



Staff Report to the Zoning Administrator

Application Number: **10-0183**

Applicant: Dan Townsend

Owner: Bryan McCleve

APN: 044-142-51

Agenda Date: November 5, 2010

Agenda Item #: 4

Time: After 10:00 a.m.

Project Description: Proposal to construct a 1,158 square foot second story addition at an existing single-family dwelling (no change in impervious coverage).

Location: Property located on the north side of vista Del Mar Drive, about 750 feet northwest of the intersection from Cuesta Drive (629 Vista Del Mar Dr.)

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

Permits Required: Coastal Development Permit, Residential Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 10-0183, 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:	11,370 square feet
Existing Land Use - Parcel:	Single-family residential
Existing Land Use - Surrounding:	Single-family residential
Project Access:	Vista Del Mar Drive, County-maintained road
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Density Residential)
Zone District:	R-1-10-SP (Single-family residential, 10,000 square foot

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

net site area, Salamander Protection Zone Overlay)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. Yes X No

Environmental Information

Geologic Hazards: Slope failure occurred at the rear of the parcel in 2007 affecting the downhill property. A retaining wall was constructed in 2008 to provide protection for the downhill properties from future slope failure. Proposed development is not in the vicinity of the failure and will not contribute to any future drainage or other problems that would exacerbate the slope stability.

Soils: 136- Elkhorn-Pfeiffer complex, 30-50% slopes

Fire Hazard: Not a mapped constraint

Slopes: Building pad 0-15%, slopes exceed 50% to the northeast of the lot

Env. Sen. Habitat: Mapped Santa Cruz long-toed salamander habitat; see staff report for analysis

Grading: No grading proposed

Tree Removal: No trees proposed to be removed

Scenic: Not a mapped resource

Drainage: Existing drainage adequate; no increase in impervious surface proposed.

Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: X Inside Outside

Water Supply: Soquel Creek Water District

Sewage Disposal: Santa Cruz County Sanitation

Fire District: Aptos-La Selva fire Protection District

Drainage District: Zone 6

History

The subject parcel is occupied by a single-family dwelling that, according to the County Assessor's records, was built in 1953. Subsequent building permits have been issued for the construction of a deck and several retaining walls to the northeast of the dwelling.

In 2006, following a severe rainstorm, a landslide occurred at the northeast and side of the property and impacted the adjacent downslope parcel (APN 044-152-23). The landslide damaged a retaining wall system located between the properties and resulted in the need for a series of replacement retaining walls of 4 to 6 feet in height to be constructed.

Construction of the replacement retaining walls was completed under Building Permit 147912, which was finalized in 2007.

Project Setting

The subject parcel is about 12,325 square feet in area and is developed with a 1,878 square foot single-story dwelling, attached garage and about 350 square feet of uncovered, pervious deck. The existing residence is non-conforming with respect to both side yards, encroaching about 3'-4" and 5'-0" into the west and east side yards, respectively. The residence is located adjacent to a steep slope discussed previously. The developed portion of the lot is characterized by slopes of 10-20%. The property is located in the Aptos Planning Area. The neighborhood is developed with single-family dwellings. Access to the site is via Vista Del Mar Drive, a county-maintained road.

The applicant proposes to construct a second-story 1,158 square foot addition and an uncovered pervious deck of about 196 square feet. No grading is proposed and there will be no additional impervious surface added to existing development. No structural alteration or additional square footage is proposed to occur in either side yard setback.

Extensive non-structural exterior remodel work is also proposed and includes covering the existing T-111 siding with reclaimed wood siding and cement plaster. It should be noted that the east non-conforming wall is proposed to receive new wood siding. While the new siding does extend laterally (north and south) beyond the existing wall, the new siding represents a significant improvement in terms of the physical appearance and impact of this elevation to the neighbor to the east. The siding is not structural and adds only a minor degree of wall thickness; therefore staff feels that this portion of the proposed development does not warrant a variance.

Zoning & General Plan Consistency

The subject property is located in the R-1-10-SP (Single-family residential, 10,000 square foot net site area, Salamander Protection Zone Overlay) zone district, a designation which allows residential uses. The proposed residential is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

The regulations governing the Salamander Protection Zone Overlay require that impervious surface not exceed 10% of the area of the lot. In the case of the subject site, the existing development exceeds 15%, however the proposed development consists of a second story addition and an uncovered, cantilevered deck with metal grating. Therefore the new development would not add any impervious surface to the existing.

SITE STANDARDS TABLE

	R-1-10-SP Site Standards	Existing Residence	Proposed Addition
Front Yard Setback	20'	33'	43'
Side Yard Setbacks	10 & 10'	6'8" & 5' (non-conforming)	10' & 33.5'
Rear Yard Setback	15'	30'	30'
Lot Coverage	40%	16%	No Change
Floor Area Ratio	50%	19%	28%
Building Height	28'	19.5'	28'
Impervious Surface (SP Zone District)	10%	25.5%	No Change

Local Coastal Program Consistency

The proposed residential addition is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Geologic Hazards

As stated previously, a landslide at the northeast portion of the property occurred in 2006 and resulted in the construction of a series of retaining walls to shore up the scarp left by the slope failure. The proposed development was reviewed by the County Geologist in order to determine whether additional geologic studies would be necessary to evaluate the impact of the new development. Because the addition and deck do not entail any grading or the addition of any impervious surfacing, no changes to the existing drainage patterns are expected and no impact to the steep slope are anticipated. Therefore no additional geological reports or assessments were required in conjunction with the proposed residential addition.

Residential Development Permit

The existing dwelling, constructed in 1953, is non-conforming with respect to the side setbacks. Because the proposed residential addition exceeds 800 square feet in area, a Residential Development Permit is required in addition to a Coastal Development Permit. In this instance the second story addition is proposed above the western portion of the existing dwelling and does not exacerbate any existing encroachment.

Salamander Protection

As stated previously the parcel is governed by the 'SP' or Salamander Protection overlay because of the proximity of the site to known Santa Cruz long-toed salamander breeding ponds. The County Sensitive Habitat Ordinance limits new development in the SP zone by restricting the amount of impervious surfacing allowed. This proposal does not include any new impervious coverage. In addition, a condition of approval has been included to limit the areas of staging and/or construction material storage to be limited to the driveway and other existing paved, impervious surfaces.

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.

