



Staff Report to the Zoning Administrator

Application Number: 161124

Applicant: James Lloyd

Owner: Jim Wilder

APN: 038-151-76

Site Address: 755 Oakhill Road, Aptos

Agenda Date: June 7, 2019

Agenda Item #: 1

Time: After 9:00 a.m.

Project Description: Proposal to demolish the existing dwelling, construct a three-bedroom, two-story dwelling with an attached garage in the R-1-10 zone district.

Location: Property located at the end of Oakhill Road in Aptos (755 Oakhill Road).

Permits Required: Coastal Development Permit

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

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 161124, based on the attached findings and conditions.

Project Description & Setting

The subject parcel is located at the end of Oakhill Road in Aptos which is accessed from Seacliff Drive. The parcel is currently developed with a one-story dwelling which was, according to Assessor's records, constructed in 1961. A pool and a pool house, which was authorized under Permit 81-680-U, are located east of the dwelling. The parcel is large—about three acres—with the project area located between a coastal bluff and an arroyo associated with Borregas Creek. Borregas Creek outlets on New Brighton State Beach. The intersection of the coastal bluff and arroyo create a small peninsula. The existing house is sited adjacent to the coastal bluff which overlooks Las Olas Drive, Seacliff State Beach, and the Monterey Bay.

The current proposal is to demolish the existing dwelling and construct an approximately 4,000 square foot, three-bedroom house with a partial second story (about 850 square feet) in essentially the same location of the existing house. Because of the parcel's location within the Coastal Zone and on a coastal bluff, the project requires a Coastal Development Permit which is appealable to the Coastal Commission. As a part of the project review, a geology and geotechnical report were required.

Zoning & General Plan Consistency

As noted above, the subject property is about three acres and located in the R-1-10 (Single-family residential, 10,000 square feet minimum) zone district, a designation which allows residential uses. The proposed single-family dwelling is an allowed use within the R-1-10 zone district and the zoning is consistent with the site's R-UL (Urban Low Residential) General Plan designation. No development is proposed in the area designated as Urban Open Space which is the area of the parcel associated with the arroyo.

Design Review

The proposed single-family dwelling is subject to the County's Design Review ordinance (County Code 13.11) because of its location on a coastal bluff which is defined as a "sensitive site." The proposed dwelling is modern in design and is proposed to be finished in a smooth stucco painted grey with white trim and steel windows. Most of the house is one-story with a two-story element on the northwestern end above the garage. By keeping most of the house's square footage on the first floor, the apparent mass and bulk of the structure will be minimized.

The site plan locates the replacement house about 12 feet further away from the coastal bluff than the existing dwelling. This will reduce the visibility of the project when viewed from the beach below. Although a partial second floor is proposed, it would be located away from the beach (i.e., on the north side of the house) about 65 feet from the coastal bluff face. Although the second story may be visible when viewed from upcoast, existing vegetation will soften its visual impact. Finally, the project is located in a developed neighborhood where single-family dwellings line the bluff top and Las Olas Drive on the beach below. Given this, the project would read as a part of the existing built environment.

Local Coastal Program Consistency

A portion of the subject parcel is located in an area that is mapped as a scenic resource in the General Plan. Visual impacts are an important consideration for this project. As noted above, the new house will be located about 12 feet further away from the face of the coastal bluff which will reduce the visual impact of the project on public views from the beach below.

The proposed single-family dwelling is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary in the area, and the design submitted is consistent with the existing range of styles. The project site is located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Coastal access is available upcoast about 1,800 feet at New Brighton State Beach and downcoast about 1,600 feet at Seacliff State Beach. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Coastal Bluff and Arroyo

County Code 16.10 addresses geologic hazards, including those that affect projects located on coastal bluffs. Projects on coastal bluffs must demonstrate that the building site will be stable for 100 years, with a required minimum coastal bluff setback of 25 feet. In this case, Erik Zinn, Professional Geologist and Certified Engineering Geologist, concluded that the minimum setback of 25 feet would be adequate to ensure 100-year stability. Mr. Zinn's report was accepted by the County's geologist (Exhibit G).

As noted above, a portion of the parcel is located within an arroyo associated with Borregas Creek. The County's Riparian Protection Ordinance (16.30) details the required buffers (i.e., setbacks) for different types of riparian areas, including arroyos. The buffer distance is determined based upon the slope and type of stream. In this case, the buffer is 50 feet. Given that the stream is over 100 feet from the proposed development, the project easily meets this setback.

In addition to the riparian buffer, a 20-foot setback is required from the edge of the woody vegetation. This 20-foot setback is shown on sheet C3. The project proposes to locate the house about two feet further away from the woody vegetation than the existing house, but a portion of the new house would still be located within the 20-foot setback. County Code section 16.30 provides exemptions for preexisting, nonagricultural uses, provided that the use does not lapse for more than one year. The residential use has not lapsed, and the proposed development is nearly identical to the pre-existing development. It is therefore exempt from the provisions of County Code section 16.30.

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 161124, 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.sccoplanning.com

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Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Report review letters
- H. Comments & Correspondence (none received)

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: 161124

Assessor Parcel Number: 038-151-76

Project Location: 755 Oakhill Road, Aptos

Project Description: Proposal to demolish the existing house and construct a two story house with an attached garage.

Person or Agency Proposing Project: James Lloyd

Contact Phone Number: 831-459-0999

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
- B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- C. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
- D. ☐ Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
- E. ☒ Categorical Exemption

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

F. Reasons why the project is exempt:

A Class 3 categorical exemption consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. An example of this exemption includes, but is not limited to:

(a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption. This project proposes one single-family residence.

In addition, none of the conditions described in Section 15300.2 apply to this project. A geologic study has demonstrated compliance with the requirement for a stable site for a minimum of 100 years for the replacement single-family residence, and no shoreline protection structure is proposed or required to provide for this 100-year setback. In addition, none of the conditions described in Section 15300.2 apply to this project.

Annette Olson, Project Planner

Date: _____

EXHIBIT A

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned R-1-10 (Single-family residential, 10,000 square feet minimum), a designation which allows residential uses. The proposed single-family dwelling is an allowed use within the zone district, and the zoning is consistent with the site's R-UL (Urban Low Residential, Urban Open Space) General Plan designation.

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

This finding can be made, in that 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 SCCC 13.20.130 and 13.20.140 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; and the body of the house will be painted gray. The subject parcel is located in an area mapped as scenic in the General Plan and the proposed site plan is consistent with the design criteria and special use standards and conditions of SCCC 13.20.130 and 13.20.140 et seq. The proposed development is visually compatible with the existing pattern of development. The house will be set back about 12 additional feet from the coastal bluff than is the existing house. This will reduce the house's visual impact on the views from the beach below. The second story element, although located away from the bluff, may be visible from upcoast views. In any case, the new house, including the second story element, will read as visually compatible with the existing pattern of development where houses line the coastal bluff top and the bluff bottom.

