

# Staff Report to the Zoning Administrator

Application Number: 141015

**Applicant:** Matson-Britton Architects

Owner: Kelley and Cindy Trousdale

**APN:** 043-161-57 & -58

Agenda Date: October 17, 2014

Agenda Item #: 1 Time: After 9:00 a.m.

**Project Description**: Proposal to demolish an existing one story single family dwelling and to construct a two story single family dwelling of about 3,800 square feet and a 440 square foot attached garage, to remove two significant trees (38 inch diameter and 58 inch diameter), and to grade approximately 160 cubic yards.

**Location**: Project located at the southern end of Bayview Drive, approximately 1600 feet southeast of Toledo Drive. (660 Bayview Drive)

Supervisoral District: 2nd District (District Supervisor: Zach Friend)

Permits Required: Coastal Development Permit, Preliminary Grading Approval

#### Staff Recommendation:

• Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

• Approval of Application 141015, based on the attached findings and conditions.

#### **Exhibits**

A. Categorical Exemption (CEQA

determination)

B. Findings

C. Conditions

D. Project plans

E. Assessor's, Location, Zoning and General Plan Maps

F. Comments & Correspondence

#### Parcel Information

Parcel Size:

8,481 square feet (APN 043-161-57)

Existing Land Use - Parcel:

Single-family residence

Existing Land Use - Surrounding:

Single-family residential neighborhood, Coastal bluff

Project Access:

Bayview Drive

Planning Area:

Aptos

Land Use Designation:

R-UL (Urban Low Density Residential)

Zone District:

R-1-6 (Single-family residential, 6,000 square foot minimum)

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

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Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

#### **Environmental Information**

Geologic Hazards:

Coastal bluff at rear of property - Geo report reviewed and accepted

Soils:

Report reviewed and accepted

Fire Hazard:

Not a mapped constraint

Slopes:

3-5% slopes & edge of coastal bluff at southwest property line

Env. Sen. Habitat:

Not mapped/no physical evidence on site

Grading:

Approximately 79 cubic yards of cut, 159 cubic yards of fill Two trees (38" diameter & 58" diameter) to be removed

Tree Removal: Scenic:

Mapped scenic resource - beach viewshed

Drainage:

Drainage system at rear of property graded to drain away from bluff

Archeology:

Not mapped/no physical evidence on site

#### **Services Information**

Urban/Rural Services Line:

X Inside Outside

Water Supply:

Soquel Creek Water District

Sewage Disposal:

Santa Cruz County Sanitation District

Fire District:

Aptos/La Selva Fire Protection District

Drainage District:

Zone 6

#### History

This application is a resubmittal of Coastal Development Permit application 07-0325 which was approved by the Zoning Administrator on July 11, 2008. The approval was appealed to the California Coastal Commission by a neighbor and, before a final action was taken on the appeal, the application was withdrawn by the applicant on December 9, 2010.

#### **Project Setting**

The subject property is located at the southeast end of Bayview Drive, at 660 Bayview Drive. The project site is located within a single family residential neighborhood with homes to the north and northwest. A coastal bluff is located to the southwest of the subject property, a coastal arroyo is located to the northeast, and vacant parcels are located along the coastal bluff to the southeast. The subject property is located within the scenic viewshed of the public beach to the south and Hidden Beach park to the east.

#### **Project Scope**

This application is a proposal to construct a single family dwelling of about 3,800 square feet with a 440 square foot attached garage. This proposal includes the demolition of the existing single story single family dwelling (including approximately 3,600 square feet with 6 bedrooms) which is located across two parcels (043-161-57 & -58). This application is for one replacement residence (on APN 043-161-57) and no development is proposed on the adjacent parcel (APN

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043-161-58) at this time.

#### **Zoning & General Plan Designation**

The subject property is approximately 8,481 square feet, located in the R-1-6 (Single-family residential - 6,000 square feet minimum) zone district, a designation which allows residential uses. A single-family dwelling is a principal permitted use within the zone district and the density proposed is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

The proposed residence complies with the site standards for the zone district, as outlined below:

	R-1-6 Site Standards	Proposed
Front yard setback	20'	About 23'
Rear yard setback	15' (or coastal bluff setback)*	About 30'
Side yard setbacks	5' and 8'	5' and 8'
Maximum height	28'	28'
Maximum % lot coverage	30%	29.28%
Maximum Floor Area Ratio	50%	49.84%

<sup>\*</sup>Coastal bluff setback also applies - minimum of 25 feet from coastal bluff edge (per technical reports).

Adequate parking would be provided on site for the four-bedroom residence.

#### Design Review & Scenic Resources

The design of the proposed residence was evaluated from both the context of views from the surrounding neighborhood and views from the public beach. As viewed from Bayview Drive, the residence will fit into the surrounding neighborhood. The proposed residence will be located adjacent to other residences in the neighborhood and away from the traveled way of Bayview Drive. Views from the public beach are discussed below.

The subject property is located within the scenic viewshed of the public beach to the south and the public park to the east. The review for Coastal Development Permit 07-0325 included an analysis of the beach viewshed, including an evaluation of existing residences constructed along the bluff side of Bayview Drive. This analysis included a review of previously approved projects and a visual inventory of the existing residences along Bayview Drive. There are both one and two-story structures along the bluff side of Bayview Drive. In the majority of cases, the height of the bluff combined with the setback from the bluff edge obstructs views of the lower floor of the two story residences from the public beach below. This proposal is located adjacent to existing development along Bayview Drive at an area where the bluff edge is similar in elevation to the majority of existing developed parcels. The height of the bluff in this area typically obstructs views of the lower floors of existing residences from the public beach below.

It is anticipated that the bluff height at the project site would obstruct views of the lower floor of the proposed residence from the public beach below. For this reason, structural design changes have not been requested to reduce visibility of the proposed residence. Use of colors and materials which would cause the structure to appear subordinate to the surrounding natural

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backdrop are advised, as would be for all residences located along the bluff edge within the scenic beach viewshed.

