



Staff Report to the Zoning Administrator

Application Number: **251377**

Applicant: James Andrews

Agenda Date: 3/6/26

Owner: Linn Warren and Charlotte Keeley

Agenda Item #: 4

APN: 042-222-04

Time: After 9:00 a.m.

Site Address: 226 Highland Drive, Aptos CA 95003

Project Description: Proposal to construct a 132 square foot rear deck addition, a new 128 linear feet of a concrete retaining wall and recognize existing 162 square foot rear deck, 13.5 foot privacy fence along the northern property line, and a 12 linear foot wooden retaining wall. Includes removing a concrete slab and filling in that area.

Location: Property is located on the western side of Highland Drive (226 Highland Drive), approximately 280 feet north from the intersection with Rio Del Mar Blvd.

Permits Required: Coastal Development Permit, Site Development Permit, Variance to reduce the side setback from 5 feet to 3 feet 8.87 inches for the deck posts and to 0 feet for the cantilevered deck, and a Site Development Permit to recognize an existing up to 13.5 foot privacy fence along the northern property line.

Supervisory District: 2nd District (District Supervisor: Kimberly De Serpa)

Staff Recommendation:

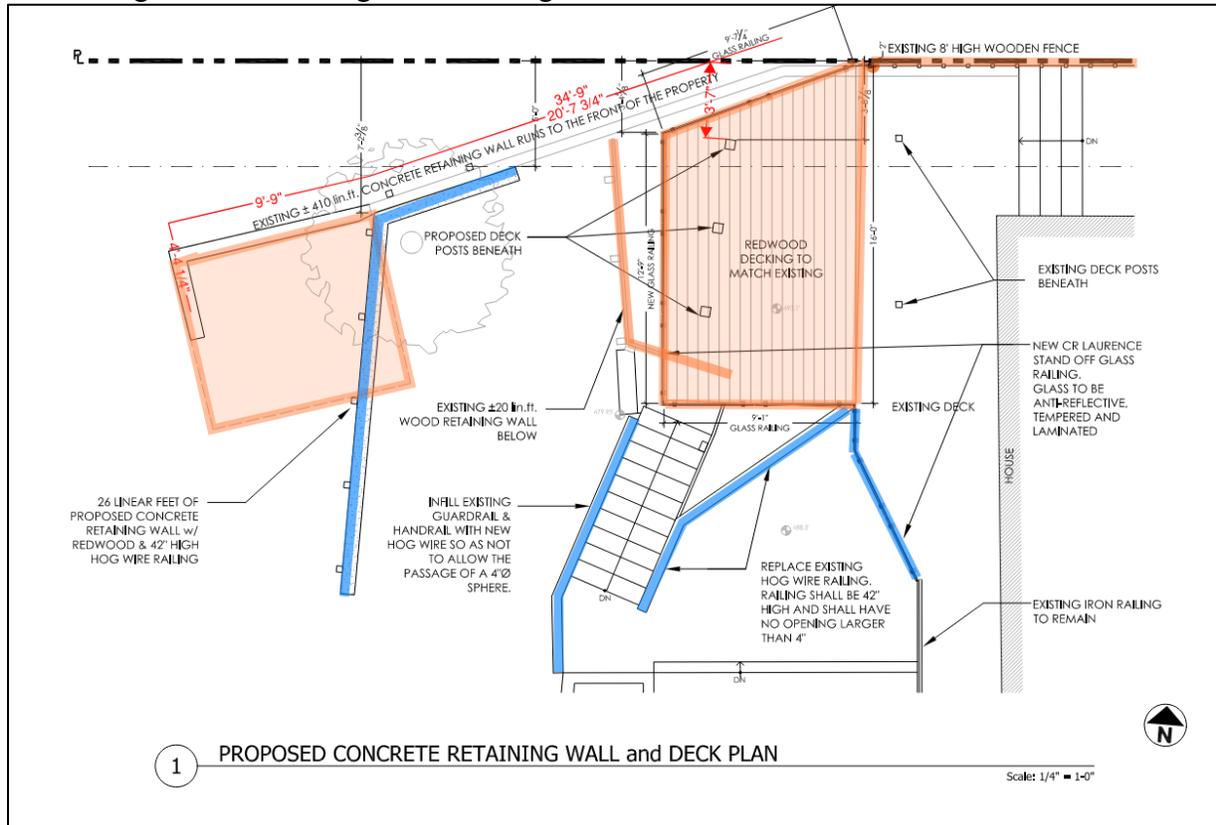
- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 251377, based on the attached findings and conditions.

Project Description & Setting

The subject property is located on the western side of Highland Drive, within the hillside area above the Rio Del Mar Flats. The site is developed with an existing single-family residence originally constructed in 1935, which predates many current zoning and development standards and is therefore legally nonconforming. The parcel exhibits significant physical constraints that influence both existing and proposed development.

The developable portion of the site consists of a narrow, relatively flat pad near the street frontage where the residence is located. From the rear of the structure, the property descends steeply down the hillside, with portions of the slope exceeding 50 percent grade. As a result, the rear yard has historically been modified through a series of terraced and retained flat areas at varying elevations to create usable outdoor space and to stabilize the slope. The proposed project includes

construction of a new retaining wall and new railings along existing stairs and patios, as well as recognizing the unpermitted work that was documented by Code Compliance and other work identified by staff. The image below shows the new proposed work in blue and the unpermitted and existing work to be recognized in orange.



This expands on the summary above and provides more details on the existing conditions and proposed project. A substantial concrete retaining wall system, totaling approximately 410 linear feet, currently extends from the rear yard toward the front of the house and was built when the house was originally constructed. At the lower end of the rear patio terraces, a concrete slab had been installed; however, erosion originating from the steep natural slope below undermined the slab, resulting in its deterioration and partial removal. The project proposes to recognize the removal of the eroded concrete to restore site stability and eliminate unsafe conditions. To further stabilize the hillside and address erosion concerns, the project includes construction of an additional 128 linear feet of retaining wall, extending from the existing retaining system. A 42-inch hog wire guardrail is proposed atop the proposed retaining wall to provide fall protection while maintaining visual openness. The new retaining wall will likely result in the removal of the existing 12 inch diameter oak tree and will be conditioned to plant two new oak trees to address the removal and increase the screening of the subject property from public vantage point.

The residence includes an existing 162-square-foot deck that provides access between the side yard and the terraced rear patios. The project proposes extending this deck by an additional 132 square feet, with new deck posts and lattice screening below, to improve circulation, safety, and usability of the outdoor space. The project also recognizes the replacement-in-kind of an existing four-foot-tall, 20-linear-foot wooden retaining wall located directly downslope of the proposed deck addition, as well as multiple existing railings along the terraced patios, which are proposed to be replaced with hog wire guardrails for consistency and safety. Additionally, an existing

unpermitted privacy fence is located along the northern property line and measures up to 13.5 feet in height when measured from proposed/existing grade, though approximately eight feet in height when measured from the deck surface.

Project Background

On July 17, 2025, a Stop Work Notice was issued by a County Code Compliance Investigator, and code case NV25271 was opened following the identification of erosion issues, unpermitted retaining wall work, and an unpermitted deck addition. The observed conditions raised concerns related to slope stability, erosion control, and compliance with zoning and coastal regulations. In response, the property owner submitted this discretionary application on September 9, 2025, to address the violations and legalize the unpermitted development.

Zoning & General Plan Consistency

The subject property is an 8,299-square-foot parcel zoned R-1-4-L (Single-Family Residential, 4,000-square-foot minimum per dwelling, Historic Landmark Combining District). This zoning designation permits single-family residential use and accessory structures, subject to applicable development standards. The existing house is a designated historic resource (Registered as a NR5 resource) however no modifications to the home are proposed therefore no impact to historic resources is anticipated. The proposed project consists solely of improvements accessory to an existing single-family residence, including decks, retaining walls, railings, and erosion control measures. No additional dwelling units or habitable floor area are proposed.

The site is designated R-UM (Urban Residential – Medium Density) under the County General Plan. The proposed improvements do not alter residential density or intensity and are fully consistent with the General Plan’s intent to accommodate residential uses while respecting site constraints and neighborhood character.

