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# Staff Report to the Zoning Administrator

Application Number: **111140**

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**Applicant:** Matson Britton Architects  
c/o Kurt Ross

**Agenda Date:** January 6, 2012

**Owner:** Stephen Beck, Trustee  
**APN:** 033-171-22

**Agenda Item #:** 3  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to remove and replace an existing family dwelling with an approximately 3,450 square foot 2 story, 3 bedroom, 2 full and 2 half bath dwelling. Requires a Coastal Development Permit.

**Location:** Property located on the south side of Opal Cliffs Drive, approximately ¼ mile east from 41<sup>st</sup> Avenue.

**Supervisory District:** 1<sup>st</sup> District (District Supervisor: John Leopold)

**Permits Required:** Coastal Development Permit  
**Technical Reviews:** Geology/Soils Report Review

**Staff Recommendation:**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 111140, based on the attached findings and conditions.

**Exhibits**

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

**Parcel Information**

Parcel Size:	10,631.7 Gross, 6,923 Net (site area less coastal bluff and beach area)
Existing Land Use - Parcel:	Single Family Residential
Existing Land Use - Surrounding:	Single Family Residential
Project Access:	Opal Cliffs Drive, approximately 50 foot right-of-way
Planning Area:	Live Oak

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County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

Land Use Designation: R-UM (Residential Urban Medium)  
Zone District: R-1-5 (Single Family Residential, 5000 square feet minimum per parcel)  
Coastal Zone:  Inside  Outside  
Appealable to Calif. Coastal Comm.  Yes  No

### Environmental Information

Geologic Hazards: Coastal Bluff, conditions of approval include geology report review recommended conditions  
Soils: N/A  
Fire Hazard: Not a mapped constraint  
Slopes: Site is essentially flat with exception of coastal bluff area  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: Clearing, grubbing, and stripping preparation only  
Tree Removal: 6 inch pine proposed to be removed only, Not identified as a significant tree pursuant to the significant tree protection ordinance  
Scenic: Not a mapped resource  
Drainage: Existing drainage to be maintained without additional off-site run-off, See Public Works drainage conditions  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line:  Inside  Outside  
Water Supply: Soquel Creek Water  
Sewage Disposal: Santa Cruz Sanitation  
Fire District: Central Fire Protection District  
Drainage District: Flood Zone 5

### Project Setting

The property is located on Opal Cliff Drive, a 50 foot wide right-of-way improved with two travel lanes and on-street parking for most of the street. Some portions of the street contain an unpaved shoulder. The street is open and curving, connecting the Pleasure Point area to the City of Capitola. The street is comprised of large ocean front parcels on the south side and smaller parcels on the north side of the street. The neighborhood contains a mix of older small one and two story dwellings and newer large two story dwellings.

The site contains an existing one story two bedroom, two bath ranch style single family dwelling constructed in 1947 per the assessor records. The site contains existing landscaping located on the northwest portion of the parcel, including a 6 inch pine and two 10 inch multi-trunk trees.

### Project Description

The applicant is proposing to remove the existing dwelling and the existing 6 inch pine tree located within the front yard. All other landscaping is proposed to remain unchanged. The

applicant is proposing to construct an approximately 3450 square foot two story dwelling. The dwelling is proposed to be located approximately 13 feet back from the front property line than the existing dwelling by approximately 13 feet. The front portion of the site is proposed to include a 24 foot wide driveway parking apron as well as an approximately 12 foot wide building entry area consisting of stone pavers. A patio is proposed at the rear of the house with a hot tub and fire pit located approximately 7 to 13 feet, respectively, from the top of slope.

**Zoning & General Plan Consistency**

The subject property is a parcel of approximately 10,631 square feet gross area and 6,923 square feet net area (site area less coastal bluff area) and located in the R-1-5 Zone District (Single Family Residential, 5000 square feet per unit), a designation which allows single family residential uses. The proposed replacement dwelling is a principal permitted use within this zone district and the zoning is consistent with the site's Urban Medium Residential (R-UM) General Plan designation.

Setbacks

The following setback table notes all required and proposed setbacks for this parcel. You will note that the property is allowed five foot setbacks on both side property lines. This is based on a site width of approximately 58 feet. Parcels that are less than 60 feet in width are allowed reduced setbacks than parcels that are 60 feet in width (5 foot setbacks as opposed to one five foot setback and one eight foot setback).

<b>Setback Table</b>			
	Front	Side	Rear
Required	20 feet to garage	5 & 5 feet (less than 60 foot lot)	15 feet, Minimum 25 foot geological setback to bluff top, and minimum 100 year bluff stability (determined by geology report)
Proposed	Front setback varies from 36 to up to 51 feet	5'	27 feet to top of bluff, project compliant with 100 year setback with exception of hot tub and fire pit*

\*Proposed site improvements include a fire pit and a hot tub within the required 100 year bluff top setback line. Improvements shown on the site plan within the 100-year setback are subject to review under County Code Section 16.10.070 (h)2(i). The code section allows improvements within the setback as long as they meet the following two criteria:

- a) The improvement does not require a building permit, including gas, electrical, or plumbing permits, and
- b) The improvement does not include any of the following: non-habitable accessory structures, above-ground pools, water tanks, projects (including landscaping) which would unfavorably alter drainage patterns, and projects involving grading.

Therefore, a condition of approval is included with this permit to reiterate this requirement and to remove improvements from the plans within the 100 foot setback prior to issuance of a building permit, in accordance with the above-referenced code section and General Plan Policy 6.2.12, and because at this time a hot tub (requiring an electrical permit at a minimum) and a fire pit (which may require a gas permit) are in the 100-year setback on the plans dated 10/18/11. If the fire pit does not require any permits, it may remain within the 100-year setback.

Floor Area Ratio (FAR)

The below FAR table provides a breakdown of specific floor areas attributed to the dwelling, including the garage, first floor high ceiling areas, and applicable credits for the garage. This table is provided because the dwelling is close to the maximum allowable FAR. Please note that all floor areas have been verified for accuracy. The project summary notes shown on Sheet P1 of the plans note the garage as approximately 523.75 square feet in size. It should be noted that the garage area is a part of the overall first floor area of 1992 square feet and is only noted here to show the actual floor area of the first floor dedicated to the garage. The FAR table provides a very specific breakdown to avoid any confusion in this regard.

In total, the project provides approximately 2,338 square feet of first floor area and approximately 1,336.50 square feet of second floor area. The total FAR is approximately 3,450 square feet and equals approximately 49.8 percent of the net lot size, which is less than the 50 percent allowed by ordinance.

<b>FAR TABLE</b>	
<b>First Floor</b>	
Habitable Floor Area	1468.24
Non Habitable Garage Area	523.75
<b>Subtotal</b>	<b>1992</b>
Area > 16' high	314.75
Area > 24' high	31.50
<b>First Floor Total</b>	<b>2338.25</b>
<b>Second Floor Total</b>	<b>1,336.00</b>
Garage Credit	-225.00
<b>Total Floor Area</b>	<b>3,449.00</b>

Lot Coverage

Lot coverage allowed by ordinance is 40 percent. The project proposes approximately 2,068, or approximately 30 percent, which is substantially less than 40 percent.

### **Local Coastal Program Consistency**

The proposed replacement 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 consistent with the existing range of styles. The project site is located between the shoreline and the first public road. However, there is no physical access to the shoreline via the subject property at this location. In addition, the site is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

### **Design Review**

The proposed single family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed home is situated 36-50 feet back from the front property line, similar to immediately adjacent dwellings. The design of the dwelling provides substantial variation in the wall planes and roof lines on each elevation, as well as attractive earth brown materials and colors that complement the adjacent dwellings without matching the colors of any particular home. The adjacent dwelling to the east is a two story Mediterranean stucco home with a tile roof and the dwelling to the west is a two story dark brown shingle sided structure with white trim and composition roofing. The adjoining dwellings provide second story setbacks that create enough visual space for the proposed two story massing on the project site.

Additionally, the physical massing of the proposed dwelling has been carefully designed to maintain the privacy of both adjoining homes. For example, the bulk of the proposed second story wall elements overlook the tile roof of the house to the east so that privacy is not compromised. The proposed western facing elevation maintains the existing views of Monterey Bay enjoyed by the adjacent home's southeast second story. It does not otherwise appear that the proposed dwelling will create any privacy issues for either home.

Furthermore, over the past 15 to 20 years the Opal Cliff neighborhood has been in transition from a small, one story homes to larger, two story homes. The proposed home does not appear out of scale with the smaller homes in the neighborhood or out of character with the "openness" long associated with this street because the proposed structure is substantially set back to the rear of the lot and away from the street. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range. Most existing landscaping will be maintained within the front yard are of the property.

### **Environmental Review**

A preliminary determination has been made that the project is eligible for a Categorical Exemption from the California Environmental Quality Act (CEQA) and a notice of exemption has been attached as Exhibit D.

## **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 111140, 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](http://www.co.santa-cruz.ca.us)**

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Santa Cruz CA 95060  
Phone Number: (831) 454-2255  
E-mail: [sheila.mcdaniel@co.santa-cruz.ca.us](mailto:sheila.mcdaniel@co.santa-cruz.ca.us)

# BECK RESIDENCE

## NEW RESIDENCE

4330 OPAL CLIFF DRIVE, SANTA CRUZ, CA 95062

OWNERS:  
TERREN BECK  
920 CAMILLE LANE  
ALAMO, CA 94507

A.P.N.: 033-171--22

ZONING: R-1.5

OCCUPANCY GROUP: R-3 & U (PER 2010 C.R.C.)

CONSTRUCTION TYPE: V8 (SPRINKLERS)

PROJECT DESCRIPTION:  
THIS PROJECT CONSISTS OF A NEW TWO STORY SINGLE FAMILY DWELLING WITH 3 BEDROOMS, 3 BATHS AND AN ATTACHED TWO CAR GARAGE.

CODE COMPLIANCE:  
THIS RESIDENTIAL CONSTRUCTION COMPLIES WITH TITLE 24, AND THE FOLLOWING CODES: 2010 CALIFORNIA RESIDENTIAL CODES, 2010 CBC, 2010 CMC, 2010 CPC, AND 2010 CEC.

### PROJECT SUMMARY

NET LOT SIZE: 6,923 SQ. FT.

FLOOR AREAS PER COUNTY CALCULATIONS\*\*

PROPOSED FIRST FLOOR:  
1,992 + (AREA OVER 16' HIGH) 314.75 +  
(AREA OVER 24' HIGH) 31.5 =  
2,338.25 SQ. FT.

PROPOSED SECOND FLOOR:  
1,336.50 SQ. FT.  
TOTAL PROPOSED LIVING AREAS:  
3,674.75 SQ. FT.

ALLOWABLE AREAS (50% OF NET LOT SIZE):  
3,461.5 SQ. FT.

PROPOSED AREAS:  
3,449.75 SQ. FT.

MAX. LOT COVERAGE (40% ALLOWED):  
2,769.2 SQ. FT.

