



Staff Report to the Zoning Administrator

Application Number: **09-0111**

Applicant: Wayne or Judy Miller
Owner: John Laing
APN: 033-132-01

Agenda Date: December 4, 2009
Agenda Item #: 4
Time: After 10:00 a.m.

Project Description: Proposal to demolish an existing single-family dwelling and construct a replacement, two-story dwelling with a basement and attached garages.

Location: Property located about one-half mile from the intersection of 41st Avenue and Opal Cliffs Drive on the south side of Opal Cliffs Drive (4610 Opal Cliff Dr.).

Supervisory District: First District (District Supervisor: Leopold)

Permits Required: Coastal Development Permit and Residential Development Permit

Technical Reviews: Design Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 09-0111, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|---|----|----------------------------------|
| A. | Project plans | E. | Assessor's, Location, Zoning and |
| B. | Findings | | General Plan Maps |
| C. | Conditions | F. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA
determination) | | |

Parcel Information

Parcel Size:	15,400 square feet, 11,587 square feet without bluff area
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Opal Cliff Drive
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Residential)
Zone District:	R-1-5 (Single-family residential, minimum parcel size of

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

5,000 square feet)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. Yes X No

Environmental Information

Geologic Hazards: Coastal Bluff
Soils: Soils report required with building permit
Fire Hazard: Not a mapped constraint
Slopes: Area of development is level
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Drainage plan reviewed and accepted by DPW, Drainage
Archeology: Not mapped/no physical evidence on site

Services Information

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

History and Project Setting

The subject parcel is located on the bluff side of Opal Cliff Drive, about 700 feet southwest of the County's boundary line with the City of Capitola. This is an area of single-family dwellings with those on the bluff side of Opal Cliff Drive enjoying views of the Monterey Bay. The parcels on the bluff side are larger than those on the inland side and, as a result, the homes on the bluff side are typically larger than their inland counterparts.

The subject dwelling, a modest ranch-style home, preceded the issuance of building permits. In 1992, a permit was issued to construct a seawall to protect the property. In 2005, the property owner applied for a Coastal Development Permit to replace the existing dwelling with one similar to the current proposal. Because of delays associated with the processing of Permit 07-0315, which authorized repairs to the seawall, the project was abandoned. Since then, Permit 07-0315 was completed and the related building permit issued. This seawall protects the subject parcel as well as two parcels to the south.

Six parcels to the northwest is the Opal Cliffs Recreation District (OCRD), a County agency that oversees the park and beach area known popularly as "Privates". A staircase leads down the bluff, providing access to the beach below. Beachgoers can walk southeast during a low tide for about five parcels before being blocked by riprap which protects the bluff on the parcel directly northwest of the subject parcel. Because of the steepness of the bluff and the 35-foot bluff setback, the proposed dwelling will not be visible from the beach.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 15,420 square feet (11,587 with the coastal bluff deducted), located in the R-1-5 (Single-family residential, minimum parcel size of 5,000 square feet) zone district, a designation which 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 (R-UM) Urban Medium Residential General Plan designation.

	R-1-5 Standards	Proposed Residence
Front yard setback:	20 feet	20 feet
Side yard setbacks:	5 feet / 8 feet	5 feet / 12 feet
Coastal bluff setback	25' minimum	35' required by project geology report
Lot Coverage*:	40 % maximum	29.7%
Floor Area Ratio (F.A.R.)*:	0.5:1 maximum (50 %)	46.1 %
Parking	5 bedrooms = 4 (18' x 8.5') spaces	4 spaces in garages

* These calculations use 11,587 square feet as the parcel size, i.e. the coastal bluff portion of the parcel is deducted as required by County Code 13.10.700 S (Site Area, Net).

Local Coastal Program Consistency

The proposed single-family dwelling is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings in a range of architectural styles and sizes. Many of the nearby homes are ranch style, but the architecture of newer homes in the area varies widely. The proposed dwelling is a variation of the shingle style which is identified by steeply pitched roofline, porches, shingles and an asymmetrical façade. Although the square footage of the house is relatively large, the mass and bulk of this home is minimized by 'tucking' much of the second floor into the steep roof, variations in the planes of the house, and a setback of over 60 feet to the main ridge from the front property line.

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

As noted above, six parcels to the northwest is the Opal Cliffs Recreation District (OCD), a County agency that oversees the park and beach area known popularly as "Privates". This is the only developed beach access between 41st Avenue and the City of Capitola, a stretch of about one mile. Given this, the preservation of on-street parking for those accessing the OCD is particularly important. Because this project proposes two driveway cuts, staff was concerned that the second driveway cut would eliminate an on-street parking space. However, the project designer has demonstrated on the project plans (sheets 1 and 3A) that there are three on-street

parking spaces before and after the proposed development.

Design Review

Although the original design employed several effective strategies to minimize the apparent mass and bulk of the proposed dwelling, including a setback of over 60 feet to the main ridge, 'tucking' much of the second floor into the roof, and stepping down the height of the structure as it approaches Opal Cliff Drive, the design review process determined that additional work was needed to help the structure fit into the neighborhood. This was particularly important since homes on the bluff side are, on average, significantly smaller than the proposed dwelling (Assessor's data). In response, the project designer hipped the gabled ends of the main ridge, broke up the plane of the eastern side with a two-story 'pop-out', provided a landscape plan by Ellen Cooper, a landscape architect, and proposed to paint the base of the structure a darker color than the top to further break up the mass and bulk. The resulting design is compatible with the surrounding neighborhood and complies with the County Design Review Ordinance (see memo from County's Urban Designer, Exhibit F).

Coastal Bluff and Seawall

County Code 16.10.070(h) (Coastal Bluffs and Beaches) requires that all development be setback a minimum of 25 feet from the top edge of the bluff, or alternatively, the distance necessary to provide a stable building site over the 100-year lifetime of the structure, whichever is greater. In this case, Rogers Johnson & Associates established a setback of 35 feet. The proposed dwelling meets this setback. As required by County Code, a condition of approval is included requiring the property owner to record a Declaration of Geologic Hazards with the County Recorder. Additional conditions of approval relating to the seawall are included such as requiring a maintenance agreement for the seawall and ongoing monitoring of the drainage system by a civil engineer.

Discretionary permit 07-0315 allowed for the repair of the existing seawall. This repair, including the associated drainage plan, has been reviewed and approved by the Coastal Commission (see Exhibit A, sheet 1 of 1 by Haro Kasunich & Associates).

Attic and Basement

This proposal includes both an attic and a basement. County Code 13.10.700(A) and (B) states that if any part of the attic or basement is 7 feet 6 inches or higher, then all areas greater than five feet in height shall count as area for floor area ratio (FAR) calculations. In this case, the heights of the attic located above the larger of the two garages and the basement will not exceed 7 feet 6 inches and, therefore, those areas do not count towards the FAR calculation. The proposed basement is completely subterranean.

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 **09-0111**, based on the attached findings and conditions.

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

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

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SANTA CRUZ, CALIF.

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COVER SHEET	SITE PLAN
SITE DRAINAGE & EROSION PLAN	LANDSCAPE PLAN
EXISTING SITE PLANS	EXISTING FLOOR PLAN
PROPOSED ROOF ELEVATIONS	PROPOSED LOWER FLOOR PLAN
PROPOSED UPPER FLOOR PLAN	PROPOSED ELEVATIONS

THESE PLANS AND ALL
CONTRIBUTIONS ARE TO BE
MAINTAINED IN THE
OFFICE OF THE DISTRICT AS
RECORDED BY THE DISTRICT, THE
INFORMATION BEING
FOR THE DISTRICT OFFICE.
THESE PLANS ARE
MAINTAINED IN THE
OFFICE OF THE DISTRICT AS
RECORDED BY THE DISTRICT, THE
INFORMATION BEING
FOR THE DISTRICT OFFICE.

VERSION 7-23-89	SCALE 1"=8'	FILE NAME: LAB2	1
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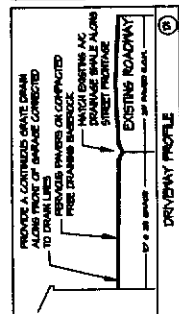
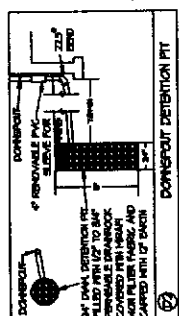
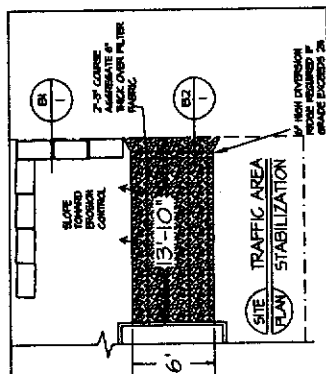
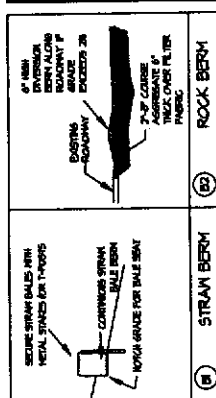
ASSESSOR'S PARCEL NUMBER	09-03-0
ZONING	R-1-S
UTILITY DISTRICT	S.C. MMS
SITE AREA TABULATION	
PARCEL SIZE (ACRES)	1.3075 SQFT
PARCEL SIZE (SQFT)	11,807 SQFT
COVERED AREA (ALL STRUCTURES)	1,809 SQFT
UNCOVERED AREA	9,998 SQFT
INTERVIEWS SURFACES	0.02 SQFT *
GRAVING VOLUME	N/A
NUMBER OF BEDROOMS	0
PARKING SPACES	0
FLOOR AREA RATIO TABULATION	
PARCEL SIZE (ACR)	12,000 SQFT
EXIST. FLOOR AREA (REARER)	1,000 SQ. FT.
ADDT. FLOOR AREA (REARER)	1,000 SQ. FT.
ADDT. FLOOR AREA (2ND STORY)	8,000 SQ. FT.
COVERED AREA (ALL SQFT)	0.02 SQFT
FLOOR AREA RATIO:	
EXIST. FLOOR AREA (ACR)	40.00
<p>1.3075 ACRES (11,807 SQFT) LESS THE EXISTING FLOOR AREA 10,499.5 SQFT. DIVIDED BY THE FLOOR COVERING AREA YIELDS THE FLOOR DENSITY</p>	

FLOOR AREA RATIO TABULATION:

PARCEL SIZE (NET),	12,056 SQFT
EXIST'G. FLOOR AREA (MEASURED),	1023 SQ. FT.
ADJUT. FLOOR AREA (MEASURED),	2024 SQ. FT.
GROSS AREA (-225 SQFT),	843 SQFT.
COVERED AREA (-140 SQFT),	0.0 SQFT
FLOOR AREA RATIO,	44.18

* THE PROPOSED IMPROVED SURFACES TOTAL 1023 SQFT. LESS THAN THE EXISTING INTERVIEWS AREA INCLUDING THE HOUSE FOOTPRINT!

PROPOSED SITE PLAN
12,000 SQ.FT.



CUT & FILL CALCULATION

SEALING IS LIMITED TO FLOWMATION AND DRY-VENT PREPARATION.

