



Staff Report to the Zoning Administrator

Application Number: **04-0056**

Applicant: Hamilton-Swift Land Use

Agenda Date: 10/15/04

Owner: Robert & Nancy Eriksen

Agenda Item #: 3

APN: 042-052-72

Time: After 11:00 a.m.

Project Description: Proposal to construct a single family dwelling.

Requires a Coastal Development Permit, and a Variance to recognize the creation of a 15 foot right-of-way reducing the net site area from approximately 4,296 square feet to approximately 2,966 square feet.

Location: Property located on the east side of Seacliff Drive approximately 50 feet north of the intersection with Valencia Avenue.

Supervisory District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Coastal Development Permit, Variance

Staff Recommendation:

- Approval of Application 04-0056, 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 | E. | Assessor's parcel map |
| B. | Findings | F. | Zoning map |
| C. | Conditions | G. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA determination) | | |

Parcel Information

Parcel Size:	2,966 square feet
Existing Land Use - Parcel:	Vacant
Existing Land Use - Surrounding:	Single family residential neighborhood
Project Access:	Seacliff Drive

Planning Area: Aptos
Land Use Designation: R-UM (Urban Medium Density Residential)
Zone District: RM-4 (Multi-Family Residential - **4,000** square foot minimum)
Coastal Zone: **X** Inside Outside
Appealable to Calif. Coastal Comm. **X** Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: No report required
Fire Hazard: Not a mapped constraint
Slopes: **2-5%**
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: No archeological review required

Services Information

Urban/Rural Services Line: **X** Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Zone 6 Flood Control District

History

The 15 foot vehicular right of way through the property was originally created to serve as access to a single family residence proposed through Use Permit number 4278-U. At that time, a Variance application (1410-V) was made to reduce the required site width and net site area of the subject property. On 5/26/72, the Use Permit (4278-U) was approved to construct the house to the rear of the subject property, but the Variance (1410-V) to recognize the reduction in site standards on the subject property was denied. At the time of the original review, the minimum site width for the R-1-6 zone district was 50 feet and the parcel **has** since been rezoned to the RM-4 zone district which requires a minimum site width **of** 35 feet.

Project Setting

The subject property is located adjacent to Seacliff Drive with a 15 foot right of way passing through the south side of the parcel containing a paved driveway. To the rear (east) of the subject property is a narrow right of way and several small single family dwellings which are constructed

at the top of the slope above Aptos Creek. The subject property is relatively level and is currently partially fenced, otherwise the parcel is vacant.

Zoning & General Plan Consistency

The subject property is a 4,246 square foot lot, located in the RM-4 (Multi-Family Residential - 4,000 square foot minimum) zone district, a designation which allows residential uses. The proposed single family residence is a principal permitted use within the zone district and the project is consistent with the site's (R-UM) Urban Medium Density Residential General Plan designation.

Net Site Area Variance

The subject property is reduced in net site area from approximately 4,246 square feet to approximately 2,966 square feet by the 15 foot wide right of way that crosses the south side of the parcel. The creation of the vehicular right of way in this location resulted in a reduced site width, which was not in compliance with the site width requirements of the R-1-6 zone district at that time. Additionally, the request to build a house to the rear was considered as a trade off for the ability to construct a home on the subject property. For the above listed reasons this building site was not recognized through the original Variance application (1410-V) on 5/26/72.

As time has passed, the demand for housing has increased in Santa Cruz County, and there are fewer and fewer building sites which are adequate for residential housing each year. A site such as this, with level topography and located within the Urban Services Line with all services readily available, should be considered as a developable parcel. The property has been rezoned to a higher density zone district with reduced net site area and site width requirements. The project has been designed to comply with all site standards, including the double frontage and required street side yard setback from the 15 foot right of way. The proposed project will be compatible with the density and character of the surrounding development and will fill what would otherwise be a gap in the street front appearance along Seacliff Drive. For these reasons, staff considers the net site area variance request to be appropriate.