Very little grading is proposed (43 c.y. of cut and 28 c.y. of fill) and so site disturbance will be minimized. The second story element does not cantilever towards or loom over the public viewshed, and it will not adversely affect public views in that it is located about 65 feet away from the coastal bluff. The arroyo's slopes are mostly covered in trees which will screen the upcoast views. The project's site planning fits the physical setting carefully in that the new house will meet the required riparian buffer and will encroach no further than the existing house into the 20-foot setback required from the arroyo's woody vegetation. The project also meets the 100-year stability setback from the coastal bluff. In meeting these buffers and setbacks, the project will fit into the physical setting.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site in the County Local Coastal Program. Coastal access is available upcoast about 1,800 feet at New Brighton State Beach and downcoast about 1,600 feet at Seacliff State Beach.

5. That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structure is sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-10 (Single-family Residential - 10,000 square foot minimum) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary in the area, and the design submitted is consistent with the pattern of development within the surrounding neighborhood.

The project complies with General Plan Policies 5.10.2 (Development within a visual resource area), 5.10.3 (Protection of Public Vistas), 5.10.4 (Preserving Natural Buffers) all of which call for minimizing the visual impact of the project. The proposed dwelling is primarily a one-story structure with a two-story element above the garage. Because the structure is primarily one-story and also because it is proposed to be set back an additional 12 feet further from the bluff face than the existing house, the visual impact of that portion of the house will be the same or less than the existing development when viewed from the beach. The two-story element is located about 65 feet away from the bluff face. Given this, it will not be visible to from the beach below the property (i.e., directly south of the property), but may be visible when viewed from upcoast. However, because the two-story element's size is limited (850 s.f.) and because there are existing trees that will provide screening, the overall impact of the two-story element will be minimal. No tree removals are authorized as a part of this application. Coastal bluffs in this location are lined with dwellings and the proposed dwelling is compatible with the existing range of architectural styles. Due to the steepness of the coastal bluff, when viewed from the beach below, the proposed dwelling will be visually subordinate to the bluff itself.

The project complies with General Plan Policy 6.2.10 (Site Development to Minimize Hazards) and General Plan Policy 6.2.12 (Setbacks from Coastal Bluffs) which calls for a setback that ensures a stable building site for 100 years. A geotechnical report prepared by Rebecca Dees of Dees & Associates, Inc., dated May 2016, and a geology report by Erik Zinn of Zinn Geology, dated April 16, 2016, as well as a supplemental slope stability analysis letter dated May 12, 2017 by Erik Zinn, were submitted to the County for review. The County Geologist and Civil Engineer reviewed and accepted the reports on December 19, 2018 (Exhibit G). It was determined that the location of all development was consistent with the County's Geologic Hazards Ordinance with respect to geologic setback to the coastal bluff. The analysis demonstrates that the site would be stable for a minimum of 100 years with a bluff setback of 25 feet, and the location of the replacement single-family dwelling will comply with the geologic setback requirement. No shoreline protection structure is proposed. Additional information and a copy of these reports are on file with the Planning Department (REV161048). The project has been conditioned to ensure compliance with the recommendations of the project Geotechnical Engineer and Geologist.

6. If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that although the project site is located between the shoreline and the first public road, no public access easements are known to exist on the subject parcel. In

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addition, because of the steepness of the coastal bluff, access from the subject parcel to the beach below is not physically possible. Consequently, the single-family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water.

The project site is not identified as a priority acquisition site in the County's Local Coastal Program, and the project will not interfere with public access to the beach, ocean, or other nearby body of water. Existing public access to the beach and shoreline exists to the west at New Brighton State Beach and to the east at Seacliff State Beach.

Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for residential uses. Construction will comply with prevailing building technology, the California Building Code, the geology and geotechnical reports prepared for the project, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources.

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

This finding can be made, in that the proposed location of the single-family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-10 (Single-family residential, 10,000 square feet minimum) zone district as the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district.

Because of the project's proximity to the arroyo associated with Borregas Creek, the project was evaluated for its conformance to the County Code 16.30 (Riparian Corridor and Wetlands Protection). Although the project meets the 50-foot buffer from Borregas Creek, it encroaches into the 20-foot setback from woody vegetation that is required for arroyos. However, the project proposes to pull development back about two feet further from the arroyo than is the existing house. Further, a project is exempt from Chapter 16.30—including the requirement to obtain a Riparian Exception—if it is the continuation of a preexisting nonagricultural use, provided that the use has not lapsed for a period of one year or more. In this case, the residential use has not lapsed, and development is proposed substantially in the same location. Similarly, the drainage outfall that is proposed to be located on the arroyo's slope is exempt from the requirement of Chapter 16.30 in that it complies with 16.30.050(D) which exempts drainage measures required as a condition of County approval. No tree removals are proposed as a part of the drainage outfall installation.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the R-UL (Urban Low Residential) land use designation in the County General Plan. A portion of the subject parcel is designated as Urban Open Space. That designation is associated with the arroyo where no development is proposed.

The proposed single-family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and

Development Standards Ordinance), in that the single-family dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed single-family dwelling will be properly proportioned to the parcel size and the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single-family dwelling will comply with the site standards for the R-1-10 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed single-family dwelling is to replace an existing dwelling. The expected level of traffic generated by the proposed project is not anticipated to increase as a result of the project.

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

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single-family dwelling is consistent with the land use intensity and density of the neighborhood. The project is located on a coastal bluff in roughly the same location as the existing house, but set back about 12 additional feet from the coastal bluff face. This will reduce the project's visual impact when viewed from the beach below. Although there is a two-story element, it is about 65 feet away from the bluff face. The two-story element may be visible from the beach upcoast of the project, but the existing trees associated with arroyo will provide screening. Because the subject parcel is at the end of Oakhill Road, and the project site is at a distance from neighbors, the project will not have a significant visual impact on the rest of the neighborhood.

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

This finding can be made, in that the proposed single-family dwelling will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. The project meets the 50-foot riparian setback and the additional 20-foot setback from woody vegetation. Further, the project complies with the 25-foot coastal bluff setback recommended by the project geologist. These buffers/setbacks will ensure that the project's visual impact on the available natural site amenities/open space in the surround area and the surrounding properties is minimized. Because the proposed house would be set back about 12 additional feet from the coastal bluff face than is the existing house, the visual impact of the project when viewed from the beach below will be minimized. The mass and bulk of the project has been minimized by

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designing the house with most of the square footage on the first floor. The two-story element is set back about 65 feet from the coastal bluff so its impact on public views will be minimized.

Conditions of Approval

Exhibit D: Project plans, prepared by James Lloyd, sheets 1-4, L1, L2, L3 and M1: Sheet 1 revised to 12/30/18; sheet 2 revised to 6/20/17; sheet 3 revised to 6/20/17; dated 8/12/15; L, L2, L3, M1 revised to 6/20/17).

