



Staff Report to the Zoning Administrator

Application Number: **08-0210**

Applicant: Carol Frederick
Owner: Carol Frederick
APN: 045-331-10

Agenda Date: December 17, 2010
Agenda Item #: 3
Time: After 10:00 a.m.

Project Description: Proposal to construct an approximately 3000 square foot, 4 bedroom, 3.5 bathroom, two story single family dwelling and to grade approximately 449 cubic yards of cut to construct a driveway, retaining walls, and associated site improvements. Requires a Coastal Development Permit, a Variance to reduce the required 10 foot street side yard setback to about 5 feet from the proposed garage to the driveway easement, Preliminary Grading Review, and Soils Report Review.

Location: Property located on the west side of Robak Drive approximately 325 feet southwest of the intersection with Morehouse Drive in La Selva Beach.

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

Permits Required: Coastal Development Permit and Variance
Technical Reviews: Soils Report Review and Preliminary Grading Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0210, 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. Easement Grant Deed |
| D. Categorical Exemption (CEQA
determination) | G. Comments & Correspondence |

Parcel Information

Parcel Size: 19,040 square feet
Existing Land Use - Parcel: Vacant
Existing Land Use - Surrounding: Residential

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

Project Access: Via Robak Drive
Planning Area: La Selva Beach
Land Use Designation: R-UL (Urban Low Residential)
Zone District: R-1-9 (Single Family Residential - 9,000 square foot minimum net site area)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: None mapped
Soils: Soils report reviewed and accepted on 3/8/10
Fire Hazard: Not a mapped constraint
Slopes: >30% slopes on property; slopes will be graded to 2:1.
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Approximately 449 cubic yards of cut
Tree Removal: Some tree removal proposed; no significant tree removal proposed
Scenic: Not a mapped resource
Drainage: New storm drain system proposed
Archeology: Not mapped

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Alternative septic system proposed
Fire District: Aptos/La Selva Fire Protection District
Drainage District: N/A

History

The parcel is currently vacant. No previous applications are on file for the subject parcel.

Project Setting

The property is zoned R-1-9 and is currently vacant. Surrounding parcels to the north and south are also zoned R-1-9 and parcels to the east across Robak Drive are zoned R-1-6. Adjacent parcels to the north, east, and south are developed with single family dwellings. The adjacent parcel to the west is zoned (CA) Commercial Agriculture. The proposed building site is within 200 feet of the west property line and the property owner obtained an Agricultural Buffer Determination from the Agricultural Policy Advisory Commission on October 21st, 2010 to reduce the required 200 foot buffer to 100 feet.

The subject property is characterized by steep topography that slopes downwards to the west at about a 45% slope at the front portion of the parcel. The western (rear) portion of the property is less steep and is therefore a more ideal location for the proposed septic system.

The proposal is to construct an approximately 28 foot tall, 4 bedroom, 4 bathroom single family dwelling of approximately 3000 square feet. There is an easement, which varies in width, along the southeast corner of the property which was granted to the adjacent southern parcel for ingress and egress. The easement is described in document 5901, pages 480-483 (Exhibit F) and is shown on Exhibit A. The easement will remain unobstructed as a result of the project and conditions of approval would require the property owner to keep the neighboring driveway completely clear of obstructions and vehicles during construction. The resulting width of the neighboring driveway would vary between 8 and 9 feet in width, which, according to the plans, is the current width of the driveway.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 19,040 square feet, located in the R-1-9 (Single Family Residential - 9,000 square foot minimum) zone district, a designation which allows residential uses. Due to the existence of the right of way at the southern property line, the parcel is considered to be a corner lot in the location of the easement with 10 foot setback requirements. Further west, past the terminus of the easement, the structure would be required to meet side yard setbacks consistent with a non-corner lot (5 feet). The proposed single family dwelling is a permitted use within the zone district and the zoning is consistent with the site's (R-UL) Urban Low Residential General Plan designation. The proposed structure complies with all site standards of the R-1-9 zone district as demonstrated in the table below:

	Required standards for R-1-9 zone district (corner lot)	Proposed
Front Yard	20'	20'
Side Yards	5' & 10' at location of right of way/ 5' at terminus	5' & 5' (Variance Required)/5' at terminus
Rear Yard	15'	15'
Maximum Height	28'	28' Max.
Lot Coverage	40%	<40%
Floor Area Ratio	50%	<50%
Parking	4 bedrooms/ 3 spaces	3 spaces

Local Coastal Program Consistency

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

Design Review

The proposed single family dwelling complies with the requirements of the County Design

Review Ordinance, in that the proposed project will incorporate natural materials and finishes that blend in with the surrounding natural environment and the structure will be located below the grade of the street to further reduce the visual impact of the proposed development on surrounding land uses.

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 **08-0210**, based on the attached findings and conditions.

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

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

Report Prepared By: Samantha Haschert
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PROPERTY MAP

ZONED: S-1-1
 LOT AREA: 10,414 S.F.
 NEW SQUARE: 14,675
 IMPROVEMENT: 15,125
 TOTAL SQUARE: 30,000 S.F.
 GARAGE: 410 S.F.

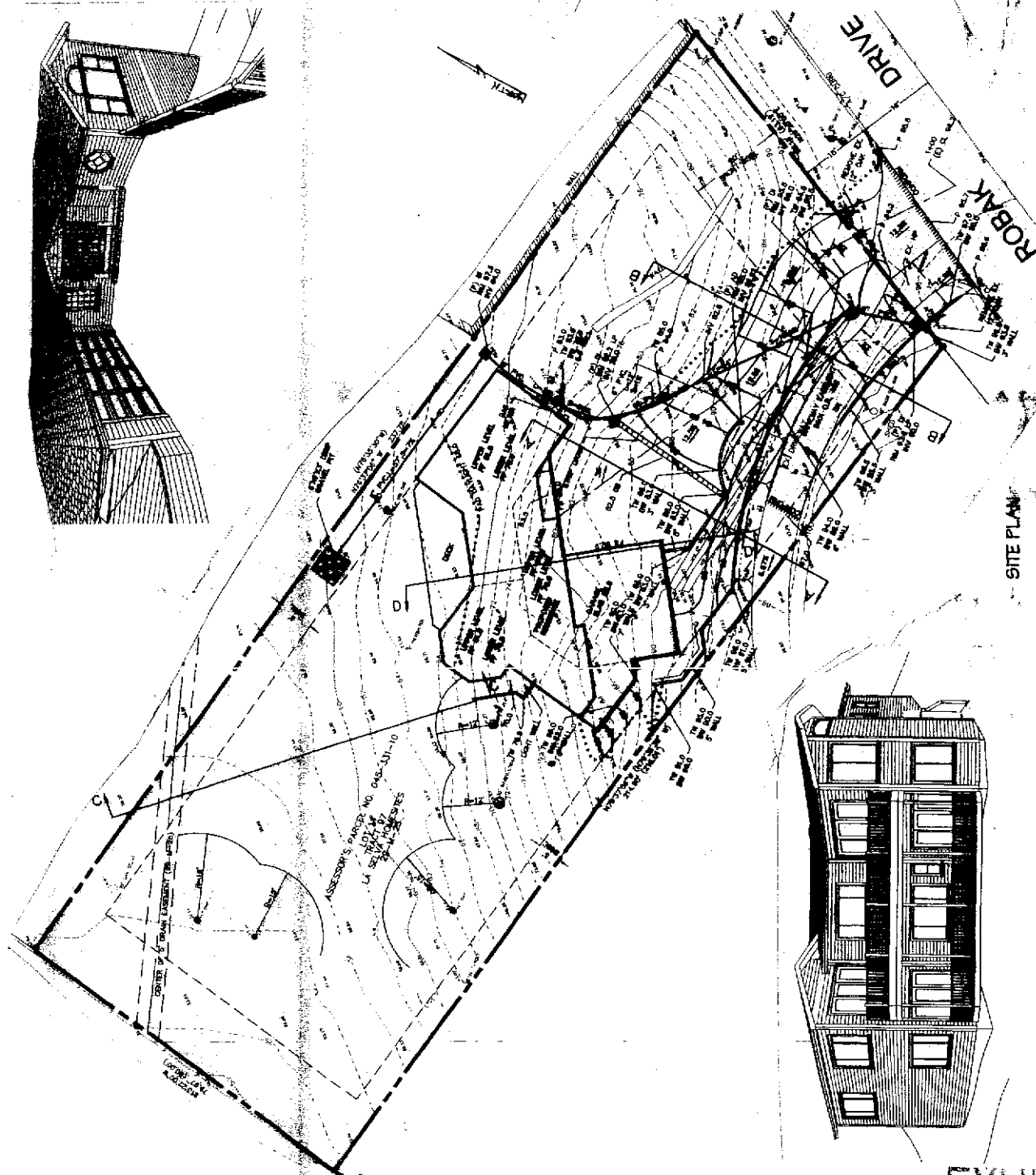
LOT COVERAGE ALLOWED: 44% = 4,585 S.F.
 PERMITTED: 101% = 2,071 S.F.
 F.A.R. ALLOWED: 80% = 8,332 S.F.
 PROPOSED: 17% = 1,800 S.F.

TYPE OF CONSTRUCTION: N

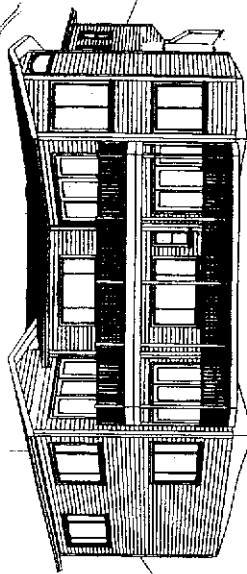
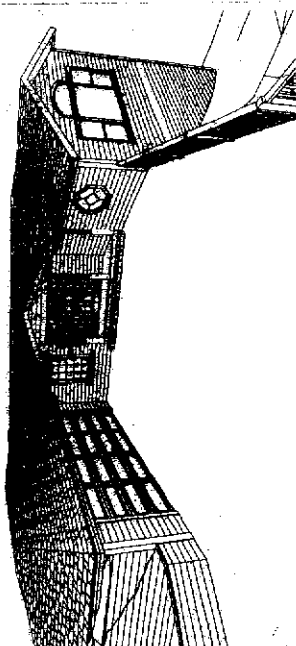
OCCUPANCY GROUP: R-1 (U)

THIS PROJECT SHALL COMPLY WITH ALL CITY, COUNTY, STATE, AND LOCAL ORDINANCES, ZONING, SUBDIVISION, AND LOCAL ORDINANCES.

