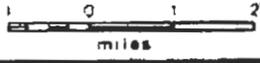


California Coastal Commission

LOCATION MAP

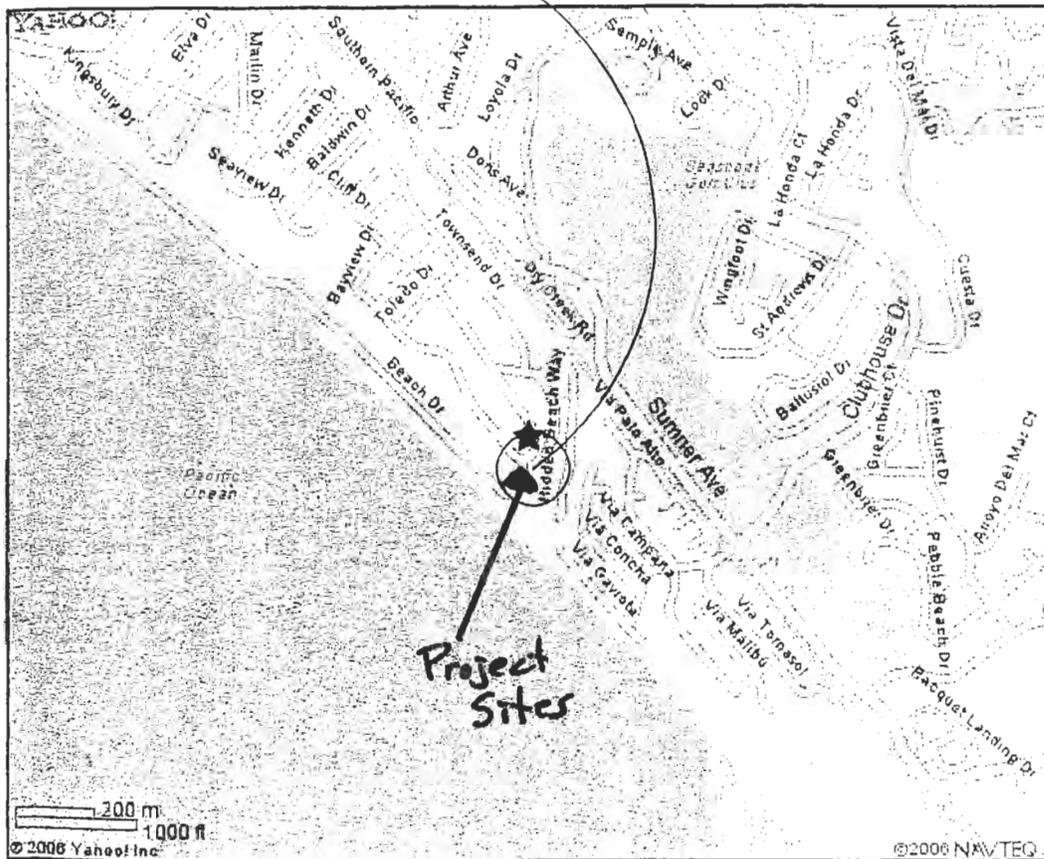


County of Santa Cruz

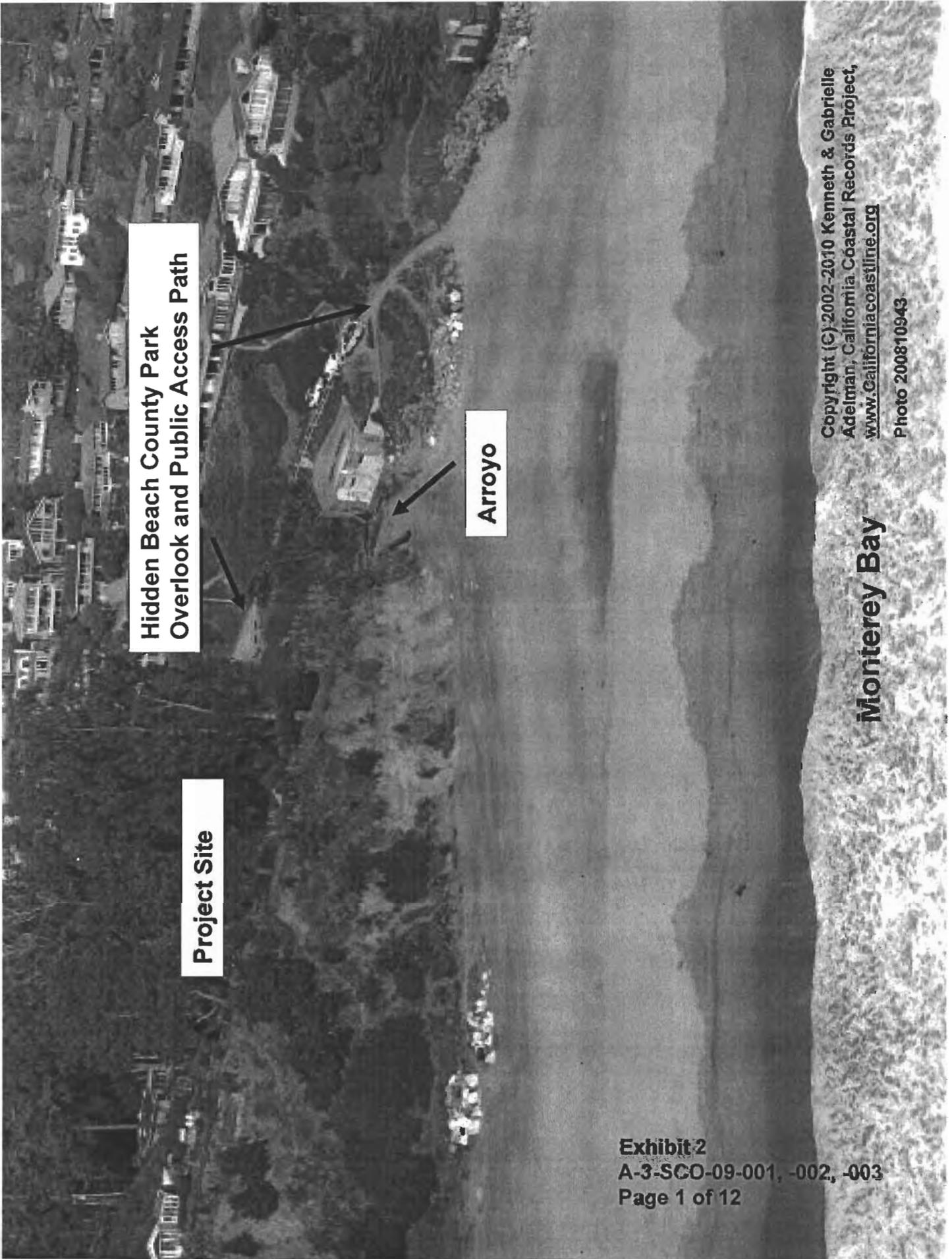
Sheet 3 of 3

CCC Exhibit 1
 (page 1 of 2 pages)

BAYVIEW DRIVE



VICINITY MAP



Hidden Beach County Park
Overlook and Public Access Path

Project Site

Arroyo

Monterey Bay

Copyright (C) 2002-2010 Kenneth & Gabrielle
Adelman, California Coastal Records Project,
www.Californiacoastline.org

Photo 200810943



Downcoast from Project Site

Hidden Beach County Park Public Access Path

Via Gaviota Seawall

Monterey Bay

Copyright (C) 2002-2010 Kenneth &
Gabrielle Adelman, California Coastal
Records Project,
www.Californiacoastline.org

Photo 200810945



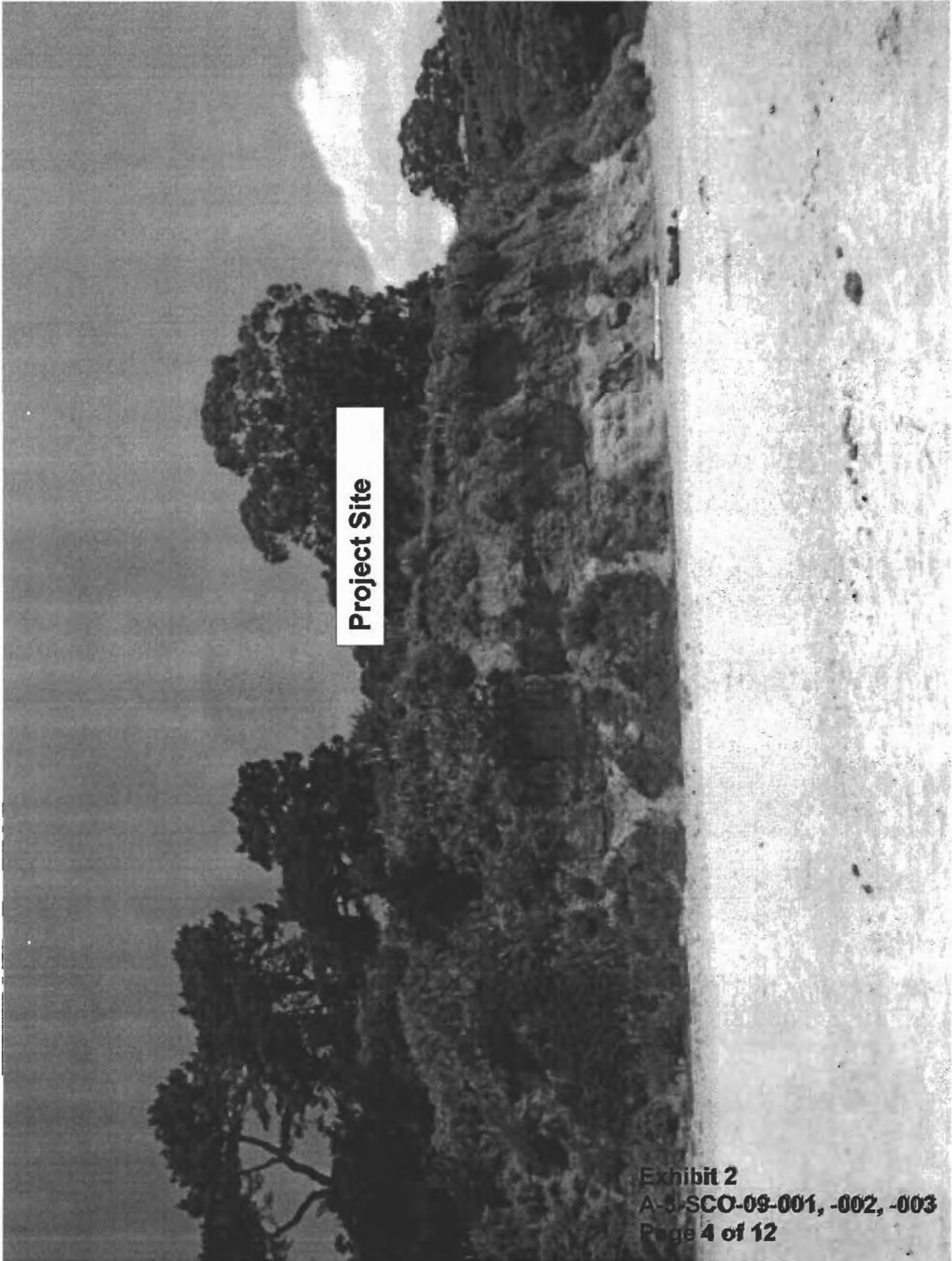
Upcoast from Project Site

Beach Drive

Monterey Bay

Copyright (C) 2002-2010 Kenneth &
Gabrielle Adelman, California Coastal
Records Project,
www.CaliforniaCoastline.org