Local Coastal Program Consistency

The proposed single family residence is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The project site is located between the shoreline and the first public road, with existing public beach access at Rio Del Mar and Seacliff State Beach, and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed single family residence complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as a pitched roof, arched windows, and projected porches and decks to reduce the visual impact of the proposed development on surrounding land **uses** and the natural landscape.

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

- APPROVAL of Application Number **04-0056**, based on the attached findings **and** conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Supplimentary 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

Report Prepared **By:** Randall Adams
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@co.santa-cruz.ca.us

Variance Findings

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

This finding can be made, in that the reduction in the net site area of the subject property by approximately 1,280 square feet, from approximately 4,246 square feet to approximately 2,966 square feet, is recommended in order to allow residential development on the subject property. The existing locations of the vehicular rights of way on three sides of the subject property (including the 15 foot right of way crossing the parcel) create a special circumstance in this case.

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

This finding can be made, in that the development of the subject property with a single family dwelling will result in a more consistent street front appearance in the Seacliff Drive neighborhood than would exist if the property was to be left vacant.

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

This finding can be made, in that other properties in the neighborhood are developed with single family dwellings similar to the proposed structure. Therefore, it would not be grant of a special privilege for the proposed project to be constructed on the property and the design would be in harmony with the existing pattern of development in the neighborhood.

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 **RM 4** (Multi-Family Residential - 4,000 square foot minimum), a designation which allows residential **uses**. The proposed single family residence is a principal permitted use within the zone district, consistent with the site's (R-UM) Urban Medium Density Residential General Plan designation.

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

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that **no** such easements or restrictions are known to encumber the project site.

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

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is in a neighborhood **of** properties developed to an urban density, and the colors shall be natural in appearance and complementary to the site.

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 located between the shoreline and the first public road with existing public beach access at Rio Del Mar and Seacliff State Beach. Consequently, the single family residence 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 **RM-4** (Multi-Family Residential - 4,000 square foot minimum) 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 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 residence 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 residence and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the **RM-4** (Multi-Family Residential - 4,000 square foot minimum) zone district in that the primary use of the property will be one single family residence that meets all current site standards for the zone district. The subject property is below the minimum net site area allowed, but a variance application to allow the reduced net site area is included in this application.

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 Urban Medium Density Residential (R-UM) land use designation in the County General Plan.

The proposed single family residence 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 residence will not adversely shade adjacent properties, and will meet current setbacks (including the double frontage and street side yard setbacks) for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed single family residence 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 residence

will comply with the site standards for the RM-4 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 residence is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only 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 residence 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 residence will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Project Plans entitled, "Lindeke Residence", 5 sheets, prepared by Wayne Miller, dated 5/14/04.

- I. This permit authorizes the construction of a single family residence on a parcel reduced in size from approximately 4,296 square feet to approximately 2,966 square feet by a 15 foot vehicular right of way. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official, if required.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - E. Obtain final water approvals from the Soquel Creek Water District.
 - F. Obtain final sewer approvals from the Santa Cruz County Sanitation District.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded 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. Grading, drainage, and erosion control plans.
 3. Details showing compliance with fire department requirements.
 - C. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.

- D. Meet all requirements and pay all applicable fees to the Santa Cruz County Sanitation District.
 - E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - G. Pay the current fees for Parks and Child Care mitigation for 3 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - H. Pay the current fees for Roadside and Transportation improvements for 1 unit. Currently, these fees are, respectively, \$2,000 and \$2,000 per unit.
 - 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.
- 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 16.42.100 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. 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

Randall Adams
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: 04-0056

Assessor Parcel Number: 042-052-72

Project Location: No Situs

Project Description: Proposal to construct a single family dwelling.

Person or Agency Proposing Project: Hamilton-Swift Land Use

Contact Phone Number: (831) 459-9992

- 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. ☒ **Cateeorical Exemption**

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

F. Reasons why the project is exempt:

Construction of a single family residence in an area suitable for residential development.

