



## Staff Report to the Zoning Administrator

Application Number: **04-0344**

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**Applicant:** Charles Franks, AIA  
**Owners:** Yuet-Ming & Miriam L. Chu  
**APN:** 046-091-22

**Agenda Date:** June 24, 2005  
**Agenda Item:** #1  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to demolish an existing six bedroom single-family dwelling and to construct a replacement six bedroom single-family dwelling.

**Location:** Property located on the west side of Lilly Way and north side of Zils Road, at 15 Lilly Way in La Selva Beach.

**Supervisory District:** Second District (District Supervisor: Pirie)

**Permits Required:** Coastal Development Permit, Grading Permit, Agricultural Buffer Determination, Biotic Presite Review, Geologic and Geotechnical Report Review.

### Staff Recommendation:

- Approval of Application 04-0344, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

### Exhibits

- |   |                                |
|---|--------------------------------|
| A. Project plans                              | F. Geotechnical letter 4-04-05 |
| B. Findings                                   | G. Reviewing Agency Comments   |
| C. Conditions                                 | H. Correspondence              |
| D. Categorical Exemption (CEQA determination) | I. Site photographs            |
| E. APAC Staff Report & Minutes                | J. Agricultural Declaration    |

### Parcel Information

Parcel Size:	10.06 acres
Existing Land Use - Parcel:	Commercial agriculture, single-family residence
Existing Land Use - Surrounding:	Commercial Agriculture, Private school, residential
Project Access:	San Andreas Road to Zils Road and Lilly Way
Planning Area:	San Andreas

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Land Use Designation: A (Agriculture)  
Zone District: CA (Commercial Agriculture)  
Coastal Zone: X Inside       Outside  
Appealable to Calif. Coastal Comm. X Yes       No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site (Exhibit F)  
Soils: Elder sandy loam  
Fire Hazard: Not a mapped constraint  
Slopes: 0 – 9 percent slopes  
Env. Sen. Habitat: Mapped biotic/no physical evidence on site  
Grading: Grading proposed for foundation  
Tree Removal: No trees proposed to be removed  
Scenic: Mapped resource  
Drainage: Existing drainage adequate  
Traffic: No significant impact  
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: San Andreas Mutual Water Company  
Sewage Disposal: CSA#12, private septic system  
Fire District: Aptos/La Selva Fire Protection District  
Drainage District: Non-zone

### History

This application was submitted to the Planning Department on 7/23/04. An Agricultural Buffer Determination was approved by the County Agricultural Policy Advisory Commission on 9/16/04. The project was deemed complete for processing the Coastal Development Permit on 4/26/05.

### Project Setting

The project is located within the San Andreas Planning Area, at the end of Zils Road where it intersects with Lilly Way. The site is developed with an existing single-family dwelling, greenhouses, farm worker housing, and miscellaneous farm outbuildings (Exhibit A). The proposed building envelope is situated on a level terrace set back from the coastal bluff, consistent with the geologic site plan (Sheet 3, Exhibit A). The building envelope is about 50 feet above the beach and the 25.5-foot high structure is screened from view by existing mature landscaping (Exhibit I). The parcel is adjacent to the coastline. Due to the 50-foot drop to the sand below, public access is not available at this site, but is available at Manresa and Sunset State Beaches in the project vicinity. The site is adjacent to Commercial Agricultural farmland, and maintains required setbacks with

required agricultural vegetative and fencing for buffering purposes to protect the adjacent agriculture.

### **Zoning & General Plan Consistency**

The subject property is a 10.6-acre parcel, located in the CA (Commercial Agriculture) zone district, a designation that allows residential uses. The existing residence was constructed in 1961 and was not maintained by previous owners and is in a deteriorated condition and proposed for demolition. The proposed replacement single-family residence is also a six-bedroom residence, and is an allowed use within the zone district as per County Code Section 13.10.312. The project is consistent with the site's (A) Agriculture General Plan designation, in that the replacement single-family dwelling will be ancillary to the continued agricultural use of the parcel, as per General Plan policy 5.13.29 and is located on the perimeter of the parcel to remove as little land as possible from production.

### **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 but 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, which is accessible at Manresa and Sunset State beaches in the project vicinity.

### **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 neutral, earth tone colors and natural materials such as stone and stucco to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The project was reviewed and approved by the County Urban Designer (Exhibit E pages 23-26, Exhibit G). Existing mature landscaping at the perimeter of the property adjacent to the coastline shall be maintained (Exhibits A & I).

### **Environmental Review**

Environmental review has not been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). The project is Categorically Exempt from further review under Section 15303, Class 3(a) New Construction or Conversion of Small Structures.

### **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 **04-0344**, **based** on the attached findings and conditions.
- Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.

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

The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://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 CA (Commercial Agriculture), a designation which allows residential uses. The proposed replacement single-family residence is an allowed use within the zone district, consistent with the site's (A) Agriculture General Plan designation in that it is ancillary to the principal agricultural use of the parcel and is sited to avoid agricultural activities in the area and to minimize the removal of land from agricultural production.

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. Public access to the beach is limited due to the 50-foot drop in elevation to the beach. Manresa and Sunset State beaches are in the project vicinity.

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 residences in the neighborhood in terms of architectural style, utilizing natural materials and neutral colors to minimize visual impact of the home. Although the development site is located adjacent to the beach, the proposed 25.5 foot structural height is significantly screened from view by existing, mature native vegetation (Exhibits A, D).

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, but will not interfere with public access to the beach, ocean, or any nearby body of water as Manresa and Sunset State beaches offer fee-supported coastal access. 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 CA (Commercial 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 proposed replacement single-family dwelling is located in an area which allows residential uses ancillary to agricultural 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. A reduced 60-foot agricultural buffer setback was approved by the County Agricultural Policy Advisory Commission, subject to provision of a solid wood board fence and vegetative buffering and recordation of an Agricultural Statement of Acknowledgement (Exhibit E).

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 replacement 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 CA (Commercial Agriculture) zone district in that the primary use of the property remains agricultural production, with one single-family residence that meets all current site standards for the zone district. The parcel is utilized for agricultural production in existing greenhouses (Exhibit A). By locating the replacement single-family dwelling at the proposed location, none of the existing greenhouses to the east will be removed from production, and the adjacent commercial agricultural greenhouses to the north at Assessor's parcel Number 046-091-21 will be protected from the residential use by the required six foot solid wood board fencing and landscaping. The project will comply with all required coastal bluff setbacks to the west. The 200-foot buffer to the south shall be maintained from the adjacent Commercial Agricultural Preserve at APN 046-371-01, Monterey Bay Academy.

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 Agriculture (A) land use designation in the County General Plan.

The proposed replacement 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 for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed single-family residence on the 10.06-acre parcel 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 replacement single-family residence will comply with the site standards for the CA 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 replacement single-family residence is to be constructed on an existing developed 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 of Zils Road.

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 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, 11 Sheets by Franks/Brenkwitz Architects dated 7-21-2004, revised Jan-05.  
Recorded Survey 1999-0003470 by Michael Beautz dated July 2003.  
Geologic Site Map by Foxx, Nielsen & Assoc. dated 10-27-98, update 3-27-03.
- I. This permit authorizes the demolition of an existing six bedroom single-family dwelling and the construction of a six-bedroom, single-family residence with an attached garage. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
  - C. Obtain a Building Permit from the Santa Cruz County Building Official. Submit four (4) copies of the recorded conditions of this discretionary permit approval with building permit plan submittal.
  - D. Obtain a Grading Permit from the Santa Cruz County Building Official.
  - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
  - F. All conditions of approval for the Agricultural Buffer Determination approved by APAC on 9-16-04 remain in effect.
- 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. Detailed grading, drainage, and erosion control plans. The grading plan must include all over-excavation/re-compaction work under the home, including the 10-foot area around the perimeter of the home, and all work to repair the old gully. Drainage plans shall show that any increase in



runoff from new impervious surfaces will not be directed off-site. No runoff will be allowed to flow over the bluff. A letter of approval of the proposed drainage system must be submitted from the project Geotechnical engineer.

3. For any structure proposed to be within 3 feet of the maximum height limit for the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure.
  4. Details showing compliance with fire department requirements.
  5. All site, building, security and landscape lighting shall be directed onto the site and away from the beach. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structural design, fixture design, or other physical means. Building and security lighting shall be integrated into the building design.
  6. Submit a plan review letter from both the project geologist and geotechnical engineer.
  7. A detailed landscape plan shall be included
  8. Non-reflective glazing shall be required on upper floor windows to minimize structural visibility from the beach.
- C. Meet all requirements of and pay any required drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District. The new required hydrant shall be in and charged prior to commencement of structural framing.
- F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.

- G. Provide required off-street parking for 7 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.
  - H. 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.
  - E. The applicant shall record a revised Agricultural Statement of Acknowledgement as provided by the Planning Department. (Exhibit J).
- IV. Operational Conditions
- A. All required Agricultural Buffer setbacks shall be maintained.
  - B. The required vegetative and physical barrier shall be permanently maintained.
  - C. 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.

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Minor variations to this **permit** which do not affect the overall concept or **density** may be approved by the Planning

Application # 04-0344  
APN: 046-091-22  
**Owner:** Yuet-Ming & Miriam L. Chu

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: 6-24-05

Effective Date: 7-11-05

Expiration Date: 7-11-07

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Don Bussey  
Deputy Zoning Administrator

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Joan Van der Hoeven, AICP  
Project Planner

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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: 04-0344

Assessor Parcel Number: 046-091-22

Project Location: 15 Lilly Way, La Selva Beach CA 95076

**Project Description: Proposal to construct a replacement single-family dwelling with attached garage**

**Person or Agency Proposing Project: Charles Franks, AIA**

**Contact Phone Number: (831) 426-5922**

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

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

**F. Reasons why the project is exempt:**

Construction of a small structure

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

Joan Van der Hoeven  
Joan Van der Hoeven, AICP, Project Planner

Date: June 24, 2005



## County of Santa Cruz

BRUCE DAU, Chairperson  
KEN KIMES, Vice Chairperson  
DAVID W. MOELLER, Executive Secretary

### SANTA CRUZ COUNTY AGRICULTURAL POLICY ADVISORY COMMISSION REGULAR MEETING

MINUTES – September 16, 2004

#### Members Present

Bruce Dau  
Ken Kimes  
Sam Earnshaw  
Frank "Lud" McCrary  
Mike Manfre  
Dave Moeller (ex officio)

#### Staff Present

Joan Van der Hoeven  
Lisa LeCoup  
Karen Pursell

#### Others Present

Peggy G. Lemaux  
Alison Van Eenennaam  
Charles Franks  
Alan Hasty  
Grant Sakai  
Bryan Martin

1. The meeting was called to order by Bruce Dau at 1:35 p.m.
2. (a) Approval of July 15, 2004 Minutes

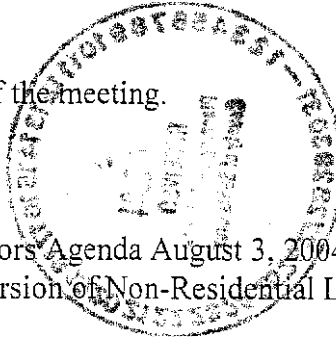
M/S/P to approve the minutes of July 15, 2004.

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- (b) Additions/Corrections to Agenda

Items 4 and 5 were moved to the end of the meeting.

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3. Review of APAC correspondence:

- Agenda Item 55, Board of Supervisors Agenda August 3, 2004 – Extension of Interim Ordinance regarding Conversion of Non-Residential Land to Residential Uses
- Appeal of Zoning Administrator's approval of Coastal Zone Permit 02-0311, room addition at 120 Altivo Ave., La Selva Beach.



No comments or questions.

4. Commissioner's Presentations:

- Q/A Session for APAC Commissioners on "Genetic Engineering in CA Agriculture" – Power Point presentation by Peggy G. Lemaux, UC Cooperative Extension Specialist (plants) UC Berkeley and Alison Van Eenennaam, UC Cooperative Extension Specialist (animals) UC Davis on what GE is and on related issues.
- Sam Earnshaw presented the pamphlet on Hedgerows that was prepared by the Santa Cruz County Resource Conservation District and the Community Alliance with Family Farmers.
- Joan Van der Hoeven announced the departure of Karen Pursell, who will be moving shortly to Seattle.

5. Oral Communications:

Alan Hasty raised the question of the cost of requesting an agricultural buffer setback.

6. New Business:

None

CONSENT AGENDA:

Notice of Pending Action pursuant to County Code Section 16.50.095(g).

No action taken.

REGULAR AGENDA:

7. Proposal to demolish an existing 6-bedroom single-family dwelling and construct a replacement 6-bedroom single-family dwelling. Requires a Coastal Development Permit, an Agricultural Buffer Determination, a Biotic Pre-site Review, and a Geologic Report Review. Property located on the west side of Lilly Way and north side of Zils Road, at 15 Lilly Way in La Selva Beach.

Application: #04-0344

APN: 046-091-22

Applicant: Charles Franks, Architect

Owners: Yuet Ming & Miriam Chu

Project Planner: Joan Van der Hoeven, phone 454-5174

Joan Van der Hoeven gave the staff report. Staff recommended approval of the proposal, with an Agricultural Buffer Reduction from 200 feet to about 60 feet: with the recommended conditions. No communication had been received from the public on this proposal.

Concerns were raised by Grant Sakai, a neighbor to the property, over his ability to farm beside the property, the possibility of the greenhouses being demolished. and the drainage from the property.

Comments were made by the Architect, Charles Franks, describing the project situation and the drainage provisions.

Joan Van der Hoeven explained the drainage requirements enforced by the planning department.

Commissioner Moeller described the right to farm ordinance.

The project was discussed by the Commissioners

M/S/P to approve proposal as recommended.

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8. Proposal to construct a replacement single-family dwelling and a six-foot fence within the required front setback. Requires an Agricultural Buffer Determination and Residential Development Permi't. Property located on the southwest side of Ocean Street Extension approximately three quarters of a mile north of the intersection with Graham Hill Road at 2123 Ocean Street Extension in Santa Cruz.

Application: #04-0330

APN: 060-151-85

Applicant: Bryan Martin Construction

Owner: Jack O'Neill

Project Planner: Joan Van der Hoeven, phone 454-5174

Joan Van der Hoeven gave the staff report. Staff recommended approval of the proposal, with an Agricultural Buffer Reduction from 200 feet to about 20 feet with the recommended conditions. No communication had been received from the public on this proposal.

A question was raised by Alan Hasty, a neighbor to the property, concerning the required

fencing.

Comments were made by Bryan Martin, the applicant, concerning the fencing.

Joan Van der Hoeven explained that the existing fence only encompasses the top portion of the property. The bottom portion has been farmed recently by organic farmers. The proposal would require a six-foot fence to be built around the perimeter of the residential area of the property, along the property line, which would include the bottom portion, if it were no longer farmed. This proposal was made to protect agriculture.

The project was discussed by the Commissioners. The question was raised as to whether the fence would protect agriculture or inhibit farming in that area, since the properties in the area are typically unfenced, and fencing the property would make it difficult for several properties to be farmed as one.

M/S/P to approve proposal with the fence only required in the area in the front of the property to the easement line approximately 340 feet from the road.

There being no further business, the meeting was adjourned at 3:50 p.m.

Respectfully submitted.

*DAVID W. MOELLER*

David W. Moeller  
Executive Secretary

*BY Lisa LaCump*

DWM:ll

EXHIBIT E





# County of Santa Cruz

## Planning Department

### AGRICULTURAL BUFFER DETERMINATION PERMIT

Owner: Yuet Ming & Miriam Chu  
Address: 15 Lilly Way, La Selva Beach

Permit Number: 04-0344  
Parcel Number: 046-091-22

#### **PROJECT DESCRIPTION AND LOCATION:**

Permit to demolish an existing 6-bedroom single-family dwelling and construct a replacement 6-bedroom single-family dwelling. Requires a Coastal Development Permit, an Agricultural Buffer Determination, Biotic Pre-site Review, and Geologic Report Review. Property located on the west side of Lilly Way and north side of Zils Road, at 15 Lilly Way in La Selva Beach.

#### **SUBJECT TO ATTACHED CONDITIONS**

Approval Date: 9/16/04  
Exp. Date (if not exercised): 9/30/06

Effective Date: 9/30/04  
Coastal Appeal Exp. Date: Call Coastal

- This project requires a Coastal Development Permit, which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission or the Board of Supervisors. The appeal must be filed within 10 calendar days of the action by the decision making body.
- ☒ This project requires a Coastal Development Permit, the approval of which, is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110.) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above-indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

**THIS IS NOT A BUILDING PERMIT.** A building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit.

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's cost for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

Yuet Ming & Miriam Chu  
Signature of Owner/Agent

Joan Vander Heide  
Staff Planner

9-10-04  
Date

9-30-04  
Date

Distribution: Applicant. File, Clerical. Coastal Commission

EXHIBIT E

## STAFF REPORT TO THE AGRICULTURAL POLICY ADVISORY COMMISSION

**APPLICATION NO.:** 04-0344

**APN:** 046-091-22

**APPLICANT:** Charles Franks, Architect

**OWNERS:** Yuet Ming & Miriam Chu

**PROJECT DESCRIPTION:** Proposal to demolish an existing 6-bedroom single-family dwelling and construct a replacement 6-bedroom single-family dwelling. Requires a Coastal Development Permit, an Agricultural Buffer Determination. Biotic pre-site review, and Geological Report Review.

**LOCATION:** Project located on the west side of Lilly Way and north side of Zils Road, at 15 Lilly Way in La Selva Beach.

**PERMITS REQUIRED:** Agricultural Buffer Setback Reduction

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt - Class 1

**COASTAL ZONE:** X Yes    No

**APPEALABLE TO CCC:** X Yes    No

### PARCEL INFORMATION

**PARCEL SIZE:** 10.06 acres

#### **EXISTING LAND USE:**

**PARCEL:** Commercial Agriculture

**SURROUNDING:** Commercial Agriculture, Residential, Private school, State beach

**PROJECT ACCESS:** Zils Road

**PLANNING AREA:** San Andreas

**LAND USE DESIGNATION:** A (Agriculture)

**ZONING DISTRICT:** CA (Commercial Agriculture)

**SUPERVISORIAL DISTRICT:** Second (Pine)

### ENVIRONMENTAL INFORMATION

- |                       |   |
|-----------------------|---|
| a. Geologic Hazards   | a. Not mapped/no physical evidence on site    |
| b. Soils              | b. Elder sandy loam                           |
| c. Fire Hazard        | c. Not a mapped constraint                    |
| d. Slopes             | d. 0 - 9 percent slopes                       |
| e. Env. Sen. Habitat  | e. Mapped biotic/no physical evidence on site |
| f. Grading            | f. No grading proposed                        |
| g. Tree Removal       | g. No trees to be removed                     |
| h. Scenic             | h. Mapped resource                            |
| i. Drainage           | i. Existing drainage adequate                 |
| j. Traffic            | j. No significant impact                      |
| k. Roads              | k. Existing roads adequate                    |
| l. Parks              | l. Existing park facilities adequate          |
| m. Sewer Availability | m. No   |

- |                          |  |
|--------------------------|--|
| n. Water Availability    | n. No  |
| o. Archeology            | o. Not mapped/no physical evidence on site       |
| p. Agricultural Resource | p. Type 3, viable agricultural land coastal zone |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line: Yes X No  
Water Supply: San Andreas Mutual Water Company  
Sewage Disposal: CSA#12, private septic system  
Fire District: Aptos/La Selva Fire Protection District  
Drainage District: Non-zone

### **ANALYSIS AND DISCUSSION**

The proposed project is to ~~construct~~ a replacement two story single-family dwelling of approximately 4,815 square feet on a 10.06-acre parcel. The original 6-bedroom home of 2,824 square feet was constructed in 1961 and is in a deteriorated condition. The project is located at 15 Lilly Way, off Zils Road in La Selva Beach. The building site is within 200 feet of Commercial Agricultural land to the north and south. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to 60 feet from APN 046-091-21 and will maintain the required 200 foot setback from APN 046-371-01.

