

Staff Report to the Zoning Administrator

Application Number: 201374

Applicant: DeMattei Construction

Owner: Follmar **APN:** 054-191-80

Site Address: 850 Via Gaviota, Aptos

Agenda Date: July 15, 2022

Agenda Item #: 1 **Time:** After 9:00 a.m.

Project Description: Proposal to demolish an existing one-story single-family dwelling and construct a replacement one-story single-family dwelling with attached garage on a parcel located in the RB, PR-SBE (Residential Beach, Parks and Recreation, Seascape Beach Estates Combining District). Project requires approval of a Coastal Development Permit and an Overheight Fence Permit.

Location: Property located on the Southwest side of Via Gaviota approximately 250 feet northwest of the intersection with Clubhouse Drive (850 Via Gaviota).

Permits Required: Coastal Development Permit and Over-height Fence Permit.

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

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 201374, based on the attached findings and conditions.

Project Description & Setting

This is a proposal to demolish an existing single-family dwelling and construct a new 2,400 square foot single family dwelling with a 585 square foot basement and garage. The project includes construction of a greater than three-foot-high safety railing located within the required 20 foot front yard setback. A comprehensive landscape plan is proposed for the project site. The project does not result in an increase in the existing bedroom count.

The subject parcel is located on at the top of an existing seawall overlooking a public beach just south of Hidden Beach Park. The project site is relatively flat in topography except for the portion that extends seaward of the existing seawall. The project is located entirely within a mapped scenic resource area.

A Coastal Development Permit is required due to the location of the proposed development

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060 Application #: 201374

Page 2

APN: 054-191-80 Owner: Follmar

being situated at the base of a coastal bluff and within a mapped scenic area as defined in the County General Plan/LCP. An over height fence permit is required for construction of a safety fence with guardrail greater than three feet in height located within the front yard.

Seascape Beach Estates Combining District

The subject parcel is located within the gated community of Seascape Beach Estates which is subject to specific site and development standards contained in the SBE Combining District. The proposed development is located on and has been designed to comply with all applicable standards including height, setbacks, lot coverage and floor area ratio. The proposed development will comply with the maximum allowed height of 16 feet as specifically measured in the Seascape Beach Estates Combining District.

Design Review

The proposed single family dwelling complies with the requirements of the County Design Review Ordinance and Coastal Design criteria in that the proposed project will incorporate site and architectural design features such as the use of natural colors and materials, consisting of smooth gray stucco, cedar lap siding, stone veneer which is natural in appearance and dark blue facia. The proposed development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density.

The subject parcel is located at the top of a seawall overlooking a public beach and is highly visible. As proposed, the project has been designed to blend with the surrounding built environment.

Zoning & General Plan Consistency

The subject property is a 6,000 square foot lot, located in the RB, PR-SBE (Residential Beach, Parks and Recreation, Seascape Beach Estates Combining District), zone districts, designations which allow 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-UL (Urban Low Density Residential) General Plan designation. As proposed, the project complies with all applicable site standards for the Seascape Beach Estates Combining District (SBE).

Local Coastal Program Consistency

The proposed single family dwelling is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single family dwellings. Size and architectural styles vary in the area, and the design submitted is consistent with the existing range of styles. Though the project site is located between the shoreline and the first public road, it 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 other nearby body of water. Existing public beach access is located approximately 500 feet north of the project site along Via Gaviota.

Comments from Coastal staff dated (Exhibit H) indicate the proposed Development would be

Page 3

inconsistent with the Local Coastal Plan (LCP) in that the project, as proposed, cannot be reliant on shoreline armoring. Consequently, the project should either be scaled back such that it no longer constitutes development, as defined in the Coastal Land Use Plan (LUP) or the project be conditioned such that existing shoreline armoring be removed when it safe and appropriate to do so.

In 1983-84, a seawall was constructed seaward of the project site spanning approximately 650 feet to the north and 460 feet to the south. In 2014, a Geologic Hazards Abatement District (GHAD) was established by the County Board of Supervisors for the long-term assessment, maintenance, and funding of the seawall.

SCCC 16.10.070(H)(1)(c), development "..setback shall be based on the existing site conditions and shall not take into consideration the effect of any proposed protection measures." The project does not propose any new shoreline armoring and no work is proposed to the existing seawall. Further, the County has an established history of evaluating projects based on existing site conditions which includes any existing shoreline armoring. Typical conditions of approval would not include a requirement to remove the armoring as that is not supported by County Code.

As stated in the County LCP Policy 6.2.15 (New Development on Existing Lots of Record), development activities are allowed on existing lots of record within existing developed areas under the following conditions:

- (a) A technical report (including a geologic hazards assessment, engineering geology report and/or soil engineering report) demonstrates that the potential hazard can be mitigated over the 100-year lifetime of the structure. Mitigations can include, but are not limited to, building setbacks, elevation of the structure, and foundation design;
- (b) Mitigation of the potential hazard is not dependent on shoreline or coastal bluff protection structures, except on lots where both adjacent parcels are already similarly protected; and
- (c) The owner records a Declaration of Geologic Hazards on the property deed that describes the potential hazard and the level of geologic and/or geotechnical investigation conducted.

A Geologic and Geotechnical Geology study prepared by C2 Earth Inc dated February 23, 2021 was prepared for the proposed development. The report considered existing site conditions including the existing seawall for appropriate siting and design of the proposed home. The report was reviewed and accepted by County staff in a letter dated February 24, 2021. Parcels on either side of the project site are similarly armored and recordation of a Declaration of Geologic Hazards is a required condition of approval.

As proposed, the project location and conditions for which it will be operated and maintained are consistent with County Code, specifically the County Geologic Hazards Ordinance and County General Plan/LCP.

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 201374, 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

Report Prepared By: Nathan MacBeth

Santa Cruz County Planning Department

701 Ocean Street, 4th Floor Santa Cruz CA 95060

Phone Number: (831) 454-3118

E-mail: nathan.macbeth@santacruzcounty.us

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Report review letters
- H. Comments & Correspondence

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Assessor Parcel Number: 054-191-80
Project Location: 850 Via Gaviota
Project Description: Demolish existing single family dwelling and construct a replacement single family dwelling
Person or Agency Proposing Project: DeMattei Construction attn Jim Whitney
Contact Phone Number: (408) 35-4200
A The proposed activity is not a project under CEQA Guidelines Section 15378. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c). C Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment. D Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
E. X Categorical Exemption
Specify type: Class 2 - Replacement or Reconstruction (Section 15302); Class 3 - New Construction or Conversion of Small Structures (Section 15303)
F. Reasons why the project is exempt:
Construction of a replacment single family dwelling in an area designated for residential uses.
In addition, none of the conditions described in Section 15300.2 apply to this project.
Nathan MacBeth, Project Planner Date:

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 RB, PR-SBE (Residential Beach, Parks and Recreation, Seascape Beach Estates 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-UL (Urban Low 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 no such easements or restrictions are known to encumber the project site.