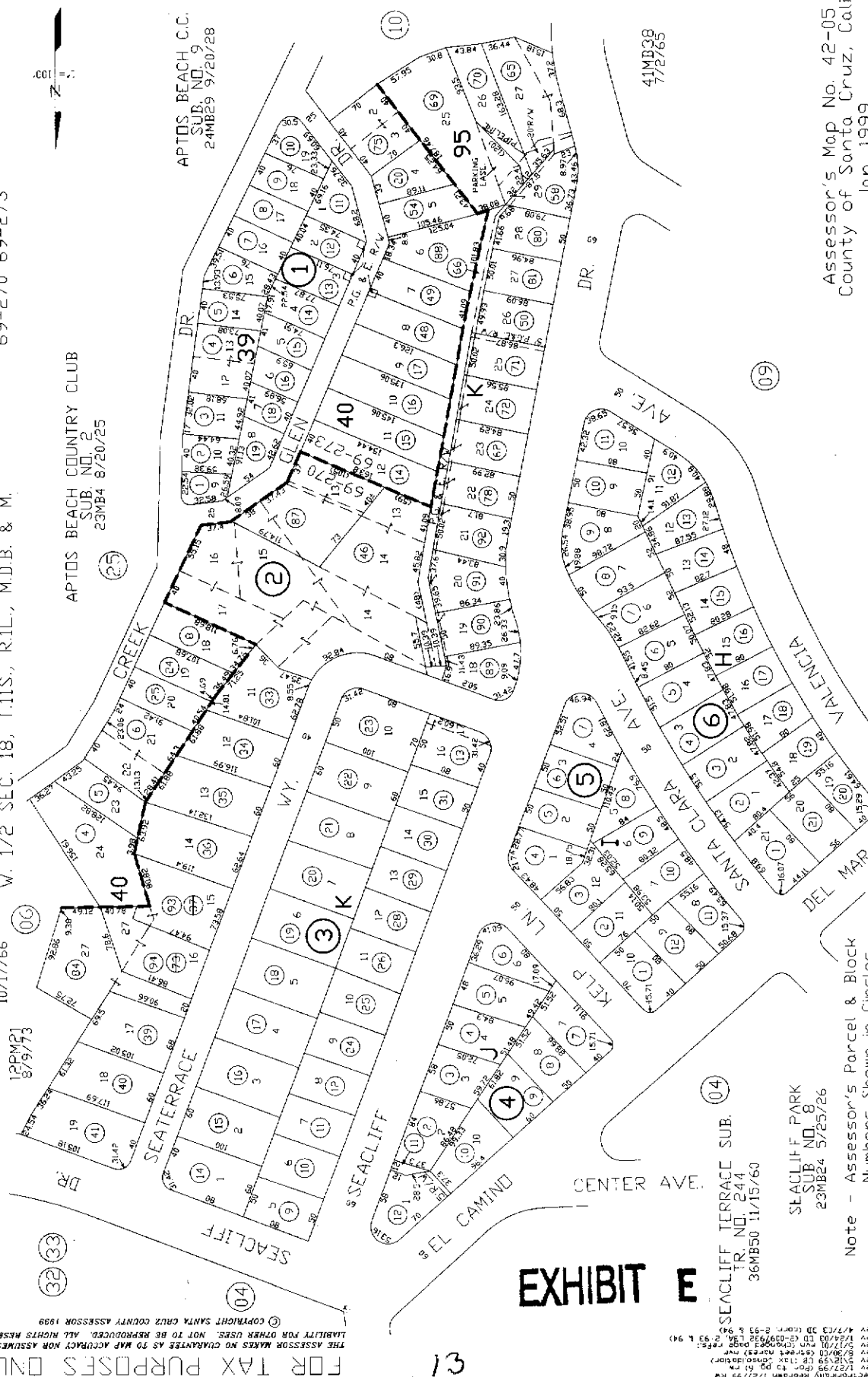
In addition, none of the conditions described in Section 15300.2 apply to this project.

