. Specification of any restriction on system use or property use, e.g. limitations on total impervious surface, limits on fertilizer or pesticide use, limits on vehicle parking or maintenance, restrictions on building additions, etc.
  - d. Notification that the property owner may be required to report to the County on the management and maintenance of the stormwater management facility.
  - e. The maintenance agreement shall be binding on and shall inure to the benefit of the successors, heirs, executors, administrators, and assigns of the owner.
6. The proposed vegetated swale to be constructed in part with the driveway widening is within Caltrans right-of-way along Highway 9 and shall be the responsibility of Caltrans.
- C. Meet all requirements of the San Lorenzo Valley Water District. Proof of water service availability is required prior to application for a Building Permit.
- D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services. In addition, the project shall comply with the following:
- 1. During construction phase, NO grading or construction over sewage disposal system. The building plans must identify that all setbacks from property lines, tank, house, water lines, retention pits and groundwater are



met. No cuts or retaining wall shall be installed that impact the sewage disposal system. Any disturbance of the sewage disposal system area or future expansion could affect the conditional approval of the septic application and result in it becoming "null and void" due to the limited available area.

- E. Meet all requirements of the Environmental Planning section of the Planning Department.
  - F. Meet all requirements and pay any applicable plan check fee of the Boulder Creek Fire Protection District.
  - G. Meet all requirements of Caltrans District 5.
    - 1. Upgrade the driveway to residential standard per Appendix J of the Encroachment Permits Manual.
    - 2. Plans for this project shall consistently show that the chain link fence, currently located on the east side of the property within Caltrans ROW, is to be removed
  - H. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
  - I. Pay the current fees for Parks and Child Care mitigation for 3 bedrooms. Currently, these fees are, respectively, \$800 and \$109 per bedroom.
  - J. Pay the current fees for Roadside and Transportation improvements for XX bedroom(s). Currently, these fees are, respectively, \$XX and \$XX per XX bedroom.
  - K. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for a dwelling up to 2,000 square feet is \$2 per square foot. If, during building permit review the proposed dwelling is shown to exceed 2,000 square feet, a different fee may apply.
  - L. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
  - M. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.



- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The project must comply with all recommendations of the approved soils reports.
- D. The project must comply with the requirements of the Department of Public Works, Stormwater Division:
  - 1. 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.
    - c. The civil engineer may review as-built plans completed by the 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 as-built 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. 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.

#### 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.

**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

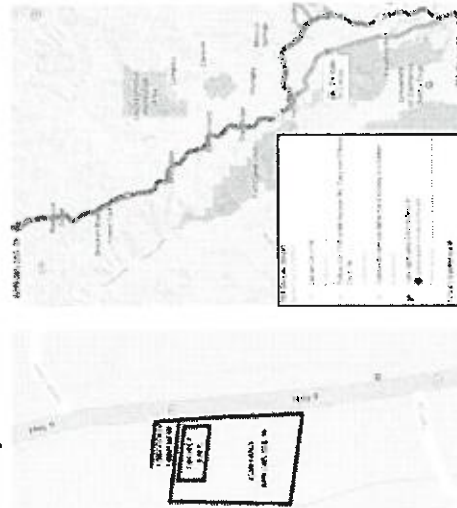
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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance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

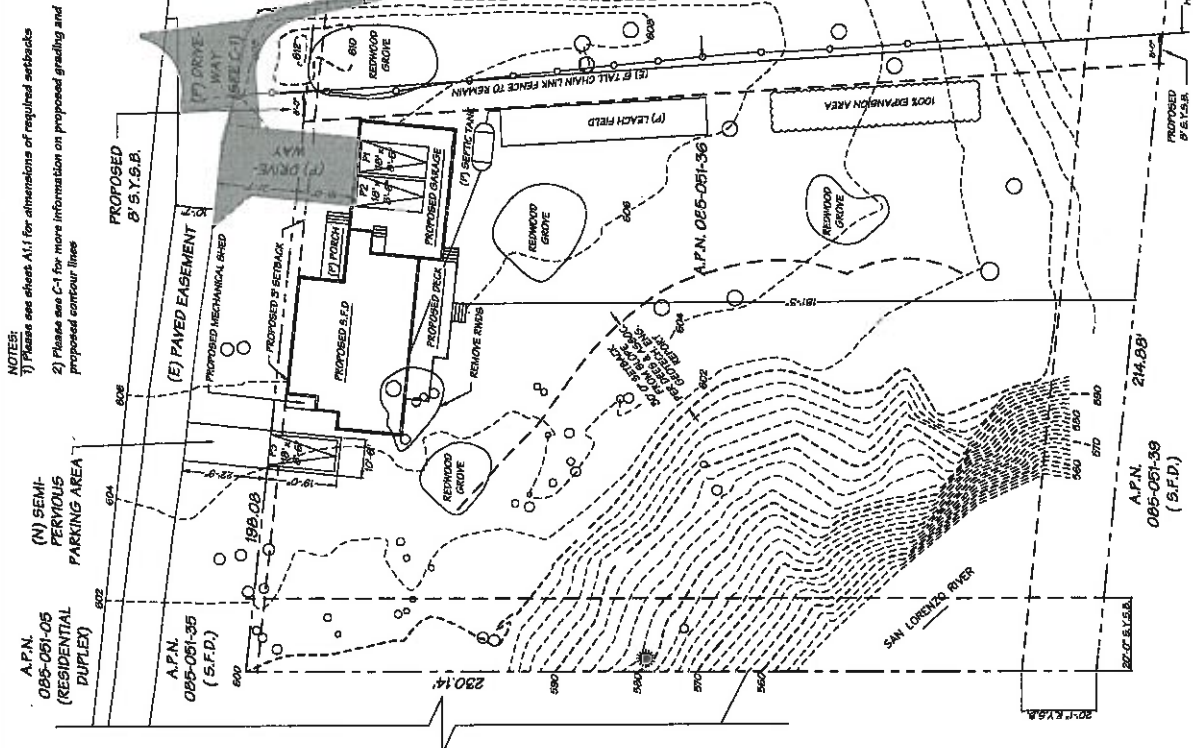
SUMMARY TABLE	
ZONING	R-1
LOT SQUARE FOOTAGE	108 ACRES (4341 54 FT)
NET SITE AREA (LESS HWY 9 R.O.W.)	36301 54 FT
PROPOSED STRUCTURES	36021 54 FT
LOT COVERAGE BY STRUCTURES	0.25%
PROPOSED IMPROVEMENTS	
(N) RESURFACING	1576 54 FT
(N) GARBAGE	488 54 FT
(N) FRONT PORCH (COVERED)	105 54 FT
(N) BEAR DECK (REMOVED)	309 54 FT
(N) DRIVEWAY	277 54 FT
(N) MECHANICAL SHED	20 54 FT
TOTAL (N) IMPROVEMENTS AREA	2094 54 FT
UTILITY DISTRICTS	
FIRE	BOLDER CREEK FIRE DISTRICT
WATER	SLY WATER DISTRICT
SEWER	SANTA CRUZ COUNTY ENVIRONMENTAL HEALTH
SITE GRADING QUANTITIES	SEE APPROXIMATE GRADING QUANTITIES
NET CUT	94 CU YD
NET FILL	18 CU YD
NET TOTAL	76 CU YD CUT

#### PROJECT DOCUMENTS:

- 1) Geotechnical Investigation  
Prepared by Dees & Associates  
Project Number: SCK-0774; Application Number: REVIS089  
Date Submitted: 9 / 16 / 2016; Data Approved: 7 / 11 / 2016
- 2) Certificate of Compliance Review Letter  
Prepared by Leanne Jeffe, Project Planner  
Project Number: SCK-0774-CC; Date: 7 / 8 / 2016  
JUSTIFICATION FOR VARIANCE PER 13.10.230:  
Variance Request:  
Reduce front yard set back to 3'; reduce side yard setback to 8'
- 3) Due to unusual topography (steep slopes at adjacent San Lorenzo River) and existing redwood groves (which this owner wants to preserve), strict application of the zoning ordinance results in viable building envelopes being severely constrained (See page A-2).
- 4) The grading of said variance should not run counter to zoning objectives, and a Line of Sight Survey has been performed to verify that the requested variance will not be materially detrimental to public safety.
- 5) The granting of this variance should not constitute special privileges inconsistent with other properties in the vicinity.



