



Staff Report to the Zoning Administrator

Application Number: **03-0341**

Applicant: Dennis Anderson
Owner: Ellen & Dennis Rinde
APN: 057-201-14

Date: August 20, 2004
Agenda Item #: 3
Time: 11:00 a.m.

Project Description: Proposal to construct a two *story* single family dwelling of about 2,750 square feet, grade about 500 cubic yards **for** driveway and house construction, construct driveway retaining walls, and remove approximately 10 indigenous Monterey Pine trees and 12 other native trees within the development envelope.

Location: Property located along the west side of Las Trances Road, contiguous with Swanton Road, Las Trances Road, and Big Creek.

Permits Required: Coastal Development Permit and Preliminary Grading Approval.

Staff Recommendation:

- Approval of Application 03-0341, based on the attached findings and conditions.
- Certification that the proposal is exempt **from** further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | |
|---|--|
| A. Project plans | F. Zoning & General Plan maps |
| B. Findings | G. Agency comments |
| C. Conditions | H. Declaration of Restriction Regarding Biotic Resources |
| D. Categorical Exemption (CEQA determination) | I. Geologist's letter |
| E. Assessor's parcel map and Location map | J. Arborist's reporting |

Parcel Information

Parcel Size:	11.5 acres
Existing Land Use - Parcel:	Undeveloped forest land
Existing Land Use - Surrounding:	Residential and agriculture
Project Access:	Swanton Road to Las Trances Road
Planning Area:	North Coast

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Land Use Designation: R-M (Mountain Residential)
Zone District: A (Agriculture)
Supervisory District: Third (District Supervisor: Wormhoudt)
Within Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Area of potential hazard avoided as discussed in staff report
Soils: Soils **report** required with Building Permit
Fire Hazard: Not a mapped constraint
Slopes: Development on slopes steeper than 30% avoided
Env. Sen. Habitat: Indigenous Monterey Pine Forest; Big Creek riparian corridor
Grading: 500 cubic yards of cut and fill
Tree Removal: Approximately 22 trees proposed to be removed
Scenic: Not visible from Swanton Road scenic corridor
Drainage: Onsite drainage improvements required
Traffic: **NIA**
Roads: Existing mads adequate
Parks: Existing park facilities adequate
Archeology: Negative archeological assessment

Services Information

Inside Urban/Rural Services Line: ☐ Yes ☒ No
Water Supply: Private well
Sewage Disposal: Private septic system
Fire District: County Fire
Drainage District: N/A



View of proposed house site area, looking approximately south. The large 65" diameter Douglas-fir at center right is just outside the southwest corner of **the proposed house**. This ~~tree~~ is proposed by the project arborist to be removed, for hazard reasons.

History

Pre-Development Site Review 02-0338 evaluated a preliminary project for a similar house location somewhat downslope of the present project, where no Monterey pines were anticipated to be removed at the house footprint.

A more recent application for a Significant Tree Removal Permit (03-0142) was not approved, because an outcome of the proposed tree removal would be, in effect, building site preparation in a sensitive habitat, in advance of approval of development and building permits for a specific building project.

Project Overview

The proposed new single family dwelling of about **2,750** square feet is located on a large, irregular-shaped parcel of 11.5 acres. The southeast parcel boundary is formed by Big Creek and the western boundary is formed by Swanton Road. The home site will be accessed by a driveway off of Las Trances Road, a low-traffic private road serving just a few residences. Most of the parcel is moderately to steeply sloped and covered with a sensitive habitat of mixed indigenous Monterey Pine forest of the Ano Nuevo population, including at the proposed building site.

A segment of an old logging road which leaves Las Trances Road at a small meadow area is proposed to be improved into the new residence driveway of about 300 feet in length.

The project architect has worked closely with Planning staff to produce a revised project design which simultaneously addresses numerous challenging site design constraints, including minimizing the area of site disturbance and grading, minimizing disturbance of Monterey Pine sensitive habitat and native tree removal, avoiding potential future conflicts between the new development and adjacent Monterey Pine sensitive habitat, avoiding development on steep slopes, avoiding an area of uncertain geologic stability, avoiding visual impacts to the Swanton Road scenic comdor, and avoiding impacts to the Big Creek anadromous fish stream habitat.

At the same time the project design responds well to residential design goals of the property owners and lays out a new house and driveway carefully ~~fitted~~ on the sloping, beautifully forested site.

Geologic Hazards

An area of potential geologic concern at the small, open meadow along Las Trances Road was evaluated by the applicant's consulting geologist, Roberta Smith (letter of July 4, 2003, Exhibit I). Planning staff requested that the geologist put the geologic observations in writing, since this meadow area otherwise would represent a possible alternative home site located outside the Monterey Pine sensitive habitat.

An apparent surficial landslide scar possibly dating to 1982, 1983 or 1986, located across Las Trances Road and upslope of the meadow area, is plainly visible. The neighboring property owner Michael Weaver at 338 Swanton Road, directly across from the meadow, stated to staff that ~~this~~ slipout area sloughed onto Las Trances Road and some portion of the meadow during a

1980s storm event.

Considering this geologic concern, the small meadow area was not considered as a favorable alternative to the proposed building site.

Scenic Resources

The subject parcel is located along the Swanton Road designated scenic corridor, immediately north and east of the bridge over Big Creek. This area offers exceptionally fine rural scenic vistas, arguably among the most memorable, and least impacted by development, anywhere in Santa Cruz County. As proposed, the project is not anticipated to be observed at all from vehicles passing along Swanton Road, because of the steep slope along the road which puts the house site high above Swanton Road, screened by intervening forest vegetation.

A small, narrow, relatively flat area on the parcel at the intersection of Swanton Road and Las Trancas Road, if looked at as a diminutive prospective house site, might have allowed some less removal of Monterey Pine trees but on various counts is quite undesirable as a building site and would have resulted in all the new development in full view directly along the scenic road.

Sensitive Habitat



Sample view of two of the Monterey pines proposed to be removed in vicinity of proposed house footprint. Arrows point to the near leafless crowns of these dying trees.

The proposed development is in an area of sensitive habitat, specifically Indigenous Monterey Pine Forest. There are individual specimens of Monterey pine present throughout most of the property (which is forested, with a few minor exceptions) and there are general ecological conditions which support Monterey pine forest. These Monterey pines are part of the *Ano Nuevo* population of indigenous Monterey pines. On this property the pines occur in a variable and Visually appealing species mix with Douglas *fir*, interior live *oak*, and California bay.

Apparently due to a combination of long term fire suppression plus disease process in some trees, there may be more trees which are senescent (old and/or low vitality) or standing dead than might occur under better conditions. There are also relatively few very young trees, including of

Monterey pine. Absence of fire reduces but does not stop Monterey pine reproduction. At the same time, there are many trees of diverse ages and sizes with abundant healthy foliage in a mature forest canopy, and the overall appearance of the forest area remains very attractive. Some of the standing dead trees are providing woodpecker nesting cavities and the woodpeckers may be of benefit in limiting pest insect populations.

Big Creek, an anadromous fish stream, would also potentially present special biotic issues, but on this concern the proposed development is advantageously sited well away from the creek.

Following a Biotic Presite, staff did not require a further Biotic Assessment to be prepared by the County's consulting biologist Bill Davilla. Staff verified with Mr. Davilla the fairly obvious observation that the site contains Indigenous Monterey Pine Forest of the Año Nuevo population, and that typical biotic recommendations for this setting should apply: (A) design the project to minimize disturbance of the biotic resource, (B) require mitigation of tree removals and development by planting with genetically-appropriate Monterey pines, and (C) ongoing protection of the resource by a Declaration of Restriction Regarding Biotic Resources, to be recorded at the County Recorder prior to approval of a Building Permit. These factors are incorporated into the project design and the permit conditions.

During project evaluation staff also consulted with the County's Environmental Coordinator ~~Ken~~ Hart and Deputy Environmental Coordinator Paia Levine as to appropriate regulation of development in this Monterey Pine setting.

The Declaration of Restriction Regarding Biotic Resources (Exhibit H) will apply to most of the subject parcel, outside the development envelope shown with the Declaration. This Declaration restricts development on a large area of sensitive habitat on the parcel. The area of Indigenous Monterey Pine Forest in which grading will take place and in which Monterey pines will be removed is less than 1/4 acre.

In addition, the applicant's certified arborist Maureen Hamb, has provided detailed recommendations as to management and protection or removal of the dead, unhealthy, marginal, and healthy trees in the project area, along with recommendations for mitigation plantings (Exhibit J). Some mitigation plantings have already been made under the arborist's supervision, and are included as required permit conditions. Approximately 10 Monterey pine trees, and approximately 12 other native trees, will be removed in the proposed path of development. This includes a few trees previously removed and trees to be removed as a falling hazard and for fire safety around the house.