The subject property is characterized by relatively flat topography but is located on a coastal bluff. The parcel is not located within the Urban Services Line and may be characterized as a rural neighborhood. The parcel carries an Agriculture (A) General Plan designation and the implementing zoning is (CA) Commercial Agriculture. Commercial Agriculture zoned land is situated within 200 feet at the north side of the 10.2-acre parcel at Assessor's Parcel Number 046-091-21, the Sakae greenhouses, and at the south side at Assessor's Parcel Number 046-371-01, Monterey Bay Academy, a 369-acre Agricultural Preserve and private school. With the demolition of the existing residence, the 200-foot buffer will be maintained to the south.

A reduced agricultural buffer is recommended due to the fact that the commercial agricultural land on both north and south sides, would not allow sufficient building area if the required 200-foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. The parcel is approximately 378 feet wide. In addition, the property is constrained by a 42-foot change in topography to the ocean below with the required geologic setbacks from the coastal bluff to the west, and the existing greenhouses on the subject parcel to the east. The applicant is proposing a solid six-foot wood board fence at the north side of the parcel with an evergreen hedge of plantings, consistent with the recommended agricultural buffer planting list, to reduce the impact of residential activities on the existing adjacent agricultural greenhouse use, and to therefore protect the agricultural interests on the Commercial Agriculture zoned parcel. The applicant shall further be required to record a Statement of Acknowledgement regarding the issuance of a county building permit in an area determined by the County of Santa Cruz to be subject to Agricultural-Residential use conflicts.

## RECOMMENDATION

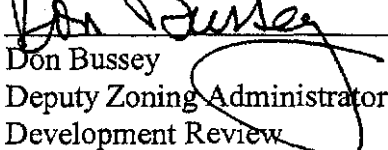
Staff recommends that your Commission **APPROVE** the Agricultural Buffer Reduction from 200 feet to about 60 feet to the single-family dwelling from the adjacent CA zoned property known as APN 046-091-21, proposed under Application # 04-0344, based on the attached findings and recommended conditions.

## EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Assessor's parcel map, Location map
- E. Zoning map, General Plan map
- F. Comments & Correspondence
- G. Site photographs

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.

Report Prepared By: Joan Van der Hoeven  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-5174  
E-Mail: [pln140@co.santa-cruz.ca.us](mailto:pln140@co.santa-cruz.ca.us)

Report Reviewed By:   
Don Bussey  
Deputy Zoning Administrator  
Development Review

**REQUIRED FINDINGS FOR AGRICULTURAL BUFFER SETBACK REDUCTION**  
**COUNTY CODE SECTION 16.50.095(b)**

1. SIGNIFICANT TOPOGRAPHICAL DIFFERENCES EXIST BETWEEN THE AGRICULTURAL AND NON-AGRICULTURAL USES WHICH ELIMINATE THE NEED FOR A 200 FOOT SETBACK, OR
2. PERMANENT SUBSTANTIAL VEGETATION OR OTHER PHYSICAL BARRIERS EXIST BETWEEN THE AGRICULTURAL AND NON-AGRICULTURAL USES WHICH ELIMINATE THE NEED FOR A 200 FOOT BUFFER SETBACK, OR A LESSER SETBACK DISTANCE IS FOUND TO BE ADEQUATE TO PREVENT CONFLICTS BETWEEN THE NON-AGRICULTURAL DEVELOPMENT AND THE ADJACENT AGRICULTURAL USES, BASED ON THE ESTABLISHMENT OF A PHYSICAL BARRIER, UNLESS IT IS DETERMINED THAT THE INSTALLATION OF A BARRIER WILL HINDER THE AFFECTED AGRICULTURAL USE MORE THAN IT WOULD HELP IT, OR WOULD CREATE A SERIOUS TRAFFIC HAZARD ON A PUBLIC OR PRIVATE RIGHT-OF-WAY; AND/OR SOME OTHER FACTOR WHICH EFFECTIVELY SUPPLANTS THE 200 FOOT BUFFERING DISTANCE TO THE GREATEST DEGREE POSSIBLE; OR

The proposed replacement habitable structure is proposed to be set back 60- feet from the adjacent greenhouses on the Commercial Agriculture zoned land. **An** effective barrier consisting of a six-foot tall solid wood board fence enhanced with evergreen shrubs would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 046-091-21. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic as it is set back at the end of the property, designed with turn-outs for safe passage of emergency vehicles.

3. THE IMPOSITION OF A 200 FOOT AGRICULTURAL BUFFER SETBACK WOULD PRECLUDE BUILDING ON A PARCEL OF RECORD AS OF THE EFFECTIVE DATE OF THIS CHAPTER, IN WHICH CASE A LESSER BUFFER SETBACK DISTANCE MAY BE PERMITTED, PROVIDED THAT THE MAXIMUM POSSIBLE SETBACK DISTANCE IS REQUIRED, COUPLED WITH A REQUIREMENT FOR A PHYSICAL BARRIER, OR VEGETATIVE SCREENING OR OTHER TECHNIQUES TO PROVIDE THE MAXIMUM BUFFERING POSSIBLE, CONSISTENT WITH THE OBJECTIVE OF PERMITTING BUILDING ON A PARCEL OF RECORD.
4. REQUIRED FINDINGS FOR NON-AGRICULTURAL DEVELOPMENT ON COMMERCIAL AGRICULTURAL LAND, COUNTY CODE SECTION 16.50.095(e).

ANY NON-AGRICULTURAL DEVELOPMENT PROPOSED TO BE LOCATED ON TYPE 1, TYPE 2 OR TYPE 3 AGRICULTURAL LAND SHALL BE SITED SO AS TO MINIMIZE POSSIBLE CONFLICTS BETWEEN AGRICULTURE IN THE AREA AND NON-AGRICULTURAL USES, AND WHERE STRUCTURES ARE TO BE LOCATED ON AGRICULTURAL PARCELS, SUCH STRUCTURES SHALL BE LOCATED SO AS TO REMOVE AS LITTLE LAND AS POSSIBLE FROM

**PRODUCTION OR POTENTIAL PRODUCTION.**

The subject parcel is zoned CA (Commercial Agriculture) and carries an Agriculture (A) General Plan designation. The parcel is utilized for agricultural production in existing greenhouses on the subject parcel. By locating the replacement single-family dwelling at the proposed location, none of the existing greenhouses to the east will be removed from production, and the adjacent commercial agricultural greenhouses to the north at Assessor's Parcel Number 046-091-21 will be buffered by the required solid wood board fencing and evergreen vegetative buffer. The project will comply with all required coastal bluff setback requirements to the west. The 200-foot buffer to the south shall be maintained from the adjacent Commercial Agricultural Preserve at Assessor's Parcel Number 046-371-01, Monterey Bay Academy.

**REQUIRED FINDINGS FOR DEVELOPMENT ON LAND ZONED COMMERCIAL  
AGRICULTURE OR AGRICULTURAL PRESERVE  
COUNTY CODE SECTION 13.10.314(a)**

1. THE ESTABLISHMENT OR MAINTENANCE OF THIS USE WILL ENHANCE OR SUPPORT THE CONTINUED OPERATION OF COMMERCIAL AGRICULTURE ON THE PARCEL AND WILL NOT REDUCE, RESTRICT OR ADVERSELY AFFECT AGRICULTURAL RESOURCES, OR THE ECONOMIC VIABILITY OF COMMERCIAL AGRICULTURAL OPERATIONS, OF THE AREA.

The maintenance of a single-family residential use by replacement of the deteriorated residence on the 10.06-acre parcel, will not reduce nor adversely affect agricultural resources on the parcel as the existing greenhouses on the property are located to the east of the proposed replacement residence and shall not be removed. The replacement single-family residence will not affect agricultural resources or the economic viability of commercial agricultural operations of the area in that the replacement single-family dwelling will not remove land from existing production and the greenhouse operation will not be diminished as a result of the proposal. The proposal requires the installation of an agricultural buffer from the adjacent commercial agricultural greenhouses on APN 046-091-22 and recordation of an Agricultural Statement of Acknowledgement. The proposed residence shall maintain the required 200-foot buffer from the adjacent Commercial Agricultural Preserve to the south at APN 046-371-01, which is currently encroached upon by the existing residence.

2. THE USE OR STRUCTURE IS ANCILLARY, INCIDENTAL OR ACCESSORY TO THE PRINCIPAL AGRICULTURAL USE OF THE PARCEL OR NO OTHER AGRICULTURAL USE OF THE PARCEL IS FEASIBLE FOR THE PARCEL; OR
3. THE USE CONSISTS OF AN INTERIM PUBLIC USE WHICH DOES NOT IMPAIR LONG-TERM AGRICULTURAL VIABILITY; AND
4. SINGLE FAMILY RESIDENTIAL USES WILL BE SITED TO MINIMIZE CONFLICTS, AND THAT ALL OTHER USES WILL NOT CONFLICT WITH COMMERCIAL AGRICULTURAL ACTIVITIES ON SITE, WHERE APPLICABLE, OR IN THE AREA.

22

EXHIBIT B  
EXHIBIT E

The replacement single-family dwelling will not conflict with the existing commercial greenhouses on the site and maintains the required setback from the adjacent coastal bluff to the west and the adjacent Agricultural Preserve to the south. The required agricultural buffer to the north shall protect agricultural interests on that site.

5. THE USE WILL BE SITED TO REMOVE NO LAND FROM PRODUCTION (OR POTENTIAL PRODUCTION) IF ANY NON-FARMABLE POTENTIAL BUILDING SITE IS AVAILABLE, OR IF THIS IS NOT POSSIBLE, TO REMOVE AS LITTLE LAND AS POSSIBLE FROM PRODUCTION.

The location of the replacement single-family dwelling adjacent to the existing greenhouses on the site removes as little land as possible from production. Soil cultivation and irrigation on the coastal bluff would hasten erosion.

**REQUIRED FINDINGS FOR RESIDENTIAL DEVELOPMENT ON LAND ZONED  
COMMERCIAL AGRICULTURE OR AGRICULTURAL PRESERVE IN THE  
COASTAL ZONE  
COUNTY CODE SECTION 13.10.314(b)**

1. THE PARCEL IS LESS THAN ONE ACRE IN SIZE; OR THE PARCEL HAS PHYSICAL CONSTRAINTS (SUCH AS ADVERSE TOPOGRAPHIC, GEOLOGIC, HYDROLOGIC, OR VEGETATIVE CONDITIONS) OTHER THAN SIZE WHICH PRECLUDE COMMERCIAL AGRICULTURAL USE; OR THAT THE RESIDENTIAL USE WILL BE ANCILLARY TO COMMERCIAL AGRICULTURAL USE OF THE PARCEL BASED UPON THE FACT THAT EITHER:

- (i) THE FARMABLE PORTION OF THE PARCEL, EXCLUSIVE OF THE BUILDING SITE, IS LARGE ENOUGH IN ITSELF TO CONSTITUTE A MINIMUM ECONOMIC FARM UNIT FOR THREE CROPS, OTHER THAN GREENHOUSES, SUITED TO THE SOILS, TOPOGRAPHY, AND CLIMATE OF THE AREA; OR

The 10.06-acre farm unit has historically been engaged in greenhouse production, similar to the immediately adjacent parcel at APN 046-091-22. Three commercial crops that are produced are flowers, vegetables and herbs. The replacement single-family dwelling will be ancillary to the continued commercial agricultural use on the parcel.

- (ii) THE OWNERS OF THE SUBJECT PARCEL HAVE A LONG-TERM BINDING ARRANGEMENT FOR COMMERCIAL AGRICULTURAL USE OF THE REMAINDER OF THE PARCEL, SUCH AS AN AGRICULTURAL EASEMENT.
2. THE RESIDENTIAL USE WILL MEET ALL THE REQUIREMENTS OF SECTION 16.50.095 PERTAINING TO AGRICULTURAL BUFFER SETBACKS.

The applicant for the replacement single-family dwelling shall maintain the required 200-foot setback from the adjacent Agricultural Preserve at APN 046-0371-01 and shall maintain a reduced 60-foot agricultural buffer from the adjacent greenhouses at AFN 046-091-21. The property owner is required to install a six-foot tall solid wood board fence and an evergreen vegetative screen to mitigate the impact of the replacement single-family residence upon the adjacent commercial agricultural greenhouses. All of the existing greenhouses on the subject parcel shall be retained in agricultural production, and the project complies with the required setbacks from the coastal bluff.

3. THE OWNERS OF THE SUBJECT PARCEL HAVE EXECUTED BINDING HOLD-HARMLESS COVENANTS WITH THE OWNERS AND AGRICULTURAL OPERATORS OF ADJACENT AGRICULTURAL PARCELS. SUCH COVENANTS SHALL RUN WITH THE LAND AND SHALL BE RECORDED PRIOR TO THE ISSUANCE OF THE PERMIT FOR THE PROPOSED DEVELOPMENT.

The property owners are required to record an Agricultural Statement of Acknowledgement, consistent with General Plan Policy **5.13.32**. The purpose of the statement is to inform property owners about adjacent agricultural practices, and advise them to be prepared to accept such inconvenience or discomfort from normal farming operations.



## **CONDITIONS OF APPROVAL**

Exhibit A: Project Plans, 11 Sheets by Franks/Brenkwitz Architects.  
Recorded Survey by Michael Beautz dated July 2003.

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (046-091-21). Prior to exercising any rights granted by this permit, including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Demolition Permit and a Building Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with Exhibit A on file with the Planning Department. The final plans shall include the following additional information:
    1. A development setback of a minimum of 60 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 046-091-21.
    2. Final plans shall show the location of the vegetative buffering barrier and 6-foot tall solid wood board fence used for the purpose of buffering adjacent agricultural land which shall be composed of drought tolerant shrubbery. The shrubs utilized shall attain a minimum height of six feet upon maturity. Species **type**, plant sizes and spacing shall be indicated on the final plans for review and approval by Planning Department staff.
  - B. The owner shall record a Statement of Acknowledgement, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The statement of Acknowledgement acknowledges the adjacent agricultural land use and the agricultural buffer setbacks.
- 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. The agricultural buffer setbacks shall be met as verified by the County Building Inspector.

- B. The required vegetative and physical barrier shall be installed. The applicant/owner shall contact the Planning Department's Agricultural Planner, a minimum of three working days in advance to schedule an inspection to verify that the required harrier (vegetativeand/or other) has been completed.
- C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official and/or the County Senior Civil Engineer.

IV. Operational Conditions

- A. The vegetative and physical barrier shall he permanently maintained.
- B. All required Agricultural Buffer Setbacks shall be maintained.
- C. In the event that future County inspections of the subject property disclose non-compliance 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, up to and including permit revocation.

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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: 9/16/04

Effective Date: 9/30/04

Expiration Date: 9/30/06

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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Agricultural Policy Advisory Commission under the provisions of County Code Chapter 16.50, may appeal the act or determination to the Board of Supervisors 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: 04-0344

Assessor Parcel Number: 046-091-22

Project Location: 15 Lilly Way, La Selva Beach

Project Description: Agricultural Buffer Setback Determination

Person or Agency Proposing Project: Charles Franks, Architect

Contact Phone Number: (831) 662-8800

- 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.   X   Categorical Exemption

Specify type: Class 1 - Existing Facilities (Section 15301)

F. Reasons why **the** project is exempt:

Reconstruction of a small structure

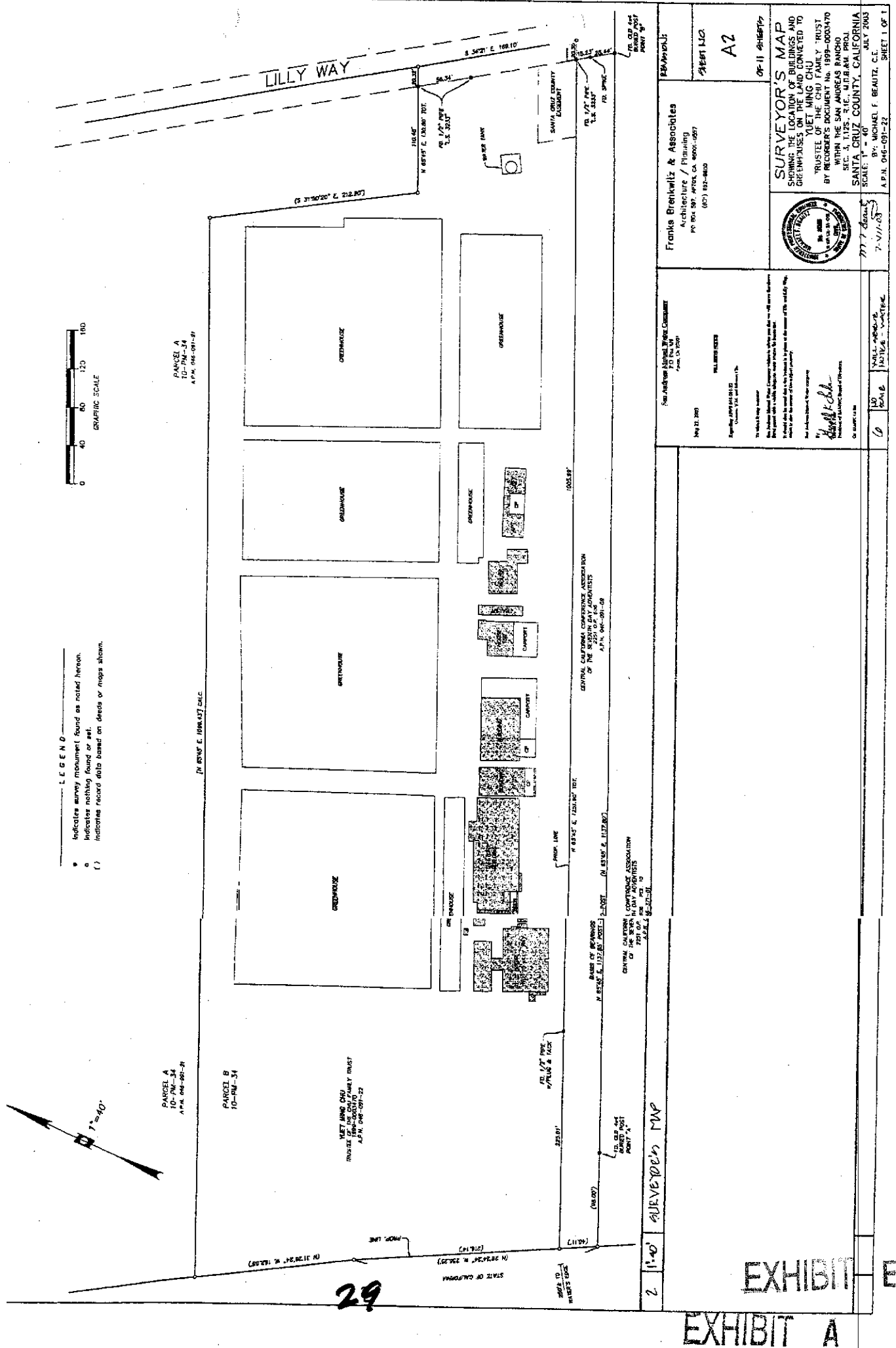
In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Joan Van der Hoeven, Project Planner

