



## Staff Report to the Zoning Administrator

Application Number: **211242**

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**Applicant:** Matson Britton Architects  
**Owner:** Patrick Foy  
**APN:** 028-302-87  
**Site Address:** 10 Ryan's Way, Santa Cruz

**Agenda Date:** July 1, 2022  
**Agenda Item #:**  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to revise the approved design of the single-family dwelling on Lot 1 of the previously approved three-lot minor land division, including the addition of a subterranean accessory dwelling unit (ADU).

**Location:** Property is located at the corner of Ryan's Way and E Cliff Drive (10 Ryan's Way).

**Permits Required:** Amendment to Coastal Permit and Minor Land Division

**Supervisory District:** 1st District (District Supervisor: Manu Koenig)

### Staff Recommendation:

- Consider the adopted Mitigated Negative Declaration and attached Addendum, and determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 211242, based on the attached findings and conditions.

### Project Background

On February 6, 2008, application 08-0039 was submitted to divide a 40,425 square foot lot into three lots. The proposal also included a request to demolish five existing single-family dwelling, to grade approximately 980 cubic yards of cut and 80 cubic yards of fill, and to construct three new single-family dwellings. In addition, exceptions to the Pleasure Point Combining District (for a 4-foot garage protrusion into the front yard), exceptions to fencing height in the front yards, a Coastal Development Permit, and a Riparian Exception (for development of a driveway within 100-feet from Moran Lake) were requested.

The application was approved by the Planning Commission on April 9, 2012. Lots 1, 2, and 3 were subsequently approved for development with permits for construction issued in 2017. Minor Variations to reduce the size of the homes on Lots 2 and 3 were approved in 2020 and 2021. The building permit issued for Lot 1 went void in 2019 without any development occurring.

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## **Proposal**

The proposed project involves an amendment to the approved design for the home at Lot 1. The approved home design is a 2,665 square foot, two-story dwelling with a ground level garage. The revised design is a 2,519 square foot, two-story dwelling with a subterranean sub-basement, Accessory Dwelling Unit (ADU) and garage. Floor area ratio and lot coverage would increase from 26% and 52.7% to 29.6% and 52%, respectively.

The design of the structure would change to a more contemporary aesthetic, including changes the colors and materials proposed to be used on the structure. Where the approved design consisted of shingle siding, the proposed design includes primarily stucco as an exterior finish with horizontal wood siding and stone veneer accents. The roof of the structure has been changed from a hip and valley design to a modern design with sloped and intersecting roof lines. There is no change to the building height.

The proposal would comply with the approved building envelope, which incorporates a 20-foot front yard setback, a 15-foot rear yard setback, 10-foot interior side yard setback, and 20-foot street yard setback. The proposed setbacks are compliant with the special standards for the Pleasure Point Combining District, including the additional setback required for second stories. The approved exception to allow the garage to be encroach four-feet beyond the façade of the structure would be reduced to encroach just six-inches.

The proposed changes require an amendment to the Coastal Development Permit.

### *Minor Exception*

The project was initially submitted with the intention of obtaining a Minor Exception to exceed the floor area ratio (FAR), for a maximum of 52.7%. Planning Staff did not immediately identify a compliance issue with the proposal in that pursuant to SCCC 13.10.235 (Minor Exceptions), exceptions to FAR may only be granted for properties of 4,000 square feet or less. The subject property at 5,361 does not qualify for exception FAR. However, the proposal can be reduced by 37 square feet to comply with the 52% FAR maximum through a reduction in the size of the garage. A two-foot reduction in the width of the garage would result in the required reduction without affecting the ability for two vehicles to park in the garage.

The project has been advertised for several months as requesting a Minor Exception to FAR. In the interest of allowing the project to move forward as proposed, staff recommends a condition of approval (Condition of Approval II(A)(2)) to require that building permit plans reflect a 37 square foot reduction in the size of the garage, thereby eliminating the need for a Minor Exception.

## **Zoning & General Plan Consistency**

The subject property is a 5,360 square foot lot, located in the R-1-5-PP (Single-family residential - 4,000 square feet Pleasure Point Combining District) zone district, a designation which 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-UM (Urban Medium Density Residential) General Plan designation.

Santa Cruz County Code Section 13.10.681(D)(7)(c)(ii)(A) specifies that “Where ADUs are developed on parcels 6,000 square feet or smaller an additional two percent Lot Coverage and two percent FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District”. The maximum lot coverage allowed on the subject parcel would therefore be 42%. The maximum floor area ratio is 52%. The proposed project exceeds the maximum by 0.7% (or 37 square feet).

The proposed ADU, which will be constructed beyond the rear wall of the garage, will be almost entirely below grade. Pursuant to SCCC 13.10.700-B, the ADU meets the definition of a basement in that at least 50% of the exterior wall area is grade, and no more than 20% of the exterior wall exceeds 5’6” above the exterior grade. By definition, a basement is not a story, and the proposal does not conflict with the two-story limit for residential structures in the Urban Services line.

### **Design Review**

The proposed single-family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed dwelling will be compatible with development found on adjacent properties and remains proportionate with the size of the parcel. The exterior of the structure will be finished in a variety of materials, including a natural finished horizontal wood siding, stone veneer, and stucco. The façade of the structure includes three separate decks which break up the massing and also provide visual interest in the front. The Pleasure Point Combining District Design Guidelines also promote decks and porches to provide pedestrian engagement. With the exception of the interior facing north side wall, there are no flat or untreated surfaces, a design element that helps reduce the perceived bulk and mass of the building.

### **Local Coastal Program Consistency**

The proposed changes to the approved design result in a project which remains 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 not 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. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

### **Initial Study and Mitigation and Monitoring Program**

Environmental Review was required for the original proposal, per the requirements of the California Environmental Quality Act (CEQA). The project was reviewed by the County's Environmental Coordinator on June 7, 2011. An Initial Study with a Mitigated Negative Declaration was adopted on October 3, 2011.

Mitigations (Exhibit A) adopted include protection and restoration plans for monarch habitat at the adjacent Moran Lake, minimization of nighttime lighting on monarch habitat, and mitigations to address construction material waste and asbestos disposal.

The proposed architectural and floor plan changes would not conflict with the mitigation measures contained in the Mitigated Negative Declaration and associated Mitigation and Monitoring Program (MMRP). The Coastal Development Permit, as amended, is subject to the previously adopted mitigation measures for the project (see Conditions of Approval) evaluation completed as part of the original environmental determination. An addendum to the adopted Initial Study has been prepared by the Environmental Coordinator (Exhibit H).

## **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 **211242**, 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. Mitigated Negative Declaration adopted for application 08-0039
- B. Findings
- C. Conditions
- D. Revised Project Plans
- E. Approved staff report 08-0039
- F. Assessor's, Location, Zoning and General Plan Maps
- G. Parcel Information
- H. Addendum to Mitigated Negative Declaration





# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123  
**KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR**  
<http://www.sccoplanning.com/>

## MITIGATED NEGATIVE DECLARATION

**Project: 08-0039**

**APN(S): 028-302-01**

### Project Proposal Description:

- o Demolish 5 existing houses;
- o Divide the existing 40,425 square foot lot into three lots of 5,361 net square feet, 6,411 net square feet and 9,049 net square feet for the construction of single family dwellings, and one lot of 9,990 gross square feet for dedication to the County;
- o Construct three single family dwellings of approximately 2,665 square feet, 2,991 square feet, and 3,215 square feet;
- o Construct retaining walls over three feet in height within the required front yard setback; and
- o Grade approximately 920 net cubic yards of earth (1,636 cubic yards of cut and 70 cubic yards of fill). Requires a Minor Land Division, a Coastal Permit, a Residential Development Permit, Soils Report Review, a Biotic Pre-Site, Preliminary Grading Review, a Riparian Exception, and a Roadside/Roadway Exception.

**Project Location:** Property located at the intersection of Moran Way and East Cliff Drive (8 Moran Way).

**Owner: CAMPECO, LLC**

**Applicant: Charlie Eadie, Hamilton-Swift Land Use Consultants**

**Staff Planner: Samantha Haschert, 454-3214**

**Email: [pln145@co.santa-cruz.ca.us](mailto:pln145@co.santa-cruz.ca.us)**

This project will be considered at a public hearing by the Planning Commission. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.

### California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and, that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment. The expected environmental impacts of the project are documented in the attached Initial Study on file with the County of Santa Cruz Planning Department located at 701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz, California.

**Review Period Ends: July 22, 2011**

*Note: This Document is considered Draft until it is Adopted by the Appropriate County of Santa Cruz Decision-Making Body*

Date: July 25, 2011

Matt Johnston  
**MATT JOHNSTON, Environmental Coordinator**  
(831) 454-3201



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
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**KATHY MOLLOY PREVISICH, PLANNING DIRECTOR**

## ENVIRONMENTAL COORDINATOR

### NOTICE OF INTENT TO ADOPT A PROPOSED NEGATIVE DECLARATION

Pursuant to the California Environmental Quality Act, the following projects have been reviewed by the County Environmental Coordinator to determine if they have a potential to create significant impacts to the environment and, if so, how such impacts could be solved. A negative declaration has been prepared in cases where the project is determined not to have any significant environmental impacts. An environmental impact report (EIR) will be prepared for projects, which could have a significant impact.

Public review periods are provided for these environmental documents according to the requirements of the County Environmental Review Guidelines, depending upon whether State agency review is required or whether an EIR is required. The environmental documents are available for review at the County Planning Department at 701 Ocean Street, Santa Cruz. You may also view environmental documents on the web at [www.sccoplanning.com](http://www.sccoplanning.com) under the Planning Department menu, Agendas link. If you have questions or comments about these determinations please contact Matt Johnston of the Environmental Review staff at (831) 454-3201

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. If you require special assistance in order to review this information, please contact Bernice Romero at (831) 454-3137 (TDD number (831) 454-2123 or (831) 763-8123) to make arrangements.

**2. 08-0039**

**8 MORAN WAY, SANTA CRUZ**

**APN(S): 028-302-01**

Proposal to:

- o Demolish 5 existing houses;
- o Divide the existing 40,425 square foot lot into three lots of 5,361 net square feet, 6,411 net square feet and 9,049 net square feet for the construction of single family dwellings, and one lot of 9,990 gross square feet for dedication to the County;
- o Construct three single family dwellings of approximately 2,665 square feet, 2,991 square feet, and 3,215 square feet;
- o Construct retaining walls over three feet in height within the required front yard setback; and
- o Grade approximately 920 net cubic yards of earth (1,636 cubic yards of cut and 70 cubic yards of fill). Requires a Minor Land Division, a Coastal Permit, a Residential Development Permit, Soils Report Review, a Biotic Pre-Site, Preliminary Grading Review, a Riparian Exception, and a Roadside/Roadway Exception. Property located at the intersection of Moran Way and East Cliff Drive (8 Moran Way).

ZONE DISTRICT: R-1-5-PP (RESIDENTIAL SINGLE FAMILY, PLEASURE POINT)

APPLICANT: CHARLIE EADIE, HAMILTON-SWIFT LAND USE CONSULTANTS

OWNER: CAMPECO, LLC

STAFF PLANNER: SAMANTHA HASCHERT, 454-3214

EMAIL: [PLN145@co.santa-cruz.ca.us](mailto:PLN145@co.santa-cruz.ca.us)

**ACTION: Negative Declaration with mitigations**

**REVIEW PERIOD: June 22, 2011 – July 22, 2011**

This project will be considered at a public hearing by the Planning Commission. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.

NAME: 8 Moran Way  
APPLICATION: 08-0039  
A.P.N: 028-302-01

## **NEGATIVE DECLARATION MITIGATIONS**

1. In order to ensure proper restoration and to avoid impacts to sensitive habitat, prior to recordation of the parcel map, the applicant shall submit a plan that conforms to the Moran Lake Park Concept Plan and Monarch Butterfly Habitat Management Plan that includes details of the specific restoration plan, the Moran Way road removal, and the site drainage system for review and approval by the County Parks Department, Environmental Planning Staff, and DPW Drainage staff.
2. In order to mitigate impacts of nighttime lighting on the adjacent riparian habitat, prior to issuance of a building permit, the applicant shall submit a lighting plan to the Planning Department for review and approval. The plan shall reflect that permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of riparian habitat. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).
3. In order to reduce the impacts of temporary construction debris on the capacity of the regional landfill to less than significant, the applicant and/or property owner shall recycle and reuse materials, as appropriate, and to the maximum extent possible. Notes to this affect shall be included on the final building permit plan set. At a minimum, all construction and demolition waste shall be processed through the Buena Vista Construction and Demolition Waste program.
4. In order to ensure that the demolition of existing structures does not violate any air quality standard, the following mitigation measures will be required: Prior to demolition work of buildings constructed prior to 1980, areas of the on-site structures shall be sampled as part of an asbestos survey in compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP). If asbestos is found in any building, asbestos-related work, including demolition, involving 100 square feet or more of asbestos containing materials shall be performed by a licensed asbestos consultant and asbestos shall be removed and disposed of in compliance with applicable State laws. At least 10 days prior to demolition of existing structures the Monterey Bay Unified Air Pollution Control District (MBUAPCD) shall be notified and an MBUAPCD Notification of Demolition and Renovation Checklist shall be submitted to both MBUAPCD and the County.

## **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-1-5-PP (Single-family residential - 4,000 square feet Pleasure Point Combining District), a designation which 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-UM (Urban Medium Density Residential) 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 the proposal does not conflict with any existing easements or development restrictions such as public, access, utility, or open space easements in that all easements or restrictions the encumber the project site have been incorporated into the proposed project. The approved minor land division resulted in the recordation of an easement over the existing Moran Lake trail which crossed the property to provide public pedestrian & bicycle access, county maintenance vehicle access, and ingress/egress to APN 028-302-12.

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; the colors will be natural in appearance and complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top.

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. A public pedestrian trail is located on the across the street from the subject property and provides access to Moran Lake and 26<sup>th</sup> Avenue 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-1-5-PP (Single-family residential - 4,000 square feet Pleasure Point Combining District) 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 proposed design changes do not affect the siting or height of the structure and would therefore

Application #: 211242  
APN: 028-302-87  
Owner: Patrick Foy

not result in a structure which is more visible to adjacent properties or to pedestrians on the Moran Lake Trail.

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 the project site is not located between the shoreline and the first public road. Consequently, the single-family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

## **Development Permit Findings**

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

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

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-1-5-PP (Single-family residential - 4,000 square feet Pleasure Point Combining District) zone district as the primary use of the property will be one single-family dwelling and one ADU that meet all current site standards for the zone district.

Santa Cruz County Code 1310.681(D)(7)(c)(ii)(A) specifies that “Where ADUs are developed on parcels 6,000 square feet or smaller an additional two percent Lot Coverage and two percent FAR shall be available by right, including within the Pleasure Point (-PP) Combining Zone District”. The maximum lot coverage allowed on the subject parcel would therefore be 42%. The maximum floor area ratio is 52%. The project, if approved, would comply with these maximums.

The proposed ADU, which will be constructed beyond the rear wall of the garage, will be almost entirely below grade. Pursuant to SCCC 13.10.700-B, the ADU meets the definition of a basement in that at least 50% of the exterior wall area is grade, and no more than 20% of the exterior wall exceeds 5’6” above the exterior grade. By definition, a basement is not a story, and the proposal does not conflict with the two-story limit for residential structures in the Urban Services line.

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-UM (Urban Medium Density 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, 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-1-5-PP 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 and ADU are to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be less than two peak trips per day and such an increase will not adversely impact existing roads or intersections in the surrounding area.

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

This finding can be made, in that the proposed 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.

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 proposed design is compatible with the approved designs of the homes on the two other lots included in the original land division. The ADU would be built below grade and therefore does not contribute to the bulk and mass of the structure and would be largely imperceptible from neighboring properties.

Materials used on the structure are varied; the stucco walls are accented by natural wood paneling, stone veneer, and metal roofing. The design of the structure incorporates elements to provide visual interest and articulation in the exterior walls, including the incorporation of multiple decks on the property. The Pleasure Point Combining District specifically encourages community interaction and orientation towards the street.

## Conditions of Approval

Exhibit D: Revised Project plans, prepared by Matson Britton Architects, dated 2/21/21.

Exhibit E: Staff Report 08-0039, approved by Planning Commission on 4/9/12.

- I. This permit authorizes an amendment to Minor Land Division and Coastal Development Permit 08-0039, as indicated in Exhibit D. All conditions approved as part of 08-0039 are incorporated by reference.

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.
  - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
- A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    - 1. A copy of the text of these conditions of approval, as well as the conditions of approval adopted as part of 08-0039, incorporated into the full-size sheets of the architectural plan set.
    - 2. Indicate a 37 square foot reduction in the size of the garage. Floor area ratio shall be revised to reflect a 52% maximum.
    - 3. 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.

4. Grading, drainage, and erosion control plans.
  5. 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.
- 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. Drainage shall comply with the design approved as part of application 08-0039.
  - C. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
  - D. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for an accessory dwelling unit is \$2 per square foot.
  - E. Provide required off-street parking for 4 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.
  - F. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. The project must comply with all recommendations of the approved soils reports.
  - D. 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.

---

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: \_\_\_\_\_

\_\_\_\_\_  
Steve Guiney  
Deputy Zoning Administrator

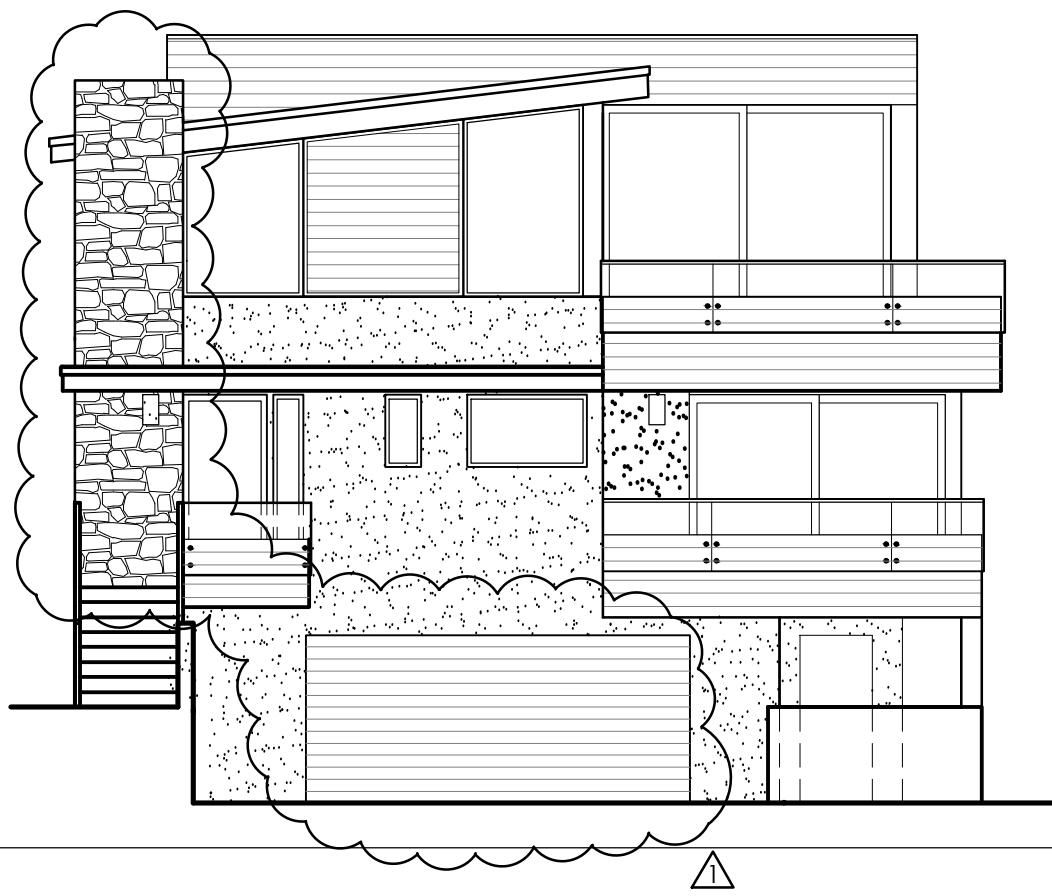
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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance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



ABBREVIATIONS

&	AND	H.B.	HOSE BIB
L. A	ANGLE	HDR.	HEADER
@	AT	HDWR.	HARDWARE
°	DEGREE	HORIZ.	HORIZONTAL
A.B.	ANCHOR BOLT	HT., H.	HEIGHT
(A)	ABOVE	I.D.	INSIDE DIAMETER
A.C.I.	AMERICAN CONCRETE INSTITUTE	IN.	INCH(ES)
ADJ.	ADJACENT	INSUL.	INSULATION
A.F.F.	ABOVE FINISH FLOOR	INT.	INTERIOR
A.I.S.C.	AMERICAN INSTITUTE OF STEEL CONSTRUCTION	JT.	JOINT
ALT.	ALTERNATE	K.P.	KING POST
ALUM.	ALUMINUM	L.	LENGTH
APPROX.	APPROXIMATELY	LIN.	LINEAR
ARCH.	ARCHITECTURAL	MAX.	MAXIMUM
A.S.T.M.	AMERICAN SOCIETY OF TESTING MATERIALS	M.B.	MACHINE BOLT
(B)	BELOW	MEMB.	MEMBRANE
BD.	BOARD	MFR.	MANUFACTURER
BLDG.	BUILDING	MIN.	MINIMUM
BLKG.	BLOCKING	MISC.	MISCELLANEOUS
BM.	BEAM	MTL.	METAL
B.N.	BOUNDARY NAILING	MW.	MICROWAVE
B.O.	BOTTOM OF	N.	NORTH
BOT.,	BOTTOM	(N)	NEW
BOTT.		N.T.S.	NOT TO SCALE
BTWN.	BETWEEN	O/	OVER
CAB.	CABINET	O.C.	ON CENTER
C.B.	CEILING BEAM	O.D.	OUTSIDE DIAMETER
C.J.	CEILING JOIST	O.H.	OPPOSITE HAND
CLG.	CEILING	OV.	OVEN
CLR.	CLEAR	N.I.C.	NOT IN CONTRACT
COL.	COLUMN	PL.	PLATE
CONC.	CONCRETE	PLYWD.	PLYWOOD
CONT.	CONTINUOUS	PKG.	PARKING
CTR.	CENTER	P.S.F.	POUNDS PER SQUARE FOOT
CL	CENTERLINE	P.S.I.	POUNDS PER SQUARE INCH
Db	BAR DIAMETER	QTY.	QUANTITY
DBL.	DOUBLE	RAD.	RADIUS
DEG.	DEGREE	R.B.	ROOF BEAM
DEMO.	DEMOLISH	RCP.	REFLECTED CEILING PLAN
DET., DTL.	DETAIL	RE:	REFERENCE
D.W.	DISHWASHER	REF.	REFRIGERATOR
DWG.	DRAWING	REINF.	REINFORCED
DWN.,	DOWN	REQ'D.	REQUIRED
DN.		RM.	ROOM
(E)	EXISTING	R.O.	ROUGH OPENING
EA.	EACH	R.R.	ROOF RAFTER
E.N.	EDGE NAILING	SCHED.	SCHEDULE
EL.,	ELEVATION	SF.,	SQUARE FOOT
ELEV.		SQ. FT.	
ELEV.	ELEVATOR	SHTG.	SHEATHING
ENG.	ENGINEER	SHT.	SHEET
EQ.	EQUAL	SIM.	SIMILAR
EXT.	EXTERIOR	SL.	SLOPED
E.W.	EACH WAY	SPKL.	SPRINKLER
F.B.	FLOOR BEAM	SQ.	SQUARE
F.F.	FINISHED FLOOR	STAGG.	STAGGER
FIN.	FINISH(ED)	STD.	STANDARD
F.J.	FLOOR JOIST	STL.	STEEL
FL.	FLUSH	STR.,	STRUCTURAL
FLR.	FLOOR	STRUCT.	
F.N.	FIELD NAILING	T&B	TOP & BOTTOM
FND.	FOUNDATION	T&G	TONGUE & GROOVE
F.O.	FACE OF	THK.	THICK
FP.	FIREPLACE	T.O.	TOP OF
F.R.	FIRE RATED	T.P.	TOILET PAPER
FT.	FOOT OR FEET	TYP.	TYPICAL
FTG.	FOOTING	U.B.C.	UNIFORM BUILDING CODE
FZR.	FREEZER	VERT.	VERTICAL
GA.	GAUGE	W.	WIDTH
GALV.	GALVANIZED	WD.	WOOD
G.B.	GRADE BEAM	WH.	WATER HEATER
GLB.	GLU-LAM BEAM		
GYP. BD.,	GYPSUM WALL BOARD		
G.W.B.			



VICINITY MAP



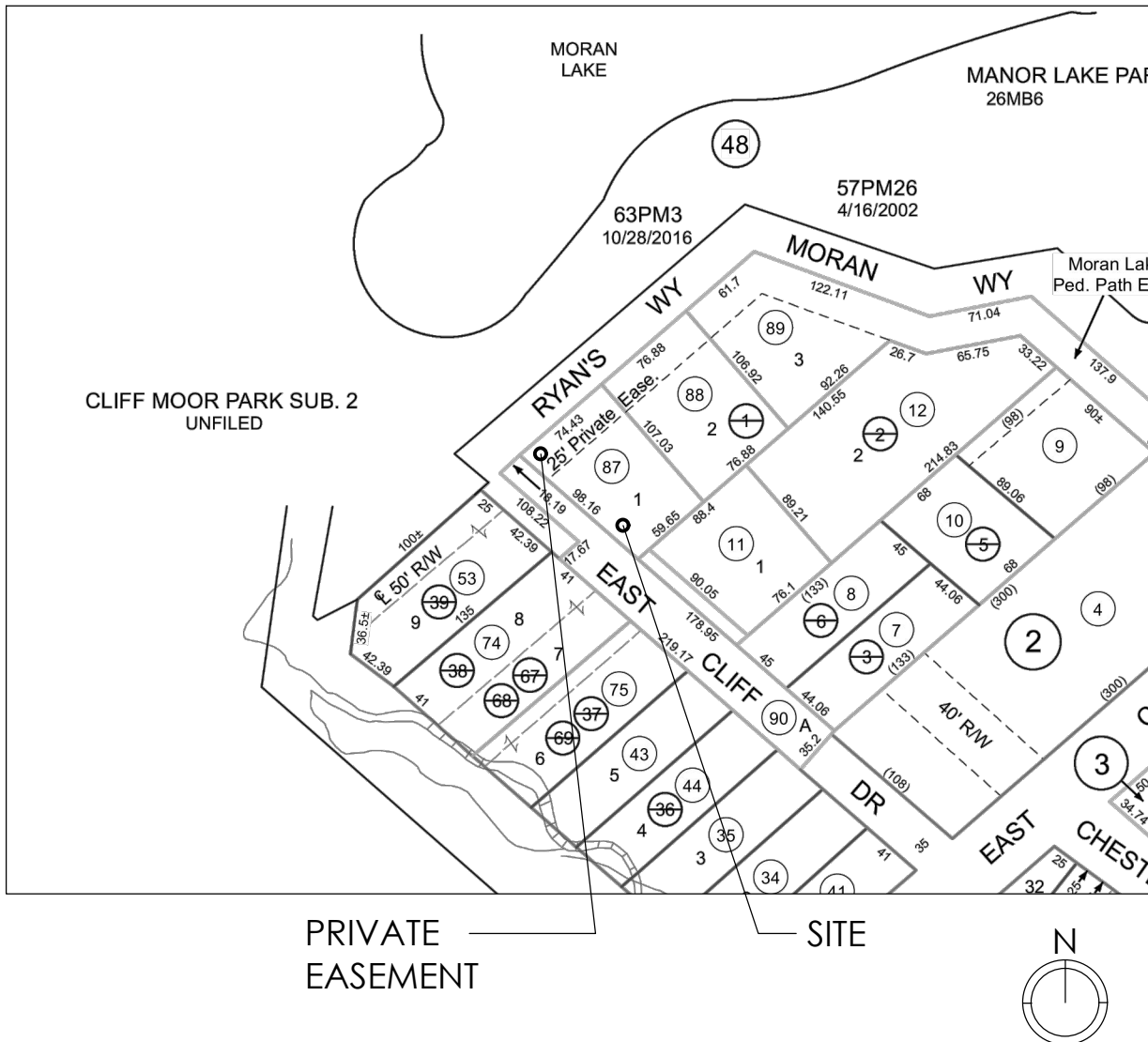
FIRE PROTECTION NOTES

1. THESE PLANS SHALL COMPLY WITH 2019 CALIFORNIA BUILDING CODE AND 2019 CALIFORNIA FIRE CODE AND DISTRICT AMENDMENTS.
2. OCCUPANCY R-3 & U, TYPE V-B, FULLY SPRINKLED. APPROVED AUTOMATIC SYSTEM COMPLYING WITH THE EDITION OF NFPA 13D CURRENTLY ADOPTED IN CHAPTER 35 OF THE CALIFORNIA BUILDING CODE.
3. ADDRESS NUMBERS SHALL BE POSTED AND MAINTAINED AS SHOWN ON THE SITE PLAN. NUMBERS SHALL BE A MINIMUM OF 4 INCHES IN HEIGHT AND OF A COLOR CONTRASTING TO THEIR BACKGROUND.
4. ROOF COVERING SHALL BE NO LESS THAN CLASS "B" RATED.
5. ALL CHIMNEYS SHALL BE APPROVED WITH AN APPROVED SPARK ARRESTOR ON THE TOP OF THE CHIMNEY. WIRE MESH NOT TO EXCEED 1/2" IS ACCEPTABLE.
6. THE JOB COPIES OF THE BUILDING PLANS AND PERMITS MUST REMAIN ON-SITE DURING INSPECTIONS.
7. PUBLIC FIRE HYDRANT REQUIRED WITHIN 400 FT. OF ANY PORTION OF THE BUILDING WITH A MINIMUM 1500 GALLON FIRE FLOW. AVAILABLE FIRE HYDRANT APPROXIMATELY 400' FROM BUILDING.