Photo 200810940



Project Site

Exhibit 2
A-3-SCO-09-001, -002, -003
Page 4 of 12



View of Project Site from Overlook Area

View Cone Tree



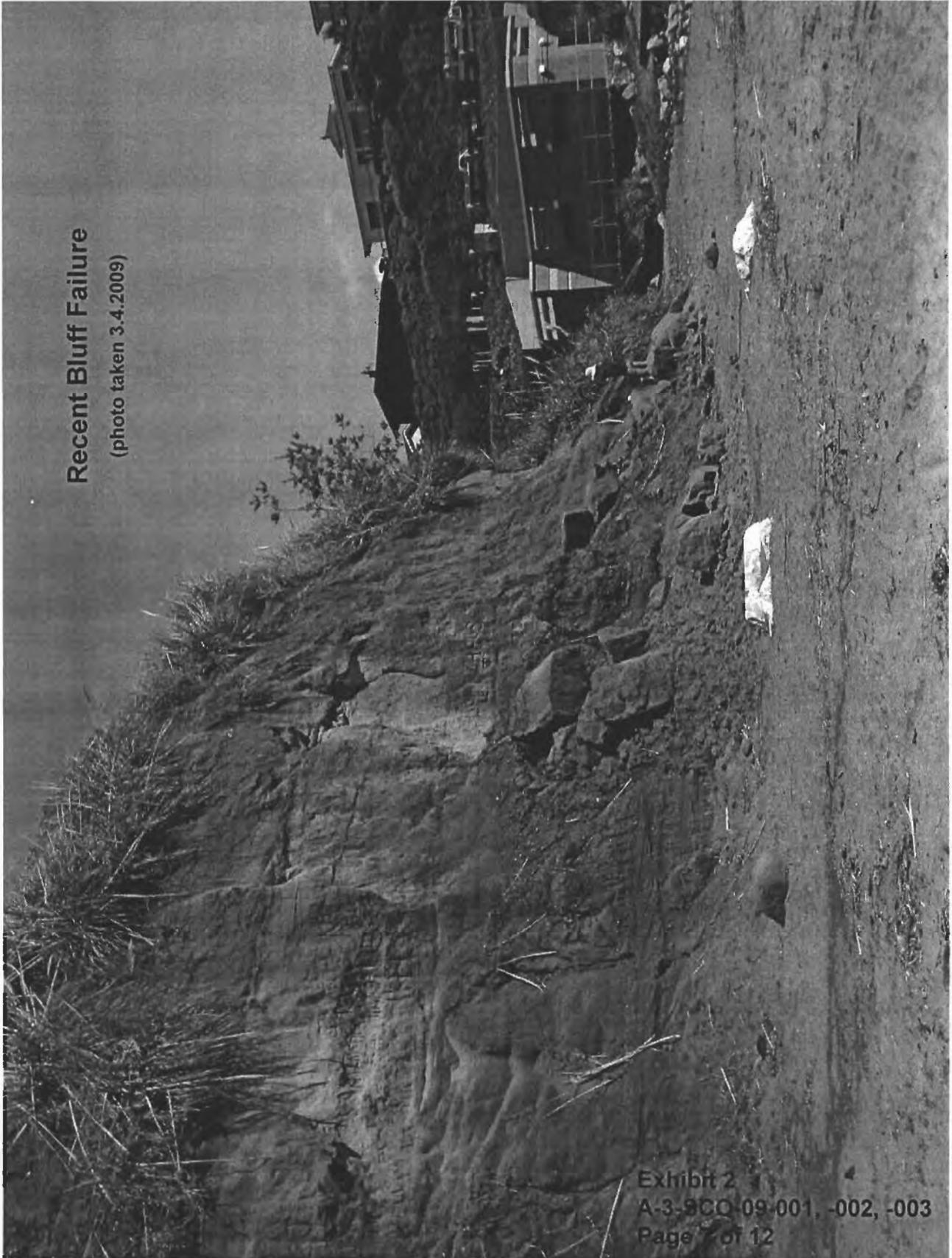
**Exhibit 2
A-3-SCO-09-001, -002, -003
Page 5 of 12**

View of Project Site from Public Access Path*



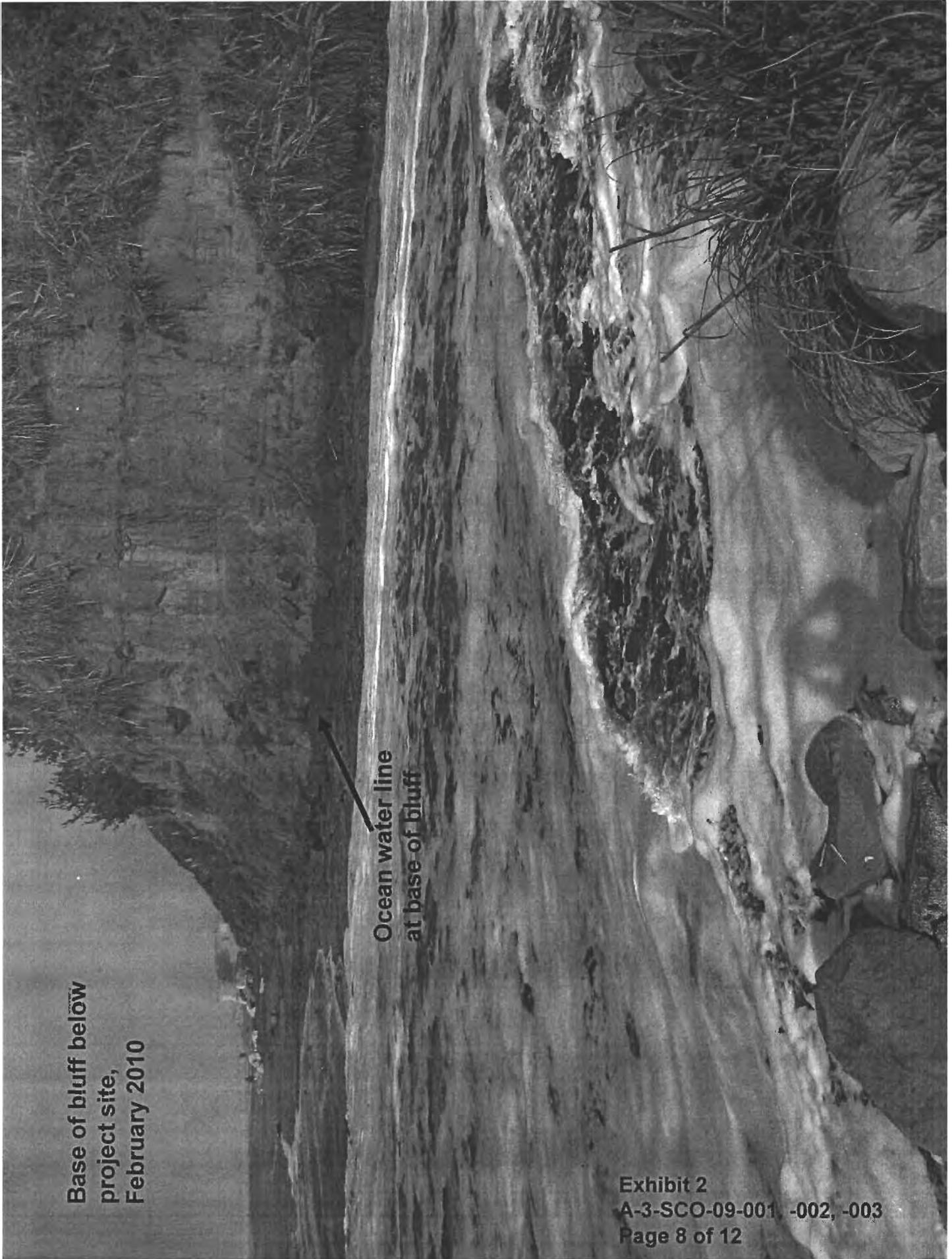
***Project includes removal of 8 trees (3 dead)**

Recent Bluff Failure
(photo taken 3.4.2009)