#### Tree Removals

The proposal includes the removal of two significant (38 inch diameter & 58 inch diameter) Monterey Pine trees in order to accommodate the location of site improvements within the front yard. The removal of the two trees would result in the reduction of the tree backdrop behind and above the proposed residence. The loss of this tree backdrop would result in increased visibility of the proposed residence above the coastal bluff edge from the public beach.

Two arborists evaluated these trees as a component of the prior Coastal Development Permit application (07-0325). The first arborist determined that the 38 inch tree is in fair health, but exhibits poor structure and that the 58 inch tree is in poor health and structure. The second arborist concurred. Landscape plans have not been provided and no replacement trees have been indicated as a component of this application. Staff recommends replacement trees to provide additional landscape backdrop for the proposed residence.

#### Coastal Bluff and Geologic Hazards

The project site is located adjacent to a coastal bluff to the southwest. The rear of the project site would be graded to capture drainage and direct it into a drainage system at the rear of the adjacent vacant parcel (APN 043-161-58). Geologic and geotechnical reports have been reviewed and accepted as a component of the prior application, and update letters to these reports have been provided. The proposed residence would comply with the required coastal bluff setback and site drainage will be dispersed away from the coastal bluff edge.

#### Conclusion

This proposal would result in the construction of a single family residence on a legal lot of record adjacent to a coastal bluff. The proposed two-story residence would be visible within the protected scenic viewshed in a location where the height of the bluff would obstruct portions of the lower floor from view. Although further modifications could be made to reduce the visibility of the proposed residence, this is not necessary due to the height of the bluff at the subject property and the location of the project site adjacent to existing developed parcels to the northwest.

Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

#### **Staff Recommendation**

- Determine that the proposal is exempt from further Environmental Review under the . California Environmental Quality Act.
- **APPROVAL** of Application Number 141015, based on the attached findings and conditions.

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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: <a href="https://www.co.santa-cruz.ca.us">www.co.santa-cruz.ca.us</a>

Report Prepared By: Randall Adams

Santa Cruz County Planning Department

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E-mail: randall.adams@co.santa-cruz.ca.us

### 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: 141015 Assessor Parcel Number: 043-161-57 & -58 Project Location: 660 Bayview Drive
Project Description: Construct a single-family dwelling
Person or Agency Proposing Project: Matson-Britton Architects
Contact Phone Number: (831) 425-0544
A The proposed activity is not a project under CEQA Guidelines Section 15378.  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: Class 3 - New Construction or Conversion of Small Structures
F. Reasons why the project is exempt:
Construct a single-family dwelling on a property designated for residential uses.
In addition, none of the conditions described in Section 15300.2 apply to this project.
Date: Randall Adams, Project Planner

Owner: Kelley and Cindy Trousdale

#### **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-1-6 (Single-family residential, 6,000 square foot minimum), a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

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

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions 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 residence is compatible with other residences within the Bayview Drive neighborhood. The project site is located within a scenic resource area and will be visible from the public beach below the subject property. The subject property is located adjacent to existing developed parcels along the coastal bluff side of Bayview Drive. The elevation of the bluff in this location is similar in elevation to the majority of existing developed parcels along Bayview Drive. Although this project will be visible from the beach in this location, the height of the bluff edge at the project site will obstruct views of the majority of the lower floor of the proposed residence from the public beach below. As a result, the visual impact of the proposed project will be similar to existing residential development along the bluff side of Bayview Drive.

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

This finding can be made, in that the project site is located between the shoreline and the first public road, with developed public beach access in the vicinity at Hidden Beach park. Consequently, the proposed project 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 residential uses are allowed uses in the R-1-6 (Single-family residential, 6,000 square foot minimum) zone district of the area, as well as the General Plan and Local Coastal Program land use designation.

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#### **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, the California Building Code, the County Building ordinance, and the recommendations of the geologic and geotechnical reports to insure the optimum in safety and the conservation of energy and resources. The proposed single-family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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

This finding can be made, in that the proposed location of the single-family dwelling and the conditions under which it would be operated or maintained will be consistent with the purpose of the R-1-6 (Single-family residential, 6,000 square foot minimum) zone district in that the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district.

The proposed residence will comply with the County's Geologic Hazards Ordinance, in that the project will comply with the minimum setback from the coastal bluff to ensure 100-year stability of the structure.

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

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

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

The project will comply with General Plan/LCP Policy 5.10.7 (Development on Open Beaches and Blufftops) in that the proposal will result in the development of a single family residence on an existing lot of record in an area of existing residential development.

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

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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 residence is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to remain at one peak trip per day (1 peak trip per dwelling unit). As a result, the project will not adversely impact existing roads and intersections in the surrounding area.

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 neighborhood containing both one and two-story homes of a similar size, 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 residence will be of an appropriate scale and type of design that is consistent with the existing pattern of residential development along the bluff edge in the surrounding neighborhood.

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### **Conditions of Approval**

Exhibit D: Project plans "Trousdale Residence", 6 sheets by Matson-Britton Architects, revised 2/15/08; 6 sheets by RI Engineering Inc., revised 4/28/14.

- I. This permit authorizes the demolition of the existing residence (on APNs 043-161-57 & -58) and the construction of a 4 bedroom, two-story, single-family dwelling on APN 043-161-57. 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.
    - 1. Comply with all requirements of the Monterey Bay Unified Air Pollution Control District during demolition.
  - C. Obtain a Building Permit from the Santa Cruz County Building Official.
  - D. Obtain a Grading Permit from the Santa Cruz County Building Official.
  - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
  - B. 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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.
      - a. Colors and materials shall be muted in tone and complimentary to the natural coloration of the existing bluff and background scenery.
    - 2. An engineered grading plan prepared, wet stamped, and signed by a

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licensed civil engineer. The plan shall include all grading volumes (cut and fill) and the total extent of disturbance for all grading activities.

