



Staff Report to the Zoning Administrator

Application Number: **03-0071**

Applicant: Stephen Harper

Agenda Date: November 5, 2004

Owner: Stephen & Madelon Harper

Agenda Item # 3

APN: 80-241-24 (with road grading also on
APNs 80-241-21, 80-241-22 and 80-241-23)

Time: After 11:00 a.m.

Project Description: Proposal to construct a two-story single family dwelling with basement, retaining walls, and a combined access road and driveway of about 1350 feet in length. Includes about 1400 cubic yards cut and 1550 cubic yards fill for the combined house site and road grading. House is proposed on APN 80-241-24 and road/driveway grading also includes APNs 80-241-21, 80-241-22, and 80-241-23. Requires a Coastal Development Permit.

Location: Property located at the south end of an unnamed right of way, about 1200 feet in from Empire Grade Road, with the access beginning off the west side of Empire Grade about 400 feet south of the intersection of Empire Grade and Ice Cream Grade.

Supervisory District: Third District (District Supervisor: Wormhoudt)

Permits Required: Coastal Development Permit

Staff Recommendation:

- Approval of Application 03-0071, based on the attached findings and conditions.
- Certification of the Negative Declaration with Mitigations (Exhibit D) under the California Environmental Quality Act.

Exhibits

- | | | | |
|----|--|----|------------------------------------|
| A. | Project plans | E. | Assessor's parcel map |
| B. | Findings | F. | Zoning and General Plan maps |
| C. | Conditions | G. | Discretionary Application Comments |
| D. | CEQA documentation, including
Initial Study and Mitigated Negative
Declaration | | (incl. other agencies) |

Parcel Information

Parcel Size: 5.5 acres
Existing Land Use - Parcel: Undeveloped forest land
Existing Land Use - Surrounding: Residential and Timber/Resource Conservation
Project Access: New private road off Empire Grade Road
Planning Area: Bonny Doon
Land Use Designation: R-R (Rural Residential)
Zone District: RA (Residential Agriculture)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. Yes X No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Soils Report Review completed
Fire Hazard: Fire hazard area
Slopes: Development avoids steep slopes
Env. Sen. Habitat: Biotic Presite completed, no sensitive habitat identified
Grading: About 1400 cu.yds. cut and 1550 cu.yds. fill, including road
Tree Removal: Minor tree removal for road improvements
Scenic: Nearby Empire Grade scenic road not impacted
Drainage: Onsite drainage improvements required
Traffic: Increase of one peak trip per day
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: Inside X Outside
Water Supply: Private well
Sewage Disposal: Private septic system
Fire District: County Fire
Drainage District: N/A

History

The original project design has been revised to reduce the total grading volume, while meeting County requirements for a new access road. A Biotic Presite, Soils Report Review, Preliminary Grading Review, and Environmental Assessment have been completed for the project.

Project Setting

The new single family dwelling is proposed on ~~an~~ attractive 5.5 acre forested parcel with a limited choice of building sites due to steep slope areas and limited access options. The

proposed building site is on a three-sided knoll at the north property line (photo 2 below), with proposed driveway access coming in from the north. The house site is topographically divided from the remainder of the parcel by steep slopes and ephemeral stream channels to the west, south, and east.

The proposed driveway grading will further develop an existing rough access to the house site. The driveway route passes through knobcone pine forest accompanied by chinquapin and scrub oak chaparral (photo 1 below). Other portions of the property include denser forest with redwoods and Douglas-fir, in the Laguna Creek watershed.



Photo 1: Driveway route, as existing



Photo 2: Proposed house site.

Zoning & General Plan Consistency

The subject 5.5 acre property located in the RA (Residential Agriculture) zone district, a designation which allows residential uses. The proposed single family dwelling (and access road to the residence) is a principal permitted use within the zone district and the project is consistent with the site's (R-R) Rural Residential General Plan designation.

The access right of way along the eastern property line (Assessor's parcel map, Exhibit E) allows the eastern side to be considered the property frontage, so that the northern property line is

assigned a required side yard setback under RA zoning of 20 feet. The proposed dwelling meets this setback. The retaining wall along a portion of the northern property line is limited to a height of six feet within this side yard setback.

The applicant has provided documentation of deeded rights of way for the actual access road/driveway route. The location of the fire truck turnaround on parcel 80-241-22 (Edminster) is being coordinated with the new residence driveway junction now proposed under permit application 04-0389 for the Edminster property.

The lower level Utility/Storage area was designed consistent with the County definition of a Basement. Per the building height measurement method, the graded cut for a basement does not lower the building height plane. Accordingly, the dwelling meets the 28 foot height limit.

As an unheated space, the Utility/Storage area does not count as a Bedroom under the County definition.

Local Coastal Program Consistency

The proposed single family dwelling and access road 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.

Grading Design

The house site is on a three-sided, sharp knoll-ridge with forested slopes descending to the east, south, and west, making it difficult to design any floor plan completely fitted to the topography. There are no alternative building sites offering an advantage for minimizing grading. By using this building site, driveway grading across steep slopes to access other portions of the property is avoided.

This project also includes grading to improve the access road/driveway coming from Empire Grade, about 1350 feet long, to County standards. This access road will also provide an improved access for the two parcels to the north when they are developed with residences.

Planning staff held discussions with County Fire in order to reach agreement that the access road, past the fire truck turnaround and driveway exit on APN 80-241-22 (Edminster), may be defined as a residential driveway and therefore drop in width from 18 feet to 12 feet, thereby avoiding considerable additional grading.

More detailed analysis of the grading design is included in the Initial Study for the project (Exhibit D).

Environmental Review

Environmental Review was required for the proposed project per the requirements of the

California Environmental Quality Act (CEQA). An Initial Study was prepared and the project was reviewed by the County's Environmental Coordinator on August 30, 2004. A preliminary determination to issue a Negative Declaration with Mitigations (Exhibit D) was made on August 31, 2004. The mandatory public comment period expired on September 27, 2004, with no comments received.

The Environmental Review process focused on the potential impacts of the project in the areas of grading, erosion control, and drainage. The environmental review process generated mitigation measures that will reduce potential impacts from the proposed development and adequately address these issues.

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 **03-0071**, based on the attached findings and conditions.
- Certification of the Negative Declaration with Mitigations (Exhibit D) 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 RA (Residential Agriculture), a designation which allows residential uses. The proposed single family dwelling (and access road to the residence) is a principal permitted use within the zone district, consistent with the site's (R-R) Rural 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 access road grading has been designed to minimize removal of mature trees. The first short length of the access road, with some new grading and minor tree removal to alter the existing roughed-in road, will be visible to northbound Empire Grade Road traffic for a very brief distance. Once graded bare soils are revegetated, motorists will not notice any significant change to the scenic rural setting. The house site itself will not be visible from Empire Grade. The house site has been selected to avoid driveway grading across steep slopes and keep development at the northern end of the property, with the balance of the 5.5 acre property undeveloped. The residential development is compatible with the locally diverse residential properties in terms of architectural style.

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 and access road 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 RA (Residential 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 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 RA (Residential 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.

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

The proposed single family dwelling and access road 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 and

access road 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 and access road 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 and access road will comply with the site standards for the RA zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed single family dwelling and access road 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.

Conditions of Approval

Exhibit A: Project plans, consisting of Sheets GI through G3 by Sigma Prime Geosciences, revised 9-6-04; and Sheets 1 through 7 by Deck House, revised 7-22-03.

- I. This permit authorizes the construction of a single family dwelling, retaining walls and access road. 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.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
11. Prior to issuance of a Building & Grading Permit the applicant/owner shall:
 - A. Submit proof that these conditions (in recordable format to be provided) have been recorded at 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, consistent with the natural earth-tone color scheme submitted for this Coastal Permit 03-0071. Any color boards must be in 8.5" x 11" paper format.
 2. Final grading, drainage, and erosion control plans. Respond to the miscellaneous Discretionary Comments from Environmental Planning and DPW Drainage (Exhibit G).

Locate and specify measures, including temporary construction fencing, for construction protection of mature trees adjacent to grading operations.

The location of the fire truck turnaround on APN 80-241-22 (Edminster) shall be adjusted, if needed, to coordinate with the new Edminster driveway entrance proposed under permit application 04-0389. The approximately 30" diameter Douglas fir on the north side of the Edminster entrance and the large Knobcone pine on the south side shall be shown, and provided with root zone protection.

Provide erosion control and drainage information to also meet the Mitigation Measures listed in Section (V.) below.

Locate in plan view which portions of the access road/driveway are to be paved, which are to be oil and screen, and which are to be baserock or other specified surface, consistent with County Fire requirements including a minimum 2" asphalt for over 15% slope and oil & screen for over 5% slope.