Base of bluff below
project site,
February 2010

Ocean water line
at base of bluff



**Beach, coastal bluff, and
arroyo entrance at base
of project sites, February
2010**

**Exhibit 2
A-3-SCO-09-001, -002, -003
Page 9 of 12**



Project Site

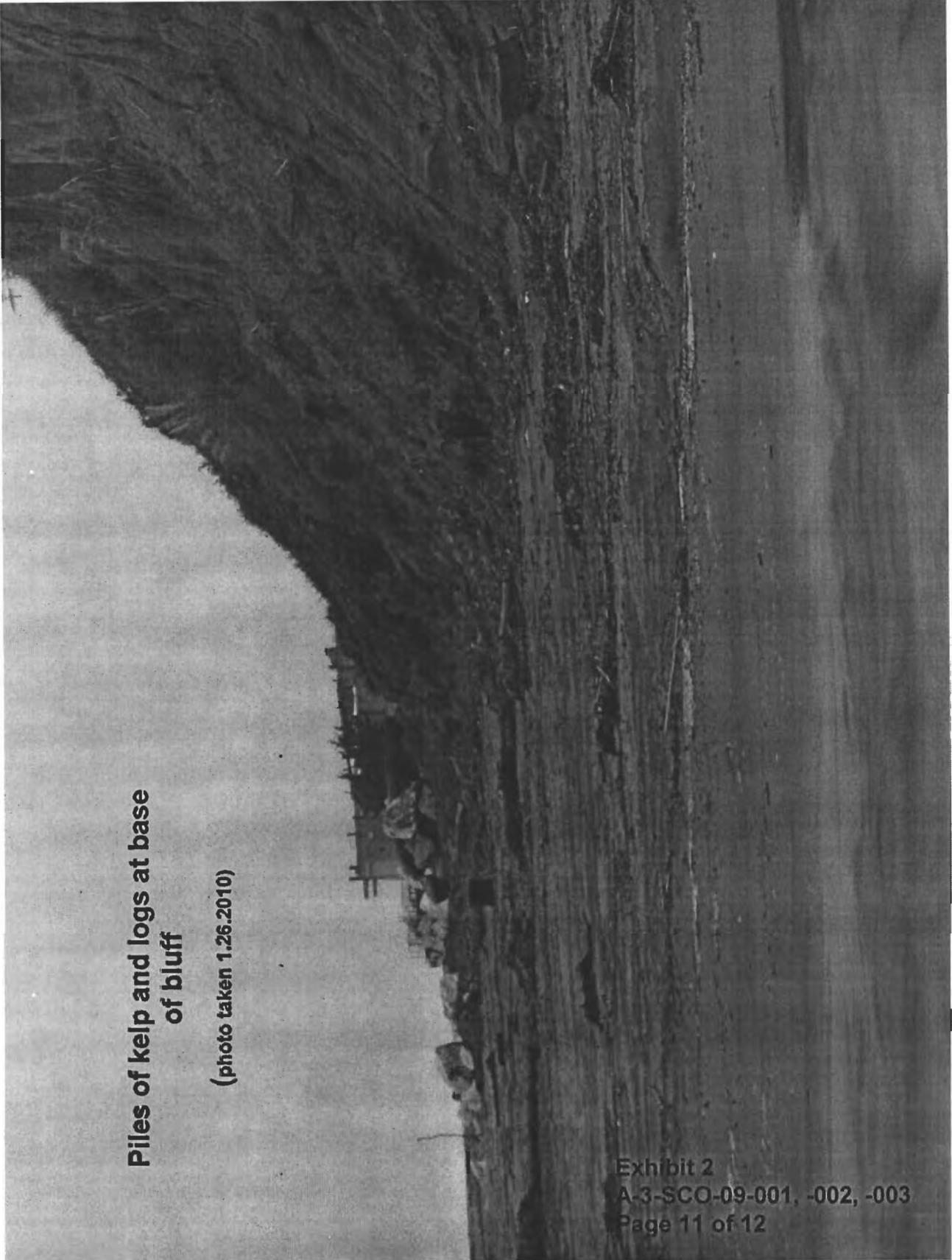
Hidden Beach South, January 11, 2001

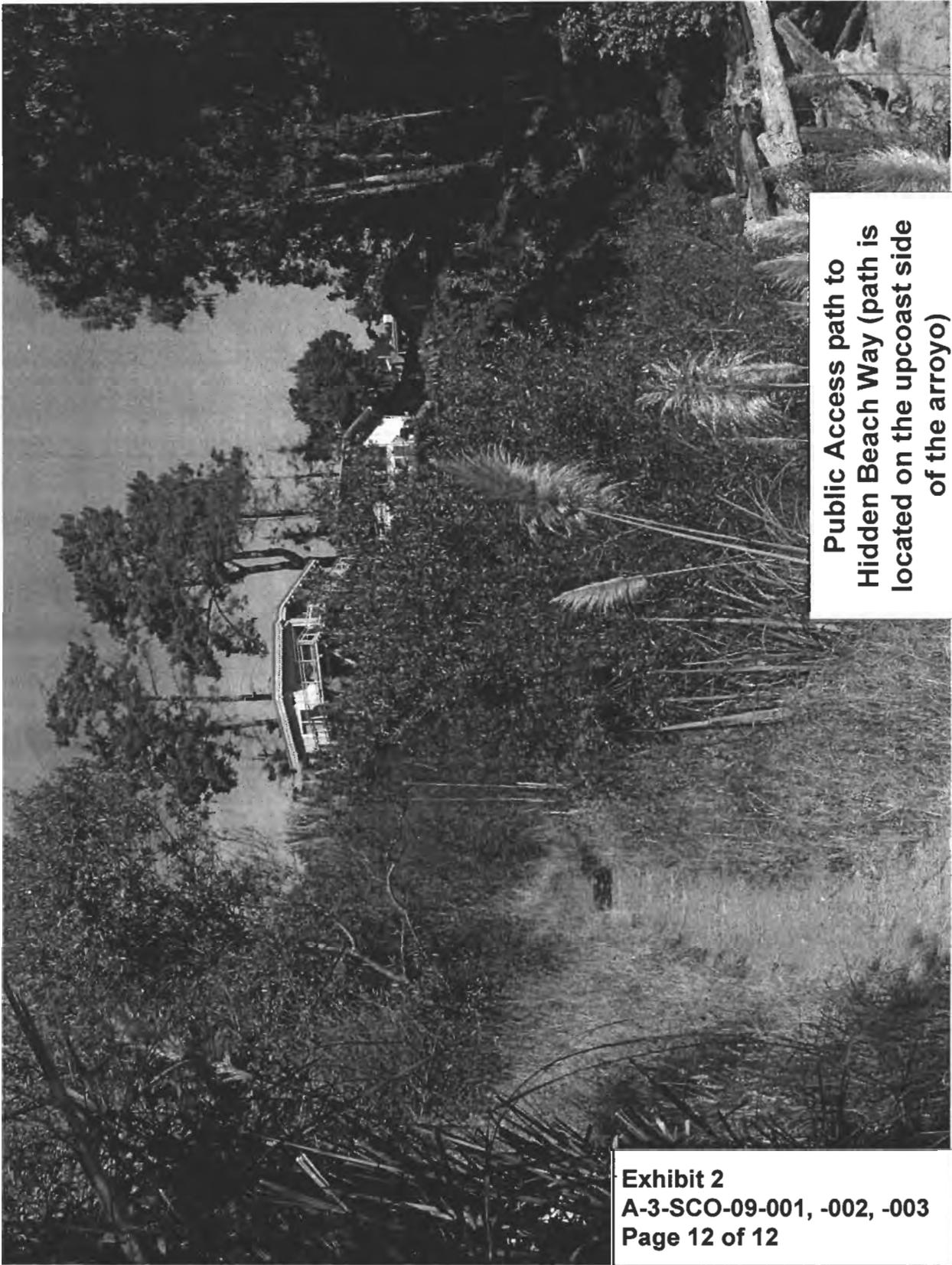
**Exhibit 2
A-3-SCO-09-001, -002, -003
Page 10 of 12**

**Piles of kelp and logs at base
of bluff**

(photo taken 1.26.2010)

**Exhibit 2
A-3-SCO-09-001, -002, -003
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**Public Access path to
Hidden Beach Way (path is
located on the upcoast side
of the arroyo)**

**Exhibit 2
A-3-SCO-09-001, -002, -003
Page 12 of 12**

NOTICE OF FINAL LOCAL ACTION ON COASTAL PERMIT

County of Santa Cruz

FINAL LOCAL ACTION NOTICE
REFERENCE # <u>3-500-08-389</u>
APPEAL PERIOD <u>12/24/08-1/8/09</u>

RECEIVED

DEC 23 2008

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date of Notice: 12/22/08

Notice Sent to (via certified mail):

California Coastal Commission
Central Coast Area Office
725 Front Street, Ste. 300
Santa Cruz, CA 95060

Please note the following **Final Santa Cruz County Action** on a coastal permit, coastal permit amendment or coastal permit extension application (all local appeals have been exhausted for this matter):

Project Information

Application No.: 08-0221
Project Applicant: Donald Neil Frank
Applicant's Rep: Matson-Britton Architects
Project Location: No Situs (adjacent to 660 Bayview Drive), Aptos

Project Description: Proposal to construct a single family dwelling and associated improvements

Final Action Information

Final Local Action: Approved with Conditions

Final Action Body:

- Zoning Administrator
- Planning Commission
- Board of Supervisors

Required Materials Supporting the Final Action	Enclosed	Previously sent (date)
Staff Report	XXX	
Adopted Findings	XXX	
Adopted Conditions	XXX	
Site Plans	XXX	
Elevations	XXX	

Additional Materials Supporting the Final Action	Enclosed	Previously sent (date)
CEQA Document	XXX	
Geotechnical Reports		5/19/08 (with 07-0117)
Biotic Reports		
Other:		
Other:		

Coastal Commission Appeal Information

This Final Action is:

- NOT appealable** to the California Coastal Commission. The Final County of Santa Cruz Action is now Effective.
- Appealable** to the California Coastal Commission. The Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this Final Action. The Final Action is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission Central Coast Area Office in Santa Cruz; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact the Central Coast Area Office at the address listed above, or by phone at (831) 427-4863.

Copies of this notice have also been sent via first-class mail to:

- Applicant
- Interested parties who requested mailing of notice

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(page 1 **of** 26 **pages)**



**COUNTY OF SANTA CRUZ
Planning Department**

**COASTAL DEVELOPMENT PERMIT
AND RESIDENTIAL DEVELOPMENT PERMIT**

Owner: DONALD NEIL FRANK
Address: 3 OTTER TERRACE
BROOKINGS, OR 97415

Permit Number: 08-0221
Parcel Number(s): 043-131-15 &-34;
043-161-39, & -40, -51; 054-621-04

PROJECT DESCRIPTION AND LOCATION

Permit to construct a two story single family residence (about 3,207 square feet) with associated site improvements (including a shared roadway, with retaining walls up to 4.5 feet above and 8 feet below the roadway) and to remove two significant trees on a vacant property. Requires a Coastal Development Permit, an Exception to the Geologic Hazards Ordinance for the installation of drainage improvements on a coastal bluff, a Residential Development Permit for a wall in excess of 3 feet in height within the right of way, a Preliminary Grading Review for approximately 33 cubic yards (cut), 44 cubic yards (fill), and an unspecified quantity of grading within the right of way on Lot 1 for shared access improvements. Property located off a proposed right of way to the southeast of 660 Bayview Drive, Aptos.

SUBJECT TO ATTACHED CONDITIONS

Approval Date: 12/05/08
Exp. Date (if not exercised): see conditions
Denial Date: _____

Effective Date: 12/19/08
Coastal Appeal Exp. Date: Call Coastal Com
Denial Date: _____

_____ This project requires a Coastal Zone Permit, which is not appealable to the California Coastal Commission. It may be appealed to the Board of Supervisors. The appeal must be filed within 14 calendar days of action by the decision body.

This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110.) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable. The appeal must be filed within 14 calendar days of action by the decision body.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. **THIS PERMIT IS NOT A BUILDING PERMIT.**

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

Signature of Owner/Agent
[Signature]

Staff Planner

Date
12/5/08

Date

Distribution: Applicant, File, Clerical, Coastal Commission

CCC Exhibit 3A
(page 2 **of** 26 **pages)**



Staff Report to the Zoning Administrator

Application Number: **08-0221**

Applicant: Matson-Britton Architects
Owner: Donald Frank
APN: 043-131-15 & -34; 043-161-39, -40 & -51;
054-621-04

Agenda Date: 12/5/08
Agenda Item #: 4
Time: After 10:00 a.m.

Project Description: Proposal to construct a two story single family residence (about 3,207 square feet) with associated site improvements (including a shared roadway, with retaining walls up to 4.5 feet above and 8 feet below the roadway) and to remove two significant trees on a vacant property.

Requires a Coastal Development Permit, an Exception to the Geologic Hazards Ordinance for the installation of drainage improvements on a coastal bluff, a Residential Development Permit for a wall in excess of 3 feet in height within the right of way, a Preliminary Grading Review for approximately 33 cubic yards (cut) and 44 cubic yards (fill), and an unspecified quantity of grading within the right of way on Lot 1.

Location: Property located off a proposed right of way to the southeast of 660 Bayview Drive.

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

Permits Required: Coastal Development Permit, Exception to the Geologic Hazards Ordinance, Residential Development Permit

Technical Reviews: Preliminary Grading Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0221, based on the attached findings and conditions.

Exhibits

- | | |
|---|---|
| A. Project plans | E. Location, Assessor's, Zoning & General Plan maps |
| B. Findings | F. Photo-simulations |
| C. Conditions | G. Site photographs |
| D. Categorical Exemption (CEQA determination) | H. Comments & Correspondence |

Parcel Information

Parcel Size: 12,603 square feet (including 4,911 square feet right of way)
Existing Land Use - Parcel: Vacant
Existing Land Use - Surrounding: Coastal Bluff, Beach, Single family residential neighborhood
Project Access: Private right of way (off Bayview Drive)
Planning Area: Aptos
Land Use Designation: R-UL (Urban Low Density Residential) & O-U (Urban Open Space)
Zone District: R-1-6 (Single family residential - 6,000 square feet per unit)
& PR (Parks, Recreation and Open Space)
Coastal Zone: Inside Outside
Appealable to Calif. Coastal Comm. Yes No

Environmental Information

Geologic Hazards: Coastal bluff at rear of property
Soils: Report reviewed and accepted (Geologic/Soils Report Review 06-0495)
Fire Hazard: Not a mapped constraint
Slopes: 20-30% slopes & edge of coastal bluff at rear of property
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Approximately 33 cubic yards of cut, 44 cubic yards of fill
(not including work within shared right of way)
Tree Removal: Three trees to be removed: 40" (dead), 33", and 14" diameter
Scenic: Mapped scenic resource - public beach & access path viewshed
Drainage: Drainage system on Coastal Bluff (APNs 043-131-34 & 054-621-04)
requires Exception to Geologic Hazards Ordinance
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: 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

The subject property is one of three parcels resulting from Lot Line Adjustment 07-0049. The three parcels were adjusted from four existing parcels that were legally created by deeds between 1936 (the date of the original subdivision) and 1971. The Coastal Exclusion for the local approval has been challenged by the California Coastal Commission and the boundary adjustment deeds have not been recorded as of the time of preparation of this report. The parcel configuration and boundaries referenced in this report are dependent on the recordation of the boundary adjustment as approved under Lot Line Adjustment 07-0049 with a minor correction that has been proposed by the project applicant. The correction is in keeping with the original approval for Lot Line Adjustment 07-0049. The applicant will be required to record the boundary adjustment prior to making a building permit application.