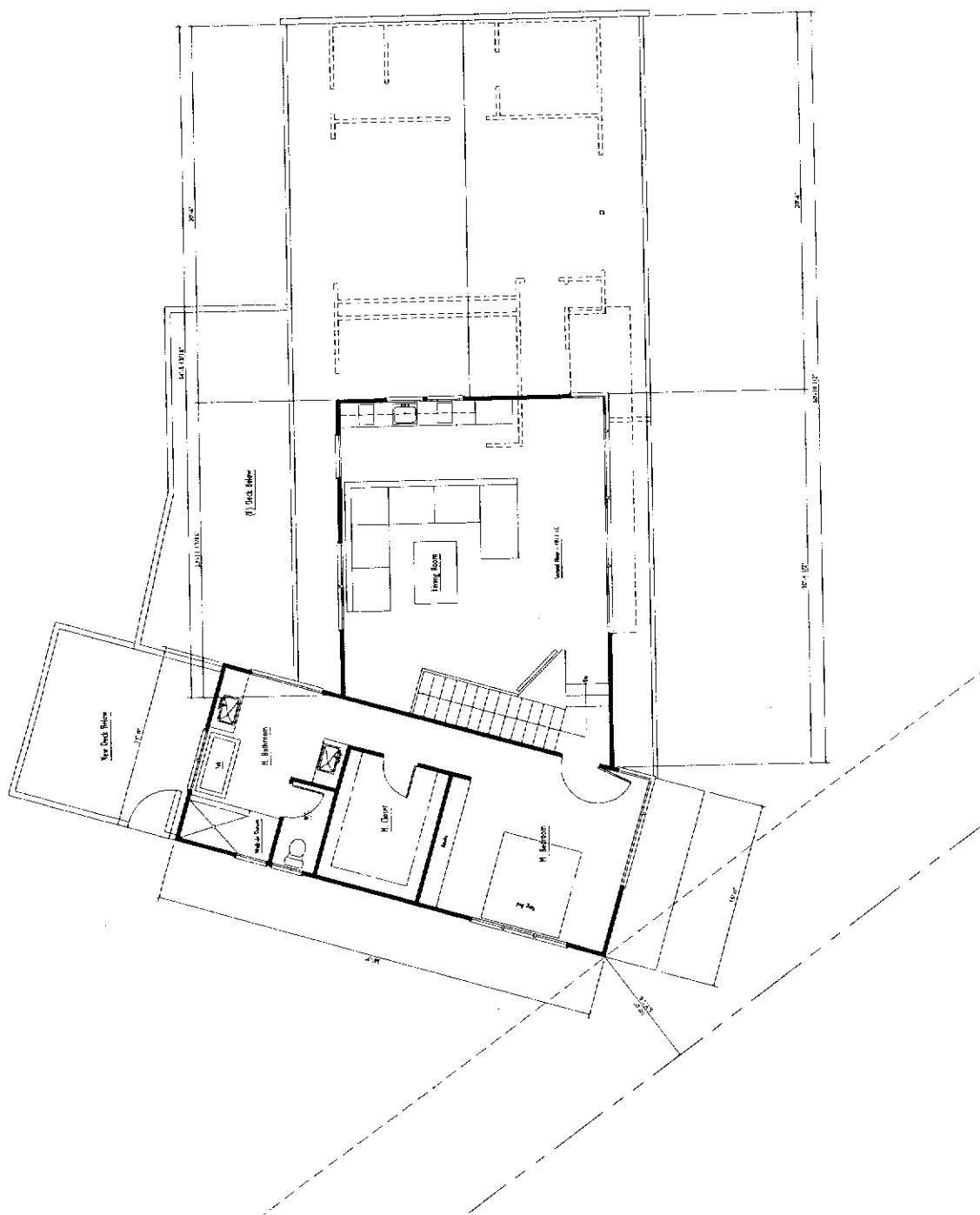
Staff Recommendation

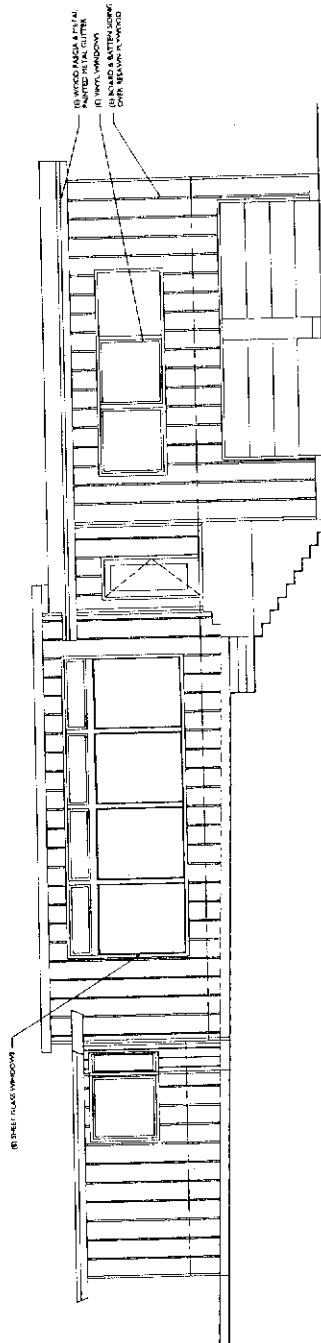
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **10-0183**, based on the attached findings and conditions.

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.

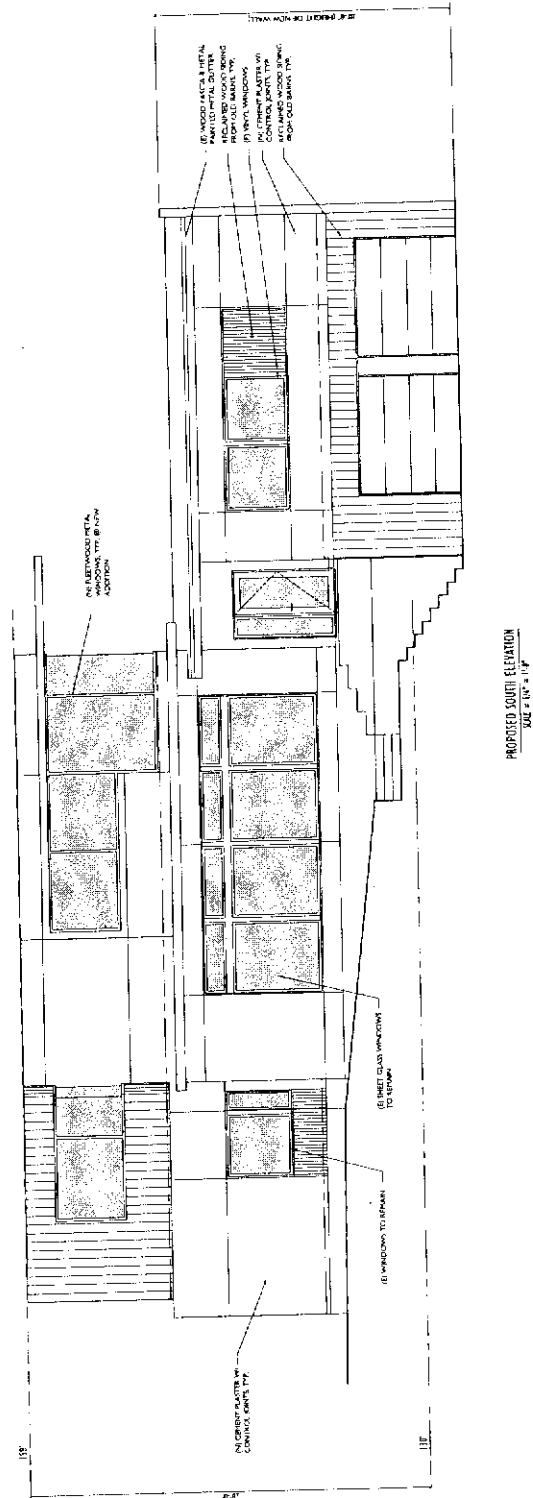
The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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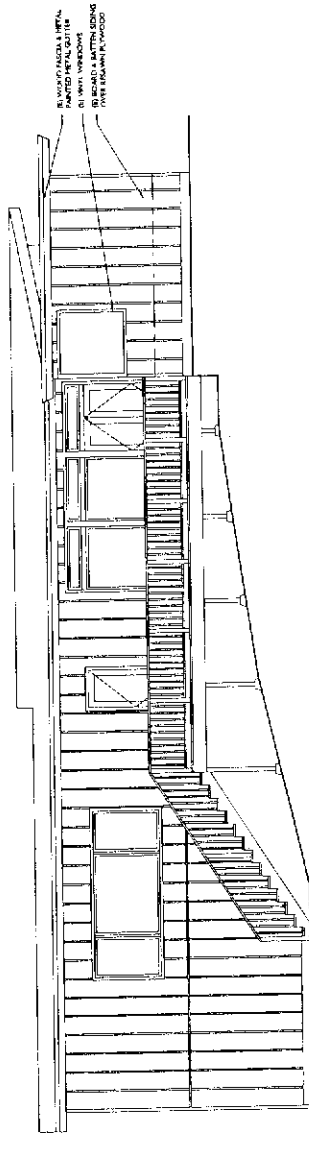


