



Staff Report to the Zoning Administrator

Application Number: **07-0344**

Applicant: William Rennie Boyd

Owner: Baiocchi Family Limited Partnership

APN: 063-071-26

Agenda Date: May 2, 2008

Agenda Item #: 3

Time: After 10:00 a.m.

Project Description: Proposal to construct a two-story 4,462 square foot single family dwelling with an attached 343 square foot garage, 391 square foot accessory dwelling unit with an attached 698 square foot garage, detached 66 square foot storage structure with in-ground spa, two 5,000-gallon water tanks, approximately 496 cubic yards of excavation and 249 cubic yards of fill.

Location: Property located on the north and south sides of Via Venado, approximately 600 feet north of the intersection with Brisa Del Mar, in the Bonny Doon Planning Area.

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

Permits Required: Coastal Development Permit and Residential Development Permit

Technical Reviews: Preliminary Grading Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0344, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size: 6.98 acres
Existing Land Use - Parcel: Vacant
Existing Land Use - Surrounding: Rural residential, Agriculture, Timber Production
Project Access: Existing paved roads (Via Venado)
Planning Area: Bonny Doon
Land Use Designation: R-R/R-M (Mountain Residential/Rural Residential)
Zone District: RA (Residential Agriculture)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: NRCS Type 144 (Lompico-Felton Complex)
Fire Hazard: Not Mapped Critical Fire
Slopes: 0-45%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Yes, approximately 496 cubic yards cut/249 cubic yards fill
Tree Removal: Yes, 4 trees
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Resource Area; assessment determined no resources impacted

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: Private Well; El Agua Del Oso Mutual Water Company
Sewage Disposal: Individual Septic System
Fire District: CAL FIRE
Drainage District: No Drainage Zone

History

This parcel is located within the Redwood Meadows Ranch Subdivision/Planned Unit Development (PUD), which was approved in 1983 by the Board of Supervisors. The development consisted of 12 five-acre lots surrounded by a 70-acre agricultural lot and 140-acre timber preserve. The agricultural lot was placed in an Open Space Easement (OSE) contract with the County. In 1993 the OSE contract was amended by Permit #93-0076 to separately describe the individual portions of the agricultural lot appurtenant to residential lots 2,3,10,11 and 12. In effect, the property owners of the individual residential lots gained ownership of the open space area adjacent to their parcels, but the OSE restrictions on those areas were maintained. As a result of the 1993 amendment, the subject parcel increased from 5 acres to 7 acres in area. The building envelope approved by the original subdivision did not change and is located along an east-west trending ridgeline that bisects the parcel. The area of the subject parcel that is subject to the provisions of the OSE Contract is the area located south of the building envelope. No

development or site disturbance is proposed for this portion of the parcel. The northern portion of the parcel on the north side of Via Venado is subject to a timber easement allowing timber harvest activities in conjunction with timbering on the adjacent 140-acre timber preserve parcel.

Analysis and Discussion

Consistency with Redwood Meadows Ranch Subdivision/PUD

The project is subject to the Conditions of Approval of the Redwood Meadows Ranch Subdivision/PUD, which include conditions that apply to future residential development of individual lots. Pursuant to Condition II.G the original site plan for this project was field checked to verify that the structures are located within the mapped building envelope and on slopes characterized by a gradient of less than 30%. As shown in Exhibit A, the proposed structures comply with this requirement. Consistent with Condition II.H, the permit for this project will be conditioned to prohibit perimeter fencing of the parcel, but allow fencing within the building envelope for purposes such as the swimming pool barrier. In order to maintain consistency with other conditions of the Subdivision/PUD this permit will include conditions related to compliance with access and fire department standards, landscaping with drought tolerant, native species, non-reflective windows, outdoor lighting and the encouragement of solar water heating.

Condition IV.B.3 of the Subdivision/PUD requires home designs on ridge tops to have a low profile or split-level, to use earthen tones and make maximum use of landscape screening. The proposed single-family dwelling is 2-story, a maximum of 29 feet-6 inches height and will be located on a ridge top. The accessory dwelling unit and attached garage are single-story and will not exceed 28 feet in height. While the height of the proposed main unit exceeds the 28-foot maximum, the Urban Designer has stated that there will be no impact to the viewshed due to the existing vegetative screening and the size and topography of the subject parcel. Additionally, the house will make use of earthen tones and additional landscape screening to minimize any potential visual impact of the structure's height. The height of the native forest tree canopy immediately adjacent and surrounding the ridge top building envelope far exceeds the height of the proposed structures and provides a natural landscape screen that will help minimize the visual impact of the structures. The residential lots in the Subdivision/PUD are all located on ridge tops or knolls with four lots developed with 2-story structures and three lots developed with single-story structures. The Homeowner's Association has given architectural approval of the subject proposal.

The project site is not located within a mapped scenic resource area.

The property is a 7-acre lot, located in the RA (Residential Agriculture) zone district, a designation that allows Residential uses. The proposed Single Family Dwelling is a principal permitted use within the zone district and the project is consistent with the site's Mountain Residential/Rural Residential General Plan designations. The proposed Single Family Dwelling is in conformity 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 proposed dwelling will incorporate a stucco and stone veneer to

complement the surrounding natural environment. 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.

Design Criteria For Coastal Zone Development

The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval. The development is sited within the approved building envelope established by the original subdivision; the 2-story design is consistent with other structures approved within the subdivision; and, the tree removal is limited to trees within, or along the periphery of the building envelope. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range, therefore, the development will be visually compatible and integrated with the character of the surrounding area.