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

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors will be natural in appearance and complementary to the site consisting of smooth gray stucco, cedar lap siding, stone veneer which is natural in appearance and dark blue facia. The development site is located at the top of a seawall overlooking a public beach and has been designed to blend with the surrounding built environment.

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 and existing public beach access is located approximately 500 feet north of the project site along Via Gaviota.

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 RB, PR (Residential Beach, Parks and Recreation) 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 project is consistent with LCP Policy 6.2.15 (New Development on Existing Lots of Record) in that a Geologic and Geotechnical Geology study prepared by C2 Earth Inc dated February 23, 2021 was prepared for the proposed development. The report considered existing site conditions including the existing seawall for appropriate siting and design of the proposed

home. The report was reviewed and accepted by County staff in a letter dated February 24, 2021. Parcels on either side of the project site are similarly armored. Recordation of a Declaration of Geologic Hazards is a required condition of approval.

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 located between the shoreline and the first public road. As proposed, the project will not interfere with public access to the beach, ocean, or any nearby body of water in that existing public beach access is located approximately 500 feet north of the project site along Via Gaviota. 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 RB, PR-SBE (Residential Beach, Parks and Recreation) zone district as the primary use of the property will be one single family dwelling that meets all current site standards for the zone district (Seascape Beach Estates Combining District).

The proposed fence which is greater than three feet in height located within the required front yard is to be constructed out of open cable railing. The design and location of the fence will not result in adverse impacts to sight distance for vehicles entering or restrict existing beach access and views of the public beach.

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

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the R-UL (Urban Low 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 SBE combining district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance). The proposed single family dwelling will not adversely shade adjacent properties and will meet current applicable setbacks.

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 applicable site standards for the RB, PR-SBE 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.

The proposed project is consistent with General Plan Policy 6.2.15 LCP (New Development on Existing Lots of Record) in that a Geologic and Geotechnical Geology study prepared by C2 Earth Inc dated February 23, 2021 was prepared for the proposed development. The report considered existing site conditions including the existing seawall for appropriate siting and design of the proposed home. The report was reviewed and accepted by County staff in a letter dated February 24, 2021. Parcels on either side of the project site are similarly armored. Recordation of a Declaration of Geologic Hazards is a required condition of approval.

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 will replace an existing dwelling on a legal lot of record within the Seascape Beach Estates Subdivision. The proposed project is not expected to result in additional traffic beyond the temporary construction phase and new construction in compliance with the prevailing building technology, the California Building Code, and the County Building ordinance will ensure the project does not overload existing utilities serving the project site.

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.

Conditions of Approval

Exhibit D: Project plans, prepared by DeMattei Construction Inc, revised 8/2/21.

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

- 3. Grading, drainage, and erosion control plans.
- 4. Details showing compliance with fire department requirements.
- 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. The application submittal shall adhere to Part 3 Section C of the CDC and County Code 7.79.
 - 2. A site assessment shall be performed by the project civil engineer. The plans shall note whether there are any existing drainage issues on or near the site and if any issues or impacts are anticipated resulting from the proposed improvements.
 - 3. Additional topographic information shall be provided on adjacent properties to clearly identify local drainage patterns. If runoff currently drains toward the site, a tributary area map shall be submitted. The project shall be designed to accommodate existing upstream runoff and safely convey stormwater overflow, in accordance with Hydrology Section H of the CDC.
 - 4. Final stormwater management plans and final construction cross-section details shall be submitted with the building permit application. The plans and sections shall show how impervious surfaces are being minimized (per General Plan Policy 7.23.2.
 - 5. A maintenance schedule shall be provided on the plans and shall include inspection frequency, signs of failure, and maintenance requirements for each of the stormwater mitigation features proposed.
 - 6. Zone 6 fees will be assessed on the net increase in permitted impervious area following the Unified Fee Schedule in place at building permit issuance. Reduced fees (50%) are assessed for semi-impervious surfacing without liners (such as gravel, base rock, paver blocks, porous pavement, etc.) to offset costs and encourage more extensive use of these materials.
- C. Meet all requirements of the Soquel Creek Water District. Proof of water service availability is required prior to application for a Building Permit.
- D. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit.
- E. Meet all requirements of the Environmental Planning section of the Planning Department including:
 - 1. All project design and construction shall comply with the

recommendations of the soils and geology report.

- 2. Final plans shall reference the subject report by title, author, and date. Final Plans should also include a statement that the project shall conform to the report's recommendations.
- 3. After plans are prepared that are acceptable to all reviewing agencies, please request your project geologist/geotechnical engineer submit a completed Consultant Plan Review Form (PLG300) to Environmental Planning. The author of the combined geology and geotechnical report shall sign and stamp their completed form. Please note that the plan review form must reference the final plan set by last revision date.
- 4. A Notice of Geologic Hazards shall be notarized and recorded prior to final of the building permit.
- F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- G. Pay the current fees for Parks mitigation.
- H. Pay the current fees Child Care mitigation.
- I. Pay the current fees for Roadside and Transportation improvements. Please contact the Department of Public Works for a current list of these fees.
- J. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and net new square footage.
- K. Provide required off-street parking for three (3) cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- L. 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

