



## Staff Report to the Zoning Administrator

Application Number: **161204**

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**Applicant:** Heidi Spicer, Architect

**Owner:** Robin Dahlberg and Charles Shepard

**APN:** 085-201-10

**Site Address:** 306 Bar King Road, Boulder Creek, CA 95006

**Agenda Date:** June 17, 2022

**Agenda Item #:** 1

**Time:** After 9:00 a.m.

**Project Description:** Proposal to relocate an unpermitted 576 square foot dwelling to be outside an existing right-of-way and to raise and remodel the structure to add a new lower floor, resulting in a 1,152 square foot one-bedroom single-family dwelling. Requires a Variance to reduce the front and street-side yard setbacks at an un-named right-of way from 20 feet and 10 feet respectively to around 0 feet at the closest point, and to reduce the rear yard setback from 15 feet to approximately 10 feet. The project also requires a determination that the project is exempt from further review under the California Environmental Quality Act (CEQA).

**Location:** Property located at the northeastern end of an unnamed right-of way at about 410 feet northwest of its intersection with Bar King Road (306 Bar King Road), which is approximately 1,050 feet west of the intersection of Bar King Road and Far View Road in the San Lorenzo Valley Planning Area.

**Permits Required:** Variance

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

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 161204, based on the attached findings and conditions.

### Project Background

In 2006 a Notice of Violation was issued on the subject property for the unpermitted conversion of an existing 126 square foot storage structure to habitable area and for construction of an approximately 400 square foot addition that resulted in a 526 square foot dwelling unit served by an unpermitted electrical sub-panel taking power from a neighboring parcel. There is no record of a Permit for the installation of a wastewater treatment system to serve this structure; however, Permit #07-375 was issued by the Environmental Health Department in 2007, for repairs to an existing system, and as a result the septic disposal system on the parcel is recognized as legal.

In 2014 the property was sold to new owners and application 161204 was submitted on July 25, 2016, to recognize the dwelling.

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## Project Description & Setting

The existing unpermitted dwelling is located close to the northwestern corner of the parcel, within an area of more gently sloped land. Further to the south and east the land drops off steeply with slopes that exceed 30%, and in places 50%. Because a portion of the existing unpermitted dwelling is currently located partially within the rear yard setback and partially within an existing un-named vehicular right-of-way at the northwestern corner of the parcel, the proposal is to move the structure eastward by approximately 5 feet so that it will have an increased rear setback and be outside of the right-of-way. In addition, the building will be raised so that a bedroom and bathroom can be added within a new lower floor beneath the existing structure, allowing for the conversion of the existing small bedroom to living area.

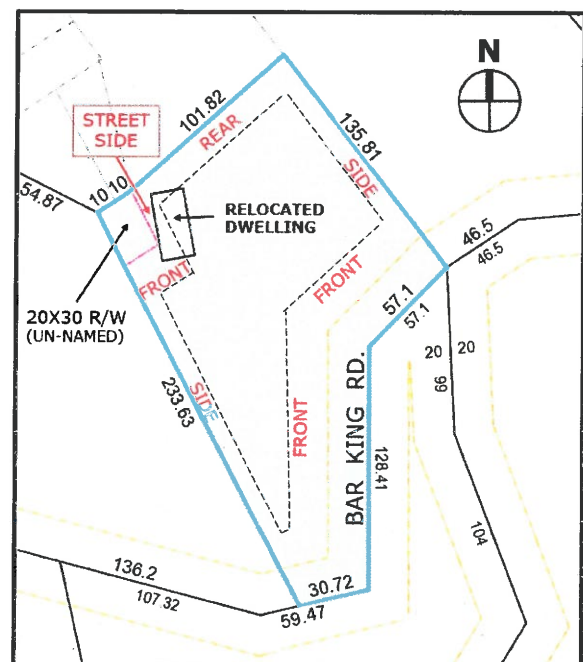
As proposed, the relocated and remodeled dwelling will no longer encroach into the un-named right-of way; however, because of the steep slopes on the parcel it is not possible to locate the dwelling so that it would meet the required setbacks for the zone district. Variances are therefore required to reduce the front and street side setbacks to the un-named right of way from 20 feet and 10 feet respectively, to around 0 feet at the closest point, and to reduce the rear yard setback from 15 feet to approximately 10 feet.

## Zoning & General Plan Consistency

The subject property is a 23,940 square foot lot, located in the R-1-15 (Single-Family Residential) zone district, a designation that allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district and the zoning is consistent with the site's R-R (Rural Residential) General Plan designation.

The table below illustrates the required and proposed site and development standards as set out in County Code section 13.10.323(B) that are relevant to this project, and the adjacent site diagram lays out the configuration of the required setbacks in relation to the subject parcel.

Standard	Required	Proposed
Front Yard:	20 feet min.	35 feet (to Bar King) 0 feet (to un-named r/w)
Side Yards:	10 feet min.	Over 10 feet
Street Side Yard:	10 feet min.	0 feet (to un-named r/w)
Rear Yard:	15 feet min.	10 feet
Height:	28 feet max.	22 feet 2½ inches
Lot Coverage	40% max.	2.4%
FAR:	50% max.	4.8%



Because the proposed location of the dwelling will not comply with all required setbacks for the R-1-15 zone district, Variances are required to reduce the front and street side setback from 20 and 10 feet to 0 feet at the point where the dwelling is adjacent to the corner of the existing right of way. An additional Variance is required so that the relocated structure, which currently has a rear setback of around 5 feet, can be relocated so that it will have a rear yard setback of approximately 10 feet where 15 feet is required.

Variances: The subject parcel is irregularly shaped and fronts onto Bar King Road, which runs along the southeastern property line; however, because of a 20-foot by 30-foot right-of-way that extends into the northwestern corner of the parcel, the lot is considered to have a double frontage. As set out in County Code 13.10.323(D)(6), on parcels where both the front and rear property lines abut a right-of-way to which it has legal access, the required front yards shall be measured from both rights-of-way. In addition, because the right-of way on the subject property extends into the parcel, the side-line of the road easement is considered a street-side yard. Therefore, to allow for recognition of the existing unpermitted dwelling which will be relocated to outside the right-of-way but still partially within the rear setback, the applicant is requesting Variances to the site and development standards for the R-1-15 zone district.

The approval of Variances to allow for moving the dwelling to be outside the right of way where it will have a front and street-side setback of 0 feet at the point where the dwelling is adjacent to the corner of the right-of way, and to allow for a 10-foot rear yard setback, is justified. This is because the subject property is severely constrained by extremely steep slopes as well as by the location of the existing septic system, which lies immediately south of the dwelling. The site of the proposed relocated dwelling is therefore appropriate in that no other location exists that could accommodate the structure.

The reduced setback to 0 feet at the corner of the 20-foot by 30-foot right-of-way area will not result in a significant reduction in light, air and open space at the dead-end street, in that the proposed dwelling will be moved approximately 5 feet to the southeast such that the existing encroachment into the right-of-way will be eliminated. Further, although the relocated structure will continue to be partially located within the required 15-foot rear yard setback, it will be in greater conformance than the existing structure, in that the existing 5-foot setback will be increased to around 10 feet. As proposed the relocated structure will not have a negative impact on neighboring properties in that it will be located at a lower elevation than the existing building and the proposed lower floor will be set into the natural grade. As a result, the height of the proposed dwelling will be similar to that of the existing structure as measured from the existing grade at the right-of-way. The dwelling will also be relocated to be further from adjacent homes. Moreover, since the right-of-way dead ends on the property and is not a through street, the relocated dwelling will not impair sight lines for vehicles and will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or to the general public.