EXISTING SOUTH ELEVATION

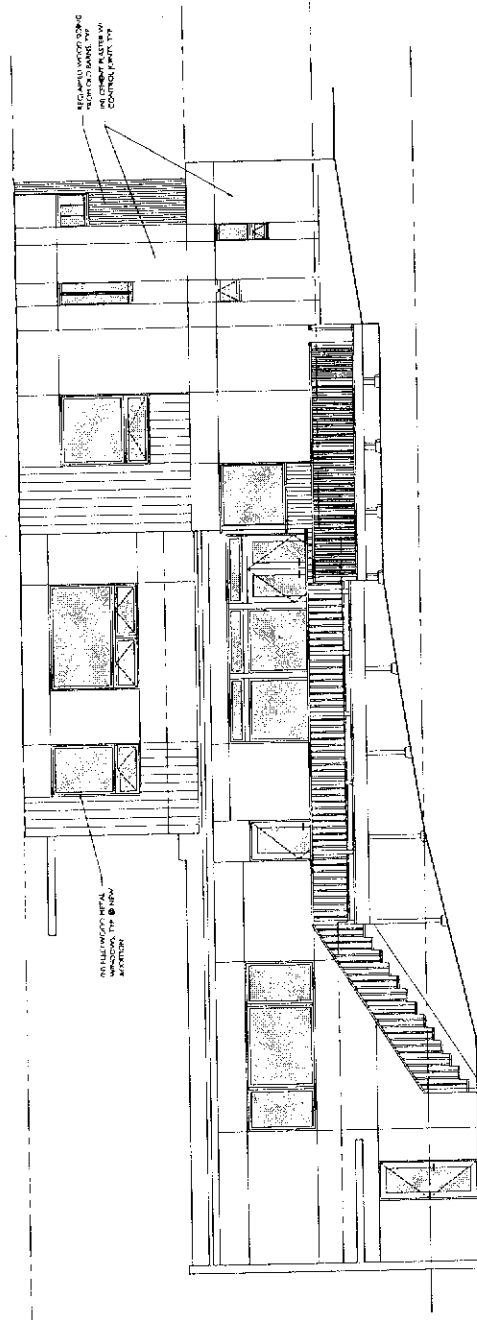


PROPOSED SOUTH ELEVATION
SCALE = 1/4" = 1'-0"

		PROPOSED ELEVATIONS DATE: 12.20.2019		A3.2
McCLEVE RESIDENCE 4200 GARDEN ST LOS ANGELES, CA 90008		THESE DRAWINGS AND THE DESIGN REVISIONS AND SPECIFICATIONS DESCRIBED HEREIN ARE THE EXCLUSIVE PROPERTY OF PACE ARCHITECTS, INC. AND SHALL NOT BE REPRODUCED, COPIED, OR DISCLOSED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF PACE ARCHITECTS, INC. - ALL COPYRIGHTS AND PROPRIETARY RIGHTS ARE EXPRESSLY RESERVED.		



EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

PROPOSED SECTION

Scale: 1/8" = 1'-0"

A3.3

McCLEVE RESIDENCE

APR 04-14-51

803 WEST DEL MAR APTOS CA 92036

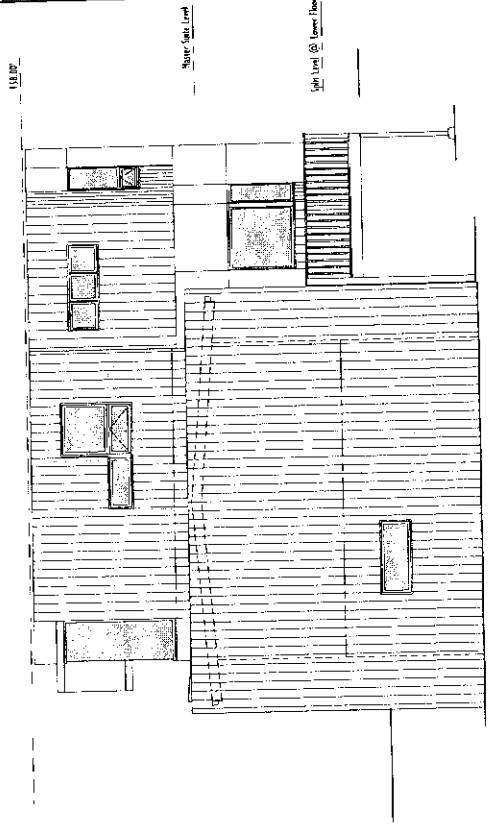
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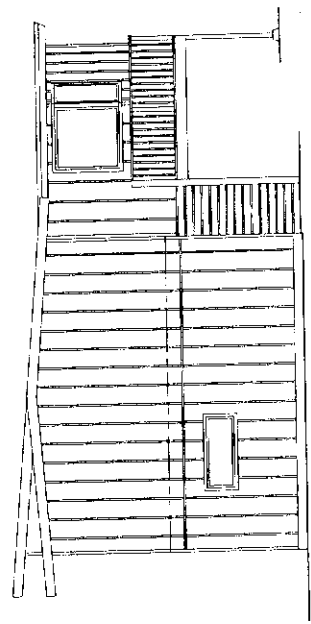
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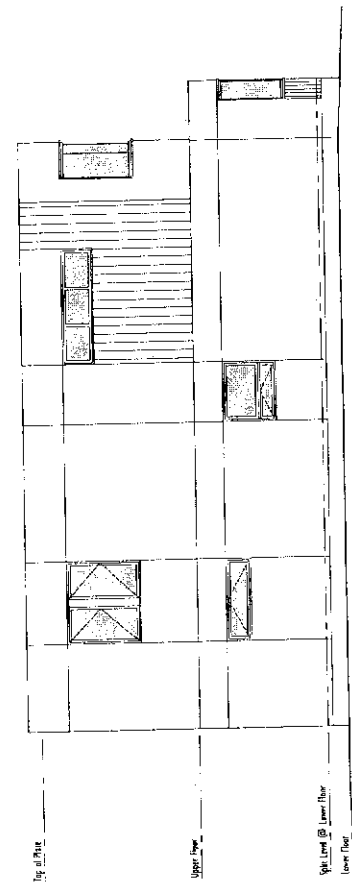
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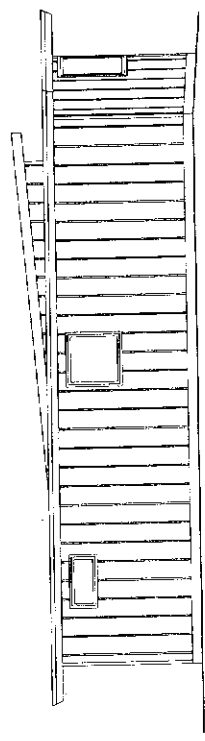
PROPOSED EAST ELEVATION
SCALE = 1/8" = 1'-0"



EXISTING EAST ELEVATION
SCALE = 1/8" = 1'-0"

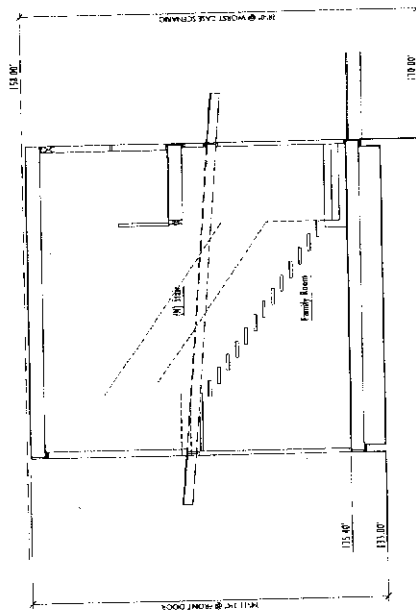


PROPOSED WEST ELEVATION
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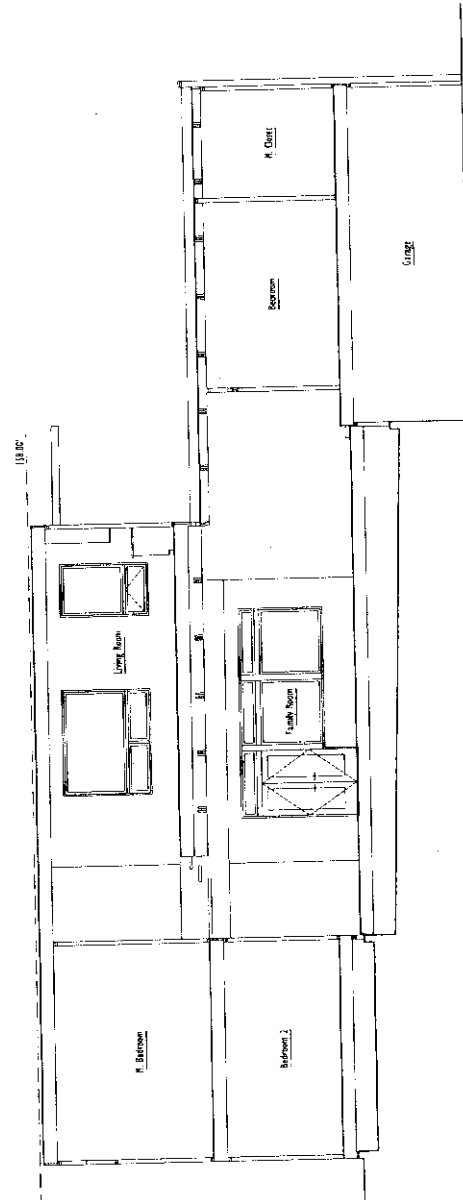