**VICINITY MAP** **DIRECTIONS** **PLOT PLAN**  
(THIS IS NOT A SURVEY)



- PROJECT DESCRIPTION:**
- 1) Construct (N) 1809 sq. ft. (1376 sq. ft. first story, 623 sq. ft. second story) two story Single Family Dwelling with attached:
    - 809 sq. ft. garage;
    - 37 sq. ft. unconditional pantry;
    - 23 sq. ft. mechanical shed;
    - 103 sq. ft. front covered deck and;
    - 309 sq. ft. rear deck (260 sq. ft. of which is covered with a lowered railing);
    - on an undisturbed parcel.
  - 2) Result is a 3 bedroom, 2 1/2 bath single family dwelling on site with attached decks, mechanical shed, and garage.

SHEET INDEX	
A-1	SITE PLAN
A-2	BUILDING ENVELOPE WITHOUT VARIANCE
A-3	PROPOSED FIRST STORY FLOOR PLAN
A-4	PROPOSED SECOND STORY FLOOR PLAN
A-5	NORTH AND EAST ELEVATIONS
A-6	SOUTH AND WEST ELEVATIONS
A-7	CROSS SECTIONS AND DECK LAYOUT
A-8	EXISTING AND PROPOSED DRAINAGE
A-9	GRADING AND DRAINAGE PLAN
C-1	EROSION CONTROL PLAN
C-2	SECTIONS
C-3	GRADING AND DRAINAGE DETAILS
C-4	EROSION CONTROL DETAILS

**PROJECT TEAM:**

**OWNER:**  
PAYTON WONG  
2438 CAMROSE AVE  
SAN JOSE, CA 95130  
(408) 230-4329  
PAYTON.WONG@GMAIL.COM

**DESIGNER/LAND USE CONSULTANT:**  
LAURIE SWEET  
P.O. BOX 791  
BOLDER CREEK, CA 95006  
(951) 335-0277  
LAURIE@SWEETENGINEER.COM