These site-based limitations do not exist together on other parcels in the vicinity and zone in which the property is situated. Therefore, the granting of Variances to allow for a reduced front and street-side yard setback from the right-of-way and for a reduced rear yard setback, will not constitute a grant of special privilege to this parcel. The relocated and extended dwelling will be in character with other similar developments in the vicinity that are under identical zoning classification and that have similar constraints.

**Parking:** As set out in County Code section 13.10.552, a one-bedroom dwelling requires the provision of two off-street parking spaces. Because of the steep slopes and an existing 20-foot by 30-foot right-of-way in the northeastern corner of the parcel, there is only sufficient space for one parking space to be located adjacent to the dwelling. A second off-street parking space will therefore be provided alongside Bar King Road at the southeastern property line. The second off-street parking space will be connected to the dwelling by a flight of in-ground steps.

### **Conclusion**

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

### **Staff Recommendation**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **161204**, 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](http://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

# 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: 161204

Assessor Parcel Number: 085-201-10

Project Location: 306 Bar King Road, Boulder Creek, CA 95006

**Project Description: Proposal to relocate and recognize an existing unpermitted 576 square foot cabin, and to to raise the structure and add a new lower floor to result in a 1,152 square foot single-family dwelling.**

**Person or Agency Proposing Project: Heidi Spicer, Architect**

**Contact Phone Number: (831) 425 2020**

- 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 new structures (15303)

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

Relocation and recognition of an existing single-family dwelling and construction of a new lower floor, within an area zoned for residential uses.

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

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

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

**EXHIBIT A**

## Variance Findings

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

This finding can be made in that the project is located in an area that is zoned R-1-15 (Single Family Residential, 15,000 square foot lot size), a designation that allows for residential uses. A Dwelling Unit is a principal permitted in the zone district and the zoning is consistent with the site's (R-R) Rural Residential General Plan designation.

The subject parcel is irregularly shaped and fronts onto Bar King Road, which runs along the southeastern property line. However, because of a 20-foot by 30-foot right-of-way that extends into the northwestern corner of the parcel, the lot is considered to have a double frontage. As set out in County Code 13.10.323(D)(6), where both the front and rear property lines of a parcel abut a right-of-way to which it has legal access, the required front yards shall be measured from both rights-of-way. In addition, because the right-of way on the subject property extends into the parcel, the side-line of the road easement is considered a street-side yard.

The subject property is severely constrained by extremely steep slopes as well as by the location of the existing septic system, which lies immediately south of the dwelling. The site of the proposed relocated dwelling is therefore appropriate in that no other location exists that could accommodate the structure. The reduced setback to 0 feet at the corner of the 20-foot by 30-foot right-of-way area will not result in a significant reduction in light, air and open space at the dead-end street, in that the proposed dwelling will be moved approximately 5 feet to the southeast so that it will no longer be within the right-of-way. Further, although the relocated structure will continue to be partially located within the required 15-foot rear yard setback, it will be in greater conformance than the existing structure in that the existing 5-foot setback will be increased to around 10 feet. The relocated structure will not have a negative impact on neighboring properties in that it will be located at a lower elevation than the existing building and, since the proposed lower floor will be set into the natural grade; therefore, the height of the proposed dwelling will be similar to that of the existing structure as measured from the existing grade at the street. The dwelling will also be relocated to be further from adjacent homes.

The existing unpermitted structure is located partially within a right-of-way and is also nonconforming to the required rear yard setback. Therefore, the approval of Variances to allow for moving the dwelling to be outside the right of way in a new location that will have a front and street-side setback of 0 feet where the dwelling is adjacent to the corner of the right-of way, and will be in greater conformance with the required rear yard setback, is therefore justified, because the sloped site and the location of the existing septic system renders it impossible to construct a functional dwelling that would comply with the required setbacks for the zone district. Therefore, the proposed relocated dwelling will be in character with other similar developments in the vicinity that are under identical zoning classification and that have similar constraints.

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

The intent and purpose of the residential zone districts is to provide for residential uses. The approval of Variances to allow for the recognition of a currently unpermitted single-family dwelling that will be relocated to be outside an existing right-of-way and in greater conformance with the required rear yard setback will therefore be in harmony with the general intent and purpose of zoning objectives

The existing unpermitted structure, is nonconforming to the required rear yard setback, and is located partially within an existing right of way. The proposed relocation of the structure will remove the existing encroachment, increase the rear yard setback and locate the dwelling further from adjacent homes. Therefore, the proposed reduced front and street-side yard setbacks to 0 feet at the corner of the right-of-way, and reduced rear yard setback will not be materially detrimental to property or improvements in the vicinity. Further, since the right-of-way is not part of a through street and dead ends on the property, the relocated dwelling will not impair sight lines for vehicles and will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or to the general public. This finding can therefore be made.

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

The location of the right-of-way at the northwestern corner of the parcel, which creates additional setback requirements for a double frontage and corner lot, together with steep slopes at the property and the location of the existing septic system, mean that there is no alternative conforming location where a single-family dwelling could feasibly be constructed. These limitations do not exist together on other parcels in the vicinity and zone in which the property is situated. Therefore, the granting of Variances to allow for a reduced front and street-side yard setback from the right-of-way and for a reduced rear yard setback, will not constitute a grant of special privilege to this parcel and this finding can be made.

## **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. The existing structure, which is to be relocated, and the proposed addition at the lower floor will be constructed/upgraded to 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 relocated dwelling will not impair sight lines for vehicles within the and will not be materially injurious to properties or improvements in the vicinity.

- 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, with the approval of Variances to allow for reduced front and street side setbacks at the corner of the existing un-named right of way, and to maintain the existing reduced rear yard setback, will be consistent with all pertinent County ordinances and the purpose of the R-1-15 (Single-Family Residential) zone district, as the primary use of the property will be one single-family dwelling that meets all other current site standards for the zone district.

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

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the R-R (Rural Residential) land use designation in the County General Plan.

The proposed single-family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, in that, because of the rural nature of the area in which the site is located, the closest neighboring dwelling is located approximately 68 feet west of the existing structure. The proposed dwelling will be moved approximately 5 feet to the southeast such that the existing encroachment into the right-of-way will be eliminated and the structure will be further from the closest adjacent residential structure to the west. Moreover, the structure will be relocated to be downslope from its existing location and, since the proposed lower floor will be set into the natural grade, the height of the proposed dwelling will be similar to that of the existing structure as measured from the existing grade at the property lines. Further, with the approval of Variances to allow for reduced front and street side setbacks at the corner of the existing un-named right of way, and to maintain the existing reduced rear yard setback, the proposed relocated dwelling 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.

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, with the approval of Variances to allow for reduced front and street side setbacks at the corner of the existing un-named right of way, and to maintain the existing reduced rear yard setback, will comply with the site standards for the R-1-15 zone district (including the front yard setback to Bar King Road and both side yard 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 be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is not anticipated to increase due to the recognition and relocation of the existing unpermitted dwelling or from the addition of a 576 square foot addition at the lower floor that will not intensify the use of the structure in that no new bedrooms will be added. Therefore, the proposed project will not adversely impact existing roads or intersections in the surrounding area.

All construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources and therefore, the proposed project will not overload utilities.

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

This finding can be made, in that the proposed structure is located in a mixed rural neighborhood containing a variety of architectural styles, and the proposed remodeled and relocated single-family dwelling is consistent with the land use intensity and density of the neighborhood.

## Conditions of Approval

**Exhibit D:** Project plans, 10 sheets prepared by Heidi Spicer, Architect, dated February 8, 2022.

- I. This permit authorizes the recognition and relocation of an existing 576 square foot dwelling, construction of a 576 square foot addition beneath the structure and remodel of the interior to result in a one-bedroom 1,152 square foot single-family dwelling as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - C. Obtain 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 sheets of the architectural plan set.
    2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review and approval.

3. Grading, drainage, and erosion control plans.
  4. 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.
  5. Any landscape plan submitted shall include a Water Efficient Landscape Plan Submittal Compliance Statement to comply with SCCC Ch. 13.13.
- B. Meet all requirements of the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
1. Show the following on plans submitted with the building permit:
    - a. How the building downspouts discharge.
    - b. Include details of all existing drainage improvement that were built with this project.
    - c. Provide a plan that clearly delineates all impervious surfaces. Show the limits of the driveway(s) by using different hatching.
    - d. Zone 8 fees will be assessed on the net increase in permitted impervious area due to the project. This project may be eligible for fee credits for existing impervious areas if documentation is presented demonstrating existing impervious areas are permitted or were built prior to May 2005. County staff will utilize 1975 aerial photos to establish credit if no additional information is furnished by the applicant. The fees are currently \$1.20 per square foot. A 50% credit will be given to semi-pervious surfaces such as pavers, pervious concrete, baserock, etc. The fees are subject to increase based on the fee amount applicable at the time of permit issuance.
- C. Meet all requirements of the County Department of Environmental Health Services as follows:.
1. Show complete details of the Onsite Wastewater Treatment System (OWTS), including location of septic tank, existing leachfield and future expansion area onto the building plans. The OWTS is sized for 1 bedroom only. Additional bedrooms will require an OWTS upgrade under permit. No construction, grading, or fill is allowed over septic system or expansion area.
  2. Obtain a minor Site Evaluation to verify that expansion area exists and is adequate. If future expansion area is inadequate or does not exist, a recorded Limited Expansion acknowledgement and designation may be required.

- D. Meet all requirements and pay any applicable plan check fee of the Boulder Creek Fire Protection District.
  - E. Meet all requirements of the Environmental Planning section of the Planning Department as follows:
    - 1. The soils report has been reviewed and accepted. Please see letter dated 3/10/2020 and Comments a-c, below.
      - a. All project design and construction shall comply with the recommendations of the report.
      - b. Final plans shall reference the subject report by title, author, and date. Final Plans should also include a statement that the project shall conform to the report's recommendations.
      - c. After plans are prepared that are acceptable to all reviewing agencies, please submit a completed Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The author of the soils report shall sign and stamp the completed form. Please note that the plan review form must reference the final plan set by last revision date.

Any updates to report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the subject report.

  - 2. The applicant shall submit a stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual, available here:  
<http://www.sccoplanning.com/Portals/2/County/Planning/env/ConstructionStormwaterBMPManual-Oct%20312011version.pdf>.
- F. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
- G. Pay the current fees for Parks mitigation. Currently, these fees are \$4.51 per square foot for single family dwellings (this fee applies to the entire 1,152 square foot dwelling).
- H. Pay the current fees Child Care mitigation. Currently, these fees are \$.074 per square foot for single family dwellings (this fee applies to the entire 1,152 square foot dwelling).
- I. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for a dwelling up to 2,000 square feet is \$2 per square foot (this fee applies to the entire 1,152 square foot dwelling).

- J. Provide required off-street parking for two (2) cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
  - K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district (this fee applies to the entire 1,152 square foot dwelling).
- 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. If landscaping is installed, provide a Landscape Installation Certificate prepared in accordance with the Water Efficient Landscape Ordinance (County Code Chapter 13.13).
  - E. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

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

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and

all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- 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 applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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. The "applicant/owner" shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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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**

Application #: 161204  
APN: 085-201-10  
Owner: Robin Dahlberg and Charles Shepard

**development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

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

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

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

\_\_\_\_\_  
Steven Guiney AICP  
Deputy Zoning Administrator

\_\_\_\_\_  
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.







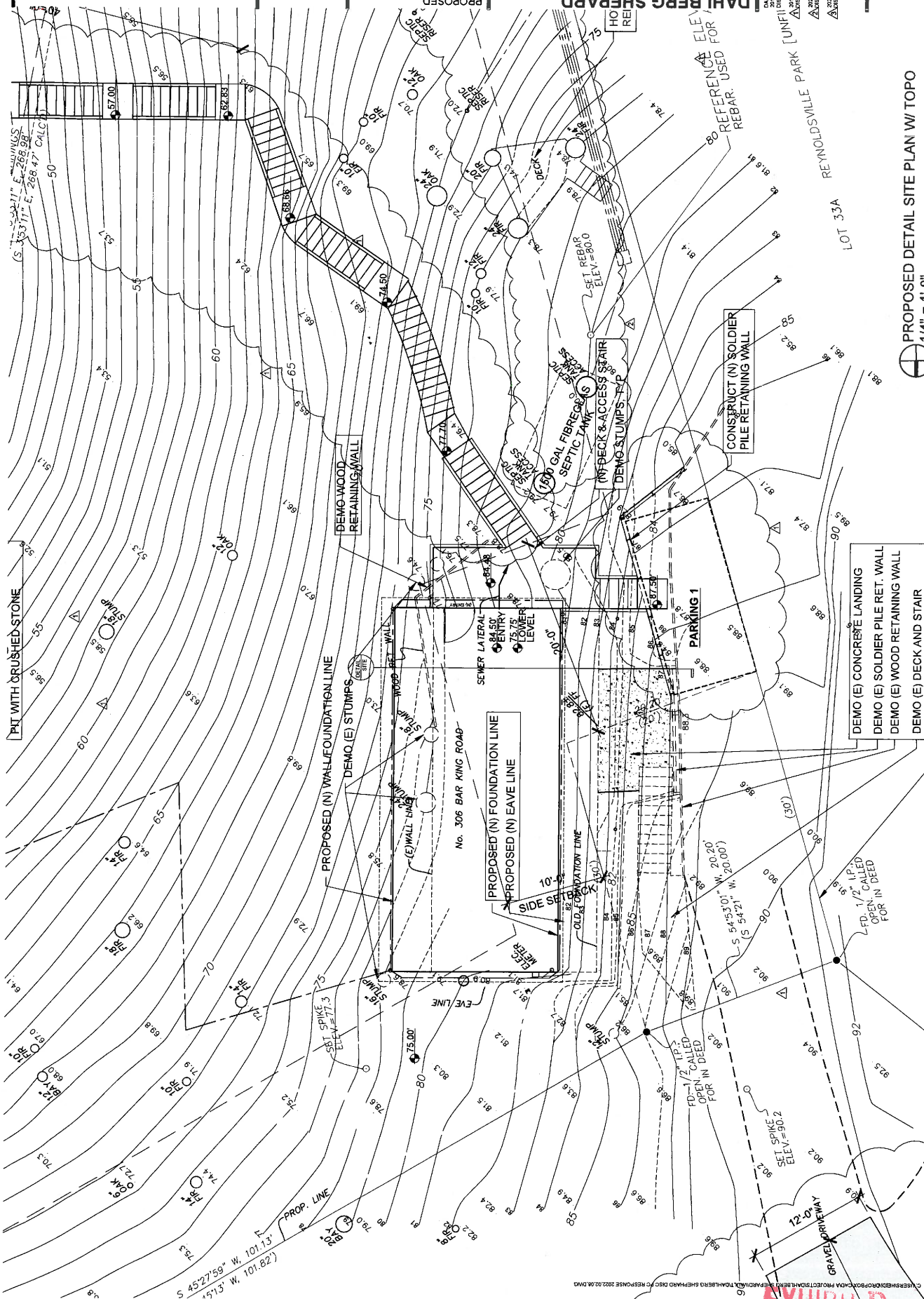
PROPOSED  
1/4" = 1'-0"