CCC Exhibit 3A
(page 4 of 26 pages)

This application for a Coastal Development Permit is for Lot 1 from the prior Coastal Development Permit application 07-0474 (for three single family residences). Two additional applications are currently in process for the remaining two residences (08-0223 & 08-0224). Per discussions with the applicant, the application was split into three separate applications. The first resubmittal of the materials for the three residences did not include all of the information requested to process the application. The letter requesting additional materials (in response to the first resubmittal) was not mailed within the timeline specified by the Permit Streamlining Act. As a result, the applicant requested that the application be considered as complete and a public hearing scheduled without delay. Based on the lack of adequate information to evaluate potential project impacts, staff had intended to bring the project forward with a recommendation for denial. However, after a number of meetings with the project applicant, limited additional information has recently been provided. With this information, Planning Department staff have been able to complete the reviews for the three residences.

Project Setting

The subject property includes three vacant parcels located to the southeast of 660 Bayview Drive on a section of coastal bluff in the shape of a peninsula. An existing single family residential neighborhood is located to the north and northwest. The coastal bluff edge surrounds the vacant parcels to the west, south, and east, becoming an arroyo to the east. The elevation of the coastal bluff begins to drop on the adjacent parcels to the northwest and the elevation of the subject property is substantially lower (50 to 90 feet above sea level) than other bluff top properties along the extent of Bayview Drive (where the elevation is 110 to 130 feet above sea level). A total of nine trees, two of which are dead, are located on the three vacant parcels.

The project site is Lot 1 of three parcels reconfigured by Lot Line Adjustment 07-0049. Lot 1 includes the shared right of way for Lots 2 & 3 and slopes down towards the coastal bluff and arroyo to the east. The project site is located within the viewshed of the public beach to the south and the public beach access path (from Hidden Beach park) to the east.

Project Scope

This application includes a proposal to construct a 3 bedroom, two story, single family dwelling of about 3,200 square feet and associated improvements. The associated improvements include a parking deck, site grading and preparation for the single family dwelling, and the development of the shared access driveway within the right of way on Lot 1. Retaining walls to support the shared driveway are proposed (up to 4.5 feet above and 8 feet below the driveway) which will exceed 3 feet height limitation within the right of way. Shared drainage improvements are also proposed, with a drainage line to be bored through the coastal bluff (or attached to the surface) to outlet on the sand in the arroyo to the east of the subject property. Three trees, one of which is dead, are proposed for removal to accommodate the proposed development on Lot 1.

Zoning & General Plan Consistency

The subject property is approximately 12,603 square feet (including 4,911 square feet of right of way), located in the R-1-6 (Single-family residential - 6,000 square feet minimum) and PK

CCC Exhibit 3A
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(Parks, Recreation and Open Space) zone districts. A single family dwelling is an allowed use in both zone districts. The zoning is consistent with the site's (R-UL) Urban Low Density Residential and (O-U) Urban Open Space General Plan designations. The site standards for single family dwellings in the PR zone district are based on parcel area and are consistent with the R-1-6 site standards listed below.

The proposed residence complies with the site standards for the zone district, as outlined in the chart below.

	R-1-6 Site Standards	Proposed
Front yard setback	20'	20'
Rear yard setback	15' (or coastal bluff setback)*	23'*
Side yard setbacks	5' and 8'	5' and 8'
Maximum height	28'	28'
Maximum % lot coverage	30%	28%
Maximum Floor Area Ratio	50%	39%
Maximum Number of Stories	2	2
Parking (3 Bedrooms)	3 spaces required	4 spaces provided

*Building envelope complies with minimum required setback from coastal bluff edge (per technical reports).

Design Review

The proposed residence is similar in total floor area and number of bedrooms to other residences in the Bayview Drive neighborhood. However, the proposed residence design for Lot 1 includes a tall, two story wall mass facing the rear of the property. This is due to the slope dropping significantly from the front to the rear of the building site. However, the design of the structure divides the tall, two story wall into individual components, which break up the wall mass and provide visual relief. The body finish is proposed to be stucco, board & batt, and stone with a clay tile roof. The variety and application of these materials will also help to reduce the apparent bulk and mass of the proposed residence. The current color proposed for Lot 1 is an olive green, which will help the structure to recede into the background. The proposed color has been modified from the original proposal to create variety between the proposed residences, which had previously all used the same color scheme. However, further color modifications are recommended. This includes using the color from Lot 1 on Lot 3 (which will place the olive green body color for the larger residence) and by modifying the colors and materials for Lot 1 towards grey, tan, or light brown to reduce the visual bulk of the structure. With an appropriate mix of colors and materials for each residence, the apparent bulk and mass of all three residences could be further reduced.

At this time, no landscape plan has been provided. A landscape plan, which provides a foundation for the proposed residence and a softening of the building elevation, is an essential component in reducing the apparent bulk and mass of the project. Fencing design and outdoor improvements will also be specifically controlled in the rear yard of the proposed residence due to the visibility of the project site. The need to address visibility of the proposed residence from the rear is important due to the orientation of the structure and the location of the project on a highly visible site on the coastal bluff.

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(page 6 of 26 pages)

Scenic Resources

The subject property is located on a coastal bluff within a mapped scenic resource area as designated by the County General Plan and Local Coastal Plan. The property is within the viewshed of the beach to the south and the beach access path from Hidden Beach park to the east. Views from beaches and parks (including the public beach access path) are considered as protected visual resources per the County General Plan and Local Coastal Plan. The impact on visual resources has been considered in evaluating the proposed development against the context of the unique environment in which the project site is located.

The analysis of the existing pattern of development along the coastal bluff included an evaluation of the residences that have been constructed along the coast side of Bayview Drive and the visual character of the bluff in the project vicinity. Photo-simulations and architectural elevations, provided by the project applicant, as well as photographs, topographic information, and site visits performed by Planning Department staff are taken into consideration as components of this review. Photo-simulations of the proposed residence are required to assist in determining visual compatibility and context within the surrounding landscape. Although the photo-simulations originally submitted were not adequate for this purpose, the applicant has recently provided sufficient visual information to evaluate the proposed project in the context of the surrounding built and natural environment.

The proposed residence design results in a tall, two story wall mass facing the public access pathway from Hidden Beach park to the east. Views of the residence from the mean high tide line on the public beach will be screened from most perspectives by the residence proposed on Lot 3 (application 08-0224). The structure is proposed at the maximum 28 feet height limit for the zone district and does not contain one story elements on the east or south sides. It is anticipated that the structure will stand out against the natural backdrop and be highly visible within the public viewshed.

For the above listed reasons, it is necessary to modify the proposed colors and materials, and to require a specific landscape plan to ensure protection of scenic resources as designated by the County General Plan and Local Coastal Plan. In order to adequately protect scenic resources, it will be necessary to use colors and materials that will cause the structure to appear subordinate to the surrounding natural backdrop and to require landscaping which will soften the proposed development while restricting fencing and outdoor improvements along the coastal bluff. Tree removals will be mitigated through the planting of replacement trees to provide a backdrop for the proposed development. With the inclusion of these modifications, the visual impact of the proposed residence to scenic resources can be adequately mitigated.

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(page 7 **of** 26 **pages)**

Coastal Bluff and Geologic Hazards

The project site is one of three vacant parcels located on a section of coastal bluff in the shape of a peninsula. The coastal bluff edge surrounds the vacant parcels to the west, south, and east, becoming an arroyo to the east. Geologic and geotechnical reports have been reviewed and accepted for the proposed building envelopes (under Geologic and Soils Report Review 06-0495). The proposed residence will comply with the required geologic setbacks. Site drainage

will captured and channeled to a shared drainage line and released at the base of the coastal bluff.

Drainage Improvements - Exception to Geologic Hazards Ordinance

The shared drainage improvements will collect storm water runoff from the three proposed building sites and the shared driveway. The storm water will be channeled into a pipe which is proposed to run down the coastal bluff to the arroyo below the subject properties. The shared drainage feature is proposed to be bored into the slope of the coastal bluff and will include a rock dissipater in the arroyo at the pipe outlet. These improvements are proposed on adjacent property (APNs 043-131-34 & 054-621-04) and the applicant has provided information indicating that the owner of these adjacent parcels is willing to negotiate a drainage easement. The installation of the proposed drainage improvements on a coastal bluff requires an exception to the geologic hazards ordinance.

Findings for an exception to the geologic hazards ordinance can be made, in that the only logical drainage route is down from the lowest point in the proposed development. It would be exceptionally challenging to reliably capture all of the runoff from the project site and to redirect it up onto Bayview Drive and to a point of release. However, the boring of a drainage line through the slope of the coastal bluff could potentially result in increased slope instability, in which case a drainage line attached to the surface will be substituted. It is also unclear if the installation of the rock dissipater in the arroyo at the base of the bluff will interfere with the operation and maintenance of an existing sanitary sewer line that is located in the vicinity. These issues will be addressed during the post approval stage of this project, before any building permits are issued.

Prior to making an application for a building permit, the applicant will need to provide proof of a drainage easement for the improvements proposed on the adjacent property (APNs 043-131-34 & 054-621-04). Through the review of the building permit application, the applicant will be required to demonstrate that the location of the proposed dissipater will not interfere with the operation and maintenance of an existing sanitary sewer line, and that the design of the proposed drainage system will not result in increased slope instability. Alternative drainage designs may include placing the drainage line on the bluff face to reduce potential for slope failure and provide access for maintenance. A plan to camouflage the drainage improvements will be required for screening the improvements on the coastal bluff and within the arroyo area. A maintenance plan and agreement for the shared drainage improvements will be required to ensure long term maintenance by the future property owners.

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(page 8 of 26 pages)

Tree Removals

The natural backdrop of mature trees serves to reduce visibility of the project from the public beach to the south and the public access path to the east. Arborists reports have been provided evaluating the health and structure of the trees on the project site. It is understood that three trees will need to be removed on Lot 1 due to death, disease, or poor structure, and to accommodate the proposed development. Regardless of the apparent need for tree removals, the preservation of mature trees is required by County Code wherever possible. Existing mature trees provide multiple benefits, including providing screening and a backdrop for proposed development. Replacement trees shall be planted and maintained to compensate for the two live trees that are

proposed for removal. Replacement trees shall be an appropriate species for the project site and be located in a manner to provide a natural backdrop for the proposed development.

Trail Lot

The subject property includes an area designated as a trail lot in the original 1936 subdivision for this area. The residence proposed on Lot 1 will be constructed over a portion of the trail lot. The trail lot portion of the project site is located on a steep slope and does not appear to be used as a trail or for beach access. However, the property owner will need to address any legitimate claim of beach access in this location and, if necessary, provide access equivalent to that currently provided by the trail lot on the subject property.

Retaining Walls

The shared driveway and access turnaround will result in walls in excess of 3 feet in height within the right of way. The wall on the south side of the shared driveway will be up to 4.5 feet in height above the grade of the road. The wall supporting the driveway and turn around on the north side will be up to 8 feet in height below the grade of the road. The grade on the project site requires retaining walls to achieve a workable road grade. Although these two walls will not be visible from the public beach to the south or the public access pathway from Hidden Beach to the east, these walls will be required to be constructed of split face material, or be otherwise textured and colored to break up the wall mass. Vegetation will be required to screen the wall below the road grade of the proposed shared driveway.

Conclusion

The proposed development will result in the construction of a single family residence on a legal lot of record adjacent to a coastal bluff. The proposed residence will be visible within a designated scenic resource area and is located in an area away from existing development on Bayview Drive. To reduce visibility of the proposed structure it will be necessary to modify the colors and materials, to require a landscape plan, and to limit the design and location of fencing and outdoor improvements along the coastal bluff. As proposed and conditioned, the project is consistent with all applicable codes and policies of the County Code and General Plan/Local Coastal Program. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

CCC Exhibit 3A
(page 9 of 24 pages)

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 08-0221, 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.

Application #: 08-0221
APN: 043-131-15 & -34; 043-161-39, -40 & -51; 054-621-04
Owner: Donald Frank

Page 8

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

Report Prepared By: Randall Adams
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@co.santa-cruz.ca.us

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(page 10 of 26 pages)

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) and PR (Parks Recreation and Open Space), designations which allow residential uses. The proposed single family dwelling is an allowed use in both zone districts. The zoning is consistent with the site's (R-UL) Urban Low Density Residential and (O-U) Urban Open Space General Plan designations.

