



Staff Report to the Zoning Administrator

Application Number: **171315**

Applicant: Cove Britton/Margo Alleman
Owner: Bob and Patsy Zollars
APN: 028-304-75

Agenda Date: August 17, 2018
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposal to construct a two-story, 2,684 square-foot residence and attached 225 square-foot garage on a vacant lot in the R-1-5-PP zone district. Requires a Coastal Development Permit, a Minor Exception to the requirements of SCCC Section 13.10.446 (Pleasure Point Community Design standards) to allow for the second story deck railings to exceed 15 feet in height (as measured from finished grade) and for a chimney to be constructed in the second story setback. A determination that the project is exempt from further environmental review pursuant to the California Environmental Quality Act is also required.

Location: Property located on the south side of East Cliff Drive, approximately 560 feet southwest of the intersection of Moran Way and East Cliff Drive.

Supervisory District: 1st District (District Supervisor: John Leopold)

Permits Required: Coastal Development Permit and Minor Exception

Technical Reviews: Geologic and Geotechnical Report Review

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application Number **171315** based on the attached findings and conditions.

Exhibits

- | | |
|---|--|
| A. Categorical Exemption (CEQA determination) | H. General Plan Maps |
| B. Findings | I. Letter from the California Coastal Commission, dated August 1, 2018 |
| C. Conditions | J. Coastal Encroachment Policy |
| D. Project Plans | K. Email from David and Carol LeBaron |
| E. Boundary and Topographic Map | |
| F. Colors and Materials Exhibit | |
| G. Assessor's, Location, Zoning and | |

Parcel Information:

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

Parcel Size:	6,750 square feet (gross); 5,397 square feet (net)
Existing Land Use - Parcel:	Vacant
Existing Land Use - Surrounding:	Single-family Residential
Project Access:	East Cliff Drive
Planning Area:	Live Oak - Pleasure Point R-1-5-PP (Single-Family Residential, 5,000 square feet - Pleasure Point Combining District)
Land Use Designation:	O-R, R-UM (Parks and Recreation, Urban Medium Density)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Environmental Information:

Geologic Hazards:	Located on a Coastal Bluff; Geotechnical Report reviewed and accepted
Soils:	Geologic Report reviewed and accepted
Fire Hazard:	Not a mapped constraint
Slopes:	N/A
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	Minimal grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource - visible from public beach
Drainage:	Preliminary drainage plan approved by the Department of Public Works - Stormwater Division
Archeology:	Not mapped/no physical evidence on site

Services Information:

Urban/Rural Services Line:	<input checked="" type="checkbox"/> Inside
Water Supply:	City of Santa Cruz Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Zone 5

Project Setting: The project site consists of a vacant parcel located on the south side East Cliff Drive, approximately 560 feet southwest of the intersection of Moran Way and East Cliff Drive. The property is bounded by Monterey Bay to the south and single-family residential development to the west, east, and north. Moran Lake Beach, accessible to the public, is located three parcels to the west of the subject parcel.

The project site is bordered by East Cliff Drive (to the north) and an existing rip rap revetment, installed along the coastal bluff (to the south). The revetment extends from Moran Lake Beach to a point that extends into the bay off South Palisades Avenue. According to historical research conducted by the project engineer, the revetment appears to have been initially placed in 1966.

Background: Over the years, the rip rap revetment that borders the project site has been maintained by the previous property owner. Review of the County's permit records reveal that the County of Santa Cruz issued an Emergency Coastal Permit and Grading Permit in 1983. This permit allowed for the placement of 800 tons of rip rap to repair storm damage to the existing revetment. There are no records on file indicating that a formal Coastal Permit was applied for following issuance of the Emergency Coastal Permit; however, years later, in 1999, a Coastal Development Permit and Grading Permit was issued to both recognize the previously placed rip rap approved via the Emergency Coastal Permit, as well as to allow for the placement of an additional 250 tons of rip rap.

A Geologic Report, prepared by Roger E. Johnson and Associates, was reviewed by the County Geologist in conjunction with the 1999 permits. The Geologic Report indicates that the revetment was soundly constructed as of 1999. A Final Local Action Notice (FLAN) was mailed to, and received by, the California Coastal Commission on January 21, 1999. Several conditions of approval were applied to the 1999 Coastal Development Permit, one of which was a requirement for the property owner to obtain approval from the Coastal Commission for any work performed below mean high tide. Based on a recent survey, prepared by Hanagan Land Surveying Inc., no portion of the revetment was placed below mean high tide; therefore, the condition of approval appears to have been cautionary in nature, as no work below mean high tide occurred at that time. In addition, a second condition of approval applied to the 1999 permit required the property owner to record a maintenance agreement.

In 2017, engineers with Zinn Geology and Pacific Crest Engineering conducted field surveys of the project site. They determined that the site, including the revetment, has remained virtually unchanged since the issuance of the Coastal Development and Grading Permits in 1999. Further, as reflected in their reports, the engineers conclude that they did not observe any errant, or fugitive, boulders (rip rap) below the toe of the revetment. In addition, the revetment remains intact and has effectively halted retreat of the bluff. In its existing condition, the revetment is therefore sufficient to proceed with development of the parcel. In addition, pursuant to the analysis by the project engineers, the revetment does not require any maintenance or repair at this time. Accordingly, no work is proposed on the revetment as part of the project being analyzed under this permit.

Because the revetment is located above mean high tide, all permitting relative to the revetment shall be processed by the County. As is the case with all rip rap revetments located throughout the County, errant or fugitive boulders, which are essentially boulders that have migrated from their original placement as part of a revetment, will occasionally end up in areas below mean high tide. In such cases, a permit from the Coastal Commission would be required for retrieval of the boulders, as Coastal Commission staff is tasked with the enforcement and permitting relative to such cases. Staff is not aware of any such enforcement associated with the subject parcel at this time.

Zoning & General Plan Consistency: The project site, approximately 5,397 square feet in size, is zoned R-1-5 PP (Single-family Residential, 5,000 square-foot lot size, Pleasure Point Combining District), a designation which allows residential uses. The proposed residential land use is a principal permitted use within the zone district and the zoning is consistent with the parcel's O-R, R-UM (Parks and Recreation, Urban Medium Density) General Plan designation (all proposed

development is located on the R-UM portion of the parcel). A portion of the project site is located inside a mapped flood hazard zone, as determined by FEMA, however all proposed development is located outside the mapped flood zone area.

Regarding setbacks, pursuant to County Code section 16.10.070(H)(1)(c), the determination of the minimum geologic setback is based upon existing site conditions at the time of application submittal, which therefore allows for consideration of the existing approved protection structures (County Code sets out only that no *proposed* protection structures may be taken into consideration). The conclusions of the Geologic Report associated with the project are based upon the assumption that the existing coastal protection structure at the property (in this case the rip rap revetment), if in good condition, will be retained and maintained (as required by the recorded maintenance agreement). Accordingly, a minimum setback of 25 feet from the top of bluff/revetment, which is the minimum setback required by County Code section 16.10.070(H)(1)(b), was recommended by the project engineers and has been incorporated into the project design.

The proposed development, which consists of a new single-family residence and attached garage, has been designed to meet the R-1-5 zone district development standards. Further, the project is designed in conformance with the Pleasure Point Combining District in that the proposed second story would be setback 10 feet from the side yard property line; however, the applicant is requesting an Exception to the Pleasure Point Combining District site standards in that the second story deck railings and second story chimney would technically encroach into the 10-foot setback (see discussion below).

A summary of the required and proposed site and development standards that are relevant to this project is summarized in the table below:

Development Standard	Required	Proposed
Front Yard Setback	15 feet	20 feet (garage)
Side Yard Setbacks	5 feet (both sides)	5 feet (both sides)
Second Floor Side Yard (PP)	10 feet	10 feet (second story)
Rear Yard Setback	25 feet	25.5 feet (from grade) 25 feet (from finished grade)
Lot Coverage	40% Max.	32%
Floor Area Ratio (FAR)	50% Max.	50%
Height	28 feet Max.	25 feet (from grade)
Parking Requirement	3 spaces	3 spaces

Pleasure Point Combining District Conformance: The subject property is located within the Pleasure Point Combining District. The purpose of the District are to: a) reduce the visual and shading impacts of new and expanded houses on neighboring parcels and houses and b) to encourage community interaction and orientation towards the street by providing an incentive for the creation of more front porches in Pleasure Point and c) to reduce the visual impact of automobile-oriented features on residential building facades and in front yards. To accomplish the goals set out in the Pleasure Point District, additional design guidelines have been adopted for including increased second story setbacks and restrictions on development permitted within these

setbacks.

As designed, the project applicant has proposed to set the second story of the residence back by 10 feet, as outlined in the Pleasure Point Combining District site standards. The bulk of the second story massing is oriented toward the eastern portion of the parcel; the adjacent parcel to the east is currently developed with a second story structure. As designed, a deck is proposed on the second story. The deck railings would exceed the 15-foot height limit (as measured from finished grade) as dictated in the Pleasure Point Combining District site standards. In addition, a chimney, proposed to be 26 feet in height, would be located within the 10-foot second story setback, as prescribed in the Pleasure Point Combining District. To allow for construction of the project as submitted, the applicant has requested approval of an Exception to the Combining District site standards.

Local Coastal Program Consistency: The proposed residence conforms to the County's certified Local Coastal Program (LCP) in that the structure is sited and designed to be visually compatible, and in character, with the surrounding neighborhood. Further, the design of the proposed residence is consistent with the height, bulk, and massing of the neighboring residences in the neighborhood, in which all residential structures are subject to the Pleasure Point Combining District site standards. The surrounding neighborhood is characterized by parcels, which range in size from 5,809 to 10,170 (gross) square feet, developed with single-family residences and site improvements typical of residential development. The residence to the west is one story and the residence to the east is two stories. Most of the neighboring parcels are developed with either attached or detached garages and driveway parking; street parking is not available along East Cliff Drive along the stretch of road adjacent to the project site.

The project site is not identified as a priority acquisition site in the County's Local Coastal Program. The project site is, however, located between the shoreline and the first public road; therefore, the County may require new or improved public access in conjunction with development of the site. In this case it is not feasible, nor would it be practical, to provide public access, either vertically or horizontally, on the subject property. Further, it is not typical for lateral access to be provided through single-family residential properties. There is no parking location along East Cliff Drive adjacent to the project site and, in any case, vertical access would simply lead to the revetment on the Monterey Bay side of the parcel.

The revetment must remain intact in order to maintain its purpose as a shoreline protection feature. Removal of any portion of the rip rap that comprises the revetment would eventually lead to destabilization of the coastal bluff and thereby the structures adjacent to the bluff. It is therefore not feasible to do so.

Regarding visual impacts, the proposed project is consistent with the visual resource protection policies of the Local Coastal Program in that proposed residence and associated site improvements would be constructed on an existing developed street (East Cliff Drive) located in an urbanized area of Santa Cruz County. Further, at 25.5 feet tall, the newly proposed structure is designed to reach a maximum height well below the permitted 28-foot height limit. In addition, the structure features a design that incorporates a stepped in second story, flat roofs, and natural materials in a subdued palette, which will serve to minimize the visual impacts of the structure, as viewed from both the street and the bay.

Alternatives Analysis: County Code sets standards for the review of development projects located on coastal bluffs. The baseline for the project is the demonstration of the stability of the site, in its current, pre-development application condition, for a minimum of 100 years. The pre-development application conditions (County Code section 16.10.070(H)(a)(1)) are defined as the conditions that exist now and should not be confused with pre-development conditions which would be when the site was first developed.

The existing rip-rap revetment adjacent to the subject site extends approximately 50 feet seaward of the top of bluff, and the face of the revetment slopes upward at an angle of approximately 1:1. The revetment was originally constructed in 1966, with additional rock placed in 1983 and 1998, with Coastal Development Permits, to protect approximately 12 parcels from ongoing coastal erosion. Although a FEMA 100-year VE zone is mapped just seaward of the site, wave runoff does not currently overtop the revetment.

Analysis of the revetment by the project geologist and geotechnical engineer concludes that the revetment is stable in its current configuration and will continue to provide adequate protection for the project site and adjacent residences for 100-years, with ongoing maintenance.

While the Coastal Development Permit application currently under consideration does not propose construction of a seawall, the 100-year geologic setback of 25 feet does depend on the existing, permitted shoreline protection. Below is a brief analysis of shoreline protection alternatives at this site, and their potential impacts on the feasibility of development and beach access.

Due to the construction of the wall with large, rip-rap boulders, there are no feasible options to modify the face of the wall to allow for beach access over the surface of the existing revetment, but removal of the seawall, partial-removal and modification of the angle of the face of the revetment, or replacement of the revetment with a modern, vertical seawall are three alternatives for wall modification to provide additional beach area.

1. Removal of the wall:

The accepted geologic investigation for the site (Zinn, 11/6/17) notes that prior to the initial construction of the wall in 1966, the estimated rate of bluff erosion at the site was approximately 1 foot per year, which was reduced to essentially nil after the construction of the revetment and subsequent augmentations in 1983 and 1998. Removal of the wall would remove this protection and result in significant erosion of not only the subject site (estimates generated by the Pacific Institute depict the year 2100 shoreline position in the vicinity as lying 140 feet inland from the current shoreline position), but also the undermining of adjacent residences and destabilization of remnant portions of the revetments remaining on adjacent properties.

This alternative is infeasible, as it would not allow for the required 100-year site stability, and would compromise adjacent improvements.

2. Reduce footprint of existing revetment to the minimum configuration necessary for stability (with a finish slope gradient of 1.5:1 (H:V)):

The existing revetment is comprised of a large volume of stacked rip-rap that could be reconfigured, through removal and re-stacking of the rip-rap, to provide additional beach area. A stable rip-rap face would consist of rock stacked at a 1.5:1 angle along the seaward edge of the bluff. Should the rock along the seaward frontage of the subject parcel be reduced and stacked at 1.5:1, this minimum slope face would also need to be maintained along the remnant edges of the revetment on either side of the subject site. This would result in a "bowl-shaped" rip-rap formation along the 50-foot parcel frontage, with minimal increase in beach area.

3. Placement of a new vertical wall:

A third option for increasing the overall beach area would be to replace the existing segment of revetment along the 50-foot site frontage with a modern, vertical seawall. While this option would initially appear to increase beach area by moving the toe of the revetment landward, similar to Option 1, it would require a 1.5:1 rock buttress along the remnant edges of the revetment on either side of the subject site. With only a 50-foot frontage, the 1.5:1 buttresses would occupy most of the additional beach area created by vertical wall construction.

Conclusion: The subject parcel is currently protected from coastal erosion by a permitted revetment that similarly protects adjacent properties. Removal of the wall would compromise existing improvements, and modification or replacement of the wall would be costly and result in little increase in beach area or access. Therefore, continued maintenance of the existing revetment in its current configuration is the only feasible coastal protection alternative available at this site

Environmental Review: As proposed, the project qualifies for an exemption under the California Environmental Quality Act (CEQA). Construction of a single-family residence and associated site improvements is consistent with the exemption CEQA Guidelines, Section 3, New Construction or Conversion of Small Structures (15303).

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 171315 based on the attached findings and

conditions.

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

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

Report Prepared By: Jocelyn Drake
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3127
E-mail: Jocelyn.drake@santacruzcounty.us

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: 171315

Assessor Parcel Number: 028-304-75

Project Location: East Cliff Drive, approximately 560 feet southwest of the intersection of Moran Way and East Cliff Drive.

Project Description: Proposal to construct a new 2,684 square foot single family residence on a residential parcel. The project entails minimal grading. No sensitive habitat or hazards on site.