SITE DATA



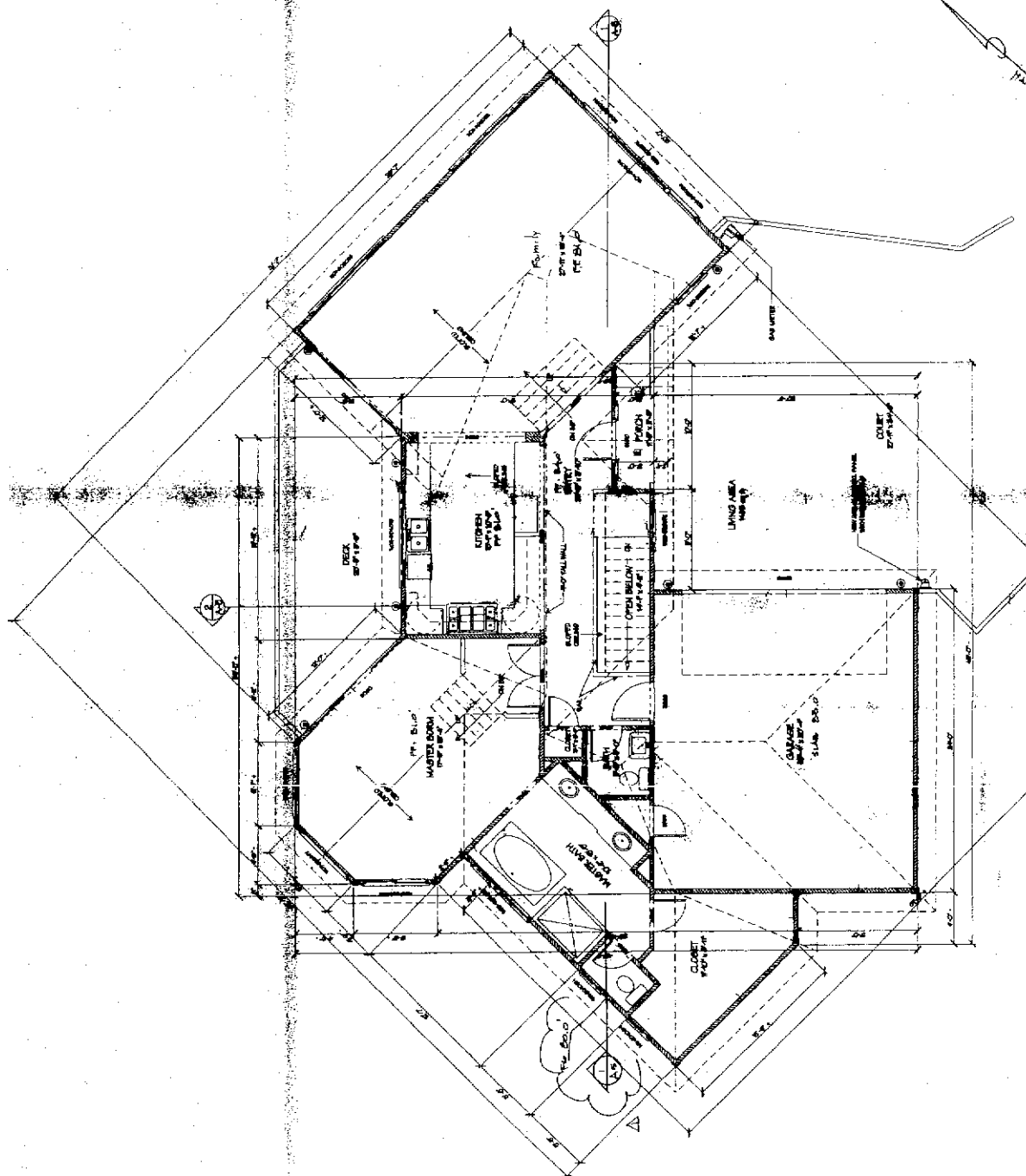
SITE PLAN
1" = 10'-0"



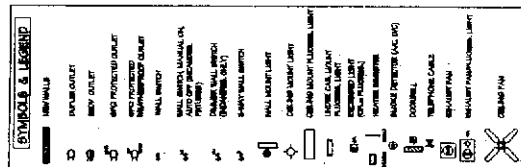
GENERAL NOTES

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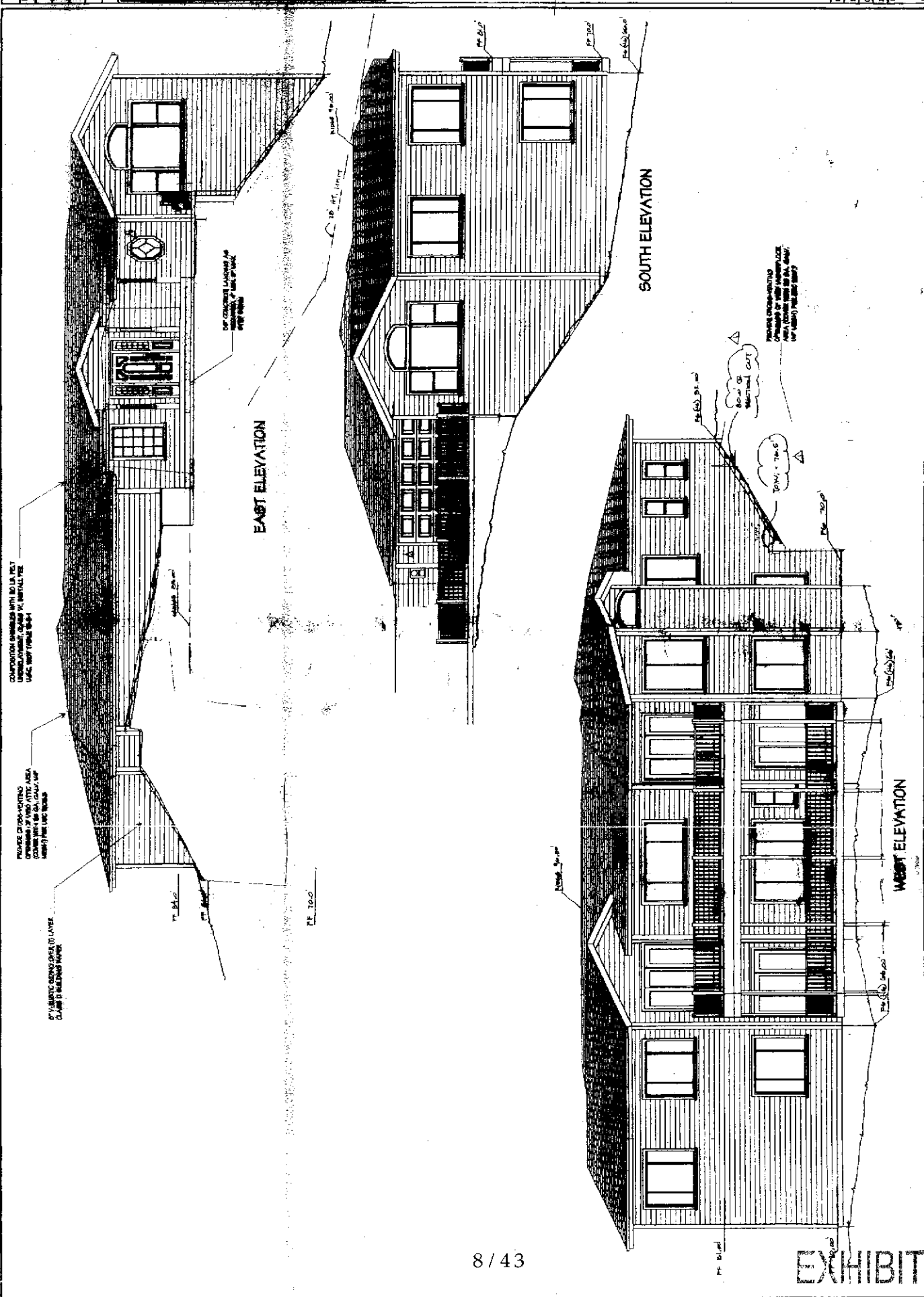
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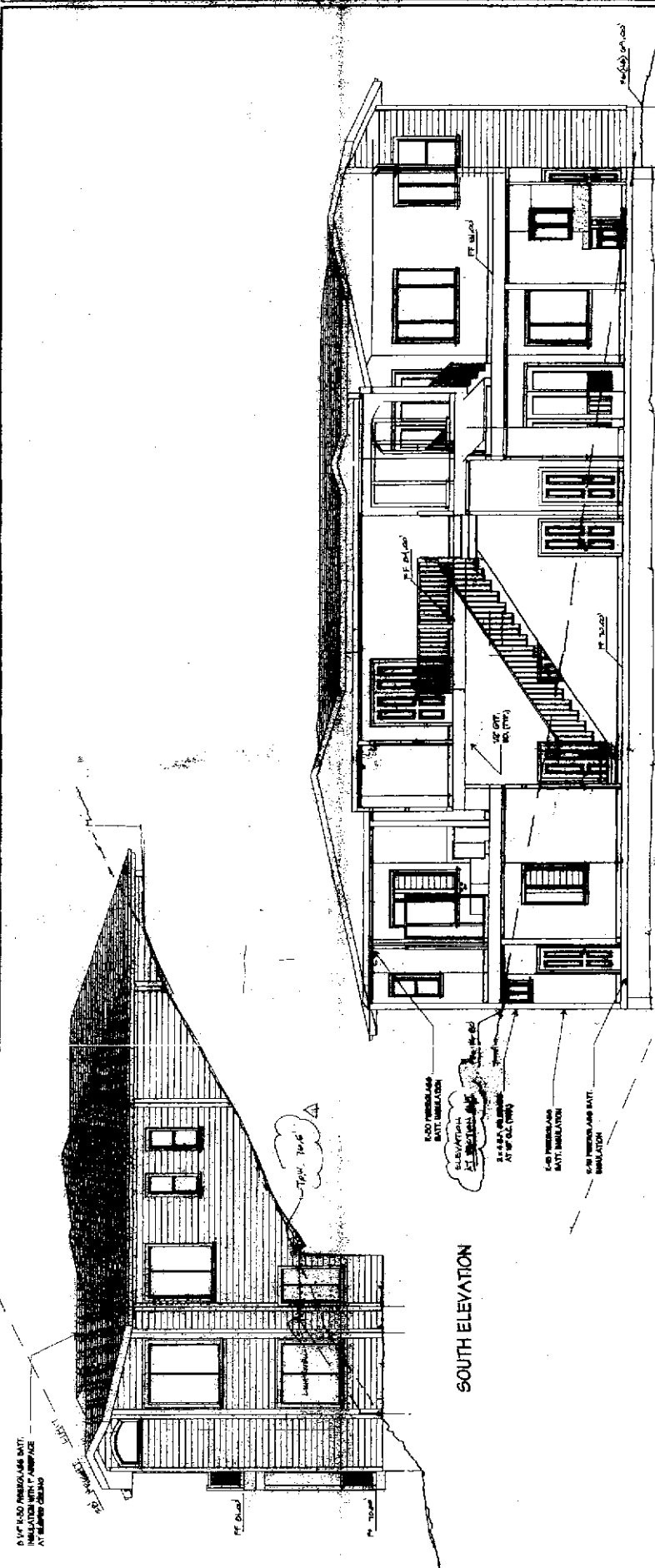
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UPPER FLOOR PLAN