**SOILS ENGINEER:**  
DEES & ASSOCIATES, INC.  
501 MISSION STREET, SUITE 8A  
SANTA CRUZ, CA 95060  
DEES@DSLEXTRME.COM

**CIVIL ENGINEER:**  
JARROD SWETT  
P.O. BOX 791  
BOLDER CREEK, CA 95006  
(408) 240-0276  
JASWETT@GMAIL.COM

**SEPTIC CONSULTANT:**  
KEN MAXBIE  
P.O. BOX 1446  
APTOS, CA 95001  
(831) 604-1066  
ENCONCEPTS@GMAIL.COM

**SURVEYOR:**  
PAUL JENSEN  
NO ADDRESS AVAILABLE  
(831) 440-9660  
JENSENSURVETING@GMAIL.COM

**SHEET A-1**

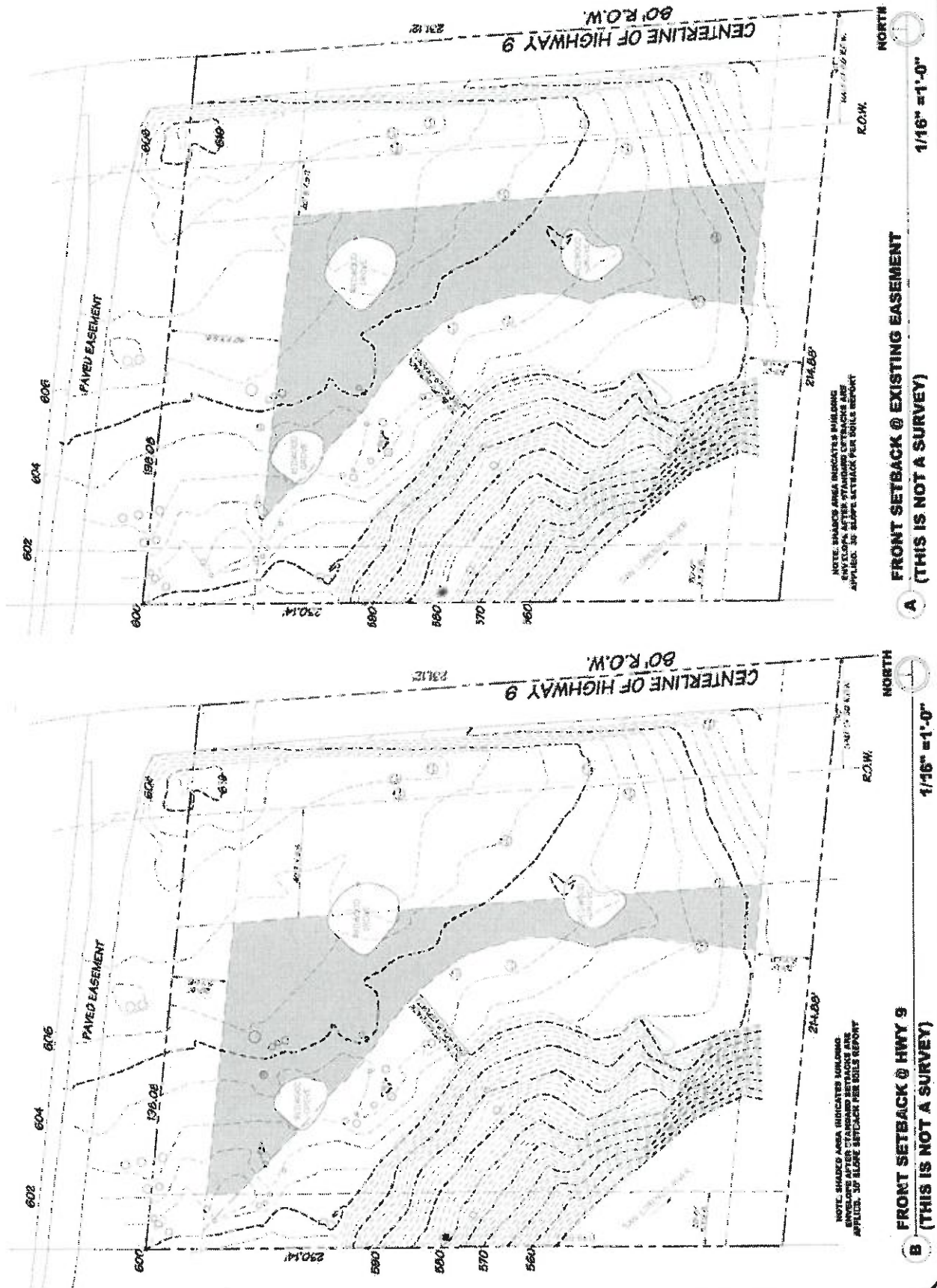
**SITE PLAN**  
**PROJECT TEAM**  
**VICINITY MAP**  
**DIRECTIONS**

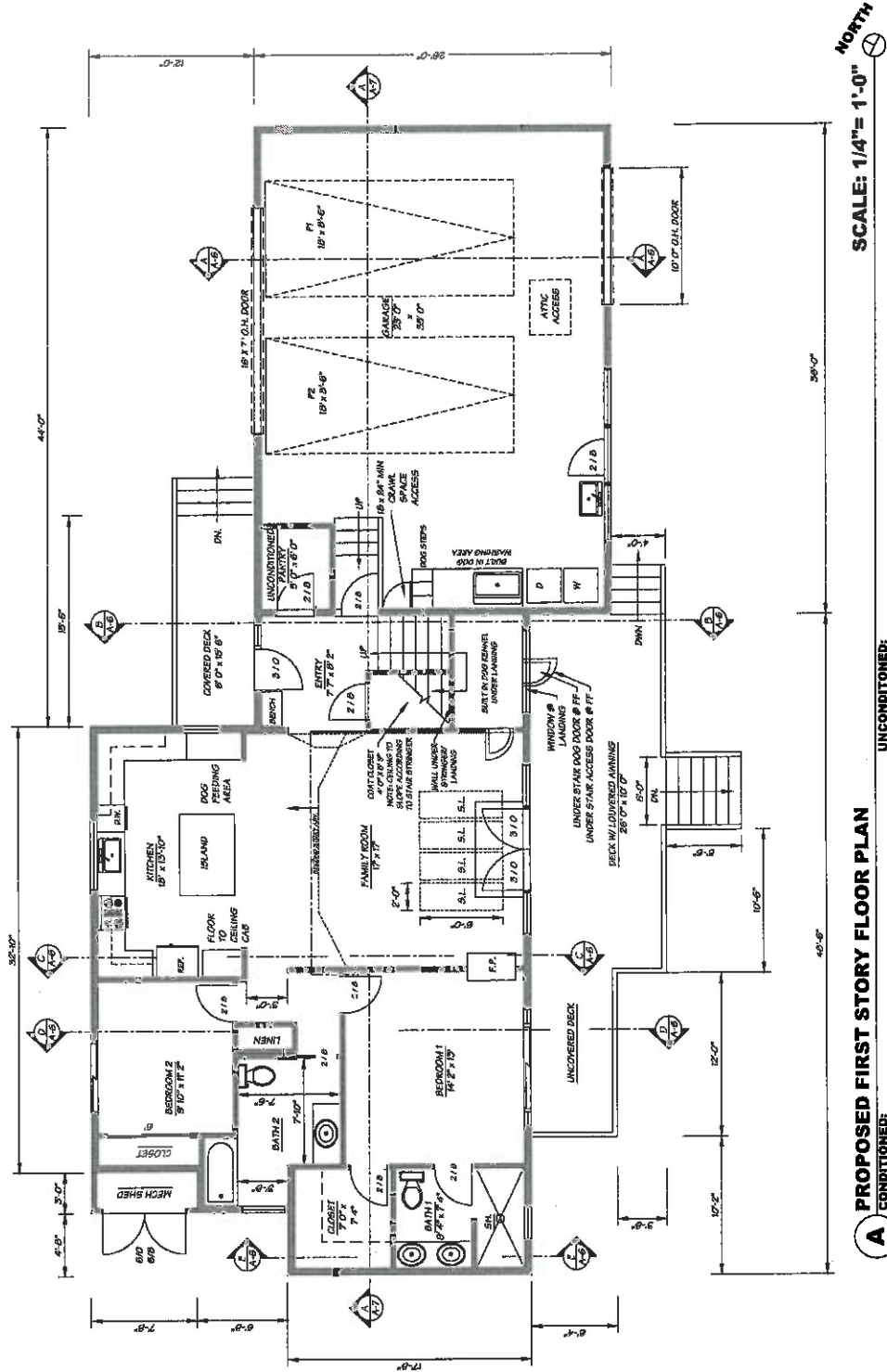
**SHEET A-1**

**LAURIE SWEET**  
**A FINE LINE DRAFTING AND DESIGN**  
P.O. BOX 791  
BOLDER CREEK, CALIFORNIA 95006  
(831) 338-6217

**A Single Family Dwelling and Garage for**  
**PAYTON WONG**  
BOLDER CREEK, CA, 95006  
A.P.N. 085-051-36







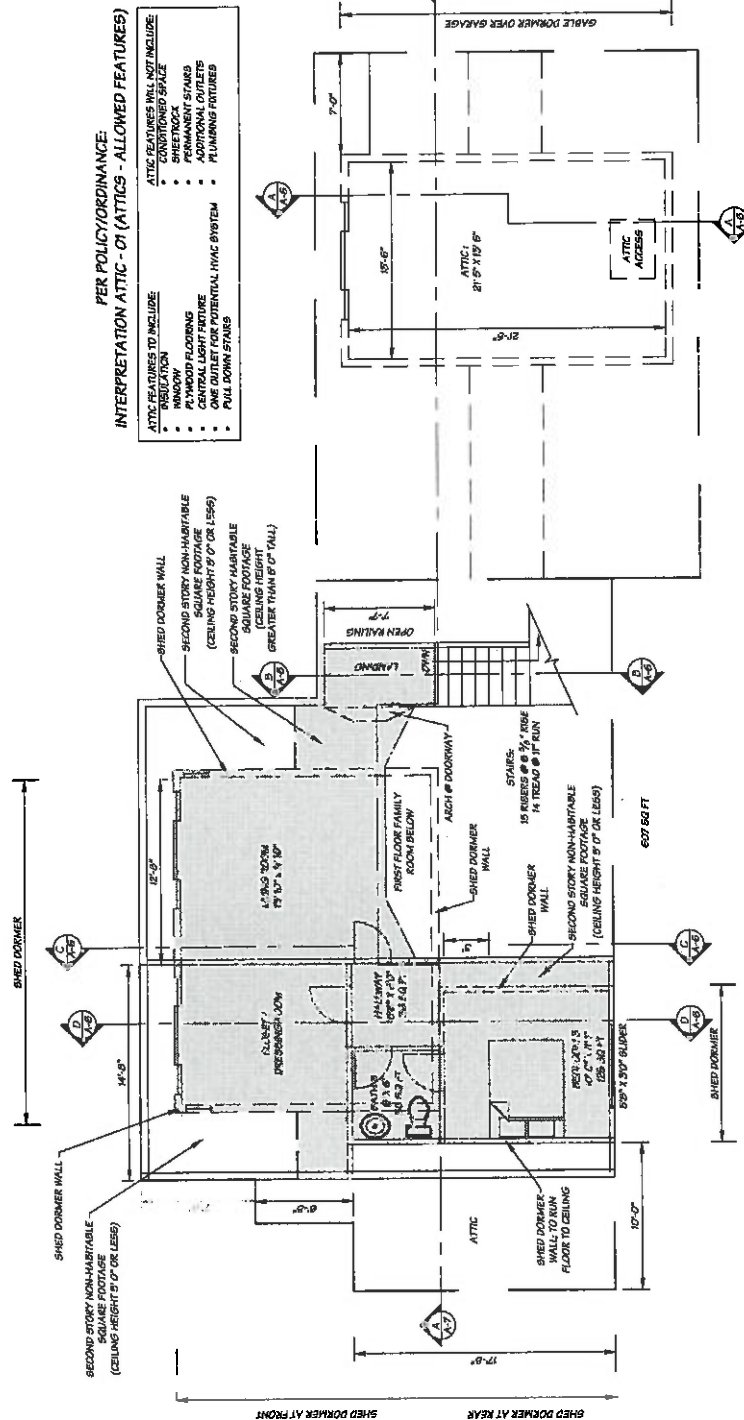
SCALE: 1/4" = 1'-0"



**A PROPOSED FIRST STORY FLOOR PLAN**

CONDITIONED:	UNCONDITIONED:
FIRST FLOOR: 1376 SQ. FT.	GARAGE: 889 SQ. FT.
SECOND FLOOR (SEE SHEET A-3): 623 SQ. FT.	MECHANICAL SHED: 23 SQ. FT.
TOTAL CONDITIONED: 1999 SQ. FT.	PANTRY: 37 SQ. FT.
	DECKS: FRONT PORCH AND STAIRS: 103 SQ. FT. (COVERED)
	REAR DECK: 339 SQ. FT.

PROPOSED





SHEET  
A-4

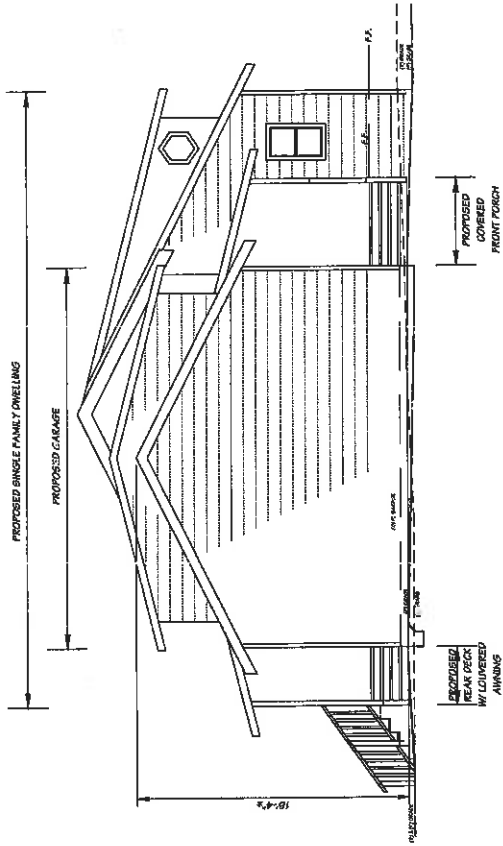
A FINE LINE DRAFTING AND DESIGN  
LAURIE SWETT  
P.O. BOX 791  
BOULDER CREEK, CALIFORNIA 95006  
(931) 338-6217

A Single Family Dwelling and Garage for:  
PAYTON WONG  
BOULDER CREEK, CA, 95006  
A.P.N. 085 - 051 - 36