- 3. A final engineered drainage plan, prepared, wet stamped, and signed by a licensed civil engineer, with the following additional information as required by the County Geologist and DPW Drainage:
  - a. Provide final review letters from the project geotechnical engineer and project geologist stating that the proposed drainage plan will be consistent with the approved reports.
  - b. Provide a copy of a recorded drainage easement to connect to the drainage system on APN 043-161-58.
- 4. A landscape plan which shows all proposed rear yard landscaping and improvements, for review and approval by the Planning Department. The installation or use of permanent irrigation of landscaping within the rear yard is not allowed.
  - a. Show the location, size and species of the proposed replacement trees on the landscape plan.
- 5. A detailed erosion control plan for review and approval by Environmental Planning staff.
- 6. Plans shall include a statement that the project will comply with the accepted geologic and geotechnical reports for this project, and both the building plans and engineering plans must clearly show the accepted geologic building envelope.
- 7. Details showing compliance with fire department requirements.
- 8. Show the proposed location of on-site sewer lateral(s), clean out(s), and connection(s) to the existing public sewer. Existing sewer laterals must be properly abandoned prior to issuance of the demolition permit.
- 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, if applicable.
- D. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

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- F. Submit plan review letters from both the project geotechnical engineer and project geologist, confirming the building, grading, drainage, and erosion control plans conform to the recommendations of the geotechnical and geologic reports. A minimum of three (3) copies of each letter shall be submitted for review and approval.
- G. Provide required off-street parking for three cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- H. 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.
- I. Sign, date, and record a Declaration of Geologic Hazards (to be prepared by Environmental Planning staff prior to Building Permit submittal). You shall not alter the wording of this declaration. Please return a copy of the recorded document to the Planning Department as proof of recordation.
- 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 geologic and geotechnical reports.
  - D. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, 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

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actions, up to and including permit revocation.

- B. The installation or use of permanent irrigation of landscaping within the rear yard is not allowed.
- C. Any decks must be under 30 inches in height within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance) and any deck in excess of 18 inches in height must meet the required yard setbacks.
- D. No structures are allowed within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance).
- 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, it 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. "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:	 9	
Effective Date:	 	
Expiration Date:		
Wanda Williams	 Randall Adams	
Wanda Williams Deputy Zoning Admir	Randall Adams Project Planner	

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

TITLE SHEET FIRST FLOOR BLAN SECOND FLOOR SLAN KORTH 4 MED EXTERIOR BLEVATIONS SOUTH 4 EAST EXTERIOR BLEVATIONS

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 GRADING & DRAINAGE PLAN DETAILS & SECTIONS EROSION CONTROL PLAN

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660 BAYVIEN DRIVE MAP

VICINITY N.T.S.



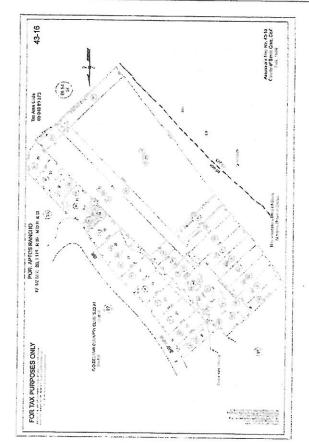
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NEM RESIDENCE 660 BAYVIEM DRIVE, LOT A APTOS, CA 45003

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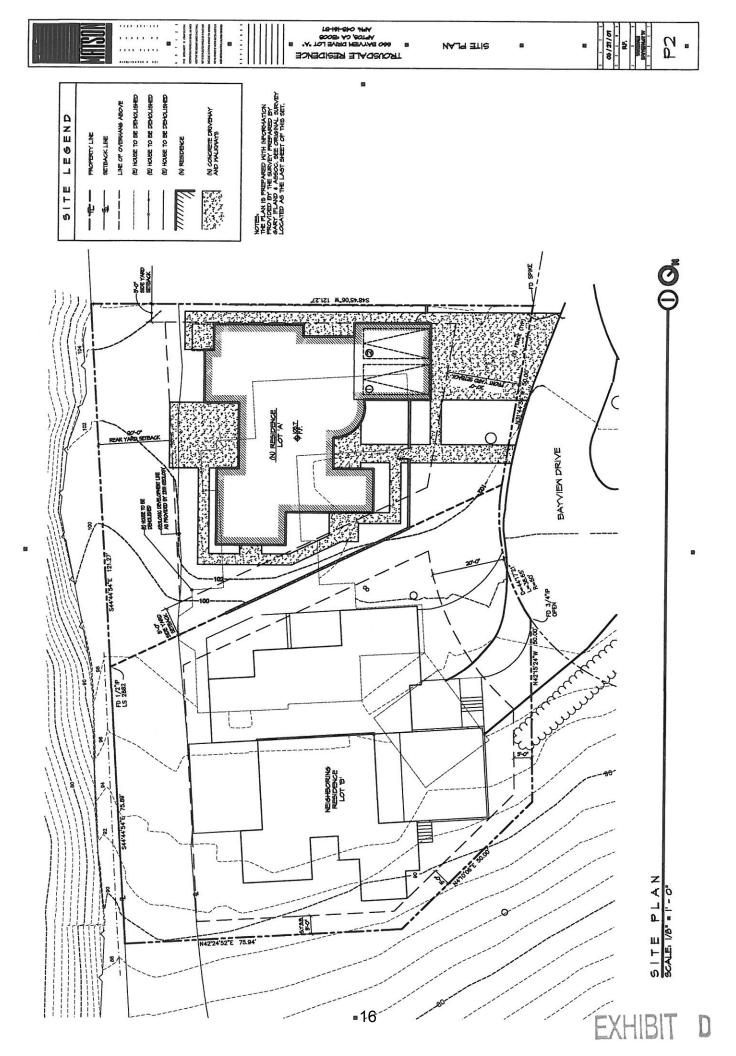