EROSION CONTROL NOTES:

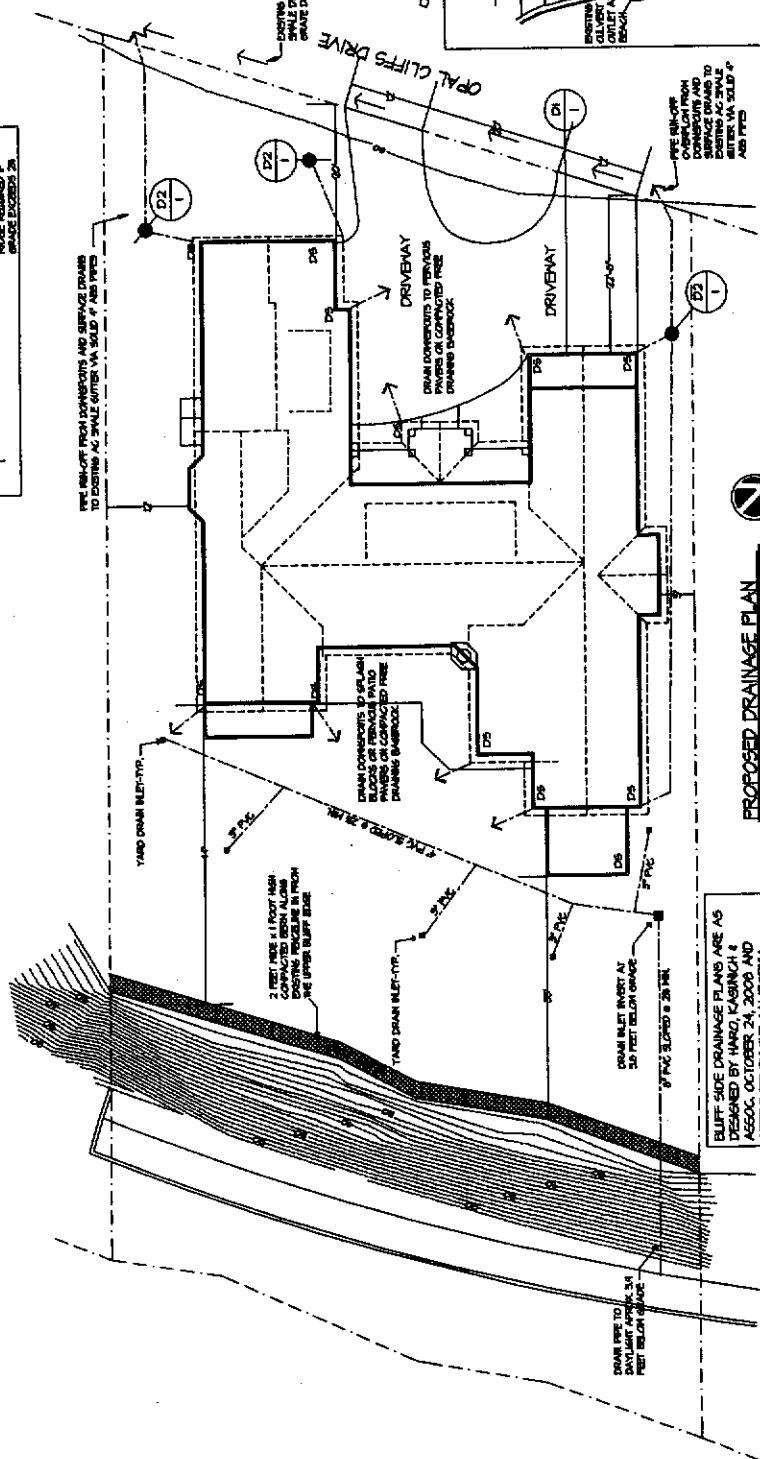
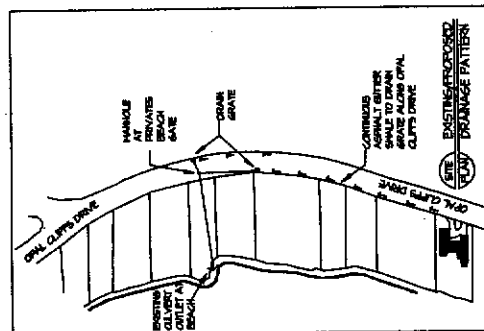
ALL DISBURSED SOIL TO BE
CONTAINED BY APPROVED
CONTAINMENT BASK.

GRADING TO BE LIMITED TO
FORMATION & DRIVEWAY PAVEMENT.

ALL DISBURSED SOIL TO BE
REMOVED WITHIN NATURE
GRASSES AND MULCHES.
(TYPICAL MIX SHALL CONTAIN 1 LB
BLANDED BROKE & 2 LB LB ROSE
CLOVER WITH TRACE HAY/ALFALFA)

2" MIN LAYER OF STRAW MULCH
OR BARK TO COVER EXPOSED
AREAS TO BE IN PLACE BY 10/05

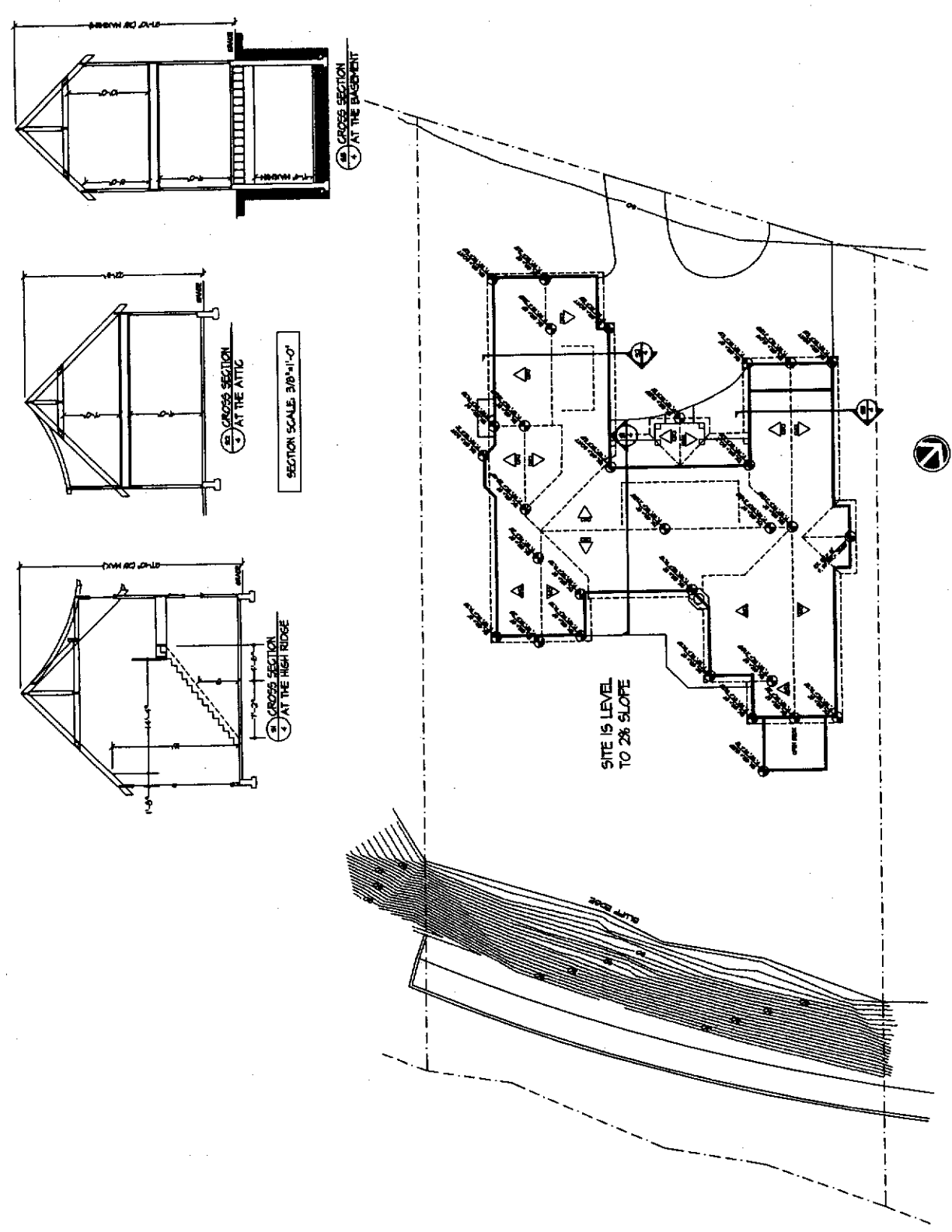
SLOPES EXCEEDING 20% SHALL BE
COVERED WITH DISBURSED LIME
OR OTHER APPROVED PAVING



PROPOSED DRAINAGE PLAN

BLUFF SIDE DRAINAGE PLANS, ARE AS
DESIGNED BY HARG, KASINICH &
ASSOC. OCTOBER 24, 2008 AND
APPROVED BY THE CALIFORNIA
COASTAL COMMISSION AND SANTA CRUZ
DEPARTMENT OF PUBLIC WORKS UNDER
PERMIT APPLICATION #6059441 11/08



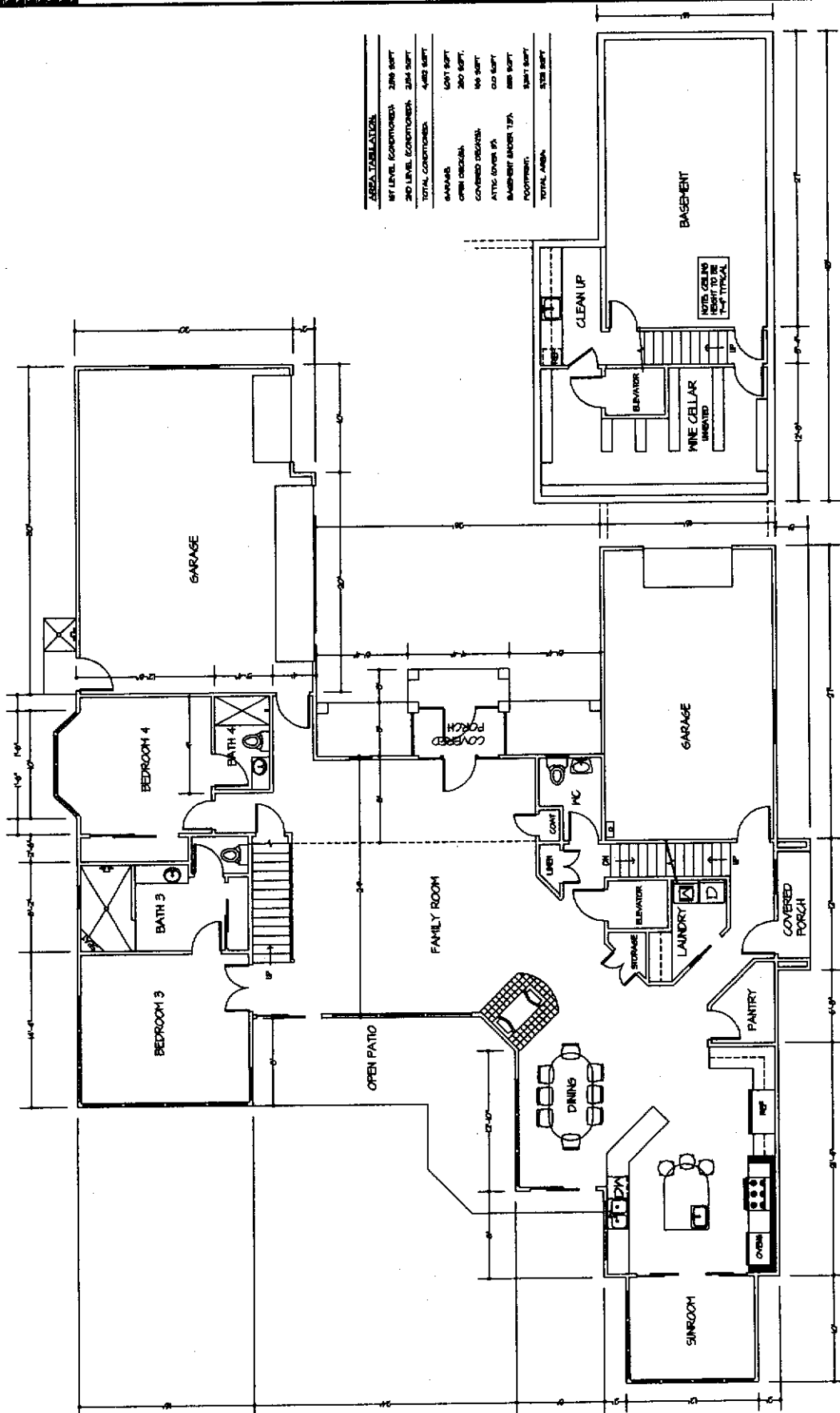




DESIGNED BY
WAYNE MILLER
P.O. BOX 1034
PACIFIC PALISADES, CA 91064
805 734-9553

PROPOSED LOWER FLOOR PLAN
Liz and John Loring, 4400 Coast Drive, Santa Cruz, CA
APR. 2003 03-02-01

DATE 1-13-03	SCALE 1"=2'	FILE NAME LORING	41
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1 LOWER FLOOR
2305 SQFT. HEATED
1061 SQFT. GARAGES (642 SQFT. PER F.A.R.)
202 SQFT. COVERED PORCH (62.0 SQFT. PER F.A.R.)