Randall Adams, 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.

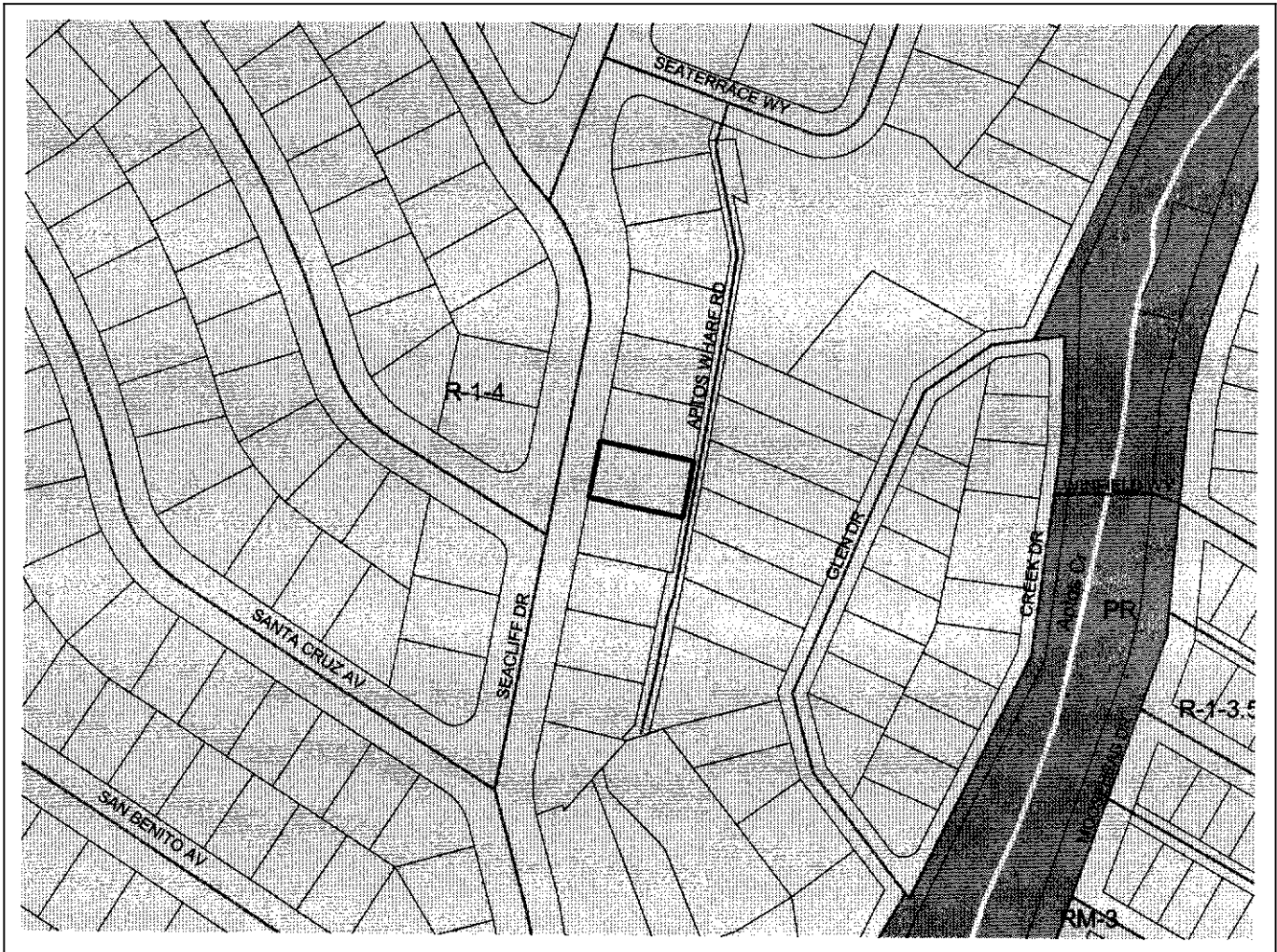


Assessor's Map No. 42-05
County of Santa Cruz, Calif.
Jan. 1999

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

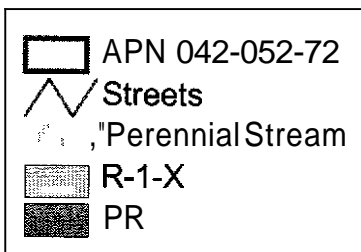
EXHIBIT E

Zoning Map



500 0 500 Feet

Legend



Map created by Santa Cruz County
Planning Department:
February 2004

EXHIBIT F

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: Randal1 Adams
Application No. : 04-0056
APN: 042-052-72

Date: August 27. 2004
Time: 13:45:07
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON FEBRUARY 23. 2004 BY ROBIN M BOLSTER =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON FEBRUARY 23. 2004 BY ROBIN M BOLSTER =====

At the time of building application, the following items must be addressed:

- 1) Please provide a landscaping plan, which specifies location, number and species of all proposed plantings.
- 2) Please provide a detailed erosion control plan, which indicates location and provides construction details for all proposed erosion control devices. Runoff controls must include a temporary gravel construction entrance/exit.

Because only a portion of the parcel falls is identified as a potential archaeological resource area and the proposed development does not include grading, no significant impact to archaeological resources is anticipated. Therefore an archaeological site review will not be required for this project.

Dpw Drainage Completeness Comments

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

===== REVIEW ON MARCH 3, 2004 BY DAVID W SIMS =====

1) A drainage plan will be required. Since no drainage plan has been developed, complete review cannot be made. The applicant remains subject to additional review comments, as well as potential on-site and off-site engineered analysis, and/or potential physical improvements with future plans.

2) Applicant should provide drainage information 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>

3) The parcel appears to drain into the Rio del Mar flats. The flats area has serious existing problems with flooding. The development of this parcel should be done in a manner that attempts to limit concentrated runoff discharge into the Rio del Mar flats. Dispersed discharge of roof runoff to yard landscape, and permeable materials for the driveway and walkway are **recommended**. The drainage impact on parcels below this parcel should be fully addressed in future plans.