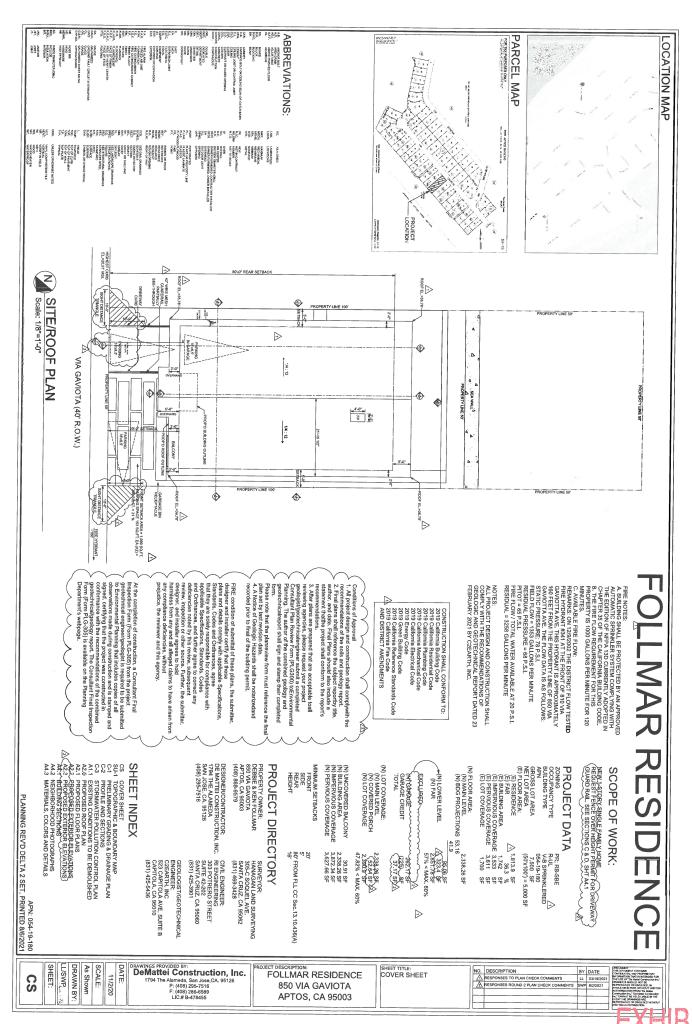
- 2. COUNTY defends the action in good faith.
- C. <u>Settlement</u>. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement 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. <u>Successors Bound</u>. 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 AICP Deputy Zoning Administrator

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



EXHIBIT

10, 7797 DR: 13-31-51

Paul Hanagan

ÃÃ

HANAGAN LAND SURVEYING

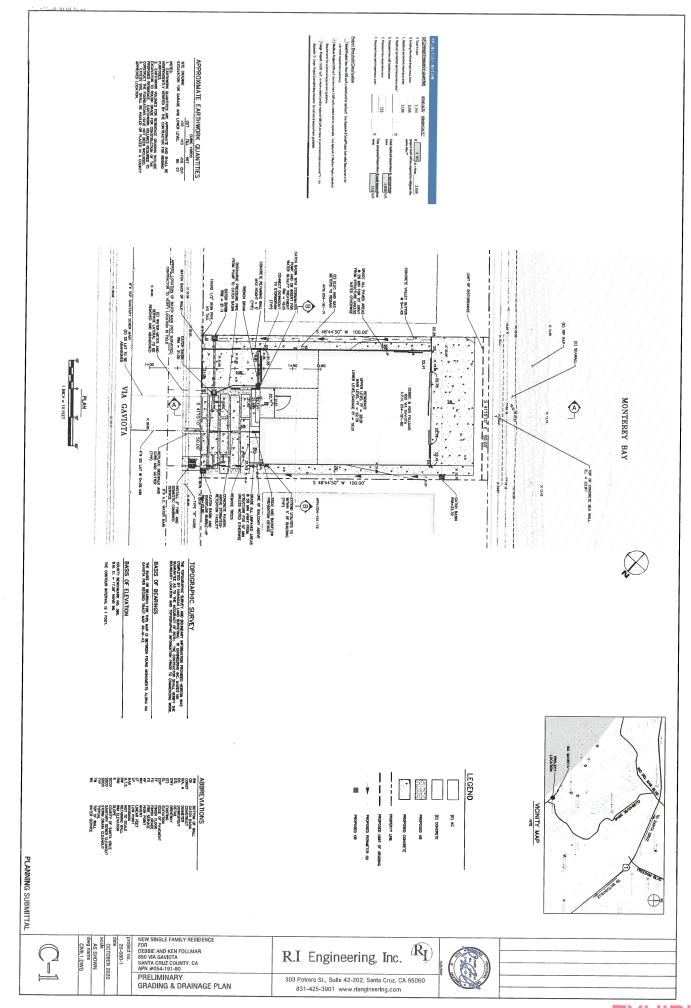
Santa Cruz County A.P.N. 054-191-80

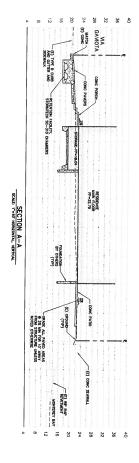
DATE 8-31-2020 DESIGN

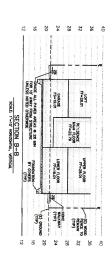
Topographic & Boundary Map, The Lands Of:

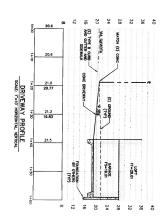
850 Via Gaviota, Aptos, CA, 95003

Kenneth & Deborah Follmar









PLANNING SUBMITTAL

20-polect no. 20

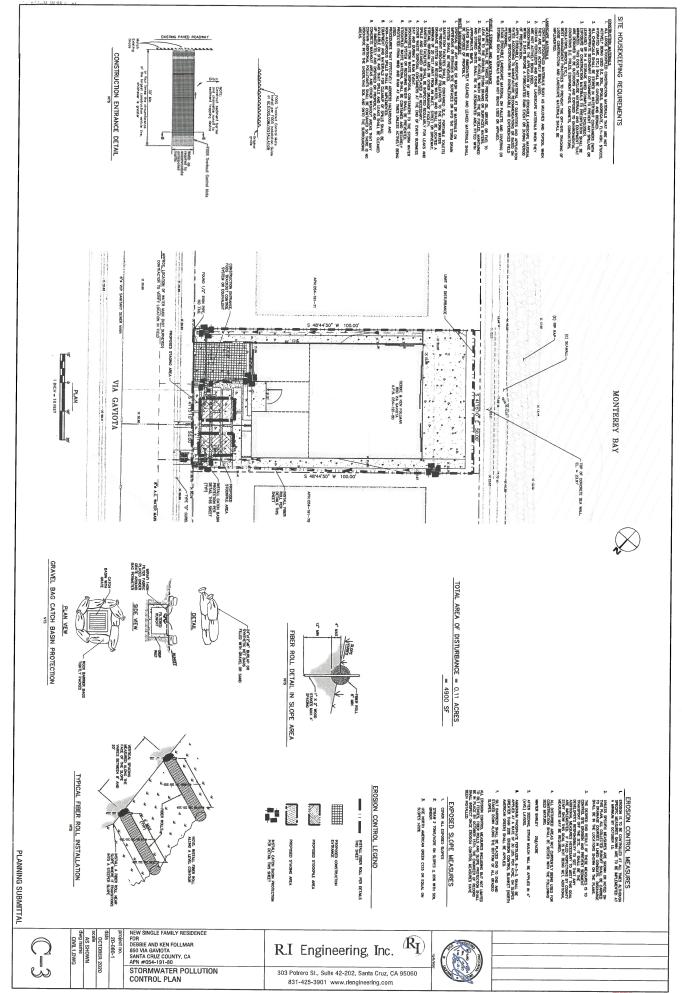
NEW SINGLE FAMILY RESIDENCE FOR DEBBIE AND KEN FOLLMAR 850 VIA GAWIOTA SANTA CRUZ COUNTY, CA APN #054-191-80 PROFILE AND SECTIONS