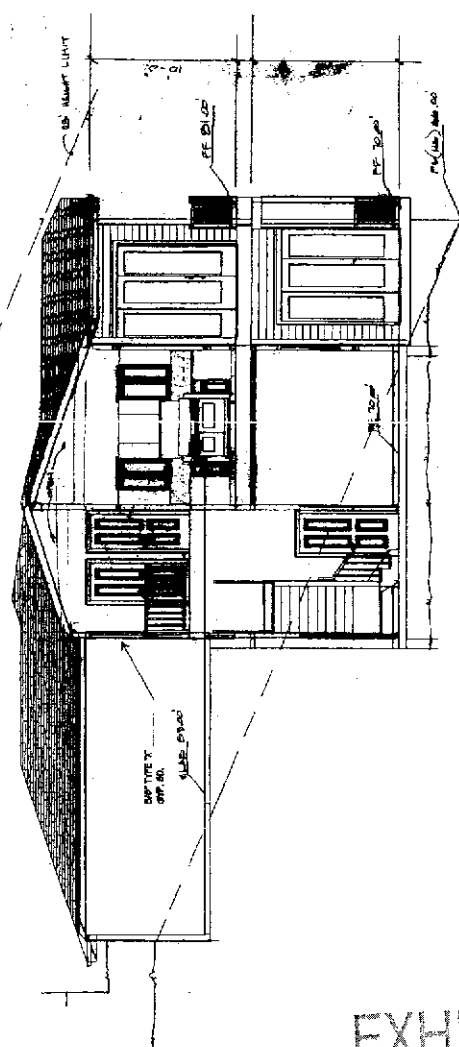


LOWER FLOOR PLAN

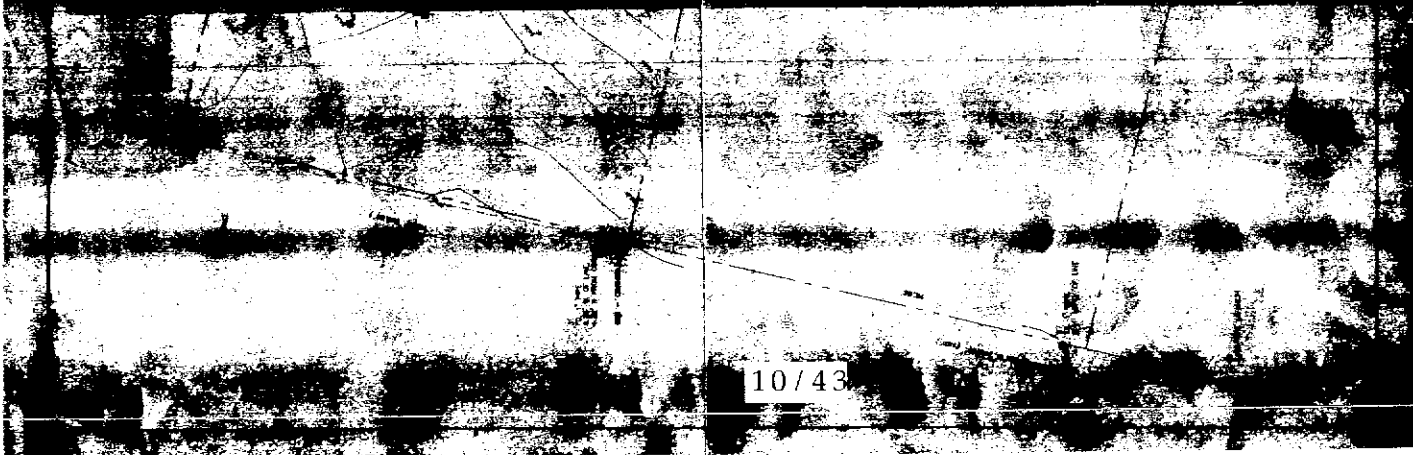
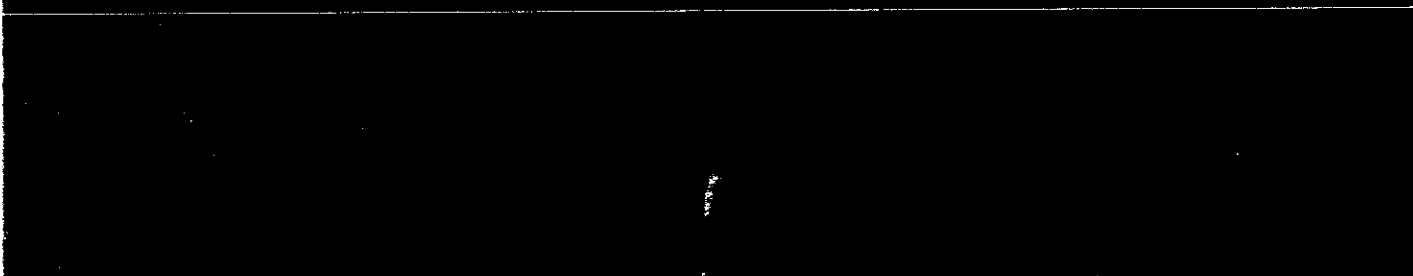
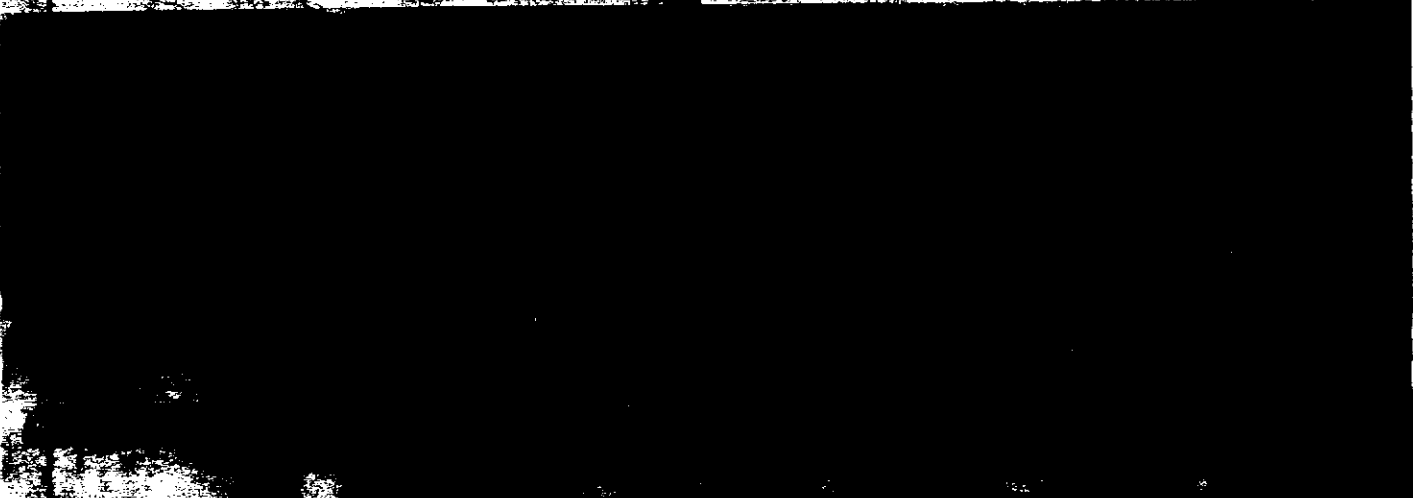


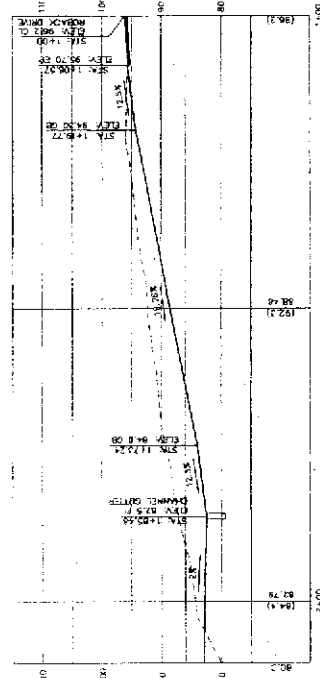
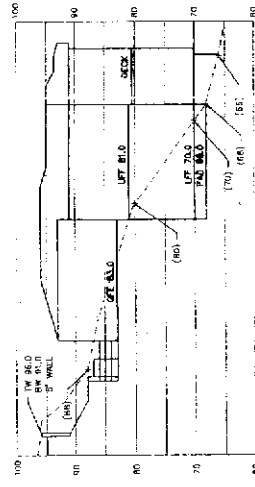
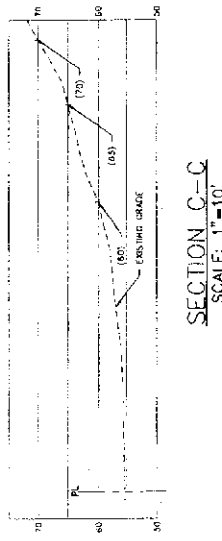
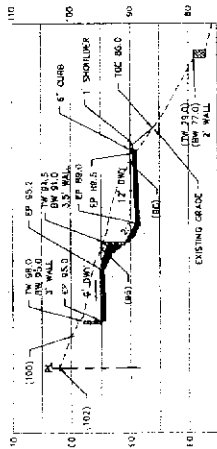
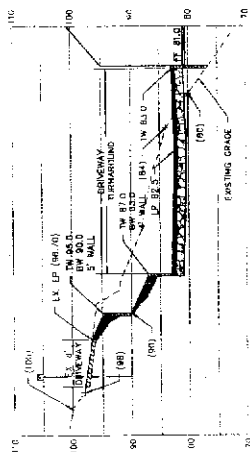


SECTION 1



② SECTION





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REMARKS:
1. All work to be done in accordance with the plans and specifications.
2. The contractor shall be responsible for obtaining all necessary permits.
3. The contractor shall be responsible for obtaining all necessary insurance.
4. The contractor shall be responsible for obtaining all necessary bonds.

NO.	DATE	BY	REVISION
1			
2			
3			
4			
5			

TS CIVIL ENGINEERING, INC.
1716 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.432.0000 TOLL FREE: 888.327.7070 FAX: 408.432.0001

CROSS-SECTION PLAN
LANDS OF FREDERICK
ROBAK DRIVE
LA SELVA BEACH, CA

DATE	3.3.10	SHEET NO.	C2
SCALE	1"=10'	DRAWN BY	OK
SURVEYED BY OTHER		PROJ. ENGR. NO.	00000
PROJ. ENGR. NAME		CHECK BY	TUE

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-1-9 (Single Family Residential - 9,000 square foot minimum net site area), a designation which allows residential uses. The proposed single family dwelling is a permitted use within the zone district, and the zoning is consistent with the site's (R-UL) Urban Low 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 obstruct the existing access easement at the southeast corner of the parcel nor does it conflict with the 5 foot drainage easement along the northern property line. There are no public access or open space easements 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 will be natural in appearance and complementary to the site; the development is set down from the street grade; and the development site is not on a prominent ridge, beach, or 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 the project site is not located between the shoreline and the first public road. Consequently, the single family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-9 (Single Family Residential - 9,000 square foot minimum) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. Size and

Application #: 08-0210
APN: 045-331-10
Owner: Carol Frederick

architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range of styles.