3. Details showing compliance with fire department requirements

- C. Meet all requirements of and pay any applicable drainage fees to the County Department of Public Works, Drainage.
 - 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 2 copies of the approved soils report.
 - G. Pay the current fees for Parks and Child Care mitigation for four bedroom(s)
 - H. 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.
 - I. 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.
 - J. Complete and record a *Statement of Acknowledgement Regarding the Issuance of a County Building Permit on Property Adjacent to Lands Zoned for Timber Production and Harvesting*, provided by the Planning Department. You may not alter the wording of this declaration. Follow the instructions to record and return the form to the Planning Department.
 - K. Meet all other miscellaneous plan or information requirements indicated in the Discretionary Application Comments (Exhibit G of the Staff Report to the Zoning Administrator).
- 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 & Grading Permit plans shall be installed.
- B. All inspections required by the Building & Grading 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. Tree and brush debris previously felled/discarded in the drainage courses adjacent the road/driveway shall be removed from the drainage courses.
- E. 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.
- B. If in the future the basement Utility/Storage room is to be converted to conditioned (heated) area, a Building Permit is required and the room shall be counted as a Bedroom.

V. Mitigation Monitoring Program

- A. Mitigation Measure: In order to avoid negative impacts on water quality and water supply, and to comply with standards for drainage control in a Water Supply Watershed, prior to building permit issuance the applicant shall:
 - 1. Submit a detailed erosion control plan for the review and approval of Environmental Planning staff. The plan shall include a prohibition on grading between October 15 and April 15 of any year;
 - 2. Submit 3 detailed drainage plan for the review and approval of the Department of Public Works drainage staff. The plan shall include provisions for achieving the maximum amount of recharge that is feasible

Application # 03-0071
APN: 080-241-24
Owner: Stephen & Madelon Harper

and for ensuring that the post development runoff rate does not exceed pre-development levels.

3. The driveway shall be surfaced with asphaltic concrete (AC) wherever it is adjacent to an AC or concrete lined ditch.

Monitoring Program: When the applicant submits plans for a Building & Grading Permit, Environmental Planning staff shall check the plans for mitigation measure A1 and A3 above, and Public Works Drainage staff shall check for mitigation measure **A2** above.

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: _____

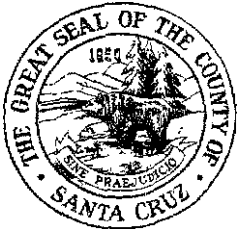
Effective Date: _____

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.



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

Application Number: 03-0071

Stephen & Madelon Harpe

Proposal to construct a two-story single family dwelling with basement, retaining walls, and combined access road and driveway of about 1350 feet in length. Includes about 1400 cubic yards cut and 1550 cubic yards fill for the combined house site and road grading. House is proposed on APN 080-241-24 and road/driveway grading also includes APNs 080-241-21, -22, and -23. Requires a Coastal Development Permit: Biotic Presite, Soils Report Review, Preliminary Grading Review, and Environmental Assessment for grading over 1000 cubic yards. The project is located 1200 feet from Empire Grade at the south end of an unnamed right of way, which is about 400 feet south of the intersection of Empire Grade and Ice Cream Grade.

APN: 080-241-24, 080-241-21, -22, and -23

Jack Nelson, Staff Planner

Zone District: Residential Agriculture

ACTION: Negative Declaration with Mitigations

REVIEW PERIOD ENDS: September 27, 2004.

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

Findings:

This project, if conditioned to comply with required mitigation measures or conditions shown below, will not have significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project attached to the original of this notice on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Required Mitigation Measures or Conditions:

☐ None
☒ Are Attached

Review Period Ends September 27, 2004

Date Approved By Environmental Coordinator September 28, 2004

KEN HART 

Environmental Coordinator
(831) 454-3127

If this project is approved, complete and file this notice with the Clerk of the Board:

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by _____

on _____. No EIR was prepared under CEQA.

THE PROJECT WAS DETERMINED TO NOT HAVE SIGNIFICANT EFFECT ON THE ENVIRONMENT.

Date completed notice filed with Clerk of the Board: _____

. NAME: Steven Harper et al.
APPLICATION: 03-0071
A.P.N: 080-241-21,22,23,24

NEGATIVE DECLARATION MITIGATIONS

1. In order to avoid negative impacts on water quality and water supply, and to comply with standards for drainage control in a Water Supply Watershed, prior to building permit issuance the applicant shall:
 - A. Submit a detailed erosion control plan for the review and approval of Environmental Planning staff. The plan shall include a prohibition on grading between October 15 and April 15 of any year;
 - B. Submit a detailed drainage plan for the review and approval of the Department of Public Works drainage staff. The plan shall include provisions for achieving the maximum amount of recharge that is feasible and for ensuring that the post development runoff rate does not exceed pre-development levels.
 - C. The driveway shall be surfaced with asphaltic concrete (AC) wherever it is adjacent to an AC or concrete lined ditch.

EXHIBIT D

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De minimis Impact Finding

Project Title/Location (Santa Cruz County):

Application Number: 03-0071

Stephen & Madelon Harper

Proposal to construct a two-story single family dwelling with basement, retaining walls, and combined access road and driveway of about 1350 feet in length. Includes about 1400 cubic yards cut and 1550 cubic yards fill for the combined house site and road grading. House is proposed on APN 080-241-24 and road/driveway grading also includes APNs 080-241-21, -22, and -23. Requires a Coastal Development Permit, Biotic Presite, Soils Report Review, Preliminary Grading Review, and Environmental Assessment for grading over 1000 cubic yards. The project is located 1200 feet from Empire Grade at the south end of an unnamed right of way, which is about 400 feet south of the intersection of Empire Grade and Ice Cream Grade.

APN: 080-241-24, 080-241-21, -22, and -23

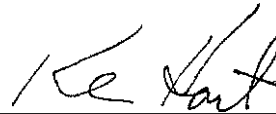
Jack Nelson, Staff Planner

Zone District: Residential Agriculture

An Initial Study has been prepared for this project by the County Planning Department according to the provisions of CEQA. This analysis shows that the project will not create any potential for adverse environmental effects on wildlife resources.

Certification:

KEN HART



Environmental Coordinator for
Tom Burns, Planning Director
County of Santa Cruz

Date: 9/29/04

EXHIBIT D



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, FOUR FLOOR; SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, DIRECTOR

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT Stephen & Madelon Harper

APPLICATION NO.: 03-0071

APN: 080-241-24, 080-241-21, -22, and -23

The Environmental Coordinator has reviewed the Initial Study for your application and made the following preliminary determination:

XX Negative Declaration

(Your project will not have a significant impact on the environment.)

XX

Mitigations will be attached to the Negative Declaration.

_____ No mitigations will be attached

_____ Environmental Impact Report

(Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

As part of the environmental review process required by the California Environmental Quality Act (CEQA), this is your opportunity to respond to the preliminary determination before it is finalized. Please contact Paia Levine, Environmental Coordinator at (831) 454-3178, if you wish to comment on the preliminary determination. Written comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: **September 27, 2004**

Jack Nelson
Staff Planner

Phone: 454-3259

Date: August 31, 2004

EXHIBIT D

ENVIRONMENTAL REVIEW INITIAL STUDY

APPLICANT: Stephen Harper

APN: 80-241-24, with access grading on
APNs 80-241-21, -22, -23

OWNER: Stephen & Madelon Harper

Application No: 03-0071

Supervisory District: 3

Site Address: No situs, Empire Grade Rd., Bonny Doon

Location: Property located at the south end of an unnamed right of way, about 1200 feet in from Empire Grade Road, with the access beginning off the west side of Empire Grade about 400 feet south of the intersection of Empire Grade and Ice Cream Grade.

EXISTING SITE CONDITIONS

Parcel Size: 5.5 acres

Existing Land Use: undeveloped forest land

Vegetation: Redwood/Douglas-fir forest and knobcone pine chaparral forest

Nearby Watercourse: ephemeral streams in Laguna Creek watershed

Rock/Soil Type: Lompico-Felton complex and Sur-Catelli complex

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Groundwater Supply: None mapped

Water Supply Watershed: Yes

Groundwater Recharge: Portion of parcel

Timber or Mineral: None mapped

Agricultural Resource: None mapped

Biologically Sensitive Habitat: None found

Fire Hazard: Fire hazard area

Floodplain: None mapped

Erosion: Erosion hazard area

Landslide: None mapped

Liquefaction: None mapped

Fault Zone: None mapped

Scenic Corridor: Empire Grade Rd.