EXISTING WEST ELEVATION
SCALE = 1/8" = 1'-0"

		McCLEVE RESIDENCE 628 W. 7th St. Apt. 101, Los Angeles, CA 90017 310-444-1421		PROPOSED SECTION DATE: 12/20/16		A3.4	
<small>THESE DRAWINGS AND THE DESIGN, CALCULATIONS AND SPECIFICATIONS DERIVED THEREFROM ARE THE EXCLUSIVE PROPERTY OF D.L.W. ENGINEERING, INC. AND SHALL NOT BE REPRODUCED, COPIED, OR OTHERWISE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF D.L.W. ENGINEERING, INC. ALL COPYRIGHTS AND PROPRIETARY RIGHTS ARE EXPRESSLY RESERVED.</small>							

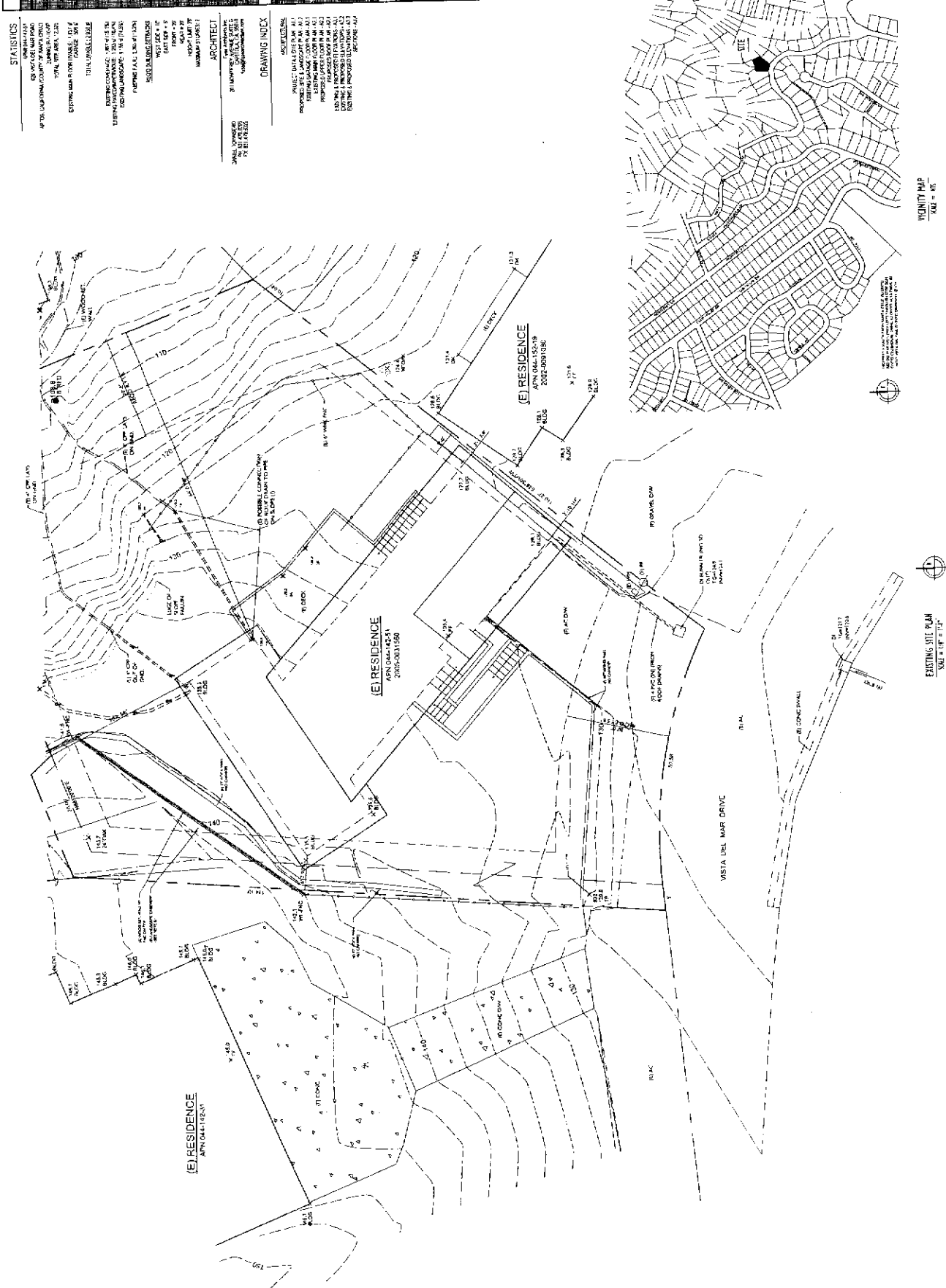


EXISTING SECTION
SCALE: 1/8" = 1'-0"