NORTH AND EAST  
ELEVATIONS

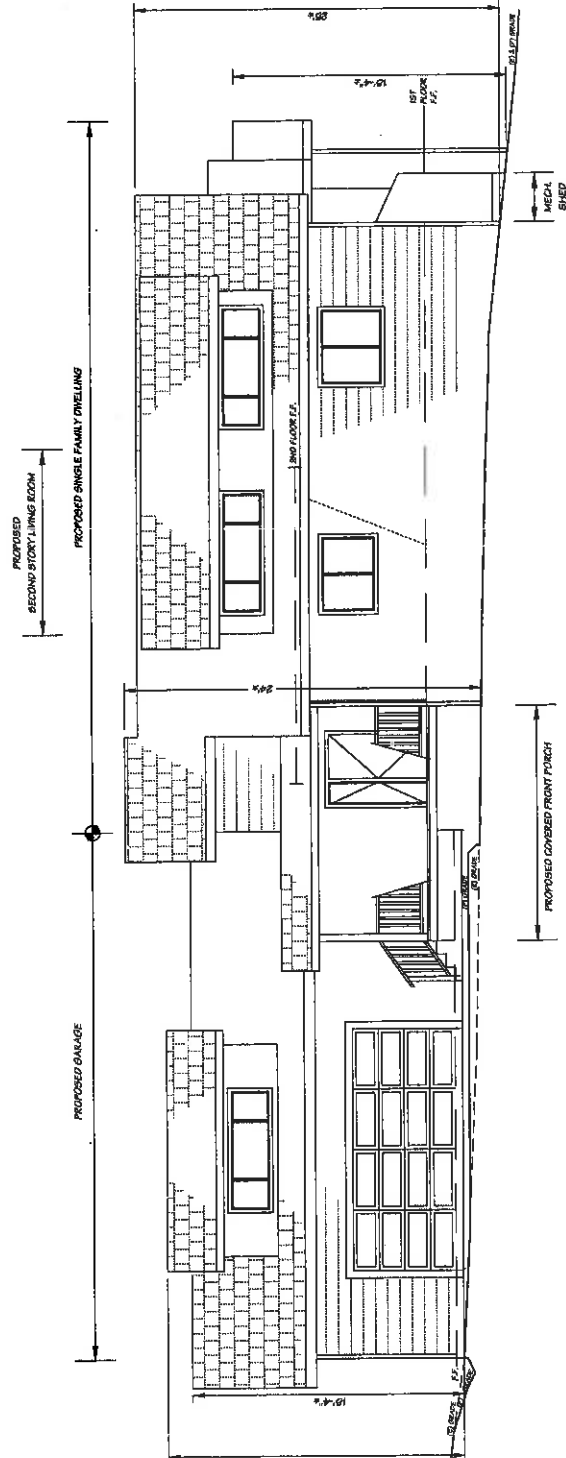
SHEET  
A-4

DATE: 1/23/2017



**(B) EAST ELEVATION**

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



**(A) NORTH ELEVATION**

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

EXHIBIT D

SHEET  
A-5

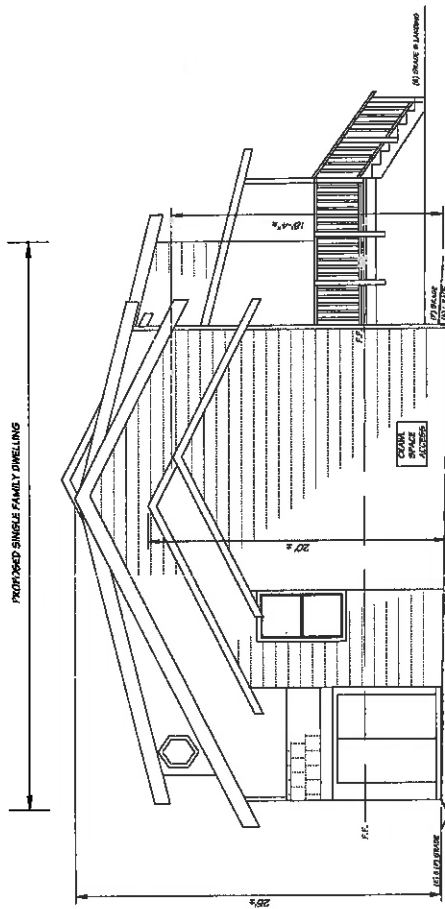
A FINE LINE DRAFTING AND DESIGN  
P.O. BOX 791  
BOULDER CREEK, CALIFORNIA 95006  
(931) 338-6217

A Single Family Dwelling and Garage For:  
PAYTON WONG  
A.P.N. 085 - 051 - 36  
BOULDER CREEK, CA, 95006