Local Coastal Program Consistency

The proposed project is consistent with the policies and requirements of the County’s certified Local Coastal Program (LCP). The site is developed with a single-family residence in an established residential neighborhood where development is characterized by hillside-adapted structures, retaining systems, and decks designed to respond to the steep topography. The surrounding neighborhood contains single-family dwellings of varying size, age, and architectural style, reflecting incremental improvements over time. The proposed improvements are consistent with this established pattern of development and do not introduce new residential units or intensify land use beyond existing conditions.

As conditioned, all proposed and existing retaining walls, railings, and related site improvements are required to be constructed or finished with materials and colors that are visually compatible with the surrounding natural environment. Concrete surfaces shall be treated with neutral colors or textured finishes, while railings and guardrails shall consist of hog wire or similar materials with matte, non-reflective finishes. These measures ensure that the project integrates visually with the surrounding landscape and minimizes contrast when viewed from adjacent properties or public vantage points.

The project site is not located between the shoreline and the first public road and is not identified as a priority coastal access or acquisition site in the LCP. The nearest public beach access is approximately a third of a mile northeast from the project site. Therefore, the project will not interfere with public access to coastal resources, beaches, recreational facilities, or coastal views.

Variance

The project requires a Variance to recognize reduced setbacks for portions of the existing unpermitted deck addition. Specifically, the northern side setback is reduced from the required five feet to approximately 3 feet 8.87 inches for deck support posts with lattice screening, and to zero feet for a portion (approximately 19 square feet) of the cantilevered deck. The existing deck serves as a means of ingress and egress to and around the existing dwelling, with this being an extension beyond to allow for more usable outdoor space. Due to the steep topography of the project site, the portion of deck requiring variance approval is approximately 8 feet above natural grade.

These reduced setbacks are directly attributable to the site's extreme topography and limited buildable area. Strict application of setback standards would significantly constrain the ability to maintain safe and functional outdoor space on the property. Similar development patterns exist throughout the neighborhood, where decks and retaining structures are commonly located near property lines due to comparable hillside conditions. As discussed further in the Variance Findings, the requested variance is necessary to allow reasonable use of the property, is consistent with neighborhood development patterns, and does not result in increased building mass, privacy impacts, or shading effects.

Site Development Permit

A Site Development Permit is required to recognize the existing unpermitted privacy fence along the northern property line, as the fence exceeds the 8-foot height limit established in SCCC 13.10.525 (Regulations for fences and retaining walls within required yards). The fence is constructed of natural wood materials and functions as a visual and safety barrier along a steep grade change. The fence is consistent with the residential character of the neighborhood. The Site Development Permit ensures that the fence is reviewed for visual compatibility, structural safety, and consistency with applicable design standards.

Grading and Erosion Regulations

The proposed project includes backfilling the eroded slab area and construction of a new retaining wall extension varying in height from 3 to 7 feet to stabilize the existing slope. Fill greater than 2-ft placed on slopes greater than 20% will require a grading permit under County Code. Earthwork volumes are estimated to be less than 100 cubic yards as the area of work is relatively small. However, given the steep hillside conditions, the project is conditioned to require submittal and approval of a geotechnical report and civil engineered grading, drainage, and erosion control plans prior to issuance of building permits. The report shall evaluate slope stability, drainage, and retaining wall design to ensure long-term site safety.

The proposed retaining wall extension and associated improvements are intended to stabilize the hillside, reduce erosion, and prevent further downslope degradation.

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 **251377**, 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 Division, 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: Alexandra Corvello
Santa Cruz County Planning
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3209
E-mail: alexandra.corvello@santacruzcountyca.gov

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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

Application Number: 251377
Assessor Parcel Number: 042-222-04
Project Location: 226 Highland Drive, Aptos CA 95003

Project Description: Proposal to construct a 132 square foot rear deck addition, a new 128 linear feet of a concrete retaining wall and recognize existing 162 square foot rear deck and 12 linear foot wooden retaining wall. Includes removing a concrete slab and filling in that area.

Person or Agency Proposing Project: Linn Warren and Charlotte Keeley

Contact Phone Number: 831-419-4166

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

Specify type: Class 1 – Existing Facilities (15301), Class 3 – New Construction (15303)

F. Reasons why the project is exempt:

A minor addition to an existing deck and retaining walls will not result in a major change to the existing structure or already terraced landscape.

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

Alexandra Corvello, Project Planner

Date: _____

Coastal Development Permit Findings

- (A) 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-1-4-L (Single Family Residential, 4,000 square foot minimum per dwelling, and Historic Landmark Combining District), a designation which allows residential uses. The existing house is registered as a historic resource (NR5 registered resource) and the proposed project will not impact the existing house. The proposed project to construct a 128 linear foot retaining wall with a railing above and new railings on existing patios and stairs, and recognize unpermitted work constructed on the site, including retaining walls, 132 square foot rear deck addition with deck posts and lattice screening below, removal of eroded existing concrete pad and oak tree, and 13.5 foot tall privacy fence along the northern property line, are allowed accessory structures associated with the principal permitted use of a single-family residential dwelling within the zone district, and the zoning is consistent with the site's R-UM (Urban Residential - Medium Density) General Plan designation.

- (B) 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.

- (C) 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 because, although the subject property is located on a prominent ridgetop, the proposed development has been designed and conditioned to minimize visual impacts and maintain compatibility with the surrounding hillside environment. The site is currently screened from public vantage points and neighboring properties by existing mature landscaping, which substantially limits visibility of the residence and proposed improvements.

In recognition of the site's ridgetop location, the project has been conditioned to require the installation of two additional native oak trees to further enhance visual screening and soften the appearance of existing and proposed development when viewed from off-site locations. These trees will be strategically placed to supplement existing vegetation and will be maintained to ensure long-term effectiveness as visual buffers. The proposed improvements do not increase the overall height or mass of the existing residence and are largely confined to areas already developed with decks, retaining walls, and terraced patios. As conditioned, all retaining walls, railings, and site improvements shall utilize neutral colors and natural materials with matte, non-reflective finishes, further reducing visual contrast and glare.

While the site's location on a prominent ridgetop warrants careful consideration, the combination of existing vegetation, required additional landscaping, and the limited scale of the proposed improvements ensures that the project will not result in adverse visual impacts. Accordingly, the project is consistent with the design criteria and special use standards of SCCC 13.20.130 and 13.20.140 et seq., and this finding can be made.

- (D) 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 because the subject property is not identified as a coastal accessway, recreational site, or priority acquisition parcel in the Local Coastal Program. The site is not located between the shoreline and the first public road, and no public access easements traverse the property. The proposed project does not impede, block, or diminish existing public access to coastal resources, beaches, recreational areas, or coastal trails. Public beach access remains available via established public access points serving the Rio Del Mar coastal area. Because the project involves improvements to an existing single-family residential property and does not affect coastal access opportunities, it is consistent with the public access and recreation policies of the Local Coastal Program.

- (E) That the project conforms to all other applicable standards of the certified LCP.

This finding can be made because the project conforms to applicable Local Coastal Program policies addressing visual resources and development on ridgetops. Although the site is located on a prominent ridgetop, existing development and existing landscaping substantially screen the site from public views. The proposed project does not introduce new structures or increased building mass that would break the ridgeline or create visual prominence. The project has been conditioned to include two additional native oak tree plantings to enhance visual screening and reinforce the natural character of the hillside. These measures, combined with restrictions on materials, colors, and finishes, ensure that the development remains visually subordinate to the natural landscape and consistent with LCP policies intended to protect scenic resources.

Furthermore, the project includes erosion control and slope stabilization improvements that support LCP policies related to geologic safety and environmental protection. With these conditions in place, the project conforms to all other applicable standards of the certified Local Coastal Program, and this finding can be made.

- (F) 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. The nearest public beach access is approximately a third of a mile northeast from the project site. Consequently, the proposed project 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.

- (G) In the event of any conflicts between or among the required findings, required findings in subsections (E) and (F) of this section shall prevail.

This finding can be made, in that there are no conflicts among the required Coastal Development Permit findings.