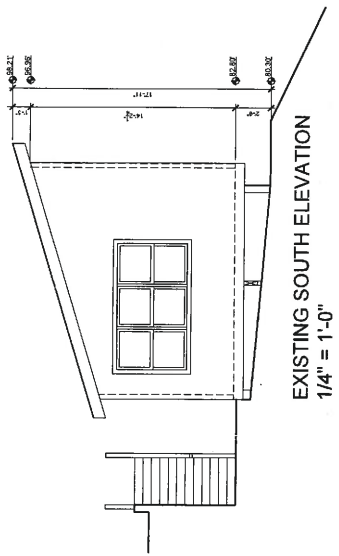
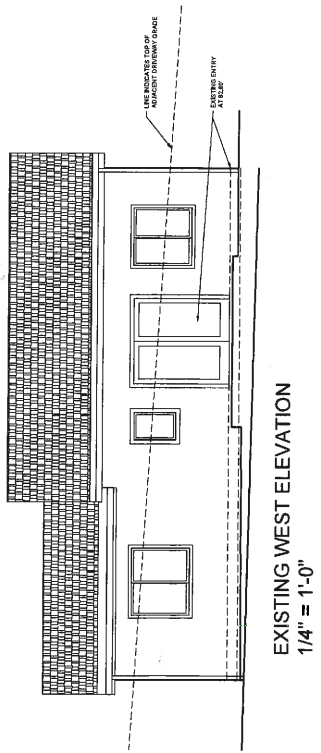
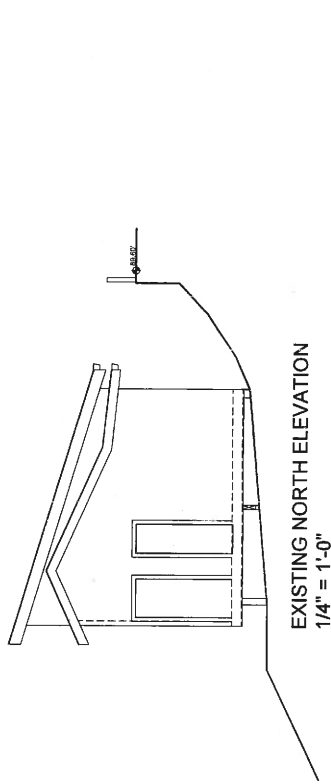
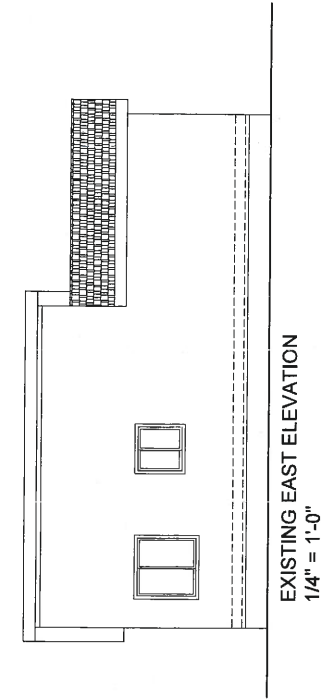
Boulder Creek, CA 95066  
APN 085 201 10

8-6-8  
REYNOLDSVILLE PARK [UNFII  
A A A

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

**SIA**  
architecture

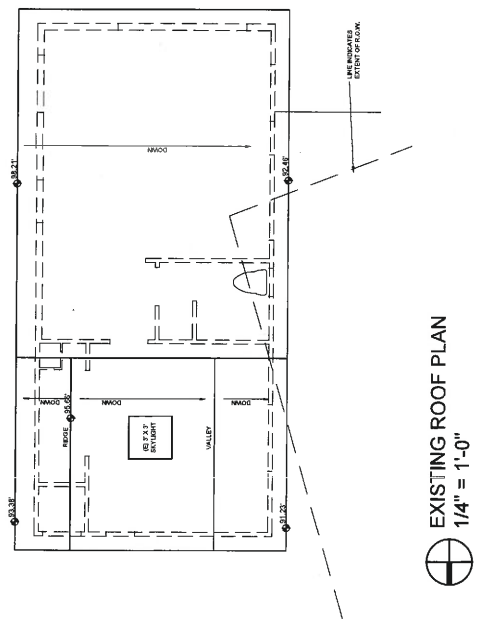
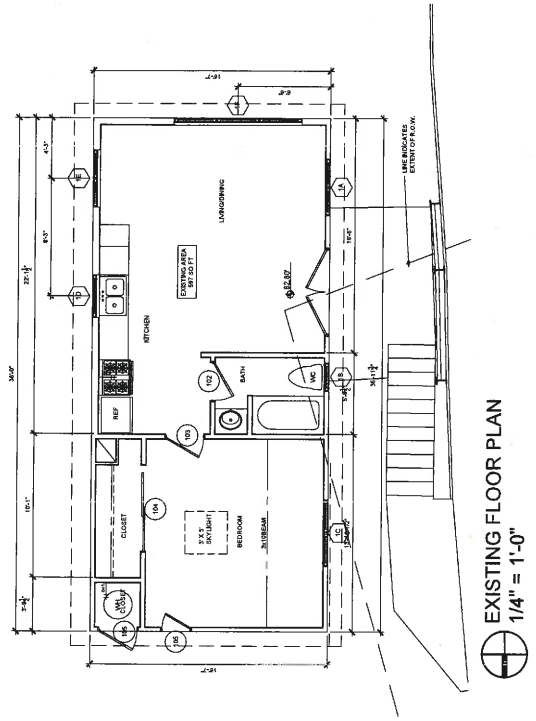




**DAHLBERG SHEPARD**  
 RESIDENCE  
 306 BAR KING ROAD ROAD  
 BOULDER CREEK, CA 95066  
 APN 085 201 10

DATE: 2010.07.21  
 PROJECT: RESIDENTIAL ARCHITECTURE  
 2010.10.15  
 2012.02.08  
 ARCHITECTURAL RESPONSE  
 ARCHITECTURAL RESPONSE