The project includes approximately 496 cubic yards of excavation and 249 cubic yards of fill. The site topography makes balancing excavation and fill on site infeasible; steep slopes adjacent to the building site are unsuitable for the placement of fill. Grading cuts will consist of moderate leveling of the gently sloping ridge top building envelope and lowering the grade an average 1-2 feet with a maximum cut at the driveway of 4 feet. All grading will be observed and tested by the project geotechnical engineer to insure conformance with the grading recommendations made in the geotechnical report. The grading extends beyond the envelopes approved as a part of the subdivision, however these are building envelopes rather than *development* envelopes and grading is not prohibited outside of building envelopes. Given that the established building envelope is located on a relatively narrow ridge top it appears that the grading is appropriate in order to create the driveway and patio areas in the project. The grading does not encroach onto slopes exceeding 30 percent. It should also be noted that the grading on the site was re-configured in response to initial Environmental Planning comments requiring the project architect to minimize grading in conformance with the County Code and General Plan Policies. The revised amount of excavation is approximately 300 cubic yards less than the amount first proposed.

Archeological Resource Mapping

The property is located within a mapped archaeological resource area; therefore, an Archaeological Site Assessment was required. The preliminary field reconnaissance by the Santa Cruz Archaeological Society did not reveal any evidence of prehistoric cultural resources on the parcel. The project would therefore have no direct impact on the prehistoric resources. The conditions of approval include a requirement to notify the Santa Cruz County Planning Department if subsurface evidence of such resources should be uncovered during construction.

Second Unit

The proposed 391 square foot second unit and attached 698 square foot garage is located within the approved building envelope. Both structures are below the maximum square footage allowed for parcels larger than 2.5 acres located outside of the urban services line. The proposed second unit and attached nonhabitable accessory structure meet all development standards for the

Residential Agriculture zone district and the development will be consistent with all County policies and ordinances. The design of the project is consistent with the design and development standards and guidelines for second units. Off street parking is provided that meets the requirements of Section 13.10.550. The design, materials and color of the second unit will be compatible with that of the main dwelling unit and the existing scale and character of the neighborhood.

The permit will be conditioned to insure the standards for second units regarding occupancy restrictions, owner residency, occupancy status, rent levels, certification requirements, status report and deed restrictions, are met.

Zoning & General Plan Consistency

The subject property is a 6.98 square foot lot, located in the RA (Residential Agriculture) zone district, a designation, which allows residential uses. The proposed construction of a single-family dwelling and detached second unit is a principal permitted use within the zone district and the project is consistent with the site's (R-R and R-M) Mountain Residential and Rural Residential General Plan designation.

Local Coastal Program Consistency

The proposed construction of a single-family dwelling and detached second unit is in conformance with the County's certified Local Coastal Program, in that the structures are 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 both single-story and 2-story 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.

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 **07-0344**, based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available

Owner: Baiocchi Family Limited Partnership

for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

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

Report Prepared By: Robin Bolster-Grant

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Coastal Development Permit Findings

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

This finding can be made, in that the property is zoned RA (Residential Agriculture), a designation which allows residential uses. The proposed single-family dwelling and second unit are principal permitted uses within the zone district, consistent with the site's (R-R and R-M) Mountain Residential and Rural Residential General Plan designation.

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

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements. An Open Space Easement Contract and a timber easement encumber portions of the parcel, however, the development is located within the building envelope established by the original subdivision/PUD and therefore does not encroach into the open space easement and will not interfere with future timber harvest operations.

- 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 developed to a density appropriate for the residential agriculture zone district; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top. The development is located on a minor ridge top within the building envelope established by the original subdivision/PUD. Although the main unit exceeds 28 feet in height, the proposal has been reviewed and approved by the County Urban Designer and, in accordance with Section 13.10.323(e)(5)(B), building heights up to a maximum of thirty-three (33) feet can be allowed subject to the Urban Designer's recommendation and Zoning Administrator approval following a public hearing.

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

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the single-family dwelling and second unit 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 proposed structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the RA (Residential Agriculture) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain both 1-story and 2-story 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 California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single-family residence and second unit will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structures meet all current setbacks that ensure access to light, air, and open space in the neighborhood. The size and topography of the site as well as the surrounding canopy of mature trees will create sufficient visual screening so that, although the main residence will exceed 28 feet in height, the proposed structure will not negatively impact other properties or structures in the vicinity.

- 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 second unit and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA (Residential Agriculture) zone district in that the primary use of the property will be one single-family dwelling and detached second unit that meets all current site standards for the zone district. Although the main residence exceeds the 28-foot height limit, the County Code allows building heights up to 33 feet subject to recommendation by the County Urban Designer. The Urban Designer has reviewed and approved the proposed height to a limit of 29 feet 6 inches. As stated above, the size and topography of the lot as well as existing and proposed vegetative screening assure that there will be no negative impacts to surrounding properties or structures resulting from the increased building height.

The second unit complies with the specific regulation pertaining to second dwelling units contained in Section 13.10.681, in that:

- The property is residentially zoned (Residential Agriculture), and has a residential General Plan designation (Mountain Residential/Rural Residential), and the primary use is one single-family dwelling
- The property is over 2.5 acres and located outside the urban service line with septic waste disposal, allowing a second dwelling unit of up to 1,200 square feet.
- The second dwelling unit meets all applicable site standards of the zone district.

- The second dwelling unit will match the main dwelling unit in its exterior colors and finish materials.
- All necessary utilities will be available to the second dwelling unit.

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 (single-family dwelling and second unit) use is consistent with the use and density requirements specified for the Mountain Residential and Rural Residential (R-R and R-M) land use designation in the County General Plan.

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

The proposed single-family dwelling and second unit will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single-family dwelling and second unit will comply with the majority of the required site standards for the RA zone district (including setbacks, lot coverage, floor area ratio, 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. Although the main dwelling unit will exceed the maximum 28-foot height limit by 18 inches, the distance of the dwelling unit from any surrounding residences, and the height of the surrounding forest serve to minimize any impact to surrounding structures or to the viewshed.

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

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

This finding can be made, in that the proposed single-family dwelling and second unit are to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only 2 peak trips per day (1 peak trip per dwelling unit), such an increase has been included in current infrastructure plans will not adversely impact existing roads and intersections in the surrounding area.

