



Staff Report to the Zoning Administrator

Application Number: **06-0719**

Applicant: Ifland Engineers
Owner: Katharine Minott, trustee
APN: 038-151-06

Agenda Date: 7/11/08
Agenda Item #: 8
Time: After 10:00 a.m.

Project Description: Proposal to recognize temporary shoring using helical anchors (constructed under Emergency Coastal Permit 06-0718), to recognize a retaining wall (constructed under Emergency Coastal Permit 07-0690) to stabilize a coastal bluff, to grade approximately 160 cubic yards (balanced cut and fill), and to remove one 12 inch diameter tree on a parcel with an existing single family residence.

Location: Project located on the south side of Oakhill Road approximately 175 feet west from Seacliff Drive. (745 Oakhill Rd).

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

Permits Required: Coastal Development Permit, Residential Development Permit

Technical Reviews: Geologic Report Review, Soils Report Review, Preliminary Grading Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0719, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	13,809 square feet
Existing Land Use - Parcel:	Single family dwelling
Existing Land Use - Surrounding:	Single family residential neighborhood, coastal bluff

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

Project Access: Oakhill Road
Planning Area: Aptos
Land Use Designation: R-UL (Urban Low Density Residential)
Zone District: R-1-10 (Single family residential - 10,000 square feet per unit)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Coastal bluff at rear of property
Soils: Report reviewed and accepted
Fire Hazard: Not a mapped constraint
Slopes: 2:1 at coastal bluff
Env. Sen. Habitat: NE corner mapped Monarch Butterfly/no physical evidence on site
Grading: 160 cubic yards (cut & fill)
Tree Removal: One 12 inch diameter tree to be removed (in area of wall construction)
Scenic: Scenic beach viewshed
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

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

History

Emergency Coastal Development Permit 06-0718 was issued on 12/26/06 to authorize the installation of helical anchors to protect the existing residence from an immediate threat of slope failure. Emergency Coastal Development Permit 07-0690 was issued on 11/28/07 to authorize the installation of a retaining wall as more permanent slope stabilization to protect the existing residence. Building Permits have been issued (BP 1456000 & 148507) to allow construction of these improvements. This application (06-0719) is for a regular Coastal Development Permit to recognize the work performed under the Emergency Coastal Development Permits.

Project Setting

The subject property (745 Oakhill Road) is located within a single family residential neighborhood on the south side of Oakhill Road in the Seacliff area of Aptos. A coastal bluff is located at the rear of the property. The property is developed with a single family residence. The slope behind the house has shown significant signs of failure and a concrete pier retaining wall is currently under construction (under Building Permit 148507) at the rear of the existing residence.

Zoning & General Plan Consistency

The subject property is approximately 13,809 square feet located in the R-1-10 (Single family residential - 10,000 square feet minimum) zone district, a designation which allows residential uses. The proposed retaining wall is accessory to the principal permitted residential use within the zone district and the project is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

Coastal Bluff

The project site is bordered to the south by a coastal bluff. The existing slope immediately behind the existing residence is in danger of failing due to erosion and soil movement. A retaining wall has been proposed which will provide increased protection for the existing residence and properties below. This wall has been designed by a licensed civil engineer to the specifications of the project geologist and geotechnical engineer. The geologic and geotechnical reports have been reviewed and accepted by the County Geologist.

Local Coastal Program Consistency

The proposed slope protection improvements are in conformance with the County's certified Local Coastal Program, in that the retaining wall will be colored and textured to be visually compatible with the character of the surrounding natural bluff. Many other bluff top parcels in the area utilize retaining walls to reduce the potential for erosion and slope failure. The subject property is located between the shoreline and the first public road, with public beach access at Seacliff and New Brighton State Beaches. The project site 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.

Scenic Resources & Design Review

The subject property is located within the scenic beach viewshed. Views from the public beach are protected and development along coastal bluffs should be designed to reduce visual impacts to the public beaches below. The proposed retaining wall repair complies with the requirements of the County Design Review ordinance, General Plan and Local Coastal Program, in that the applicant has provided a visual mitigation plan which indicates that the proposed retaining wall will be colored and textured to blend with the surrounding natural bluff and the area below the wall will be landscaped with vegetation to minimize any potential visual impact to scenic resources. As future slope failures occur and the piers are exposed, additional colored and textured wall facing material shall be applied to maintain a consistent appearance which blends with the natural bluff as viewed from the public beach below the subject property.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 06-0719, 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

Report Prepared By: Randall Adams
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@co.santa-cruz.ca.us

Minott Residence Retaining Wall

Santa Cruz County, California

Vicinity Map

SHEET NO.	DESCRIPTION
C1	COVER SHEET
C2	SECTIONS, DETAILS & PROFILES
C3	EXISTING TOPOGRAPHY
C4	SITE GRADING AND DRAINAGE PLAN
C5	EROSION CONTROL PLAN

Project Consultants

PROJECT SURVIVORS
 John Kaulbach
 Kaulbach & Associates
 16 East Lake Ave.
 Chicago, IL 60676
 (312) 732-4776
john@jkaulbach.com

STRUCTURAL ENGINEER
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 1000 Water St. Bldg. #2
 Santa Cruz, CA 95062
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 41 Hanger Way, Suite B
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john@jkaulbach.com

PROJECT SURVIVORS
 James J. Poirier & Associates
 303 Poirier, Suite 43-108
 San Jose, CA 95080
 (408) 429-9441

General Notes

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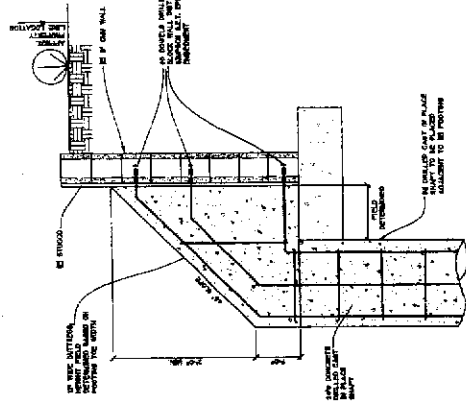
Abbreviations

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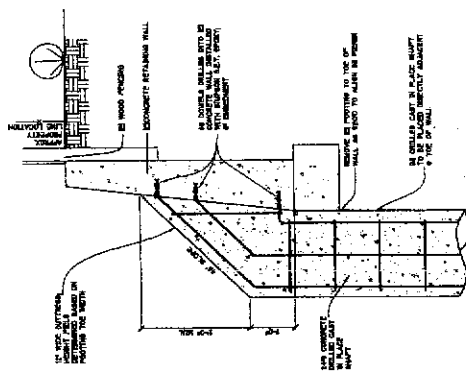
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THE BOUNDARY UNDER TOPOGRAPHIC DATA SHEETS
HAS BEEN PROVIDED TO THE FIELD ENGINEER BY THE
BART, JR. AND ASSOCIATES, INC.
AND IS BASED UPON A FIELD SURVEY DATED
NOVEMBER, 1988.

Existing Topography Plan



(E) Retaining Wall w/ Buttresses - Section C-C



(E) Retaining Wall w/ Buttresses - Section D-D

Grading Notes

1. THE GRADING PLAN SHALL BE MADE WITHOUT THE APPROVAL OF THE DEPARTMENT OF PUBLIC WORKS.
2. IN LAND GRADING, GRAVITY OR EXCAVATION SHALL TAKE PLACE BETWEEN OCTOBER 1 AND APRIL 15, IN ORDER TO ALLOW A SEASONAL SETTLING OF THE GRADE.
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Geotechnical Engineer Recommendations

SEE SHEET 10 OF 11 FOR RECOMMENDATIONS.

Storm Drainage Calculations

THE STORM DRAINAGE CALCULATIONS WERE MADE USING THE FOLLOWING ASSUMPTIONS:

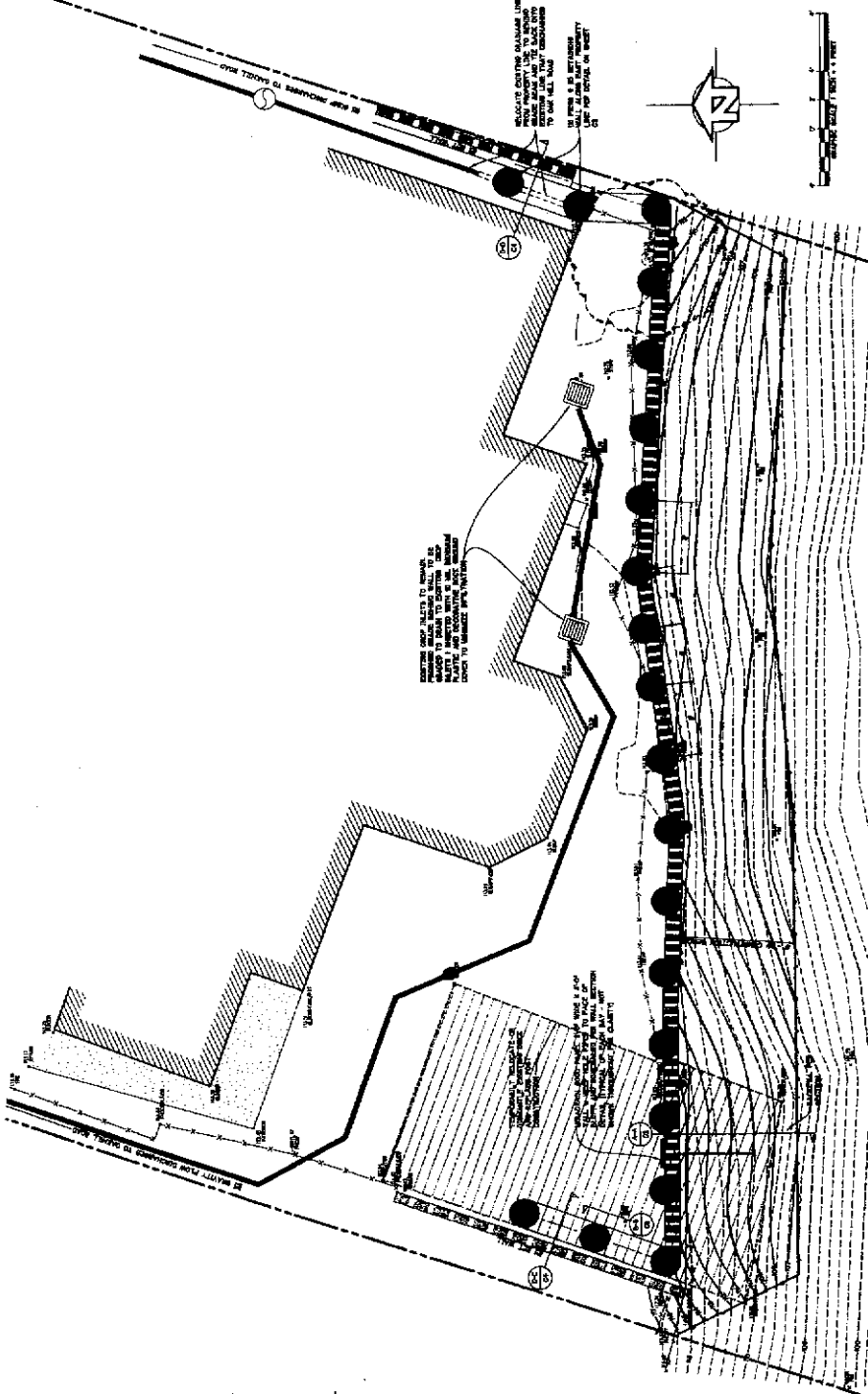
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Preliminary Earthwork Quantities

NO. OF STATIONS CUT: 100
BALANCE OF CUT: 100
BALANCE OF FILL: 100

NOTE: THE PRELIMINARY EARTHWORK QUANTITIES WERE MADE USING THE FOLLOWING ASSUMPTIONS:

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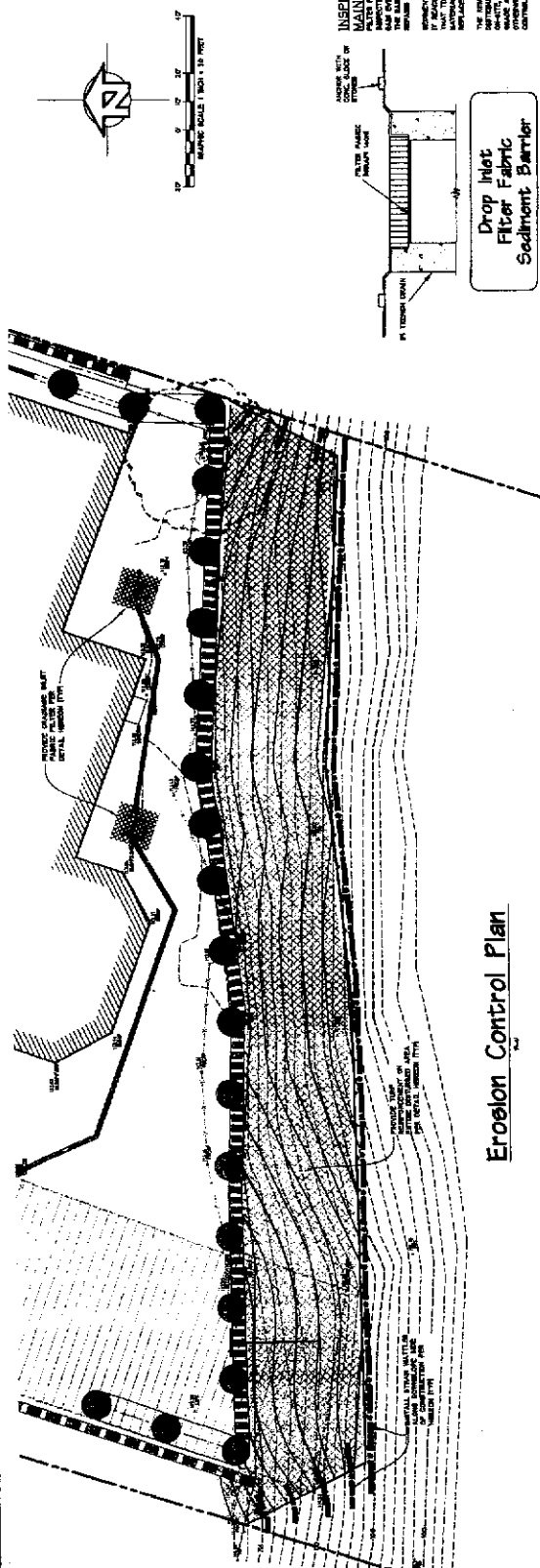
Grading & Drainage Plan

745 Oakhill Road, Santa Cruz County, CA
Whotl Residence Retaining Wall
Grading & Drainage Plan

DATE	09/01/07
DESIGN	30
NO.	028-151-06
ASSEMBLY	PARCEL NUMBER
SHEET	C4
NO. OF SHEETS	10



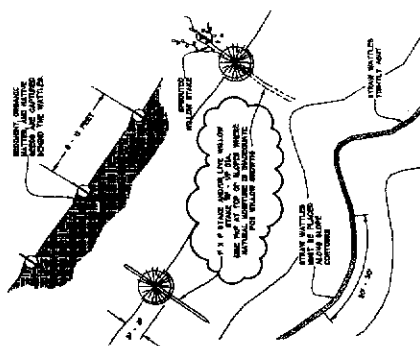
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Erosion Control Plan

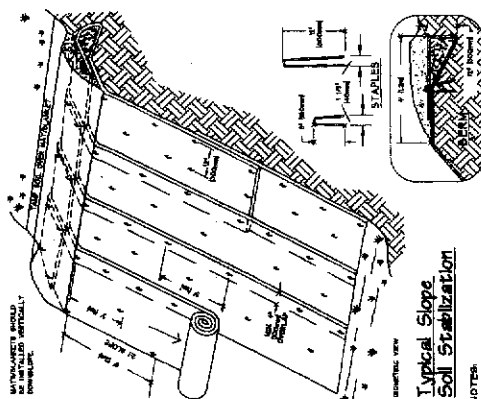
Erosion Control Notes

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Typical Slope Soil Stabilization

NOTES:

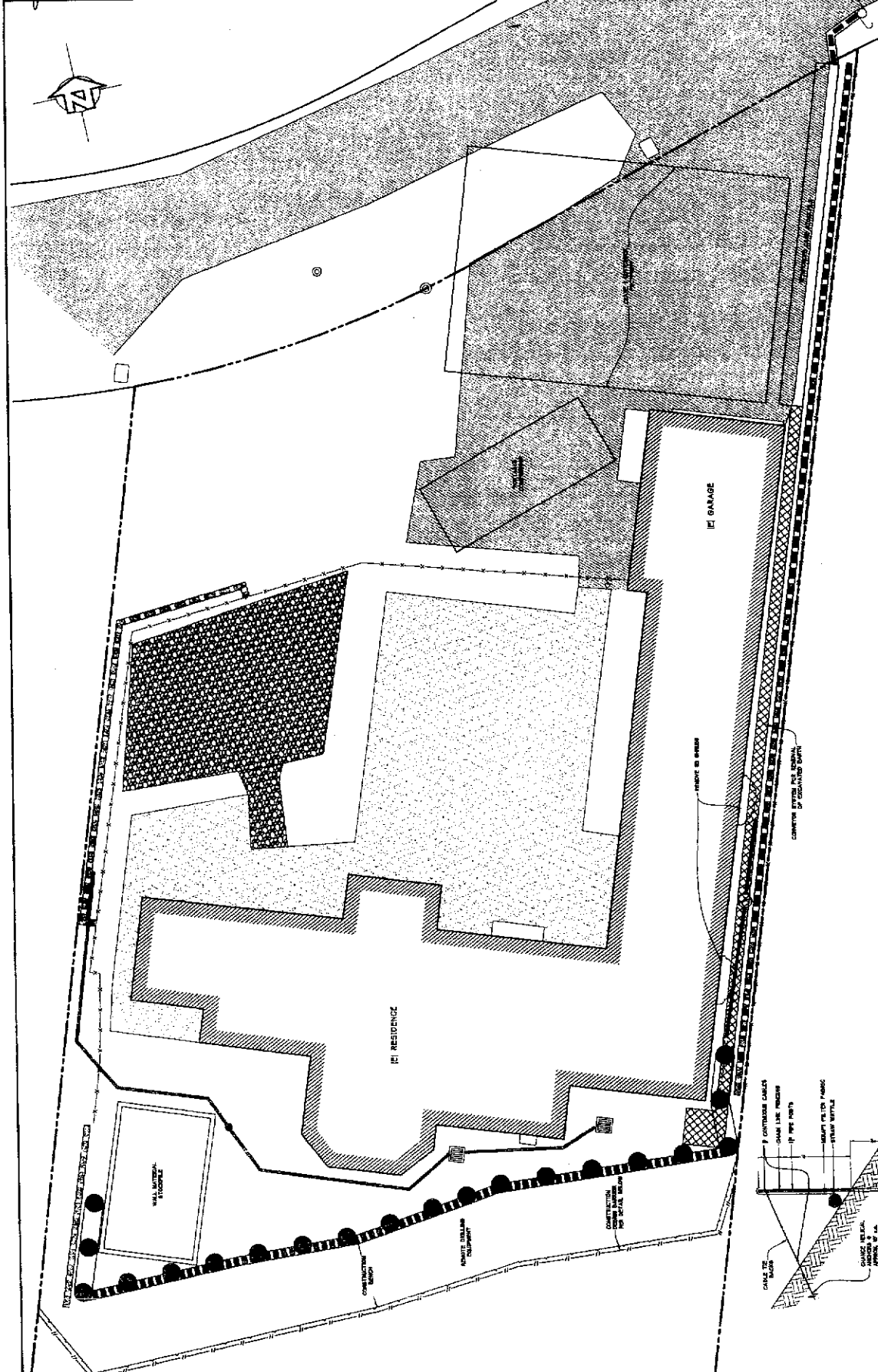
- BLUNT SURFACE SHALL BE FREE OF BURRS, CHIPS, CRACKS AND MARKS.
- ATTACHMENTS SHALL MAINTAIN GOOD CONTACT.
- APPLY PERMANENT SECURE JOINT LAGGING BLANKETS.
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**Erosion Blankets &
Turf Reinforcement Mats
For Slope Installation**

INSPECTION AND MAINTENANCE:
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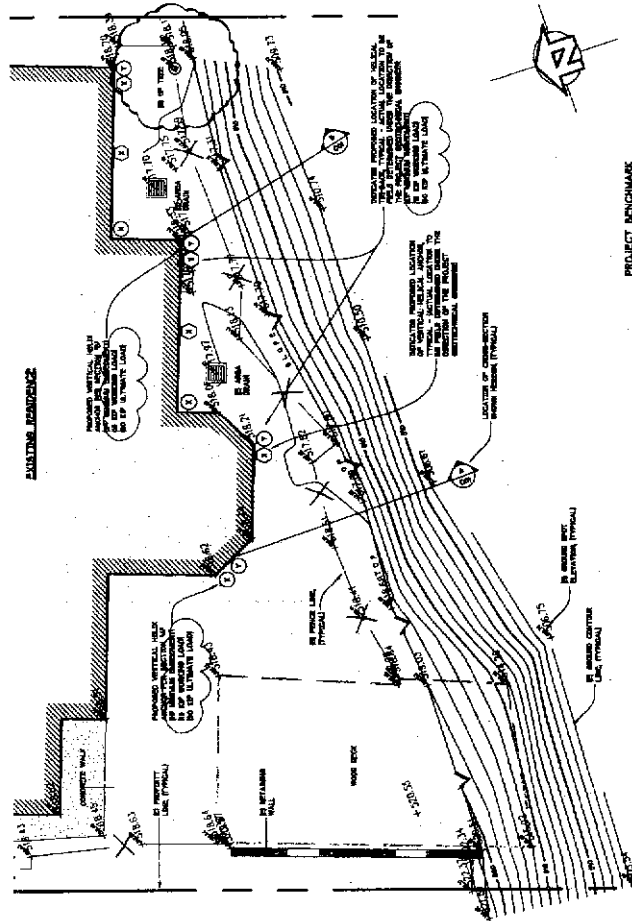
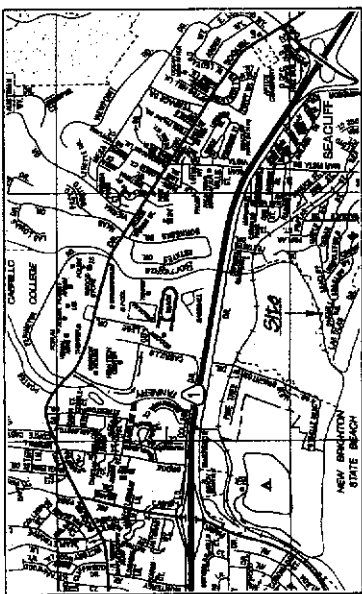
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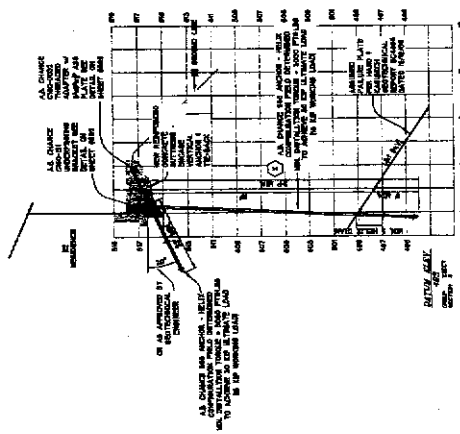
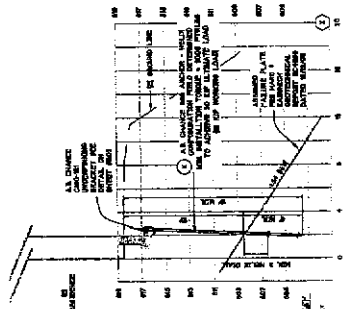
Staging Plan
 SCALE 1" = 10'

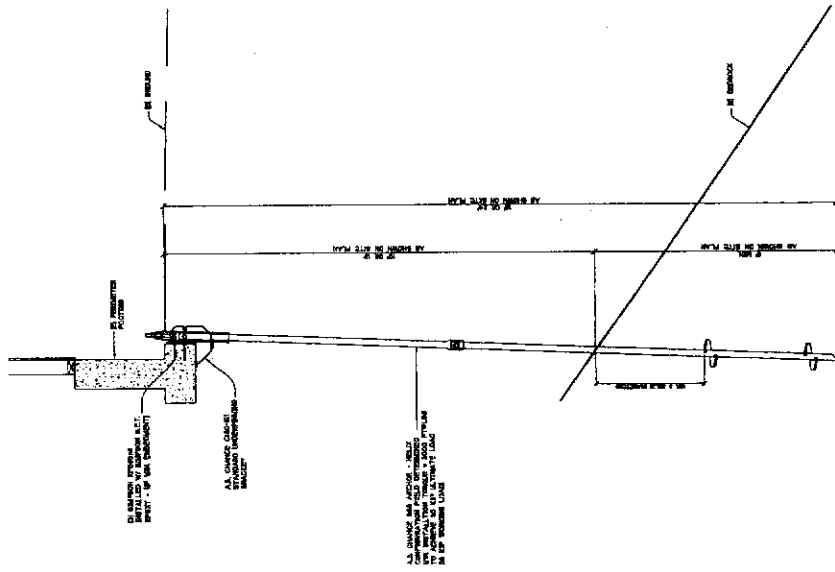
Debris Barrier Detail
 SCALE 1" = 10'



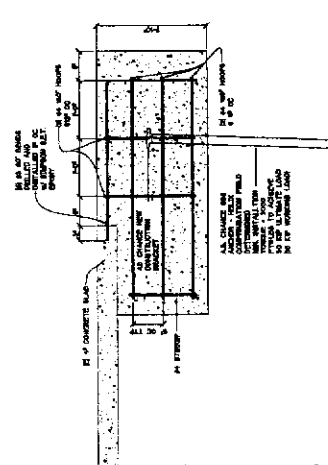
PROJECT BENCHMARK
THE ELEVATION BENCHMARK FOR A MASONRY UTILITY, THE CITY OF SANTA ANA, IS 10.00' MSL. THE BENCHMARK FOR THIS PROJECT IS 10.00' MSL. THE BENCHMARK ELEVATION IS 10.00'.