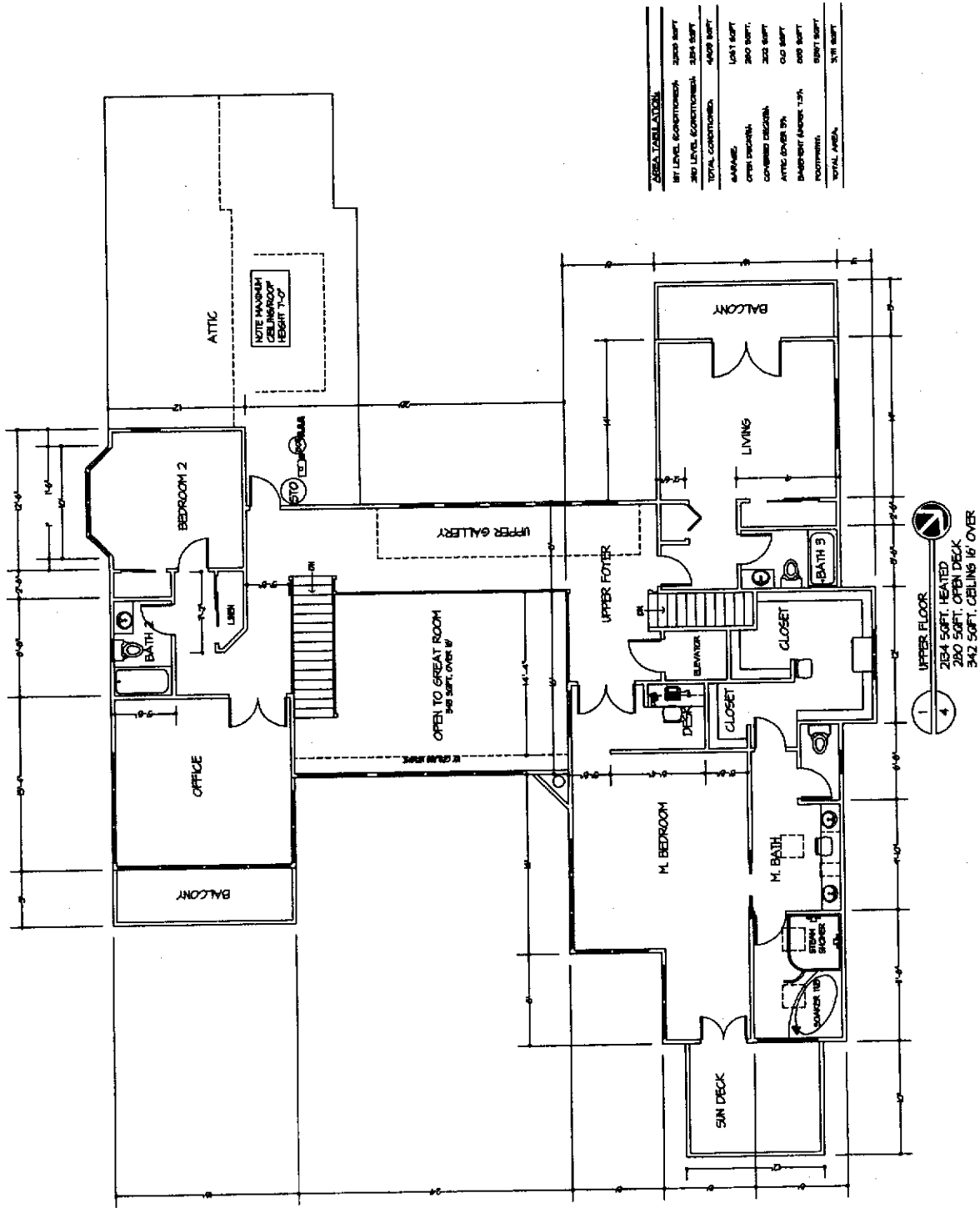


DESIGNED BY
WAYNE MILLER
P.O. BOX 1000
PACIFIC, CA 95001
(415) 734-1553

APR. 23-24-81

PROPOSED UPPER FLOOR PLAN

VERSION 1-2-81	SCALE 1/8" = 1'-0"	FILE NAME P-1	DATE 1-2-81
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Coastal Development Permit Findings

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

This finding can be made, in that the property is zoned R-1-5 (Single-family residential, minimum parcel size of 5,000 square feet), a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UM) Urban Medium Residential General Plan designation.

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

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

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

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

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 although the project site is located between the shoreline and the first public road, there are no existing easements to facilitate public access to the beach below. Given the steepness of the bluff, providing access in this location appears to be technically infeasible. Consequently, the single-family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-5 (Single-family residential, minimum parcel size of 5,000 square feet) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings.

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APN: 033-132-01

Owner: John Laing

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, except for the coastal bluff for which a geology report was submitted and accepted, the site 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 dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets or exceeds all current setbacks that ensure access to light, air, and open space in the neighborhood.

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

This finding can be made, in that the proposed location of the single-family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-5 (Single-family residential, minimum parcel size of 5,000 square feet) zone district in that the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district.

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 Medium Residential (R-UM) land use designation in the County General Plan.

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

The proposed single-family dwelling will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single-family dwelling will comply with the site standards for the R-1-5 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity. The project designer has

minimized the apparent mass and bulk of the structure by tucking much of the second floor into the roof, setting back the main ridge 60 feet from the right-of-way and varying the planes of the structure.

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

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

This finding can be made, in that the proposed single-family dwelling is to be constructed on an existing lot currently developed with a single-family dwelling. The expected level of traffic generated by the proposed project is anticipated to remain at only one peak trip per day, bringing no net change to the surrounding road network and intersections.

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

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

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

This finding can be made, in that the proposed single-family dwelling will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. The project designer has minimized the apparent mass and bulk of the structure by tucking much of the second floor into the roof, setting back the main ridge 60 feet from the right-of-way and varying the planes of the structure. Ellen Cooper, a landscape architect, has submitted a landscape plan designed to further mitigate the apparent size of the structure.

Conditions of Approval

Exhibit A: 9 sheets, architectural drawings, by Wayne Miller, Designer: sheet 1 dated 7/23/09 revised to 8/28/09, sheet 2 dated 7/23/09, sheets 3A and 3B dated 1/21/09, sheets 3C, 4, 5 and 6 dated 7/23/09. 1 sheet by Donald A. Blessen, Registered Professional Engineer: sheet D1 "Road Improvements." 1 sheet by Mid Coast Engineers, stamped by Lee. D. Vaage, Licensed Land Surveyor. 1 sheet by Haro, Kasunich & Associates: "Blufftop Drainpipe Consolidation Plan" stamped by S. Craig of the California Coastal Commission Central Coast Area.

- I. This permit authorizes the construction of a single-family dwelling. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by 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. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - D. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - F. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with 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.
 2. Grading, drainage, and erosion control plans.
 3. 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. Maximum height is 28 feet.
 4. Details showing compliance with fire department requirements.
- B. 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.
- C. Meet all requirements of Environmental Planning, including:
1. Project plans shall be prepared in conformance with all recommendations provided by the project engineering geologist and the geotechnical engineer.
 2. Project plans shall be prepared in conformance with the requirements provided in the 7/26/07 letter from Joe Hanna, County Geologist.
 3. A maintenance agreement must be completed before building permit issuance that requires and grants permission to each of the owners the responsibility and ability to repair and maintain the drainage system that extends through parcels 033-132-01, -02 and -03. The maintenance agreement must identify the method of funding of drainage system repairs, and require the timely repair of the drainage system within 30 days if a permit is not necessary, or within 30 days of the issuance of a permit if a permit is required.
 4. Plans shall include a detailed and thorough erosion control plan that prevents sediment from leaving the site during and at the completion of construction.

5. Prior to building permit issuance, plan review letters shall be submitted from the engineering geologist and the geotechnical engineer referencing the final, revised plan sheets by sheet number and revision date and stating that the plans conform to the recommendations provided in their respective reports and updates.
 6. The geologic building envelope shall clearly be shown on the site plan, grading and drainage plan, and erosion control plan.
- D. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area. Comply with the following requirements:
1. If you wish to be credited for the existing impervious areas, please submit documentation of permitted structures to establish eligibility. Documentation such as assessor's records, survey records, or other official records that will help establish and determine the dates structures were built, the structure footprint or to confirm if a building permit was previously issued are accepted.
 2. The overflow pipes located at the west of the property shall be connected to the drainage system located at the back of the property.
- E. Meet all requirements and pay all required fees of the County Department of Public Works, Driveway Encroachment, including:
1. Driveways shall meet the County of Santa Cruz Design Criteria.
 2. There shall be a minimum of 20 feet between driveways located on the same parcel.
 3. Maximum width for residential driveways is 24 feet; the minimum is 10 feet.
 4. Because Opal Cliffs was overlayed in 2008 a trench cut moratorium is in effect. To dig the proposed trenches, an encroachment permit is required and additional trench cutting fees will be due as a result of the moratorium.
 5. Existing or proposed landscaping within the County right-of-way shall be reviewed. If allowed, it shall be maintained year round so it does not encroach into the pedestrian walkway.
- F. Meet all requirements of the County Department of Public Works, Road Engineering.
1. Plans and details must be consistent between the discretionary and building applications.
- G. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- H. Meet all requirements and pay any applicable plan check fee of the Central Fire

Protection District.

- I. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - J. Pay the current fees for Parks and Child Care mitigation for 1 bedroom. Currently, these fees are, respectively, \$1000 and \$109 per bedroom.
 - K. Pay the current fees for Roadside and Transportation improvements for 1 bedroom. Currently, these fees are, respectively, \$913 and \$913 per unit.
 - L. Provide required off-street parking for four cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - M. 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.
 - N. Complete and record a Declaration of Geologic Hazards. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils reports.
 - D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- IV. Operational Conditions
- A. The drainage system must be monitored by a civil engineer every five years and

after any incidence of slope instability, erosion or other disruption (or damage) of the system. If the system is damaged, the civil engineer shall supervise the replacement of the damaged section of the drainage system. Before the repair starts, the civil engineer shall submit a written description of the damage and its cause to the County of Santa Cruz Planning Department to determine if plans and permits are required to repair the drainage system. If required, the applicant must apply for the appropriate permits for repair of the system before the commencement of the repair. All repairs must be completed within 30 days if a permit is not necessary, or within 30 days of the issuance of a permit, if a permit is required.

B. The landscape plan by Ellen Cooper must be maintained for the life of the structure. If any of the groundcover, shrubs or trees succumbs to disease or die, they must be replaced in-kind.

C. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

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 three 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, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Annette Olson
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: 09-0111

Assessor Parcel Number: 033-132-01

Project Location: 4610 Opal Cliff Dr., Santa Cruz

Project Description: Proposal to replace the existing single-family dwelling with a new single-family dwelling.