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

This finding can be made, in that the proposed structures are located in a mixed neighborhood containing a variety of architectural styles, and the proposed single-family dwelling and second unit 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 in the vicinity. The proposed structures are 1 and 2-story structures in a mixed neighborhood of 1 and 2-story homes. The proposed materials and colors are designed to blend well with the surrounding forest and natural environment.

- 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 and second unit 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. Additionally, the project has been reviewed and approved by the Planning Department Urban Designer and determined to be in compliance with the Design Standards and Guidelines of the County Zoning Code.

Conditions of Approval

Exhibit A: Architectural Plans (12 Sheets) prepared by William Rennie Boyd Architect, prepared 7/05/07, Grading, Drainage and Erosion Control Plans (4 Sheets) prepared by Mike Van Horn, RCE, revised 2/08/08.

- I. This permit authorizes the construction of a two-story 4,462 square foot single-family dwelling with an attached 343 square foot garage, a one-story detached second unit with attached 698 square foot garage, a detached 66 square foot storage structure and adjacent in-ground spa, two 5,000-gallon water tanks and approximately 496 cubic yards of excavation and 249 cubic yards of fill. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
- 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. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. In addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 ½ " x 11" format for Planning Department review and approval.
 2. No structures shall be allowed to extend beyond the approved building envelope for this site.
 3. No perimeter fencing shall be allowed for the parcel, however fencing within the building envelope for purposes such as swimming pool barriers shall be permitted.

4. Grading, drainage, and erosion control plans.
 5. 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. The maximum allowed building height for the main residence is 29'-6." The second unit and accessory structure shall be not exceed 28 feet in height.
 6. Building plans shall indicate the use of non-reflective windows.
 7. The design must ensure that no indoor or outdoor lighting will be visible from Bonny Doon Road or from Highway 1.
 8. 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. Meet all requirements of and pay 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 Santa Cruz County Fire Protection District.
- G. Submit 3 copies of an updated soils report, prepared and stamped by a licensed Geotechnical Engineer.
- H. Submit a plan review letter from the project geotechnical engineer, which states that the final building, grading, drainage and erosion control plans are in conformance with the recommendations made in the soils report approved for the project.
- I. Pay the current fees for Parks and Child Care mitigation for 3 bedroom(s). Currently, these fees are, respectively, \$578 and \$109 per bedroom.

- J. Provide required off-street parking for 4 cars (3 spaces for the main residence and 1 space for the second unit). 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.
 - K. 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.
 - L. Complete and record a Declaration of Restriction to construct a Second Unit. **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. 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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Application #: 07-0344
APN: 063-071-26
Owner: Baiocchi Family Limited Partnership

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: _____

Don Bussey
Deputy Zoning Administrator

Robin Bolster-Grant
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: 07-0344

Assessor Parcel Number: 063-071-26

Project Location: No Situs

Project Description: Proposal to construct a two-story single family dwelling with attached garage, detached one-story accessory dwelling unit with attached garage, spa, two 5,000 gallon water tanks, and approximately 496 cubic yards of grading.

Person or Agency Proposing Project: William Rennie Boyd

Contact Phone Number: (831) 465-9910

- 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).

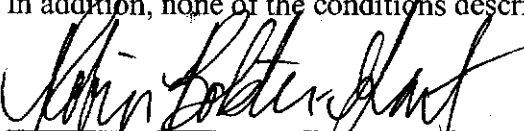
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E. ☒ **Categorical Exemption**

Specify type:

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

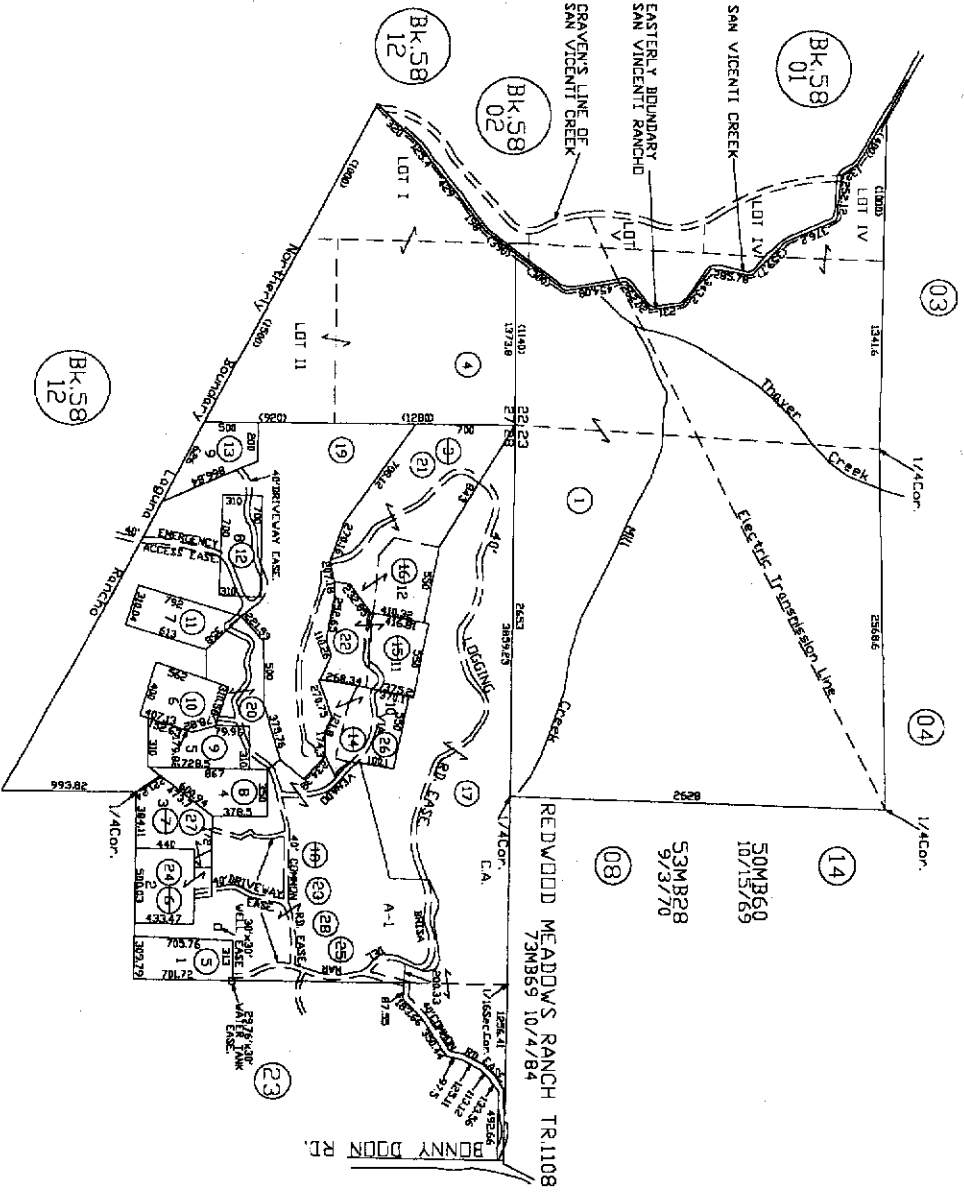
In addition, none of the conditions described in Section 15300.2 apply to this project.