Grading Design

The project has a compact two-story house design that tucks the back side of the ground floor into a retained cut in a hillside on which the slope is about 28%. The retaining wall extends out northerly from the house alongside the driveway, allowing a direct ground floor vehicle entry from the driveway into the garage. The dwelling occupies a moderate footprint of about 2000 square feet. As it nears the house the driveway runs next to a low upslope landscape wall and then next to an upslope retaining wall. The hammerhead fire turnaround is supported by a retaining wall on the downslope side. The driveway makes good reuse of an existing old logging

road on the site. All these measures serve to make a nicely compact grading footprint, thereby helping minimize disturbance of the Monterey pine forest.

A flat graded pad surrounding the house area is not proposed.

This compact grading design, of about 500 cubic yards cut and fill, is appropriate considering the sensitive habitat location, and it maintains intact the surrounding sloping topography of the attractive forest setting.

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, including additional detail not repeated here.

Staff Recommendation

- APPROVAL of Application Number **03-0341**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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Coastal Development Permit Findings

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

This finding can be made, in that the property is zoned A (Agriculture), a designation which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, consistent with the site's (R-M) Mountain Residential General Plan designation.

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

This finding ~~can~~ be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that the proposal does not conflict with the ~~Las~~ Trances Road private road right-of-way ~~as~~ the road passes through the parcel, and in that no other 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 section 13.20.130 et seq.

This finding can be made, in that the development minimizes grading, maintains mature trees except where circumstances require their removal, is compatible with the character of the surrounding neighborhood, and is located on a portion of the site least visible from the designated scenic road.

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

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

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the A (Agriculture) zone district of the area, ~~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 widely in the area, and the design submitted is not inconsistent with the existing range.

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 and the building site is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

The proposed single family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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 A (Agriculture) zone district in that the primary use of the property will be one single family dwelling that meets all current site standards for the zone district.

The project design has been tailored to meet sensitive habitat protection requirements. The project minimizes tree removal and grading in a sensitive habitat, provides mitigation plantings of genetically-appropriate Monterey pines in an area where long term fire suppression has resulted in poor natural regeneration of the Monterey pine forest, and provides permanent protection of a large surrounding sensitive habitat on the parcel by means of a Declaration of Restriction Regarding Biotic Resources.

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 Mountain Residential (R-M) land use designation in the County General Plan.

The proposed single family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single family dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed single family dwelling will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single family dwelling will comply with the site standards for the A zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed single family dwelling is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day (1 peak trip per dwelling unit). Such an increase will not adversely impact existing roads and intersections in the surrounding area.

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

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

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

This finding can be made, in that the proposed single family dwelling will be of an appropriate scale and type of design compatible with the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Significant Tree Removal Findings

The following findings are made for removal of significant trees, as required by Chapter 16.34 of County Code:

1. That the significant tree is dead or is **likely** to promote the spread of insects or disease. This finding is made with respect to the specific dead and diseased trees identified and recommended to be removed in the arborist's report (Exhibit J).
2. That removal is necessary to protect health, safety, and welfare. This finding is made with respect to specific trees in the development envelope that are a falling hazard, or will be a falling hazard as a result of unavoidable construction impacts, as identified in the arborist's report.
3. That removal is necessary in conjunction with this Coastal Permit to allow the property owner an economic use of the property (construction of a dwelling) consistent with the land use designation of the Local Coastal Program Land Use Plan. This finding is made with respect to the specific trees needed to be removed in the path of the proposed project.

Conditions of Approval

Exhibit **A** Project Plans by Dennis Anderson (Sheet AI, May 21, 2004; Sheets AI.1 and **A2** through A5, April 15, 2004) and Mid Coast Engineers (Sheets 1 & 2, April 20, 2004)

- I. This permit authorizes the construction of a single family dwelling. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building & Grading Permit from the Santa Cruz County Building Official. **As** an exception to this requirement, the single large 65" diameter Douglas fir tree (tree #14) located at the southwest corner of the proposed house site may be removed under the supervision of the project arborist and in advance of obtaining a Building & Grading Permit, in that there is some short-term risk of this tree failing and damaging other nearby trees that are to be retained.
- II. Prior to issuance **of** a Building & Grading Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded (in format to be provided by Planning staff) in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. 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 "A" on file with the Planning Department. The final plans shall include the following additional information:
 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 2. Finalized grading, drainage, erosion control, and landscape plans.
 3. Details showing compliance with fire department requirements.
 - C. Meet all requirements of and pay any applicable fees to the County Department **of** Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - E. Meet all requirements and pay any applicable plan check fee of the County Fire

Protection District.

- F. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer. Pay the current Soils Report Review fee. In addition to standard soils engineering concerns the report must include a slope stability analysis to address the proximity of the leach field (and perhaps certain drainage improvements which are not yet identified) to the steep slope above Swanton Road. The soils engineer must be alerted to the special requirements for tree root zone protection at this site and should provide grading design recommendations which take this into account.
 - G. Pay the current fees for Parks and Child Care mitigation for **3** bedroom(s).
 - H. Pay the current fees for Roadside and Transportation improvements for **3** bedroom(s).
 - I. Provide required off-street parking for **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.
 - J. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
 - K. Complete and record the Declaration of Restriction Regarding Biotic Resources. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
 - L. Complete and record the Statement of Acknowledgement Regarding the Issuance of a County Building Permit on Property Adjacent to Lands Zoned for Timber Production and Harvesting (reflecting that adjacent parcels are zoned "TP" Timber Production).
- III. All construction shall be performed according to the approved plans for the Building & Grading Permit. During construction and prior to final building inspection, the applicant/owner must meet the following conditions:
- A. Landclearing, grading and excavation shall not take place between October **15** and April 15, and shall not take place in advance of issuance of a Building & Grading Permit. All site disturbance shall be "buttoned up" for erosion control purposes by October 15.
 - B. Prior to any site disturbance, grading, tree removal, or land clearing, the tree protective fencing shall be fully in place as shown on the approved plans (Sheet A1.1) and a pre-construction meeting shall be held with Planning staff at the site. For purposes of approved removal of trees outside the mapped protective fencing

(tree #s 9, 10, 19, 22, 23, 24, 29 on Sheet A1.1), a temporary alternate protective fenceline shall be established which allows access to these trees for a short period of tree removal, and then the planned Sheet A1.1 fenceline shall be established or re-established. Tree removal and grading shall be observed and monitored by the project arborist to the extent of ensuring compliance with the required tree protection measures.

- C. Conform to the Tree Preservation Specifications and other recommendations provided by the project arborist and as indicated on the plans. Refer to the Tree Resource Evaluation dated June 19, 2003 by Maureen Hamb, and Hamb's letters of November 10, 2003 and March 8, 2004. Refer to Hamb's revised Tree Inventory Impact Assessment (4 pages, trees 1 through 31) as revised for the November 10, 2003 letter. If a question arises about details of appropriate tree protection measures, or the arborist's recommendations for a particular tree are updated in writing due to new findings, County Planning staff (the Project Planner) may at discretion approve or not approve such revised recommendations, under the auspices of this permit.
- D. All site improvements shown on the final approved Building & Grading Permit plans shall be installed.
- E. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- F. The project must comply with all recommendations of the approved soils report.
- G. Prior to final inspection, the landscape plantings as shown on the approved Landscape Plan shall be installed.
- H. Provide a final inspection letter from the project arborist, verifying completion of mitigation tree plantings as indicated on the plans. All Monterey pine plantings shall be from localized Swanton Road area genetic stock.
- I. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. The requirements of the Declaration of Restriction Regarding Biotic Resources shall be permanently met.

- B. The mitigation tree plantings shall be permanently maintained, and shall be monitored for two years from the date of final building inspection, with annual monitoring letters provided to County Planning by the arborist, **as recommended** by the project arborist.
- C. Introduced domestic landscaping shall be limited to areas outside the "No Disturbance —Biotic Resource" area identified in the Declaration of Restriction Regarding Biotic Resources. Landscaping shall be of drought tolerant, non-invasive species, and predominantly locally-native species. Landscaped areas shall serve as a "habitat transition ~~area,~~" i.e. not in conflict with the surrounding Monterey pine forest.
- D. 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.

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 **two years from the** effective date **unless you** obtain the required permits and commence construction.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Jack Nelson
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 03-0341

Assessor Parcel Number: 057-201-14

Project Location: no situs, Las Trances Road, off Swanton Road, Davenport CA

Project Description: Construct a two story single family dwelling and grade about 500 cubic yards

Person or Agency Proposing Project: Dennis Anderson

Contact Phone Number: 831-457-8348

- 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).

Specify type:

E. ☒ **Categorical Exemption**

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

F. Reasons why the project is exempt:

Construction of a single family dwelling, in which site disturbance is minimized and mitigated.

