



## Staff Report to the Zoning Administrator

Application Number: **05-0652**

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**Applicant:** Leilani Vevang  
**Owner:** Patrick White et al  
**APN:** 027-062-23

**Agenda Date:** 1/19/07  
**Agenda Item #:** 2  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to demolish a two bedroom, two bathroom single-family dwelling and construct a one bedroom, two bathroom single-family dwelling with **an** attached garage and a retaining wall in the front yard setback exceeding five feet in height.

**Location:** Property located on the east side of Lago Lane, at the corner of Dolores and Lago Lanes. (400 Lago **Lane**).

**Supervisory District:** Third District (District Supervisor: Neal Coonerty)

**Permits Required:** Coastal Development Permit, Residential Development Permit and Preliminary Grading Approval.

### Staff Recommendation:

- Certification that the proposal **is** exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.
- Approval of Application 05-0652, based on the attached findings and conditions.

### Exhibits

- |    |   |    |                           |
|----|---|----|---------------------------|
| A. | Project plans                                 | E. | Assessor's parcel map     |
| B. | Findings                                      | F. | Zoningmap                 |
| C. | Conditions                                    | G. | Comments & Correspondence |
| D. | Categorical Exemption<br>(CEQA determination) |    |                           |

### Parcel Information

Parcel Size:	2,400 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Lago Lane
Planning Area:	Live <i>Oak</i>
Land Use Designation:	R-UH (Urban High Density Residential)

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County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

Zone District: R-1-3.5 (Single-family Residential - 3,500 square feet minimum parcel size)  
Coastal Zone: X Inside     Outside  
Appealable to Calif. Coastal Comm. X Yes     No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Soils report submitted  
Fire Hazard: Not a mapped constraint  
**Slopes:** -50% slopes along frontage; -2% for the rest of the parcel  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: 230 cubic yards cut, **60** cubic yards fill  
Tree Removal: No trees proposed to be removed  
scenic: Not a mapped resource  
Drainage: Proposed Discretionary drainage plan accepted by Department of Public Works  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line: X Inside     Outside  
Water Supply: City of Santa Cruz Water Department  
Sewage Disposal: Santa Cruz County Sanitation District  
Fire District: Central Fire Protection District  
Drainage District: Zone 5 Flood Control District

### Project Setting

The subject parcel is located within the Harbor Area Special Community, an area for which specific design criteria apply. This is a neighborhood in transition, with many of the original single-story vacation cottages being reconstructed as two-story dwellings **used** throughout the year.

The subject property is located on the corner of Lago Lane, a one-way street running north to south, and Dolores Street. Dolores Street dead-ends where Lago Lane converges with Lake Avenue. Across Lake Avenue to the west are commercial businesses and parking lots serving the harbor. North, south and east of the subject parcel are residential uses.

Currently, the parcel is developed with a shed and a small single-family dwelling which is nonconforming because it encroaches into the front, rear and one of the side yards. Several railroad-ties retain the slope along the frontage and encroach into the right-of-way. No parking is provided on-site.

The current application proposes to demolish both of the existing structures and replace them with a two-story single-family dwelling. Despite the subject parcel being just **2,400** square feet in

area, no variances to setbacks, lot coverage or floor area ratio are a part of this proposal. The project's parking requirement of two spaces will be provided on-site and all of the existing improvements will be removed from the right-of-way.

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

The subject property is a 2,400 square foot lot, located in the R-1-3.5 (Single family residential - 3,500 square feet minimum) zone district, a designation which allows residential uses. The proposed replacement single-family dwelling is a principal permitted use within the zone district and the project is consistent with the site's (R-UH) Urban High Density Residential General Plan designation.

### **Site Development Standards Table**

	<b>R-1-3.5 Standards</b>	<b>Proposed Residence</b>
<b>Front yard setback</b>	15 feet	15 feet
<b>Rear yard setback</b>	15 feet	15 feet
<b>Side yard setback</b>	5 feet	5 feet
<b>Street side yard setback</b>	10 feet	10 feet
<b>Lot Coverage</b>	40 % maximum	36 %
<b>Building Height</b>	28 feet maximum	27 feet 6 inches
<b>Floor Area Ratio (F.A.R.)</b>	0.5:1 maximum (50 %)	49.6 %
<b>Parking</b>	1 bedrooms = 2 (18' x 8.5') spaces	one space in garage one space in driveway

### **Harbor Area Special Community and Design Review**

County Code **13.20.144** identifies the Harbor Area as a special community and specifies the following design criteria.