6,923 (NET LOT AREA) X .40 =  
2,769.2 SQ. FT.

ACTUAL FLOOR AREA\*\*

PROPOSED FIRST FLOOR:  
1,992 SQ. FT.

PROPOSED SECOND FLOOR:  
1,336.5 SQ. FT.

TOTAL PROPOSED LIVING AREAS:  
3,328.5 SQ. FT.

GARAGE:  
523.75 SQ. FT.

EXISTING IMPERVIOUS AREAS  
(HOUSE & GARAGE) 1,241.3 + (DRIVEWAY) 413  
+ (DECK) 407.3 =  
3,223.3 SQ. FT.

PROPOSED IMPERVIOUS AREAS  
(HOUSE & GARAGE) 1,992 + (DECK) 892.3 =  
2,884.3 SQ. FT.

\*COUNTS FLOOR AREAS WITH CEILING HEIGHTS ABOVE 16' AND 24' AS ADDITIONAL FLOOR AREA BEYOND ACTUAL AREA PROPOSED.

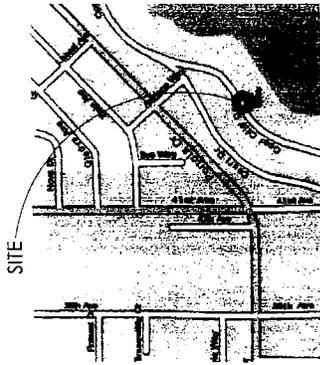
\*\* ACTUAL FLOOR AREA PROPOSED

### PROJECT CALCULATIONS

- P1 TITLE SHEET
- P2 SITE PLAN & NOTES
- P3 PROPOSED FIRST FLOOR PLAN
- P4 PROPOSED SECOND FLOOR PLAN
- P5 PROPOSED ROOF PLAN
- P6 PROPOSED EXTERIOR ELEVATIONS
- P7 PROPOSED EXTERIOR ELEVATIONS
- P8 SECTIONS
- P9 PHOTO COLLAGE

- C-1 GRADING AND DRAINAGE PLAN
- SU1 SURVEY

### SHEET INDEX



SITE

### VICINITY MAP

- ARCHITECT:  
MATSON BRITTON ARCHITECTS  
1400 BRITTON AVE.  
SANTA CRUZ, CA 95060  
PHONE: (317) 425-0644
- GEOLOGIC:  
ZINN GEOLOGY  
3085 CARRIERS LANE, SUITE B  
SANTA CRUZ, CA 95060  
PHONE: (317) 425-8443
- SOILS:  
PACIFIC CREST ENGINEERING INC.  
444 AIRPORT BLVD., SUITE 106  
WATSONVILLE, CA 95076  
PHONE: (831) 722-7446
- SURVEYOR:  
WARD SURVEYING  
1779 SEABRIGHT AVENUE, STE A  
SANTA CRUZ, CA 95060  
PHONE: (317) 425-5505

### CONSULTANTS

1. THESE PLANS SHALL COMPLY WITH CALIFORNIA BUILDING AND FIRE CODES (2010) AND DISTRICT AMENDMENTS.
2. OCCUPANCY R-3, TYPE V-8, SPRINKLERED.
3. DESIGNER/INSTALLER SHALL SUBMIT THREE SETS OF PLANS AND CALCULATIONS FOR THE UNDERGROUND AND OVERHEAD RESIDENTIAL AUTOMATIC SPRINKLER SYSTEM TO THE FIRE PROTECTION DISTRICT OF SANTA CRUZ COUNTY.
4. ADDRESS NUMBERS SHALL BE POSTED AND MAINTAINED AS SHOWN ON THE SITE PLAN. NUMBERS SHALL BE A MINIMUM OF 4 INCHES IN HEIGHT AND OF A COLOR CONTRASTING TO THEIR BACKGROUND.
5. ROOF COVERING SHALL BE NO LESS THAN CLASS "B" RATED.
6. ALL CHIMNEYS SHALL BE APPROVED WITH AN APPROVED SPARK ARRESTOR ON THE TOP OF THE CHIMNEY. WIRE MESH NOT TO EXCEED 1/2" IS ACCEPTABLE.
7. THE JOB COPIES OF THE BUILDING AND FIRE SYSTEMS PLANS AND PERMITS MUST REMAIN ON-SITE DURING INSPECTIONS.
8. PUBLIC FIRE HYDRANT REQUIRED WITHIN 250 FT. OF ANY PORTION OF THE BUILDING WITH A MINIMUM 1000 GALLON FLOW. AVAILABLE FIRE HYDRANT APPROXIMATELY 50' FROM BUILDING.
9. THIRTY (30) FOOT CLEARANCE TO BE MAINTAINED WITH PERMITS FOR ALL STRUCTURES AND ALL UTILITIES OR TO THE PROPERTY LINE, WHICHEVER IS SHORTER DISTANCE.

### FIRE PROTECTION NOTES



THE ENGINEER'S SEAL  
DATE: 11/11/11  
BY: [Signature]

FOR INFORMATION & COMMENT ONLY  
DATE: 11/11/11  
BY: [Signature]

EXHIBIT A



712 S. BAKER, HOUSTON, TEXAS 77030  
 PHONE: 713-865-1111  
 FAX: 713-865-1112  
 WWW.MARTINSON.COM

DATE: 10/18/19  
 PROJECT: BECK RESIDENCE

BECK RESIDENCE  
 4300 ORAL CLIFF DRIVE  
 A.P. 2, B33-171-2  
 2802

SITE PLAN

1	OWNER
2	ARCHITECT
3	ENGINEER
4	PLUMBER
5	ELECTRICIAN
6	MECHANICAL
7	PAINTER
8	LANDSCAPER
9	CONTRACTOR
10	INSULATION
11	ROOFING
12	FOUNDATION
13	CONCRETE
14	IRONWORK
15	MECHANICAL
16	ELECTRICAL
17	PLUMBING
18	PAINTING
19	LANDSCAPING
20	CONTRACTING

P2

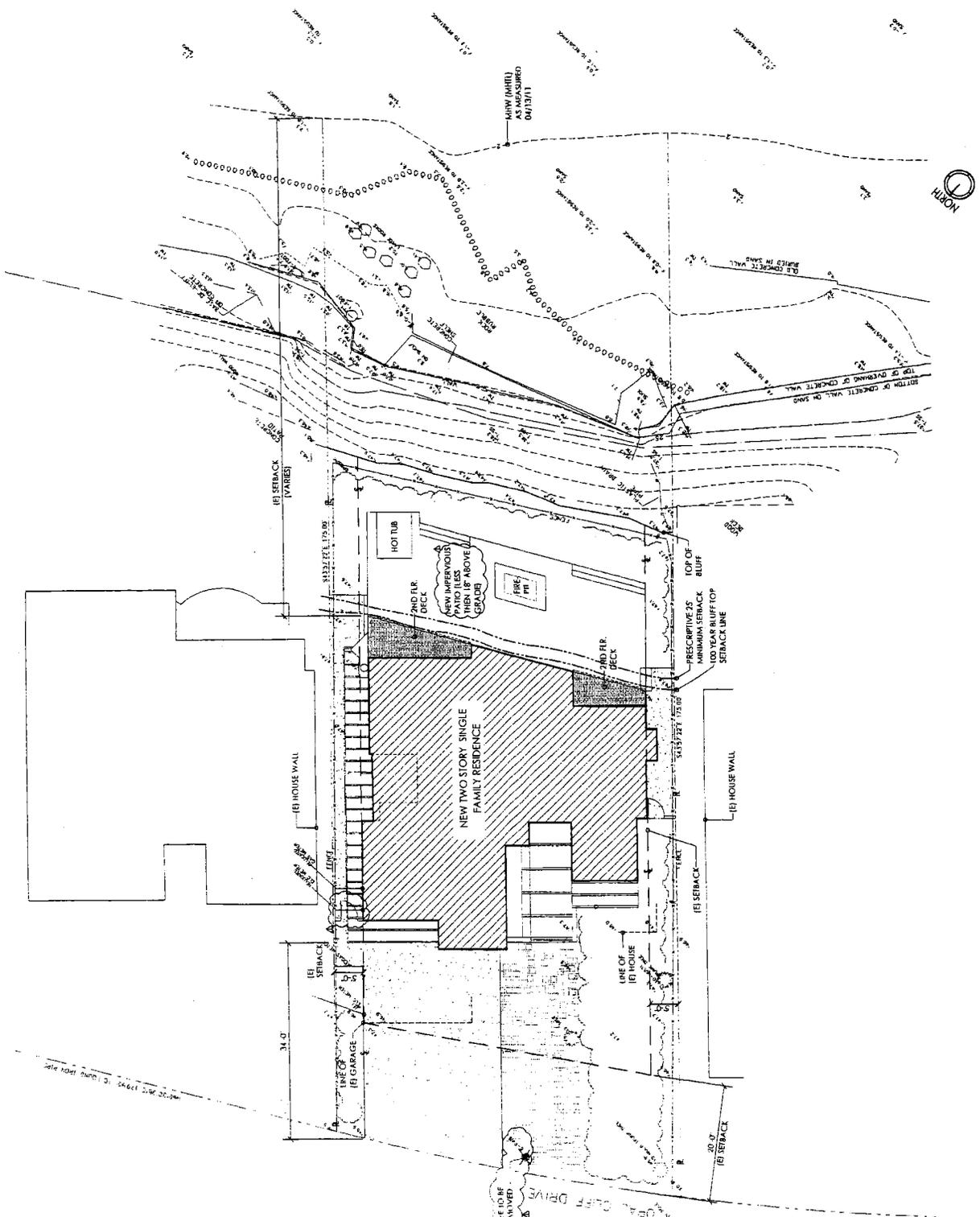
- SITE LEGEND**
- PROPERTY LINE
  - SETBACK LINE
  - (I) FENCE
  - PROPOSED RESIDENCE
  - NEW PAVING WALKWAY / DRIVEWAY
  - NEW PAVING PATIERS
  - (I) LANDSCAPING TO REMAIN

**GRADING NOTES**

1. WITH THE EXCEPTION OF THE BLUFF, THE SITE IS BACKSLOPED TO THE PROPERTY LINE BOUNDARY INFORMATION IS BASED ON SURVEY MAP COMPLETED BY WARD SURVEYING. SEE SURVEY ON SHEET 1.
2. PROJECT REQUIRES MINIMAL GRADING UNDER 100 CUBIC YARDS. THERE IS NO CUT GREATER THAN 5'-0". THERE IS NO FILL GREATER THAN 2'-0". UNNECESSARY GRADING AND DISTURBING OF THE SOIL SHALL BE AVOIDED.
3. ANY EXCESS MATERIAL SHALL BE DEPOSED OF ON SITE OR STOCKPILED IN A MANNER TO AVOID RUNOFF ONTO ADJOINING PROPERTIES.
4. ANY MATERIAL STOCKPILED DURING CONSTRUCTION SHALL BE COVERED WITH PLASTIC.
5. NOTED GRADES ARE PRELIMINARY.