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

Jack Nelson, Project Planner

Date: _____

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.
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RANCHO AGUA PUERCA Y LAS TRANCAS
 POR. SECS. 7 & 18, T.10S., R.3W., M.D.B. & M.

Tax Area Code
 86-022

57-20

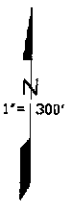
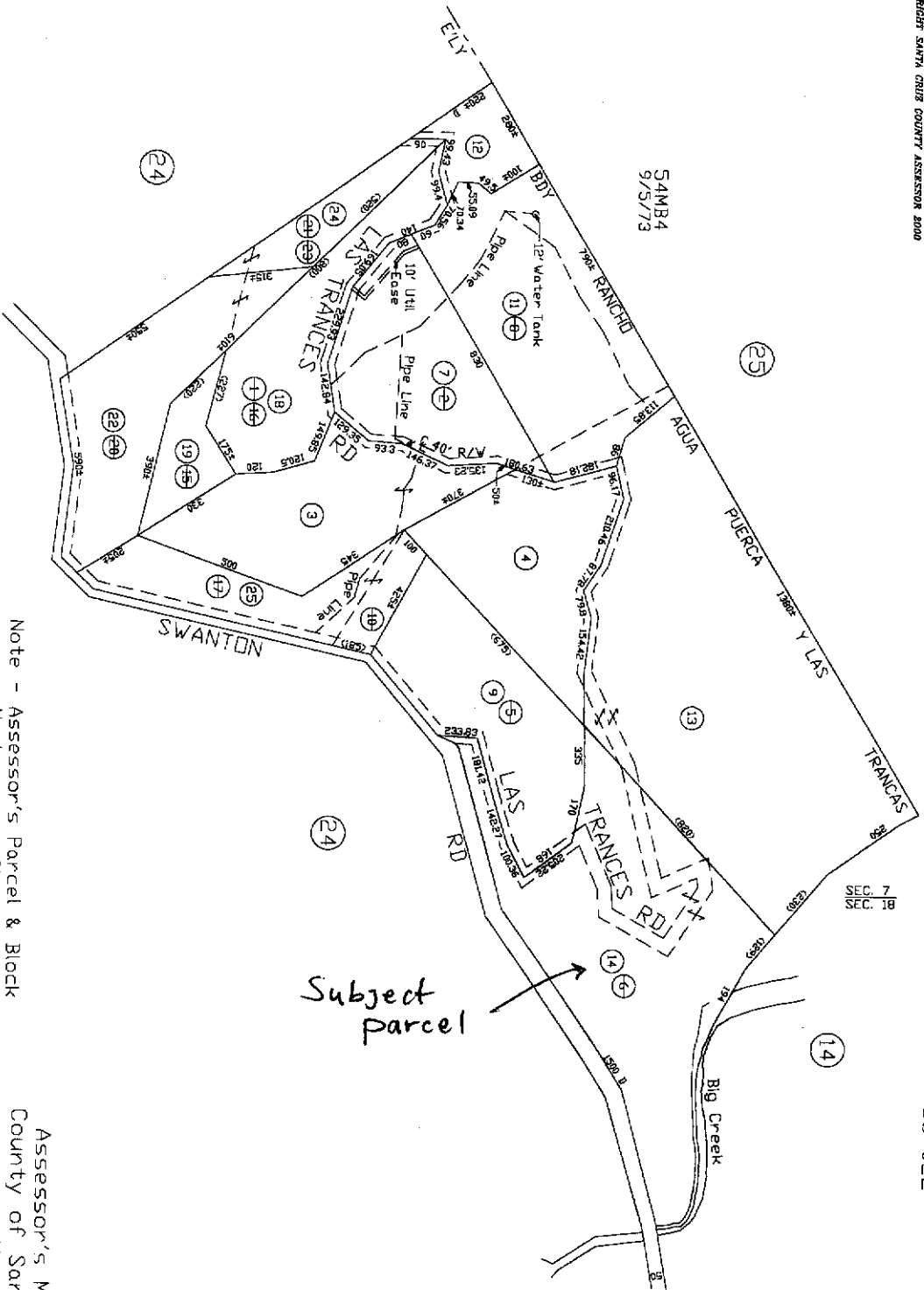
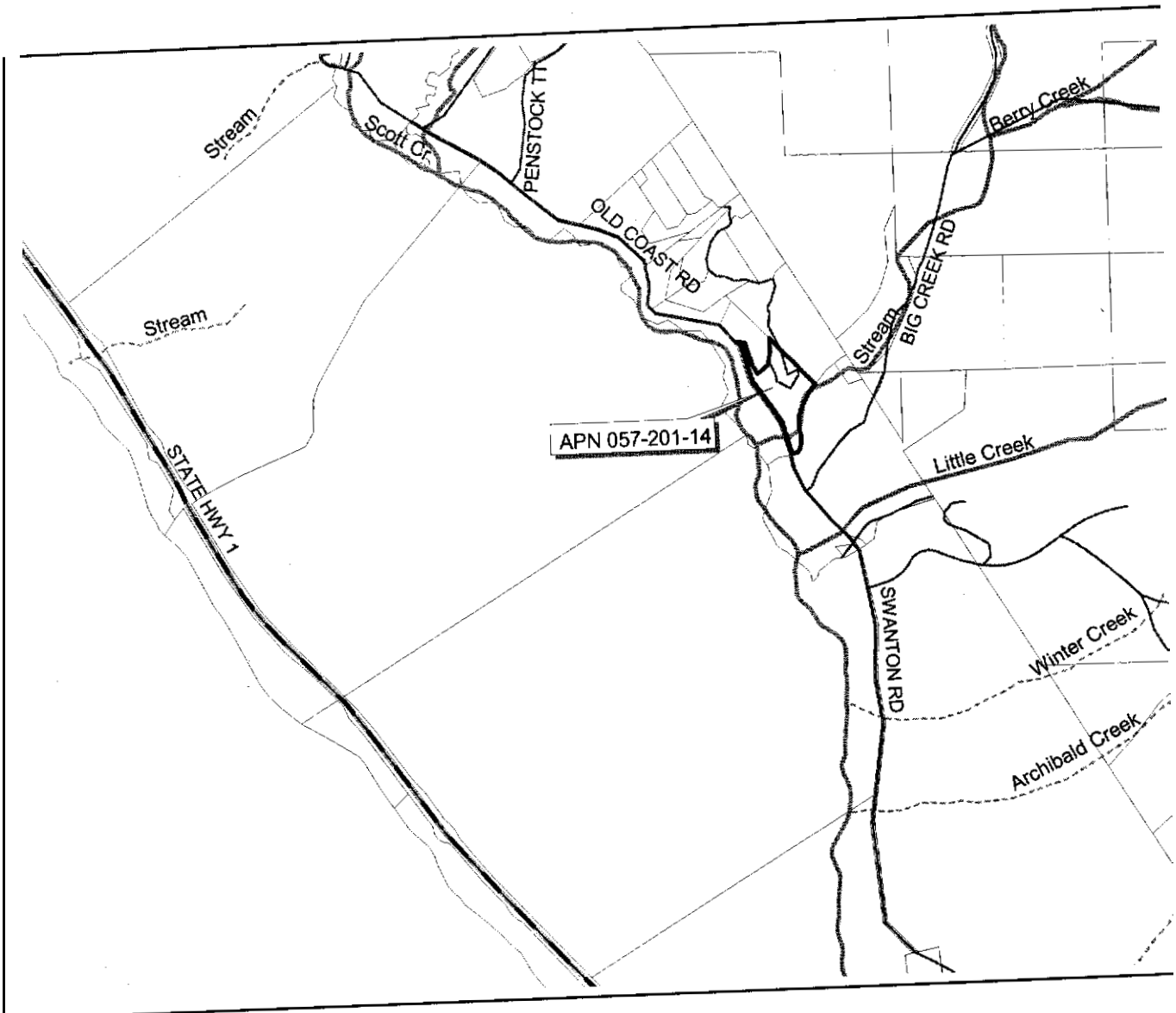