Robin Bolster-Grant, Project Planner

Date: 3-28-08

63-07

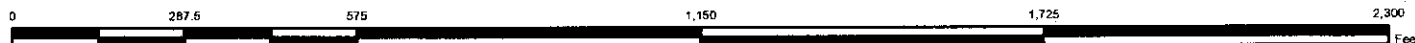
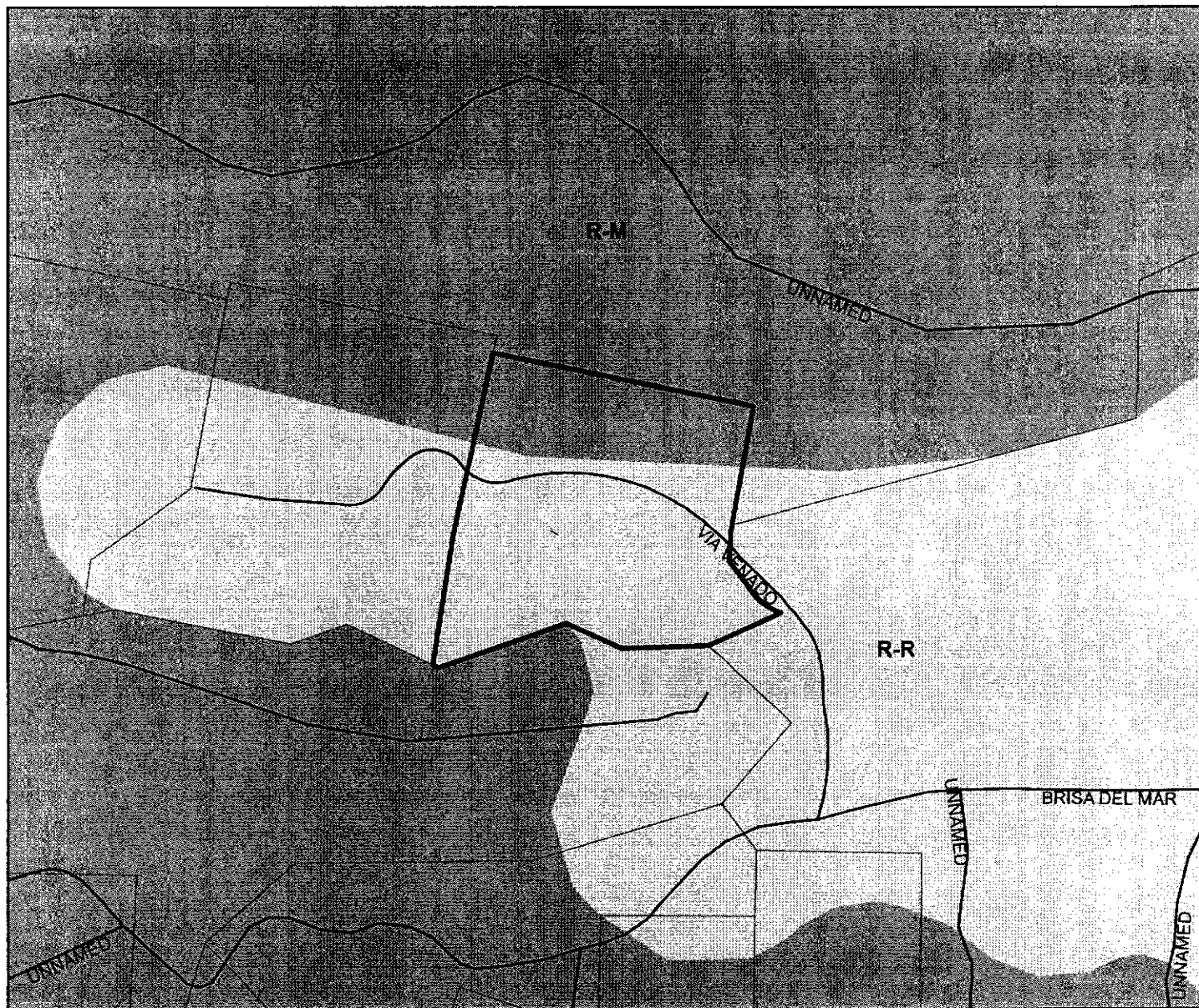
63-07








Assessor's Map No. 63-07
County of Santa Cruz, Calif.
March 1997

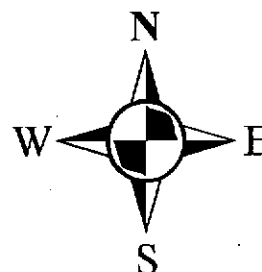


General Plan Designation Map



Legend

-  APN 063-071-26
-  Assessors Parcels
-  Streets
-  Residential-Mountain (R-M)
-  Residential-Rural (R-R)