FOY RESIDENCE  
LOT 10 RYAN'S WAY  
SANTA CRUZ, CA 95062

PARCEL MAP



CODE COMPLIANCE

THIS RESIDENTIAL CONSTRUCTION COMPLIES WITH TITLE 24 AND THE FOLLOWING CODES:

- 2019 CALIFORNIA RESIDENTIAL CODE (CRC)
- 2019 CALIFORNIA BUILDING CODE (CBC)
- 2019 CALIFORNIA MECHANICAL CODE (CMC)
- 2019 CALIFORNIA PLUMBING CODE (CPC)
- 2019 CALIFORNIA ELECTRICAL CODE (CEC)
- 2019 CALIFORNIA ENERGY CODE (CEnc)
- COUNTY OF SANTA CRUZ ORDINANCES

SHEET INDEX

ARCHITECTURAL DRAWINGS

- |    |                                   |
|----|-----------------------------------|
| P1 | TITLE SHEET                       |
| P2 | SITE PLAN                         |
| P3 | LOWER LEVEL AND FIRST FLOOR PLANS |
| P4 | SECOND FLOOR PLAN AND ROOF PLAN   |
| P5 | EXTERIOR ELEVATIONS               |
| P6 | EXTERIOR ELEVATIONS               |
| P7 | BUILDING SECTION                  |

CIVIL DRAWINGS

- |    |                                   |
|----|-----------------------------------|
| C1 | GRADING & DRAINAGE PLAN           |
| C2 | DETAILS                           |
| C3 | STORMWATER POLLUTION CONTROL PLAN |

PROJECT INFORMATION

OWNER: NORTH POINT RYANS WAY 1429 DANA POINT PALO ALTO, CA 94301	OWNER'S AGENT: MATSON BRITTON ARCHITECTS 728 N. BRANCIFORTE AVE SANTA CRUZ, CA 95062 COVE BRITTON 831-425-0544
A. P. N.:	028-242-25
ZONING:	R-1-5-PP
OCCUPANCY GROUP:	R-3 & U (PER 2019 CBC)
CONSTRUCTION TYPE:	V-B (SPRINKLERED)

PROJECT DESCRIPTION

NEW CONSTRUCTION OF 2 STORY 4 BEDROOM, 4 BATH SINGLE FAMILY RESIDENCE WITH ATTACHED 2 CAR GARAGE, AND ATTACHED 1 BEDROOM, 1 BATH ADU.

PLEASE NOTE THAT THE SECOND AND THIRD FLOORS ARE SETBACK FROM THE LOWER LEVEL (GARAGE) AT THE FRONT ELEVATION OF THE BUILDING.

CONSULTANTS

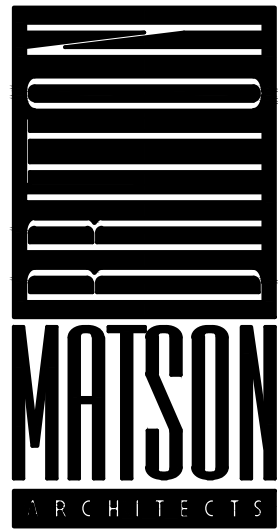
ARCHITECT:	MATSON BRITTON ARCHITECTS 728 N. BRANCIFORTE SANTA CRUZ, CA 95062 PHONE: 831-425-0544
CIVIL ENGINEER:	R.I. ENGINEERING, INC. 303 POTRERO STREET, STE. 42-202 SANTA CRUZ, CA 95060 PHONE: 831-425-3901

PROJECT CALCULATIONS

TOTAL NET LOT SIZE:	5,360.20 SQ. FT.
MAX LOT COVERAGE: 2,144 S.F./5,360.2 S.F. =	40%
PROPOSED LOT COVERAGE: 1,588.4 S.F./5,360.20 =	29.6%
MAIN HOUSE AREAS:	
FIRST FLOOR	1,272.5 S.F.
SECOND FLOOR	1,155.3 S.F.
LOWER LEVEL	91.2 S.F.
TOTAL CONDITIONED	2,519.0 S.F.
ATTACHED 2-CAR GARAGE	531.1 S.F.
ADU AREA:	783.8 S.F.

PROPOSED F.A.R.	
GARAGE - 225 CREDIT	531.1-225= 306.1 S.F.
MAIN HOUSE LOWER, FIRST, & SECOND FLOORS	2,519 S.F.
OVERHANGS AND DECKS*	0 S.F.
TOTAL F.A.R. = (306.1+ 2,519.0)/5,360.2 =	52.7%
F.A.R. NOTES:	
*BUILDING/DECK OVERHANG AT ADU ENTRY: 68.9 - (140X2) = 0 S.F.	
*DECK OFF MASTER: 36.5 - (140X2) = 0 S.F.	
*OVERHANG AT LIGHT WELL: 5.9 - 140 = 0 S.F.	
*CANTILEVERED DECK -140X3 = 0 S.F.	
*REAR BALCONY = 0 S.F. TOWARDS F.A.R.	
*OVERHANG AT DINING ROOM = 0 S.F. TOWARDS F.A.R.	
PARKING:	
2 COVERED/2 UNCOVERED	

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SANTA CRUZ  
CA 95062  
831-425-0544

NOTICE

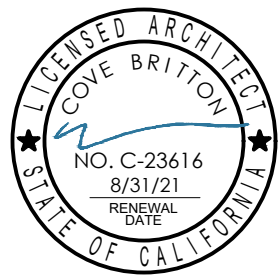
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2/21/2022 PLAN CHECK

FOY RESIDENCE  
LOT 10 - RYAN'S WAY  
SANTA CRUZ, CA 95062  
APN: 028-302-01

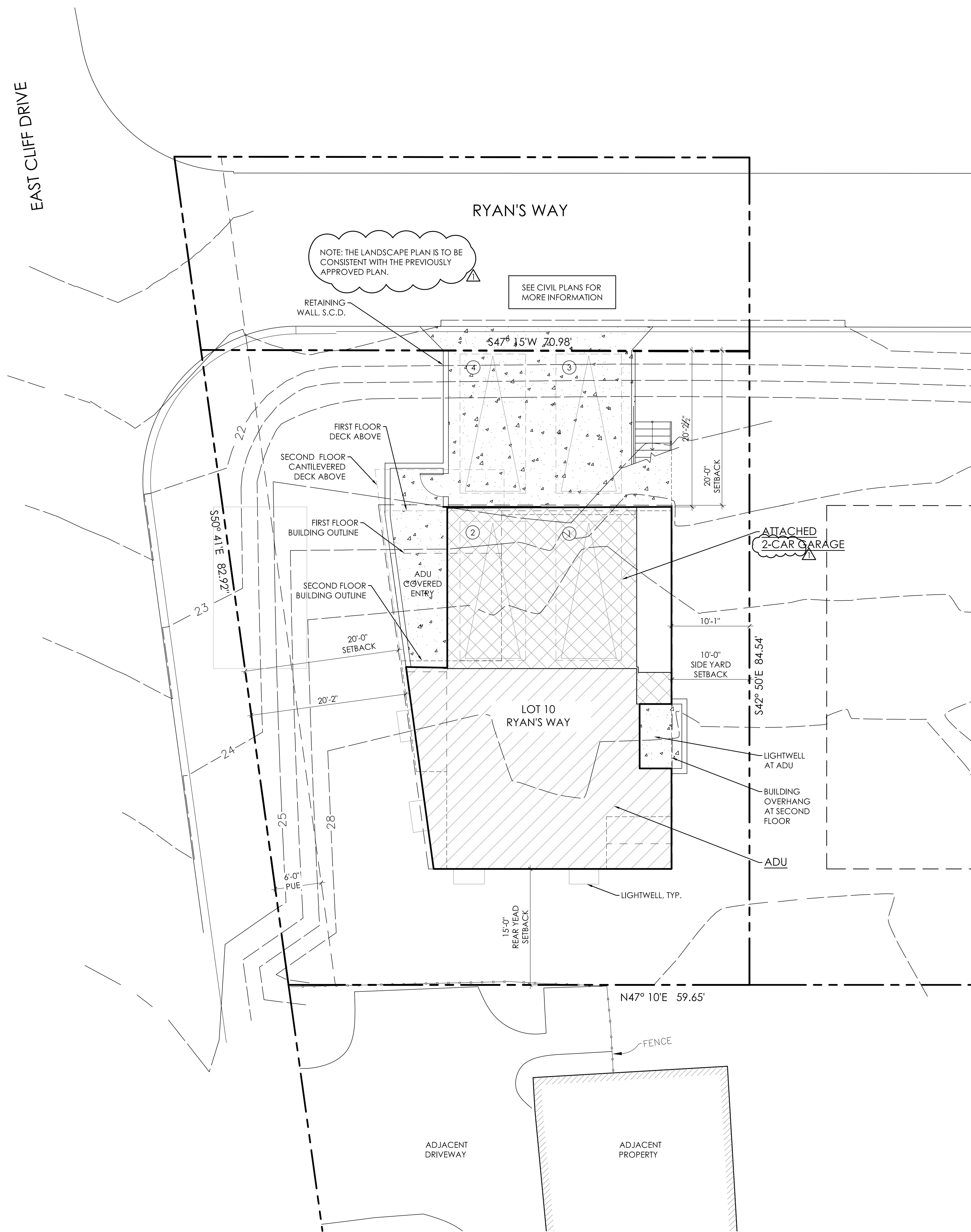
TITLE SHEET



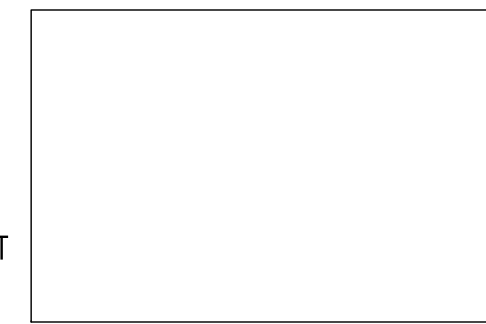
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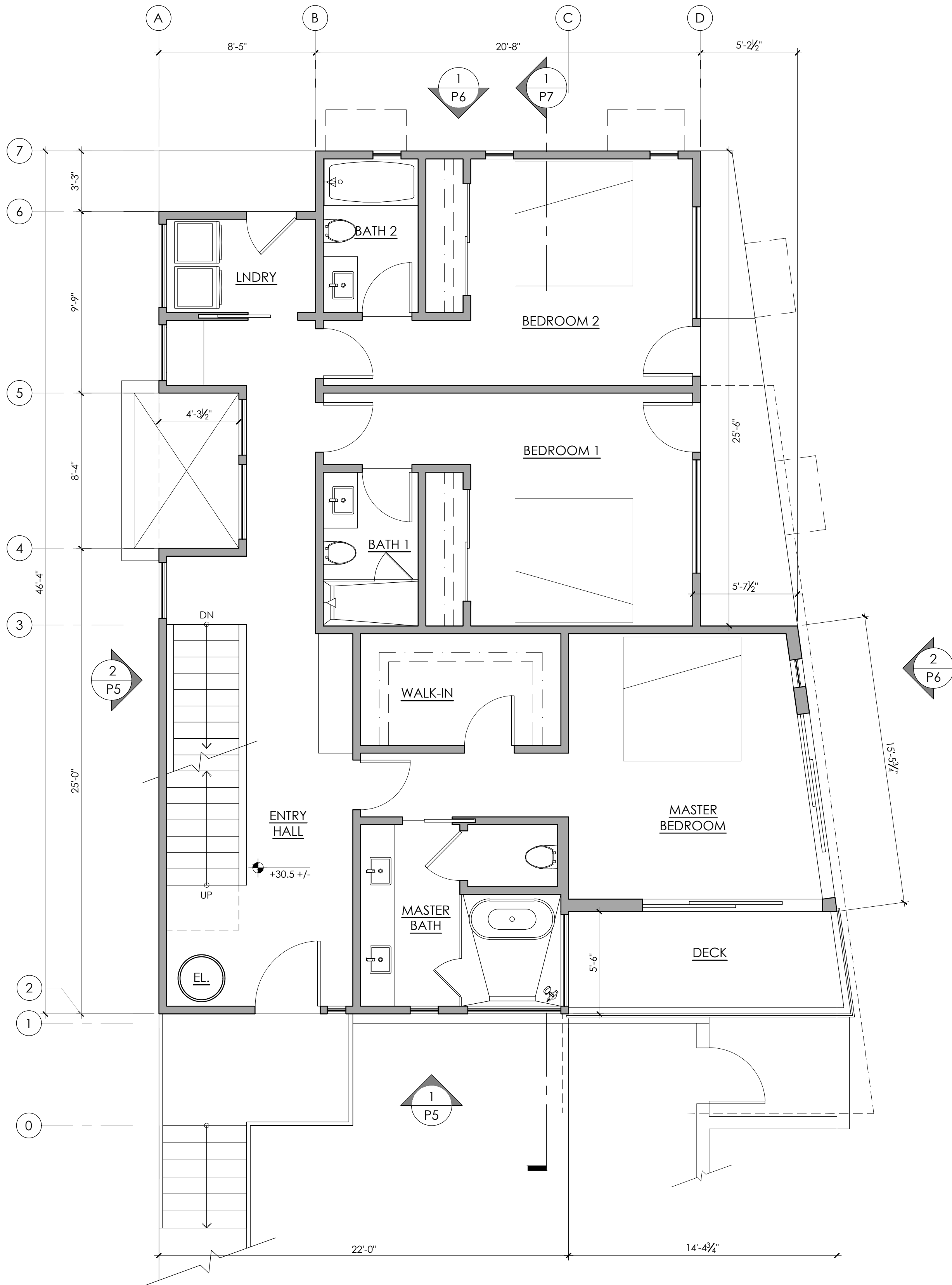
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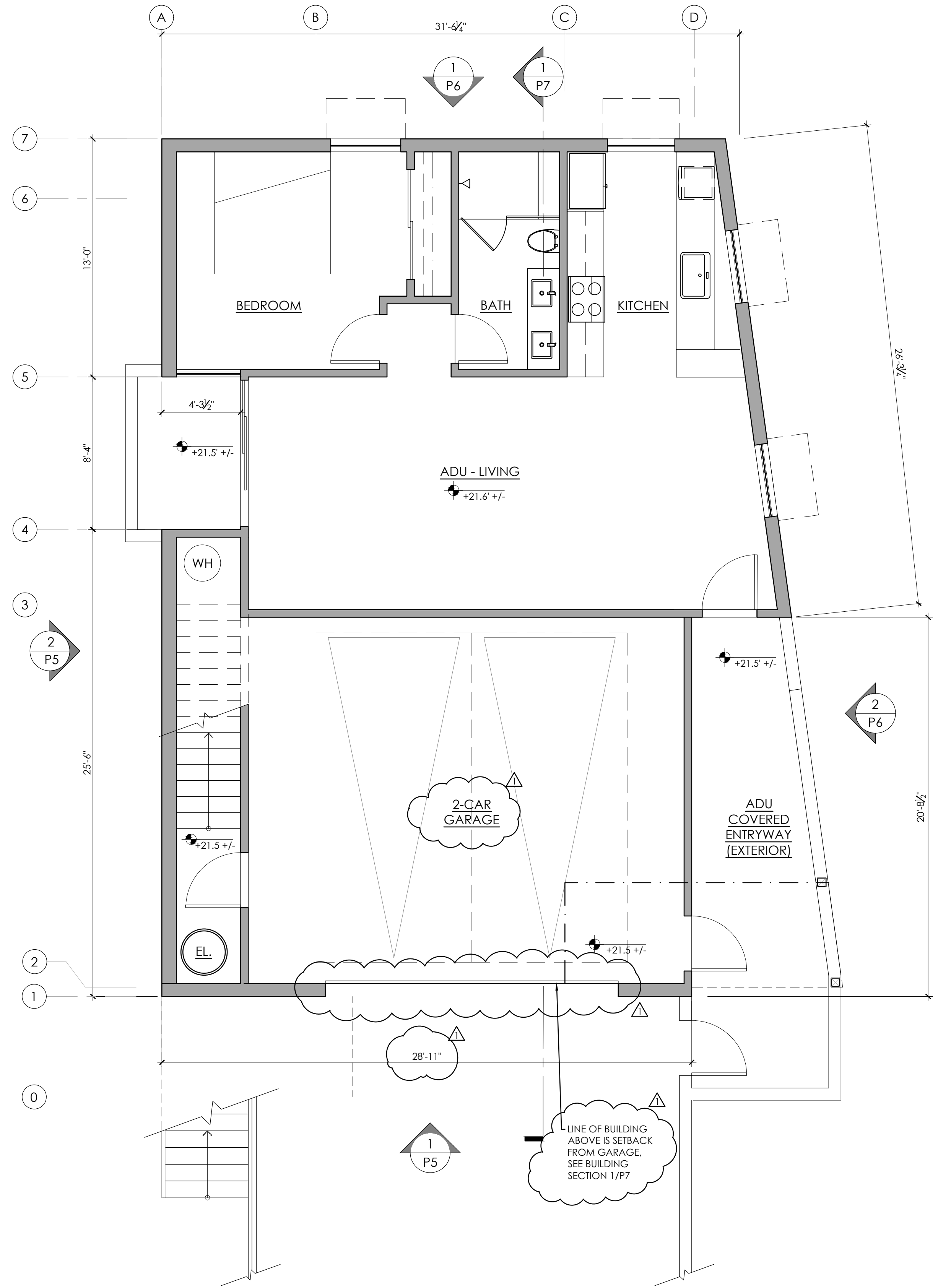
## Exhibit D





FIRST FLOOR PLAN  
SCALE: 1/4" = 1'-0"

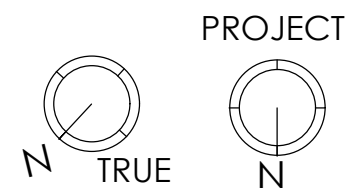
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GARAGE LEVEL FLOOR PLAN  
SCALE: 1/4" = 1'-0"

1

Exhibit D



PROJECT



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MATSON

ARCHITECTS

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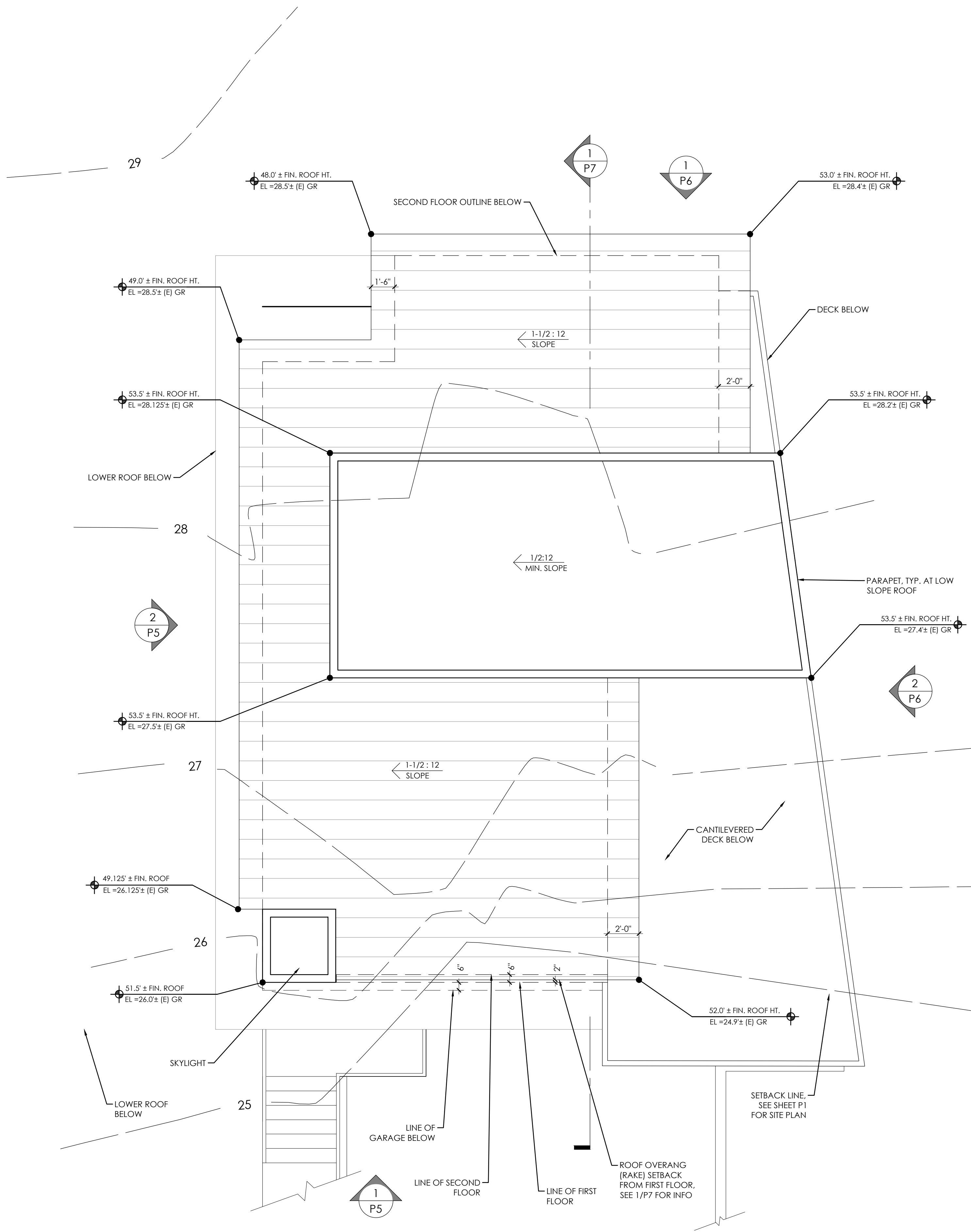
GARAGE AND FIRST  
FLOOR PLANS

APPROVED ARCHITECT

NO. C-23616  
8/31/21  
RESIDENTIAL  
STATE OF CALIFORNIA

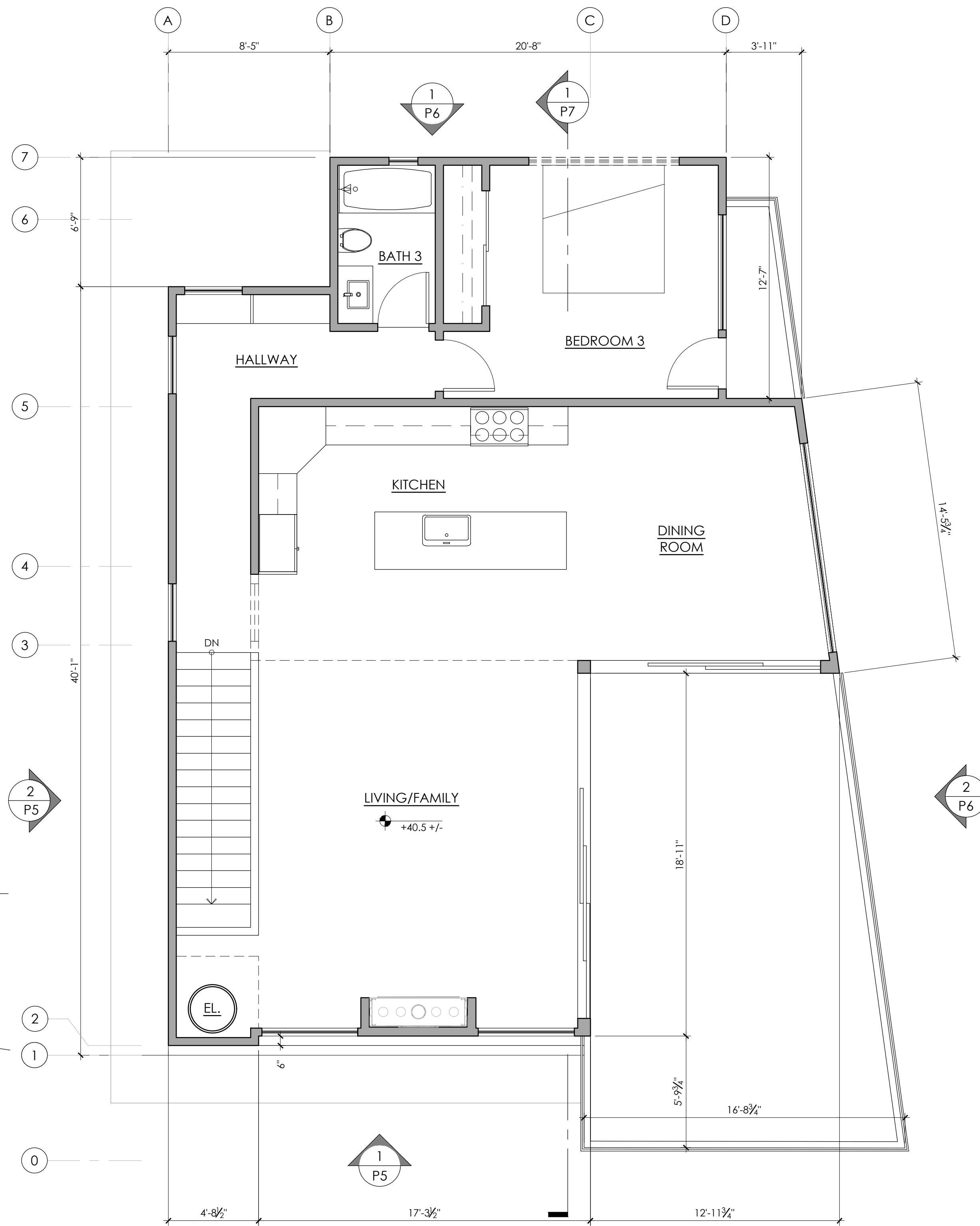
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P3



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

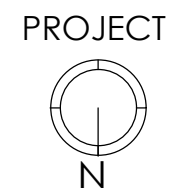
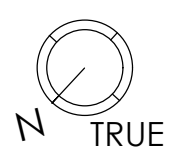
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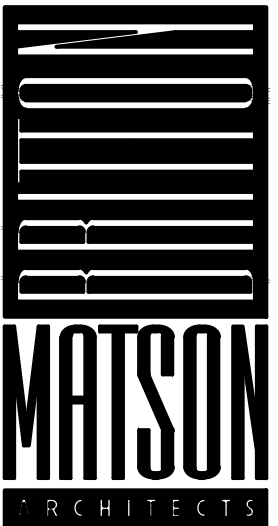
SECOND FLOOR PLAN  
SCALE: 1/4" = 1'-0"

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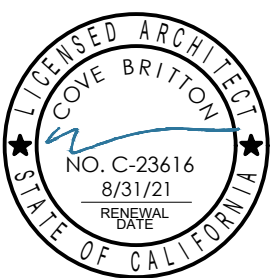
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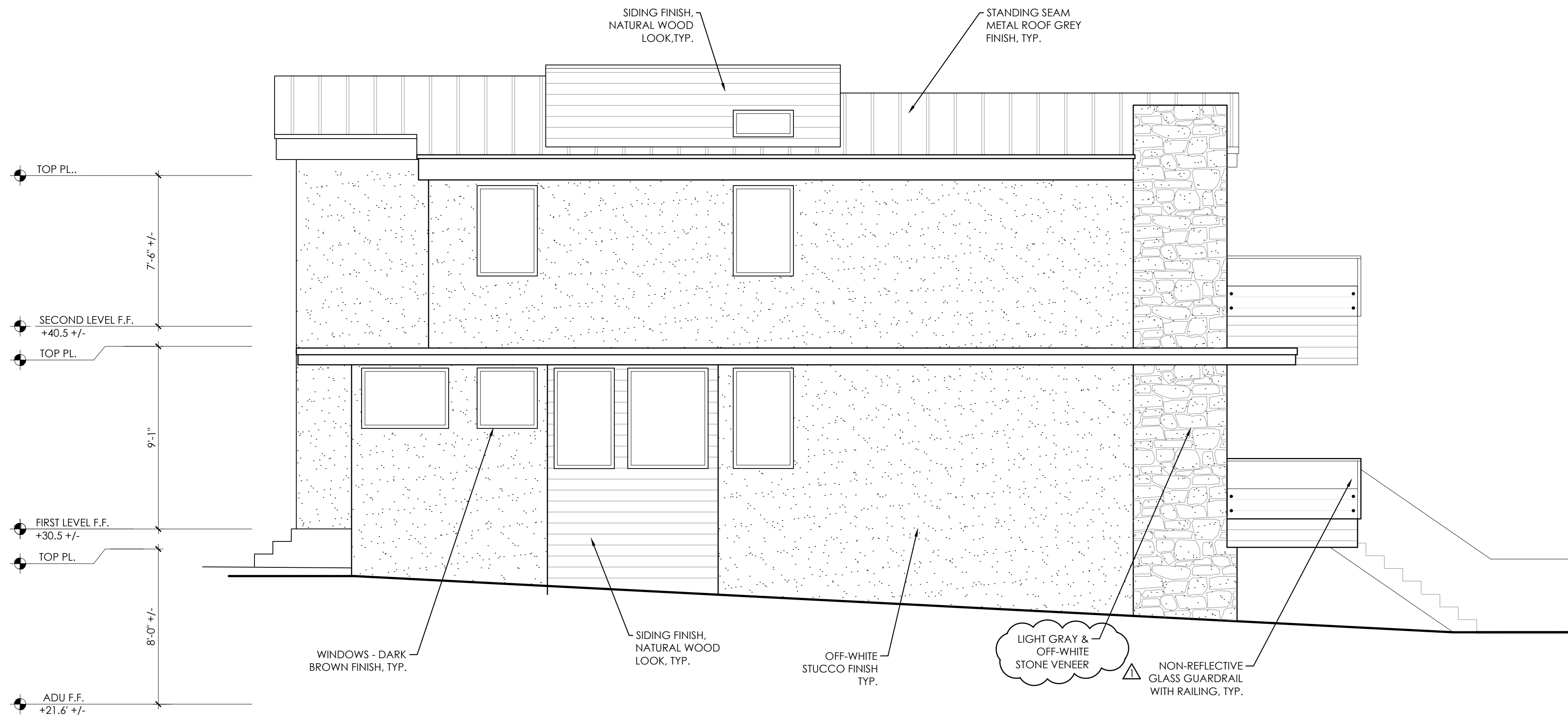
SECOND FLOOR PLAN  
AND ROOF PLAN