EXHIBIT E

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

Assessor's Map No. 57-20
 County of Santa Cruz, Calif.
 Nov. 2000

Location Map

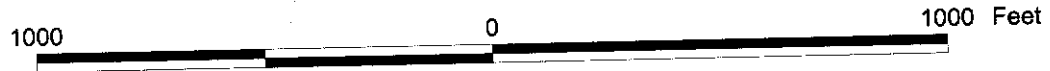
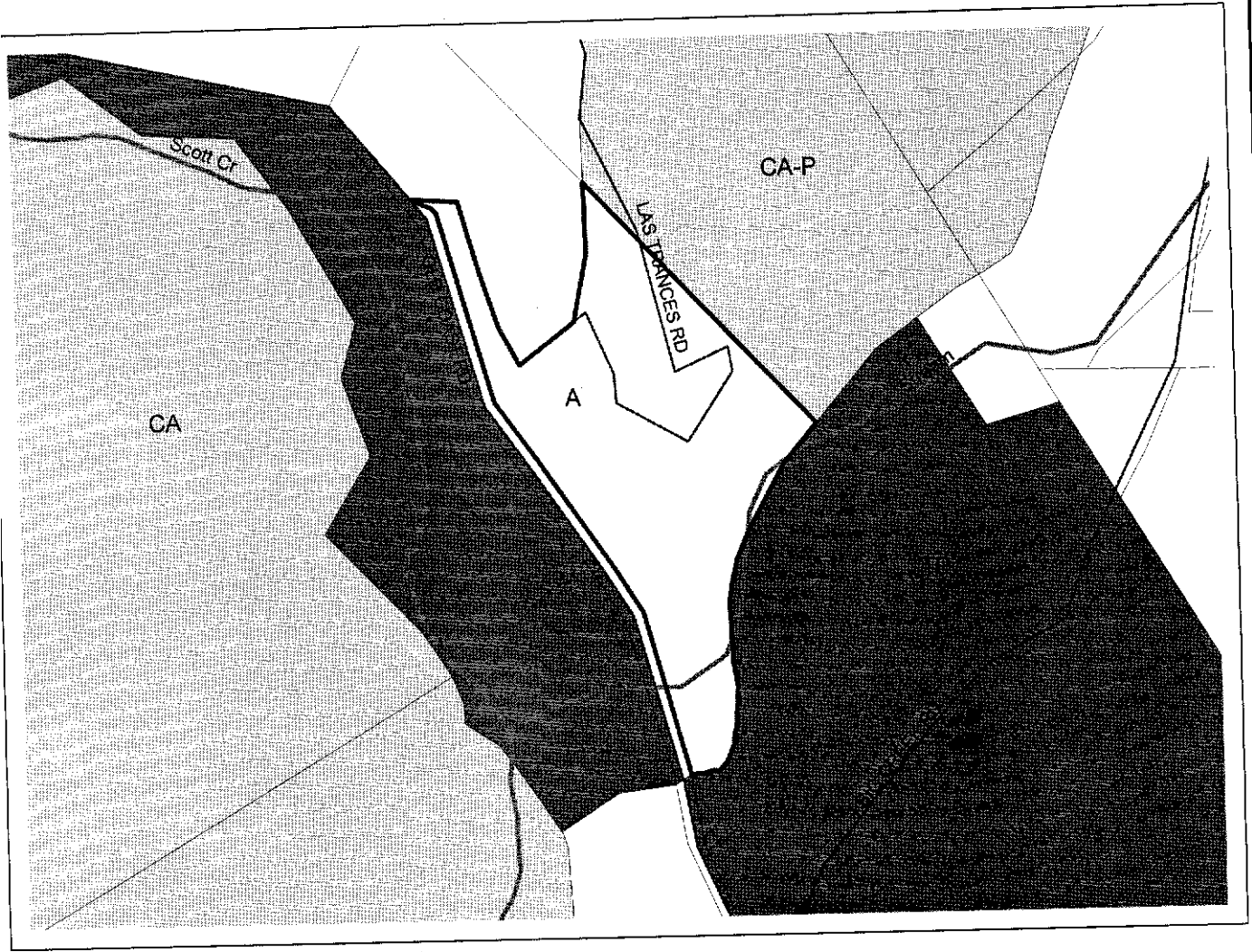


Map created by Santa Cruz County
Planning Department:
August 2003










EXHIBIT E

Zoning Map



Legend

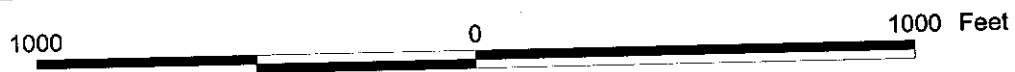
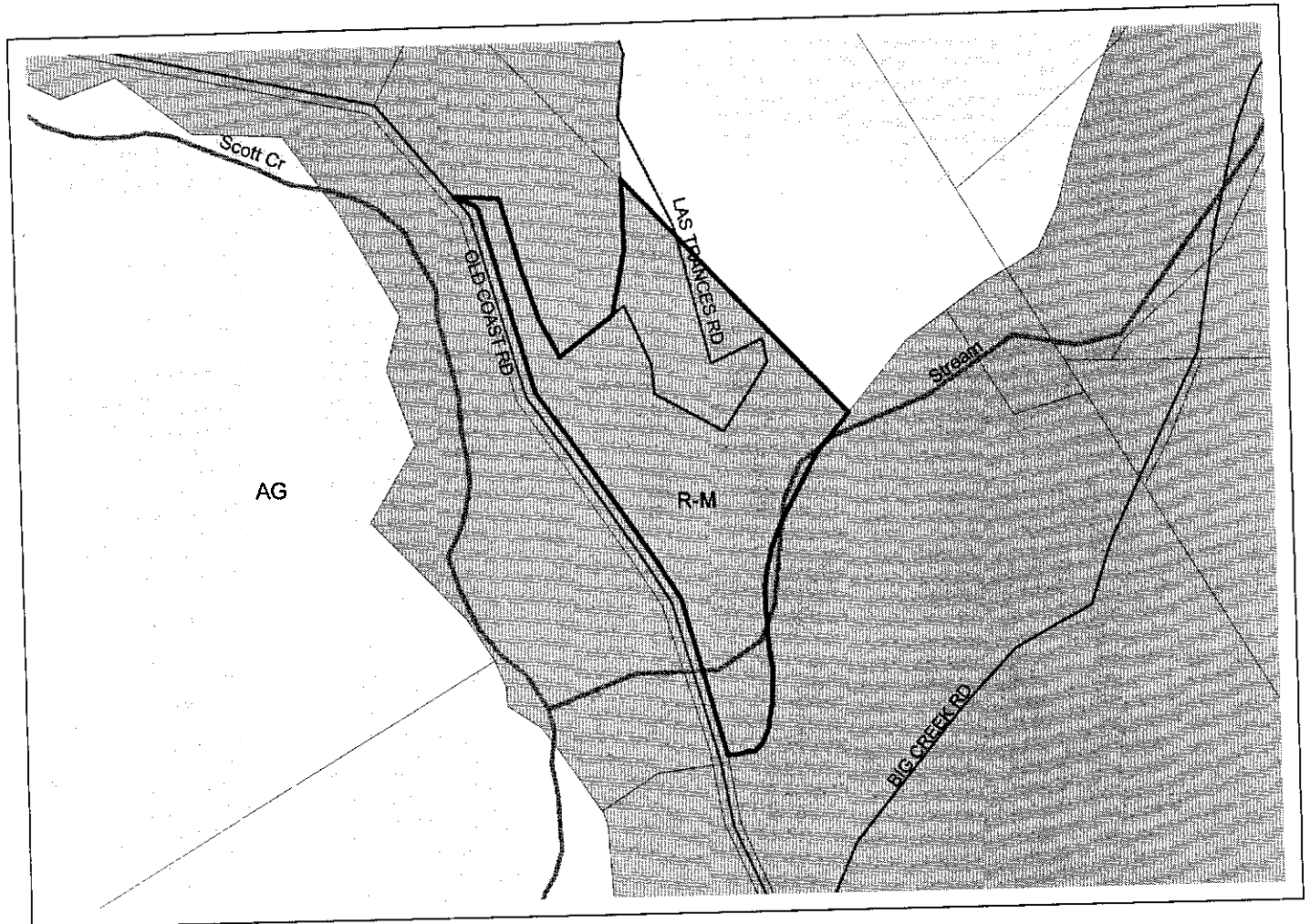
-  APN 057-201-14
-  Parcel boundaries
-  Streets
-  Perennial Stream
-  A
-  C/
-  TF



Map created by Santa Cruz County
Planning Department:
August 2003

EXHIBIT F

General Plan Map



Legend

- APN 057-201-14
- Parcel boundaries
- Streets
- Perennial Stream
- Agriculture
- Mountain Residential



Map created by Santa Cruz County
Planning Department
August 2003

EXHIBIT 7

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Jack Nelson
Application No.: 03-0341
APN: 057-201-14

Date: June 8, 2004
Time: 17:07:47
Page: 1

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON SEPTEMBER 12, 2003 BY DAVID W SIMS =====

Applicant cannot obtain discretionary review approval until the review fee of \$630.00 for a significant single-family dwelling is paid. This review charge was properly listed at the time of application intake but shows a zero dollar amount having been paid.

The applicant is notified that the parcel falls within a Groundwater Recharge Zone requiring mitigation of increases in site runoff due to development. The conceptual approach to this runoff mitigation should be shown on the discretionary application plans. ===== UPDATED ON JANUARY 20, 2004 BY DAVID W SIMS =====
2nd Routing:

Stormwater Management review is not approved.