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.85 per square foot, and are assessed upon permit issuance.

EXHIBIT G

Discretionary Comments - Continued

Project Planner: Randal1 Adams
Application No.: 04-0056
APN: 042-052-72

Date: August 27, 2004
Time: 13:45:07
Page: 2

All resubmittals of plans, calculations, reports, faxes, extra copies, etc-shall be made through the Planning Department. Materials left with Public Works may be returned by mail, with resulting delays.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON APRIL 28, 2004 BY DAVID W SIMS =====
2nd Routing:

A drainage plan was submitted with the application, and was reviewed for completeness of discretionary development. The plan was found to need the following additional revisions/information prior to approving discretionary stage Storm Water Management review.

- 1) Prior item #1: A drainage plan has been provided, but is incomplete. See items below.
- 2) Prior item #2: The drainage plan does not show adequate amounts of information both on-site, and off-site. Please fully complete addressing prior item #2 from the first routing comments.
- 3) Prior item #3: The proposed 'downspout detention pits', are not detention structures, but retention structures relying on percolation to dispose of water routed to them. The following is needed to support this proposal:
 - a) Soil percolation capability will need to be supported with data from the designer, and shown to be satisfactory.
 - b) The indicated combined volume of the proposed structures appears to be undersized from that needed to control runoff from the house for the County standard storm. This is particularly true if soil percolation rates are not equivalent to allowable release rates normally considered in detention design, which is probable. This will lead to overflow of the downspout detention pits. This overflow condition and off-site routing has not been addressed satisfactorily.
 - c) It is strongly recommended that any concentrated storage of percolated water be located a minimum of 10 feet from all structure foundations.
 - d) Downspouts and connections are not shown at the front of the house
 - e) Mitigation of driveway and walkway surfaces has not been proposed. Additionally, the routing beyond the front of the property has not been adequately detailed. All runoff paths must be fully described to a safe point of disposal at a County maintained inlet or a natural drainage way.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON JUNE 16, 2004 BY DAVID W SIMS =====
3rd Routing:

Application is not approved:

Discretionary Comments - Continued

Project Planner: Randal Adams
Application No. : 04-0056
APN: 042-052-72

Date: August 27, 2004
Time: 13:45:07
Page: 3

1) Expansion of off-site parcel mapping has been provided. but does not fulfill all needed information. Applicant should provide drainage information 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>

This shall include elevation/slope information that shows both the existing and proposed drainage paths on and off the parcel. All runoff paths must be FULLY DESCRIBED to a safe point of disposal at a County maintained inlet or a natural drainage way. This information has been requested with each routing and has yet to be provided. Approval will not be given until all basic information is included in the application.

See miscellaneous comments for items to be addressed in the building application.

===== UPDATED ON JULY 20, 2004 BY DAVID W SIMS =====

4th Routing:

Application is cleared. Please see miscellaneous comments for future requirements to be met in the building application, and important discussion of inadequacies in drainage conditions near this development.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON MARCH 3, 2004 BY DAVID W SIMS =====

NO COMMENT

===== UPDATED ON APRIL 28, 2004 BY DAVID W SIMS =====

NO COMMENT

===== UPDATED ON JUNE 16, 2004 BY DAVID W SIMS =====

Miscellaneous comments:

1) The mitigation method chosen by the applicant is accepted as feasible. A safety factor of 1.25 is to be applied to the calculated detention storage volume to meet CDC requirements.

2) Detail S1 notes swale runoff routing to detention pits. The most recent design from Dees and Assoc. indicates a surface soil cap over the detention pits intended to exclude surface runoff. Please clarify.

3) Plan view of detention pits reference the incorrect detail. The plan location of detention pits on Wayne Miller's plans varies from those located by Dees and Assoc.

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

Miscellaneous:

The applicant has submitted offsite information on flow paths. It describes a likely flow path, but still lacks required levels of detail and description. Because of the

EXHIBIT G

Discretionary Comments - Continued

Project Planner: Randal1 Adams
Application No.: 04-0056
APN: 042-052-72

Date: August 27, 2004
Time: 13:45:07
Page: 4

continued incompleteness of the submittal the reviewer has made a site visit to investigate the remaining questions. This site visit was conducted to determine if the depicted path was accurately represented, and whether there were any obvious deficiencies. Flat topography makes some of this difficult to assess without survey equipment. Site review findings were as follows:

1) The offsite flow path is very deficient in the lower half of the reach. The path was described by the applicant's engineer as having a curb line. This is not the case. Very shallow asphalt and graveled earth swales make up virtually the entire length. In many places the swale has inadequate cross-section and gradient. Water appears to puddle in numerous locations and much of it probably infiltrates before reaching the flex pipe over the cliff face. There is a possibility that street runoff in a large storm event may break away from the edge of the road and flow over the cliff face at a location approximately midway along the depicted flow path. If true this would be hazardous to several homes located at the end of Creek Drive. The flex pipe over the cliff face is completely severed and non-functional. This is leading to significant soil failure of the bluff that will eventually affect the stability of Seacliff Drive. The bluff, the coastal half of Seacliff Drive, and the entirety of this flex pipe structure is owned by the State Parks system. Repair of this pipe exceeds the cost burden that can be applied to a single family dwelling development.

2) In response to the various inadequacies of the available off-site flow path, the applicant will be required at the time of the building application to provide more extensive onsite mitigation than has been proposed. Such mitigation is to be capable of addressing impacts from small storms as well as the County standard design storm.