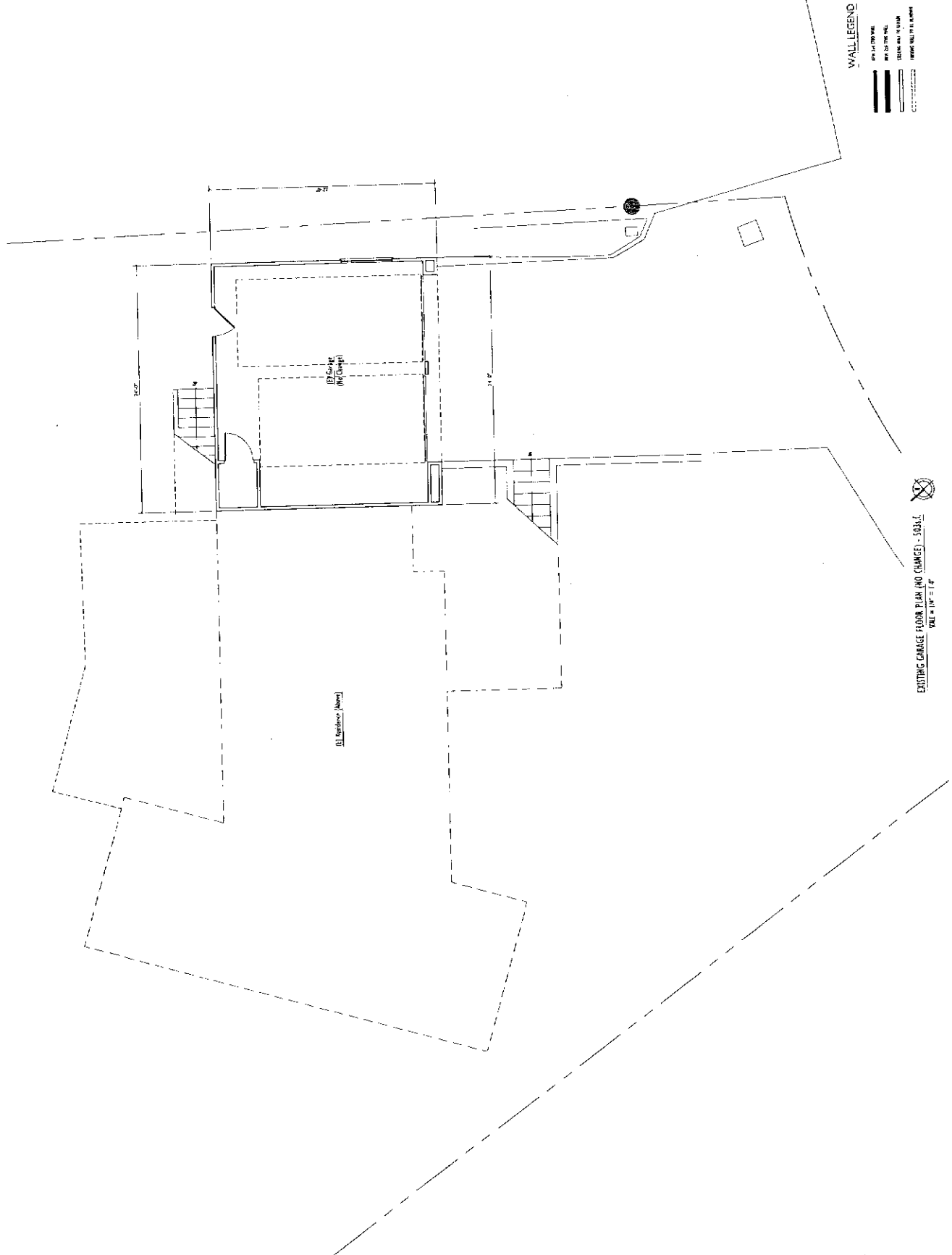


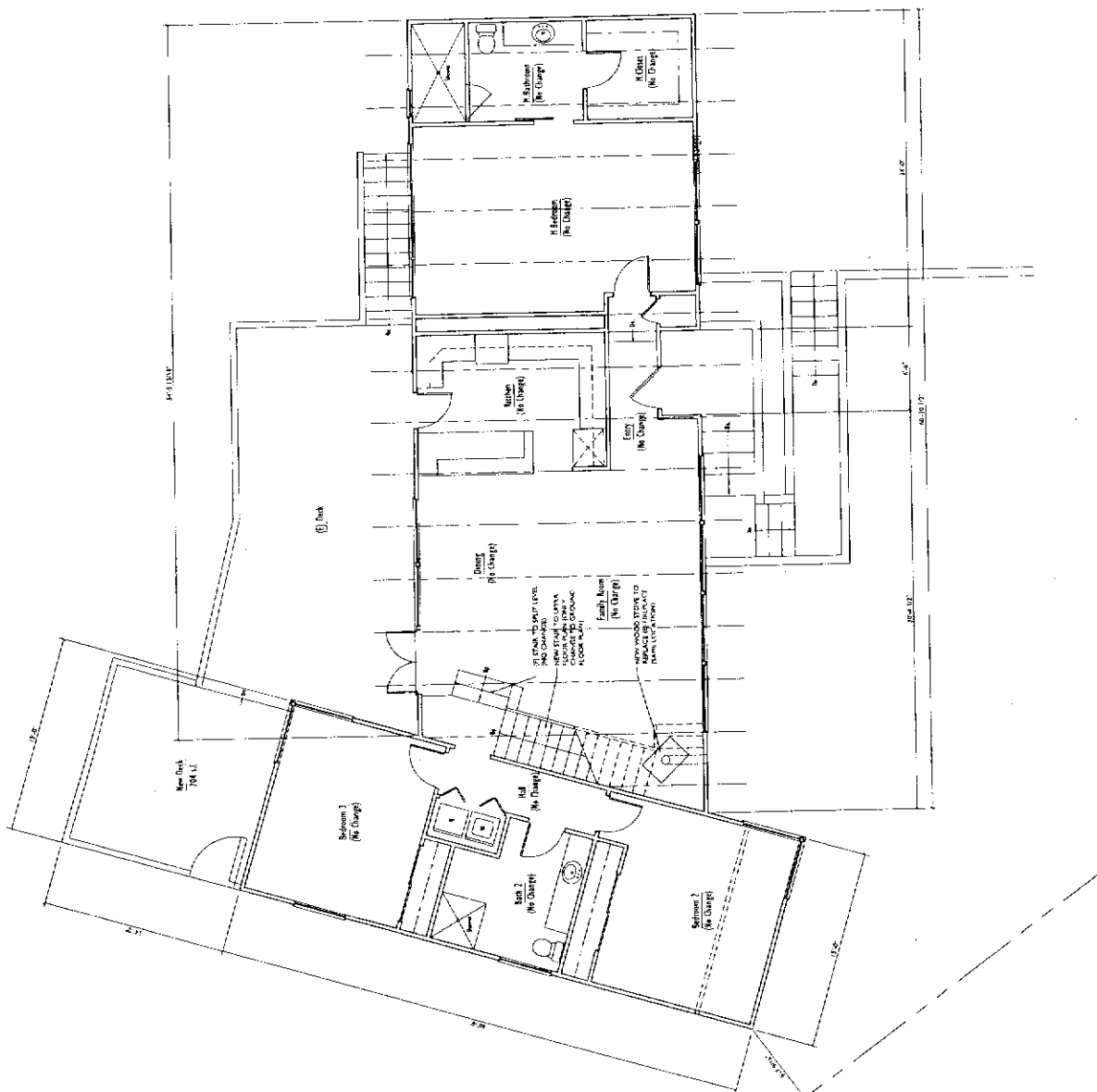
PROPOSED SECTION 'B'
SCALE: 1/8" = 1'-0"

A1.1 COVER SHEET, PROJECT DATA & SITE PLAN		THESE DRAWINGS AND THE DESIGN HEREON ARE THE PROPERTY OF THE ARCHITECT, AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. ALL RIGHTS ARE RESERVED.	
McCLEVE RESIDENCE APN 044-142-51 200-0011580		200-0011580 200-0011580	
200-0011580 200-0011580		200-0011580 200-0011580	









Coastal Development Permit Findings

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

This finding can be made, in that the property is zoned R-1-10-SP (Single-family residential, 10,000 square foot net site area, Salamander Protection Zone Overlay), a designation which allows residential uses. The proposed residential addition is a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation. The proposed residential addition and pervious decking complies with all provisions required by the 'SP' overlay in that no new impervious surfacing is proposed. The deck will be constructed of metal grating so that light, air and rain will continue to pass through to the surface below.

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 proposed addition 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 not on a prominent ridge, beach, or bluff top. The existing T-111 siding will be covered with new wood siding and cement plaster providing an updated look and smooth transition between new and old construction.

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

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the residential 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 residential addition 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-1-10-SP (Single-family residential, 10,000 square foot net site area, Salamander Protection Zone Overlay) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain one and two-story single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The residential addition will conform to all residential site standards for the R-1-10-SP zone district and the addition has been designed to complement the existing residence on the site. New cladding materials are proposed which will provide an updated look, while retaining the modern design of the existing dwelling.

Residential 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 residential addition is located in an area designated for residential uses and, while the parcel does contain steep slopes which constitute physical constraints to development, the proposed addition is located above an existing structure and will not alter the drainage patterns that exist on the site. Additionally, the slope has been stabilized with the recent (2007) construction of a retaining wall system, which has been reviewed and approved by the County Geologist. New 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 addition will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the addition meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

While the non-conforming wall would receive new wood siding to cover the existing T-111, the new material does not represent an appreciable increase in thickness, is not structural in nature, and creates a significantly enhanced appearance overall. Therefore, the new siding at the non-conforming portion of the structure is not expected to negatively impact the neighboring residence or surrounding properties.

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 residential addition and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-10-SP (Single-family residential, 10,000 square foot net site area, Salamander Protection Zone Overlay) zone district in that the primary use of the property will be one single-family residence. The proposed addition meets all current site standards for the zone district.

Additionally, the proposal does not include any site grading or the addition of any new impervious surface and thereby conforms with the requirements of the Salamander Protection overlay to the zone district. Conditions of project approval preclude the construction of any future development that would increase the amount of impervious surfacing on the parcel and all construction material and equipment staging will be limited to those areas of the site that are currently paved or otherwise impervious.

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 development is consistent with the use and density requirements specified for the Urban Low Density Residential (R-UL) land use designation in the County General Plan. The proposed addition 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 addition 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 residential addition 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 addition will comply with the site standards for the R-1-10-SP zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed residential addition is to be constructed on a lot developed with an existing single-family dwelling. There is not expected to be any increase in the level of traffic generated by the proposed project.

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 residential is consistent with the land use intensity and density of the neighborhood. The design of the existing house will be updated as a part of this project; with cement plaster covering the majority of the T-111 siding that exists currently. The second story addition will incorporate the new material and provide an updated and a relatively seamless transition between new and existing construction.

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 residential development 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.

Conditions of Approval

Exhibit A: Project Plans (11 Sheets) prepared by Fuse Architects, Inc., dated August 20, 2010, Topographic Map prepared by Robert DeWitt, dated June 6, 2006.

- I. This permit authorizes the construction of a 1,158 square foot second-story residential addition, a 196 square foot uncovered, cantilevered pervious deck and non-structural exterior remodeling. 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 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.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - D. 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. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.