1) Please submit review fees of \$630.00. ===== UPDATED ON APRIL 9, 2004 BY DAVID W SIMS =====

Receipt for \$630.000 review fee was received, and review is approved.

Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON SEPTEMBER 12, 2003 BY DAVID W SIMS =====

Applicant should provide drainage information on the building application plans to a level addressed in the Guidelines for Single Family residences provided by the Planning Department. This may be obtained online: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

The building application plans should also include the following:

- 1) Show a drainage plan that fully addresses the dispersal and/or infiltration of concentrated runoff from a small (2-year) storm, due to impervious surface development.
- 2) Show that runoff will not impact Swanton Road below the area of development.
- 3) Show the overflow path of runoff from all improvements that would occur in a large (10-year) rainfall event. This path should be shown to the point of a natural drainage feature, or an adequate County maintained facility.
- 4) Any design for a concentrated runoff recharge structure located on or just above slopes greater than 25% will require the review and stamped, signed approval by a licensed geotechnical engineer. Contours shown in the current submittal indicate

Discretionary Comments - Continued

Project Planner: Jack Nelson
Application No. : 03-0341
APN: 057-201-14

Date: June 8, 2004
Time: 17:07:47
Page: 2

slopes steeper than 25%

Please call the Dept. of Public Works. Stormwater Management Section, from 8:00 to 12:00 am if you have questions. =====
SIMS =====
UPDATED ON JANUARY 20, 2004 BY DAVID W

Miscellaneous items for the building plans. Prior items still apply:

5) Perc Sump will need to be provided with a safe overflow to accommodate larger storm events.

6) The size of drainage areas concentrated by the two driveway entrance culverts should be indicated.

7) Show calculations for flow quantity and velocity in the lined swale and compare with allowable velocity for the soil type and permanent cover condition. =====
UPDATED ON APRIL 9, 2004 BY DAVID W SIMS =====
NO COMMENT

Dpw Road Engineering Completeness Comments

===== REVIEW ON SEPTEMBER 12, 2003 BY RODOLFO N RIVAS =====
Plans with the building permit application will need to include the following information for the driveway: The structural section and a centerline profile.
===== UPDATED ON JANUARY 7, 2004 BY RODOLFO N RIVAS =====
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON SEPTEMBER 12, 2003 BY RODOLFO N RIVAS =====
NO COMMENT
===== UPDATED ON JANUARY 7, 2004 BY RODOLFO N RIVAS =====
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON SEPTEMBER 4, 2003 BY JIM G SAFRANEK =====
Applicant must obtain a sewage disposal permit for the new development. Applicant will have to have an approved water supply prior approval of the sewage disposal permit. Contact the appropriate Land Use staff of EHS at 454-2735 (Rafael Sanchez)
NOTE: Septic and well permits have been submitted and are under review.
===== UPDATED ON JANUARY 8, 2004 BY JIM G SAFRANEK =====
Applicant obtained a sewage disposal permit for the new development. Applicant has an approved water supply.

Environmental Health Miscellaneous Comments

===== REVIEW ON SEPTEMBER 4, 2003 BY JIM G SAFRANEK =====
NO COMMENT
===== UPDATED ON JANUARY 8, 2004 BY JIM G SAFRANEK =====
NO COMMENT

EXHIBIT 1

Project Planner: Jack Nelson
 Application No. : 03-0341
 APN: 057-201-14

Date: June 8, 2004
 Time: 17:07:47
 Page: 3

Cal Dept of Forestry/County Fire Completeness Comm

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

----- REVIEW ON SEPTEMBER 3, 2003 BY COLLEEN L BAXTER ===== DEPARTMENT
 NAME: CDF/COUNTY FIRE Add the appropriate NOTES and DETAILS showing this information
 on your plans and RESUBMIT, with an annotated copy of this letter: Each APN (lot)
 shall have separate submittals for building and sprinkler system plans. The job
 copies of the building and fire systems plans and permits must be onsite during in-
 spections. A minimum fire flow 200 GPM is required from 1 hydrant located within 150
 feet. SHOW on the plans a 4,000 gallon water tank for fire protection with a "fire
 hydrant" as located and approved by the Fire Department if your building is not
 serviced by a public water supply meeting fire flow requirements. For information
 regarding where the water tank and fire department connection should be located,
 contact the fire department in your jurisdiction. Building numbers shall be
 provided. Numbers shall be a minimum of 4 inches in height on a contrasting back-
 ground and visible from the street, additional numbers shall be installed on a
 directional sign at the property driveway and street. NOTE on the plans that the
 roof covering shall be no less than Class "B" rated roof. NOTE on the plans that a
 30 foot clearance will be maintained with non-combustible vegetation around all
 structures or to the property line (whichever is a shorter distance). Single
 specimens of trees, ornamental shrubbery or similar plants used as ground covers,
 provided they do not form a means of rapidly transmitting fire from native growth to
 any structure are exempt. SHOW on the plans, DETAILS of compliance with the driveway
 requirements. The driveway shall be 12 feet minimum width and maximum twenty percent
 slope. The driveway shall be in place to the following standards prior to any fram-
 ing construction, or construction will be stopped: - The driveway surface shall be
 "all weather", a minimum 6" of compacted aggregate base rock, Class 2 or equivalent
 certified by a licensed engineer to 95% compaction and shall be maintained. - ALL
 WEATHER SURFACE: shall be a minimum of 6" of compacted Class II base rock for grades
 up to and including 5%. oil and screened for grades up to and including 15% and as-
 phaltic concrete for grades exceeding 15%, but in no case exceeding 20%. - The maxi-
 mum grade of the driveway shall not exceed 20%, with grades of 15% not permitted for
 distances of more than 200 feet at a time. - The driveway shall have an overhead
 clearance of 15 feet vertical distance for its entire width. - A turn-around area
 which meets the requirements of the fire department shall be provided for access
 roads and driveways in excess of 150 feet in length. - Drainage details for the road
 or driveway shall conform to current engineering practices, including erosion con-
 trol measures. - All private access roads, driveways, turn-arounds and bridges are
 the responsibility of the owner(s) of record and shall be maintained to ensure the
 fire department safe and expedient passage at all times. - The driveway shall be
 thereafter maintained to these standards at all times. All Fire Department building
 requirements and fees will be addressed in the Building Permit phase. Plan check is
 based upon plans submitted to this office. Any changes or alterations shall be re-
 submitted for review prior to construction. 72 hour minimum notice is required prior
 to any inspection and/or test. Note: As a condition of submittal of these plans, the
 submitter, designer and installer certify that these plans and details comply with
 the applicable Specifications, Standards, Codes and Ordinances, agree that they are
 solely responsible for compliance with applicable Specifications, Standards, Codes
 and Ordinances, and further agree to correct any deficiencies noted by this review.
 subsequent review, inspection or other source. and, to hold harmless and without

EXHIBIT G

Discretionary Comments - Continued

Project Planner: Jack Nelson
Application No.: 03-0341
APN: 057-201-14

Date: June 8, 2004
Time: 17:07:47
Page: 4

prejudice, the reviewing agency, ===== UPDATED ON JANUARY 8, 2004 BY COLLEEN L BAXTER =====

DEPARTMENT NAME:

Each APN (lot) shall have separate submittals for building and sprinkler system plans.

The job copies of the building and fire systems plans and permits must be onsite during inspections.

All Fire Department building requirements and fees will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

hour minimum notice is required prior to any inspection and/or test.

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with the applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewing agency.

NO NEW FIRE DEPARTMENT NOTES. ALL PERTINENT FIRE DEPARTMENT NOTES ON PLANS, SUBMIT AS SHOWN. ===== UPDATED ON MAY 17, 2004 BY JAN C MCNOWN =====

DEPARTMENT NAME:

Add the appropriate NOTES and DETAILS showing this information on your plans and RESUBMIT, with an annotated copy of this letter:

===== UPDATED ON MAY 17, 2004 BY JAN C MCNOWN =====

DEPARTMENT NAME:

Add the appropriate NOTES and DETAILS showing this information on your plans and RESUBMIT, with an annotated copy of this letter:

All bridges, culverts and crossings shall be certified by a registered engineer. Minimum capacity of 25 tons. Cal-Trans H-20 loading standard.