**DRAINAGE NOTES**

1. ALL ROOF GUTTERS SHALL BE PLACED AROUND ALL LEAVES DOWNSPOUTS TO GO TO SPASHBLOCKS OR OTHER DEVICES APPROVED BY GEOTECHNICAL ENGINEER.
2. ARCHITECT TO FIELD VERIFY LOCATIONS OF DOWNSPOUTS.
3. PROJECT TO MAINTAIN EXISTING DRAINAGE PATTERNS.
4. THERE IS NO INCREASE IN IMPERVIOUS AREA. SEE SHEET P.1. PROJECTIONS CALCULATIONS.



SITE PLAN  
 SCALE: 1/8" = 1'-0"



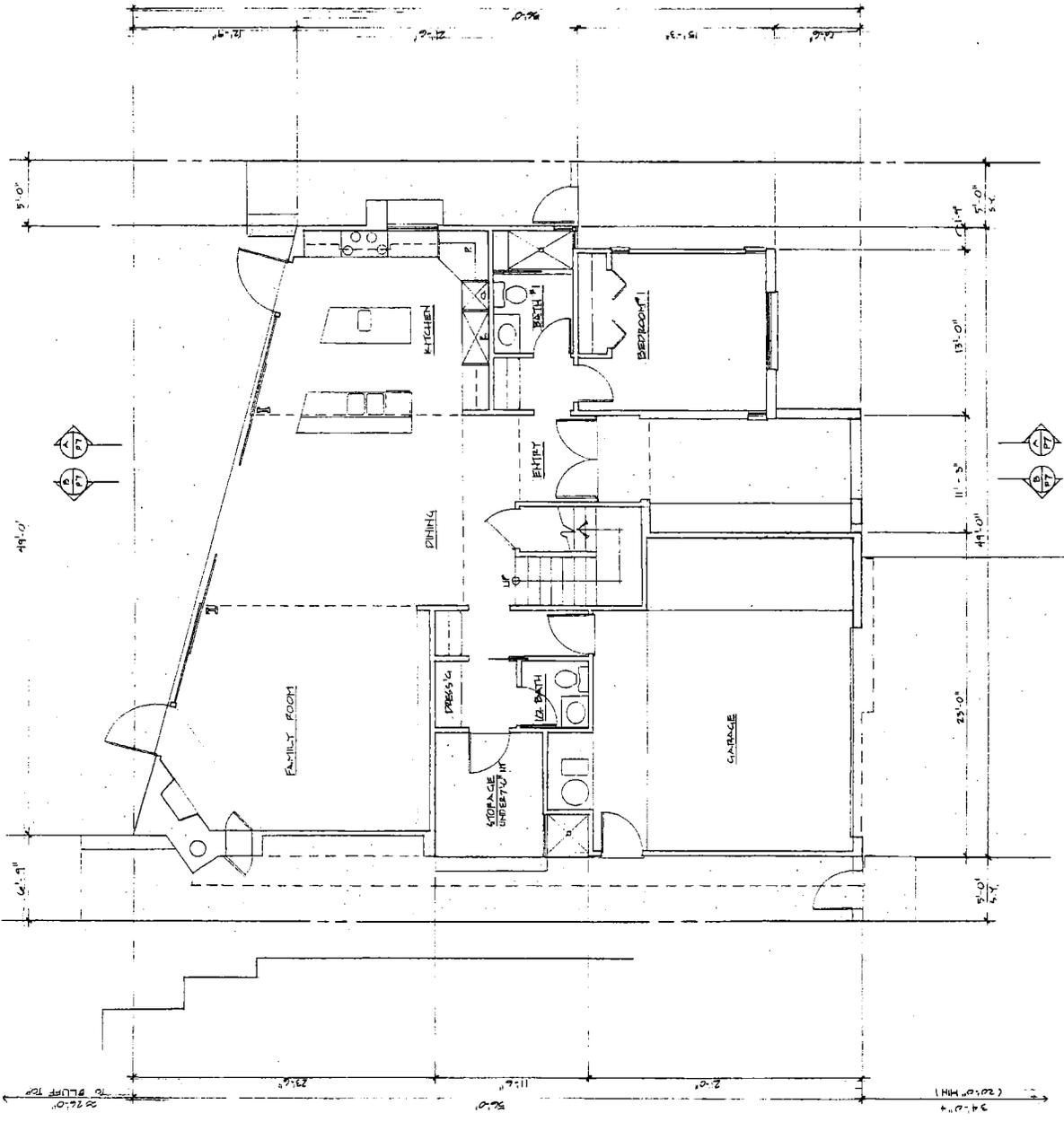
THE MASON ARCHITECTURE FIRM  
 1220 S. BAYVIEW BLVD.  
 SUITE 100  
 SAN ANTONIO, TEXAS 78204  
 TEL: 214-343-1234  
 FAX: 214-343-1235  
 WWW.MASONARCHITECTURE.COM

BECK RESIDENCE  
 4330 ORNL CLIFF DRIVE  
 SANTA CRUZ, CA 95062  
 APN: 033-171-22

1<sup>ST</sup> FLOOR PLAN

7/20/17
REV
DATE
BY
CHK
APP

P.3



1-1  
 1  
 FIRST FLOOR PLAN  
 SCALE 1/4" = 1'-0"





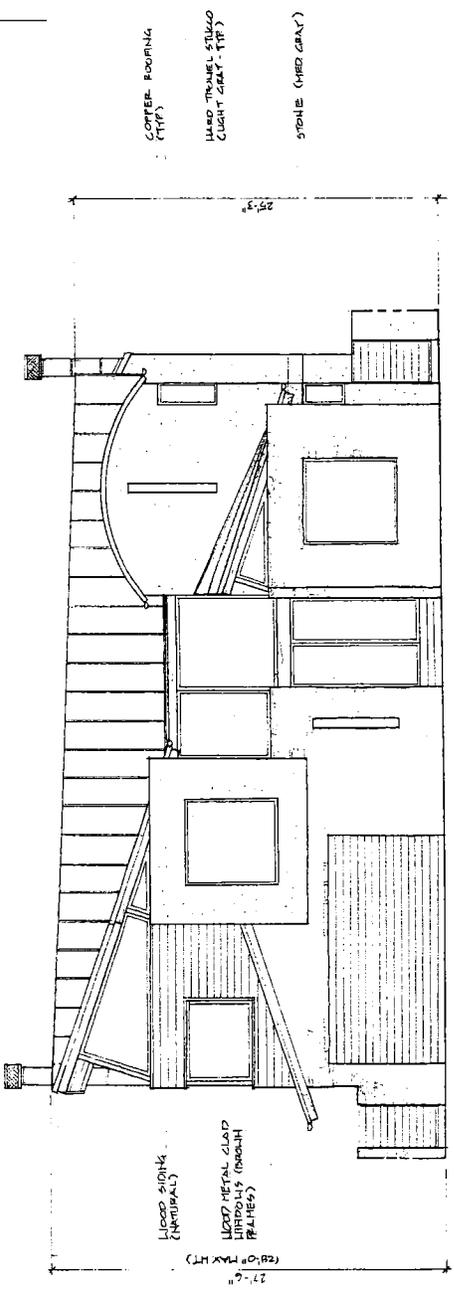


1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50
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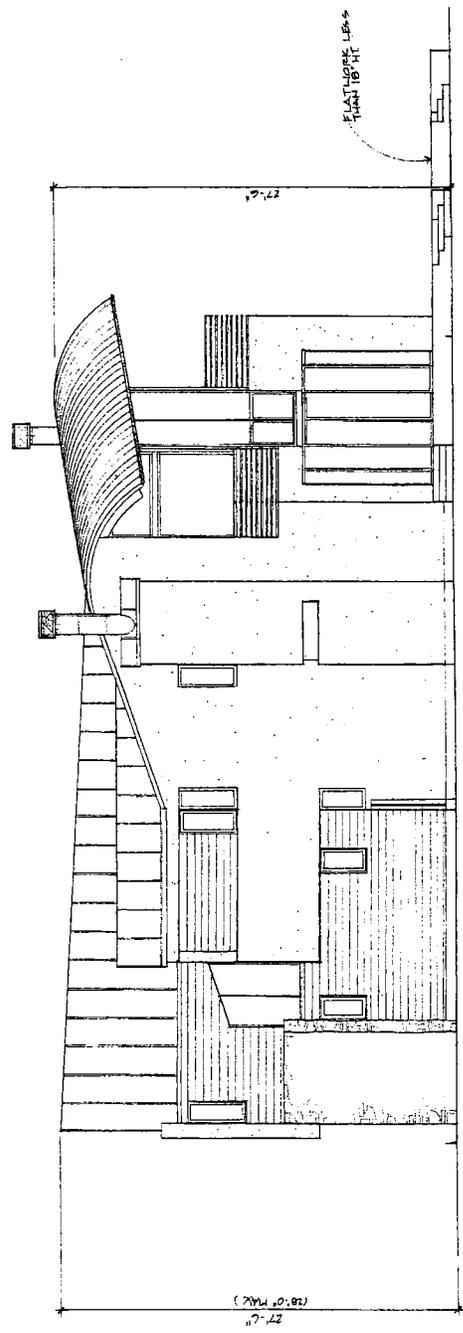
ELEVATIONS

DATE	
BY	
REVISION	

P.6



1 NORTH ELEVATION SCALE 1/4"=1'-0"



2 WEST ELEVATION SCALE 1/4"=1'-0"



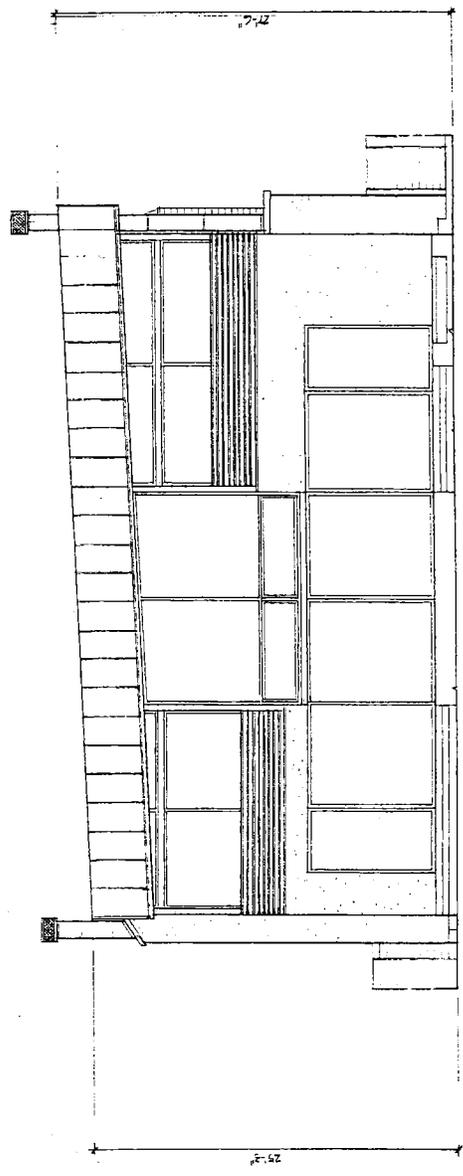
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 2. ALL MATERIALS AND FINISHES TO BE SPECIFIED BY THE ARCHITECT.  
 3. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.  
 4. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.  
 5. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.  
 6. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.  
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 8. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.  
 9. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.  
 10. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.