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 applicant/owner is required (as a condition of approval) to provide evidence that the drainage outlet will not conflict with the existing 10 feet wide easement for sanitary sewer lines in the arroyo below the subject property prior to application for a building permit. Additionally, the property owner is required (as a condition of approval) to address any legitimate claim of beach access in this location and, if necessary, provide access equivalent to that currently provided by the trail lot on the subject property. No other 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.

The project site is located within a mapped scenic resource area as designated in the County General Plan and Local Coastal Program. The protected visual resources in this case are from the public beach (at mean high tide line) to the south and from the beach access path from Hidden Beach park to the east of the project site. The subject property is located at the end of the developed parcels along the coastal bluff side of Bayview Drive and the elevation of the bluff in this location is lower than it is along the majority of Bayview Drive. As a result, the project site is more visible than other properties along Bayview Drive.

This finding can be made, in that the foundation of the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources.

In order to adequately protect scenic resources, it will be necessary to use colors and materials that will cause the structure to appear subordinate to the surrounding natural backdrop and to require landscaping which will soften the proposed development while restricting fencing and outdoor improvements along the coastal bluff. Tree removals will be mitigated through the planting of replacement trees to provide a backdrop and screening for the proposed development. With the inclusion of these and other modifications, required as conditions of approval, the

CCC Exhibit 2A

visual impact of the proposed residence to coastal scenic resources will be adequately mitigated.

The project is consistent with County Code sections 13.11.072(b)(1)(iv) (Site Design - Natural Amenities & Features), 13.11.072(b)(2)(i) (Site Design - Views), 13.20.130(d)1 (Coastal Design Criteria - Beach Viewsheds - Blufftop Development), 13.20.130(c)2 (Coastal Design Criteria - Scenic Resources - Site Planning) & 13.20.130(c)3 (Coastal Design Criteria - Scenic Resources - Building Design), in that the foundation of the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources.

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. Additionally, the property owner is required (as a condition of approval) to address any legitimate claim of beach access in this location and, if necessary, provide access equivalent to that currently provided by the trail lot on the subject property. 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) & PR (Parks, Recreation & Open Space) zone districts of the area, as well as the General Plan and Local Coastal Program land use designations.

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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 minimum required setback from the coastal bluff (as specified in the geologic and geotechnical reports) shall be maintained and the drainage shall be directed in a manner to prevent slope instability.

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) & PR (Parks, Recreation & Open Space) zone districts 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 project is consistent with County Code section 13.10.672(a) (Use of Urban Open Space Land), in that the single family dwelling will be located on an existing parcel of record and that there is not sufficient area outside of the Urban Open Space (O-U) General Plan land use designation for the construction of a single family dwelling. The entire property is located within the O-U land use designation with the exception of a strip of land approximately 15 feet wide (most of which is within the required 8 feet side yard setback) designated Urban Low Density Residential (R-UL) along the southwest property line.

The project is consistent with County Code sections 13.11.072(b)(1)(iv) (Site Design - Natural Amenities & Features), 13.11.072(b)(2)(i) (Site Design - Views), 13.20.130(d)1 (Coastal Design Criteria - Beach Viewsheds - Blufftop Development), 13.20.130(c)2 (Coastal Design Criteria - Scenic Resources - Site Planning) & 13.20.130(c)3 (Coastal Design Criteria - Scenic Resources - Building Design), in that the foundation of the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources.

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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. An exception to the Geologic Hazards Ordinance is required for the drainage

facilities down the coastal bluff and the findings regarding the required exception are included in this report.

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 an allowed use in the R-1-6 & PR zone districts. The zone districts are consistent with the Urban Low Density Residential (R-UL) & (O-U) Urban Open Space land use designations in the County General Plan.

The project is consistent with General Plan policy 5.11.3 (Development within Urban Open Space Areas), in that the single family dwelling will be located on an ~~existing~~ legal parcel of record and that there is not sufficient area outside of the Urban Open Space (O-U) General Plan land use designation for the construction of a single family dwelling. The entire property is located within the O-U land use designation with the exception of a strip of land approximately 15 feet wide (most of which is within the required 8 feet side yard setback) designated Urban Low Density Residential (R-UL) along the southwest property line. (*Amended at ZA 12/5/08*)

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 subject property is located on a coastal bluff within a mapped scenic resource area as designated by the County General Plan and Local Coastal Plan. The property is within the viewshed of the beach to the south and the beach access path from Hidden Beach park to the east. Views from beaches and parks (including the public beach access path) are considered as protected visual resources per the County General Plan and Local Coastal Plan. The project is consistent with General Plan/Local Coastal Plan policies 5.10.2 (Development within Visual Resource Areas), 5.10.3 (Protection of Public Vistas), 5.10.7 (Open Beaches and Blufftops), & 8.6.5 (Designing with the Environment), in that the proposed residence is located on an ~~existing~~ legal lot of record, the foundation is stepped down the hillside, and the design includes varied wall planes and materials to reduce the visual bulk and mass of the structure. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources. (*Amended at ZA 12/5/08*)

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

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(page 14 of 26 pages)

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 be only one peak trip per day (1 peak trip per dwelling unit), such an increase 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 adjacent to a neighborhood of existing single family homes, and the construction of a single family dwelling on an existing lot of record 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 foundation of the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the apparent bulk and mass of the proposed residence.

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Exception to the Geologic Hazards Ordinance - Required Findings

1. That hardship, as defined in section 16.10.040(2j) exists; and

This finding can be made, in that it would be exceptionally challenging to create an alternate drainage design for the proposed development which would reliably capture storm water drainage and reroute it to a location that would not drain back down to the coastal bluff due to the slope and location of the project site. A drainage system that would require active pumping of storm water runoff is not considered as appropriate or reliable for the long term in this setting.

2. The project is necessary to mitigate a threat to the public health, safety, or welfare.

This finding can be made, in that the drainage of storm water across the face of the coastal bluff in an uncontrolled manner would result in accelerated erosion and slope instability. The construction of a drainage system to collect and conduct the storm water drainage down the coastal bluff will mitigate the potential threat to the public health, safety, or welfare.

3. That the request for an exception is for the smallest amount of variance from the provisions of the geologic hazards ordinance as possible; and

This finding can be made, in that the drainage facilities will be designed to minimize disturbance and any potential for slope instability. The design of the drainage facilities will be required, as a condition of approval, to be of the smallest degree of disturbance to the coastal bluff.

4. That adequate measures will be taken to ensure consistency with the purposes of this chapter and the county general plan.

This finding can be made, in that the design of the drainage facilities will be required, as a condition of approval, to be of the smallest degree of disturbance to the coastal bluff. All requirements of the project geologist, geotechnical engineer, and civil engineer will be required to be met and a shared maintenance agreement will be required, as conditions of approval, in order to ensure that the proposed drainage improvements are designed to minimize the potential geologic hazards, as required by General Plan Policy 6.2.10 (Site Development to Minimize Hazards).

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Recording requested by:

COUNTY OF SANTA CRUZ

When recorded, return to:

Planning Department
Attn: Randall Adams
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Conditions of Approval

Development Permit No. 08-0221

Property Owner: Donald Frank

Assessor's Parcel No.: 043-131-15 & -34; 043-161-39, -40 & -51; 054-621-04

Exhibit A: Project plans "Frank Residence - Lot 1", prepared by Matson-Britton Architects, revised 10/27/08.

- I. This permit authorizes the construction of a three bedroom, two story, single family dwelling and associated improvements, as depicted on the approved Exhibit "A" for this permit and including all modifications specified by these conditions.

~~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: *(Amended at ZA 12/5/08)*

- 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 final water service approval from the Soquel Creek Water District.
- C. Obtain final sanitary sewer service approval from the Santa Cruz County Sanitation District. **CCC Exhibit 3A**
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- D. 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.

2. The Building Permit application shall include the appropriate Grading

Permit fee.

- E. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - F. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - G. *Pay the required fee to the Clerk of the Board for the posting of the CEQA determination. (Added at ZA 12/5/08)*
- II. Prior to making an application for a Building Permit (and associated Grading Permit) for this application, the applicant/owner shall:
- A. Obtain *and record* a drainage easement from the adjacent property owner for the installation of drainage improvements on APNs 043-131-34 & 054-621-04. *(Amended at ZA 12/5/08)*
 - B. Record the boundary adjustment approved under Lot Line Adjustment 07-0049, incorporating the corrections noted in the Exhibit "A" for this permit. The boundary adjustment shall be recorded and new parcel numbers shall be issued prior to making an application for a Building Permit for this project.
 - C. Provide 3 copies of a landscape and outdoor improvement plan for review and approval by the Zoning Administrator, on the consent agenda of a noticed public hearing, to determine consistency with these Conditions of Approval.
 - D. Provide 3 copies of a revised colors and materials sheet (8.5" x 11" format) for review and approval by the Zoning Administrator, on the consent agenda of a noticed public hearing, to determine consistency with these Conditions of Approval.
- III. 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 "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. The applicant shall supply color and material sheets (in 8 1/2" x 11" format) with each building plan set for Planning Department review and approval.

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- a. The body color for the residence on Lot 1 shall be modified to be a sand or light grey color. The color selection shall be balanced with the colors of the other residences to provide variety and to allow the structure to recede into the background.
 - b. The roofing tile shall be selected to compliment the body color and shall be in brown, tan, or grey tones.
 - c. The stone veneer shall be selected to compliment the body color and shall be in brown, tan, or grey tones.
2. Grading, drainage, and erosion control plans shall be prepared and wet stamped by a licensed civil engineer with the following information.
- a. All requirements of the Environmental Planning section of the Planning Department shall be met in the grading, drainage, and erosion control plans.
 - b. All requirements of the Department of Public Works, Drainage section shall be met in the grading, drainage, and erosion control plans.
 - c. The drainage system shall be designed to have the least degree of disturbance to the coastal bluff, as determined by the project geologist, geotechnical engineer, civil engineer, and subject to review and approval by the County geologist and Planning Department civil engineer. This could mean that the drainage pipe will be trenched into the slope, bored through the slope, or placed on top of the slope with appropriate vegetative screening and erosion control.
 - i. The outlet and dissipater for the shared drainage system shall be designed and located in a manner to not have an adverse effect on the operation and/or maintenance of the existing sanitary sewer line in the project vicinity. The outlet and dissipater shall not be located within any designated sanitary sewer easement.
 - ii. The drainage pipe, outlet, and dissipater shall be of a type and size to minimize visibility of the drainage system and shall be further screened with camouflage materials and colors that mimic the appearance of the coastal bluff to minimize visual impacts to coastal scenic resources.

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The grading, drainage, and erosion control plans shall be prepared in conformance with all the recommendations in the approved geologic and geotechnical reports.

- e. Separate grading volumes for the shared improvements within the

right of way and for the building site shall be provided.