2. Plans must clearly demonstrate that any structural alteration proposed for the non-conforming wall does not exceed 50% of the length of the existing wall.
 3. Drainage, and sediment/erosion control plans, subject to review and approval by Environmental Planning staff.
 4. If the proposed height exceeds 26 feet, 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.
 5. Details showing compliance with fire department requirements. The proposed structure(s) are located within the State Responsibility Area (SRA) and the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
 6. Plans must show the location of proposed equipment and materials staging areas. Staging areas shall be confined to existing paved or other impervious surfaces.
- 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 and pay Zone 6 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- D. Meet all requirements and pay any applicable plan check fee of the Aptos-La Selva Fire Protection District.
- E. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- F. Pay the current fees for Parks and Child Care mitigation for 1 bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- G. Pay the current fees for Roadside and Transportation improvements for 1 bedroom. Currently, these two fees are, respectively, \$985 and \$985 per bedroom.

- H. Provide required off-street parking for three cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - I. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- 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. Only the use of a steel grate deck is authorized for the new deck identified on the plans. Solar access through the entire grate and onto the ground below shall always be maintained and the deck shall remain uncovered. No net increase in impervious surface area shall be permitted on this site.
 - B. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent

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

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

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.

Application #: 10-0183
APN: 044-142-51
Owner: Bryan McCleve

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney
Deputy Zoning Administrator

Robin Bolster-Grant
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 10-0183

Assessor Parcel Number: 044-142-51

Project Location: 629 Vista Del Mar Dr.

Project Description: Proposal to construct a 1,158 square foot second story addition at an existing single-family dwelling

Person or Agency Proposing Project: Dan Townsend

Contact Phone Number: (831) 479-9295

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

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 1 - Existing Facilities (Section 15301)

F. Reasons why the project is exempt:

Residential addition to existing single-family home

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

Robin Bolster-Grant, Project Planner

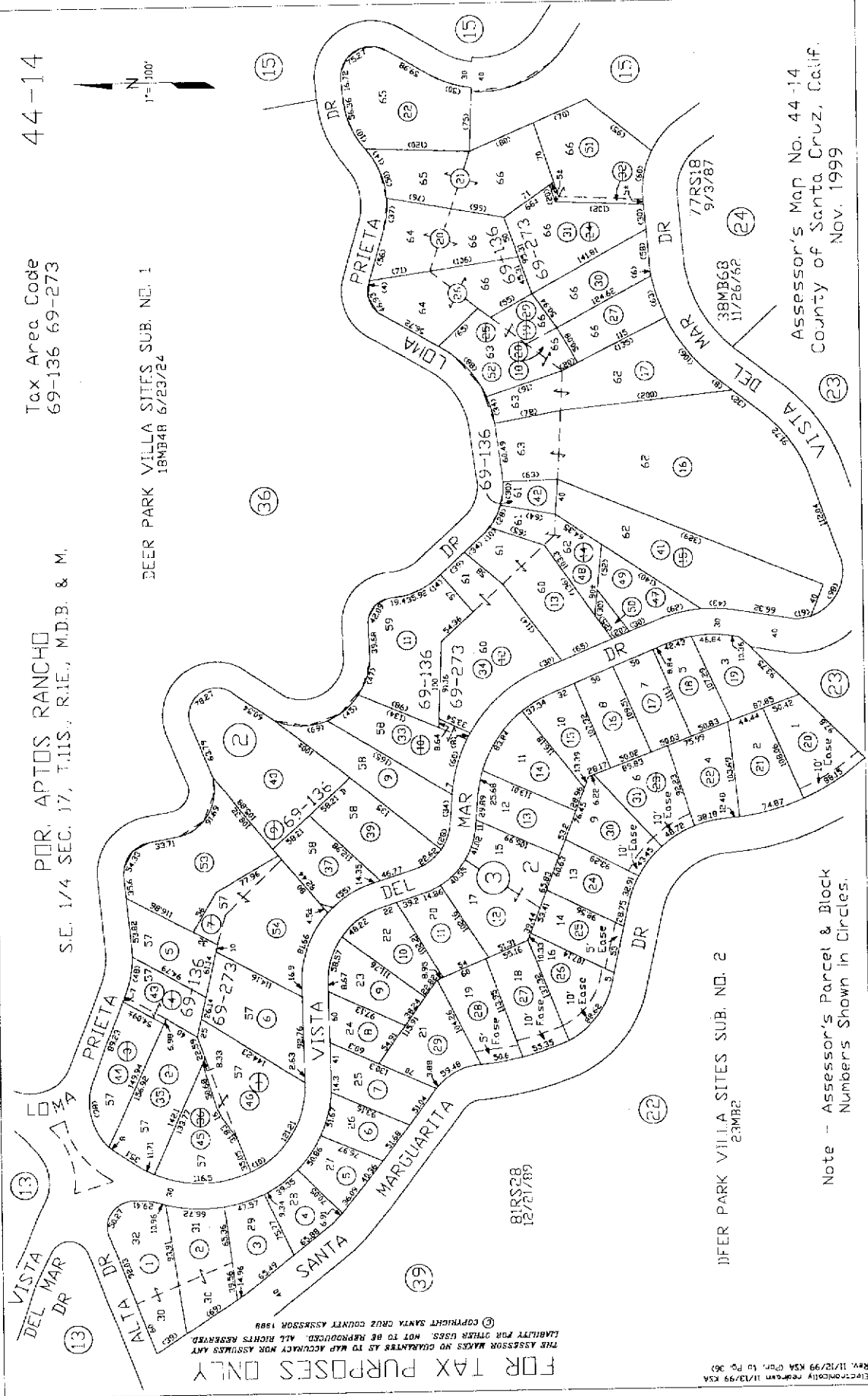
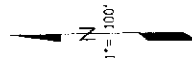
Date: _____

44-14

Tax Area Code
69-136 69-273

POR. APTOS RANCHO
S.E. 1/4 SEC. 17, T.11S, R.1E., M.D.B. & M.

DEER PARK VILLA SITES SUB. NO. 1
18MB48 6/23/24



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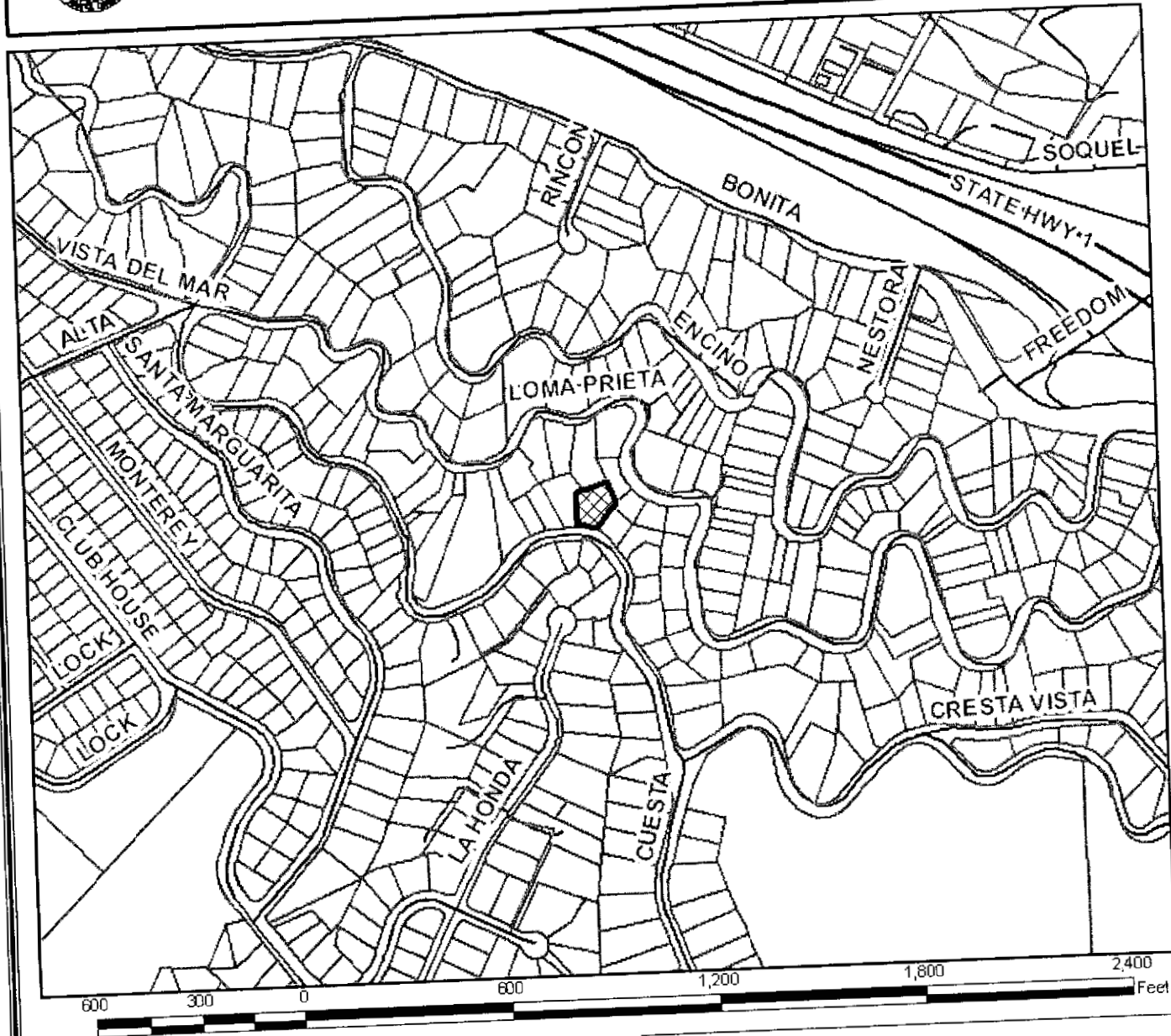
Electronically prepared 11/13/99 KSA
Rev. 11/12/99 KSA (Rev. 10 Pg. 36)