BECK RESIDENCE  
 4330 OPAL CLIFF DRIVE  
 SANTA CRUZ, CA 95062  
 A.P.N.: 033-171-22

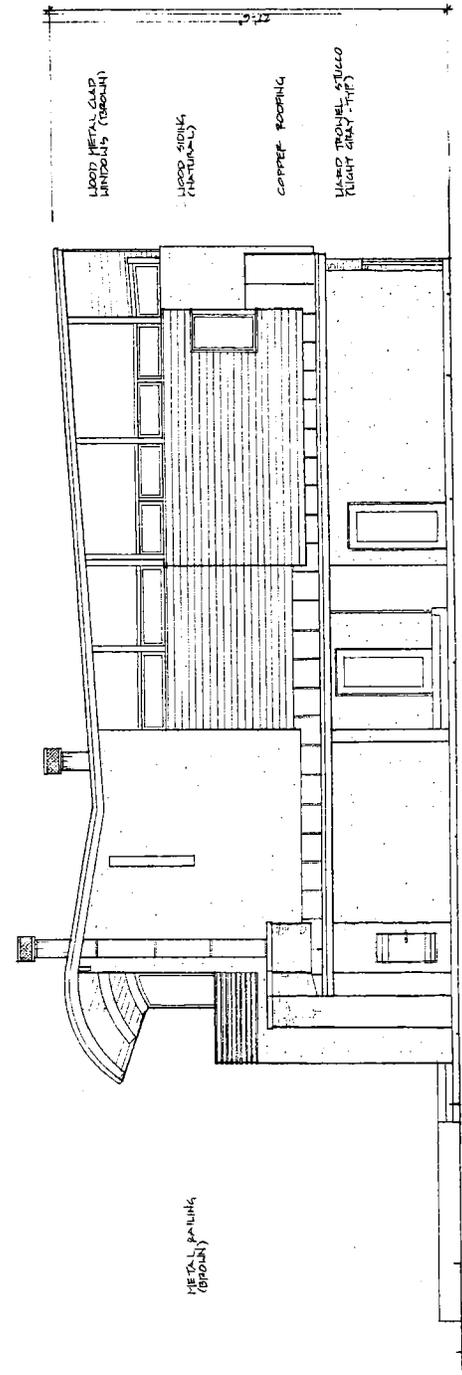
ELEVATIONS

1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10

P7



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



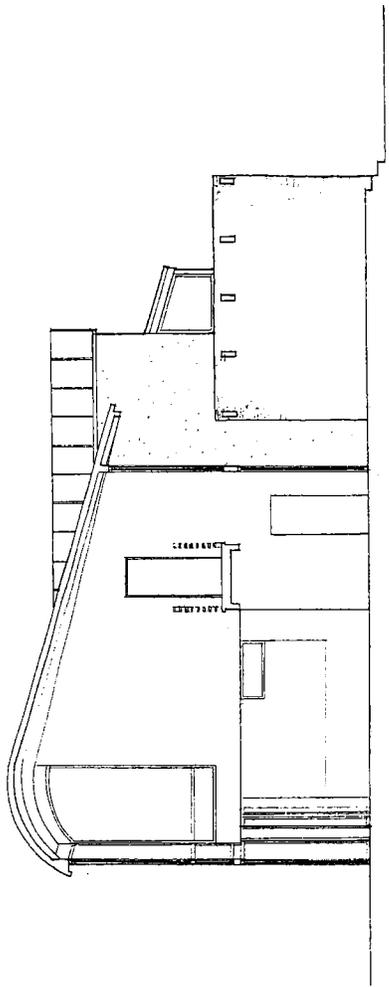
EAST ELEVATION  
SCALE: 1/4" = 1'-0"



1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.  
 2. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
 5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 6. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO ANY EXCAVATION.  
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.  
 8. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.  
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES.  
 10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

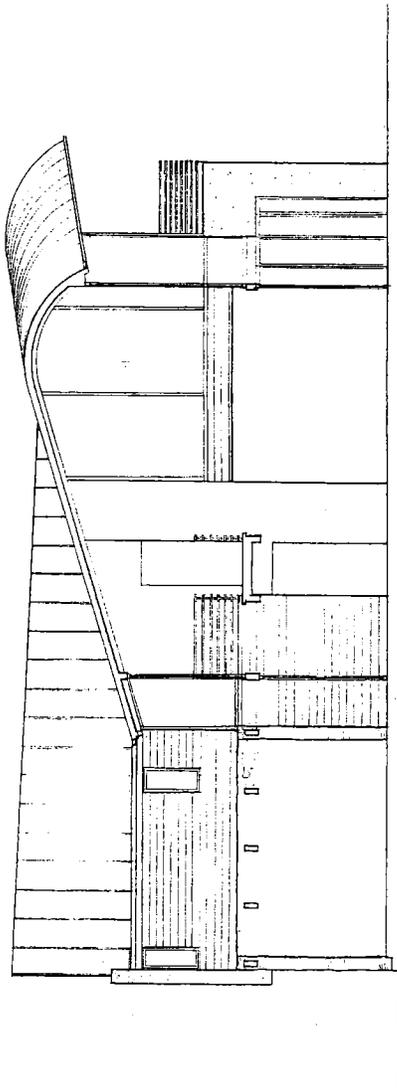
ELEVATIONS

88



1

SECTION A  
SCALE: 1/4" = 1'-0"



2

SECTION B  
SCALE: 1/4" = 1'-0"



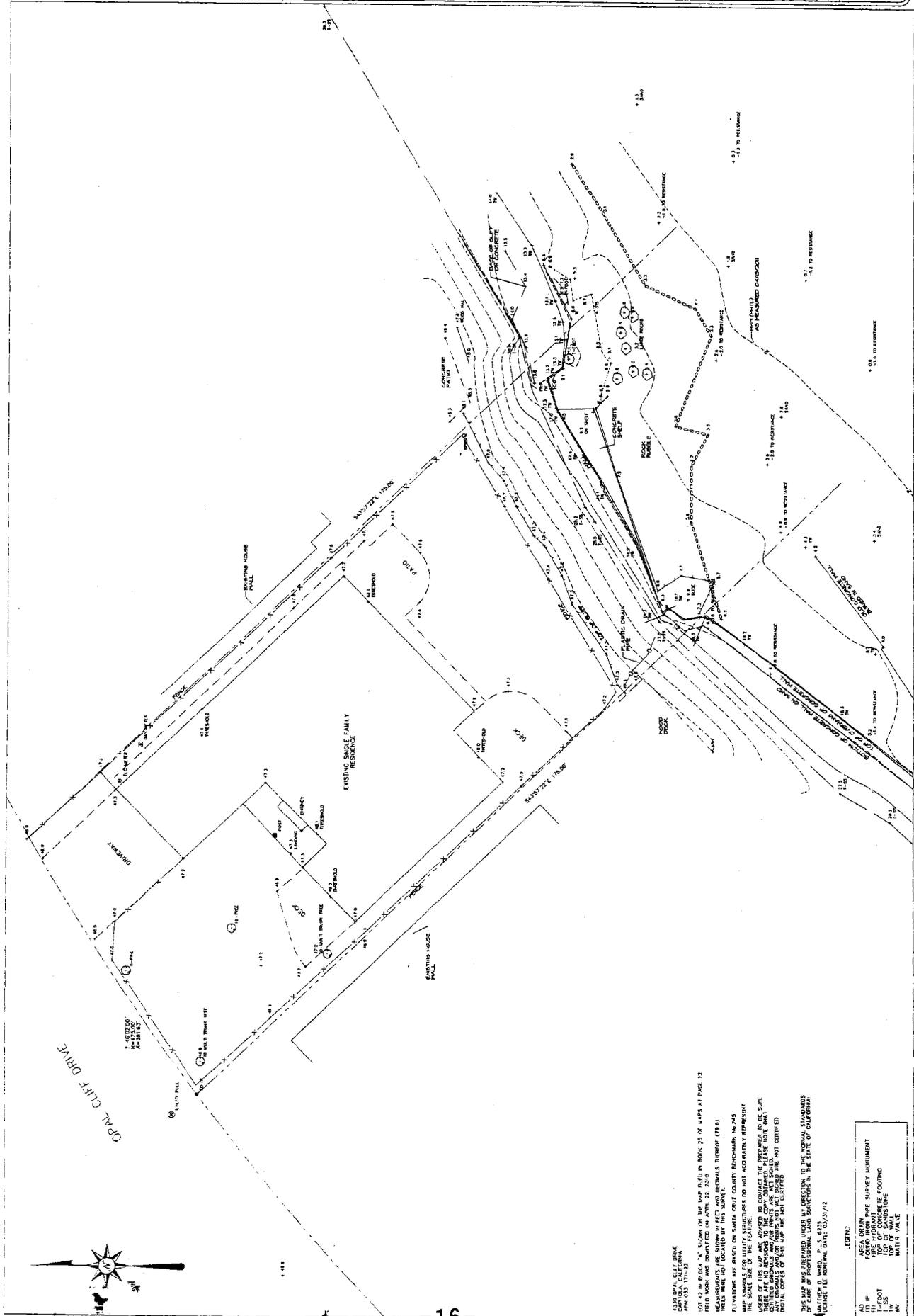


WARD SURVEYING  
 622 SEVENTH AVENUE  
 SANTA CRUZ, CA 95062  
 (831) 426-5005

4330 OPAL CLIFF DRIVE  
 SANTA CRUZ, CALIFORNIA  
 A.P.N. 053-171-22

REVISIONS
NO. 1
DATE: 04/14/11
DRAWN BY: J.M.
SCALE: 1" = 8'

SHEET  
 OF 1



4330 OPAL CLIFF DRIVE  
 SANTA CRUZ, CALIFORNIA  
 A.P.N. 053-171-22

LOT 42 IN BLOCK "X" SHOWN ON THE MAP FILED IN BOOK 25 OF MAPS AT PAGE 12  
 PERMITS WERE OBTAINED ON APRIL 22, 2010  
 THIS MAP WAS PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMPLIES WITH ALL APPLICABLE REQUIREMENTS THEREOF (1991)  
 THIS MAP IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF WARD SURVEYING  
 ELEVATIONS ARE BASED ON SANTA CRUZ COUNTY BENCHMARK NO. 245  
 MAP SYMBOLS FOR UTILITY STRUCTURES DO NOT ACCURATELY REPRESENT  
 THE SCALE SIZE OF THE FEATURE TO WHICH THEY REFER. IN THE EVENT  
 THERE ARE ANY DISCREPANCIES BETWEEN THIS MAP AND THE RECORD MAPS  
 ON WHICH THIS MAP IS BASED, THE RECORD MAPS SHALL CONTROL AND ALL  
 DISCREPANCIES SHALL BE CORRECTED BY THE CLIENT.