Person or Agency Proposing Project: Wayne or Judy Miller

Contact Phone Number: (831) 724-1332

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

Specify type:

E. ☒ **Categorical Exemption**

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

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

Replacement single family dwelling in a developed area zoned for single-family residences.

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


Annette Olson, Project Planner

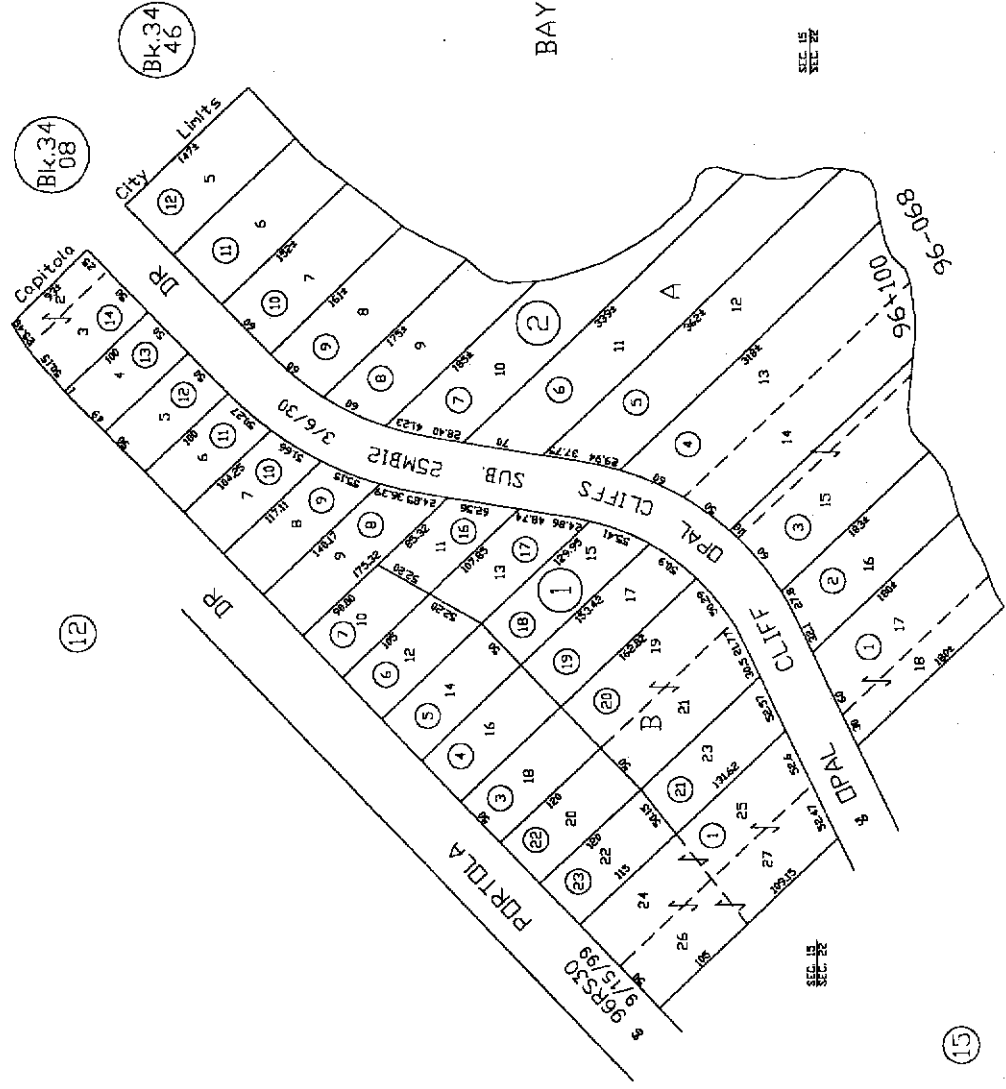
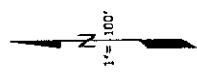
Date: 11/3/09

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POR. RANCHO ARROYO DEL RODEO
 SECS. 15 & 22, T11S., R1W. M.D.B. & M.

Tax Area Code
 96-100 96-068

33-13



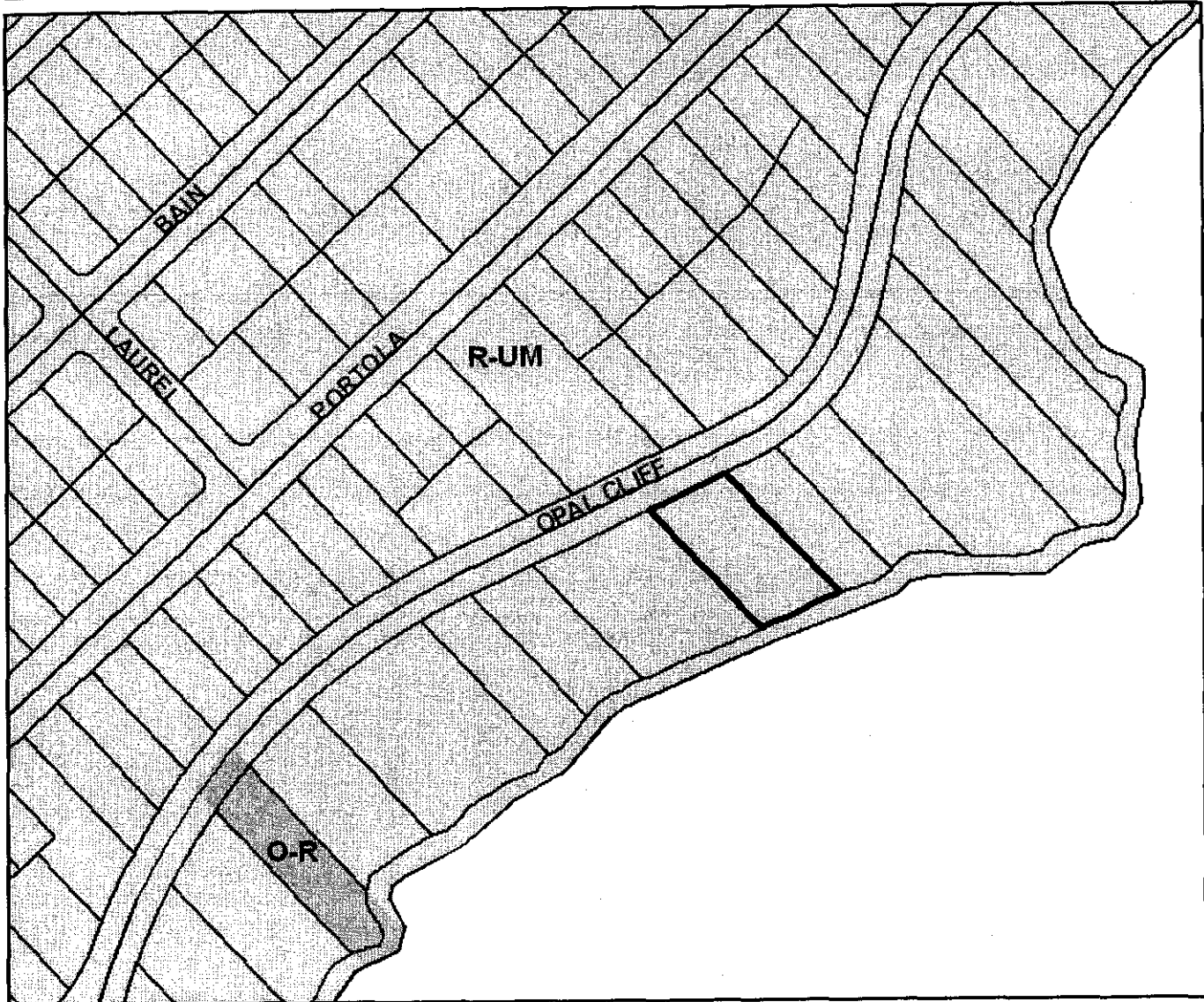
Assessor's Map No. 33-13
 County of Santa Cruz, Calif.
 June 1995

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

Digitally drawn 6/8/95 KSA
 Rev. 4/9/98 CG (CA consolidation)
 Rev. 12/13/99 CG (96R30)
 Rev. 1/23/00 CG (cor. address)
 Rev. 4/12/01 mm (changed page refs.)









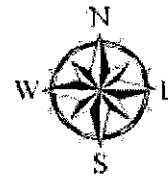
General Plan Designation Map



240 120 0 240 480 720 960 Feet

LEGEND

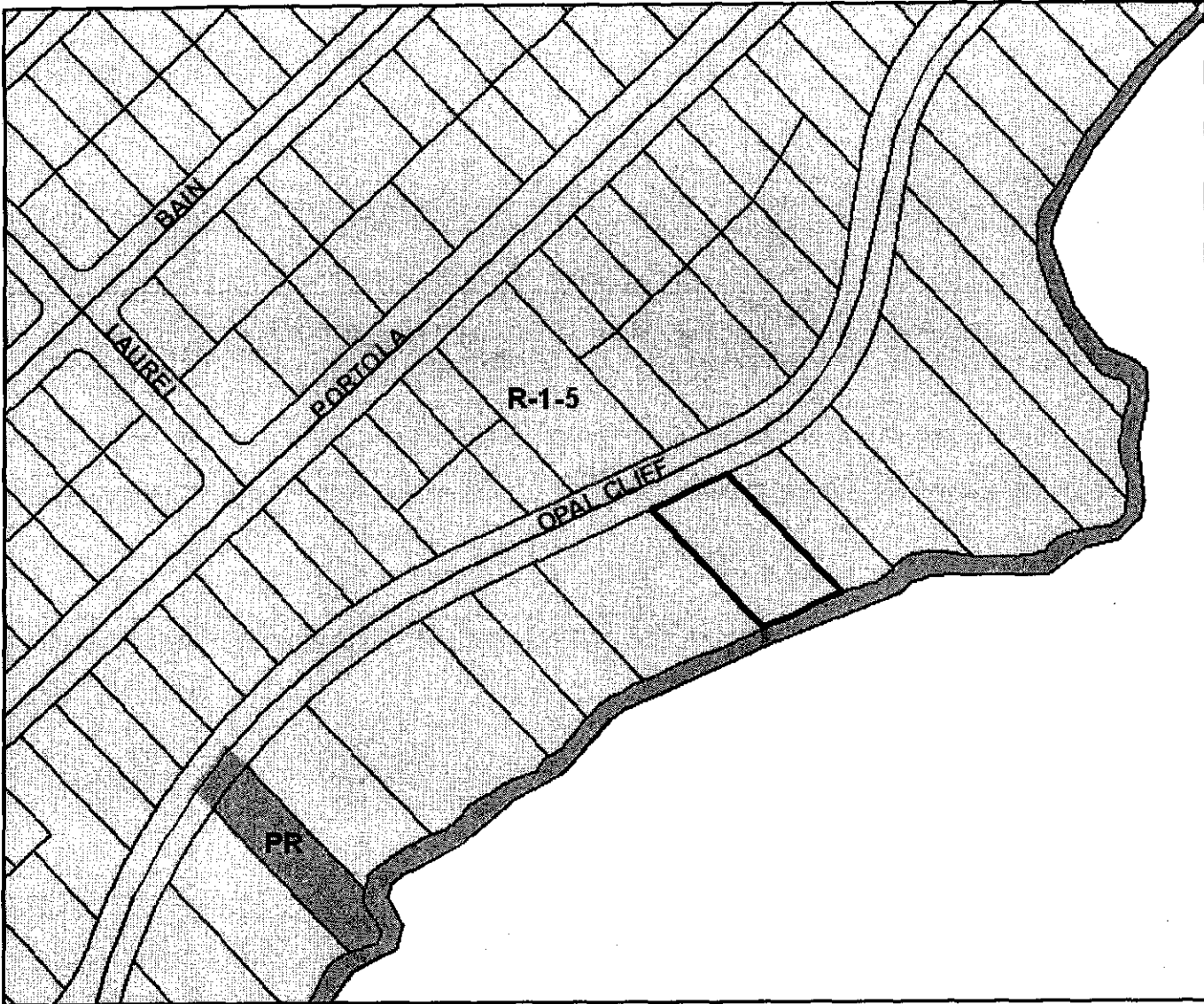
-  APN: 033-132-01
-  Assessors Parcels
-  Streets
-  County Boundary
-  Residential - Urban Medium Density
-  Parks and Recreation



Map Created by
County of Santa Cruz
Planning Department
April 2009

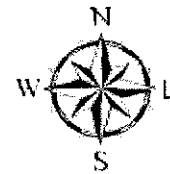


Zoning Map



LEGEND

- APN: 033-132-01
- Assessors Parcels
- Streets
- County Boundary
- RESIDENTIAL-SINGLE FAMILY
- PARK



Map Created by
County of Santa Cruz
Planning Department
April 2009

INTEROFFICE MEMO**APPLICATION NO: 09-0111 (second routing)**

Date: August 3, 2009

To: Lawrence Kasparowitz, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: New Residence at 4610 Opal Cliffs Drive, Santa Cruz

COMPLETENESS ITEMS

- none

COMPLIANCE ISSUES**Design Review Authority**

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

Design Review Standards

13.20.130 Design criteria for coastal zone developments

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

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

cluster			
Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
Restoration			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Signs			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A
In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors			N/A
Beach Viewsheds			
Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient	✓		

distance to be out of sight from the shoreline, or if infeasible, not visually intrusive			
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred.			N/A

Design Review Authority**13.11.040** Projects requiring design review.