Site Plan & Cross-Sections

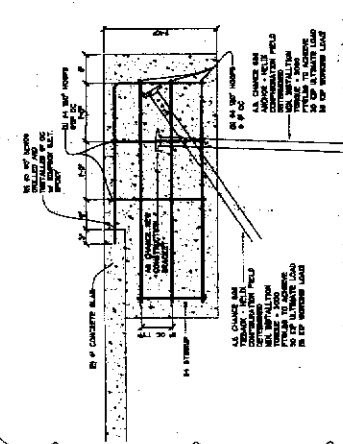




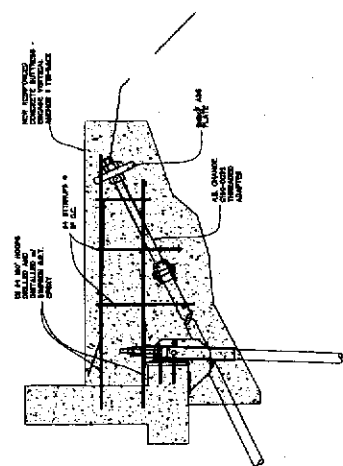
Helical Anchor Detail for 12" Footing
SCALE: 3/4" = 1'-0"



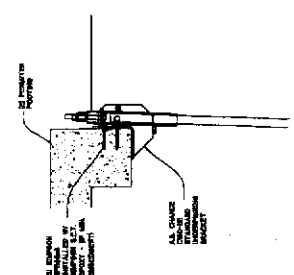
Alternate Detail for 4" Slab w/o Footing
SCALE: 3/4" = 1'-0"



Alternate Butress Detail At Tie-Back
SCALE: 3/4" = 1'-0"



Butress Detail At Tie-Back
SCALE: 3/4" = 1'-0"



Alternate Detail for Monolithic Footing
SCALE: 3/4" = 1'-0"

NOTE:
MINIMUM CONCRETE COMPRESSIVE STRENGTH
TO BE 3000 PSI AT 28 DAYS.

Helical Anchor & Temporary Shoring Details

Katharine P. Minott

745 Oak Hill Road, CA Aptos 95003

Coastal Bluff Retaining Wall Visual Mitigation Plans

APN: 038 151 06 • Application: 06-719 • ECD Permit: 07-0690

TO: Randall Adams, Planner
County of Santa Cruz Planning Department,
701 Ocean St., Santa Cruz CA 95060

FROM: Katharine P. Minott
745 Oak Hill Road, Aptos CA 95003

1. *Coastal Bluff Retaining Wall Visual Mitigation Plan*
2. *Coastal Bluff Retaining Wall Future Visual Mitigation Plan*
3. *Future Preventative Bluff Maintenance, early DRAFT*
4. *Photographs 1 – 8, attached*

DATE: May 5, 2008

Dear Randall,

The purpose of this report is to provide the Santa Cruz County Planning Department with information describing the final visual mitigation surface characteristics of the coastal bluff retaining wall at 745 Oak Hill Road in Aptos (APN: 038 151 06).

The submitted photographs 1-8 exemplify and support the choice for the preferred color and texture recommendations for the *Coastal Bluff Retaining Wall Visual Mitigation Plan* and the *Coastal Bluff Retaining Wall Future Visual Mitigation Plan*.

This report should advance the pending application for the final Coastal Development Permit, with the understanding the Bluff Landscape Plan is forthcoming and will be delivered.

Coastal Bluff Retaining Wall Visual Mitigation Plan

Recommended Davis Mix-Ready Concrete Color

1. *MESA BUFF* (Batch Number 5447)

Texture

1. Rough, irregular "out of the nozzle"

*Modified
by Conditions
of Approval -
see permit
06-0719*

Page 1

MINOTT: APN: 038 151 06 • Application: 06-719 • ECD Permit: 07-0690

Coastal Bluff Retaining Wall Future Visual Mitigation Plan

Recommendation for Concrete Footings

1. See Photo 8 for example of the bluff's mid-to-bottom grey bluff soil, wet and dry
2. It is preferable the footings be the 'regular' base concrete grey as poured

Future Preventative Bluff Maintenance

1. Kate Minott and Jerry Allison Landscaping will submit the required appropriate Bluff Landscape Plan when access to bluff for measuring is less impeded by construction.
2. Bluff Landscape Plan will include a Fall 2008 planting of appropriate California native, drought-tolerant, salt-tolerant, deep-rooted bluff grasses and shrubs. The benign non-native, fast growing, annual rye grass seed will be included for consideration in the Plan.
3. One goal of the Bluff Landscape Plan will be to continue the pre-existing practice of zero-irrigation water
4. Annual bluff maintenance will continue to be performed by the Twins Tree Service, which has been consistently maintaining the 745 Oak Hill Road top and bottom bluff for since 1981. In lieu of the Twins Tree Service, a similar landscape maintenance company will be employed.
5. Annual pre-Winter storm maintenance by Twins Tree Service, or similar landscape maintenance company, will continue to include removal of pampas grass, iceplant and other non-native, rogue, shallow-rooted, top-heavy plants and seedling trees. Annual pre-Winter storm maintenance will continue to include the topping or removal of rogue, shallow-rooted Acacia and other unintended seedling trees.
6. No trees currently exist on the 745 Oak Hill Road seacliff bluff. (Please see Photo 1).

Please do not hesitate to call or e-mail me should supplemental information be required or additional assistance is needed.

Katharine P. Minott

745 Oak Hill Road, CA Aptos 95003

Coastal Bluff Retaining Wall Visual Mitigation Plans

APN: 038 151 06 • Application: 06-719 • ECD Permit: 07-0690

Best regards,


Kate Minott

cc: Randall Adams (PLN515@co.santa-cruz.ca.us); Rick Fuller (rl1@sunstoneconstructioninc.com); Rick Fuller (rw@sunstoneconstructioninc.com); Joseph Hanna (pln829@co.santa-cruz.ca.us); John Kasunich (jkasunich@harokasunich.com); Paia Levine (PLN456@co.santa-cruz.ca.us); Jeff L. Martin (jeffmartin@iflandengineers.com); Kate Minott (kpminott@gmail.com); Ricardo de la Cruz (rdelacruz@barryswensonbuilder.com)

PHOTOGRAPHS 1 - 8

PHOTO 1:

Mid-day, Low Tide, Seacliff State Beach

1. The **745 Oak Hill Road, Aptos** bluff is a vertical seacliff comprised of ancient, compressed marine terrace deposits, the layering of which is visually evident from the Seacliff Beach below
2. Top-bluff is light brown soil and rocks;
3. Mid to bottom bluff is older, grey soil (See Photo 8 for dry grey soil and wet grey soil example)

PHOTO 2:

Color Palette Found in Nature

1. Top-bluff is light brown soil and rocks; mid to bottom bluff is older, grey soil interspersed with grey fossilized rock

PHOTO 3:

Munsell Soil Color Chart Year-10 Chroma and Value

(www.soils.usda.gov)

Page 3

MINOTT: APN: 038 151 06 • Application: 06-719 • ECD Permit: 07-0690

1. Dry soil samples were placed behind the cells in the *Munsell Soils Chart Year-10* and juxtaposed side by side with four (4) *Davis Colors Mix-Ready* concrete color samples
2. Left Rock: Top bluff: dry, light-brown soil sample
3. Right Rock: Bottom bluff: dry, older-marine grey soil sample
4. *Davis Colors Mix-Ready* is the supplier of the concrete coloring material
5. *Davis Colors Ready-Mix Concrete Color Chart*
<http://www.daviscolors.com/products/mixready/mxcolorcard>.
6. *Davis Colors Mix-Ready* base concrete color is grey cement

PHOTO 3:

Four (4) Davis Colors Ready-Mix Concrete Samples Considered (counter clockwise from top left):

1. Mesa Buff (Standard Batch #5447): Preferred concrete color
2. San Diego Buff (Standard Batch #5237): too Rosy
3. Omaha Tan (Standard Batch #5084): too Yellow
4. Pebble (Subtle Batch #641): too Blue

PHOTO 4:

Closer Look at Four (4) Davis Concrete Color Concrete Samples

Left Rock: Top bluff, dry, light-brown soil sample/ Right Rock: Bottom bluff, dry, older-marine grey soil sample;

1. Four (4) Davis Concrete Color concrete samples (counter clockwise from top left): Mesa Buff (Standard Batch #5447); San Diego Buff (Standard Batch #5237); Omaha Tan (Standard Batch #5084); Pebble (Subtle Batch #641)

PHOTO 5:

Comparing Two (2) Davis Colors Ready-Mix Concrete Color Samples with Munsell Soils Chart

Left Rock: Dry top bluff/Right Rock: Dry bottom bluff soil sample

1. Mesa Buff (Standard Batch #5447): Preferred concrete color
2. Pebble (Subtle Batch #641): too Blue for wall; but, this is similar to the base grey cement

PHOTO 6:

Comparing Two (2) Davis Colors Ready-Mix Concrete Color Samples

Left Rock: Dry top bluff/Right Rock: Dry bottom bluff soil sample

1. San Diego Buff (Standard Batch #5237): too Rosy
2. Omaha Tan (Standard Batch #5084): too Yellow

PHOTO 7:

Munsell Soils Chart 10-Year Value and Chroma Open Cell Comparative

1. Each of the two (2) bluff soil samples is set behind the cells of the *Munsell Soils Chart 10-Year Value* to compare and to contrast the light-brown upper bluff soil and the older marine grey soils at the foot of the bluff against the 10-Year Chroma and Values.
2. Mesa Buff (Standard Batch #5447) is the preferred, complementary concrete color for the bluff retaining wall.

PHOTO 8:

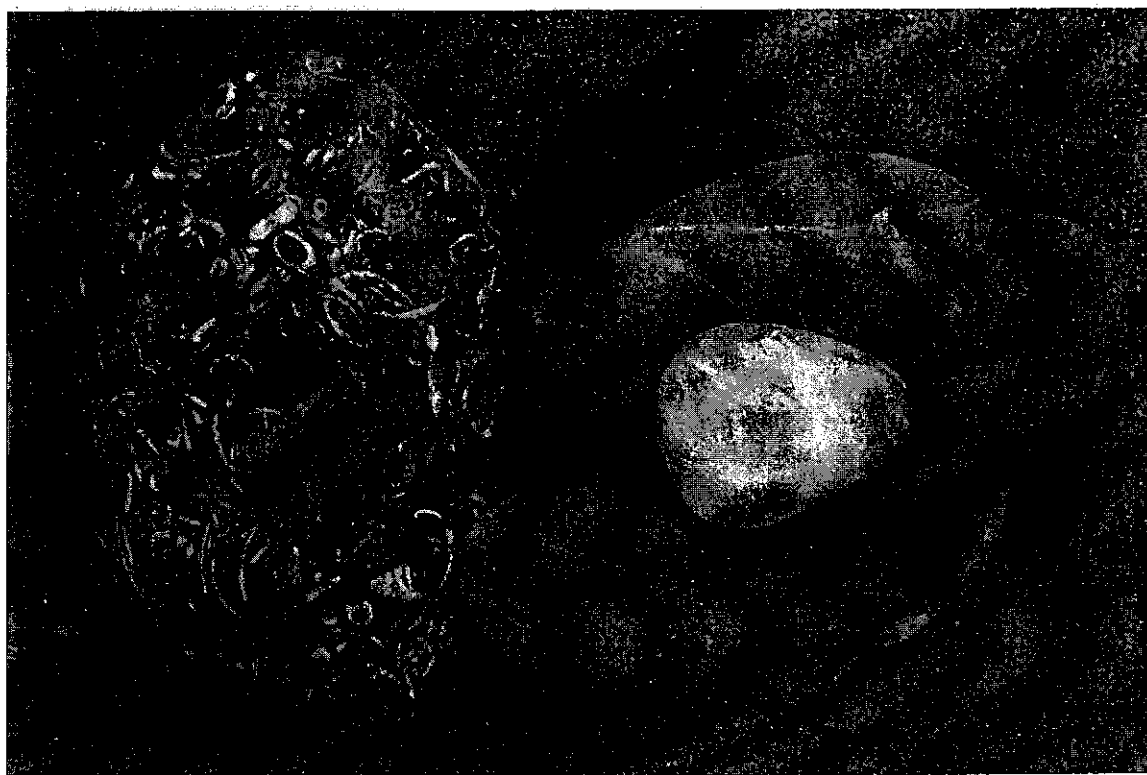
Coastal Bluff Retaining Wall Future Visual Mitigation Plan involving base grey cement poured for wall footings.