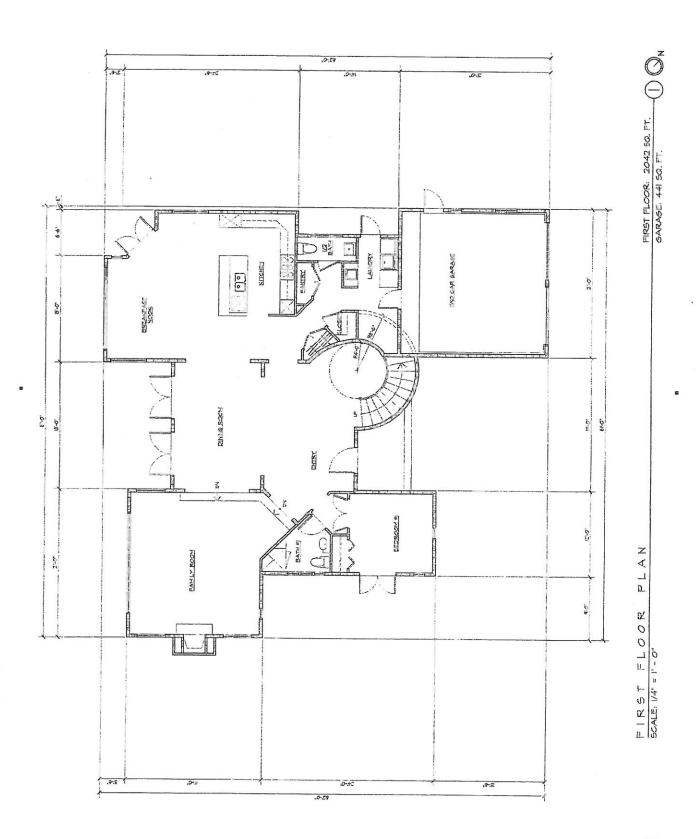
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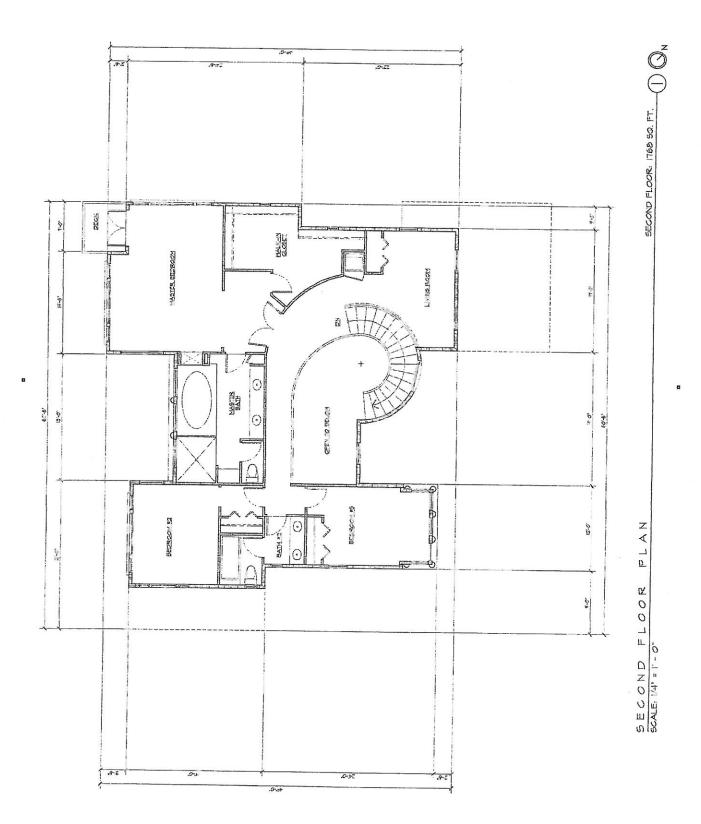
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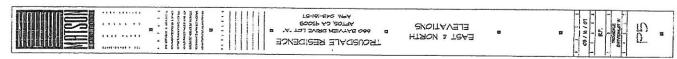
S E C T | O N @ SCALE: 1/8" = 1' - 0"