EC

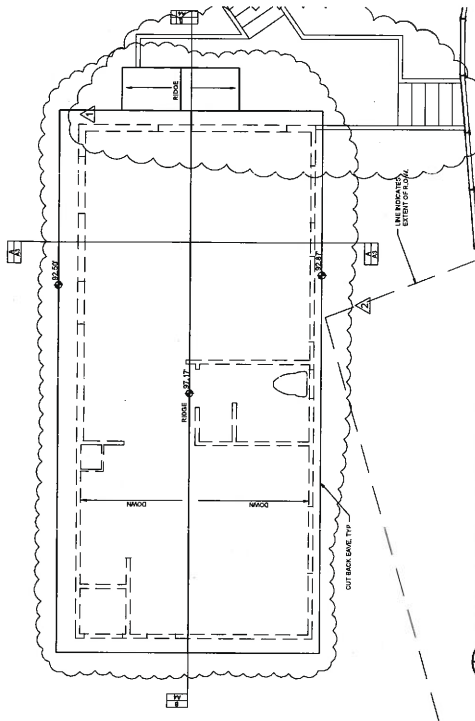


[illegible]

1. VERIFY ALL DIMENSIONS AT DOOR GRENNS TO VERIFY DOOR UNIT SIZES SPECIFIED.
2. VERIFY ALL DIMENSIONS AT ALL SALLS, JAMES, HEADS OF EXTERIOR DOORS, CLAD METAL Z
3. VERIFY ALL PLUMBING AT ALL EXTERIOR DOOR HEADS, CLAD EXTERIOR, PRE-FINISHED
4. VERIFY ALL PLUMBING AT ALL EXTERIOR DOORS, TYP.
5. PROVIDE INTERIOR TRIM TO MATCH TYP.
6. PROVIDE INTERIOR TRIM TO MATCH TYP.
7. PROVIDE INTERIOR TRIM TO MATCH TYP.
8. PROVIDE INTERIOR TRIM TO MATCH TYP.
9. PROVIDE INTERIOR TRIM TO MATCH TYP.
10. PROVIDE INTERIOR TRIM TO MATCH TYP.
11. PROVIDE INTERIOR TRIM TO MATCH TYP.

1. VERIFY ALL DIMENSIONS.
2. PROVIDE FULL WRAP OF BARRIER WRAP AT ALL SURFACES.
3. PROVIDE FULL WRAP OF TYPE III HEAD FLASHING AT ALL INTERSECTIONS.
4. PROVIDE FULL WRAP OF INTERIOR TRIM.
5. PROVIDE OBSCURE LOW VISIBLE CYLINDER ENTRANCE.
6. SINGLE CYLINDER DEADEND.
7. PRIVACY SET.
8. PASSAGE SET.
9. POCKET FULL HARDWARE.
10. SLIDER HARDWARE.
11. PROVIDE THRESHOLD.

PROPOSED ROOF PLAN  
1/4" = 1'-0"



PROPOSED  
BUILDING PLANS  
SCALE: 1/4" = 1'-0"

## GENERAL PLUMBING/MECHANICAL NOTES

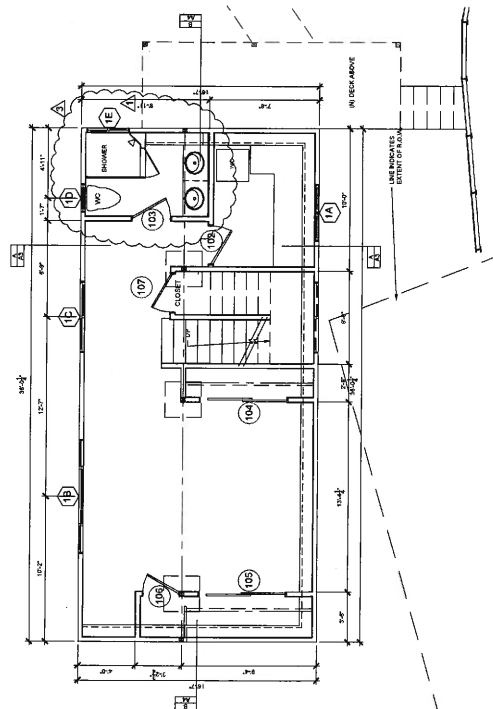
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## GREEN BUILDING MEASURES

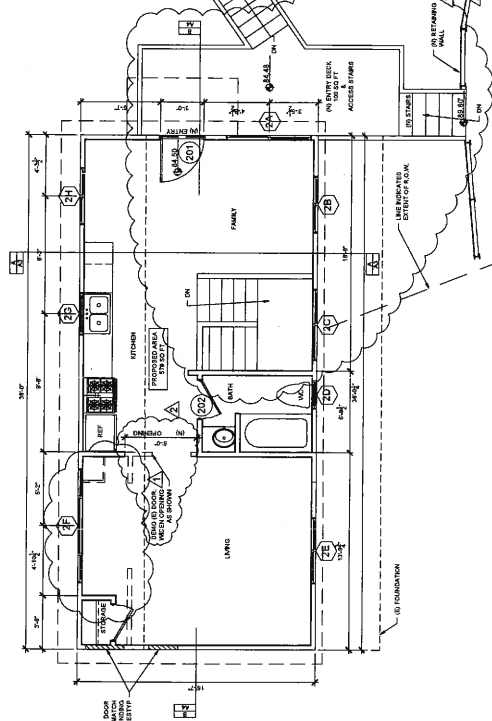
USE FINGER-JOINTED STUDS FOR NON-STRUCTURAL VERTICAL APPLICATIONS

USE LOWNO VOC PAINT AT INTERIOR AND EXTERIOR, TYPICAL

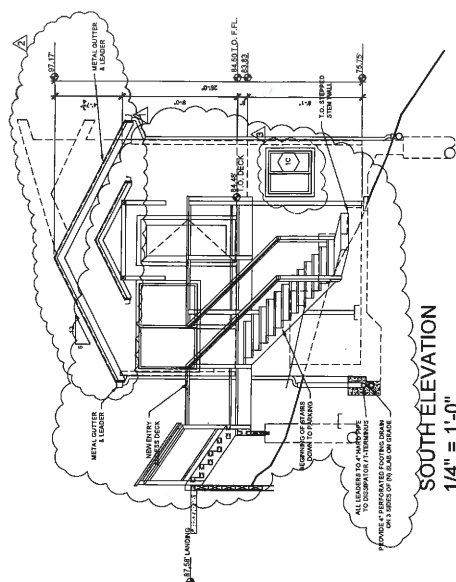
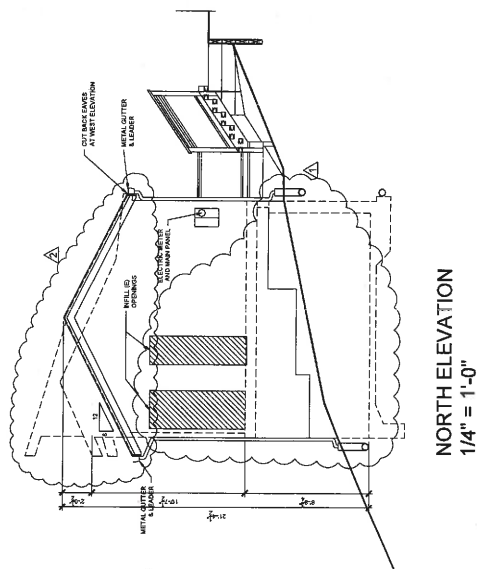
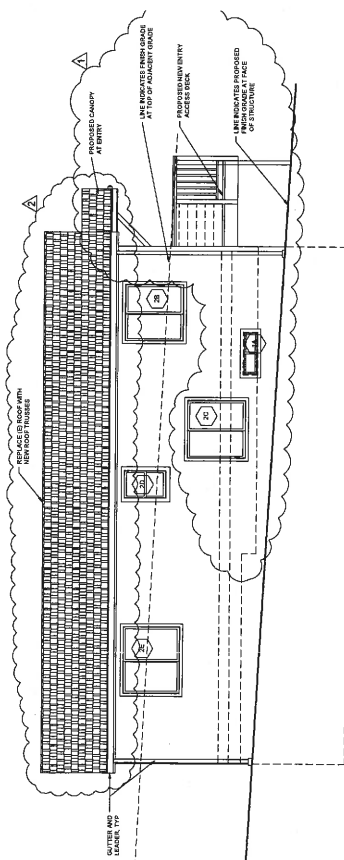
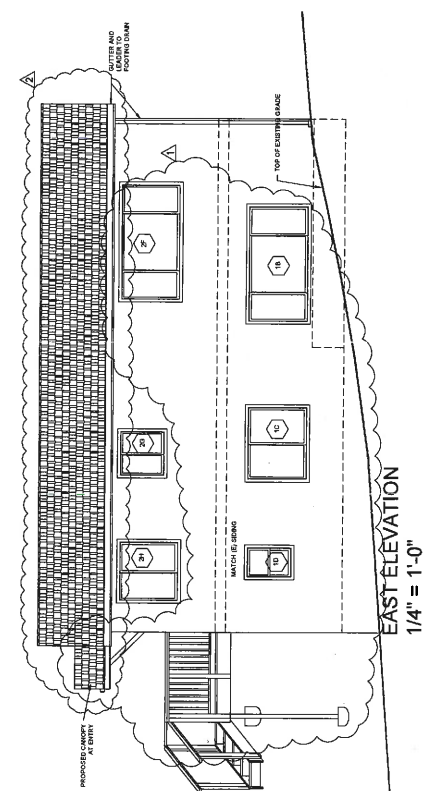
USE LOWNO VOC WATER BASED WOOD FINISHES, TYP