Historic: None mapped

Archaeology: None mapped

Noise Constraint: None mapped

Electric Power Lines: None

Solar Access: Adequate

Solar Orientation: Adequate

Hazardous Materials: None

SERVICES

Fire Protection: County Fire

Drainage District: None

School District: Bonny Doon

Project Access: Empire Grade Rd.

Water Supply: Private well

Sewage Disposal: Private septic system

PLANNING POLICIES

Zone District: Residential Agriculture

Special Designation: None

General Plan: Rural Residential

Special Community: None

Coastal Zone: Yes

Within USL: No

PROJECT SUMMARY DESCRIPTION:

Proposal to construct a two-story single family dwelling with basement, retaining walls, and a combined access road and driveway of about 1350 feet in length. Includes about

EXHIBIT D

1400 cubic yards cut and 1550 cubic yards fill for the combined house site and road grading. House is proposed on APN 80-241-24 and road/driveway grading also includes APNs 80-241-21, -22, and -23. Requires a Coastal Development Permit, Biotic Presite, Soils Report Review, Preliminary Grading Review, and Environmental Assessment for grading over 1000 cubic yards.

PROJECT SETTING:

The new single family dwelling is proposed on an attractive 5.5 acre forested parcel with a limited choice of building sites due to steep slope areas and limited access options. The proposed building site is on a three-sided knoll at the north property line, with proposed driveway access coming in from the north. The house site is topographically divided from the remainder of the parcel by steep slopes and ephemeral stream channels to the west, south, and east.

The proposed driveway grading will further develop an existing rough access to the house site. The driveway route passes through knobcone pine forest accompanied by chinquapin and scrub oak chaparral (photo 1 below). Other portions of the property include denser forest with redwoods and Douglas-fir, in the Laguna Creek watershed.



Photo 1: Driveway route, as existing.



Photo 2: Proposed house site

EXHIBIT D

Significant or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	NO Impact
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NMEI L RE N :HEC

A. Geology and Soils

Does the project have the potential to:

1. Expose people or structures to potential adverse effects, including the risk of material loss, injury, or death involving:

- a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or as identified by other substantial evidence?

—	—	<u>X</u>	—
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- b. Seismic ground shaking?

—	—	<u>X</u>	—
---	---	----------	---

All of Santa Cruz County is subject to some hazard from earthquakes. A Geotechnical Investigation for the project was prepared by Amso Consulting Engineers, dated May 31, 2001. The report concluded that landslides or fault rupture would not be a potential threat to the proposed development, and that seismic shaking could be managed by constructing in conformance with the Uniform Building Code and following the recommendations in the Geotechnical report.

- c. Seismic-related ground failure, including liquefaction?

—	—	—	<u>X</u>
---	---	---	----------

- d. Landslides?

—	—	—	<u>X</u>
---	---	---	----------

2. Subject people or improvements to damage from soil instability as a result of on- or off-site landslide, lateral spreading, to subsidence, liquefaction, or structural collapse?

—	—	<u>X</u>	—
---	---	----------	---

See response under 1 a/b above.

3. Develop land with a slope exceeding

EXHIBIT D

	Significant. Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	NO Impact
30%?	—	—	—	<u>X</u>
4. Result in soil erosion or the substantial loss of topsoil?	—	—	<u>X</u>	—

The existing rough road from Empire Grade to the proposed house site (see photo 1, preceding) has an unimproved, erodible soil surface which is oversteepened in places and which presently has inadequate drainage controls. The proposed access road/driveway grading project will result in a non-erosive asphalt surface (and possibly, some low-erosive baserocked road surface), with lined ditches and other drainage controls to control erosion.

The access road is technically considered an access road (required by County Fire to be 18 ft. wide) from Empire Grade to the fire truck turnaround on APN 80-241-22, and is considered a driveway (required width 12 ft.) to serve two dwellings past that point. References to the "driveway" in this study generally refer to the entire access way.

The total area disturbed by grading has been minimized to the driveway and the immediate house area. There is no disturbance or impact to the remaining five-plus forested acres of the principal parcel.

The proposed grading at the house site is confined to a reasonably compact area of about one quarter acre, in which commonly-employed erosion control measures during grading operations and appropriate finish landscaping work can successfully control erosion. These erosion control measures are required.

The project grading plans include preliminary erosion control measures. A more detailed erosion control plan has been required for the Building & Grading Permit phase of the project, under review of the County's Associate Civil Engineer Kent Edler. The Coastal Permit will include a permit condition disallowing grading between October 15 and April 15.

5. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code(1994), creating substantial risks to property?	—	—	—	<u>X</u>
6. Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems?	—	—	—	<u>X</u>

EXHIBIT D

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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The proposed single family dwelling will use a septic system, pre-approved by the County Environmental Health Services department.

7.	Result in Coastal cliff erosion?	—	—	—	<u>X</u>
----	----------------------------------	---	---	---	----------

B. Hydrology, Water Supply and Water Quality

Does the project have the potential to:

1.	Place development within a 100-year flood hazard area?	—	—	—	<u>X</u>
2.	Place development within the floodway resulting in impedance or redirection of flood flows?	—	—	—	<u>X</u>
3.	Be inundated by a seiche or tsunami?	—	—	—	<u>X</u>
4.	Deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit, or a significant contribution to an existing net deficit in available supply, or a significant lowering of the local groundwater table?	—	—	<u>X</u>	—

A portion of the parcel and the project is within a mapped groundwater recharge and water supply watershed area. Post-development runoff will be limited to pre-development levels, using detention techniques and directing runoff into drainages that will facilitate onsite recharge. A detailed drainage plan that implements this will be required as a permit condition of the Coastal Permit, and will be reviewed and accepted by the Department of Public Works, Drainage Division prior to issuance of a Building Permit.

5.	Degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion).	—	—	—	<u>X</u>
6.	Degrade septic system functioning?	—	—	—	<u>X</u>
7.	Alter the existing drainage pattern of the site or area, including the alteration of the course of a stream				

EXHIBIT D

	Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	NO Impact
or river, in a manner which could result in flooding, erosion, or siltation on or off-site?	—	—	<u>X</u>	—
Alteration of drainage patterns will be minimal.				
8. Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems, or create additional source(s) of polluted runoff?	—	—	<u>X</u>	—
See comment at item B 4 above.				
9. Contribute to flood levels or erosion in natural water courses by discharges of newly collected runoff?	—	—	<u>X</u>	—
See comment at item B 4 above.				
10. Otherwise substantially degrade water supply or quality?	—	—	—	<u>X</u>

C. Biological Resources

Does the project have the potential to:

- | | | | | |
|---|---|---|---|----------|
| 1. Have an adverse effect on any species
identified as a candidate, sensitive, or
special status species, in local or regional
plans, policies, or regulations, or by the
California Department of Fish and Game,
or U.S. Fish and Wildlife Service? | — | — | — | <u>X</u> |
|---|---|---|---|----------|

A Biotic Assessment of the property was conducted by Biotic Resources Group, dated April 2001. No special status species were found as a result of the onsite survey. An occurrence of Santa Cruz Mountains Beardtongue (*Penstemon rattani*) has previously been documented in the general vicinity but was not found on the property. In addition to the formal Biotic Assessment, Resource Planning staff has visited the site on several occasions at varying times of year and has not observed genus *Penstemon* plants present in the proposed development areas.

- | | |
|---|--|
| 2. Have an adverse effect on a sensitive
biotic community (riparian corridor), | |
|---|--|

EXHIBIT D

	Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
wetland, native grassland, special forests, intertidal zone, etc.)?	—	—	—	<u>X</u>
See the preceding comment at item C 1 above. In addition, the originally submitted grading plan has been redesigned to eliminate a proposed toe-retained fill that intruded into an ephemeral riparian corridor to the east of the house site.				
3. Interfere with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites?	—	—	—	<u>X</u>
4. Produce night time lighting that will illuminate animal habitats?	—	—	—	<u>X</u>
5. Make a significant contribution to the reduction of the number of species of plants or animals?	—	—	—	<u>X</u>
6. Conflict with any local policies or ordinances protecting biological resources (such as the Significant Tree Protection Ordinance, Sensitive Habitat Ordinance, provisions of the Design Review ordinance protecting trees with trunk sizes of 6 inch diameters or greater)?	—	—	—	<u>X</u>

See comment C 1 above. The extent of tree removal has been minimized and is consistent with the Design Review ordinance provisions. In addition to minor small tree and shrub removal for the driveway improvements, a mature multi-trunked chinquapin tree will be removed on the south-facing side of the house, for fire protection and solar access purposes.