Person or Agency Proposing Project: Cove Britton/Margo Allman

Contact Phone Number: 831-425-0544

- 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:

Section 15303 – Class 3 - New Construction or Conversion of Small Structures

Class 3 covers new construction or conversion of small structures in urbanized areas, including construction of single-family residences.

Reasons why the project is exempt:

The project entails construction of a new single-family residence on a residentially zoned parcel located in a residential neighborhood.

Jocelyn Drake, Project Planner

Date: _____

Coastal Development Permit Findings

- 1. That the project is a use allowed in one of the basic zone districts, listed in section 13.10.170(D) as consistent with the General Plan and Local Coastal Program LUP designation.**

This finding can be made. The property is zoned R-1-5 (Single-family Residential, 5,000 square-foot lot size, Pleasure Point Combining District), a designation which allows residential uses. The proposed single-family residence is a principal permitted use within the zone district, and the zoning is consistent with the site's O-R, R-UM (Parks and Recreation, Urban Medium Density) General Plan designation. No portion of the proposed project is located in the portion of property located in the O-R General Plan designation.

- 2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.**

This finding can be made; no such easements or restrictions are known to encumber the project site.

- 3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to Section 13.20.130 and Section 13.20.140 et seq.**

This finding can be made. The development project is consistent with the surrounding neighborhood in terms of architectural style, height, and massing. The project site is surrounded by similarly sized parcels developed to an urban density, including single and two-story residences constructed along the shoreline, abutting the rip rap revetment. The design of the proposed residence incorporates site and architectural design features, such as increased side yard setbacks at the second story, varied wall and roof planes, and flat roofs, all of which will serve to reduce the visual impact of the structure. Further, the material and color palette, consisting of natural colors and materials, is compatible with the surrounding neighborhood and the natural beach environ in which the project site is located. Finally, the bulk and massing of the second story will be located on the eastern portion of the structure; therefore, impacts to the neighboring single-story residence to the west will be minimized.

The proposed development project is consistent with the visual resource protection policies of the Local Coastal Program in that the proposed residence will be built on an existing developed street in an urbanized area of Santa Cruz County. The proposed residence will not extend seaward of the 25-foot rear setback, as established by the project engineer (in accordance with County Code) and, upon construction, the placement of the residence will be in line with the existing neighboring residences built along East Cliff Drive between Moran Lake Beach and South Palisades Avenue. In addition, the proposed residence will not be visible from any public viewpoint, including Moran Lake Beach.

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

public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made in that, although the project site is located between the shoreline and the first public road, the proposed project will not interfere with existing public access to the beach, ocean, or other nearby body of water because no public access to the beach crosses the site at this time. Further, the proposed project does not qualify as a "replacement after disaster structure", as set out in County Code section 13.20.

The proposed project was therefore evaluated for any feasible opportunity in which public access to the shoreline could be provided or increased. Upon evaluation, staff determined that it is not feasible, nor is it advisable, to develop public access, vertically or horizontally, on the subject parcel. The parcel is not large enough to accommodate vertical public access between East Cliff Drive and Monterey Bay, and even if it were, any access created in this location would lead directly to an existing rip rap revetment. Because the revetment cannot be deconstructed without compromising the integrity of the coastal bluff, it is not feasible to remove any portion of the revetment. In addition, there is no street parking available along the frontage of East Cliff Drive. A public beach is presently located three parcels (190 linear feet) to the west of the project site (Moran Lake Beach).

The project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified Local Coastal Program.

This finding can be made, in that the residence is sited and designed to be visually compatible, in scale, and integrated with the character of the surrounding neighborhood. The proposed residence and attached garage has been designed to comply with yard setbacks as established for the R-1-5 PP zoning district, as well as the site standards established on parcels within the Pleasure Point Combining District and Geologic Hazards ordinance. Further, the project will not constitute a scenic impact in that the residence has been designed to include a stepped in second story, flat roofs, and subdued materials and colors so as not to detract from the existing scenic beauty of the coastline.

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, 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 site is located in a residential neighborhood, an area designated for residential uses. Construction of the new residence 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 design of the proposed project is based upon Geological and Geotechnical Reports, prepared by licensed professionals, to ensure that the proposed development, including construction of a single-family

residence, has been specifically designed for the coastal bluff location on which it is situated.

In addition, the proposed project will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the proposed residence is designed in conformance with the general intent and purposes of the Pleasure Point Community Design Combining District, which is to reduce the visual and shading impacts of new and expanded residences on neighboring parcels. The proposed residence has been designed to comply with both the R-1-5 and Pleasure Point Community Design standards. Therefore, the proposed dwelling will not deprive neighboring parcels of these amenities.

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

This finding can be made, in that the proposed location of the single-family residence, and the conditions under which it would be operated or maintained, will be consistent with all pertinent County ordinances. The purpose of the R-1-5 PP (Single-family Residential, 5,000 square-foot lot size, Pleasure Point Combining) zone district is to allow for the continued residential use, and the development of parcels, in a residential manner. As proposed, the primary use of the property will be residential. The proposed development, including the parking, is designed to meet the current site standards for the zone district; however, upon analysis it is unclear if the proposed outdoor fireplace and hearth will exceed the height limit permitted for accessory structures located in a setback. Because this issue is minor, it can be deferred and addressed as part of the building permit review. Accordingly, a condition of approval is proposed to require details of the proposed hearth as part of the building permit plan set.

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 O-R, R-UM (Parks and Recreation, Urban Medium Density) land use designation in the County General Plan. No portion of the proposed development is located Further, the proposed residential structure will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties. As designed, the second story of the proposed residence would be stepped in from the side yard property line by 10 feet. In addition, the bulk of the second story is oriented toward the eastern portion of the parcel, which abuts a second story residence to the east, and minimized on the western portion of the parcel, adjacent to the single-story neighbor to the west.

The proposed residential structure will be properly proportioned to the parcel size and is consistent with the character of the neighborhood; therefore, the project conforms to the County's policies that address proportionality, as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed project will result in a residential design that could be approved on any similarly sized lot near the project site.

A specific plan has not been adopted for this portion of the County; however, the project site is located within the Pleasure Point Combining District; therefore, the district site standards apply to the project. In accordance with the Pleasure Point site standards, the project is designed to feature

Staff evaluated the project for conformance with the spirit and intent of the Pleasure Point Combining District site standards and determined that the design does indeed comply with the standards. The project, as designed, would not result in privacy impacts or shading on the adjacent parcels. The parcel to the east is developed with a two-story residence that is not designed in conformance with the Pleasure Point residential site standards. Accordingly, the proposed residence is designed to position the bulk of the second story on the eastern portion of the structure, thereby reducing any potential shading impacts on the parcel to the west, which is currently developed with a single-story residence. In addition, the proposed residence would be offset from the neighboring residence to the west, which will serve to further reduce potential shading and privacy impacts that could otherwise occur. Moreover, the proposed deck railings would be constructed out of glass, therefore, the railings would not appreciably add to the visual bulk and mass of the structure.

With regard to the proposed chimney, this element of the project is designed to be vertically aligned with the side yard property line, thereby reducing the visual impact of the chimney from the vantage points of the beach and the public street (East Cliff Drive). The chimney, as designed, is architecturally compatible with the overall design of the residence and is consistent with the aesthetic in the surrounding neighborhood, which is primarily developed with two-story structures that are not designed consistent with the Pleasure Point residential site standards in that the majority of the neighboring residences do not feature second stories stepped in from the side yard setback. Further, the chimney, as designed, will not result in shading on the neighboring parcel.

Overall, the proposed project, including the elements that deviate from the Pleasure Point site standards, would result in a balanced residence designed to mirror the height, bulk and massing of the structures in the surrounding neighborhood, with the exception that the second is set back from the side yard property lines by an additional 5 feet, for a total of 10 feet. The stepped in second story will result in a less visually intrusive structure, as compared to many of the neighboring structures. And, because the project site consists of a parcel of only 5,397 net square feet (with more than 1,000 square feet of the lot area restricted from development due to the required coastal bluff setback), it is challenging to design a two-story structure with usable, improved outdoor area without encroaching into the 10-foot second story setbacks. As designed, the encroachments are minimal; therefore, this finding can be made.

2. The Pleasure Point Community Design "PP" Combining District purposes, found in SCCC 13.10.444, are better achieved by an alternative design; or
3. The granting of an exception will result in a superior residential design that is consistent with the Pleasure Point Community Design "PP" Combining District purposes, found in SCCC 13.10.344.

a second story stepped back from the side yard property lines by 10 feet and a below grade garage designed to minimize its prominence (as viewed from the front elevation facing East Cliff Drive).

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 would be constructed on an existing residential lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day. Such an increase will not adversely impact existing roads or intersections in the surrounding area.

5. **That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.**

This finding can be made, in that the proposed residence will be located in a neighborhood developed with residential structures in a variety of architectural styles. The proposed residence is consistent with the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed residence is designed to be compatible with the scale and visual aesthetic of development in the surrounding neighborhood. The neighboring residences primarily consist of two story structures consisting of natural materials in a neutral color palette. The proposed project design incorporates site and architectural features, such as increased side setbacks on the second story, varied wall and roof planes, and a partially subterranean garage. Regarding materials, the residence will feature stucco siding in a neutral color, shiplap siding (painted white) and stone veneer accents (in a neutral beige tone). Further, the rear setback of the residence (25 feet) complies with both County Code and the recommendation of the project engineers. Upon construction, the residence will also result in uniformity along the coastline, in that the neighboring residences located along the south side of East Cliff Drive are sited 25 feet (or in some cases less) from the existing rip rap revetment. Finally, construction of the new residence will not result in a visually prominent or out of place structure, as viewed from the public road, Monterey Bay, or Moran Lake Beach.

Pleasure Point Combining District –Design Standards Exception

1. There are special existing site or improvement characteristics or circumstances, including but not limited to the absence of adjacent residential parcels that could potentially be shaded by the proposed development, that appropriately excuses the proposed development from meeting one or more of the development standards; or

The project, as designed, includes construction of deck railings more than 15 feet in height (as measured from finished grade) in the required 10-foot side yard setback. The project design also includes construction of a chimney, 26 feet in height, in the 10-foot side yard setback.

Conditions of Approval

- Exhibit D: Project plans, 14 sheets, prepared by Mattson Britton Architects, dated 01/26/18 and Boundary and Topographic Survey, prepared by Hanagan Land Surveying, dated 04/16/18.
- I. This permit authorizes the construction of two-story residence on the property located on a vacant lot on East Cliff Drive, APN 028-304-75, as indicated on the approved Exhibits "D" and "E" 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.
 - C. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - D. Obtain a Grading Permit from the Santa Cruz County Building Official, as applicable.
 - 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:
 - B. A copy of the text of these conditions of approval incorporated into the full-size sheets of the architectural plan set.
 - C. 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.
 - D. Grading, drainage, and erosion control plans.
 - E. A roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features, is required. 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.

- F. Details showing compliance with Fire Department requirements. If the proposed structure is located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
- G. Meet all requirements of, and pay, applicable drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- H. Meet all requirements of the Santa Cruz County Water District. Proof of water service availability is required prior to application for a Building Permit.
- I. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit.
- J. Meet all requirements and pay any applicable plan check fee to the Central Fire Protection District.
- K. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer, as applicable.
- L. Pay the current fees for Parks and Child Care mitigation for three bedrooms. Currently, the fee is \$109.00 per bedroom.
- M. Pay the current fees for Roadside and Transportation improvements for two bedrooms.
- N. 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.
- O. A landscape plan shall be included as part of building permit plan set.
- P. Obtain an encroachment permit from Santa Cruz County Parks Department for the portion of the seawall on the public beach. File the application on a form provided by the County and include all required information and pay the application fee to the Parks Department prior issuance of the building permit or prior to May 31, 2019, whichever is sooner.
- Q. Provide a copy of the recorded Declaration and Notice of Geologic Hazards. The Declaration will provide for property owner (and all successors and assigns) agreement to an acknowledgement of coastal hazards, an acceptance of and assumption of risk, a waiver of liability against the County, and an indemnification of the County; the final language of such provisions will be consistent with the following:
 - 1. Coastal Hazards. That the site is subject to coastal hazards including but not limited to

- episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, tidal scour, coastal flooding, liquefaction and the interaction of same;
2. Assume Risks. To assume and accept the risks to the Applicant and the properties that are the subject of this Coastal Development Permit of injury and damage from such coastal hazards in connection with the permitted development;
 3. Waive Liability. To unconditionally waive any claim of damage or liability against the County, its officers, agents, and employees for injury or damage in connection with the permitted development;
 4. Indemnification. To indemnify and hold harmless the County, its officers, agents, and employees with respect to the County's approval of the development against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage in connection with the permitted development; and
 5. Property Owner Responsible. That any adverse effects to property caused by the permitted development shall be fully the responsibility of the property owner. That cost of abatement and/or future removal of structures shall be the responsibility of the property owner.
- R. Coastal Hazards Response Alternatives. By acceptance of this permit, the applicant acknowledges and agrees, on behalf of itself and all successors and assigns, that:
1. The approved single-family residence will be constructed and may be used consistent with the terms and conditions of this permit for only as long as the approved development remains safe for occupancy and use. If coastal hazards result in an unsafe site or unsafe structure, the property owner agrees to abate or address dangerous conditions in accordance with County regulations and/or Orders of the Chief Building Official and these Conditions of Project Approval. If all or any portion of improvements are deemed uninhabitable, the property owner agrees to remove the improvements and restore the affected area, unless an alternative response is approved by the County of Santa Cruz, and by the California Coastal Commission if the project location is within the Coastal Commission's primary jurisdiction. Alternative responses to coastal hazards may include (1) pursuit of a Coastal Development Permit consistent with County Code regulations in Chapter 13.20 (Coastal Zone Regulations) and Chapter 16.10 (Geologic Hazards); and/or (2) pursuit of an alternative consistent with an adopted shoreline and coastal bluff management plan (see below).
 2. Requirement for Geotechnical and Coastal Hazards Reports: In the event that in the future the blufftop edge or mean high tide line recedes to a point where the site or structure is deemed unsafe by County regulations and/or the County Geologist, Civil Engineer, or Chief Building Official, the property owner shall undertake the following activities:
 3. Retain a licensed geologist or civil engineer with experience in coastal processes and hazard response to prepare a geotechnical investigation and Coastal Hazards Report that addresses whether all or any portions of the residence and related development are threatened by coastal hazards, and that identifies actions that should be taken to ensure safe

use and occupancy, which may include removal or relocation of all or portions of the threatened development and improvements, or other alternate response (see below).

4. Agree to undertake activities to pursue an appropriate Coastal Hazards Response consistent with these Conditions of Approval and in accordance with adopted and applicable County of Santa Cruz and California Coastal Commission regulations. The geotechnical investigation and Coastal Hazards Report shall be submitted to the Executive Director of the California Coastal Commission, and to the Planning Director, Chief Building Official and County Geologist of Santa Cruz County. If the residence or any portion of the residence is proposed to be removed, the Applicant shall submit a Removal and Restoration Plan (see below).
5. Shoreline and Coastal Bluff Management Plan Alternative. The property owner and /or any future heirs or assigns further acknowledge and agree that should a future shoreline and coastal bluffs management plan become effective, all future development shall be found to be substantially consistent with the provisions of the approved management plan.
6. Removal and Restoration. If an appropriate government agency so orders, or as a result of the above-referenced geotechnical investigation and Coastal Hazards Report, it is determined that any portion of the approved development must be removed due to coastal hazards, the Applicant shall, prior to removal, submit a Removal and Restoration Plan to the County for review and approval. No removal activities shall commence until the Removal and Restoration Plan and all other required plans and permits are approved. The plan shall specify that in the event that portions of the development fall to the bluffs or ocean before they are removed/relocated, the landowner will remove all recoverable debris associated with the development from the bluffs and ocean and lawfully dispose of the material in an approved disposal site. If it is determined that an amendment to this permit or separate grading and coastal development permits are required in order to authorize the activities, the application shall be submitted as soon as immediately feasible, including all necessary supporting information to ensure it is complete. The Removal and Restoration Plan shall clearly describe the manner in which such development is to be removed and the affected area restored so as to best protect coastal resources, and shall be implemented immediately upon County approval, or County approval of required permit applications, as may be required.
- S. Meet all Environmental Planning Division requirements, including the following:
 1. Code section 16.10.070(H) states that all development, including that which is cantilevered shall meet the minimum 25-foot bluff setback.
 2. Comments from California Coastal Commission staff includes a request for providing public access; please note that if improvements for public access are proposed, updates to the soils and geology reports will be required to provide recommendations for design and construction of those improvements.
 3. As stated in the comments from the Coastal Commission, the rock was placed on County property beyond the limits of the property lines. Typically, an encroachment permit from the department of Public Works would be required to place the rock on County property.

