



Staff Report to the Zoning Administrator

Application Number: **06-0247**

Applicant: Matson-Britton Architects
Owner: *GreenEyes* LLC
APN: 038-191-24

Agenda Date: November 3, 2006
Agenda Item #: **3**
Time: After 10:00 a.m.

Project Description: Proposal to re-construct an existing three-story single-family dwelling to include the removal of all habitable features from the lower floor, a complete interior and exterior remodel, the addition of about 500 sq. ft. of habitable space on the 3rd floor, and the demolition and reconstruction of outdoor decking. Requires an Amendment to Coastal Development Permit 04-0050 and variance 86-0368 (Variances to reduce the front and side yard setback, increase the height to a maximum of 30 feet, and to allow three stories within the Urban Services Lirre).

Location: Property is located on the south side of Las Olas Drive, immediately past the entry gate, at 725 Las Olas Drive.

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

Permits Required: Amendment to Coastal Permit 04-0050

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0247, based on the attached findings and conditions.

Exhibits

- | | |
|--|--|
| A. Project plans | I. Excerpt of Conclusions & Recommendations from Soils Report, dated 7/17/06. |
| B. Findings | J. Excerpt of Recommendations from Engineering Geologic report, dated 7/16/06. |
| C. Conditions | K. Urban Designer's comments |
| D. Categorical Exemption (CEQA determination) | L. Comments & Correspondence |
| E. Assessor's parcel map | |
| F. Zoning & General Plan maps | |
| G. Location Map | |
| H. Soils Report Acceptance Letter, dated 8/9/06. | |

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

Parcel Information

Parcel Size: **10,877** square feet
Existing Land Use - Parcel: Single-family residence
Existing Land Use - Surrounding: Single-family residence
Project Access: Las Olas Drive (a private road)
Planning Area: Aptos
Land Use Designation: R-UL and O-R (Urban Low Density Residential and Parks and Recreation (beach))
Zone District: R-1-8 (Single-family residential, 8,000 square foot minimum)
Coastal Zone: Inside Outside
Appealable to Calif. Coastal Comm Yes No

Environmental Information

Geologic Hazards: Coastal flood hazards (Flood Zone-V) and landslide hazards
Soils: Beach Sand
Fire Hazard: Not a mapped constraint
Slopes: Site is flat
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Coastal Scenic Area
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

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

History

A single-family dwelling **has** existed on site since before **1956**, likely since the 1930's when many homes along Las Olas Drive were originally constructed. During the winter of 1982, severe storms and landsliding damaged the house beyond repair, requiring the structure to be demolished. A Coastal Development permit and variance granted in August 1987 allowed the construction of a four-bedroom single-family dwelling of three stories and 30 feet in height with non-habitable space on the lower level (Permit **86-0368**). This resulted in the construction of the existing structure, which has subsequently undergone the un-permitted conversion of the lower level into habitable space.

The Zoning Administrator approved Coastal Development Permit and amendment 04-0050 on December 3, 2004 for the re-construction of the existing dwelling and a third story addition of about 500 square feet. This resulted in a three-story house with four bedrooms and four-and-a-half bathrooms, and included the removal of all habitable features from the lower level to comply with Federal Emergency Management Agency (FEMA) regulations. This permit has not been exercised.

Project Scope

The owner proposes to amend the approved plans for application 04-0050 by re-configuring the interior remodel, changing the size and location of windows on all elevations, and to construct additional decking. The interior changes will not result in any additional bedrooms or increase in habitable **area** over the originally approved plans, with the exception of the addition of an elevator shaft **from** the ground floor to the second floor.

Minor alterations have been made to every elevation, including additional windows and stucco on the ground floor rather than the originally approved wood siding. The “lighthouse” chimney element has been removed from the proposal, and the stairs leading **from** the 2nd story deck to the 3rd story master bedroom have been brought closer to the beach side of the house, reducing the size of the landing and walkway on the east side elevation.

Project Setting

The subject property is located on the beach side of Las Olas Drive immediately to the west of the RV parking for Seacliff State Beach, just past the entry gate to the private road. The house marks the start of a line of development on the coast side of Las Olas Drive that stretches about ¼ of a mile west of the project site. A coastal bluff exists to the north of the project site, subjecting the property to potential landslide hazards that are mitigated by locating all habitable portions of the dwelling above the impact zone.

Zoning & General Plan Consistency

The subject property is located in the R-1-8 zone district (Single-family residential with a minimum lot size of 8,000 square feet). The amended addition and remodel is consistent with the residential use of the site and the General Plan/ Local Coastal program land use designations of R-UL (Urban Low Density Residential) and O-R (Existing Parks and Recreation) in that the improvements will occur within the developed portion of the site.

With the exception of height, number of stories, and the front yard setback, all site standards for the R-1-8 zone district will be met as follows:

Site Standards	R-1-8 Zone District Standards	Existing SFD	Proposed
Front yard setback	20'	About 7'*	About 7'*
Side yard setbacks	5' and 8'	5' east, 10' west	5' east, 10'-9" west
Rear yard setback	15'	About 85'	About 100'
Maximum height	28'	30'	30'
Maximum % lot coverage	30%	29.8%	23%
Maximum % F.A.R.	50%	About 43%	49.9%

* Front yard setback to edge of traveled roadway for Las Olas Drive, not edge of property line.

Variances

The project requires an amendment to the Variances granted under permit 86-0368 to allow construction of a third story addition with a maximum height of 30 feet. FEMA flood elevation requirements constitute the special circumstances for granting these variances, and extending the scope of these variances to allow an additional 500 square feet on the third story can be justified.

Other homes on Las Olas Drive have obtained variances for three stories at heights greater than 28 feet (one example being permit 96-0826 at 789 Las Olas Drive), so the granting of the requested variance amendment will not constitute the granting of a special privilege in relation to other properties in the neighborhood.

Local Coastal Program Consistency

The proposed amendment still complies with the adopted General Plan/Local Coastal Program (GP/LCP) policies for development located within scenic resource areas and within geologically hazardous areas. Specifically, the proposal meets GP/LCP policies 5.10.2 (Development within Visual Resource Areas), 5.10.3 (Protection of Public Vistas), and 5.10.7 (Open Beaches and Blufftops) in that the bulk and mass will not be significantly greater than the existing structure and exterior colors will be earth-tone to minimize visual impacts (dark green wood siding with brown stucco). Though the addition will result in more mass on the beach side of the house, this additional mass will be offset through the incorporation of earth-tone colors. Other homes of a similar size, bulk, mass, and scale have been constructed on the west end of Las Olas Drive, including the house at 773 Las Olas and the house currently under construction at 789 Las Olas Drive. These houses are, respectively, 1,100 feet and 1,500 feet west of the project site.