Discretionary Permit Findings

- (a) Health and Safety. The proposed location of the project and the conditions under which it would be developed, 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 be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses. The proposed project primarily consists of improvements intended to correct existing erosion issues, stabilize a steep hillside, and formalize previously unpermitted development in a manner that meets current safety standards. The site is characterized by steep slopes exceeding 50 percent grade, and the proposed retaining wall extension and replacement of deteriorated site features will significantly improve long-term site stability. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project 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 be materially injurious to properties or improvements in the vicinity. The project is conditioned to require submittal and approval of a geotechnical report prior to issuance of building permits to ensure that retaining walls, grading, drainage, and structural elements are designed to safely accommodate site conditions and protect adjacent properties.

- (b) Zoning Conformance. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made because the project is located within the R-1-4-L (Single-Family Residential, 4,000-square-foot minimum per dwelling, Historic Landmark Combining District) zone district, which is intended to accommodate single-family residential development and accessory improvements. The proposed work consists entirely of accessory structures and site improvements that support continued residential use of the property and does not change the existing historic structure.

While certain elements of the project require discretionary approvals to recognize existing unpermitted conditions, specifically reduced setbacks for portions of the deck and an over-height privacy fence, the project otherwise conforms to applicable zoning standards and development regulations. The requested approvals are narrowly tailored to address site-specific constraints, including steep topography and limited buildable area. As conditioned, the project will be brought into substantial conformance with County Code, and the underlying purpose of the zone district will be preserved.

- (c) General Plan Conformance. The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.

This finding can be made because the proposed project is consistent with the R-UM (Urban Residential – Medium Density) land use designation, which allows residential uses and associated improvements at an urban scale. The project does not adversely affect the existing historic

residence on the site and includes improvements that stabilize the slope behind the structure, thereby supporting preservation of the historic resource and maintaining the neighborhood character it contributes to. The project does not increase residential density or intensity and is limited to maintenance, safety improvements, and stabilization of an existing single-family residence on a constrained hillside parcel.

The project supports General Plan policies related to geologic safety and erosion control by implementing engineered measures to stabilize the slope and prevent future erosion. It also advances policies encouraging reinvestment in existing neighborhoods and the ongoing maintenance of housing stock.

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

- (d) CEQA Conformance. The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.

This finding can be made, in that the project has been determined to be exempt from further review under the California Environmental Quality Act, as indicated in the Notice of Exemption for this project.

- (e) Utilities and Traffic Impacts. The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed new retaining wall with railing above and new railings on existing stairs and patios as well as recognizing the existing unpermitted work will not increase the number of units on the developed site. This proposed project will not adversely impact existing roads or intersections in the surrounding area. In addition, all construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project will not overload utilities or otherwise result in an inefficient or wasteful use of energy.

- (f) Neighborhood Compatibility. The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made because the project consists of improvements accessory to an existing single-family residence in a neighborhood developed with similar hillside homes. While the site is located on a prominent ridgetop, existing mature landscaping substantially screens the property from surrounding viewpoints. The project has also been conditioned to require the planting of two additional native oak trees to further enhance visual screening and reduce potential visual impacts, which will be replacement trees for the existing tree that will be removed as part of the proposed retaining wall extension.

The scale and intensity of the proposed improvements are consistent with surrounding development and do not introduce incompatible land uses. Therefore, the project is compatible

with the neighborhood, and this finding can be made.

- (g) Local Coastal Program Consistency. For proposed projects located within the coastal zone, the proposed project is consistent with the provisions of the certified Local Coastal Program.

This finding can be made, in that the required Coastal Development Permit findings have been made for this project and the project is consistent with the provisions of the certified Local Coastal Program.

Site Development Permit Findings

- (a) Siting and Neighborhood Context. The proposed development is designed and located on the site so that it will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made because the project is designed in direct response to the site's steep hillside conditions and existing pattern of terraced development. Although the site is located on a prominent ridgetop, existing landscaping substantially screens the property from public view. The required installation of two additional native oak trees, which replace the remove of an existing oak tree on the site, will further enhance screening and ensure that the development remains visually subordinate to the surrounding natural landscape. The project complements the established hillside residential character and harmonizes with nearby development.

- (b) Design. The proposed development is in substantial conformance with applicable principles in the adopted Countywide Design Guidelines, except as prohibited by site constraints, and any other applicable requirements of SCCC 13.11 (Site Development and Design Review). If located in the Coastal Zone, the site plan and building design are also in substantial conformance with the policies of the Local Coastal Program and coastal regulations of SCCC 13.20.

This finding can be made because the project incorporates and is conditioned to include natural materials, neutral colors, and non-reflective finishes that are consistent with the Countywide Design Guidelines for hillside development. The use of a combination of hog wire and glass guardrails provides safety while maintaining visual openness, reducing the appearance of bulk compared to solid railing systems. The replacement of inconsistent railings with a uniform design improves visual cohesion across the site, and the retaining wall extension is designed to integrate with existing site features. As conditioned, the project enhances the aesthetic quality of the property while minimizing visual impacts on surrounding land uses.

Variance Findings

- (1) That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made because the subject property is characterized by extreme topographic constraints, including slopes exceeding 50 percent grade, which significantly limit usable outdoor space and buildable area. These conditions are not typical of all properties within the zone district and constitute special circumstances. Strict application of side setback requirements would prevent the property from maintaining functional and safe outdoor access in a manner comparable to neighboring hillside properties that have similar deck configurations located near property lines. Therefore, strict application of the zoning standards would deprive the property of privileges enjoyed by other similarly constrained properties in the vicinity.

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

This finding can be made because the deck and deck posts, with lattice screening, are compatible with the neighborhood. As conditioned, the project will not result in adverse impacts to neighboring properties, and the overall intent of the zoning ordinance, to promote orderly residential development and protect public welfare, will be maintained.

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

This finding can be made because similar setback reductions for decks and retaining structures exist on nearby hillside properties developed under comparable constraints. The surrounding neighborhood has the same topographical limitations of steep slopes. The proposed deck and deck posts with lattice screening are limited in scope. Approval of the variance would not establish a precedent for inappropriate development but instead reflects consistent application of zoning flexibility for hillside properties. Therefore, the variance does not constitute a grant of special privileges.

Conditions of Approval

Exhibit D: Project plans, prepared by RRoyer Design, dated 10/28/25.

- I. This permit authorizes the construction of a new 128 linear foot retaining wall and new railings along stairs and patios as well as recognizing the unpermitted work (including 132 square foot deck addition, deck posts with lattice screening, 13.5 foot tall privacy fence on the northern property line, removal of existing concrete pad, replacement-in-kind of 4 foot tall 20 linear foot wooden retaining wall), 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 Santa Cruz County Planning 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 Santa Cruz County Planning 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, if required.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by Santa Cruz County Planning. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with Santa Cruz County Planning. 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. 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 Santa Cruz County Planning review and approval. All retaining walls and railings must have natural, darker colors and be non-reflective and matte.

1. Grading, drainage, and erosion control plans prepared by a licensed civil engineer.
 3. Details showing compliance with fire department requirements.
 4. Submit a final landscape plan which clearly shows the location of the two required replacement oak trees (minimum planting size to be determined by Environmental Planning).
 5. Show any existing or proposed lighting within the backyard and show the lighting to be downcast fixtures that are low lumens to reduce the impact to neighboring and public viewsheds.
 6. Building permit application plans shall reference the soils report and update(s), include contact information for the geotechnical engineer, and include a statement that the project shall conform to the recommendations of the geotechnical engineer. If any changes are required, an amendment to this existing discretionary permit is required before the building permit can be issued.
 7. Building permit application plans shall clearly represent all proposed grading as recommended by the geotechnical engineer.
 8. The applicant shall submit a stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual, available here: <http://www.sccoplanning.com/Portals/2/County/Planning/env/ConstructionStormwaterBMPManual-Oct%20312011version.pdf>.
 9. The applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form. An electronic copy of this form may be found on our website: www.sccoplanning.com, under "Environmental", "Geology & Soils", "Assistance & Forms", "Soils Engineer Plan Review Form".
- 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 discretionary application has not been reviewed for compliance with Part 3 of the County Design Criteria. Prior to issuance of a building, grading, or other permit, final Stormwater Management documents shall be submitted for review and approval by Stormwater Management Section that adhere to the County Design Criteria and County Code 7.79.