- (a) Single home construction, and associated additions involving 500 square feet or more, within coastal special communities and sensitive sites as defined in this Chapter.

13.11.030 Definitions

- (u) "Sensitive Site" shall mean any property located adjacent to a scenic road or within the viewshed of a scenic road as recognized in the General Plan; or **located on a coastal bluff**, or on a ridgeline.

Design Review Standards**13.11.072** Site design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship	✓		
Street design and transit facilities			N/A
Relationship to existing structures	✓		

Natural Site Amenities and Features			
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A
Views			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles			N/A
Solar Design and Access			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
Noise			
Reasonable protection for adjacent properties	✓		

13.11.073 Building design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale			
Scale is addressed on appropriate levels	✓		

Design elements create a sense of human scale and pedestrian interest	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		

PERMIT CONDITIONS / ADDITIONAL INFORMATION

- *none*

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: April 17, 2009
To: Annette Olson, Project Planner
From: Steve Guiney, Planning Department Liaison to the Redevelopment Agency
SUBJECT: Application #09-0111, Demo SFD and rebuild, 1st routing, APN 033-132-01, Live Oak

The applicant is proposing to demolish an existing single-family dwelling and construct a replacement, two-story dwelling with a basement and attached garages. The proposal requires a coastal development permit. The property is located on the south side of Opal Cliffs Drive about one-half mile east from the intersection of 41st Avenue and Opal Cliffs Drive, at 4610 Opal Cliffs Drive.

Overall, RDA has no significant concerns with this proposal. Any approval should ensure that the existing on-street public parking remains and that the driveways and parking areas meet required front yard site standards.

The issue referenced above should be evaluated as part of this application and/or addressed by conditions of approval. RDA does not need to see future routings of this project unless there are changes or more information provided relevant to RDA's comments. RDA appreciates this opportunity to comment. Thank you.

cc: John Leopold, District Supervisor



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

July 26, 2007

John Laing
14385 Chester Ave
Saratoga, CA 95070

Subject: Review of **Geological Report** by Rogers Johnson and Associates, dated 7/12/05, project number C05016-56, **Geotechnical Report** by Haro Kasunich and Associated dated 11/21/05, project number SC8352.

Reference: APL# 05-0786; APN 033-132-01

Dear Applicant:

The purpose of this letter is to inform you that the Planning Department *has accepted* the subject reports. Our acceptance is based upon an understanding that the seawall at the base of the coastal bluff will be repaired as shown on Permit Application 07-0315. With that understanding, the following items shall be required:

1. All construction shall comply with the recommendations of the reports.
2. Final plans shall reference the reports and include a statement that the project shall conform to the reports' recommendations.
3. The authors of the reports shall write the *plan review letters*. The letters shall state that the project plans conform to the report's recommendations, and specifically approve the *drainage plan including the drainage near the existing coastal bluffs*.
4. The project geotechnical engineer, or a similar qualified testing laboratory, must be employed to inspect and test all the fill material placed on the site. The relative compaction tests' location must be noted on a copy of the approved grading plans, and all related test data must be included in a table with a reference number that correlates the table data to the test location indicated on the grading plan. This testing includes the backfill to the retaining walls. Failure to complete the required documentations will require destructive testing after the completion of the project.

**NOTICE TO PERMIT HOLDERS WHEN A SOILS REPORT AND ENGINEERING
GEOLOGY REPORT HAVE BEEN PREPARED, REVIEWED AND ACCEPTED FOR THE
PROJECT**

After issuance of the building permit, the County requires your soils engineer and engineering geologist to be involved during construction. Several letters or reports are required to be submitted to the County at various times during construction. They are as follows:

1. **When a project has engineered fills and / or grading,** a letter from your soils engineer must be submitted to the Environmental Planning section of the Planning Department prior to foundations being excavated. This letter must state that the grading has been completed in conformance with the recommendations of the soils report. Compaction reports or a summary thereof must be submitted.
2. **Prior to placing concrete for foundations,** letters from the soils engineer and engineering geologist must be submitted to the building inspector and to Environmental Planning stating that the soils engineer and engineering geology have observed the foundation excavation and that it meets the recommendations of the soils engineering report and engineering geology reports.
3. **At the completion of construction,** *final letters* from your soils engineer and engineering geologist are required to be submitted to Environmental Planning that summarizes the observations and the tests the soils engineer and engineering geology have made during construction. The final letter must also state the following: "Based upon our observations and tests, the project has been completed in conformance with our geotechnical and engineering geologist recommendations."

If the *final soils letters* identifies any items of work remaining to be completed or that any portions of the project were not observed by the soils engineer or engineering geologist, you will be required to complete the remaining items of work and may be required to perform destructive testing in order for your permit to obtain a final inspection.

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

Project Planner: Annette Olson
Application No.: 09-0111
APN: 033-132-01

Date: November 3, 2009
Time: 10:12:34
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON APRIL 21, 2009 BY ANTONELLA GENTILE =====

1. Provide updates to the 2005 geotechnical investigation by Haro, Kasunich and Associates, Inc. and the 2005 geologic investigation by Rogers E. Johnson and Associates. The updates should address the proposed basement area, the proposed drainage plan, and any other changes to the project or site.

2. Revise the site topography to reflect the information provided on the survey by Mid Coast Engineers.

===== UPDATED ON AUGUST 14, 2009 BY ANTONELLA GENTILE =====

1. Provide the Blufftop Drainpipe Consolidation Plan prepared by Haro, Kasunich and Associates.

2. Provide a revised plan review letter from Rogers E. Johnson and Associates referencing the drainage plan as well as the site plan and stating that the plans conform to the recommendations provided in the geology report and to the requirements of County Code.

3. Provide a plan review letter from the soils engineer referencing the final revised plans (site plan and drainage plan) and stating that the plans conform to the recommendations provided in the soils report and to the requirements of County Code.

4. Condition II.2. of California Coastal Commission Administrative Permit Number 3-07-031 states that "drainage shall not be allowed to pond directly at the bluff-top edge, sheet flow over the bluff seaward, or otherwise be directed seaward. All drainage pipes that extend over the blufftop or through the bluff edge shall be removed." The note on sheet 2 of the plans provided by Wayne Miller states that the current drainage plan has been approved by the California Coastal Commission. Please provide a letter from the Coastal Commission documenting their approval of the drainage plan. ===== UPDATED ON SEPTEMBER 24, 2009 BY ANTONELLA GENTILE =====

Project complete per Environmental Planning.

Environmental Planning Miscellaneous Comments

===== REVIEW ON APRIL 21, 2009 BY ANTONELLA GENTILE =====

1. It appears that some of the downspouts do not tie into the storm drainage system that is required by the project geologist on page 9 of the geologic investigation. Additionally, it appears that the deck and patio area drainage will sheet flow onto the ground on the bluff side of the residence. Revise the drainage system to comply with the geologist's recommendations or provide additional information from the project geologist and geotechnical engineer defending this configuration.

2. Project plans must be prepared in accordance with all recommendations of the geotechnical engineer, the engineering geologist, and the technical report acceptance letter from Joe Hanna, County Geologist, dated 7/26/07. Prior to project approval, plan review letters shall be required from the engineering geologist and

Discretionary Comments - Continued

Project Planner: Annette Olson
Application No.: 09-0111
APN: 033-132-01

Date: November 3, 2009
Time: 10:12:34
Page: 2

the geotechnical engineer referencing the final set of project plans and stating that they conform to their recommendations. ===== UPDATED ON AUGUST 14, 2009 BY ANTONELLA GENTILE =====

Because the new home is located on a coastal bluff, and all drainage is not proposed to be carried to the street storm drain system as required in the Coastal Permit for the seawall and as required by the project geologist and the County Geologist, the drainage plan must be prepared by a licensed civil engineer.

Furthermore, the soils engineer and project geologist must provide statements that the drainage plan is in compliance with the recommendations provided in their reports and in compliance with the requirements of County Code.

Finally, because the Coastal Permit for the seawall included a condition that bluff-top drainage be directed away from the edge of the bluff, and the current proposal includes both the potential ponding of water at the top of the bluff behind the berm and the installation of a new drainage pipe that extends over the blufftop, documentation from the Coastal Commission approving the current plan is required.

Please address the above items in order for this agency to recommend approval of your application.

Conditions will be provided once this project has been deemed complete. =====
UPDATED ON SEPTEMBER 24, 2009 BY ANTONELLA GENTILE =====
Conditions of Approval:

1. Project plans shall be prepared in conformance with all recommendations provided by the Engineering Geologist and the Geotechnical Engineer.
2. Project plans shall be prepared in conformance with the requirements provided in the 7/26/07 letter from Joe Hanna, County Geologist.
3. The drainage system must be monitored by a civil engineer every five years and after any incidence of slope instability, erosion or other disruption (or damage) of the system. If the system is damaged, the civil engineer shall supervise the replacement of the damage section of the drainage system. Before the repair starts, the civil engineer shall submit a written description of the damage and its cause to the County of Santa Cruz Planning Department to determine if plans and permits are required to repair the drainage system. If required, the applicant must apply for the appropriate permits for repair of the system before the commencement of the repair. All repairs must be completed within 30 days if a permit is not necessary, or within 30 days of the issuance permit if a permit is required.
4. A maintenance agreement must be completed before building permit issuance that requires and grants permission to each of the owners the responsibility and ability to repair and maintain the drainage system that extends through parcels 033-132-01, -02, and -03. The maintenance agreement must identify the method of funding of drainage system repairs, and require the timely repair of the drainage system within 30 days if a permit is not necessary, or within 30 days of the issuance permit if a permit is required.
5. Plans shall include a detailed and thorough erosion control plan that pr events

Discretionary Comments - Continued

Project Planner: Annette Olson
Application No.: 09-0111
APN: 033-132-01

Date: November 3, 2009
Time: 10:12:34
Page: 3

sediment from leaving the site during and at the completion of conststuction.

6. Prior to building permit issuance, plan review letters shall be submitted from the Engineering Geologist and the Geotechnical Engineer referencing the final, revised plan sheets by sheet number and revision date and stating that the plans conform to the recommendations provided in their respective reports and updates.

7. The geologic building envelope shall clearly be shown on the site plan, grading and drainage plan, and erosion control plan.