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made in that the topography of the parcel does not allow for variation in the building site given the setbacks required from property lines, the need for a septic system at the flattest area on the parcel, and the existing easement constraints. The parcel is comprised of a steep slope on the eastern portion of the parcel (>30% slope) with a flatter area at the western portion of the parcel where the proposed septic system will be located; therefore, the building site cannot be located further back on the property. Additionally, the County Code requires setbacks to be measured from the edge of a right of way when a right of way extends further onto a parcel than the property line or traveled way. The site is constrained by an unnecessarily wide easement which was granted to the south adjacent neighbor for ingress and egress. An 8-9 foot driveway is provided to the south adjacent neighbor; however, the easement extends approximately 7 feet further towards the proposed building site and this portion of the easement is essentially unusable as access at its current state given the steep slopes. A full 10 foot setback from the edge of the right of way would reduce the size of the garage to a one car garage, which would deprive the property of privileges enjoyed by other properties in the vicinity.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

This finding can be made in that the granting of a variance to reduce the required 10 foot setback to 5 feet, as measured from the edge of the right of way, will not change the primary use of the parcel which will be residential and which meets the general intent and purpose of the R-1-9 zoning objectives. The variance will not be materially detrimental to public health, safety, or welfare or injurious to property in the vicinity in that the proposed structure will continue to meet the required 5 foot side yard setback requirements for the length of the southern property line which are intended to ensure access to light, air, and open space in the neighborhood.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made in that the proposed residence would continue to be required to meet the required 5 foot setbacks from the property lines which ensure access to light, air, and open space in the neighborhood. In addition, the resulting setback to the edge of the neighboring driveway to the proposed garage would be about 15 feet, which is an adequate setback from a private driveway which serves only one parcel and residence. Therefore, the proposed variance does not constitute a grant of special privilege in that the same reductions would be supported on other parcels with similar circumstances.

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, construction will comply with prevailing building technology and the California Building Code, and the existing unpermitted retaining wall will be removed and replaced with an engineered wall to ensure 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 the required front, rear, north side, and south side setbacks (past the terminus of the right of way) that ensure access to light, air, and open space in the neighborhood. Additionally, although the proposal includes a Variance request to reduce the street yard setback from 10 feet to 5 feet from the edge of the right of way, the resulting setback from the edge of the private driveway would be about 15 feet which is adequate to ensure the health, safety and welfare of the southern adjacent property.

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-1-9 (Single Family Residential - 9,000 square foot minimum) zone district in that the primary use of the property will be one single family dwelling that meets the site standards for the zone district for a non-corner lot and that would maintain a 15 foot setback from the edge of the private driveway, as traveled, which serves one residence and one parcel.

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

This finding can be made in that the proposed residential use is consistent with the use and density requirements specified for the Urban Low Residential (R-UL) 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 current site and development standards for the zone district for a non-corner lot as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance). Further, the single family dwelling will not adversely shade adjacent properties in that it meets the required side yard setbacks at the north property line which is adjacent to existing residence, it is located about 12 feet below the grade of Robak Drive, and it is located about 15 feet from the edge of the traveled way of the private driveway which serves the southern adjacent residence.

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 requirements for maximum lot coverage, floor area ratio, height and number of stories and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made in that the proposed single family dwelling is to be constructed on an existing undeveloped lot and the expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day (1 peak trip per dwelling unit) which will not adversely impact existing roads and intersections in the surrounding area, which are not currently congested.

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 for the parcel and the neighborhood and the structure will be located about 12 feet below the grade of Robak Drive and will not be visible from the street.

Conditions of Approval

Exhibit A: Project Plans, 8 sheets. Sheets A-1 through A-5 prepared by Hometec Architecture, Inc, revised 2/3/09; Survey prepared by Cary Edmundson, dated 12/5/06; Sheets C1-C2 prepared by TS Civil Engineering, date 2/3/10.

- I. This permit authorizes the construction of an approximately 3000 square foot, 4 bedroom, 4 bathroom single family dwelling with a reduced street side yard setback from 10 feet to 5 feet as measured from the edge of the right of way. 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 a Grading Permit from the Santa Cruz County Building Official.
 - 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 as they were approved by this Discretionary Application. Specific colors and materials must be shown on an elevation and the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval

2. A development setback of a minimum of 100 feet from the single-family dwelling to the property line of the adjacent Commercial Agriculture zoned parcel APN 045-031-04.
3. Final plans shall show the location of the vegetative buffering barrier which shall be composed of drought tolerant shrubbery, and a six foot tall solid wood board fence. The shrubs utilized shall attain a minimum height of six feet upon maturity. Species type, plant sizes and spacing shall be indicated on the final plans for review and approval by Planning Department staff.
4. A development setback a minimum of 5 feet from the existing right of way.
5. Grading, drainage, and erosion control plans. The civil engineered plans shall be stamped and signed by the civil engineer.
 - a. Drainage plans shall provide an analysis and background information for the proposed percolation structure which demonstrates that it meets design criteria requirements for maintaining predevelopment runoff rates and adequately mitigates for the proposed impervious area. The sizing of the detention/retention system should be determined only by the impervious area.
 - b. All drainage features, including downspouts, shall be shown on the plans.
 - c. Grading and drainage plans shall show the proposed septic system.
6. 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.
7. Plans shall indicate that the neighboring driveway which accesses the south adjacent parcel shall remain open and clear of any obstructions throughout construction. Plans shall also indicate that construction vehicles shall not be parked on Robak Drive.
8. Plans shall indicate the permitted construction hours under Condition IV.B.

9. Plans shall reference the accepted geotechnical report and include a statement that the project shall conform to the report's recommendations. Plans shall also provide a thorough and realistic representation of all grading necessary to complete the project.
 - B. The owner shall record a Statement of Acknowledgement, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The statement of Acknowledgement acknowledges the adjacent agricultural land use and the agricultural buffer setbacks.
 - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal.
 - D. Meet all requirements of and pay all drainage fees to the County Department of Public Works, Stormwater Management.
 - E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - F. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - G. Submit a plan review letter written by the author of the accepted geotechnical report which states that the project plans conform to the report's recommendations. The letter shall reference the final accepted set of building plans.
 - H. Submit an electronic copy of the soils report and addendums in .pdf format on a compact disc or by email to: carolyn.banti@co.santa-cruz.ca.us.
 - I. Pay the current fees for Parks and Child Care mitigation for 4 bedroom(s). Currently, these fees are \$1000 and \$109 per bedroom, respectively.
 - J. Provide required off-street parking for 3 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.
 - K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- 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. The agricultural buffer setbacks shall be met as verified by the County Building

Inspector.

- B. The required vegetative and physical barrier shall be installed. The property owner shall contact the Planning Department's Agricultural Planner a minimum of three working days in advance to schedule an inspection to verify that the required barrier has been completed.
- C. All site improvements shown on the final approved Building Permit plans shall be installed.
- D. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- E. The project must comply with all recommendations of the approved soils reports.
- F. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. Construction Hours: During construction, workers may assemble on-site as early as 7:30 A.M. but no noise generating activities may begin earlier than 8:00 A.M. Noise generating activities must cease by 6:00 P.M. Workdays are limited to Monday through Friday, including deliveries. Non-noise generating activities (such as interior painting) may take place on Saturdays and Sundays between the hours of 8:00 A.M. and 5:00 P.M.
- C. All vehicles associated with construction shall be parked on-site and out of the traveled way. No construction-related vehicles shall block any private driveways or other private access.
- D. The vegetative and physical barrier shall be permanently maintained.
- E. All required Agricultural Buffer Setbacks shall be maintained.

- 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 #: 08-0210
APN: 045-331-10
Owner: Carol Frederick

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney
Deputy Zoning Administrator

Samantha Haschert
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: 08-0210

Assessor Parcel Number: 045-331-10

Project Location: N/A

Project Description: Proposal to construct a single family dwelling.

Person or Agency Proposing Project: Carol Frederick

Contact Phone Number: (831) 224-2733

- 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:

Proposal to construct an approximately 3000 square foot single family dwelling in an area designated for residential uses.

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

Samantha Haschert, Project Planner

Date: _____

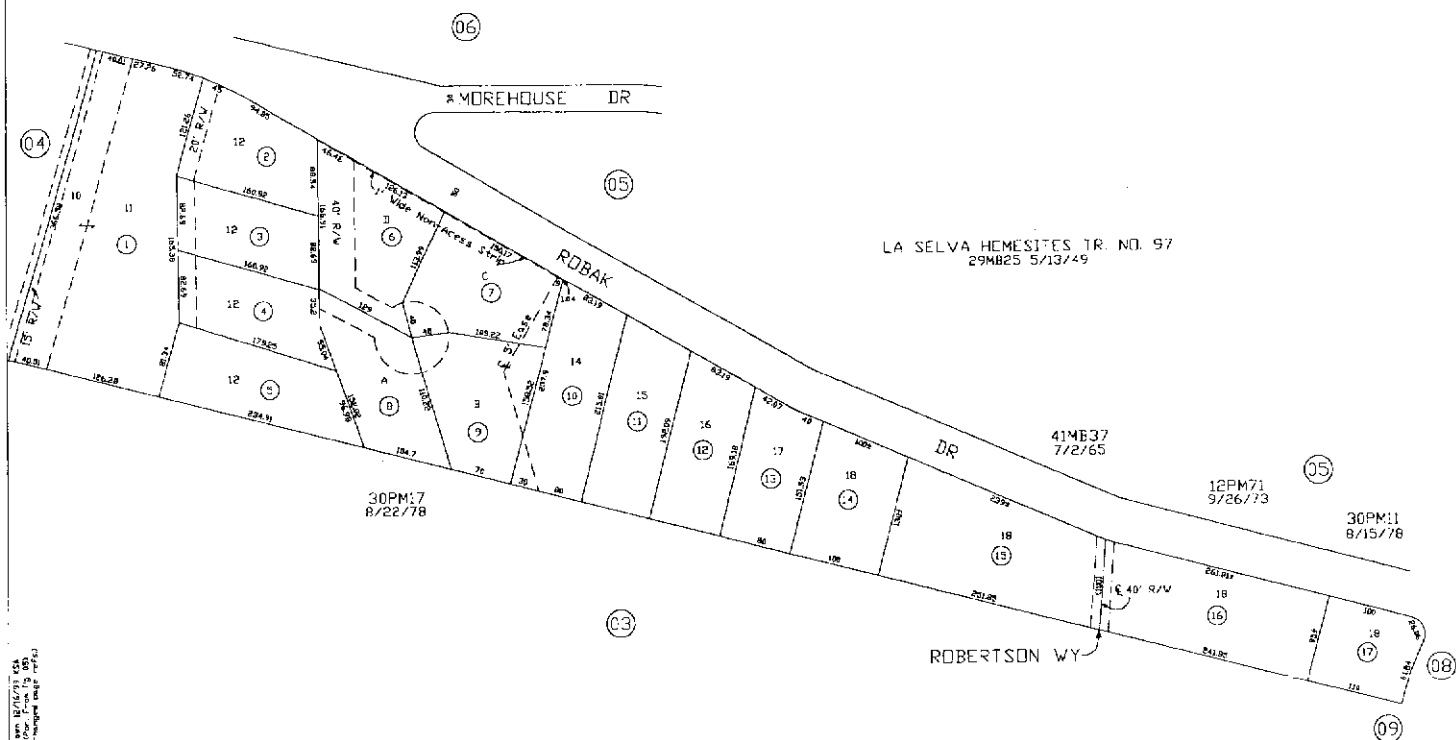
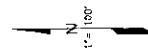
FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

POR. SAN ANDREAS RANCHO
W. 1/2 SEC. 27, T.11S., R.1E., M.D.B. & M.