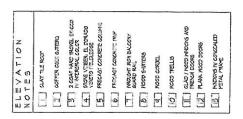
ENISTINS SRADE -

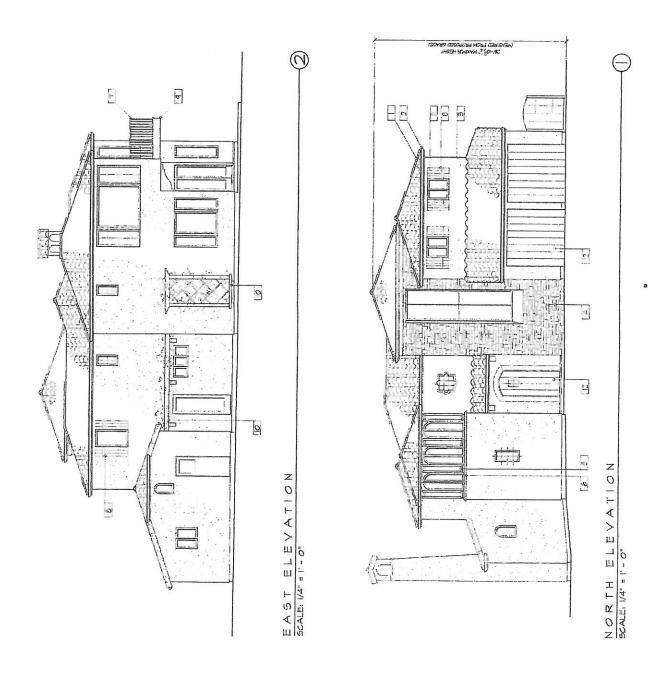


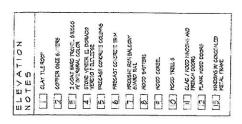


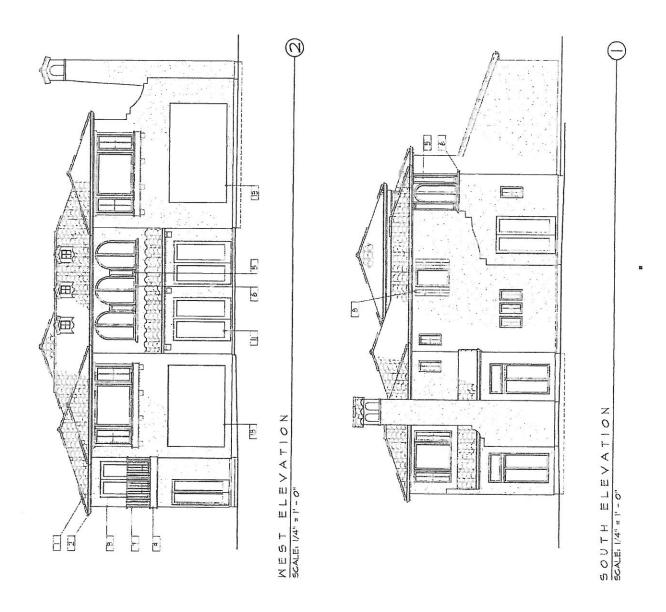