4. Plan review letters from the project geotechnical engineer and geologist shall be submitted prior to approval of the building permit application.
- T. Meet all Department of Public Works – Drainage Division requirements, including the following:
 1. Runoff from the northern half of the property has minimal onsite water quality features to minimize potential pollutants of concern. Please revise the proposed drainage system along this section of the property to include further water quality design. Reference Part 3 Section C.3 a, b, & c of the CDC for guidance.
 - a. Please update the original stormwater report and include a response to comment #1.
 2. Please provide an analysis for all of the proposed points of discharge. Please demonstrate that release rates will not cause adverse stability or erosion problems both onsite & along the overflow paths.
 - a. Please demonstrate by quantification that the site is maintaining pre-development release rates given that proposed drainage system will depend on sump pumps at both control points.
 3. This project is within an established Flood Control District as part of the Santa Cruz County and shall be charged a fee based on the total new permitted impervious area created. The current fee is \$1.27 per square foot but is subject to change based on the most updated fee amount applicable at the time of permit issuance. The County of Santa Cruz currently has four Zones with the associated fee rate (Zone 5 established in 1969, Zone 6 established in 1986, Zone 7a established in 2005, & Zone 8 established in 1977).
 - i. This project may be eligible for fee credits for existing impervious areas previously permitted or built prior to the established flood control zone if acceptable documentation is presented. (Acceptable documentation can be in the form of an assessor's record, survey record, permit record, dated aerial photograph(s), or another official record that can confirm a previously permitted structure.) Otherwise County staff will utilize the most relevant aerial photos to establish credit if no additional information is furnished by the applicant.
 - ii. A 50% credit is given to all projects that implement semi-pervious surfaces such as: pervious/porous/permeable pavers, porous concrete, porous asphalt, baserock, etc.
 4. 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:
 - i. 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.

- ii. 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.
 - iii. 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.
- U. The conditions of approval applied to the Coastal Development Permit number 98-0670 remain in effect. In the event work is proposed to the existing rip rap revetment on the property that is not covered by Permit number 98-0670, a new Coastal Development Permit will be required.
- 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.
- W. 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.
- X. 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.
- Y. 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.
- Z. 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 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: _____

Zoning Administrator Signature: _____

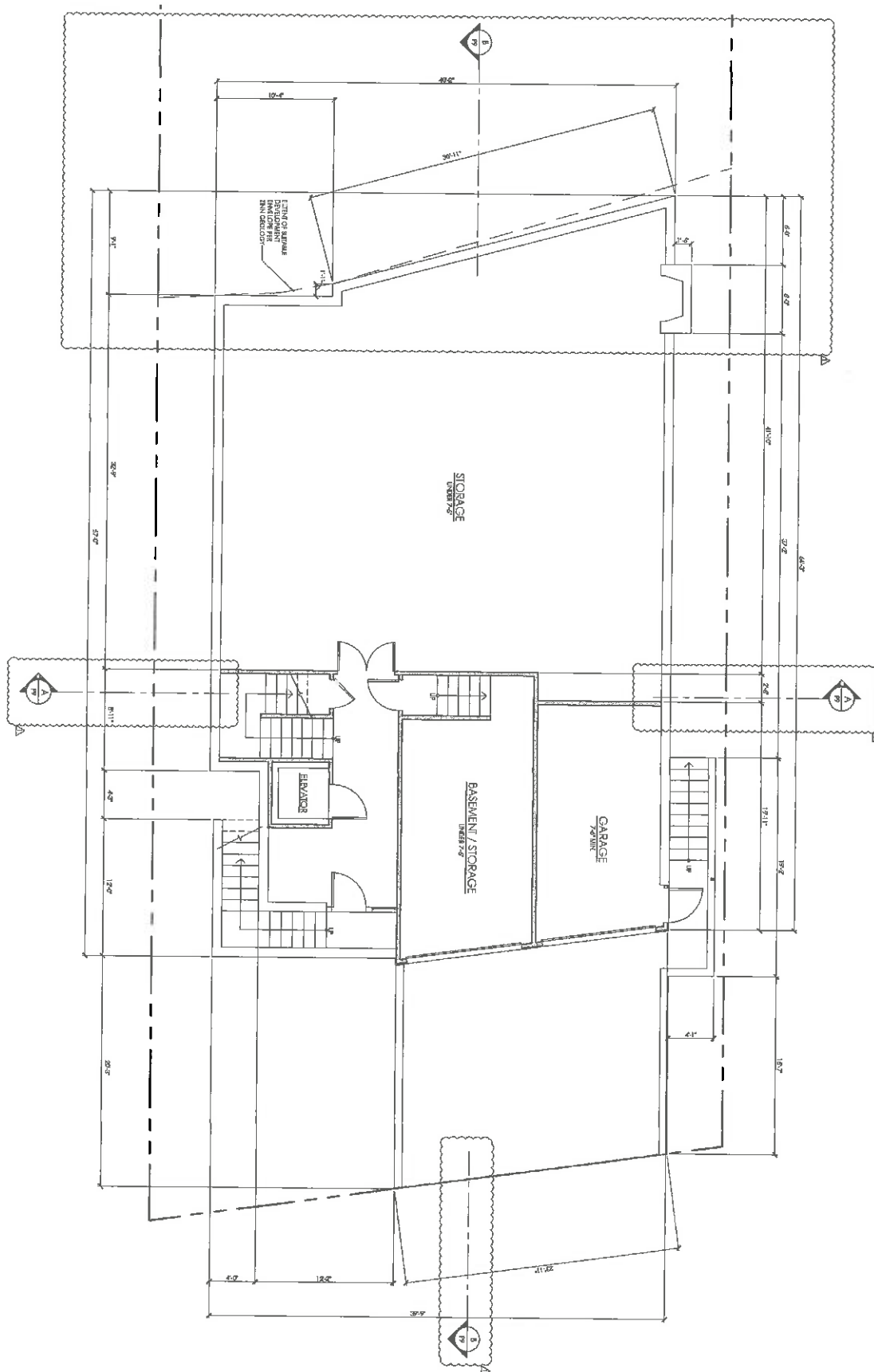
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

ABBREVIATIONS

22

BASEMENT FLOOR PLAN

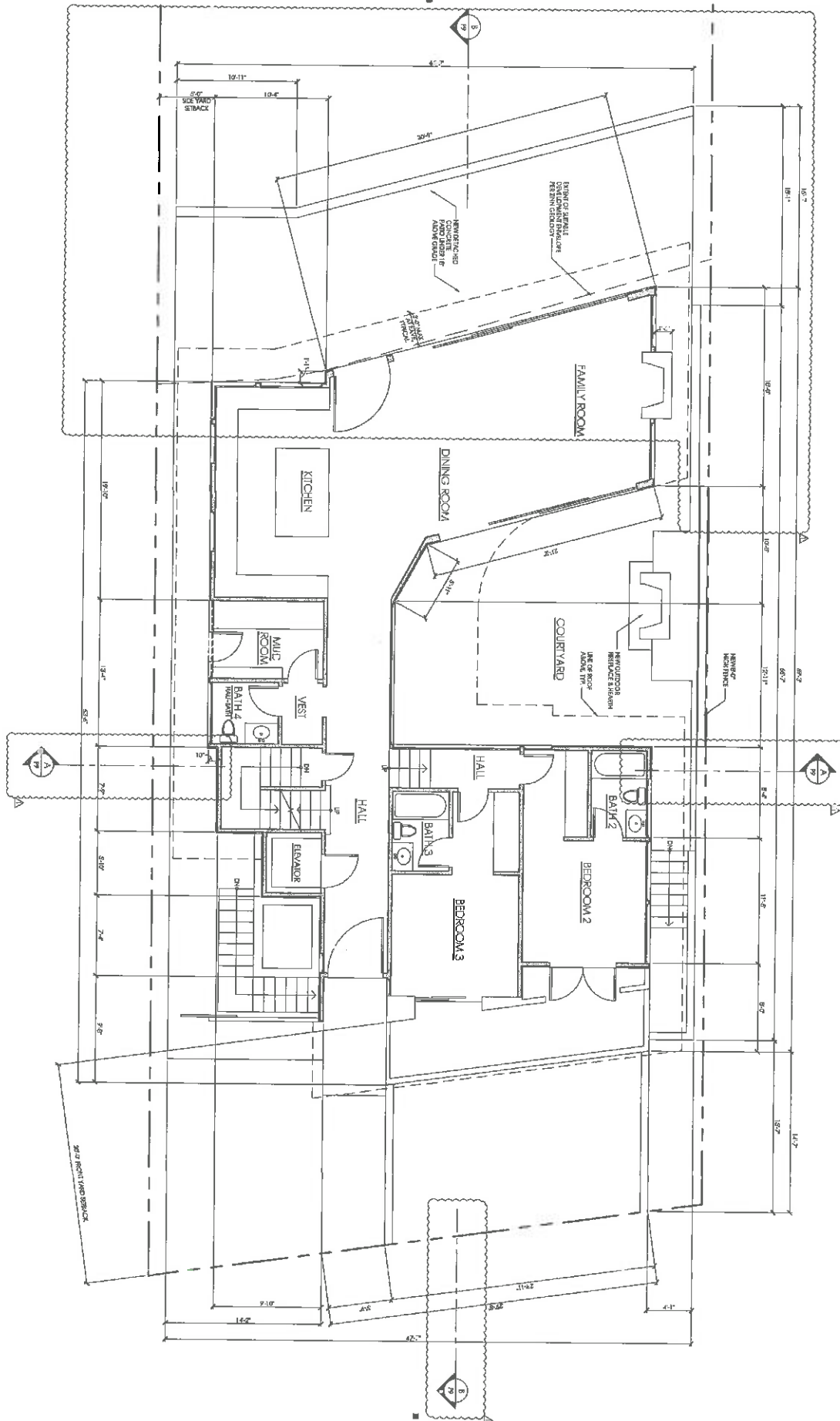
2018-11-19



<p>P3</p>		<p>ZOLLARS RESIDENCE</p> <p>NEW STRUCTURE</p> <p>EAST CLIFF DRIVE</p> <p>SANTA CRUZ, CA 95062</p> <p>APN: 028-004-75</p>	<p>BASEMENT FLOOR PLAN</p>	<p>MATSON</p> <p>725 N. HOAG DRIVE, SUITE 100</p> <p>SANTA CRUZ, CA 95062</p> <p>TEL: (831) 426-1111</p> <p>WWW.MATSONBILTON.COM</p>
	<p>DATE: 01/26/18</p>	<p>BY: D.A.M.</p>	<p>CHECKED: J.Z.</p>	<p>SCALE: AS SHOWN</p>
	<p>PROJECT: ZOLLARS</p>	<p>DESIGNED: J.Z.</p>	<p>NOTED: J.Z.</p>	<p>REVISIONS:</p>
	<p>1. 01/26/18</p>	<p>2. 01/26/18</p>	<p>3. 01/26/18</p>	<p>4. 01/26/18</p>
	<p>5. 01/26/18</p>	<p>6. 01/26/18</p>	<p>7. 01/26/18</p>	<p>8. 01/26/18</p>

FIRST FLOOR PLAN

SHEET 14-110



ZOLLARS RESIDENCE

NEW STRUCTURE
5451 CLIFF DRIVE
SANTA CRUZ, CA 95062
APN: 026-004-75

FIRST FLOOR PLAN

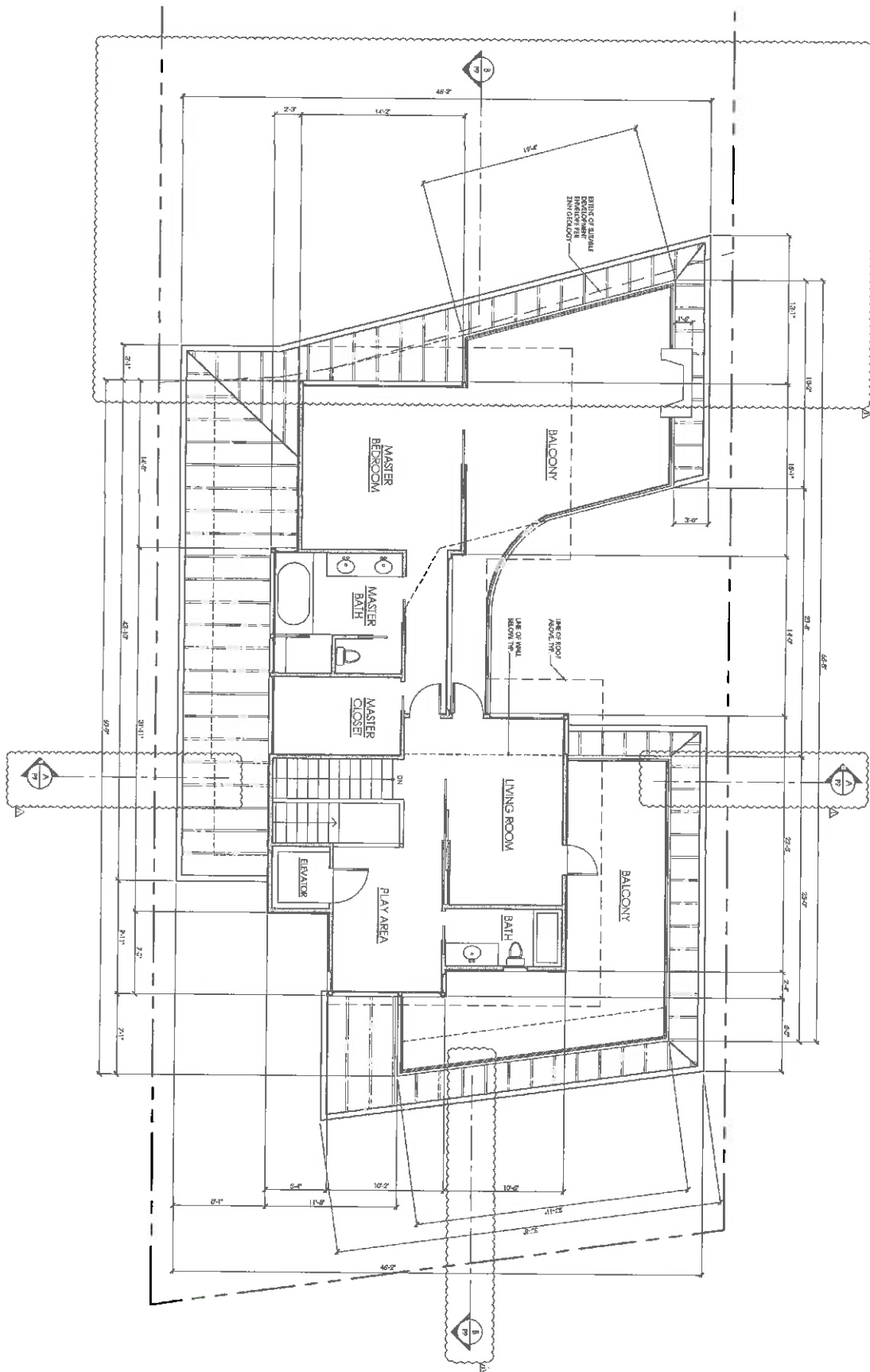


DATE	01/26/16
DESIGNED BY	MA
CHECKED BY	MA
DATE	01/26/16
DESIGNED BY	MA
CHECKED BY	MA
DATE	01/26/16
DESIGNED BY	MA
CHECKED BY	MA