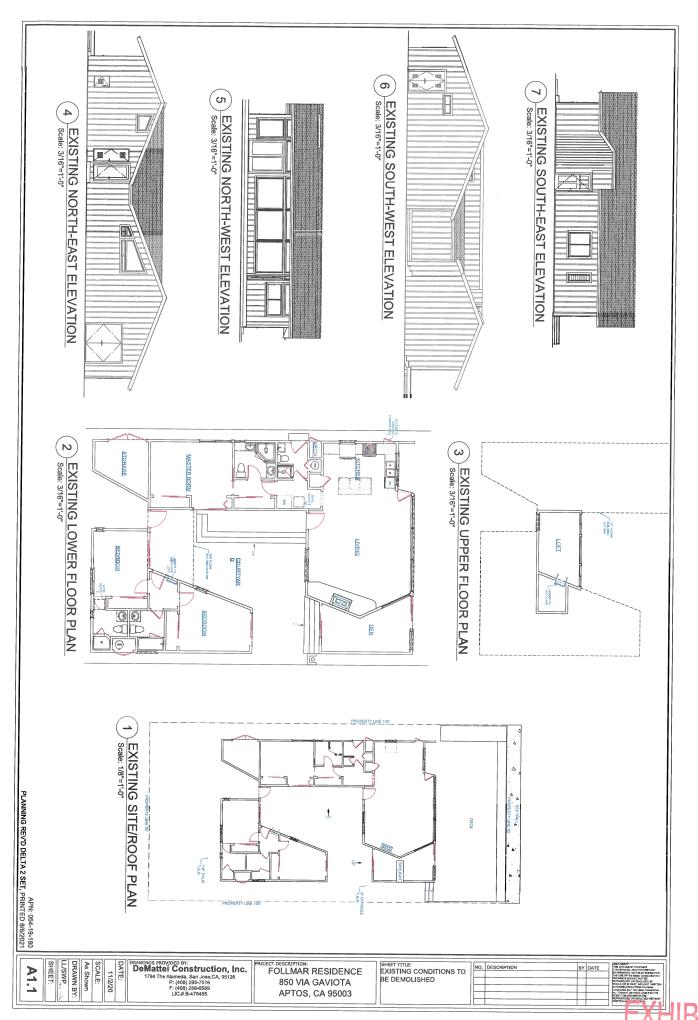
R.I Engineering, Inc.

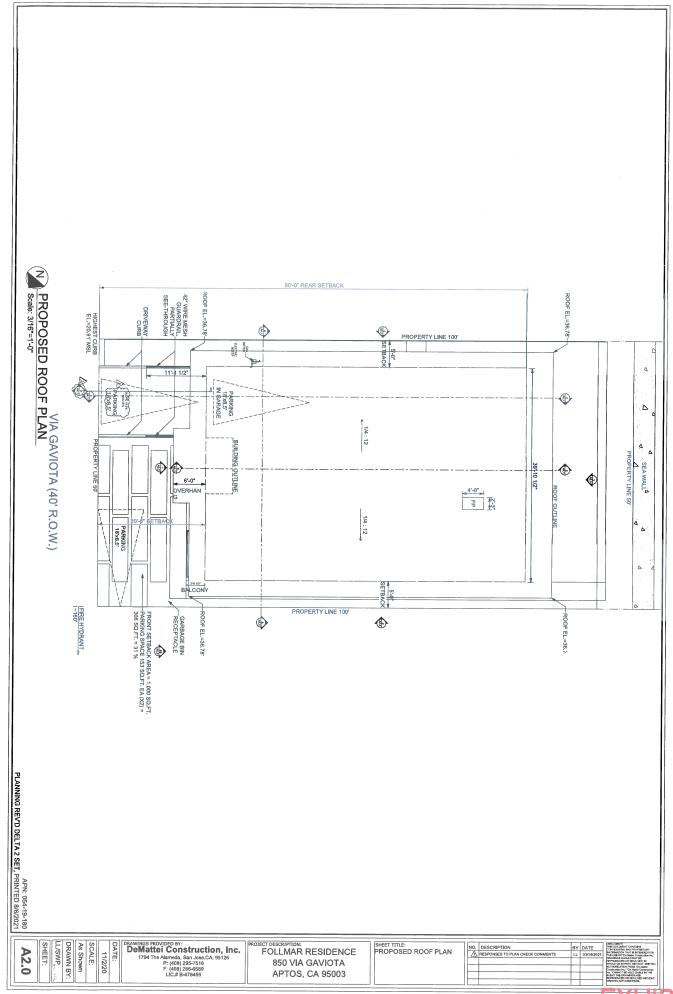
H)

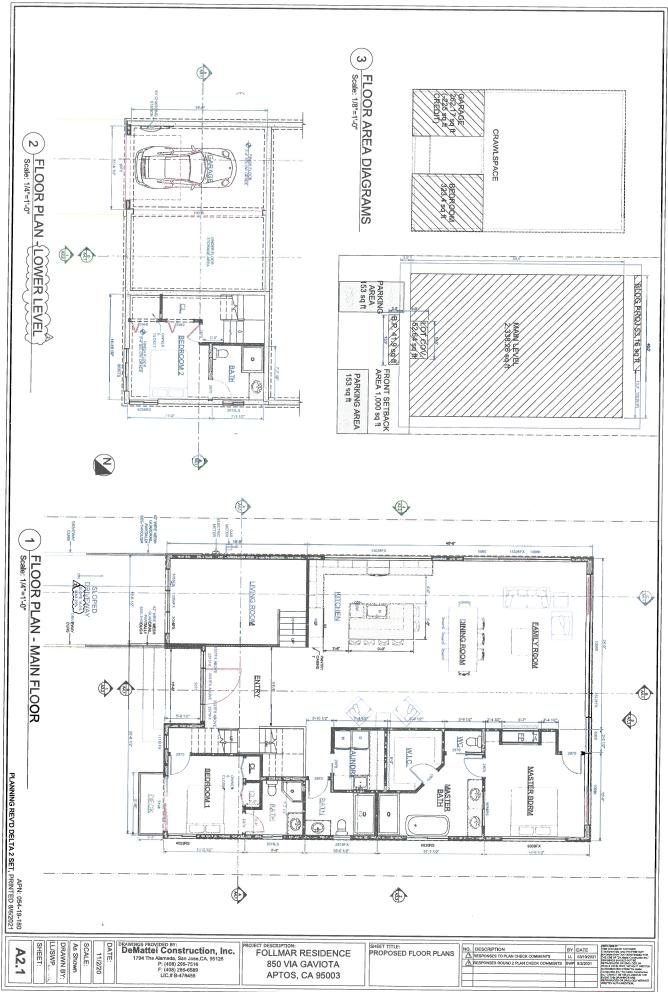
303 Potrero St., Suite 42-202, Santa Cruz, CA 95060 831-425-3901 www.rienglneering.com