THIS MAP WAS PREPARED UNDER MY SUPERVISION TO THE NORMAL STANDARDS  
 OF CARE OF A PROFESSIONAL LAND SURVEYOR IN THE STATE OF CALIFORNIA  
 WARD SURVEYING  
 622 SEVENTH AVENUE  
 SANTA CRUZ, CALIFORNIA 95062  
 (831) 426-5005

LEGEND

---	EXISTING DRIVEWAY
---	PROPOSED DRIVEWAY
---	TOP OF CONCRETE FOOTING
---	TOP OF ASPHALT
---	WATER VALVE

## Coastal Development Permit Findings

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

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

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

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

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

This finding can be made, in that the proposed dwelling has been designed to comply with the design criteria enumerated in County Code Section 13.20.130.

Pursuant to County Code Section 13.20.130, the dwelling has been sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhood by providing a dwelling of commensurate size as homes on either side and of newer homes on the street. The proposed home is situated 36-50 feet back from the front property line, similar to immediately adjacent dwellings. The structure complies with all required setbacks for the zone district. The design of the dwelling provides substantial variation in the wall planes and roof lines on each elevation, as well as attractive earth brown materials and colors that complement the adjacent dwellings without matching the colors of any particular home. The adjacent dwelling to the east is a two story Mediterranean stucco home with a tile roof and the dwelling to the west is a two story dark brown shingle sided structure with white trim with composition roofing. The adjoining dwellings provide second story setbacks that create enough visual space for the proposed two story massing on the project site.

Additionally, the physical massing of the dwelling has been carefully designed to maintain the privacy of both adjoining homes. For example, the bulk of the proposed second story wall elements overlook a tile roof of the house to the east without intruding upon the privacy of the dwelling. The proposed western facing element of the proposed home allows existing views of Monterey Bay enjoyed by the adjacent home's second story window on the southeast elevation to be maintained. It does not otherwise appear that the dwelling will create any privacy issues for this dwelling either.

The Opal Cliff neighborhood has been in transition from a one story neighborhood to a two story neighbor over the past 15 years. The proposed home does not appear out of scale with the smaller homes in the neighborhood or out of character with the “openness” long associated with this street because the proposed structure is substantially recessed toward the back of the lot. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

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.

Although the home is located between the shoreline and the first public road there is no physical access to the shoreline from this site; thus, the proposed 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 as noted in Finding 3, above. Additionally, residential uses are allowed uses in the R-1-5 (Single family residential – 5000 square feet) zone district of the area, as well as the R-UM (Residential Urban Medium) General Plan and Local Coastal Program land use designation. 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.

General Plan Policy 6.2.12 requires that properties located on coastal bluffs provide a building setback (for structures requiring a building permit) that will provide a stable building site for 100 years. Proposed site improvements within the 100 year setback line include a fire pit and a hot tub within the required 100 year bluff top setback line. Improvements shown on the site plan within the 100-year setback are subject to review under County Code Section 16.10.070 (h)2(i). The code section allows improvements within the setback as long as they meet the following two criteria:

- a) The improvement does not require a building permit, including gas, electrical, or plumbing permits, and
- b) The improvement does not include any of the following: non-habitable accessory structures, above-ground pools, water tanks, projects (including landscaping) which would unfavorably alter drainage patterns, and projects involving grading.

Therefore, a condition of approval has included with this permit to reiterate this requirement and require improvements not meeting this requirement to be removed prior to issuance of the

Application #: 111140  
APN: 033-171-22  
Owner: Stephen Beck, Trustee

building permit, in accordance with the above-referenced code section and General Plan, and because at this time a hot tub (requiring an electrical permit at a minimum) and a fire pit (which may require a gas permit) are in the 100-year setback on the plans dated 10/18/11. If the fire pit does not require any permits, it may remain within the 100-year setback.

## Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to 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 current setbacks that ensure access to light, air, and open space in the neighborhood.

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

This finding can be made, in that the proposed location of the single family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-5 (Single family residential - 5000 square feet) zone district in that the primary use of the property will be one single family dwelling.

However, proposed site improvements include a fire pit and a hot tub within the required 100 year bluff top setback line. Improvements shown on the site plan within the 100-year setback are subject to review under County Code Section 16.10.070 (h)2(i). The code section allows improvements within the setback as long as they meet the following two criteria:

- a) The improvement does not require a building permit, including gas, electrical, or plumbing permits, and
- b) The improvement does not include any of the following: non-habitable accessory structures, above-ground pools, water tanks, projects (including landscaping) which would unfavorably alter drainage patterns, and projects involving grading.

A condition of approval has included with this permit to reiterate this requirement prior to issuance of a building permit, in accordance with the above-referenced code section to ensure compliance.

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

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Medium Residential (R-UM) land use designation in the County General Plan.

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

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

General Plan Policy 6.2.12 requires that properties located on coastal bluffs provide a building setback (for structures requiring a building permit) that will provide a stable building site for 100 years. Proposed site improvements within the 100 year setback line include a fire pit and a hot tub within the required 100 year bluff top setback line. Improvements shown on the site plan within the 100-year setback are subject to review under County Code Section 16.10.070 (h)2(i). The code section allows improvements within the setback as long as they meet the following two criteria:

- a) The improvement does not require a building permit, including gas, electrical, or plumbing permits, and
- b) The improvement does not include any of the following: non-habitable accessory structures, above-ground pools, water tanks, projects (including landscaping) which would unfavorably alter drainage patterns, and projects involving grading.

Therefore, a condition of approval has included with this permit to reiterate this requirement and require improvements not meeting this requirement to be removed prior to issuance of the building permit, in accordance with the above-referenced code section and General Plan, and because at this time a hot tub (requiring an electrical permit at a minimum) and a fire pit (which may require a gas permit) are in the 100-year setback on the plans dated 10/18/11. If the fire pit does not require any permits, it may remain within the 100-year setback.

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 replaces an existing dwelling that is served by public utility providers. The expected level of traffic generated by the proposed project is not anticipated to increase the trips per day (1 peak trip per dwelling unit) since it will replace an existing dwelling.

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 residential 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 commensurate size as homes on either side and of newer homes on the street that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. The design was determined to be consistent with all provisions of the design review ordinance under County Code Chapter 13.11.

In particular, the proposed home is situated 36-50 feet back from the front property line, similar to immediately adjacent dwellings. The structure complies with all required setbacks for the zone district. The design of the dwelling provides substantial variation in the wall planes and roof lines on each elevation, as well as attractive earth brown materials and colors that complement the adjacent dwellings without matching the colors of any particular home. The adjacent dwelling to the east is a two story Mediterranean stucco home with a tile roof and the dwelling to the west is a two story dark brown shingle sided structure with white trim with composition roofing. The adjoining dwellings provide second story setbacks that create enough visual space for the proposed two story massing.

Additionally, the physical massing of the dwelling has been carefully designed to maintain the privacy of both adjoining homes. For example, the bulk of the proposed second story wall elements overlook a tile roof of the house to the east without intruding upon the privacy of the dwelling. The proposed western facing element of the proposed home allows existing views of Monterey Bay enjoyed by the adjacent home's second story window on the southeast elevation to be maintained. It does not otherwise appear that the dwelling will create any privacy issues for this dwelling either.

Furthermore, the Opal Cliff neighborhood has been in transition from a predominately small scale, one story neighborhood to a larger scale, two story neighborhood over the past 15 years or so. The proposed home does not appear out of scale with the smaller homes in the neighborhood or out of character with the "openness" long associated with this street because the proposed structure is substantially recessed toward the back of the lot. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

## Conditions of Approval

Exhibit A: Plan sheets P1-P9, dated 10/18/2011, prepared by Kurt Ross, Matson Britton Architects  
Plan sheet C-1, dated 10/2011, prepared by RI Engineering  
Survey sheet, dated 4/14/2011, prepared by Ward Surveying

- I. This permit authorizes removal of an existing single family dwelling and replacement with an approximately 3,450 square foot 2 story, 3 bedroom, 2 full and 2 half bath dwelling. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
  - C. Obtain a Building Permit from the Santa Cruz County Building Official.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
  - E. 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. Grading, drainage, and erosion control plans. Drainage plans shall be prepared by a licensed civil engineer. All roof, hardscape, and other collected drainage must be directed away from the bluff edge.
  3. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet.
  4. Details showing compliance with fire department requirements. 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.
  5. Prior to building permit approval for the single family residence, the hot tub, fire pit (if a gas line is required), and any other structure located within the 100 year coastal bluff setback requiring a permit from the Building Department shall be removed from the plans.
  6. Plans shall include tree protective fencing at the trees' drip-line of all trees to remain. If tree protection fencing is not be provided at the drip-line, tree protection recommendations from a certified arborist shall be required and included on the plans.
- 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 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area. The following Public Works Drainage requirements shall be met:
1. The project civil engineer must clearly identify the natural site drainage pattern and quantify the amount of runoff draining to the pipe system at the rear of the property and to Opal Cliff Drive. The proposed project is required not to increase the pre-development runoff volume and rate towards Opal Cliff Drive. The civil engineer must demonstrate quantitatively that the proposed onsite mitigations will handle post-development runoff rate for a 25 year storm event. If diversion is

proposed, the diversion path shall be analyzed for condition and capacity for the 25-year storm and upgrades shall be proposed, to be constructed by applicant, as necessary.

2. Please show on the plans the locations of the proposed downspouts and splash blocks.
3. Provide cross section construction details for the proposed permeable pavement, stone pavers, french drains, perforated sub-drains and dry well to facilitate proper construction by the contractor.
4. Please make clear on the plans the overflow path for the proposed dry well and french drains. Demonstrate that overflow will not adversely impact adjacent or downstream properties.
5. Site plans shall specify maintenance requirements such as; what needs to be maintained, how often each drainage improvement needs to be maintained, what to look for indicating maintenance is required, and what the maintenance procedures are for each specific drainage improvement. A recorded maintenance agreement is required for the proposed retention areas and grass lined swale. Please contact the County of Santa Cruz Recorder's office for appropriate recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at:  
[http://www.dpw.co.santa-cruz.ca.us/Storm\\_Water/FigureSWM25.pdf](http://www.dpw.co.santa-cruz.ca.us/Storm_Water/FigureSWM25.pdf)
6. The impervious area calculations shown on sheet P1 do not include the proposed semi-pervious driveway and walkways. For fee calculations please provide tabulation of new impervious and semi-impervious (gravel, base rock, paver blocks, pervious pavement) areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed please provide documentation such as assessor's records, survey records, aerial photos or other official records that will help establish and determine the dates they were built.