- f. The retaining walls adjacent to the shared driveway shall be constructed of split face material, or be otherwise textured and colored to break up the wall mass. Vegetation will be required to screen the retaining wall below the road grade of the proposed shared driveway.
 - g. All details, calculations, and easements required by the Department of Public Works, Drainage section shall be provided.
3. A landscape plan prepared by a licensed landscape architect shall be provided and shall include the following additional information:
- a. All proposed landscaping and outdoor improvements in the coastal bluff setback areas shall be shown.
 - b. All plant species shall be non-invasive, drought tolerant, and suited to the soil and moisture conditions on the project site.
 - c. The landscape plan shall include sufficient vegetation to provide a foundation for the proposed residence and to soften the east and south elevations of the structure. A mix of large shrubs and/or small trees shall be used to achieve this effect.
 - i. The required vegetation shall be maintained and shall not be removed, unless diseased or dead. If removed, due to disease or death, equivalent replacement vegetation shall be installed and maintained in place of the removed vegetation.
 - d. The landscape plan shall include sufficient vegetation to screen the retaining wall below the road grade of the proposed shared driveway.
 - e. Two replacement trees shall be required to be installed to mitigate the removal of two existing live trees on the project site. The tree species shall be non-invasive and shall be appropriate to the soil and moisture conditions on the project site. Tree placement locations shall be selected that provide additional screening and a backdrop for the proposed development.
 - i. The required replacement trees shall be maintained and shall not be removed, unless diseased or dead. If removed, due to disease or death, equivalent replacement trees shall be installed and maintained in place of the removed trees.
 - f. Irrigation on the project site shall be limited to low volume, drip irrigation and all irrigation within the coastal bluff setback shall be removed as soon as plant material has been established. Permanent

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irrigation or pressurized water lines are not allowed within the coastal bluff setback.

- g. Elevations and locations of all proposed fencing (including any free-standing landscape walls) shall be provided.
 - i. Fencing (including free-standing landscape walls) within the rear yard (and coastal bluff setback area) are limited to low height, low visibility, open fencing. Fencing shall not exceed 4 feet in height and shall be constructed of open pickets, metal, wire mesh, or cable materials. Free standing landscape walls are not allowed within the rear yard (and coastal bluff setback area). Fence colors shall be selected to reduce visibility of the fence materials.
 - ii. The design, location, height, colors, and materials of the proposed fencing shall be subject to Planning Department review and approval.
- h. Elevations and locations of all proposed outdoor improvements (including but not limited to: decks, walkways, patios, hardscape, pools, hot tubs, arbors, trellises, shade structures, barbecues, planters, and retaining walls) shall be provided.
 - i. The design, location, height, colors, and materials of the proposed outdoor improvements shall be subject to Planning Department review and approval.
 - ii. All decks shall be under 30 inches in height within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance), shall comply with the requirements of the Geologic Hazards ordinance, and any deck in excess of 18 inches in height shall meet the required yard setbacks.
 - iii. No structures are allowed within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance).
- i. The landscape plan is subject to review and approval by the County geologist and urban designer.

4. Plans shall be prepared in compliance with all recommendations set forth in the letter from Joe Hanna, County Geologist, dated 7/26/07.

5. *The building plans shall comply with the following requirements: (Added at ZA 12/5/08)*

- a. 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 as shown on the approved Exhibit "A" for this permit, but shall not exceed 28 feet.

- b. *Submit surveyed cross sections for staff review and approval that confirm the underfloor is under 7 feet 6 inches in height as defined by County Code. If any portion of the underfloor area is over 7 feet 6 inches in height, the amount of underfloor area over 5 feet in height shall be included in the Floor Area Ratio calculations. (Added at ZA 12/5/08)*

6. Details showing compliance with fire department requirements.

7. *Submit a plot plan prepared and wet stamped by a licensed civil engineer or surveyor. The plan shall note the gross area and net site area. (Added at ZA 12/5/08)*

C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached.

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 of and pay all applicable fees to the Santa Cruz County Sanitation District.

1. The outlet and dissipater for the shared drainage system *and the drainage system itself* shall be designed and located in a manner to not have an adverse effect on the operation and/or maintenance of the existing sanitary sewer line in the project vicinity *or the existing trail at the toe of the slope*. The outlet and dissipater shall not be located within any designated sanitary sewer easement. *(Amended at ZA 12/5/08)*

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F. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

G. Submit 3 copies of a plan review letter prepared and wet stamped by the project geotechnical engineer which reference the final revised set of building plans and state that the plans conform to the recommendations in the approved geotechnical report. The letter shall also specifically address the slope stability related to the drainage system on the coastal bluff.

H. Submit 3 copies of a plan review letter prepared and wet stamped by the project geologist which reference the final revised set of building plans and state that the

plans conform to the recommendations in the approved geologic report.

- I. Submit 3 copies of a recorded maintenance agreement which specifically address shared maintenance of the roadway and drainage improvements. All shared improvements shall be the responsibility of all three property owners to maintain in perpetuity. This maintenance agreement shall include all on site roads, retaining walls, and landscaping within the right of way on Lot 1, the interconnected drainage system on site, and the drainage pipe, dissipater, and associated landscaping off site (on APNs 043-131-34 & 054-621-04), and any shared sanitation pump stations or other such necessary facilities.
 1. An additional maintenance agreement shall be required for shared improvements and drainage interconnection with APN 043-161-58.
 - J. Provide 3 copies of a letter from the project arborist with recommendations for the protection of all existing trees (that are to be retained) during construction.
 - K. Pay the current fees for Parks and Child Care mitigation for 3 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - L. Pay the current fees for Roadside and Transportation improvements for 1 unit. Currently, these fees are, respectively, \$2,540 and \$2,540 per unit.
 - M. 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.
 - N. 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.
 - O. Complete and record a Declaration Regarding the Issuance of a Development Permit in an area Subject to Geologic Hazards. **You may not alter the wording of this declaration.** This form will be prepared and provided to you by the Environmental Planning section of the Planning Department after the boundary adjustment has been recorded and a revised APN has been issued. Record and return the form to the Planning Department.
 - P. *Maintain a minimum 5 feet front yard setback from the edge of the right of way for the parking deck. A retaining wall and compacted fill material may be used to achieve the minimum 5 feet front yard setback. (Added at ZA 12/5/08)*
 - Q. *Comply with all site standards. (Added at ZA 12/5/08)*
- IV. Prior to any site disturbance, grading, or construction on the project site, the applicant/owner shall hold a pre-construction meeting on site prior to the start of construction. The applicant, contractor, geologist, soils engineer, arborist, and Environmental Planning staff shall attend this meeting.

V. All construction shall be performed according to the approved plans for the Building

Permit. Prior to final building inspection, the applicant/owner shall 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. The geotechnical engineer, or a similar qualified testing laboratory, shall be employed to inspect and test all fill material placed on site. The relative compaction test locations shall be noted on a copy of the approved grading plans, and all related test data shall be included in a table with a reference number that correlates the data to the test location indicated on the grading plan. This testing includes backfill to any retaining wall.
- E. Prior to final inspection, final letters are required from the project geologist, geotechnical engineer, and civil engineer which clearly state that all work was performed according to the approved geologic and geotechnical reports and the approved building plans for the project.
- F. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

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VI. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. If a legitimate claim to public beach access or public access along the "Trail Lot" portion of the project site (as depicted on the original 1936 subdivision map) is made, the applicant/owner shall be required to provide access equivalent to that currently provided by the trail lot on the subject property *in perpetuity*. (Amended at ZA 12/5/08)
- C. All required shared improvements (located on and off site) shall be maintained in perpetuity.

- D. All future development of this parcel shall be subject to the geologic/coastal setback.
 - 1. All decks shall 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 shall meet the required yard setbacks.
 - 2. No structures are allowed within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance).
- E. Any modifications to the approved colors or materials shall be subject to review and approval by the Planning Department. Modifications which have a potential to increase the visual impact of the development shall not be approved without amendment to this permit.
- F. Any modifications to landscaping, outdoor improvements, or fencing in the rear yard (and coastal bluff setback area) shall be subject to review and approval by the Planning Department. Features which have a potential to increase the visual impact of the development shall not be approved without amendment to this permit.

VII. 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

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interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

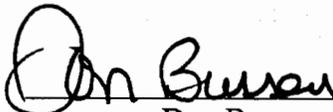
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires two 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: 12/5/08

Effective Date: 12/19/08

Expiration Date: 12/19/10


Don Bussey
Deputy Zoning Administrator

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.

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NOTICE OF FINAL LOCAL ACTION ON COASTAL PERMIT

A-3-SCO-09-002

County of Santa Cruz

FINAL LOCAL ACTION NOTICE

REFERENCE # 3-SCO-09-390

APPEAL PERIOD 12/24/08-1/8/09

RECEIVED

DEC 23 2008

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA

Date of Notice: 12/22/08

Notice Sent to (via certified mail):

California Coastal Commission
Central Coast Area Office
725 Front Street, Ste. 300
Santa Cruz, CA 95060

Please note the following **Final Santa Cruz County Action** on a coastal permit, coastal permit amendment or coastal permit extension application (all local appeals have been exhausted for this matter):

Project Information

Application No.: 08-0223
Project Applicant: Donald Neil Frank
Applicant's Rep: Matson-Britton Architects
Project Location: No Situs (adjacent to 660 Bayview Drive), Aptos

Project Description: Proposal to construct a single family dwelling and associated improvements

Final Action Information

Final Local Action: Approved with Conditions

Final Action Body:

- Zoning Administrator
- Planning Commission
- Board of Supervisors

Required Materials Supporting the Final Action	Enclosed	Previously sent (date)
Staff Report	XXX	
Adopted Findings	XXX	
Adopted Conditions	XXX	
Site Plans	XXX	
Elevations	XXX	

Additional Materials Supporting the Final Action	Enclosed	Previously sent (date)
CEQA Document	XXX	
Geotechnical Reports		5/19/08 (with 07-0117)
Biotic Reports		
Other:		
Other:		

Coastal Commission Appeal Information

This Final Action is:

- NOT appealable** to the California Coastal Commission. The Final County of Santa Cruz Action is now Effective.
- Appealable** to the California Coastal Commission. The Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this Final Action. The Final Action is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission Central Coast Area Office in Santa Cruz; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact the Central Coast Area Office at the address listed above, or by phone at (831) 427-4863.

Copies of this notice have also been sent via first-class mail to:

- Applicant
- Interested parties who requested mailing of notice

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**COUNTY OF SANTA CRUZ
Planning Department**

**COASTAL DEVELOPMENT PERMIT
AND RESIDENTIAL DEVELOPMENT PERMIT**

Owner: DONALD NEIL FRANK
Address: 3 OTTER TERRACE
BROOKINGS, OR 97415

Permit Number: 08-0223
Parcel Number(s): 043-131-15 & -34;
043-161-39, & -40, -51; 054-621-04

PROJECT DESCRIPTION AND LOCATION

Permit construct a two story single family residence (about 3,721 square feet) with associated site improvements (including a shared roadway, with retaining walls up to 4.5 feet above and 8 feet below the roadway), and to remove three significant trees on a vacant property. Requires a Coastal Development Permit, an Exception to the Geologic Hazards Ordinance for the installation of drainage improvements on a coastal bluff, a Residential Development Permit for a wall in excess of 3 feet in height within the right of way, and Preliminary Grading Review for approximately 266 cubic yards (cut) and 291 cubic yards (fill), which includes grading for shared access improvements on Lot 1. Property located off a proposed right of way to the southeast of 660 Bayview Drive, Aptos.

SUBJECT TO ATTACHED CONDITIONS

Approval Date: 12/05/08

Effective Date: 12/19/08

Exp. Date (if not exercised): see conditions

Coastal Appeal Exp. Date: Call Coastal Com

Denial Date: _____

Denial Date: _____

This project requires a Coastal Zone Permit, which is not appealable to the California Coastal Commission. It may be appealed to the Board of Supervisors. The appeal must be filed within 14 calendar days of action by the decision body.

This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110.) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable. The appeal must be filed within 14 calendar days of action by the decision body.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. THIS PERMIT IS NOT A BUILDING PERMIT.

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

Signature of Owner/Agent

Staff Planner

Date

Date

Distribution: Applicant, File, Clerical, Coastal Commission

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**Staff Report to the
Zoning Administrator**

Application Number: 08-0223

Applicant: Matson-Britton Architects

Agenda Date: 12/5/08

Owner: Donald Frank

Agenda Item #: 5

APN: 043-131-15 & -34; 043-161-39, -40 & -51;
054-621-04

Time: After 10:00 a.m.