Cal Dept of Forestry/County Fire Miscellaneous Com

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON SEPTEMBER 3, 2003 BY COLLEEN L BAXTER =====

===== UPDATED ON JANUARY 8, 2004 BY COLLEEN L BAXTER =====

===== UPDATED ON MAY 17, 2004 BY JAN C MCNOWN =====

EXHIBIT G

Return recorded form to:
County of Santa Cruz
Planning Department
701 Ocean Street, Fourth Floor
Santa Cruz, CA 95060

Page 1 of 5

**DECLARATION OF RESTRICTION
REGARDING BIOTIC RESOURCE(S)**

This declaration is made in the County of Santa Cruz, State of California,

effective _____, 20____ by _____
owner(s) of real property described in Exhibit "A" attached hereto and incorporated herein by
reference, also known as **Assessor's Parcel Number 057-201-14** (hereinafter "subject property"), who
hereby declare(s) that all of the property described below shall be held, transferred, sold, and conveyed
subject to the following restrictions and conditions, which are for the purpose of compliance with the
County Code of the County of Santa Cruz, and which shall run with the title to the property and be
binding on all parties having any right, title or interest in the property or any part thereof, their heirs,
assigns, and any other transferees and successors and shall apply to each owner thereafter.

RECITALS

WHEREAS, Declarants have proposed and made application for a residential development
(hereinafter "development") upon a portion of the subject property shown in Exhibit B attached hereto
and incorporated herein by reference. Said development is described, in general terms, as follows:

Construction of a single family dwelling, driveway, retaining walls, drainage improvements, water
tank, well, septic installation, and associated grading of approximately 500 cubic yards;

WHEREAS, the Sensitive Habitat Protection Ordinance of the County of Santa Cruz (Chapter
16.32 of the County Code, hereinafter "the Ordinance") requires that any development approved by the
County of Santa Cruz (hereinafter the "County") shall mitigate significant environmental impacts;

WHEREAS, the County has found that the "No Disturbance—Biotic Resource" portion(s) of
the subject property, as shown in Exhibit B is/are sensitive habitat as defined in Chapter 16.32 of the
County Code in that site inspections by County staff identified Indigenous Monterey Pine Forest on the
property;

WHEREAS, Grantors have made application for a permit to construct a single family dwelling
on a portion of the subject property (hereinafter "said approval and/or permit"), and such development,
if inappropriately sited, designed or utilized could have a significant adverse impact in the sensitive
habitat described above;

EXHIBIT H

WHEREAS, the County has found that to issue an approval or permit consistent with said Sensitive Habitat Protection Ordinance the County must be assured that the development will be sited, designed and utilized so as to not significantly adversely impact the sensitive habitat;

WHEREAS, the County has found that the restrictions enumerated hereinafter will confine the development to a limited area, prevent expansion of the development, and/or otherwise constrain the development, and will thus adequately mitigate the adverse impacts set forth above; and

WHEREAS, it is intended that the restrictions contained herein shall be and shall continue to be, to the end of the term of said restrictions, enforceable restrictions within the meaning of Article XIII, Section 8 of the California Constitution and that said restrictions shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code Section 402.1.

RESTRICTIONS

NOW THEREFORE, in consideration of the mutual benefits and covenants hereby acknowledged by the parties and the substantial public benefits for the protection of the sensitive habitat, Declarant(s) hereby declare(s) that the subject property shall be held, transferred, sold and conveyed subject to the following restrictions and conditions.

1. USE OF PARCEL. As shown graphically on Exhibit B, the “No Disturbance—Biotic Resource” area does not include an envelope extending out fifty feet from the original house exterior walls, does not include the approved driveway and five feet beyond the edge of driveway, does not include the existing meadow area at the beginning of the driveway, and does not include the Las Trances Road and Swanton Road traveled ways and ten feet beyond the edge of those roads. All other portions of the subject parcel are included in the “No Disturbance—Biotic Resource” area. No development as defined in Chapter 16.32 of the County Code (including, without limitation, removal of trees and other vegetation, grading, paving, installation of structures such as signs, buildings, or other structures of similar impact) shall occur on the “No Disturbance—Biotic Resource” portions of the subject property as delineated on Exhibit B of this Declaration, with the exception of the following items (a) through (h), subject to Planning Director’s review and approval:
 - a. the removal of hazardous substances or conditions or non-native or diseased plants or trees, provided that such removals have been reviewed and approved in advance by the Planning Director;
 - b. planting for erosion control purposes or Monterey Pine Indigenous Forest habitat maintenance only, provided that such plantings have been reviewed and approved by the Planning Director and determined as not involving the unnecessary disturbance of indigenous ground cover or native wildlife;
 - c. the installation of fencing of the type specified following. Only those types of fencing (such as wire or split rail) which are open enough to allow free passage of native wildlife shall be allowed on the subject property. Non-structural signs may be posted to prevent trespass;

EXHIBIT H

- d. The installation of required water tank(s) and water line to serve the dwelling;
 - e. The installation and maintenance of a septic tank and leach field to serve the dwelling;
 - f. The installation and maintenance of drainage improvements serving the dwelling and driveway.
 - g. The old logging roadbed which extends southeast from the new residence area and thence turns uphill to connect back with Las Trances Road, and which now serves as a walking trail, shall not be upgraded with baserock, grading, or other improvements and shall not be used for parking or storage of vehicles or other goods.
 - h. No livestock shall be stabled, corralled ~~or~~ grazed on any portion of the subject property.
2. TERM. This Declaration of Restrictions shall be in effect for a period beginning on the effective date stated above and continuing for the life of the development approved by said approval and/or permit, and so long as any development rights whatsoever remain or are claimed under said approval and/or permit.
 3. RECORDATION OF DOCUMENTS. This Declaration of Restrictions shall be duly recorded on the Office of the Recorder for the County of Santa Cruz. In the event that under the terms and conditions of this document, or any subsequent mutual written agreement, these restrictions are terminated with respect to all or any part of the subject property, the County shall, upon written request, execute and record with the Recorder of the County of Santa Cruz any documents necessary to evidence such termination.
 4. SUCCESSORS IN INTEREST. This Declaration of Restrictions shall be appurtenant to the land described herein, for the term described herein, and all obligation hereby imposed shall be deemed to be covenants and restrictions running with the land, and shall bind any person having at any time any interest or estate in the subject property and as such shall be binding upon and inure ~~to~~ the benefit of all successors, transferees and assigns of the Declarants.
 5. CONSTRUCTION OF VALIDITY/SEVERABILITY. If any provisions of these restrictions shall be held to be invalid, or for any reason become unenforceable no other provision shall be thereby affected or impaired, but rather shall be deemed severable.
 6. ENFORCEMENT OF DECLARATION. Any conveyance, contract, or authorization (whether written or oral) by the Declarants or their successors on interest which would permit use of the subject property contrary ~~to~~ the term of this Declaration of Restrictions shall be deemed a breach of this Declaration. County or its successors may bring any action by administrative or judicial proceeding when County deems necessary or convenient to enforce this Declaration of Restrictions including, but not limited to, an action to enforce the Declaration. Grantors understand and agree that the enforcement proceedings provided in this paragraph are not exclusive and that County may pursue any appropriate legal and equitable remedies.

EXHIBIT H

DECLARATION OF RESTRICTIONS

IN WITNESS WHEREOF, Declarants have executed this Declaration of Restrictions on the _____ day of _____, 20____.

Dated: _____
Declarant

Declarant

ACKNOWLEDGEMENT OF GRANTOR(S)

STATE OF CALIFORNIA

COUNTY OF _____

On _____ before me, _____
Date Name, Title of Officer

Personally appeared _____
Names of signer(s)

Personally known to me - OR - — proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

EXHIBIT "A"

All that real property situated in the County of Santa Cruz, State of California, conveyed from Frank and Barbara McCrary to Dennis and Ellen Rinde by deed recorded on October 21, 2003, Document number 2003-0106787, Santa Cruz County Official Records, Assessor's Parcel No. 057-201-14.

EXHIBIT H



Smith-Evernden Associates
Geological Consultants
P. O. Box 174, Davenport, CA 95017
831-429-9535. fax 429-8155

July 4, 2003

Ellen & Dennis Rinde
318 Swanton Road
Davenport, CA 95017

Re: Santa **Cruz** County
APN 057-201-14
Swanton Road, Davenport

Dear Ellen & Dennis:

You have asked me to memorialize briefly the findings of my *two* site visits with you to the above-referenced parcel of *land*. On May 11, 2002 and again on June **30, 2003** I visited the property *with* you. I made a reconnaissance geological evaluation of the property with respect to *a*/the most geologically suitable homesite thereon and shared **my** findings and views with you.

We focused on three potential homesites (noted **as** #s 1, 2, and 3 on the attached sketch figure). In **brief**, my findings follow. Site #1 **lies** on the **nose** of the ridge and overlooking Big Creek (on the east side of the ridge nose here). The site appears stable and wadis a possible homesite except that the most-potential building area may lie too close to the steep (potentially unstable) slope leading directly down to Big Creek to permit an adequate setback from *this* slope, given the relatively small size of the most-potential building area.