New development in the single-family (R-1) parts of the Harbor Area Special Community shall incorporate the characteristics of older dwellings in the area, e.g., the small scale, clean lines, pitched roofs, wood construction, and wood siding. Setbacks should conform to that predominant for other houses on the street.

The proposed project has been reviewed by the County's Urban Designer and will have clean lines, a pitched roof and wood construction which comply with the Harbor Area Special Community design criteria. The house will be finished with a combination of board and batten and some stucco (see Exhibit A for colorboard).

The proposed single-family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as a partial second story, a mix of finish materials and architectural details such as brackets and a bay window to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

## Local Coastal Program Consistency

The proposed single-family dwelling 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 not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

## Basement and Bay Window

This project proposes to construct a basement to provide parking and storage. Basements do not count towards the two-story limit for this area nor do they count towards floor area ratio (FAR) if the basement meets the following characteristics. County Code 13.10.700-B stipulates that to qualify as a basement, more than 50% of the basement exterior perimeter wall area must be below grade and no more than 20% of the perimeter exterior wall may exceed 5 feet 6 inches above the exterior grade. The basement must be less than 7 feet 6 inches in order for it to be excluded from **FAR** calculations.

The proposed basement meets these requirements except for the parking area which is over 8 feet in height. However, since this area is the garage and is less than the allowed 225 allowed square foot garage deduction, this area would not count towards FAR regardless of the ceiling height. **As** a condition of approval the owner will be required to record a declaration to maintain the basement as a non-habitable space to ensure that the basement is not converted to habitable space.

**As** of November 16, 2006, the Coastal Commission approved various revisions to Chapter 13.10 **of** the County Code which were previously approved by the Board of Supervisors. Among these revisions is a provision to allow bay windows to encroach six feet into the front yard setback. **A** bay window which will encroach into the front yard setback is proposed as a part of **this** project. **A** street side yard bay window is also proposed, but the code revision made no provision for street side yard bay windows. Therefore, staff recommends a condition of approval showing this bay window as removed on the building permit plan set.

## Overheight Retaining Walls

County Code limits the height of fences and retaining walls to three feet within the front yard setback. Because the garage and basement are subterranean, retaining walls in excess of five feet in height are necessary. These retaining walls will run perpendicular to Lago Lane and will thus have a much-reduced visual impact than would walls paralleling Lago Lane. **To** reduce the visual impact of the retaining walls **further**, they have been raked **so** that the portion closest to Lago Lane is only about two feet in height.

## 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 **05-0652**, 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](http://www.co.santa-cruz.ca.us)

Report Prepared By: Annette Olson  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3134  
E-mail: [annette.olson@co.santa-cruz.ca.us](mailto:annette.olson@co.santa-cruz.ca.us)

## 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-1-3.5 (Single family residential - 3,500 square feet minimum), a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UH) Urban High Density Residential General Plan designation.

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

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

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

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

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

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

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed ~~uses~~ in the R-1-3.5 (Single family residential - 3,500 square feet minimum) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

## Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single-family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the single-family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-3.5 (Single family residential - **3,500** square feet minimum) zone district in that the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district.

The proposed overheight retaining walls will pose no line of sight issue for vehicles exiting the property as the walls are raked so that the walls are just *two* feet in height where they are closest to the Lago Lane frontage. The proposed retaining walls are perpendicular to Lago Lane and, as such, will have only a minimal visual impact on the surrounding neighborhood.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban High Density Residential (R-UH) land use designation in the County General Plan.

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

The proposed single-family dwelling will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy **8.6.1** (Maintaining a

Relationship Between Structure and Parcel Sizes), in that the proposed single-family dwelling will comply with the site standards for the R-1-3.5 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the Vicinity.

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

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

This finding *can* be made, in that the proposed single-family dwelling is to be constructed on an existing residentially-zoned lot. The expected level of traffic generated by the proposed project is anticipated to remain at one peak trip per day (1 peak trip per dwelling unit).

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

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

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

This finding can be made, in that the proposed single-family dwelling will be **of** an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. In addition, the proposed retaining walls will have only a minimal visual impact on the neighborhood **as** they increase in height as they move away from Lago Lane.