Project Description: Proposal to construct a two story single family residence (about 3,721 square feet) with associated site improvements (including a shared roadway, with retaining walls up to 4.5 feet above and 8 feet below the roadway) and to remove three significant trees on a vacant property.

Requires a Coastal Development Permit, an Exception to the Geologic Hazards Ordinance for the installation of drainage improvements on a coastal bluff, a Residential Development Permit for a wall in excess of 3 feet in height within the right of way, and Preliminary Grading Review for approximately 266 cubic yards (cut) and 291 cubic yards (fill), which includes grading for shared access improvements on Lot 1.

Location: Property located off a proposed right of way to the southeast of 660 Bayview Drive.

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

Permits Required: Coastal Development Permit, Exception to the Geologic Hazards Ordinance, Residential Development Permit

Technical Reviews: Preliminary Grading Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0223, based on the attached findings and conditions.

Exhibits

- | | |
|---|---|
| A. Project plans | E. Location, Assessor's, Zoning & General Plan maps |
| B. Findings | F. Photo-simulations |
| C. Conditions | G. Site photographs |
| D. Categorical Exemption (CEQA determination) | H. Comments & Correspondence |

Parcel Information

Parcel Size: 7,354 square feet
Existing Land Use - Parcel: Vacant
Existing Land Use - Surrounding: Coastal Bluff, Beach, Single family residential neighborhood
Project Access: Private right of way (off 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 feet per unit)
Coastal Zone: X Inside ___ Outside
Appealable to Calif. Coastal Comm. X Yes ___ No

Environmental Information

Geologic Hazards: Coastal bluff at rear of property
Soils: Report reviewed and accepted (Geologic/Soils Report Review 06-0495)
Fire Hazard: Not a mapped constraint
Slopes: 20-25% slopes & edge of coastal bluff at rear of property
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Approximately 266 cubic yards of cut, 291 cubic yards of fill (including work within shared right of way on Lot 1)
Tree Removal: Three trees to be removed: 51", 40" (dead), and 27" (off-site) diameter
Scenic: Mapped scenic resource - public beach & access path viewshed
Drainage: Drainage system on Coastal Bluff (APNs 043-131-34 & 054-621-04) requires Exception to Geologic Hazards Ordinance
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

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History

The subject property is one of three parcels resulting from Lot Line Adjustment 07-0049. The three parcels were adjusted from four existing parcels that were legally created by deeds between 1936 (the date of the original subdivision) and 1971. The Coastal Exclusion for the local approval has been challenged by the California Coastal Commission and the boundary adjustment deeds have not been recorded as of the time of preparation of this report. The parcel configuration and boundaries referenced in this report are dependent on the recordation of the boundary adjustment as approved under Lot Line Adjustment 07-0049 with a minor correction that has been proposed by the project applicant. The correction is in keeping with the original approval for Lot Line Adjustment 07-0049. The applicant will be required to record the boundary adjustment prior to making a building permit application.

This application for a Coastal Development Permit is for Lot 2 from the prior Coastal Development Permit application 07-0474 (for three single family residences). Two additional applications are currently in process for the remaining two residences (08-0221 & 08-0224). Per discussions with the applicant, the application was split into three separate applications. The first resubmittal of the materials for the three residences did not include all of the information requested to process the application. The letter requesting additional materials (in response to the first resubmittal) was not mailed within the timeline specified by the Permit Streamlining Act. As a result, the applicant requested that the application be considered as complete and a public hearing scheduled without delay. Based on the lack of adequate information to evaluate potential project impacts, staff had intended to bring the project forward with a recommendation for denial. However, after a number of meetings with the project applicant, limited additional information has recently been provided. With this information, Planning Department staff have been able to complete the reviews for the three residences.

Project Setting

The subject property includes three vacant parcels located to the southeast of 660 Bayview Drive on a section of coastal bluff in the shape of a peninsula. An existing single family residential neighborhood is located to the north and northwest. The coastal bluff edge surrounds the vacant parcels to the west, south, and east, becoming an arroyo to the east. The elevation of the coastal bluff begins to drop on the adjacent parcels to the northwest and the elevation of the subject property is substantially lower (50 to 90 feet above sea level) than other bluff top properties along the extent of Bayview Drive (where the elevation is 110 to 130 feet above sea level). A total of nine trees, two of which are dead, are located on the three vacant parcels.

The project site is Lot 2 of three parcels reconfigured by Lot Line Adjustment 07-0049. Lot 2 is located adjacent to 660 Bayview Drive at the highest elevation of the three parcels (60 to 90 feet above sea level) and slopes down towards Lot 3 to the east with the coastal bluff to the rear (south) of the parcel. The project site is located within the viewshed of the public beach to the south and the public beach access path (from Hidden Beach park) to the east.

Project Scope

This application includes a proposal to construct a 3 bedroom, two story, single family dwelling of about 3,721 square feet and associated improvements. The associated improvements include site grading and preparation for the single family dwelling and for the shared access driveway within the right of way on Lot 1. Retaining walls to support the shared driveway are proposed (up to 4.5 feet above and 8 feet below the driveway) which will exceed 3 feet height limitation within the right of way. Shared drainage improvements are also proposed, with a drainage line to be bored through the coastal bluff (or attached to the surface) to outlet on the sand in the arroyo to the east of the subject property. Three trees, one of which is dead, are proposed for removal to accommodate the proposed development on Lot 2.

Zoning & General Plan Consistency

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The subject property is approximately 7,354 square feet, located in the R-1-6 (Single-family

residential - 6,000 square feet minimum) zone district. A single family dwelling is a allowed use within the zone district. The zoning 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 in the chart below.

	R-1-6 Site Standards	Proposed
Front yard setback	20'	20'
Rear yard setback	15' (or coastal bluff setback)*	17'*
Side yard setbacks	5' and 8'	5' and 22'
Maximum height	28'	28'
Maximum % lot coverage	30%	30%
Maximum Floor Area Ratio	50%	48%
Maximum Number of Stories	2	2
Parking (3 Bedrooms)	3 spaces required	4 spaces provided

*Building envelope complies with minimum required setback from coastal bluff edge (per technical reports).

Design Review

The proposed residence is similar in total floor area and number of bedrooms to other residences in the Bayview Drive neighborhood. However, the proposed residence design for Lot 2 includes a long wall mass on both the front and rear elevations. This is due to the orientation of the building envelope on this parcel which is much wider than it is deep. However, the design of the structure steps down the slope and is articulated with varied materials and wall planes which break up the wall mass and provide visual relief. The body finish is proposed to be stucco, board & batt, and stone with a clay tile roof. The variety of these materials will also help to reduce the apparent bulk and mass of the proposed residence. The current color proposed for Lot 2 is a reddish brown, which may be too bold to allow the structure to recede into the background. The proposed color has been modified from the original proposal to create variety between the proposed residences, which had previously all used the same color scheme. However, further color and materials modifications (towards grey, tan, or light brown) are recommended to reduce the visual bulk of the structure. With an appropriate mix of colors and materials for each residence, the apparent bulk and mass of all three residences could be further reduced.

At this time, no landscape plan has been provided. A landscape plan, which provides a foundation for the proposed residence and a softening of the building elevation, is an essential component in reducing the apparent bulk and mass of the project. Fencing design and outdoor improvements will also be specifically controlled in the rear yard of the proposed residence due to the visibility of the project site. The need to address visibility of the proposed residence from the rear is important due to the orientation of the structure and the location of the project on a highly visible site on the coastal bluff.

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Scenic Resources

The subject property is located on a coastal bluff within a mapped scenic resource area as

designated by the County General Plan and Local Coastal Plan. The property is within the viewshed of the beach to the south and the beach access path from Hidden Beach park to the east. Views from beaches and parks (including the public beach access path) are considered as protected visual resources per the County General Plan and Local Coastal Plan. The impact on visual resources has been considered in evaluating the proposed development against the context of the unique environment in which the project site is located.

The analysis of the existing pattern of development along the coastal bluff included an evaluation of the residences that have been constructed along the coast side of Bayview Drive and the visual character of the bluff in the project vicinity. Photo-simulations and architectural elevations, provided by the project applicant, as well as photographs, topographic information, and site visits performed by Planning Department staff are taken into consideration as components of this review. Photo-simulations of the proposed residence are required to assist in determining visual compatibility and context within the surrounding landscape. Although the photo-simulations originally submitted were not adequate for this purpose, the applicant has recently provided sufficient visual information to evaluate the proposed project in the context of the surrounding built and natural environment.

The proposed residence steps down the bluff and includes a one story section at the lower end of the project site, which aids in reducing the visual bulk of the proposed development within the viewshed. However, the proposed residence will be highly visible from the mean high tide line on the public beach to the south. Views of the residence from the public access pathway to the east will likely be screened from most perspectives by the residences proposed on Lots 1 & 3 (applications 08-0221 & 08-0224). The structure is proposed at the maximum 28 feet height limit for the zone district. It is anticipated that the structure will stand out against the natural backdrop and be highly visible within the public viewshed.

For the above listed reasons, it is necessary to modify the proposed colors and materials, and to require a specific landscape plan to ensure protection of scenic resources as designated by the County General Plan and Local Coastal Plan. In order to adequately protect scenic resources, it will be necessary to use colors and materials that will cause the structure to appear subordinate to the surrounding natural backdrop and to require landscaping which will soften the proposed development while restricting fencing and outdoor improvements along the coastal bluff. Tree removals will be mitigated through the planting of replacement trees to provide a backdrop for the proposed development. With the inclusion of these modifications, the visual impact of the proposed residence to scenic resources can be adequately mitigated.

Coastal Bluff and Geologic Hazards

The project site is one of three vacant parcels located on a section of coastal bluff in the shape of a peninsula. The coastal bluff edge surrounds the vacant parcels to the west, south, and east, becoming an arroyo to the east. Geologic and geotechnical reports have been reviewed and accepted for the proposed building envelopes (under Geologic and Soils Report Review 06-0495). The proposed residence will comply with the required geologic setbacks. Site drainage will be captured and channeled to a shared drainage line and released at the base of the coastal bluff.

Drainage Improvements - Exception to Geologic Hazards Ordinance

The shared drainage improvements will collect storm water runoff from the three proposed building sites and the shared driveway. The storm water will be channeled into a pipe which is proposed to run down the coastal bluff to the arroyo below the subject properties. The shared drainage feature is proposed to be bored into the slope of the coastal bluff and will include a rock dissipater in the arroyo at the pipe outlet. These improvements are proposed on adjacent property (APNs 043-131-34 & 054-621-04) and the applicant has provided information indicating that the owner of these adjacent parcels is willing to negotiate a drainage easement. The installation of the proposed drainage improvements on a coastal bluff requires an exception to the geologic hazards ordinance.

Findings for an exception to the geologic hazards ordinance can be made, in that the only logical drainage route is down from the lowest point in the proposed development. It would be exceptionally challenging to reliably capture all of the runoff from the project site and to redirect it up onto Bayview Drive and to a point of release. However, the boring of a drainage line through the slope of the coastal bluff could potentially result in increased slope instability, in which case a drainage line attached to the surface will be substituted. It is also unclear if the installation of the rock dissipater in the arroyo at the base of the bluff will interfere with the operation and maintenance of an existing sanitary sewer line that is located in the vicinity. These issues will be addressed during the post approval stage of this project, before any building permits are issued.

Prior to making an application for a building permit, the applicant will need to provide proof of a drainage easement for the improvements proposed on the adjacent property (APNs 043-131-34 & 054-621-04). Through the review of the building permit application, the applicant will be required to demonstrate that the location of the proposed dissipater will not interfere with the operation and maintenance of an existing sanitary sewer line, and that the design of the proposed drainage system will not result in increased slope instability. Alternative drainage designs may include placing the drainage line on the bluff face to reduce potential for slope failure and provide access for maintenance. A plan to camouflage the drainage improvements will be required for screening the improvements on the coastal bluff and within the arroyo area. A maintenance plan and agreement for the shared drainage improvements will be required to ensure long term maintenance by the future property owners.