Site #2 appears most geologically suitable **as** a building site. The area is large and the main or overall slope moderate to gentle. The slope appears stable (note that *all* slopes are subject to forms of slope failure and erosion over **time**). There appear **to be** no potential geological issues of any but low probability/risk during **the** economic life of a home (approximately 100 **years**) built on that site. A constraint would be the setback from the break-in-slope to the steep slope segment between the subject main gentle slope **segment** and Swanton Road below; this constraint can easily be met.

Site #3 is a grassy "clearing" adjacent easterly to Las Trancas Road. This site constitutes an overall gently sloping very shallow swale. This swale appears likely to be flooded by landslide/debris flow debris from one or more shallow **slope** failures (*e.g./i.e., the* shallow failure that took place on the steep slope directly across and above Las Trancas Road in 1982 - marked by relatively young vegetation,) **Note** that the slope angle increases rather abruptly from moderate (above sites #1 and especially #2) to steep (above site #3) westerly along the slope above Las Trancas Road at approximately the eastern **margin** of **the** slope above the swale. This appears to mark a somewhat different geologic **setting**.

EXHIBIT I

The drainage in the immediate area of site #3 appears to flow into and **down/through** the subject swale. This would continue to be the case and could cause localized ground saturation problems. Especially if the swale of site #3 is **flooded** by (a) relatively poorly consolidated and porous and permeable landslide deposit(s), much of the drainage **flow** could be subsurface. Conceivably, also, saturation and flow **here** could trigger **failure/flowage** of the deposit(s) flooring the swale. Further, debris flowage from upslope could occur again and be channeled into the swale.

Note that a **small** group of **the** water-loving tree species *Acer negundo* (box elder) is seen **just northeast** of the thread of **this** swale just below Las Trancas Road. The grassy vegetation occupying much of the swale **now** may reflect frequent mowing. It could also reflect a dry surface layer with more water moving through the subsurface, **as suggested above**.

A further consideration here is the **size** of **the** more-or-less triangular swale building area. This roughly isosceles-triangular **area** appears to have approximately 100 foot long sides along two **adjacent/connecting** segments of Las **Trancas** Road and a base of approximately 90 feet near the slope break parallel to and leading down to Swanton Road. This **size** may not be adequate.

Based on these concerns/considerations, I consider this site the least suitable of the **three** proposed. These are my findings. If you have queries or **if** we **can be of** further assistance, **please** contact **us**.

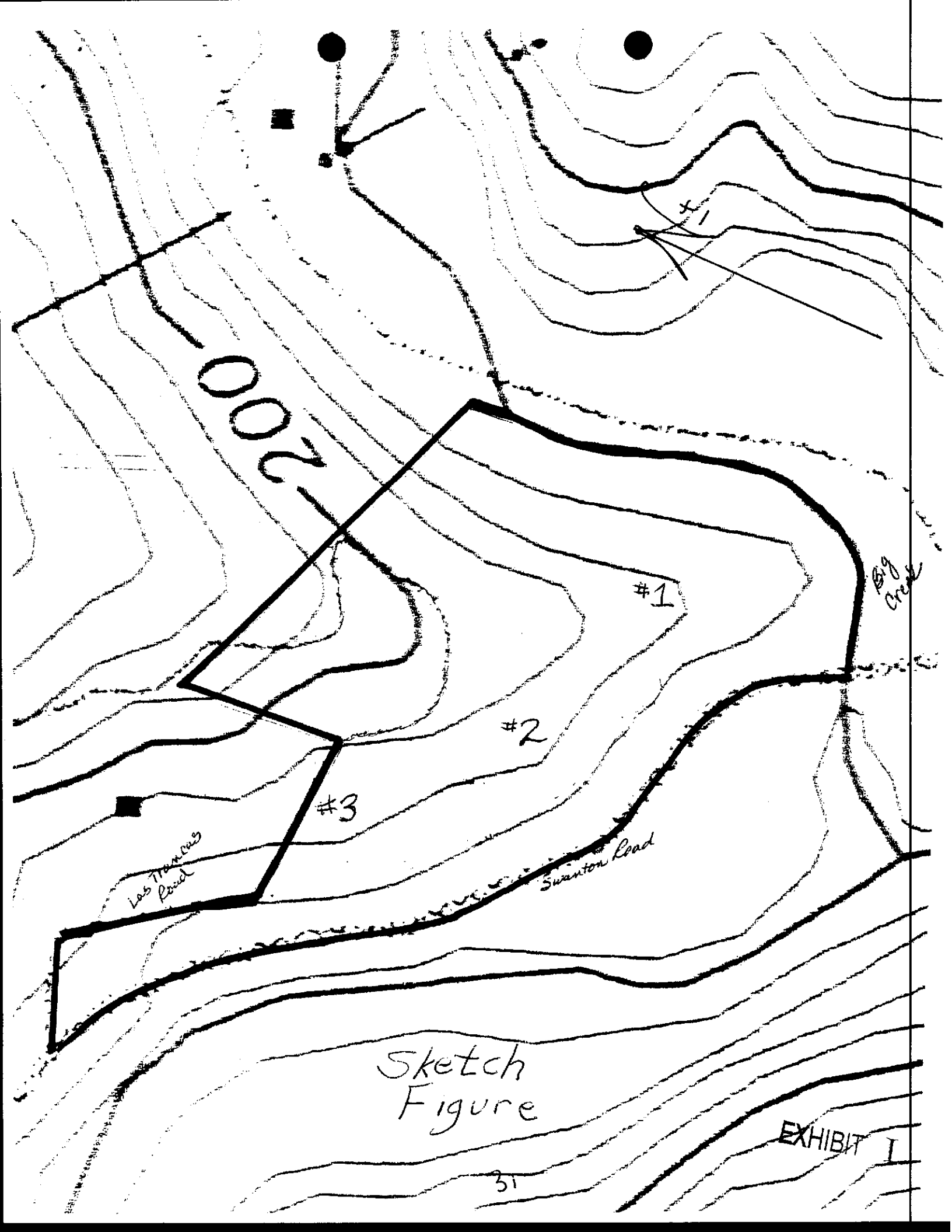
Sincerely,



Roberta K. Smith, Ph.D
CA Reg. Geol. (#3474)

Attached Sketch Figure

EXHIBIT I



Sketch
Figure

EXHIBIT I

Maureen Hamb- WCISA Certified Arborist #2280
Professional Consulting Services



November 10, 2003

Santa Cruz County Planning Department
Attention: Jack Nelson

Subject: Applications #03-0341; Assessor's Parcel 57-201-14

I have reviewed your comments to Dennis Anderson dated September 12, 2003 regarding the above stated project located off Swanton Road.

As to item #2, I have provided Dennis Anderson's office with a tree protection plan that includes the location of protection fencing, straw bale barricades and the "critical root zones" of retained trees.

As to item #6 and #7, I have updated the tree inventory information included in my 6-19-03 report. The recently cut stumps have been added; they were located, measured and mapped. My analysis of the construction impacts and recommendations reflects the most recent plans. Two additional **standing** trees located adjacent to the development have also been added to the inventory.

Areas have been selected for mitigation plantings that will include Monterey pines and oaks. The tree removal proposed totals 12, three Monterey pines, two oaks and seven Douglas fir. Previously removed trees include two California bay and four Monterey pines. We have opted to mitigate the Douglas fir and California bay removals with Monterey pine plantings. The oaks will be mitigated on a 3:1 basis (6 total); the total Monterey pine mitigation will be 25 trees.

The numbers on trees #21 and #20 have been corrected.

As to item #8, we have a unique opportunity to harvest Monterey pines to enhance the sensitive habitat on this site. Private lands in the Swanton Road area owned by the McCrary family have been made accessible to search for Swanton Road area genetic stock.

849 Almar Avenue, Suite C
Santa Cruz, CA 95060
email: mhamb@pac.com

Telephone: 831-420-1287
Fax: 831-420-1251
Mobile: 831-234-7735

EXHIBIT J

Young trees ranging from two-inch tall seedlings, to small trees with one inch trunk diameters have been located and flagged for relocation to areas defined on the site map as "Habitat Enhancement Planting Areas". As of today's date approximately 20 trees have been located. In addition, approximately 20 Monterey pine seeds have been harvested and planted in medium.

The trees selected are growing along the edges of roads, established grazing areas, or are members of seedling groups where tree development will be suppressed due to overcrowding. This type of harvesting allows trees that would likely have a high mortality rate an opportunity to develop in a more suitable environment.

I recommend that the harvesting of the trees begin immediately, followed by planting in the areas selected. Soil conditions are currently moist and cool, a condition ideal for both digging and planting young trees. Supplemental irrigation will not be required due to the expected winter rains.

The new planting sites will be flagged for easy identification and inspection. Inspections will occur monthly during the 12 months following planting. Inspections will occur quarterly in the second 12 months following planting. I anticipate at least a 50% survival in the first 24 months following planting.