Dry grey bluff soil and wet grey bluff soil samples, mid to lower bluff.

It is preferable the footings be the 'regular' base concrete grey as poured.

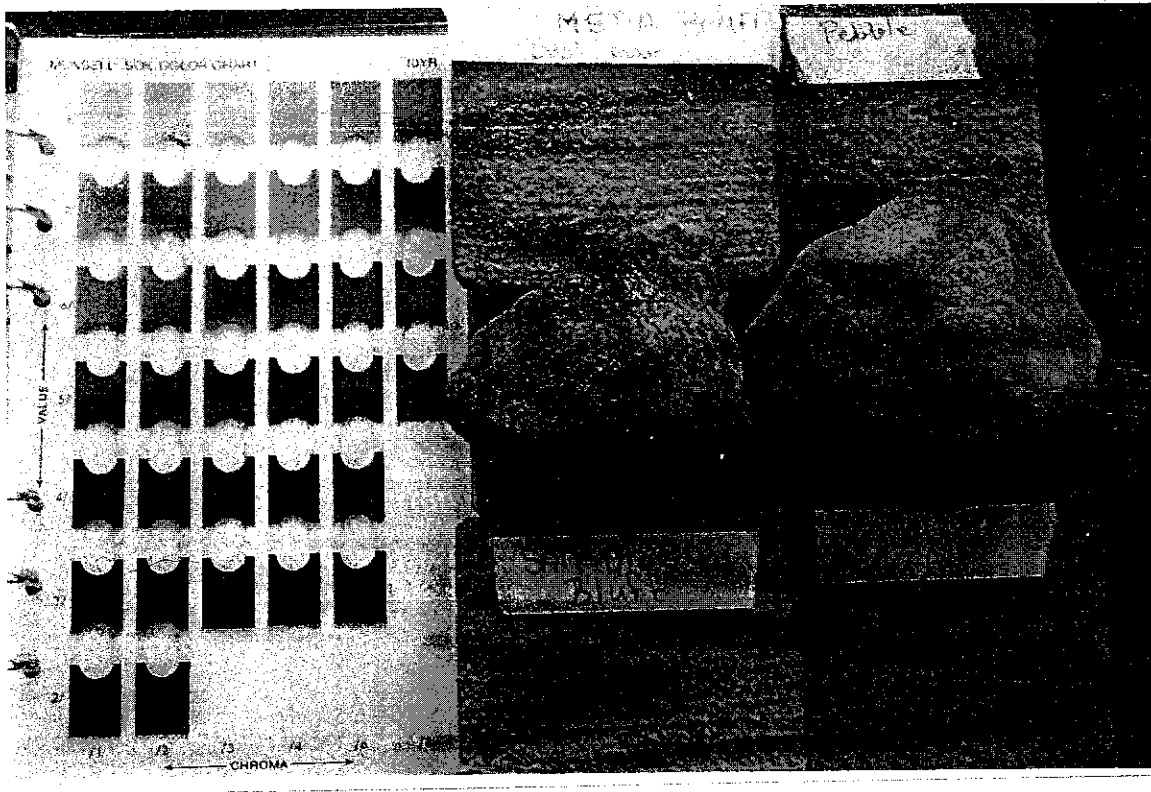


1.



2.

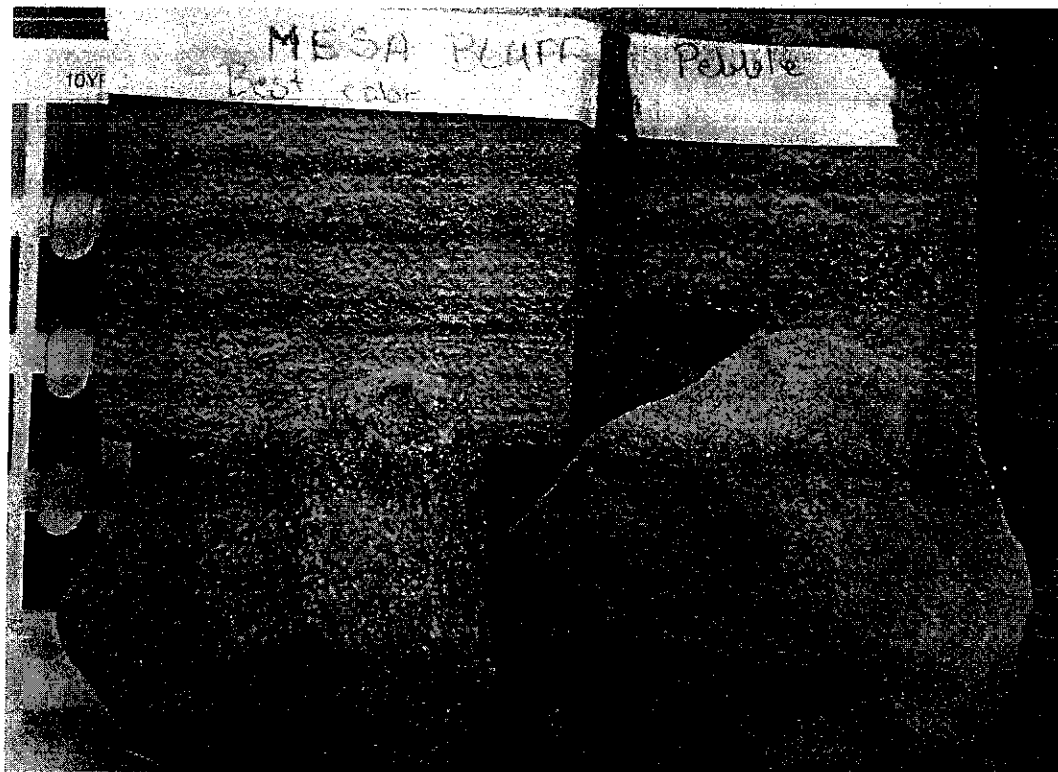
EXHIBIT A



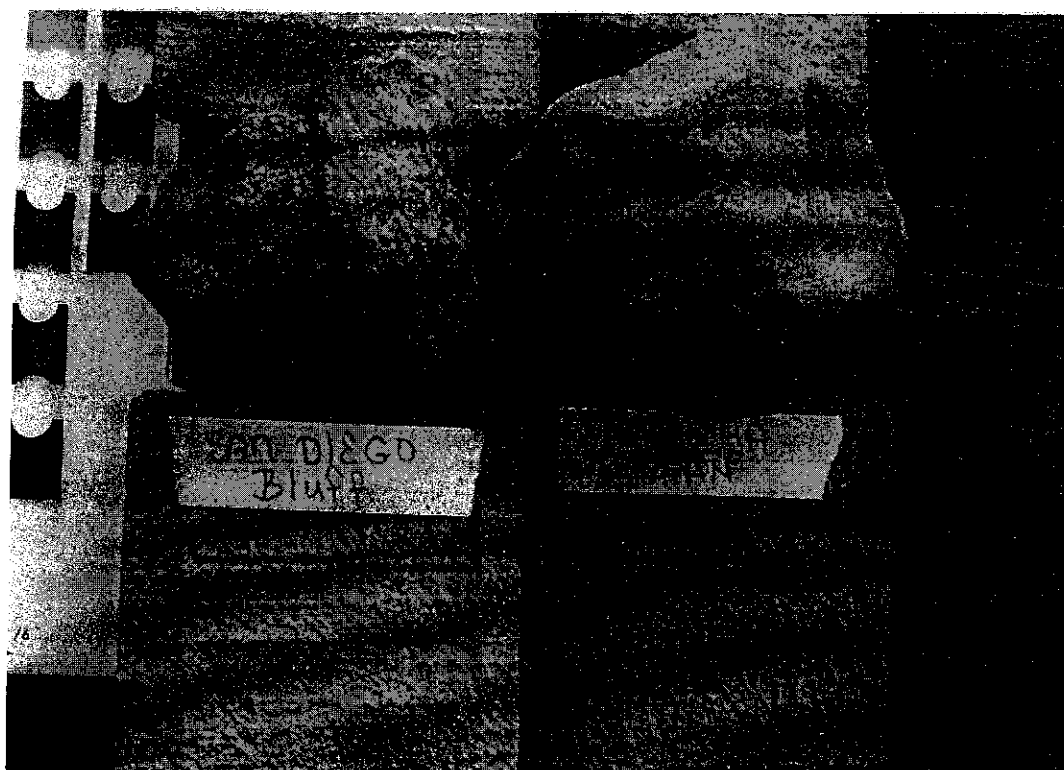
2.



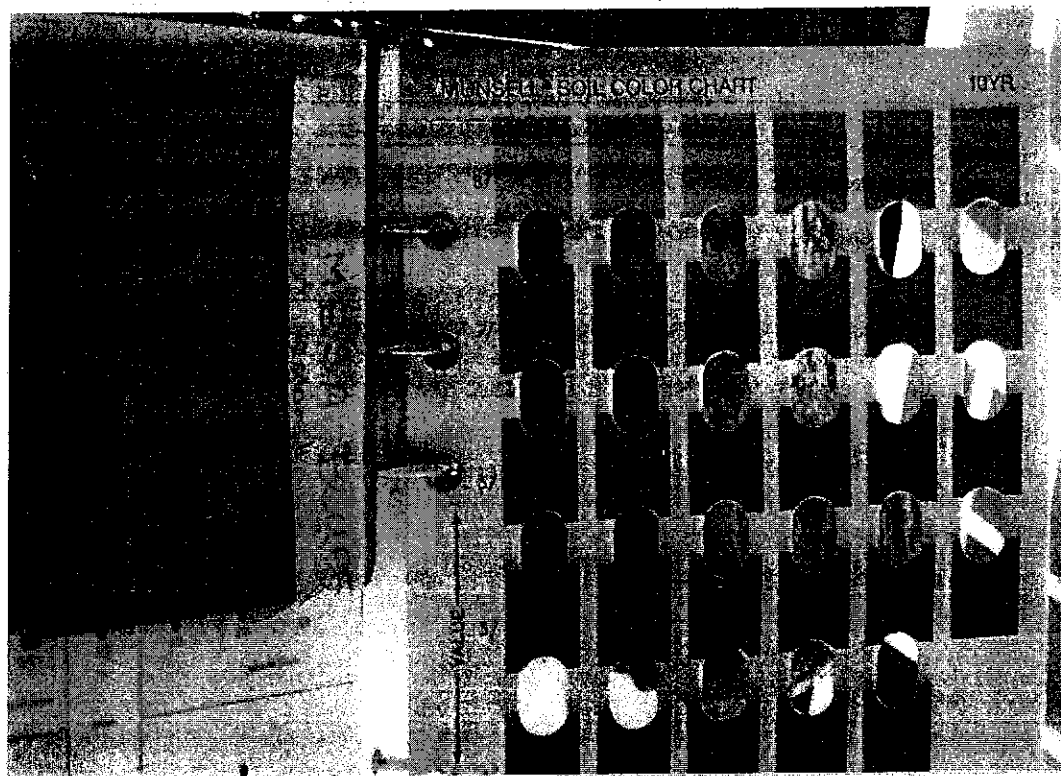
7.



5.



6.



7.



8.

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-1-10 (Single family residential - 10,000 square feet per unit), a designation which allows residential uses. The proposed slope stabilization improvements are ancillary to the principal permitted residential use within the zone district, consistent with the site's (R-UL) Urban Low 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 existing residential development is consistent with the surrounding neighborhood and the proposed retaining wall will be colored and textured to be visually compatible with the character of the surrounding natural bluff. As future slope failures occur and the piers are exposed, additional colored and textured wall facing material shall be applied to maintain a consistent appearance which blends with the natural bluff as viewed from the public beach below the subject property.