The access driveway, along the first 125 feet in from Empire Grade Road, will be rerouted somewhat from the existing rough road, in order to reduce the slope gradient which is now over 20% at one point. This will result in the removal of about 18 oak trees in the size range of about 4" diameter to 18" diameter. This is not anticipated to create a visual impact to Empire Grade Road, because of the number of screening trees remaining and the topography relative to Empire

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	NO Impact
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Grade. In general, the driveway grading has been designed to minimize impacts to existing mature trees.

- | | | | | |
|---|---|---|---|---|
| 7. Conflict with the provisions of an adopted Habitat Conservation Plan, Biotic Conservation Easement, or other approved local, regional, or state habitat conservation plan? | — | — | — | X |
|---|---|---|---|---|

D. Energy and Natural Resources

Does the project have the potential to:

- | | | | | |
|--|---|---|---|---|
| 1. Affect or be affected by land designated as limber Resources by the General Plan? | — | — | X | — |
|--|---|---|---|---|

The large property to the west is a mapped Timber Resource parcel zoned "TP" Timber Production. As a permit condition of the Coastal Permit, the property owner will be required to record a *Statement of Acknowledgement Regarding the Issuance of a County Building Permit on Property Adjacent to Lands Zoned for Timber Production and Harvesting*. This Statement acknowledges that residents of the property occasionally may experience increased traffic, noise, dust, change in the viewshed and/or other activities related to growing and harvesting of timber or other uses permitted within the Timber Production Zone.

- | | | | | |
|---|---|---|---|---|
| 2. Affect or be affected by lands currently utilized for agriculture, or designated in the General Plan for agricultural use? | — | — | — | X |
| 3. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner? | — | — | — | X |
| 4. Have a substantial effect on the potential use, extraction, or depletion of a natural resource (i.e., minerals or energy resources)? | — | — | — | X |

E. Visual Resources and Aesthetics

Does the project have the potential to:

EXHIBIT D

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No impact
---	---	------------------------------------	--------------

1. Have an adverse effect on a scenic resource, including visual obstruction of that resource?

— — X —

The house site will not be visible from Empire Grade. The first short length of the access road, with some new grading and minor vegetation removal to alter the existing roughed-in road, will be visible to northbound Empire Grade traffic for a very brief distance along Empire Grade. Once graded bare soils are revegetated, motorists will not notice any significant change to the scenic rural setting.

2. Substantially damage scenic resources, within a designated scenic corridor or public viewshed area including, but not limited to, trees, rock outcroppings, and historic buildings?

— — — X .

3. Degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridgeline?

— — X —

No public views will be adversely impacted, with the exception of a brief view for motorists northbound on Empire Grade. See E 1 above.

4. Create a new source of light or glare which would adversely affect day or nighttime views in the area?

— — — X .

5. Destroy, cover, or modify any unique geologic or physical feature?

— — — X .

F. Cultural Resources

Does the project have the potential to:

1. Cause an adverse change in the significance of a historical resource as defined in CEQA Guidelines 15064.5?

— — — X .

2. Cause an adverse change in the significance of an archaeological

EXHIBIT D

	Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	NO Impact
resource pursuant to CEQA Guidelines 15064.5?	_____	_____	_____	<u> X </u> .
3. Disturb any human remains, including those interred outside of formal cemeteries?	_____	_____	_____	<u> X </u> .
4. Directly or indirectly destroy a unique paleontological resource or site?	_____	_____	_____	<u> X </u> .

G. Hazards and Hazardous Materials

Does the project have the potential to:

1. Create a significant hazard to the public or the environment as a result of the routine transport, storage, use, or disposal of hazardous materials, not including gasoline or other motor fuels?	_____	_____	_____	<u> X </u> .
2. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	_____	_____	_____	<u> X </u> .
3. Create a safety hazard for people residing or working in the project area as a result of dangers from aircraft using a public or private airport located within two miles of the project site?	_____	_____	_____	<u> X </u> .
4. Expose people to electro-magnetic fields associated with electrical transmission lines?	_____	_____	_____	<u> X </u> .
5. Create a potential fire hazard?	_____	_____	_____	<u> X </u> .
6. Release bioengineered organisms or chemicals into the air outside of project buildings?	_____	_____	_____	<u> X </u> .

EXHIBIT I

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	NO Impact
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H. Transportation/Traffic

Does the project have the potential to:

- | | | | | | |
|--|---|---|---|----------|----------|
| 1. | Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | — | — | <u>X</u> | — |
| Traffic associated with the single family dwelling is anticipated at 1 peak trip per day; such an increase will not adversely impact existing roads and intersections in the surrounding area. | | | | | |
| 2. | Cause an increase in parking demand which cannot be accommodated by existing parking facilities? | — | — | — | <u>X</u> |
| 3. | Increase hazards to motorists, bicyclists, or pedestrians? | — | — | — | <u>X</u> |
| 4. | Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the county congestion management agency for designated intersections, roads or highways? | — | — | — | — |

I. Noise

Does the project have the potential to:

- | | | | | | |
|----|--|---|---|---|----------|
| 1. | Generate a permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | — | — | — | <u>X</u> |
| 2. | Expose people to noise levels in excess of standards established in the General Plan, or applicable standards of other agencies? | — | — | — | <u>X</u> |

EXHIBIT D

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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3. Generate a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

—	—	<u>X</u>	—
---	---	----------	---

Noise generated during construction for the proposed single-family dwelling will increase the ambient noise levels for adjoining areas. Given the limited duration of this construction related impact, it is considered to be less than significant.

J. Air Quality

Does the project have the potential to:
(Where available, the significance criteria established by the MBUAPCD may be relied upon to make the following determinations).

1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
2. Conflict with or obstruct implementation of an adopted air quality plan?
3. Expose sensitive receptors to substantial pollutant concentrations?
4. Create objectionable odors affecting a substantial number of people?

—	—	—	<u>X</u>
—	—	—	<u>X</u>
—	—	—	<u>X</u>
—	—	—	<u>X</u>

K. Public Services and Utilities

Does the project have the potential to:

1. Result in the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:
 - a. Fire protection?
 - b. Police protection?

—	—	—	<u>X</u>
—	—	—	<u>X</u>

EXHIBIT D

	Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	NO Impact
c. Schools?	—	—	—	<u>X</u>
d. Parks or other recreational facilities?	—	—	—	<u>X</u>
e. Other public facilities; including the maintenance of roads?	—	—	—	<u>X</u>
2. Result in the need for construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	—	—	—	<u>X</u>
3. Result in the need for construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	—	—	—	<u>X</u>
4. Cause a violation of wastewater treatment standards of the Regional Water Quality Control Board?	—	—	—	<u>X</u>
5. Create a situation in which water supplies are inadequate to serve the project or provide fire protection?	—	—	—	<u>X</u>
6. Result in inadequate access for fire protection?	—	—	—	<u>X</u>
A component of the grading project volume, leading to a grading project of more than 1000 cubic yards, is improvements to the width and gradient of the existing rough access road in order for the road to meet County Fire standards for fire truck access.				
7. Make a significant contribution to a cumulative reduction of landfill capacity or ability to properly dispose of refuse?	—	—	—	<u>X</u>
8. Result in a breach of federal, state, and local statutes and regulations				

EXHIBIT D

	Significant or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	NO impact
related to solid waste management?	—	—	—	<u>X</u>

L. Land Use, Population, and Housing

Does the project have the potential to:

- | | | | | |
|--|---|---|----------|---|
| 1. Conflict with any policy of the County adopted for the purpose of avoiding or mitigating an environmental effect? | — | — | <u>X</u> | — |
|--|---|---|----------|---|

County policy (including General Plan 6.3.9) requires grading to be minimized, including to limit site area disturbance, reduce erosion potential, and limit the visual impact of changes to landforms.

For the subject project, substantial grading is required to fit a home of this size and design onto the building site. The house site is on a three-sided, sharp knoll-ridge with forested slopes descending to the east, south, and west, making it difficult to design any floor plan completely fitted to the topography. There are no alternative building sites offering an advantage for minimizing grading.

The owners wished to have a single-level floor plan for their essential living quarters, with only guest bedrooms and offices upstairs, in that they plan to continue living in the home as they advance in age. The house has a footprint of about 2,775 square feet, including garage.

Excavation at the house site is about 950 cubic yards, with adjacent balanced fills creating an approximately 1200 square foot level west-side yard area and a 1600 square foot level east side fire truck turnaround area.

Combined cut and fill at the house footprint and driveway along the front of the house will result in level-grade areas on three sides of the house. With the balanced cut and fill, excess cut need not be hauled to a public landfill.

Graded cuts at the house site will be under 10 vertical feet and are generally in the 5 to 7 foot range at the house footprint. Adjacent balanced, retained fills around the house are also in the under-10 vertical feet range.