## Conditions of Approval

- Exhibit A: 7 sheets of architectural drawings by Kevin & Leilani Vevang, Residential Design dated 10/3/05 and revised 11/7/06; 1 sheet, survey, by Mark T. Doolittle, Base Line Land Surveyors, Inc. dated 3/1/05; 3 sheets by Harold Duane Smith, Ifland Engineers, Inc. dated 10/26/06.
- I. This permit authorizes the construction of a one-bedroom single-family dwelling. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Sewer Lateral Abandonment Permit prior to the issuance of any demolition permit.
  - C. Obtain a Demolition Permit from the Santa Cruz County Building Official, including a Special Inspection of the existing dwelling to determine whether the structure is suitable for relocation.
  - 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.
- 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 of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in **8.5"** x 11" format.
    - 2. Show the bay window facing Dolores Street as removed
    - 3. Provide a landscape plan review letter by the project arborist. In particular,

the arborist must comment upon the proposed landscaping within the drip line of the existing *oak* tree along the Dolores Frontage. The arborist must make recommendations to protect this tree during construction and the plans must reflect these recommendations.

4. The *oak* tree proposed for the southwest corner of the parcel should be planted a minimum of 2-3 feet back within the property line and no plants requiring irrigation should be planted within the projected drip line of the oak tree. Alternatively, have the project arborist provide a letter accepting the proposed landscaping around the proposed *oak* tree.
  5. Grading, and erosion and sediment control plans.
  6. For any structure proposed to be within 2 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.
  7. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
- 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. Submit a plan review letter by the author of the project soils report. The letter shall state that the project plans conform to the report's recommendations and that the author approves of the final drainage plans.
- E. Submit drainage plans with the following additional information: provide a detail for the proposed swales including minimum width, depth, slope and surfacing requirements; consider constructing the patio, walkway and driveway with pervious or semi-pervious materials; provide maintenance requirements for the proposed swales and any pervious surfacing; and provide updated impervious area calculations that include impervious area changes including areas off-site.
- F. Meet all requirements ~~of~~ and pay Zone 5 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- G. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.

- H. Provide required off-street parking for **2** 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. Meet all requirements and pay any applicable fees to the City of Santa Cruz Water District.
  - J. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
  - K. Complete and record a Declaration of Restriction to construct the basement as a non-habitable accessory structure. **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. The project must comply with all recommendations of the approved soils reports.
  - D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, **or** the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- IV. Operational Conditions
- A. The owner must maintain the slope landscaping area within the right-of-way.
  - B. 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.

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

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

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Don Bussey  
Deputy Zoning Administrator

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Annette Olson  
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: 05-0652

Assessor Parcel Number: 027-062-23

Project Location: 400 Lago Lane

Project Description: Proposal to demolish a two-bedroom single-family dwelling and construct a one-bedroom dwelling with an attached garage and a retaining wall in the front yard setback exceeding five feet.

Person or Agency Proposing Project: Leilani Vevang

Contact Phone Number: **(831)** 464-1281

- 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 2 - Replacement or Reconstruction (Section 15302)

F. Reasons why the project is exempt:

Reconstruction of a single-family dwelling in an area designated for residential uses.

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



Annette Olson, Project Planner

Date: 12/12/06

FOR TAX PURPOSES ONLY

03

POR. OF SECS. 17 & 18, T.11S., R.1W., M.D.B. & M.