SOUTH AND WEST  
ELEVATIONS

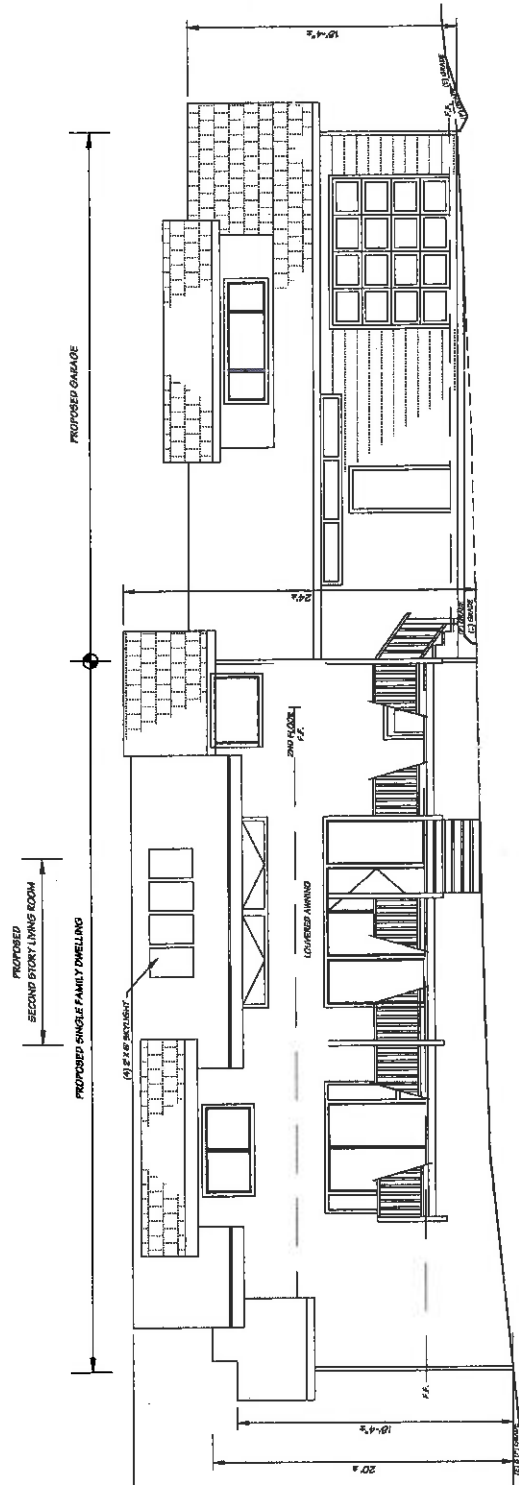
SHEET  
A-5

DATE: 1/23/2017



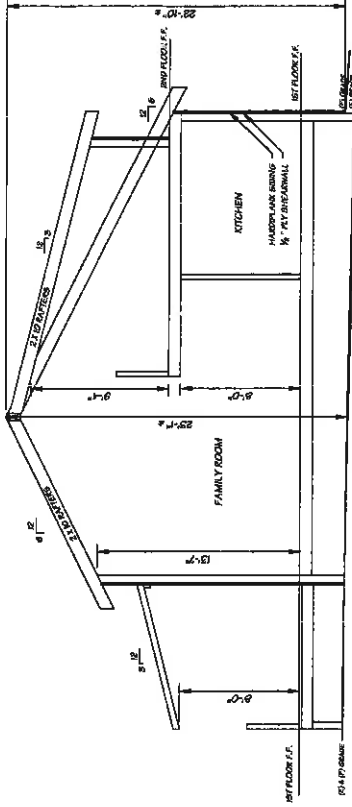
WEST ELEVATION

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

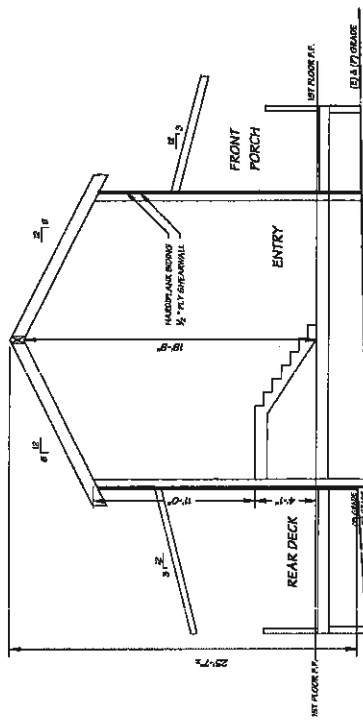


SOUTH ELEVATION

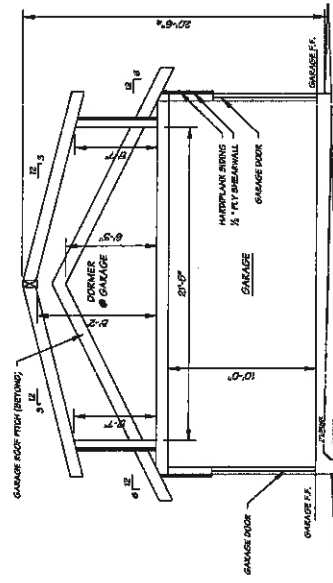
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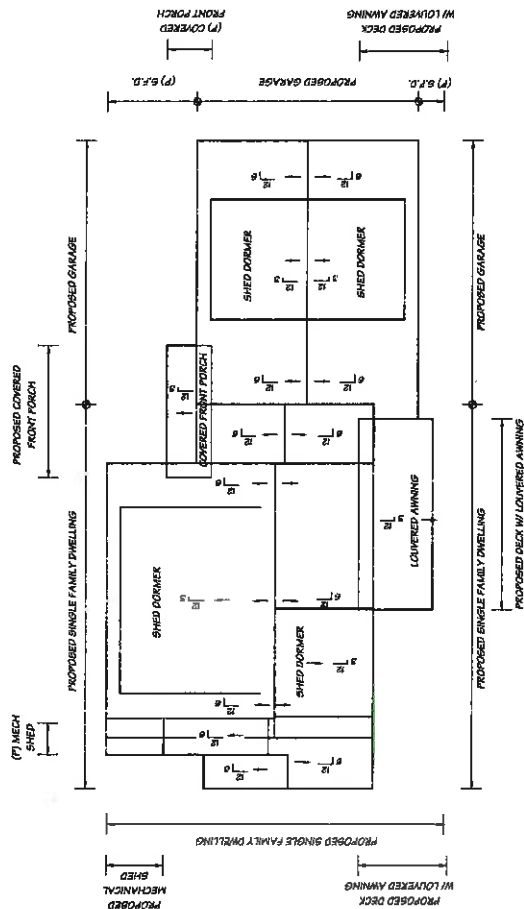
**C CROSS SECTION:**  
**FAMILY ROOM AND LIVING ROOM**  
SCALE: 1/4" = 1'-0"



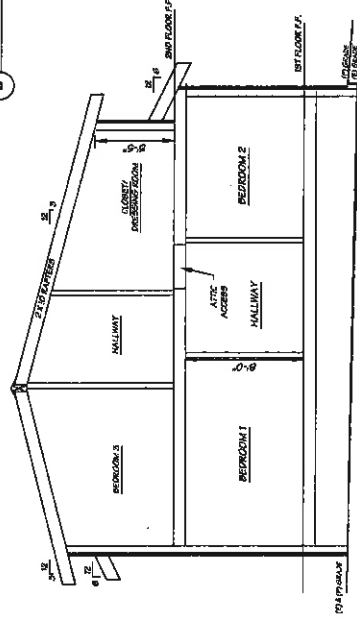
**B CROSS SECTION @ ENTRY**  
SCALE: 1/4" = 1'-0"



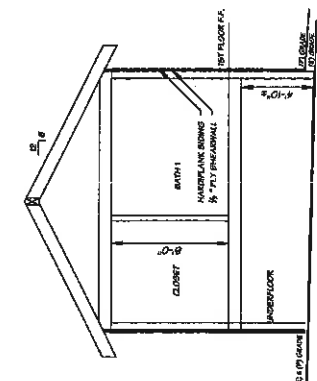
**A CROSS SECTION:**  
**GARAGE**  
SCALE: 1/4" = 1'-0"



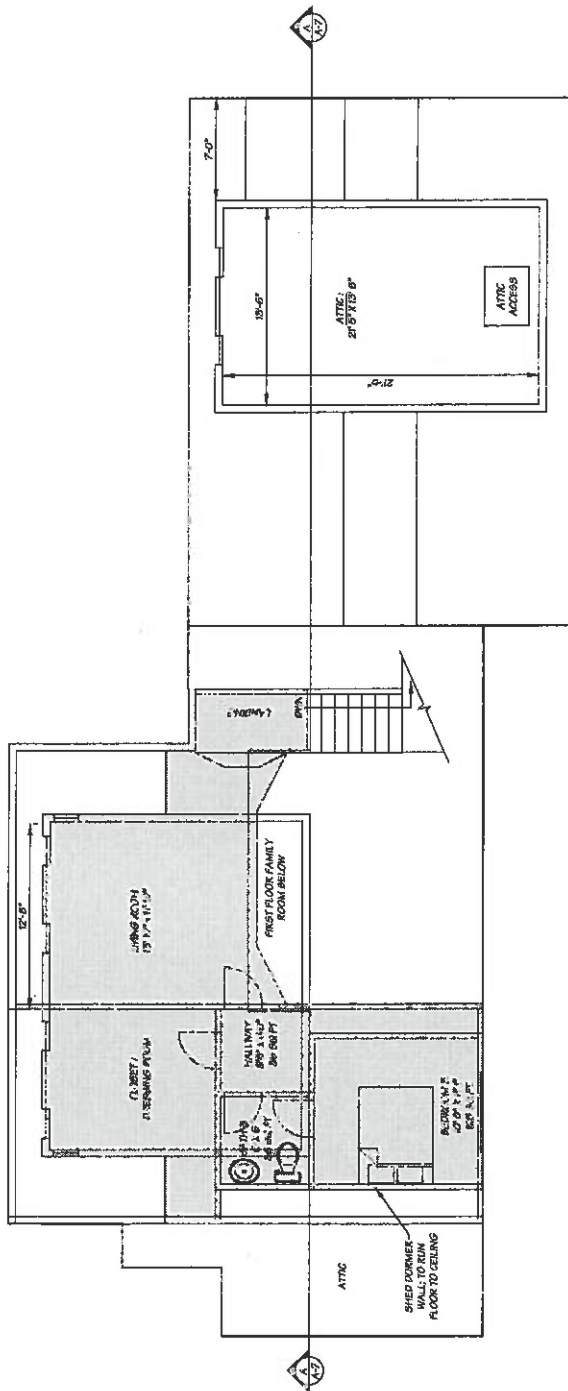
**F ROOF LAYOUT**  
SCALE: 1/8" = 1'-0"



**D CROSS SECTION**  
**BEDROOM WING**  
SCALE: 1/4" = 1'-0"

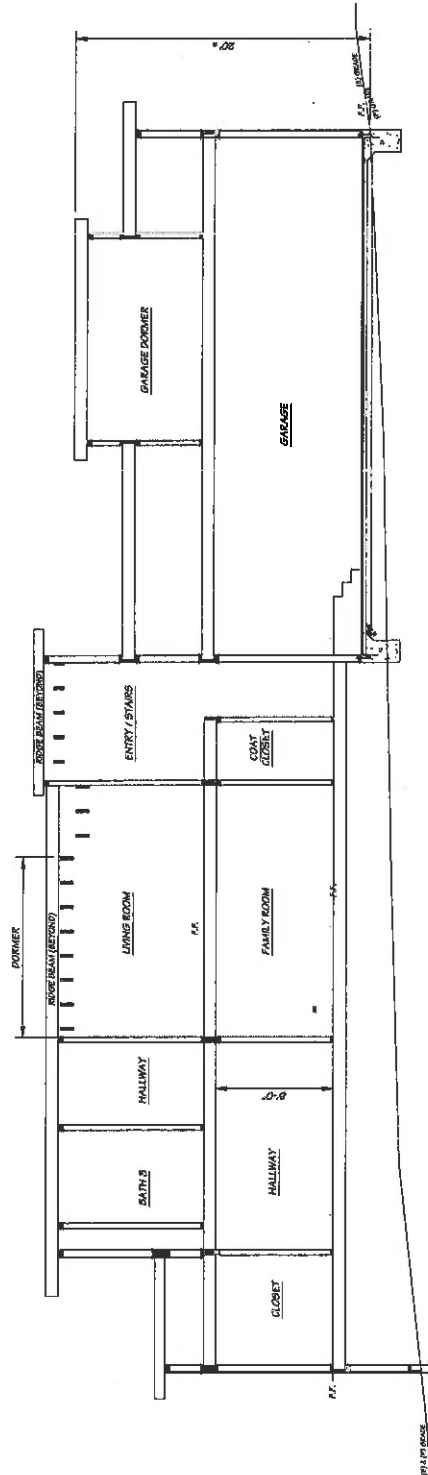


**E CROSS SECTION**  
**FIRST STORY BATH 1 AND CLOSET**  
SCALE: 1/4" = 1'-0"



**B LOCATION OF LONGITUDINAL CROSS SECTION**

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



**A CROSS SECTION:**

**FAMILY ROOM AND LIVING ROOM**

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

27



[illegible]