2. Pre-development runoff patterns and rates shall be maintained, and safe stormwater overflow shall be incorporated into the project design.
 3. New and/or replaced impervious and/or semi-impervious surface area shall not exceed 5,000 square feet.
- C. Meet all requirements of the Environmental Planning section of Santa Cruz County Planning.
 - D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - E. Submit a soils report prepared and stamped by a licensed Geotechnical Engineer.
- 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.
 - B. The colors and materials of the retaining walls and railings must be maintained in perpetuity to be non-reflective/matte and match the surrounding natural landscape in color.

- C. All lighting at the rear of the property must be maintained in perpetuity to have downward facing fixtures and low lumen lighting to reduce light pollution to neighboring properties and public viewshed.
- D. The two native oak trees are required for screening purposes and must be maintained and pruned to promote the greatest screening potential. These trees replace the existing oak tree that will be removed as part of the proposed retaining wall.

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

Application #: 251377
APN: 042-222-04
Owner: Linn Warren and Charlotte Keeley

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.

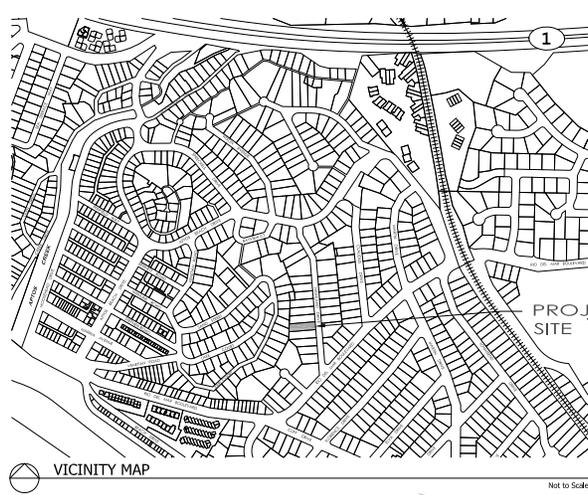
Approval Date: _____

Effective Date: _____

Expiration Date: _____

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.



VICINITY MAP

PROJECT SITE

Not to Scale

GENERAL NOTES:

- ALL WORK SHALL BE PERFORMED IN CONFORMANCE WITH CALIFORNIA BUILDING & FIRE CODES AND CENTRAL FIRE DISTRICT AMENDMENTS AND REGULATIONS APPLICABLE AS FOLLOWS:
 - 2022 CALIFORNIA BUILDING CODE
 - 2022 CALIFORNIA RESIDENTIAL CODE
 - 2022 CALIFORNIA MECHANICAL CODE
 - 2022 CALIFORNIA PLUMBING CODE
 - 2022 CALIFORNIA ELECTRICAL CODE
 - 2022 CALIFORNIA GREEN BUILDING STANDARDS
 - 2022 CALIFORNIA ENERGY EFFICIENCY STANDARDS
 - 2022 CALIFORNIA FIRE CODE
 - SANTA CRUZ COUNTY AMENDMENTS
- NOTHING IN THE CONTRACT DOCUMENTS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES, LAWS, ORDINANCES AND REGULATIONS.
- ALL WORK LISTED, SHOWN, OR IMPLIED ON ANY CONSTRUCTION DOCUMENTS SHALL BE SUPPLIED AND INSTALLED BY THE GENERAL CONTRACTOR EXCEPT WHERE NOTED OTHERWISE THE GENERAL CONTRACTOR SHALL CLOSELY COORDINATE THE WORK WITH THAT OF OTHER CONTRACTORS OR VENDORS TO ASSURE THAT ALL SCHEDULES ARE MET AND THAT ALL WORK IS DONE IN CONFORMANCE TO MANUFACTURER'S REQUIREMENTS.
- CONTRACTOR SHALL FIELD VERIFY EXISTING SITE CONDITIONS PRIOR TO COMMENCING WITH COST ESTIMATE.
- ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED ON PROJECT SITE BY THE CONTRACTOR AND EACH TRADE BEFORE WORK BEGINS. ERRORS, OMISSIONS AND DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION BEFORE CONSTRUCTION BEGINS.
- ALL FEES ARE NEW UNLESS SPECIFICALLY INDICATED OR NOTED AS EXISTING.
- ALL DIMENSIONS ARE FROM FACE OF STUD OR CENTERLINE OF COLUMN OR CENTERLINE OF DOOR OR OTHER SCHEDULED OPENING.

- COORDINATION:
 - THE CONTRACTOR SHALL COORDINATE LAYOUT DIMENSIONS INDICATED ON THE LANDSCAPE, STRUCTURAL, AND ELECTRICAL DRAWINGS WITH THOSE INDICATED ON THE ARCHITECTURAL DRAWINGS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
 - SEE ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS, ELEVATIONS, DEPRESSIONS IN SLAB, OPENINGS IN WALLS AND ROOF, ROOF SLOPE, CRACKETS, AND ROOF DRAINS.
 - IN THE EVENT CERTAIN FEATURES OF THE CONSTRUCTION ARE NOT FULLY SHOWN ON THE CONSTRUCTION DOCUMENTS, THEN THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS FOR SIMILAR CONDITIONS THAT ARE SHOWN.
 - THE CONTRACTOR SHALL VERIFY ALL ELECTRICAL, MECHANICAL, TELEPHONE AND SECURITY REQUIREMENTS BEFORE CONSTRUCTION BEGINS.
 - THE CONTRACTOR SHALL COORDINATE THE LOCATIONS OF LIGHTS, HVAC OUTLET AND INLET REGISTERS, AND SMOKE DETECTORS BEFORE CONSTRUCTION BEGINS.
- ON ALL CONTINUOUS SURFACES WHERE CONSTRUCTION INVOLVES MORE THAN ONE MATERIAL, FINISH OR MATERIAL THICKNESS, ALIGN FACE OF FINISH U.N.O.
- THE CONTRACTOR SHALL REPLACE OR REPAIR, AT CONTRACTOR'S EXPENSE, ALL DAMAGED, REMOVED OR OTHERWISE DISTURBED EXISTING UTILITIES, IMPROVEMENTS OR FEATURES OF WHATEVER NATURE, TO THEIR ORIGINAL CONDITION WHETHER SHOWN ON THE DRAWINGS OR NOT.
- VERIFY MOUNTING HEIGHTS OF BACKING PLATES AND SPECIAL STRUCTURAL SUPPORT REQUIREMENTS WITH EQUIPMENT MANUFACTURERS BEFORE INSTALLING BACKING PLATES AND SUPPORT.
- THE USE OF THE WORD "PROVIDED" IN CONNECTION WITH ANY ITEM SPECIFIED IS INTENDED TO MEAN THAT SUCH SHALL BE FURNISHED, INSTALLED AND CONNECTED, WHERE SO REQUIRED, U.N.O.
- THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DOCUMENTS ON THE JOB SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES, AND SHALL PROVIDE ALL SUBCONTRACTORS WITH CURRENT CONSTRUCTION DOCUMENTS AS REQUIRED.
- THE JOB COPIES OF THE BUILDING AND FIRE SYSTEMS PLANS AND PERMITS MUST BE ON SITE DURING INSPECTIONS.

SHEET INDEX

- EXISTING & PROPOSED SITE PLANS, VICINITY MAP, PROJECT INFO
- EXISTING RETAINING WALL & DECK PLANS & ELEVATIONS
- PROPOSED RETAINING WALL & DECK PLANS & ELEVATIONS
- GENERAL NOTES AND SPECIFICATIONS
- SECOND FLOOR DECK FRAMING PLAN & DETAILS
- RETAINING WALL FOUNDATION PLAN

PROJECT SCOPE

ADD 132 sq.ft. TO EXISTING DECK, ADD 100% REFLECTIVE, ANTI-GLARE GLASS RAILING, ADD/REPAIR 128 sq.ft. OF LOWER CONCRETE RETAINING WALL.