The proposal complies with GP/LCP Policy 6.2.10 (Site Development to Minimize Hazards) in that the lower floor will be returned to non-habitable space as approved under Coastal Development Permit 86-0368 to minimize hazards resulting from coastal flooding. For this portion of the County, FEMA determined the 100-year wave run up flood zone to be 25 feet above mean sea level, and the lowest members of the lowest habitable floor will be 26' 2" above mean sea level to comply with FEMA flood elevation requirements (Condition of Approval ILB.3.).

Design Review

The proposed remodel and addition has been reviewed by the County's Urban Designer for compliance County Code sections 13.11.070 (the County's Design Review Ordinance) and 13.20.130 (the Coastal Zone Design Criteria). The proposal meets all applicable standards, including those for protecting the public viewshed and compatible building design (see Exhibit K).

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

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- APPROVAL of Application Number **06-0247**, based on the attached findings and conditions.

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

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

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Coastal Development Permit Findings

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

This finding can be made, in that the property is zoned R-1-8 (Single-family residential, 8,000 square foot minimum lot size), a designation which allows residential uses. The proposed addition and remodel will not alter the single-family residential use of the site, and will remain consistent with the site's (R-UL, 0-R) Urban Low Residential, Existing Parks and Recreation General Plan designation. The beach portion of the site with a GP/LCP designation of Existing **Parks** and Recreation will remain undeveloped.

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 easements, including those used for public access. Adequate public access to the beach is available from Seacliff State Beach immediately to the east of the project site. The proposed remodel and addition will comply with development restrictions related to FEMA flood elevation requirements.

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 proposed re-construction and addition will be compatible with the Las Olas Drive neighborhood in terms of bulk, mass, and scale when recently approved homes are taken into consideration. While the current house is considerably taller than homes in the immediate vicinity, **this** is primarily due to the fact that most homes on the eastern end of Las Olas Drive have not been flood elevated to meet FEMA regulations. In the future, many homes along Las Olas will have the same height, bulk, and scale as the proposed project and the existing residences at 773 and 789 Las Olas Drive. The remodeled house will be painted in earth-tone colors to minimize visual impact.

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 will not interfere with existing public access recreation facilities in the vicinity. Adequate public access exists at Seacliff State Beach, immediately adjacent to the subject parcel. **An** existing 10 foot tall fence and trees provides a visual buffer between the residence and the RV camping spaces for Seacliff State Beach.

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

This finding can be made in that the proposal complies with all applicable policies in the General Plan/Local Coastal Program, including Policies 5.10.2 (Development within Visual Resource Areas), 5.10.3 (Protection of Public Vistas), and 5.10.7 (Open Beaches and Blufftops). The site is already developed with a three-story house of **30** feet in height, and the proposed reconstruction and addition will not significantly alter the bulk, mass, or scale of the house and will therefore not result in a significant change in visual impact to the beach. The house will use wood siding and will be required to use earth-tone colors (see color board on file with the Planning Department for approved colors), and will therefore have less visual impact than the existing house.

The proposal will also meet all applicable LCP policies for construction in geologically hazardous areas and floodplains, specifically policies **6.2.10** (Site Development to Minimize Hazards) and **6.4.8** (Elevation of Residential Structures). The underfloor will be converted back to non-habitable space to comply with FEMA regulations, and the habitable area of the house will once again be elevated above the **25** foot wave run up zone as approved under Coastal Permit and Variance **86-0368**.

Variance Findings

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

This finding can be made in that the FEMA flood elevation requirements for structures within the Coastal High Hazard Area (Flood Zone-V) still present a special circumstance as evidenced in the Variance findings for **86-0368** to allow the construction of a three-story house of **30** feet in height. This finding still applies for the proposed 500 square foot addition to the third story, as any addition must occur on the third story and must be constructed at a height greater than **28** feet to obtain adequate ceiling height.

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

This finding can be made in that the third-story addition and remodel will not result in a significant increase in bulk, mass, and scale over the existing dwelling and will therefore meet the general intent and purpose of the zoning ordinance.

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

This finding can be made in that similar Variances have been granted for three-story homes of similar height on Las Olas Drive, including the house at 773 Las Olas and the house currently under construction at **789 Las** Olas Drive. These houses are, respectively, 1,100 feet and 1,500 feet west of the project site. Due to FEMA flood elevation requirements for Coastal Hazard Areas, in the future more homes of a similar height can be expected as existing homes are replaced with homes which conform to FEMA requirements.

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 addition and re-model will be required to comply with all applicable building, plumbing, and electrical codes prior to final **of** the building permit. After project completion, the house will meet all applicable FEMA regulations for houses within a Coastal Hazard Area as the lower level will be non-habitable and the lowest member of the lowest habitable floor will be above 26 feet m.s.l. (25 foot m.s.l. for the wave-run up zone plus one additional foot).

The only potential for material injury **to** adjacent properties will be a slight increase in morning shadows for the adjacent property to the west. However, the increase in shade will be minimal as the height, mass, and scale of the structure will be similar to the existing house and a side yard setback in excess of the R-1-8 zone district standard will be maintained.

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 remodel and addition will be consistent with the purpose of the **R-1-8** zone district as the principal use of the site will remain one single-family dwelling. With the exception **of** height and number of stories (for which previous Variances have been granted and Variance findings made), all **R-1-8** zone district site standards will be met.

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APN: 038-191-24
Owner: Green Eyes LLC

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 addition and remodel will result in a single-family dwelling that will remain consistent with the property's R-UL General Plan/LCP designation. No development activity is proposed for the portion of the site designated O-R (existing parks and recreation).

The proposed addition and remodel will result in a single-family dwelling that 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 height and size of the structure will be comparable to recently constructed homes toward the west end of Las Olas Drive. As more homes in the neighborhood comply with FEMA requirements, many homes on parcels in the vicinity will have a similar size and height.

The project will comply with other General Plan/LCP policies with regards to scenic resources and geologic/flood hazards, as discussed in Coastal Development Finding 5.

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

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 all existing utilities will continue to be available to the site and demand for services will not be significantly higher than current conditions. As the proposal involves the reduction of one bedroom, the level of traffic generated may decrease.

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 addition and remodel will result in a single-family dwelling that is compatible with the Las Olas Drive neighborhood. While the house is already the largest dwelling on the eastern end of Las Olas, larger homes of similar height and mass exist toward the west end of Las Olas Drive. Due to the flood hazards present in the neighborhood, it can be assumed that over the years more houses will be elevated to meet FEMA requirements and these houses of a similar height, bulk, mass, and scale of the subject residence. Due to the removal of habitable space on the lower level and the removal of one bedroom, the land use intensity of the site will decrease.