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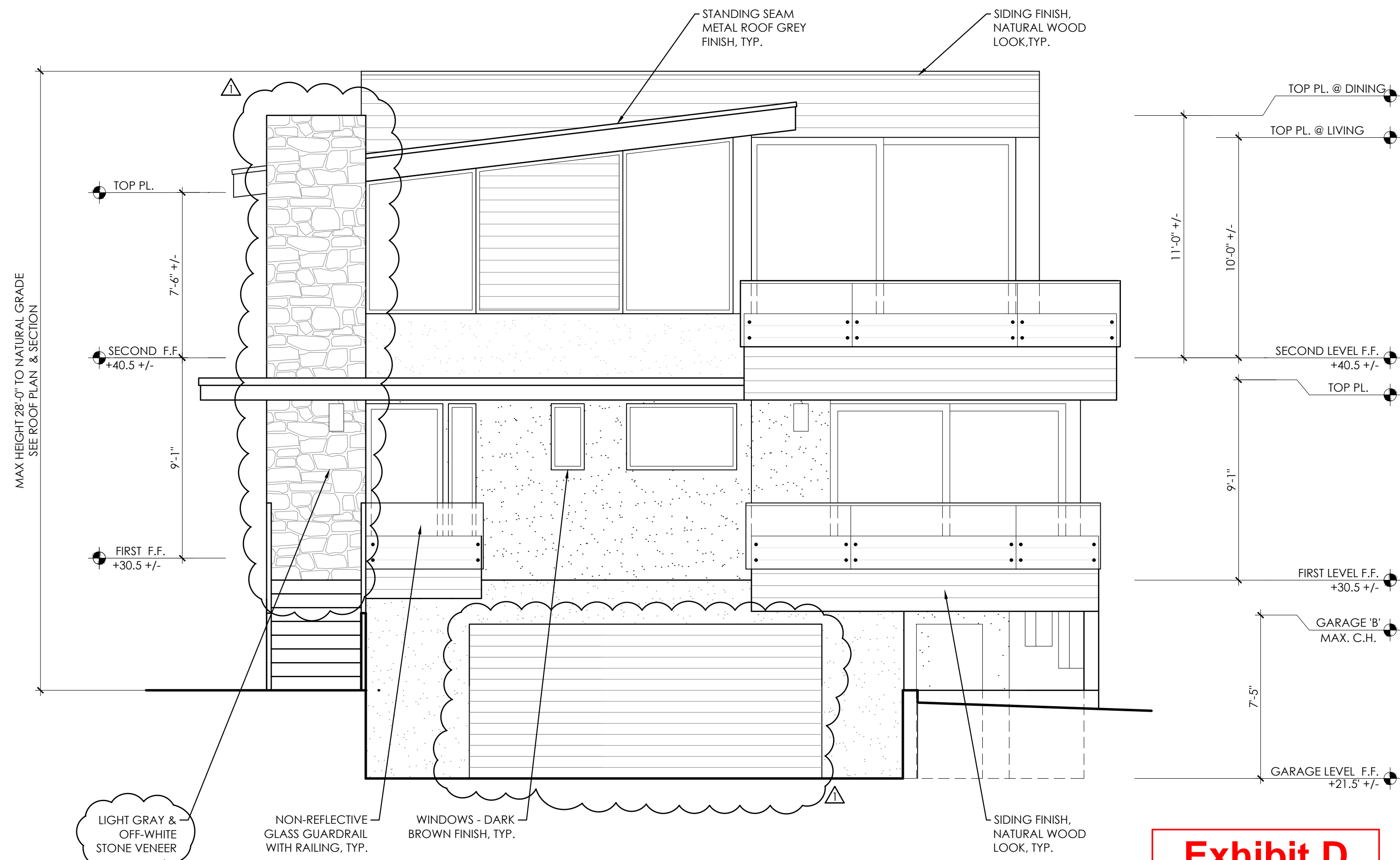




SIDE ELEVATION (EAST)

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

2



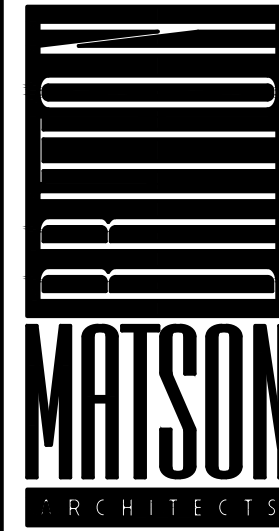
FRONT ELEVATION (NORTH)

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

1

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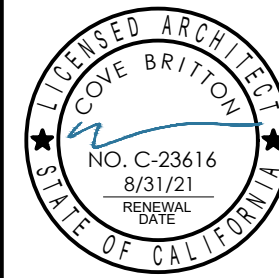
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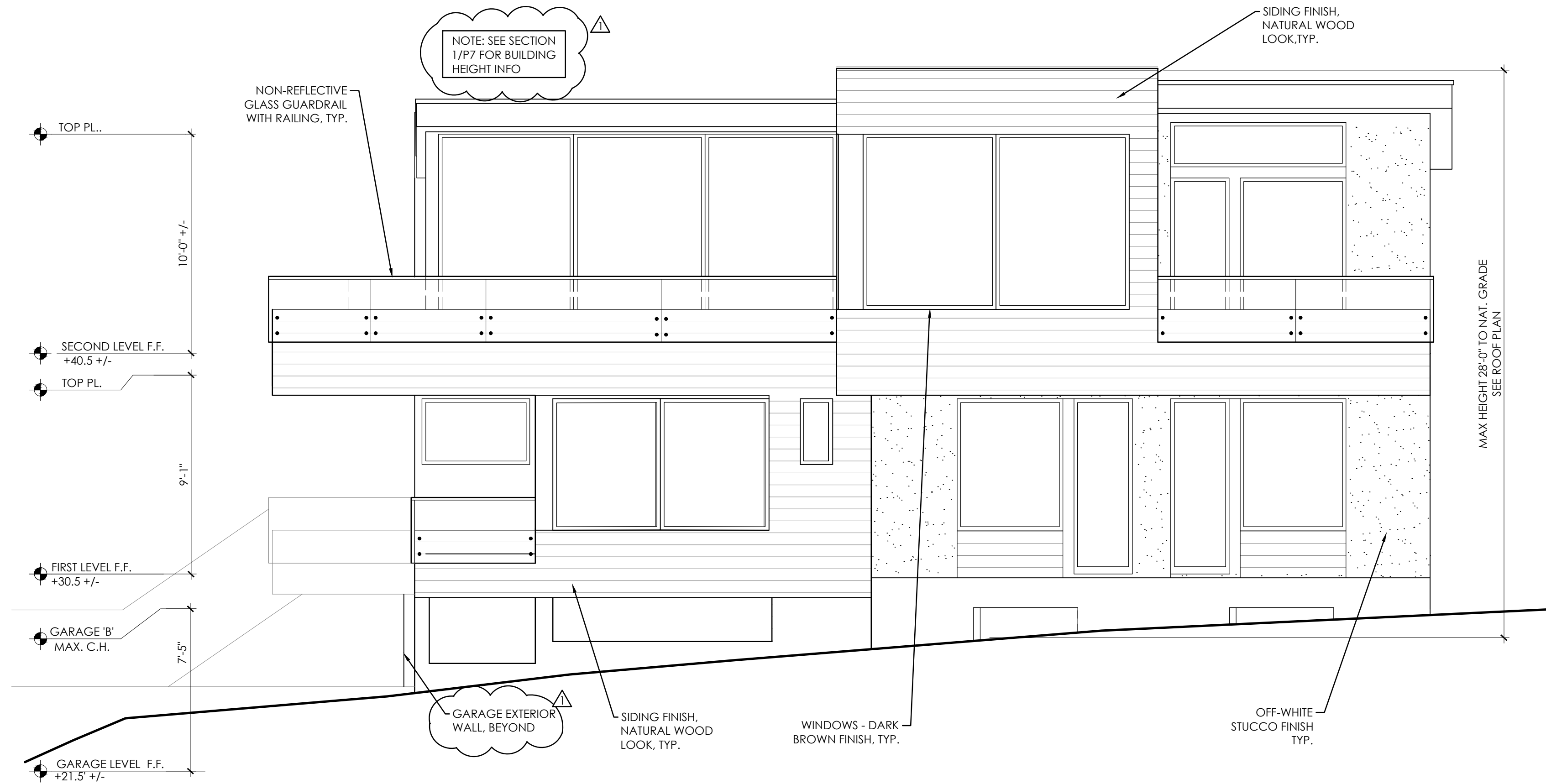
ELEVATIONS



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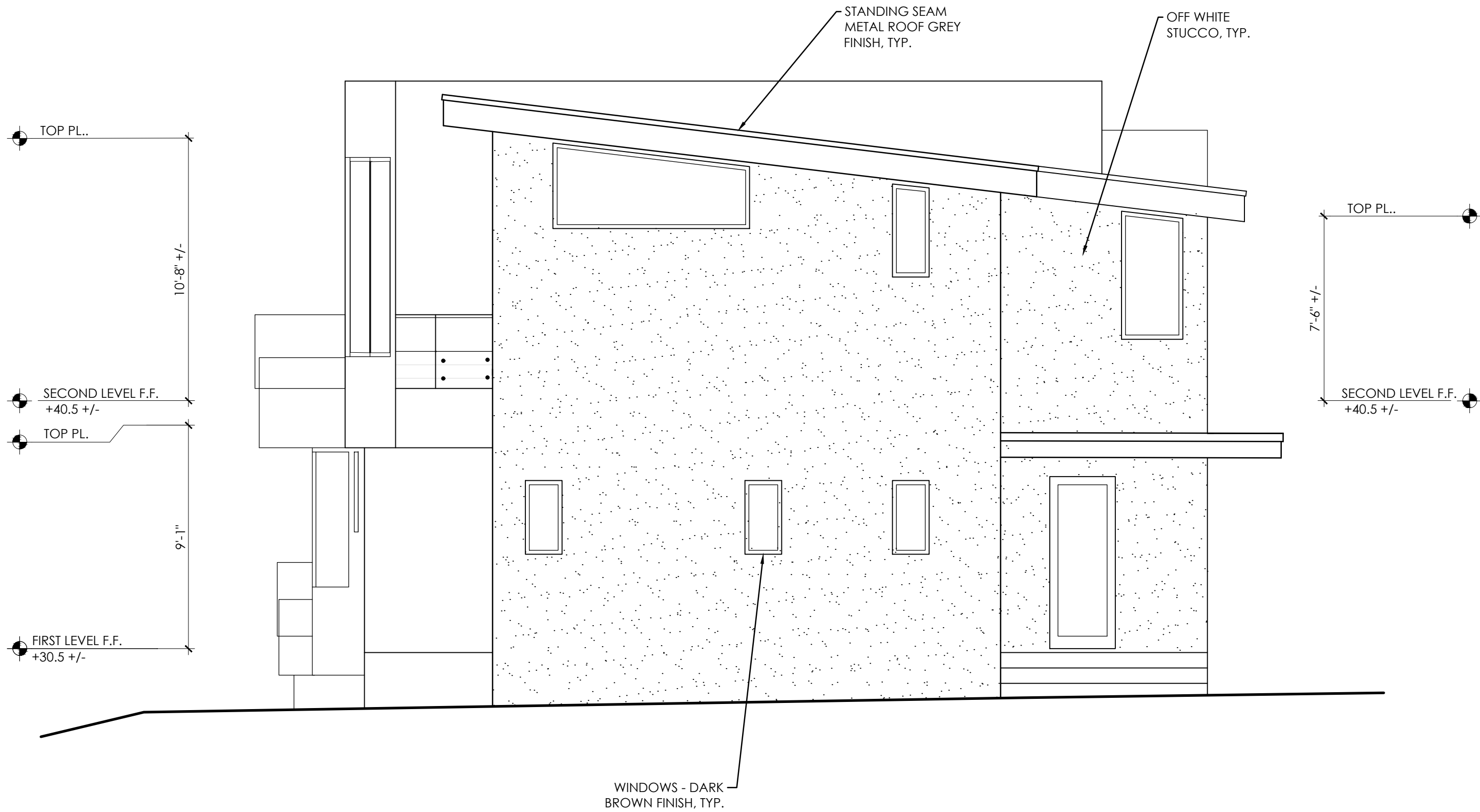




SIDE ELEVATION (EAST)

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

2



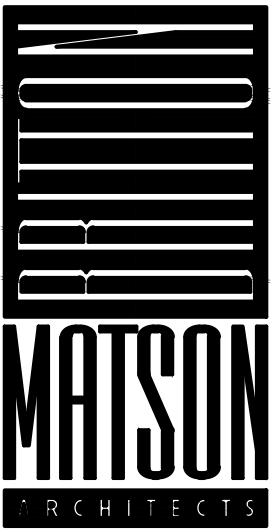
FRONT ELEVATION (NORTH)

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

1

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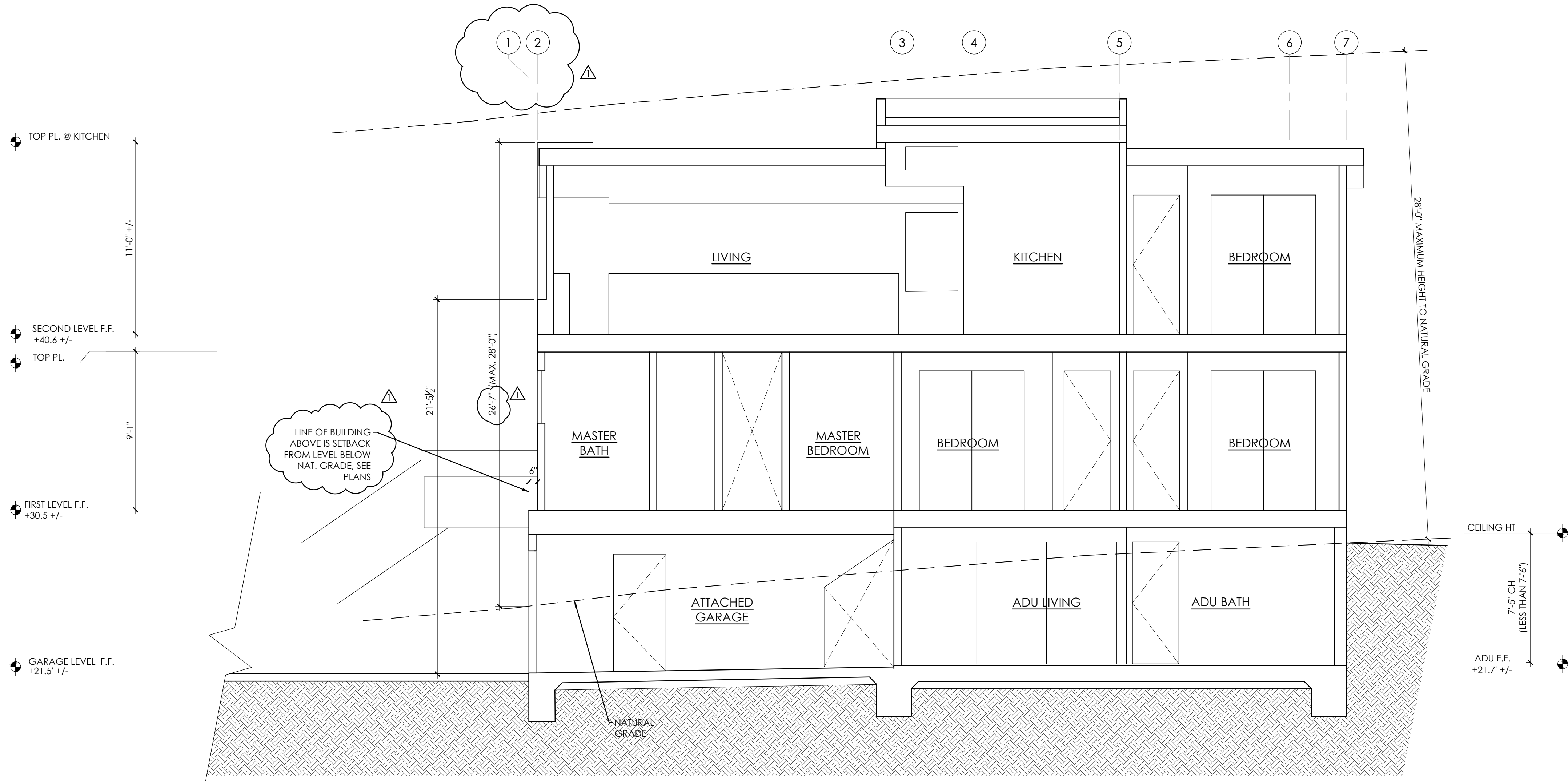
FOY RESIDENCE  
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SANTA CRUZ, CA 95062  
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ELEVATIONS



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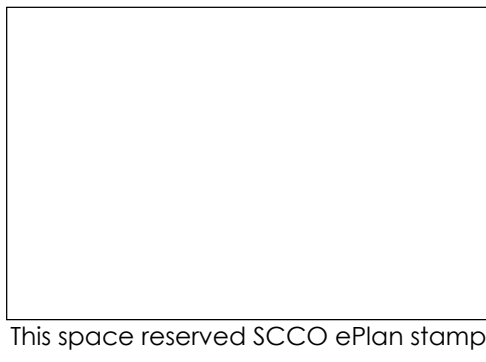
P6



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

1

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2/21/2022	PLAN CHECK

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APN: 028-302-01

LONGITUDINAL SECTION

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02/21/2021				
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J	O	B		
FOY				
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P7



GENERAL NOTES

1. THE CONTRACTOR SHALL MAKE A DETAILED AND THOROUGH STUDY OF THESE PLANS IN THEIR ENTIRETY PRIOR TO ANY WORK ON THE JOBSITE. THE CONTRACTOR IS TO VERIFY ALL EXISTING CONSTRUCTION CONDITIONS AND IS TO COORDINATE THESE DRAWINGS WITH ALL OTHER TRADE DISCIPLINES FOR THE COMPLETED WORK. THE CONTRACTOR IS ALSO TO UNDERSTAND THAT ANY FEATURE OF CONSTRUCTION NOT FULLY SHOWN OR DETAILED SHALL BE OF THE SAME TYPE AS SHOWN FOR SIMILAR CONDITIONS.
2. THE CONTRACTOR SHALL IMMEDIATELY REPORT TO THE ENGINEER ANY DISCREPANCY OCCURRING ON THE DRAWINGS OR FOUND IN HIS COORDINATION WORK. NO CHANGES IN APPROVED PLANS SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE PROJECT ENGINEER AND THE COUNTY OF SANTA CRUZ DEPARTMENT OF PUBLIC WORKS.
3. ANY REQUEST FOR ALTERATIONS OR SUBSTITUTIONS MUST BE PRESENTED DIRECTLY TO THE PROJECT ENGINEER, ACCOMPANIED BY A DETAILED SKETCH, FOR REVIEW, BEFORE ANY APPROVAL WILL BE GIVEN AND BEFORE PROCEEDING WITH THE WORK. ABSOLUTELY NO ALTERATIONS OF THESE DOCUMENTS OF ANY KIND WILL BE APPROVED ON ANY SHOP DRAWINGS.
4. ALL CONSTRUCTION SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS (CALTRANS), LATEST EDITION, THE COUNTY OF SANTA CRUZ DESIGN CRITERIA AND ALL APPLICABLE CODES AND ORDINANCES.
5. THE LOCATIONS OF EXISTING UTILITIES AS SHOWN ON THE PLANS WERE OBTAINED FROM RECORD DRAWINGS AND MAY NOT REPRESENT TRUE LOCATION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND DEPTH OF THESE UTILITIES PRIOR TO CONSTRUCTION, AND TO NOTIFY THE PROJECT ENGINEER IN CASE OF CONFLICT.
6. THE CONTRACTOR SHALL SECURE ALL REQUIRED CONSTRUCTION PERMITS FROM THE COUNTY OF SANTA CRUZ PRIOR TO THE START OF WORK.
7. CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD PROJECT ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY RISING FROM THE SOLE NEGLIGENCE OF THE PROJECT ENGINEER.
8. GRADING SHALL BE DONE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL INVESTIGATIONS AND THE REQUIREMENTS OF THE COUNTY OF SANTA CRUZ.
9. THE CONTRACTOR SHALL NOTIFY THE COUNTY GRADING INSPECTOR, GEOTECHNICAL ENGINEER, THE CIVIL ENGINEER, & THE COUNTY CONSTRUCTION ENGINEER AT LEAST 48 HOURS PRIOR TO THE START OF CONSTRUCTION.
10. WORK SHALL BE LIMITED TO 8:00 A.M. TO 5:00 P.M. WEEKDAYS. NON-NOISE PRODUCING ACTIVITIES, SUCH AS INTERIOR PAINTING, SHALL NOT BE SUBJECT TO THIS RESTRICTION.
11. ALL FIGURE (FIG.) REFERENCES, UNLESS OTHERWISE SPECIFIED, REFER TO STANDARD DRAWINGS IN THE CURRENT EDITION OF THE "COUNTY OF SANTA CRUZ DESIGN CRITERIA."
12. NO LAND CLEARING, GRADING OR EXCAVATING SHALL TAKE PLACE BETWEEN OCTOBER 15 AND APRIL 15 UNLESS THE PLANNING DIRECTOR APPROVES A SEPARATE WINTER EROSION CONTROL PLAN.
13. BETWEEN OCTOBER 15 AND APRIL 15, EXPOSED SOIL SHALL BE PROTECTED FROM EROSION AT ALL TIMES. DURING CONSTRUCTION SUCH PROTECTION MAY CONSIST OF MULCHING AND/OR PLANTING OF NATIVE VEGETATION OF ADEQUATE DEPTH. BEFORE COMPLETION OF THE PROJECT, ANY EXPOSED SOIL ON DISTURBED SLOPES SHALL BE PERMANENTLY PROTECTED FROM EROSION.
14. THE CONTRACTOR SHALL APPLY WATER TO ALL EXPOSED EARTH SURFACES AT INTERVALS SUFFICIENT TO PREVENT AIRBORNE DUST FROM LEAVING THE PROJECT SITE. ALL EXPOSED EARTH SHALL BE WATERED DOWN AT THE END OF THE WORK DAY.
15. WHILE IN TRANSIT TO AND FROM THE PROJECT SITE, ALL TRUCKS TRANSPORTING FILL SHALL BE EQUIPPED WITH TARPS.
16. PURSUANT TO SECTIONS 16.40.040 AND 16.42.100 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 ARCHEOLOGICAL 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 16.40.010 AND 16.42.100, SHALL BE OBSERVED.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF CONSTRUCTION QUANTITIES PRIOR TO BIDDING ON ANY ITEM. QUANTITY REFERENCES SHOWN ON THESE PLANS, OR ENGINEER'S ESTIMATES ARE FOR ESTIMATING PURPOSES ONLY AND SHALL NOT BE CONSIDERED AS A BASIS FOR CONTRACTOR PAYMENT. CONSULTANT SHALL NOT BE RESPONSIBLE FOR ANY FLUCTUATIONS IN SUCH QUANTITIES AND ESTIMATES.
18. THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO, OR USES OF THESE PLANS. ALL CHANGES MUST BE IN WRITING AND MUST BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.
19. UNDERGROUND UTILITY LOCATIONS SHOWN ARE COMPILED FROM INFORMATION SUPPLIED BY UTILITY AGENCIES, AND ARE APPROXIMATE ONLY. CONTRACTOR SHALL VERIFY LOCATIONS OF AFFECTED UTILITY LINES PRIOR TO ANY TRENCHING OR EXCAVATING AND POTHOLE. THOSE AREAS WHERE POTENTIAL CONFLICTS EXIST OR WHERE DATA IS OTHERWISE INCOMPLETE, FOR LOCATION, CALL USA 1-800-624-1444.
20. ANY EXISTING UTILITIES THAT ARE REQUIRED TO BE RELOCATED AS A PART OF THIS CONSTRUCTION SHALL BE RELOCATED AT THE OWNER'S EXPENSE.

ABBREVIATIONS

BW	BOTTOM OF WALL
CB	CATCH BASIN
CONST	CONSTRUCT
DIA, Ø	DIAMETER
DS	DOWNSPOUT
DTL	DETAIL
DWY	DRIVEWAY
(E)	EXISTING
EL	ELEVATION
EOP	EDGE OF PAVEMENT
FF	FINISH FLOOR
FG	FINISH GRADE
FS	FIRE SERVICE
HP	HIGH POINT
INV	INVERT
LP	LINEAR FEET
LOW POINT	
MAX	MAXIMUM
N.T.S.	NOT TO SCALE
RW	RETAINING WALL
RM	RIM ELEVATION
S	SLOPE
SSCO	COUNTY OF SANTA CRUZ
SANITARY	SANITARY SEWER CLEANOUT
SDCO	STORM DRAIN CLEANOUT
SDCO	TYPICAL
TW	TOP OF WALL
WS	WATER SERVICE

SEWER LATERAL NOTES

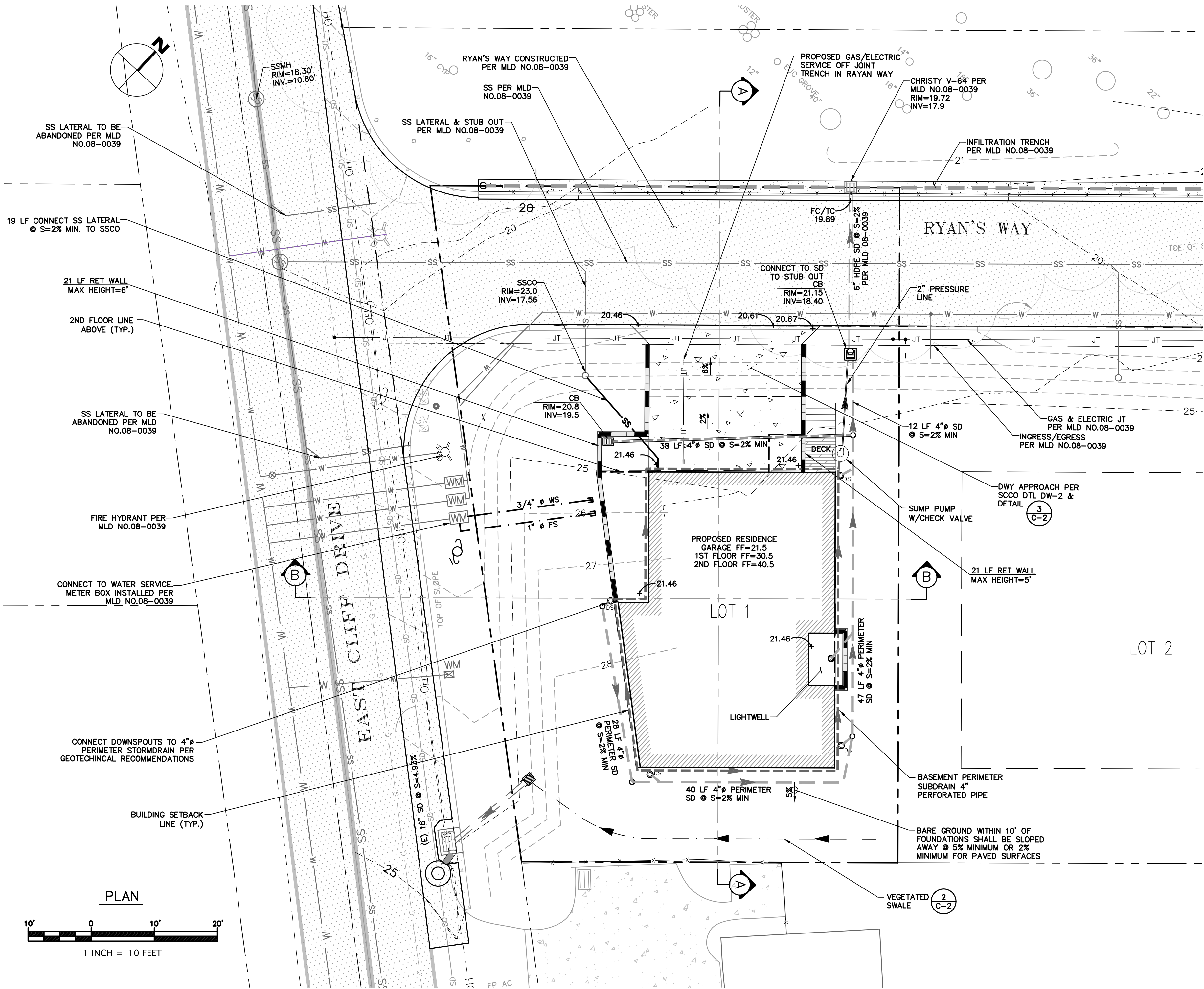
1. SEWER LATERALS SHALL BE POLYVINYL CHLORIDE (PVC SDR26) AND SHALL HAVE A SMOOTH INTERIOR.
2. SEWER LATERALS SHALL BE SLOPED AT A MINIMUM 2%

STORM DRAIN SYSTEM MAINTENANCE

THE HOME OWNER IS RESPONSIBLE FOR MAINTAINING THE STORM DRAINAGE SYSTEM AND ALL COMPONENTS. EVERY YEAR, PRIOR TO THE WET WEATHER SEASON (OCTOBER 15TH) ALL THE CATCH BASINS AND STORM DRAIN CLEANOUTS SHALL BE INSPECTED AND CLEANED OF ANY DEBRIS, SILT, TRASH AND SEDIMENT.