Date: 9/16/04

7	NO SCALE	PHOTO (NORTH SITE)	8	NO SCALE	PHOTO (EXISTING SITE)	9	NO SCALE	VICINITY MAP	10	NO SCALE	SHEET INDEX	11	NO SCALE	PROJECT NOTES	12	NO SCALE	PROJECT INFORMATION
								<p>PROJECT NOTES</p> <ol style="list-style-type: none"> <li>1. SITE PLAN INDEX</li> <li>2. SITE PLAN INDEX</li> <li>3. SITE PLAN INDEX</li> <li>4. SITE PLAN INDEX</li> <li>5. SITE PLAN INDEX</li> <li>6. SITE PLAN INDEX</li> <li>7. SITE PLAN INDEX</li> <li>8. SITE PLAN INDEX</li> <li>9. SITE PLAN INDEX</li> <li>10. SITE PLAN INDEX</li> <li>11. SITE PLAN INDEX</li> <li>12. SITE PLAN INDEX</li> <li>13. SITE PLAN INDEX</li> <li>14. SITE PLAN INDEX</li> <li>15. SITE PLAN INDEX</li> <li>16. SITE PLAN INDEX</li> <li>17. SITE PLAN INDEX</li> <li>18. SITE PLAN INDEX</li> <li>19. SITE PLAN INDEX</li> <li>20. SITE PLAN INDEX</li> <li>21. SITE PLAN INDEX</li> <li>22. SITE PLAN INDEX</li> <li>23. SITE PLAN INDEX</li> <li>24. SITE PLAN INDEX</li> <li>25. SITE PLAN INDEX</li> <li>26. SITE PLAN INDEX</li> <li>27. SITE PLAN INDEX</li> <li>28. SITE PLAN INDEX</li> <li>29. SITE PLAN INDEX</li> <li>30. SITE PLAN INDEX</li> <li>31. SITE PLAN INDEX</li> <li>32. SITE PLAN INDEX</li> <li>33. SITE PLAN INDEX</li> <li>34. SITE PLAN INDEX</li> <li>35. SITE PLAN INDEX</li> <li>36. SITE PLAN INDEX</li> <li>37. SITE PLAN INDEX</li> <li>38. SITE PLAN INDEX</li> <li>39. SITE PLAN INDEX</li> <li>40. SITE PLAN INDEX</li> <li>41. SITE PLAN INDEX</li> <li>42. SITE PLAN INDEX</li> <li>43. SITE PLAN INDEX</li> <li>44. SITE PLAN INDEX</li> <li>45. SITE PLAN INDEX</li> <li>46. SITE PLAN INDEX</li> <li>47. SITE PLAN INDEX</li> <li>48. SITE PLAN INDEX</li> <li>49. SITE PLAN INDEX</li> <li>50. SITE PLAN INDEX</li> <li>51. SITE PLAN INDEX</li> <li>52. SITE PLAN INDEX</li> <li>53. SITE PLAN INDEX</li> <li>54. SITE PLAN INDEX</li> <li>55. SITE PLAN INDEX</li> <li>56. SITE PLAN INDEX</li> <li>57. SITE PLAN INDEX</li> <li>58. SITE PLAN INDEX</li> <li>59. SITE PLAN INDEX</li> <li>60. SITE PLAN INDEX</li> <li>61. SITE PLAN INDEX</li> <li>62. SITE PLAN INDEX</li> <li>63. SITE PLAN INDEX</li> <li>64. SITE PLAN INDEX</li> <li>65. SITE PLAN INDEX</li> <li>66. SITE PLAN INDEX</li> <li>67. SITE PLAN INDEX</li> <li>68. SITE PLAN INDEX</li> <li>69. SITE PLAN INDEX</li> <li>70. SITE PLAN INDEX</li> <li>71. SITE PLAN INDEX</li> <li>72. SITE PLAN INDEX</li> <li>73. SITE PLAN INDEX</li> <li>74. SITE PLAN INDEX</li> <li>75. SITE PLAN INDEX</li> <li>76. SITE PLAN INDEX</li> <li>77. SITE PLAN INDEX</li> <li>78. SITE PLAN INDEX</li> <li>79. SITE PLAN INDEX</li> <li>80. SITE PLAN INDEX</li> <li>81. SITE PLAN INDEX</li> <li>82. SITE PLAN INDEX</li> <li>83. SITE PLAN INDEX</li> <li>84. SITE PLAN INDEX</li> <li>85. SITE PLAN INDEX</li> <li>86. SITE PLAN INDEX</li> <li>87. SITE PLAN INDEX</li> <li>88. SITE PLAN INDEX</li> <li>89. SITE PLAN INDEX</li> <li>90. SITE PLAN INDEX</li> <li>91. SITE PLAN INDEX</li> <li>92. SITE PLAN INDEX</li> <li>93. SITE PLAN INDEX</li> <li>94. SITE PLAN INDEX</li> <li>95. SITE PLAN INDEX</li> <li>96. SITE PLAN INDEX</li> <li>97. SITE PLAN INDEX</li> <li>98. SITE PLAN INDEX</li> <li>99. SITE PLAN INDEX</li> <li>100. SITE PLAN INDEX</li> </ol>		<p>PROJECT INFORMATION</p> <p>PROJECT NO. 12345</p> <p>PROJECT NAME: [REDACTED]</p> <p>PROJECT LOCATION: [REDACTED]</p> <p>PROJECT DATE: [REDACTED]</p> <p>PROJECT SCALE: [REDACTED]</p> <p>PROJECT DRAWN BY: [REDACTED]</p> <p>PROJECT CHECKED BY: [REDACTED]</p> <p>PROJECT APPROVED BY: [REDACTED]</p>							
<p>28</p>																	

EXHIBIT A

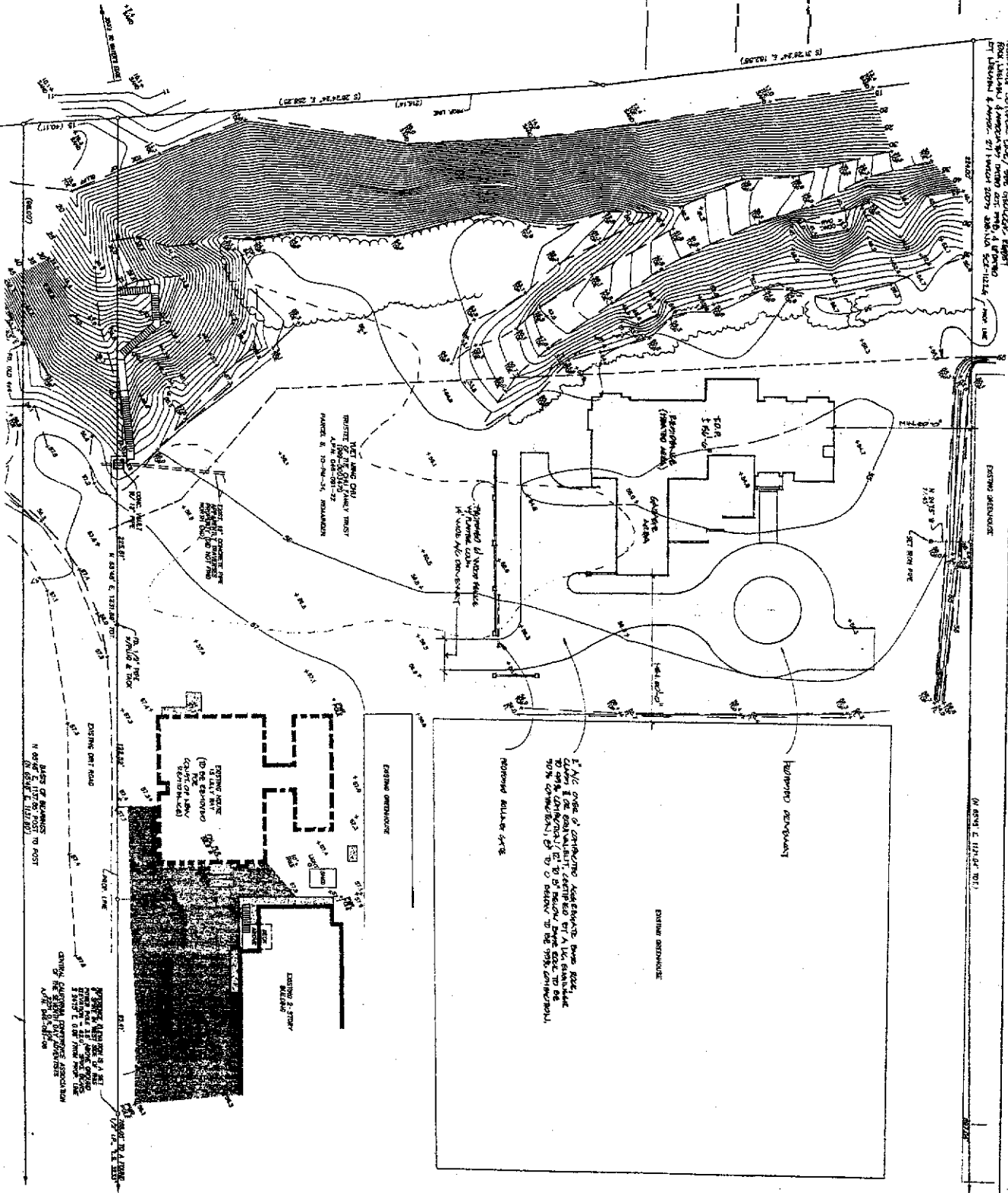


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 E. ADDRESS 19 LILLY WAY  
 LA MEHA BEACH, CA

1. A.P.N. CHU-0211-22  
 2. ADDRESS 19 LILLY WAY  
 LA MEHA BEACH, CA

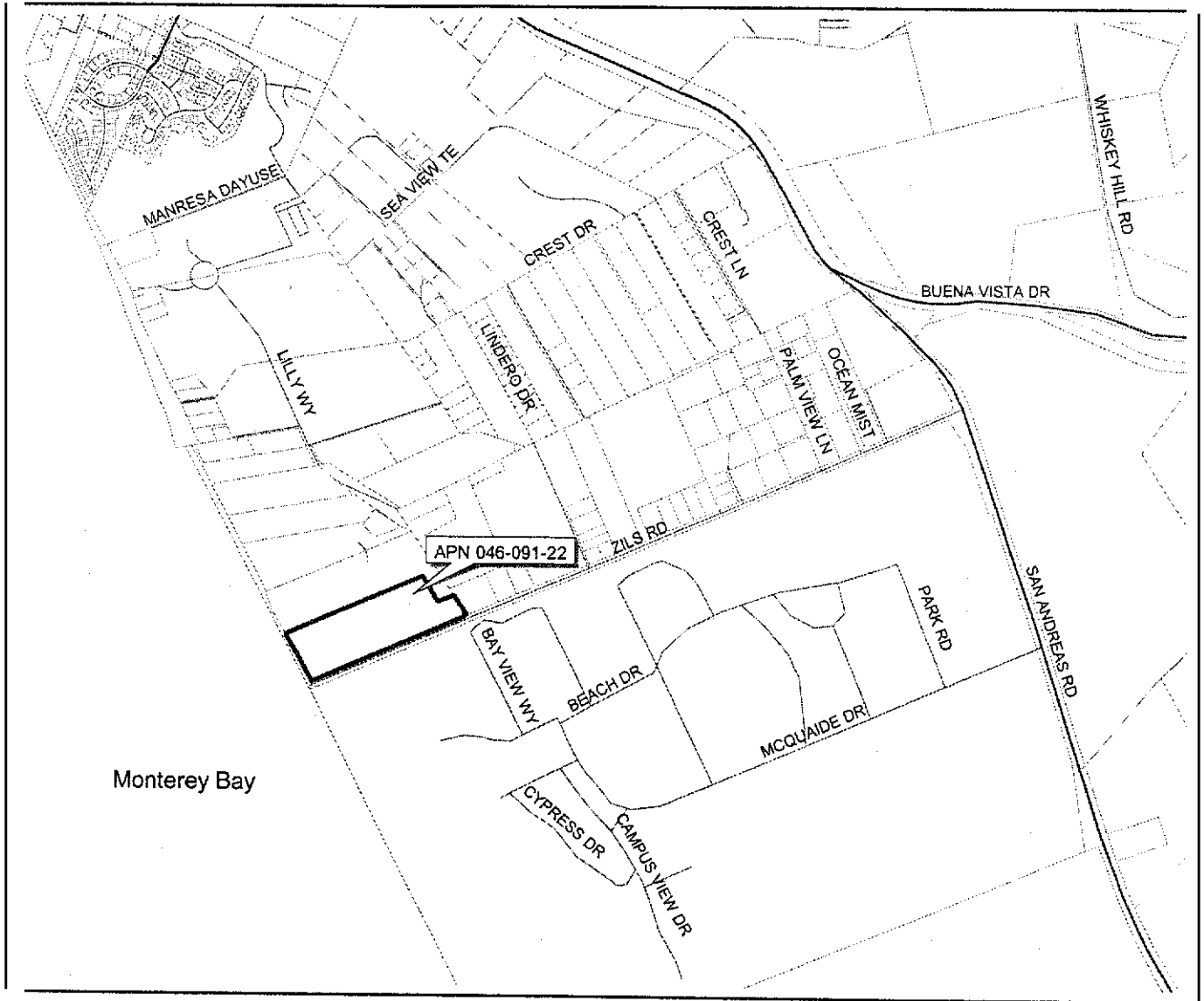
EXHIBIT A  
 EXHIBIT B

1. PLOT FACTIAL SITE PLAN (CONTRAST PLAN)



OF 11 SHEETS A4	REVISION: SCALE: 1/8" = 1'-0" SHEET NO.	ENLARGED SITE PLAN CHU RESIDENCE 19 LILLY WAY LA MEHA BEACH, CA	Franks Brenkowitz & Associates Architecture / Planning PO BOX 597, APTOS, CA. 95001-0597 (831) 662-8800
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# Location Map



0.25 0 0.25 0.5 0.75 1 Miles

Map created by Santa Cruz County  
Planning Department:  
July 2004



EXHIBIT



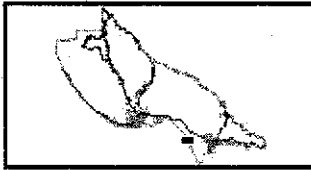
PROJECT LOCATION

EXHIBIT D



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



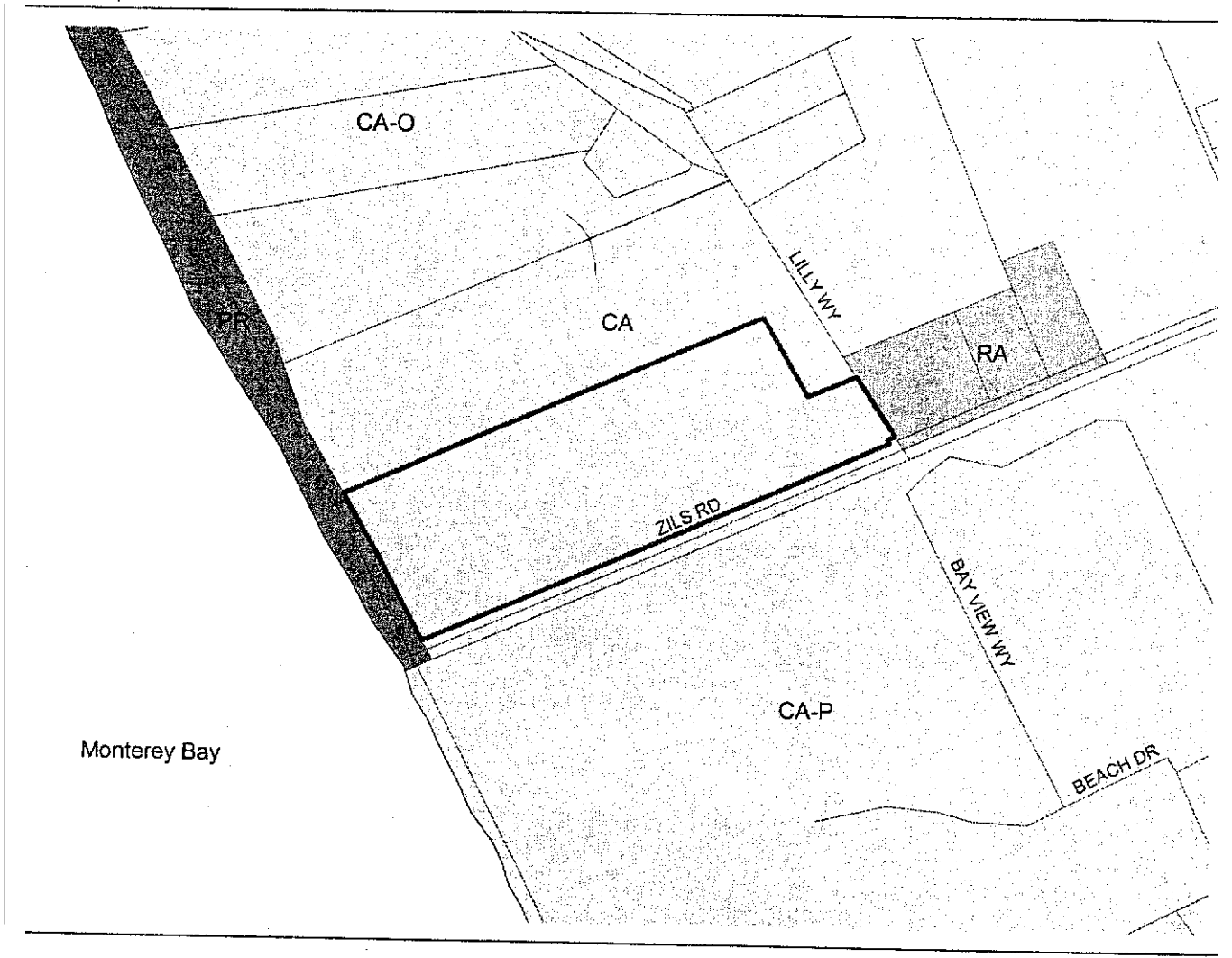
## PROJECT LOCATION



Santa Cruz County Data - Copyright (C) 2001 - AirPhotoUSA (c) 2000 All Rights Reserved

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# Zoning Map



500 0 500 1000 1500 Feet

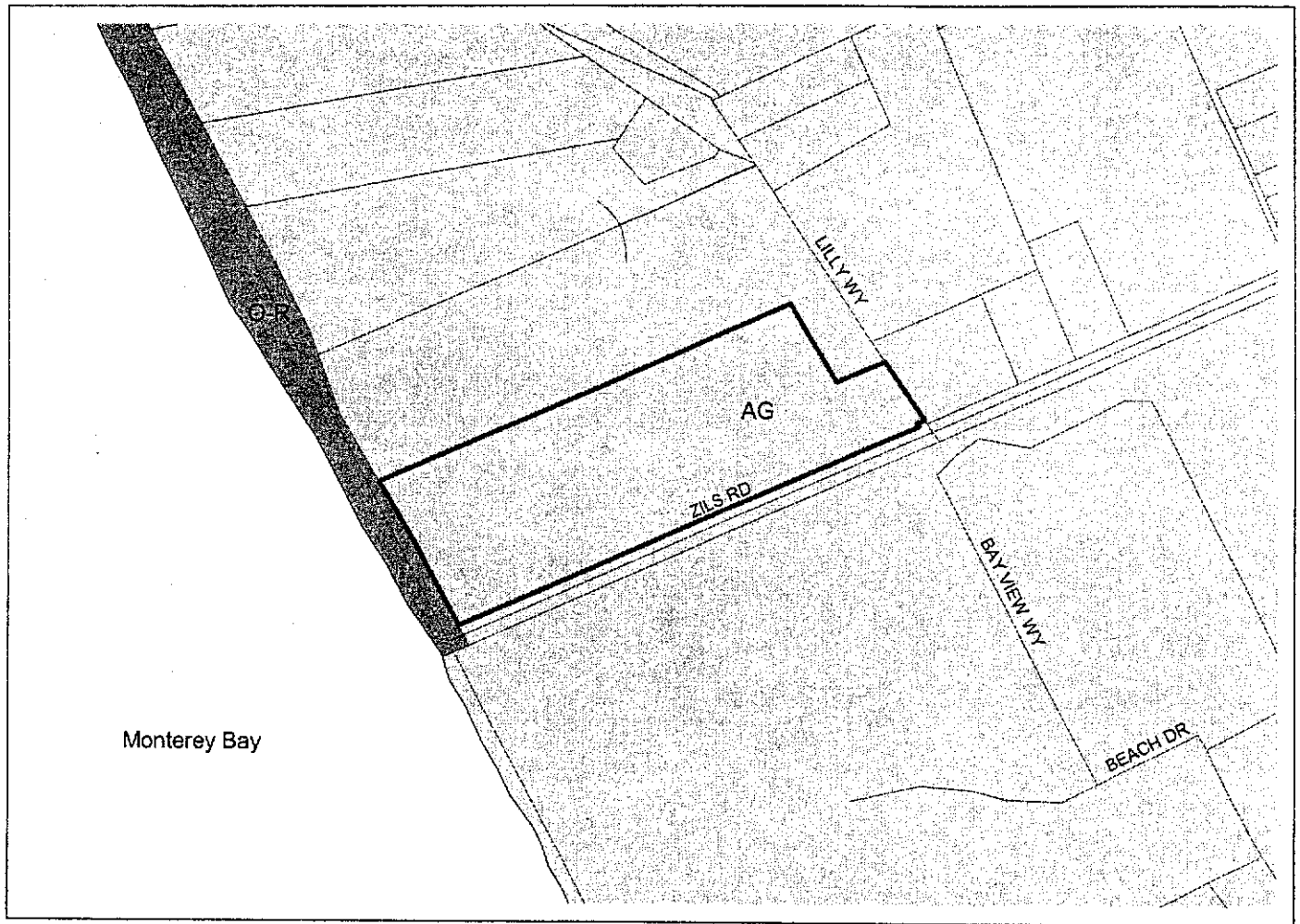
## Legend

	APN 046-091-22
	Streets
	CA
	RA
	PR



Map created by Santa Cruz County  
Planning Department:  
July 2004

# General Plan Map



500 0 500 1000 1500 Feet

## Legend

	APN 046-091-22
	Streets
	Agriculture
	Parks and Recreation



Map created by Santa Cruz County  
Planning Department:  
July 2004

C O U N T Y O F S A N T A B A R B A R A  
DISCRETIONARY APPLICATION COMMENTS

Project Planner: Joan Van Der Hoeven  
Application No. : 04-0344  
APN: 046-091-22

Date: August 20, 2004  
Time: 11:28:48  
Page: 1

Environmental Planning Completeness Comments

----- REVIEW ON AUGUST 13, 2004 BY ROBERT S LOVELAND -----

1. Please submit 2 copies of the completed soils report to the County Geologist. The soils report will be reviewed with the geologic report. NOTE: The geologic report will not be formally reviewed until the soils report is submitted.