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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 remodel and addition has been reviewed by the County's Urban Designer for compliance County Code sections 13.11.070 through 13.11.076 (the County's Design Review Ordinance). The proposal meets all applicable standards, including those for protecting the public viewshed and compatible building design.

Conditions of Approval

Exhibit A: Project plans, 8 sheets, dated **5/8/06** and revised **8/3/06**, prepared by Cove Britton, Architect.

- I. This permit authorizes the reconstruction, remodel, and construction of a third story addition to an existing single-family dwelling, resulting in a single-family dwelling of three stories and four bedrooms with a maximum height of **30** feet. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
- 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. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. Identify finish and color of exterior materials and roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format. Colors and materials must be similar to the approved color boards on file with the Planning Department for this application.
 2. A drainage plan showing the following information:
 - a. Topographic information (such as contours, spot elevations, or drainage arrows with labels) showing existing and proposed drainage patterns.
 - b. Clarify what portions of the patio and decks are impervious.
 - c. A description of the condition of the drainage pipe outlet.

3. Details showing compliance with the following FEMA and County flood regulations:
 - a. The building plans must indicate the elevation of the lowest habitable floor areas relative to mean sea level and natural grade. The lowest habitable floors and the top of the highest horizontal structural members (joist or beam) which provides support directly to the lowest habitable floor and elements that function as a part of the structure such as furnace or hot water heater, etc. shall be elevated above the **100-year** wave inundation level. Elevation at this site is a minimum of **25** feet above mean sea level. Locations for furnaces, hot water heaters, and hot tub equipment shall also be shown.
 - b. The garage doors and ground floor walls shall function as breakaway walls. The garage doors and walls shall be certified by a registered civil engineer or architect and meet the following conditions:
 - i. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood, and
 - ii. The elevated portion of the building shall not incur any structural damage due to the effects of wind and water loads acting simultaneously in the event of a base flood.
 - iii. Any walls on the ground floor not designated as breakaway shall be demonstrated to be needed for shear or structural support and approved by **Environmental** Planning.
 4. 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.
 5. Details showing compliance with fire department requirements.
 6. Include notes specifying that all beach-facing windows will be non-reflective to minimize glare.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- D. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in

impervious area.

- E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - F. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - G. Submit three copies each of a soils report and engineering geologic plan review letter prepared and stamped by the project Geotechnical Engineer and Engineering Geologist.
 - H. Provide required off-street parking for three cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - I. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
 - J. Complete and record a Declaration of Geologic Hazards. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- 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. Construction must comply with the recommendations **of** the Soils Report prepared by Pacific Crest Engineering, dated July 2006 and the Engineering Geologic Report dated July 16, 2006.
 - D. Prior to sub-floor building inspection, compliance with the elevation requirement shall be certified by a registered professional engineer or surveyor and submitted to the Environmental Planning section of the Planning Department. Construction shall comply with the FEMA flood elevation requirement of 25 feet above mean sea level for all habitable portions of the structure. Failure to submit the elevation certificate may be cause to issue a stop work notice for the project.
- IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, **up** to and including permit revocation.
- V. **As** a condition of this development approval, the holder of this development approval (“Development Approval Holder”), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys’ fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, **or** annul this development approval of the COUNTY or any subsequent amendment of this development approval which **is** requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. **If** COUNTY fails to **notify** the Development Approval Holder within sixty (**60**) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney’s fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. “Development Approval Holder” shall include the applicant and the successor’(s) in interest, transferee(s), and assign(s) of the applicant.

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 on the expiration date listed below unless **you** obtain the required permits and commence construction.

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APN: 038-191-24
Owner Green Eyes LLC

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

David Keyon
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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

Application Number: 06-0247
Assessor Parcel Number: 038-191-24
Project Location: 725 Las Olas Drive

Project Description: Remodel and construct an addition of about 500 square feet to an existing single-family dwelling

Person or Agency Proposing Project: Matson-Britton Architects

Contact Phone Number: (831) 234-9165

- 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: 15301(e): Minor addition to an existing structure

F. Reasons why the project is exempt:

Alterations and minor addition to an existing single-family dwelling

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

David Keyon, Project Planner

Date: _____

FOR TAX PURPOSES ONLY

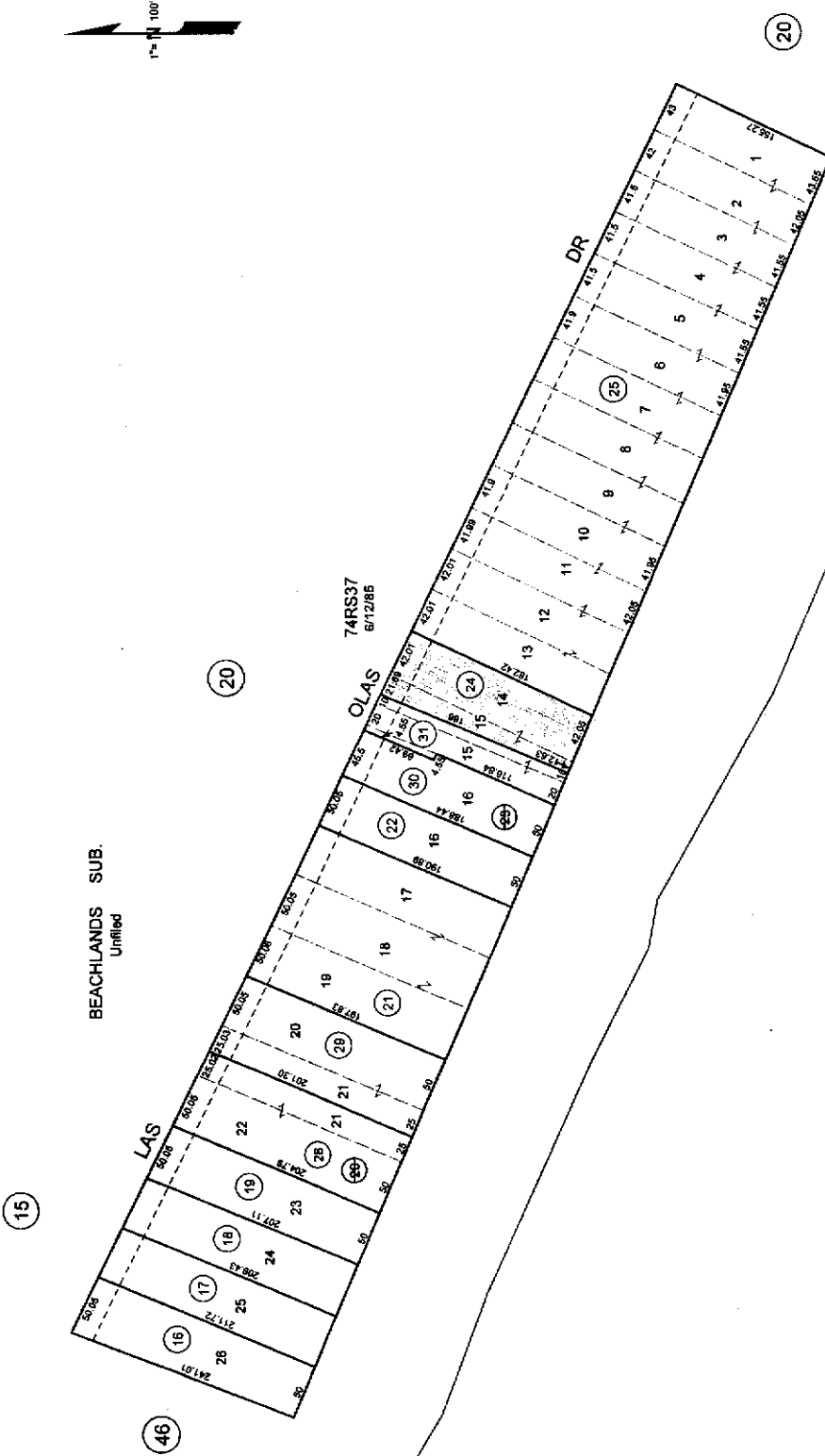
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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APTOS RANCHO