Tax Area Code  
82-040

27-06



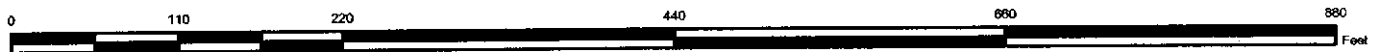
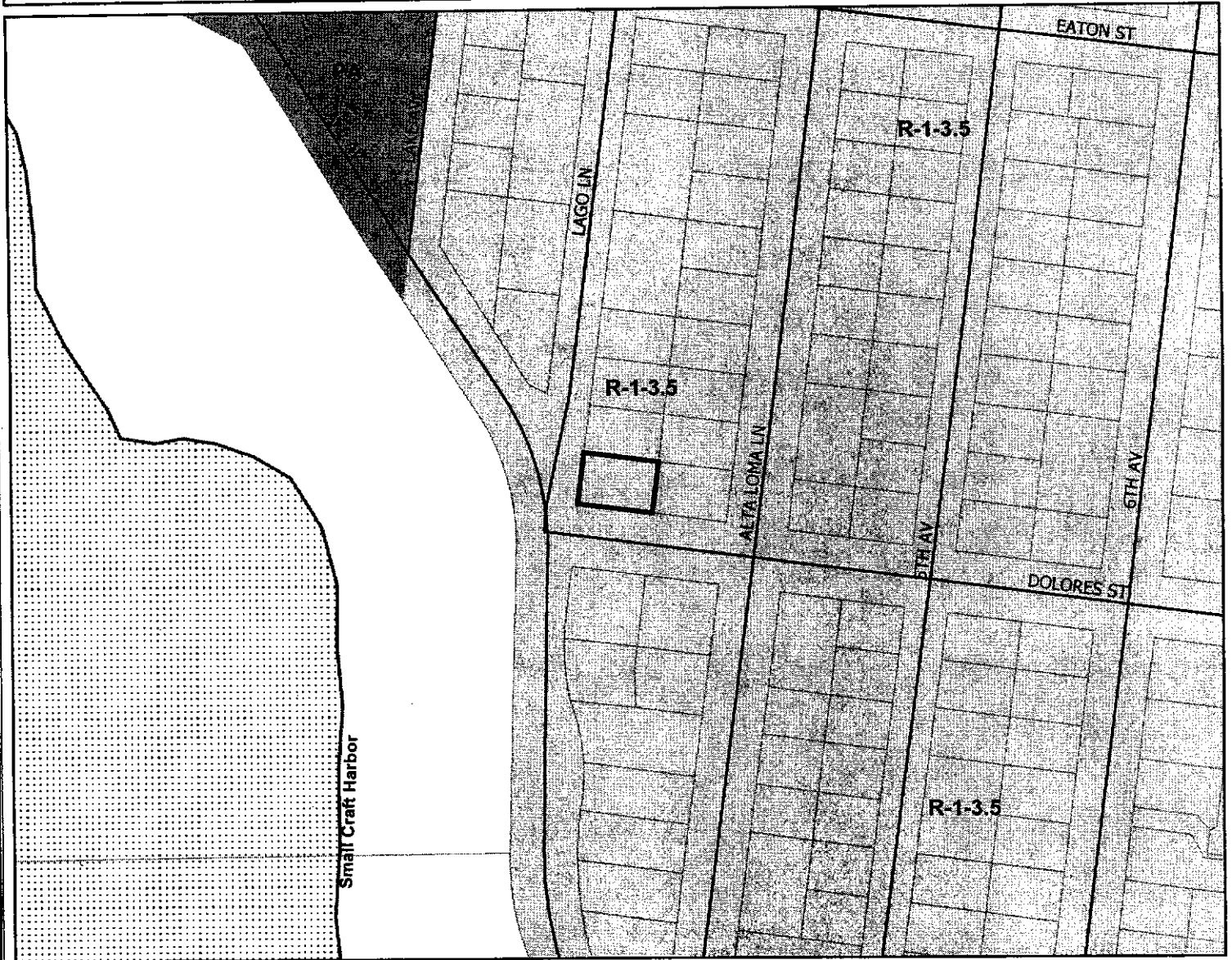
Assessor's Map No. 27-06  
County of Santa Cruz, Calif.  
Dec. 2001

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

09

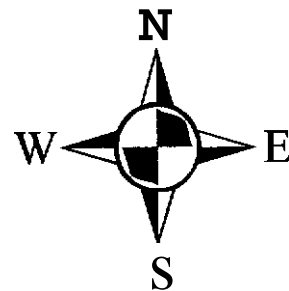


# Zoning Map



## Legend

-  APN 027-062-23
-  Streets
-  Assessors Parcels
-  Lakes
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  COMMERCIAL-PROF OFFICE (PA)



Map Created by  
County of Santa Cruz  
Planning Department  
October 2005

**EXHIBIT F**



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

Project Planner: Annette Olson  
Application No. : 05-0652  
APN: 027-062-23

Date: December 13, 2006  
Time: 11:31:19  
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Environmental Planning Completeness Comments

===== REVIEW ON OCTOBER 25, 2005 BY JESSICA L DEGRASSI =====  
Please submit the referenced soils report by Haro Kasunich for formal review

It appears there will be grading off the property. Please either revise, submit an owner agent form or obtain an encroachment permit from the dept of public works.

Prelim grading looks ok. ===== UPDATED ON JUNE 6, 2006 BY JESSICA L DEGRASSI

=====

Soils report reviewed and accepted.

===== UPDATED ON JUNE 12, 2006 BY KENT M EDLER =====

The gradnig plans by Ifland are complete and are ok.