2. According to sheet A3 (Geology Information) there was a large gully that was filled back in the 1960's. The project geotechnical engineer, working in conjunction with the geologist, needs to submit a letter explaining how this area is to be handled. Does the area need to be excavated/recompacted before the road can be placed? If so, delineate "limits of grading" and provide earthwork calculations. Or, is the fill area okay and drainage will be handled to avoid any concentrated flows in this area?

3. No biotic issues identified within the area of proposed development

Environmental Planning Miscellaneous Comments

===== REVIEW ON AUGUST 13, 2004 BY ROBERT S LOVELAND =====

Conditions of Approval :

1. Submit a detailed erosion control plan for review.
2. Submit "Plan Review" letters from both the project geologist and geotechnical engineer.
3. Identify the 100-year geologic setback from the coastal bluff.
4. Submit a detailed landscaping plan for review,
5. Obtain a grading permit if required.

Project Review Completeness Comments

----- REVIEW ON AUGUST 20, 2004 BY JOAN VAN DER HOEVEN -----

A more substantial agricultural buffer shall be provided on the side adjacent to the greenhouses at APN 046-091-21. In addition, a solid 6-foot tall solid wood board fence is required as an agricultural buffer. The Recommended Agricultural Buffer Plant List is attached for your review and action.

Project Review Miscellaneous Comments

===== REVIEW ON AUGUST 20, 2004 BY JOAN VAN DER HOEVEN =====

Non selective glazing shall be required on upper floor windows to minimize structural visibility from the beach ( in addition to the proposed natural materials and muted earth tone exterior colors).

Project Planner: Joan Van Der Hoeven  
Application No.: 04-0344  
APN: 046-091-22

Date: August 20, 2004  
Time: 11:28:48  
Page: 2

----- UPDATED ON AUGUST 20, 2004 BY JOAN VAN DER HOEVEN -----

**Dpw Drainage Completeness Comments**

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

===== REVIEW ON AUGUST 17, 2004 BY CARISA REGALADO =====

This application is complete for the discretionary stage based on the following clarifying item per a phone discussion between the applicant, Charles Franks, and myself (County Stormwater Management Division) on 8/17/04:

- 1) Project area is flat and suitable for maintaining increases in runoff on-site.
- 2) No runoff will be allowed to flow over the bluff.
- 3) Increases in runoff from new impervious surfaces will not be directed offsite; therefore, no offsite impacts are anticipated.

Please see Miscellaneous Comments for additional notes.

**Dpw Drainage Miscellaneous Comments**

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

===== REVIEW ON AUGUST 17, 2004 BY CARISA REGALADO =====

For the building application stage, please address the following items:

- 1) Show proposed on-site drainage system. **It** must be clear that the increase in run-off will be maintained on-site and that there will be no adverse impacts to the bluff or surrounding areas as indicated by the applicant
- 2) A letter of approval on the proposed drainage system for the development from the project Geotechnical Engineer must be submitted

If needed, further drainage plan guidance may be obtained from the County of Santa Cruz Planning website: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

All subsequent submittals for this application must be done through the Planning Department. Submittals made directly to Public Works will result in delays.

Please call or visit the **Dept.** of Public Works, Stormwater Management Division, from 8:00 am to 12:00 pm **if** you **have** any questions.

**Dpw Driveway/Encroachment Completeness Comments**

===== REVIEW ON JULY 28, 2004 BY RUTH L ZADESKY =====

No Comment, project adjacent to a non-County maintained road.

**Dpw Driveway/Encroachment Miscellaneous Comments**

Project Planner: Joan Van Der Hoeven  
Application No.: 04-0344  
APN: 046-091-22

Date: August 20, 2004  
Time: 11:28:48  
Page: 3

===== REVIEW ON JULY 28, 2004 BY RUTH L ZADESKY =====  
No comment.

Dpw Road Engineering Completeness Comments

----- REVIEW ON AUGUST 16, 2004 BY TIM N NYUGEN =====  
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON AUGUST 16, 2004 BY TIM N NYUGEN =====  
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON AUGUST 3, 2004 BY JIM G SAFRANEK =====  
If the applicant intends to utilize the existing septic system for his proposed project then: Applicant must provide an Environmental Health Clearance for this project. Provide a satisfactory septic tank pumper's report to demonstrate that ALL septic systems are functioning. Contact Land Use staff of Environmental Health at 454-2749. Applicant must draw to scale all septic systems on a revised site plan.  
===== UPDATED ON AUGUST 3, 2004 BY JIM G SAFRANEK ===== Applicant paid \$280 EHS review fee as of 7-1-04 is \$462. Remainder is due.  
===== UPDATED ON AUGUST 3, 2004 BY JIM G SAFRANEK =====

Environmental Health Miscellaneous Comments

===== REVIEW ON AUGUST 3, 2004 BY JIM G SAFRANEK =====  
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 AUGUST 20, 2004 BY ERIN K STOW =====  
DEPARTMENT NAME: Aptos/La Selva Fire Dept.  
The new hydrant shall be in and charged prior to commencement of structural framing.  
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 AUGUST 20, 2004 BY ERIN K STOW =====  
NO COMMENT

**INTEROFFICE MEMO**

Application No: 04-0344

Date: August 13, 2004

To: Joan Van der Hoeven, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for a new residence at 15 Lilly Way, La Seiva Beach

**GENERAL PLAN/ ZONING CODE ISSUES****Design Review Authority**

**13.20.130** The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

**Design Review Standards**

**13.20.130** Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code ( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be <del>sited</del> , designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
Minimum Site Disturbance			
Grading, earth moving, and removal of major <del>vegetation shall be</del> minimized.	✓		
Developers shall <del>be</del> encouraged to maintain all mature <del>trees</del> over 6 inches in diameter except where <del>circumstances</del> require their removal, such as obstruction of the building site, dead or diseased <del>trees</del> , or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, <del>tree</del> groupings) shall be retained.	✓		



Ridgeline Development			
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline	✓		
parcels whose only building site would be exposed on a ridgetop shall not be permitted	✓		
Landscaping			
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area	✓		
Rural Scenic Resources			
Location of development			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.	✓		
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points	✓		
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)	✓		
Screening and landscaping suitable to the site be used to minimize the visual impact of development in the viewshed	✓		
Building design			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction	✓		
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged	✓		

Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the	✓		
structures shall be minimized by			
existing group of buildings			
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).		NIA	
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the		N/A	
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development		NIA	
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project		N/A	
<b>Signs</b>			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements		NIA	
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited		NIA	
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts		NIA	

EXHIBIT F

Page 3

EXHIBIT E

42

In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors		N/A	
<b>Beach Viewsheds</b>			
Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive	✓		
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)	✓		
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred	✓		<i>Colors should be evaluated to blend into the landscape as seen from the beach</i>

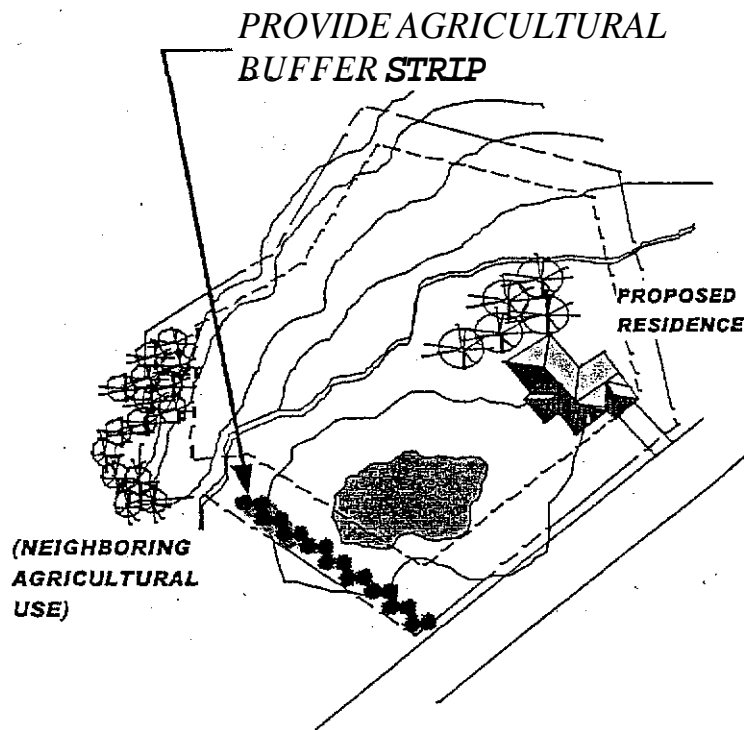
43

EXHIBIT F  
Page 4

EXHIBIT E

# Planning Department County of Santa Cruz

## RECOMMENDED AGRICULTURAL BUFFER PLANTING LIST



### COMMON NAME

Coyote Bmsh<sup>3</sup>  
Lemon Bottlebrush<sup>1,2</sup>  
California Lilac  
Pineapple Guava<sup>1,2</sup>  
Flannel Bush  
Silktassel Tree  
Pacific Wax Myrtle  
Hollyleaf Cherry  
Catalina Cherry<sup>1</sup>  
Coast Live Oak  
Italian Buckthorn<sup>2</sup>  
Coffeeberry

### BOTANICAL NAME

Baccharis pilularis  
Callistemon citrinus  
Ceanothus varieties  
Feijoa sellowiana  
Fremontodendron californicum  
Garrya elliptica  
Myrica californica  
Prunus ilicifolia  
Prunus lyonii  
Quercus agrifolia  
Rhamnus alaternus  
Rhamnus californica

### NOTES:

1. Attractive to birds because of their fruit
2. Non-native plant.
3. Not for range-land use.

Aug 27 04 11:02a  
Aug 27 04 09:45a  
Aug 23 04 10:06a

Charles Franks  
ML'  
Charles Franks

831-473-5922  
494 113  
831-426-5922

P.1  
P.1  
P.2

August 23, 2004

Planning Department  
County of Santa Cruz  
Attention: Joan Van der Hoeven  
701 Ocean Street  
Santa Cruz, CA 95060

Subject: APN 45-091-22 / Appl #04-0344  
15 Lilly Way

Dear Ms. Vander Hoeven:

Thank you for reviewing our application for APAC review and a Coastal Development Permit. We will respond as quickly as we can regarding any questions and comments regarding concerns on our application.

Our intention regarding use of the land is to keep it the current zoning, CA. We have several green houses on the site and we intent to keep the green houses and there use they provide

We wish to build our future home on the site and retire in the home, for ourselves and our family.

Please, if you have any further questions or concerns you can reach us at 650-493-2133. Thank you again.

Sincerely,

Y.M. & Miriam Chu

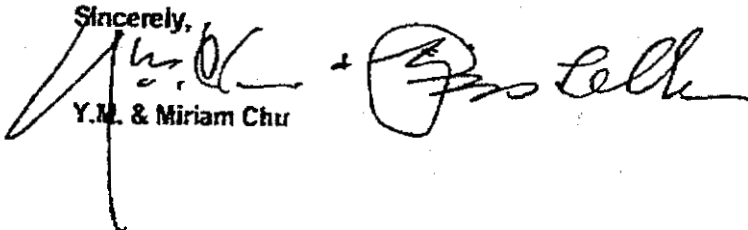
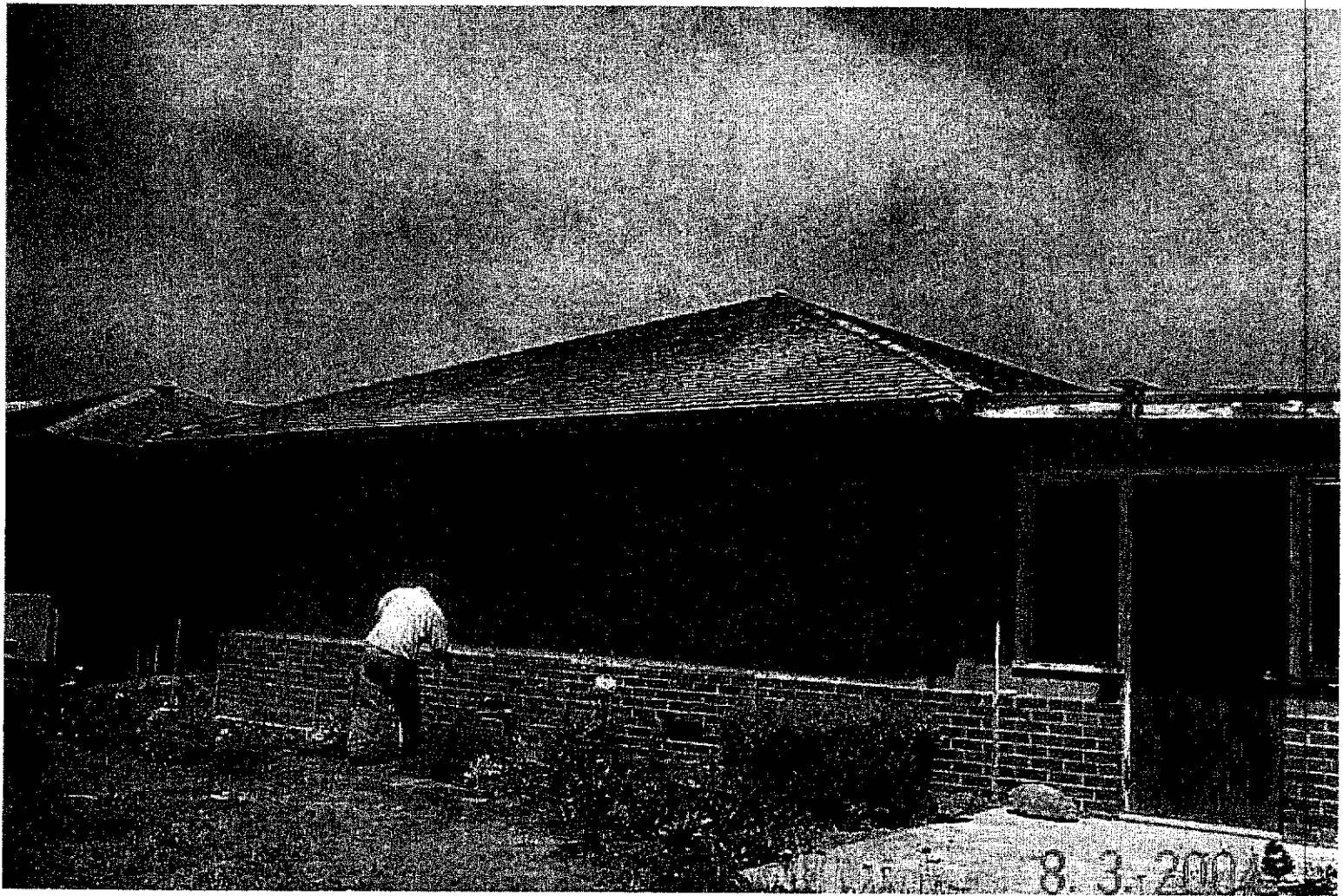


EXHIBIT F  
EXHIBIT E

45



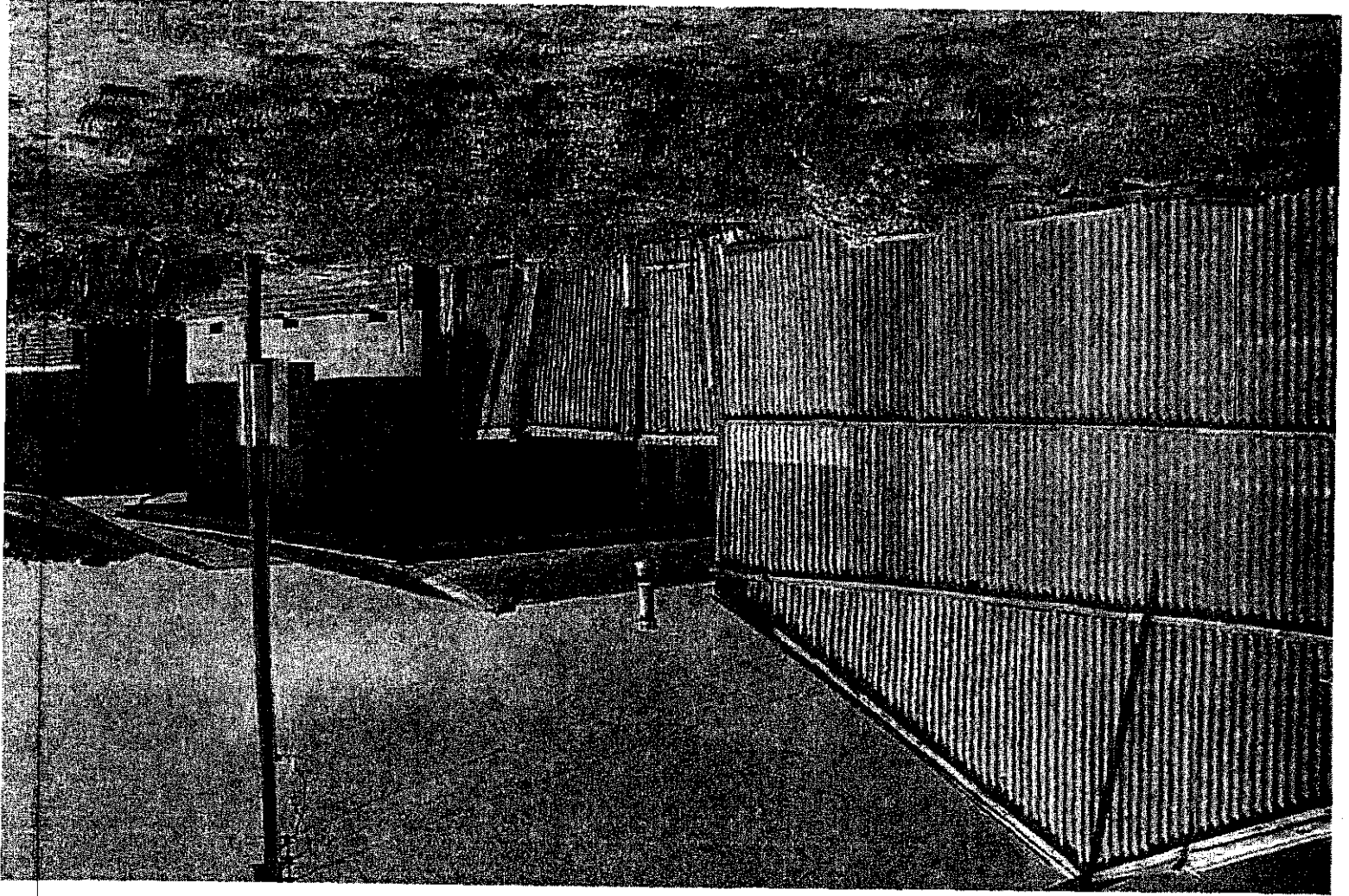
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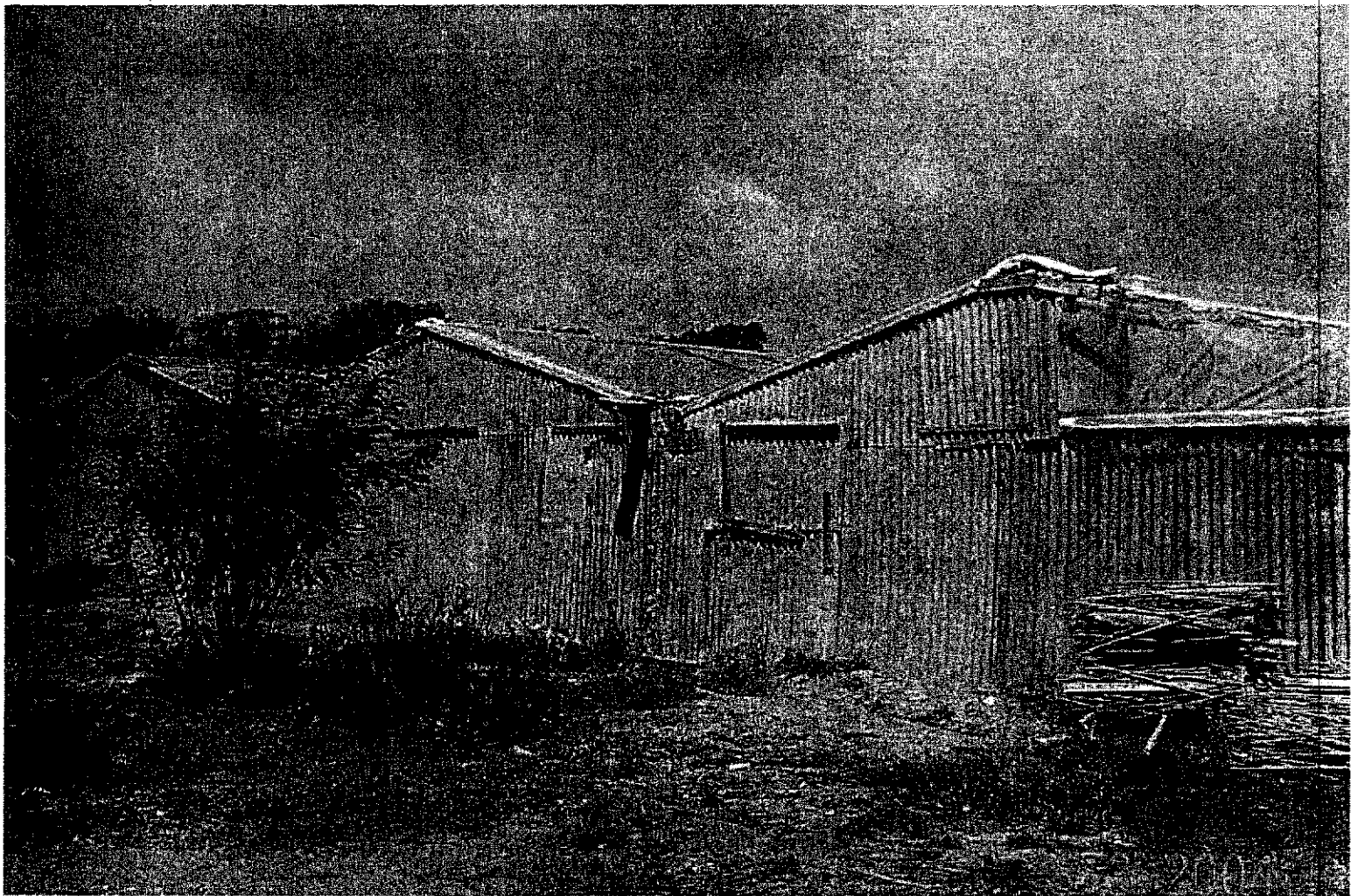
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EXHIBIT G  
EXHIBIT E