Civil Engineering plans, prepared by Geoffrey T. Fleissner for Hogan Land Surveyors, sheets C1 -C7, and sheet FP1, revised to 2/25/19.

- I. This permit authorizes the construction of a single-family dwelling as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structures or existing uses 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 Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - D. Obtain a Grading Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
 2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review

EXHIBIT C

and approval.

3. Grading, drainage, and erosion control plans.
 4. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet.
 5. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
- B. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area. Comply with the following:
1. A final Stormwater Management report shall be prepared by the projects civil engineer (signed & stamped) and submitted with the building permit. Technical infeasibility for onsite retention has been accepted (reference Zinn Geology letter dated Feb. 25th, 2019 and Dees & Associates letter dated Feb. 25th, 2019 in staff report). Project's stormwater mitigation design shall meet Part 3 Section C.3.b. requirements (CDC). Additional onsite water quality efforts shall be incorporated into site improvements.
 - a. Per Part 3 Section 3.a of the CDC, 'The use of detention, particularly in a closed system (pipe, lined basin, etc.) shall only be used if all other BMPs are demonstrated to be technically infeasible and is required to employ additional BMPs for small storm mitigations.' Applicant may also reference General Plan Policies 5.5.12 and 7.23.
 - b. Project shall be designed to minimize the generation, transportation, and discharge of pollutants.
 - c. Safe overflow shall be incorporated into the project design.
 2. Final cross-section construction details shall be provided for all stormwater mitigation features. Please include all pertinent information (top of grate elevation, invert elevation, material type, installation procedures, slope, diameter, compaction requirements, etc.).
 - a. Clean-outs/inspection risers shall be included in the overflow system for inspection and maintenance.
 3. A final tabulation table of all new & replaced impervious/semi-pervious surfacing shall be included on civil plan sheets. All projects are required to minimize impervious area coverage through semi-pervious alternatives, when feasible.

4. Please provide a maintenance schedule on the building plan set, establishing the ongoing requirements for maintenance and monitoring of all permanent stormwater management facilities in compliance with County Code 7.79 (this schedule shall also be included in the maintenance agreement as a packet when the applicant records and notarizes their SWM-25A form). It will be the responsibility of the homeowner to inspect and maintain all drainage features.
 - a. A recorded maintenance agreement will be required for the drainage system on this parcel. The agreement form shall be completed by the property owner after the building permit has been issued by the Planning Department. A copy of the SWM-25A form is available to download at the Department of Public Works website or can be picked up at 701 Ocean St. Santa Cruz CA 95060.
 - b. Please contact the County of Santa Cruz Recorder's office for appropriate recording procedures.
5. This project is within Flood Control District 6 and shall be charged a fee based on the total new permitted impervious area created. The current fee is \$1.31 per square foot but is subject to change based on the most updated fee amount applicable at the time of permit issuance.
 - a. 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.
 - b. 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.
6. This site receives runoff from upstream/adjacent areas, per the County of Santa Cruz Design Criteria (CDC), the property owner shall be required to abide by Part 3 Section G.3 page 78. Please provide the Stormwater Section with an applicable/acceptable recorded document that is recorded on the parcel deed. (This acknowledgement shall be recorded with the requested maintenance agreement).
 - a. Per the CDC, "The recorded document shall acknowledge that the parcel does and will continue to receive upstream runoff, that the property owner is responsible for maintenance of the drainage pathway (natural and/or man-made) through the parcel, and that the County & Flood Control District(s) are not responsible for the upstream runoff or for the maintenance of the drainage pathway."
7. 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.

- C. Meet all requirements of the Soquel Creek Water District. Proof of water service availability is required prior to application for a Building Permit.
- D. 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. Comply with the following requirements:
 - 1. The applicant shall have the four sewer mains and three manholes surveyed by a licensed surveyor, with the locations tied to the property boundaries. Provide a drawing of the field verification of manhole locations, prepared and signed by a licensed surveyor. This does not need to be "recorded", is for accurate reference only, and will not need to be part of the contract documents, but shall be the basis for the sewer lines shown on site plan.
 - 2. Please show the following on the site plan:
 - a. A note reading "All work shall comply to the requirements of the Santa Cruz County Sanitation District, including conformance with the Department of Public Works County Design Criteria."
 - b. Existing sewer mains and manholes, based on the survey: Please accurately show the 3 on-site manholes and the four sewer lines connected to them.
 - c. Existing sewer line easements.
 - d. Sewer laterals for both the new house and habitable accessory structure (pool house).
 - 1. Existing to be permanently abandoned, if any: Locate and label "To be properly abandoned (including inspection by District) prior to issuance of demolition permit or relocation or disconnection of structure."
 - 2. Existing to be retained and re-used, if any: Locate and label "To be retained and re-used." Show the length of pipe, cleanouts located a maximum of 100-feet apart, slope of each line segment (2% minimum), and the connection to the existing public sewer.
 - 3. Proposed new sewer laterals, if any: Show the length of pipe, pipe material, cleanouts located maximum of 100-feet apart, slope of each line segment (2% minimum), and the connection to the existing public sewer.
 - e. District's "General Notes". Contact staff for electronic copy.
 - 3. Prior to issuance of any demolition permit for the existing residence, the applicant shall obtain from the Sanitation District a sewer lateral abandonment permit. The abandonment work shall be performed by the applicant and inspected by the district PRIOR to the issuance of any demolition permit.

4. Prior to issuance of any building permit for the new main residence, the applicant shall pay a fee (\$3,300) for "additional fixture units" directly to the Sanitation District. (The base connection fee for the existing main residence, \$3000, is considered to have been paid through the original district assessment at the time of construction or annexation. That base fee covers up to 18 fixture units, as defined by the California Building Code. The proposed plans show 17 proposed connected fixtures and appliances, rated at 38 fixture units. This results in 20 additional fixture units. $20\text{afu} \times \$165/\text{afu} = \$3,300$).

Note that the connection of uncovered outside floor/deck/parking lot drains to the sewer system is prohibited by District code. Any drain that is connected to the sewer is to be covered and the surrounding area shall be bermed or sloped to prevent surface water from entering sewer system.