Dpw Drainage Completeness Comments

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

===== REVIEW ON APRIL 22, 2009 BY GERARDO VARGAS ===== The current drainage plan in not consistent with drainage plan approved under application 60594M. Please refer to the Drainage Basin Analysis (Dated July 14, 2008) perform by Bowman & Williams.

Note: Applicant is subject to additional completeness comments upon review of the Drainage Basin Analysis.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON AUGUST 13, 2009 BY GERARDO VARGAS ===== Application 09-0111 has been approved for the discretionary stage in regards to drainage. Please see miscellaneous comments to be addressed at the building application stage.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON APRIL 22, 2009 BY GERARDO VARGAS ===== A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$1.03 per square foot, and are assessed upon permit issuance. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.

You may be eligible for fee credits for pre-existing impervious areas to be demolished. To be entitled for credits for pre-existing impervious areas, please submit documentation of permitted structures to establish eligibility. Documentations such as assessor-s records, surveys records, or other official records that will help establish and determine the dates they were built, the structure footprint, or to confirm if a building permiwas previously issued is accepted.

The applicant is encouraged to discuss the above comments with the reviewer to avoid unnecessary additional routings. A \$200.00 additional review fee shall be applied to all re-submittals starting with the third routing. The civil engineer has to inspect the drainage improvements on the parcel and provide public works with a letter con-

Discretionary Comments - Continued

Project Planner: Annette Olson
Application No.: 09-0111
APN: 033-132-01

Date: November 3, 2009
Time: 10:12:34
Page: 4

firming that the work was completed per the plans. Upon approval of the project a hold will be placed on the permit to be released once a satisfactory letter is received. This applies to new SFD applications or projects under review. The civil engineer-s letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of -general conformance to plans- are not sufficient. An as- built plan may be submitted in lieu of the letter.

===== UPDATED ON AUGUST 13, 2009 BY GERARDO VARGAS ===== 1. Per discussion (on 8/12/2009) with applicant Wayne Miller the overflow pipes located at the west of the property will be connected to the drainage system located at the back of the property.

Note: Applicant is subject to additional building comments upon review of the Drainage Basin Analysis.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON APRIL 9, 2009 BY DEBBIE F LOCATELLI =====
No comments for Completeness Items.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON APRIL 9, 2009 BY DEBBIE F LOCATELLI =====
Per the County of Santa Cruz Design Criteria - Driveways and Encroachments.

(1). Driveways shall meet the County of Santa Cruz Design Criteria. (2). There shall be a minimum of 20 feet between driveways located on the same parcel. (3). Maximum width for residential driveways is 24 feet, minimum 10 feet.

Per Santa Cruz Trench Cut Ordinance: Section 9.80.085 Moratorium

Opal Cliffs was recently overlayed (2008). please review ordinance for complete requirements.

Proposed trench(es) within county right-of-way shall be reviewed by the Department of Public Works, if an encroachment permit is granted, additional fees shall be required due to Moratorium.

Additional comments:

Existing or proposed landscaping within the County right-of-way shall be reviewed. If allowed, it shall be maintained year round so it does not encroach into the pedestrian walkway.

Discretionary Comments - Continued

Project Planner: Annette Olson
Application No.: 09-0111
APN: 033-132-01

Date: November 3, 2009
Time: 10:12:34
Page: 5

===== UPDATED ON APRIL 9, 2009 BY DEBBIE F LOCATELLI =====

Dpw Road Engineering Completeness Comments

===== REVIEW ON APRIL 20, 2009 BY ANWARBEG MIRZA =====

1. Opal Cliff Drive consists of approximately 28 ft wide paved road with no bike lanes. There are no sidewalks along the road. The right-of-way is 50 feet for the entire length of the road.

The County Standard for Opal Cliff Drive is an Urban Local Street with Parking. This requires two 12 foot travel lanes, 6 feet on each side for parking, and separated sidewalks on each side. The right- of-way requirement for this road section is 56 feet. The structural section shall be a minimum of 3 inches of asphalt concrete over 9 inches of aggregate base.

However, the parcels along this road are developed so that right- of-way shall not be able to be obtained along the entire length of the road to allow for the required improvements. In addition, the required frontage improvements would be unable to be connected to existing improvements as they do not exist on either side of the project. Therefore, we have no objection to an exception to retain the existing road section.

Exceptions to the County Standards for roads may be proposed by showing on a drawing sheet: 1) a typical road section of the required standard on the plans crossed out, in this case the 56 foot section described, 2) the aforementioned reason for the exception below, and 3) the proposed typical road section which in this case is the existing section.

In plan view, please show the right-of-way and both sides of the road. Within the right of way, the driveway is required to be paved with 2 inches of asphalt concrete over 6 inches of aggregate base.

2. The driveway(s) and garage(s) entrances shown is not acceptable. The driveway does not provide adequate room for vehicles to turn into garage(s). The County Design Criteria requires driveways to have a minimum of a 15 foot inside turning radius and a 25 foot outside turning radius.

3. Public Works recommend the existing street parking to be remained.

4. A Minimum of 20-foot distance is recommended for adjacent driveways.

5. The driveway must meet County of Santa Cruz standards in the Design Criteria. Please refer the correct figure and show in plan view. Please refer to the SC Design Criteria for references. Click for the link below: <http://www.dpw.co.santa-cruz.ca.us/DESIGNCRITERIA.pdf> =====

UPDATED ON AUGUST 11, 2009 BY ANWARBEG MIRZA

===== COMPLETE DISC. APP.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON APRIL 20, 2009 BY ANWARBEG MIRZA =====

Discretionary Comments - Continued

Project Planner: Annette Olson
Application No.: 09-0111
APN: 033-132-01

Date: November 3, 2009
Time: 10:12:34
Page: 6

NO COMMENT

===== UPDATED ON AUGUST 11, 2009 BY ANWARBEG MIRZA =====

Plans and details must be consistent in Building Application & Disc. App.



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

930 17th Avenue, Santa Cruz, CA 95062
phone (831) 479-6843 fax (831) 479-6847

Date: April 14, 2009
To: John Laing
Applicant: **Wayne Miller**
From: Tom Wiley
Subject: **09-0111**
Address: **4610 Opal Cliffs Dr.**
APN: 033-132-01
OCC: 3313201
Permit: 20090101

We have reviewed plans for the above subject project.

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

We have reviewed plans for the above subject project. District requirements appear to have been met.

Please ensure designer/architect reflects equivalent notes and requirements on velums as appropriate when submitting for **Application for Building Permit**.

Submit a check in the amount of \$115.00 for this particular plan check, made payable to Central Fire Protection District. A \$35.00 **Late Fee** may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. **INVOICE MAILED TO APPLICANT.** Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 479-6843 and leave a message, or email me at tomw@centralfpd.com. All other questions may be directed to Fire Prevention at (831)479-6843.

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.
3313201-041409

GROSS BUILDING AREA SUPPLIMENTAL APPLICATION SUBMITTAL REQUIREMENTS

The following floor area calculations help staff to process your application with more speed and efficiency. Please include the index on the cover sheet of your plans, and submit a separate set of calculations for each proposed and existing building.

BUILDING RESIDENCE (Indicate which building on the plot plan.)
EXISTING _____ PROPOSED X (Check One)

LOT COVERAGE CALCULATIONS

1. Zone District: R-1-5
2. Parcel Area: 15,420 sq. ft. _____ acres
3. [Area of Rights-of-way: NA] 3,833 sq. ft. → OVER BLUFF } PER MID COAST ENG.
SURVEY LETTER
8-09
4. Net Parcel Area (2 - 3): 11,587 sq. ft.
5. Coverage by Structures: 3,429 sq. ft.
(Total footprint of all structures over 18" in height.)
6. Percentage of Parcel Coverage (5/4 x 100): 29.7%

HEATED SPACE CALCULATION

1. Total Heated Space: 4,439 sq. ft.
2. Total Unheated Space: _____ sq. ft.

FLOOR AREA CALCULATIONS BY TYPE OF SPACE

NOTES	(e) = existing square footage (p) = proposed square footage
-------	--

See accompanying definitions for an explanation of each of the following categories. INCLUDE ONLY THOSE CATEGORIES THAT APPLY TO THE BUILDING.

1.	<u>BASEMENT/UNDERFLOOR</u> If any part of the basement or under floor is 7'6" or higher (& for under floor, there is an interior stair & flooring): <u>ALL CEILING LESS THAN 7'6"*</u> a. TOTAL BASEMENT/UNDERFLOOR AREA GREATER THAN 5' IN HEIGHT	<u>NA</u> Existing sq.ft.	<u>NA</u> Proposed sq.ft.	<u>NA</u> Total sq.ft.
2.	<u>FIRST FLOOR</u> a. Area w/ ceilings less than 16' in height b. Area w/ ceilings 16' - 24' (x2)	(e) <u>NA</u> (e) <u>17</u>	(p) <u>2305</u> (p) <u>INCL.</u>	

	c. Area w/ ceilings > 24' (x3)	(e) <u>NA</u>	(p) <u>NA</u>	
	d. TOTAL FIRST FLOOR AREA (a + b + c)	<u>NA</u> Existing sq.ft.	<u>NA</u> Proposed sq.ft.	<u>2305</u> Total Sq.Ft
3.	<u>SECOND FLOOR</u>			
	a. Area w/ ceilings less than 16' in height	(e) <u>NA</u>	(p) <u>2134</u>	
	b. Area w/ ceilings 16' - 24' (x2)	(e) <u>NA</u>	(p) <u>NA</u>	
	c. Area w/ ceilings > 24' (x3)	(e) <u>NA</u>	(p) <u>NA</u>	
	d. TOTAL SECOND FLOOR AREA (a + b + c)	<u>NA</u> Existing sq.ft.	<u>2134</u> Proposed sq.ft.	<u>2134</u> Total Sq.Ft
4.	<u>MEZZANINE</u>			
	a. TOTAL MEZZANINE AREA	<u>NA</u> Existing sq.ft.	<u>NA</u> Proposed sq.ft.	<u>NA</u> Total sq.ft.
5.	<u>ATTIC</u> If any part of the attic is 7'6" or higher:			
	a. TOTAL ATTIC AREA GREATER THAN 5' IN HEIGHT	<u>NA</u> Existing sq.ft.	<u>NA</u> Proposed sq.ft.	<u>NA</u> Total sq.ft.
6.	<u>GARAGE</u>			
	a. Total Garage Area	(e) <u>NA</u>	(p) <u>1067</u>	
	b. Credit	(e) <u>-225</u>	(p) <u>-225</u>	
	c. TOTAL GARAGE AREA (a - b)	<u>NA</u> Existing sq.ft.	<u>842</u> Proposed sq.ft.	<u>842</u> Total sq.ft.
7.	<u>TRELLIS AND ARBOR</u> If the trellis or arbor is solid:			
	a. TOTAL AREA UNDERNEATH TRELLIS OR ARBOR	<u>NA</u> Existing sq.ft.	<u>NA</u> Proposed sq.ft.	<u>NA</u> Total sq.ft.
8.	<u>UNENCLOSED, COVERED AREAS</u> If there are covered areas on more than one side of the building submit items a - d for each side on a separate sheet. The first 3' does not count.			
	a. Total area below eave, overhang, projection, or deck more than 7'6" in height	(e) <u>NA</u>	(p) <u>202</u>	
	b. Area of first 3' of eave or 140 sq.ft. whichever is larger	(e) <u>NA</u>	(p) <u>140</u>	
	c. Remaining area (a - b)	(e) <u>NA</u>	(p) <u>62</u>	