EXHIBIT 6  
APR 046-091-22  
NO SWELLING ON  
SINGLE FAMILIES  
EXISTING GREENHOUSES

47





48

EXISTING GREENHOUSES  
ON SUBJECT PROPERTY  
APN 046-091-22

EXHIBIT E



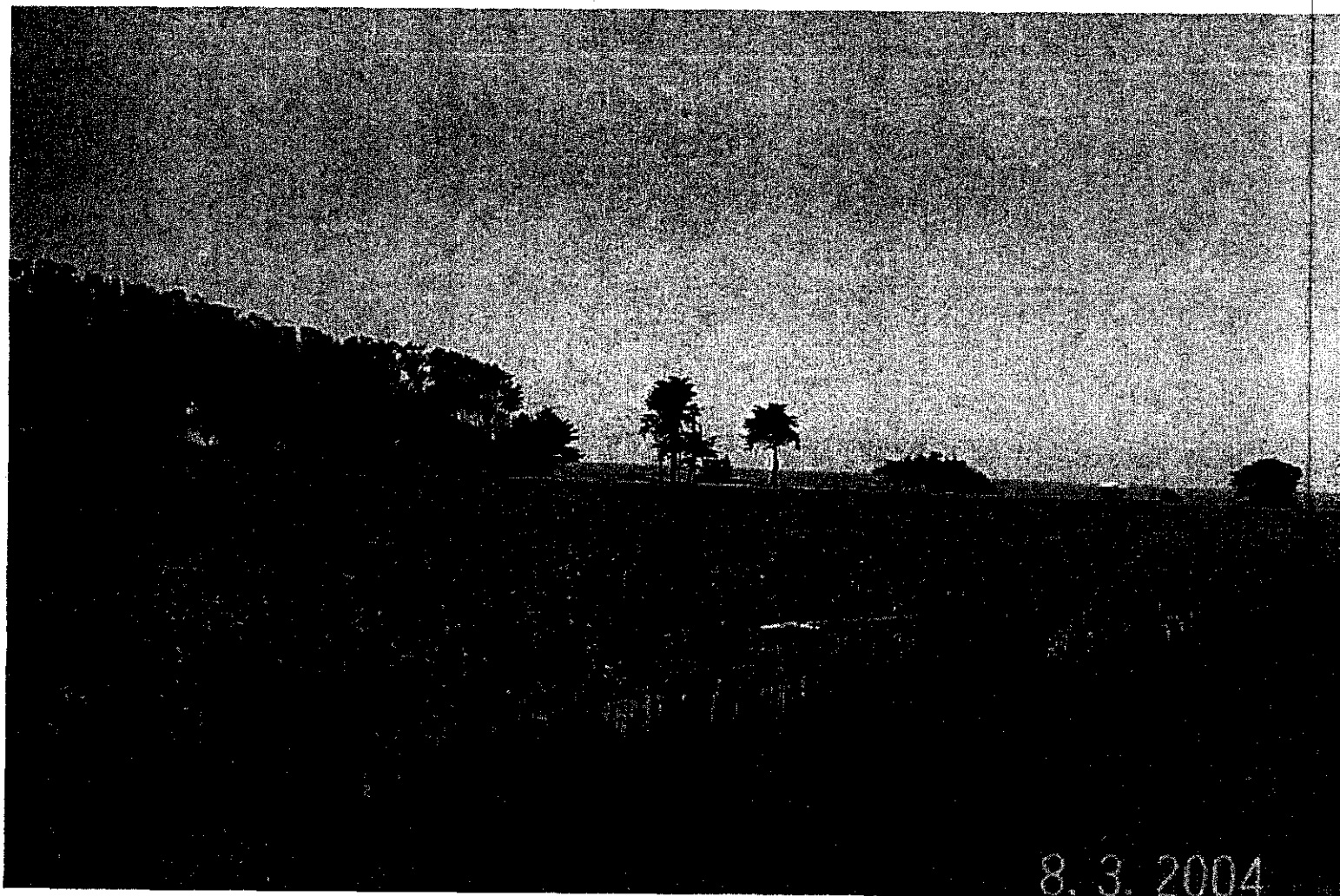


MONTEREY BAY ACADEMY  
AG FIELDS

APN 046-371-01

49

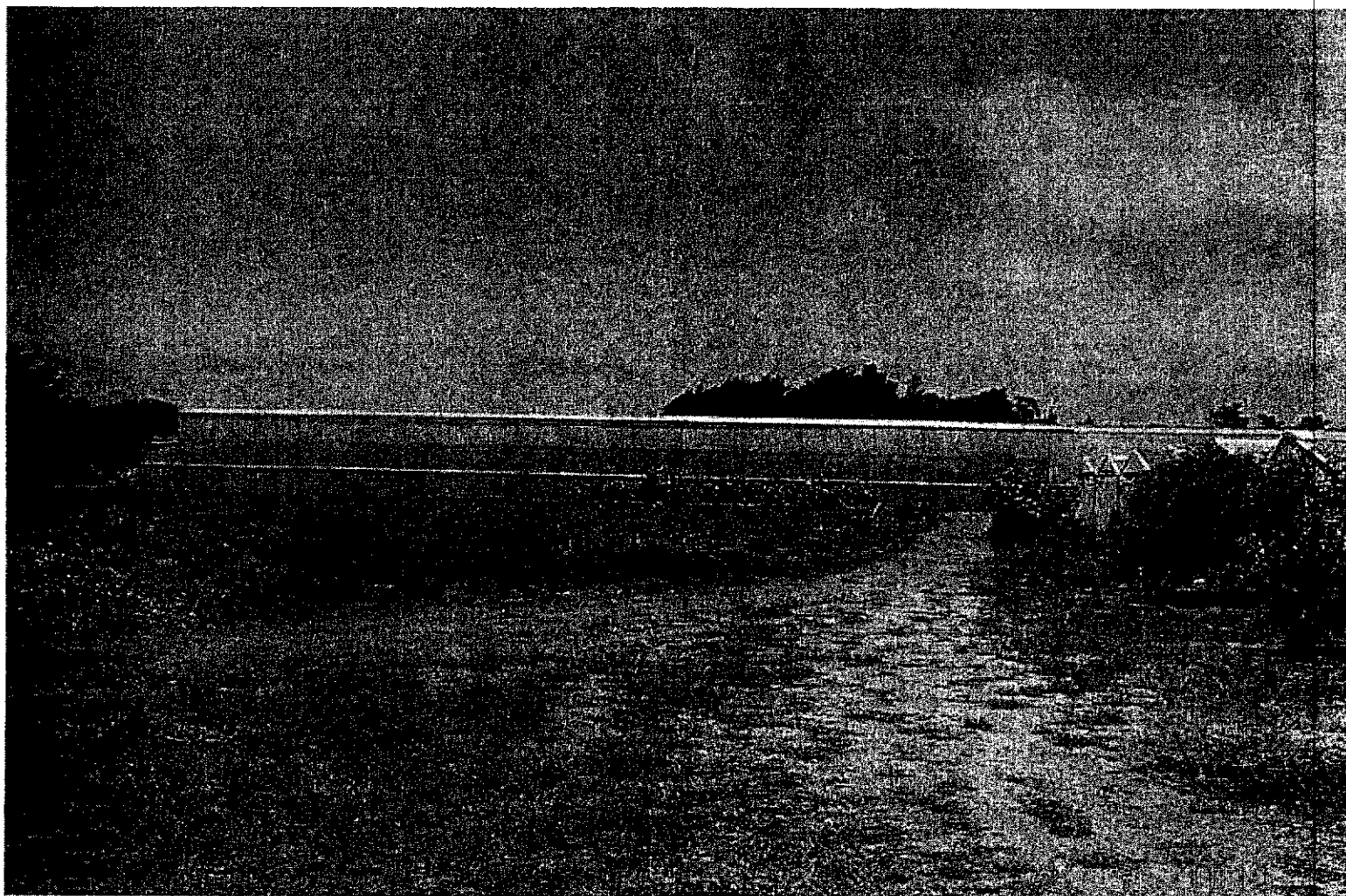
EXHIBIT G  
EXHIBIT E'



ADJACENT MONTEREY BAY  
ACADEMY AG FIELDS  
APN 046-371-01

50

EXHIBIT G  
EXHIBIT E



ADJACENT CA-20NED  
SAKAE GREENHOUSES  
APN 046-091-21

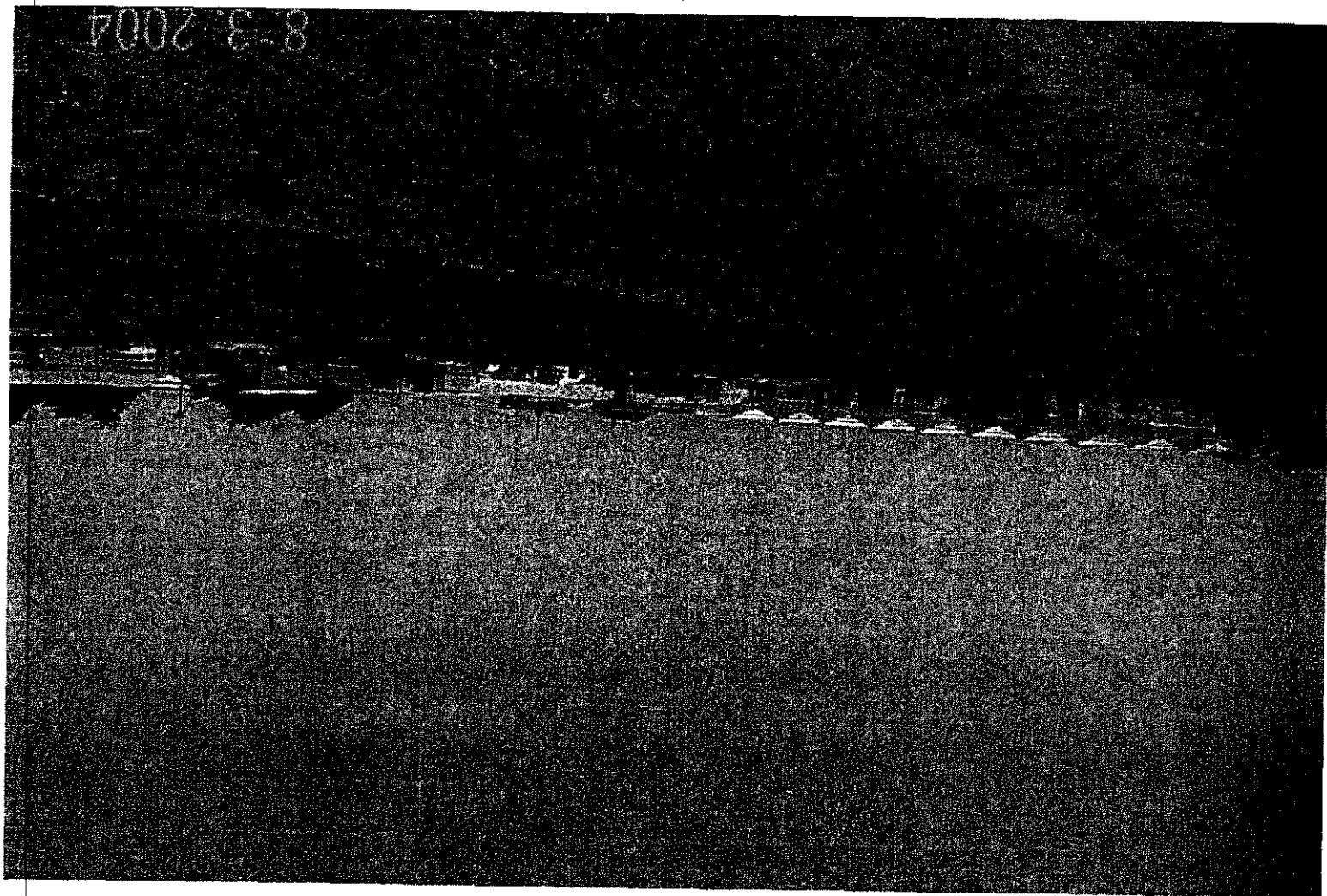
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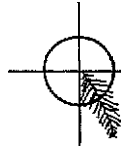
52

046-091-21

ADJACENT GARDEN HOUSES

SAKAE 21 LILLY WAY





**REDWOOD GEOTECHNICAL  
ENGINEERING, INC.**

CONSULTING GEOTECHNICAL ENGINEERING,  
FORENSICS, & ENGINEERING GEOLOGY

Mr. Y. M. Chu  
642 Maybelle  
Palo Alto, California 94306

Project No. 1786SCR  
April 4, 2005

Subject: Santa Cruz County Plan Review Comments, March 14, 2005

Reference: Proposed New Single-Family Residence  
15 Lilly Way  
Santa Cruz County, California

Dear Mr. Chu:

This letter summarizes our response to March 14, 2005 planning department comments regarding the referenced project. We completed a geotechnical investigation and December 20, 2004 report for a proposed new single-family residence at the referenced site. Our comments are summarized below. For clarity, our response follows the outline of the May 14, 2005 letter.

1. The December 20, 2004 geotechnical report was prepared by the project engineer as signed and stamped on the transmittal page. No other engineer's or geologist's stamps or signatures were shown on this report.
2. The approximate limits of unclassified within a filled erosion gully were shown in our December 20, 2004 geotechnical report and the October 28, 1998 geologic report prepared for this site by Foxx, Nielsen & Associates. We have attached a cross section schematic to this letter indicating the anticipated limits of the unclassified fill and the anticipated limits of site grading. The geotechnical recommendations in our December 20, 2004 report include keying and benching engineered fill into firm native soil, extending the engineered fill ten feet horizontally beyond the proposed building envelope, and extending the building foundations into compacted engineered fill. As shown on the cross section. Conventional footings often must be constructed in the vicinity of unclassified fills, utility line backfills, or similar unconsolidated discontinuous soil conditions. In these conditions, spread footings are typically designed to extend the footing support below an imaginary plane extended upward from the base of the discontinuous zone at an attitude of 1½:1 horizontal to vertical. Engineered fill slopes are typically inclined no steeper than 2:1 horizontal to vertical. These recommendations are also included in December 20, 2004 geotechnical report. We anticipate that the limits of the unclassified fill will generally conform to the limits of an erosion gully. Available aerial photographs indicate that the unclassified fill was placed about 40 years ago. The actual limits of the erosion gully and the unclassified fill will need to be determined when the site is graded. As recommended in our December 20, 2004 report, the site grading will need to be observed and tested by the soil engineer.

3. The cut bank for an abandoned access road is also depicted in the attached cross section. The toe of the cut bank for the abandoned access road does not encroach within a 2:1 plane, (or a steeper 1 %:1 plane), extended downward from the edge of the proposed building or the bottom of the proposed building foundations. The native soil encountered beneath the site consists of well consolidated, predominantly granular sandy material. The likelihood the building foundations would be impacted by the existing cut bank for the abandoned access road appears negligible. Based on the above considerations, no setback from the cut bank appears necessary.

In conclusion, the surficial topsoil and unclassified fills encountered in our subsurface investigation were not considered to be sufficiently consolidated to support the proposed new building foundations, pavements, and exterior hardscaping. Prior to construction of the proposed building foundations, exterior slabs or other site improvements, our December 20, 2004 geotechnical report recommended subexcavating the entire building envelope at least two feet below the finish pad grade to expose firm native soil. Unclassified fills within a backfilled erosion gully would also be subexcavated to expose firm native soil. The approximate extent of the gully was mapped from aerial photographs. The extent of the erosion gully and the unclassified fill can be more accurately determined in the field when the unclassified fill is subexcavated during site grading. The site would then be brought to grade with compacted lifts of engineered fill. Our December 20, 2004 report provided geotechnical recommendations for design and construction of a new single-family residence at this site. The attached cross section graphically depicts recommendations provided in our December 20, 2004 geotechnical report. This addendum was prepared and reviewed by the undersigned. If you have additional questions regarding this addendum or our December 20, 2004 report, please call our office.

Very truly yours,

REDWOOD GEOTECHNICAL ENGINEERING, INC.