- E. Meet all requirements of the Environmental Planning section of the Planning Department.
 1. A Declaration of Geologic Hazards shall be notarized and recorded on the property prior to final of the building permit.
 2. Vegetation removal shall be minimized during construction of the drainage outlet/level spreader. Tree removal shall be avoided.
 3. Final building plans shall be reviewed by the project geologist and geotechnical engineer.
- F. Meet all requirements and pay any applicable plan check fee of the Aptos / La Selva Fire Protection District.
- G. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
- H. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for a dwelling. For example, fees for dwellings 4,001 square feet and greater is \$15 per square foot.
- I. Provide required off-street parking for three cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- J. 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.
- K. "Notice of Geologic Hazards, Acceptance of Risk, Liability Release, and Indemnification" shall be recorded on the parcel with the format and content of that document to be reviewed and accepted by the County of Santa Cruz prior to recordation. The Notice will provide for property owner (and all successors and assigns) agreement to an acknowledgement of coastal and geologic 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 the risks to the Applicant and the properties that are the subject of this CDP 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 from such coastal hazards 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 due to such coastal hazards 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.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils reports.
 - D. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
- IV. Coastal Hazards Response Alternatives. By acceptance of this permit, the applicant

acknowledges and agrees, on behalf of itself and all successors and assigns, that:

- A. The approved single-family home replacement project 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 proposed by the property owner and approved by the County of Santa Cruz, and also by the California Coastal Commission if the project location is within the Coastal Commission's primary jurisdiction.
- B. Requirement for Geotechnical and Coastal Hazards Reports: Ten-foot Trigger. In the event that in the future the blufftop edge recedes to within ten feet of the single-family dwelling, the property owner shall undertake the following activities to determine whether selection and pursuit of a Coastal Hazards Response Alternative is required:
 - 1. Notify the Santa Cruz County Geologist, and
 - 2. 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(s).
 - 3. 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 Condition IV.D below).
- C. 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 will be proposed for removal due to coastal hazards, the Applicant shall, prior to removal, submit two copies of a Removal and Restoration Plan to the County of Santa Cruz Planning Director for review and approval. No removal activities shall commence until the Removal and Restoration Plan and all other required plans and permits are approved. If the Director determines that an amendment to this

permit or separate grading and coastal development permits are legally required in order to authorize the activities, the Applicant shall as soon as immediately feasible submit the required application, 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 Director approval, or County approval of the permit application, if necessary.

V. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

VI. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.
-

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

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

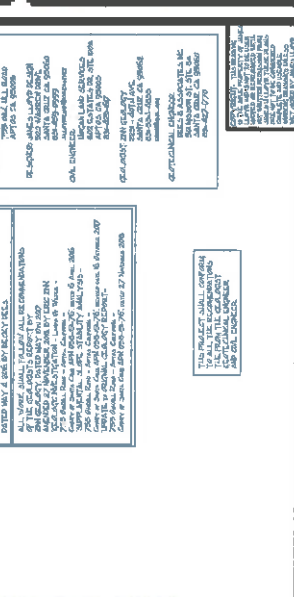
Approval Date: _____

Effective Date: _____

Expiration Date: _____

Jocelyn Drake
Deputy Zoning Administrator

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.



21

EXHIBIT



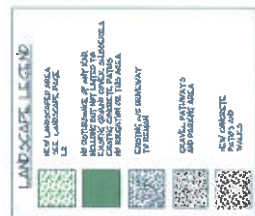


PROPOSED SECOND FLOOR PLAN

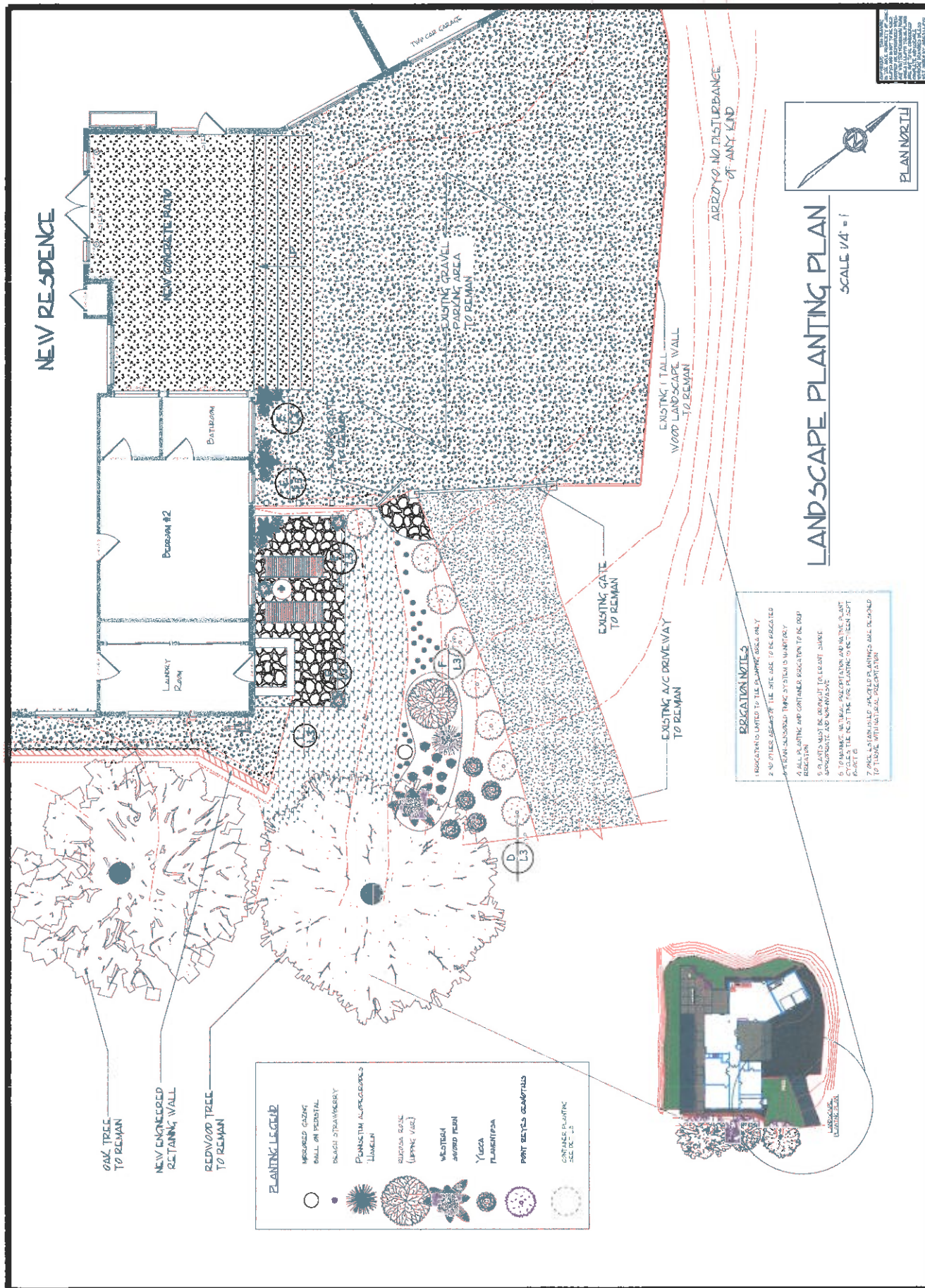
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LANDSCAPE OVERVIEW PLAN