STORM DRAINAGE NOTES

1. CULVERTS SHALL BE POLYVINYL CHLORIDE (PVC SDR35), HIGH DENSITY POLYETHYLENE (HDPE ADS N12 OR EQUAL), OR REINFORCED CONCRETE PIPE (RCP), AND SHALL HAVE A SMOOTH INTERIOR CONFORMING TO SECTION E - STORM DRAINAGE FACILITIES OF COUNTY OF SANTA CRUZ DESIGN CRITERIA.
2. INLETS SHALL BE CHRISTY CONCRETE PRODUCTS OR APPROVED EQUAL WITH SMOOTH CONCRETE BOTTOM.
3. DISCHARGE ALL DOWNSPOUTS TO PERIMETER STORM DRAIN TO CONNECT TO STORM WATER MITIGATION/INFILTRATION SYSTEM ON NORTH SIDE OF RYAN'S WAY INSTALLED PER MLD NO.08-0039. RUNOFF FROM ALL PROPOSED IMPERVIOUS SURFACES TO BE CONVEYED TO THE INFILTRATION TRENCH PER MLD NO.08-0039



POST CONSTRUCTION STORM DRAIN SYSTEM MAINTENANCE SCHEDULE

ITEM	INTERVAL	INSPECTION	REPAIR
CATCH BASINS	ANNUAL	1. SEDIMENT BUILD UP 2. TRASH & DEBRIS	1. REMOVE SEDIMENT 2. REMOVE TRASH & DEBRIS
SWALES	ANNUAL	1. WASHOUTS 2. MISPLACED ROCK 3. ACCUMULATION OF TRASH & DEBRIS	1. REPLACE TRANSPORTED ROCK 2. REMOVE TRASH & DEBRIS
STORMDRAINS & SUBDRAINS	ANNUAL	1. TRASH & DEBRIS 2. ACCUMULATION OF SEDIMENT AND SILT.	1. REMOVE TRASH & DEBRIS 2. REMOVE SEDIMENT & SILT

TOPOGRAPHIC SURVEY

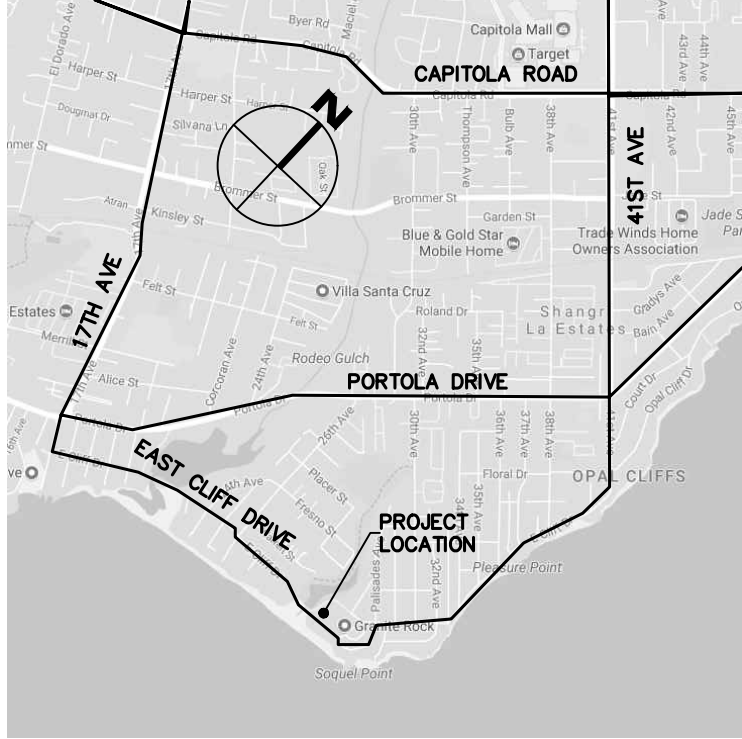
THE TOPOGRAPHIC SURVEY AND BOUNDARY INFORMATION PROVIDED HEREON WAS COMPLETED BY IFLAND SURVEY. RI ENGINEERING INC. MAKES NO GUARANTEE AS TO THE ACCURACY OF BOTH. THE CONTRACTOR SHALL VERIFY THE BOUNDARY LOCATION AND TOPOGRAPHIC INFORMATION PRIOR TO COMMENCING WORK.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTHWESTERN BOUNDARY OF LOTS 1 AND 2 OF THE PARCEL MAP FILED IN VOLUME 57 OF PARCEL MAPS AT PAGE 26 AND DETERMINED FROM MONUMENTS FOUND AS SHOWN HEREON = N 47°10' E.

BASIS OF ELEVATION

ELEVATIONS SHOWN ARE BASED UPON SANTA CRUZ COUNTY DATUM TAKEN FROM B.M. #243 LOCATED AT RYAN LAKE PARK, 22 FEET SOUTH FROM THE CENTERLINE OF EAST CLIFF DRIVE, 8 FEET EAST OF THE CENTERLINE OF THE DRAINAGE CULVERT ON CONCRETE WINGWALL. STANDARD BRASS CAP. POST 1989 EARTHQUAKE ELEVATION=12.39.



VICINITY MAP

NTS

LEGEND

	(E) AB
	(E) AC
	(E) CONCRETE
	PROPOSED AC
	(E) FLOWLINE
	(E) RETAINING WALL
	PROPERTY LINE
	PROPOSED SETBACK
	PROPOSED LIMIT OF GRADING
	PROPOSED RETAINING WALL
	PROPOSED AC BERM
	PROPOSED SWALE
	PROPOSED SD
	PROPOSED PERIMETER SD
	PROPOSED SUBDRAIN
	PROPOSED SDCO
	PROPOSED CB

EARTHWORK AND GRADING

1. WORK SHALL CONSIST OF ALL CLEARING, GRUBBING, STRIPPING, PREPARATION OF LAND TO BE FILLED, EXCAVATION, SPREADING, COMPACTION AND CONTROL OF FILL, AND ALL SUBSIDIARY WORK NECESSARY TO COMPLETE THE GRADING TO CONFORM TO THE LINES, GRADES, AND SLOPES, AS SHOWN ON THE APPROVED PLANS.
2. ALL GRADING OPERATIONS SHALL CONFORM TO SECTION 19 OF THE CALTRANS STANDARD SPECIFICATIONS, AND SHALL ALSO BE DONE IN CONFORMANCE WITH THE REQUIREMENTS OF THE COUNTY OF SANTA CRUZ. THE MOST STRINGENT GUIDELINE SHALL PREVAIL.
3. REFERENCE IS MADE TO THE GEOTECHNICAL INVESTIGATIONS BY PACIFIC CREST ENGINEERING, INC., ENTITLED "TBD," DATED TBD. THE CONTRACTOR SHALL MAKE A THOROUGH REVIEW OF THIS REPORT AND SHALL FOLLOW ALL RECOMMENDATIONS THEREIN. THE CONTRACTOR SHALL CONTACT PACIFIC CREST ENGINEERING, INC. FOR ANY CLARIFICATIONS NECESSARY PRIOR TO PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL GRADE TO THE LINE AND ELEVATIONS SHOWN ON THE PLAN AND SHALL SECURE THE SERVICES OF A LICENSED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER TO PROVIDE STAKES FOR LINE AND GRADE.
5. THE GEOTECHNICAL ENGINEER SHALL BE NOTIFIED AT LEAST FOUR (4) DAYS PRIOR TO ANY SITE CLEARING AND GRADING OPERATIONS.
6. STRIPPED AREAS SHOULD BE SCARIFIED TO A DEPTH OF ABOUT 6" WATER-CONDITIONED TO BRING THE SOIL'S WATER CONTENT TO ABOUT 2% ABOVE THE OPTIMUM, AND COMPACTED TO A DENSITY EQUIVALENT TO AT LEAST 90% OF THE MAXIMUM DRY DENSITY OF THE SOIL ACCORDING TO ASTM D1557 (LATEST EDITION). SUBGRADES AND AGGREGATE BASE ROCK FOR PAVEMENTS SHOULD BE COMPACTED TO A MINIMUM OF 95%.
7. ENGINEERED FILL SHOULD BE PLACED IN THIN LIFTS NOT EXCEEDING 8" IN LOOSE THICKNESS, MOISTURE CONDITIONED, AND COMPACTED TO AT LEAST 90% RELATIVE COMPACTION.
8. MATERIAL USED FOR ENGINEERED FILL SHALL MEET THE REQUIREMENTS OF THE FOREMENTIONED REPORTS BY PACIFIC CREST ENGINEERING, INC.
9. IMPORTED FILL MATERIAL USED AS ENGINEERED FILL FOR THE PROJECT SHALL MEET THE REQUIREMENTS OF THE FOREMENTIONED GEOTECHNICAL INVESTIGATION.
10. ALL FILL MATERIAL SHALL BE APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER PRIOR TO JOBSITE DELIVERY AND PLACEMENT. NO EARTHWORK OPERATIONS SHALL BE PERFORMED WITHOUT THE DIRECT OBSERVATION AND APPROVAL OF THE GEOTECHNICAL ENGINEER.
11. BARE GROUND WITHIN 10' OF FOUNDATIONS SHALL BE SLOPED AWAY @ 5% MINIMUM OR 2% MINIMUM FOR PAVED SURFACES.

Exhibit D

PLANNING SUBMITTAL



6/29/2021



RI Engineering, Inc.

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

SINGLE FAMILY RESIDENCE

FOR

project no.  
21-058-1

date  
JUNE 2021

scale  
AS SHOWN

dwg name  
CIVIL.dwg

LOT 1 - RYAN'S WAY (MLD NO.08-0039)

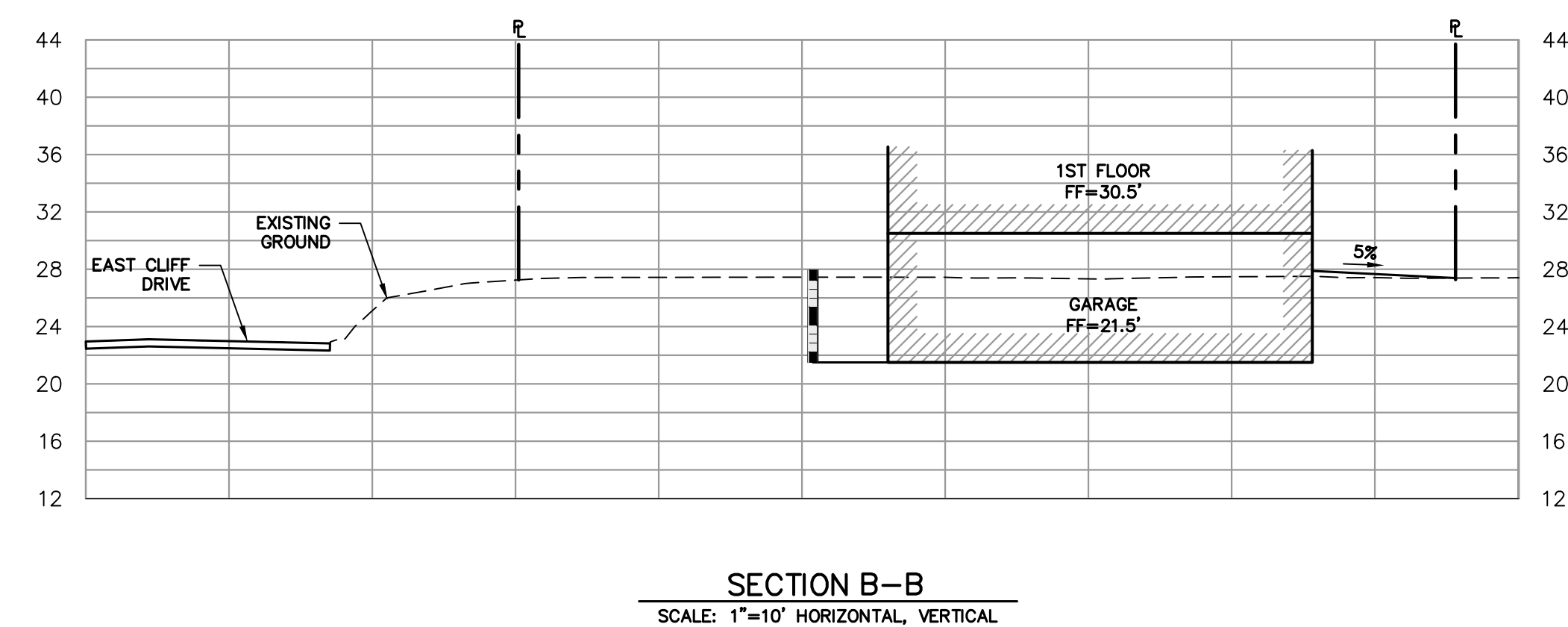
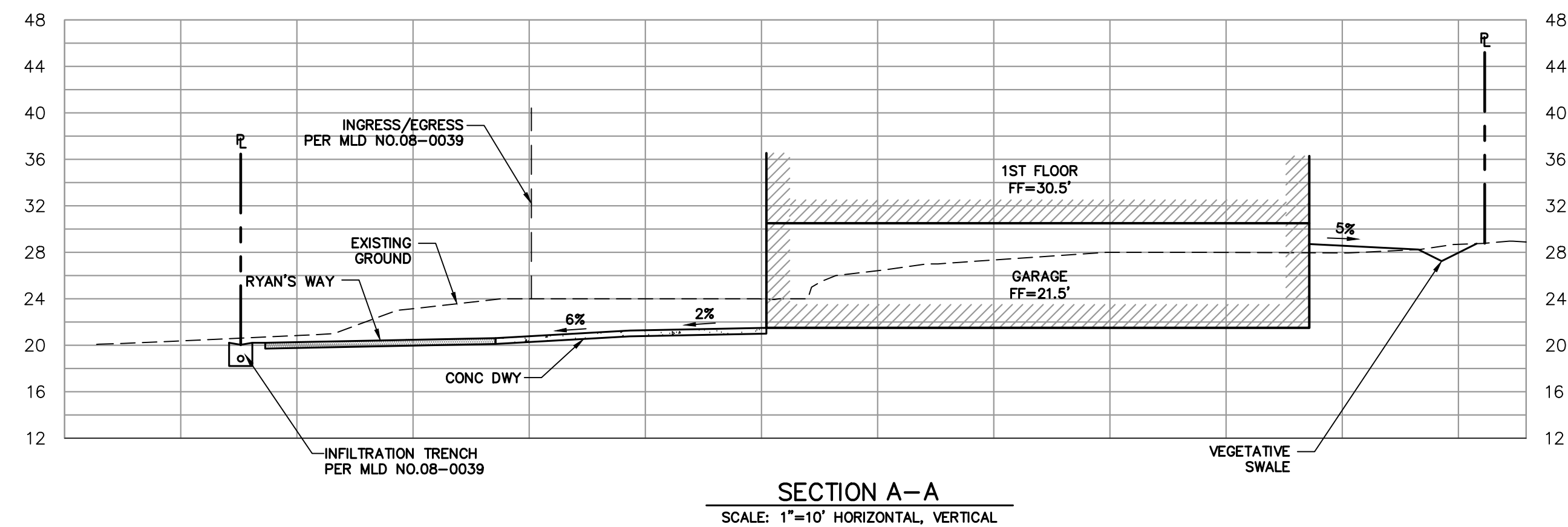
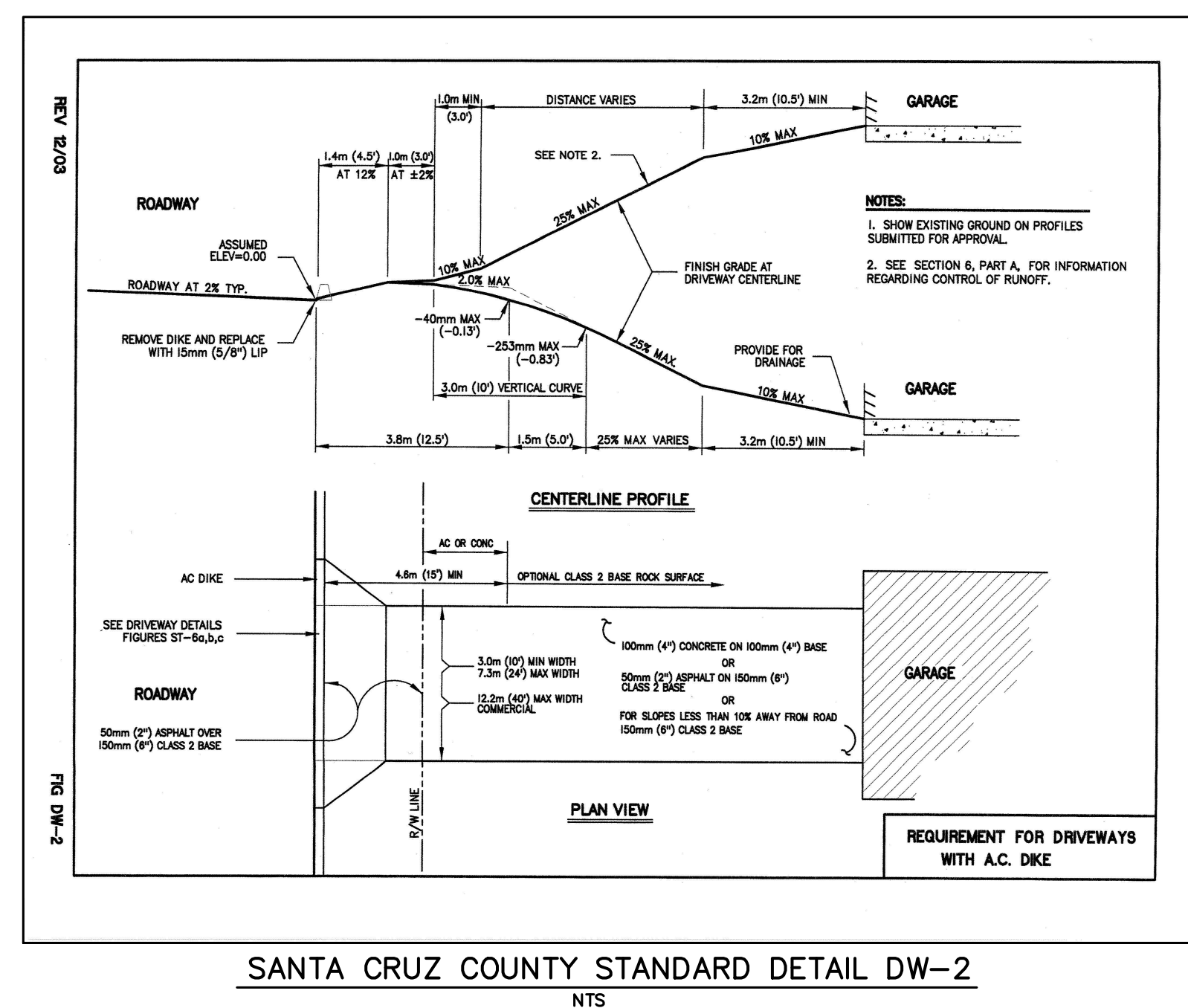
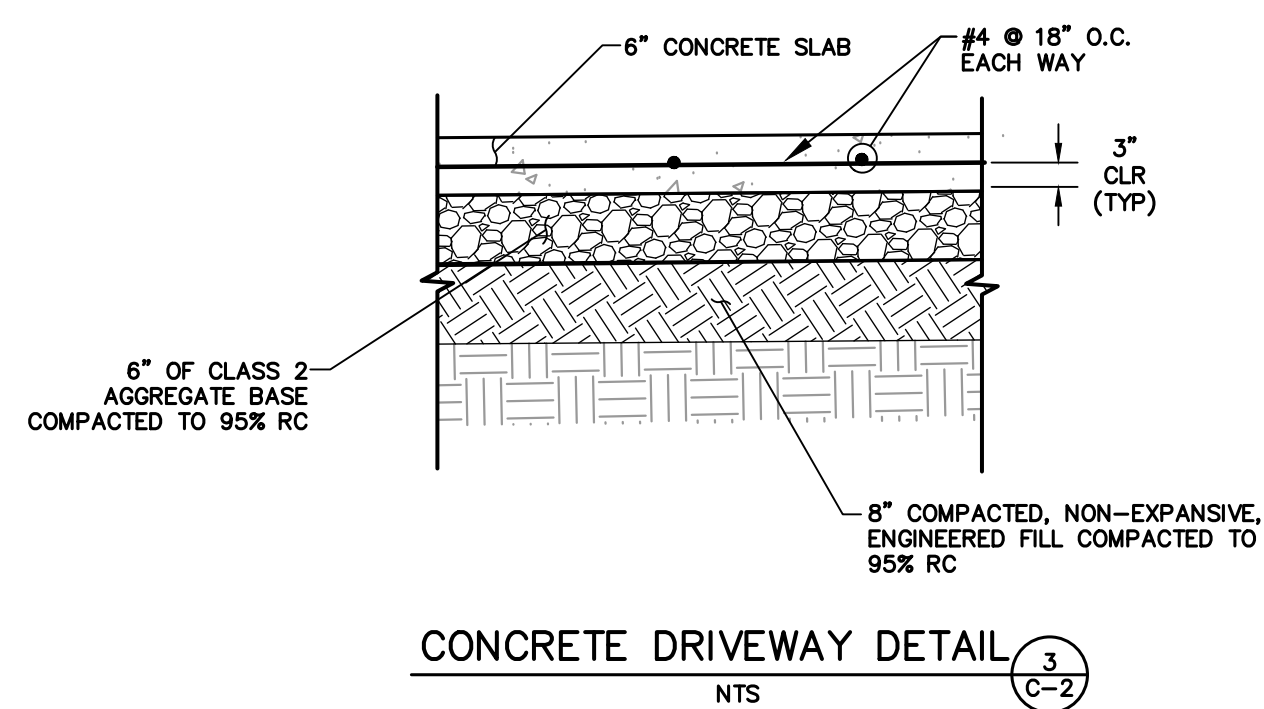
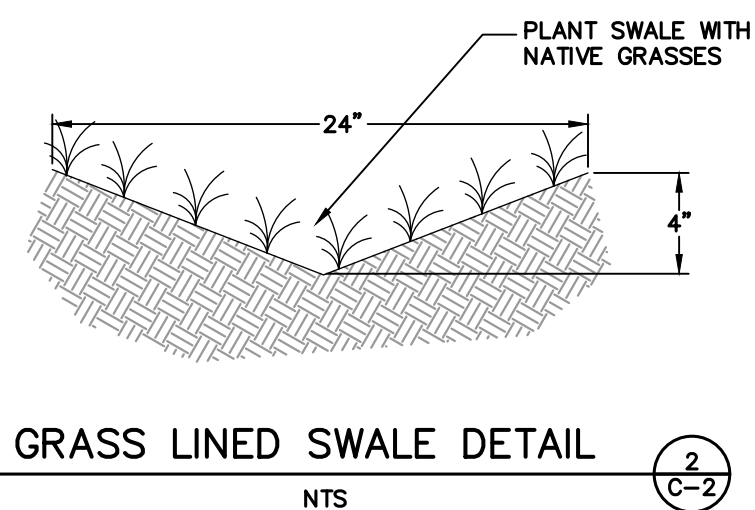
SANTA CRUZ COUNTY, CA

APN 028-302-01

GRADING & DRAINAGE PLAN

C-1






## Appendix A - Project Information & Threshold Determination Form

### STORMWATER CONTROL PLAN (SWP) - Project Information & Threshold Determination Form

Completion of this form shall be used as guidance by the applicant

All projects shall maintain pre-development runoff rates & patterns

For any questions on this form, please contact DPW Stormwater Management at 831-454-2160.



**PROJECT & CONTACT INFORMATION**

**Lot 1 Ryan's Way**  
Project Street Address  
**Patrick Foy**  
Property Owner's Representative Name  
**028-302-01**  
Assessor's Parcel No (APN)  
**Mark Grofcsik**  
Applicant's Name (i.e. design professional)

**Zone 5**  
Flood Control District (if applicable):

**TBD, part of MLD no.08-0039**  
Building Permit No. / Discretionary Application  
**Foy Residence**  
Project Name (Alias)  
Property Owner's Representative's Firm  
Property Owner's Representative's Phone No.  
**Rt Engineering, Inc**  
Applicant's Project Name  
**(831) 425-3901**  
Applicant's Phone No.

**PROJECT DESCRIPTION**

<u>Lot Coverage (measured in square feet)</u>	<u>Actual (sq. ft.)</u>	<u>Adjusted (sq. ft.)*</u>	
A. Total lot size:	5,360		
B. Existing Permitted Impervious Area:	0		
C. Replaced permitted impervious area:	0		
D. Replaced permitted semi-impervious area*:	0	0	
E. Proposed new self-sealing area:	0		
F. Proposed new impervious area:	2,170		
F. Proposed new semi-impervious area*:	0	0	

if 2,170 is > than 0,  
 project shall will be required to mitigate the entire site.\*\*

**Total replaced impervious & semi-pervious area:** 0 sq.ft.

**Total proposed impervious & semi-impervious area:** 2,170 sq.ft.

**Project Threshold Classification**

☐ **Small Project** (less than 500 sq.ft. created and/or replaced) - Use Appendix B 'Small Project Submittal Requirements' for submittal requirement guidance.

☒ **Medium Project** (500 sq.ft. but less than 5,000 sq.ft. created and/or replaced) - Use Appendix C 'Medium Project Submittal Requirements' for submittal requirement guidance.

☐ **Large Project** (5,000 sq.ft. or more created and/or replaced OR 50% increase in permitted impervious area\*\*) - Use Appendix D 'Large Project Submittal Requirements' for submittal requirement guidance.

Application is part of a phased project OR master plan? Yes ☐ No ☐

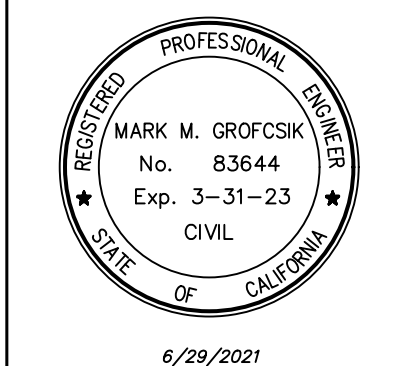
Application will maintain pre-development runoff patterns? Yes ☐ No ☐

Application is unable to comply with Part 3 of the Design Criteria requirements & is electing to request a waiver(s) Please provide a brief description (below): Yes ☐ No ☐

\*Form will apply a 50% credit for semi-impervious areas as final count. Applicant shall not apply the credit.

\*\*Projects that add more than 50% impervious area coverage are required to mitigate the entire site.

\*\*\*Disclaimer: Permit review is based the information provided; additional clarification may be required for undisclosed/unidentified areas. Unaccounted areas may recalculate the project threshold.



**RJ Engineering, Inc.**  
303 Potrero St., Suite 42-202, Santa Cruz, CA 95060  
831-425-3901 [www.rjengineering.com](http://www.rjengineering.com)

SINGLE FAMILY RESIDENCE  
FOR  
PATRICK FOY  
LOT 1 - RYAN'S WAY (WLD NO.08-0039)  
SANTA CRUZ COUNTY, CA  
APN 028-302-01

DETAILS

project no.	21-058-1
date	JUNE 2021
scale	AS SHOWN
dwg name	CIVIL.dwg

C-2



## Staff Report to the Planning Commission

Application Number: **08-0039**

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**Applicant:** Charles Eadie, Hamilton Swift  
Land Use Consultants

**Agenda Date:** September 28, 2011

**Owner:** Campeco, LLC

**Agenda Item #:** 10

**APN:** 028-302-01

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

**Project Description:** Proposal to divide the existing 40,425 square foot parcel into three parcels of 5,361 square feet, 6,411 square feet, and 9,049 square feet, to demolish five existing houses, to grade approximately 980 cubic yards of cut and 80 cubic yards of fill, to construct three single family dwellings, to allow for the garages to extend 2-4 feet from the house façade, to allow for retaining walls over 3 feet in height to be located within the 20 foot front yard setback, and to remove existing improvements within 100 feet of Moran Lake and restore vegetation. Requires a Minor Land Division, a Coastal Permit, a Residential Development Permit, an Exception to the Pleasure Point Residential Development Standards, a Riparian Exception, Soils Report Review, and Preliminary Grading Review.