By using this building site, driveway grading across steep slopes to access other Portions of the property is avoided, as is development of a house on slopes steeper than 30%. Placing fill behind retaining walls on the east and west sides of the house, along with the north-side cut for the driveway, allows creation of a moderate-sized level driveway (including required fire truck turnaround) and yard area around the house.

EXHIBIT D

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	NO Impact
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No public views are altered by the house site grading. The proposed house is not anticipated to be visible from other adjacent properties, except the immediately adjacent portion of undeveloped parcel 80-241-23 directly to the north, and this is not the anticipated preferred area for a private house site on the large adjacent parcel.

Lowering the top elevation of the knoll for the house footprint, along with the height of the surrounding mature forest, makes it less likely that the house will be visible from other properties.

As long as erosion is controlled as specified by the required erosion and drainage control measures, and fill is properly disposed of onsite, the intent of grading minimization policy is met, and no significant environmental impact results from the grading plan.

- | | | | | | |
|----|--|---|---|----------|----------|
| 2. | Conflict with any County Code regulation adopted for the purpose of avoiding or mitigating an environmental effect? | — | — | <u>X</u> | — |
| | See preceding discussion at L 2. | | | | |
| 3. | Physically divide an established community? | — | — | — | <u>X</u> |
| 4. | Have a potentially significant growth inducing effect, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | — | — | — | <u>X</u> |
| 5. | Displace substantial numbers of people, or amount of existing housing, necessitating the construction of replacement housing elsewhere? | — | — | — | <u>X</u> |

M. Non-Local Approvals

Does the project require approval of federal, state, or regional agencies?

Yes__ No X

Which agencies? _____

EXHIBIT D

N. Mandatory Findings of Significance

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant, animal, or natural community, or eliminate important examples of the major periods of California history or prehistory? Yes — No X.
2. Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, and the effects of reasonably foreseeable future projects which have entered the Environmental Review stage. Yes — No X.
3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Yes — No X.

EXHIBIT D

TECHNICAL REVIEW CHECKLIST

REQUIRED COMPLETED* N/A

APAC REVIEW	_____	_____X_____.
ARCHAEOLOGIC REVIEW	_____	_____X_____.
BIOTIC ASSESSMENT	_____	_____X_____.
GEOLOGIC HAZARD ASSESSMENT	_____	_____X_____.
GEOLOGIC REPORT	_____	_____X_____.
RIPARIAN PRE-SITE	_____	_____X_____.
SEPTIC LOT CHECK	_____	_____X_____.
SOILS REPORT	_____	_____X_____.
OTHER:		
<u>Biotic Presite</u>	_____	_____X_____.
<u>Preliminary Grading Review</u>	_____	_____X_____.
_____	_____	_____.
_____	_____	_____.
_____	_____	_____.
_____	_____	_____.

*Attach summary and recommendation from completed reviews

List any other technical reports or information sources used in preparation of this initial study:

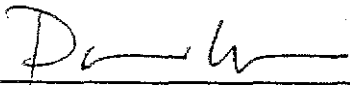
Santa Cruz County Geographic Information System

EXHIBIT D

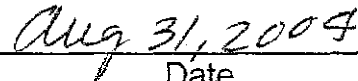
ENVIRONMENTAL REVIEW ACTION

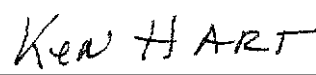
On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described below have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



Signature
Paia Levine



Date
For: 

Environmental Coordinator

Attachments:

1. Reduced-size site & grading plans (complete full size plans on file at Planning Department)
2. Map of Zoning Districts (with roads in vicinity)
3. Map of General Plan Designations
4. Letter of Biotic Resources Group, dated April 30, 2001
5. Soils report (not attached here: on file at Planning Department)

Note: not all Initial Study attachments are reproduced here in this Staff Report to the Zoning Administrator. Attachment 1 is 11x17" and not included here; full size plans are on file at the Planning Department. The Zoning and General Plan maps (Attachments 2 and 3) are provided as Exhibit F of this Staff Report.

EXHIBIT D

Biotic Resources Group

Biotic Assessments • Resource Management • Permitting

April 30, 2001

Bill Francosa
P.O. Box 401
Felton, CA 95018

RE: Empire Grade/Ice Cream Grade Parcel: Results of Biological Review

Dear Bill,

The Biotic Resources Group conducted a review of the property at the intersection of Empire Grade and Ice Cream Grade in the Felton/Bonny Doon area of Santa Cruz County. The review was conducted on March 13, 2001. The review was focused on the occurrence of special status species and/or habitats in the vicinity of the proposed residential areas in the central portion of the property (four parcels). The results of this biological assessment are described herein.

ASSESSMENT METHODOLOGY

A site visit of the project area was conducted on March 13, 2001. The subject property (22 acres) is currently uninhabited, however the property supports several dirt roads and trails. A dirt road traverses through the eastern portion of the site. The property consists of four parcels, each of which is proposed for a single-family residence. These potential development areas were viewed on foot by traversing the eastern portion of the site.

The major plant communities on the site, based on the general classification system developed in Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland, 1986), were identified during the field reconnaissance visit. To assess the potential occurrence of special status biotic resources, two electronic databases were accessed to determine recorded occurrences of sensitive plant communities and sensitive species. Information was obtained from the California Native Plant Society's (CNPS) Electronic Inventory (2000), and California Department of Fish & Game's (CDFG) Rare Find database (CDFG, 2000) for the Santa Cruz and Felton U.S.G.S. quadrangles. Based on these data base searches, the following plant species and/or their habitat were searched for within the proposed residential development area: Gairdner's yampah, Ben Lomond spineflower, silver-leaved manzanita, Ponderosa pine, Santa Cruz Mountains beardtongue and other sandhill endemics. Additionally the proposed residential development area was assessed for the potential habitat for special status wildlife: California red-legged frog, Zayante band-winged grasshopper and Mt. Hermon June beetle, all of which are known (or have potential habitat) within the greater Felton/Bonny Doon region.

The purpose of the site assessment was to document the occurrence of habitats within the proposed residential development area and the known or potential for special status species and/or habitats.

ASSESSMENT RESULTS

Mixed evergreen forest and knobcone pine forest/chaparral dominate the proposed residential development areas.

EXHIBIT D

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Environmental Review Initial Study
ATTACHMENT 4 p. 1 of 3
APPLICATION 03-0071

Coast live *oak*, madrone and Douglas fir dominate the mixed evergreen forest. The understory includes typical woodland species, including California blackberry, California rose and bracken fern. The road to Lots 2 and 3 traverses through this forest type. The lower elevation canyons on the property support coast redwoods; the forest may become dominated by redwoods in these areas. No special status species are expected to occur within the mixed evergreen forest.

The knobcone pine/chaparral community inhabits the ridgetop areas of the property. Knobcone pine is the dominant tree species, with occurrences of chinquapin, chamise, huckleberry, toyon, brittle-leaved manzanita and toyon. Scattered individuals of sensitive manzanita were observed within the pine forest. Trees from the nearby mixed evergreen also occasionally occur amid the pines; madrones and young Douglas fir trees were also observed in the understory.

Sensitive Habitats

Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity. Within the Felton/Bonny Doon regions, Ponderosa pine and silver-leaved manzanita chaparral are considered sensitive habitats. This designation is due to the prevalence of native plant species, known/potential for rare, threatened or endangered species and its limited distribution within the region.

No sensitive habitats were observed within the proposed residential areas on the subject property.

Special Status Plant Species

Plant species of concern include those listed by either the Federal or State resource agencies as well as those identified as rare by CNPS (Skinner & Pavlik, 1994). One special status species has been recorded from the project vicinity, as per CNDDDB records. An occurrence of Santa Cruz Mountains beardtongue (*Penstemon rattanii* var. *kleei*) has been documented from the knobcone pine forest in the vicinity of Empire Grade Road and Ice Cream Grade Road (CNDDDB, 2000). No individuals of this species were observed, however, during the March 2001 field visit. Individuals of Ponderosa pine or silver-leaved manzanita were not observed, nor was suitable habitat present for these species.

Special Status Wildlife Species

Special status wildlife species include those listed by either the Federal or State resource agencies, as well as those identified as Federal and/or State species of special concern. In addition, all raptor nests are protected by Fish and Game Code, and all migratory birds are protected by the Federal Migratory Bird Act. Special status wildlife species were evaluated for their known and/or potential presence in the project area. None are expected to occur in the project area.