C-3  
SHEET

JARROD SWEET, P.E.  
C 81221  
P.O. BOX 791  
BOULDER CREEK, CALIFORNIA 95006  
(408) 340-0576

PAYTON WONG  
RAW LAND  
A.P.N. 085-051-36  
HIGHWAY 9, BOULDER CREEK, CA, 95006

SECTIONS

SHEET  
C-3

DATE: 12/20/16  
PAGE: 17 OF 17

PRELIMINARY  
NOT FOR CONSTRUCTION

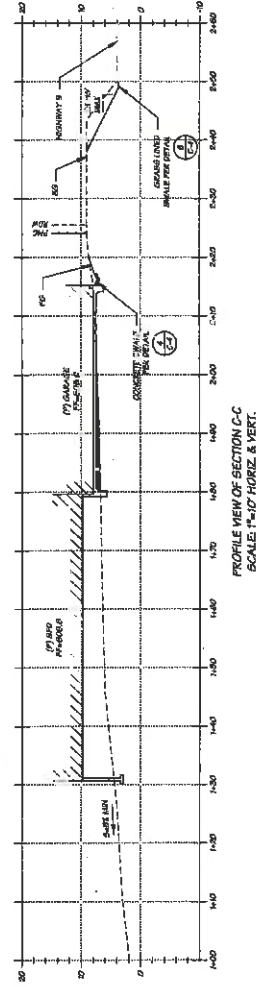
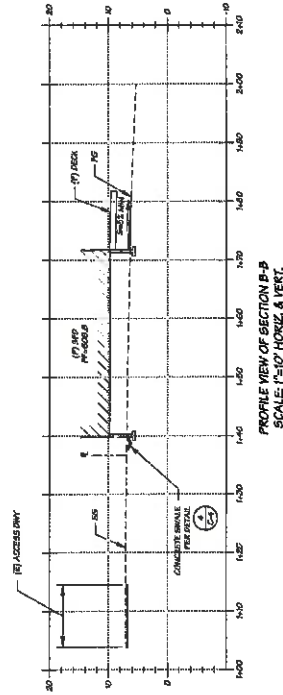
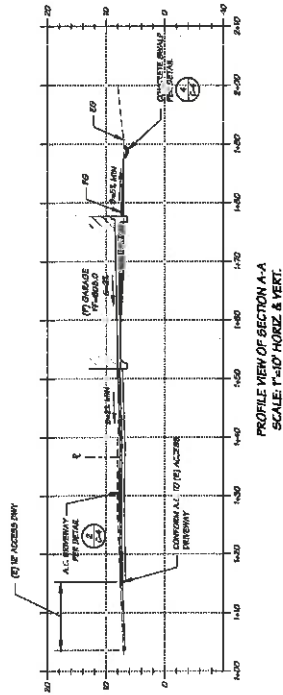
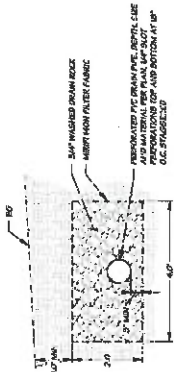
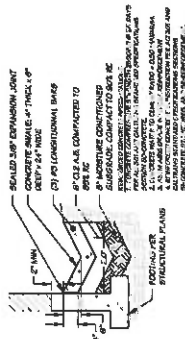


EXHIBIT D

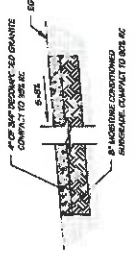




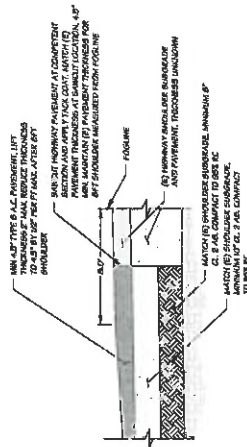
7 RETENTION INFILTRATION PIT  
N.T.S.



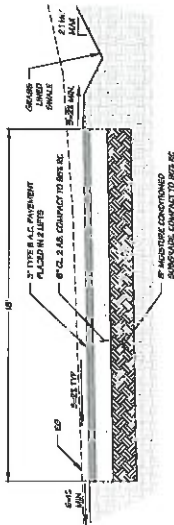
4 CONCRETE SWALE N.T.S.



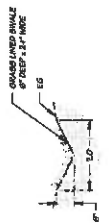
1 GRAVEL PARKING AREA  
N.T.S.



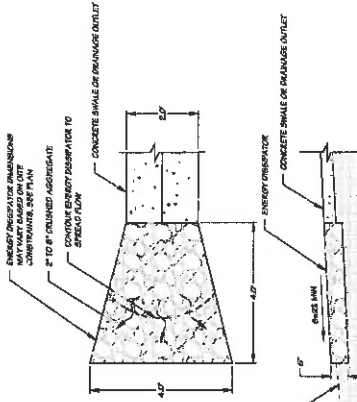
8 DRIVEWAY IN HIGHWAY R.O.W.  
N.T.S.



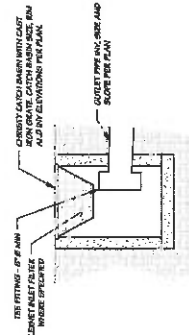
2 TYPICAL DRIVEWAY SECTION  
N.T.S.



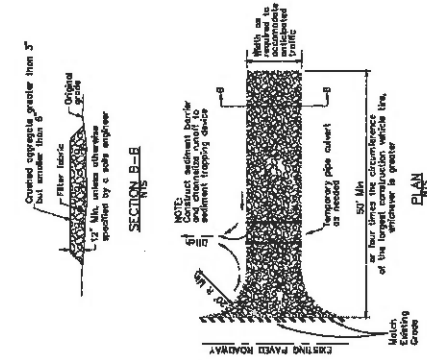
5 GRASS LINED SWALE N.T.S.



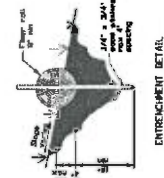
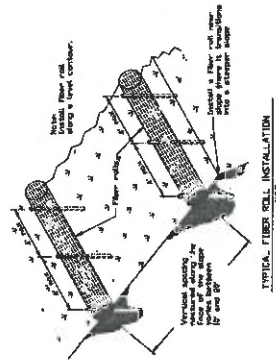
3	ENERGY DISSIPATOR	N.T.S.
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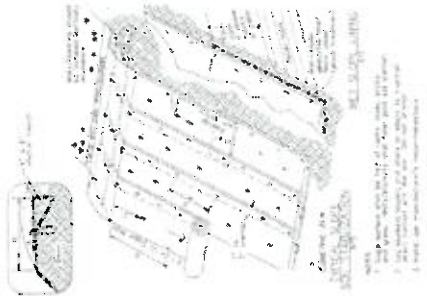
6	CATCH BASIN	N.T.S.
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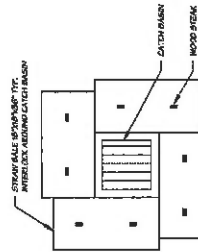
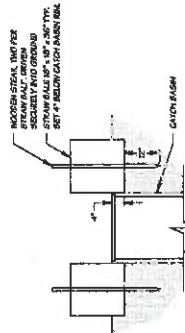
STABILIZED CONSTRUCTION EXIT  
FIGURE 9C-6  
9 N.T.S.



FIBER ROLLS  
FIGURE 9C-1  
10 N.T.S.



EROSION CONTROL BLANKETS  
FIGURE 9C-1  
11 N.T.S.



STRAW BALE INLET PROTECTION  
FIGURE 9C-1  
12 N.T.S.