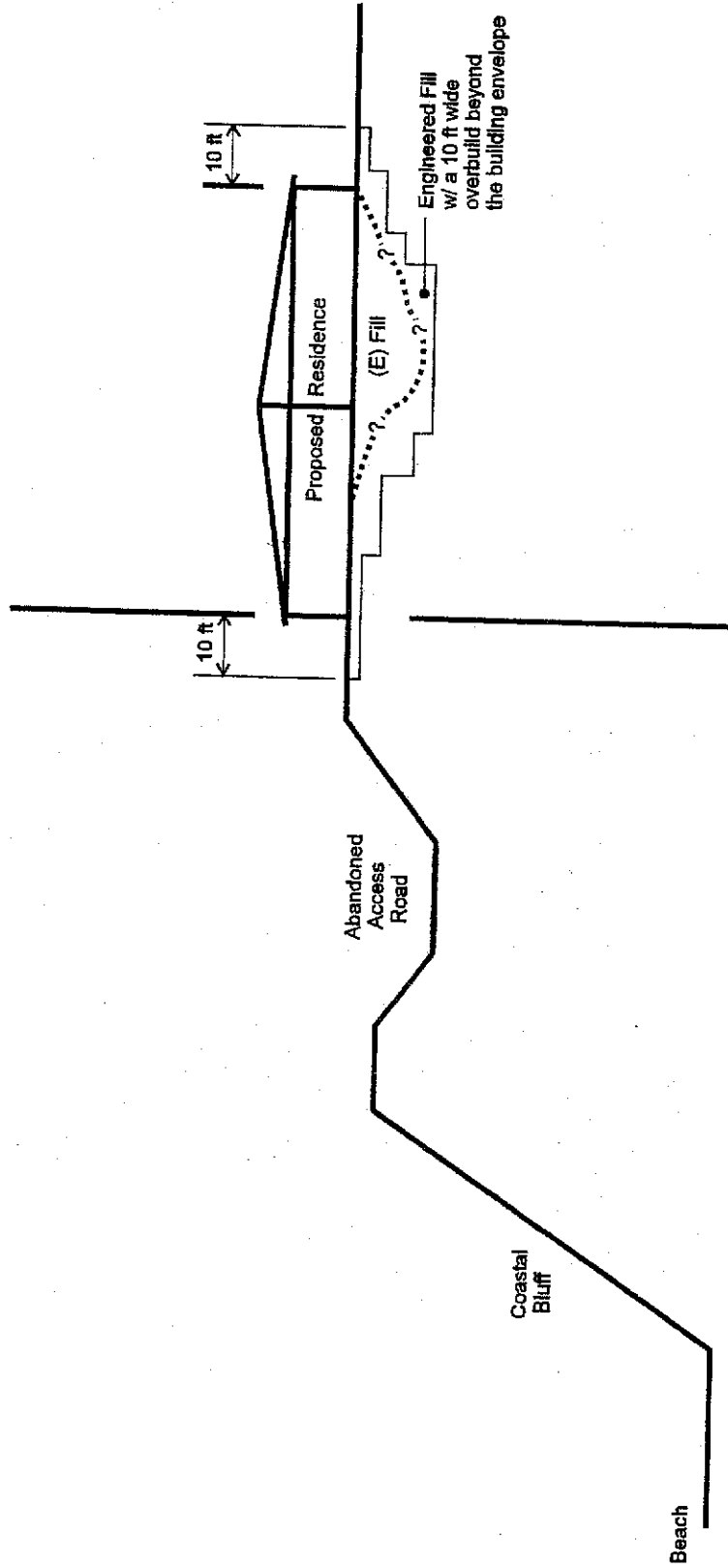
N. Joseph Rafferty  
G.E. 2115

Copies:  
2 to Mr. Charlie Franks

Attachments: Cross Section Schematic, Figure 1A

Southwest

Northeast



Base: Site Plan by Franks Brenkowitz & Associates, 1-15-04

REDWOOD GEOTECHNICAL  
ENGINEERING, INC.

CONSULTING SOIL FOUNDATION  
& FORENSIC ENGINEERS

## CROSS SECTION SCHEMATIC

15 Lilly Way  
Santa Cruz County, California

April 2005

Project Number: 1786SCR

Approximate Scale: 1 inch = 30 feet

Figure 1A

55

**Geotechnical Investigation**  
**for**  
**A Proposed New Single-Family Residence**  
**15 Lilly Way**  
**Santa Cruz County, California**

**for**  
**Mr. Y. M. Chu**  
**Palo Alto, California**

**By**  
**REDWOOD GEOTECHNICAL ENGINEERING, INC.**  
**Soil, Foundation & Forensic Engineers**  
**Project No. 1786SCR**  
**December 2004**



## DISCUSSIONS, CONCLUSIONS, AND RECOMMENDATIONS

Based on the results of our investigation, the site appears compatible with the proposed construction, provided the following recommendations are incorporated into the design and construction of the site improvements. Our firm must be provided the opportunity for a general review of the final project plans and specifications prior to construction so that our geotechnical recommendations may be properly interpreted and implemented.

Our exploratory borings and test pits encountered firm native soil within two feet of the ground surface across most of the proposed building envelope. Aerial photographs indicate that a deep erosion gully on this site was filled about forty years ago. Along the southeastern margin of the proposed building envelope, we encountered predominantly sandy, unconsolidated fills placed within this erosion gully. The approximate limits of the filled erosion gully are shown on the attached Site Plan Schematic, Figure 2. The subsurface profile across the proposed building envelope is shown schematically on Figure 3, Cross Section Schematic.

The surficial topsoil and the unconsolidated gully fill are not sufficiently consolidated to support the proposed site improvements. Recommended site grading would include clearing the site and subexcavating at least two feet below the existing ground surface, (extending at least 10 lateral feet beyond the proposed building envelope). Along the southern and southeastern margin of the building envelope, we encountered about twelve (12) feet of unconsolidated fill above the firm native soil profile. Beyond the proposed building envelope, in the southeastern portion of the site, we encountered about twenty (20) feet of unconsolidated fill in the vicinity of the erosion gully. In the vicinity of the proposed building envelope, unconsolidated fill materials

should be subexcavated to expose firm native soil. The excavated soil should then be cleared of any debris or organic material and then replaced in lifts as clean, compacted engineered fill to bring the building envelope to finish pad grade. We do not anticipate that the proposed access driveway as planned would encroach into areas where gully fills are likely to be encountered. If future improvements are anticipated beyond the proposed building envelope, in areas underlain by unconsolidated fills, the existing unconsolidated fill materials should be subexcavated and replaced as engineered fills. Alternatively, future improvements should be designed to accommodate future ground movement or settlement without significant distress.

Conventional spread footing foundations appear feasible at this site. New foundations should bear in compacted engineered fill. Anticipated footing depths would be at least 12 inches below pad grade for the proposed new wood frame structure. Foundation excavations should be observed by the soil engineer prior to placing reinforcement or concrete. Continuous footings or tie beams should cross brace the foundations and provide structural support for interior bearing walls, concentrated point loads, and shear walls. Isolated footings should be limited to exterior decks or other lightly loaded structures.

Thorough control of runoff and positive site drainage will be critical both during construction and after the project is completed. Finish grades and subsurface drainage systems should promote positive drainage away from the proposed improvements. We recommend elevating the building pad slightly above surrounding yard areas to promote positive drainage away from the new residence. The pavements and driveways should also be positively sloped for drainage. The final grading and landscaping should not obstruct the site drainage or allow moisture to accumulate adjacent to foundations, slabs, pavements, or other improvements.

At depth, the granular native soil encountered in the test borings appears to be moderately to highly permeable. On-site recharge of collected runoff appears feasible within the granular native soil encountered at this site. Percolation testing is recommended in the vicinity of the proposed retention areas.

Critical geotechnical considerations for this project will include; placement and compaction of engineered fill; elevating the finish pad grades slightly above surrounding yard areas; supporting structural foundations on compacted engineered fill; providing firm, uniform subgrades below new pavements and concrete slabs-on-grade; and providing positive site drainage. These critical aspects of the project must be observed by the soils engineer during construction.

The following recommendations should be used as guidelines for preparing project plans and specifications:

#### Site Grading

1. The soil engineer should be notified **at least four (4) working days** prior to any site clearing or grading **so** that the work in the field can be coordinated with the grading contractor, and arrangements for testing and observation can be made. The recommendations of this report are based on the assumption that the soil engineer will perform required testing and observation during grading and construction. It is the owner's responsibility to make the necessary arrangements for these required services.
2. Areas to be graded should be cleared of all obstructions including disturbed soil, loose fill, and other debris or unsuitable material. Depressions or voids created during

site clearing should be backfilled with engineered fill. Cleared areas should be stripped of organic-laden topsoil. Stripping depth is typically about 2 to 4 inches. Actual depth of stripping should be determined in the field by the soil engineer. Strippings should be wasted off-site or stockpiled for use in landscaped areas if desired.

3. After clearing and stripping the site, the building envelope should be subexcavated to expose firm native soil. Within the majority of the proposed building envelope, we recommend that subexcavation extend at least two (2) feet below the finish pad grade, and at least one foot below the existing ground surface, whichever is deeper. Subexcavation should extend at least ten (10) feet horizontally beyond proposed new building envelope. Unconsolidated fills are anticipated to be over twelve (12) feet deep along the southeastern margin of the building envelope. These materials will also need to be subexcavated to expose firm native soil. The final depth of subexcavation should be determined in the field by the soil engineer. Areas to receive engineered fill should then be scarified to a depth of 6 inches, moisture conditioned, and compacted to at least 90 percent relative compaction. Portions of the site may need to be moisture conditioned to achieve a moisture content suitable for effective compaction.

4. Engineered fill should be placed in thin lifts not exceeding 8 inches in loose thickness, moisture conditioned, and compacted. Within five feet of the ground surface, engineered fill should be compacted to at least 90 percent relative compaction. For fills placed beyond a depth of five feet, we recommend at least 95 percent relative compaction. Moisture content should be about 2 to 6 percent above the optimum moisture content. The upper 6 inches of pavement subgrades should be compacted to at least 95 percent relative compaction. The aggregate base below pavements should likewise be compacted to at least 95 percent relative compaction.

Where referenced in this report, Percent Relative Compaction and Optimum Moisture Content shall be based on **ASTM** Test Designation **D1557-91**.

5. If grading is performed during or shortly after the rainy season, the grading contractor may encounter compaction difficulty, due to excessive moisture in the subgrade soil. If compaction cannot be achieved by adjusting the soil moisture content, it may be necessary to over excavate the subgrade soil and replace it with select import angular crushed rock to stabilize the subgrade. The depth of over excavation is typically about 12 to 24 inches under these adverse conditions. Specialized grading procedures will require observation by the soil engineer or his representative.

6. The predominantly sandy soil encountered at this site generally appears suitable for use as engineered fill. Predominantly clayey material, if encountered during grading, should generally be avoided within engineered fills or placed at a depth of at least five feet. Materials used for engineered fill should be non-expansive, free of organic material or debris, and contain no rocks or clods greater than 4 inches in diameter. Larger cobbles, if encountered, should be broken down or removed from engineered fills. We estimate shrinkage factors of about 20 to 30 percent for the on-site sandy materials when used in engineered fills.

7. Following grading, all disturbed areas should be planted as soon as possible with erosion-resistant vegetation. After the earthwork operations have been completed and the soil engineer has finished his observation of the work, no further earthwork operations shall be performed except with the approval of and under the observation of the **soil** engineer.

## Foundations

8. Conventional spread footings are recommended for foundation support. Footings should be embedded into compacted engineered fill. Continuous interior footings or tie beams are recommended below all interior shear walls, concentrated point loads, and bearing walls. Isolated footings should generally be limited to exterior decks, and other lightly loaded structures which can accommodate slight seasonal earth movement without significant distress.

9. Spread footings should extend at least 12 inches below the lowest adjacent grades. Actual footing depths should be determined in accordance with anticipated use and applicable design standards. Continuous footings and tie beams should be 12 inches wide. Isolated footings for exterior deck foundations should be at least 18 inches in diameter. The footings should be reinforced as required by the structural designer based on the actual loads transmitted to the foundation. As a minimum, we recommend No. 4 bars in both the top and the bottom of all continuous footings and tie-beams.

10. The foundation excavations should be kept moist and be thoroughly cleaned of all slough or loose materials prior to pouring concrete. In addition, all footings located adjacent to other footings or utility trenches should have their bearing surfaces founded below an imaginary 1.5:1 plane projected upward from the bottom edge of the adjacent footings or utility trenches.

11. Foundations designed in accordance with the above may be designed for an allowable soil bearing pressure of 2,000 psf for dead plus live loads. This value may be increased by one-third to include short-term seismic and wind loads.

12. For lateral loads, a friction coefficient of 0.35 may be assumed at the base of the footing. Additional passive resistance may be assumed where footings are poured neat against compacted engineered fill. An equivalent passive fluid pressure of 500 pcf may be applied to the sidewalls of the footings when poured against compacted engineered fill.

13. Total and differential settlements under the proposed light building loads are anticipated to be less than  $\frac{1}{2}$  inch and 1 inch respectively.

#### Concrete Slabs-on-Grade

14. Concrete slabs-on-grade should be supported on at least 4 inches of non-expansive granular material. Prior to construction of each slab, the subgrade surface should be thoroughly moisture conditioned and then proof rolled to provide a smooth, firm, uniform surface for slab support.

15. In areas where floor wetness would be undesirable, a blanket of 4 inches of clean free-draining gravel should be placed beneath the floor slab to act as a capillary break. In order to minimize vapor transmission, a durable impermeable membrane should be placed over the gravel. The membrane should be covered with 2 inches of sand or rounded gravel to protect it during construction. The sand or gravel should be lightly moistened just prior to placing the concrete to aid in curing the concrete.

16. To minimize random slab cracking, garage slabs and exterior slabs should be divided with joints into smaller, approximately square, sections. Control joints or expansion joints should be provided at maximum spacings of 10 feet on center.

Control joints should also be provided at corners or other discontinuities. Slab reinforcing should be provided in accordance with the anticipated use and loading of the slab.

17. Exterior concrete slab-on-grade sections should be founded on firm, uniformly moisture conditioned and compacted subgrades. Reinforcing should be provided in accordance with the anticipated use and loading of the slab. The reinforcement **should** not be tied to the building foundations. These exterior slabs can be expected to suffer some cracking and movement. However, thickened exterior edges, a well-prepared subgrade including premoistening prior to pouring concrete, adequately spaced expansion joints, and good workmanship should minimize cracking and movement.

#### Site Drainage

18. Positive site drainage is essential to the future performance of the proposed improvements. The finish pad grade should be elevated slightly above surrounding yard areas for positive drainage. Diligent maintenance of completed drainage improvements **is** required for the life of the improvements. The drainage improvements should be both durable and easily accessible to promote frequent routine maintenance. Collected runoff should be discharged in a controlled fashion. It will be the owner's responsibility to maintain the site drainage system in good working condition for the life of the improvements.

19. Surface drainage must include provisions for positive slope gradients **so** that surface runoff flows away from the foundations, driveways, and other improvements. Minimum positive slope gradients of two percent are recommended for all concrete and landscape surfaces in the vicinity of the site improvements. Surface drainage must be



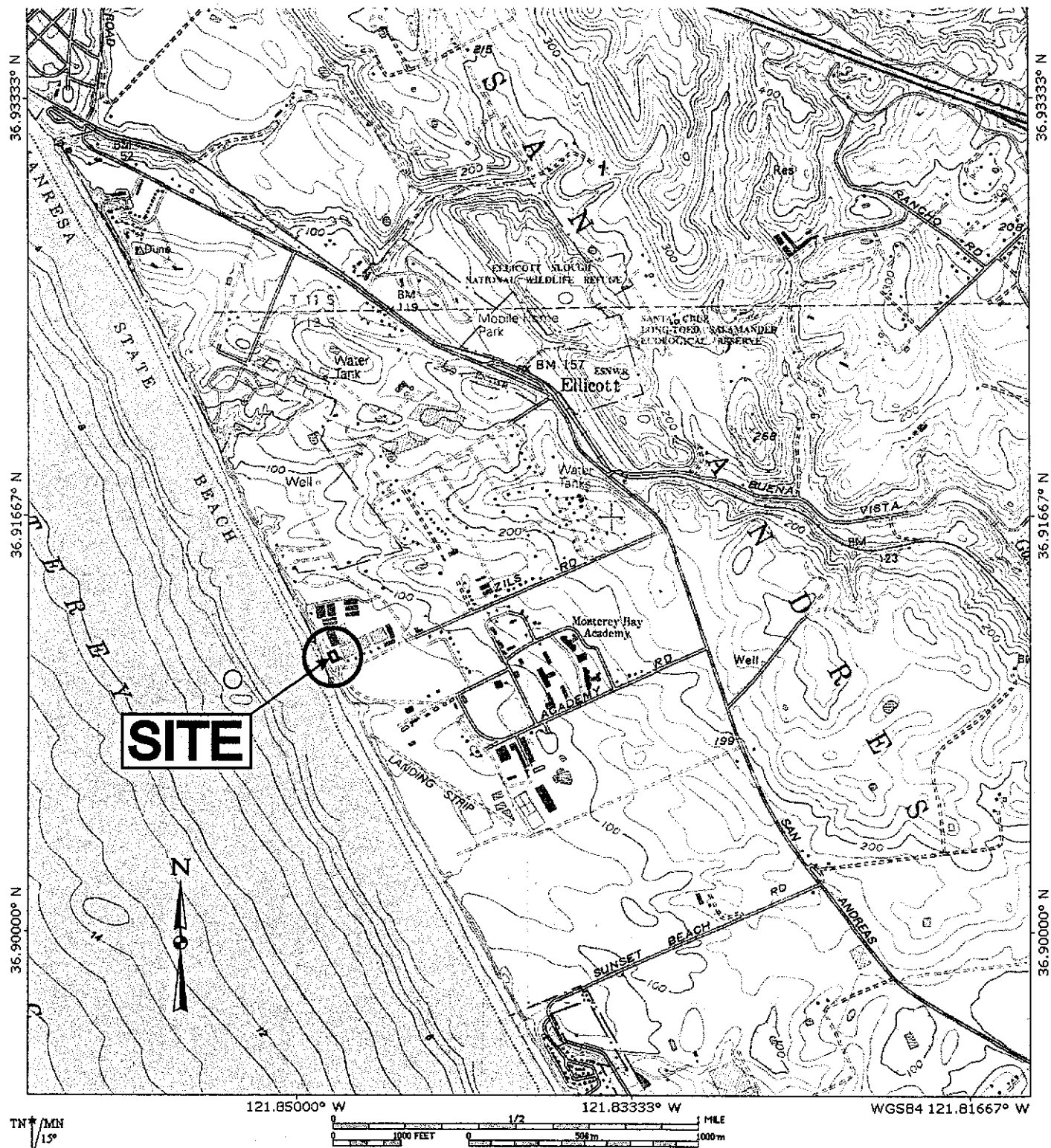
directed away from the building foundations and concrete slabs. Runoff must not be allowed to sheet flow over graded slopes. Collected water should be discharged in a controlled fashion. Where on-site retention pits are proposed, we recommend that the capacity be determined with conventional percolation testing within the sandy soil on the site.

20. Full roof gutters should be placed around all eaves. Discharge from the roof gutters should be conveyed away from the downspouts by splash blocks, lined gutters, pipes or other positive drainage. Collected runoff should be discharged away from the building foundations and other improvements.

21. The migration of water or spread of extensive root systems below foundations, slabs, or pavements may cause undesirable differential movements and subsequent damage to these structures. Landscaping should be planned accordingly.

#### Plan Review, Construction Observation, and Testing

22. Our firm must be provided the opportunity for a general review of the final project plans and specifications prior to construction **so** that our geotechnical recommendations may be properly interpreted and implemented. If our firm is not accorded the opportunity of making the **recommended** review, we can assume no responsibility for misinterpretation of our recommendations. We recommend that our office review the project plans prior to submittal to public agencies, to expedite project review. The recommendations presented in this report also require our observation and, where necessary, testing of the earthwork and foundation excavations. Observation of grading and foundation excavations allows anticipated soil conditions to be correlated to those actually encountered in the field during construction.