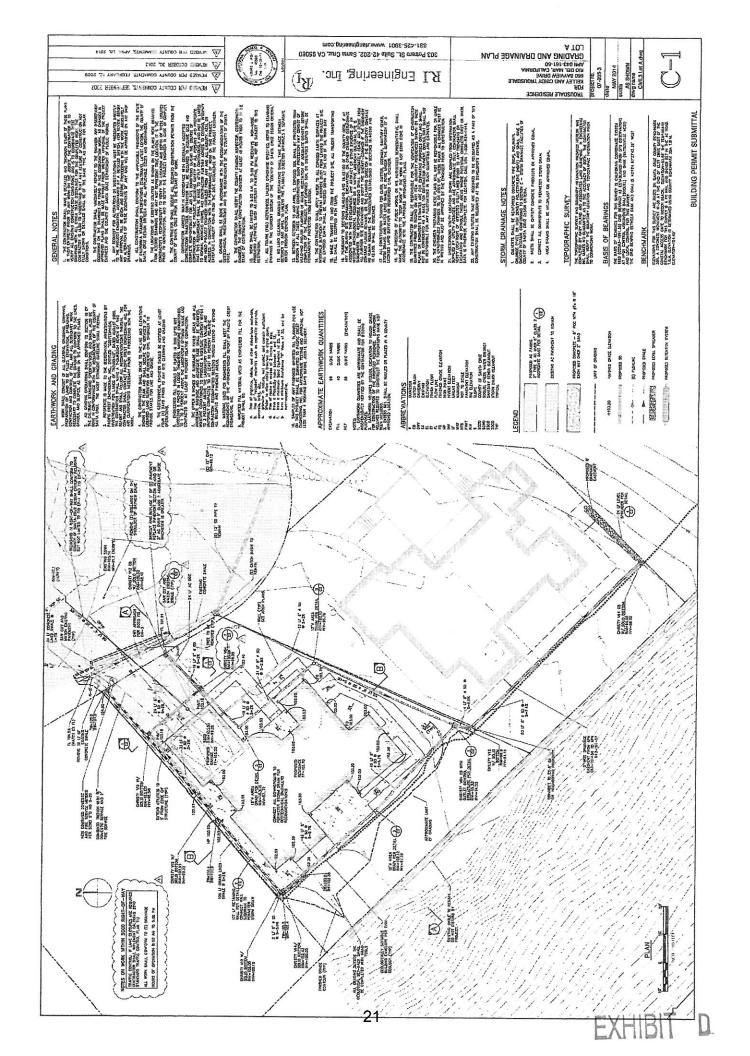


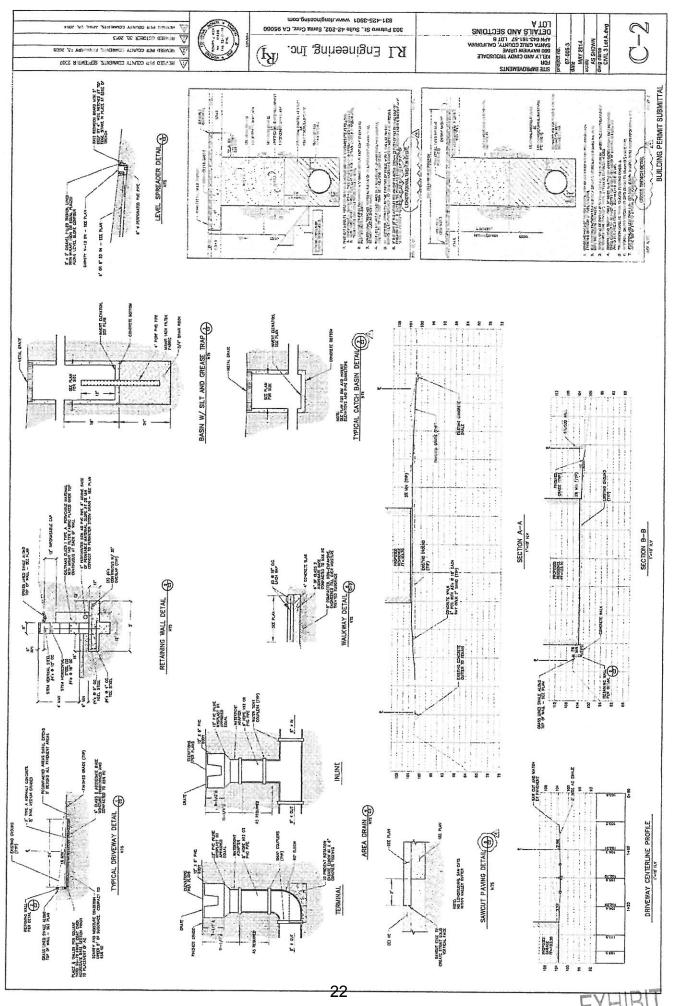


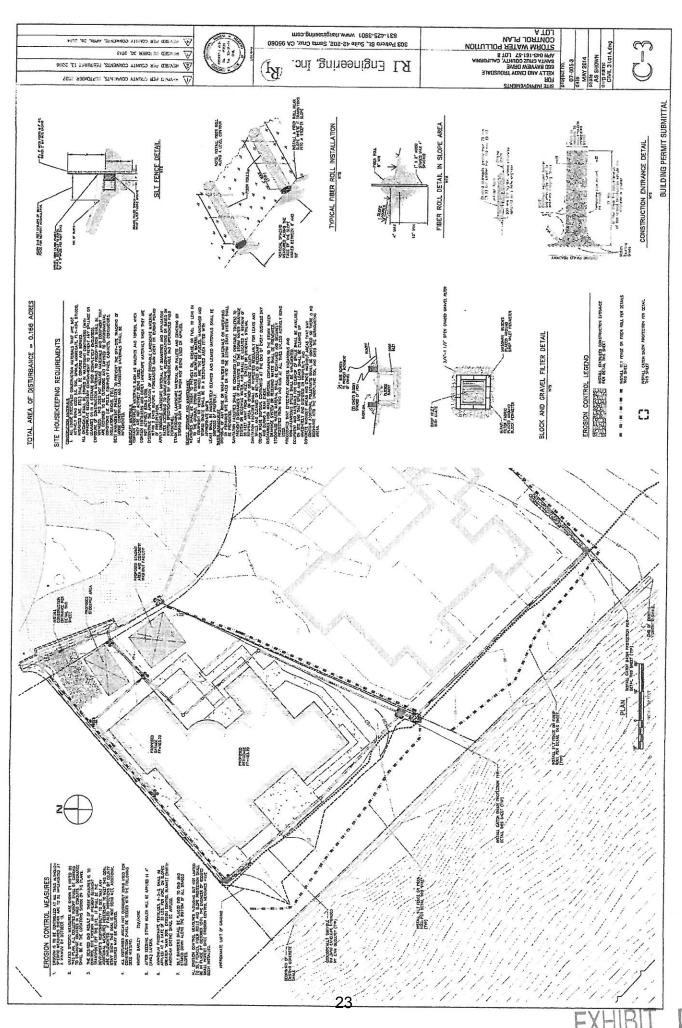


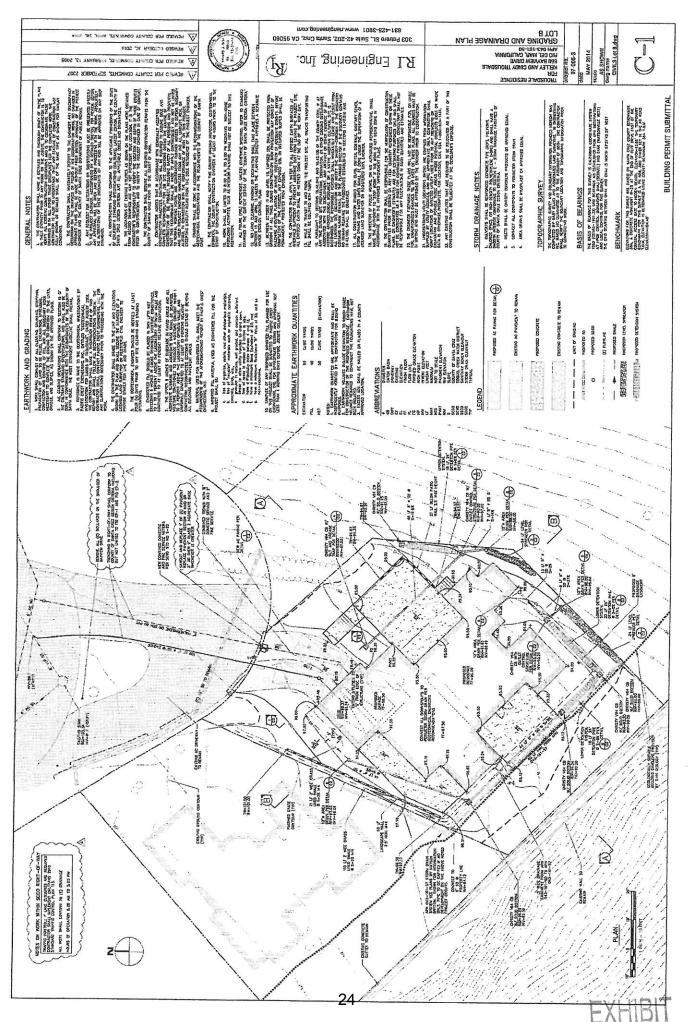