PRELIMINARY  
NOT FOR CONSTRUCTION

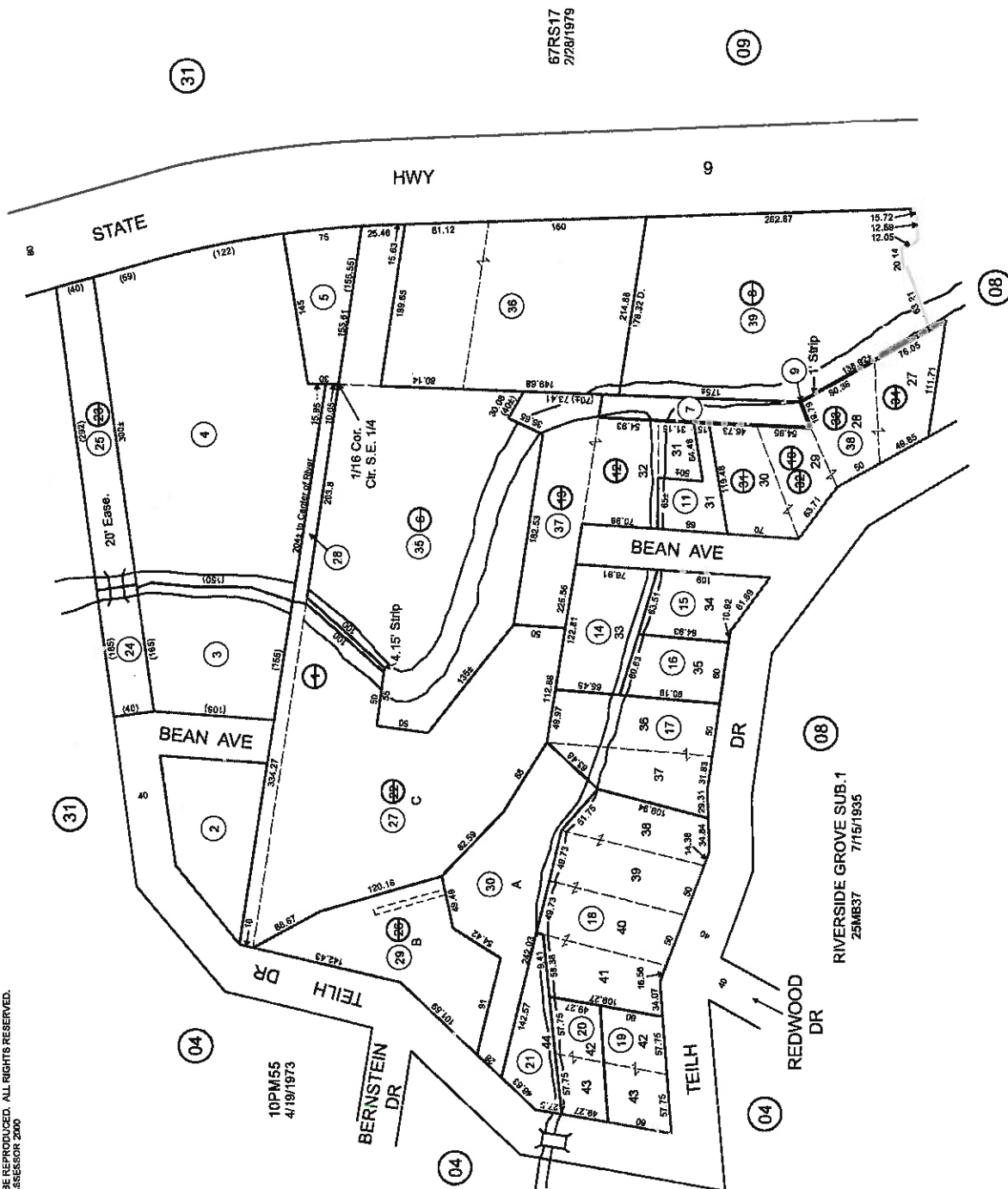
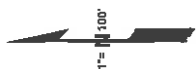
# FOR TAX PURPOSES ONLY

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

POR. S.E. 1/4 SEC. 1, T.9S., R.3W., M.D.B. & M.

Tax Area Code  
90-103

85-05



67RS17  
2/28/1979

Assessor's Map No. 85-05  
County of Santa Cruz, Calif.  
June 2000

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

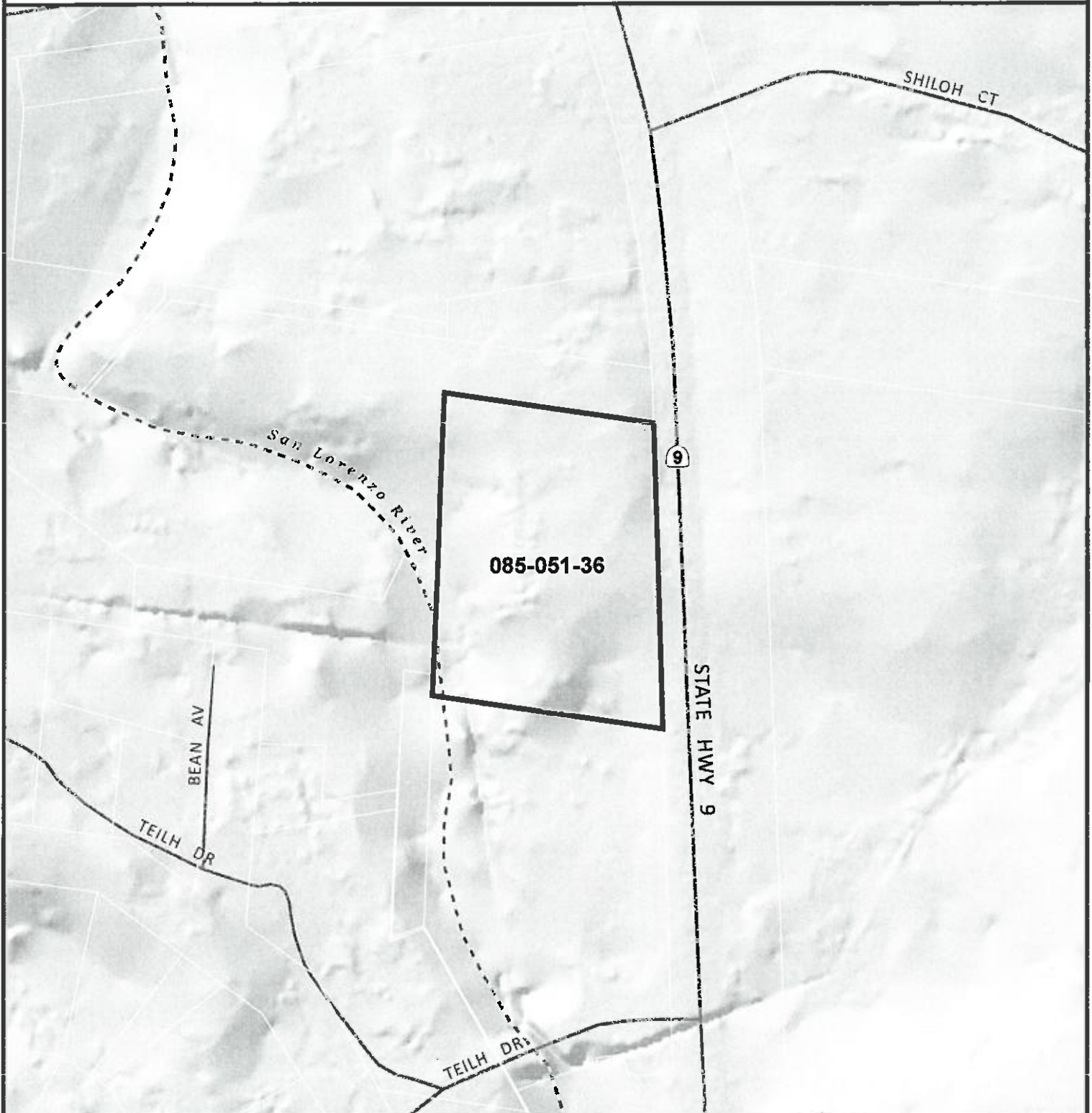
EXHIBIT E



# Parcel Location Map

Santa Cruz County Planning Department

Parcel Number  
**085-051-36**  
Mar. 15, 2018



Location Overview

## Symbol Key

- Street
- - - Perennial Stream



0 40 80  
Feet

**EXHIBIT E**








# Parcel General Plan Map

Santa Cruz County Planning Department

Parcel Number  
**085-051-36**  
Mar. 15, 2018



## General Plan

-  P - Public Facilities
-  R-M - Residential-Mountain
-  R-R - Residential-Rural