Environmental Planning Miscellaneous Comments

===== REVIEW ON OCTOBER 25, 2005 BY JESSICA L DEGRASSI =====  
No winter gradin allowed for this project.

Please note that a plan review letter from the soils engineer will be required at building permit stage.

Please also include an erosion and sediment control plan, which shows how you will prevent sediment from leaving the site. ===== UPDATED ON JUNE 6, 2006 BY JESSICA L DEGRASSI =====

Dpw Drainage Completeness Comments

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

===== REVIEW ON OCTOBER 28, 2005 BY ALYSON B TOM ===== Application with plans dated 10/3/05 has been received. Please address the following:

1) More information is needed about drainage patterns in the watershed area containing the subject parcel. How much runoff is received onsite from upslope properties and how is this runoff to be controlled? Show (quantitatively necessary) that the proposed drainage plan is adequate in this respect. Based on the existing and proposed contours it appears that this project will result in up to 1 foot of fill at the rear of the parcel. Will this fill block any existing upstream drainage? This project is required to accomodate existing upstream drainage.

2) This project is required to minimize impervious surfaces and to maintain existing runoff rates. Please consider the following in order to meet this requirement: eliminate unnecessary paving, send runoff from roof areas to landscaped areas rather than hard piping directly off-site, utilize pervious surfacing or decking in place of proposed impervious surfaces, etc. The proposed plan to hard pipe all roof and other site runoff directly off-site is not acceptable.

Discretionary Comments - Continued

Project Planner: Annette Olson  
Application No.: 05-0652  
APN: 027-062-23

Date: December 13, 2006  
Time: 11:31:19  
Page: 2

All submittals for this project should be made through the Planning Department. For questions regarding this review Public Works storm water management staff is available from 8-12 M-F.

===== UPDATED ON JUNE 13, 2006 BY ALYSON B TOM ===== Application with civil plans dated 5/10/06 has been received.

1) Previous comment No. 1 has not been addressed. The notes for the swale and contour information shown on sheet C01 do not appear to be consistent. Is the rear of the parcel to the east of the subject property currently graded to slope towards the subject property? If so, how will the proposed grading plan accommodate this upstream drainage area.

===== UPDATED ON NOVEMBER 29, 2006 BY ALYSON B TOM ===== Application with civil plans dated 8/23/06 and preliminary drainage study dated August 2006 by Ifland Engineers has been received and is complete for the discretionary stage. Please see miscellaneous comments for issues to be addressed with the building permit submittal.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON OCTOBER 28, 2005 BY ALYSON B TOM ===== The following should be addressed prior to building permit issuance:

1) Provide a final review letter from the project geotechnical engineer approving of the final drainage plan.

2) Zone 5 fees will be assessed on the net increase in impervious area due to this project (including impervious areas on and off site).

===== UPDATED ON JUNE 13, 2006 BY ALYSON B TOM ===== Please address the following in addition to previous miscellaneous comments prior to building permit issuance:

1) Provide a detail for the proposed swales indicated on sheet C01. The detail should include minimum width, depth, slope and surfacing requirements.

2) Please note that the impervious area calculations received are not sufficient for Zone 5 impact analysis. Please provide updated calculations that include impervious area changes including areas off site and considering the proposed gravel driveway area as semi pervious.

===== UPDATED ON NOVEMBER 29, 2006 BY ALYSON B TOM ===== Please address the following in addition to previous miscellaneous comments with the building permit submittal!

1) The proposed patio, walkway and driveway should be constructed with pervious or semi-pervious materials if feasible.

2) Include maintenance requirements for the proposed swales and any pervious surfacing on the project plans.

Discretionary Comments - Continued

Project Planner: Annette Olson  
Application No. : 05-0652  
APN: 027-062-23

Date: December 13, 2006  
Time: 11:31:19  
Page: 3

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Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON OCTOBER 20, 2005 BY DEBBIE F LOCATELLI =====  
===== UPDATED ON JUNE 5, 2006 BY DEBBIE F LOCATELLI =====  
No further comments.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON OCTOBER 20, 2005 BY DEBBIE F LOCATELLI =====  
Driveway to conform to County Design Criteria Standards.  
Encroachment permit required for all off-site work in the County road right-of-way.  
to be obtained at the time of building permit application.  
Proposed fencing shall not block sight distance for motorists at adjacent intersec-  
tions and driveways.  
===== UPDATED ON JUNE 5, 2006 BY DEBBIE F LOCATELLI =====  
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON NOVEMBER 4, 2005 BY GREG J MARTIN =====  
A typical section for Lago Lane and Dolores Street is required. Please show both  
sides of Lago Lane and Dolores Street. Show the adjacent property on the plan view  
as well. Stairs and retaining walls shall not be within the right-of-way. Please  
number and dimension each required parking space. There should be a buffer between  
the stairs and the driveway. The composition of the driveway should be shown on plan  
view and a section. The face of garage should be 20 feet from the property line. A  
profile is required for the driveway from the road to the garage.