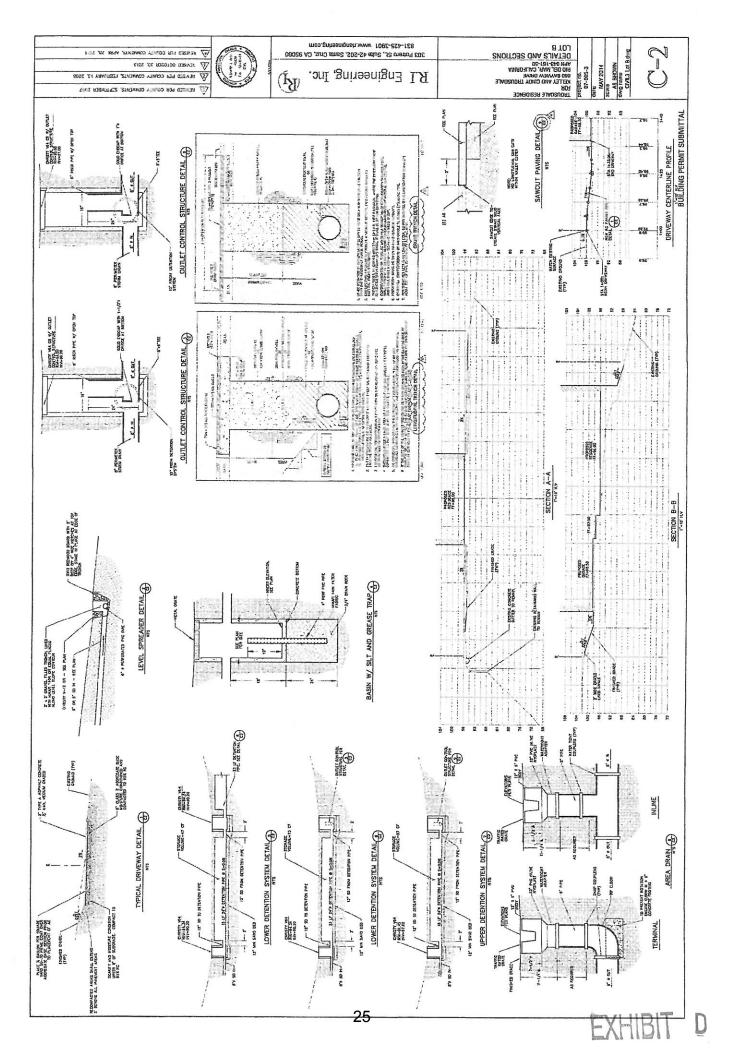


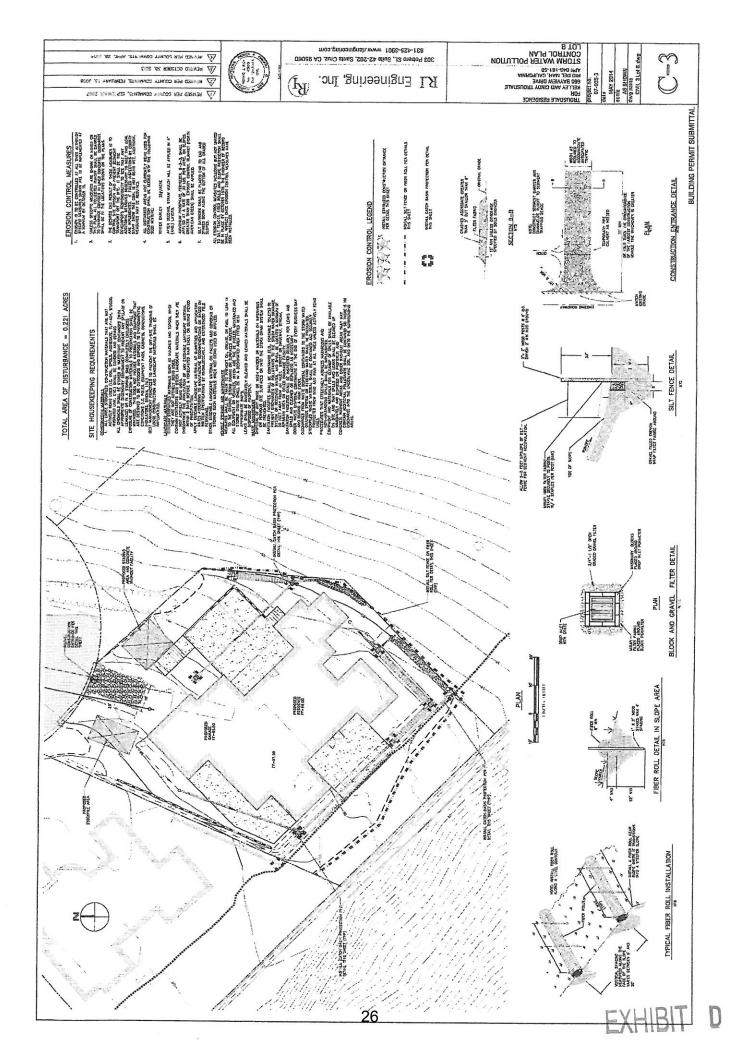


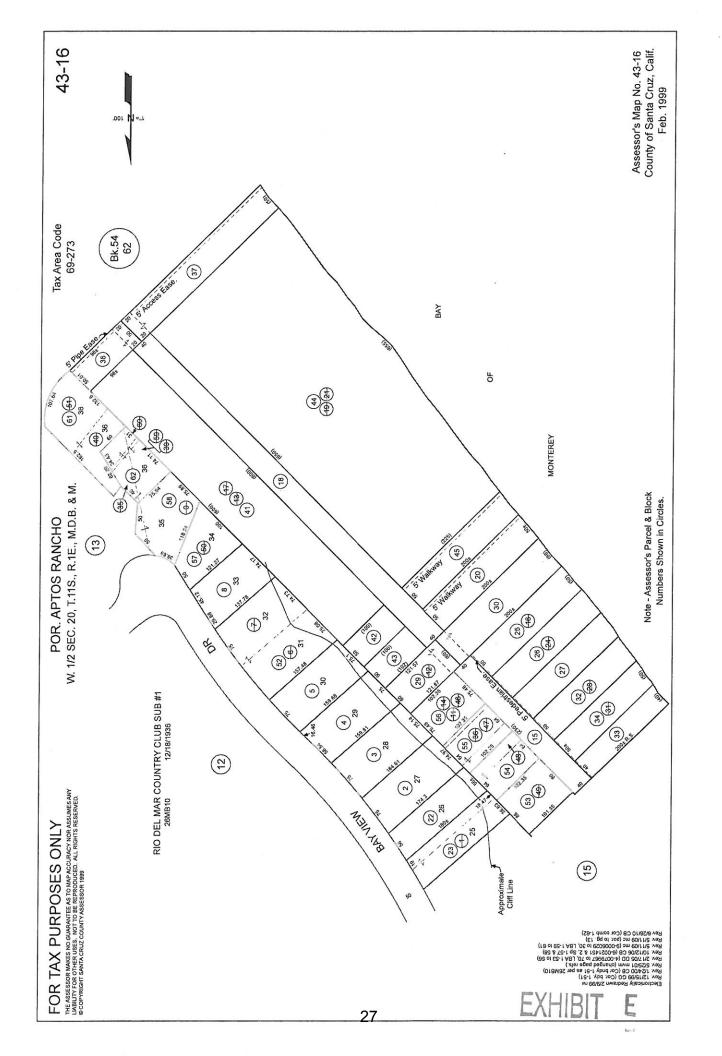






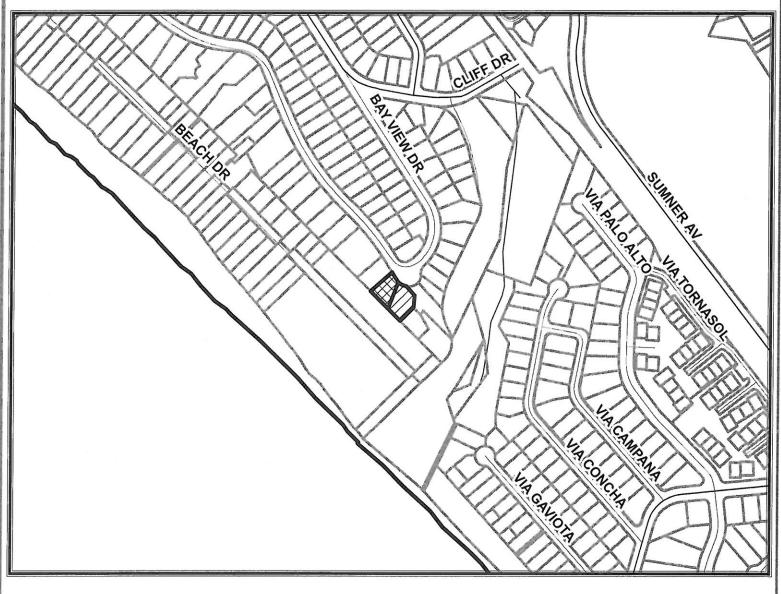