**Location:** Property located at the intersection of Moran Way and East Cliff Drive between 26<sup>th</sup> Avenue and Palisades Avenue (8 Moran Way).

**Supervisory District:** 1<sup>st</sup> District (District Supervisor: Leopold)

**Permits Required:** Coastal Permit, Minor Land Division, Residential Development Permit, an Exception from the Pleasure Point Residential Development Standards & a Riparian Exception.

**Technical Reviews:** Soils Report Review & Preliminary Grading Review

**Staff Recommendation:**

- Certification of the Mitigated Negative Declaration per the requirements of the California Environmental Quality Act.
- Approval of Application 08-0039, based on the attached findings and conditions.

## Exhibits

- |    |   |    |   |
|----|---|----|---|
| A. | Project Plans   | F. | Moran Lake Concept Plan and                               |
| B. | Findings  |    | Monarch Butterfly Habitat                                 |
| C. | Conditions  |    | Management Plan   |
| D. | Mitigated Negative Declaration<br>(CEQA Determination) with<br>attachments. | G. | Neighborhood Meeting Notes                                |
|    |   | H. | Comments and Correspondence not<br>included in Exhibit D. |
| E. | East Cliff Drive Route Concept Plan   |    |   |

## Parcel Information

Parcel Size:	40,425 square feet (.92 acres)
Existing Land Use - Parcel:	Single family residential
Existing Land Use - Surrounding:	Single family residential; County park (Moran Lake); Moran Lake Beach
Project Access:	Via Moran Way
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Residential)
Zone District:	R-1-5-PP (Single Family Residential - 5,000 square feet minimum with Pleasure Point Community Design Combining District)
Coastal Zone:	<u>X</u> Inside      ___ Outside
Appealable to Calif. Coastal Comm.	<u>X</u> Yes      ___ No

## Environmental Information

Geologic Hazards:	None mapped.
Soils:	Geotechnical Report (prepared by Bauldry Engineering, dated January 2005 and updated March 2008) indicates that site is underlain by the Purisima Formation. Bedrock overlain by expansive sandy clay material identified in borings.
Fire Hazard:	Not a mapped constraint.
Slopes:	Parcel slopes downhill from east to west, gradually increasing in slope towards west property line.
Env. Sen. Habitat:	Mapped for Santa Cruz tarplant, Zayante band-winged grasshopper, white-rayed pentachaeta, and monarch butterfly. Monarch butterfly habitat located at each property line to be restored as a part of the project. No other mapped species or habitats discovered on site.
Grading:	Approximately 980 cubic yards of cut and 80 cubic yards of fill proposed.
Tree Removal:	Three trees within proposed development area to be removed.
Scenic:	Not a mapped resource.
Drainage:	Drainage improvements proposed to accommodate new development.
Archeology:	Not a mapped resource.



## Services Information

Urban/Rural Services Line:	<u>X</u> Inside      ___ Outside
Water Supply:	City of Santa Cruz
Sewage Disposal:	County Sanitation
Fire District:	Central Fire Protection District
Drainage District:	Zone 5

## History

The parcel is currently developed with five single family dwellings. Building permit 5274 was finalized in 1963 for a single family dwelling; however the other dwellings appear to have been constructed prior to permitting requirements.

## Project Setting

The subject parcel and surrounding parcels in the vicinity are located within the Pleasure Point neighborhood and are designated with the –PP (Pleasure Point Community Design) combining zone district. Moran Lake is located to the north and northwest of the subject parcel and the ocean is located approximately 200 feet southwest of the subject parcel. Surrounding parcels to the south, east and north across Moran Lake are zoned R-1-5-PP (Single Family Residential – 5,000 square feet minimum within the Pleasure Point Community Design Combining District) and are developed with single family dwellings. Properties to the northwest across Moran Lake are zoned for multi-family residences.

The parcel is located within the Urban Services Line and is currently developed with five single family dwellings. The residences gain access from a paved, private driveway (Moran Way) that intersects with East Cliff Drive at the south property line. The driveway is also accessible from the paved portion of Moran Way to the northeast, however, this roadway segment is used primarily by pedestrians and bicyclists and has minimal improvements.

Moran Lake is located on the adjacent parcel to the north and northwest. County Code Section 16.30 defines a Riparian Corridor as: “Lands extending 100 feet from the high watermark of a lake, wetland, estuary, lagoon, or natural body of standing water”. Therefore, the associated Moran Lake riparian corridor extends onto the subject property at the north and northwest property lines and a portion of the existing private road (Moran Way) is currently located within the 100 foot setback. There are scattered eucalyptus trees growing on the subject parcel, however, there is a more heavily wooded patch of eucalyptus trees just outside of the north and northwest property lines which comprise an area identified as the Moran Way Windrow in the Moran Lake Monarch Butterfly Habitat Management Plan, prepared by the County Parks Department (Exhibit F). This southeast grove is a roosting area for the Monarch Butterfly, provides critical wind protection for the lake area, and intermittently functions as a refuge habitat.

The Board of Supervisors adopted the Moran Lake Concept Plan and the Moran Lake Monarch Butterfly Habitat Management Plan on January 25, 2011. Although funding is currently not available for the County Parks Division to pursue the design planning process, aspects of the plan will be implemented as a part of the proposed adjacent land division.

**Exhibit E**

### **Detailed Project Description**

The subject parcel is approximately 40,425 square feet which includes portions of Moran Way to the north, and an approximately 9,990 square foot parcel that constitutes a portion of East Cliff Drive and is therefore proposed for dedication to the County.

The proposal is to divide the existing 40,425 square foot parcel into three parcels of 5,361 square feet, 6,411 square feet, and 9,049 square feet for the construction of three 4-bedroom single family dwellings.

As per County Code Section 13.10.552, three standard size (8.5' x 18') parking spaces are required for each residence. The proposed project is in compliance with this requirement in that each residence will have a 2 car garage and one additional parking space in the driveway outside of the right of way.

The subject parcel is adjacent to Moran Lake which is a county owned parcel. The north and northeastern adjacent portions of Moran Way are primarily utilized for public pedestrian and bicycle access to the Moran Lake trail and to the County-owned beach to the south. The east adjacent residence also gains access from this portion of Moran Way. The applicant is proposing to record an access easement over these portions of the trail to allow for public pedestrian and bicycle access and County vehicle access for maintenance purposes.

There are several eucalyptus trees located at the northeastern property line; however, there are only 13 trees located in the development area and only three of the 13 are proposed for removal. A Monterey Pine Tree located adjacent to the existing driveway near Moran Way is also proposed for removal. The tree is 20" DBH (diameter at breast height) and the Arborists Report indicates that the tree is infested with Pitch Moth and may be infested with Pitch Canker. The report supports the removal of the tree due to poor structure and compromised health.

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

The subject property is a 40,425 square foot lot located in the R-1-5-PP (Single Family Residential - 5,000 square foot minimum within the Pleasure Point Community Design Combining District) zone district. All of the proposed lots meet the minimum 5,000 square foot net site area requirement for the R-1-5 zone district and, with the exception of the garages located a maximum of 4 feet from the front façade of the homes, the proposed residences are in compliance with the required site standards for the Pleasure Point Community Design Combining District including, setbacks, height, lot coverage, floor area ratio, frontage and width, as shown in the table below. The resulting parcels will be greater than 35' wide, therefore, the Pleasure Point District requires that the second stories are setback at least 10 feet from the side property lines (County Code Section 13.10.446(a)(1)(A)), however, the proposal is to comply with the 10 foot side yard setbacks for both the first and second stories on all three proposed structures, which meets the requirements of the Pleasure Point Community Design Plan.



	Required as per County Code 13.10.323(b) R-1-5 District & 13.10.446(a)(1)(A) PP Combining District	Proposed Site Standards
Front Yard	20'	20' min.
Side Yards	5' & 8' with 10' second story setbacks; 20' street side yard for Lot 1 corner lot.	10' & 10' min. 20' min. street side yard on Lot 1
Rear Yard	15'	15' min.
Lot Coverage	40%	20.7% - 26%
Floor Area Ratio	50%	38% - 50%
Maximum Height	28'	28' max.
Frontage	50'	>50'
Width	50'	>50'

The subject property is designated as Urban Medium Residential (R-UM) in the General Plan. The Urban Medium Residential (R-UM) General Plan designation requires new development to be within a density range of 4,000 to 6,000 square feet of net developable land per residential unit. The proposed land division would create three parcels of 5,361 square feet, 6,411 square feet and 9,049 square feet of net developable area, which is below the lowest end of the density range; however, the reduced density is supported based on the surrounding environmental constraints associated with Moran Lake and the monarch butterfly habitat, and the existing access constraints associated with the heavily travelled public pedestrian and bicycle path on the northern portion of the parcel.

Surrounding parcels, which are also within the R-UM General Plan designation, range in size from 4,500 square feet to 16,300 square feet; therefore, the proposed parcel sizes are consistent with the range of sizes in the neighborhood.

### **Building and Retaining Wall Height**

The resulting two story residences will be constructed into the hillside with the garages located at the basement level. These garage levels qualify as "basements" as per County Code Section 13.10.700-B in that greater than 50% of the exterior perimeter wall area is below grade and not more than 20% of the perimeter exterior wall exceeds 5'6" above the exterior grade.

The proposed structures are able to meet the maximum height restriction of 28 feet due to the articulated design of the residences and the fact that the interior of the basement does not count towards maximum height in that it does not contribute to the bulk and mass of the structure.

To achieve the proposed design of the residences, retaining walls are used to cut driveways into the existing grade. Portions of these walls will be over three feet in height and located within the front yard setback; therefore a Residential Development Permit is required to recognize these overheight walls. The proposed retaining walls do not interfere with vehicular site distance along Moran Way in that the road is straight and dead-ends at the interior parcel; therefore, the road

will only serve as access to the three proposed residences. Additionally, the retaining walls allow for the garages to be located below the natural grades of the lots, which supports the purpose of the Pleasure Point Community Design Combining District, as further discussed below.

This architectural style of the residences is supported by staff as the design of the homes, with the garages located below grade at the basement level, reduces the bulk and mass from public view. See the discussion under Local Coastal Program Consistency and Design Review below for additional design analysis.

### **Access and Improvements**

The newly created parcels will take access from an improved driveway designed with a 20 foot paving width and a 25 foot right of way. The proposed driveway will intersect East Cliff Drive and will terminate at the public trail with a 16 foot wide emergency vehicle gate. East Cliff Drive is a County maintained road with a right of way that appears to be between 35' wide and 45' wide in the vicinity of Moran Way.

On June 10, 2008, the Board of Supervisors reviewed and approved a route concept plan, prepared by the Redevelopment Agency and the Department of Public Works, for the portion of East Cliff Drive located between 17<sup>th</sup> Avenue and Palisades Avenue (Exhibit E). The improvements proposed in the plan include the construction of concrete curb and gutter or asphalt concrete dike and resin-stabilized decomposed granite pathway on one side of the roadway and bicycle lanes for each direction. The plan indicates that 5' bike lanes would be constructed on the north side of East Cliff Drive adjacent to the subject parcel. Because this plan was adopted by the Board of Supervisors, the project includes a dedication of the adjacent parcel to the south (a portion of East Cliff Drive) to the County.

Although the interior roadway will be private, the existing pedestrian path at the north property line shall be preserved for public pedestrian and bicycle access by way of easement. The easement will also allow for County Parks/Public Works vehicles to utilize the trail to access Moran Lake for maintenance purposes and will allow for the adjacent parcel to the east (APN 028-302-12) to utilize the easement for parcel access.

### **Riparian Exception**

A portion of the existing driveway is located offsite within the Moran Lake county park area and a portion of the proposed new driveway is located within 100 feet of the Moran Lake high water mark. As per chapter 16.30 of the County Code, the area extending 100 feet from the high water mark of a natural body of standing water is considered to be within the Riparian Corridor. The area of existing encroachment is designated as a restoration area in the Moran Lake Butterfly Habitat Management Plan; therefore, the proposed land division would remove the existing portion of the encroaching driveway and restore vegetation as per the approved plan. The Riparian Exception would also allow for a portion of the proposed new driveway to be located within the 100 foot setback within an existing 20-foot wide right of way, which is supported by staff given that the result will improve the existing encroachment and restore existing disturbed habitat.

### **Local Coastal Program Consistency**

The proposed minor land division and resulting single family dwellings are in conformance with the County's certified Local Coastal Program, in that the structures are sited and designed to be visually compatible and in scale with the character of the surrounding neighborhood. The parcel is located within the Pleasure Point neighborhood, as designated by the Pleasure Point Community Design Combining District, which has been characterized as an area that is in transition from the existing older, one-story structures to newer, potentially larger structures.

Although the proposed residences will be visible from the Moran Lake public recreation trail, they will not create additional impacts on the existing public viewshed. The parcels surrounding Moran Lake are all currently developed with single family dwellings that range in size from one to two stories with varying degrees of vegetative buffering from the public viewshed. In addition, there are two existing two-story single family dwellings located on the adjacent parcel to the east, behind the existing cottages on the subject parcel. These existing dwellings are located slightly upslope of the subject property and the second stories of the homes are clearly visible from the Moran Lake public viewshed; therefore, additional visual impacts are not expected.

The subject parcel benefits from an existing eucalyptus grove that is located between the proposed building sites and Moran Lake public viewshed. This eucalyptus grove is defined as a critical element in the existing monarch butterfly habitat, as per the Moran Lake Monarch Butterfly Habitat Management Plan (Exhibit F); therefore, the vegetative buffering is a permanent feature of the site. Many of the other existing residences that surround Moran Lake do not have the benefit of vegetative buffering; however, these existing developments also do not create a negative visual impact on the public viewshed in that the area is an existing developed urban residential neighborhood where single family dwellings are expected.

The project site is not 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. The proposed project will not interfere with public access to the beach, ocean, or Moran Lake, in that an easement will allow for continued public access along the existing pedestrian trail.

### **Design Review**

The proposed urban minor land division complies with the requirements of the County Design Review Ordinance in that the proposed site design and architectural style and massing of the proposed residences will be balanced and compatible with existing surrounding developments. Although the proposed residences will be larger than the existing residences, many of the developed parcels in the vicinity contain two story single family dwellings, including the adjacent parcels to the north, east and south of the subject parcel.



View of subject parcel from the Moran Lake pedestrian path on north side of Moran Lake. Two story homes are clearly visible behind existing residences.



Subject parcel

View of parcels located to the north (left) of the subject property. Two story homes are clearly visible and have minimal vegetative buffering from public view.

The proposed residences are proportionate to the size of the proposed parcels at approximately 38% to 50% floor area ratio, and the exterior design of the residences will utilize natural colors that will blend in with the existing vegetation and surrounding natural site features. The design of the homes is respectful to neighboring residences, in that the proposed basement garages will be visible only from the northwest property line where the closest single family dwellings are located over 400 feet away across Moran Lake. Safe and functional circulation has been included in the site design as the public pedestrian and bicycle trail will be preserved by way of an easement, and a gate will be installed to block access to through traffic on Moran Way.

**Exhibit E**

## Environmental Review

Environmental review has been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). The project was reviewed by the County's Environmental Coordinator on June 7, 2011. A preliminary determination to issue a Negative Declaration with Mitigations (Exhibit D) was made on June 16, 2011. The mandatory public comment period expired on July 22, 2011, with one comment received from the public and one comment received from the Coastal Commission. The comments from the Coastal Commission (Exhibit H) indicated that the discussion of the riparian exception was not fully and clearly described in the CEQA document and that the project should comply with the development standards of the Pleasure Point Community Design Combining District. The project was further discussed with Coastal Commission staff and additional information regarding the proposed riparian exception and the project's compliance with site standards has been included in this report.

The environmental review process focused on the potential impacts of the project in the areas of Biological Resources and Visual Resources. The environmental review process generated mitigation measures that will reduce potential impacts from the proposed development and adequately address these issues.

## Pleasure Point Community Design Combining District Exception

The Pleasure Point Community Design Combining District became effective on May 12, 2010 and provides a framework for development within the Pleasure Point area (as defined in the plan). The plan includes specific site and design standards to encourage and achieve the following:

1. Reduce the visual and shading impacts of new and expanded houses on neighboring parcels and houses;
2. Encourage community interaction and orientation towards the street by providing an incentive for the creation of more front porches; and
3. Reduce the visual impact of automobile oriented features on residential building facades and in front yards.

Section 13.10.446(b)(2) of the Pleasure Point Combining District Ordinance requires that structures are designed to reduce the visual impact of garages. Specifically, the code states that "garages shall not protrude beyond the rest of the façade" and that they shall be flush with, or preferably behind, the rest of the house. The purpose of this code section is to eliminate a typical snout-house design where the garage, driveway, and associated vehicles are the most prominent features visible from the street frontage, and to encourage a human-oriented streetscape where front porches, front doors and windows face the street and provide a welcoming and safe atmosphere that supports the identity of the community.

The proposed single family dwellings include attached garages located at the lowest basement levels of the residences and which protrude approximately 2 feet to 4 feet from the dwellings facades. This proposed design reduces the visual impacts of the garage and associated vehicles in that over 50% of the perimeter wall of the garage will be located below finished grade, and the

**Exhibit E**



residence will be constructed over the garage at the natural grade. The proposed dwellings include street-facing decks along Moran Way and prominent entry ways which will be visible from East Cliff Drive. Vehicles parked in front of garages will be shielded from the public viewshed along East Cliff Drive by the natural grade.

The findings for an exception to the Pleasure Point Combining District Ordinance can be made, in that the proposed designs of the structures do not create “snout-houses” and meet the intent of the ordinance to reduce the visual impact of automobile-oriented features on the buildings façades. The additional street facing features such as decks, windows and entryways, encourage and support community and human interaction.

### **Relevant Coastal Permit Approvals**

Coastal Permit 08-0453 was approved in 2010, which permitted the construction of an approximately 3,000 square foot, two-story single family dwelling on Assessor’s Parcel Number 028-281-15. The parcel is located on the east side of Moran Lake, approximately 470 feet northeast of the subject property. This permit was approved by the Zoning Administrator on December 11, 2009 and was subsequently heard by the Board of Supervisors on February 23 and April 1, 2010 on special consideration. The Board of Supervisors considered neighborhood compatibility and visual impacts of the proposed development, given the size and mass of the proposed residence and a perceived three-story appearance from the Moran Lake public viewshed. This residence is clearly visible from the Moran Lake public recreation area.

The Board of Supervisors upheld the Zoning Administrator’s approval of the project based on, among others, the following findings:

- The neighborhood is in transition from older single story homes to newer two-story homes;
- The residence met or exceeded all site standards for the R-1-5 zone district;
- The basement level complied with the definition of “Basement” in the County Code and did not count as a story;
- The application included a planting plan to provide buffering vegetation;
- The articulation of the proposed residence did not create mass and bulk issues; and
- Surrounding residences are of similar size.

The proposal that is before you today, is consistent with the findings made by the Board of Supervisors in 2010 with regards to vegetative buffering, a basement level that is not considered a story, compliance with R-1-5 site standards, and an articulated design to reduce bulk and mass. The above coastal permit (08-0453) was considered prior to the Coastal Commission’s adoption of the Pleasure Point Community Design Combining District; however, the proposed project is in compliance with the required site standards and purpose of the plan as described above.

The home approved by permit 08-0453 is currently under construction and is clearly visible from the Moran Lake pedestrian path:

**Exhibit E**



Photo taken in August 2011 from Moran Lake pedestrian path on north side of Moran Lake.

## Conclusion

As proposed and conditioned, the project is consistent with all applicable codes, policies, and purposes 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.

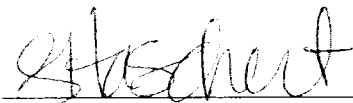
## Staff Recommendation

- Certification of the Mitigated Negative Declaration per the requirements of the California Environmental Quality Act.
- **APPROVAL** of Application Number **08-0039**, based on the attached findings and conditions.

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

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

Report Prepared By: \_\_\_\_\_

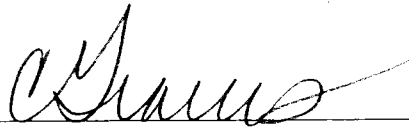
  
Samantha Haschert  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3214  
E-mail: [samantha.haschert@co.santa-cruz.ca.us](mailto:samantha.haschert@co.santa-cruz.ca.us)

**Exhibit E**

Application #: 08-0039  
APN: 028-302-01  
Owner: Campeco, LLC

Page 12

Report Reviewed By: \_\_\_\_\_



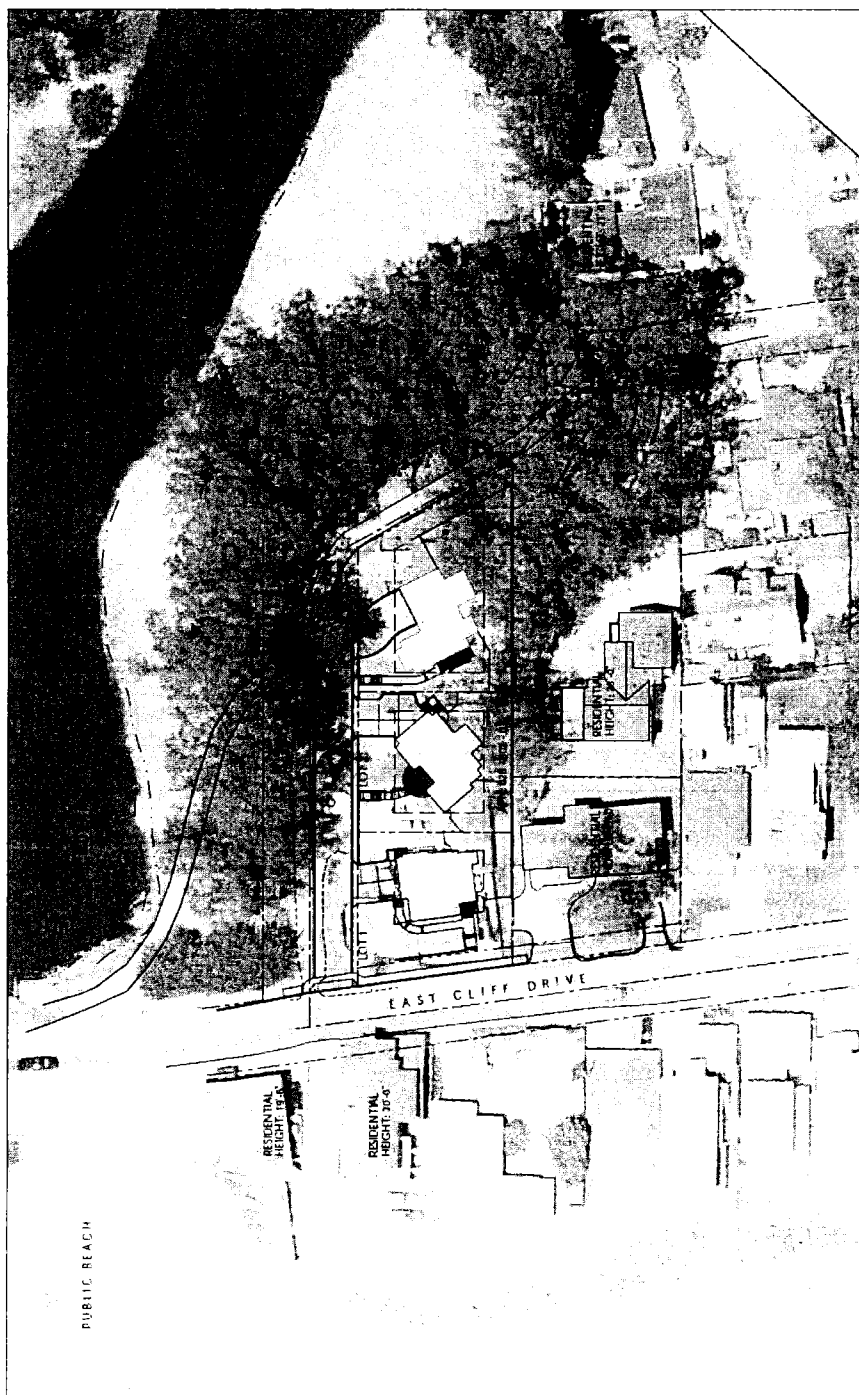
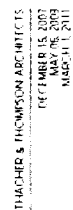
Cathy Graves  
Principal Planner  
Santa Cruz County Planning Department

**Exhibit E**



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TENTATIVE PARCEL MAP  
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# AERIAL SITE PLAN



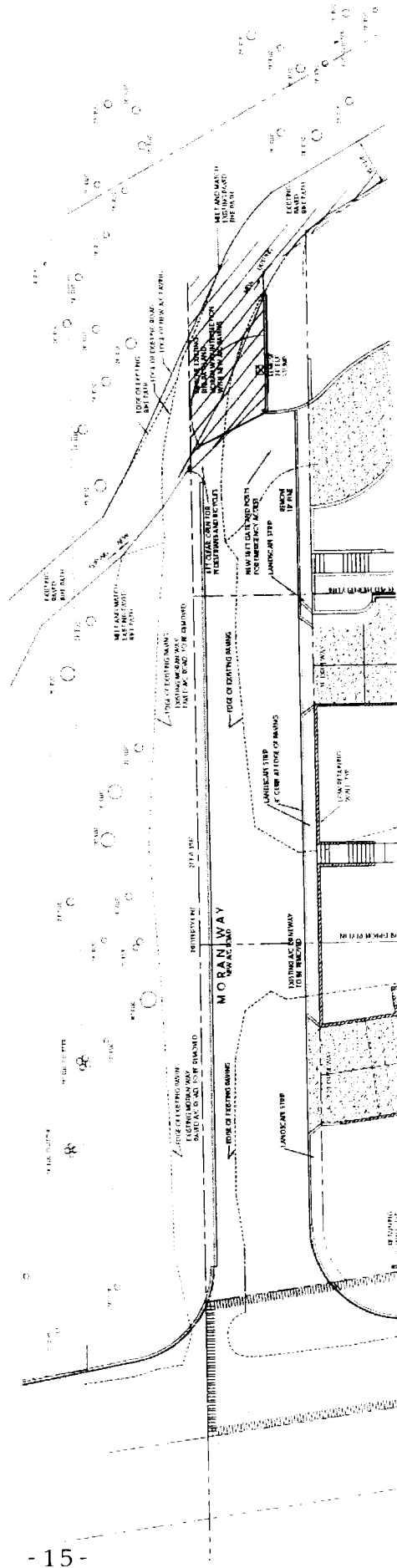
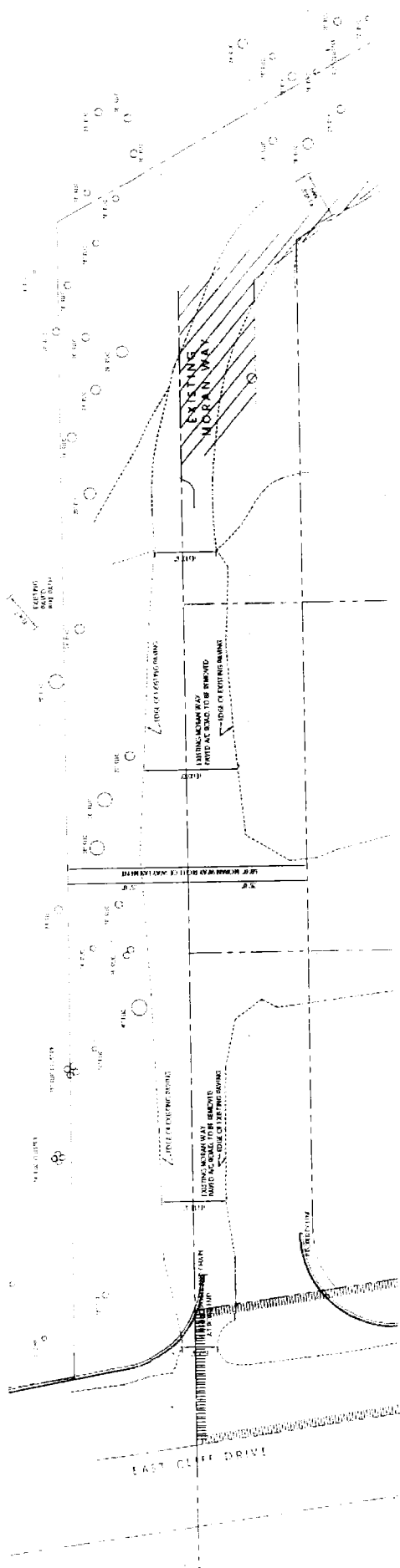
## COVER SHEET, PROJECT INFORMATION, AND AERIAL SITE PLAN