If you have any questions please call Greg Martin at 831-454-2811. ===== UPDATED  
ON NOVEMBER 4, 2005 BY GREG J MARTIN =====

===== UPDATED ON JUNE 15, 2006 BY GREG J MARTIN ===== a sfd  
===== UPDATED ON JUNE 19, 2006 BY TIM N NYUGEN =====

1st routing discretionary comments have been addressed and approved by the Depart-  
ment of Public Works. Road Engineering discretionary comments are complete.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON NOVEMBER 4, 2005 BY GREG J MARTIN =====  
===== UPDATED ON NOVEMBER 4, 2005 BY GREG J MARTIN =====  
===== UPDATED ON JUNE 19, 2006 BY TIM N NYUGEN =====  
NO COMMENT

**COUNTY OF SANTA CRUZ**  
**INTER-OFFICE CORRESPONDENCE**

**DATE:** November 21, 2006  
**TO:** Annette Olson, Planning Department, Project Planner  
**FROM:** Melissa Allen, Planning Liaison to the Redevelopment Agency  
**SUBJECT:** Application #05-0652, 3<sup>rd</sup> Routing, APN 027-062-23, 400 Lago Lane, at Dolores St, LO

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The applicant is proposing to demolish a two-bedroom, two-bathroom single-family dwelling and construct a one-bedroom, two-bath single-family dwelling with an attached garage and a retaining wall in the front yard setback exceeding three feet. The project requires a Coastal Development Permit and Preliminary Grading Review. The property is located on the east side of Lago Lane, at the corner of Dolores Street at the connection with Lake Avenue (400 Lago Lane).

This application was considered at Engineering Review Group (ERG) meetings on October 19, 2005, February 1, 2006 and June 7, 2006. The Redevelopment Agency (RDA) previously commented on this application on November 2, 2005 and June 14, 2006. RDA appreciated the applicant's modifications to the design with the second routing to remove proposed private improvements from the public right-of-way and provide space for a public on-street parking space along Dolores Street; however, *this* submittal deletes those modifications and shows slopes and planting in the public rights-of-way. This revised concept is not RDA's preferred alternative, as on-street public parking is a significant resource in this neighborhood located adjacent to the yacht harbor and public coastal beach access. RDA has the following additional comments regarding this routing of the proposed project. RDA's primary concerns for this project involve the use of public right-of-way for private improvements and the provision of adequate parking to serve the unit, especially in neighborhoods along the coast where there is a clear shortage of parking in the area.

1. The applicant has not only removed the designation of Parking Space #4 from the previous application along the Dolores Street frontage, but has also removed the proposed improvements which would have allowed for additional public parking in this area. RDA fully supported the proposed improvements as a benefit to public parking in the right-of-way and does not support the sole use of the right-of-way as private landscape area. See previous comment #1.
2. The landscape plan for this project shows extensive new shrub planting around the base of the existing *Oak* tree within the right-of-way along the Dolores Street frontage. The applicant's arborist report should have addressed this issue. RDA would suggest that no new grading, planting or irrigation should be placed within the drip line of this tree and that appropriate construction barriers and fencing be placed around the drip line to insure that construction materials and vehicles are not permitted to be stored or parked in this area. Any damage to this tree caused by construction should require appropriate compensation from the responsible parties. See previous comment #2.
3. The proposed new replacement *Oak* tree shown at the southwest corner of the parcel should be planted at a minimum 2-3 feet back within the property line. See previous comment #3.
4. The permanent irrigation and maintenance of the slope landscaping within the ROW should be the property owner's responsibility.