NO.	DESCRIPTION	DATE	BY
05/20/2007	JAL		



ALL WINDOWS AND DOORS
TO BE BLUMBERG
WITH BRONZE STEEL FRAMES



GARAGE DOOR TO ALUMINUM FRAME
TO MATCH WINDOWS
GARAGE PANELS
TO BE OPAL GLASS



ECO COOL ROOF ROOFING MATERIAL
WILL NOT BE SEEN FROM THE GROUND



VISUAL SIMULATION OF NEW RESIDENCE
755 OAK COURT



ENTIRE EXTERIOR
ALL SFFRITS AND FACIA
3-COAT STUCCO
SMOOTH SAND FINISH
WITH ACRYLIC COLOR COAT
BENJAMIN MOORE AFENTY AF-5
FROSTLINE

755 OAKHILL RD., APTOS, CA 95003
APN: 038-151-76, -84

LANDS OF WILDER

KHILL RD., APTOS, CA 95003
APN: 038-151-76, -84

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WILDER
IMAGE
APOTOS, CA 95025
51-76, -84

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 8. ROOF
 9. FOUNDATION
 10. MECHANICAL
 11. ELECTRICAL
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28 EXHIBIT

GRADING & DRAINAGE NOTES, CONT.

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AGENCY SPONSORS: ZWYME ELEMENT SEVEN HAS BEEN BASED ON THE 2 YEAR, 2 HOUR
STORM ENERGY AND ASSUME INSTALLATION PER PLAN AND FREE OF THE OWNER SHALL
BE CONSIDERED A PART OF THE PROJECT TO BE COMPLETED BY THE CONTRACTOR

- [illegible]

PRIOR TO ANY CONNECTIVE ACTION BY THE CONDUCTOR WHICH IS NECESSARY DUE TO ANY

- [illegible]

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POST-DEVELOPMENT SITE PLAN

FOR ALL INTERESTS SURPASS THE ENTIRE RANGER IS LOCATED WITHIN AN
OF THE STATE OF TEXAS AND IS NOT AFFECTED BY ANY OTHER ACTS OF
THE STATE IS EXEMPT FROM THE PROVISIONS OF CHAPTER 460 FOR

(U) (S) (C) (R)

CONSTRUCTION KEYNOTES

- 1 PROPOSED RESIDENCE AND ATTACHED CHARGE. BY JAMES LLOYD ROSSIGNOL
- 2 PROPOSED ITINERARY DETERMINED PER SEE SHEET 24 AND ON FOR RESULTS AND SPECIFICATIONS
- 3 PROPOSED TRAVELING PLAN
- 4 CORRECT THE START LINE TO BE CLEAR OF THE END OF THE ROAD AND RECONSTRUCTED
- 5
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PRE-DEVELOPMENT SITE PLAN

BUILDING LEGEND

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POST-DEVELOPMENT SITE PLAN

FOR ALL INTERESTS PURSUING THE PUBLIC GOOD, THE RESPECT FOR THE PERSONAL FREEDOMS OF AMERICAN CITIZENS. THE REVELATION OF THIS FACT HAS ONE CLEAR MESSAGE: THAT THE PROVISIONS OF CHAPTER 10 OF THE FEDERAL CONSTITUTION ARE TO BE CONSIDERED A

CONSTRUCTION KEYNOTES

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PRE-DEVELOPMENT SITE PLAN

BUILDING LEGEND

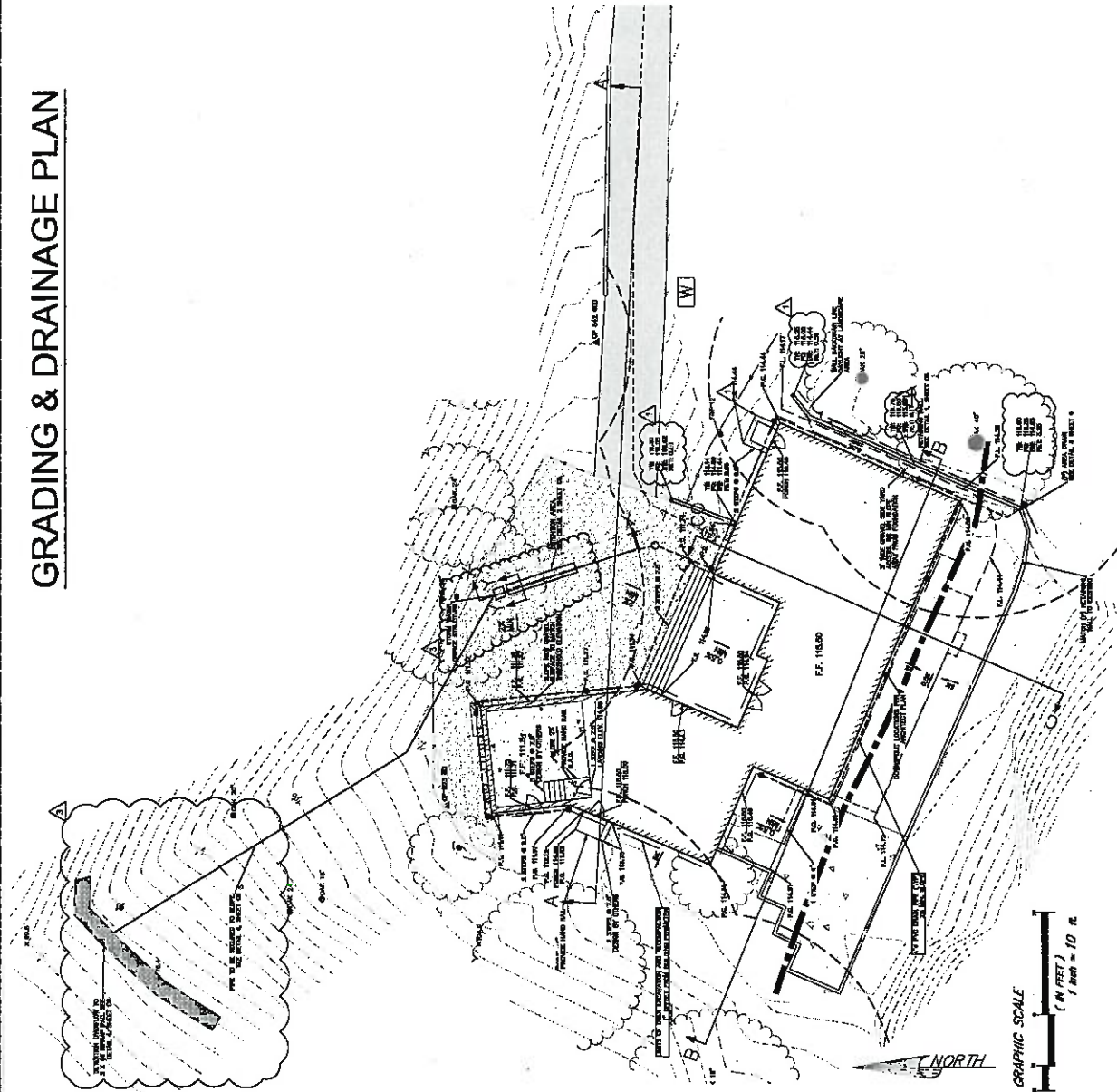
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GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft

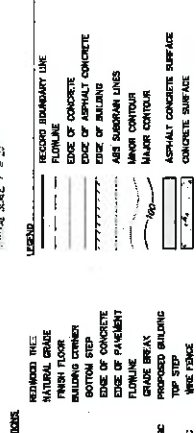
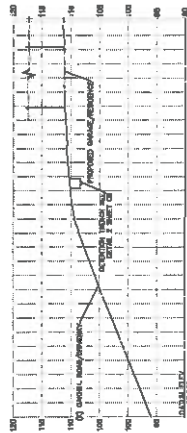


GRADING & DRAINAGE PLAN



TREE PROTECTION NOTES

1. ALL EXISTING TREES TO REMAIN SHALL BE IDENTIFIED BY THE DESIGNER AND SHOWN ON THE PLAN. ALL TREES TO BE REMOVED SHALL BE IDENTIFIED BY THE DESIGNER AND SHOWN ON THE PLAN. ALL TREES TO BE REMOVED SHALL BE IDENTIFIED BY THE DESIGNER AND SHOWN ON THE PLAN.
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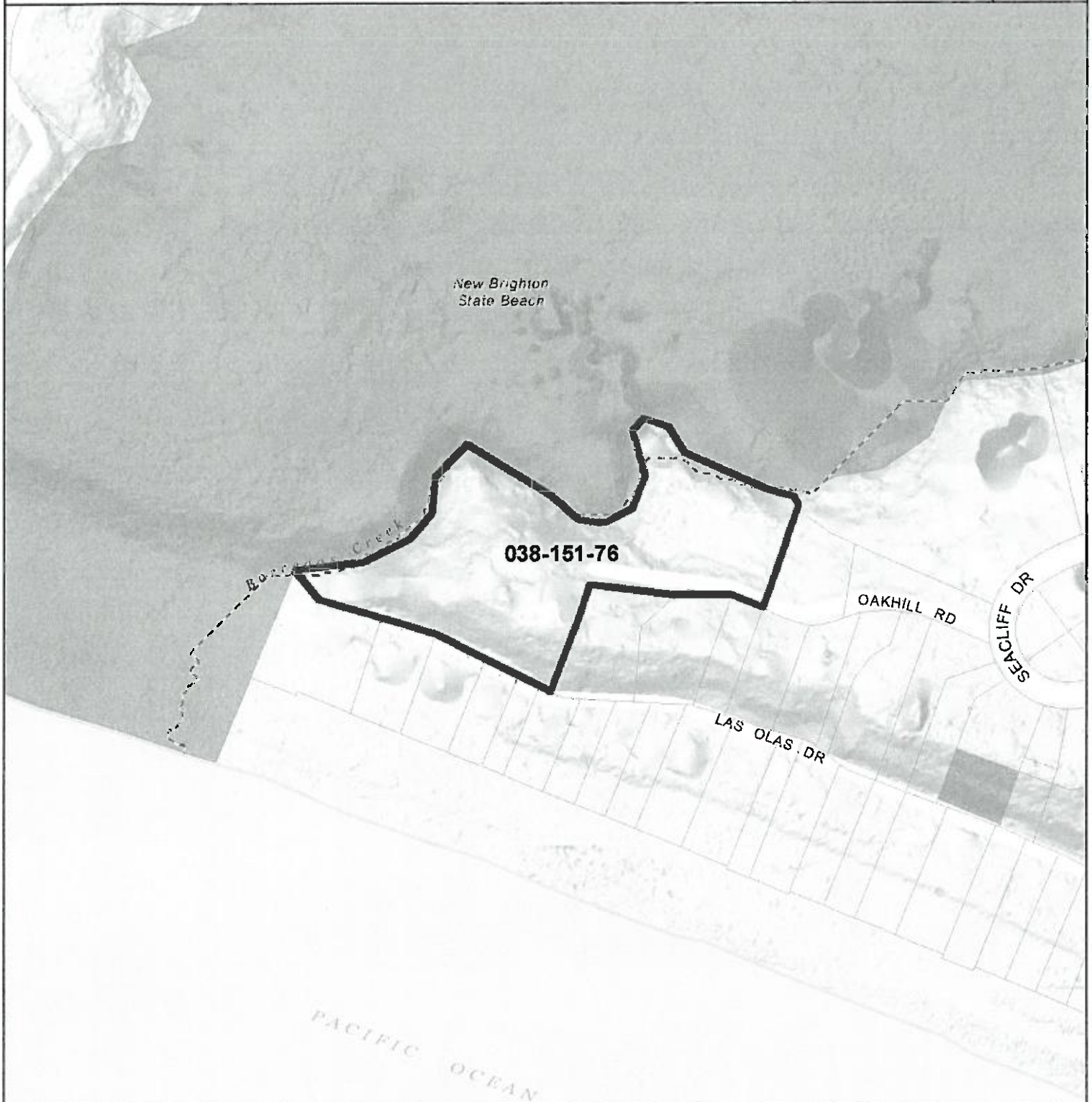


SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map



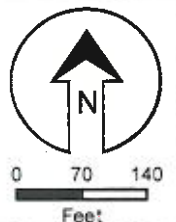
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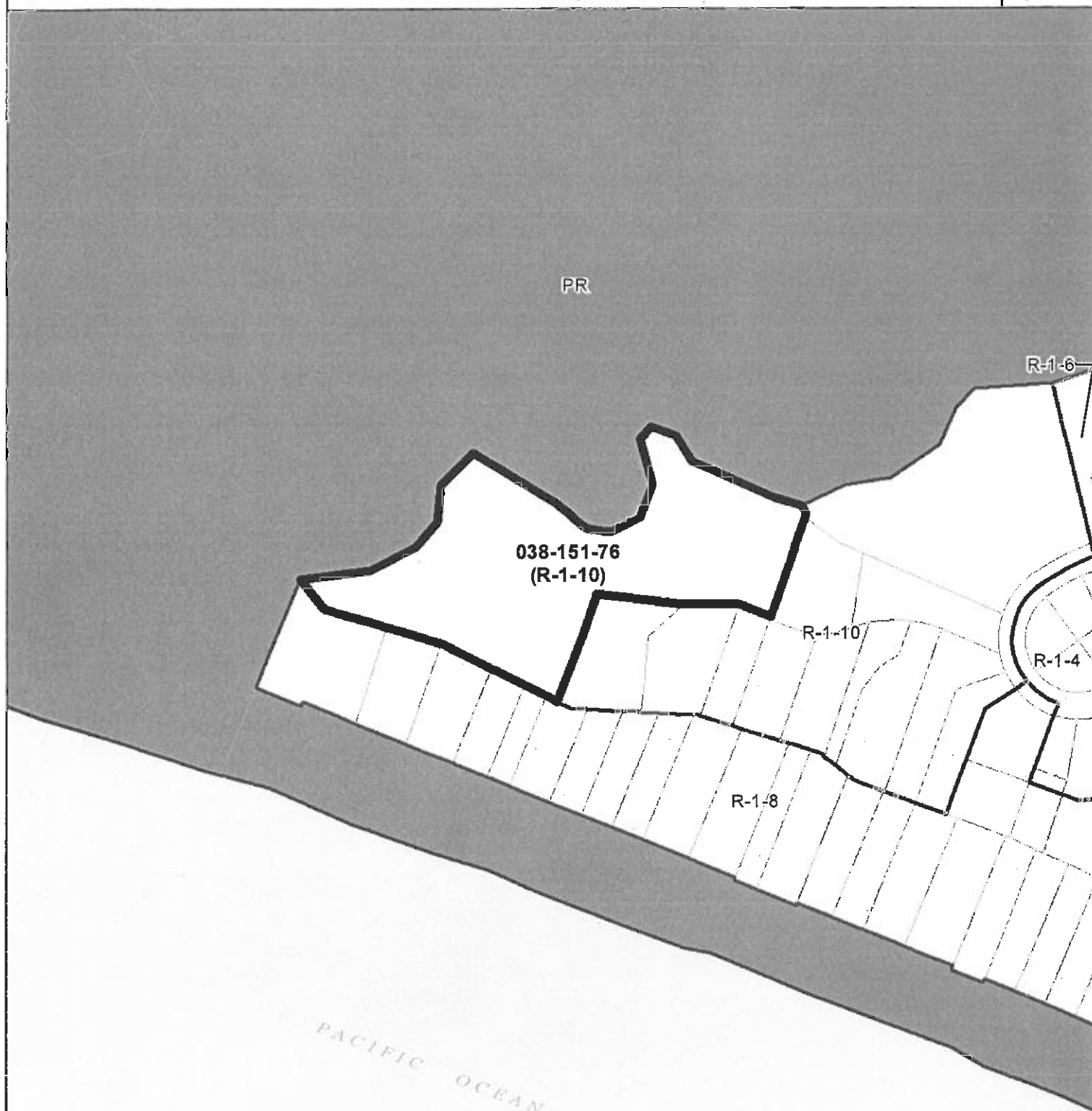
- Study Parcel
- Assessor Parcel Boundary
- Existing Park

Map printed: 1 May, 2019

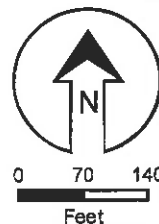




Parcel Zoning Map

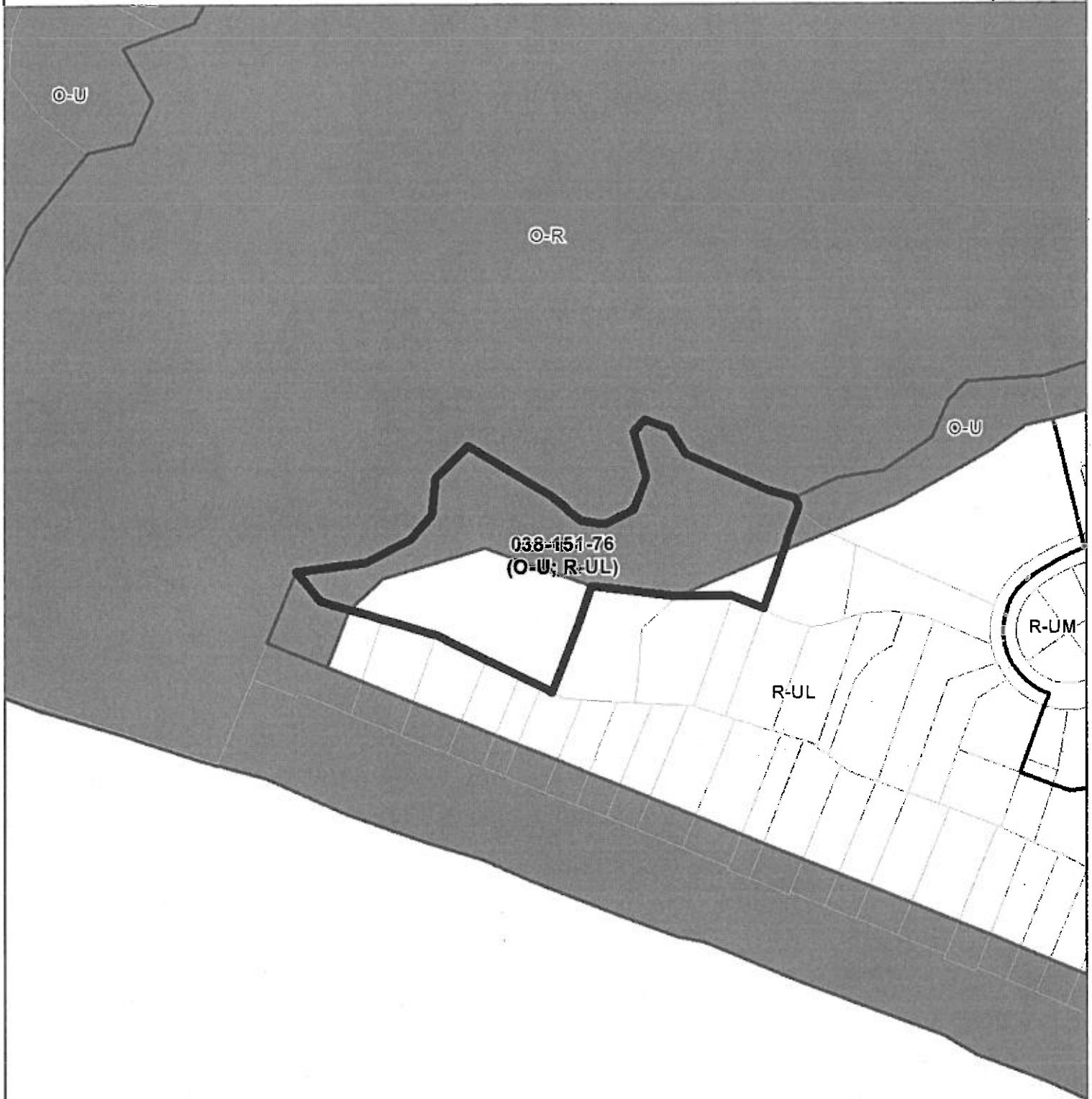


- PR Parks, Recreation, & Open Space
- R-1 Single-Family Residential

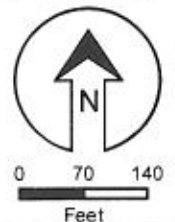




SANTA CRUZ COUNTY PLANNING DEPARTMENT
Parcel General Plan Map



- O-R *Parks, Recreation & Open Space*
- O-U *Urban Open Space*
- R-UM *Res. Urban Medium Density*
- R-UL *Res. Urban Low Density*