POR. SEC. 13, T.11S., R.1W., M.D.B. & M.

Tax Area Code
 69-048 69-273

38-19



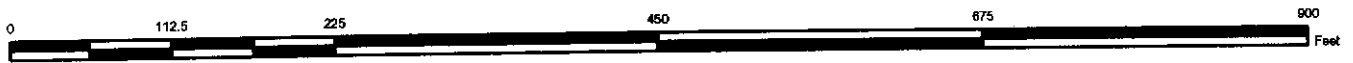
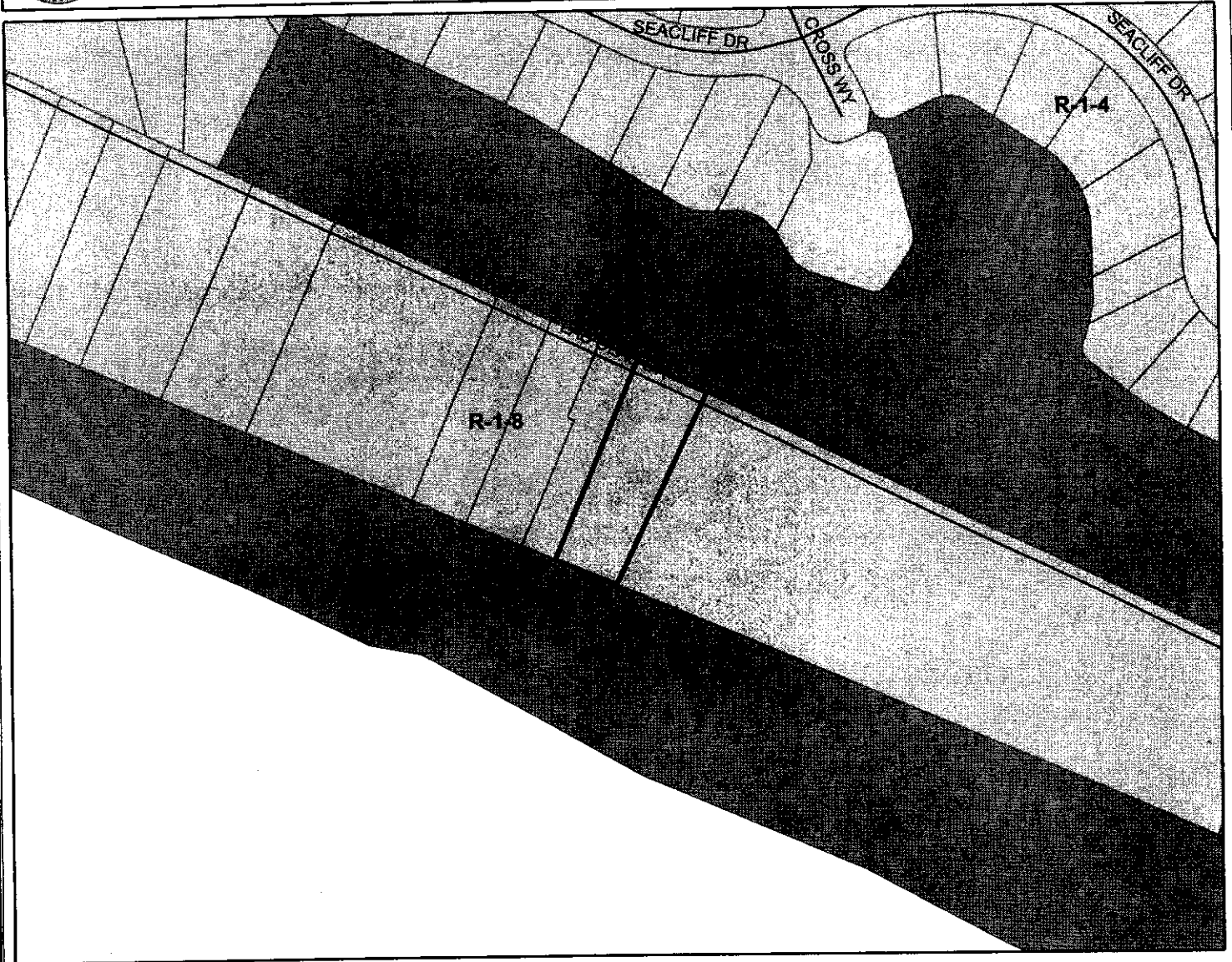
Assessor's Map No. 38-19
 County of Santa Cruz, Calif.
 Sept. 1950

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






Electronically drawn 8/15/95 KSA
 Rev 5/4/98 KSA (CA)
 Rev 4/27/01 emm (changed page size)
 Rev 2/22/06 mid (spatial adjustment)