	<p>d. TOTAL COVERED AREA OF SIDE</p> <p>1) Use one of the following:</p> <p>a) If length of covered area exceeds 1/3 of the building length on that side: TOTAL COVERED AREA OF SIDE (enter c)</p> <p>OR</p> <p>b) If the length of covered area is less than 1/3 of the building length on that side: TOATAL COVERED AREA OF ALL SIDES (enter .50 x c)</p> <p>e. TOTAL COVERED AREA OF ALL SIDES (Enter sum of all sides)</p>	<p>NA</p> <p>Existing sq.ft.</p> <p>↓</p> <p>Existing sq.ft.</p> <p>✓</p> <p>Existing sq.ft.</p>	<p>62</p> <p>Proposed sq.ft.</p> <p>—</p> <p>Proposed sq.ft.</p> <p>62</p> <p>Proposed sq.ft.</p>	<p>62</p> <p>Total sq.ft.</p> <p>—</p> <p>Total sq.ft.</p> <p>62</p> <p>Total sq.ft.</p>
9.	TOTAL FLOOR AREA OF THE BUILDING (Sum of all of the categories above.)	<p>NA</p> <p>Existing sq.ft.</p>	<p>5,343</p> <p>Proposed sq.ft.</p>	<p>5,343</p> <p>Total sq.ft.</p>
10.	TOTAL FLOOR AREA OF ALL BUILDINGS (Sum of the floor area of all buildings.)	<p>NA</p> <p>Existing sq.ft.</p>	<p>5,343</p> <p>Proposed sq.ft.</p>	<p>5,343</p> <p>Total sq.ft.</p>
11.	FLOOR AREA RATIO CALCULATIONS: Proposed FAR: _____ % (net parcel area % proposed floor area from # 10 x 100)	<p>NA</p>	<p>46.1%</p>	<p>46.1%</p>
12.	LARGE DWELLING CALCULATIONS: Total proposed Floor Area _____ sq.ft. (Proposed floor area from # 10. minus barns and other agricultural buildings.)	<p>NA</p>	<p>5,343</p>	<p>5,343</p>

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV

**NOTICE OF PROPOSED PERMIT AMENDMENT**

Date: October 28, 2008
To: All Interested Parties
From: Dan Carl, Central Coast District Manager *DCarl*
Susan Craig, Coastal Planner *S.Craig*
Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-07-031
Applicants: Jennifer Krach, Michael Inglis, and John Laing

Original CDP Approval

CDP 3-07-031 was approved by the Coastal Commission on May 6, 2008, and provided for the removal of riprap and the construction of a two-foot wide stem wall along the toe of an existing concrete gravity seawall fronting three residential properties; excavation of a keyway and restacking of existing riprap adjacent to the upcoast end of the existing seawall; collection of all bluff-top drainage and directing it away from the bluff-top edge; removal of all drainage pipes that extend over the bluff-top or through the bluff edge, and; future seawall/revetment repair and maintenance, all located at the toe of the bluffs at Privates Beach along Opal Cliffs in the Live Oak beach area of Santa Cruz County.

Proposed CDP Amendment

CDP 3-07-031 would be amended to change Special Condition 2 regarding drainage to allow one drain line to continue to discharge at the seawall. The Commission's reference number for this proposed amendment is 3-07-031-A1.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

In moving forward with condition compliance, it became apparent that it is not technically feasible to implement all elements of the drainage plan as required by Special Condition 2. Specifically, it is not feasible to collect all bluff-top drainage and direct it away from the bluff-top edge nor is it feasible to remove all drainage pipes that extend over the bluff-top or through the bluff edge. This is due to the volumes of runoff, the grades and associated difficulty of directing the runoff uphill to the street, and the lack of public drainage infrastructure and capacity on Opal Cliff Drive. Recognizing these constraints, an alternative drainage plan has been developed to consolidate the drainage and camouflage the drainage components as much as possible. The proposed amendment will allow for the new drainage alternative to be implemented and will, over time, reduce the number of pipes extending seaward from five to one. Two of the pipes would be removed and drainage would be connected to the one remaining pipe upon redevelopment or significant reconstruction of rear yard/patio and/or overall residential development at 4640 Opal Cliff Drive. The proposed amendment includes camouflaging of drain piping through: 1) the use of earthen-tone colored plastic pipe; 2) screening the portion of pipe that extends along the terrace



NOTICE OF PROPOSED PERMIT AMENDMENT

3-07-031 (Krach, Inglis, Laing Shoreline Protection)

Proposed Amendment 3-07-031-A1

Page 2

deposit portion of the bluff face with appropriate drought-resistant native vegetation, and; 3) fixing the piping to the bedrock facing and covering the piping with shotcrete that is colored, textured, and sculpted to match the adjacent bedrock. These methods of camouflage will be maintained for the life of the project. The proposed drainage plan will result in visual enhancement by reducing the number of pipes that extend over the bluff-top or through the bluff edge, and by camouflaging remaining piping that extends through these areas. In sum, the proposed amendment will enhance visual resources along this portion of coastline consistent with the Commission's original coastal development permit approval, as well as consistent with the Coastal Act and the certified Santa Cruz County Local Coastal Program.

Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Wednesday, November 12, 2008, in Long Beach. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

If you have any questions about the proposal or wish to register an objection, please contact Susan Craig in the Central Coast District office.



CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV

RECEIVED

DEC 09 2008

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

**COASTAL DEVELOPMENT PERMIT AMENDMENT****Coastal Development Permit (CDP) Number: 3-07-031****Amendment Number: 3-07-031-A1****Permittees: Jennifer Krach, Michael Inglis, and John Laing****Amendment Issue Date: November 12, 2008****Original CDP Approval**

CDP 3-07-031 was approved by the Coastal Commission on May 6, 2008, and provided for the removal of riprap and the construction of a two-foot wide stem wall along the toe of an existing concrete gravity seawall fronting three residential properties; excavation of a keyway and restacking of existing riprap adjacent to the up coast end of the existing seawall; collection of all bluff-top drainage and directing it away from the bluff-top edge; removal of all drainage pipes that extend over the bluff-top or through the bluff edge, and; future seawall/revetment repair and maintenance, all located at the toe of the bluffs at Privates Beach along Opal Cliffs in the Live Oak beach area of Santa Cruz County.

CDP Amendment

CDP 3-07-031 has been amended to change Special Condition 2 regarding drainage to allow one drain line to continue to discharge at the seawall.

Coastal Commission Concurrence

This amendment was determined by the Executive Director to be immaterial, was duly noticed, and no objections were received and/or the Commission concurred with the Executive Director's determination of immateriality. This amendment will become effective upon return of a signed copy of this form to the Central Coast District Office. Please note that the CDP terms and conditions, including as modified by this amendment and/or previous amendments if applicable, remain in effect.

Authorized by Dan Carl, Central Coast District Manager

Acknowledgment

I/We have read and understand the above and agree to be bound by the terms and conditions of CDP 3-07-013 as amended.

Signature of Permittee (Jennifer Krach)

Nov 26, 08
Date



California Coastal Comm.
49166

EXHIBIT F

CDP 3-07-031
Amendment Number 3-07-031-A1
Page 2

Michael J. Ogilvie

Signature of Permittee (Michael Ogilvie)

11-28-08

Date

Signature of Permittee (John Laing)



California Coastal Commission
50166

EXHIBIT E

CDP 3-07-031
Amendment Number 3-07-031-A1
Page 2

Signature of Permittee (Michael Inglis)

Date

John C. Laing

12-5-08

Signature of Permittee (John Laing)



California Coastal Commission

51/66

EXHIBIT F



Mid Coast Engineers

Civil Engineers and Land Surveyors

70 Penny Lane, Suite A - Watsonville, CA 95076

Phone: (831) 724-2580

Fax: (831) 724-8025

e-mail: lee@midcoastengineers.com

Richard A. Wadsworth
Civil Engineer

Stanley O. Nielsen
Land Surveyor

Lee D. Vaage
Land Surveyor

Jeff S. Nielsen
Land Surveyor

September 1, 2009

Wayne Miller
P. O. Box 1929
Freedom, CA 95019

Re: Laing; 4610 Opal Cliffs Drive, Santa Cruz, California; APN 033-132-01

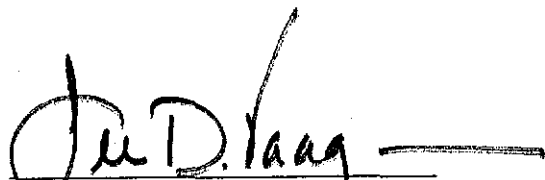
Dear Mr. Miller,

As you requested, we computed the generally "flat" area of the referenced parcel, i.e., the area from the top of bank on the seaward side to the property line at Opal Cliffs Drive. We calculated this area based on the boundary and topographic survey we completed in May 2005, using our map entitled "Topographic Survey for John Laing" dated May 25, 2005, Job No. 05106. I have attached a reduced scale copy of this map.

We found this area to be **11,587 +/- square feet**. We also calculated the gross area of the entire parcel based on our survey and record data, which we found to be **15,420 +/- square feet**.

Please let me know if you have any questions or need additional information.

Yours truly,


Lee D. Vaage L. S. 5029



Project No. SC8352
14 July 2009

JOHN LAING
14385 Chester Avenue
Saratoga, California 95070

Subject: Geotechnical Update and Supplemental Design Criteria

Reference: Proposed Residence Reconstruction
4610 Opal Cliff Drive
APN 033-132-01
Santa Cruz County, California

Dear Mr. Laing:

This letter is written to: update our Geotechnical Investigation of the referenced parcel dated 21 November 2005 in order to provide conformance of our soils report to the 2007 California Building Code (CBC), adopted 1 January 2008; as well as to provide supplemental geotechnical design criteria specific to the reconstruction of Laing residence with a proposed basement underlying the southern corner of the new residence.

Also subsequent to our 2005 geotechnical report, the bluff toe seawall at the referenced parcel has been repaired. As a seawall repair permit condition, an engineered bluff top drainage system incorporating the three residences at 4610, 4630 and 4640 Opal Cliff Drive has been installed. Collected storm runoff from the seaward or rear portion of the reconstructed Laing residence will be directed to the new bluff top drainage system.

Our update geotechnical design criterion is as follows:

2007 California Building Code (CBC) Site Class

In accordance with Section 1613.5.2 of the 2007 California Building Code (CBC), the project site should be classified as Site Class D.

Supplemental Geotechnical Design Criteria – Proposed Basement

A basement is proposed for the southern corner of the reconstructed Laing residence. The primary geotechnical considerations for the proposed basement include:

- Minimizing the potential for differential settlement between the basement foundation supported portion of the residence and the at-grade portion of the residence;
- Design of the basement retaining walls to accommodate seismic surcharge loading, buoyant soil weight active earth pressures and a full

Mr. John Laing
Project No. SC8352
4610 Opal Cliff Drive
14 July 2009
Page 2

hydrostatic head;

- Minimizing the potential for moisture intrusion into the basement; and
- Control of project site drainage, including a drainage system underlying the proposed basement slab-on-grade.

As outlined in our 2005 soils report, we recommend all soils disturbed during the demolition of the existing Laing residence be redensified to at least 90 percent relative compaction or replaced with engineered fill as site moisture conditions allow. The upper 12 inches of subgrade soils supporting slabs-on-grade or pavement sections should be compacted to at least 95 percent relative compaction. New footing elements should be embedded at least 24 inches below grade. To minimize the potential for moisture intrusion from the seasonal shallow perched groundwater into the reconstructed residence through at-grade, interior concrete slabs, we recommend:

- Concrete additives should be added to reduce the permeability of the cured concrete; and
- If possible from an architectural perspective, raise the finish floor levels above the adjacent surface grades of the near level project site with the base of the capillary break at or above the adjacent surface grades.

A basement is proposed for the southern portion of the residence. It will not be possible to drain the basement excavation by gravity flow to either the bluff face or to the street drain system. To minimize the potential for moisture intrusion into the basement, we recommend:

- Concrete additives should be added to reduce the permeability of the cured concrete;
- The capillary break underlying the basement slab-on-grade should be at least 12 inches thick;
- A perforated pipe with manifold system should be incorporated into the basement slab-on-grade capillary break with the manifold connected to a sump pump reservoir. The sump pump system would convey collected seepage to either the street drain or the blufftop drainage system; and
- If possible from a construction perspective, the basement floor slab and at least the lower portion of the basement walls should be poured monolithically.