Tax Area Code
69-038

45-33

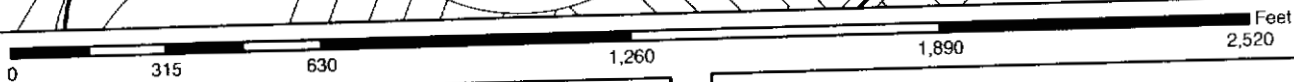
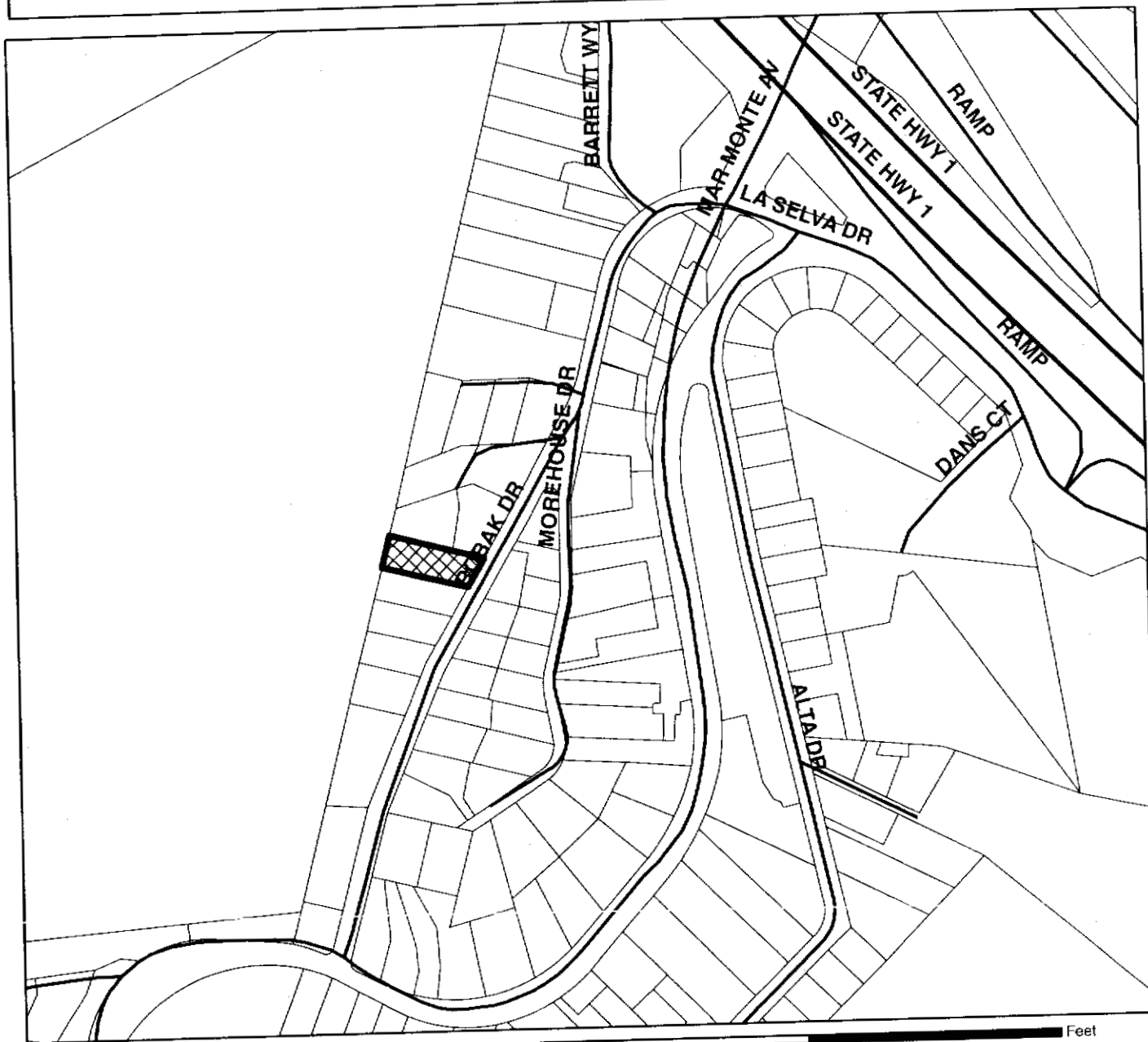


Note - Assessor's Parcel & Block
Numbers Shown in Circles.