Note: A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing (50%) to offset costs and encourage more extensive use of these materials.

7. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: In order to clear the Hold, one of these options has to be exercised:
  - a. The civil engineer has to inspect the drainage improvements on the parcel and provide public works with a letter confirming that the

work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient.

- b. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
- c. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone #. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage. Hold if the submittal is satisfactory.

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

- D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- E. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer. A plan review letter from the geotechnical engineer shall be submitted with the building permit that confirms that the building plans are in conformance with the soils report. Any additional conditions, as required by Joe Hanna, County Geologist, at the completion of his Soils technical report review shall be included as Conditions of Approval of this Coastal Development permit.
- F. The project engineering geologist shall review the project site and drainage plans and provide a plan review letter with building plan submittal that confirms that the plans are in conformance with the recommendations of the geology report.
- G. Pay the current fees for Parks and Child Care mitigation for one additional bedroom. Currently, these fees are \$109.00 (\$109 per bedroom), but are subject

to change.

- H. Pay the current fees for Roadside and Transportation improvements for one additional bedroom. Currently, these fees are, respectively \$1000.00 for Roadside fees and \$1000.00 for Transportation fees, but are subject to change.
  - I. 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.
  - J. 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. During construction, tree protection fencing and/or tree protection recommendations from the certified arborist shall be provided, as approved by the building permit.
  - E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- IV. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval

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

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

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

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

Approval Date: \_\_\_\_\_

Application #: 111140  
APN: 033-171-22  
Owner: Stephen Beck, Trustee

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

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Steven Guiney, AICP  
Deputy Zoning Administrator

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Sheila McDaniel  
Project Planner

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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: 111140  
Assessor Parcel Number: «APN»  
Project Location: 4330 Opal Cliff Drive

**Project Description: Proposal to remove and replace an existing single family dwelling with a 3, 450 square foot 2 story, 3 bedrooms, 2 full baths and 2 half bath dwelling. Requires a Coastal Development Permit.**

**Person or Agency Proposing Project: Kurt Ross, Matson Britton Architects**  
**Contact Phone Number: (831) 325-5659**

- 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.  X  Categorical Exemption

Specify type: Specify type: Class 3, Section 15303: **New Construction or Conversion of Small Structures**; Class 3 consists of construction and location of limited numbers of new, small facilities or structures such as construction of a new single family

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

Proposal to construct replacement Single family Dwelling

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

\_\_\_\_\_  
Sheila McDaniel, Project Planner

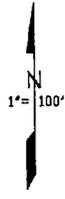
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33-17

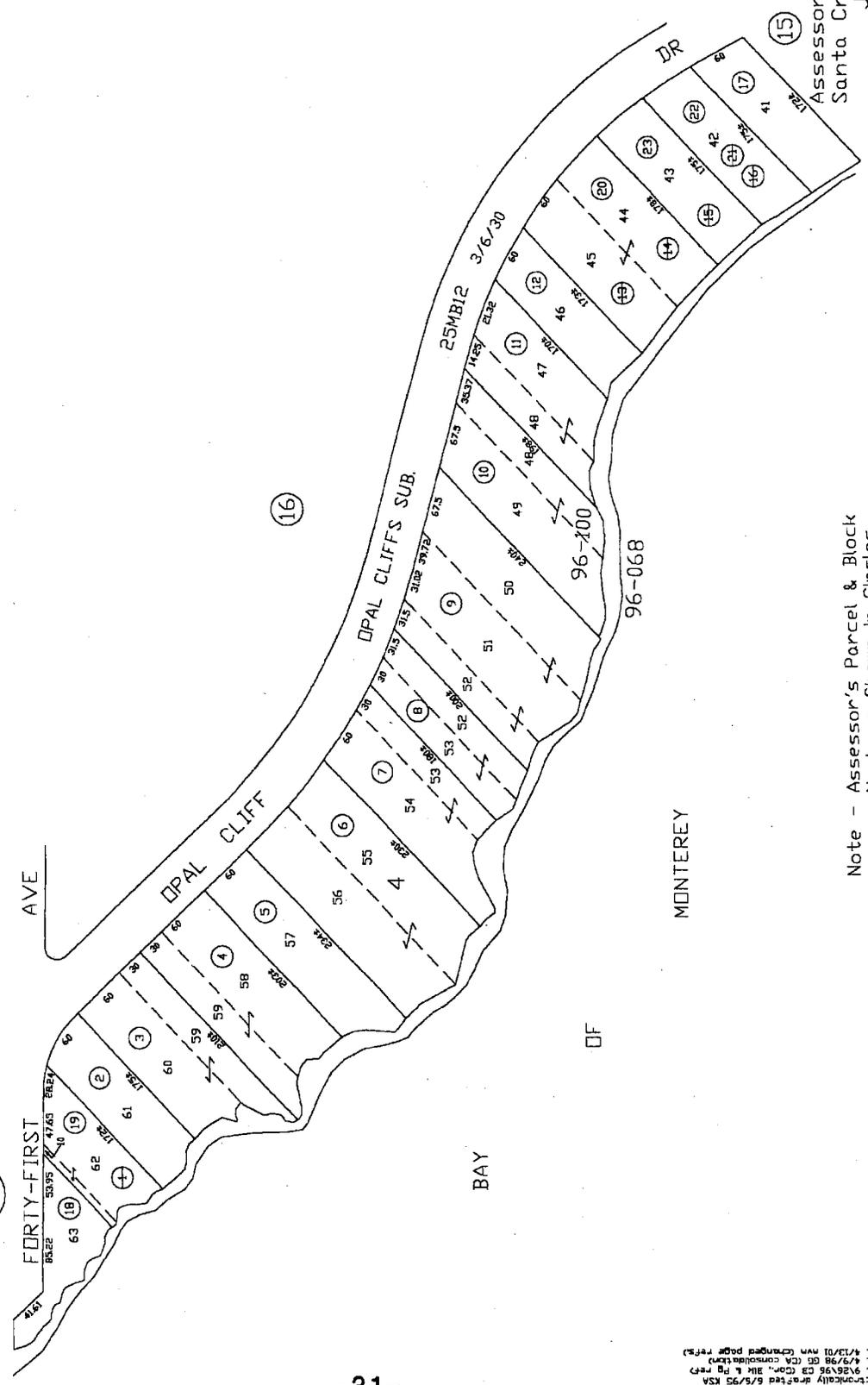
Tax Area Code  
96-100 96-068

POR, RANCHO ARROYO DEL RODEO  
N.W. 1/4 SEC. 22, T.11S., R.1W. M.D.B. & M.

FOR TAX PURPOSES ONLY  
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY FOR ASSUMERS ANY  
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Bk. 32  
18



Assessor's Map No. 33-17  
Santa Cruz County, Calif.  
June 1995

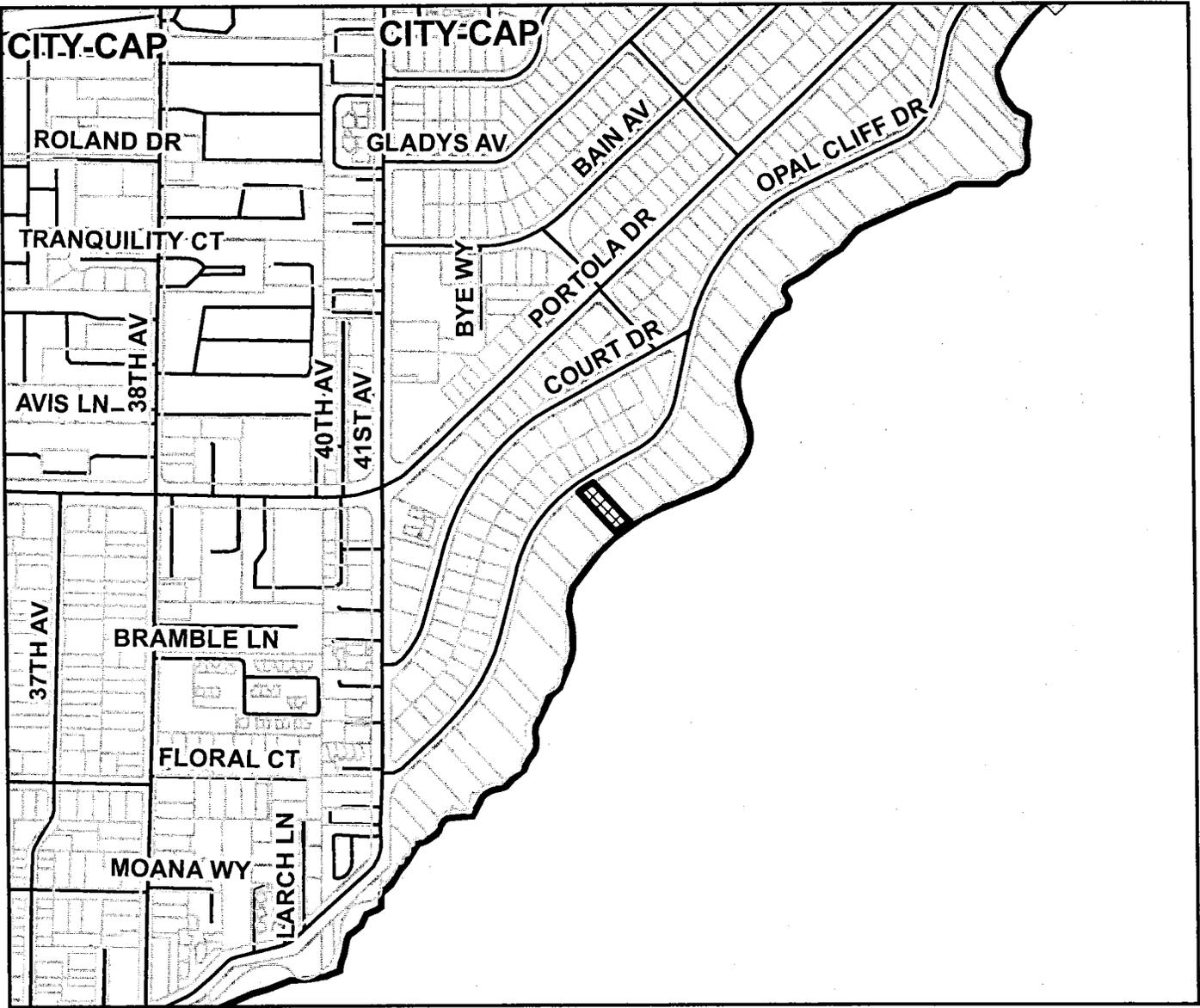
Note - Assessor's Parcel & Block  
Numbers Shown in Circles.