DEER PARK VILLA SITES SUB. NO. 2
23MB2

Assessor's Map No. 44-14
County of Santa Cruz, Calif.
Nov. 1999

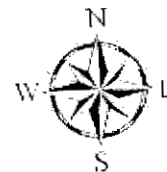


Location Map



LEGEND

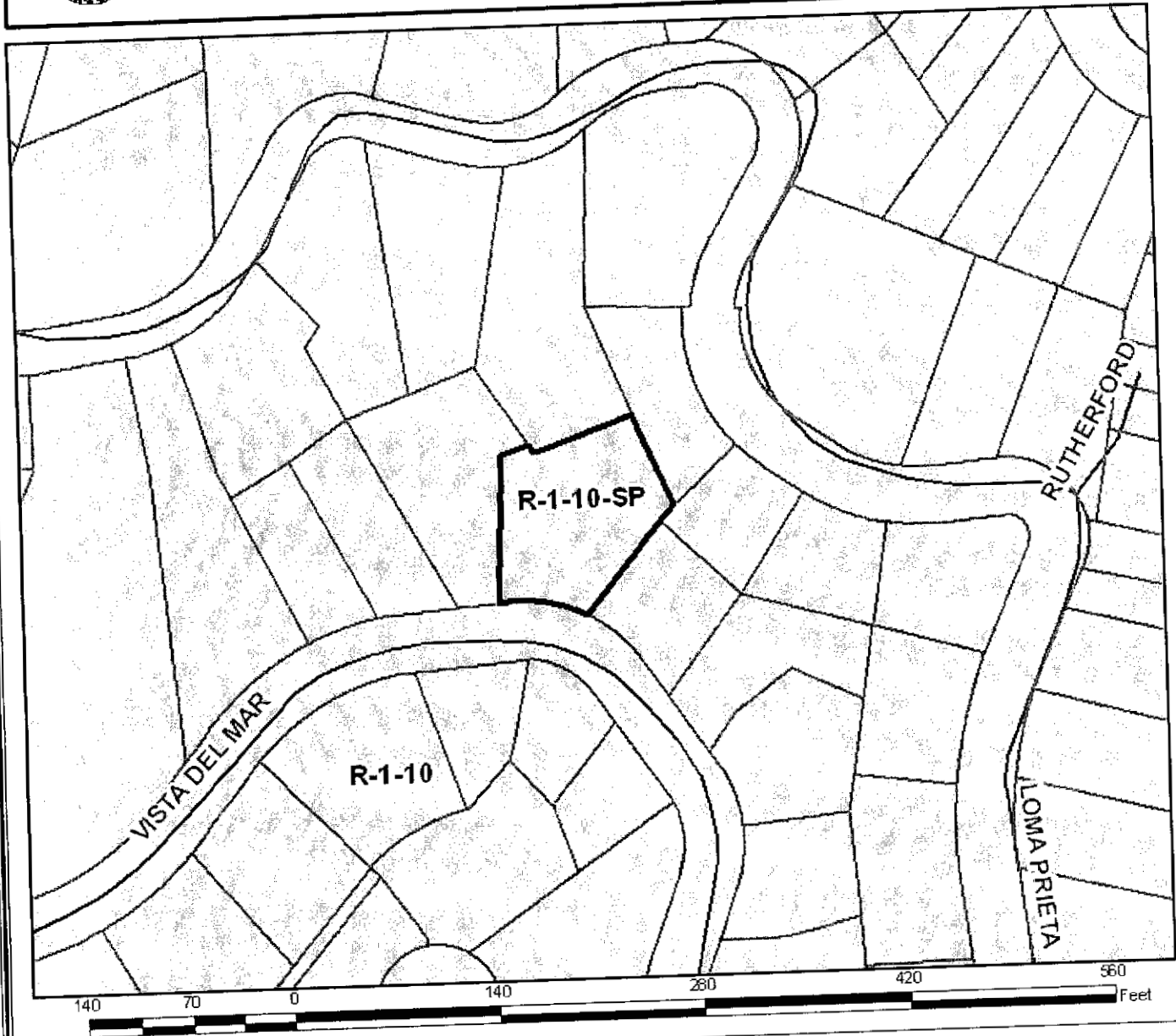
-  APN: 044-142-51
-  Assessors Parcels
-  Streets
-  State Highways