California red-legged frogs are known to occur in the Laguna Creek watershed. However, there are no ponded areas or creeks or drainages within the proposed development areas on this property that would support potential habitat for California red-legged frogs. Since there are no ponds or creeks, and the development areas are comprised of dry upland habitat (knobcone pine forest), it is unlikely that the proposed development areas would be of value to California red-legged frogs that may disperse or move between ponds/creeks, if they are present in surrounding areas.

EXHIBIT D

Environmental Review Initial Study
ATTACHMENT 4. p. 2 of 3
APPLICATION 03-0071

The property was also assessed for potential raptor nesting, because there are several large pine and fir trees. It is likely that raptors nest in some of the larger trees on the site.

The habitat was also assessed for potential occurrence of two insects, the Zayante band-winged grasshopper and Mt. Hermon June beetle. These two species occur on inland marine deposits supporting Ponderosa pine. There is no suitable habitat for these species on the property.

ASSESSMENT CONCLUSIONS

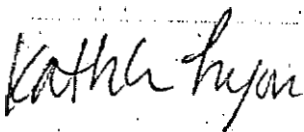
Based on the preliminary site assessment, development of the proposed single-family residences on the parcel **will** not result in any significant impacts to sensitive habitats, or result in the loss of any special status species (or their habitat). Grading and tree removal should occur outside the breeding season of birds to minimize impacts to nesting raptors and other bird species (i.e., conduct tree removal work between August and March).

Intended Use of this Report

The findings presented in this biological review are intended for the sole use of Bill Francosa in evaluating land uses for the subject parcel. The findings presented by the Biotic Resources Group in this report are for information purposes only; they are not intended to represent the interpretation of any State, Federal or County laws, policies or ordinances pertaining to permitting actions within sensitive habitat or endangered species. The interpretation of such laws and/or ordinances is the responsibility of the applicable governing body.

Thank you for the opportunity to assist you in your project planning. Please give me a call if you have any questions on this report.

Sincerely,



Kathleen Lyons
Principal/Plant Ecologist

Environmental Review Initial Study
ATTACHMENT 4, p. 3 of 3
APPLICATION 03-0071

EXHIBIT D

Rev 4/12/01 CS (1-0062)E to 15, 50 (1-21 to 24)

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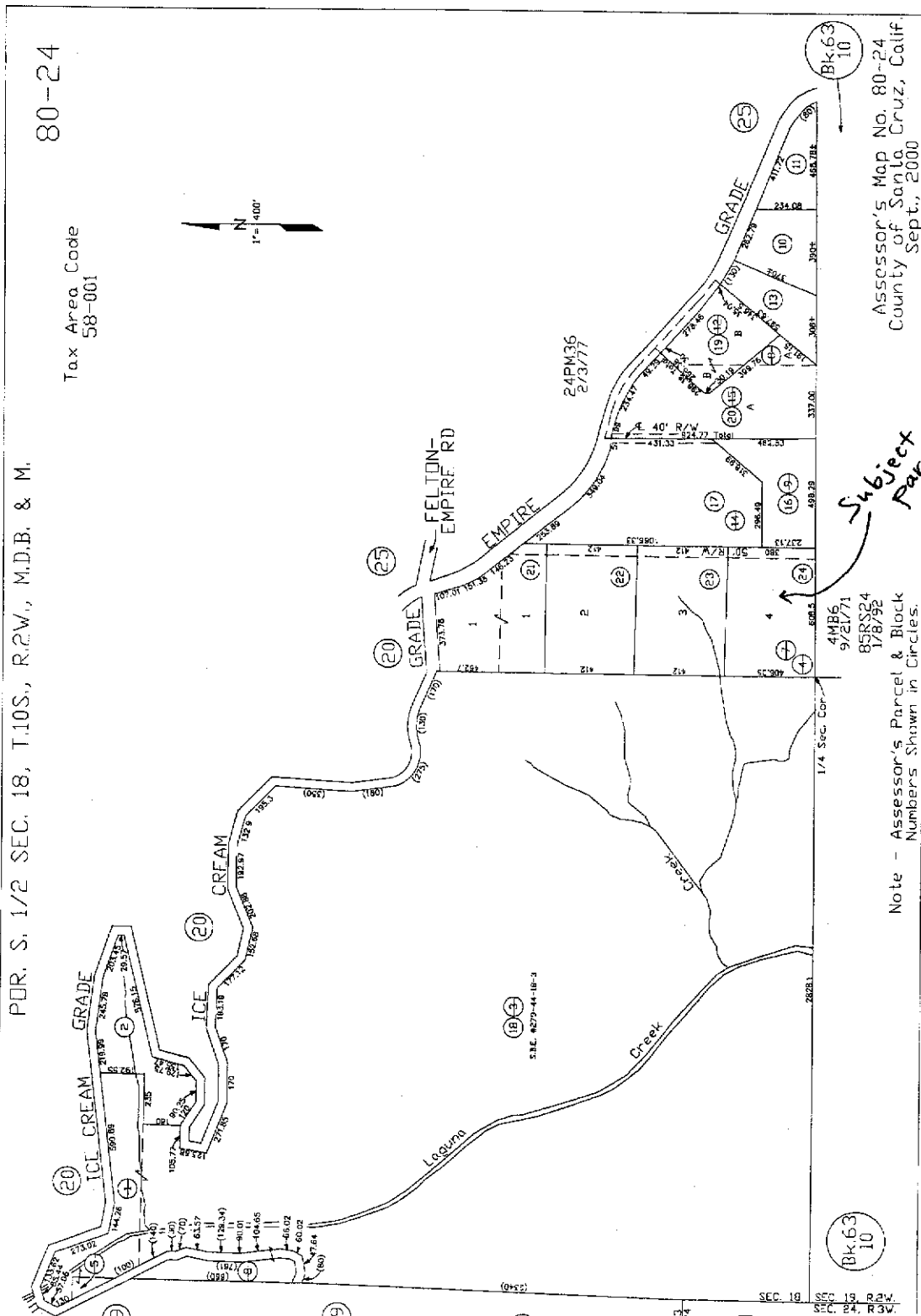
Note - Assessor's Parcel & Block Numbers Shown in Circles.

Subject Parcel

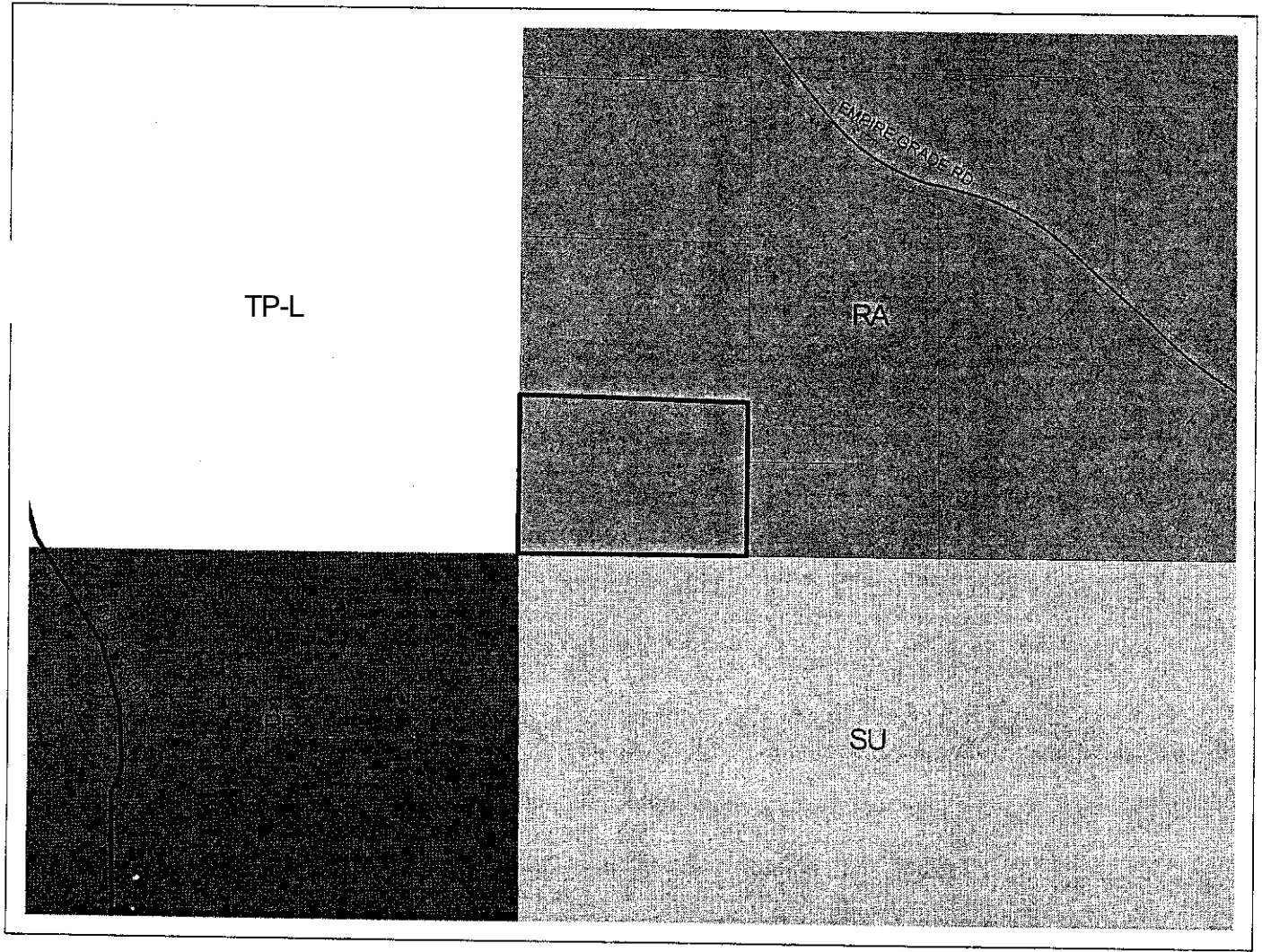
Assessor's Map No. 80-24
County of Santa Cruz, Calif.
Sept., 2000