0 40 80  
Feet

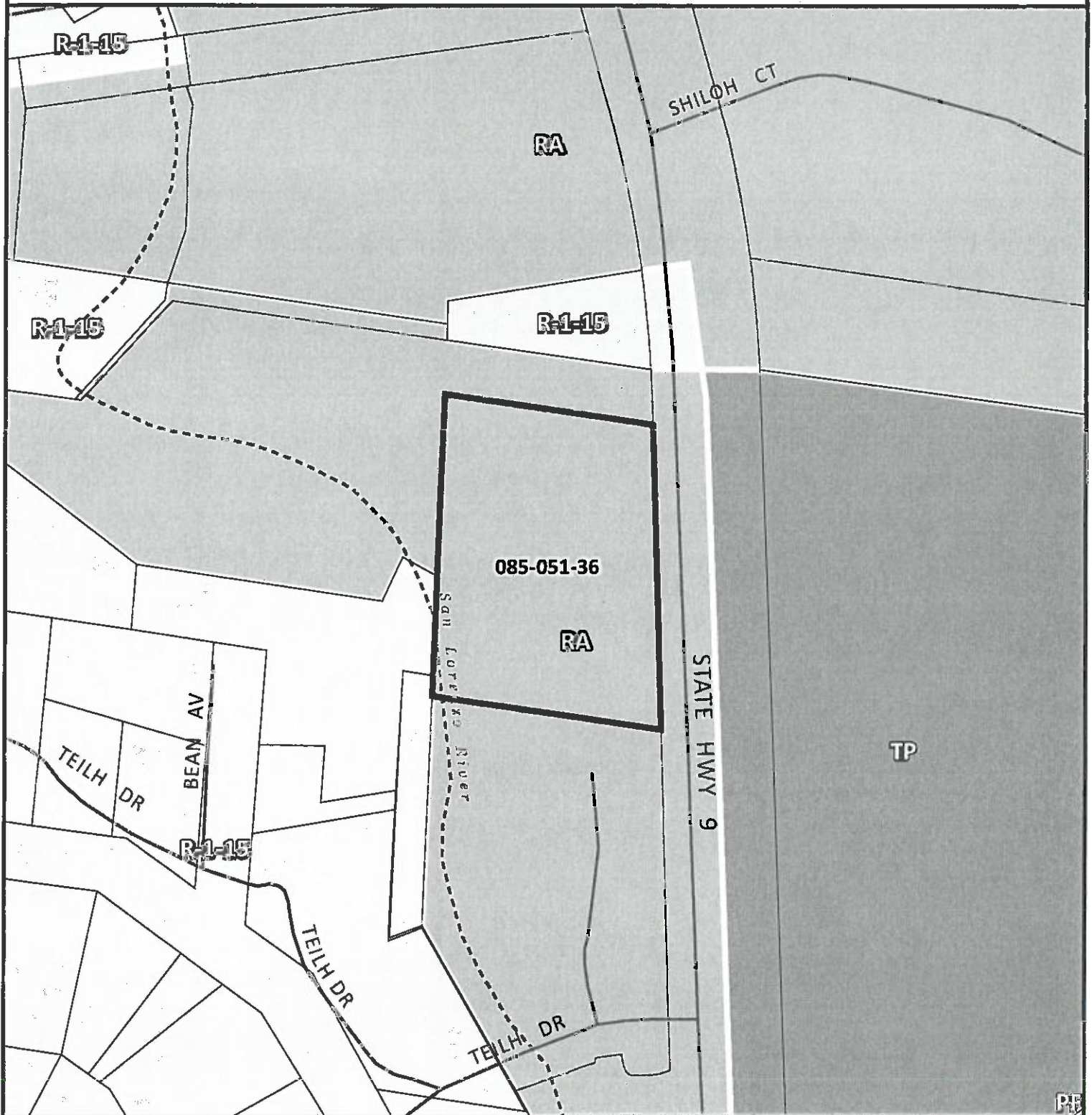
**EXHIBIT E**



# Parcel Zoning Map

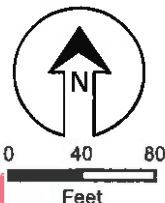
Santa Cruz County Planning Department

Parcel Number  
**085-051-36**  
Mar. 15, 2018



## Zoning

- (PF) Public & Community Facilities
- (R-1) Single-Family Residential
- (RA) Residential Agricultural
- (TP) Timber Production



**EXHIBIT E**



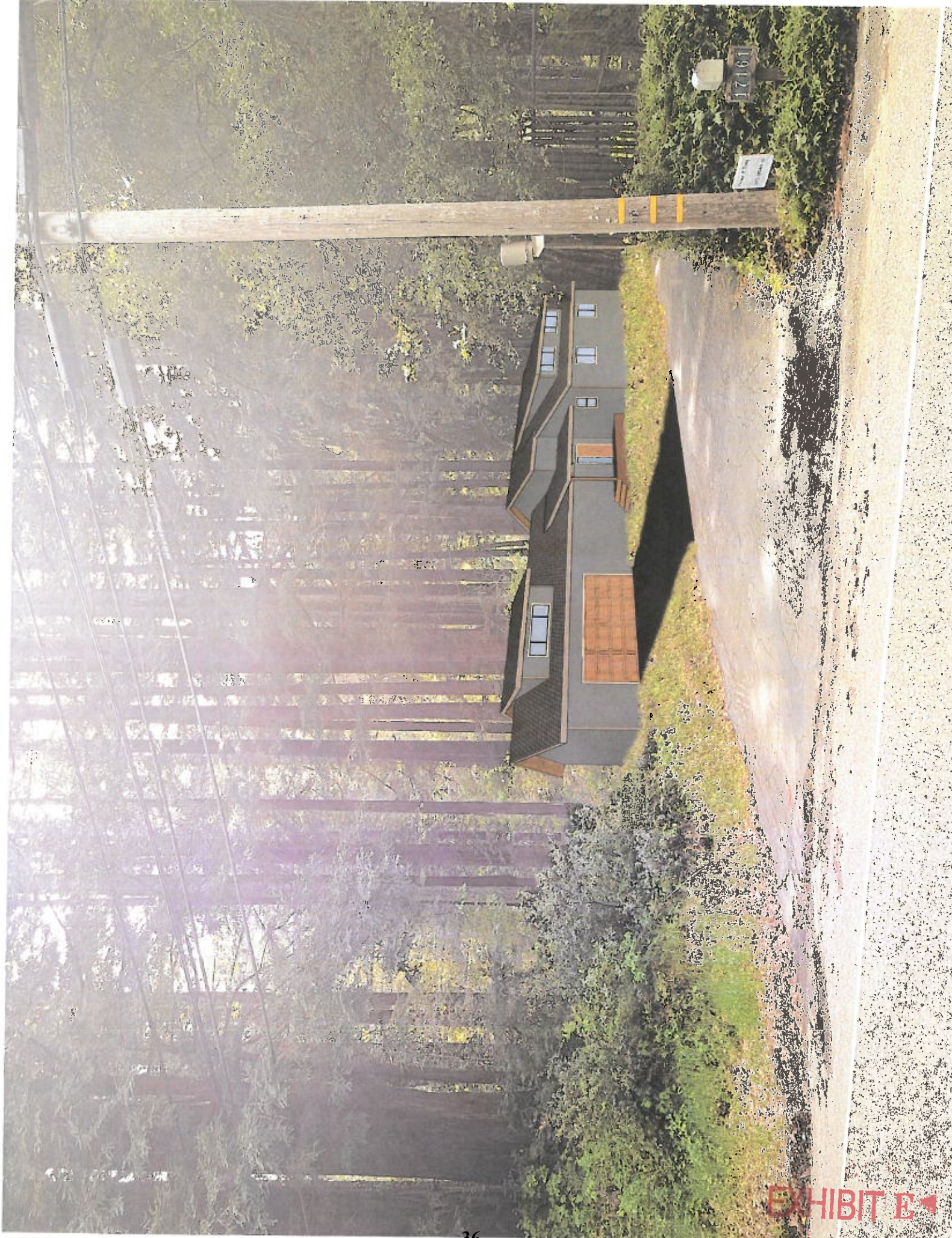


EXHIBIT E-1



**Note:** Paint colors and roofing to be natural earth-tone colors matching or similar to color scheme provided. Final colors and materials sheet to be submitted for approval at time of building permit application.

**Sherwin Williams  
America's Heritage paint colors:**



**Roycroft Copper Red SW 283**



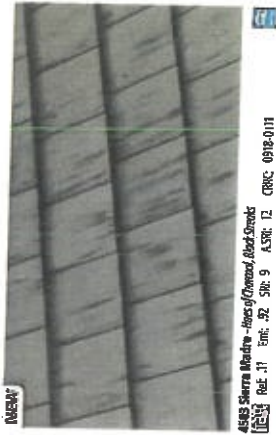
**Weathered Shingle SW 2841**

**Roycroft Vellum SW 2833**



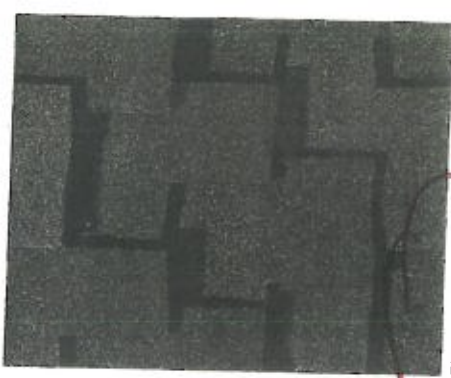
**Roycroft Pewter SW 2848**

**Roofing Materials:**



**Concrete Option**

**OR**



**Shadow Gray  
Comp. Shingle Option**