CURETON - MORAN WAY APR 28 3 01 PM '01

## Exhibit E

A1.0





PARTIAL SITE PLAN WITH PROPOSED ROAD MORAN WAY

TEACHER & THOMSON ARCHITECTS  
DECEMBER 15, 2007  
MAY 06, 2008  
SEPTEMBER 28, 2010

# SITE PLAN ROAD STUDY

CURETON - MORAN WAY APR 020-382-01

## Exhibit E

## A1.2

# LOT 1:

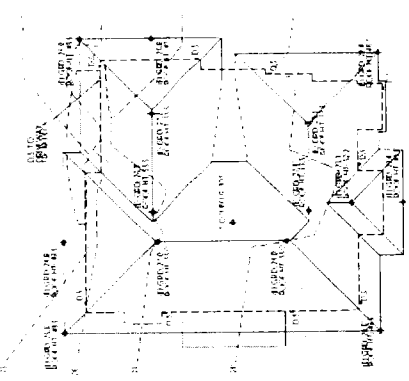
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5. AREA OF LOT 4	1.0000
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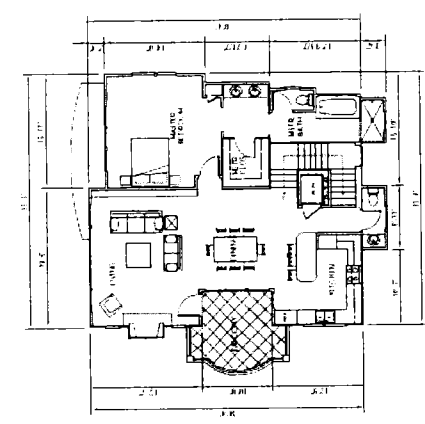
Exhibit E

A21

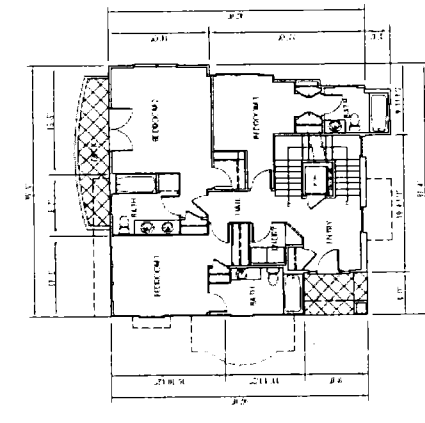
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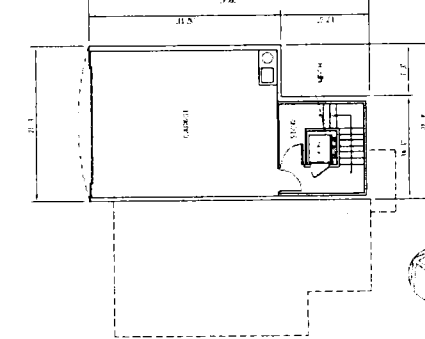
ROOF PLAN  
SHEET 1 OF 2



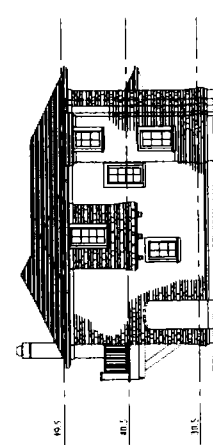
SECOND FLOOR PLAN  
SHEET 1 OF 2



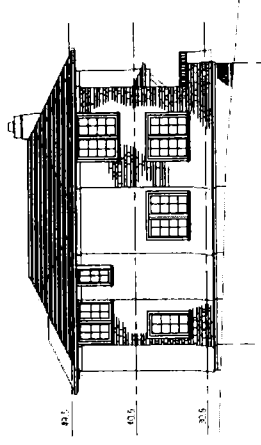
FIRST FLOOR PLAN  
SHEET 1 OF 2



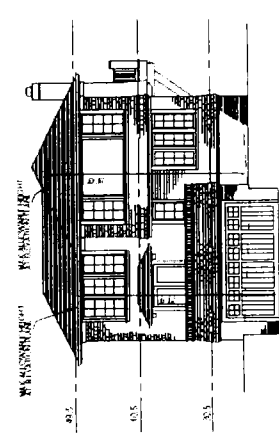
GARAGE PLAN  
SHEET 1 OF 2



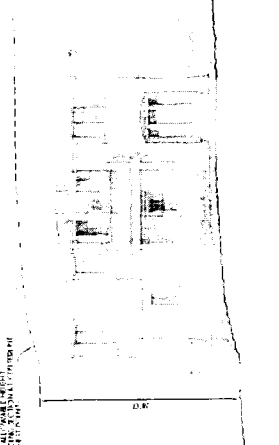
REAR ELEVATION  
SHEET 1 OF 2



SIDE ELEVATION  
SHEET 1 OF 2



FRONT ELEVATION  
SHEET 1 OF 2



SIDE ELEVATION  
SHEET 1 OF 2



THATCHER & THOMPSON ARCHITECTS  
CITY CENTER, 15, 2007  
MAY 15, 2008

## LOT 1 : BUILDING PLANS, ELEVATIONS, AND AREA CALCS

CURETON - MORAN WAY APR 02 - 107 - 01

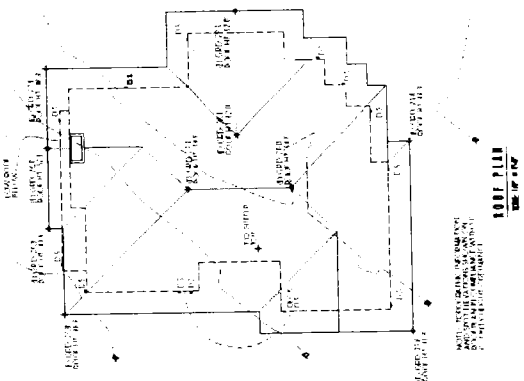
# LOT 2: AREA CALCULATIONS

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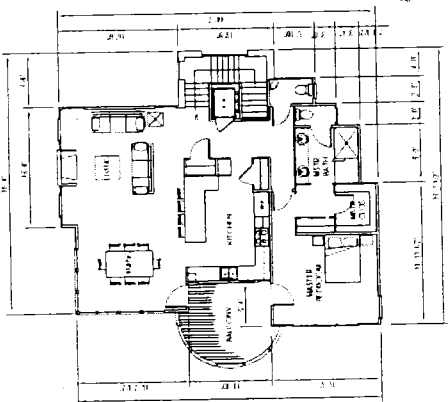
Exhibit E

A22

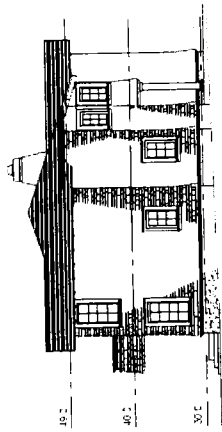
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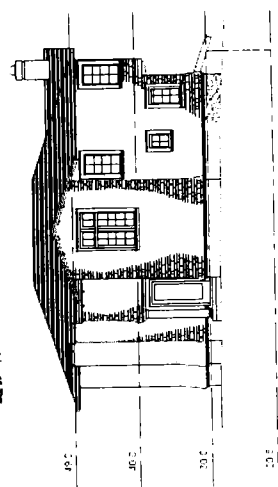
FIRST FLOOR PLAN  
OVERALL SIZE: 100' x 100'



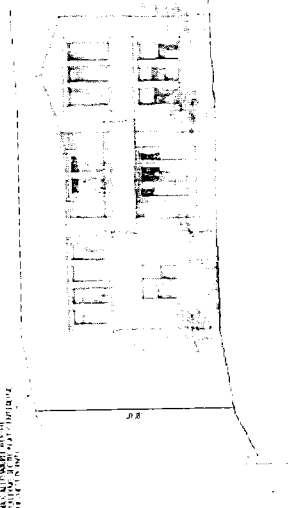
SECOND FLOOR PLAN  
OVERALL SIZE: 100' x 100'



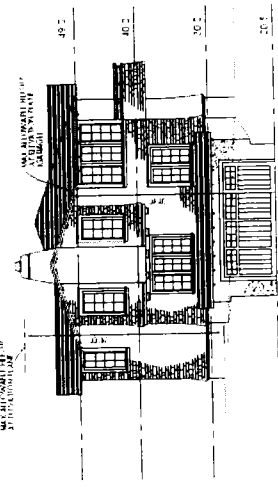
REAR ELEVATION  
OVERALL SIZE: 100' x 100'



SIDE ELEVATION  
OVERALL SIZE: 100' x 100'



SIDE ELEVATION  
OVERALL SIZE: 100' x 100'



FRONT ELEVATION  
OVERALL SIZE: 100' x 100'

THOMPSON & THOMPSON ARCHITECTS  
DECEMBER 15, 2017  
MAY 28, 2018

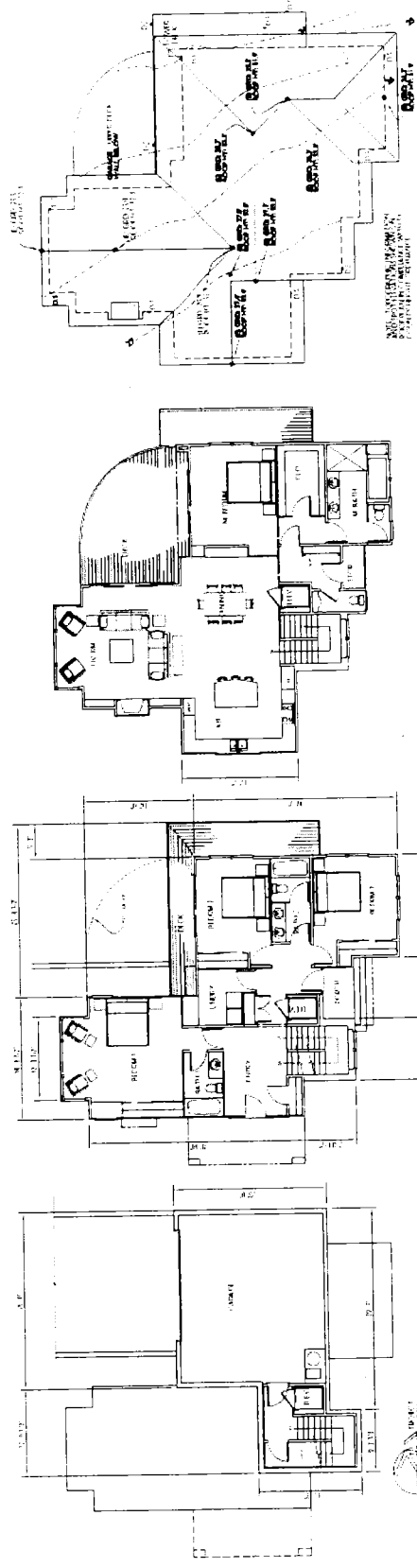
## LOT 2 : BUILDING PLANS, ELEVATIONS, AND AREA CALC

CURETON - MORAN WAY APR 2018 102-01



# LOT 3: AREA CALCULATIONS

1. TOTAL LOT AREA	1.00
2. AREA OF DRIVE	0.05
3. AREA OF DRIVE	0.05
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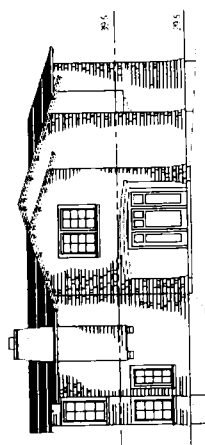


100' x 12'0"

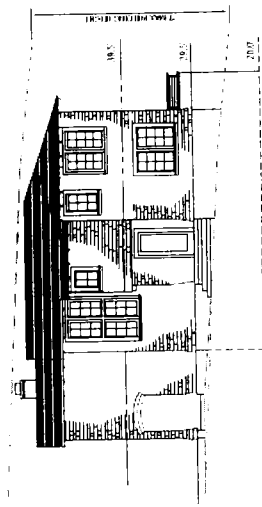
SECOND FLOOR PLAN  
100' x 12'0"

FIRST FLOOR PLAN  
100' x 12'0"

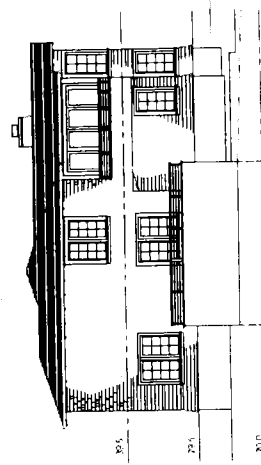
Garage Plan  
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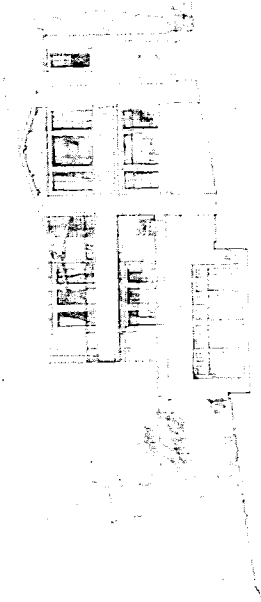
SOUTH ELEVATION  
100' x 12'0"



EAST ELEVATION  
100' x 12'0"



NORTH ELEVATION  
100' x 12'0"



WEST ELEVATION  
100' x 12'0"

THATCHER & THOMPSON ARCHITECTS  
14 CLEMENS BLVD., SUITE 200  
BIRMINGHAM, AL 35203  
(205) 975-1111

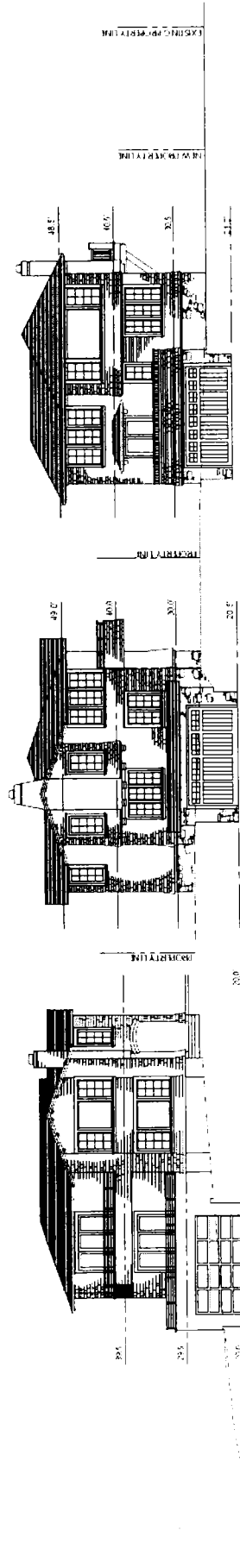
## LOT 3 : BUILDING PLANS, ELEVATIONS, AND AREA CALCS

CURETON - MORAN WAY APR 028-302-01

Exhibit E

A2.3

EXHIBIT A

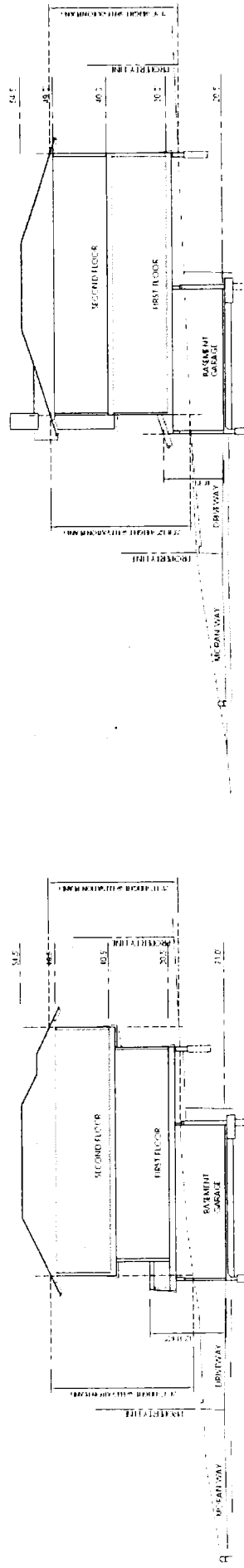


LOT 1

LOT 2

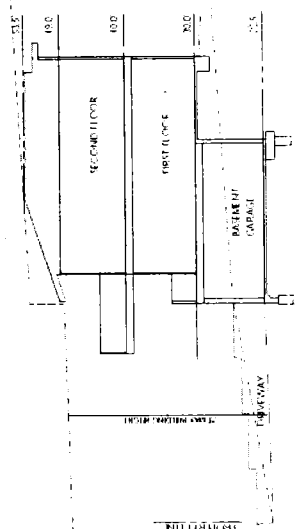
LOT 3

**MOORE WAY ELEVATION**  
1/8" = 1'-0"



**LOT 1 SECTION**  
1/8" = 1'-0"

**LOT 2 SECTION**  
1/8" = 1'-0"



**LOT 3 SECTION**  
1/8" = 1'-0"

**Exhibit E**

**STREET ELEVATION AND LOT SECTIONS**

**CURETON - MORAN WAY**

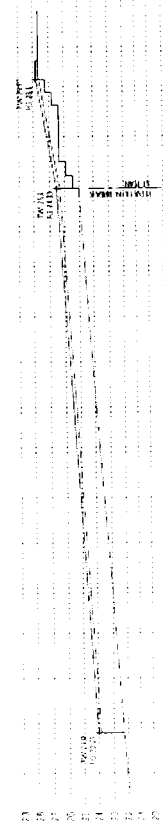
THATCHER & THOMSON ARCHITECTS  
DECEMBER 15, 2007  
JANUARY 11, 2008  
MARCH 11, 2008

A24

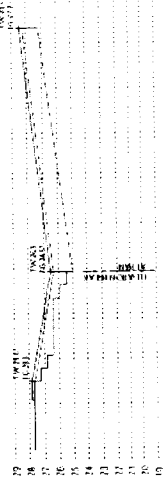




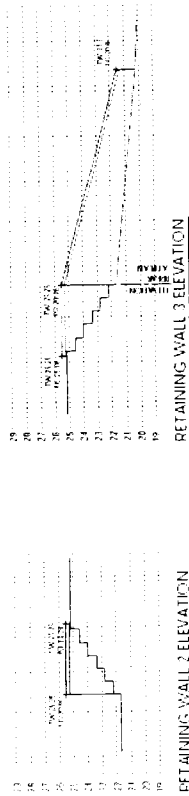
LOT 1



RETAINING WALL 1 ELEVATION



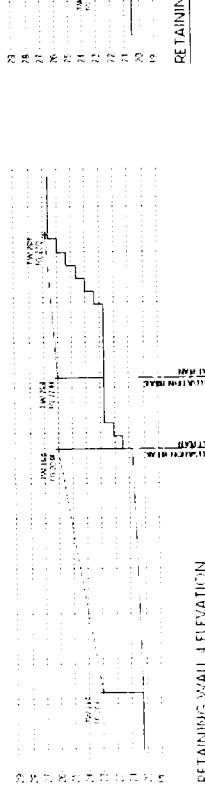
RETAINING WALL 2 ELEVATION



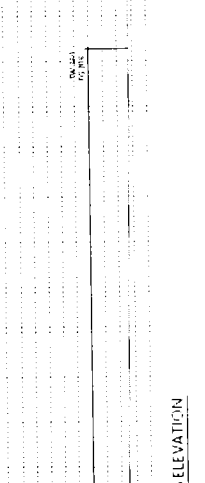
RETAINING WALL 3 ELEVATION



RETAINING WALL 4 ELEVATION



RETAINING WALL 5 ELEVATION



RETAINING WALL 6 ELEVATION

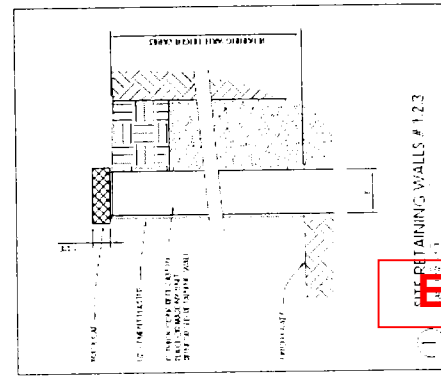
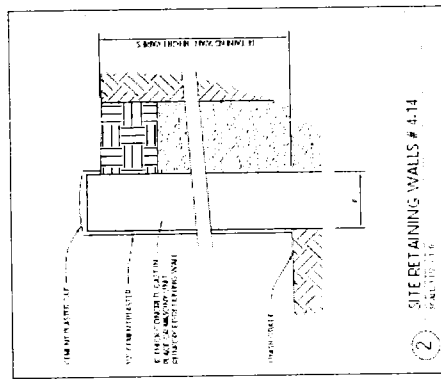


Exhibit E



THACHER & THOMPSON ARCHITECTS  
 SEPTEMBER 15, 2007  
 APRIL 02, 2009  
 MARCH 1, 2011

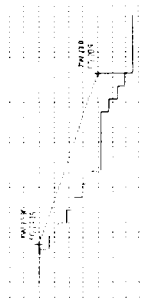
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CURETON - MORAN WAY APR 030-302-01

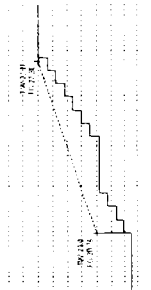
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EXHIBIT A

LOT 2



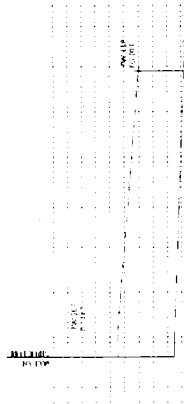
RETAINING WALL 6 ELEVATION



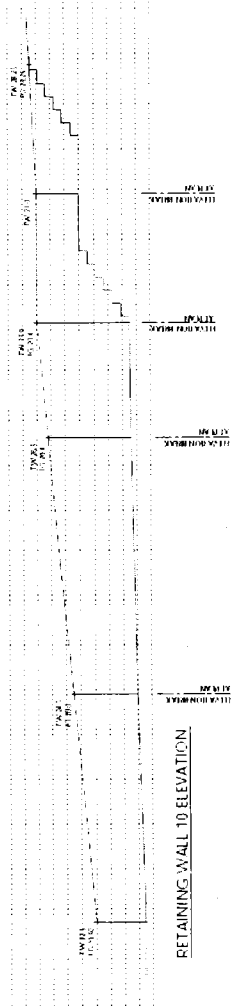
RETAINING WALL 7 ELEVATION



RETAINING WALL 8 ELEVATION

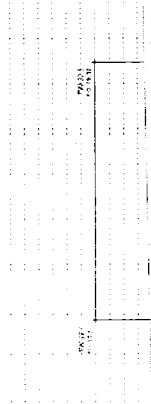


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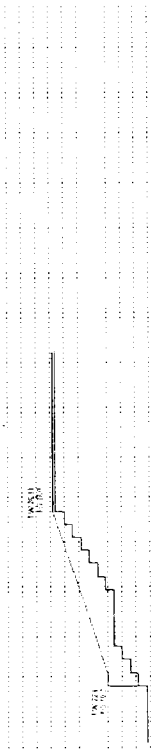


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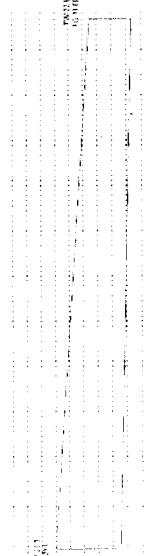
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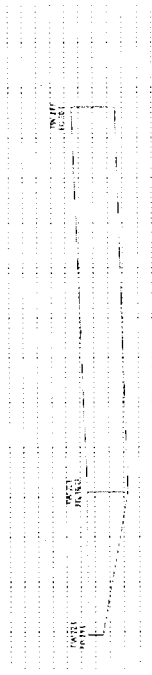
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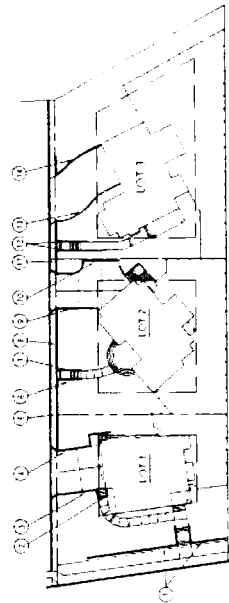
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RETAINING WALL 13 ELEVATION



RETAINING WALL 14 ELEVATION



RETAINING WALL KEY PLAN

Exhibit E

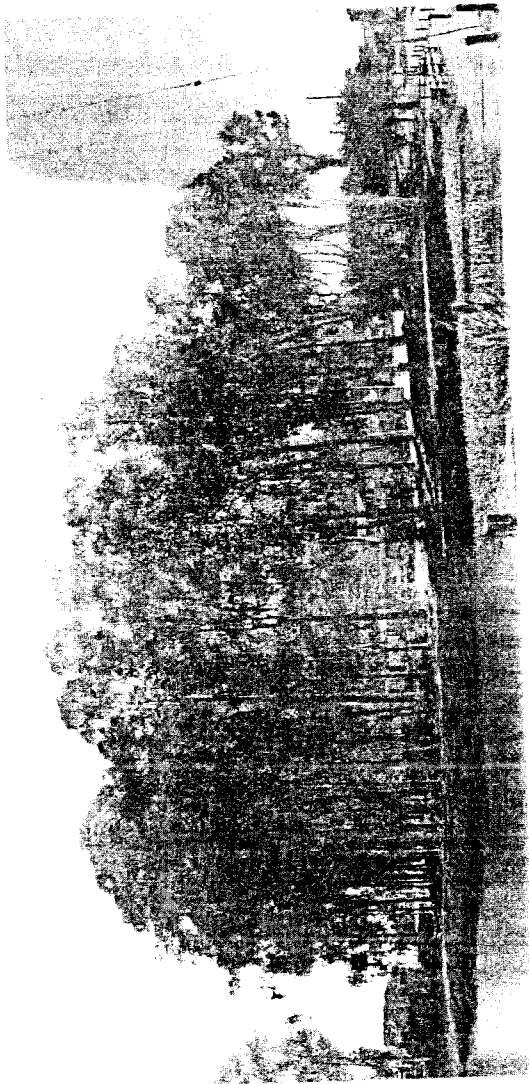
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EXHIBIT A

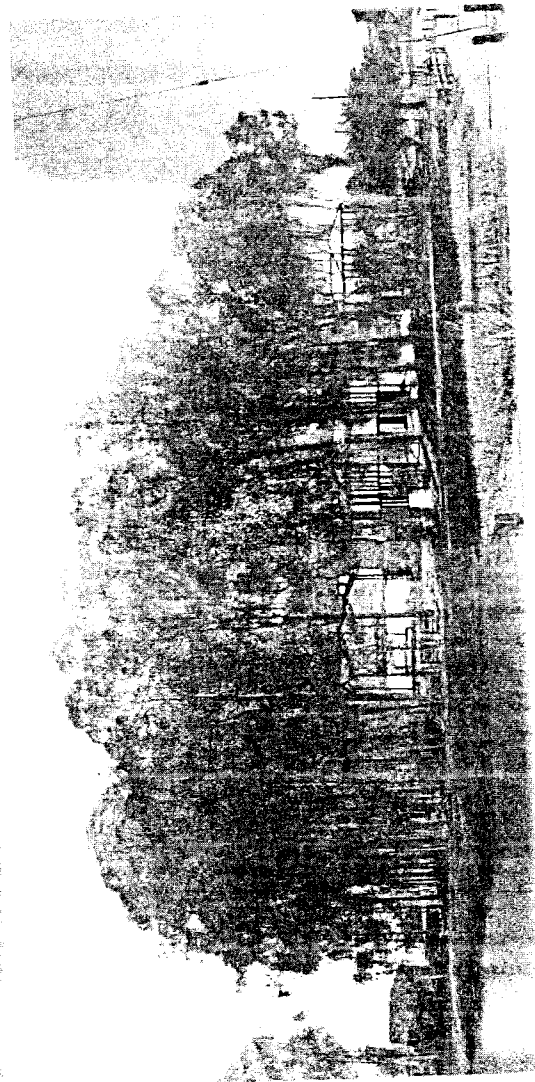
SITE RETAINING WALL ELEVATIONS SCALE: 1/4" = 1'-0"

CURETON - MORAN WAY APE-020-302-01

THOMAS & THOMPSON ARCHITECTS  
DECEMBER 15, 2007  
MARCH 11, 2011



EXISTING



PROPOSED

CONTEXTUAL ELEVATION

CURETON - MORAN WAY APR 020 - 302 - 01

**Exhibit E**

A5.0



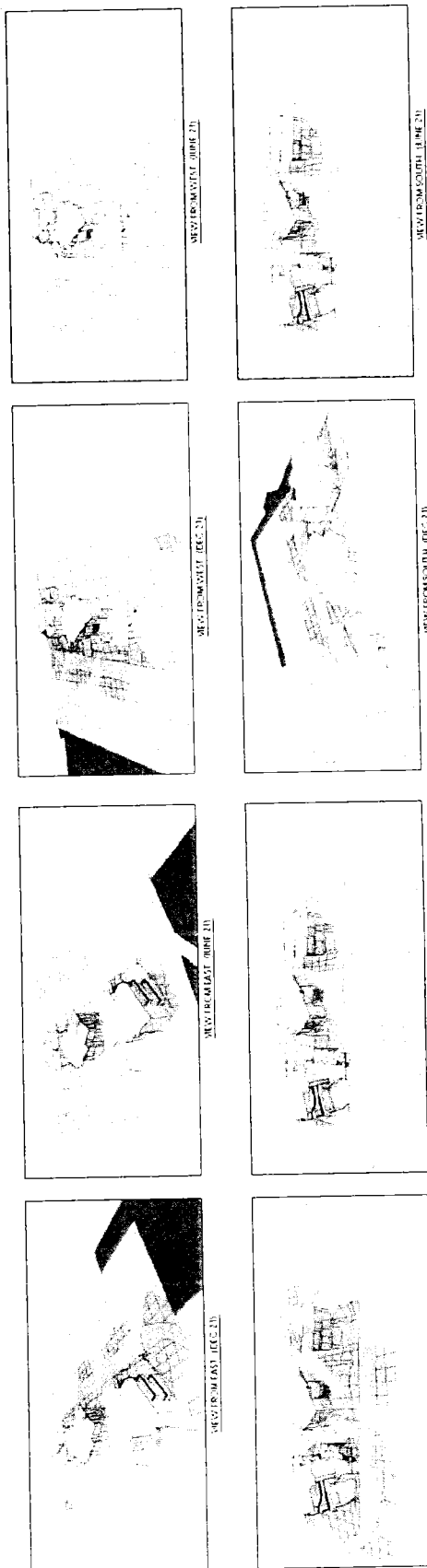
THACHER & THOMPSON ARCHITECTS  
DECEMBER 15, 2007  
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HATCH 11 2010