P4

SECOND FLOOR PLAN AND PARTIAL ROOF PLAN

DATE: 06-11-16



P5

DATE	01/26/16
BY	MA
CHK	G
APP	ZOLLARS



SECOND FLOOR PLAN AND PARTIAL ROOF PLAN

ZOLLARS RESIDENCE
NEW STRUCTURE
EAST CLIFF DRIVE
SANTA CRUZ, CA 95062
APN: 029-304-75

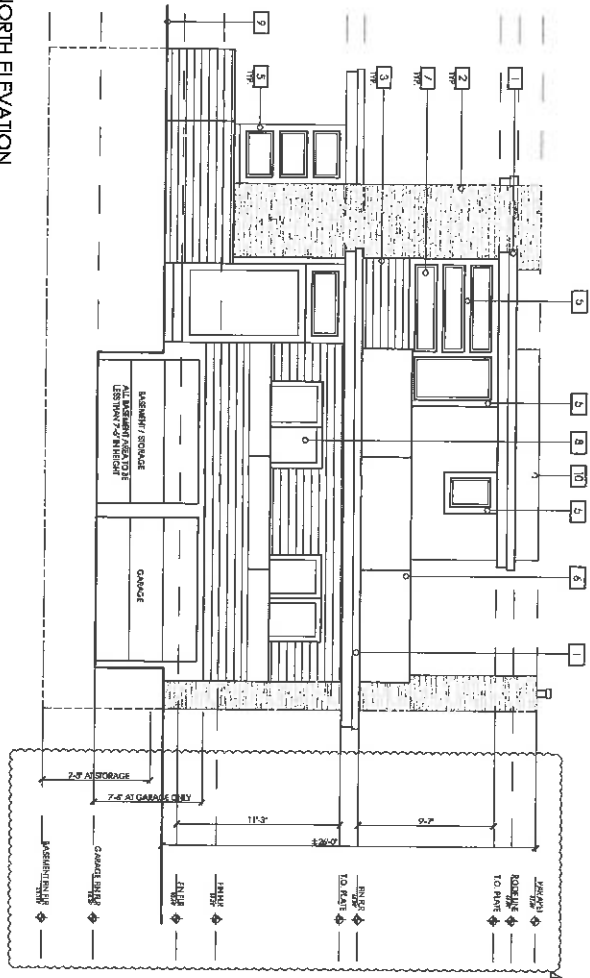
ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. FINISHES ARE TO BE DETERMINED BY THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS OR FINISHES. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS OR FINISHES. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS OR FINISHES.

FOR INFORMATION
PARTIAL ROOF
PLAN

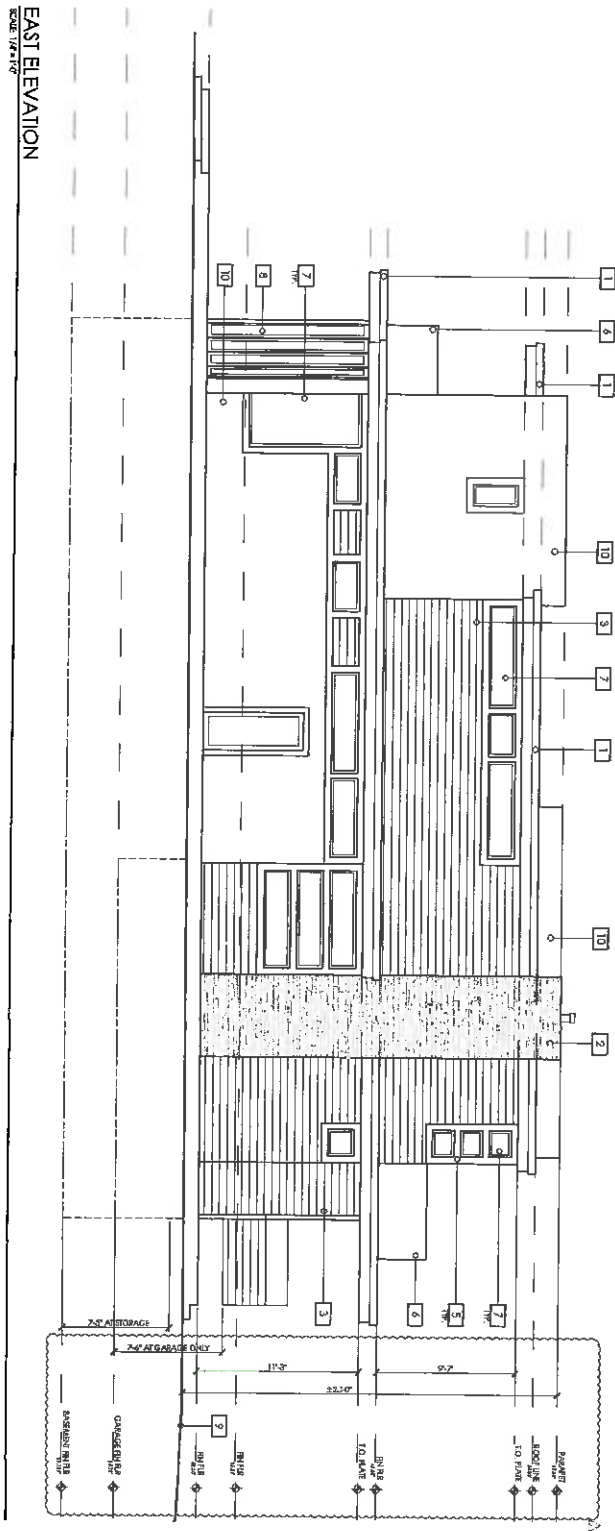


ELEVATION LEGEND	
1	CORNER ROOF
2	STONE UNDER SIDING
3	WOOD SHIP LAMINATE - PORTLAND
4	WOOD SHIP LAMINATE - PORTLAND
5	WOOD SHIP LAMINATE - PORTLAND
6	WOOD SHIP LAMINATE - PORTLAND
7	WOOD SHIP LAMINATE - PORTLAND
8	WOOD SHIP LAMINATE - PORTLAND
9	WOOD SHIP LAMINATE - PORTLAND
10	WOOD SHIP LAMINATE - PORTLAND

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



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



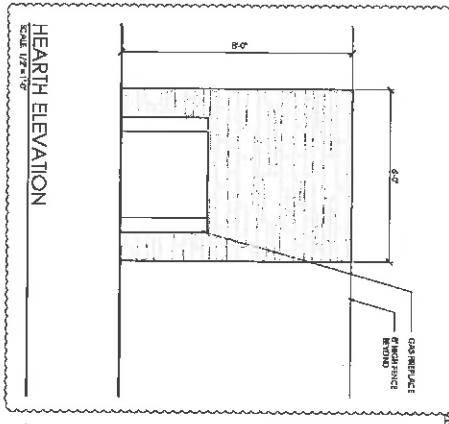
ZOLLARS RESIDENCE
NEW STRUCTURE
EAST CLIFF DRIVE
SANTA CRUZ, CA 95062
APN: 026-004-75

EXTERIOR ELEVATIONS

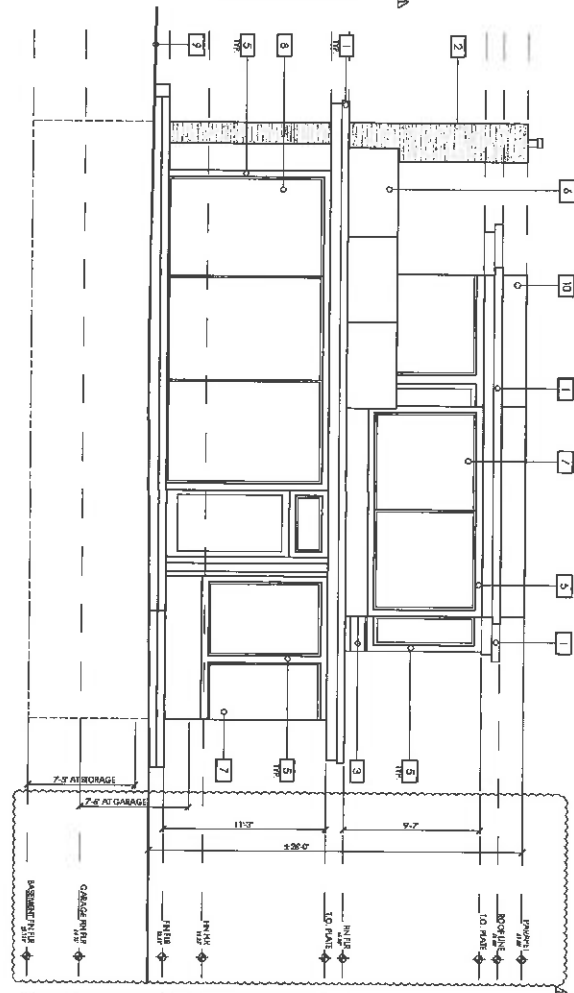


P7

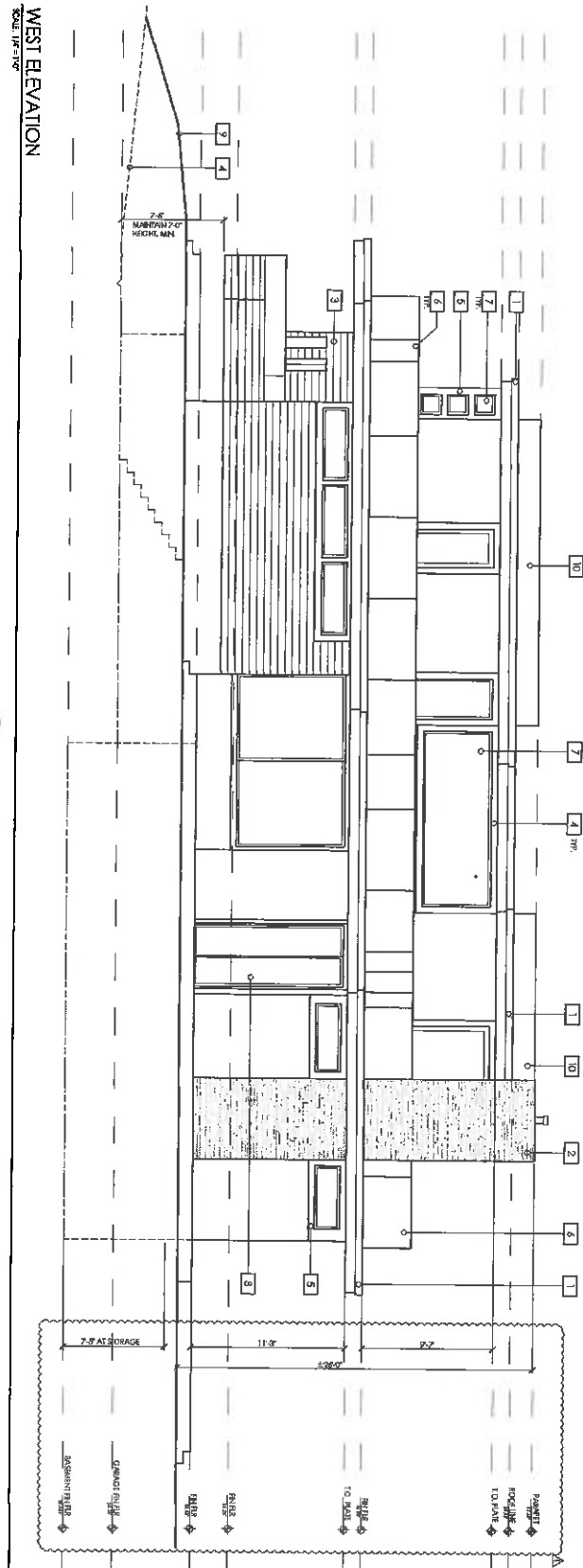
ELEVATION LEGEND	
1	CORNER ROOF
2	STONE VENTILATION
3	IRON LUGS STONE
4	IRON SHIP PL BOND - PAINT FREE
5	PAINT FREE
6	PAINT FREE
7	PAINT FREE
8	PAINT FREE
9	PAINT FREE
10	PAINT FREE



SOUTH ELEVATION
SCALE 1/8" = 1'-0"



WEST ELEVATION
SCALE 1/8" = 1'-0"



ZOLLARS RESIDENCE
NEW STRUCTURE
EAST CLIFF DRIVE
SANTA CRUZ, CA 95062
APN: 028-304-75

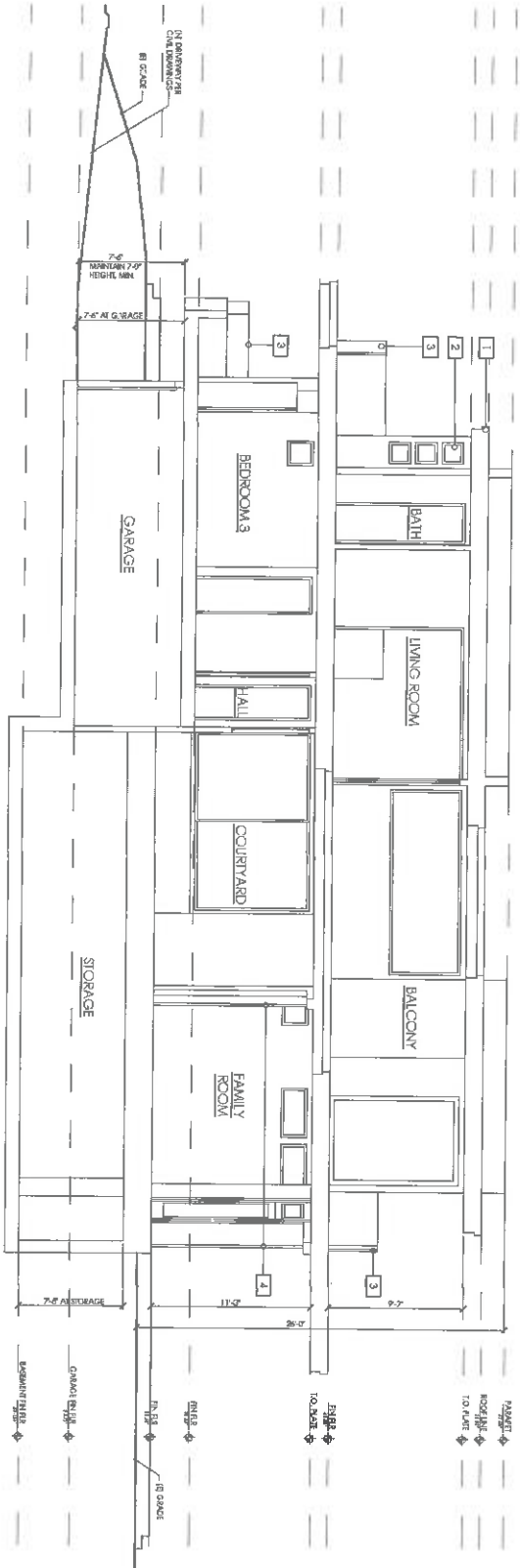
EXTERIOR ELEVATIONS



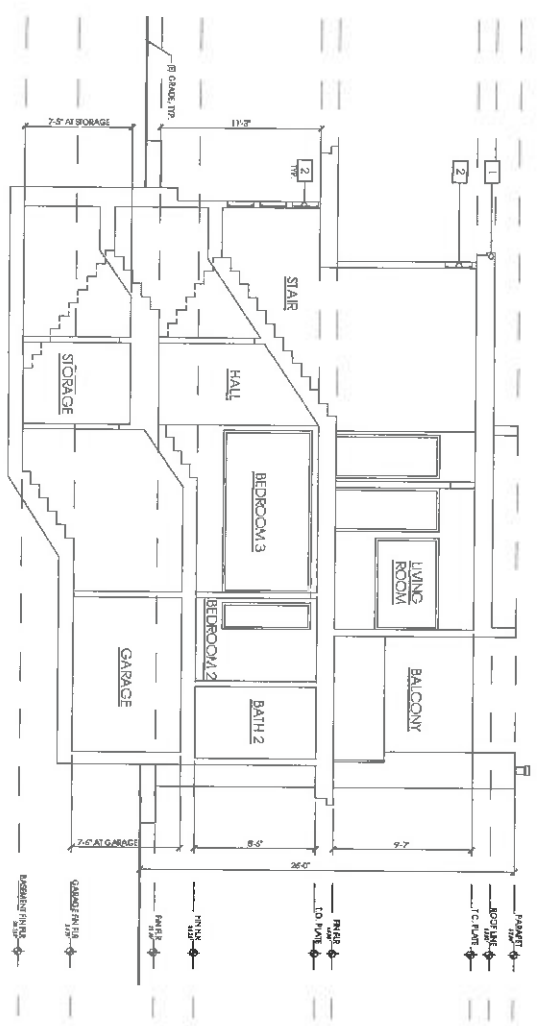
P8

D	A	T	E
01/26/19			
Q	R	A	W
MA			
J	Q	E	
ZOLLARS			
S	H	E	E

SCALE 1/4" = 1'-0"