The void space between the basement walls and the excavation sidewalls should be backfilled with compacted Caltrans Permeable Material Class 1, Type A (Caltrans Specification 68 -1.025) or an approved equivalent. A perforated pipe should be placed holes down along the base of the basement wall backdrain system to convey collected seepage to the sump pump reservoir. The graded

Mr. John Laing
Project No. SC8352
4610 Opal Cliff Drive
14 July 2009
Page 3

gravel backfill should be placed in 12 inch maximum lifts and mechanically compacted with a vibratory plate. The gravel backfill should extend to at least 1 foot below finish subgrade, covered with 6 mil plastic sheeting and capped with engineered fill compacted to at least 90 percent relative compaction.

The basement retaining walls should be designed to accommodate seismic surcharge loading, buoyant soil weight active earth pressures and a full hydrostatic head as follows:

- Seismic surcharge equivalent to 18 H/ft acting at 0.6 H where H is the height of the active zone;
- For undrained, restrained type retaining walls (rectangular loading condition) active earth pressure = 53 psf · H (ft); and
- For undrained, cantilever type retaining walls (at-rest, triangular loading condition) active earth pressure = 91pcf efw.

Basement conventional spread footings may be founded directly upon the cut native soils within the basement excavation, about 11 feet below grade. Basement foundations may be designed for an allowable soil bearing pressure of 2,000 psf plus a one-third short term increase for dead plus live loads. Basement footing widths and depths should be determined in accordance with anticipated use and applicable design standards. The footings should be reinforced as required by the structural designer based on the actual loads transmitted to the foundation. Lateral load resistance for the basement footings may be developed in friction between the foundation bottoms and the supporting subgrade. A friction coefficient of 0.35 is considered applicable.

If you have any questions concerning this letter or the geotechnical aspects of the project, please call our office.

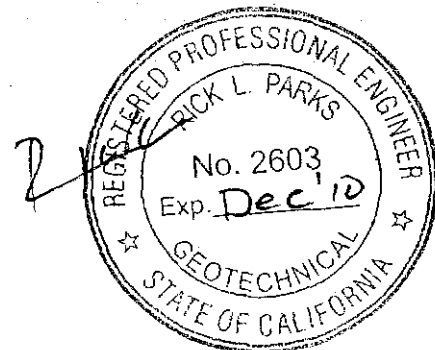
Respectfully Submitted,

HARO, KASUNICH AND ASSOCIATES, INC

Rick L. Parks
GE 2603

RLP/rlp
Copies:

2 to Addressee
4 to Wayne Miller
1 to Rogers E. Johnson & Associates
Attn: Greg Easton, CEG



Project No. SC8352
1 September 2009

JOHN LAING
14385 Chester Avenue
Saratoga, California 95070

Subject: Geotechnical Review of Conceptual Architectural Plans

Reference: Proposed Residence Reconstruction
4610 Opal Cliff Drive
APN 033-132-01
Santa Cruz County, California

Dear Mr. Laing:

This letter outlines our review of the geotechnical aspects of the project conceptual architectural plans for the reconstruction of the Laing residence at 4610 Opal Cliff Drive in Santa Cruz County, California. Our Geotechnical Investigation for the project is dated 21 November 2005. We have also prepared a Geotechnical Update and Supplemental Design Criteria letter report dated 14 July 2009.

The conceptual architectural plan sheets were prepared by Wayne Miller and are dated 23 July 2009. Specifically, we reviewed the following plan sheets:

- a. Sheet 1 – Proposed Site Plan;
- b. Sheet 2 – Proposed Drainage Plan; and
- c. Sheet 4 - Proposed Lower Floor Plan.

Sheet 2, the Proposed Drainage Plan shows storm runoff being conveyed into the recently completed blufftop drainage system as well as to the street drain system. The blufftop drainage system was designed by our firm in conjunction with Bowman Williams, civil engineers.

Sheet 4, the Proposed Lower Floor Plan shows a basement underlying the southern corner of the new residence. Our Geotechnical Update and Supplemental Design Criteria letter report dated 14 July 2009 outlines design criteria for the basement construction and drainage.

It is our opinion the aforementioned conceptual architectural plan sheets have been prepared in general conformance to our geotechnical recommendations.

EXHIBIT F

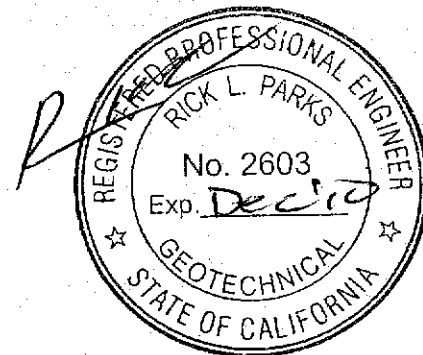
Mr. John Lang
Project No. SC8352
4610 Opal Cliff Drive
1 September 2009
Page 2

If you have any questions regarding this letter or the geotechnical aspects of the project, please call our office.

Respectfully Submitted,

HARO, KASUNICH AND ASSOCIATES, INC

Rick L. Parks
G.E. 2603



RLP/sq

Copies: 1 to Addressee
3 to Wayne Miller

EXHIBIT C

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

14 July 2009

Job No. C05016-55

Mr. Wayne Miller
Wayne Miller, Designer
P.O. Box 1929
Freedom, California 95019

Subject: Preliminary Plan Review - Laing Residence
4610 Opal Cliff Drive
Capitola, California
Santa Cruz County APN 033-132-01

Dear Mr. Miller:

At your request we have reviewed the plans prepared by you for a proposed new residence at the Laing property. Specifically, we reviewed Sheet 1, dated 7 May 2009, for conformance with our geologic investigation (Johnson, 2005) with regard to the 100 Year Blufftop Setback. We have also visited the above-referenced property to examine the configuration of the blufftop.

The proposed residence as shown on Sheet 1 is situated behind the setback line stipulated in our report.

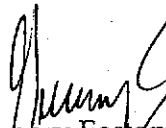
During our site visit on 9 July 2009 we saw no appreciable change in the position of the blufftop since our 2005 report.

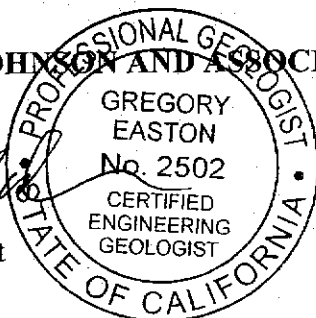
During the 2008/09 winter we observed the repair of the seawall fronting the subject bluff and the restacking of the rip-rap revetment which fronts the upcoast parcel's bluff. The repairs were performed to design and will increase the longevity of the bluff protection structures.

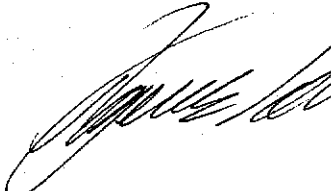
Please call if you have questions.

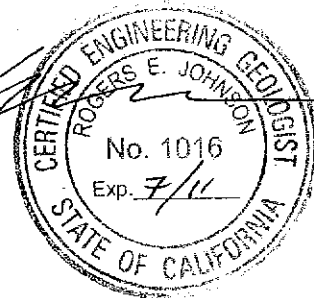
Sincerely,

ROGERS E. JOHNSON AND ASSOCIATES


Gregory Easton
Project Geologist
C.E.G. No. 2502




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



copies:

Addressee (4)
John and Liz Laing (1)
Haro, Kasunich and Associates; attn: Rick Parks (1)
Charlene Attack (1)

references:

Rogers E. Johnson and Associates, Geologic Investigation, Laing Property, 4610 Opal Cliff Drive, Santa Cruz County, APN 033-132-01, unpublished consultants report, prepared 12 July 2005, Job No. C05016-55.

Wayne Miller, Designer, 2009, Site Plan, Liz and John Laing, 4610 Opal Cliffs Drive, Santa Cruz, CA., Sheet 1, dated 5/7/09.

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

28 August 2009

Job No. C05016-55

Mr. Wayne Miller
Wayne Miller, Designer
P.O. Box 1929
Freedom, California 95019

Subject: Drainage Plan Review - Laing Residence
4610 Opal Cliff Drive
Capitola, California
Santa Cruz County APN 033-132-01

Dear Mr. Miller:

At your request and as required by the Santa Cruz County Planning Department we have reviewed the drainage plans prepared by your firm and by Haro, Kasunich and Associates, the project coastal engineers, for the proposed new residence on the Laing property.

Runoff, from the front and a portion of the rear of the proposed residence will be discharged either directly or indirectly into the existing asphalt swale along Opal Cliff Drive. The majority of runoff from the rear portion of the proposed residence and backyard area will be collected by drop inlets and conveyed via impermeable pipe to the top of the existing seawall at the base of the bluff.

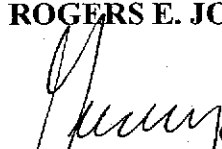
A low, compacted earth berm constructed along the top of the bluff will prevent runoff from flowing over the edge of the blufftop.

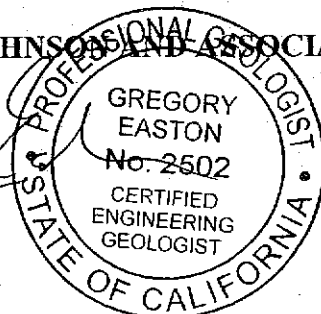
The proposed drainage plans conform to the recommendations of our report (REJA, 2005).

Please call if you have questions.

Sincerely,

ROGERS E. JOHNSON & ASSOCIATES


Gregory Easton
Project Geologist
C.E.G. No. 2502



Rogers E. Johnson
Principal Geologist
C.E.G. No. 1016
61 / 66

EXHIBIT F

copies:

Addressee (4)

John and Liz Laing (1)

Haro, Kasunich and Associates; attn: Rick Parks (1)

Charlene Attack (1)

references:

Haro, Kasunich and Associates, 2008, Blufftop Drainpipe Consolidation Plan, Seawall Repair Project, 4610, 4630, 4640 Opal Cliffs Drive, Capitola, Santa Cruz County, California, Sheet 1 of 1, dated 24 October 2008, Job No. SC8352, Scale 1"=10'.

Rogers E. Johnson and Associates, Geologic Investigation, Laing Property, 4610 Opal Cliff Drive, Santa Cruz County, APN 033-132-01, unpublished consultants report, prepared 12 July 2005, Job No. C05016-55.

Wayne Miller, Designer, 2009, Proposed Drainage Plan, Liz and John Laing, 4610 Opal Cliffs Drive, Santa Cruz, CA., Sheet 2, dated 7/23/09, Scale 1"=8'.

I have reviewed the plans for the new Laing house at 4610 Opal Cliff Drive and think that it will be a good addition to the neighborhood.

Name HUGH FORREST
HFF

Address 4635 OPAL CLIFF DR

Date 6/19/09

I have reviewed the plans for the new Laing house at 4610 Opal
Cliff Drive and think that it will be a good addition to the
neighborhood.

Name *MARK WOODWARD*

Address *4625 OPAL CLIFF*
SANTA CRUZ

Date *6-18-09*

I have reviewed the plans for the new Laing house at 4610 Opal Cliff Drive and think that it will be a good addition to the neighborhood.

A handwritten signature in cursive script, appearing to read "Michael N. Inglis".

Name MICHAEL N. INGLIS

Address 4630 OPAL CLIFF DRIVE
SANTA CRUZ, CA 95062

Date 06-16-09

I have reviewed the plans for the new Laing house at 4610 Opal Cliff Drive and think that it will be a good addition to the neighborhood.

Name *Jennifer S Krach*
JENNIFER S. KRACH

Address *4640 OPAL CLIFF DR*

Date *6/22/09*