SHADOW STUDIES  
CURETON - MORAN WAY

Exhibit E

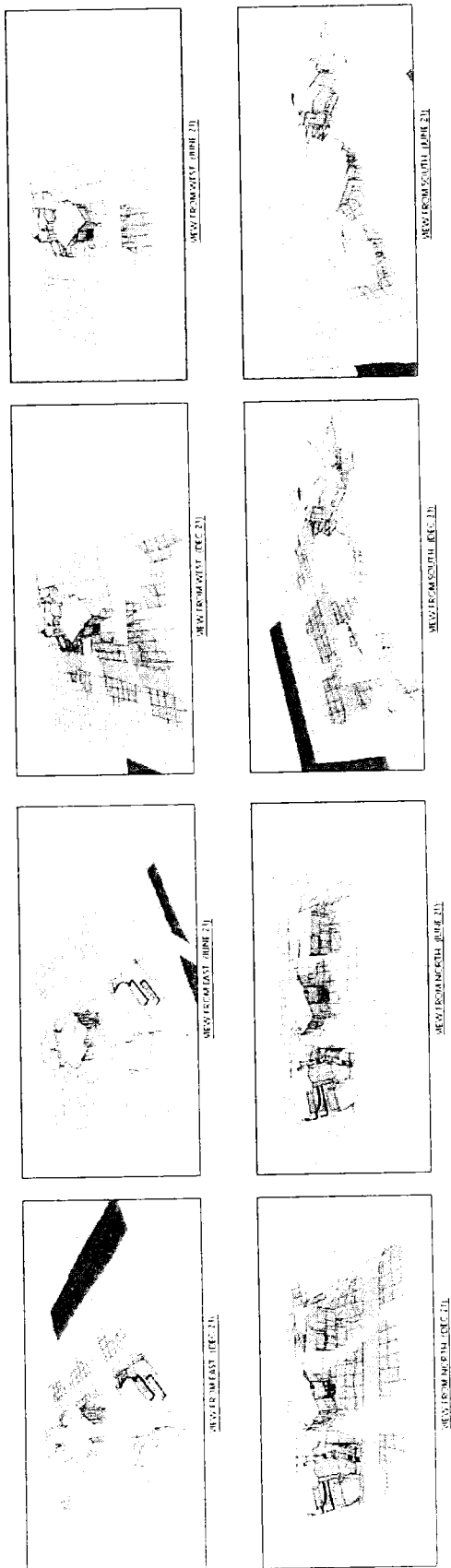
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EXHIBIT A

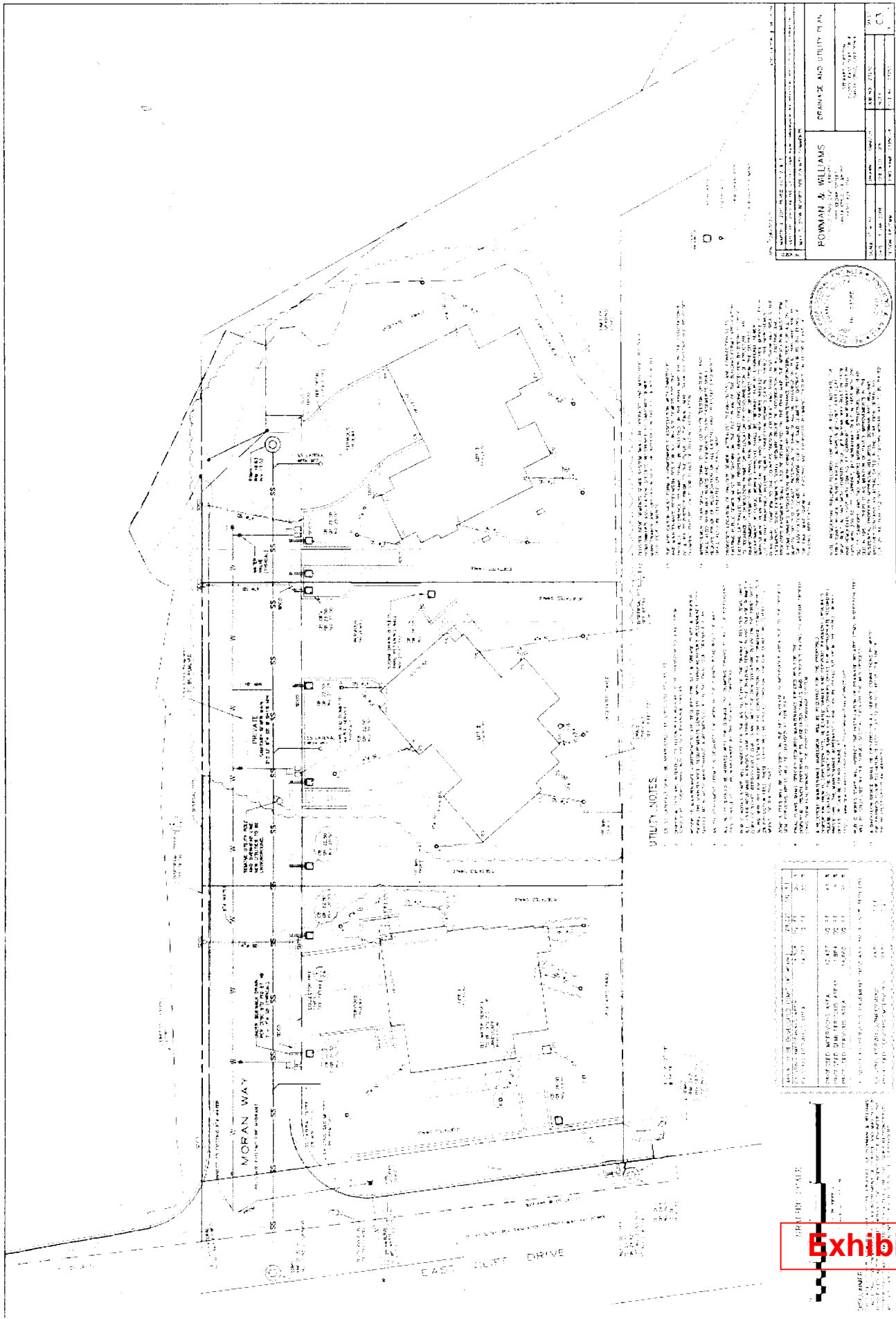




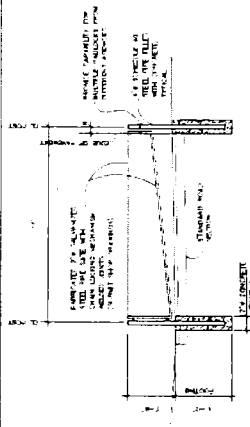






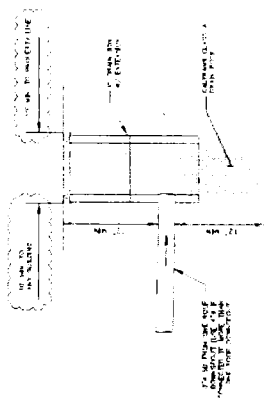


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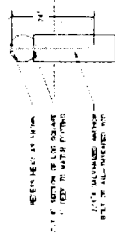


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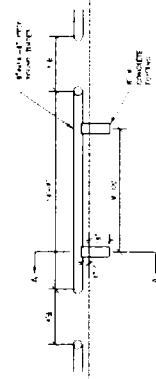
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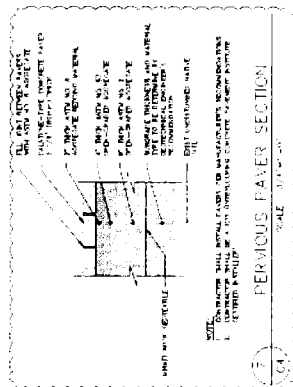
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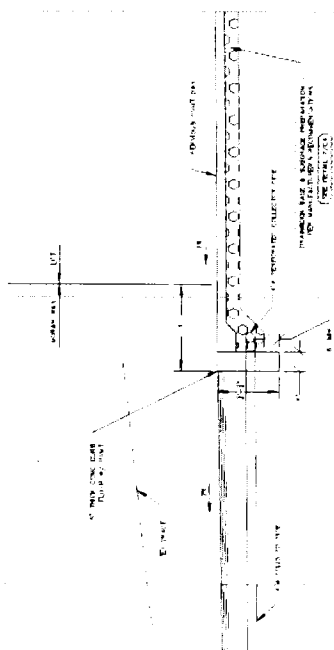
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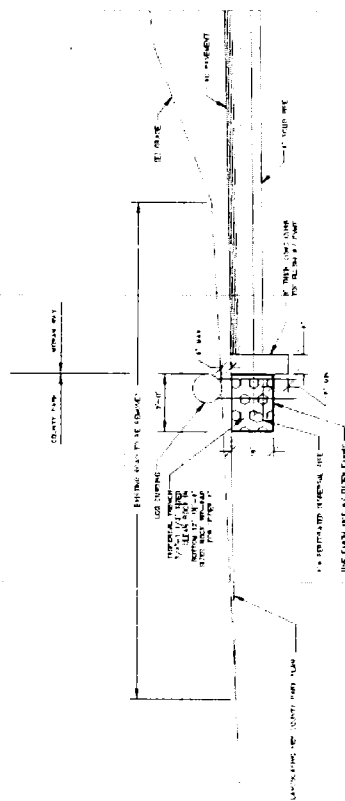
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PERVIOUS PAVEMENT SECTION



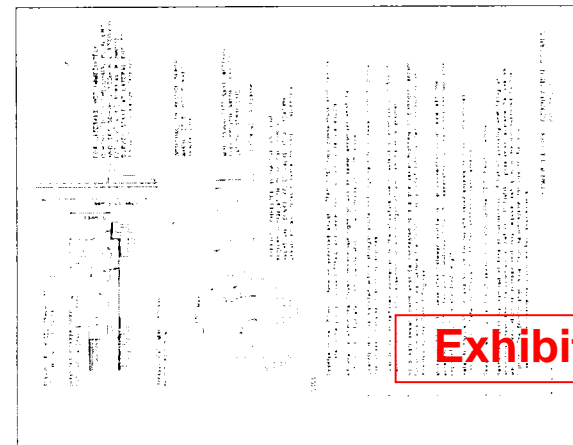
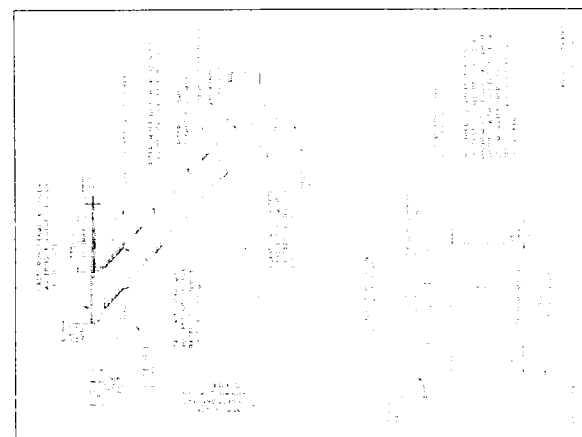
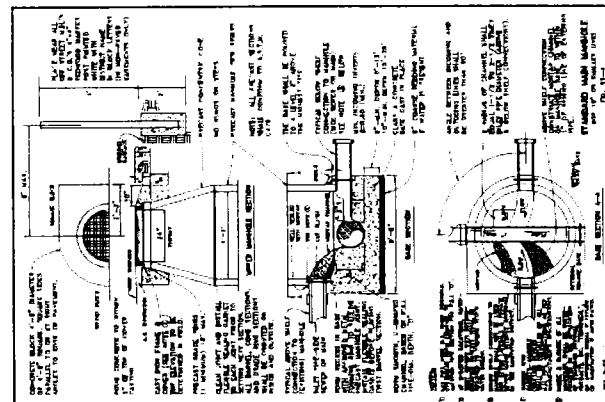
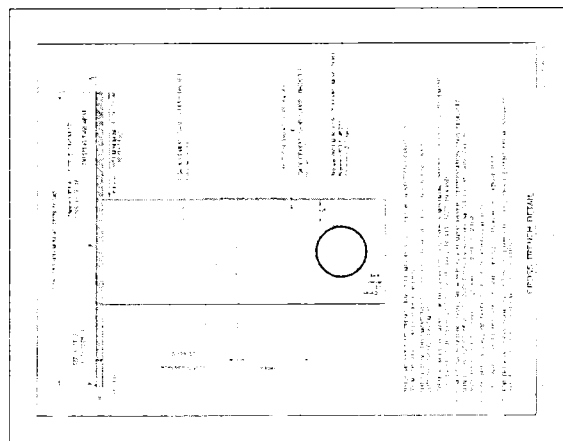
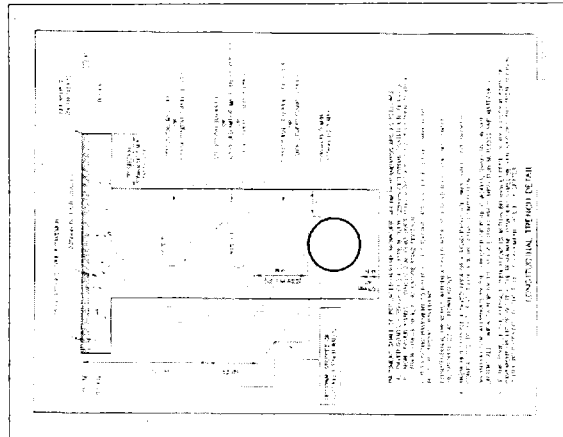
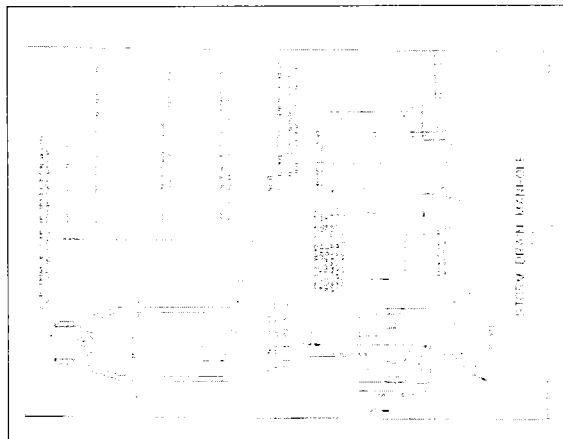
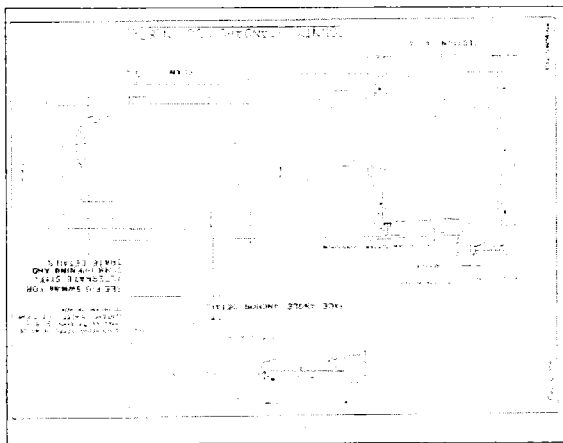
PREVIOUS DRIVEWAY COLLECTOR TRENCH DETAIL



DISPERSAL TRENCH DETAIL

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<b>DETAILS</b> BOWMAN & WILLIAMS ARCHITECTS 100 N. 10TH ST. PHILADELPHIA, PA. 19107		DATE: 10/10/70 DRAWN BY: J.W. CHECKED BY: J.W. SCALE: 1/4" = 1'-0" SHEET: 10/10/70
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**Exhibit E**



- Planting Schedule
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Moran Way

Lot 1

Lot 2

Lot 3

Lot 4

Lot 5

## LANDSCAPE PLAN

CURETON - MORAN WAY

SCALE

1" = 10'

Planting Schedule

Exhibit E

## Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned R-1-5-PP (Single Family Residential - 5,000 square feet minimum within the Pleasure Point Community Design Combining District), a designation which allows residential uses. The proposed residential use is a permitted use within the zone district and is consistent with the site's (R-UM) Urban Medium Residential 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 the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that all easements or restrictions that encumber the project site have been incorporated into the proposed project. The proposed minor land division will result in the recordation of an easement over the existing Moran Lake trail which crosses the property to provide public pedestrian & bicycle access, county maintenance vehicle access, and ingress/egress to APN 028-302-12.

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

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of size, mass, and architectural style; the site is surrounded by lots developed to an urban density; the proposed colors are muted and complementary to the site's natural surroundings and the development site is not on a prominent ridge or bluff top. The proposed residences are consistent with the site standards of the Pleasure Point Community Design Combining District, in that the resulting parcels will be greater than 35 feet wide and incorporate the full 10 foot side yard setbacks required by County Code Section 13.10.446. The proposal requires an exception from the design standards of the Pleasure Point Community Design Ordinance to allow for the garages to protrude approximately 2 – 4 feet from the front façade of the residences. This exception can be supported as the resulting designs of the residences do not create typical “snout-house” layouts where the garage is the most prominent feature on the street.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road and the proposal includes the recordation of a public pedestrian and bicycle easement

**Exhibit E**

along the existing Moran Lake trail to allow for permanent public access to Moran Lake, the beach, and the ocean. Consequently, the proposed minor land division will improve public access to the beach, ocean, and lake. The project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local coastal program.

This finding can be made, in that the structures are sited and designed to be visually compatible and in scale with the character of the surrounding neighborhood. The parcel is located within the Pleasure Point neighborhood, as designated by the Pleasure Point Community Design Combining District, which has been characterized as an area that is in transition from older, one-story structures to newer, two-story structures.

Although the proposed residences will be visible from the Moran Lake public recreation trail, they will not create additional impacts on the existing public viewshed in that the parcels that surround Moran Lake are all currently developed with single family dwellings that range in size from one to two stories with varying degrees of buffering vegetation along Moran Lake. Significant vegetative buffering is located between the proposed building sites and the Moran Lake public recreation area, which will soften the appearance of the structures from the public viewshed. This vegetation includes a eucalyptus grove that is protected as part of the existing monarch butterfly habitat, as determined in the Moran Lake Monarch Butterfly Habitat Management Plan and Moran Lake Concept Plans, and will therefore provide a permanent buffer. Many of the other existing residences that surround Moran Lake do not have the benefit of vegetative buffering; however, these existing developments also do not create a negative visual impact on the public viewshed, since the area is an existing developed urban residential neighborhood where single family dwellings are expected.

The project site is not 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. The proposed project will not interfere with public access to the beach, ocean, or Moran Lake as an easement will be recorded to allow for continued public access along the existing Moran Lake pedestrian trail.



## Subdivision Findings

1. That the proposed subdivision meets all requirements or conditions of the Subdivision Ordinance and the State Subdivision Map Act.

This finding can be made, in that the project meets all of the requirements of the Subdivision Ordinance and is consistent with the County General Plan and the Zoning Ordinance as set forth in the findings below. The subject parcel is a legal lot and the R-1-5-PP (Single Family Residential - 5,000 square feet minimum within the Pleasure Point Community Design Combining District) zoning district and R-UM (Urban Medium Residential) General Plan designation allow for the creation of areas for medium density single family residential development. The proposed development complies with all applicable R-1-5 zone district site standards and all site standards of the Pleasure Point Community Design Combining District, with the exception of the garage locations, for which an exception has been requested.

2. That the proposed subdivision, its design, and its improvements, are consistent with the General Plan, and the area General Plan or Specific Plan, if any.

The project is consistent with the R-UM General Plan designation in that the property is located within the Urban Services Line and is served by a full range of urban services. The parcel is accessed by East Cliff Drive which is a collector street and is located close to neighborhood and community shopping facilities. The R-UM General Plan land use designation allows for residential development at densities equivalent to 4,000-6,000 square feet of net developable parcel area per unit. The proposed land division would create three parcels of 5,361 square feet, 6,411 square feet and 9,049 square feet of net developable area, which is below the lowest end of the density range; however, the reduced density is supported based on the surrounding environmental constraints associated with Moran Lake and the monarch butterfly habitat, and the existing access constraints associated with the heavily travelled public pedestrian and bicycle path. Although it appears that an additional parcel could be included in the site design, the proposed three lot design is a superior option to ensure that the residences will not adversely impact surrounding environmental resources, public health and safety associated with the Moran Lake trail, visual resources from adjacent public areas, and the light, solar opportunities, air and open space surrounding residences. Surrounding parcels which are also within the R-UM General Plan designation, range in size from 4500 square feet to 16,300 square feet; therefore, the proposed parcel sizes are consistent with the range of sizes in the neighborhood.

The proposed land division is consistent with the pattern of existing land use in the neighborhood and protects surrounding environmental resources including monarch butterfly habitat and riparian resources associated with Moran Lake.

3. That the proposed subdivision complies with Zoning Ordinance provisions as to uses of land, lot sizes and dimensions and any other applicable regulations.

This finding can be made, in that the proposed parcel configuration meets the minimum dimensional standards and setbacks for the R-1-5-PP (Single Family Residential - 5,000 square feet minimum within the Pleasure Point Community Design Combining District) zone district including 20' minimum front yard setbacks, 10' minimum side yard setback with a 20' street side

**Exhibit E**

yard setback, and 15' minimum rear yard setbacks. There are five single family dwellings on the existing parcel, and the project will result in three single family dwellings on three separate parcels, which brings the parcel into compliance with the single family dwelling zone district.

4. That the site of the proposed subdivision is physically suitable for the type and density of development.

The parcel is suitable for the type and density of the proposed development, in that it is located within an urban residential area and is currently developed with five single family dwellings. The proposed project will result in three single family dwellings on three separate parcels and is in compliance with the minimum lot size for the R-1-5 zone district. The proposed lower density is supported in that the parcel is adjacent to Moran Lake and the associated monarch butterfly habitat and heavily travelled pedestrian path. Additionally, the proposed parcel sizes are consistent with the parcel sizes in the surrounding neighborhood.

A protected eucalyptus grove is located along the west property line adjacent to Moran Lake, however, this grove will not be impacted as a result of construction, improvements, or access associated with the proposed development, given the low density of the project. The project will remove a portion of the existing roadway, which is currently located within the required setback from Moran Lake, and restore vegetation as per the Board of Supervisors approved Moran Lake Monarch Butterfly Habitat Management Plan and Moran Lake Concept Plans. An easement will be recorded by the property owner prior to parcel map recordation to preserve public access to the existing Moran Lake pedestrian and bicycle trail. The proposed building sites are currently developed and no existing environmental resources on or around the proposed building sites will be adversely impacted by the proposed development.

Conditions of approval require the submittal of plan review letters from the project biologist, soils engineer, and arborist prior to the issuance of building permits to ensure that future on site construction complies with the approved technical reports.

5. That the design of the proposed subdivision or type of improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

This finding can be made, in that the project will improve and not further impact the existing eucalyptus grove/monarch butterfly habitat located along the west property line, adjacent to Moran Lake, and no mapped or observed sensitive habitats or threatened species impede the proposed building sites. The project has received a mitigated Negative Declaration pursuant to the California Environmental Quality Act and the County Environmental Review Guidelines.

6. That the proposed subdivision or type of improvements will not cause serious public health problems.

This finding can be made, in that in that resulting construction at the site would be connected to the county sanitation system and the County Sanitation Department has determined that the project is feasible based on preliminary plans. The final design plans will require review and approval by the County Sanitation Department prior to construction to ensure compliance.

**Exhibit E**

7. That the design of the proposed subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision.

This finding can be made, in that a path/trail, historically used as public access to the Moran Lake recreation area, is located on the subject parcel at the northern property line and this path will be preserved for public access via the recordation of a public pedestrian and bicycle easement. The easement will also allow access to County maintenance vehicles and access to the east adjacent parcel known as Assessor's Parcel Number 028-302-12 for ingress and egress.

8. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

This finding can be made, in that the resulting parcels are oriented in a manner to take advantage of solar opportunities.

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

The proposed urban minor land division and resulting single family dwellings comply with the requirements of the County Design Review Ordinance in that the proposed site design and architectural style and massing of the proposed residences will be balanced and compatible with existing surrounding developments. Although the proposed residences will be larger than the existing residences, many of the developed parcels in the vicinity contain two story single family dwellings, including the adjacent parcels to the north, east and south of the subject parcel.

The proposed residences are proportionate to the size of the proposed parcels at approximately 38% to 50% floor area ratio, and the exterior design of the residences will utilize natural colors that will blend in with the existing vegetation and surrounding natural site features. The design of the homes is respectful to neighboring residences, in that the proposed basement garages will be visible only from the northwest property line where the closes single family dwellings are located over 400 feet away across Moran Lake. Safe and functional circulation has been included in the site design and the public pedestrian and bicycle trail will be preserved by way of an easement and a gate will be installed to block access to through vehicular traffic on Moran Way. Therefore, this finding can be made.

**Exhibit E**

## Riparian Exception Findings

1. That there are special circumstances or conditions affecting the property.

This finding can be made, in that the special circumstance affecting the property is the location of the existing access road within the required 100-foot setback from Moran Lake. The project includes demolition of the existing access road/driveway and the construction of a new access road to the proposed new single-family dwellings. The new access road will be located approximately 8 feet farther from Moran Lake but will remain within the 100-foot setback due to the location of the 20-foot wide right-of-way.

2. That the exception is necessary for the proper design and function of some permitted or existing activity on the property.

This finding can be made, in that the exception is necessary to allow for relocation of the existing encroachment and restoration of the adjacent monarch butterfly habitat.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the project is located.

The granting of the exception will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the project is located, in that erosion control measures will be in place prior to demolition and construction of the new access road and all disturbed areas will be re-vegetated and covered to prevent sediment from leaving the site or impacting the eucalyptus grove and Moran Lake.

4. That the granting of the exception, in the coastal zone, will not reduce or adversely impact the riparian corridor, and there is no feasible less environmentally damaging alternative.

This finding can be made in that the granting of the exception will not reduce or adversely impact the existing protected monarch butterfly habitat or area adjacent to Moran Lake. Rather, the proposed project will improve the natural environment by removing a portion of the existing driveway encroachment and restoring the land as per the Moran Lake Monarch Butterfly Habitat Management Plan and Moran Lake Concept Plans.

6. That the granting of the exception is in accordance with the purpose of this chapter, and with the objectives of the General Plan and elements thereof, and the Local Coastal Program land use plan.

The granting of the exception is in accordance with the purpose of the Riparian and Wetland Protection Ordinance, with the objectives of the General Plan and Local Coastal Program, and with the intent and purposes of the Moran Lake Monarch Butterfly Habitat Management Plan and Moran Lake Concept Plans, in that the exception facilitates restoration of a portion of the habitat adjacent to Moran Lake that is currently disturbed. A landscaping plan was prepared for the property that includes several autumn and winter nectar plants for the overwintering Monarch butterflies. The demolition of the existing driveway will commence during the dry season to prevent the chance of sediment leaving the construction site.

**Exhibit E**

**Findings for Exceptions to the Pleasure Point  
Residential Development Standards [County Code Section 13.10.446]**  
*(One of the following findings must be made)*

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

The proposed development will meet all site standards with the exception of the location of garages, so this finding is not applicable.

2. That the Pleasure Point Community Design “PP” Combining District Purposes, found in Section 13.10.444, are better achieved by an alternative design; or

This finding can be made, in that the locations of the garages in the basement levels of the residences with over 50% of the exterior wall below natural grade reduces the visual impacts of the garages and associated vehicles and emphasizes the residences, balconies, and entry ways to create human-scale and community oriented designs which are encouraged in the purposes of the Pleasure Point Community Design Combining District.

3. That the granting of an Exception will result in a superior residential design that is consistent with the Pleasure Point Community Design “PP” Combining District Purposes, found in Section 13.10.444.

The granting of this exception to allow for the garages to protrude a maximum of four feet from the façade of the residences will result in a superior residential design in that a maximum four foot protrusion does not create a “snout house” design and the locations of the garages at the basement level with a minimum of 50% of the exterior wall located below grade reduces the visual impact of the garage and associated vehicles beyond that which would occur without a basement level and a flat façade.

## 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 development is located in an area designated for residential uses and has been designed to preserve and protect the eucalyptus grove on the adjacent parcel to the west and the recreation trail at the north property line. The proposal includes retaining walls, which vary between 3 feet and 5 feet in height within the required 20 foot front yard setbacks. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed residences will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structures meet all current required setbacks and surrounding parcels to the north, east and south are currently developed with two story single family dwellings. The proposed retaining walls will not be detrimental to the public health, safety or welfare in that the walls will not interfere with vehicular site distance along Moran Way. Moran Way is a straight roadway that dead-ends at the interior parcel and will only serve as access to the three proposed residences.