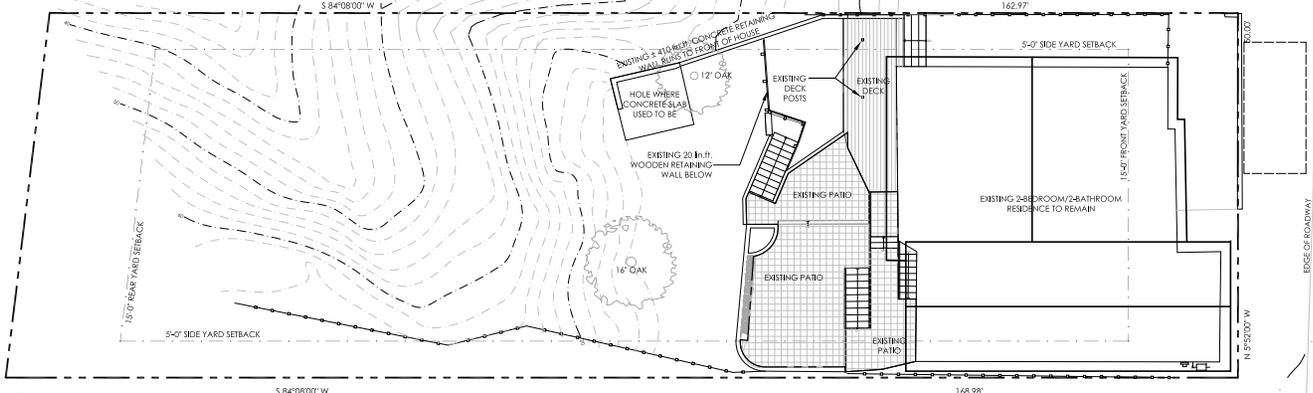
SITE ASSESSMENT FINDINGS:
THERE ARE NO DRAINAGE ISSUES OBSERVED ON SITE AND NO EVIDENCE OF ISSUES ON NEIGHBORING PROPERTIES INCLUDING ROADWAYS.

CONTACTS

- OWNERS**
BRIS WARREN & CHARLOTTE KEELEY
226 HIGHLAND DRIVE
APTOS CA 95003
714.996.8113
charlotte@keeleysfamilylaw.com
- CONTRACTOR**
JAMES ANDREWS
4041 SOQUEL AVENUE, SUITE A273
SOQUEL, CA 95073
831.419.4166
andrewsconst@webold.com
- PLANS PREPARER**
RACHEL ROYER
4258 PENNSYLVANIA AVE
SANTA CRUZ, CA 95062
831.454.0255
rach@royer127@yahoo.com
- STRUCTURAL ENGINEER**
ASH ROOKE P.E.
303 POINTEO STREET #29-201
SANTA CRUZ, CA 95060
931.294.4345
alrooke@gmail.com

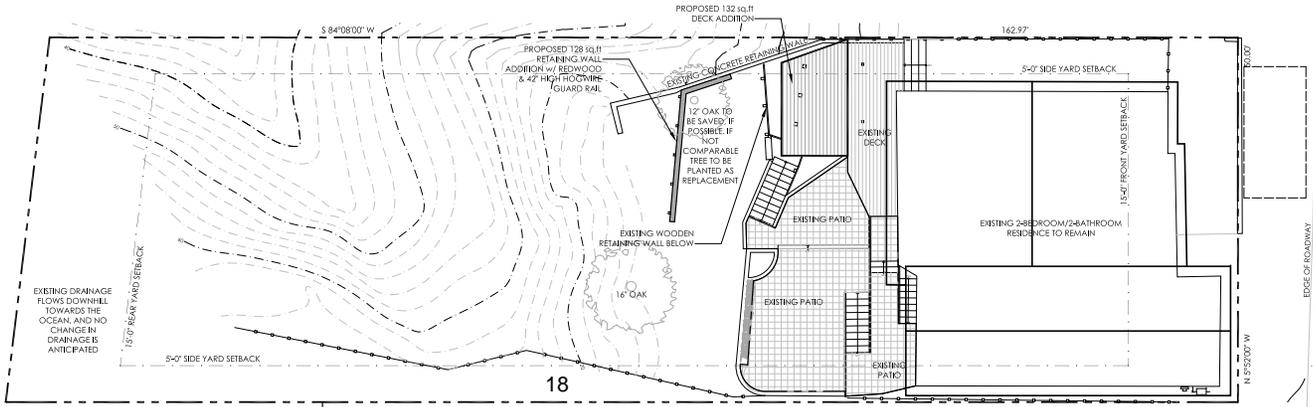
PROJECT DATA

APN:	043-223-04
ZONING:	R-1-44
OCCUPANCY CLASSIFICATION:	R-3
CONSTRUCTION TYPE:	VB
SPRINKLERED:	no
LOT AREA:	8,299 sq.ft.
EXISTING SQUARE FOOTAGE	
BASEMENT:	2600 sq.ft.
FIRST FLOOR:	21,200 sq.ft.
SECOND FLOOR:	2600 sq.ft.
GARAGE:	2250 sq.ft.
TILE PATIOS:	552 sq.ft.
WOOD DECK:	162 sq.ft.
EXISTING LOT COVERAGE:	2,302 sq.ft. (27.7%)
EXISTING F.A.R.:	2,425 sq.ft. (29.2%)
PROPOSED SQUARE FOOTAGE	
BASEMENT (no change):	2600 sq.ft.
FIRST FLOOR (no change):	21,200 sq.ft.
SECOND FLOOR (no change):	2600 sq.ft.
GARAGE (no change):	2250 sq.ft.
TILE PATIOS (no change):	552 sq.ft.
WOOD DECK (+132 sq.ft.):	294 sq.ft.
LOT COVERAGE:	2,436 sq.ft. (29.4%)
F.A.R. (no change):	2,425 sq.ft. (29.2%)



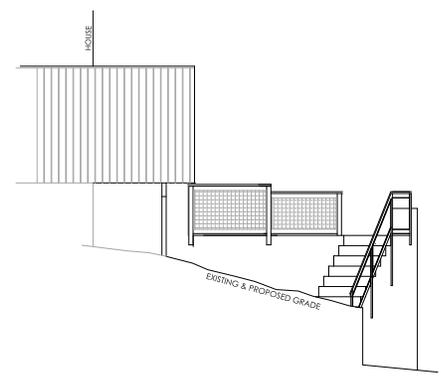
1 EXISTING SITE PLAN

Scale: 1/8" = 1'-0"

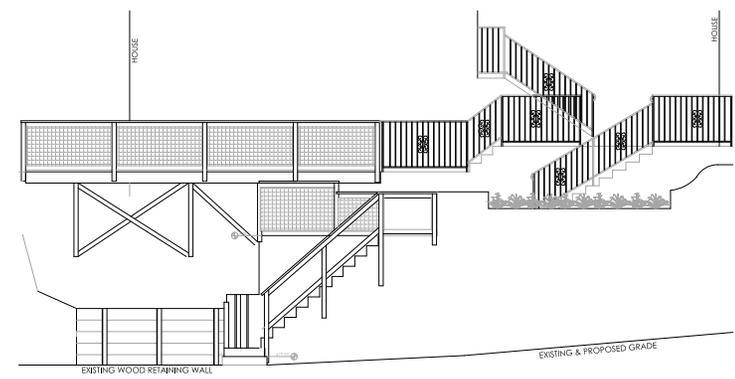


2 PROPOSED SITE PLAN

Scale: 1/8" = 1'-0"



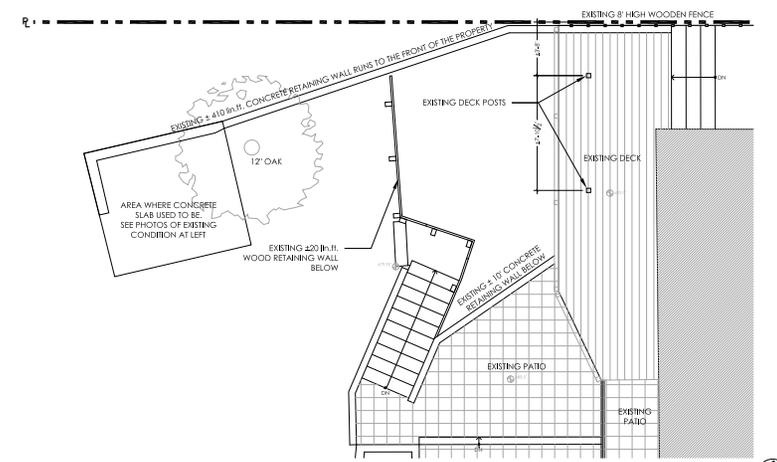
A NORTH ELEVATION EXISTING DECK
 Scale: 1/4" = 1'-0"