Parcel Information

Services Information

Urban/Rural Services Line: X Inside ___ Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: County of Santa Cruz
Fire District: Aptos / La Selva
Drainage District: Zone 6

Parcel Information

Parcel Size: ~3 acres
Existing Land Use - Parcel: Residential
Existing Land Use - Surrounding: Residential
Project Access: Oakhill Road
Planning Area: Aptos
Land Use Designation: R-UL (Urban Low Residential, Urban Open Space)
Zone District: R-1-10 (Single-family residential, 10,000 square feet minimum)
Coastal Zone: X Inside ___ Outside
Appealable to Calif. Coastal Comm. X Yes ___ No

Technical Reviews: Soils Report, Geology ReportXX

Environmental Information

Geologic Hazards: Coastal bluff and arroyo
Fire Hazard: Not a mapped constraint
Slopes: 0-10% in area of development, > 50% coastal bluff and arroyo
Env. Sen. Habitat: Riparian
Grading: Less than 100 cubic yards
Tree Removal: No trees proposed to be removed
Scenic: Mapped resource
Archeology: Not mapped/no physical evidence on site



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
KATHLEEN MOLLOY, PLANNING DIRECTOR

19 December 2018

Jim Wilder
8035 Soquel Drive, #29
Aptos, CA 95003

Subject: Review of the Geotechnical Investigation for the Proposed Single Family Residence and Garage and Conversion of the Pool House to an Accessory Dwelling at 755 Oakhill Road/APN 038-151-76 dated 4 May 2016 and Slope Stability Analysis for Proposed Single Family Residence and Garage dated 10 May 2017, Project No: SCR-0983 by Dees & Associates, Inc; and

Review of Coastal Geologic Investigation for Proposed Residential Remodel at 755 Oakhill Road/APN 038-151-76 dated 16 April 2016, Supplemental Slope Stability Analysis dated 12 May 2017 (Revised 16 October 2017), and Update to Original Geology Report dated 27 November 2018, Job #2016001-G-SC by Zinn Geology

Project Site: 755 Oakhill Road
APN 038-151-76
Application No. REV181027

Dear Applicant:

The purpose of this letter is to inform you that the Planning Department has accepted the subject reports and the following items shall be required:

1. All project design and construction shall comply with the recommendations of the reports.
2. The 4 May 2016 Geotechnical Investigation references the 2013 California Building Code. Prior to the issuance of a Building Permit, please request your geotechnical engineer prepare an update letter to their report specifying the 2016 California Building Code for all project design and construction.
3. The Slope Stability Analysis for Proposed Single Family Residence and Garage dated 10 May 2017 was neither signed nor stamped by the author. Prior to the issuance of a Building Permit, please request your geotechnical engineer submit a signed and stamped copy of the 10 May 2017 report for County records.

Review of the Geotechnical Investigation for the Proposed Single Family Residence and Garage and Conversion of the Pool House to an Accessory Dwelling at 755 Oakhill Road/APN 038-151-76 dated 4 May 2016 and Slope Stability Analysis for Proposed Single Family Residence and Garage dated 10 May 2017, Project No: SCR-0983 by Dees & Associates, Inc; and Review of Coastal Geologic Investigation for Proposed Residential Remodel at 755 Oakhill Road/APN 038-151-76 dated 16 April 2016, Supplemental Slope Stability Analysis dated 12 May 2017(Revised 16 October 2017), and Update to Original Geology Report dated 27 November 2018, Job #2016001-G-SC by Zinn Geology

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4. The 4 May 2016 Geotechnical Investigation recommends the proposed pool house conversion be supported by spread footings embedded into firm soil located about 24 inches below grade.

To be recognized as a legal habitable structure, the foundation elements supporting the existing pool house must conform to both current building codes and your geotechnical engineer's recommendations. The embedment depth and width of the existing footings supporting the pool house are unknown. Prior to the completion of the project plans and issuance of a Building Permit, the pool house footings should be exposed at a minimum of two locations in the presence of your geotechnical engineer. Your geotechnical engineer should then prepare an Addendum Report outlining the results of the pool house foundation system observations as well as recommendations, if needed, to bring the pool house foundation system into compliance with the geotechnical report.

5. Final plans shall reference the subject reports as well as the required Addendum Report by titles, authors, and dates. Final Plans should also include a statement that the project shall conform to the reports' recommendations.
6. After plans are prepared that are acceptable to all reviewing agencies, please submit a completed Soils (Geotechnical) Engineer Plan Review Form and a completed Geologist Plan Review Form to Environmental Planning. The authors of the soils and geology reports shall sign and stamp their respective completed forms. Please note that the plan review forms must reference the final plan set by last revision date.

Any updates to report recommendations necessary to address conflicts between the reports and plans must be provided via a separate addendum to the soils report and/or geology report.

Electronic copies of all forms required to be completed by the Geotechnical Engineer may be found on our website: www.sccoplanning.com, under "Environmental", "Geology & Soils", and "Assistance & Forms".

After building permit issuance the soils engineer and engineering geologist *must remain involved with the project* during construction. Please review the Notice to Permits Holders (attached).

EXHIBIT G

Review of the Geotechnical Investigation for the Proposed Single Family Residence and Garage and Conversion of the Pool House to an Accessory Dwelling at 755 Oakhill Road/APN 038-151-76 dated 4 May 2016 and Slope Stability Analysis for Proposed Single Family Residence and Garage dated 10 May 2017, Project No: SCR-0983 by Dees & Associates, Inc; and Review of Coastal Geologic Investigation for Proposed Residential Remodel at 755 Oakhill Road/APN 038-151-76 dated 16 April 2016, Supplemental Slope Stability Analysis dated 12 May 2017(Revised 16 October 2017), and Update to Original Geology Report dated 27 November 2018, Job #2016001-G-SC by Zinn Geology

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Our acceptance of the reports is limited to its technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. may require resolution by other agencies.

Please note that this determination may be appealed within 14 calendar days of the date of service. Additional information regarding the appeals process may be found online at: http://www.sccoplanning.com/html/devrev/plnappeal_bldg.htm

Please contact Rick Parks at (831) 454-3168/email: Rick.Parks@santacruzcounty.us or Jeff Nolan at (831) 454-3175/Jeffrey.Nolan@santacruzcounty.us if we can be of any further assistance.

Sincerely,



Rick Parks, GE 2603
Civil Engineer
Planning Department
County of Santa Cruz



Jeffrey Nolan, CEG 2247
County Geologist
Planning Department
County of Santa Cruz

Cc: Dees & Associates, Inc Attn: Rebecca Dees, GE
Zinn Geology, Attn: Eric Zinn, CEG
Planning Dept., Attn: Jessica deGrassi
Owner's Agent: James Lloyd

Attachments: Notice to Permit Holders