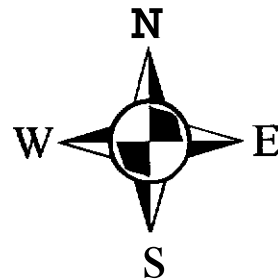


Zoning Map



Legend

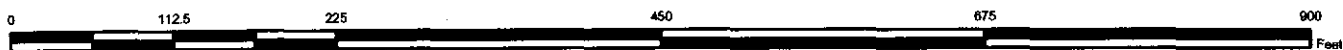
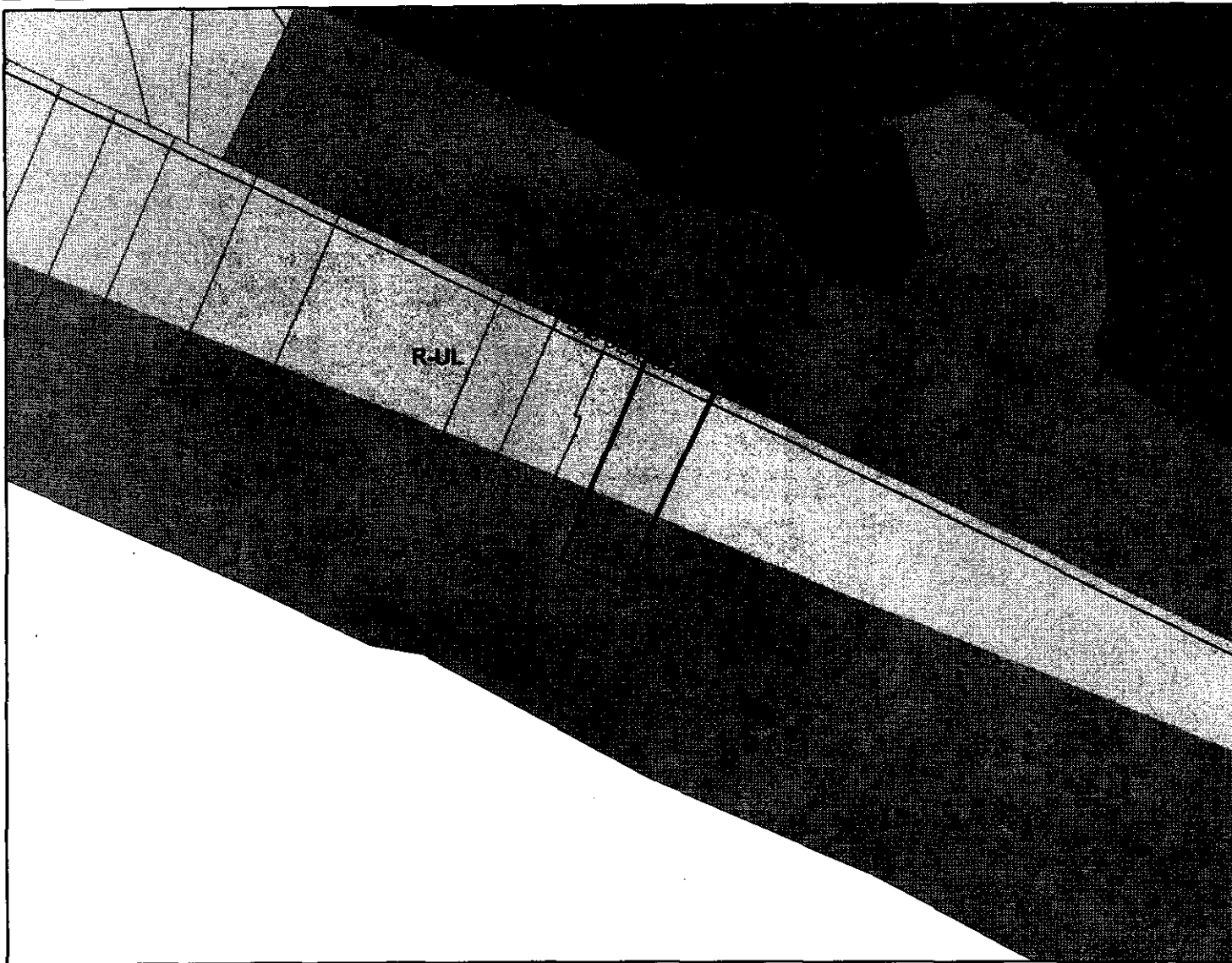
-  APN 038-191-24
-  Assessors Parcels
-  Streets
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  PARK (PR)









Map Created by
County of Santa Cruz
Planning Department
May 2006

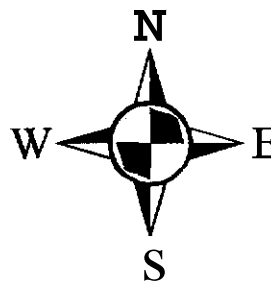


General Plan Designation Map



Legend

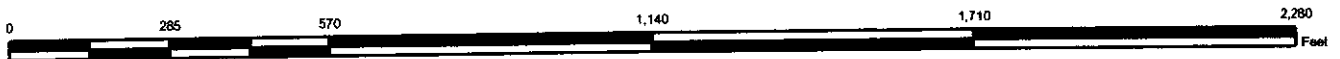
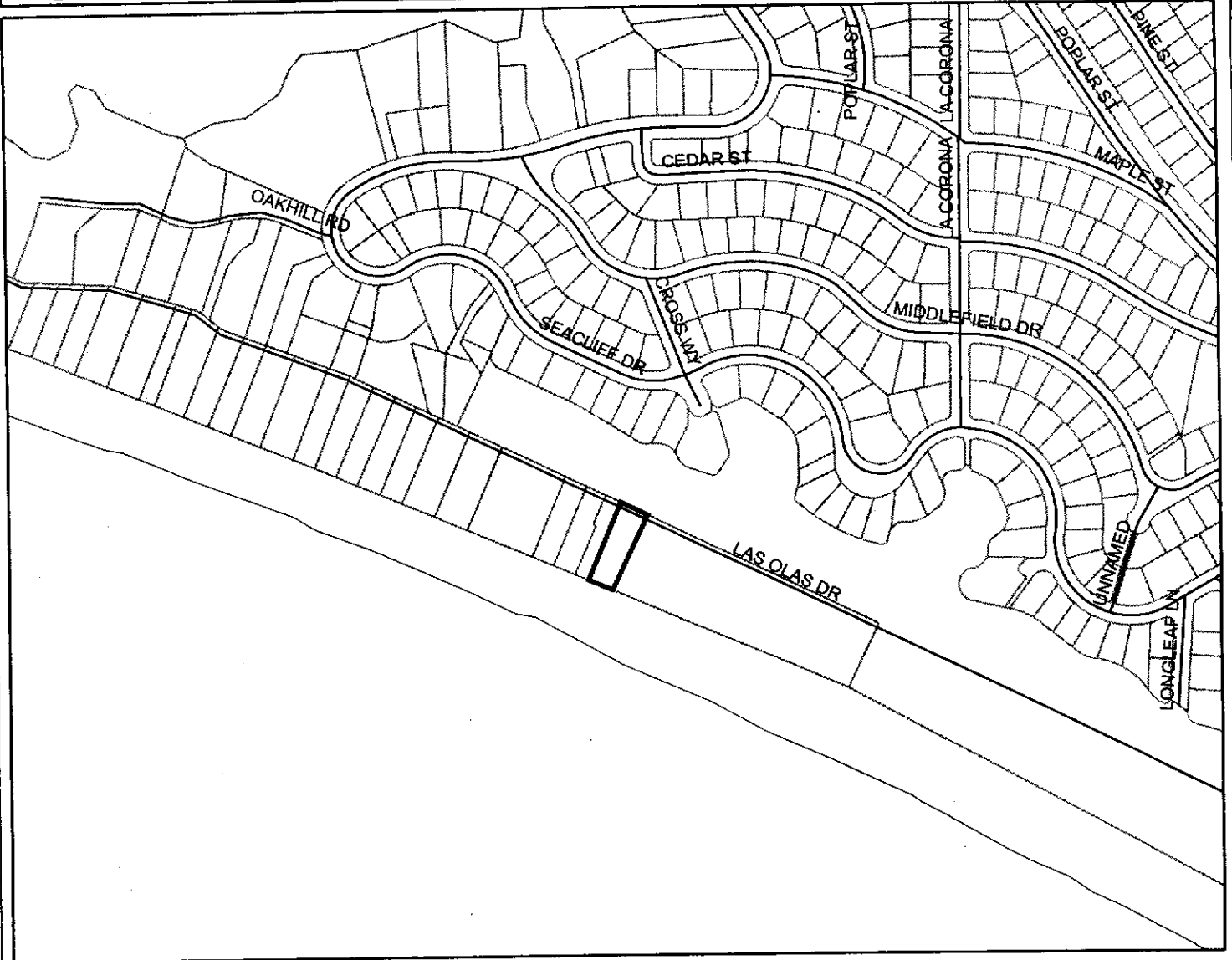
-  APN 038-191-24
-  Assessors Parcels
-  Streets
-  Residential- Urban Low Density (R-UL)
-  Parks and Recreation (O-R)
-  Residential - Urban Medium Density (R-UM)