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

This finding can be made, in that the project site is located between the shoreline and the first public road with public beach access at Seacliff and New Brighton State Beaches. Consequently, the slope stabilization improvements 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 retaining wall is designed to be visually compatible with the character of the surrounding natural bluff. Additionally, residential uses are allowed uses in the R-1-10 (Single family residential - 10,000 square feet per unit) zone district of the area, as well as the General Plan and Local Coastal Program land use designation and the retaining wall is ancillary to the existing residential use.

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 the proposed retaining wall is designed to protect the existing residential use on the subject property. Geologic and geotechnical reports have been submitted, reviewed, and accepted for this project. 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.

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 slope stabilization improvements 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-1-10 (Single family residential - 10,000 square feet per unit) zone district in that the primary use of the property will be a single family residence and the proposed retaining wall is ancillary to the primary residential use.

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 Low Density Residential (R-UL) land use designation in the County General Plan.

The proposed retaining wall will not adversely impact scenic resources as specified in General Plan Policy 5.10.7 (Open Beaches and Blufftops), in that the proposed retaining wall will be colored and textured to be visually compatible with the character of the surrounding natural bluff. As future slope failures occur and the piers are exposed, additional colored and textured wall facing material shall be applied to maintain a consistent appearance which blends with the natural bluff as viewed from the public beach below the subject property.

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 slope stabilization improvements will not generate traffic or be connected to utilities.

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 existing single family residential use 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 retaining wall will be colored and textured to blend with the surrounding natural bluff and the area below the wall will be landscaped with vegetation to minimize any potential visual impact to scenic resources. As future slope failures occur and the piers are exposed, additional colored and textured wall facing material shall be applied to maintain a consistent appearance which blends with the natural bluff as viewed from the public beach below the subject property.

Conditions of Approval

Exhibit A: Project Plans "Minott Residence Retaining Wall", prepared by Ifland Engineers, 8 sheets, dated 9/10/07. Visual Mitigation Plan, prepared by Katharine P. Minott, 9 sheets, dated 5/5/08.

- I. This permit authorizes the construction of a retaining wall at the rear of the existing residence as depicted in the approved Exhibit "A" for this permit. 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. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
- II. The Visual Mitigation Plan for the proposed retaining wall shall be modified as follows:
 - A. The concrete piers (in addition to the textured concrete lagging) shall be colored to match the predominant color of the natural landform of the coastal bluff.
 - B. All vegetation to be installed in the rear yard and on the bluff below the retaining wall shall be drought tolerant, non-invasive, and adapted to the site and soil conditions.
 1. No permanent irrigation is allowed within the rear yard or on the bluff below the retaining wall.
- III. All construction shall be performed according to the approved plans for the Building Permit and the Visual Mitigation Plan as modified above. Prior to final building inspection, the applicant/owner must meet the following conditions:
 - A. Complete all work under the Building & Grading Permits issued by the Santa Cruz County Building Official. (Permits 146000 & 148507 for this project have already been issued for the proposed construction). 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 geologic and geotechnical reports. Final review letters from the project geologist and geotechnical engineer shall be provided.
 - 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. Additional textured and colored wall lagging material and landscaping shall be required that is consistent with the approved Visual Mitigation Plan (as modified by this permit):
 - 1. At any time that 5 or more feet of the piers become exposed below the colored and textured wall lagging, additional wall lagging material shall be installed to cover the exposed piers which matches the color and texture of the wall lagging above.
 - 2. At any time that the vegetation below the retaining wall or piers is removed, damaged, or deceased (due to slope failure, weather conditions, or age), additional landscaping consistent with the Visual Mitigation Plan and appropriate for the site shall be installed.
- B. The installation or use of permanent irrigation of landscaping within the rear yard or on the bluff below the retaining wall is not allowed.
- C. Any decks must be under 30 inches in height within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance).
- D. No structures (other than deck hand rails) over 30 inches in height are allowed within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance).
- E. No decks or other structures are allowed to cantilever beyond the top of the coastal bluff.
- F. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent

amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires two years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit.

Application #: 06-0719
APN: 038-151-06
Owner: Katharine Minott, trustee

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Randall Adams
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 06-0719

Assessor Parcel Number: 038-151-06

Project Location: 745 Oakhill Road

Project Description: Proposal to recognize slope stabilization improvements on site with an existing single family dwelling.

Person or Agency Proposing Project: Ifland Engineers

Contact Phone Number: (831) 426-5313

- 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 1 - Existing Facilities (Section 15301)

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

Proposal to construct improvements to protect an existing single family dwelling.

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

Randall Adams, Project Planner

Date: _____

FOR TAX PURPOSES ONLY

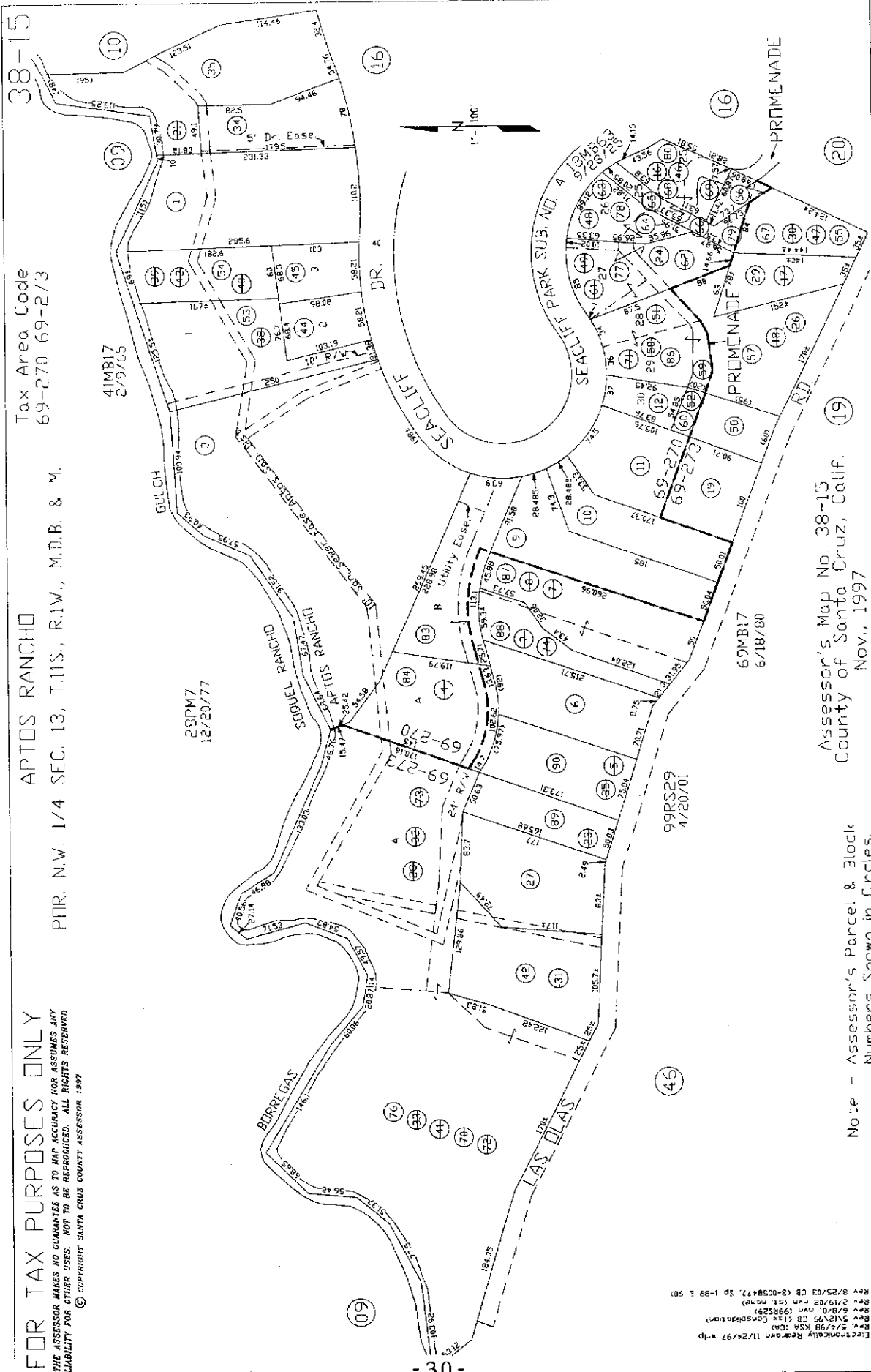
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1997

APTOS RANCHO

PTR. N.W. 1/4 SEC. 13, T.11S, R.1W., M.D.B. & M.