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 locations of the residences and the conditions under which they will be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-5-PP (Single Family Residential - 5,000 square feet minimum with Pleasure Point Combining District) zone district in that the primary use of the property will be three single family residences and units that meet all current site standards for the zone district. The proposed overheight retaining walls will not interfere with vehicular site distance along Moran Way and will allow for the garages to be located below the natural grades of the lots, which supports the purpose of the Pleasure Point Community Design Combining District to reduce the visual impact of garages on the façade of the residence.

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 specified for the Urban Medium Density Residential (R-UM) land use designation in the County General Plan. The R-UM General Plan land use designation allows for residential development at densities equivalent to 4,000-6,000 square feet of net developable parcel area per unit. The proposed land division would create three parcels of 5,361 square feet, 6,411 square feet and 9,049 square feet of net developable area, which is below the lowest end of the density range; however, the reduced density is supported based on the surrounding environmental constraints associated with Moran Lake and the monarch butterfly habitat, and the existing access constraints

**Exhibit E**



associated with the heavily travelled public pedestrian and bicycle path. Although it appears that an additional parcel could be included in the site design, the proposed three lot site design with less density is a superior option on the parcel to ensure that the residences will not adversely impact surrounding environmental resources, public health and safety associated with the Moran Lake trail, visual resources from adjacent public areas, and the light, solar opportunities, air and open space surrounding residences. Surrounding parcels which are also within the R-UM General Plan designation, range in size from 4500 square feet to 16,300 square feet; therefore, the proposed parcel sizes are consistent with the range of sizes in the neighborhood.

The proposed overheight retaining walls are appropriate for the design of the residences to reduce the visual impact of the basement level garages and therefore meet the intent of the Pleasure Point Community Design Combining District.

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 three residences are to be constructed on parcel that is currently developed with five single family dwellings and overheight retaining walls are not a traffic generating feature; therefore, an increase in traffic to and from the parcel is not expected as a result of the proposed land division.

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 development is located within the Pleasure Point Community Design Combining District which was developed to accommodate the variety of architectural styles including newer homes and smaller older homes. The proposed architectural design of the residences is consistent with the existing architectural variety in the neighborhood and the development is consistent with the land use intensity and density of the developed single family residential 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 urban minor land division complies with the requirements of the County Design Review Ordinance in that the proposed site design and architectural style and massing of the proposed residences will be balanced and compatible with existing surrounding developments. Although the proposed residences will be larger than the existing residences, many of the developed parcels in the vicinity contain two story single family dwellings, including the adjacent parcels to the north, east and south of the subject parcel.

The proposed residences are proportionate to the size of the proposed parcels at approximately 38% to 50% floor area ratio, and the exterior design of the residences will utilize natural colors that will blend in with the existing vegetation and surrounding natural site features. The design of the homes is respectful to neighboring residences, in that the overheight retaining walls will

**Exhibit E**



Application #: 08-0039  
APN: 028-302-01  
Owner: Campeco, LLC

allow for basement garages which will be visible only from the northwest property line where the closest single family dwellings are located over 400 feet away across Moran Lake. Safe and functional circulation has been included in the site design, in that the public pedestrian and bicycle trail will be preserved by way of an easement and a gate will be installed to block access to residential vehicular traffic on Moran Way.

**Exhibit E**

## Conditions of Approval

### Land Division 08-0039

Applicant: Charles Eadie, Hamilton Swift Land Use Consultants

Property Owner: Campeco, LLC

Assessor's Parcel Number(s): 028-302-01

Property Address and Location: Property located on the north side of East Cliff Drive at the intersection of Moran Way and East Cliff Drive, adjacent to Moran Lake County Park (8 Moran Way).

Planning Area: Live Oak

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#### Exhibit(s):

- A. Tentative Map and Improvement Plans - prepared by Bowman and Williams, sheets C1, C2, and C3 dated 3/9/11, sheets C1.1 and C4 dated 9/20/10, and sheets C5 and C6 dated 9/10/10; Architectural Plans - prepared by Thatcher & Thompson Architects, sheets A1, A1.1, A2.3, A2.4, A4, A4.1, and A6 dated 3/1/11, sheet A1.2 dated 9/28/10, sheets A2.1, A2.2, A3, and A5 dated 5/6/08, and Landscape Plan dated 3/9/11.
- 

All correspondence and maps relating to this land division shall carry the land division number noted above.

- I. Prior to exercising any rights granted by this Approval, the 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. Pay the required fee to the Clerk of the Board of the County of Santa Cruz for posting the Negative Declaration as required by the California Department of Fish and Game mitigation fees program.
  - C. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the tentative map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map and Improvement Plans shall comply with the following requirements:

**Exhibit E**

- A. The Parcel Map and Improvement Plans shall be in general conformance with the approved Exhibit A and shall conform to the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
- B. This land division shall result in no more than 3 residential parcels and 3 single family dwelling units.
- C. The minimum aggregate parcel area shall be 5,000 square feet of net developable land per parcel.
- D. The following items shall be shown on the Parcel Map:
1. Parcels/building envelopes, building footprints, common area and building setback lines located according to the approved Tentative Map. The building envelopes shall meet the following standards: 20 feet for front yards, 10 feet for interior side yards, 20 feet for street side yards, and 15 feet for rear yards.
  2. Show the net area of each lot to nearest square foot.
  3. All easements and dedications to be recorded prior to recordation of the Parcel Map. An easement shall be recorded along the Moran Lake pedestrian path, as shown on Exhibit A, which allows for public pedestrian and bicycle access, County vehicle access for maintenance, and access to parcel 028-302-12.
- E. The following items shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
1. New parcel numbers for all of the parcels must be assigned by the Assessors Office prior to application for a Building Permit on any parcel created by this land division.
  2. Lots shall be connected for water service to the City of Santa Cruz Water Department. All regulations and conditions of the water district shall be met.
  3. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the sanitation district shall be met.
  4. All future construction on the lots shall be in general compliance with the Architectural Floor Plans and Elevations as stated or depicted in the approved Exhibit A and shall also meet the following additional conditions:
    - a. Notwithstanding the approved preliminary architectural plans, all future development shall comply with the development standards shown on the parcel map. Development on each parcel shall not exceed a 40% lot coverage, a 50% floor area ratio, or other standards as may be established for the zone district.
  5. All future development on lots 44 shall comply with the requirements of the

**Exhibit E**

approved geotechnical report(s) for this project.

6. All future development on the lots shall comply with the requirements of the approved biotic report(s) for this project.
7. All future development on the lots shall comply with the requirements of the approved arborist's report(s) for this project.
8. Submit a lighting plan to the Planning Department for review and approval. The plan shall reflect that permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of riparian habitat. Light sources that do not attract insects shall be used. [Mitigation Measure VIII.B]
9. Submit plan review letters from the project arborist, biologist, and soils engineer.
10. 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 in which the project is located.
11. Any changes from the approved Exhibit "A" including but not limited to the Tentative Map, Preliminary Improvement Plans, or the attached exhibits for architectural and landscaping plans, must be submitted for review and approval by the Planning Department. Changes may be forwarded to the decision making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. Any changes that are on the final plans which do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review.

III. Prior to recordation of the Parcel Map, the following requirements shall be met:

- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- B. Plans shall note that construction and demolition materials shall be recycled and reused, as appropriate, and to the maximum extent possible in order to reduce the impacts of temporary construction debris on the capacity of the regional landfill. [Mitigation Measure VIII.C]
- C. A recorded maintenance agreement is required for the proposed dispersion trench, dispersion pits, vegetated swales and pervious pavement driveways. Please contact the County of Santa Cruz Recorder's office for appropriate recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at:  
[http://www.dpw.co.santa-cruz.ca.us/Storm\\_Water/FigureSWM25.pdf](http://www.dpw.co.santa-cruz.ca.us/Storm_Water/FigureSWM25.pdf)

**Exhibit E**

- D. A homeowners' private road maintenance agreement shall be recorded to ensure continued maintenance and use conditions for the privately maintained Moran Way improvements.
- E. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front or street side yard setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries. Backflow prevention devices must be located in the least visually obtrusive location.
- F. All requirements of the Central Fire Protection District shall be met.
- G. Meet all requirements and pay all fees of the Department of Public Works Stormwater Management Division.
- H. Park dedication in-lieu fees shall be paid for 12 bedrooms (4 bedrooms per dwelling unit). These fees are currently \$1000 per bedroom, but are subject to change. Alternatively, the applicant may submit confidential assessor's records and pay only for the increase in bedrooms proposed.
- I. Child Care Development fees shall be paid for 12 bedrooms (4 bedrooms per dwelling unit). These fees are currently \$109 per bedroom, but are subject to change. Alternatively, the applicant may submit confidential assessor's records and pay only for the increase in bedrooms proposed.
- J. The property owner shall pay a small project fee of \$15,000 for the third unit to the County of Santa Cruz Housing Division. If building permits are submitted in phases, this fee must be paid with the submittal of the first building permit application. This fee is subject to change.
- K. Submit and secure approval of engineered improvement plans from the Department of Public Works and the Planning Department for all roads, curbs and gutters, storm drains, erosion control, and other improvements required by the Subdivision Ordinance, noted on the attached tentative map and/or specified in these conditions of approval. A subdivision agreement backed by financial securities (equal to 150% of engineer's estimate of the cost of improvements), per Sections 14.01.510 and 511 of the Subdivision Ordinance, shall be executed to guarantee completion of this work. Improvement plans shall meet the following requirements:
1. All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the Department of Public Works.
  2. Meet all requirements of the Santa Cruz County Sanitation District including, without limitation, the following standard conditions:

**Exhibit E**

- a. Submit and secure approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.
  - b. Pay all necessary bonding, deposits, and connection fees, and furnish a copy of the CC&R's to the district.
  - c. All sanitation improvements shall conform to the County's Design Criteria. Improvement plans shall show all roads and easements.
  - d. Easements shall require proof of recordation and must also be shown on the parcel map.
3. Engineered improvement plans for all water line extensions required by the City of Santa Cruz Water Department shall be submitted for review and approval by the water agency.
  4. Complete drainage plans that comply with all requirements of the Department of Public Works Stormwater Management Division, including, but not limited to, the following:
    - a. Existing and proposed contours, plan view, centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils.
    - b. Specify the limits of the proposed vegetation swale.
    - c. Provide construction details for the proposed GO inlet, storm drain manhole, and installation of the 12 inch pipe connecting the GO inlet and storm drain manhole.
    - d. For fee calculations please provide tabulation of new impervious and semi-impervious (gravel, base rock, paver blocks, pervious pavement) areas both on and off site resulting from the proposed project.
    - e. The civil plans shall specify required maintenance procedures for the dispersal trench, dispersal pits, vegetated swales and pervious paving to assure proper long term functioning of the proposed drainage system.
  5. A detailed erosion control plan shall be submitted which includes the following: a clearing and grading schedule that limits grading to the period of April 15<sup>th</sup> – October 15<sup>th</sup>, clearly marked disturbance envelope, revegetation specifications, silt barrier locations, temporary road surfacing and construction entry stabilization, sediment barriers around drain inlets, etc. This plan shall be integrated with the improvement plans that are approved by the Department of Public Works and shall be submitted to Environmental Planning staff for review and approval prior to recording of the parcel map.
    - a. All erosion control measures shall be in place at all times during construction or site disturbance.

**Exhibit E**

- b. Winter grading is not authorized for the proposed development.
- 6. Submit engineered grading plans. If grading plans show grading extending onto another parcel, an owner-agent form will be required.
- 7. In order to ensure that the one hour air quality threshold for the pollutant acrolein is not exceeded during demolition and paving, prior to the issuance of the grading permit, the applicant shall modify the grading plans to include notes incorporating the following construction conditions given by the Monterey Bay Unified Air Pollution Control District (MBUAPCD). Alternatively, the applicant may submit a health risk assessment to the MBUAPCD for review and approval. Any recommendations and requirements of the MBUAPCD will become conditions of constructing the project.
  - a. All pre-1994 diesel equipment shall be retrofitted with EPA certified diesel oxidation catalysts or all such equipment shall be fueled with B99 diesel fuel;
  - b. Applicant shall retain receipts for purchases of catalysts or B99 diesel fuel until completion of the project;
  - c. Applicant shall allow MBUAPCD to inspect receipts and equipment throughout the project.
- 8. Submit a final landscape plan for the ensure site for review and approval by the Planning Department. The landscape plan shall specify plant species, size, and location and shall include irrigation plans which meet the landscaping design criteria provided in County Code Section 13.11 and must conform to all water conservation requirements of the local water district. All planting shall conform to the landscape plan shown as part of the approved Exhibit "A".
- 9. Submit a revegetation/restoration plan for the removal of the driveway. The restoration plan shall conform to the approved biotic report, the Moran Lake Monarch Butterfly Habitat Management Plan, and the Moran Lake Concept Plans. The plan shall include details of the specific restoration plan, the Moran Way road removal, and the site drainage system for review and approval by the County Department of Public Works/Parks Department, Environmental Planning Staff, and the Department of Public Works Drainage staff. [Mitigation Measure VIII.A]

IV. Prior to any site disturbance or physical construction on the subject property the following condition(s) shall be met:

- A. Pre-Construction Meeting: In order to ensure that the mitigation measures are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: the applicant, the grading contractor, supervisor, the project biologist, the project arborist, and Santa Cruz County

**Exhibit E**



Environmental Planning staff. The temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing will be inspected at that time.

V. All future construction within the property shall meet the following conditions:

- A. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. Obtain an Encroachment Permit from the Department of Public Works for any work performed in the public right of way. All work shall be consistent with the Department of Public Works Design Criteria.
- B. No land clearing, grading or excavating shall take place between October 15 and April 15.
- C. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
- D. Pursuant to Sections 16.40.040 and 16.42.100 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 16.42.100, shall be observed.
- E. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
  1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
  2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
  3. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- F. Construction of improvements shall comply with the requirements of the approved

**Exhibit E**

geotechnical report(s) for this project. The project geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report(s).

- G. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lots.
- H. All construction vehicles and equipment shall be parked on the subject property (without blocking the existing driveway) during construction but shall not be parked within the riparian area.
- I. No additional tree removal shall occur, outside of that shown on Exhibit A, without prior approval by the Planning Department. If additional tree removal is proposed, additional biotic and/or arborists reports will be required.
- J. The applicant and/or property owner shall recycle and reuse materials, as appropriate, and to the maximum extent possible. At a minimum, all construction and demolition waste shall be processed through the Buena Vista Construction and Demolition Waste program. [Mitigation Measure VIII.C]
- K. If asbestos is found in any building, asbestos-related work, including demolition, involving 100 square feet or more of asbestos containing materials shall be performed by a licensed asbestos consultant and asbestos shall be removed and disposed of in compliance with applicable State laws. At least 10 days prior to demolition of existing structures the Monterey Bay Unified Air Pollution Control District (MBUAPCD) shall be notified and an MBUAPCD Notification of Demolition and Renovation Checklist shall be submitted to both MBUAPCD and the County.

VI. In the event that future County inspections of the subject property disclose non-compliance 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 Approval revocation.

VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, 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.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement, which incorporates the provisions of this condition, or this development approval shall become null and void.

VIII. Mitigation Monitoring Program: The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for these mitigations is hereby adopted as conditions of approval for this project. This program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval, including the terms of the adopted monitoring program, may result in permit revocation pursuant to section 18.10.462 of the Santa Cruz County Code.

A. Mitigation Measure: Riparian & Biotic Resources

Monitoring Program: In order to ensure proper restoration and to avoid impacts to sensitive habitat, prior to recordation of the parcel map, the applicant shall submit a plan that conforms to the Moran Lake Park Concept Plan and Monarch Butterfly Habitat Management Plan that includes details of the specific restoration plan, the Moran Way road removal, and the site drainage system for review and approval by the County Parks/Public Works Department, Environmental Planning Staff, and DPW Drainage staff.

B. Mitigation Measure: Nighttime Lighting

Monitoring Program: In order to mitigate impacts of nighttime lighting on the adjacent riparian habitat, prior to issuance of a building permit, the applicant shall submit a lighting plan to the Planning Department for review and approval. The plan shall reflect that permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of riparian habitat. Light sources that do

**Exhibit E**

not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).

C. Mitigation Measure: Regional Landfill Impacts

Monitoring Program: In order to reduce the impacts of temporary construction debris on the capacity of the regional landfill to less than significant, the applicant and/or property owner shall recycle and reuse materials, as appropriate, and to the maximum extent possible. Notes to this affect shall be included on the final building permit plan set for review and approval by the Planning Department. At a minimum, all construction and demolition waste shall be processed through the Buena Vista Construction and Demolition Waste program.

D. Mitigation Measure: Air Quality

Monitoring Program: In order to ensure that the demolition of existing structures does not violate any air quality standard, the following mitigation measures will be required: Prior to demolition work of buildings constructed prior to 1980, areas of the on-site structures shall be sampled as part of an asbestos survey in compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP). If asbestos is found in any building, asbestos-related work, including demolition, involving 100 square feet or more of asbestos containing materials shall be performed by a licensed asbestos consultant and asbestos shall be removed and disposed of in compliance with applicable State laws. At least 10 days prior to demolition of existing structures the Monterey Bay Unified Air Pollution Control District (MBUAPCD) shall be notified and an MBUAPCD Notification of Demolition and Renovation Checklist shall be submitted to both MBUAPCD and the County.

**AMENDMENTS TO THIS LAND DIVISION APPROVAL SHALL BE  
PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE.**

This Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the 14-day appeal period. The Parcel Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking **at least 90 days** prior to the expiration date and in no event later than 3 weeks prior to the expiration date.

cc: County Surveyor

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

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

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

**Exhibit E**

\_\_\_\_\_  
Cathy Graves  
Principal Planner

\_\_\_\_\_  
Samantha Haschert  
Project Planner

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

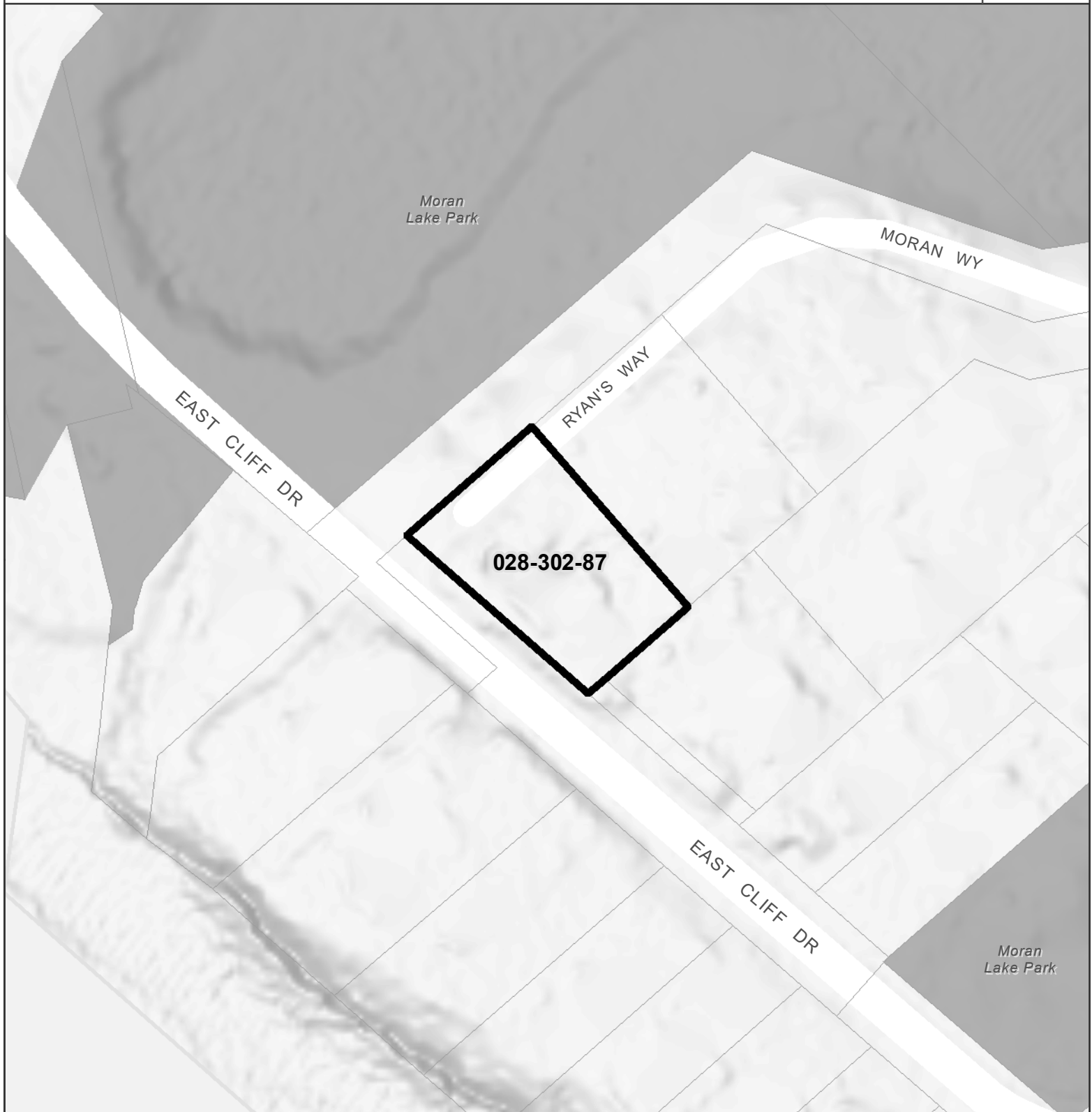


SANTA CRUZ COUNTY PLANNING DEPARTMENT




# Parcel Location Map



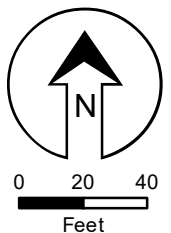
Mapped  
Area



**Parcel: 02830287**

-  Study Parcel
-  Assessor Parcel Boundary
-  Existing Park

**Exhibit F**




Map printed: 8 Jun. 2022

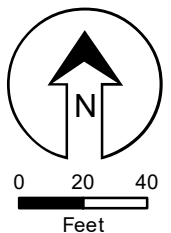


# Parcel General Plan Map



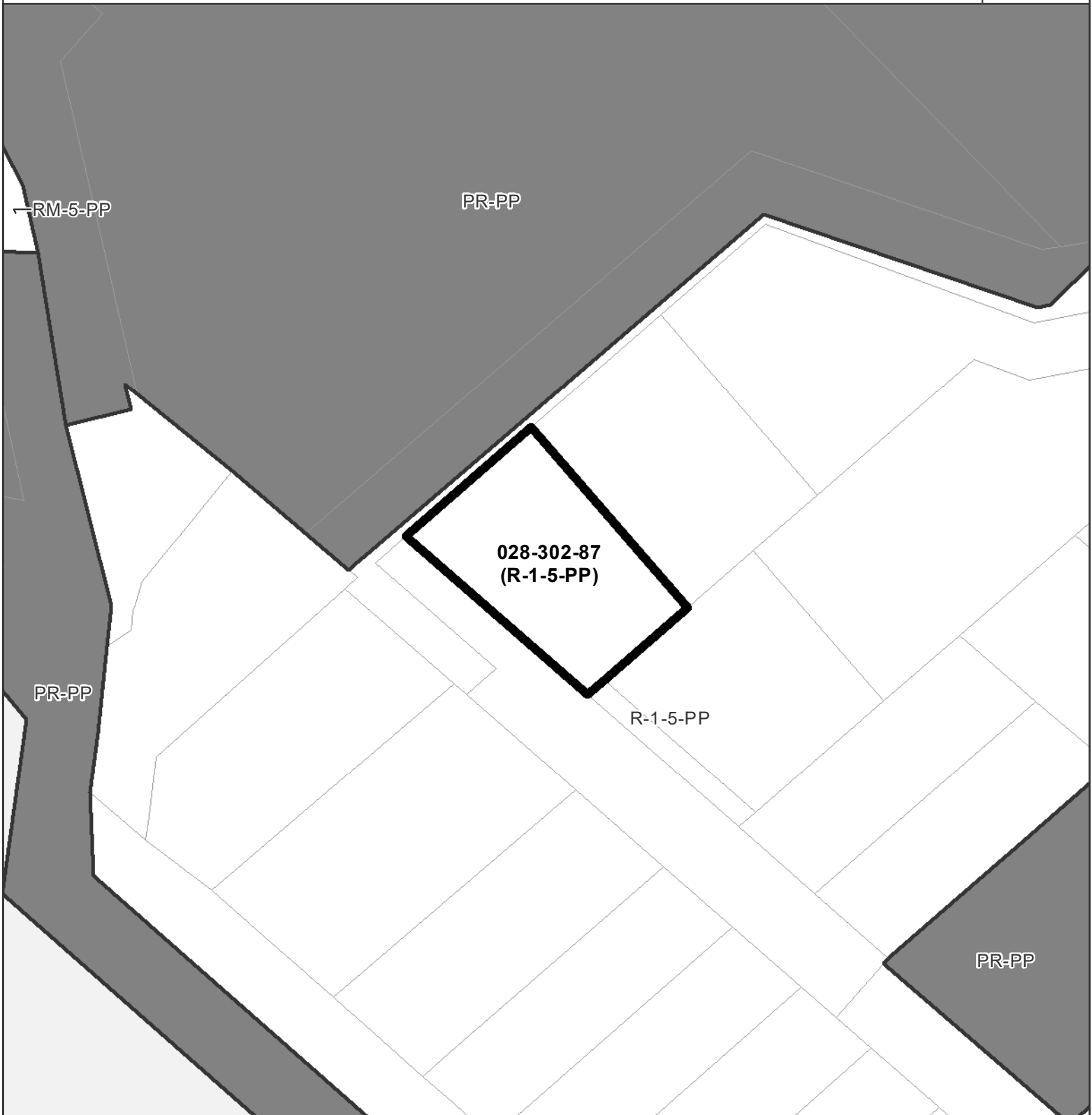
-  O-L *Lake/Reservoir/Lagoon*
-  O-R *Parks, Recreation & Open Space*
-  O-U *Urban Open Space*
-  R-UM *Res. Urban Medium Density*

**Exhibit F**





# Parcel Zoning Map






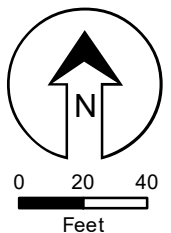
-  PR *Parks, Recreation, & Open Space*
-  R-1 *Single-Family Residential*
-  RM *Residential Multi-Family*

Exhibit F





## Parcel Information

### Services Information

Urban/Rural Services Line:	<u>  X  </u> Inside <u>    </u> Outside
Water Supply:	City of Santa Cruz
Sewage Disposal:	County Sanitation
Fire District:	Central Fire Protection District
Drainage District:	Zone 5

### Parcel Information

Parcel Size:	5,360 square feet
Existing Land Use - Parcel:	Vacant
Existing Land Use - Surrounding:	Single-family residential, Parks, Recreation and Open Space
Project Access:	Private, via Ryans Way
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Density Residential)
Zone District:	R-1-5-PP (Single-family residential - 4,000 square feet Pleasure Point Combining District)
Coastal Zone:	<u>  X  </u> Inside <u>    </u> Outside
Appealable to Calif. Coastal Comm.	<u>  X  </u> Yes <u>    </u> No

**Technical Reviews:** N/A

### Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	Parcel slopes downhill from east to west
Env. Sen. Habitat:	Mapped for Santa Cruz tarplant, Zayante band-winged grasshopper, white rayed pentachaeta, and monarch butterfly.
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Archeology:	Not mapped/no physical evidence on site



# County of Santa Cruz

## DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE

701 OCEAN STREET, FOURTH FLOOR, SANTA CRUZ, CA 95060-4070  
Planning (831) 454-2580      Public Works (831) 454-2160

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**Steve Wiesner**  
*Assistant Director*  
*Transportation*

**Travis Cary**  
*Director*  
*Capital Projects*

**Kim Moore**  
*Assistant Director*  
*Administration*

### Addendum to the Negative Declaration Issued for Application 211242

An addendum to an adopted Negative Declaration may be prepared under CEQA Guidelines section 15164(b) if only minor technical changes or additions are necessary to an adopted Negative Declaration. Per the guidelines, the addendum may be attached to the original adopted Negative Declaration and considered by the decision-making body prior to approval of the project. The Environmental Coordinator has reviewed the current proposal under application 211242 and has determined that the changes in the project result from an amendment to the approved design for the home at Lot 1. The approved home design is a 2,665 square foot, two-story dwelling with a ground level garage. The revised design is a 2,519 square foot, two-story dwelling with a ground floor (sub grade/basement/) ADU and garage. Floor area ratio and lot coverage would increase from 26% and 52.7% to 29.6% and 52%, respectively.

The design of the structure would change to a more contemporary aesthetic, including changes to the colors and materials used on the structure. Where the approved design used shingle siding, the proposed design uses primarily stucco as an exterior finish with horizontal wood siding and stone veneer accents. The roof of the structure is changed from a hip and valley design to a modern design with sloped and intersecting roof lines. There is no change to the building height.

After review of the approved project and the proposed revisions, the Environmental Coordinator has determined that the changes proposed do not result in any new significant impacts that were not considered during the initial CEQA determination, and no conditions with the site have changed that would warrant further environmental review. It is the opinion of the Environmental Coordinator that the Negative Declaration does not require recirculation, if approved by the Planning Commission.

  
Matthew Johnston, Environmental Coordinator

6-24-22