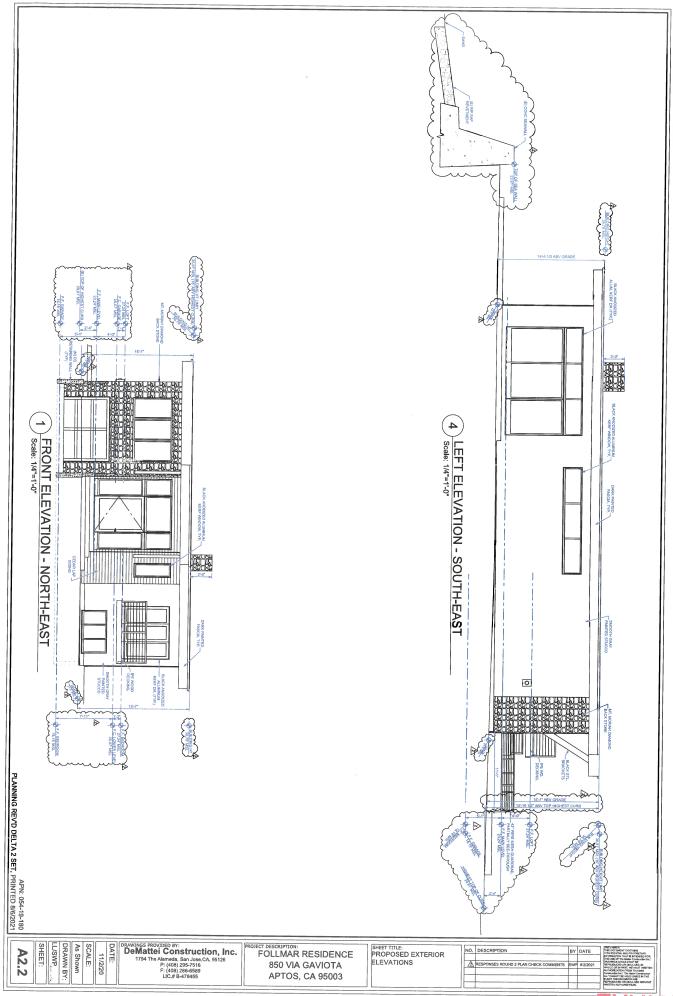


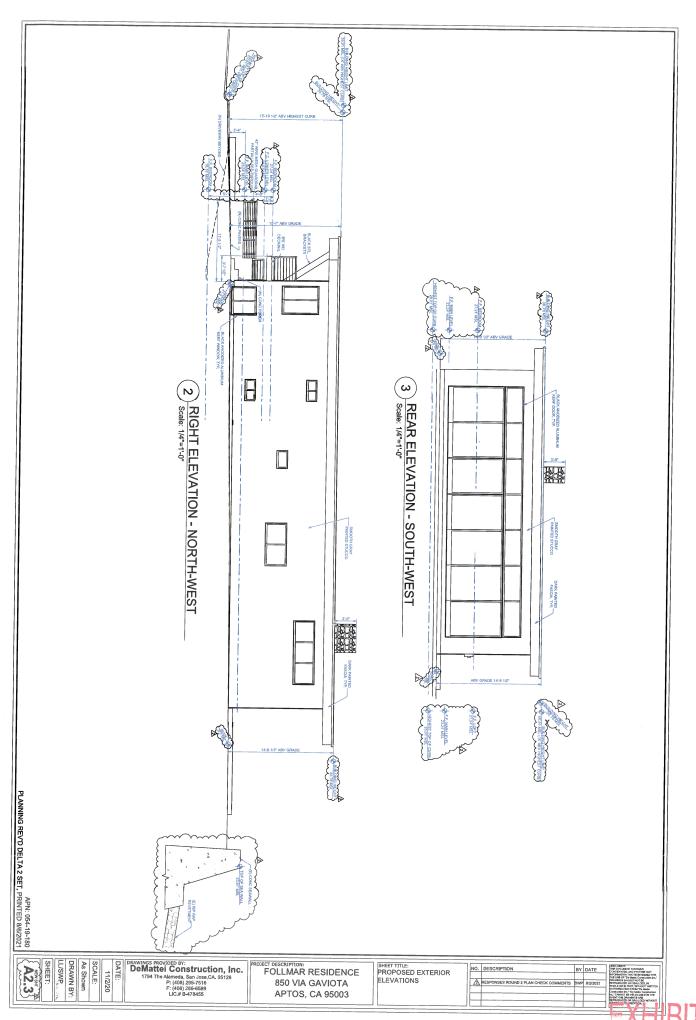


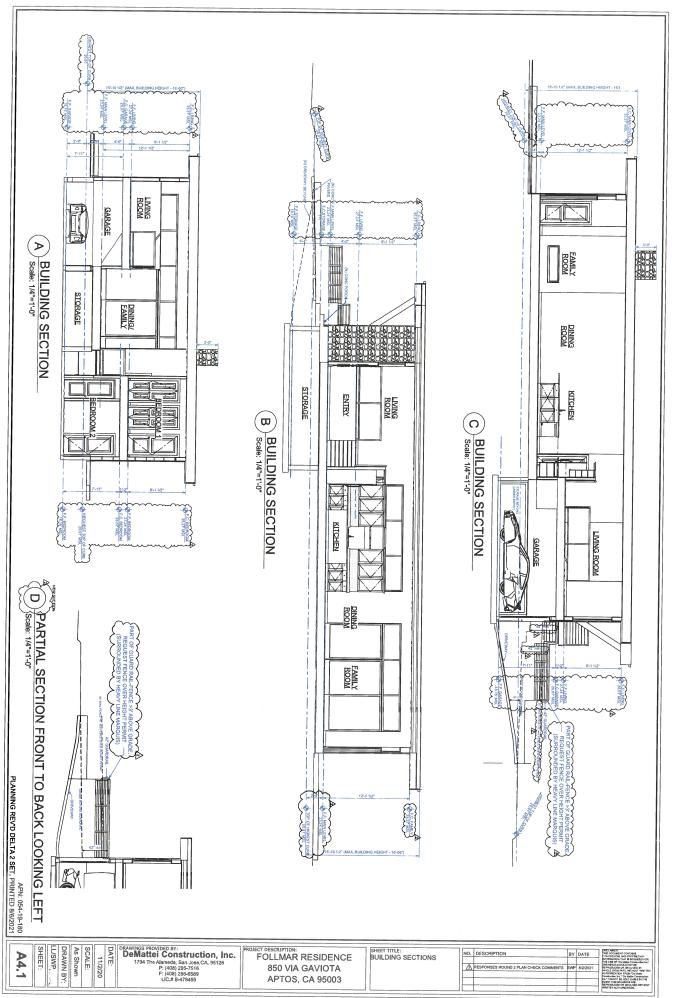


























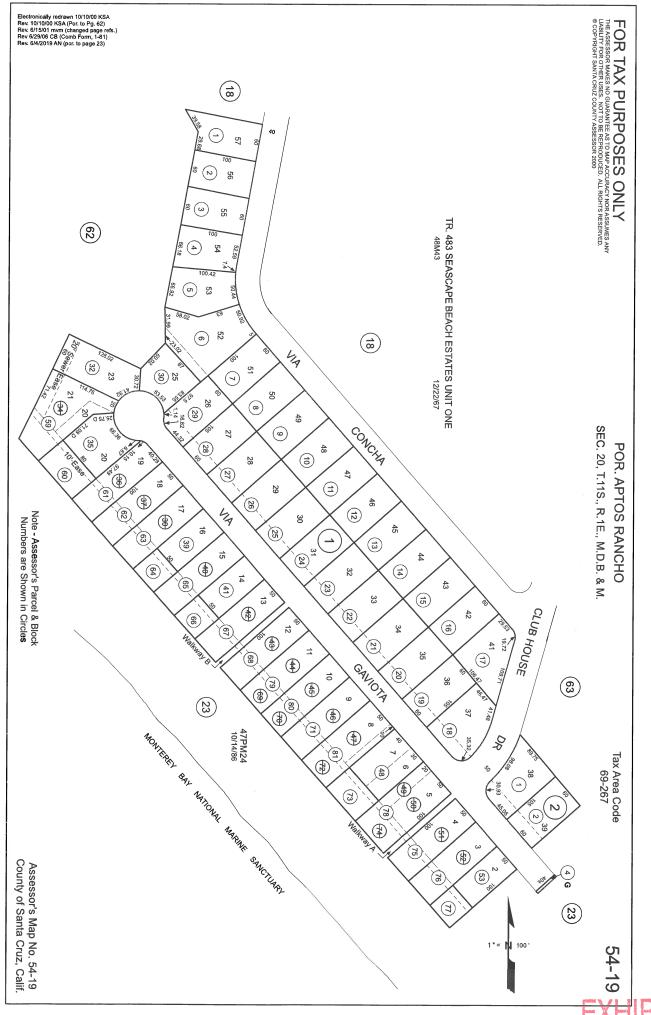
APN: 054-19-180 PLANNING REV'D DELTA 2 SET, PRINTED 8/6/2021
A4.2