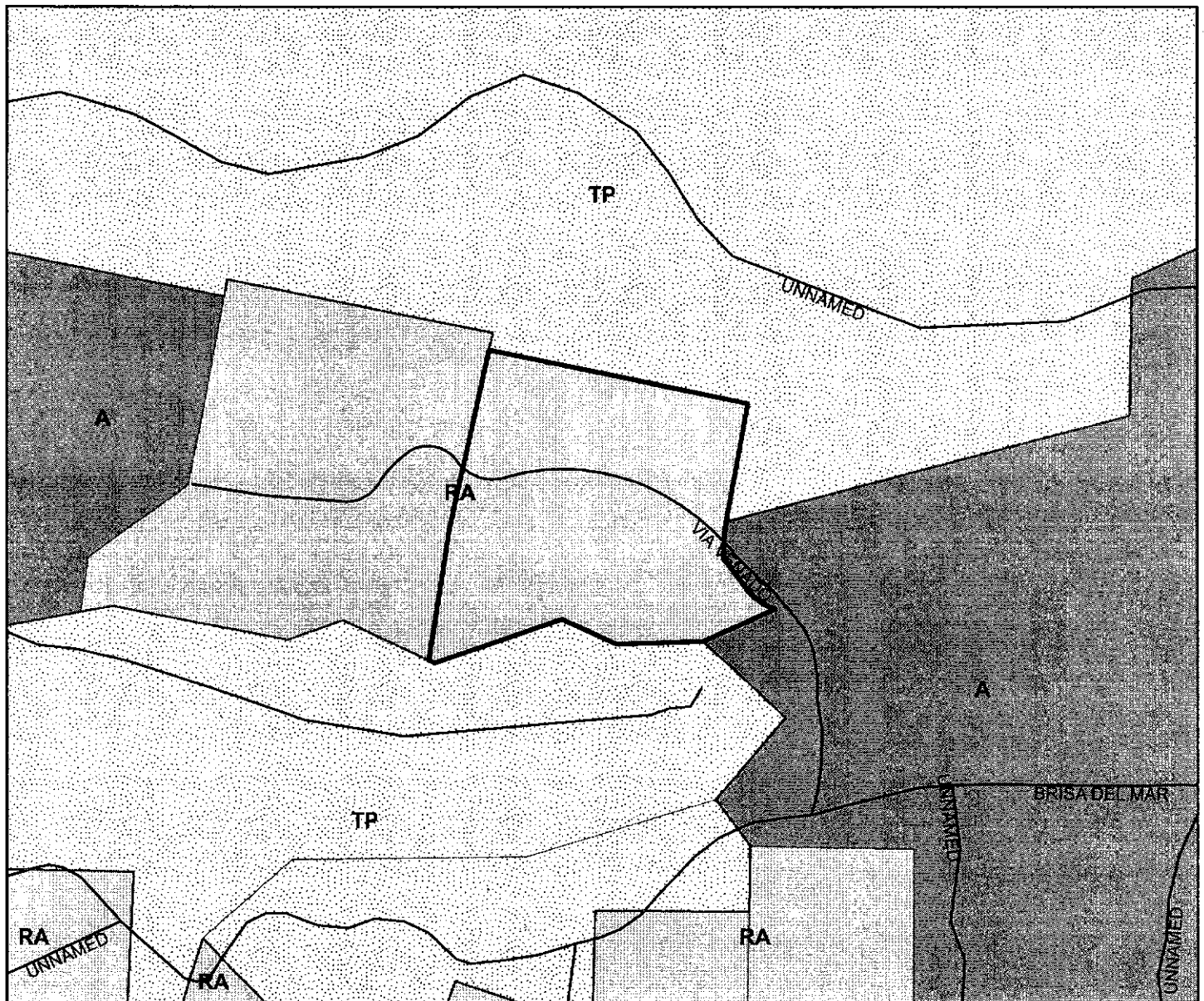


Map Created by
County of Santa Cruz
Planning Department
July 2007

EXHIBIT F

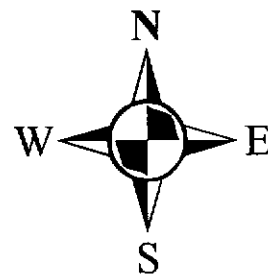


Zoning Map



Legend

- APN 063-071-26
- Assessors Parcels
- Streets
- AGRICULTURE RESIDENTIAL (RA)
- AGRICULTURE (A)
- TIMBER PRODUCTION (TP)