**REDWOOD GEOTECHNICAL  
ENGINEERING, INC.**

CONSULTING SOIL, FOUNDATION  
& FORENSIC ENGINEERS

## SITE VICINITY MAP 15 Lilly Way Santa Cruz County, California

PROJECT NUMBER 1786SCR

BASE: USGS Topo Map of Watsonville West 7.5' Quadrangle

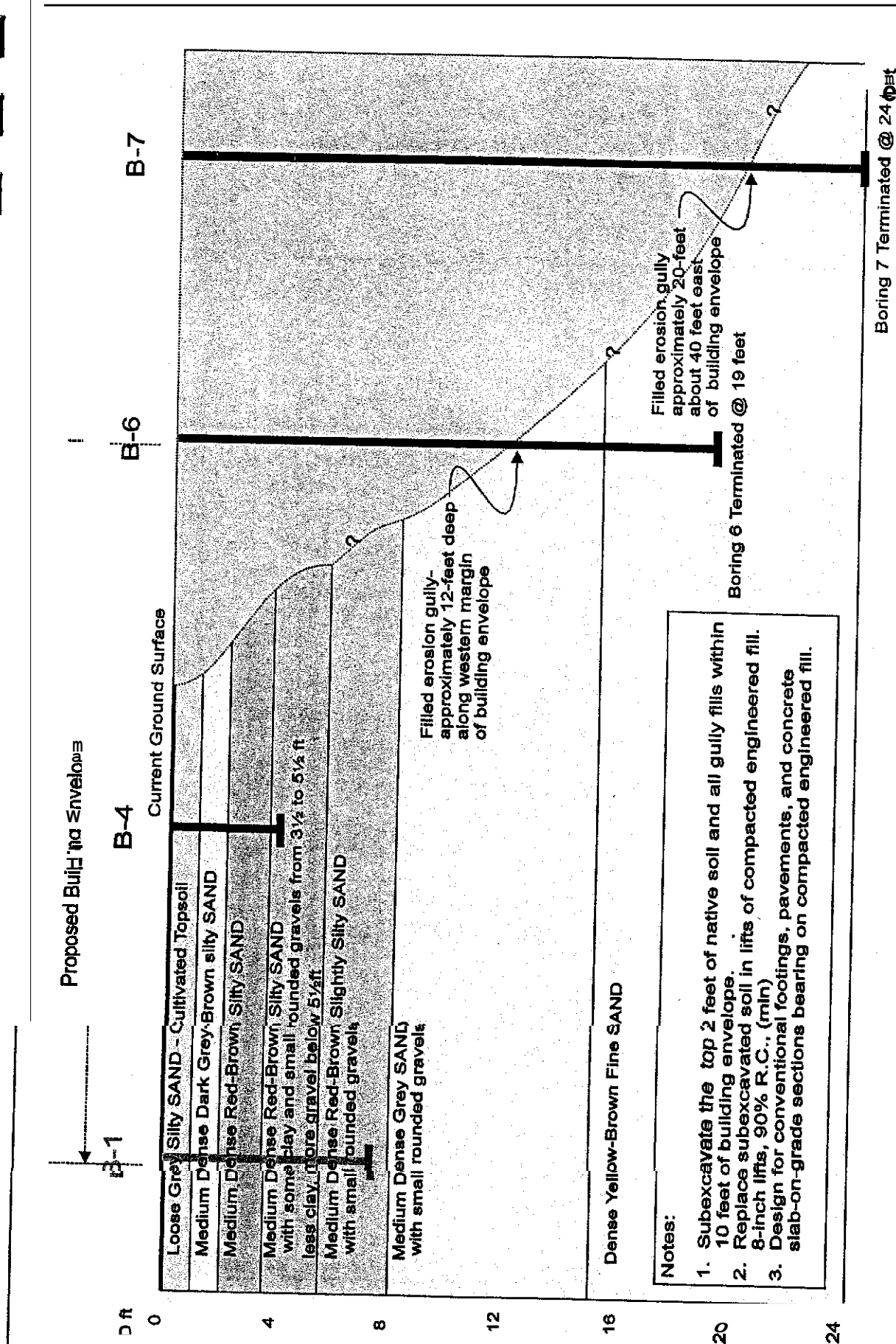
December 2004

Scale: 1:24,000

Figure 1

66

EXHIBIT F



Boring 7 Terminated @ 24 feet

Boring 6 Terminated @ 19 feet

Filled erosion gully approximately 20-feet about 40 feet east of building envelope

Filled erosion gully approximately 12-feet deep along western margin of building envelope

**Notes:**

1. Subexcavate the top 2 feet of native soil and all gully fills within 10 feet of building envelope.
2. Replace subexcavated soil in lifts of compacted engineered fill. 8-inch lifts, 90% R.C., (min)
3. Design for conventional footings, pavements, and concrete slab-on-grade sections bearing on compacted engineered fill.

**REDWOOD GEOTECHNICAL  
ENGINEERING, INC.**

CONSULTING SOIL, FOUNDATION  
& FORENSIC ENGINEERS

**CROSS SECTION SCHEMATIC**

15 Lilly Way

Santa Cruz County California

December, 2004

Project Number: 1786SCR

No Horizontal Scale

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: Joan Van Der Hoeven  
Application No.: 04-0344  
APN: 046-091-22

Date: May 10, 2005  
Time: 10:01:09  
Page: 1

**Environmental Planning Completeness Comments**

===== REVIEW ON AUGUST 13, 2004 BY ROBERT S LOVELAND =====

1. Please submit 2 copies of the completed soils report to the County Geologist. The soils report will be reviewed with the geologic report. NOTE: The geologic report will not be formally reviewed until the soils report is submitted.

2. According to sheet A3 (Geology Information) there was a large gully that was filled back in the 1960's. The project geotechnical engineer, working in conjunction with the geologist, needs to submit a letter explaining how this area is to be handled. Does the area need to be excavated/recompacted before the road can be placed? If so, delineate "limits of grading" and provide earthwork calculations. Or, is the fill area okay and drainage will be handled to avoid any concentrated flows in this area?

3. No biotic issues identified within the area of proposed development. =====  
UPDATED ON MARCH 18, 2005 BY ROBERT S LOVELAND =====

**2nd Routing:**

1. The geologic and soils reports have not yet been approved

2. Item 2 above still needs to be addressed. ===== UPDATED ON APRIL 26, 2005 BY JOSEPH L HANNA =====

Both soil engineering and engineering geology report have been reviewed and approved. ===== UPDATED ON APRIL 27, 2005 BY ROBERT S LOVELAND =====

3rd Routing: I received a letter from the project geotechnical engineer, dated 4/4/05. This letter covered most of the issues listed above except for estimated earthwork calculations.

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON AUGUST 13, 2004 BY ROBERT S LOVELAND =====

**Conditions of Approval :**

1. Submit a detailed erosion control plan for review.

2. Submit "Plan Review" letters from both the project geologist and geotechnical engineer.

3. Identify the 100-year geologic setback from the coastal bluff

4. Submit a detailed landscaping plan for review.

5. Submit an engineered grading and drainage plan for review. The grading plan must include all overexcavation/recompaction earthwork under the home (including the 10

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven  
Application No. : 04-0344  
APN: 046-091-22

Date: May 10, 2005  
Time: 10:01:09  
Page: 2

foot area around the perimeter of the home) and all work to repair the old gully

Project Review Completeness Comments

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

===== REVIEW ON AUGUST 20, 2004 BY JOAN VAN DER HOEVEN =====

A more substantial agricultural buffer shall be provided on the side adjacent to the greenhouses at APN 046-091-21. In addition, a solid 6-foot tall solid wood board fence is required as an agricultural buffer. The Recommended Agricultural Buffer Plant List is attached for your review and action.

Project Review Miscellaneous Comments

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

===== REVIEW ON AUGUST 20, 2004 BY JOAN VAN DER HOEVEN =====

Non selective glazing shall be required on upper floor windows to minimize structural visibility from the beach ( in addition to the proposed natural materials and muted earth tone exterior colors).

===== UPDATED ON AUGUST 20, 2004 BY JOAN VAN DER HOEVEN =====

Dpw Drainage Completeness Comments

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

===== REVIEW ON AUGUST 17, 2004 BY CARISA REGALADO =====

This application is complete for the discretionary stage based on the following clarifying items per a phone discussion between the applicant, Charles Franks, and myself (County Stormwater Management Division) on 8/17/04:

- 1) Project area is flat and suitable for maintaining increases in runoff on-site.
- 2) No runoff will be allowed to flow over the bluff.
- 3) Increases in runoff from new impervious surfaces will not be directed offsite: therefore, no offsite impacts are anticipated.

Please see Miscellaneous Comments for additional notes. ===== UPDATED ON MARCH 18, 2005 BY DAVID W SIMS =====  
Previously approved. No further comment.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON AUGUST 17, 2004 BY, CARISA REGALADO =====

For the building application stage, please address the following items:

- 1) Show proposed on-site drainage system. **It** must be clear that the increase in run-

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven  
Application No.: 04-0344  
APN: 046-091-22

Date: May 10, 2005  
Time: 10:01:09  
Page: 3

off will be maintained on-site and that there will be no adverse impacts to the bluff or surrounding areas as indicated by the applicant

2) A letter of approval on the proposed drainage system for the development from the project Geotechnical Engineer must be submitted

If needed, further drainage plan guidance may be obtained from the County of Santa Cruz Planning website: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

All subsequent submittals for this application must be done through the Planning Department. Submittals made directly to Public Works will result in delays.

Please call or visit the Dept. of Public Works, Stormwater Management Division, from 8:00 am to 12:00 pm if you have any questions. ===== UPDATED ON MARCH 18, 2005  
BY DAVID W SIMS =====  
NO COMMENT

Dpw Driveway/Encroachment Completeness Comments

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

===== REVIEW ON JULY 28, 2004 BY RUTH L ZADESKY =====  
No Comment, project adjacent to a non-County maintained road.

Dpw Driveway/Encroachment Miscellaneous Comments

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

===== REVIEW ON JULY 28, 2004 BY RUTH L ZADESKY =====  
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON AUGUST 16, 2004 BY TIM N NYUGEN =====  
NO COMMENT  
===== UPDATED ON MARCH 15, 2005 BY TIM N NYUGEN =====  
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON AUGUST 16, 2004 BY TIM N NYUGEN =====  
NO COMMENT  
===== UPDATED ON MARCH 15, 2005 BY TIM N NYUGEN =====  
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON AUGUST 3, 2004 BY JIM G SAFRANEK =====  
If the applicant intends to utilize the existing septic system for this proposed project then: Applicant must provide an Environmental Health Clearance for this

## Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven  
Application No.: 04-0344  
APN: 046-091-22

Date: May 10, 2005  
Time: 10:01:09  
Page: 4

project. Provide a satisfactory septic tank pumper's report to demonstrate that ALL septic systems are functioning. Contact Land Use staff of Environmental Health at 454-2749. Applicant must draw to scale all septic systems on a revised site plan.  
===== UPDATED ON AUGUST 3, 2004 BY JIM G SAFRANEK ===== Applicant paid \$280. EHS review fee as of 7-1-04 is \$462. Remainder is due.  
===== UPDATED ON AUGUST 3, 2004 BY JIM G SAFRANEK =====  
===== UPDATED ON MARCH 16, 2005 BY JIM G SAFRANEK ===== The septic tank for the proposed 6 bedroom structure is not large enough & will need to be upgraded under EHS permit.  
===== UPDATED ON MARCH 16, 2005 BY JIM G SAFRANEK =====

### Environmental Health Miscellaneous Comments

===== REVIEW ON AUGUST 3, 2004 BY JIM G SAFRANEK =====  
NO COMMENT  
===== UPDATED ON MARCH 16, 2005 BY JIM G SAFRANEK =====  
===== UPDATED ON MARCH 16, 2005 BY JIM G SAFRANEK =====  
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 AUGUST 20, 2004 BY ERIN K STOW =====  
DEPARTMENT NAME: Aptos/La Selva Fire Dept.  
The new hydrant shall be in and charged prior to commencement of structural framing.  
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.  
===== UPDATED ON MARCH 23, 2005 BY ERIN K STOW =====  
DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED  
The new hydrant shall be in and charged prior to commencement of structural framing.  
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.  
===== UPDATED ON MARCH 23, 2005 BY ERIN K STOW =====  
NO COMMENT

### Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

===== REVIEW ON AUGUST 20, 2004 BY ERIN K STOW =====  
NO COMMENT  
===== UPDATED ON MARCH 23, 2005 BY ERIN K STOW =====  
NO COMMENT  
===== UPDATED ON MARCH 23, 2005 BY ERIN K STOW =====  
NO COMMENT

Application Fee: Paid ☐ Waived ☒ None ☐  
Coastal Development

**ENVIRONMENTAL HEALTH CLEARANCE TO APPLY FOR BUILDING PERMIT FOR RURAL PROPERTIES**  
**\*THIS IS NOT A PERMIT\***

**TO BE COMPLETED BY APPLICANT:**

1-25-05 46-091-22 15 LILLY WAY  
Date Assessor's Parcel Number Construction Site Location  
CHARLES FRANKS Y.M. CHU 426-5922  
Applicant's Name Owner's Name Applicant's Phone Number  
P.O. BOX 597, APTOS, CA 95001-0597  
Mailing Address

**PROPOSED PROJECT**

- |   | ENVIRONMENTAL HEALTH REQUIREMENTS (SEE BELOW) |
|---|---|
| <input type="checkbox"/> New Residence  | 1,(2),5                                       |
| <input type="checkbox"/> Affordable Second Dwelling   | 3,(4),5                                       |
| <input type="checkbox"/> Accessory Habitable Structure/Guest House (No Kitchen)   | 3,(4),5                                       |
| <input type="checkbox"/> Replacement of Structure   | 3,(4),5                                       |
| <input type="checkbox"/> Reconstruction of Destroyed Residence; Date Destroyed _____<br>(Provide documentation of catastrophe)  | 3,(4),5                                       |
| <input type="checkbox"/> Remodel Increasing Number of Bedrooms and/or an addition of<br>more than 500 sq. ft. of floor area. Proposed Total Bedrooms _____  | 3,(4),5                                       |
| <input type="checkbox"/> Remodel with a one-time addition of 500 square feet or less with no bedroom increase   | 3,5   |
| <input checked="" type="checkbox"/> Other <u>Coastal Development Permit</u>   |   |
| <input type="checkbox"/> Simple foundation replacement with no change in footprint, wiring, plumbing, roofing, interior remodeling with no increase in bedrooms, and/or exterior remodeling with no change in footprint |   |

Applicant's Signature [Signature]

TO BE COMPLETED BY ENVIRONMENTAL HEALTH STAFF: ADDITIONAL FEE REQUIRED \$ \_\_\_\_\_

**ENVIRONMENTAL HEALTH REQUIREMENTS**

MAXIMUM NUMBER OF BEDROOMS ALLOWED N/A

	Permit #	Approved:	Denied:
<input type="checkbox"/> 1 Individual Sewage Disposal Permit - New	_____	_____	_____
<input type="checkbox"/> 2a Individual Water System Permit	_____	_____	_____
<input type="checkbox"/> 2b Connection to Existing Water System: _____	_____	_____	_____
<input type="checkbox"/> 3 Evaluation of Existing Septic System	_____	_____	_____
<input type="checkbox"/> 4 Individual Sewage Disposal Permit-Repair/Upgrade	_____	_____	_____
<input type="checkbox"/> 5 NO construction over septic system or in expansion area.	_____	_____	_____

ADDITIONAL CONDITIONS OR REMARKS: Coastal Development only.

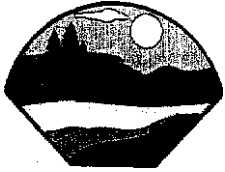
This Clearance is granted subject to the conditions specified above and in approved Environmental Health permits. Building plans submitted with the building permit application must be in compliance with those conditions and with the above project description. Applications not in compliance will be denied by Environmental Health.

- ☐ Clearance to Apply for Building Permit Approved - Application Review and Clearance Valid Until \_\_\_\_\_  
☐ Environmental Health Requirements Cannot Be Met - Clearance Denied (Date)  
☐ Environmental Health Clearance not required per Section 7.38.080B(6).  
☒ Compliance with Environmental Health requirements not yet determined-owner applies for Bldg. Permit at own risk.

By [Signature]  
Environmental Health Staff

Date: 1/25/05





## Aptos/La Selva Fire Protection District

6934 Soquel Drive. Aptos, CA 95003  
Phone # 831-685-6690 • Fax # 831-685-6699

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March 18, 2005

Planning Department  
County of Santa Cruz  
Attention: Joan Van der Hoeven  
701 Ocean Street  
Santa Cruz, CA 95060

Subject: APN: 46-091-22 / Appl #04-0344  
15 Lilly Way

Dear Ms. Van der Hoeven:

Aptos/La Selva Fire Department has reviewed the plans for the above cited project and has no objections as presented; however, compliance must be met on the following.

- The new hydrant shall be in and charged prior to commencement of structural framing.
- Any other requirements 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.

\*\*\*\*\*

In order to obtain building application approval, recommend you have the DESIGNER add appropriate NOTES and DETAILS showing the following information on **the plans that are submitted for BUILDING PERMIT**.

**NOTE** on the plans that these plans are in compliance with California Building and Fire Codes (2001) and District Amendment.

NOTE on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE / FIRE RATING, and SPRINKLERED or NON-

SPRINKLERED as determined by building official and outlined in Part IV of the California Building Code.

(e.g. R-3, Type V-N, Sprinklered)

SHOW on the plans a public fire hydrant within 250 feet of any portion of the building meeting the minimum required fire flow for the building. This information can be obtained from the water company.

FIRE FLOW requirements for the subject property are 1000 gallons. NOTE on the plans the REQUIRED and AVAILABLE FIRE FLOW. The AVAILABLE FIRE FLOW information can be obtained from the water company.

NOTE 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 adopted standards of the Aptos/La Selva Fire Protection District.

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.

SHOW on the plans where smoke detectors are to be installed according to the following locations and approved by this agency as a minimum requirement.

- One detector adjacent to each sleeping area (hall, foyer, balcony, or etc.)
- One detector in each sleeping room.
- One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder.
- There must be at least one smoke detector on each floor level regardless of area usage.
- There must be a minimum of one smoke detector in every basement area.

NOTE on the plans, building numbers shall be provided. Numbers shall be a minimum of four(4) inches in height on a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street.

NOTE on the plans the installation of an approved spark arrester on the top of the chimney. The wire mesh not to exceed 1/2 inch.

NOTE on the plans that the roof covering shall be no less than Class "B" rated roof.

SHOW on the plans, DETAILS of the Fire Department Turn-a-round in compliance with District Standard. Include dimensions. (See attached).

SHOW on the plans, DETAILS of compliance with the driveway requirements. The driveway shall be 12 feet minimum width and maximum twenty percent slope.

The driveway shall be in place to the following standards prior to any framing construction, or construction will be stopped:

- The driveway surface shall be "all weather", a minimum 6" of compacted aggregate base rock, Class 2 or equivalent, certified by a licensed engineer to 95% compaction and shall be maintained.  
ALL WEATHER SURFACE: shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and 2" asphaltic concrete for grades exceeding 15% but in no case exceeding 20%
- The maximum grade of the road 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-a-rounds 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.

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.

**EXCEPTION** 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.

NOTE on the plans the job copies of the building and fire systems plans and permits must be on-site during inspections.

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with 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 reviewer and reviewing agency.

Sincerely,

  
Jim Dias, Fire Marshal  
Fire Prevention Division  
Aptos/La Selva Fire Protection District

APN: 046-091-22

APPL. # 04-0344

PAGE 4 of 4

Cc: Yuet-Ming & Miriam Chu  
642 Maybell Avenue  
Palo Alto, CA 94306

CC: Charles Franks  
P.O. Box 597  
Aptos, CA 95001



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

## ⌘ 2<sup>nd</sup> Routing ⌘

Project Comment Sheet

# AT COST

Date: February 25, 2005

\_\_\_ Accessibility

\_\_\_1 Environmental Planning Kevin Crawford

\_\_\_1 Environmental Planning Bob Loveland

\_\_\_2 Fire District Aptos/La Selva

\_\_\_ Housing

\_\_\_ Long Range / Advanced Plng

\_\_\_1 Project Review Joan Van der Hoeven

\_\_\_1 Urban Design Larry Kasparowitz

\_\_\_1 Geological Report Joe Hanna

### To be Mailed:

\_\_\_1 Coastal Commission

### Dept. of Public Works

\_\_\_1 Drainage District

\_\_\_1 Driveway Encroachment

\_\_\_1 Road Engineering/Transportation

\_\_\_ Sanitation

\_\_\_ Surveyor

\_\_\_1 Environmental ltl

### \_\_\_ RDA

\_\_\_1 Supervisor

Ellen Pine

\_\_\_ Clerk of the Board

\_\_\_ Other

Project Planner: Joan Van der Hoeven Tel: 454-5174

Email: pln140@co.santa-cruz.ca.us

Subject APN: 046-091-22

Application Number: 04-0344

### See Attached for Project Description

The attached application for a development permit, land division permit or general plan amendment has been received by the Planning Department.