PROJECT DESCRIPTION: FOLLMAR RESIDENCE 850 VIA GAVIOTA APTOS, CA 95003

SHEET TITLE: NEIGHBORHOOD PHOTOGRAPHS

NO. DESCRIPTION
BY DATE
THE STATE OF THE STA



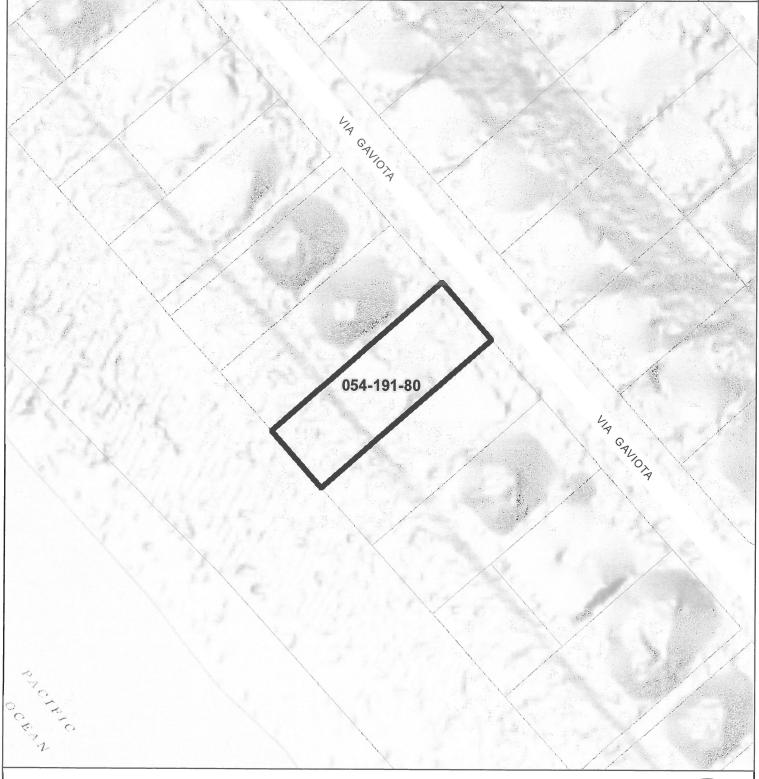




SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map



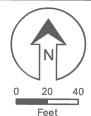


Parcel: 05419180

Study Parcel

Assessor Parcel Boundary

Map printed: 7 Jul. 2022

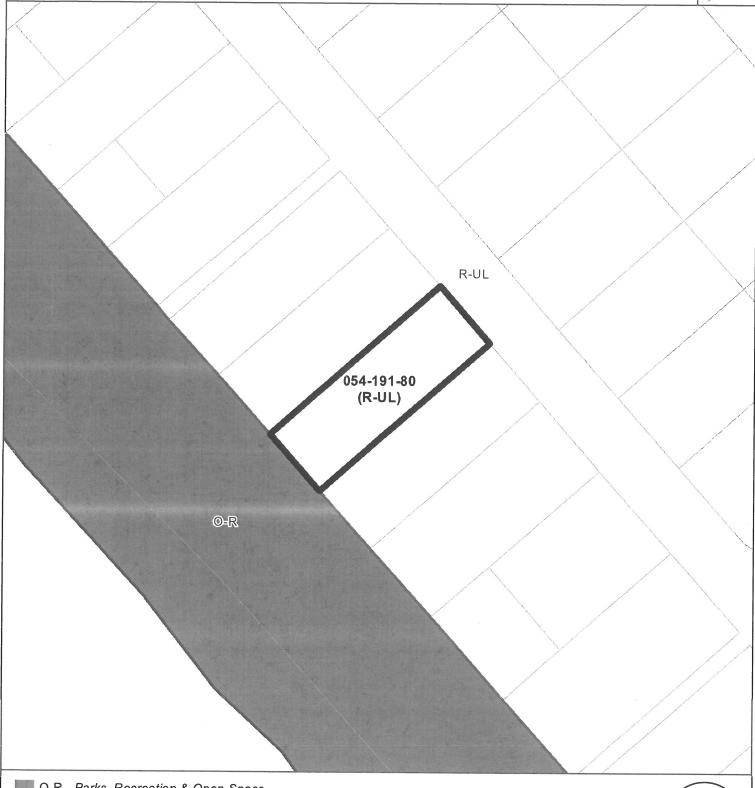




SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel General Plan Map

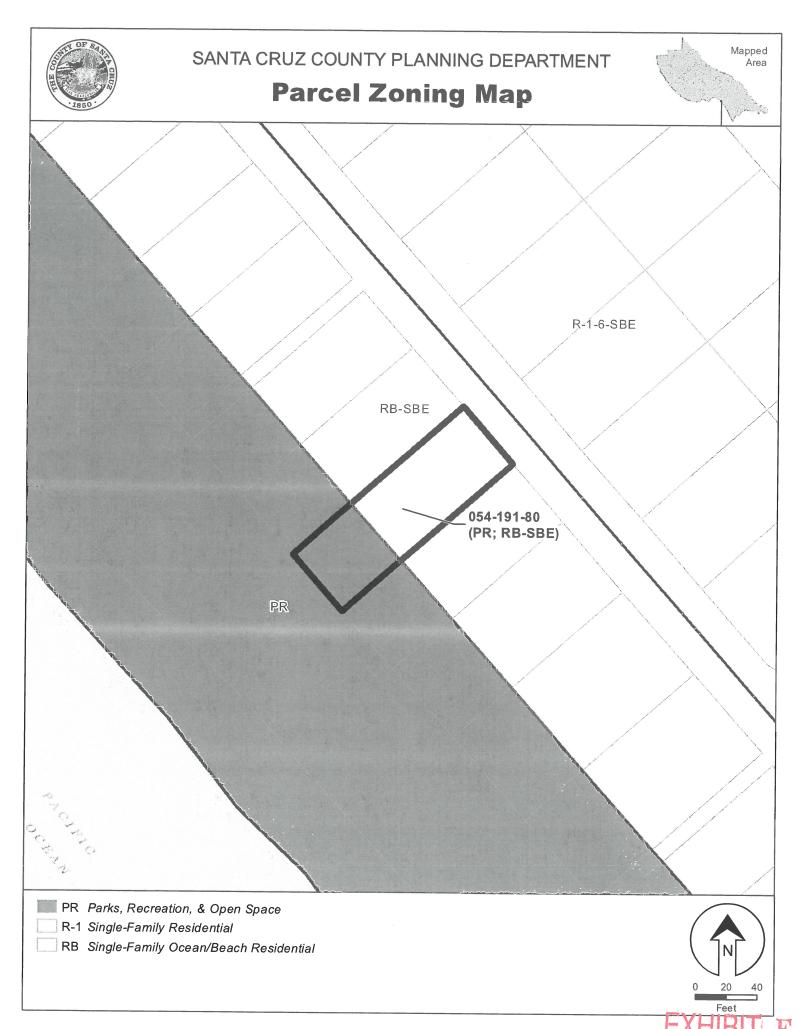






R-UL Res. Urban Low Density





Parcel Information

Services Information

Urban/Rural Services Line: Water Supply:

X Inside Outside Soquel Creek Water District

Sewage Disposal: Santa Cruz Sanitation District Fire District: Central Fire Protection District

Drainage District: Flood Control District 6

Parcel Information

Parcel Size: 5,000 net square feet

Existing Land Use - Parcel: Residential

Existing Land Use - Surrounding: Residential and Parks and Recreation Project Access: Via Gaviota

Planning Area: **Aptos** Land Use Designation: R-UL (Urban Low Density Residential)

Zone District:

RB, PR (Residential Beach, Parks and Recreation) Coastal Zone:

__ Outside X Inside Appealable to Calif. Coastal X Yes No

Comm.

Technical Reviews: Soils Report Review (REV201130)

Environmental Information

Geologic Hazards: Located in Coastal hazard area

Fire Hazard: Not a mapped constraint

Slopes: Flat site Env. Sen. Habitat:

Not mapped/no physical evidence on site Grading: Foundation only

Tree Removal: No trees proposed to be removed

Scenic: Mapped scenic resource

Archeology: Not mapped