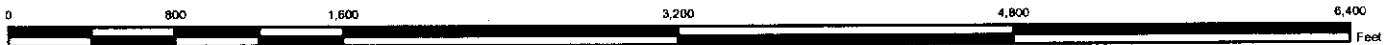
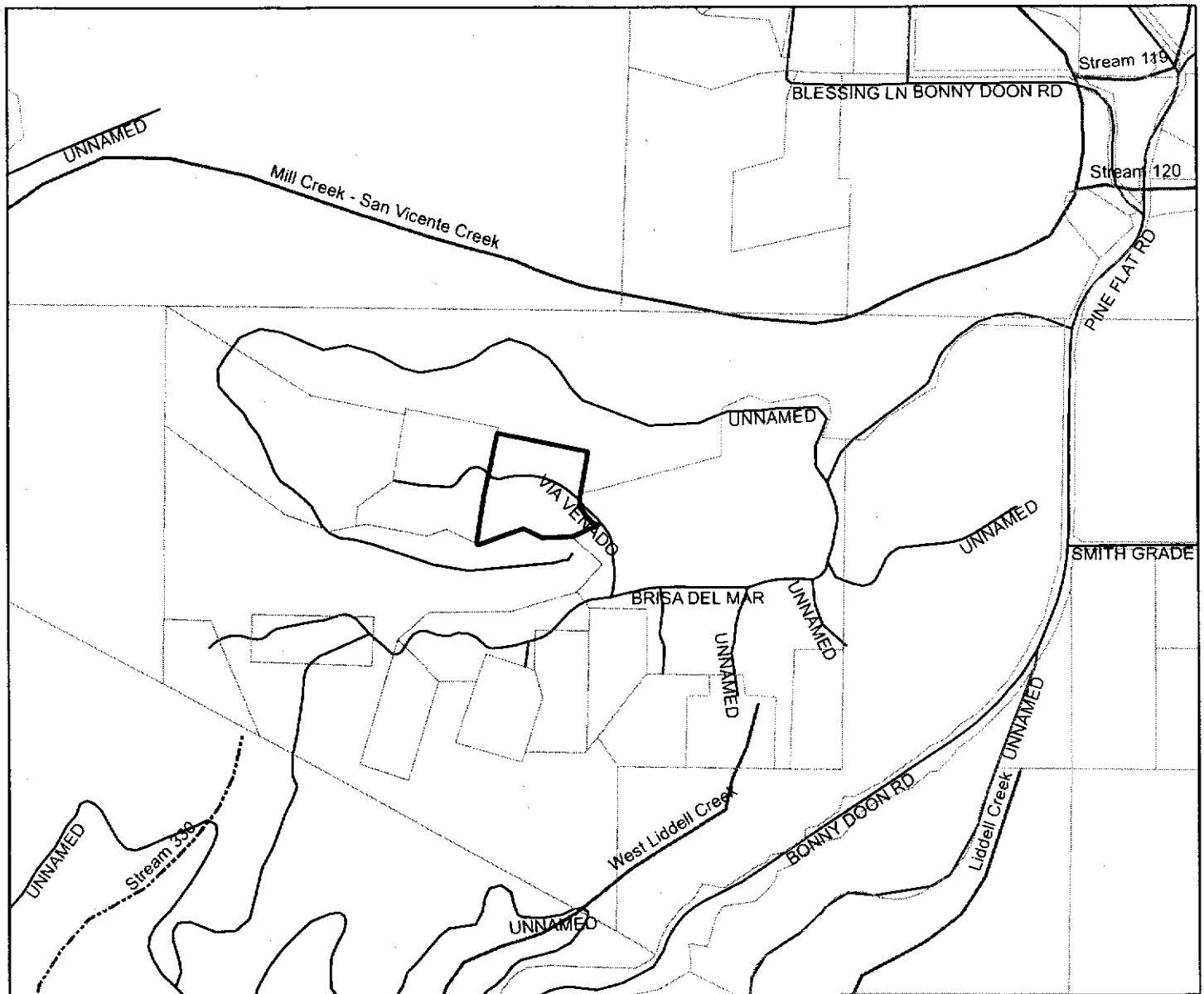


Map Created by
County of Santa Cruz
Planning Department
July 2007



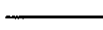


EXHIBIT F

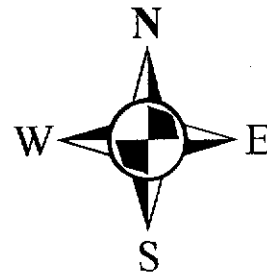


Location Map



Legend

-  APN 063-071-26
-  Assessors Parcels
-  Streets
-  Perennial Stream
-  Intermittent Stream



Map Created by
County of Santa Cruz
Planning Department
July 2007

EXHIBIT F



454-2131

County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 400, SANTA CRUZ, CA 95060-4073

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

May 24, 2001

William Rennie Boyd
2007th Avenue #110
Santa Cruz, CA 95060

**SUBJECT: ARCHAEOLOGICAL RECONNAISSANCE SURVEY FOR
APPLICATION 01-0180 APN 063-071-26**

Dear Mr. Boyd,

The County's archaeological survey team has completed the Phase 1 archaeological reconnaissance for the parcel named above. The research has concluded that prehistorical cultural resources were not evident at that site. A copy of the review documentation is attached for your records. No further archaeological review will be required for the proposed development. Please contact me at (831) 454-3162 if you have questions regarding this review.

Sincerely,

Jessica deGrassi
Jessica deGrassi
Planning Technician

Enclosure: 1

EXHIBIT B

SANTA CRUZ ARCHAEOLOGICAL SOCIETY
1305 EAST CLIFF DRIVE, SANTA CRUZ, CALIFORNIA 95062

**Preliminary Prehistoric Cultural Resource
Reconnaissance Report**

Parcel APN: 063-71-26SCAS Project #: SE ⁰¹~~99~~ 852Planning Permit #: 01-0180Parcel Size: 6.98 ACRESApplicant: PENNIE BOYDNearest Recorded Prehistoric Site: CA-SCR-68, CA-SCR-2122

On 5/16/01 (2) members of the Santa Cruz Archaeological Society spent a total of (1) hours on the above described parcel for the purposes of ascertaining the presence or absence of prehistoric cultural resources on the surface. Though the parcel was traversed on foot at regular intervals and diligently examined, the Society cannot guarantee the surface absence of prehistoric cultural resources where soil was obscured by grass, underbrush or other obstacles. No core samples, test pits, or any subsurface analysis was made. A standard field form indicating survey methods used, type of terrain, soil visibility, closest freshwater source, and presence or absence of prehistoric and/or historic cultural evidence was completed and filed with this report at the Santa Cruz County Planning Department.

The preliminary field reconnaissance did not reveal any evidence of prehistoric cultural resources on the parcel. The proposed project would therefore, have no direct impact on prehistoric resources. If subsurface evidence of such resources should be uncovered during construction the County Planning Department should be notified.

Further details regarding this reconnaissance are available from the Santa Cruz County Planning Department or from Rob Edwards, Director, Archaeological Technology Program, Cabrillo College, 6500 Soquel Drive, Aptos CA 95003, (831) 479-6294, or email redwards@Cabrillo.cc.ca.us.

Page 4 of 4

June 20, 2007
1295 Brisa del Mar
Bonny Doon, CA 95060

Alan & Lisa Baiocchi
78 South La Senda Drive
Laguna Beach, CA 92651
Re: Lot 10, Redwood Meadows Ranch (APN 063-071-26)

Dear Alan and Lisa,

This letter is intended to serve as notice that the Architectural Control Committee (ACC) of the Redwood Meadows Ranch Homeowners' Association (RMRHOA) has approved your coastal submission plans for Lot 10 located at 120 Via Venado. The plans include elevations and floor plans for a main residence with attached garage and a separate 3 car-garage/ADU. These plans are dated April 25, 2007. The site plan is dated June 2007.