Tax Area Code
58-001

PDR. S. 1/2 SEC. 18, T.10S., R.2W., M.D.B. & M.



Zoning Map



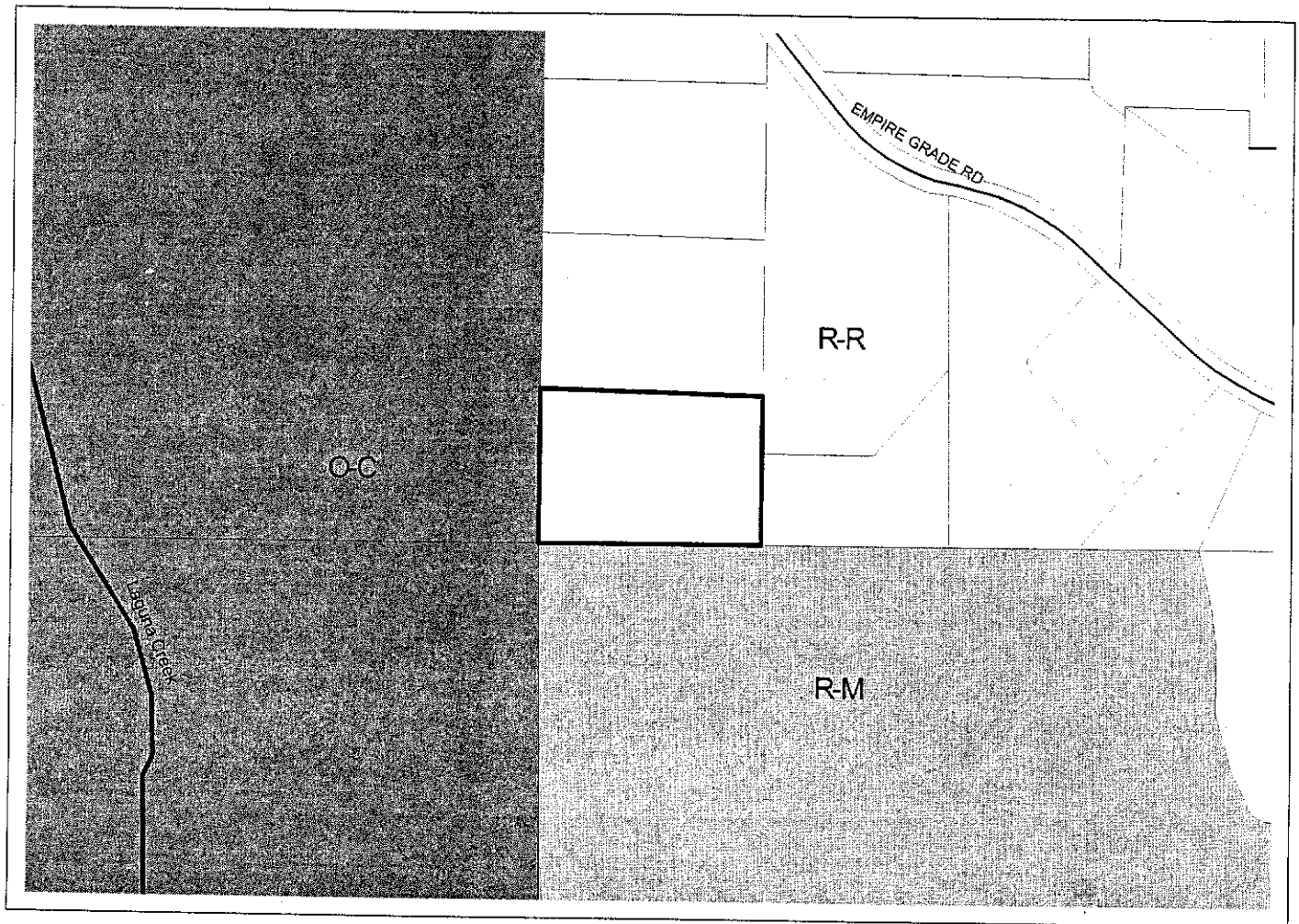
Legend

- APN 080-241-24
- APN Boundaries
- Streets
- Perennial Stream
- RA
- PR
- SU
- TP



Map created by Santa Cruz County
Planning Department:
March 2003

General Plan Map



1000 0 1000 2000 Feet

Legend

	APN 080-241-24
	APN Boundaries
	Streets
	Perennial Stream
	Resource Conservation
	Mountain Residential
	Rural Residential



Map created by Santa Cruz County
Planning Department:
March 2003

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.: 03-0071
APN: 080-241-21

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Environmental Planning Completeness Comments

===== REVIEW ON APRIL 1, 2003 BY KENT M EDLER ===== 1. There are numerous locations where cut slopes exceed 2:1. Per section 16.20.140 of the County Code, slopes greater than 1.5:1 will need the soils engineer to provide a written statement that the slopes will remain structurally stable. The soils report states that cut and fill slopes should be no steeper than 2:1. The use of retaining walls may need to be looked at if 2:1 slopes cannot be obtained.

2. The project does not appear to minimize grading per County requirements (especially at the building site). Consider ways to reduce the amount of cut/fill. This may include re-configuring site structure layout and changing foundations to more closely follow the existing contours.

===== UPDATED ON SEPTEMBER 12, 2003 BY KENT M EDLER ===== 1. Comment #1 from Previous comments still applies. The soils engineer not the Civil Engineer must state that the cut slopes steeper than 2:1 are stable.

===== UPDATED ON MAY 24, 2004 BY KENT M EDLER ===== All completeness comments addressed. Soils transfer of responsibility and update letter received and is acceptable.

Environmental Planning Miscellaneous Comments

===== REVIEW ON APRIL 1, 2003 BY KENT M EDLER ===== 1. The dissipator location from the inlet at - sta 0+60 is not the most desirable location due to the steepness of the slopes and the location of the potential building site below the outlet location. Can the inlet @ 0+60 be connected with pipe to the inlet @ ~1+70 and discharged into the natural swale shown at that location?

2. Show drainage patterns where drainage leaves the proposed roadway at the connection with Empire Grade. (What happens to drainage after it leaves the site?)

3. Reference detail of the dissipators on plan view.

4. Show a x-section of the drainage channel that runs on the east side of the road from ~sta 2+50 to the existing swale @ ~ sta 1+75

5. The typical key and bench detail shown sheet 1 of 4 does not match the detail in the soils report. (Key width is 8' in soils report. key should extend 3' below slide plane not 2', bench heights should be 2' min.). Show where detail is required.

6. Show locations of ac dike on plan view.

7. Where is concrete v-ditch detail used?

8. The typical x-section detail shown on sheet 2 of 4 shows drainage over a fill slope (lower x-section). A dike should be added. Also what is AC wrap?

9. The outlet locations @ ~sta 5+50, ~sta 8+90, & ~sta 10+75 will need to be cleared of debris. Show the extents of the clearing on the plans.

Discretionary Comments - Continued

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10. Show a x-section of the retaining wall(s) and also show the top of wall and bottom of wall elevations on plan view.

11. The locations of the pipe and dissipators on the south side of the proposed home should be relocated. They are located on 75-80% slopes. Can these pipes be tied into the other 3 dissipator locations or located in an area that is potentially less erosive and less disturbing.