Tax Area Code
69-270 69-2/3

38-15

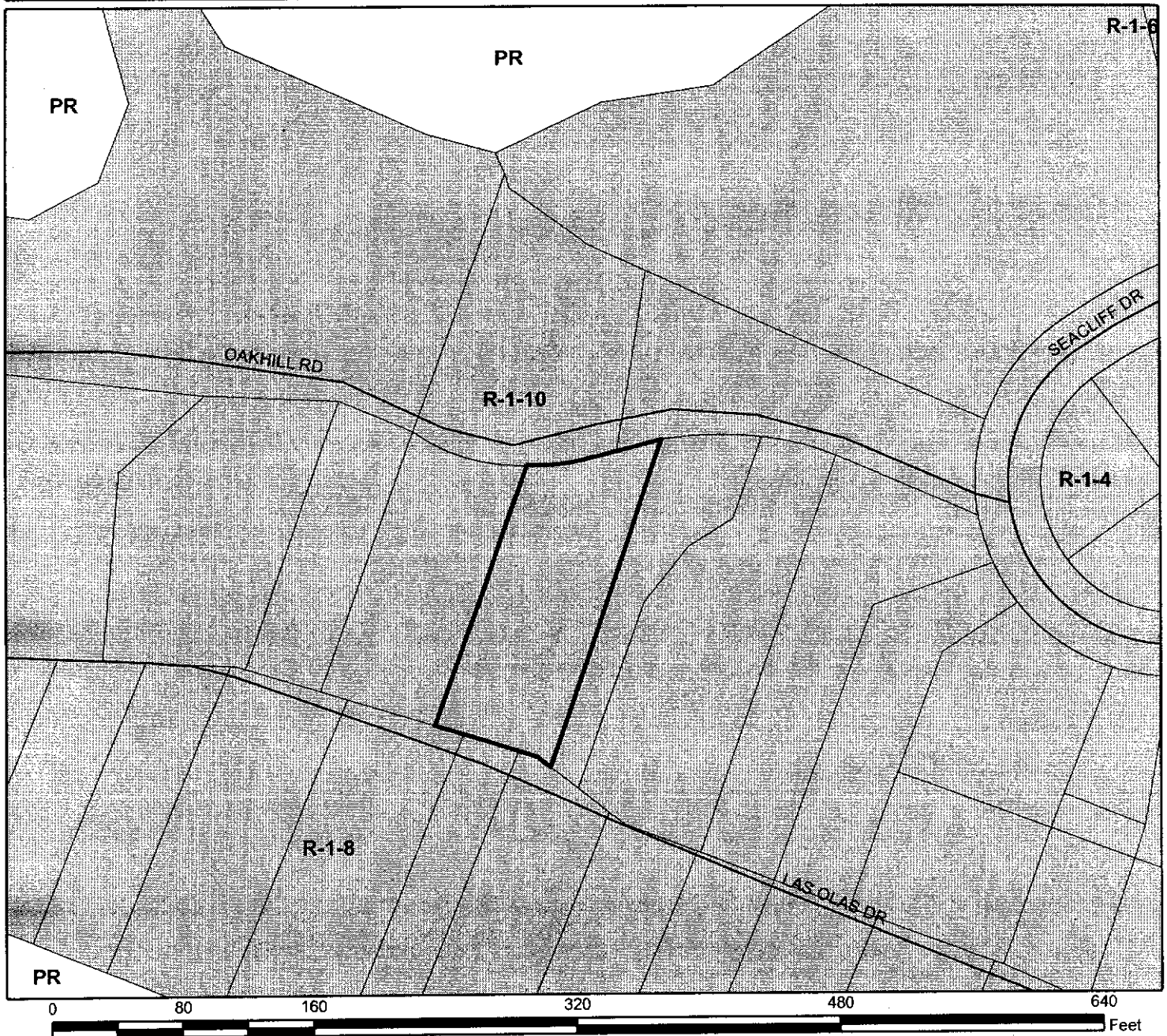


Assessor's Map No. 38-15
County of Santa Cruz, Calif.
Nov., 1997

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

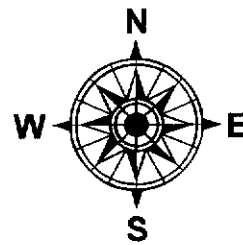


Zoning Map



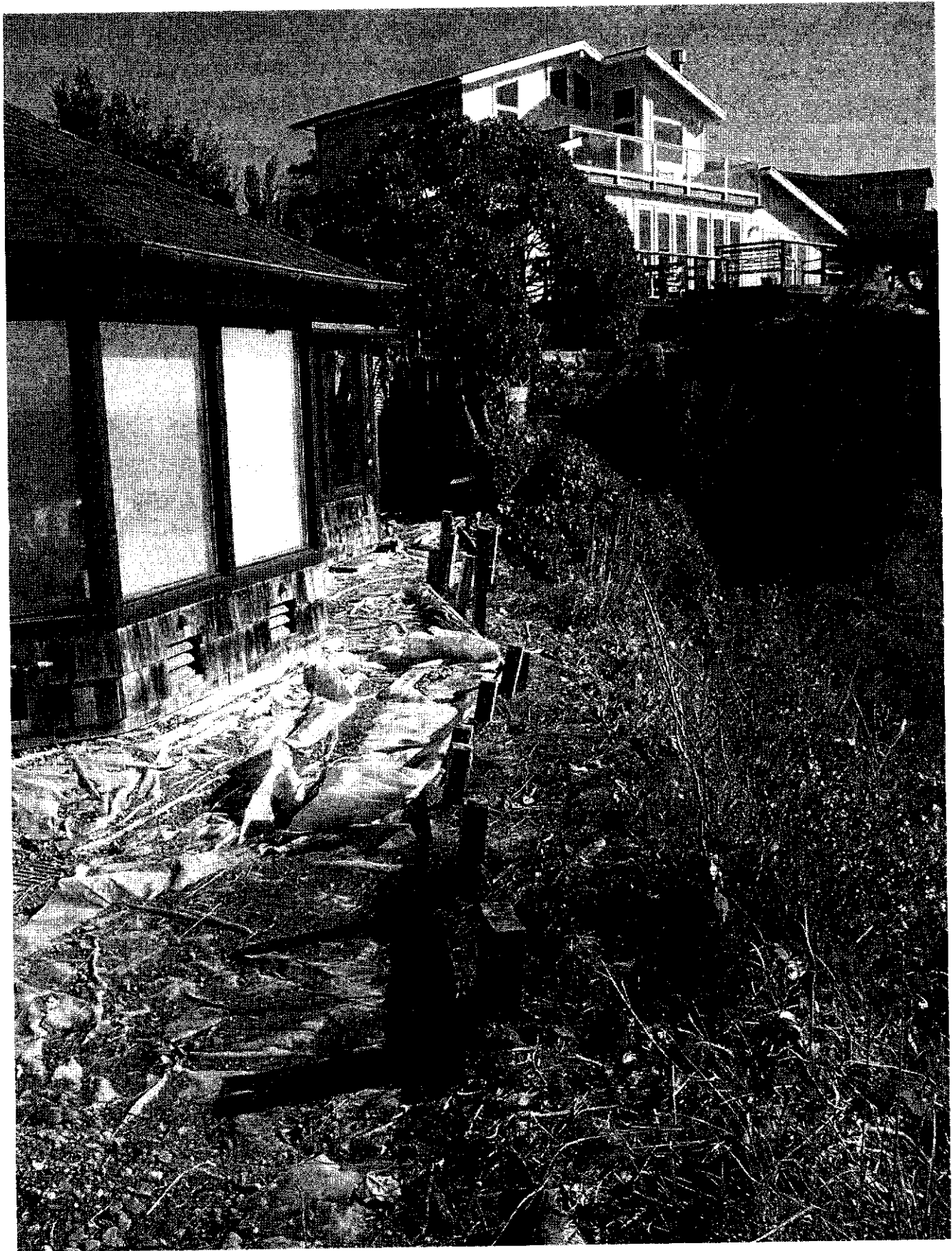
LEGEND

- APN: 038-151-06
- Assessors Parcels
- Streets
- RESIDENTIAL-SINGLE FAMILY PARK

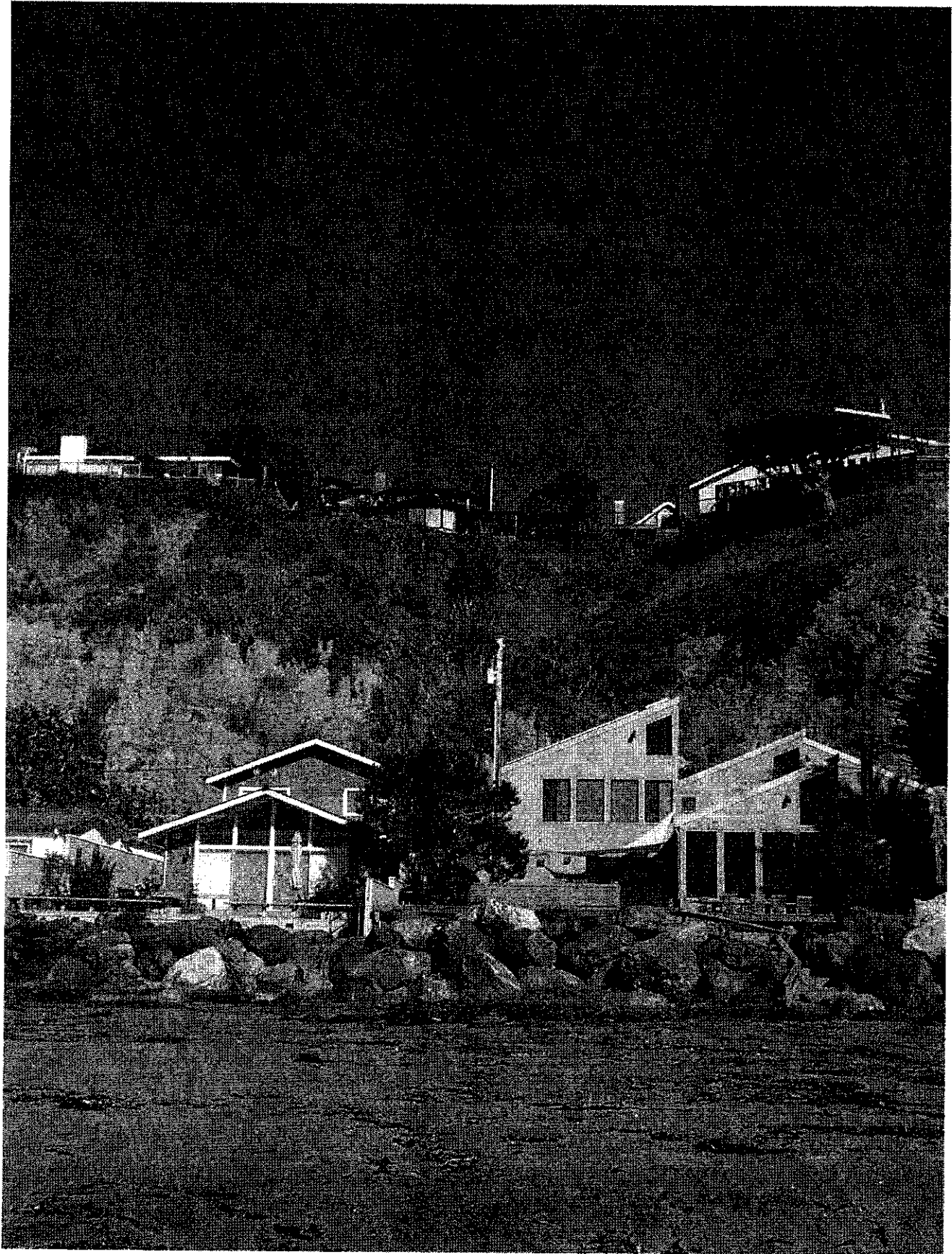


Map created by
County of Santa Cruz
Planning Department
August 2007

EXHIBIT F



Rear Yard of Existing Residence



View from Public Beach Below Subject Property

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

Project Planner: Randall Adams
Application No.: 06-0719
APN: 038-151-06

Date: May 16, 2008
Time: 15:12:26
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON SEPTEMBER 28, 2007 BY JOSEPH L HANNA =====

1. The proposed retaining wall will need augmentation over time as the bluff retreats. Please have the engineer explain in a short letter what this augmentation will entail so that there is a clear understanding of the issue for your analysis.
2. A concrete wall is proposed at the crest of the bluff. This wall should be colored and textured to match the current bluff appearance. Please have the engineer indicate the color and texture that will be used to match the existing rock.
3. An existing, possibly un-permitted deck exists on the site. Please clarify whether the deck has all required permits. No portion of a permitted deck can cantilever over the coastal bluff wall, and any new development (including a previously unpermitted deck) must comply with the code (min. 25 foot setback.)
4. Show enough detail of the drainage system to identify the system's outfall location.
5. No on site retention of drainage is allowed due to the unstable slope conditions.
6. Have engineer show previously completed foundation work on plans.

The resource planner will have additional comments.

Joe Hanna 9-28-07 ===== UPDATED ON OCTOBER 15, 2007 BY ANTONELLA GENTILE
=====

7. Submit plan review letters from the geotechnical engineer and the engineering geologist stating that the plans conform to the recommendations made in the respective reports. These letters must reference the most recently revised set of plans by sheet number and revision date. ===== UPDATED ON NOVEMBER 28, 2007 BY JOSEPH L HANNA =====

The engineer has responded to my comments. The only remaining issue concerns that coloring and texturing of the retaining wall. I believe that the wall must texturing must include "fantasyrock" or "georock" design characteristics. Please condition the project to have Larry review the work of the artist that will complete the texturing.

Environmental Planning Miscellaneous Comments

===== REVIEW ON SEPTEMBER 28, 2007 BY JOSEPH L HANNA ===== 1. A staging plan will be necessary before construction of the wall.

2. A building permit will be necessary to modify the deck. If the deck does not have a building permit the structure will need to be setback 25 feet from the coastal bluff.

===== UPDATED ON OCTOBER 15, 2007 BY ANTONELLA GENTILE =====
3. Building plans must be prepared by a licensed civil engineer.

Discretionary Comments - Continued

Project Planner: Randall Adams
Application No.: 06-0719
APN: 038-151-06

Date: May 16, 2008
Time: 15:12:26
Page: 2

4. Plan review letters will be required from the soils engineer and the engineering geologist prior to building permit issuance.
5. All development on this parcel must meet the minimum 25 foot setback as required by the Geologic Hazards Ordinance, except as provided for in Section 16.10.070(h)2.

ROGERS E. JOHNSON & ASSOCIATES
CONSULTING ENGINEERING GEOLOGISTS
41 Hangar Way, Suite B
Watsonville, California 95076-2458
e-mail: rogersjohnson@sbcglobal.net
Ofc (831) 728-7200 • Fax (831) 728-7218

26 October 2007

Kate Minott
745 Oak Hill Road
Aptos, California 95003

Job No. C07006-56

Re: Review of Improvement Plans
745 Oak Hill Road
Aptos, California
Santa Cruz County APN 033-151-06

Dear Ms. Minott:

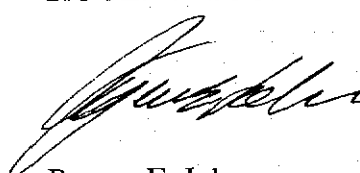
As requested, we have completed our review of the Improvement Plans prepared by Ifland Engineers (5 Sheets dated 10 September 2007). These plans detail the specifications for the proposed tied back pin pile retaining wall as well as drainage and erosion control.

The plans are in conformance with our geologic report dated 17 September 2007.

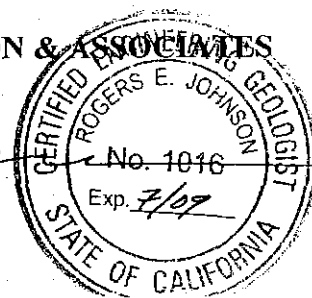
Please contact us if you have any questions.

Sincerely,

ROGERS E. JOHNSON & ASSOCIATES



Rogers E. Johnson
C.E.G. No. 1016



Copies: Addressee (4)
Haro, Kasunich and Associates, Inc. (1)

Reference: Rogers E. Johnson and Associates, 2007, Geologic Evaluation of Coastal Bluff
Property, 745 Oak Hill Road, Aptos, California, APN 033-151-06, 17
September 2007.