Assessor's Map No. 45-33
County of Santa Cruz, Calif.
Dec. 1999

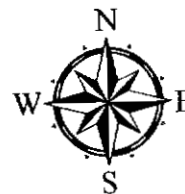


Location Map



LEGEND

-  APN: 045-331-10
-  Assessors Parcels
-  Streets
-  State Highways

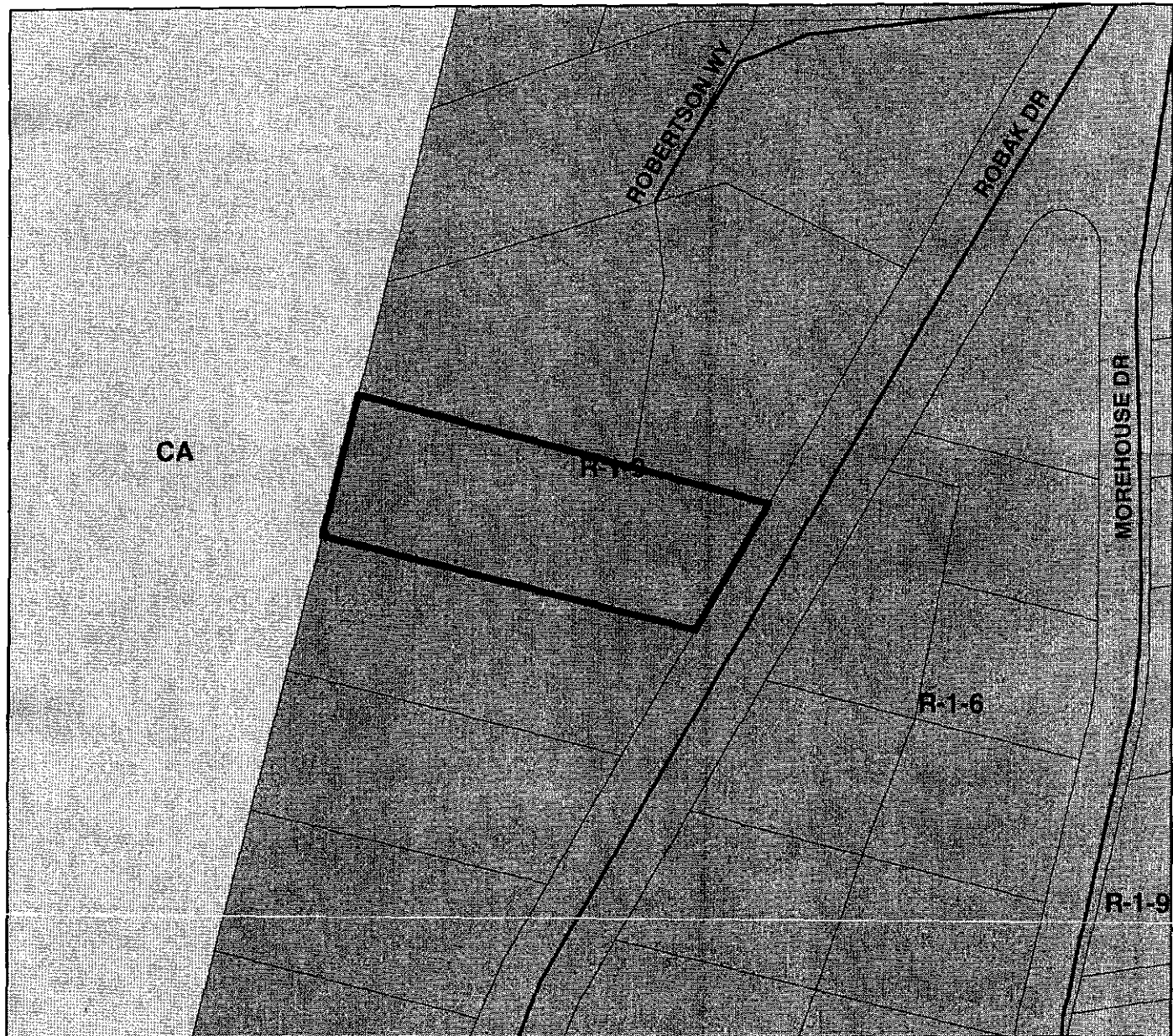


Map Created by
County of Santa Cruz
Planning Department
August 2008

EXHIBIT E



Zoning Map



0 75 150 300 450 600 Feet

LEGEND



APN: 045-331-10



Assessors Parcels



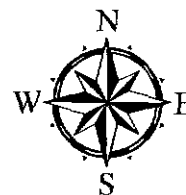
Streets



RESIDENTIAL-SINGLE FAMILY



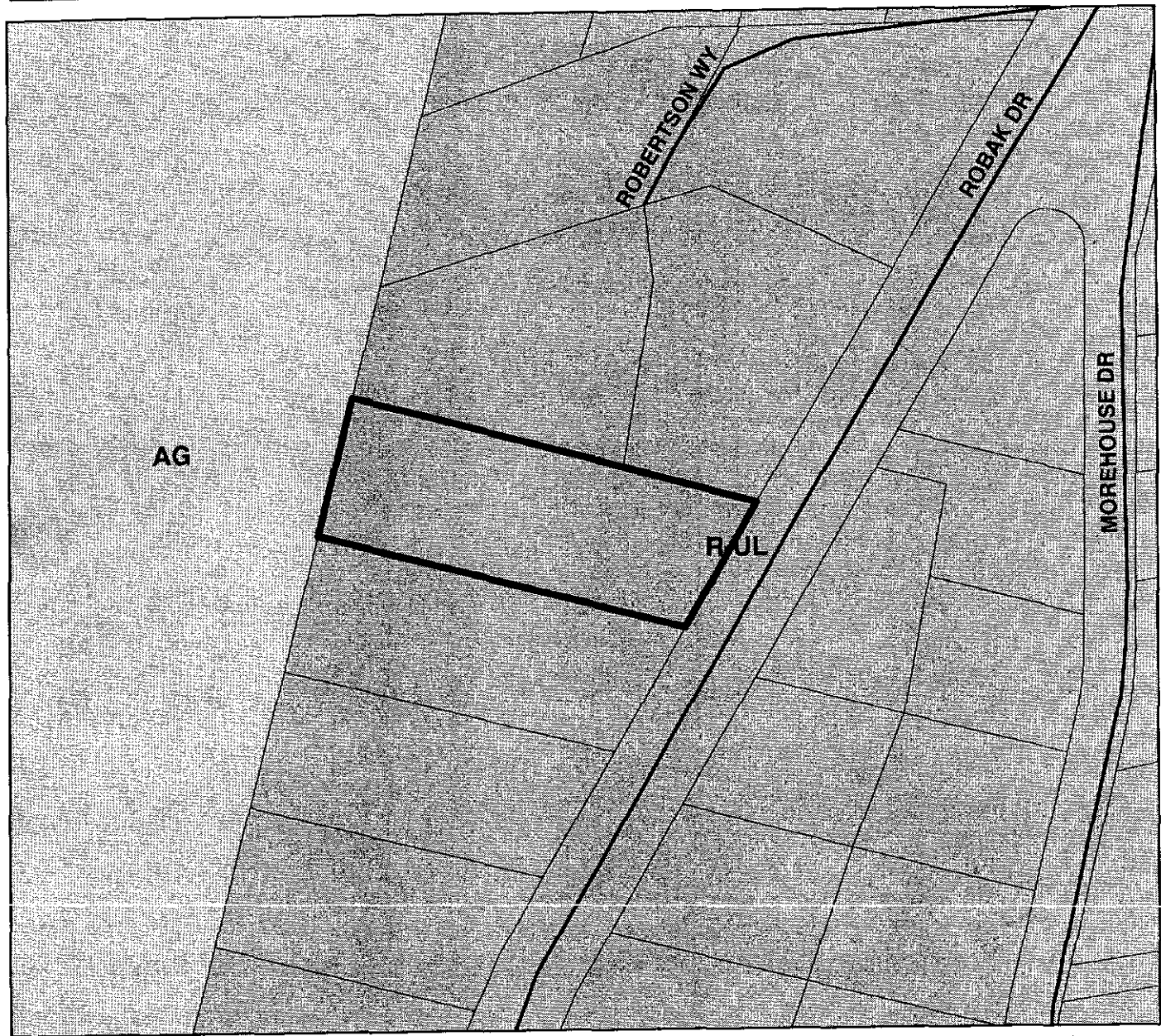
AGRICULTURE COMMERCIAL



Map Created by
County of Santa Cruz
Planning Department
August 2008



General Plan Designation Map



0 75 150 300 450 600 Feet

LEGEND



APN: 045-331-10



Assessors Parcels



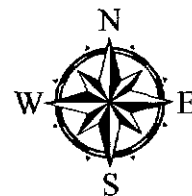
Streets



Residential - Urban Low Density



Agriculture



Map Created by
County of Santa Cruz
Planning Department
August 2008

Order No.
Escrow No. 151882MN
Loan No.

VOL. 5901 PAGE 480

WHEN RECORDED MAIL TO:

Jean Ann Golino
84 Robak Drive
La Selva Beach, CA 95076

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

SPACE ABOVE THIS LINE FOR RECORDER'S USE
DOCUMENTARY TRANSFER TAX \$ None
Computed on the consideration or value of property conveyed, OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale.
As declared by the undersigned Grantor
Signature of Declarant or Agent determining tax - Firm Name

045-051-04

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Jean Ann Golino, an unmarried woman, who acquired title as Jean Ann Golino Cozby, an unmarried woman

hereby GRANT(S) to

Jean Ann Golino, an unmarried woman

the real property in the
County of

Unincorporated Area
Santa Cruz

, State of California, described

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

Dated August 24, 1996

STATE OF CALIFORNIA)
COUNTY OF Santa Cruz) ss.

On 8-16-96
before me, WILLIAM J. BAERL, personally
appeared JEAN ANN GOLINO

personally known to me (or proved to me on the basis of
satisfactory evidence) to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s) or the entity upon behalf of which the
person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature WILLIAM J. BAERL

MAIL TAX STATEMENTS AS DIRECTED ABOVE

(This area for official notarial seal)

1002-SM (1/94)

ILLEGIBLE DOCUMENT DECLARATION (Govt. Code 27361.7)

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS A TRUE AND CORRECT
COPY OF THE ILLEGIBLE PORTION OF THE DOCUMENT TO WHICH IT IS ATTACHED.

John B. King
(Signature of Affiant)

DATE SEPTEMBER 3, 1996

PLACE OF EXECUTION SANTA CRUZ, CALIFORNIA

The land referred to herein is situated in the State of California, County of Santa Cruz, Unincorporated Area and is described as follows:

PARCEL ONE:

BEING LOT 15, AS THE SAME IS SHOWN UPON THAT CERTAIN MAP ENTITLED, "TRACT #97 SUBDIVISION OF LA SELVA HOMESITES IN THE SAN ANDREAS RANCHO, SANTA CRUZ COUNTY, CALIFORNIA, BEING A PORTION OF LANDS DESCRIBED IN SERIAL 22160-1946 SURVEYED OCTOBER 1948 E. R. MUTTERSACH, L. S. 1225", FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CRUZ COUNTY ON MAY 13, 1949, IN MAP BOOK 29, AT PAGE 25, SANTA CRUZ COUNTY RECORDS.

PARCEL TWO:

BEING AN EASEMENT FOR INGRESS AND EGRESS OVER A PORTION OF LOT NO. 14, AS SHOWN AND DELINEATED ON THE MAP OF LA SELVA HOMESITES TRACT NO. 97, FILED FOR RECORD IN VOLUME 29 OF MAPS, AT PAGE 25, IN THE OFFICE OF THE SANTA CRUZ COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST SIDELINE OF ROBAK DRIVE, FROM WHICH A 1/2" IRON PIPE, NO TAG, AT THE NORTHEAST CORNER OF SAID LOT NO. 14, BEARS N. 29 DEGREES 20' E. 49.39 FEET DISTANT; THENCE FROM SAID POINT OF BEGINNING ALONG THE WEST SIDE LINE OF ROBAK DRIVE S. 29 DEGREES 20' W. 33.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT NO. 14; THENCE LEAVING THE SOUTHEAST CORNER OF SAID LOT NO. 14 AND ALONG THE SOUTH BOUNDARY OF SAID LOT 14, N. 76 DEGREES 35' 30" W. 83.00 FEET TO A POINT; THENCE LEAVING THE SOUTH BOUNDARY OF SAID LOT NO. 14 N. 75 DEGREES 11' 30" E. 36.00 FEET TO AN ANGLE POINT; THENCE N. 89 DEGREES 04' 00" E. 62.50 FEET TO THE POINT OF BEGINNING.

A.P. No.: 045-051-04



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

March 8, 2010

Carol Frederick
316 Mid Valley Center #142
Carmel, CA, 93923

Subject: Review of Geotechnical Investigation by Haro Kasunich and Associates, Inc.
Dated November 6, 2008; Project #: SC9692;
"Response to Santa Cruz County Review of Geotechnical Report", by Haro,
Kasunich and Associates, Inc., Dated December 23, 2008;
"Geotechnical Plan Review", by Haro, Kasunich and Associates, Inc.,
Dated November 6, 2009
APN 045-331-10, Application #: 08-0210

Dear Applicant:

The purpose of this letter is to inform you that the Planning Department has accepted the subject report and addendums and the following items shall be required:

1. All construction shall comply with the recommendations of the report.
2. Final plans shall reference the report and include a statement that the project shall conform to the report's recommendations. Plans shall also provide a thorough and realistic representation of all grading necessary to complete this project
3. Prior to building permit issuance a *plan review letter* shall be submitted to Environmental Planning. The author of the report shall write the *plan review letter*. The letter shall state that the project plans conform to the report's recommendations.
4. Please provide an electronic copy of the soils report and addendums in .pdf format. This document may be submitted on compact disk or emailed to carolyn.banti@co.santa-cruz.ca.us.

After building permit issuance the soils engineer *must remain involved with the project* during construction. Please review the *Notice to Permits Holders* (attached).

Our acceptance of the report is limited to its technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. may require resolution by other agencies.

Please note that this determination may be appealed. Please contact me if you would like to file an appeal and I will provide guidance on how to proceed.

(over)

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

After issuance of the building permit, the County requires your soils engineer 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 and per the requirements of the 2007 California Building Code. Compaction reports or a summary thereof must be submitted.
2. **Prior to placing concrete for foundations,** a letter from the soils engineer must be submitted to the building inspector and to Environmental Planning stating that the soils engineer has observed the foundation excavation and that it meets the recommendations of the soils report.
3. **At the completion of construction,** a *final letter* from your soils engineer is required to be submitted to Environmental Planning that summarizes the observations and the tests the soils engineer has 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 recommendations."

If the *final soils letter* identifies any items of work remaining to be completed or that any portions of the project were not observed by the soils engineer, 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: Samantha Haschert
Application No.: 08-0210
APN: 045-331-10

Date: November 16, 2010
Time: 12:55:11
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON SEPTEMBER 2, 2008 BY CAROLYN I BANTI ===== - Completeness Comments - Soils and Grading - First Review - These comments have been saved in another document by Diane 7/28/09. ===== UPDATED ON SEPTEMBER 3, 2008 BY ROBERT S LOVELAND ===== These comments have been saved in another document by Diane 7/28/09. ===== UPDATED ON DECEMBER 1, 2008 BY CAROLYN I BANTI ===== ++Completeness Comments ++ Soils and Grading ++ Second Review ++ 1. Please submit a Soils Engineer Transfer of Responsibility form for the updated soils report. This form has been included as an attachment to the soils report denial letter. 2. The soils report has not been accepted. Please see letter dated 12/1/08 and Comments 3 - 7 below. 3. The soils report must be expanded to include the unstable driveway slope and adjacent retaining wall. Specifically, the report must provide for the removal and replacement of the driveway slope and recommendations for replacement of the existing retaining wall. 4. The soils report acknowledges the presence of fill on-site, and Figure 18 of the report indicates that a substantial amount of fill is present across the site. Please revise the report to (a) clearly delineate the depth and extent of unengineered fill on the property in plan view, (b) revise the boring logs to indicate the depth of fill material encountered (c) provide recommendations for the removal and replacement of all fill material on site. 5. The soils report recommends conventional foundations for the structure on Page 12, then provides recommendations for pier foundations on Page 14. Please clarify which is the recommended foundation system for the residence and accessory retaining structures. 6. Please provide a statement regarding the potential for liquefaction at the subject location. 7. Please clarify the depth of overexcavation and recompaction required for structures. 8. Prior to the discretionary application being deemed complete, a geotechnical plan review letter is required from the soils engineer. The letter must state that the project plans are in conformance with the recommendations of the soils report and must reference the final, reviewed, plan set by both drawing and revision dates.