Please submit your comments to the project planner via the discretionary application comments/review function in A.L.U.S.

Please Complete by: March 18, 2005

*No comment*  
*Joan Van der Hoeven*  
*3/16/05*

Law Offices of  
**DENNIS J. KEHOE**  
Law Corporation

311 Bonita Drive  
Aptos, California 95003  
(831) 662-8444 FAX (831) 662-0227

January 6, 2005

SANTA CRUZ PLANNING DEPARTMENT  
ATTENTION: JOAN VAN DER HOEVEN  
701 Ocean Street, 4<sup>th</sup> Floor  
Santa Cruz, CA 95060

**Re: Application No. 04-0344, APN 046-091-22,  
Yuett Ming and Miriam Chu, Applications for reduction of  
Agricultural set-back and for a Coastal Zone Permit to build a 6-  
bedroom dwelling in the 200-foot Agricultural Buffer**

Dear Ms. Van der Hoeven:

**A.** Pursuant to our recent conversation, the undersigned represents the farmer/owner of the adjacent property, Roy Sakae, 21 Lily Way, Watsonville, CA 95076. Please transmit copies of all public hearings to both Roy Sakae at his address and myself at the above address. Thank you for your anticipated cooperation.

**B.** Mr. Sakae has some very grave concerns about the intrusion into the Agricultural Buffer and, also, the request for a discretionary Coastal Zone Permit. Among other items, the placement of the footprint of a large home (lower floor heated, 3500 sq. ft.; lower floor, unheated, 225 sq. ft.) and a impervious driveway and turn-about near the Sakae property and within the 200-foot Agricultural Buffer will definitely create drainage problems on both the Chu property and the Sakae property. As I understand, the immediate area of the proposed home and surrounding land is a drainage way for approximately 52 acres above and adjacent to the Chu property. In reviewing the file, I find nothing addressing this significant drainage issue.

As I understand, the County is requiring a complete soils report prior to further processing the pending permits. Such a complete soils report must address and remediate the potential adverse drainage impacts of the proposed project. This is prime agricultural land and has, historically, been zoned Commercial Agriculture (CA). These natural resources are protected by law.

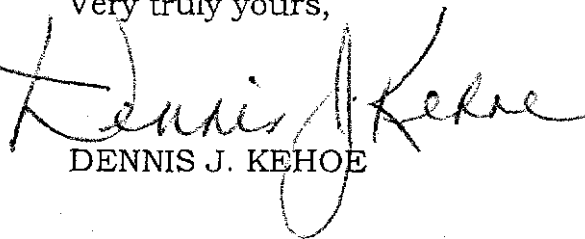
SANTA CRUZ PLANNING DEPARTMENT  
ATTENTION: JOAN VAN DER HOEVEN  
January 6, 2005  
Page Two

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C. In reviewing the staff report to APAC, the proposed **REQUIRED FINDINGS** for development on CA Coastal Zone property indicates that "the owners of the subject property have executed binding hold harmless covenants with the owners and agricultural operators of adjacent agricultural properties." Nevertheless, no such hold harmless agreement has been presented to Roy Sakae nor do I find any proposed hold harmless agreement in this file. Consequently, please transmit to me a copy the proposed hold harmless agreement as required by County Code §13.10.314(b) 3.

/s/\_\_\_\_\_  
Your early reply would be appreciated.

Very truly yours,

  
DENNIS J. KEHOE

DJK:jlc

c: Roy Sakae  
Grant Sakae  
Santa Cruz County Counsel  
Clerk, Board of Supervisors, County of Santa Cruz



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

January 11, 2005

Dennis J. Kehoe, Law Corporation  
311 Bonita Drive  
Aptos, CA 95003

Subject: Application # **04-0344**; Assessor's Parcel #: **046-091-22**  
Owners: **Miriam L. & Yuet-Ming Chu**

Dear Mr. Kehoe:

Thank you for your letter dated January 6, 2005.

- a. All property owners within 300-feet of the proposed project receive notice of any pending action as per County Code Section 18.10.223. The next public hearing for this project will be a hearing before the Zoning Administrator to address the Coastal Zone issues. I shall forward to you such notice and a copy of the staff report to Mr. Sakae once the project is scheduled.
- b. Mr. Sakae's concern about drainage matters raised in your letter shall be forwarded to Public Works for comment prior to hearing before the Zoning Administrator. When you reviewed both the APAC staff report and the file I am sure you noted the review by County Public Works. I shall attach them to this letter again for you to review. The required soils report has not yet been submitted for review.
- c. The required Agricultural Statement of Acknowledgement was recorded as Document 2004-0074978 on October 20, 2004. This item was already in the project file that you reviewed on December 30th, but I will make another copy for your information. This item is a requirement for the project by the land owner and is not negotiable by the neighbors.

Thank you for your continuing interest in the project

Should you have further questions concerning this application, please contact me at:  
(831) 454-5174 or e-mail: [pln140@co.santa-cruz.ca.us](mailto:pln140@co.santa-cruz.ca.us)

Sincerely,

Joan Van der Hoeven, AICP  
Project Planner

Development Review

cc: Chu, Sakae, Franks, Santa Cruz County Counsel, Santa Cruz Clerk of the Board, Public Works

80

EXHIBIT H



Law Offices of  
**DENNIS J. KEHOE**  
Law Corporation  
311 Bonita Drive  
Aptos, California 95003  
(831) 662-8444 FAX (831) 652-0227

January 25, 2005

SANTA CRUZ PLANNING DEPARTMENT  
ATTENTION: JOAN VAN DER HOEVEN, A.I.C.P.  
Project Planner  
701 Ocean Street, 4<sup>th</sup> Floor  
Santa Cruz, CA 95060

**Re: Application #04-0344, APN 046-09 1-22; Chu,**

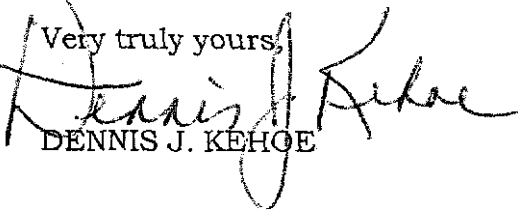
Dear Ms. Van der Hoeven:

The undersigned is in receipt of your correspondence regarding this matter dated January 11, 2005. You indicated that an Agricultural Statement of Acknowledgment **was** recorded in the Santa Cruz County Recorder's Office in October 20, 2004. Nevertheless, that Acknowledgment is **not** an Indemnification Agreement as required by Code §13.10.314(b)3 requiring:

**"That the owners of the parcel have executed binding hold-harmless covenants with owners and agricultural operators of adjacent agricultural parcels. Such covenants shall run with the land and shall be recorded prior to the issuance of the Development Permit.**  
(emphasis added)

As requested in my January 6, 2005, letter, please transmit to the undersigned a binding hold-harmless agreement by the owners of the subject property with my client. Your prompt reply hereto would be appreciated.

Very truly yours,

  
DENNIS J. KEHOE

DJK:jlc

c: Roy Sakae  
Grant Sakae  
Santa Cruz County Counsel  
Clerk, Board of Supervisors, County of Santa Cruz  
Santa Cruz County Public Works Department

81

EXHIBIT H

Law Offices of  
**DENNIS J. KEHOE**  
Law Corporation

311 Bonita Drive  
Aptos, California 95003  
(831) 662-8444 FAX (831) 662-0211

February 9, 2005

SANTA CRUZ PLANNING DEPARTMENT  
ATTENTION: JOAN VAN DER HOEVEN, A.I.C.P.  
Project Planner  
701 Ocean Street, 4<sup>th</sup> Floor  
Santa Cruz, CA 95060

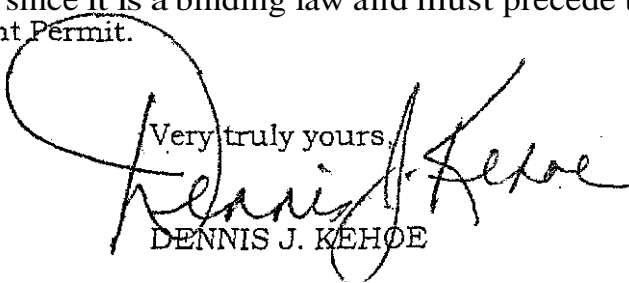
Re: Application #04-0344, APN 046-091-22; Chu,

Dear Ms. Van der Hoeven:

The undersigned is in receipt of your February 2, 2005, letter, a copy of which attached, The Agricultural Statement of Acknowledgment signed and recorded by the Chu family is pursuant to County Code Chapter 16.50 including §16.50.090, a copy of which is included. Nevertheless, the Agricultural Statement of Acknowledgment does not comply with or satisfy the requirements of the County Code, in particular Chapter 13.01.

County Code §13.10.314(b) specifically states that the hold harmless agreement must be executed by the applicants with the owners of the adjacent agricultural parcels. Furthermore, this requirement is in addition to other County code requirements. Consequently, the required discretionary permit cannot, as a matter of law, be granted unless, among other items, "...the owners of the parcel have executed binding hold harmless covenants with the owners and agricultural operators of adjacent agricultural parcels. Such covenants shall run with the land and shall be recorded prior to the issuance of the Development Permit." (Emphasis added) §13.10.314(b)3, a copy of which is enclosed. The requirements for a hold harmless agreement between the respective owners cannot be obfuscated since it is a binding law and must precede the issuance of any discretionary Development Permit.

Very truly yours,

  
DENNIS J. KEHOE

DJK:jlc  
Enclosures

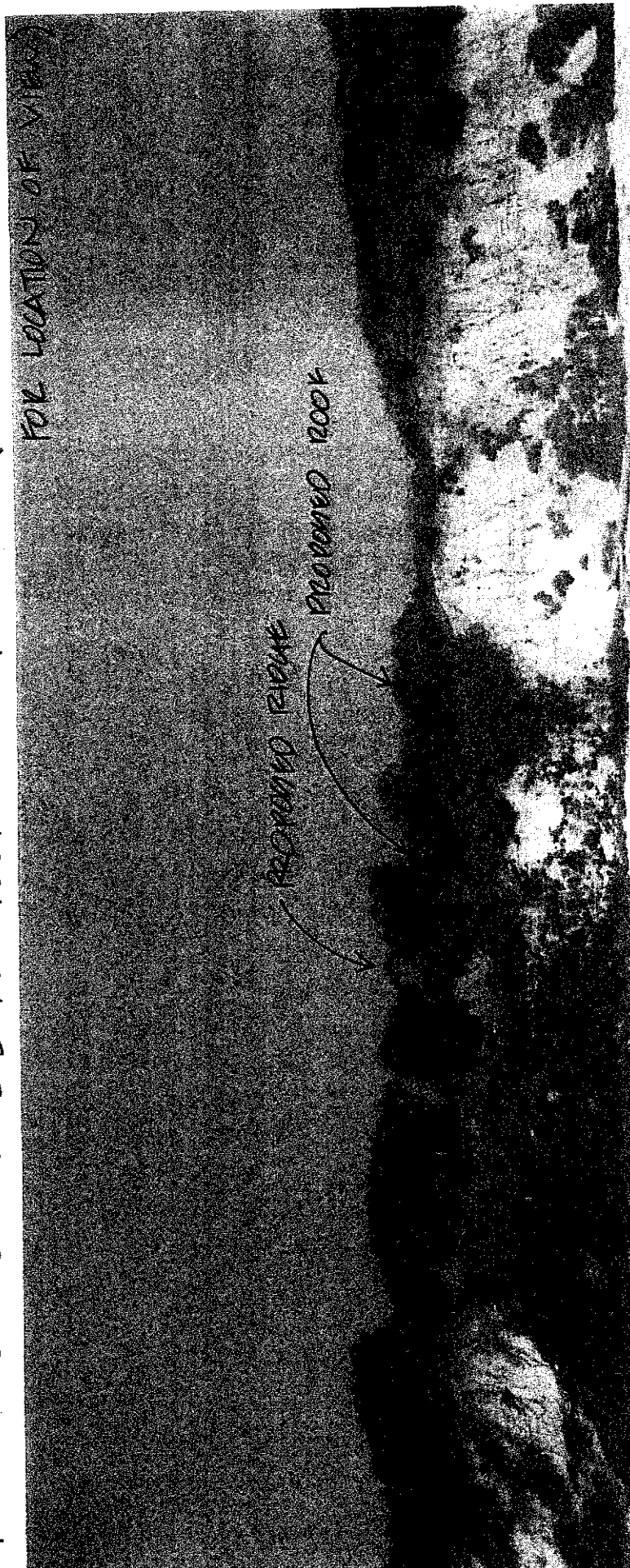
c: Roy Sakae  
Grant Sakae  
Santa Cruz County Counsel  
Clerk, Board of Supervisors, County of Santa Cruz  
Santa Cruz County Public Works Department

82

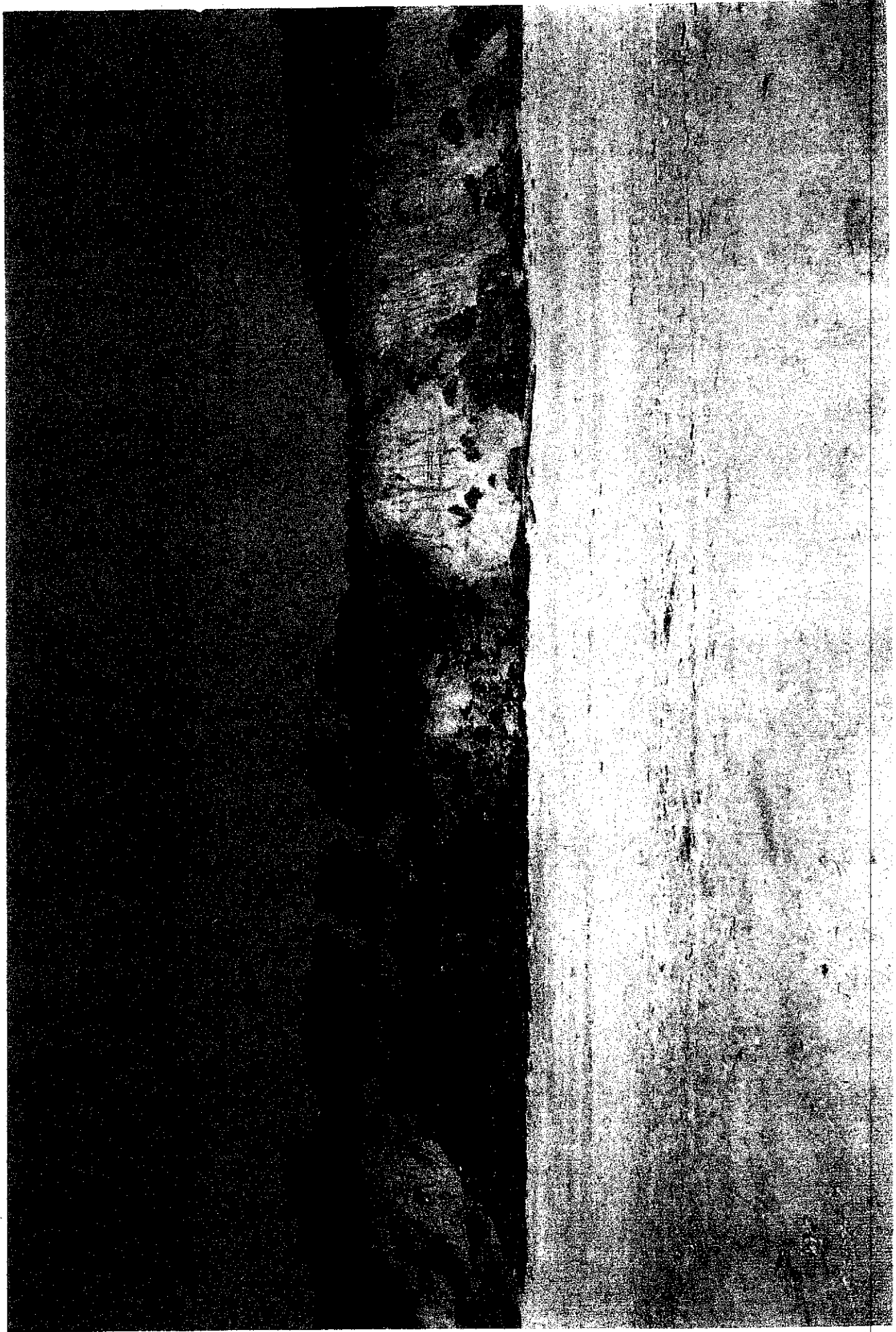
EXHIBIT H

PROPOSED RESIDENCE AS SEEN FROM BEACH (REFER TO SITE PLAN

FOR LOCATION OF VIEW)



PROPOSED ROOF LINE SHOWN DASHED



Return recorded form to:

Planning Department  
County of Santa Cruz

Attention: Joan Van der Hoeven  
Application # 04-0344

---

**Amended Statement of Acknowledgement  
Regarding the Issuance of a County Building Permit in an Area Determined by the County  
of Santa Cruz to be Subject to Agricultural-Residential Use Conflicts**

The undersigned Yuet-Ming Chu & Miriam L. Chu Trustees do hereby certify to be the owners of the real property located in the County of Santa Cruz, State of California, commonly known as 15 Lilly Way, La Selva Beach CA 95076; legally described in that certain deed recorded in 2002-0071629 of the official records of Santa Cruz County Recorder on 10-07-02; Assessor's Parcel Number: 046-091-22. This Amended Statement hereby replaces in its entirety and supercedes that previous Statement of Acknowledgment recorded October 20, 2004 as Instrument #2004-0074978 of the Official Records of the County of Santa Cruz.

And we do hereby acknowledge that the property described herein is adjacent to land utilized for commercial agricultural purposes and residents of this property may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, including herbicides, pesticides, and fertilizers; and from the pursuit of agricultural operations including plowing, spraying, pruning and harvesting which occasionally generate dust, smoke, noise and odor. And we acknowledge that the County has established an agricultural setback on the herein described property to separate agricultural parcels and non-agricultural uses involving habitable spaces to help mitigate these conflicts. Any development on this property must provide a buffer and setback as specified in County Code. And we further acknowledge the agricultural buffer setbacks and barriers required by Permit 04-0344.

And we further acknowledge that Santa Cruz County has established agriculture as a priority use on productive agricultural lands, and that residents of adjacent property should be prepared to accept such inconvenience or discomfort from normal, necessary farm operations.

Furthermore, we agree to hold harmless owners and agricultural operators of adjacent agricultural parcels from and against all claims, actions, proceedings, demands, liabilities or damage (collectively "damage") resulting from or in connection with reasonable and lawful commercial agricultural operations on the adjacent parcels, except to the extent such damage is **the** result of the negligence of the adjacent landowners or the conduct of the adjacent landowners constitutes fraud, willful injury to person or property, or violation of law.

This Statement of Acknowledgment shall be recorded and shall be binding upon the undersigned, any future owners, encumbrances, their successors, heirs or assignees. The statements contained in *this* Statement of Acknowledgment are required to be disclosed to prospective purchasers of the property described herein, and required to be included in any deposit receipt for the purchase of the property, and in any deed conveying the property.

**ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC. IF A  
CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT SHALL BE ATTACHED.**

85

EXHIBIT 1

Executed on \_\_\_\_\_, 20\_\_.

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

**ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.  
IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT SHALL  
BE ATTACHED.**

STATE OF CALIFORNIA COUNTY OF \_\_\_\_\_

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

WITNESS my hand and official seal.

Signature \_\_\_\_\_  
(Notary Public in **and** for said County and State)

This form must be reviewed and approved by a County Planning Department staff person after  
notarization and prior to recordation.

Dated: \_\_\_\_\_

COUNTY OF SANTA CRUZ

By: \_\_\_\_\_  
Planning Department *Staff*