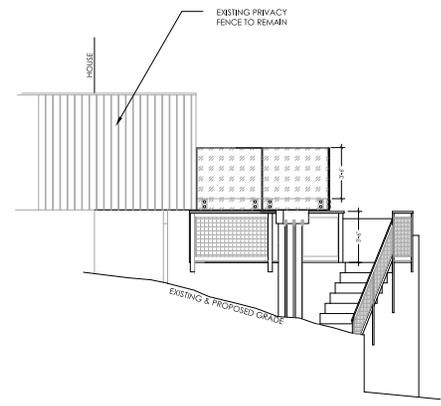
B EXISTING WEST ELEVATION OF DECK
 Scale: 1/4" = 1'-0"



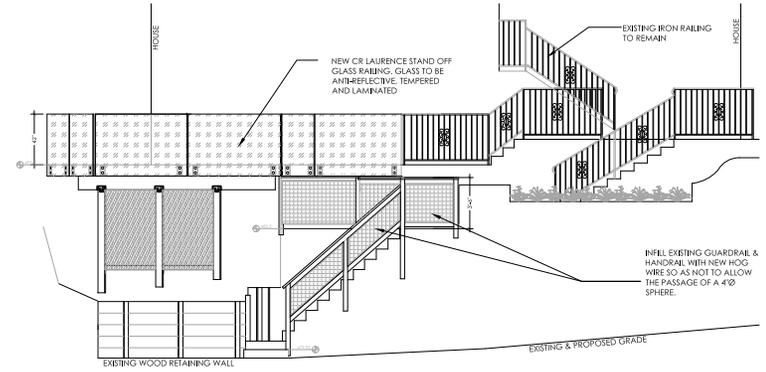
1 EXISTING CONDITION OF RETAINING WALL
 Scale: 1/4" = 1'-0"



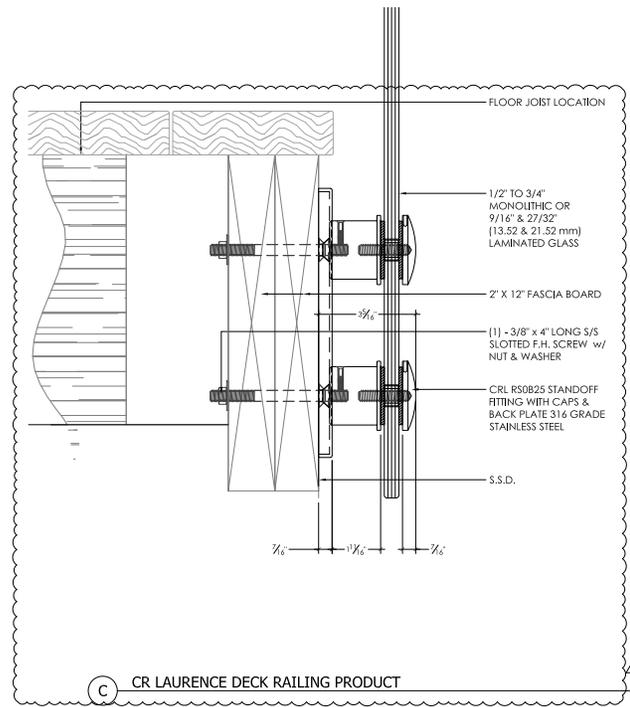
1 EXISTING CONCRETE RETAINING WALL & DECK PLAN
 Scale: 1/4" = 1'-0"



A PROPOSED NORTH ELEVATION OF DECK
 Scale: 1/4" = 1'-0"



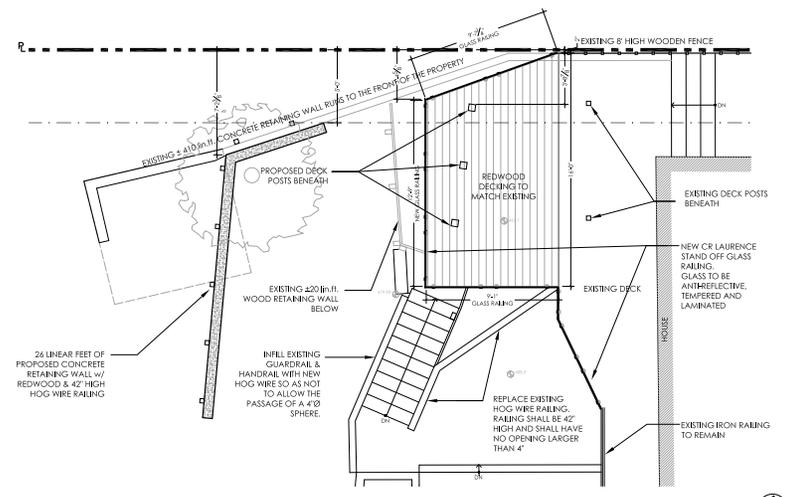
B PROPOSED WEST ELEVATION OF DECK
 Scale: 1/4" = 1'-0"