The following comments pertain to the Grading and Drainage Plan (Sheet C1, 8/28/07): 9. The current grading plan has no existing contours shown. Please provide existing and proposed contours for all improvements. Note: contours shall extend beneath all proposed development. 10. Please include additional top-of-wall and bottom-of-wall elevations at the beginning and end points of all proposed retaining walls. 11. Please revise the limits of grading to include removal and replacement of all existing unpermitted fill on the property, as well as all over-excavation and recompaction required beneath and adjacent to the proposed improvements. 12. As requested in first review comments, please provide grading cross sections through the residence and a driveway profile prepared by the civil engineer. Note that the location of all cross sections and the driveway centerline profile must be shown on the grading plan. 13. As requested in first review comments, please include all earthwork quantities related to restorative grading (removal and replacement of unengineered fill onsite) as well as over-excavation and recompaction beneath and adjacent to improvements as separate line items in the earthwork volume table. Please note that due to incomplete grading plans, the reported volumes have not been reviewed for accuracy. 14. As requested in first review comments, please provide back-up calculations for reported grading volumes. These calculations must be signed and stamped by the civil engineer of record. 15. The landscape plan and Ex-

Discretionary Comments - Continued

Project Planner: Samantha Haschert
Application No.: 08-0210
APN: 045-331-10

Date: November 16, 2010
Time: 12:55:11
Page: 2

hibit A show terracing and retaining walls proposed for the area north of the proposed driveway. These features must be shown on the grading plan, as well as all proposed grading and structural improvements. 16. Architectural cross section 1/A-5 shows an adjacent elevation to the east of 80-feet, while site elevations are near 70-feet. The adjacent elevation to the west is shown as 69-feet, while site grades are near 80-feet. No grading is shown in these areas on the grading plan; please revise and include all proposed grading on the plans. The grading plans will be cross-referenced with the civil-engineered cross sections and architectural sections for accuracy. 17. The west architectural elevation shows grading extending around the southwest corner to the west side of the home and an associated retaining wall with a top-of-wall elevation of 75-feet. As noted in the previous comment, please include all proposed grading and retaining walls on the plans. 18. Please note: The updated grading plan, cross-sections and backup grading calculations must be signed and stamped by the civil engineer of record. ===== UPDATED ON DECEMBER 2, 2008 BY ROBERT S LOVELAND ===== Comments 8 & 9 above: Since a large portion of the upper home site area will have to be over-excavated and recompacted due to the presence of unclassified fill material (identified in the soils report) it has been determined that the upper home location (as originally proposed) is acceptable. IMPORTANT NOTE: I highly recommend that a meeting between the applicants design team (civil engineer and geotechnical engineer) be completed with members of Environmental Planning prior to the next resubmittal. Please contact me (Bob Loveland 454-3163) so that we can arrange a meeting date. ===== UPDATED ON MARCH 27, 2009 BY CAROLYN I BANTI ===== ++ Completeness Comments ++ Third Review ++ Soils and Grading ++ Please note: Comment numbers refer to second review comments:

1. Comment Not Addressed: A Soils Engineer Transfer of Responsibility Form has not been received. 2. The soils report has not been accepted. Please see letter dated 3/27/09 and Comments 3-4 below. 3. The soils report prepared by Tharp and Associates, Inc. shows that the northern side of the proposed driveway is unstable at the location of Cross Section A-A' (See report Figures C-1.0, C-2.0). Please provide a stability analysis showing that the 2:1 slope buttress recommended in the soils report will result in a stable slope configuration in this area. 4. It appears that unengineered fill will remain beneath the garage slab and adjacent driveway area, and overexcavation/recompaction has not been recommended. Please provide an estimate of potential settlement in these areas. 5. N/A 6. Comment Addressed: Soils Report update provided. 7. Comment Addressed: Pier foundations to be used that will require no overexcavation/recompaction per soils report update. Please note that if alternate foundations are used additional soils report recommendations will be necessary. 8. Comment Not Addressed: Geotechnical plan review letter not provided at this time. 9. Comment Addressed 10. Comment Partially Addressed (sufficient for discretionary review): See Misc Comments for additional information to be included on building permit plans. 11. Comment Addressed: N/A per Soils Report Update 12. Comment Addressed 13. Comment Addressed 14. Comment Partially Addressed: Back-up calculations are provided on the plans, but these calculations do not include the origin of 100 CY of material for "landscaping" and are not signed/stamped as indicated in the "Response to Plan Check Comments", by TS Civil Engineering. It appears the landscaping yardage may be tied to landscaping retaining walls. Please see response to Comment No. 15 for further information. 15. Comment Not Addressed: Landscape retaining walls must be shown on the grading plans for the following reasons: (a) these walls are associated with 100 cubic yards of grading per informal calculations shown on the landscape plan; as such, the preliminary grading review cannot be completed un-

Discretionary Comments - Continued

Project Planner: Samantha Haschert
Application No.: 08-0210
APN: 045-331-10

Date: November 16, 2010
Time: 12:55:11
Page: 3

til this grading is shown on the grading plan, and (b) As noted in the "Response to Corrections" by Carol Frederick, these walls are being utilized to facilitate the 2:1 slope mitigation required by the soils report and must be reviewed and approved by the soils engineer in their plan review letter prior to the discretionary application being deemed complete. Please show the landscape walls on the grading plan, along with associated grading and volume calculations. 16. Comment Addressed 17. Comment Addressed 18. Comment Not Addressed: Sheets C1 and C2 have not been stamped/signed. ===== UPDATED ON AUGUST 5, 2009 BY CAROLYN I BANTI ===== +++ Fourth Review Completeness Comments +++ The following comments are those outstanding after our fourth review of the plan set and technical information. Please note that as of this routing, the information required in Comments D, F, G and H has been requested a total of three times and has not yet been provided for review. Carolyn Banti, Associate Civil Engineer, is available to discuss this item to clarify the requirement and provide additional information, as necessary. She may be contacted at (831) 454-5121.

The most recent plan set includes a landscape plan modified to include grading information. Please note that this is not sufficient to address our comments, and a complete, revised grading plan stamped by a licensed civil engineer is necessary to complete our preliminary grading review. Handwritten information may not be added to the civil engineered drawings without the approval of the civil engineer.

The application cannot be deemed complete until the following comments have been addressed:

A. The soils report has not been accepted. As requested in Third Review Comments, please provide the soils information requested in Comments B and C.

B. The soils report prepared by Tharp and Associates (TA), Inc. shows that the northern side of the proposed driveway is unstable at the location of Cross Section A-A- (contrary to the statement in the response by HKA, 12/23/08, page 3, which states that stability analyses by both TA and HKA found this slope to be stable.). It appears from the TA report Figures C-1.0 and C-2.0 that the failure surface intercepts the driveway. Please provide a stability analysis showing that the proposed driveway grading and 2:1 slope buttress recommended in the soils report addendum will result in a stable slope configuration in this area. (Note: To clarify the location being described, the stability analysis should be performed approximately 5-10 feet west of Cross Section B-B shown on Sheet C-1 of the plans).

C. It appears that unengineered fill will remain beneath the garage slab and adjacent driveway area, and overexcavation/recompaction has not been recommended. Please provide an estimate of potential settlement in these areas.

D. Please provide a geotechnical plan review letter from the soils engineer that states the final project plans conform to the recommendations of the geotechnical report and addendum.

E. It appears that the most recent grading plan submitted (Sheet C-1, TS Civil Engineering, dated 8/28/07) is outdated, as an updated grading plan was submitted with the Third Routing (Sheet C-1, TS Civil Engineering, dated 2/4/09). The current plan sheet (dated 8/28/07) lacks the detail necessary for review. Please provide informa-

Discretionary Comments - Continued

Project Planner: Samantha Haschert
Application No.: 08-0210
APN: 045-331-10

Date: November 16, 2010
Time: 12:55:11
Page: 4

tion previously requested under second and third review comments (Second Review: Comments 9,14,15 and 18) (Third Review: 14 and 15). Also note that the "Grading Note: Monitoring Requirement" added to Sheet C-1 by the applicant does not obviate the need for complete soils information and grading plans, as these are required to accurately define the project scope.

F. Please show the proposed landscape retaining walls on the grading plan, Sheet C-1. Associated grading volumes must be calculated by the civil engineer and included in the project grading volume totals (See Comment F). The placement of these walls and their adequacy to mitigate potential slope instability must also be reviewed and approved by the soils engineer in their plan review letter (requested in Comment D).

G. As requested in Third Review Comments, please provide a stamped and signed copy of the updated grading plan and associated grading calculations that includes calculations for the origin of the 100 CY of material for "landscaping" as shown on Sheet C-1 (dated 2/4/09).

H. Sheet C-2 must also be stamped/signed by the civil engineer. ===== UPDATED ON AUGUST 7, 2009 BY ROBERT S LOVELAND =====
===== UPDATED ON MARCH 4, 2010 BY CAROLYN I BANTI =====

+++ Fifth Review Completeness +++

The soils report has been reviewed and accepted, with addendums. Please see letter dated 3/4/10.

No additional completeness items.

Environmental Planning Miscellaneous Comments

===== REVIEW ON SEPTEMBER 2, 2008 BY CAROLYN I BANTI ===== - Compliance Comments - Soils and Grading - First Review - 1. General Plan Section 6.3.1 prohibits structures in discretionary projects on slopes in excess of 30-percent. The proposed structure does not appear to comply with this policy Please relocate the proposed structure accordingly. 2. Note: Please be aware that relocation of the proposed structure may require the addition of a fire engine turn-around area in compliance with Code Section 16.20.180 and CDF policies. ===== UPDATED ON SEPTEMBER 3, 2008 BY ROBERT S LOVELAND ===== Conditions of Approval: 1. Submit an arborist report completed by a licensed arborist for review and approval. The report shall identify all oak trees on the property that could be impacted by the proposed development (single family dwelling, driveway, etc.). The report shall describe tree health and provide protection details for listed trees. 2. Submit a detailed sediment/erosion control plan for review and approval. Recommend that the plan be completed by a licensed civil engineer or a Certified Professional in Sediment & Erosion Control. ===== UPDATED ON DECEMBER 1, 2008 BY CAROLYN I BANTI ===== ++Compliance Comments++Soils and Grading++Second Review++ 1. Please note that all unpermitted fill onsite must be removed and replaced per County Code Chapter 16.20. ===== UPDATED ON DECEMBER 2, 2008 BY ROBERT S LOVELAND ===== ===== UPDATED ON MARCH 27, 2009 BY CAROLYN I BANTI ===== ++ Compliance Comments ++ Soils and Grading ++ Third Review ++ Comment addressed per mitigations outlined in the soils

Discretionary Comments - Continued

Project Planner: Samantha Haschert
Application No.: 08-0210
APN: 045-331-10

Date: November 16, 2010
Time: 12:55:11
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report and addendum. No additional comments

++ Misc/Conditions ++ Soils and Grading ++ Third Review ++ 3. Provide top-of-wall and bottom-of-wall elevations for retaining walls beneath the residence. 4. Prior to building permit issuance, please submit two copies of a geotechnical plan review letter stating that the final set of project plans conform to the recommendations of the soils report. ===== UPDATED ON MARCH 4, 2010 BY CAROLYN I BANTI =====

+++ Fifth Review +++

The grading plans show 100 cubic yards of fill for "landscaping". This is not shown on the plans and should not be included in any preliminary grading approval.