12. Show x-sections of max. cut and max. fill at the building site.

13. Show x-sections thru the fill slopes located on the east and west sides of the home. Also show details of retaining wall on the slope on the east side of the home-site. Is there also a wall at the toe of the slope on the west side of the home - there is a yellow line that is not labelled.

14. Portion of the grading are located outside of the property line and also the right of way. A temporary construction easement/ agreement with the adjacent property owner must be submitted to the County.

15. A plan review letter from the soils engineer will be required once all grading comments have been addressed

===== UPDATED ON SEPTEMBER 12, 2003 BY KENT M EDLER ===== Comments below follow the same numbering as the previous comments:

5. The soils engineer must address the fill slopes and any changes to the keyway detail recommended in the soils report. This can be done in the plan review letter

8. The soils engineer must also address the driveway drainage and the runoff over fill slopes. I disagree that this type of runoff over fill slopes reduces erosion.

9. Debris means trees that have been cut down and block the drainage course as well as piles of soil/ misc. brush that is blocking the drainage course. My September 10, 2003 site visit re-confirmed that this situation still exists and needs to be addressed,

10. This comment still applies and can be addressed in the building permit stage.

===== UPDATED ON MAY 24, 2004 BY KENT M EDLER ===== Additional comments based on re-submitted plans dated 4/26/04:

An erosion control plan will be required in the building application stage

Proposed contours need to be clearly labeled on the grading plans

Dpw Drainage Completeness Comments

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

===== REVIEW ON MARCH 17, 2003 BY ALYSON B TOM ===== The application with civil plans dated 1/27/03 is not complete for the discretionary stage.

1) This site is located in a water supply watershed zone. Accordingly all additional

Discretionary Comments - Continued

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runoff due to impervious surfaces and disturbed areas should be retained on site so that the post-development runoff rate is limited to pre-development levels. Demonstrate how the proposed dissipators will provide for this requirement? Site specific factors such as soil type, slope, vegetated cover, etc. should be considered in this evaluation.

2) All drainage facilities associated with the proposed access road should be located within the proposed easement. These facilities will be privately maintained

3) Please provide an analysis demonstrating that the proposed culverts at stations 1-75 and 5+50 are adequately sized.

4) How will the water drain at the low point at station 2+02?

5) The site map on sheet 1 is unclear. Please provide a clear map (either larger, or less cluttered). The map should describe the extent of the proposed project. Is the entire road/driveway proposed? The note on sheet 4 refers to an existing driveway - what work is proposed in this area?

6) It appears that this project may disturb more than 1 acre. If so, the applicant is required to obtain a small construction permit from the State Water Resources Control Board. See <http://www.swrcb.ca.gov/stormwtr/constfaq.html> for details
===== UPDATED ON MARCH 24, 2003 BY ALYSON E TOM ===== Please note that the review fees for this "significant single family dwelling" (more than 4500 square feet of additional impervious area) were incorrectly charged. Please submit an additional \$230 to cover the full \$600 review fee. This application will not be considered complete until this fee has been deposited.
===== UPDATED ON AUGUST 29, 2003 BY ALYSON B TOM ===== Application with revised plans dated 7/18/03 and letter dated 7/21/03 from Sigma Prime Geosciences, Inc. has been received

The only outstanding completeness comment for the discretionary stage is the submission of the \$230 to cover the significant single family dwelling review.

Please see miscellaneous comments for issues that must be addressed prior to building permit issuance.

===== UPDATED ON MAY 24, 2004 BY ALYSON B TOM ===== Application with plans dated 4/26/04 has been received. Please see miscellaneous comments for issues to be addressed in the building permit stage.

Dpn Drainage Miscellaneous Comments

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

===== REVIEW ON MARCH 17, 2003 BY ALYSON B TOM ===== The following comments should be addressed prior to building or grading permit issuance.

1) Prior to recording the map provide a geotechnical review letter accepting the final drainage plan.

2) Provide a detailed drainage plan. This plan should show how the proposed inlets

Discretionary Comments - Continued

Project Planner: Jack Nelson
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will tie into the culverts (at stations 1+75, 5+50, etc). Detail where the concrete ditch is proposed and specify a minimum depth for the ditch. Provide details for the proposed retaining walls, including drainage facilities and outlet locations.

3) Provide a copy of the maintenance agreement for the access road and associated drainage facilities.

4) Provide a copy of the permit from the SWRCB, if required.

For questions regarding this review Public Works stormwater management staff is available from 8-12 Monday through Friday.

----- UPDATED ON AUGUST 29, 2003 BY ALYSON B TOM ----- Applicant must address all previous miscellaneous comments as well as the following prior to building permit issuance.

1) Please submit the completed analysis for the culvert and retention system design and sizing.

2) How will overflow be accommodated in the retention systems?

3) Provide a copy of the easement description for the road and associated drainage facilities.

4) There was an inconsistency between culvert sizes shown on the plans and the size specified in the 7/21/03 letter. Please resolve these.

For questions regarding this review Public Works storm water management staff is available from 8-12 Monday through Friday.

===== UPDATED ON MAY 24, 2004 BY ALYSON B TOM ===== Please address the following in addition to all previous miscellaneous comments prior to building permit issuance.

1) All additional runoff due to this project (including any additional runoff due to the improved access road/driveway) should be retained so that the post project runoff rate is limited to pre project levels.

All submittals for this project should be made through the planning department.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON MARCH 24, 2003 BY RUSSELL M ALBRECHT =====
No Comment

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON MARCH 24, 2003 BY RUSSELL M ALBRECHT =====
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

Discretionary Comments - Continued

Project Planner: Jack Nelson
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===== REVIEW ON APRIL 21, 2003 BY RODOLFO N RIVAS =====
NO COMMENT

===== UPDATED ON SEPTEMBER 9, 2003 BY RODOLFO N RIVAS =====

Applicant will need to provide with the building permit application reference information regarding deeded authorization to construct part of access road on adjacent parcels. ===== UPDATED ON SEPTEMBER 9, 2003 BY RODOLFO N RIVAS =====

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON APRIL 21, 2003 BY RODOLFO N RIVAS =====
NO COMMENT

===== UPDATED ON SEPTEMBER 9, 2003 BY RODOLFO N RIVAS =====
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON MARCH 20, 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 EHS Land Use staff : 454-2735.

===== UPDATED ON MARCH 20, 2003 BY JIM G SAFRANEK =====

===== UPDATED ON AUGUST 28, 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.

===== UPDATED ON JUNE 24, 2004 BY JIM G SAFRANEK ===== EH septic application submitted but not approved.

Note: Env. Health has approved the septic application. JN

Environmental Health Miscellaneous Comments

===== REVIEW ON MARCH 20, 2003 BY JIM G SAFRANEK =====

===== UPDATED ON MARCH 20, 2003 BY JIM G SAFRANEK =====
NO COMMENT

===== UPDATED ON MARCH 20, 2003 BY JIM G SAFRANEK =====

===== UPDATED ON AUGUST 28, 2003 BY JIM G SAFRANEK =====
NO COMMENT

Cal Dept of Forestry/County Fire Completeness Comm

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

WHEN SUBMITTING BUILDING PLANS INCLUDE SPRINKLERING NOTES. ===== REVIEW ON MARCH 18, 2003 BY COLLEEN L BAXTER =====
===== UPDATED ON SEPTEMBER 9, 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: Note on the plans that these plans are in compliance with California Building and Fire Codes (2001) as amended by the authority having jurisdiction. 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. Fire hydrant shall be painted in accordance with the state of California Health and Safety Code. See authority having jurisdiction. NOTE

Discretionary Comments - Continued

Project Planner: Jack Nelson
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on the plans that the building shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA 13D and Chapter 35 of California Building Code and adopted standards of the authority having jurisdiction. NOTE that the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Fire Sprinkler System to this agency for approval. Installation shall follow our guide sheet. NOTE on the plans that an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT. Building numbers shall be provided. Numbers shall be a minimum of 4 inches in height on a contrasting background and visible from the street, additional numbers shall be installed on a directional sign at the property driveway and street. NOTE on the plans the installation of an approved spark arrester on the top of the chimney. The wire mesh shall be 1/2 inch. 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. The driveway shall be in place to the following standards prior to any framing construction, or construction will be stopped: - The maximum 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 14 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 control 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 prejudice. the reviewing agency.

===== UPDATED ON SEPTEMBER 9, 2003 BY COLLEEN L BAXTER =====

===== UPDATED ON MAY 20, 2004 BY JAN C MCNOWN =====

Driveway review looks to be appropriate. Address posting at driveway access necessary.

Cal Dept of Forestry/County Fire Miscellaneous Com

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

===== REVIEW ON MARCH 18, 2003 BY COLLEEN L BAXTER =====

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