3) The driveway of this development creates runoff that was not proposed to be captured. It will be required to capture this runoff and retain it on-site. This may be done in a manner similar to the roof areas. Other methods of mitigation for the driveway may also be feasible and approvable.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON FEBRUARY 12, 2004 BY RUTH L ZADESKY =====
Show driveway plan view and centerline profile.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON FEBRUARY 12, 2004 BY RUTH L ZADESKY =====
Driveway to conform to County Design Criteria Standards.
Encroachment permit required for all off-site work in the County road right-of-way

Dpw Road Engineering Completeness Comments

===== REVIEW ON FEBRUARY 26, 2004 BY GREG J MARTIN =====
Please show the property which will be accessed by the right-of-way. Also show all existing improvement within the right-of-way and on said property. If you have any

EXHIBIT G

Discretionary Comments - Continued

Project Planner: Randall Adams
Application No. : 04-0056
APN: 042-052-72

Date: August 27, 2004
Time: 13:45:07
Page: 5

questions please contact Greg Martin at 831-454-2811. ===== UPDATED ON MARCH 11, 2004 BY GREG J MARTIN =====

Clarification has been provided by the applicant. We have no comments

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON FEBRUARY 26, 2004 BY GREG J MARTIN =====

===== UPDATED ON MARCH 11, 2004 BY GREG J MARTIN =====

No comment.

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

===== REVIEW ON MARCH 8, 2004 BY ERIN K STOW =====

DEPARTMENT NAME: Aptos/La Selva Fire Dept. Plans approved

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.

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.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

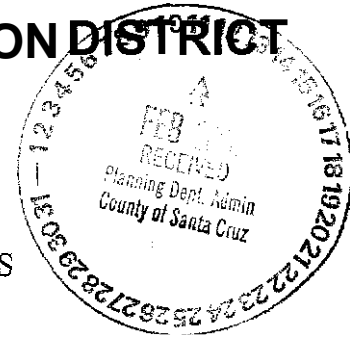
LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON MARCH 8, 2004 BY ERIN K STOW =====

NO COMMENT

EXHIBIT G

SANTA CRUZ COUNTY SANITATION DISTRICT
INTER-OFFICE CORRESPONDENCE



DATE: February 11, 2004

TO: Planning Department, ATTENTION: RANDALL ADAMS

FROM: Santa Cruz County Sanitation District, STEVE HARPER

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE FOR THE FOLLOWING PROPOSED DEVELOPMENT:

APN: 042-052-72 APPLICATION NO.: 04-0056

PARCEL ADDRESS: SEACLIFF DRIVE

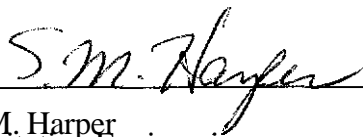
PROJECT DESCRIPTION: CONSTRUCT SINGLE FAMILY DWELLING

Sewer service is available for the subject development upon completion of the following conditions. This notice is effective for one year from the issuance date to allow the applicant the time to receive tentative map, development or other discretionary permit approval. If after this time frame this project **has** not received approval from the Planning Department, a new sewer service availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until the tentative map approval expires.

Proposed location of on-site sewer lateral(s), clean-out(s), **and** connection(s) to existing public sewer must be shown on the plot plan of the building permit application.

The plan shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the uniform plumbing code.

Other: Backflow preventive device may be required.


S.M. Harper
Sanitation Engineering

SMH:abc/258

c: Applicant: Leilani Barnett
1509 Seabright Avenue, Suite A -1
Santa Cruz CA 95062

Property Owner: Robert & Nancy Erikson
P.O. Box 432
Capitola CA 95010

(Rev. 3-96)



Board of Directors
Bruce Daniels, *President*
Dr Thomas R LaHue, *Vice President*
John W Beebe
Dr Bruce Jaffe
Daniel F Kriege