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



01/25/18

ABBREVIATIONS

AS	ASBESTOS
CC	CONCRETE
CM	COMMON
CS	CEMENT STONE
CU	CUP
DA	DRAINAGE AREA
DB	DRAINAGE BASIN
DC	DRAINAGE CHANNEL
DE	DRAINAGE ELEVATION
DF	DRAINAGE FLOW
DG	DRAINAGE GUTTER
DH	DRAINAGE HOLE
DI	DRAINAGE INLET
DJ	DRAINAGE JUNCTION
DK	DRAINAGE KICK
DL	DRAINAGE LIFT
DM	DRAINAGE MANHOLE
DN	DRAINAGE NETWORK
DO	DRAINAGE OUTLET
DP	DRAINAGE PUMP
DQ	DRAINAGE QUANTITY
DR	DRAINAGE RATE
DS	DRAINAGE SLOPE
DT	DRAINAGE TIME
DU	DRAINAGE UNIT
DV	DRAINAGE VALVE
DW	DRAINAGE WALL
DX	DRAINAGE WIDTH
DY	DRAINAGE YIELD
DZ	DRAINAGE ZONE

STORM DRAIN SYSTEM MAINTENANCE

THE MAINTENANCE OF THE STORM DRAIN SYSTEM IS THE RESPONSIBILITY OF THE PROPERTY OWNER. THE FOLLOWING ARE THE RECOMMENDED MAINTENANCE PROCEDURES:

1. REGULARLY MAINTAIN THE STORM DRAIN SYSTEM TO PREVENT CLOGGING AND OVERFLOW.
2. MAINTAIN THE STORM DRAIN SYSTEM TO PREVENT DAMAGE TO THE PROPERTY.
3. MAINTAIN THE STORM DRAIN SYSTEM TO PREVENT POLLUTION OF THE ENVIRONMENT.

TOPOGRAPHIC SURVEY

THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY THE ENGINEER TO DETERMINE THE EXISTING ELEVATIONS OF THE PROPERTY AND THE SURROUNDING AREA. THE SURVEY WAS CONDUCTED USING A TOTAL STATION AND A LEVEL.

BASE OF ELEVATION

THE BASE OF ELEVATION FOR THIS PROJECT IS THE MEAN SEA LEVEL (MSL) ELEVATION OF 16.00 FEET.

APPROXIMATE EARTHWORK QUANTITIES

ITEM	UNIT	QUANTITY
1. EXISTING GRADE	SQ. YD.	1,200
2. EXISTING DRAINAGE	LINEAL FT.	100
3. EXISTING CURB	LINEAL FT.	50
4. EXISTING MANHOLE	NO.	1
5. EXISTING DRIVE	SQ. YD.	500
6. EXISTING SIDEWALK	SQ. YD.	100
7. EXISTING LANDSCAPE	SQ. YD.	200
8. EXISTING FENCE	LINEAL FT.	100
9. EXISTING UTILITY	LINEAL FT.	50
10. EXISTING OTHER	OTHER	0
11. EXISTING TOTAL	TOTAL	2,100
12. PROPOSED GRADE	SQ. YD.	1,200
13. PROPOSED DRAINAGE	LINEAL FT.	100
14. PROPOSED CURB	LINEAL FT.	50
15. PROPOSED MANHOLE	NO.	1
16. PROPOSED DRIVE	SQ. YD.	500
17. PROPOSED SIDEWALK	SQ. YD.	100
18. PROPOSED LANDSCAPE	SQ. YD.	200
19. PROPOSED FENCE	LINEAL FT.	100
20. PROPOSED UTILITY	LINEAL FT.	50
21. PROPOSED OTHER	OTHER	0
22. PROPOSED TOTAL	TOTAL	2,100

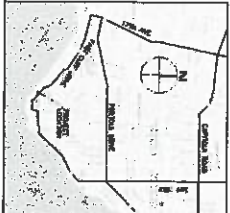
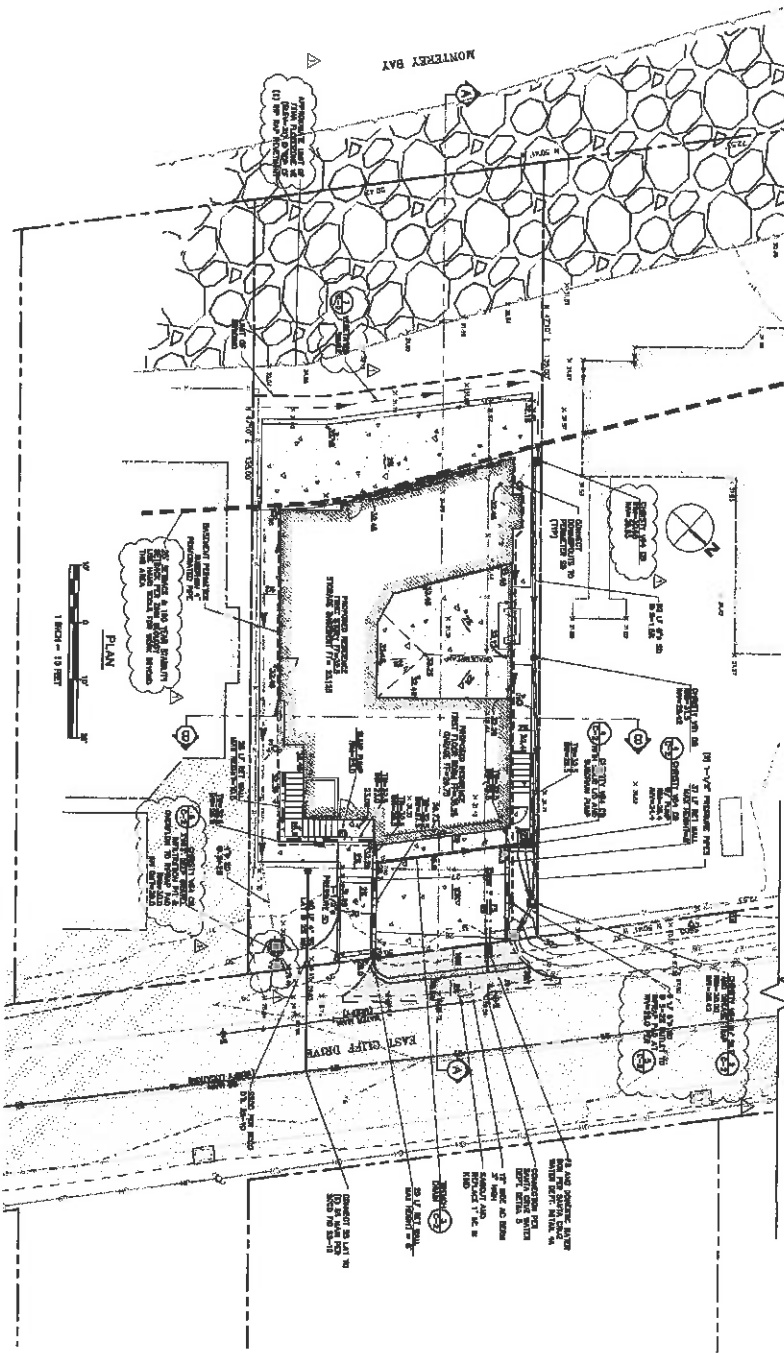
POST CONSTRUCTION STORM DRAIN SYSTEM MAINTENANCE SCHEDULE

ITEM	INTERVAL	REMARKS
1. EXISTING GRADE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
2. EXISTING DRAINAGE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
3. EXISTING CURB	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
4. EXISTING MANHOLE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
5. EXISTING DRIVE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
6. EXISTING SIDEWALK	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
7. EXISTING LANDSCAPE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
8. EXISTING FENCE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
9. EXISTING UTILITY	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
10. EXISTING OTHER	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
11. EXISTING TOTAL	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
12. PROPOSED GRADE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
13. PROPOSED DRAINAGE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
14. PROPOSED CURB	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
15. PROPOSED MANHOLE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
16. PROPOSED DRIVE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
17. PROPOSED SIDEWALK	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
18. PROPOSED LANDSCAPE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
19. PROPOSED FENCE	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
20. PROPOSED UTILITY	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
21. PROPOSED OTHER	1 YEAR	REPAIR CRACKS AND SETTLEMENTS
22. PROPOSED TOTAL	1 YEAR	REPAIR CRACKS AND SETTLEMENTS

EARTHWORK AND GRADING

THE EARTHWORK AND GRADING SHALL BE CONDUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

1. THE EARTHWORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
2. THE GRADING SHALL BE CONDUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
3. THE EARTHWORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:



LEGEND

EXISTING GRADE	PROPOSED GRADE
EXISTING DRAINAGE	PROPOSED DRAINAGE
EXISTING CURB	PROPOSED CURB
EXISTING MANHOLE	PROPOSED MANHOLE
EXISTING DRIVE	PROPOSED DRIVE
EXISTING SIDEWALK	PROPOSED SIDEWALK
EXISTING LANDSCAPE	PROPOSED LANDSCAPE
EXISTING FENCE	PROPOSED FENCE
EXISTING UTILITY	PROPOSED UTILITY
EXISTING OTHER	PROPOSED OTHER
EXISTING TOTAL	PROPOSED TOTAL

C-1

PLANNING SUBMITTAL

R.I Engineering, Inc.

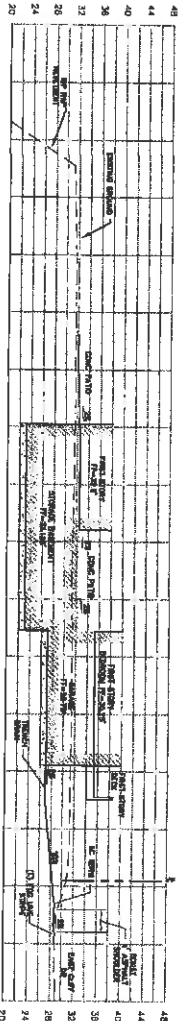
303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.rengineering.com



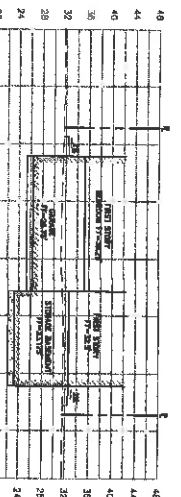
REVISED PER COUNTY COMMENTS 1/17/16

GENERAL NOTES

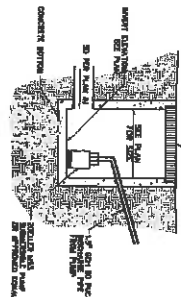
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.



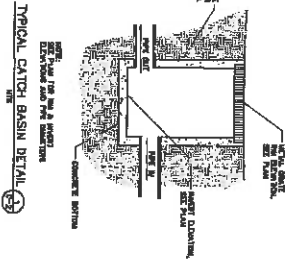
SECTION A-A
TYPICAL SWALE DETAIL



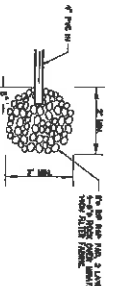
SECTION B-B
TYPICAL SWALE DETAIL



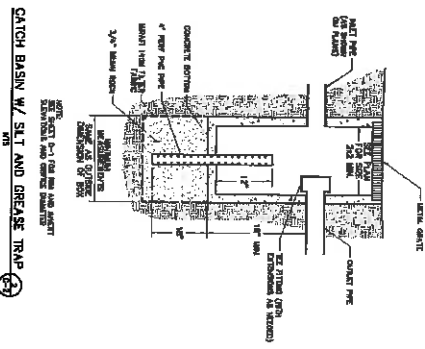
CATCH BASIN SWALE PUMP DETAIL



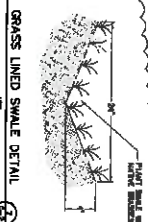
TYPICAL CATCH BASIN DETAIL



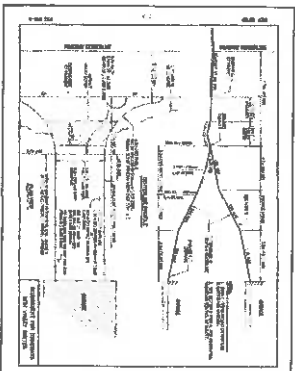
PLAN
RIP RAP PAD DETAIL



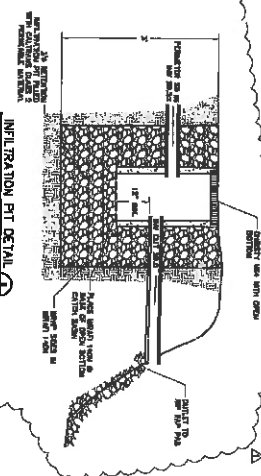
CATCH BASIN W/ SLOPE AND GREASE TRAP



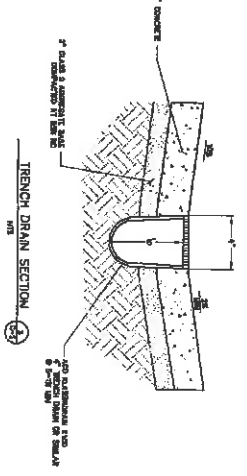
GRASS LINED SWALE DETAIL



SANTA CRUZ COUNTY STANDARD DETAIL DW-5



INFILTRATION PIT DETAIL



TRENCH DRAIN SECTION

C-2

PLANNING SUBMITTAL

SINGLE FAMILY RESIDENCE
FOR
2000 FAMILY
SANTA CRUZ COUNTY, CA
APN 008-004-75
DETAILS

RI Engineering, Inc.