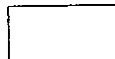
Map Created by
County of Santa Cruz
Planning Department
May 2006

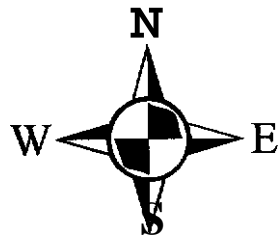


Location Map



Legend

-  APN 038-191-24
-  Assessors Parcels
-  Streets
-  County Boundary



Map Created by
County of Santa Cruz
Planning Department
May 2006



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

August 9, 2006

Green Eyes LLC
1760 The Alameda #300
San Jose, CA 95126

Subject: Review of Engineering Geology Report, Zinn and Associates, Dated July 16, 2006, Project Number 2006016-G-SC; and Geotechnical Engineering Report, Pacific Crest Engineering dated July 17, 2006, Project Number 0634-SZ69-123

APN 038-191-24, Application 06-0173

Dear Applicant,

The purpose of this letter is to inform you that the Planning Department has accepted the subject reports and the following items shall be required:

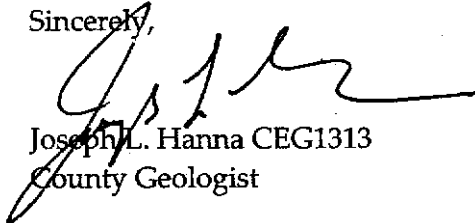
1. All construction shall comply with the recommendations of the reports.
2. Final plans shall reference the reports and include a statement that the project shall conform to the reports' recommendations.
3. Before building permit issuance a *plan review letter* shall be submitted to Environmental Planning. The authors' of the reports shall write the *plan review letters, and in their letter* must state that the project plans conform to their report's recommendations.
4. The building must be designed to comply with all FEMA requirements, and the requirements of 16.10 of the County Code.
5. The applicant must agree to maintain the seawall so that it provides at least the same level of protection against coastal erosion that it currently provides.
6. The applicant must record the attached declaration of geologic hazards before the issuance of a building permit.


After building permit issuance the geotechnical engineer and engineering geologist *must remain involved with the project* during construction. Please review the *Notice to Permits Holders* (attached).

Our acceptance of these reports is limited to its technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. **may** require resolution by other agencies.

Please call the undersigned at (831)454-3175, e-mail: pln829@co.santa-cruz.ca.us if we can be of any further assistance.

Sincerely,


Joseph L. Hanna CEG1313
County Geologist


Kent Edler PE
Civil Engineer

Cc: David Keyon, Development Review
Matson-Britton Architects
Zinn and Associates
Pacific Crest Engineering

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

GENERAL

1. The results of our investigation indicate that from a geotechnical engineering standpoint the property may be developed as proposed, provided these recommendations and those of the Zinn Geology report are included in the design and construction.
2. At the time we prepared this report, the grading plans had not been completed and the structure foundation details had not been finalized. We request an opportunity to review these items during the design stages to determine if supplemental recommendations will be required.
3. Pacific Crest Engineering Inc. should be notified at least four (4) working days prior to any site clearing and grading operations on the property in order to observe the stripping and disposal of unsuitable materials, and to coordinate this work with the grading contractor. ***We strongly recommend a pre-construction conference with at least you or your representative, the grading contractor, a county representative and one of our engineers present.*** At this meeting, the project specifications and the testing and inspection responsibilities will be outlined and discussed.
4. Field observation and testing must be provided by a representative of Pacific Crest Engineering Inc., to enable them to form an opinion as to the degree of conformance of the exposed site conditions to those foreseen in this report, the adequacy of the site preparation, the acceptability of fill materials, and the extent to which the earthwork construction and the degree of compaction comply with the specification requirements.
5. Any work related to grading or foundation excavation/drilling performed without the full knowledge and direct observation of Pacific Crest Engineering Inc., the Geotechnical Engineer, will render the recommendations of this report invalid.
6. The residential structure will be supported by a wharf-type foundation system with drilled piers bearing into competent sandstone bedrock. The beach sand stratum overlying the bedrock between the ground surface and the historic scour line at elevation -6 feet NGVD should be neglected in the design of the pier foundation system. The number of vertical piers and the extent of horizontal bracing should be minimized to avoid occluding the projected coastal flooding below the residence.
7. The habitable portion of the residence will be elevated above the FEMA BFE of 25 feet NGVD. The lower portion of the residence below the BFE will be enclosed by breakaway walls and used only for parking and storage. The area of the property below the BFE can be expected to be inundated by coastal flooding and the contents therein will be lost, damaged or destroyed. Future occupants of the property should be informed of the coastal flooding hazard and the potential for loss of items below the BFE, including parked vehicles. Damage to surrounding patios, decks, etc. should also be anticipated.