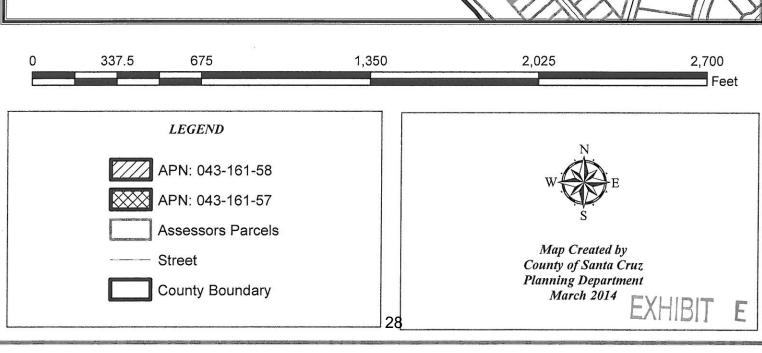






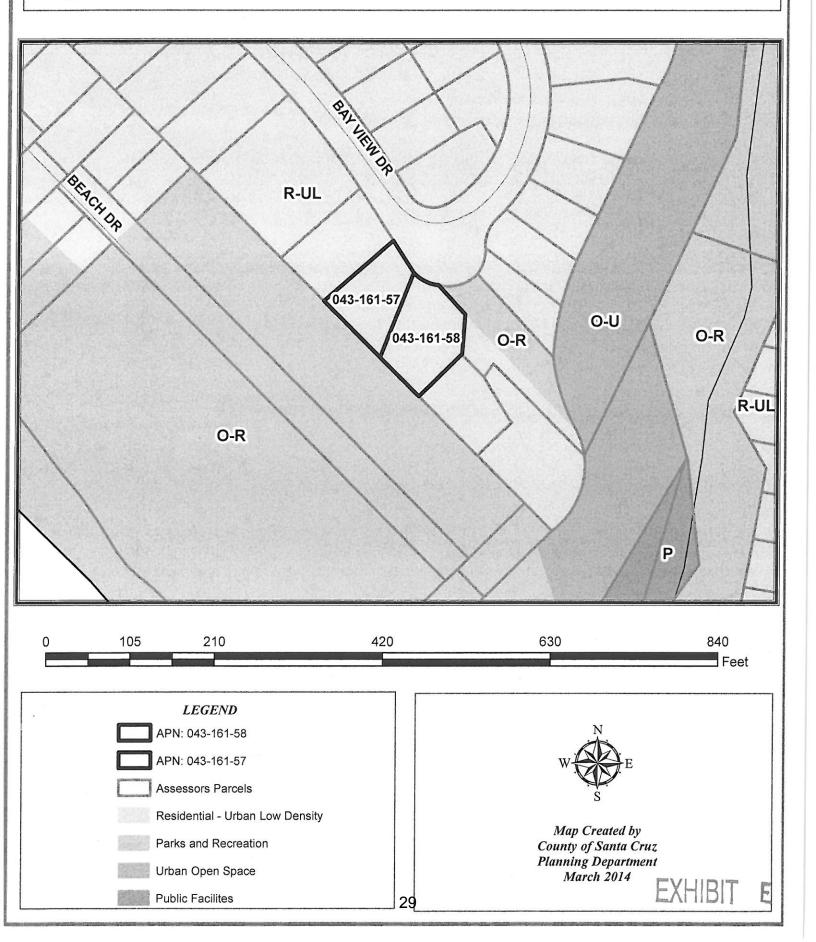
### **Location Map**







### General Plan Designation Map





## **Zoning Map**