The exterior finishes of the main residence and garage/ADU shall be constructed of chocolate brown or other earth tone stucco with a tan fieldstone veneer. The roof shall be metal and either forest green or deep bronze. The windows shall be brushed aluminum. The placement of these two structures is approved and is within the building envelope defined for the property. The location of the water storage tanks is also approved and within the boundaries of Lot 10.

Exterior lighting should be held to a minimum in an effort to keep Santa Cruz skies dark and to minimize impact on neighbors. Whenever possible lighting that is directed downward should be used.

We very much support the proposals to implement landscape screening on the site and around the water storage tanks to help minimize the impact of the project on immediate neighbors and the common area and road. Attached is a copy of a statement regarding preservation of the viewshed that was approved by the RMR board in May 2005 as a reference.

Please feel free to contact me if you have any questions or require additional information.

Sincerely,



Karin Beumer-Browner
(831-454-0321 or karinbeumer@sbcglobal.net)
RMR Architectural Control Committee Member

EL AGUA DEL OSO

MUTUAL WATER COMPANY

BONNY DOON, CA

June 29, 2007

Alan and Lisa Baiocchi
c/o Mr. Rennie Boyd
200 Seventh Avenue, Suite #110
Santa Cruz, CA 95062

Re: Lot 10, Redwood Meadows Ranch

Dear Alan and Lisa:

This letter serves notice that the El Agua Del Oso Mutual Water Company is ready to supply water to your tank at lot No. 10 of Redwood Meadows Ranch.

In addition to following applicable building codes, the Company sets certain additional requirements for permitting connection to the water supply system. These requirements may be modified from time to time by the Board and currently include:

1. All Company water used on your lot shall be drawn from your private water storage tank.
2. A flow restrictor at the connection point limiting flowrate to 4 gpm or less is required.
3. A totalizing meter indicating in gallons must be installed at the input of your tank and positioned at a height of five feet. Clear access to the meter must be maintained for regular reading by the Company.
4. Lot owners agree to curtail water use when notified to deal with repairs, drought conditions and other emergencies.

Please note that the Redwood Meadows Ranch Homeowner's Association may dictate other conditions and restraints regarding water use and the appearance of your water storage tanks including requiring visual shielding around water tanks with plantings and requiring drought tolerant landscaping for your property.

Best regards,


Michael Kast

Board Member, Agua del Oso Mutual Water Company
Mailing address: 420 Addison Avenue, Palo Alto, CA 94301
Cell phone: 650.996.9996

Copies via email to: alan.lisa@cox.net, wrboyd@cruzio.com

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

Project Planner: Robin Bolster
Application No.: 07-0344
APN: 063-071-26

Date: April 2, 2008
Time: 09:07:06
Page: 1

Environmental Planning Completeness Comments

===== UPDATED ON JULY 30, 2007 BY CAROLYN I BANTI =====

The following are completeness comments in regards to soils and grading issues:

1. The soils report by Haro Kasunich and Assoc., dated May 21, 2001, is over three years old and will require an update letter from the soils engineer stating that the findings and recommendations of the previous report are still valid. Specifically, the letter shall state whether a conventional foundation is acceptable for the entire structure or whether portions will require a pier and grade beam foundation as stated in the previous report.

Note: Additional comments may follow pending review of the soils report update letter.

2. After plans are prepared that are acceptable to all reviewing agencies, a soils report review letter will be submitted to Environmental Planning. The author of the soils report and report update letter will author the plan review letter. The letter shall state that the project plans conform to the recommendations of the soils report.

===== UPDATED ON JULY 30, 2007 BY DAVID V CARLSON =====

It is not possible to make an accurate assessment of tree removal associated with the proposed project based on the submitted plans. Although some tree removal is shown on the proposed grading plans, it appears that additional tree removal would occur if the proposed plan were implemented. In addition, it appears reasonable that some trees designated for removal could be retained and the large multi-trunk tan oak could be reasonably protected from impacts associated with driveway construction.

Therefore, please submit an arborist report evaluating each tree proposed for removal in light of the compliance comments below. For trees adjacent the development envelope that can be reasonably retained, the arborist should recommend appropriate protection measures. ===== UPDATED ON DECEMBER 21, 2007 BY DAVID V CARLSON =====

Arborist report waived due to revision to reduce disturbance area and retain more trees, and tree protection notes on plans. ===== UPDATED ON DECEMBER 28, 2007 BY CAROLYN I BANTI =====

The soils update and review letters have been deferred as Completeness Comments, but will be submitted prior to compilation of the staff report. Please be advised that additional Conditions of Approval may be forthcoming pending review of the geotechnical submittals.

Environmental Planning Miscellaneous Comments

===== UPDATED ON JULY 30, 2007 BY CAROLYN I BANTI =====

The following are Compliance Comments in regards to soils and grading issues:

The current project configuration requires a large amount of excavation. Please revise the project design to minimize required grading in accordance with General

Discretionary Comments - Continued

Project Planner: Robin Bolster
Application No.: 07-0344
APN: 063-071-26

Date: April 2, 2008
Time: 09:07:06
Page: 2

Plan Section 6.3.9 and County Code Section 16.22.050. It appears an existing graded driveway alignment may be used to reduce the amount of grading necessary for the project.

The following are Miscellaneous Comments/Conditions of Approval in regards to soils and grading issues:

Please submit an erosion control plan with the building permit application. The plan shall show how soils will be kept on-site during and after construction.

A plan review letter will be required from the soils engineer prior to building permit issuance. The review letter shall be written by the author of the soils report and update letter and shall state that the plans submitted with the building permit application are in conformance with the recommendations of the soils report.