Each parcel is shaded 6/5/95 KSA  
Rev. 9/26/96 CA Comp. Bk & Pg ref  
Rev. 4/9/98 CA Comp. (CA consolidation)  
Rev. 4/13/01 map (changed page refs)

EXHIBIT

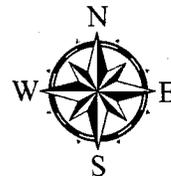


# Location Map



### LEGEND

-  APN: 033-171-22
-  Assessors Parcels
-  Streets
-  CAPITOLA
-  County Boundary

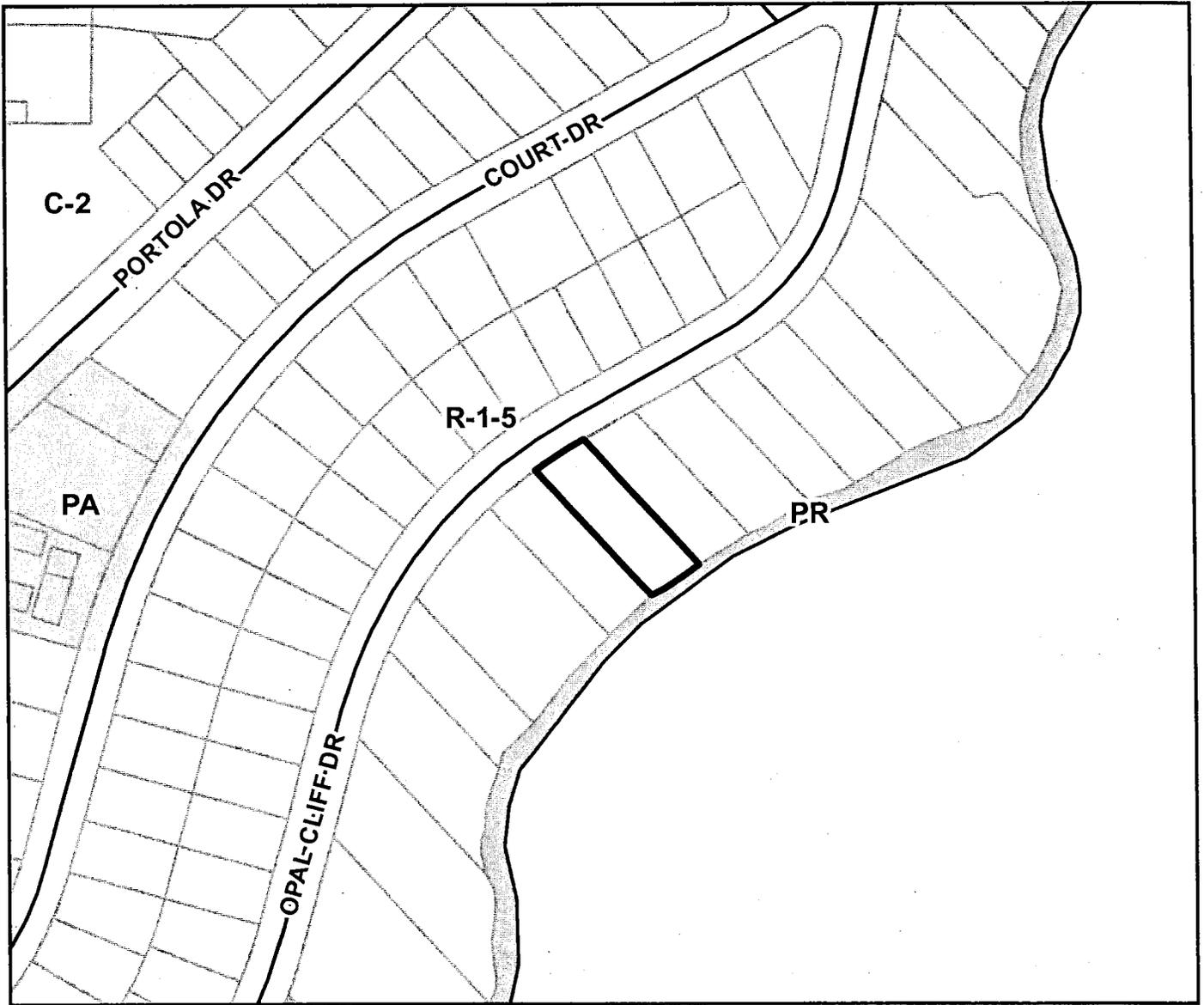


Map Created by  
County of Santa Cruz  
Planning Department  
August 2011

BAHNS

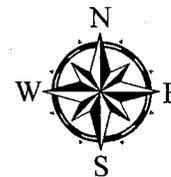


# Zoning Map



### LEGEND

- APN: 033-171-22
- Assessors Parcels
- Streets
- County Boundary
- RESIDENTIAL-SINGLE FAMILY
- COMMERCIAL-COMMUNITY
- COMMERCIAL-PROF OFFICE
- PARK

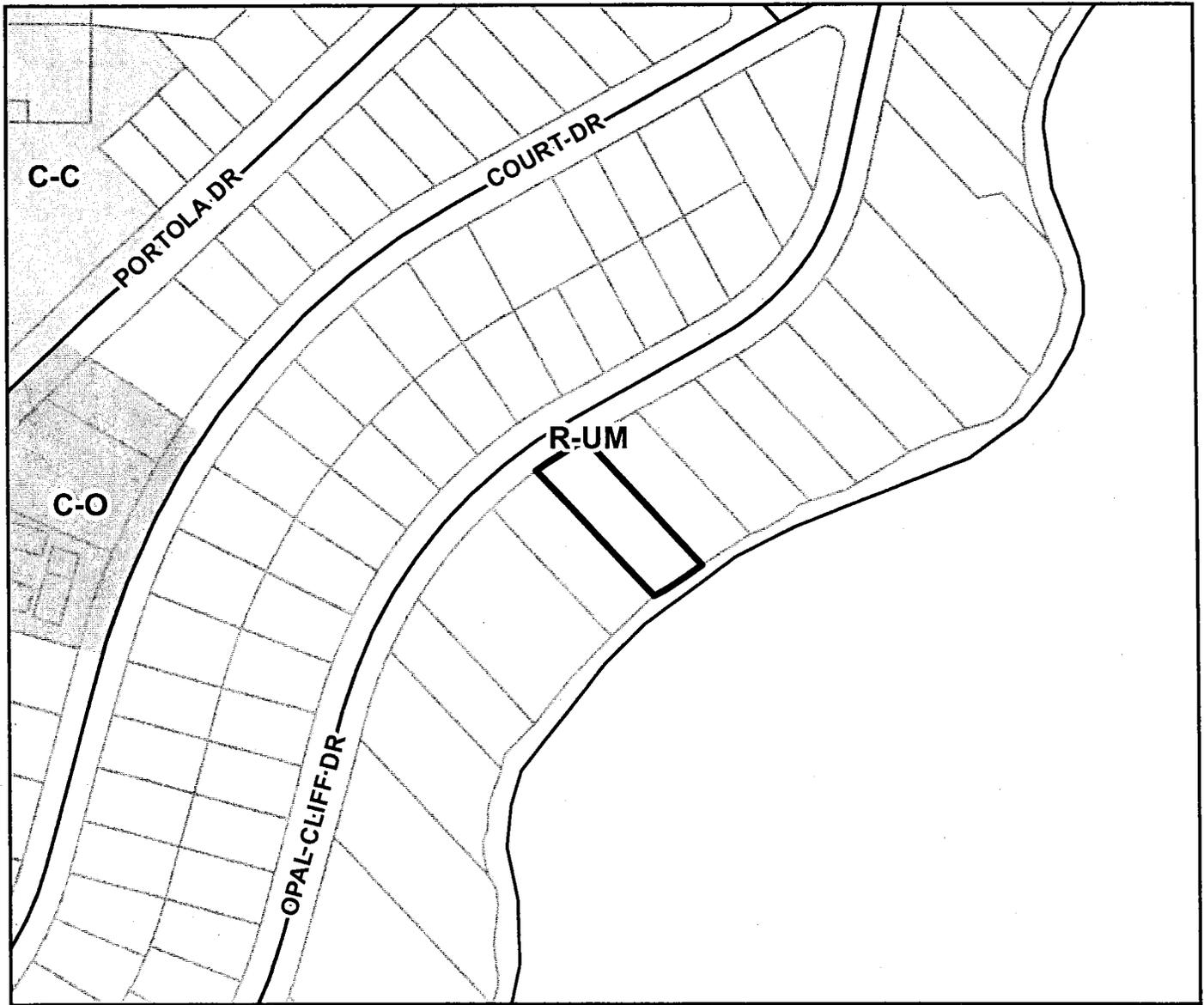


Map Created by  
 County of Santa Cruz  
 Planning Department  
 August 2011

EXHIBIT E

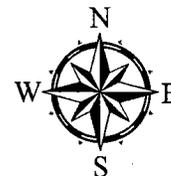


# General Plan Designation Map



### LEGEND

- APN: 033-171-22
- Assessors Parcels
- Streets
- County Boundary
- Residential - Urban Medium Density
- Commercial-Community
- Commercial-Office



Map Created by  
County of Santa Cruz  
Planning Department  
August 2011



Your plans have been sent to several agencies for review. The comments that were received are printed below. Please read each comment, noting who the reviewer is and which of the three categories (Completeness, Policy Considerations/Compliance, and Permit Conditions/Additional Information) the comment is in.

**Completeness:** A comment in this section indicates that your application is lacking certain information that is necessary for your plans to be reviewed and your project to proceed.

**Policy Considerations/Compliance:** Comments in this section indicate that there are conflicts or possible conflicts between your project and the County General Plan, County Code, and/or Design Criteria. We recommend that you address these issues with the project planner and the reviewer before investing in revising your plans in any particular direction.

**Permit Conditions/Additional Information:** These comments are for your information. No action is required at this time. You may contact the project planner or the reviewer for clarification if needed.

## Coastal Commission Review

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**Routing No: 1 | Review Date: 08/30/2011**

SHEILA MCDANIEL (SMCDANIEL) : No Response

## Drainage Review

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**Routing No: 1 | Review Date: 08/24/2011**

TRAVIS RIEBER (TRIEBER) : Incomplete

Completeness Comments:                      Application Complete? \_ Yes     No

The plans dated 8/2/2011 have been received and reviewed. More drainage information is needed prior to considering this application complete, please see the following comments.

1. The plans indicate that the majority of the site currently drains to the rear of the property where it is collected in a plastic pipe and discharged somewhere on or at the base of the coastal bluff. The survey indicates that there is a slide at or near the outfall of this plastic pipe. What drainage improvements are being proposed to safely collect and discharge site runoff while maintaining the existing drainage pattern?
2. Drainage note #1 states that downspouts will go to splash blocks or other devices approved by the Geotechnical Engineer. Please specify what method will be used to control and make clear on the plans the locations of all drainage improvements.
3. Drainage note #3 states that the project will maintain the existing site drainage pattern. The survey indicates that the majority of the site drains to the rear of the property however it is not clear



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## Drainage Review

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**Routing No: 1 | Review Date: 08/24/2011**

TRAVIS RIEBER (TRIEBER) : Incomplete

from the plans how runoff will be safely controlled and directed to a safe point of release at the rear of the property along the coastal bluff.