The civil plans have not been stamped/signed by the civil engineer. Please stamp/sign these prior to final approval of permit 08-0210.

Code Compliance Completeness Comments

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

===== REVIEW ON SEPTEMBER 4, 2008 BY JACOB RODRIGUEZ =====
NO COMMENT

This is code court case: Owner must abide by all conditions set by County Counsel. failure to perform will result in additional penalties/code costs.

Code Compliance Miscellaneous Comments

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

===== REVIEW ON SEPTEMBER 4, 2008 BY JACOB RODRIGUEZ =====
NO COMMENT
This code case is in court.

Dpw Drainage Completeness Comments

===== REVIEW ON SEPTEMBER 2, 2008 BY GERARDO VARGAS ===== General Plan
policies: <http://www.sccoplanning.com/pdf/generalplan/toc.pdf> 7.23.1 New Development
7.23.2 Minimizing Impervious Surfaces 7.23.5 Control Surface Runoff

Provide a stormwater mitigation plan, complete with all information necessary to convey its content, context, adequacy, and consistency with the development policies listed above. As minimum guidance, applicant should provide drainage information to a level addressed in the "Drainage Guidelines for Single Family Residences" provided by the Planning Department. This may be obtained online:
<http://www.sccoplanning.com/brochures/drain.htm>

The present development proposal does not adequately control stormwater impacts. The proposal is out of compliance with County drainage policies and the County Design Criteria, and also lacks sufficient information for complete evaluation. The Stormwater Management section cannot recommend approval of the project as proposed.

Discretionary Comments - Continued

Project Planner: Samantha Haschert
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Item 1) The applicant will need to provide mitigations showing that runoff rates are held to pre-development levels for a broad range of storms up through the 10-year event. The driveway parking area and building all require such mitigation. The use of BMP's is required.

Note: proposed. The proposed energy dissipater may serve as erosion control, but not mitigation for stormwater runoff.

Item 2) It would be preferable to avoid concentrating and piping water near neighboring property and attempt to provide more substantial surface spreading within the property. Retention may be feasible on site since leach fields are being proposed.

Note: Claims of non-feasibility shall require a stamped and signed letter from an appropriate professional clearly stating the technical basis for the non-feasibility determination, including specific documentation of the conditions causing non-feasibility. Generalized opinions of non-feasibility will not be accepted.

Item 3) Indicate on the plans the manner in which building downspouts will be discharged. Proposing downspouts as discharged directly to the storm drain system is generally inconsistent with efforts to hold runoff to pre-development rates.

Item 4) Please provide a detail describing how the driveway will conform to existing roadside facilities. Road drainage should not be blocked by the proposed driveway. Provide a typical cross section of the existing road swale and details describing how drainage will be accommodated across/under the proposed driveway.

Item 5) Explain the reason for connecting the neighboring drain inlet to the proposed drainage system..

Item 6) It is required to minimize impervious surfacing. This may be done by reducing the extents of impervious paving or by using porous pavements in feasible locations on the site. The lower parking and turnaround area at the bottom of the driveway has flatter slopes and may allow such use.

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.

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

===== UPDATED ON DECEMBER 1, 2008 BY GERARDO VARGAS ===== The plan needs the following additional information and revisions prior to approving discretionary stage Stormwater Management review.

1. The current drainage plan is still showing the energy dissipater. If the energy is no longer being proposed, please remove from the drainage plan.

(Incomplete)Item 5) Explain the reason for connecting the neighboring drain inlet to the proposed drainage system..

It appears that the proposed percolation pit is in a slope exceeding 25%, this re-

Discretionary Comments - Continued

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quires geotechnical letter approving the location to be of the proposed percolation pit.

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

===== UPDATED ON MARCH 24, 2009 BY GERARDO VARGAS =====

The proposed drainage plan has been approved for the discretionary stage in regards to drainage. See miscellaneous comments to be addressed at building application stage.

Dpw Drainage Miscellaneous Comments

===== REVIEW ON SEPTEMBER 2, 2008 BY GERARDO VARGAS ===== NO COMMENT

===== UPDATED ON DECEMBER 1, 2008 BY GERARDO VARGAS ===== Miscellaneous comments to be addressed at the building application stage. See below.

1. Provide analysis and background information for the proposed Percolation structure demonstrating that it meets design criteria requirements for maintaining pre development runoff rates and adequately mitigates for the proposed impervious

2. The Environmental Protection Agency (EPA) defines a class V injection well as any bored, drilled, or driven shaft, or dug hole that is deeper than its widest surface dimension, or an improved sinkhole, or a subsurface fluid distribution system. Such storm water drainage wells are -authorized by rule-. For more information on these rules, contact the EPA. A web site link is provided from the County DPW Stormwater Management web page. The County does not exclude the design and use of detention facilities that may fall under these EPA regulations.

3. All drainage features need to be shown on the plan.

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

===== UPDATED ON MARCH 24, 2009 BY GERARDO VARGAS ===== 1. The proposed gravel pit is not adequately sized to handle the amount of runoff being directed to the system. Revise the rational coefficient on the calculation spreadsheet submitted. It appears the Cpost coefficient was determined by the weighted factor. The sizing of the detention/retention system should be determined only by the impervious area, therefore the Cpost shall remain at (.9).

2. Please annotate all downspouts on the plan.

Please submit updated letter from Geotechnical Engineers in conformance with final Drainage Plan.

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 SEPTEMBER 2, 2008 BY DAVID GARIBOTTI =====

Show driveway plan view and centerline profile. Show existing ground and driveway

Discretionary Comments - Continued

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elevations on profile. Show existing roadside improvements, ie. curb and gutter or valley gutter or . . ." Sight distance minimum 250 feet, traffic engineer may be required. Please note on plans Driveway to conform to County of Santa Cruz Design Criteria. ===== UPDATED ON DECEMBER 1, 2008 BY DEBBIE F LOCATELLI =====
Previous comments entered in error, this is a private road, not county maintained.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON SEPTEMBER 2, 2008 BY DAVID GARIBOTTI =====
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON AUGUST 26, 2008 BY ANWARBEG MIRZA =====

1. In order to evaluate access to the single-family dwelling, show how property obtains access to the county road system. In addition, provide details such as roadway width, pavement condition, sight distance issues (if any) etc. of the intersection of private rd. to the county maintained road(s) in plan view.

(Photos/digital pictures of the intersection are preferable) ===== UPDATED ON DECEMBER 1, 2008 BY ANWARBEG MIRZA =====
Previous comments still apply. Please see the following comment for references.

1. In order to evaluate access to the single-family dwelling, show how property obtains access to the county road system. In addition, provide details such as roadway width, pavement condition, sight distance issues (if any) etc. of the intersection of private rd. to the county maintained road(s) in plan view.

(Photos/digital pictures of the intersection are preferable) ===== UPDATED ON MARCH 23, 2009 BY ANWARBEG MIRZA =====
(Third review) Previous comments still apply. Please see the following comment for references.

1. In order to evaluate access to the single-family dwelling, show how property obtains access to the county road system. In addition, provide details such as roadway width, pavement condition, sight distance issues (if any) etc. of the intersection of private rd. to the county maintained road(s) in plan view.

(Photos/digital pictures of the intersection are preferable) ===== UPDATED ON JULY 27, 2009 BY ANWARBEG MIRZA =====
COMPLETE: NO SIGHT DIST ISSUE PER RESPONSE LETTER FROM THE APPLICANT. INTERSECTION OF PRIVATE TO COUNTY MAINTAINED RD IS IN GOOD CONDITIONS. SITE VISIT BY AM.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON AUGUST 26, 2008 BY ANWARBEG MIRZA =====
NO COMMENT

===== UPDATED ON DECEMBER 1, 2008 BY ANWARBEG MIRZA =====
NO COMMENT

===== UPDATED ON MARCH 23, 2009 BY ANWARBEG MIRZA =====
NO COMMENT

Discretionary Comments - Continued

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===== UPDATED ON JULY 27, 2009 BY ANWARBEG MIRZA =====
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON AUGUST 27, 2008 BY JIM G SAFRANEK =====

Applicant must obtain a sewage disposal permit for the new development. Applicant will have to have an approved water supply prior to approval of the sewage disposal permit. Contact the appropriate Land Use staff of EHS at 454-2751 (Ruben Sanchez). It appears from previous records that this site will need a septic system with enhanced treatment (non-standard system).

===== UPDATED ON NOVEMBER 25, 2008 BY JIM G SAFRANEK =====

Applicant must obtain a sewage disposal permit for the new development. Applicant will have to have an approved water supply prior to approval of the sewage disposal permit. See previous comment.

===== UPDATED ON APRIL 6, 2009 BY JIM G SAFRANEK ===== See Nov comment.

Previous comments on the need for EH permits still apply. ===== UPDATED ON JULY 13, 2009 BY JIM G SAFRANEK ===== Applicant needs approved septic permit application and water supply.

===== UPDATED ON FEBRUARY 10, 2010 BY JIM G SAFRANEK =====

===== UPDATED ON FEBRUARY 10, 2010 BY JIM G SAFRANEK =====

===== UPDATED ON FEBRUARY 10, 2010 BY JIM G SAFRANEK ===== Previous comments regarding EH permits still apply; drainage/site/grading plans must illustrate all septic system components once the EH permit appl is approved by EHS. For septic permitting question contact Ruben Sanchez of EHS at 454-2751.

===== UPDATED ON JULY 15, 2010 BY JIM G SAFRANEK ===== The preliminary septic evaluation has been approved and the project is now complete for EHS. Drainage and grading will need to be included on the septic site plan submitted with the septic permit application at time of BP.

Environmental Health Miscellaneous Comments

===== REVIEW ON AUGUST 27, 2008 BY JIM G SAFRANEK =====

NO COMMENT

===== UPDATED ON NOVEMBER 25, 2008 BY JIM G SAFRANEK =====

NO COMMENT

===== UPDATED ON JULY 13, 2009 BY JIM G SAFRANEK =====

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

===== REVIEW ON AUGUST 26, 2008 BY ERIN K STOW =====

DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED

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

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

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

Discretionary Comments - Continued

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

===== REVIEW ON AUGUST 26, 2008 BY ERIN K STOW =====
NO COMMENT