PROPOSED LOWER FLOOR PLAN  
1/4" = 1'-0"



PROPOSED UPPER FLOOR PLAN  
1/4" = 1'-0"



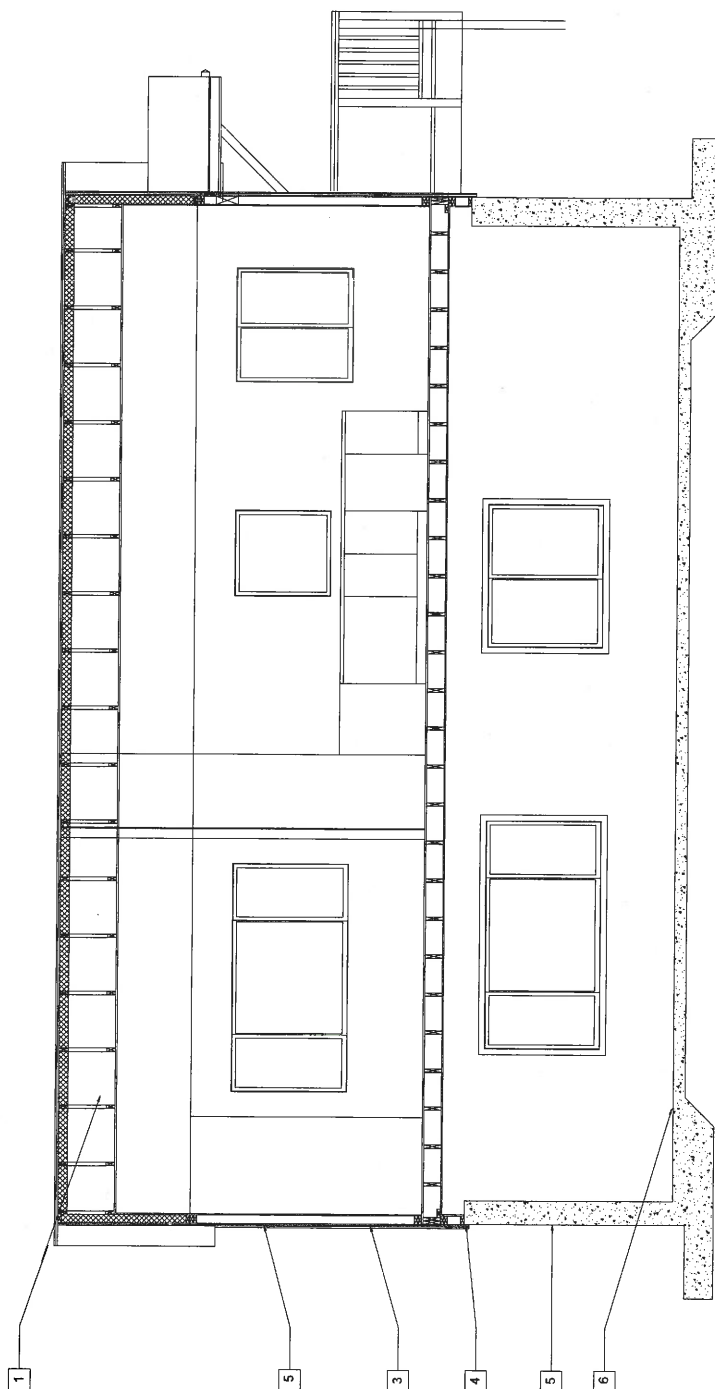
DATE: 2016.07.21  
DISCRETIONARY APPLICATION

2019.10.31  
1. DISCRETIONARY APPLICATION RESPONSE

2020.02.07  
2. DISCRETIONARY PLAN CHECK RESPONSE

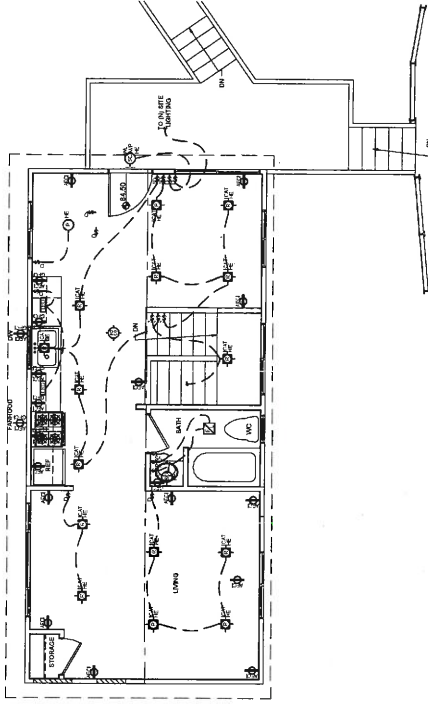
2022.02.08  
3. DISCRETIONARY PLAN CHECK RESPONSE

A|S  
architecture23



PROPOSED BUILDING SECTION  
1/2" = 1'-0"

- [illegible]



PROPOSED UPPER FLOOR ELECTRICAL / LIGHTING PLAN  
1/4" = 1'-0"

PROPOSED  
ELECTRICAL/LIGHTING  
PLANS & NOTES  
SCALE: 1/4" = 1'-0"