Project No. SC4596
24 October 2007

MS. KATE MINOTT
745 Oak Hill Road
Aptos, California 95003

Subject: Geotechnical Plan Review
Request for Emergency Permit

Reference: Proposed Blufftop Retaining Wall
Oak Hill Road
Santa Cruz County, California

Dear Ms. Minott:

As project geotechnical engineers, to help stabilize the blufftop edge and secure your residence we helped design and implement the temporary underpinning helix screw anchors that were installed last winter to support the outboard edge of the house after a slump slide had disengaged from the top edge of the coastal bluff. The front of your residence is located as close as 4 feet from the edge of the blufftop. We have since evaluated the blufftop and worked with Ifland Engineers to develop a pin pile retaining structure tied back into the bluff that would contain the top of the bluff, and re-support the backyard area between the proposed retaining wall and the residence. The wall has been designed to minimize exposure at the bluff face. A geotechnical report was prepared for the project dated 13 September 2007 after numerous working meetings with the project structural engineer, Jeff Martin of Ifland Engineers. The pin pile wall has been designed to contain the upper 8 feet of bluff with lagging at present but is capable of supporting the potential 100 years of bluff top degradation which may occur over that period of time. Depending on harsh weather conditions and/or seismic activity, additional lagging may be needed and will be placed below the plan lagging as needed. We envision additional lagging being placed in 4 foot vertical increments over time. The lagging maintains erosional soil between the piers over long term periods. The pin pile wall has been designed to contain the bluff and to support this lagging if it becomes necessary.

We have reviewed the Ifland Engineering plans for the bluff top, pin pile, tieback wall dated 10 September 2007. We find the plans to be in conformance with the geotechnical recommendations presented in our 13 September 2007 report. As project geotechnical engineers, we emphasize the immediate need to construct this blufftop wall before the harsh winter rains occur. In our opinion, an

EXHIBIT H

Ms. Kate Minott
Project No. SC4596
Oak Hill Road
25 October 2007
Page 2

emergency permit is warranted due to the conditions of the blufftop adjacent the Minott home.

If you have any questions, please contact this office.

Very truly yours,

HARO, KASUNICH AND ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'JEK', followed by a long horizontal line that ends in a stylized 'M' or 'H' shape.

John E. Kasunich
G.E. 455

JEK/dk

Copies: 3 to Addressee
1 to Ifland Engineers, Attn: Jeff Martin
1 to Rogers Johnson & Associates, Inc.

Katharine P. Minott

745 Oak Hill Road, CA Aptos 95003

Coastal Bluff Retaining Wall Visual Mitigation Plans

APN: 038 151 06 • Application: 06-719 • ECD Permit: 07-0690

TO: Randall Adams, Planner
County of Santa Cruz Planning Department,
701 Ocean St., Santa Cruz CA 95060

FROM: Katharine P. Minott
745 Oak Hill Road, Aptos CA 95003

1. *Coastal Bluff Retaining Wall Visual Mitigation Plan*
2. *Coastal Bluff Retaining Wall Future Visual Mitigation Plan*
3. *Future Preventative Bluff Maintenance, early DRAFT*
4. *Photographs 1 – 8, attached*

DATE: May 5, 2008

Dear Randall,

The purpose of this report is to provide the Santa Cruz County Planning Department with information describing the final visual mitigation surface characteristics of the coastal bluff retaining wall at 745 Oak Hill Road in Aptos (APN: 038 151 06).

The submitted photographs 1-8 exemplify and support the choice for the preferred color and texture recommendations for the *Coastal Bluff Retaining Wall Visual Mitigation Plan* and the *Coastal Bluff Retaining Wall Future Visual Mitigation Plan*.

This report should advance the pending application for the final Coastal Development Permit, with the understanding the Bluff Landscape Plan is forthcoming and will be delivered.

Coastal Bluff Retaining Wall Visual Mitigation Plan

Recommended Davis Mix-Ready Concrete Color

1. *MESA BUFF* (Batch Number 5447)

Texture

1. Rough, irregular "out of the nozzle"

Page 1

MINOTT: APN: 038 151 06 • Application: 06-719 • ECD Permit: 07-0690

Coastal Bluff Retaining Wall Future Visual Mitigation Plan

Recommendation for Concrete Footings

1. See Photo 8 for example of the bluff's mid-to-bottom grey bluff soil, wet and dry
2. It is preferable the footings be the 'regular' base concrete grey as poured

Future Preventative Bluff Maintenance

1. Kate Minott and Jerry Allison Landscaping will submit the required appropriate Bluff Landscape Plan when access to bluff for measuring is less impeded by construction.
2. Bluff Landscape Plan will include a Fall 2008 planting of appropriate California native, drought-tolerant, salt-tolerant, deep-rooted bluff grasses and shrubs. The benign non-native, fast growing, annual rye grass seed will be included for consideration in the Plan.
3. One goal of the Bluff Landscape Plan will be to continue the pre-existing practice of zero-irrigation water
4. Annual bluff maintenance will continue to be performed by the Twins Tree Service, which has been consistently maintaining the 745 Oak Hill Road top and bottom bluff for since 1981. In lieu of the Twins Tree Service, a similar landscape maintenance company will be employed.
5. Annual pre-Winter storm maintenance by Twins Tree Service, or similar landscape maintenance company, will continue to include removal of pampas grass, iceplant and other non-native, rogue, shallow-rooted, top-heavy plants and seedling trees. Annual pre-Winter storm maintenance will continue to include the topping or removal of rogue, shallow-rooted Acacia and other unintended seedling trees.
6. No trees currently exist on the 745 Oak Hill Road seacliff bluff. (Please see Photo 1).

Please do not hesitate to call or e-mail me should supplemental information be required or additional assistance is needed.

Katharine P. Minott

745 Oak Hill Road, CA Aptos 95003

Coastal Bluff Retaining Wall Visual Mitigation Plans

APN: 038 151 06 • Application: 06-719 • ECD Permit: 07-0690

Best regards,


Kate Minott

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PHOTOGRAPHS 1 - 8

PHOTO 1:

Mid-day, Low Tide, Seacliff State Beach

1. The **745 Oak Hill Road, Aptos** bluff is a vertical seacliff comprised of ancient, compressed marine terrace deposits, the layering of which is visually evident from the Seacliff Beach below
2. Top-bluff is light brown soil and rocks;
3. Mid to bottom bluff is older, grey soil (See Photo 8 for dry grey soil and wet grey soil example)

PHOTO 2:

Color Palette Found in Nature

1. Top-bluff is light brown soil and rocks; mid to bottom bluff is older, grey soil interspersed with grey fossilized rock

PHOTO 3:

Munsell Soil Color Chart Year-10 Chroma and Value

(www.soils.usda.gov)

1. Dry soil samples were placed behind the cells in the *Munsell Soils Chart Year-10* and juxtaposed side by side with four (4) *Davis Colors Mix-Ready* concrete color samples
2. Left Rock: Top bluff: dry, light-brown soil sample
3. Right Rock: Bottom bluff: dry, older-marine grey soil sample
4. *Davis Colors Mix-Ready* is the supplier of the concrete coloring material
5. *Davis Colors Ready-Mix Concrete Color Chart*
<http://www.daviscolors.com/products/mixready/mxcolorcard>.
6. *Davis Colors Mix-Ready* base concrete color is grey cement

PHOTO 3:

Four (4) Davis Colors Ready-Mix Concrete Samples Considered (counter clockwise from top left):

1. Mesa Buff (Standard Batch #5447): Preferred concrete color
2. San Diego Buff (Standard Batch #5237): too Rosy
3. Omaha Tan (Standard Batch #5084): too Yellow
4. Pebble (Subtle Batch #641): too Blue

PHOTO 4:

Closer Look at Four (4) Davis Concrete Color Concrete Samples

Left Rock: Top bluff, dry, light-brown soil sample/ Right Rock: Bottom bluff, dry, older-marine grey soil sample;

1. Four (4) Davis Concrete Color concrete samples (counter clockwise from top left): Mesa Buff (Standard Batch #5447); San Diego Buff (Standard Batch #5237); Omaha Tan (Standard Batch #5084); Pebble (Subtle Batch #641)

PHOTO 5:

Comparing Two (2) Davis Colors Ready-Mix Concrete Color Samples with Munsell Soils Chart

Left Rock: Dry top bluff/Right Rock: Dry bottom bluff soil sample

1. Mesa Buff (Standard Batch #5447): Preferred concrete color
2. Pebble (Subtle Batch #641): too Blue for wall; but, this is similar to the base grey cement

PHOTO 6:

Comparing Two (2) Davis Colors Ready-Mix Concrete Color Samples

Left Rock: Dry top bluff/Right Rock: Dry bottom bluff soil sample

1. San Diego Buff (Standard Batch #5237): too Rosy
2. Omaha Tan (Standard Batch #5084): too Yellow

PHOTO 7:

Munsell Soils Chart 10-Year Value and Chroma Open Cell Comparative

1. Each of the two (2) bluff soil samples is set behind the cells of the *Munsell Soils Chart 10-Year Value* to compare and to contrast the light-brown upper bluff soil and the older marine grey soils at the foot of the bluff against the 10-Year Chroma and Values.
2. Mesa Buff (Standard Batch #5447) is the preferred, complementary concrete color for the bluff retaining wall.

PHOTO 8:

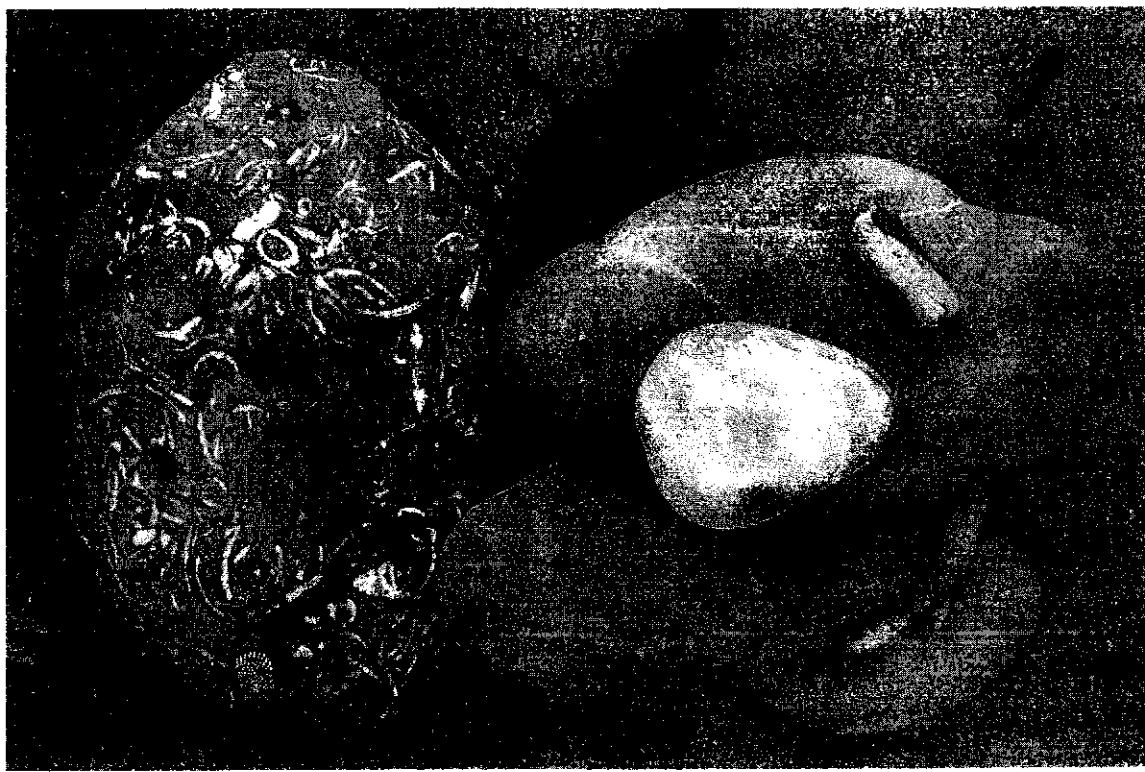
Coastal Bluff Retaining Wall Future Visual Mitigation Plan involving base grey cement poured for wall footings.

Dry grey bluff soil and wet grey bluff soil samples, mid to lower bluff.

It is preferable the footings be the 'regular' base concrete grey as poured.