303 Putnam St., Suite 42-202, Santa Cruz, CA 95060
631-425-3501 www.riengineering.com

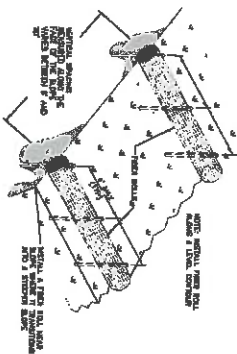


REVISED PER COUNTY COMMENTS 1/17/16

SITE HOUSEKEEPING REQUIREMENTS

CONSTITUTIONAL LAW

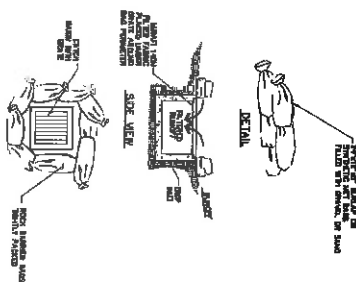
- [illegible]



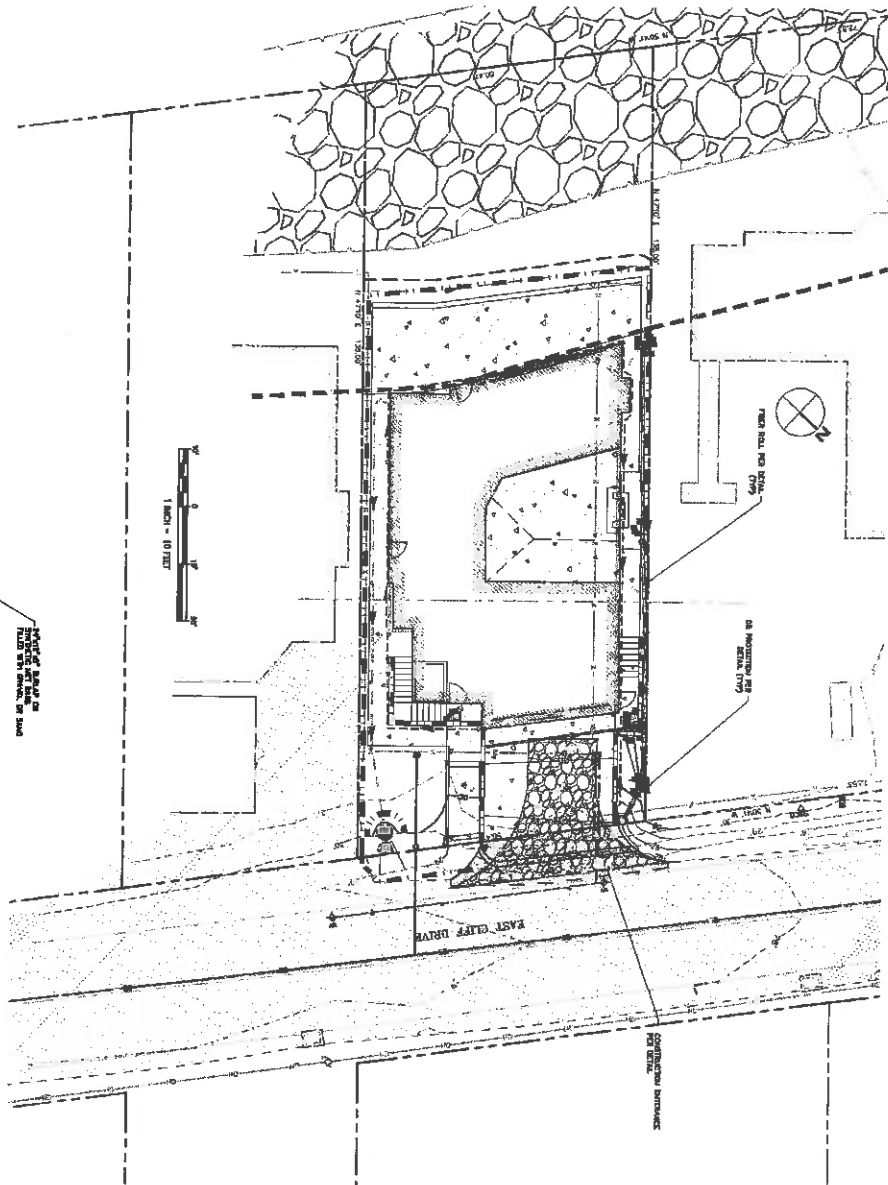
TYPICAL FIBER ROLL INSTALLATION



FIBER ROLL DETAIL IN SLOPE AREA



GRAVEL BAG CATCH BASIN PROTECTION



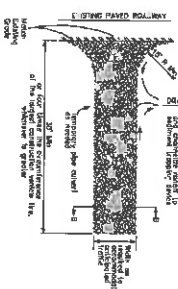
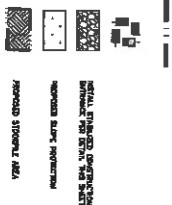
EROSION CONTR'D. MEASURES

1. I am a male, 35 years old, married, with 2 children, 10 and 12 years old. I am a member of the Communist Party of the United States of America.
2. I am a member of the Communist Party of the United States of America since 1945.
3. I have been a member of the Communist Party of the United States of America since 1945.
4. I have been a member of the Communist Party of the United States of America since 1945.
5. I have been a member of the Communist Party of the United States of America since 1945.
6. I have been a member of the Communist Party of the United States of America since 1945.
7. I have been a member of the Communist Party of the United States of America since 1945.
8. I have been a member of the Communist Party of the United States of America since 1945.
9. I have been a member of the Communist Party of the United States of America since 1945.
10. I have been a member of the Communist Party of the United States of America since 1945.

EXPLODED SLOPE MEASURES

1. COVER ALL EXPOSED SURFACES
2. STRIKE 2 TONGUERS ON BLOCKS & JOINT WITH SLO BLOCKS
3. USE NORTH AMERICAN SHIELD TUBS OR EQUIV. ON SLOPES > 30%

EROSION CONTROL LEGEND



CONSTRUCTION ENTRANCE DETAIL

PLANNING SUBMITTAL

**SINGLE FAMILY RESIDENCE
FOR
2006 EAST CLIFF DRIVE
SANTA CRUZ COUNTY, CA
APN 028-304-76**

STORMWATER POLLUTION CONTROL PLAN

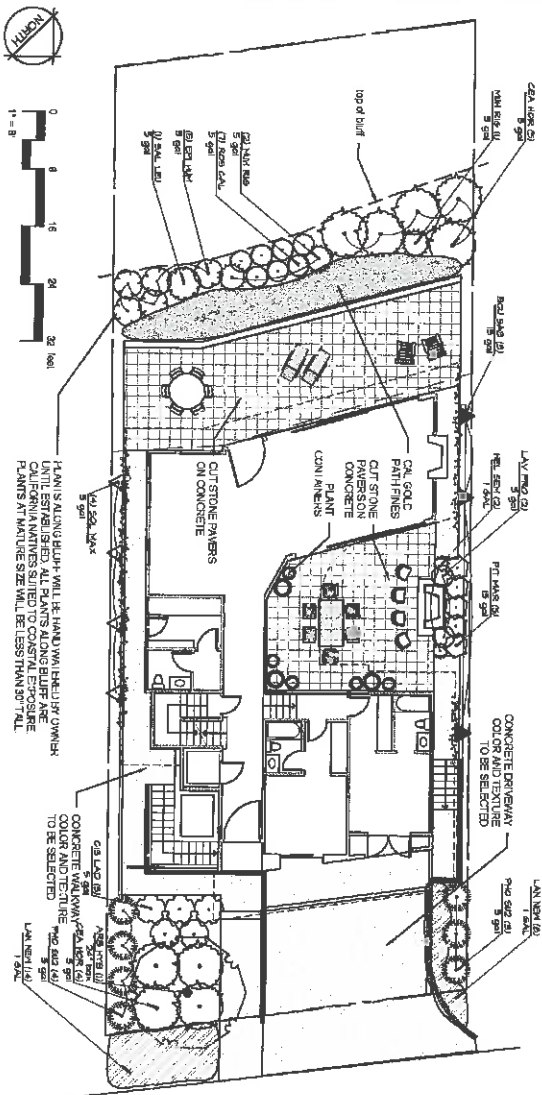
RI Engineering, Inc.

303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.jlengineering.com



⚠️ REVISED PER COUNTY COMMENTS 1/17/18

**ZOLLARS RESIDENCE
2826 EAST CLIFF DRIVE
SANTA CRUZ, CALIFORNIA**



PLANT SCHEDULE

[illegible]

PLANTING NOTES

1. All utility lines, stumps and ground covers to remain shall be protected by a warning caused by contractor's work shall be required to be approved by the Landscape Architect.
2. If topsoil is lifted, spread 2-3" inches of treated Redwood mulch composed over surface of soil and incorporate into top 12-24 inches of soil.
3. If topsoil has been scraped and altered, mix the subsoil and topsoil together and spread 2-3" inches of treated Redwood mulch composed over surface of soil.
4. After amending soil, grade all areas smooth with no localized depressions or mounds.
5. Once all areas shall surface drain with 1/8" depression minimum slope 3' away from all buildings, paving or other structures.
6. Quantities are for doing in blocking only. Contractor shall verify all quantities.
7. Contractor shall lay out plant material as per plan and receive approval from Landscape Architect prior to installation.
8. The plants shall be planted with roots and soils or new plan in a dry condition.
9. Plant all plants as per planting details in square pits with slope and bottom thoroughly watered. Do not amend backfill mix beyond 18" into pit.
10. All newly planted material shall be covered by deep mulch with 3" layer of planting.
11. All planting areas shall receive 3 inches of mulch drip top dressing.
12. Contractor shall be responsible for installing all new plant material and the entire project can be approved and accepted by the owner.
13. Third day after planting Contractor shall re-water and distribution of water as necessary to be approved by Landscape Architect.

GENERAL IRRIGATION NOTES

- [illegible]

REVISIONS

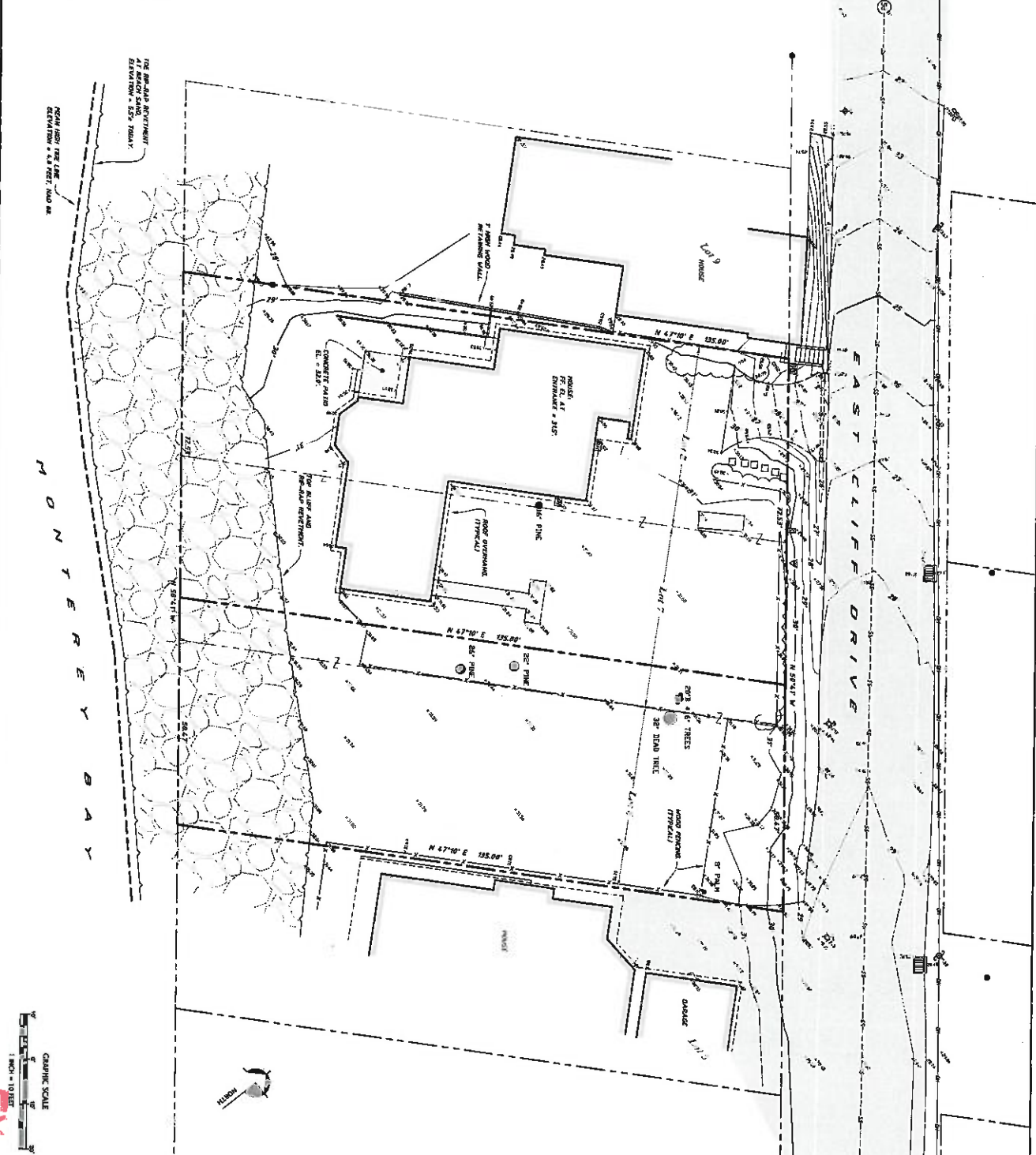


PRELIMINARY LANDSCAPE PLAN

JOB NO. 201741
SCALE 1/8" = 1' - 0"
DRAWN MA
CHECK JCMA
DATE 10.19.2017
SHEET
L-1.0

Basis of Elevation
 County Benchmark No. 125, Elevation = 53.77 feet (NAVD 83)
 Point 125 is located on the top of an old concrete curb on the
 outfall of the San Lorenzo River.
 The contour interval is 1 foot.

Basis of Bearings
 The basis of bearings for this map has been established
 between found monuments as shown on map TCH 1907
 Santa Cruz County Records.