8. Liquefaction of the loose, saturated beach sands above the historic scour elevation can be expected to occur during the design life of the structure. Seismically induced settlements on the order of 8 to 9 inches can be expected to occur; however provided our recommendations are incorporated into the design and construction of the residence the affects of such settlement is expected to be limited to exterior improvements or ground floor slabs which may require repair or replacement following a seismic event.

9. The existing seawall/revetment system is, in our opinion, not sufficient to provide adequate protection to the residence from wave action. We anticipate that the seawall/revetment system will eventually get washed away as the supporting beach sand is scoured by storm waves.

10. The residence is expected to be subject to impacts from a 50 cubic-yard design debris flow, about 7% feet in height, traveling at a velocity of 40 feet per second. The debris flow path is expected to impact the residence from about elevation 15.5 to 23, NGVD. In our opinion there is a low probability of a debris flow impact occurring simultaneously with the design wave forces; therefore the wave impact forces will govern the pier design.

SITE PREPARATION

11. We anticipate that grading will consist primarily of subgrade processing for new or replacement concrete slab-on-grade.

12. With the exception of the upper 8 inches of subgrade in paved areas and driveways, the soil on the project should be compacted to a minimum of 95% of its maximum *dry* density. The upper 8 inches of subgrade in pavement areas and all aggregate subbase and aggregate base should likewise be compacted to a minimum of 95% of its maximum *dry* density.

13. The maximum *dry* density will be obtained from a laboratory compaction curve run in accordance with ASTM Procedure #D1557. This test will also establish the optimum moisture content of the material. Field density testing will be in accordance with ASTM Test #D2922.

14. Although not anticipated, should the use of imported fill be necessary on this project, the fill material should be:

- a. free of organics, debris, and other deleterious materials,
- b. granular in nature, well graded, and contain sufficient binder to allow utility trenches to stand open,
- c. free of rocks in excess of 2 inches in size,
- d. have a Plasticity Index between 4 and 12, and
- e. have a minimum Resistance "R" Value of 30, and be non-expansive.

15. Samples of any proposed imported fill planned for use on this project should be submitted to Pacific Crest Engineering Inc. for appropriate testing and approval not less than 4 working days before the anticipated jobsite delivery. Imported fill material delivered to the project site without prior submittal of samples for appropriate testing and approval must be removed from the project site.

FOUNDATIONS – DRILLED PIERS

General

16. At the time we prepared this report, the grading plans had not been completed and the structure location and foundation details had not been finalized. We request an opportunity to review these items during the design stages to determine if supplemental recommendations will be required.

17. The residence will be supported by a wharf-type foundation system, consisting of drilled piers that will penetrate the overlying beach sand stratum and extend a minimum depth of 10 feet into dense sandstone bedrock. The piers should be designed to develop their load carrying capacity through end bearing resistance between the pier bottom and the underlying bedrock. The bedrock is very dense and may require specialized equipment to ensure that the piers extend to the full depth outlined in the geotechnical report and the project plans and specifications.

18. Because the final pier depths are dependent upon the historic scour elevation of -6 feet NGVD, we recommend establishing a benchmark elevation at the site prior to pier drilling. Pier depths will be determined from the benchmark elevation rather than depth below existing grades.

19. The number of vertical piers and horizontal structural bracing should be minimized to allow maximum flood flow area. Horizontal bracing should be oriented parallel to the flow direction where possible to reduce flow obstructions.

20. The presence of flowing sands and a generally shallow groundwater table indicates that the pier excavations will most likely need to be completely cased to keep the pier excavations from caving before the concrete can be poured. We also anticipate that the pier excavations will need to be cleaned out and pumped of water prior to placing concrete.

21. If the casing is pulled during the concrete pour, it must be pulled slowly with a minimum of 4 feet of casing remaining embedded within the concrete at all times.

22. If concrete is placed via a tremie, the end of the tube must remain embedded a minimum of 4 feet into the concrete at all times.

23. All piers must be constructed within ½ percent of a vertically plumb condition.

24. The drilling contractor should be experienced with drilling in coastal conditions with flowing sands. The contractor must assume responsibility for his work procedures, and therefore, needs to be proficient in performing the work he is contracted to do. Pier drilling is expected to be cumbersome for this project and the drilling contractor should be experienced with construction of end-bearing piers in a flowing sand condition.

25. All pier construction must be observed by a Pacific Crest Engineering Inc. Any piers constructed without the full knowledge and continuous observation of a representative from Pacific Crest Engineering Inc., will render the recommendations of this report invalid.

Geotechnical Design Criteria

26. The end-bearing piers should be designed with the following geotechnical criteria:

Vertical Bearing Capacity

- a. Minimum pier embedment should be 10 feet below the historic scour elevation; this will necessitate a *minimum* pier bottom elevation of -16 feet NGVD. Minimum pier depths are expected to be on the order of at least 30 feet from existing grades. Actual depths could depend upon a lateral force analysis performed by your structural engineer.
- b. The piers should be a minimum of 24 inches in diameter. All pier holes must be *free* of loose material on the bottom.
- c. Piers constructed to the above criteria may be designed for an allowable end bearing capacity of 20 kips per square foot. Allowable bearing capacity for pier depths lower than -16 feet NGVD may be increased to 28 kips per square foot. The allowable bearing capacity may be increased by 1/3rd for short-term wind or seismic loading.
- d. An allowable skin friction due to the bedrock stratum of 500 psf per square foot of surface area may be used to resist uplift forces. Neglect skin friction from the ground surface to -7 feet NGVD.

Lateral/Wave Forces

- e. Passive resistance due to competent bedrock of 500 pcf (EFW) may be used. Passive resistance should be neglected from the ground surface to -7 feet NGVD (approximately the upper 21 feet of pier depth).
- f. The foundation system should be designed to resist an active lateral force of 30 pcf (EFW) due to lateral spreading of beach sand above the historic scour line.

- g. We recommend a lateral wave force of 14.1 kips per foot of pier diameter. The wave force should be assumed to act at a point 16 feet above the historic scour line (elevation +10 NGVD).
- h. Wave-borne debris can be expected to impact the foundation system during its 100-year design life. Storm waves commonly carry large logs toward the shore; we recommend the structural engineer design for the impact of a 3-foot diameter log, 20 feet in length. The force can be assumed to act at the design stillwater level (8.0 feet NGVD).
- i. Debris impact forces against the residence due to localized failures of the adjacent bluff can be expected. We anticipate a debris impact force of 5.7 kips per linear foot, acting at 15.5 to 23 feet NGVD. This force is not expected to occur concurrently with the design wave forces.