Laura D Brown, *General Manager*

April 7, 2004

Mr. John Swift
1509 Seabright Avenue, Suite A1
Santa Cruz, CA 95062

SUBJECT Water Service Application for a lot located on 143 Seacliff Drive, Aptos,
APN 042-052-72

Dear Mr. Swift:

In response to the subject application, the Board of Directors of the Soquel Creek Water District at their regular meeting of April 6, 2004 voted to serve your proposed development subject to such conditions and reservations as may be imposed at the time of entering into a final contract for service. Neither a final contract for service nor a service installation order will be issued until such time as all approvals from the appropriate land-use agency and any other required permits from regulatory agencies have been granted and all conditions for water service have been met to the satisfaction of the District.

This present indication to serve is valid for a two-year period from the date of this letter; however, it should not be taken as a guarantee that service will be available to the project in the future or that additional conditions, not otherwise listed in this letter, will not be imposed by the District prior to granting water service. Instead, this present indication to serve is intended to acknowledge that, under existing conditions, water service would be available provided the developer, without cost to the District:

- 1) Destroys any wells on the property in accordance with State Bulletin No. 74;
- 2) Satisfies all conditions imposed by the District to assure necessary water pressure, flow and quality;
- 3) Satisfies all conditions of Resolution No. 03-31 Establishing a Water Demand Offset Policy for New Development, which states that all applicants for new water service shall be required to offset expected water use of their respective development by a 1.2 to 1 ratio by retrofitting existing developed property within the Soquel Creek Water District service area so that any new development has a "zero impact" on the District's groundwater supply. Applicants for new service shall bear those costs associated with the retrofit as deemed appropriate by the District up to a maximum set by the District and pay any associated fees set by the District to reimburse administrative and inspection costs in accordance with District procedures for implementing this program.
- 4) Satisfies all conditions for water conservation required by the District at the time of application for service, including the following:

EXHIBIT G

April 6, 2004

Page 2 of 2

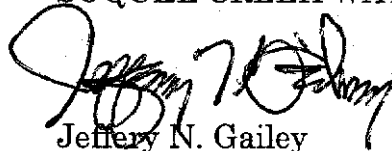
- a) Plans for a water efficient landscape and irrigation system shall be submitted to District Conservation Staff for approval;
 - b) All interior plumbing fixtures shall be low-flow and all Applicant-installed water-using appliances (e.g. dishwashers, clothes washers, etc.) shall have the EPA Energy Star label;
 - c) District Staff shall inspect the completed project for compliance with all conservation requirements prior to commencing domestic water service;
- 5) Completes LAFCO annexation requirements, if applicable;
- 6) All units shall be individually metered with a minimum size of 5/8-inch by %-inch standard domestic water meters;
- 7) A memorandum of the terms of this letter shall be recorded with the County Recorder of the County of Santa Cruz to insure that any future property owners are notified of the conditions set forth herein.

Future conditions which negatively affect the District's ability to serve the proposed development include, but are not limited to, a determination by the District that existing and anticipated water supplies are insufficient to continue adequate and reliable service to existing customers while extending new service to your development. In that case, service may be denied.

You are hereby put on notice that the Board of Directors of the Soquel Creek Water District is considering adopting additional policies to mitigate the impact of new development on the local groundwater basins, which are currently the District's only source of supply. Such actions are being considered because of concerns about existing conditions that threaten the groundwater basins and the lack of a supplemental supply source that would restore and maintain healthy aquifers. The Board may adopt additional mandatory mitigation measures to further address the impact of development on existing water supplies, such as the impact of impervious construction on groundwater recharge. Possible new conditions of service that may be considered include designing and installing facilities or fixtures on-site or at a specified location as prescribed and approved by the District which would restore groundwater recharge potential as determined by the District. The proposed project would be subject to this and any other conditions of service that the District may adopt prior to granting water service. As policies are developed, the information will be made available.

Sincerely,

SOQUEL CREEK WATER DISTRICT



Jeffery N. Gailey

Engineering Manager/Chief Engineer

EXHIBIT G