Map Created by
County of Santa Cruz
Planning Department
May 2010



Zoning Map



LEGEND



APN: 044-142-51



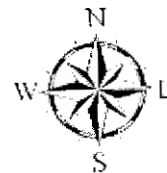
Assessors Parcels



Streets



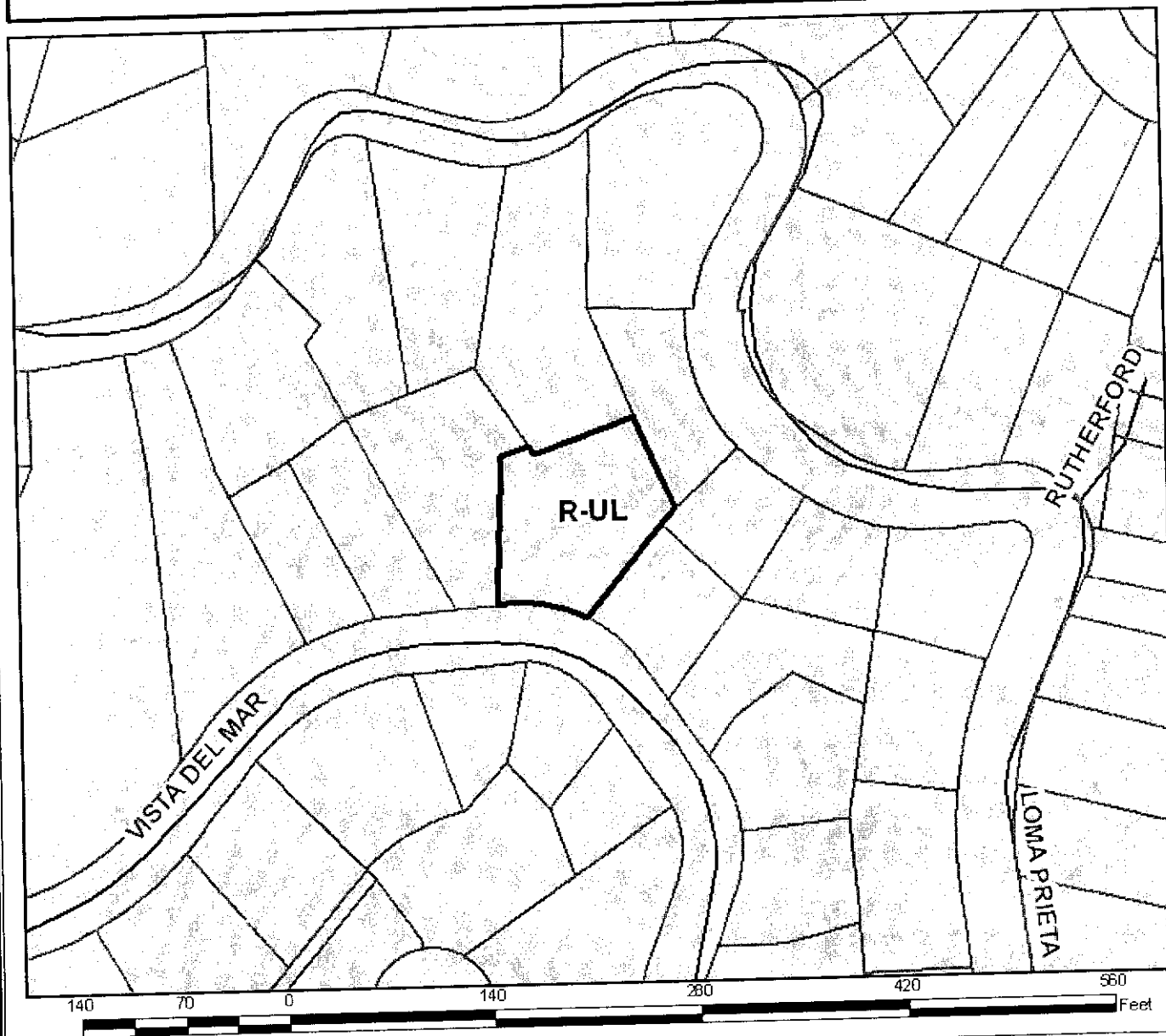
RESIDENTIAL-SINGLE FAMILY







Map Created by
County of Santa Cruz
Planning Department
May 2010

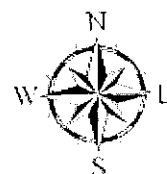


General Plan Designation Map



LEGEND

-  APN: 044-142-51
-  Assessors Parcels
-  Streets
-  Residential - Urban Low Density



Map Created by
County of Santa Cruz
Planning Department
May 2010

C O U N T Y O F S A N T A C R U Z
Discretionary Application Comments

Project Planner: Robin Bolster
Application No.: 10-0183
APN: 044-142-51

Date: October 6, 2010
Time: 11:20:54
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON JUNE 10, 2010 BY ROBERT S LOVELAND =====

Comments 1-4 from the County Geologist:

1. Show drainage on the plan, and indicate what if any increase in drainage will occur on the site.
2. Indicate that there is a maintenance agreement for all existing drainage facilities that will be used as part of the new addition.
3. The extent of the slope failure and the repair must be shown on the plans, and the grading permit number for the slope repair permit must be shown on the plans.
4. No recharge or other retention should occur on the property without an engineering geology and geotechnical report.

Comments below by Bob Loveland:

5. The plans submitted do not have enough detail for the proposed deck to determine if the deck can be allowed due to the Salamander Protection Zoning in this area. Please provide the information listed below and read the enclosed policy/ordinance interpretation (SPZ-01 Salamander Protection Zone) to confirm your project is compliant with policy.
6. Clearly delineate both "Site Disturbance & Impervious Service Area" (During and After) per Policy/Ordinance Interpretation SPZ-01 (Salamander Protection Zone). Refer to Page 4.

===== UPDATED ON SEPTEMBER 15, 2010 BY ROBERT S LOVELAND =====

Comments 1-4 above: County Geologist stated comments have been addressed.

Comments 5 & 6 above: Have been addressed.

Environmental Planning Miscellaneous Comments

===== REVIEW ON JUNE 10, 2010 BY ROBERT S LOVELAND =====

Conditions of Approval:

1. A geotechnical report, completed by a California licensed geotechnical engineer, is required prior to the issuance of the building permit. The report shall include foundation modifications required for the new addition.
 2. Only the use of a steel grate deck is authorized for the new deck identified on the plans. Solar access through the entire grate and onto the ground below shall always be maintained.
-

Discretionary Comments - Continued

Project Planner: Robin Bolster
Application No.: 10-0183
APN: 044-142-51

Date: October 6, 2010
Time: 11:20:54
Page: 2

3. Obtain a grading permit if required.
4. Submit a detailed sediment/erosion control plan for review and approval.

Dpw Driveway/Encroachment Completeness Comments

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

===== REVIEW ON MAY 21, 2010 BY DAVID GARIBOTTI =====
No Comment.

Dpw Driveway/Encroachment Miscellaneous Comments

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

===== REVIEW ON MAY 21, 2010 BY DAVID GARIBOTTI =====
Please revise plans to include the drain inlet in the landscaped area outside the front yard retaining wall. Indicate if it is still functional and if so, where it daylights.

Dpw Road Engineering Completeness Comments

===== REVIEW ON JUNE 4, 2010 BY ANWARBEG MIRZA =====
NO COMMENTS

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON JUNE 4, 2010 BY ANWARBEG MIRZA =====
The driveway must meet County of Santa Cruz standards in the Design Criteria.

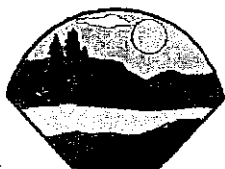
Design Criteria is available at the following internet address:
<http://www.dpw.co.santa-cruz.ca.us/DESIGN%20CRITERIA.PDF>

Aptos-La Selva Beach Fire Prot Dist Completeness C

===== REVIEW ON MAY 28, 2010 BY ERIN K STOW =====
DEPARTMENT NAME:Aptos/La Selva Fire District APPROVED

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

===== REVIEW ON MAY 28, 2010 BY ERIN K STOW =====
NO COMMENT



Aptos/La Selva Fire Protection District

6934 Soquel Drive • Aptos, CA 95003
Phone # 831-685-6690 • Fax # 831-685-6699

May 28, 2010

Planning Department
County of Santa Cruz
Attention: Robin Bolster-Grant
701 Ocean Street
Santa Cruz, CA 95060

Subject: APN: 044-142-51 / Appl #10-0183
629 Vista Del Mar Drive

Dear Ms. Bolster-Grant:

Aptos/La Selva Fire Department has reviewed the plans for the above cited project and has no objections as presented.

A plan review fee of **\$50.00** is due and payable to the Aptos/La Selva Fire Department **PRIOR TO APPROVAL** of building application. Reminder: the enclosed Permit/Service Fees form must be submitted to the Aptos/La Selva Fire Department at time of payment.

- Any other requirements will be addressed in the Building Permit phase.
- Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

In order to obtain building application approval, recommend you have the DESIGNER add appropriate NOTES and DETAILS showing the following information **on the plans that are submitted for BUILDING PERMIT**.

NOTE on the plans "these plans are in compliance with California Building and Fire Codes (2007 edition) and Aptos/La Selva Fire District Amendments".

NOTE on the plans "the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE / FIRE RATING and SPRINKLERED or NON-SPRINKLERED as determined by the building official and outlined in the California Building Code. (e.g. R-3, Type V-B, Sprinklered)"

NOTE on the plans "the **REQUIRED** and **AVAILABLE FIRE FLOW**. FIRE FLOW requirements for this project is **1,000 gallons per minute**. The AVAILABLE FIRE FLOW information can be obtained from the water company. The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m²) shall be 1,000 gallons per minute (3785.4 L/min). Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5m²) shall not be less than that specified in Appendix Table B105.1 of the Cali^{32 / 33}re Code".

EXHIBIT F

NOTE on the plans "the installation of an approved spark arrester on the top of the chimney. The wire mesh not to exceed 1/2 inch." If applicable.

NOTE on the plans "the roof covering shall be no less than Class "B" rated roof."

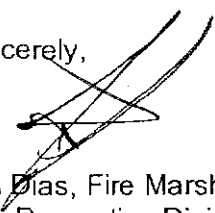
NOTE on the plans "a 100-foot clearance shall be maintained around and adjacent to the building or structure to provide additional fire protection or fire break by removing all brush, flammable vegetation, or combustible growth.

EXCEPTION: Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure."

NOTE on the plans "the job copies of the building and fire systems plans and permits must be on-site during inspections."

Note: 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, and, to hold harmless and without prejudice, the reviewer and reviewing agency.

Sincerely,



Jim Dias, Fire Marshal
Fire Prevention Division
Aptos/La Selva Fire Protection District

Cc: Bryan McCleve
629 Vista Del Mar Drive
Aptos, CA 95003

Cc: Dan Townsend
201 Monterey Avenue Ste G
Capitola, CA 95010