C CR LAURENCE DECK RAILING PRODUCT

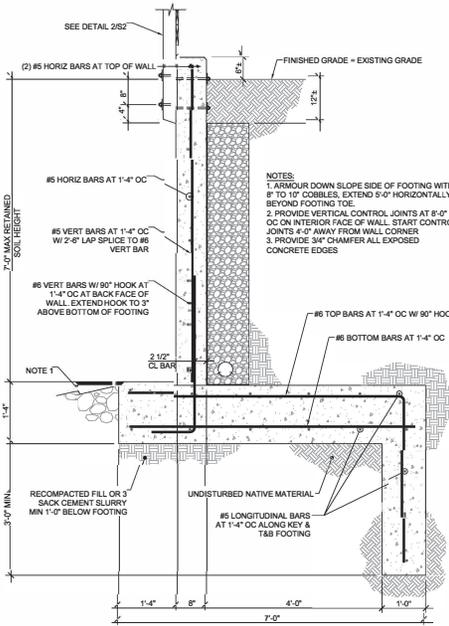


20

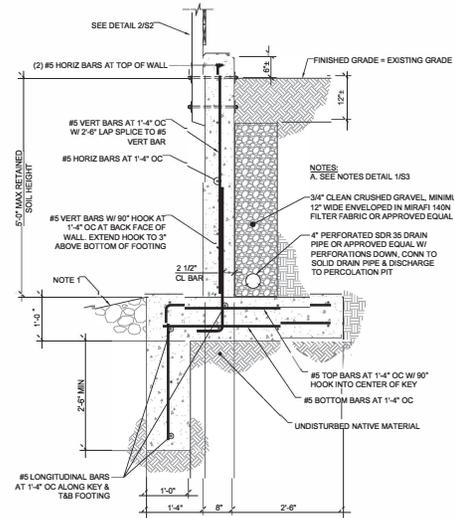


1 PROPOSED CONCRETE RETAINING WALL and DECK PLAN
 Scale: 1/4" = 1'-0"

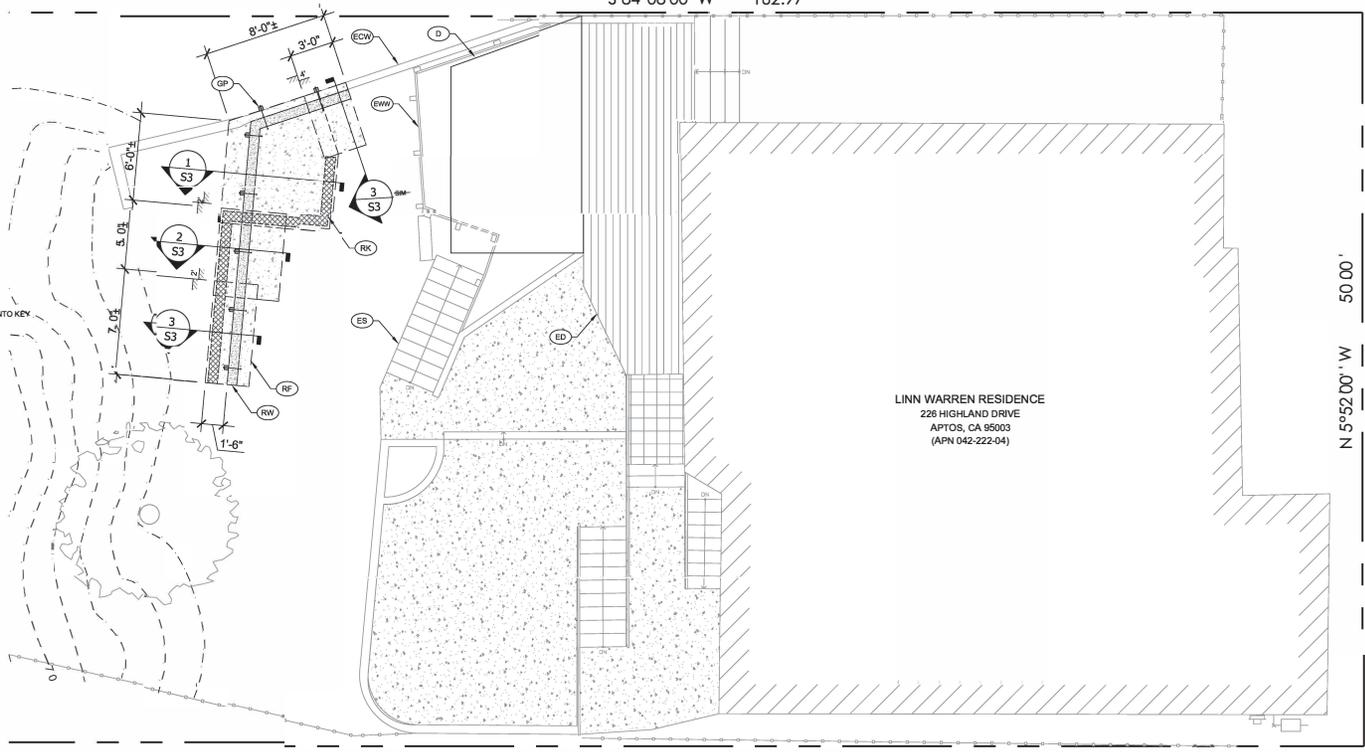




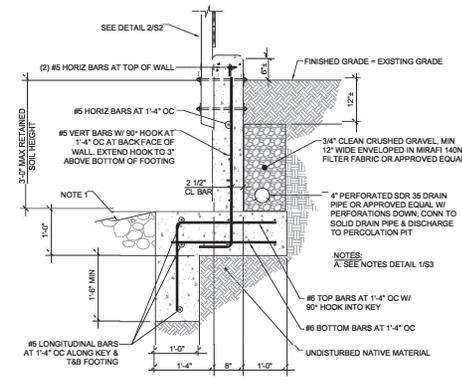
RETAINING WALL - 7'-0" MAX HT
SCALE 1/4" = 1'-0"



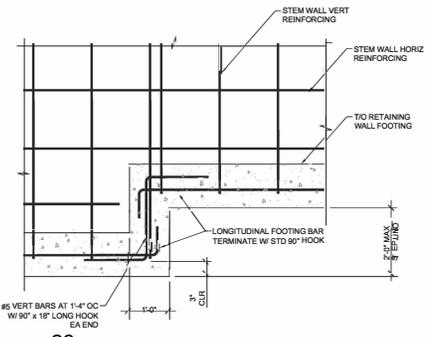
RETAINING WALL - 5'-0" MAX HT
SCALE 1/4" = 1'-0"



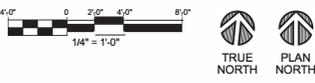
RETAINING WALL FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



RETAINING WALL - 3'-0" MAX HT
SCALE 1/4" = 1'-0"



23 RETAINING WALL FOOTING STEP
SCALE 3/4" = 1'-0"



RETAINING WALL KEY NOTES

- (ED) EXISTING DECK TO REMAIN
- (ES) EXISTING STAIR TO REAR YARD TO REMAIN
- (EWH) EXISTING WOOD RETAINING WALL BELOW DECK TO REMAIN
- (ECW) EXISTING CONCRETE RETAINING WALL TO REMAIN. BOLT TO NEW STEM WALL W/ HDG 5/8" DIA BOLTS W/ HDG 8/16" PLATE WASHERS AT 4'-0" OC VERTICALLY & HORIZONTALLY
- (RW) RETAINING WALL
- (RF) RETAINING WALL FOOTING
- (RK) RETAINING WALL KEY BELOW FOOTING
- (GP) 4x4 REDWOOD GUARDRAIL POST AT 4'-0" OC MAX W/ (2) 5/8" DIA HDG THROUGH BOLTS
- (D) DECK EXTENSION

RETAINING WALL LEGEND

- RETAINING WALL
- RETAINING WALL FOOTING
- RETAINING WALL KEYWAY
- GUARDRAIL POST AT 4'-0" OC

Ash Roake P.E.
303 Potrero Str., #29-201
Santa Cruz, CA 95060
Tel: (831) 234-4345
e-mail: akroake@gmail.com



RY
U

NO.	D.A.E.	DATE	DESCRIPTION	BY	APPROVED
1					

PROJECT
WARREN RESIDENCE
DECK & RETAINING WALL

SITE ADDRESS
228 HIGHLAND DRIVE
APTOS, CA 95003

CLIENT
LINN WARREN

PROJECT NUMBER: 14168-5
DRAWN BY: AR
CHECKED BY: AR
SHEET TITLE

RETAINING WALL
FOUNDATION PLAN
SHEET NUMBER

S3

Electronically Redrawn 1/27/99 rw
 Rev. 5/17/01 mvm (changed page refs.)
 Rev. 4/29/02 mvm (st. name)
 Rev. 6/24/02 mvm (st. name)
 Rev. 10/17/03 mvm (cor. to st. name)
 Rev. 10/16/07 td (112RS4)
 Rev. 11/20/25 cjc (2024-0011461 3-22)

FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

POR, APTOS RANCHO
 S. 1/2 SEC. 18, T.11S., R.1E., M.D.B. & M.

112M04
 8/17/2007

Tax Area Code
 69-273

42-22

APTOS BEACH COUNTRY CLUB
 SUB. NO. 4 23M15 10/5/25
 SUB. NO. 6 23M35 9/20/26
 SUB. NO. 6 AMENDED 24M25 8/24/28
 SUB. NO. 7 24M24 8/24/28