The applicant is encouraged to discuss the above comments with the reviewer to avoid unnecessary additional routings. A \$280.00 additional review fee shall be applied to all re-submittals starting with the third routing.

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

### Policy Considerations and Compliance Issues:

### Permit Conditions and Additional Information:

1. Show on the plans the locations of the proposed downspouts. Clearly indicate how runoff will be directed to a safe point of release.
2. Provide a cross section construction detail of the proposed pervious walkways and driveway. Also please provide a cross section construction detail of the proposed pervious pavers.
3. The impervious area calculations shown on sheet P1 do not include the proposed semi-pervious driveway and walkways. For fee calculations please provide tabulation of new impervious and semi-impervious (gravel, base rock, paver blocks, pervious pavement) areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed please provide documentation such as assessor's records, survey records, aerial photos or other official records that will help establish and determine the dates they were built.

Note: A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing (50%) to offset costs and encourage more extensive use of these materials.

4. The designer has to inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The designer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not



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## Drainage Review

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**Routing No: 1 | Review Date: 08/24/2011**

TRAVIS RIEBER (TRIEBER) : Incomplete

sufficient. An as-built plan may be submitted in lieu of the letter. Upon approval of the project a hold will be placed on the permit to be released once a satisfactory letter is received.

**Routing No: 2 | Review Date: 11/17/2011**

TRAVIS RIEBER (TRIEBER) : Incomplete

2nd Review Comments

Completeness Comments:                      Application Complete?  Yes     No

1. Please provide a downstream assessment for capacity and condition of the diversion path along Opal Cliff Drive to a reasonable safe point of release. Indicate any and all drainage problems found along the length of this flow path, and propose any needed improvements. The property owner is responsible for securing easements for construction and maintenance of any proposed offsite work.

Policy Considerations and Compliance Issues:

Permit Conditions and Additional Information:

1. Please show on the plans the locations of the proposed downspouts and splash blocks.
2. Provide cross section construction details for the proposed permeable pavement, stone pavers, french drains, perforated sub-drains and dry well to facilitate proper construction by the contractor.
3. Please make clear on the plans the overflow path for the proposed dry well and french drains. Demonstrate that overflow will not adversely impact adjacent or downstream properties.
4. Site plans shall specify maintenance requirements such as; what needs to be maintained, how often each drainage improvement needs to be maintained, what to look for indicating maintenance is required, and what the maintenance procedures are for each specific drainage improvement. A recorded maintenance agreement is required for the proposed retention areas and grass lined swale. Please contact the County of Santa Cruz Recorder's office for appropriate recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at:  
[http://www.dpw.co.santa-cruz.ca.us/Storm\\_Water/FigureSWM25.pdf](http://www.dpw.co.santa-cruz.ca.us/Storm_Water/FigureSWM25.pdf)
5. The impervious area calculations shown on sheet P1 do not include the proposed semi-pervious driveway and walkways. For fee calculations please provide tabulation of new impervious and semi-impervious (gravel, base rock, paver blocks, pervious pavement) areas resulting from the



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## Drainage Review

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**Routing No: 2 | Review Date: 11/17/2011**

TRAVIS RIEBER (TRIEBER) : Incomplete

proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed please provide documentation such as assessor's records, survey records, aerial photos or other official records that will help establish and determine the dates they were built.

Note: A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing (50%) to offset costs and encourage more extensive use of these materials.

6. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: In order to clear the Hold, one of these options has to be exercised:
1. The civil engineer has to inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient.
  2. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
  3. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone #. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold if the submittal is satisfactory.

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

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## Environmental Planning

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## Environmental Planning

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**Routing No: 1 | Review Date: 08/29/2011**

ANTONELLA GENTILE (AGENTILE) : Incomplete

### Completeness Comments

1. Please provide the diameter at breast height (DBH) for each of the trunks of the 2 multi-trunk trees on the property.
2. Please indicate on the site plan whether the 6-inch pine and 12-inch tree are to remain or be removed.

### Compliance Comments

1. Improvements shown on the site plan within the 100-year setback are subject to review under CCS 16.10.070(h)2(i). The code section allows improvements within the setback as long as they meet the following two criteria:

a) The improvement does not require a building permit, including gas, electrical, or plumbing permits, and

b) The improvement does not include any of the following: non-habitable accessory structures..., above-ground pools, water tanks, projects (including landscaping) which would unfavorably alter drainage patterns, and projects involving grading.

Therefore, please remove the hot tub and fire pit from the site plan.

### Preliminary Conditions

1. A soils report, prepared by a licensed geotechnical engineer, will be required prior to building permit issuance.
2. A drainage plan, prepared by a licensed civil engineer, will be required prior to building permit issuance. All roof, hardscape, and other collected drainage must be directed away from the bluff edge.
3. During construction, tree protection fencing at the trees' dripline will be required for trees to remain. If tree protection fencing cannot be maintained at the dripline, tree protection recommendations from a certified arborist will be required.

### Miscellaneous Comments

1. The geology report review is still under review by Joe Hanna, County Geologist. Comments will be sent under separate cover.

**Routing No: 2 | Review Date: 11/15/2011**

ANTONELLA GENTILE (AGENTILE) : Incomplete

### Completeness Comments

1. The geology report was not accepted by Joe Hanna, County Geologist. Additional information was requested in a letter dated 8/31/11. The response to this letter from the Project



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## Environmental Planning

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**Routing No: 2 | Review Date: 11/15/2011**

ANTONELLA GENTILE (AGENTILE) : Incomplete

Geologist is still under review by the County Geologist. This project will remain incomplete until the geology report review is completed.

### Compliance Comments

1. Improvements shown on the site plan within the 100-year setback are subject to review under CCS 16.10.070(h)2(i). The code section allows improvements within the setback as long as they meet the following two criteria:

a) The improvement does not require a building permit, including gas, electrical, or plumbing permits, and

b) The improvement does not include any of the following: non-habitable accessory structures..., above-ground pools, water tanks, projects (including landscaping) which would unfavorably alter drainage patterns, and projects involving grading.

Therefore, a condition of approval will be included with this permit to reiterate this requirement, in accordance with the above-referenced code section and General Plan Policy 6.2.12, and because at this time a hot tub (requiring an electrical permit at a minimum) and a fire pit (which may require a gas permit) are still shown in the 100-year setback on the plans dated 10/18/11. Please note that if the fire pit does not require any permits, it may remain within the 100-year setback.

2. Tree information requested in our first review comments will be used to assist the Planner in determining compliance with County Code Section 13.11.075(a)(2)(i).

### Conditions of Approval

1. A soils report, prepared by a licensed geotechnical engineer, shall be required prior to building permit issuance.

2. A drainage plan, prepared by a licensed civil engineer, shall be required prior to building permit issuance. All roof, hardscape, and other collected drainage must be directed away from the bluff edge.

3. Prior to building permit approval, the hot tub, fire pit (if a gas line is required), and any other structure requiring a permit from the Building Department shall be removed from the plans.



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## Environmental Planning

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**Routing No: 2 | Review Date: 11/15/2011**

ANTONELLA GENTILE (AGENTILE) : Incomplete

4. During construction, tree protection fencing at the trees' dripline shall be required for trees to remain. If tree protection fencing cannot be maintained at the dripline, tree protection recommendations from a certified arborist shall be required.
  
5. Any additional conditions, as required by Joe Hanna, County Geologist, at the completion of his technical report review shall be included as Conditions of Approval of this Coastal Development permit.

Updated comments 12/19/2011

The geology report response has been reviewed. No additional comments.

Please condition the permit to have the engineering geologist review the project site and drainage plans and provide a plan review letter. Also please condition the permit that a geotechnical report is required with the Building Permit along with a plan review letter from the geotechnical engineer.

## Fire Review

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**Routing No: 1 | Review Date: 08/17/2011**

KAREN MILLER (KMILLER) : Complete

**Date:** August 12, 2011  
**To:** Stephen Beck  
**Applicant:** Kurt ROSS  
**From:** Tom Wiley  
**Subject: 111140**  
**Address 4330 Opal Cliff Dr.**  
**APN:** 033-171-22  
**OCC:** 3317122  
**Permit:** 20110159

We have reviewed plans for the above subject project.

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

NOTE on the plans that the building shall be protected by an approved automatic sprinkler system complying with the edition of NFPA 13D currently adopted in Chapter 35 of the California Building Code.



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## Fire Review

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**Routing No: 1 | Review Date: 08/17/2011**

KAREN MILLER (KMILLER) : Complete

NOTE on the plans that the designer/installer shall submit two (2) sets of plans, calculations, and cut sheets for the underground and overhead Residential Automatic Sprinkler System to this agency for approval. Installation shall follow our guide sheet.

Show on the plans where smoke detectors are to be installed according to the following locations and approved by this agency as a minimum requirement:

- One detector adjacent to each sleeping area (hall, foyer, balcony, or etc).
- One detector in each sleeping room.
- One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder.
- There must be at least one smoke detector on each floor level regardless of area usage.
- There must be a minimum of one smoke detector in every basement area.

Show the location of the CO detector outside each sleeping room and on each level at a minimum of the residence

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

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

CC: File & County

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

3317122-081211

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## Project Review

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**Routing No: 1 | Review Date: 08/30/2011**

SHEILA MCDANIEL (SMCDANIEL) : Incomplete

See incompleteness letter

**Routing No: 2 | Review Date: 11/21/2011**

SHEILA MCDANIEL (SMCDANIEL) : Incomplete



### Project Review

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**Routing No: 2 | Review Date: 11/21/2011**

SHEILA MCDANIEL (SMCDANIEL) : Incomplete

See incompleteness letter.

### Urban Designer Review

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**Routing No: 1 | Review Date: 08/30/2011**

SHEILA MCDANIEL (SMCDANIEL) : Incomplete

Requires a visual simulation of the north and south elevation of the proposed structure. Please include the existing house on the east and west of the proposed residence in each simulation.

**Sheila McDaniel**

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**From:** Travis Rieber  
**Sent:** Friday, December 16, 2011 3:50 PM  
**To:** Sheila McDaniel  
**Cc:** Rachel Fatoohi  
**Subject:** Conditions for 111140

Hi Sheila,

Please see the following condition of approval for this project.

The project civil engineer must clearly identify the natural site drainage pattern and quantify the amount of runoff draining to the pipe system at the rear of the property and to Opal Cliff Drive. The proposed project is required not to increase the pre-development runoff volume and rate towards Opal Cliff Drive. The civil engineer must demonstrate quantitatively that the proposed onsite mitigations will handle post-development runoff rate for a 25 year storm event. If diversion is proposed, the diversion path shall be analyzed for condition and capacity for the 25-year storm and upgrades shall be proposed, to be constructed by applicant, as necessary.

Let me know if you have any questions or need any further information.

Thanks,

**Travis Rieber**  
**Stormwater Management Section**  
**County of Santa Cruz Public Works**  
**(831)454-2160 Fax (831)454-2385**