If we are unable to locate, propagate and plant the **55** Monterey pines (mitigation and enhancement trees). We will contact Elkhorn Native Plant Nursery and contract them to ~~gather seed and contract~~ **grow** the remaining ~~trees~~.

Please contact me at my office if you have any questions or concerns regarding the mitigation/enhancement Monterey pine planting on this project.

Sincerely,



Maureen Hamb-WCISA Certified Arborist #2280

EXHIBIT J



TREE INVENTORY
IMPACT ASSESSMENT
APN 057-201-14

Maureen Hamb-WCISA Certified Arborist #2280
Professional Horticultural Services
11-10-03

Tree #	Species	Diameter @ 4.5'	Health	Structure	Suitability	Impacts/Recommendations
1	Douglas fir	39.5	fair	poor	poor	Fungal fruiting bodies on trunk from ground to at least 15' above grade. Internal decay/Remove due to condition & potential risk. Mitigate with 2 Monterey pines.
2	Douglas fir	38	fair	poor	poor	Growing within proposed driveway Remove and mitigate with 2 Monterey pines.
3	Douglas fir	22	fair	fair	fair	Growing upslope from proposed driveway access area. Suppressed lower canopy/No recommendations
4	interior live oak	18.7	fair	fair/poor	fair/poor	Growing in proposed driveway area. Area of decay in lower trunk, suppressed lower canopy, poor foliar development/May require removal to construct driveway. Mitigate with 3 oaks
5	Douglas fir	15.1	fair	fair	fair	Adjacent to proposed driveway access area. Suppressed lower canopy/intolerant of fill, avoid grade changes within 10' protect with fencing and straw bale barricade
6	interior live oak	triple	fair	fair	fair	Adjacent to proposed driveway access area. Minor dead branching in canopy/Avoid grade changes, protect with fencing and straw bale barricade
7	interior live oak	12.8	poor	poor	poor	Growing within proposed driveway area. No lower lateral branching, poor taper in the lower trunk, dead top/Recommend removal due to condition and potential impacts. Mitigate with 3 oaks
8	Douglas fir	33.9	fair	fair	fair	Growing down slope from proposed driveway/Protect with fencing
3	Douglas fir	19.4	fair	poor	poor	Partial uproot, lodged in canopy of adjacent oak/Recommend removal due to condition. Mitigate with 2 Monterey pines

As updated with 11-10-03 letter



TREE INVENTORY
IMPACT ASSESSMENT
APN 057-201-14

Maureen Hamb-WCISA Certified Arborist #2280
Professional Horticultural Services

11-10-03

	Species	Diameter @ 4.5'	Health	Structure	Suitability	Impacts/Recommendations
	interior live oak	double	fair/good	fair	fair/good	Fir tree lodged in canopy. Full dense foliar canopy/Near proposes leach field, protect with fencing and straw bale barricades
	Douglas fir	27.5	poor	poor	poor	Growing within driveway turn around. Large area of decay where main leader failed in past. /Recommend removal, mitigate with 2 Monterey pines
	interior live oak	22.3	fair	fair	fair	Adjacent to driveway turn around and leach field/Protect with fencing and straw bale barricades.
	interior live oak	double	fair	fair	fair	Adjacent to leach field/Protect with straw bale barricades and fencing.
	Douglas fir	65	fair	poor	poor	Growing adjacent to proposed residence and driveway access. Leaning downhill, extensive decay in structural roots/Recommend removal, mitigate with 2 Monterey pines
	interior live oak	14.6	fair	fair	fair	Growing adjacent to proposed residence. Vertical growth with high foliar canopy. /Requires 10' from residence. Protect with fencing and straw bale barricade
	Douglas fir	32	fair	fair	fair	Within building footprint/Recommend removal due to impacts, mitigate with 2 Monterey pines
	Douglas fir	27	fair	fair	fair	Within building footprint/Recommend removal due to impacts, mitigate with 2 Monterey pines
18	interior live oak	14.7	fair	fair/poor	fair/poor	Growing on slope above proposed residence. Area of decay from previous branch failure/Protect with fencing

EXHIBIT



TREE INVENTORY
IMPACT ASSESSMENT
APN 057-201-14

Maureen Hamb-WCISA Certified Arborist #2280
Professional Horticultural Services
(1-10-03)

Tree #	Species	Diameter @ 4.5'	Health	Structure	Suitability	Impacts/Recommendations
19	Monterey pine	21.1	poor	poor	poor	Growing on slope above proposed residence. Low live crown ratio (10%). Trunk of failed tree lodged at base, pushing downhill/Recommend removal of downed trunk and possible removal of tree, may threaten residence
20	Monterey pine	15.4	poor	poor	poor	Growing within 5' proposed residence. Standing dead, trunk completely decayed and at risk of trunk failure/Recommend removal
21	interior live oak	19.9	fair/good	fair	fair	Growing upslope from proposed residence/Protect with fencing
22	Monterey pine	13.6	fair/poor	poor	poor	Growing upslope from proposed residence. Leans downhill, low live crown ratio (approx 30%). Dog leg in trunk/May require removal due to potential risk.
23	Monterey pine	28.6	poor	poor	poor	Standing dead/Remove due to risk of failure
24	Monterey pine	29.9	poor	poor	poor	Growing upslope from proposed residence. Tip die back and dead branching/Remove due to condition, mitigate with 2 Monterey pines.
25	Bay	multi	poor	poor	poor	Previously removed. Severe heart rot observed in cut stump/Mitigate with 2 Monterey pines
26	Monterey pine	16				Previously removed. Unknown condition, but likely in decline or dead when removed/Mitigate with 2 Monterey pines
27	Bay	20				Previously removed/Mitigate with 2 Monterey pines
28	Monterey pine	multi	poor	poor	poor	Previously removed. Inspection of stump indicates the tree was standing dead or failed due to decay.



TREE INVENTORY
IMPACT ASSESSMENT
APN 057-201-14

Maureen Hamb-WCISA Certified Arborist #2280
Professional Horticultural Services

11-10-03

Tree #	Species	Diameter @ 4.5'	Health	Structure	Suitability	Impacts/Recommendations
29	Monterey pine	32.6	fair/poor	fair/poor	fair/poor	Protect with fencing
30	Monterey pine	32				Previously removed/Mitigate with 2 Monterey pines
31	interior live oak	22.6	fair	fair	fair	Growing adjacent to leach field/Protect with fencing and straw bale barricades

Maureen Hamb- WCISA Certified Arborist #2280
Professional Consulting Services



March 8, 2004

Dennis Anderson, Architect
536 Soquel Avenue
Santa Cruz, CA 95062

Regarding: Rinde Project

Dennis,

I have considered the comments made recently by Santa Cruz County Planner Jack Nelson regarding the trees on the Rinde site.

I understand that he raised concerns regarding the proposed planting of ~~six~~ 15-gallon oak trees in area #1. This general area was selected in an effort to create a grove ~~type~~ setting that linked an existing oak (#15) to a group of more mature oaks located down slope. To alleviate the concerns of the Planning Department the planting area could be increased to allow a minimum of 10 feet of space between the new trees and the existing more mature trees. The goal of this area is to eventually create a generational planting that emulates a natural oak grove.

As previously documented the forest system on this site is declining. This is likely a result of a combination of factors that include disease (pitch canker). Tree failure patterns have been documented throughout the site and have continued through recent storm events. I have evaluated the condition of the trees adjacent to the proposed residence and made recommendations for tree removal. As a result of repeated tree failure and the continued decline of the forest I recommend that trees previously defined as "poor" or "at risk" growing within 75 feet of the proposed residence be considered for removal by the Planning Department staff. This would include #19, 22 and 29, Monterey pines.

We have previously proposed mitigation plantings that include 25 Monterey pines in "Mitigation Areas" #2 and #3, with habitat enhancement planting areas that recommend planting an additional 30 pines. This plan has the potential to establish a young new forest integrated into an existing mature habitat that is in decline. The new trees will adequately mitigate for trees that have previously failed, trees that will likely fail in the future and trees that require removal to develop the site as planned.

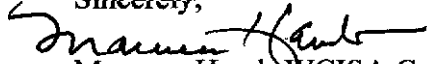
540 Soquel Avenue
Santa Cruz, CA 95062
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Telephone: 831-420-1287
Fax: 831-420-1251
Mobile: 831-234-7735

Over planting or introducing trees into areas not naturally forested (meadow areas) should be avoided in an effort to maintain the habitat system natural to the site.

Please call me with any additional questions or concerns

Sincerely,

A handwritten signature in cursive script, appearing to read 'Maureen Hamb', written in black ink.

Maureen Hamb-WCISA Certified Arborist #2280

EXHIBIT J