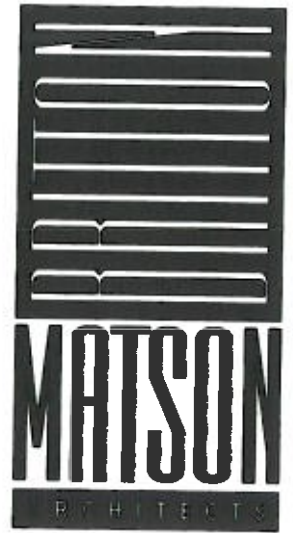


A.P.N. 028-304-74 & 75 DATE 11/17/2015 SCALE 1" = 10' SHEETS 1 OF 1 15069		Boundary & Topographic Map, The Lands of: Sisters of the Holy Family 22806 East Cliff Drive, Santa Cruz, CA 95062		HANAGAN LAND SURVEYING, INC. 305-G BUQUEL AVE., SANTA CRUZ, CA 95062 PHONE 831-459-3455		REVISION 4-16-2018 Addition of Mean High Tide Line. APPROVED Paul Hanagan LS 7797
---	--	--	--	---	--	--

EXHIBIT E
 EXHIBIT E

ZOLLARS RESIDENCE

EAST CLIFF DRIVE
SANTA CRUZ, CA 95062
A.P.N.: 028-304-75



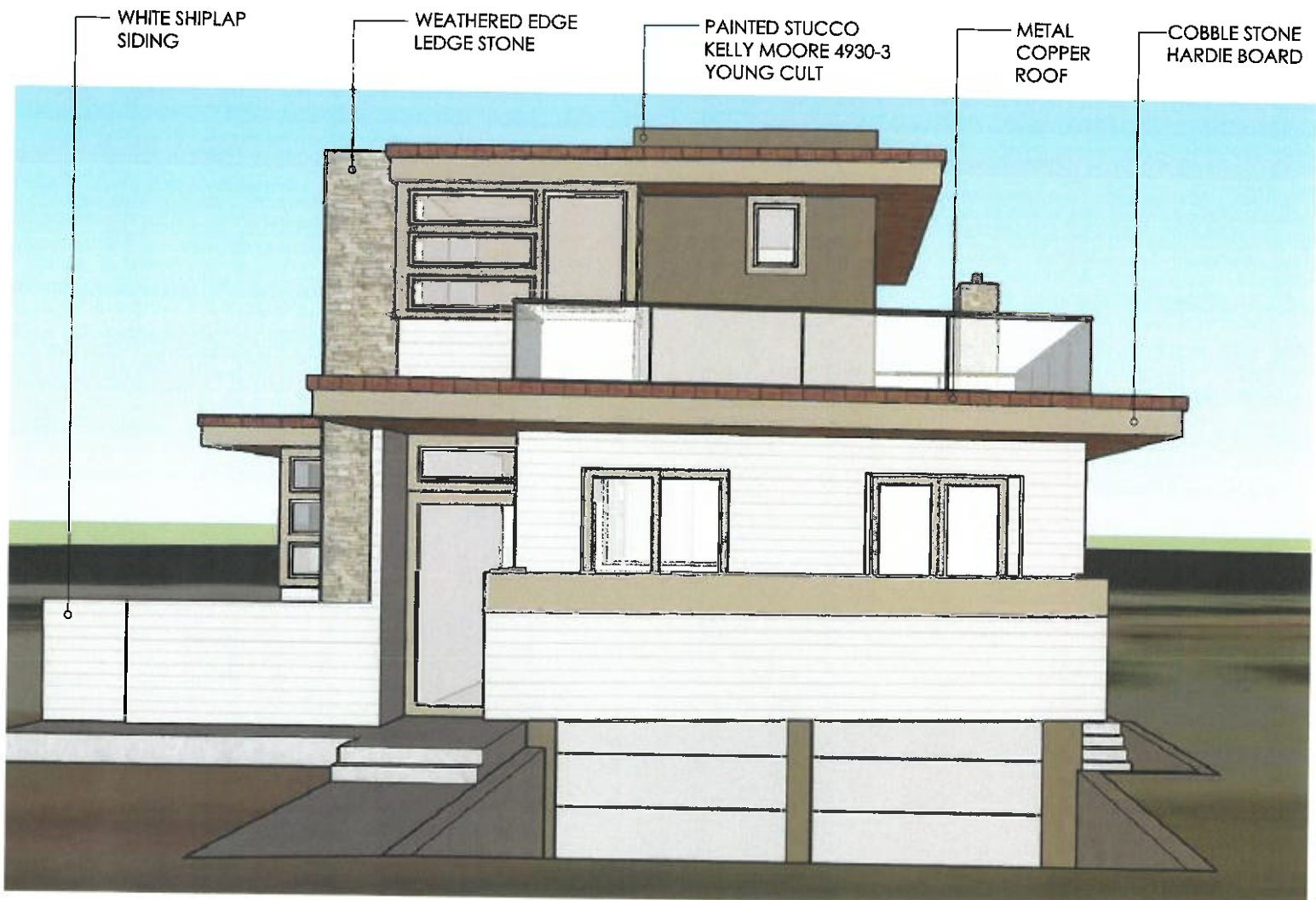
COLORS AND MATERIALS

728 N BRANCIFORTE

SANTA CRUZ

CA 95062

831-425-0544





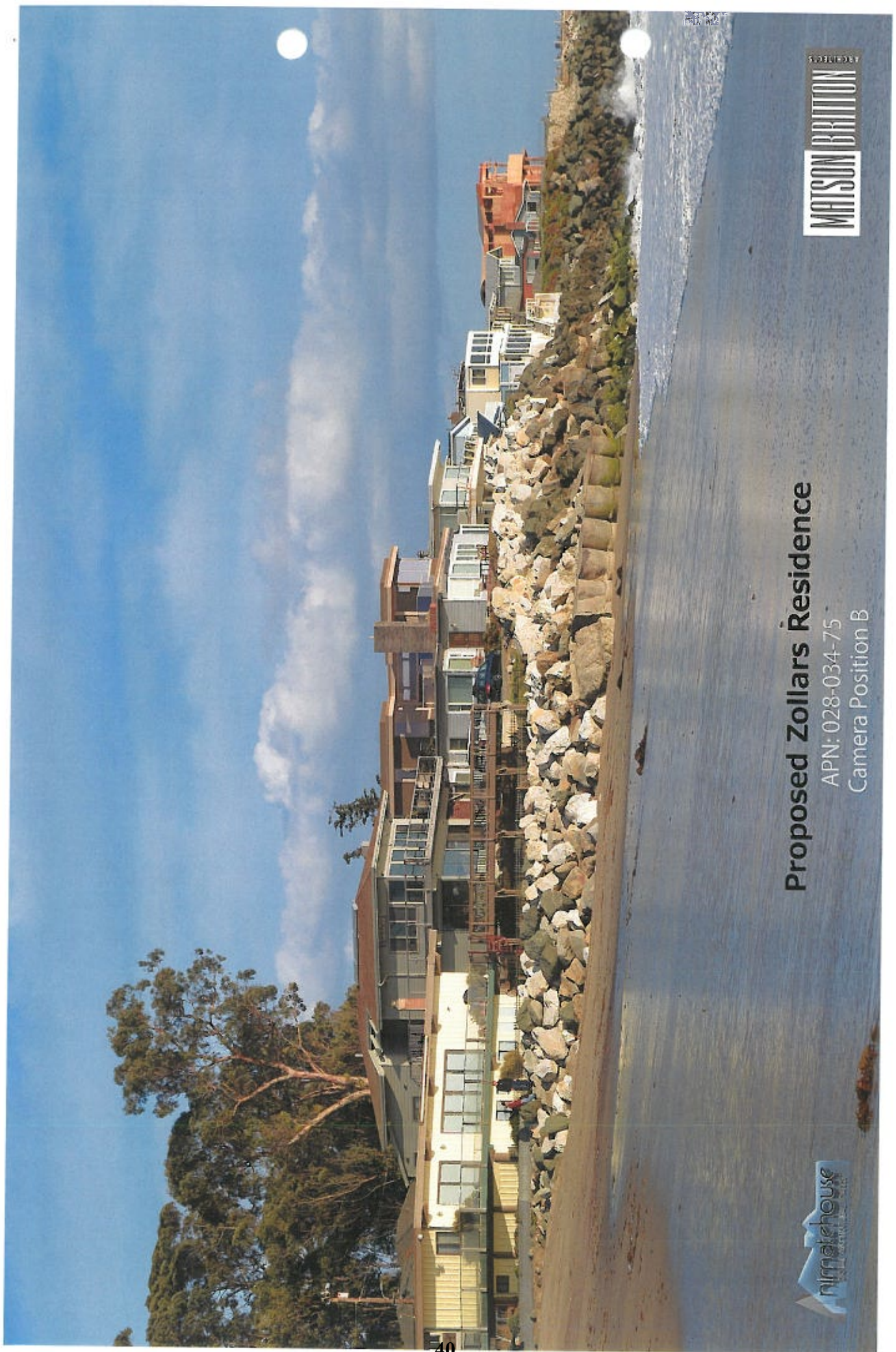
APR 2018
MATSON BRITTON

Proposed Zollars Residence

APN: 028-034-75

Camera Position A

aimatchouse



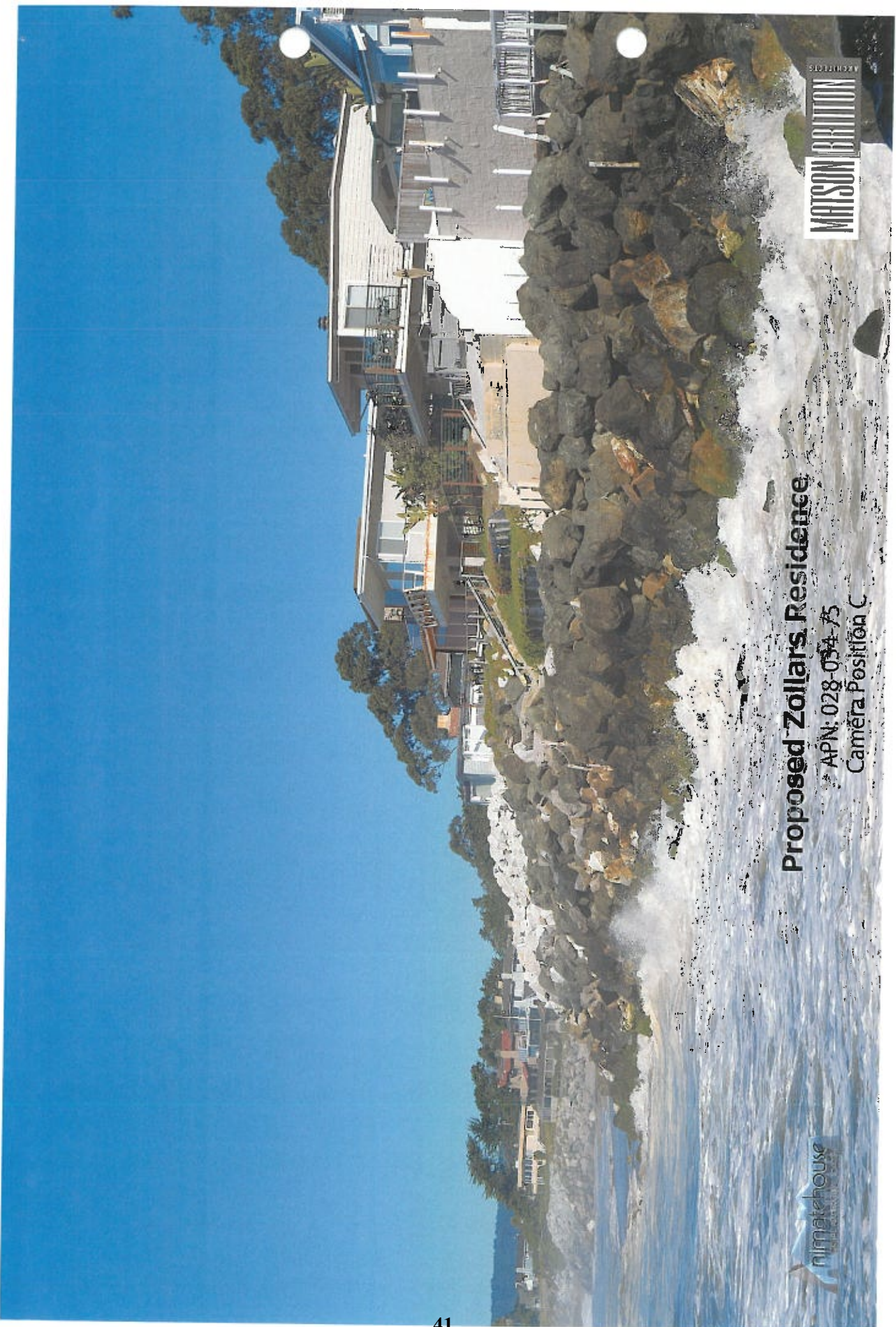
Proposed Zollars Residence

APN: 028-034-75

Camera Position B

MATSON BRITTON
ARCHITECTS





Proposed Zollars Residence

APN: 028-034-75

Camera Position C

MAISON BRITTON
ARCHITECTS

animapathhouse



June 21 10am



June 21 2pm



December 21 10am



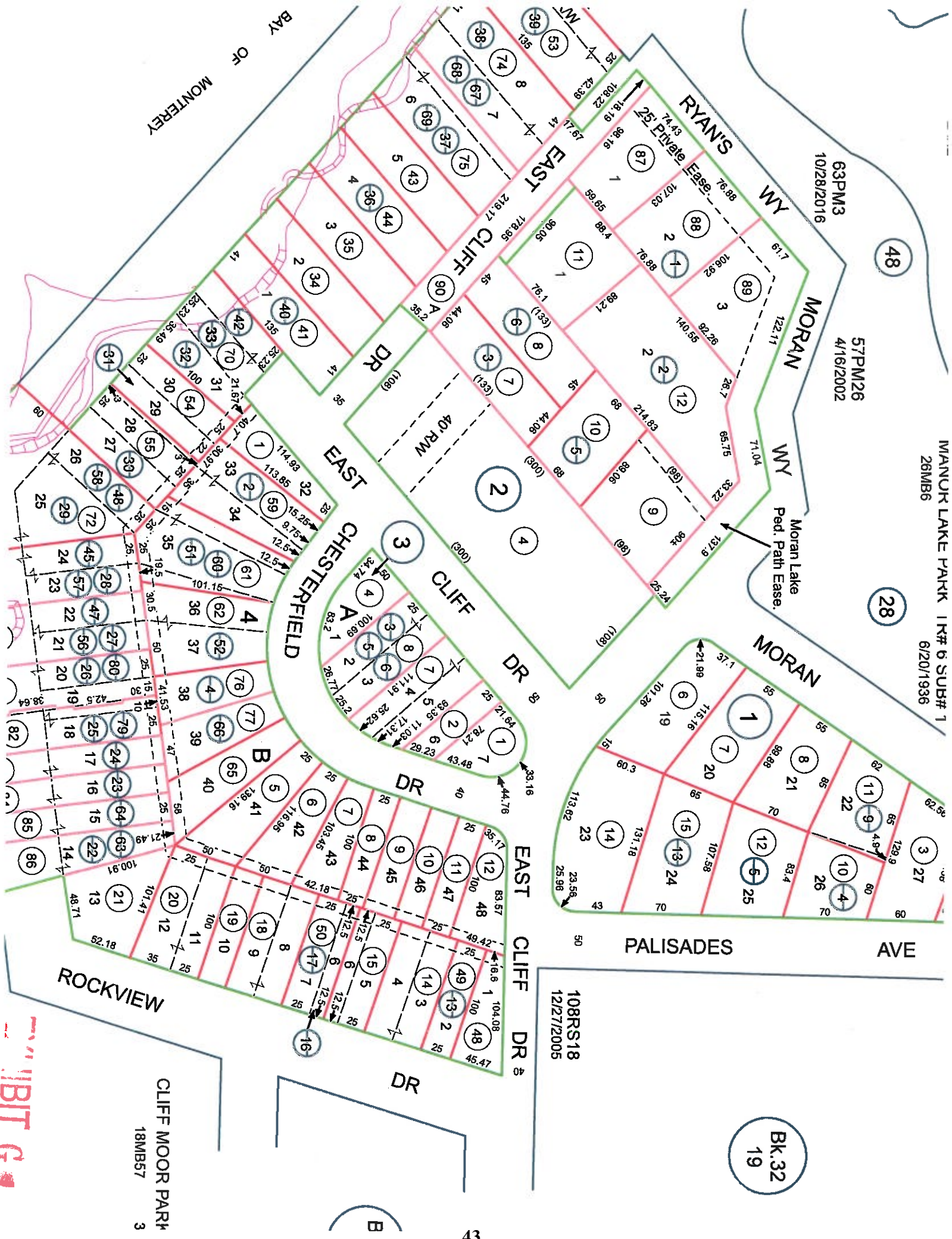
December 21 2pm

63PM3
10/28/2016

57PM26
4/16/2002

108RS18
12/27/2005

Bk.32
19



Location Map



Streets

- Alley
- Business Route
- Driveway
- Levee
- Major Road
- Ramp
- State Highway
- Street
- Unnamed

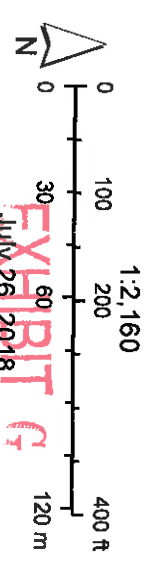


EXHIBIT G
July 26, 2018

Zoning Map



- Streets**
- Alley
 - Business Route
 - Driveway
 - Levee
 - Major Road
 - Ramp
 - State Highway
 - Street
 - Unnamed
 - Zoning (text)

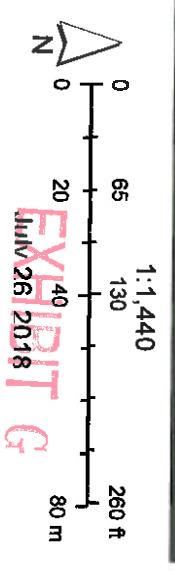


EXHIBIT G

July 26, 2018

General Plan Map



- Streets**
- Alley
 - Driveway
 - Levee
 - Major Road
 - Ramp
 - State Highway
 - Unnamed
 - Gen'l Plan (BW text)

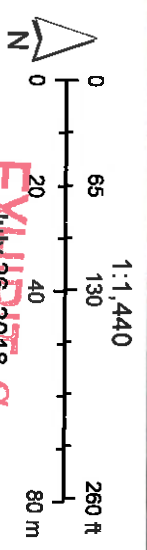


EXHIBIT G
JULY 26, 2018

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



August 1, 2018

Steve Guiney, Zoning Administrator
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

**Subject: August 3, 2018 Zoning Administrator Hearing for CDP Application No. 171315
(Zollars' Residence)**

Dear Mr. Guiney:

The above-referenced application is currently scheduled for a Zoning Administrator (Z.A.) hearing on August 3, 2018. We previously raised concerns about the proposed project's consistency with the LCP in terms of the need for appropriate setbacks in light of coastal hazards, and in terms of the status and ultimate disposition of the riprap armoring fronting the site (see attached letters dated November 17, 2017 and February 21, 2018). We believe that the current Z.A. staff report does not adequately identify, address, and resolve these issues, and we respectfully request that this item be continued to allow further assessment on these points prior to the project being considered by the Z.A. Please consider the following.