The issues referenced above should be evaluated as part of this application and/or addressed by conditions of approval. RDA does not need to see future routings of this project unless revisions are proposed relevant to RDA's comments on this application. The Redevelopment Agency appreciates this opportunity to comment. Thank you.

cc: Greg Martin, DPW, Paul Rodrigues, RDA, and, Ronald Lechner, RDA



**CENTRAL  
FIRE PROTECTION DISTRICT**  
of Santa Cruz County  
Fire Prevention Division

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93017<sup>th</sup> Avenue, Santa Cruz, CA 95062  
phone (831)479-6843 fax (831)479-6847

Date: October 25, 2005  
To: Pabick White  
Applicant: **Leilani Vevang**  
From: Tom Wiley  
Subject: **05-0652**  
Address: **400 Lago Ln.**  
APN: 027-062-23  
OCC 216223  
Permit: 20050318

We have reviewed plans for the above subject project

The following NOTES must be added to notes on velums by the designer/architect in order to satisfy District requirements when submitting for **Application for Building Permit**:

The FIRE FLOW requirement for the subject property is 1000 gallons per minute for 120 minutes. NOTE on the plans the REQUIRED and AVAILABLE FIRE FLOW. The AVAILABLE FIRE FLOW information can be obtained from the water company.

SHOW on the plans a public fire hydrant, meeting the minimum required fire flow for the building, within 250 feet of any portion of the building.

NOTE ON PLANS: New/upgraded hydrants, water storage tanks, and/or upgraded roadways shall be installed PRIOR to and during time of construction (CFC 901.3).

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.

Submit a check in the amount of \$100.00 for this particular plan check, made payable to Central Fire Protection District. A \$35.00 **Late Fee** may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 479-6843 and leave a message, or email me at [TomW@CentralFd.COM](mailto:TomW@CentralFd.COM). All other questions may be directed to Fire Prevention at (831) 479-6843.

CC: File 8 County

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. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.

Any order of the Fire Chief shall be appealable to the Fire Code Board of Appeals as established by any party beneficially interested, except for order affecting acts or conditions which, in the opinion of the Fire Chief, pose an immediate threat to life, property, or the environment as a result of panic, fire, explosion or release.

Any beneficially interested party has the right to appeal the order served by the Fire Chief by filing a written "NOTICE OF APPEAL" with the office of the Fire Chief within ten days after service of such written order. The notice shall state the order appealed from, the identity and mailing address of the appellant, and the specific grounds upon which the appeal is taken.

2706223-102505

## Arborist's Evaluation

Client Patrick White  
400 Lago Lane  
Santa Cruz, CA

Consultant Roy Webster  
Registered Professional Forester # 1765  
Certified Arborist # WE-6314A  
Webster & Associates  
2-2590 East Cliff Dr  
Santa Cruz, CA 95062

Date: July 24, 2006

Job Reference: Application #05-0652, APN 027-062-23

*Reviewed w/ Fred  
8/7/06  
need duplicate  
on plans*

### Background:

I was asked to evaluate a tree on subject property and make recommendations for measures to be followed during construction to insure its protection and continued survival.

### Observations:

I visited the site on July 24, 2006. The tree in question is a Coast Live Oak (*Quercus agrifolia*). The tree's main stem forks at 2.5 feet above ground level to 2 stems. Below the fork the diameter is 21 inches, above the fork the boles are 11 and 16 inches respectively. Its height is 30 feet and it has a full canopy with a spread of about 40 feet. There is a cavity on the 16 inch stem at 6 feet above ground level that has some degree of decay, though it was not bored to make an estimate of extent. There were two pitch pockets observed which indicates the presence of boring insects. These were not judged to be significant at this point in time and they most likely will be controlled by the pitching exudation. There is evidence of old pruning cuts on the main stem. A 2 tiered retaining wall was constructed on the Dolores Street side of the tree. Some feeder and anchoring roots were likely cut during construction of the wall. The tree is estimated to be about 35 years old from previous photos of the site.

### Findings and Recommendations:

This tree was judged to be reasonably healthy with normal structure. Coast Live Oak is relatively adaptable and can tolerate a modest amount of disturbance. Most of its roots are located in the top 3 feet of the soil. It is recommended that any modification of the soil, either cutting or filling be kept to an absolute minimum. Any such changes could impact the air and water relationships affecting the tree and could compromise its health. Construction of a retaining wall that would require cutting a footing is not recommended. If additional soil disturbance is necessary within the drip line of the tree, it is recommended that a tree protection zone be designated with plastic fencing as wide as possible out from the edge of the tree. As well, any new disturbance within the drip line should be reviewed and approved by a certified arborist.