**DAHLBERG SHEPARD**  
RESIDENCE  
306 BAR KING ROAD ROAD  
BOULDER CREEK, CA 95066  
APN 085 201 10

DATE: 2016.07.21  
DISCRETIONARY APPLICATION

2018.10.31  
1. DISCRETIONARY APPLICATION RESPONSE

2020.02.07  
2. DISCRETIONARY PLAN CHECK RESPONSE

2022.02.08  
3. DISCRETIONARY PLAN CHECK RESPONSE

7/3

PROPOSED LOWER FLOOR ELECTRICAL / LIGHTING PLAN  
1/4" = 1'-0"

## ELECTRICAL SYMBOLS

- [illegible]

## TYPICAL ELECTRICAL NOTES

- [illegible]

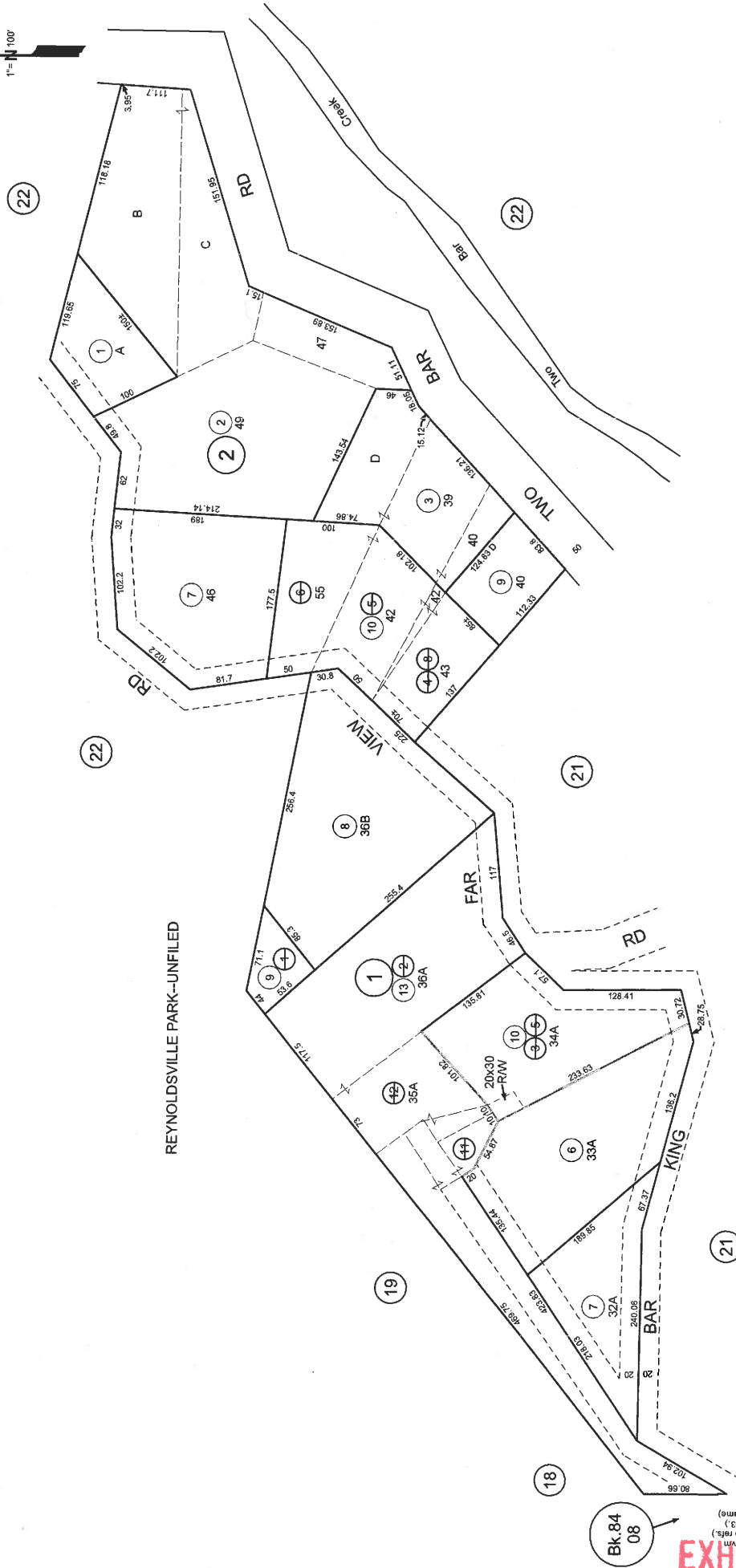
**FOR TAX PURPOSES ONLY**

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

**POR. N.E. 1/4 SEC. 18, T.9S., R.2W., M.D.B. & M.**

**Tax Area Code**  
90-103

**85-20**



**Bk.84**  
**08**

**EXHIBIT E**

Electronically Reviewed: 8/28/00 mm  
Rev. 8/27/01 mm (changed page refs.)  
Rev. 11/6/02 mm (changed at 1-13.)  
Rev. 12/6/02 mm (change from 1-13.)  
Rev. 2/27/08 mc (added RW)

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

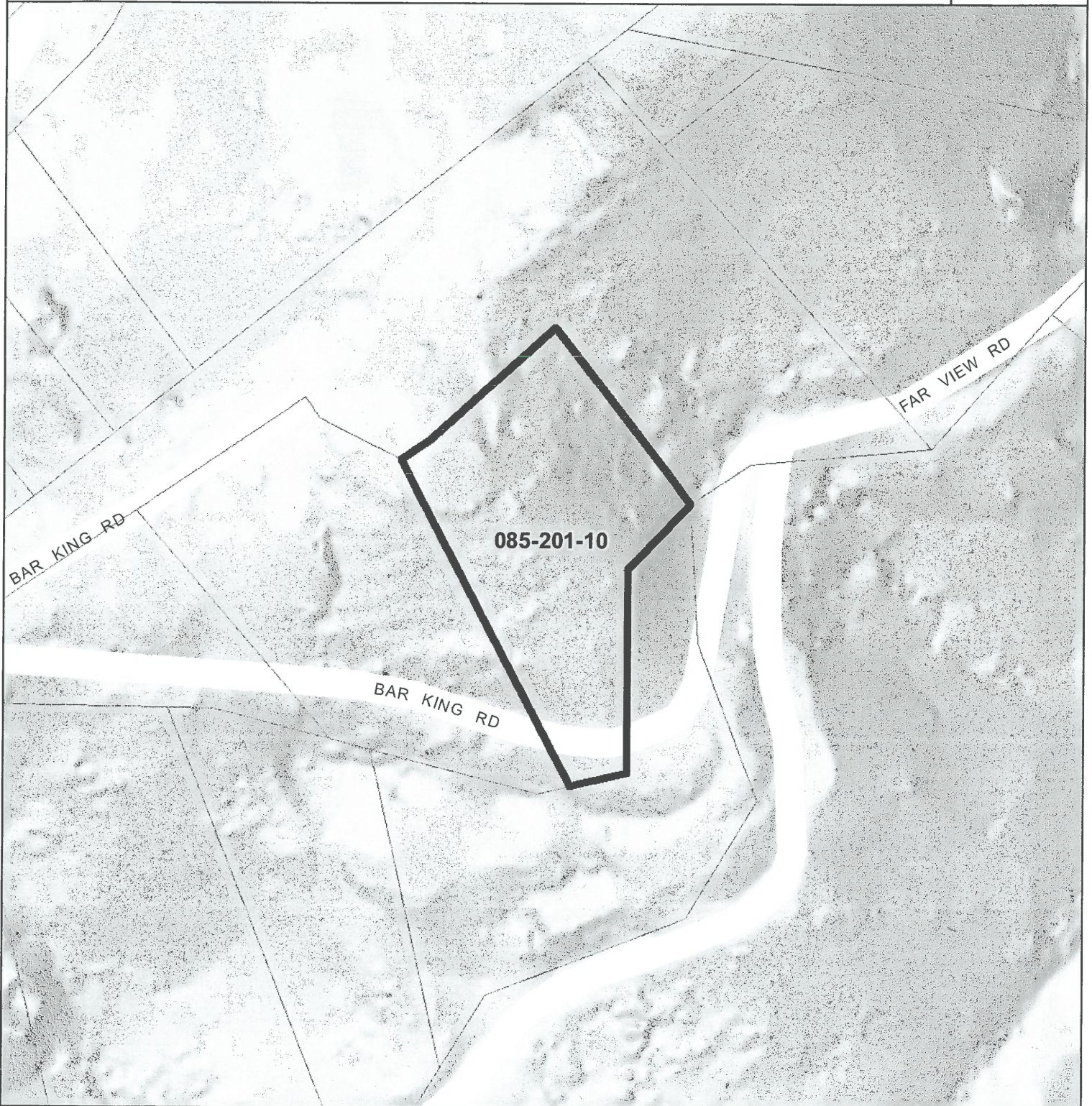
**Assessor's Map No. 85-20**  
**County of Santa Cruz, Calif.**  
**June, 2000**