With respect to the riprap fronting the site, it appears that it was approved by a County CDP in 1999, essentially recognizing the riprap placed under a Coastal Commission emergency CDP from 1983.¹ However, it remains unclear whether and to what extent the riprap is located on the Applicants' property or on public property, and we believe this fact needs to be ascertained before moving forward. Furthermore, despite the Z.A. staff report's conclusion that the riprap revetment is located entirely above the MHTL, it is not clear that this is the case (and in fact it appears otherwise), and we have not seen evidence (e.g., a State Lands Determination) to support the claim that the MHTL is located seaward of the revetment. The location of the MHTL needs to be clearly identified before moving forward with the application.

In addition, pursuant to IP Section 16.10.070(H)(1)(c), new development *cannot* rely on shoreline armoring for purposes of ensuring long-term stability.² As a result, the new home being

¹ Coastal Commission emergency CDP 3-83-052-G. We note that the Z.A. staff report mistakenly identifies this riprap as originally being permitted by a *County* emergency CDP.

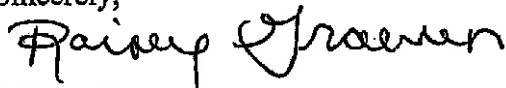
² IP Section 16.10.070(H)(1)(c) notes "The determination of the minimum setback shall be based on the existing site conditions and shall not take into consideration any proposed protection measures." While we recognize that there is existing riprap seaward of the proposed development, this policy must be read in conjunction with Coastal Act Sections 30235 and 30253, which strictly limit shoreline protection structures to protect existing structures and require that new development be sited and designed to avoid the need for shoreline armoring. In other words, because the project entails new development (which is not entitled to

EXHIBIT

proposed must be set back far enough to meet the LCP's minimum 100-year stability test *without* armoring. On this point we note that the most recent project plans provided to Commission staff (dated October 2017) identified a 24.75-foot setback, which is just under the LCP's minimum required 25-foot setback; however, the 25-foot setback only applies after a 100-year setback has been established that is less than 25 feet. On that point, the 100-year setback was derived based on the assumption that the existing shoreline armoring would remain in place. However, armoring cannot be used to determine the 100-year stability setback because new development (such as the new proposed home) *cannot* rely on shoreline armoring. Moreover, any armoring that was placed in the past to protect existing structures (e.g., the up- and downcoast residences) would need to be removed beyond the minimum necessary to continue to protect those existing structures (provided the up- and downcoast structures have not been subsequently redeveloped, in which case the armoring would no longer be allowable and would need to be removed entirely).

Accordingly, we respectfully request that these shoreline armoring and setback questions be resolved prior to a decision on this application for a ZA hearing. If you have any questions or would like to further discuss these issues, please do not hesitate to contact me at (831) 427-4863. Thank you for your consideration.

Sincerely,



Rainey Graeven
Coastal Planner
Central Coast District Office
California Coastal Commission

shoreline armoring under Section 30253), "proposed protection structures," as identified in IP Section 16.10.070(H)(1)(c), should be interpreted as the proposed *retention* of protection structures.

Moreover, to the extent that an internal conflict in the LCP may exist here, (which we do not believe to be the case), the LCP provides a resolution framework for such conflicts. Specifically, where there is an internal LCP conflict, the LCP requires that it be resolved in the manner that most clearly complies with the Coastal Act. Specifically, LCP Chapter 1, under the heading "Interpretation" states as follows:

In any case in which the interpretation or application of an LCP is unclear, as that policy may relate to a particular development application or project, the application or interpretation of the policy which most clearly conforms to the relevant Coastal Act policy shall be utilized.

Finally, our position is further supported by controlling appellate case law. See, *McAllister v. California Coastal Commission* (2008) 169 Cal.App.4th 912, 930 (2008), which states "Although local governments are responsible for drafting the "precise content" of their local coastal programs (§ 30500, subd. (a)), those programs must, at a minimum, conform to and not conflict with the resource management standards and policies of the Act."

In sum, we believe that the geologic setback should be calculated as if no armoring existed at the site, consistent with the requirements of Section 30253 of the Coastal Act.

EXHIBIT H

CDP Application No. 171315 (Zollars' Residence)
August 1, 2018
Page 3

Enclosures: November 17, 2017 and February 21, 2018 letters on CDP Application No. 171315

cc: Jocelyn Drake, Project Planner
Margo Alleman, Applicants' Representative

EXHIBIT H

COASTAL ENCROACHMENT POLICY

On September 19, 2017, the Board of Supervisors approved Resolution 204-2017 concerning Coastal Trail and Beach Access maintenance, operations, and enforcement in Santa Cruz County, which established authority to authorize, remove and/or replace unpermitted development and/or encroachments within County-owned easements and County-managed rights-of-way that involve coastal trails, shoreline properties, coastal access, beach trails, and beach access and which provide beach or coastal public access or which are located ocean-ward and/or perpendicular or parallel to residential ocean properties. This policy is intended to establish a procedure for approval of permitted encroachments, removal of prohibited encroachments, limit the extent of encroachments, and clarify improvements permitted within each encroachment.

A. Definitions:

- a. *Encroachment* shall mean and include any obstruction, tower, pole, pole line, pipe, wire, cable, conduit, wall, fence, balcony, deck, paving, stand or building, tree, landscaping, seawall or other revetment or any structure or object of any kind or character which is placed in, along, under, over or across any County-owned easement or public right-of-way that involve coastal trails, shoreline properties, coastal access, beach trails, and beach access and which provide beach or coastal public access or which are located ocean-ward and/or perpendicular or parallel to residential ocean properties.
- b. *Existing encroachment* shall mean any encroachment or improvement existing before June 30, 2018.
- c. *New encroachment* shall mean any encroachment or improvement installed or constructed after July 1, 2018.
- d. *Exclusive encroachment* shall mean any encroachment over which the public does not have access. Examples shall include exclusive patio or deck areas, walled or fenced areas, buildings or landscaping which prevents public use. Seawalls or revetments which do not preserve adequate public access as determined by the County shall be considered exclusive encroachments.
- e. *Non-exclusive encroachment* shall mean any encroachment which is not an exclusive encroachment.
- f. *Coastal Zone* means that portion of the Coastal Zone, as established by the Coastal Act of 1976 and as it may subsequently be amended, which lies within the unincorporated area of Santa Cruz County, as defined in SCCC 13.20.040.
- g. *Local Coastal Program (LCP)* means the County's land use plans, zoning ordinances, zoning maps and implementing ordinances and actions certified by the Coastal

Attachment: Coastal Encroachment Policy (5456 : Coastal Encroachment Policy)

EXHIBIT I

C. Prohibited encroachments.

- a. Any existing encroachment or improvement for which no application has been filed on or before May 31, 2019, and any new encroachment or improvement for which no application is filed prior to installation is prohibited.
- b. Any new or existing encroachment or improvement which, on or after July 1, 2019 is not in conformance with this policy is prohibited and may be abated by the County in accordance with County Code and any other provision of applicable law, including but not limited to an action to quiet title.
- c. Any new or existing encroachment or improvement for which there is no currently valid (unexpired) encroachment permit.

D. Permitted Encroachment/Improvements. Subject to compliance with the provisions of this policy, the following improvements may be permitted and when possible shall be uniform in appearance and construction:

- a. Patio slabs or decks no higher than six inches above grade or the finished floor grade of the adjacent residence and which do not impede required width of access as required herein. The Parks Director may approve minor dimensional tolerances for existing patio slabs and decks only upon a finding that the improvement is consistent with the spirit and intent of this policy and the cost of strict compliance is disproportionate to the extent of the nonconformity.
- b. Balconies that do not interfere with public use or exceed the depth of encroachment as required herein, subject to any and all required building permits or coastal development permits.
- c. Walls and/or fences less than 36 inches in height above grade or the finished floor grade of the existing residence that do not exceed the dept of encroachment as required herein. The Parks Director may approve minor dimensional tolerances for existing walls and/or fences upon a finding that the improvement is consistent with the spirit and intent of this policy and the cost of strict compliance is disproportionate to the extent of the nonconformity.
- d. Existing improvements which were constructed in conjunction with development for which a building permit was issued may be approved by the Parks Director upon a finding that the improvement does not impede required width of access and is consistent with the spirit and intent of this policy and the cost of strict compliance is disproportionate to the extent of the nonconformity. Applicants shall be solely responsible for compliance with any requirements to obtain a coastal development permit, if no coastal development permit exemption applies.

EXHIBIT I

The application shall be signed by the owner of the property, or an agent of the owner if the application is accompanied by a document, signed by the owner, granting the agent the power to act for the owner with respect to the property.

The application shall be accompanied by a site plan, drawn to scale and fully dimensioned, which accurately depicts the location, height, nature and extent of all proposed improvements and objects within the encroachment.

Applications with incomplete information, inadequate drawings and/or without receipt of application fee will not be accepted.

2. Applications for existing encroachments must be filed on or before May 31, 2019. Applications for new encroachments shall be filed before any encroachment or improvement is installed. No new encroachments or improvements shall be installed without an encroachment permit.
3. Application fee shall be due and payable upon permit application submittal.
4. Upon receipt of the application, the Parks Director shall, within thirty (30) days after the date of filing, determine if the application is complete or if additional information is necessary or appropriate to an evaluation of the application. In the event the application is incomplete or additional information is necessary, written notice to that effect shall be sent to the property owner within forty-five (45) days after the application is filed.
5. With respect to applications for existing encroachments, an inspection shall be conducted of all improvements within the encroachment zone before a permit is issued by the Parks Director. With respect to applications for new encroachments, an onsite inspection will be conducted after installation of the improvements to ensure conformity with provisions of the permit and this policy.
6. The Parks Director shall approve the permit upon a determination that the encroachments proposed to be constructed, or to remain, are permitted by this policy, the applicant has agreed to abide by all of the terms and conditions imposed on the permit, and the applicant has paid all fees required by this policy. A dimensional tolerance not to exceed 12 inches may be allowed in determining the appropriate fee to be paid by persons with existing encroachments.
7. The Parks Director shall have the authority to condition his/her approval of the encroachment permit as necessary or appropriate to ensure compliance with the provisions of this policy. The Parks Director shall have the specific authority to condition approval of an encroachment permit on the removal of nonconforming improvements within a specified period of time.

EXHIBIT I

- e. Permittee will indemnify, defend and hold harmless the County of Santa Cruz, its elected and appointed Boards, Commissions, Officers, Agents, and Employees from any claims, suits, losses or damages for injury to persons or property arising from or connected to the use or existence of the improvements or encroachment.
 - f. Permittee's waiver of any right to contest the County's easement or other right-of-way over property within the encroachment.
 - g. The right of the Parks Director or his designee to inspect improvements within the encroachment without notice to the permittee.
 - h. The right of the County to cancel or modify any, or all, encroachment permit(s) upon a determination by the Board of Supervisors to construct a public facility or improvement within or adjacent to the encroachment.
 - i. In the event of cancellation or modification of an encroachment permit, the Parks Director shall give the permittee written notice specifying that the improvement must be removed from the public right-of-way and specifying in the notice a reasonable time within which the encroachment must be removed not to exceed ninety (90) days.
- 2. The construction of any seawall, revetment or other device necessary to control erosion, shall occur as close to private property as feasible. Erosion control devices shall not be placed or installed closer to the ocean to protect improvements or encroachments.
 - 3. The Parks Director may impose additional standard conditions necessary or appropriate to ensure compliance with or facilitate County administration of this policy.

J. Application Fee

A non-refundable fee of \$1080 will be submitted at the time of application for any encroachment permit.

K. Annual Fee

- 1. The fees shall be based on the square footage of encroachment and shall be set by resolution of the Board of Supervisors and paid annually as a condition of the issuance of encroachment permits. The Parks Director shall have discretion to determine the appropriate fee for any encroachment permitted under this policy based on the nature and size of the encroachment and may allow discounts based

Attachment: Coastal Encroachment Policy (5456 : Coastal Encroachment Policy)

EXHIBIT I

1. Revoke the permit after giving the permittee notice and an opportunity to be heard upon a determination that there is substantial evidence to support a violation of this policy. The Parks Director shall establish the specific procedures designed to ensure that permittee receives due process of law.
2. Summarily abate any encroachment or improvement in violation of this policy after giving the permittee or property owner fifteen (15) days' written notice of its intention to do so in the event the permittee or property owner fails to remove the encroachment or improvement. The permittee or property owner shall pay all costs incurred by the County in summarily abating the encroachment or improvement. The determination of the Parks Director with respect to abatement shall be final.

Attachment: Coastal Encroachment Policy (5456 : Coastal Encroachment Policy)

EXHIBIT I

Jocelyn Drake

From: CAROLYN LEBARON <davidlebaron@comcast.net>
Sent: Wednesday, August 1, 2018 11:28 AM
To: Jocelyn Drake
Subject: Proposed Zollars residence (APN: 028-304-75)

Dear Ms. Drake,

We are the next door neighbors to the west of the proposed Zollars residence (APN: 028-304-75) at 22806 East Cliff.

We are enthusiastically supportive of the overall plans, which we've had a chance to review in detail. We are also supportive of the exception of the second story handrail on the deck exceeding the 15 foot height limit from grade. We believe the design is extremely responsible and look forward to this home becoming part of our neighborhood.

If I can answer any other questions, please let me know.

Sincerely,

David and Carolyn LeBaron
22806 East Cliff

Santa Cruz, CA 95062

408-886-4659 (cell)