===== UPDATED ON JULY 30, 2007 BY DAVID V CARLSON =====

Compliance Comments:

The amount of tree removal indicated by the grading plan appears excessive. Design criteria for coastal zone developments requires minimal site disturbance and encourages retaining all mature trees over six inches diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species. The designer and project arborist should keep this in mind when evaluating project tree removal.

Permit Conditions:

Tree protection and preservation measures shall be incorporated into the plans submitted for the building/grading permit. ===== UPDATED ON DECEMBER 21, 2007 BY DAVID V CARLSON =====

Tree protection notes on plans should be incorporated into the conditions of approval. ===== UPDATED ON DECEMBER 28, 2007 BY CAROLYN I BANTI =====

The resubmitted plans do not appear to minimize grading. I have made an appointment with Rennie Boyd to discuss opportunities to further minimize grading on January 3, 2007.

Dpw Drainage Completeness Comments

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

===== REVIEW ON JULY 26, 2007 BY ALYSON B TOM ===== Application with drainage plan dated 6/11/07 has been received and is complete with regards to drainage for the discretionary stage. The proposal takes advantage of the well percolating soils at shallow depths and uses alternative surfaces for exterior surfacing. Please see miscellaneous comments for compliance and permit conditions/additional information needed for the project.

===== UPDATED ON DECEMBER 29, 2007 BY LOUISE B DION =====

Per July 26th review, application is complete with regards to drainage for the discretionary stage.

Dpw Drainage Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: Robin Bolster
Application No.: 07-0344
APN: 063-071-26

Date: April 2, 2008
Time: 09:07:06
Page: 3

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

===== REVIEW ON JULY 26, 2007 BY ALYSON B TOM ===== The following are compliance and/or permit conditions/additional information needed for this project.

- 1) Show clearly how the new turnaround area will drain.
- 2) Provide specific information for proposed surfacing that is consistent on all project sheets. The architectural sheets have conflicting information for pervious concrete vs. pavers and gravel vs. decomposed granite compared to the civil plan sheets.
- 3) Include contaminant screening upstream of the spreaders for surface runoff.
- 4) Show the location of the proposed dissipator on the plans. Confer with project geotechnical engineer as necessary. The location of the dissipator should not cause any impact on the common access road.
- 5) Provide a final geotechnical review letter approving of the final dated drainage plan.

===== UPDATED ON DECEMBER 29, 2007 BY LOUISE B DION =====
Miscellaneous comments will be reviewed during building permit application.

Dpw Road Engineering Completeness Comments

===== REVIEW ON JULY 23, 2007 BY ANWARBEG MIRZA =====
1. In order to evaluate access to the single-family dwelling, show how property obtains access road to the county road system and provide details of intersection of the Bonny Doon Rd. to Brisa Del Mar in plan view.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON JULY 23, 2007 BY ANWARBEG MIRZA =====
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON JULY 24, 2007 BY JIM G SAFRANEK ===== A septic appl. was approved by EHS in 2002, but the applicant should confirm that it has not expired. Contact Rafael Sanchez of EHS at 454-2735, 8-9:30 am.

Environmental Health Miscellaneous Comments

===== REVIEW ON JULY 24, 2007 BY JIM G SAFRANEK =====
NO COMMENT

Cal Dept of Forestry/County Fire Completeness Comm

Discretionary Comments - Continued

Project Planner: Robin Bolster
Application No.: 07-0344
APN: 063-071-26

Date: April 2, 2008
Time: 09:07:06
Page: 4

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

===== REVIEW ON JULY 17, 2007 BY COLLEEN L BAXTER =====

===== UPDATED ON JULY 17, 2007 BY COLLEEN L BAXTER =====

DEPARTMENT NAME: CALFIRE

Add the appropriate NOTES and DETAILS showing this information on your plans and RESUBMIT, with an annotated copy of this letter:

Each APN (lot) shall have separate submittals for building and sprinkler system plans.

The job copies of the building and fire systems plans and permits must be onsite during inspections.

NOTE that the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Fire Sprinkler System to this agency for approval. Installation shall follow our guide sheet.

All Fire Department building requirements and fees will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

72 hour minimum notice is required prior to any inspection and/or test.

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with the applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewing agency.

When a fire alarm system is proposed in lieu of 110V/battery backup smoke detectors a separate fire alarm permit and fee is required by the fire department having jurisdiction. Fire Alarm plans (3 sets) shall be submitted and approved prior to commencing work.

Cal Dept of Forestry/County Fire Miscellaneous Com

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

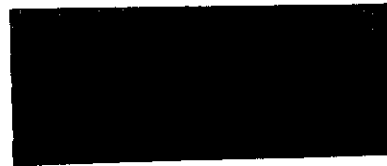
===== REVIEW ON JULY 17, 2007 BY COLLEEN L BAXTER =====

EXHIBIT 'A'

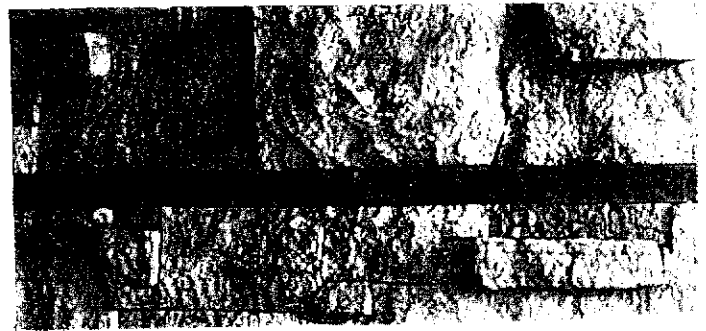
Roofs, Fascia, Eaves & Gutters:
Color: Deep Brown / Bronze



Stucco Walls -
Color: Chocolate Brown



Fieldstone Walls -
Color: Tan, Beige / Brown



Windows & Doors-
Aluminum Sash,
Powder Coated
Color: Black



Accent Trim:
Color: Burnt Orange



Baiocchi Residence 120 Via Venado, Santa Cruz, California

0629-071-26