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

24 February 2021

Kenneth and Deborah Follmar <u>debbiefollmar@hotmail.com</u> 20770 Montalvo Lane Saratoga, CA 95030-9507

Subject:

Review of the Revised Geologic and Geotechnical Study for the Proposed

Residential Development of the Follmar Property at 850 Via Gaviota dated 23

February 2021 by C2Earth, Inc. - Document Id. 20091A-01R2

Project Site:

850 Via Gaviota APN 054-191-80

Application No. REV201130

Dear Applicant:

The purpose of this letter is to inform you that the Planning Department has accepted the subject combined geologic and geotechnical report. The following items shall be required:

- 1. All project design and construction shall comply with the recommendations of the report.
- 2. Final plans shall reference the subject report by title, author, and date. Final Plans should also include a statement that the project shall conform to the report's recommendations.
- 3. After plans are prepared that are acceptable to all reviewing agencies, please request your project geologist/geotechnical engineer submit a completed Consultant Plan Review Form (PLG300) to Environmental Planning. The author of the combined geology and geotechnical report shall sign and stamp their completed form. Please note that the plan review form must reference the final plan set by last revision date.

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

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

After building permit issuance your geotechnical engineer/engineering geologist *must remain involved with the project* during construction. Please review the <u>Notice to Permits Holders</u> (attached).