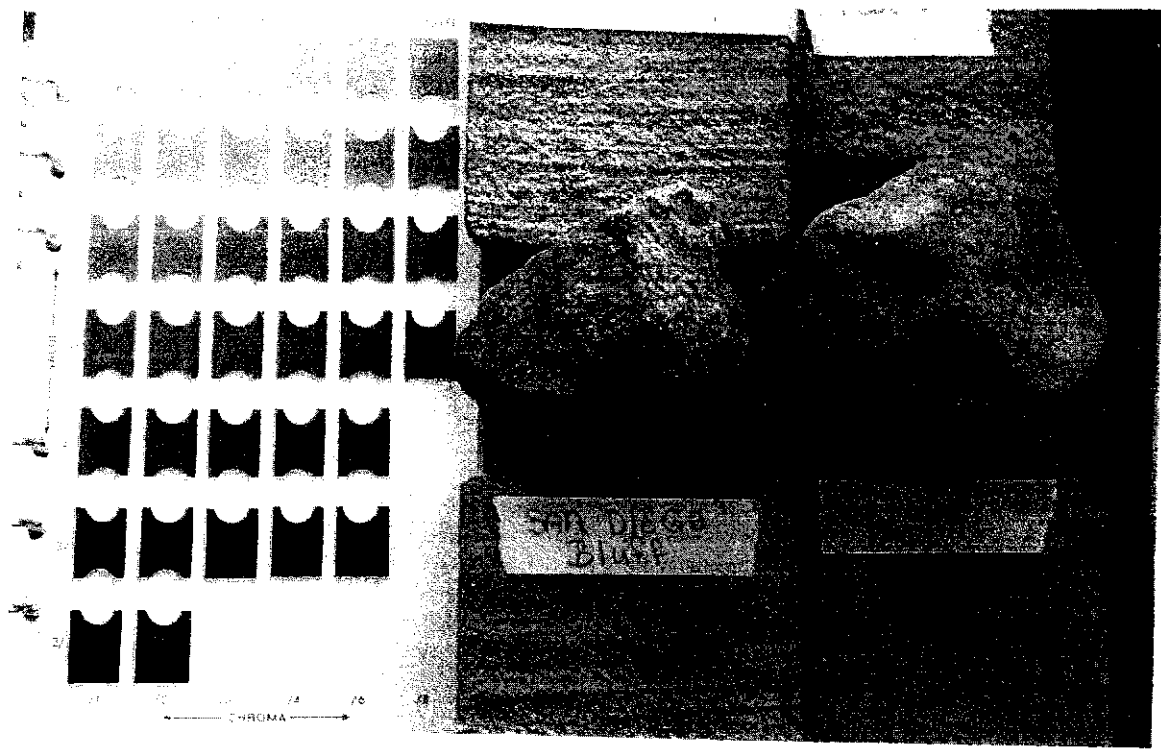


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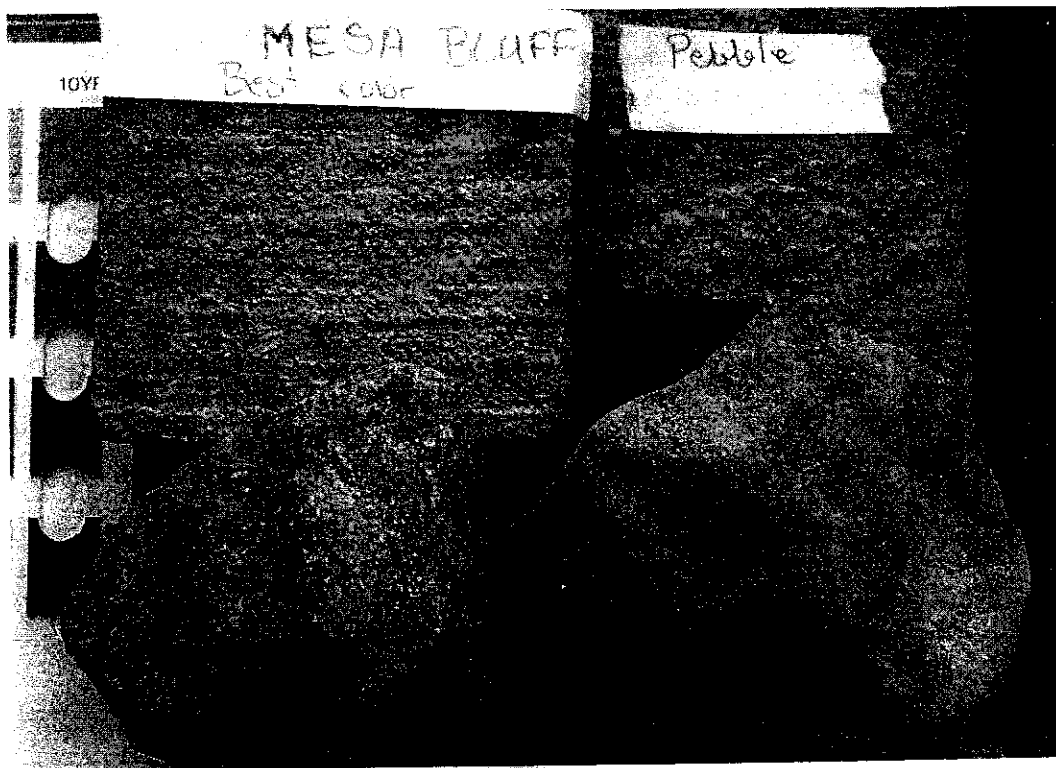
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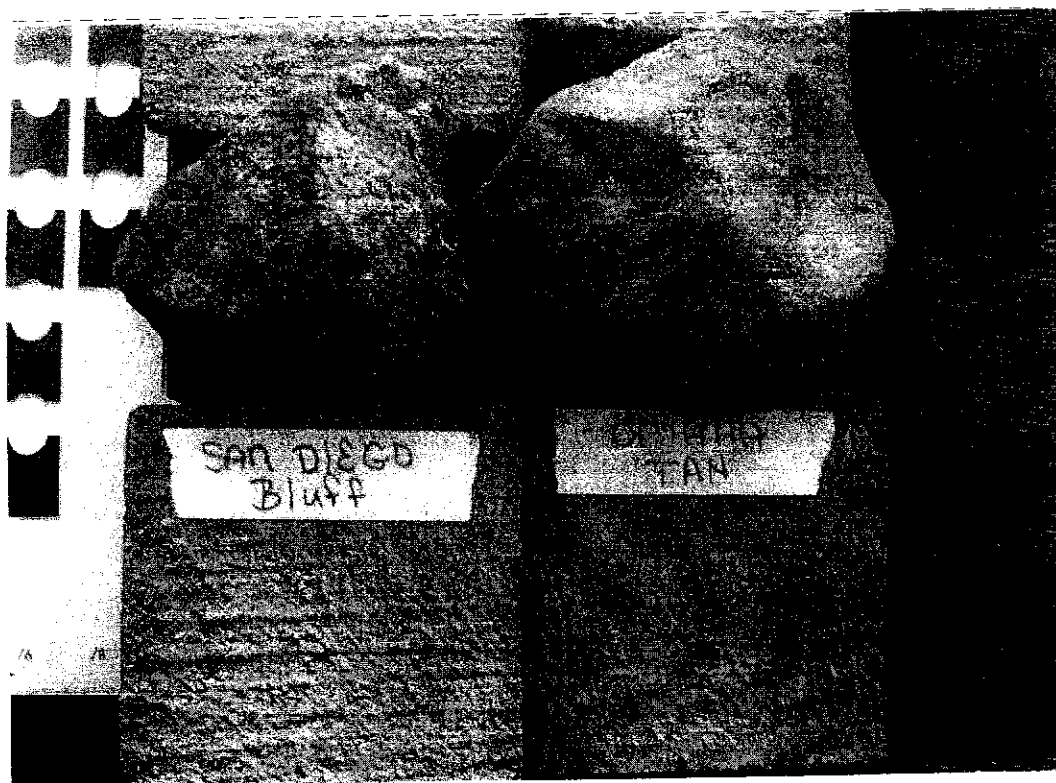


4.



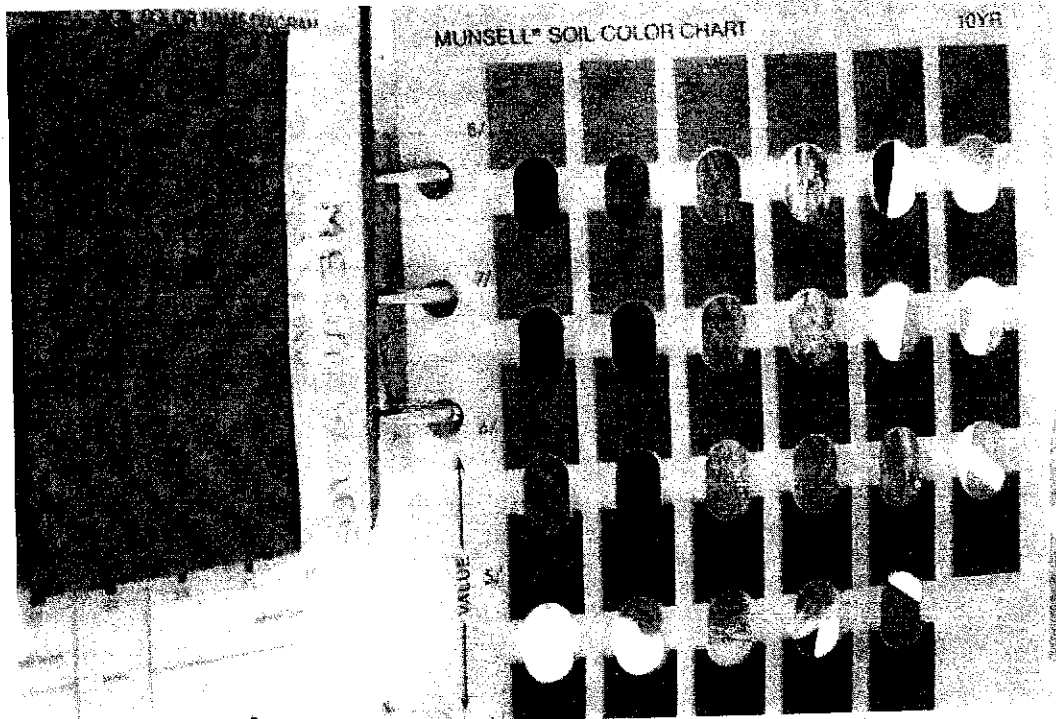


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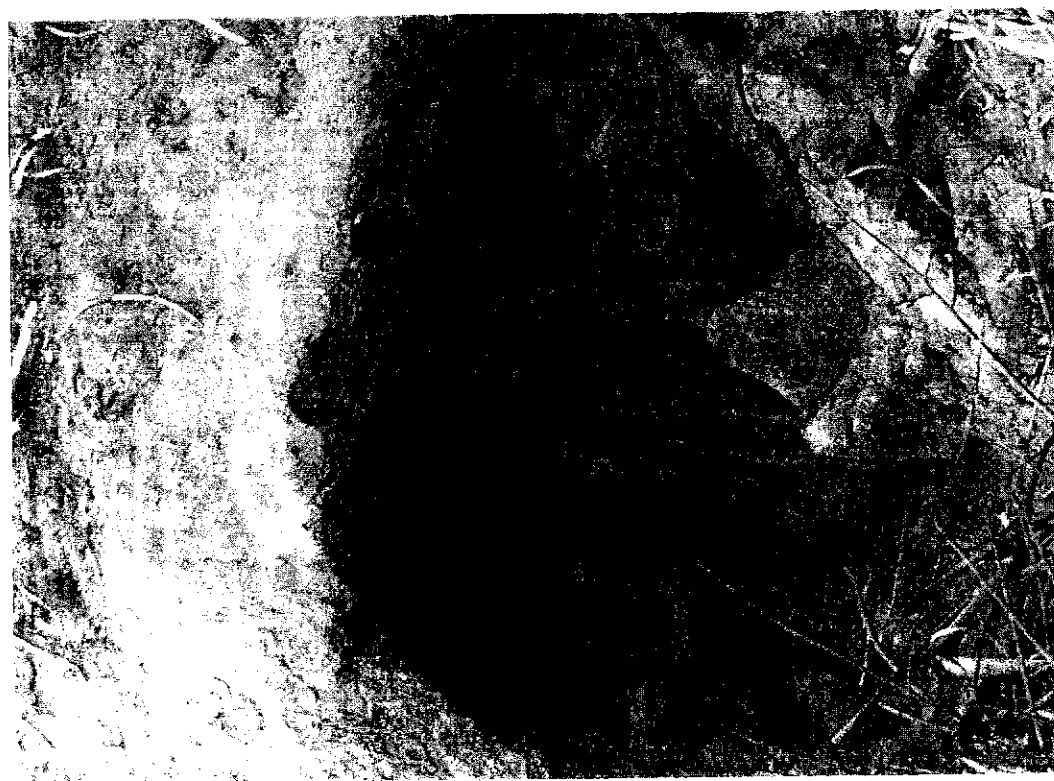


6.

7.



8.



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