SLAB-ON-GRADE CONSTRUCTION

30. Concrete slab-on-grade may be used for ground level construction on native soil or engineered fill. It should be clearly understood that slab floors and/or patios and walkways will need to be replaced following severe coastal flooding or debris flow impacts.

31. In accordance with FEMA's recommendations as outlined in the Coastal Construction Manual, Chapter 11, concrete slabs should be limited to flatwork, sidewalks, and parking pads. The concrete slabs should be unreinforced and should contain contraction joints to allow the slab to be easily broken into 4 x 4 foot sections when subjected to flood forces. Slabs should **not** be structurally integrated with the footings.

32. The slabs should be placed directly upon the existing soil. We recommend compaction of the upper 8 inches of subgrade to 95% relative compactive effort to establish a uniform bearing surface.

SURFACE DRAINAGE

33. All roof eaves should be guttered, with the outlets from the downspouts provided with adequate capacity to carry the storm water from the structures to reduce the possibility of soil saturation and erosion. The connection should be in a closed conduit which discharges at an approved location away from the structures and the graded area. We would recommend a discharge point which is at least 10 feet down slope of any foundation or fill areas.

PLAN REVIEW

34. We respectfully request an opportunity to review the plans during preparation and before bidding to insure that the recommendations of this report have been included and to provide additional recommendations, if needed. Failure to do so may result in changes to the project design during the construction phase, with potential additional costs and delays to bring the project into conformance with the requirements outlined within this report.

RECOMMENDATIONS

1. A wave force analysis should be performed by the project geotechnical engineer for the subject property in order to evaluate the effect of coastal flooding on the proposed developments and the results should be **used** to establish design criteria for wave action.
2. Structural elements of the habitable portion of the proposed residence **shall** be placed above +25 feet NGVD, which is the base flood elevation for the 100-year flood as determined by FEMA (1986).
3. The structural elements below the habitable portion of the residence should be designed to withstand the impact of coastal waves, **as** well as the impact of battering objects caught up in the waves, such as large logs. The lower structural elements should also be designed for uplift forces from wave action in the event that sand accumulates under the residence.

The foundation should also be designed to resist the forces generated by liquefaction and lateral spreading, unless a more robust quantitative analysis by the project geotechnical engineer indicates that this is unnecessary. It may also turn out that designing the foundation and lower structural elements for the recommended coastal flooding and erosion hazards may result in a foundation that is also resistant to any forces that might be generated by liquefaction or lateral spreading. The project geotechnical engineer may want to consider simply demonstrating that the forces resulting from coastal waves and erosion are greater than the forces that might be generated by liquefaction and lateral spreading.

The project engineers should also take into account that the structure may be struck by a debris flow up to **50** cubic yards in size, moving **40** feet per second, with a **7 ½** foot run-up height.

4. All structures for the proposed development should be designed for a scour depth of -6 feet NGVD 29, as portrayed upon Plate 2. The scour line shown on Plate 2 is stepped and slopes gently seaward across the property, so we have chosen to recommend the design depth be the same **as** our interpreted scour depth just behind the seawall/revetment for the sake of design uniformity.
5. The project engineers and designer should review **our** seismic shaking parameters and choose a value appropriate for their particular analyses.
6. The owners or occupants of the residence should be prepared to accept the loss of all items stored on the ground floor and parked in the driveway, including vehicles. Additionally, they should be prepared to pay for replacement of the break-away walls on the lower story, since **our** analysis indicates that the property will be inundated by coastal waves and possibly by debris flows.

7. We recommend that our **firm** be provided the opportunity to review the final design and specifications in order that our recommendations may be properly interpreted and implemented in the design and specification. If our **firm** is not accorded the privilege of making the recommended review we can assume no responsibility for misinterpretation of our recommendations.
8. For further information about what you can do to protect yourself from earthquakes and their associated hazards, read *Pence of Mind in Earthquake Country*, by P. Yanev (1991).

INVESTIGATIVE LIMITATIONS

1. Our services consist of professional opinions and recommendations made in accordance with generally accepted engineering geology principles and practices. No warranty, expressed or implied including any implied warranty of merchantability or fitness for the purpose is made or intended in connection with our services or by the proposal for consulting or other services, or by the furnishing of **oral** or written reports or findings.
2. The analysis and recommendations submitted in this report are based on the geologic information derived from the steps outlined in the scope of services section of this report. The information is derived **from** necessarily limited natural and artificial exposures. Consequently, the conclusions and recommendations should be considered preliminary.
3. The conclusions and recommendations noted in this report are based on probability and in no way imply the site will not possibly be subjected to ground failure or seismic shaking so intense that structures will be severely damaged or destroyed. The report does suggest that building structures at the subject site, in compliance with the recommendations noted in this report, is an "ordinary" risk as defined in Appendix B.
4. This report is issued with the understanding that it is the duty and responsibility of the owner or his representative or agent to ensure that the recommendations contained in this report **are** brought to the attention of the architect and engineer for the project, incorporated into the plans and specifications, and that the necessary steps are taken to see that the contractor and subcontractors carry out such recommendations in the field.
5. The findings of this report are valid as of the present date. However, changes in the conditions of property and its environs can occur with the passage of time, whether they be due to **natural** processes or to the works of man. In addition, changes in applicable or appropriate standards occur whether they result from legislation or the broadening of knowledge. Accordingly, the findings of this report may be invalidated, wholly or partially, by changes outside our control. Therefore, the conclusions and recommendations contained in this report cannot be considered valid beyond a period of two years from the date of this report without review by a representative of this **firm**.

INTEROFFICE MEMO

APPLICATION NO: 06-0247

Date: May 22, 2006

To: David Keyon, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for an remodel to a single family residence at 725 Las Olas Drive, Santa Cruz (amendment to Application 04-0050)

COMPLETENESS ISSUES

The architect should add a drawing or photographs of the existing residence to the set.

- *Plans should clarify new vs. existing vs. removed walls.*

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 sited, designed and landscaped to be visually compatible and integrated with the character of surrounding	✓		
Grading, earth moving, and removal of major vegetation shall be minimized.			N/A
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building			N/A

site, dead or diseased trees, or nuisance species.			
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.			NIA
Ridgeline Development			
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			NIA
Land divisions which would create parcels whose only building site would			NIA
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			NIA
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)			NIA
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A
Building design			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			N/A

Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			N/A
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, color and materials shall repeat or harmonize with those in the cluster			N/A
Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
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).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
Restoration			
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			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Signage			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A

<p>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</p>			<p>N/A</p>
<p>Beach Viewsheds</p>			
<p>Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the Muff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive</p>			<p>N/A</p>
<p>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)</p>			<p>N/A</p>
<p>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</p>	<p>✓</p>		

Urban Designer's Comments

- *This design is an improvement over the previously approved design.*