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

REV201130 24 February 2021 APN 054-191-80 Page 2 of 3

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

If we can be of any further assistance, please contact:
Rick Parks at Rick.Parks@santacruzcounty.us or
Jeff Nolan at (831) 454-3175/Jeffrey.Nolan@santacruzcounty.us

Respectfully,



Rick Parks, GE 2603 Civil Engineer – Environmental Planning County of Santa Cruz Planning Department Jeffrey Nolan, CEG 2247 County Geologist– Environmental Planning County of Santa Cruz Planning Department

Cc: Environmental Planning, Attn: Jessica deGrassi

Primary Contact: De Mattei Construction

Attention: Lerika Liscano <lerika@demattei.com> Attention: Jim Whitney <jimw@demattei.com> Upp Geotechnology, Attn: Chris Hundemer, PE/CEG

Attachments: Notice to Permit Holders

REV201130 24 February 2021 APN 054-191-80 Page 3 of 3

NOTICE TO PERMIT HOLDERS WHEN SOILS AND GEOLOGY REPORTS HAVE BEEN PREPARED, REVIEWED AND ACCEPTED FOR THE PROJECT

After issuance of the building permit, the County requires your soils engineer and geologist to be involved during construction.

1. At the completion of construction, a Consultant Final Inspection Form (Form PLG-305) from the project geotechnical engineer/geologist is required to be submitted to Environmental Planning that includes copies of all observations made during construction and is stamped and signed, certifying that the project was constructed in conformance with the recommendations of the combined geotechnical/geology report. The Consultant Final Inspection Form (Form PLG-305) is available on the Planning Department's webpage.

If the Consultant Final Inspection Form identifies any portions of the project that were not observed by the geotechnical engineer/geologist, you may be required to perform destructive testing in order for your permit to obtain a final inspection. The geotechnical engineer/geologist then must complete and initial an Exceptions Addendum Form that certifies that the features not observed will not pose a life safety risk to occupants.

Thank you for the opportunity to review and comment on the above-referenced Coastal Permit application. Please include these comments as part of the administrative record for this project, and distribute to the applicant and appropriate staff.

Project Description:

The project proposes to demolish and existing single-story single-family dwelling and construct a new two-story single-family dwelling at 850 Via Gaviota.

Comments:

- 1. Geologic Setback. The LCP requires that a coastal bluff building site be stable for a minimum of 100 years in its pre-development application condition, and that any development be set back an adequate distance to provide stability for the development's lifetime, and at least 100 years. The minimum 100 years of stability must be established through the use of appropriate setbacks and siting, and without reliance on engineering measures "such as shoreline protection structures, retaining walls, or deep piers" (IP Section 16.10.070(H)(3)). Also, the LCP allows shoreline protection structures only "to protect existing structures from a significant threat" (LUP Policy 6.2.16). Thus, the LCP has a two-part minimum 100-year stability requirement: first, there must be a portion of the site in question that itself will be stable for at least 100 years in a pre-development (i.e., no project) scenario without reliance on structural development; and second, any development then introduced onto the site must also be stable for its lifetime measured for at least 100 years without reliance on engineering measures. The proposed plans do not depict the minimum 25-foot geologic setback or the 100-year setback; the proposed setback is only 20 feet. Therefore, please complete a geologic report if one has not already been completed that includes a 100-year geologic setback line calculated without consideration to any existing armoring, and then revise the plans to ensure that all new development (and any redevelopment) is sited landward of the 100-year line. Alternatively, the Applicant could revise the project to reduce the scope of the proposed project such that it will no longer meet the definition of development per IP Chapter 16.10 and thus will not trigger the 25-foot/100-year geologic setback requirements.
- 2. Shoreline Armoring Permitting History. Please clarify the permitting history of the shoreline armoring including whose property the armoring if located on. If the armoring is in fact located on public property as it appears in the plans, any leases or permits should be obtained prior to any new permits being issued. Potential property owners include State Parks, State Lands Commission, and County Parks. Please connect with each agency to confirm that any armoring is appropriately authorized if located on their property: Linda Hitchcock (Linda.Hitchcock@parks.ca.gov) at State Parks, George Asimakoupolous at the State Lands Commission (George.Asimakopoulos@slc.ca.gov), and Michael Hettenhausen (Michael.Hettenhausen@santacruzcounty.us) at County Parks.

Please let me know if you have any questions on the above comments.

Rainey Graeven Coastal Program Analyst, Central Coast District California Coastal Commission 725 Front Street, Santa Cruz, CA 95060 (831) 427-4863

CALIFORNIA COASTAL COMMISSION

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



09/09/2021

Elizabeth Cramblet Santa Cruz County 701 Ocean Street Santa Cruz. CA 95060

Subject: Comments Re: Application 201374

Dear Elizabeth:

Thank you for the opportunity to review and comment on the above-referenced Coastal Permit application. Please include these comments as part of the administrative record for this project and distribute to the applicant and appropriate staff.

Project Description:

The project proposes to demolish and existing single-story single-family dwelling and construct a new two-story single-family dwelling at 850 Via Gaviota.

Comments:

1. As stated in prior comments on this application, in its current form the project raises inconsistencies with the LCP's policies related to coastal hazards, including that it constitutes new development impermissibly relying on an existing seawall to provide stability and structural integrity and protect it from ocean forces. As such, the project should be denied. At a minimum, the project must be conditioned in such a way as to provide for the removal of the existing seawall when the conditions at up- and down-coast properties make it safe and appropriate to do so. I'm happy to discuss and share potential condition language on this point in order to address this critical issue.

Please let me know if you have any questions on the above comments.

Rob Moore

Coastal Planner California Coastal Commission 725 Front Street, Suite 300 Santa Cruz, CA 95060 (949) 613-3309 cell Thank you Mike. I double-checked the plans and the GIS for the public stairway from the beach to Via Gaviota. The stairway is actually three parcels upcoast from 850 Via Gaviota and is labeled on the location map as "Walkway B."

Thanks for sending the Bluebeam link. County Parks has no comments on this application.

Happy holidays,

Michael

From: Michael Lam < Michael. Lam@santacruzcounty.us >

Sent: Monday, December 21, 2020 8:55 AM

To: Michael Hettenhausen < Michael. Hettenhausen@santacruzcounty.us>

Cc: Elizabeth Cramblet < Elizabeth.Cramblet@santacruzcounty.us>

Subject: RE: App #201374

Hi Michael,

Please use the session information below to review the plans.

201374

Session ID: 702-131-411

Session URL: https://studio.bluebeam.com/join.html?ID=702-131-411

If you have issues accessing the plans please let me know.

-Mike

From: Michael Hettenhausen < Michael. Hettenhausen@santacruzcounty.us>

Sent: Friday, December 18, 2020 3:37 PM

To: Elizabeth Cramblet < Elizabeth.Cramblet@santacruzcounty.us >; Michael Lam

< Michael. Lam@santacruzcounty.us>

Subject: App #201374

Hi Elizabeth and Michael,

Can one of you send me the Bluebeam Revu session link so I can review the plans? I'm interested because County Parks maintains public stairs on this parcel and we need to make sure the stairs remain open during construction and after completion of the project.

Thanks,

Michael