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

79M07
 9/9/1988

78M24
 3/22/1988

28PM33
 5/13/1985

Assessor's Map No. 42-22
 County of Santa Cruz, Calif.
 January, 1999

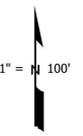
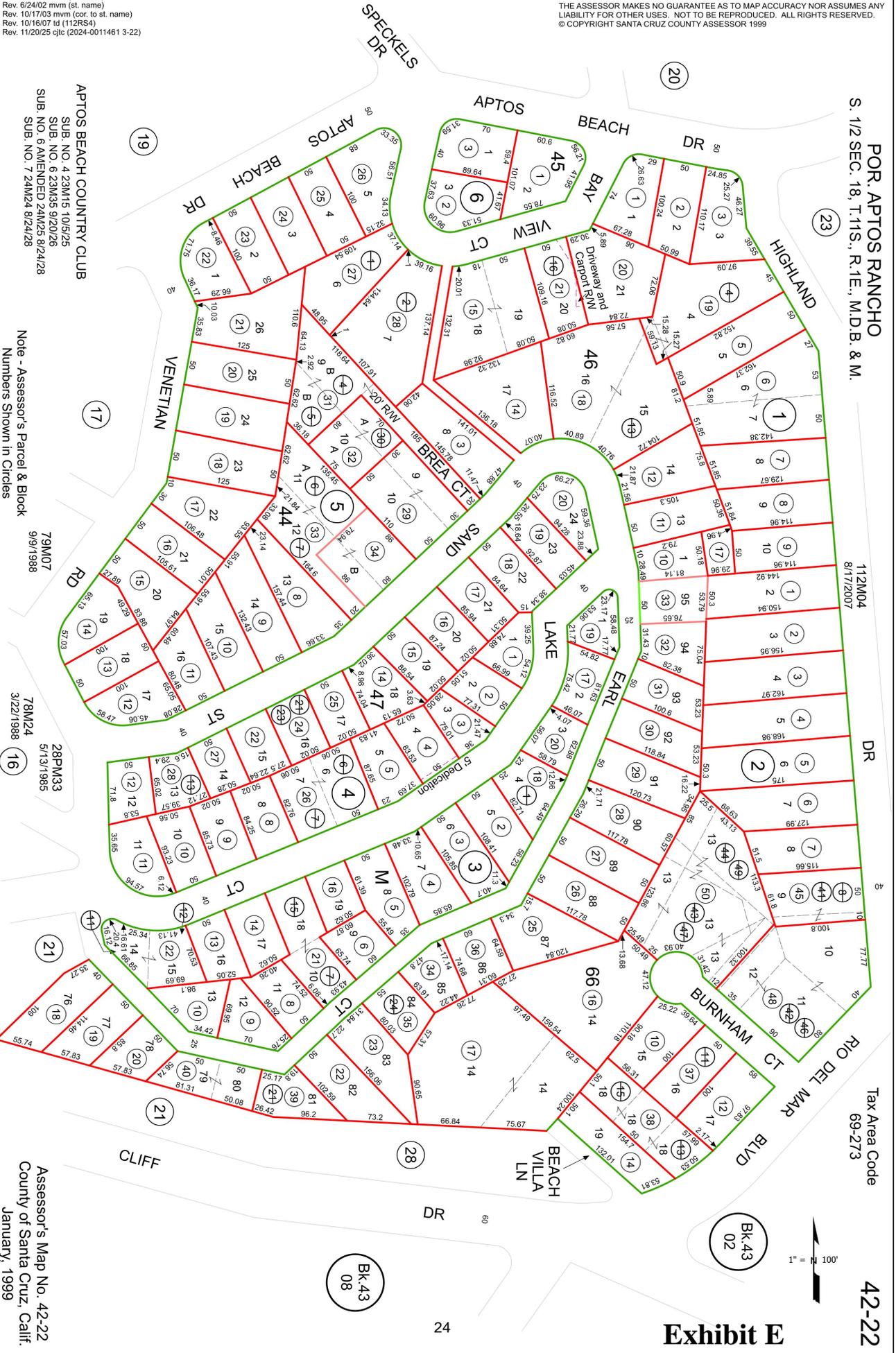
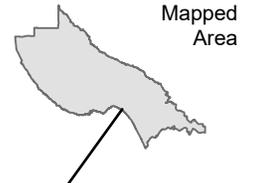


Exhibit E

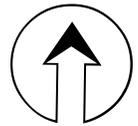


Parcel Location Map



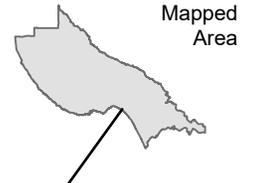
Parcel: 04222204

 Subject Parcel

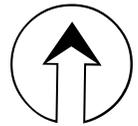




Parcel General Plan Map

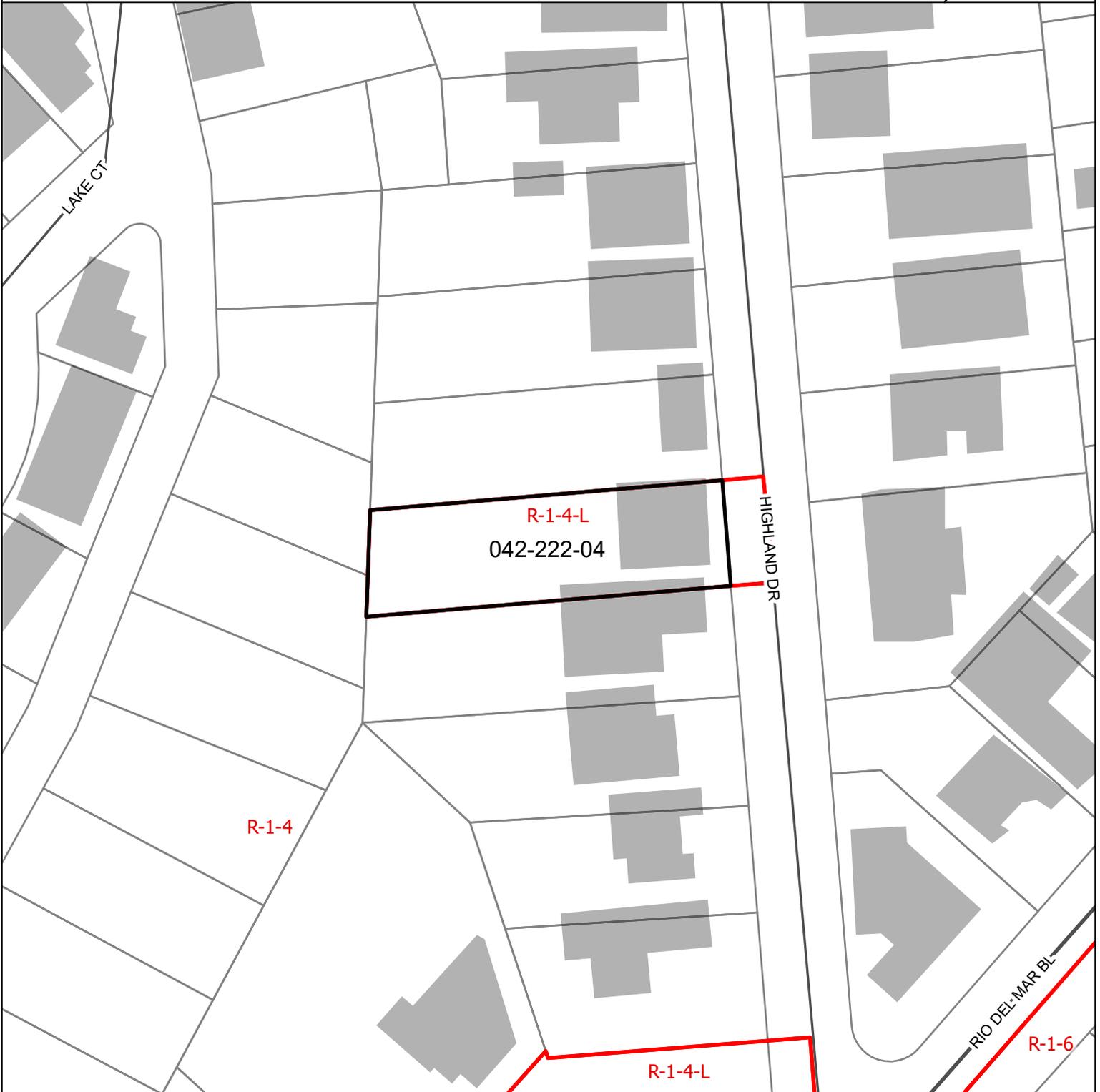
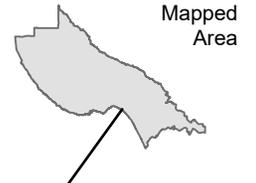


 Subject Parcel

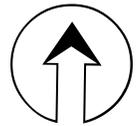




Parcel Zoning Map



 Subject Parcel



Parcel Information

Services Information

Urban/Rural Services Line: Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 6

Parcel Information

Parcel Size: 8,299 square feet
Existing Land Use - Parcel: residential
Existing Land Use - Surrounding: residential
Project Access: Highland Drive
Planning Area: Aptos General Plan Boundary
Land Use Designation: R-UM (Urban Residential - Medium Density)
Zone District: R-1-4-L (Single Family Residential, 4,000 square foot minimum per dwelling, and Historic Landmark Combining District)
Coastal Zone: Inside Outside
Appealable to Calif. Coastal Comm. Yes No

Technical Reviews: NA

Environmental Information

Geologic Hazards: Slope instability/erosion
Fire Hazard: Not a mapped constraint
Slopes: Steep slopes are on the property
Env. Sen. Habitat: Not mapped
Grading: 100 cubic yards of grading proposed
Tree Removal: One Oak tree to be removed
Scenic: A mapped resource
Archeology: Mapped/no anticipated physical evidence on site