# Parcel Location Map



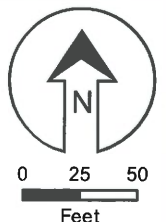
Mapped  
Area



**Parcel: 08520110**

-  Study Parcel
-  Assessor Parcel Boundary

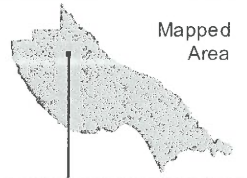
Map printed: 19 May. 2022



**EXHIBIT E**



# Parcel General Plan Map



Mapped  
Area

085-201-10  
(R-R)

R-R

☐ R-R Residential Rural

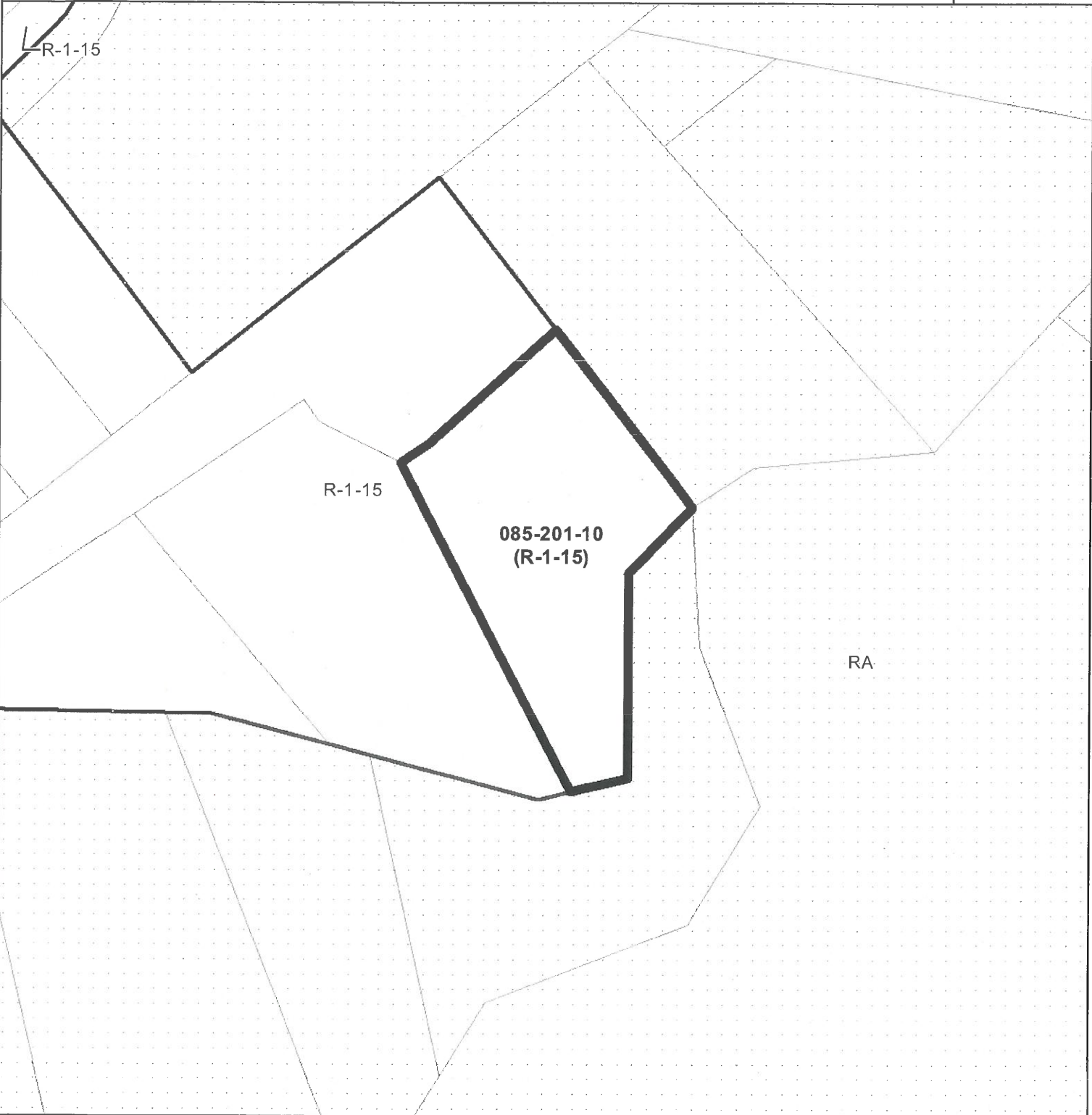


**EXHIBIT E**

0 25 50  
Feet



# Parcel Zoning Map



- ☐ RA *Residential Agricultural*
- ☐ R-1 *Single-Family Residential*



**EXHIBIT E**

0 25 50  
Feet

## Parcel Information

### Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside  
Water Supply: San Lorenzo Water District  
Sewage Disposal: Onsite Wastewater Treatment System (OWTS)  
Fire District: Boulder Creek Fire Protection District  
Drainage District: Flood Control Zone 8

### Parcel Information

Parcel Size: 23,940 square feet  
Existing Land Use - Parcel: Unpermitted single-family dwelling  
Existing Land Use - Surrounding: Residential  
Project Access: Bar King Road  
Planning Area: San Lorenzo Valley  
Land Use Designation: R-R (Rural Residential)  
Zone District: R-1-15 (Single-Family Residential)  
Coastal Zone: ☐ Inside ☒ Outside  
Appealable to Calif. Coastal Comm.: ☐ Yes ☒ No

**Technical Reviews:** Soils Report Review (REV171146)

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Fire Hazard: Not a mapped constraint  
Slopes: Parcel is steeply sloped (greater than 30% slopes)  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: Excavation for proposed lower floor.  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Archeology: Not mapped in the vicinity of the dwelling/no physical evidence on site