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Tree Removals

The natural backdrop of mature trees serves to reduce visibility of the project from the public beach to the south and the public access path to the east. Arborists reports have been provided evaluating the health and structure of the trees on the project site. It is understood that two trees will need to be removed on Lot 2 due to death, disease, or poor structure, and to accommodate the proposed development. Regardless of the apparent need for tree removals, the preservation of mature trees is required by County Code wherever possible. Existing mature trees provide multiple benefits, including providing screening and a backdrop for proposed development. The civil sheets of the project plans also indicate removal of a healthy 27 inch diameter tree that is not located on the subject property. Although it is not clear if the owner of the adjacent property is willing to authorize the removal of this tree, it is recommended that the tree be retained to

screen the proposed development. A replacement tree shall be planted and maintained to compensate for the one live tree that is proposed for removal. Replacement trees shall be an appropriate species for the project site and be located in a manner to provide a natural backdrop for the proposed development.

Retaining Walls

The shared driveway and access turnaround will result in walls in excess of 3 feet in height within the right of way. The wall on the south side of the shared driveway will be up to 4.5 feet in height above the grade of the road. The wall supporting the driveway and turn around on the north side will be up to 8 feet in height below the grade of the road. The grade on the project site requires retaining walls to achieve a workable road grade. Although these two walls will not be visible from the public beach to the south or the public access pathway from Hidden Beach to the east, these walls will be required to be constructed of split face material, or be otherwise textured and colored to break up the wall mass. Vegetation will be required to screen the wall below the road grade of the proposed shared driveway.

Conclusion

The proposed development will result in the construction of a single family residence on a legal lot of record adjacent to a coastal bluff. The proposed residence will be visible within a designated scenic resource area and is located in an area away from existing development on Bayview Drive. To reduce visibility of the proposed structure it will be necessary to modify the colors and materials, to require a landscape plan, and to limit the design and location of fencing and outdoor improvements along the coastal bluff. As proposed and conditioned, the project is consistent with all applicable codes and policies of the County Code and General Plan/Local Coastal Program. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **08-0223**, based on the attached findings and conditions.

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

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

Report Prepared By: Randall Adams
Santa Cruz County Planning Department

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Application #: 08-0223

APN: 043-131-15 & -34; 043-161-39, -40 & -51; 054-621-04

Owner: Donald Frank

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Santa Cruz CA 95060

Phone Number: (831) 454-3218

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

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Coastal Development Permit Findings

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

This finding can be made, in that the property is zoned R-1-6 (Single-family residential, 6,000 square foot minimum), a designation which allows residential uses. The proposed single family dwelling is a principal permitted use in 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 applicant/owner is required (as a condition of approval) to provide evidence that the drainage outlet will not conflict with the existing 10 feet wide easement for sanitary sewer lines in the arroyo below the subject property prior to application for a building permit. No other 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.

The project site is located within a mapped scenic resource area as designated in the County General Plan and Local Coastal Program. The protected visual resources in this case are from the public beach (at mean high tide line) to the south and from the beach access path from Hidden Beach park to the east of the project site. The subject property is located at the end of the developed parcels along the coastal bluff side of Bayview Drive and the elevation of the bluff in this location is lower than it is along the majority of Bayview Drive. As a result, the project site is more visible than other properties along Bayview Drive.

This finding can be made, in that the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources.

In order to adequately protect scenic resources, it will be necessary to use colors and materials that will cause the structure to appear subordinate to the surrounding natural backdrop and to require landscaping which will soften the proposed development while restricting fencing and outdoor improvements along the coastal bluff. Tree removals will be mitigated through the planting of replacement trees to provide a backdrop and screening for the proposed development. With the inclusion of these and other modifications, required as conditions of approval, the visual impact of the proposed residence to coastal scenic resources will be adequately mitigated.

The project is consistent with County Code sections 13.11.072(b)(1)(iv) (Site Design - Natural Amenities & Features), 13.11.072(b)(2)(i) (Site Design - Views), 13.20.130(d)1 (Coastal Design Criteria - Beach Viewsheds - Blufftop Development), 13.20.130(c)2 (Coastal Design Criteria -

Application #: 08-0223

APN: 043-131-15 & -34; 043-161-39, -40 & -51; 054-621-04

Owner: Donald Frank

Scenic Resources - Site Planning) & 13.20.130(c)3 (Coastal Design Criteria - Scenic Resources - Building Design), in that the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources.

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. Additionally, the property owner is required (as a condition of approval) to address any legitimate claim of beach access in this location and, if necessary, provide access equivalent to that currently provided by the trail lot on the subject property. 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.

CCC Exhibit 3B
(page 12 of 25 pages)

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 minimum required setback from the coastal bluff (as specified in the geologic and geotechnical reports) shall be maintained and the drainage shall be directed in a manner to prevent slope instability.

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 project is consistent with County Code sections 13.11.072(b)(1)(iv) (Site Design - Natural Amenities & Features), 13.11.072(b)(2)(i) (Site Design - Views), 13.20.130(d)1 (Coastal Design Criteria - Beach Viewsheds - Blufftop Development), 13.20.130(c)2 (Coastal Design Criteria - Scenic Resources - Site Planning) & 13.20.130(c)3 (Coastal Design Criteria - Scenic Resources - Building Design), in that the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources.

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. An exception to the Geologic Hazards Ordinance is required for the drainage facilities down the coastal bluff and the findings regarding the required exception are included in this report.

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 a principal permitted use in the R-1-6 zone district. The zoning is consistent with the Urban Low Density Residential (R-UL) land use designation in the County General Plan.

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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 subject property is located on a coastal bluff within a mapped scenic resource area as designated by the County General Plan and Local Coastal Plan. The property is within the viewshed of the beach to the south and the beach access path from Hidden Beach park to the east. Views from beaches and parks (including the public beach access path) are considered as protected visual resources per the County General Plan and Local Coastal Plan. The project is consistent with General Plan/Local Coastal Plan policies 5.10.2 (Development within Visual Resource Areas), 5.10.3 (Protection of Public Vistas), 5.10.7 (Open Beaches and Blufftops), & 8.6.5 (Designing with the Environment), in that the proposed residence is located on an ~~existing~~ *legal* lot of record, the structure is stepped down the hillside, and the design includes varied wall planes and materials to reduce the visual bulk and mass of the structure. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources. *(Amended at ZA 12/5/08)*

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

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

This finding can be made, in that the proposed residence is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day (1 peak trip per dwelling unit), such an increase 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 adjacent to a neighborhood of existing single family homes, and the construction of a single family dwelling on an existing lot of record 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 structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to colors and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the apparent bulk and mass of the proposed residence.

Exception to the Geologic Hazards Ordinance - Required Findings

1. That hardship, as defined in section 16.10.040(2j) exists; and

This finding can be made, in that it would be exceptionally challenging to create an alternate drainage design for the proposed development which would capture storm water drainage and reroute it to a location that would not drain back down to the coastal bluff due to the slope and location of the project site. A drainage system that would require active pumping of storm water runoff is not considered as appropriate or reliable for the long term in this setting.

2. The project is necessary to mitigate a threat to the public health, safety, or welfare.

This finding can be made, in that the drainage of storm water across the face of the coastal bluff in an uncontrolled manner would result in accelerated erosion and slope instability. The construction of a drainage system to collect and conduct the storm water drainage down the coastal bluff would mitigate the potential threat to the public health, safety, or welfare.

3. That the request for an exception is for the smallest amount of variance from the provisions of the geologic hazards ordinance as possible; and

This finding can be made, in that the drainage facilities will be designed to minimize disturbance and any potential for slope instability. The design of the drainage facilities will be required, as a condition of approval, to be of the smallest degree of disturbance to the coastal bluff.

4. That adequate measures will be taken to ensure consistency with the purposes of this chapter and the county general plan.

This finding can be made, in that the design of the drainage facilities will be required, as a condition of approval, to be of the smallest degree of disturbance to the coastal bluff. All requirements of the project geologist, geotechnical engineer, and civil engineer will be required to be met and a shared maintenance agreement will be required, as conditions of approval, in order to ensure that the proposed drainage improvements are designed to minimize the potential geologic hazards, as required by General Plan Policy 6.2.10 (Site Development to Minimize Hazards).

CCC Exhibit 3B
(page 15 of 25 pages)

Recording requested by:

COUNTY OF SANTA CRUZ

When recorded, return to:

Planning Department
Attn: Randall Adams
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Conditions of Approval

Development Permit No. 08-0223

Property Owner: Donald Frank

Assessor's Parcel No.: 043-131-15 & -34; 043-161-39, -40 & -51; 054-621-04

Exhibit A: Project plans "Frank Residence - Lot 2", prepared by Matson-Britton Architects, revised 10/27/08.

- I. This permit authorizes the construction of a three bedroom, two story, single family dwelling and associated improvements, as depicted on the approved Exhibit "A" for this permit and including all modifications specified by these conditions.

~~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: *(Amended at ZA 12/5/08)*

- 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 final water service approval from the Soquel Creek Water District.
- C. Obtain final sanitary sewer service approval from the Santa Cruz County Sanitation District.
- D. Obtain a Building Permit from the Santa Cruz County Building Official.

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(page 16 **of** 25 **pages)**

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.

2. The Building Permit application shall include the appropriate Grading

Permit fee.

- E. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - F. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - G. *Pay the required fee to the Clerk of the Board for the posting of the CEQA determination. (Added at ZA 12/5/08)*
- II. Prior to making an application for a Building Permit (and associated Grading Permit) for this application, the applicant/owner shall:
- A. Obtain *and record* a drainage easement from the adjacent property owner for the installation of drainage improvements on APNs 043-131-34 & 054-621-04. *(Amended at ZA 12/5/08)*
 - B. Record the boundary adjustment approved under Lot Line Adjustment 07-0049, incorporating the corrections noted in the Exhibit "A" for this permit. The boundary adjustment shall be recorded and new parcel numbers shall be issued prior to making an application for a Building Permit for this project.
 - C. Provide 3 copies of a landscape and outdoor improvement plan for review and approval by the Zoning Administrator, on the consent agenda of a noticed public hearing, to determine consistency with these Conditions of Approval.
 - D. Provide 3 copies of a revised colors and materials sheet (8.5" x 11" format) for review and approval by the Zoning Administrator, on the consent agenda of a noticed public hearing, to determine consistency with these Conditions of Approval.
- III. 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 "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. The applicant shall supply color and material sheets (in 8 ½" x 11" format) with each building plan set for Planning Department review and approval.

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page 17 **of** 25 **pages**

- a. The body color for the residence on Lot 2 shall be modified to be a light brown or tan color. The color selection shall be balanced with the colors of the other residences to provide variety and to allow the structure to recede into the background.
 - b. The roofing tile shall be selected to compliment the body color and shall be in brown, tan, or grey tones.
 - c. The stone veneer shall be selected to compliment the body color and shall be in brown, tan, or grey tones.
2. Grading, drainage, and erosion control plans shall be prepared and wet stamped by a licensed civil engineer with the following information.
- a. All requirements of the Environmental Planning section of the Planning Department shall be met in the grading, drainage, and erosion control plans.
 - b. All requirements of the Department of Public Works, Drainage section shall be met in the grading, drainage, and erosion control plans.
 - c. The drainage system shall be designed to have the least degree of disturbance to the coastal bluff, as determined by the project geologist, geotechnical engineer, civil engineer, and subject to review and approval by the County geologist and Planning Department civil engineer. This could mean that the drainage pipe will be trenched into the slope, bored through the slope, or placed on top of the slope with appropriate vegetative screening and erosion control.
 - i. The outlet and dissipater for the shared drainage system shall be designed and located in a manner to not have an adverse effect on the operation and/or maintenance of the existing sanitary sewer line in the project vicinity. The outlet and dissipater shall not be located within any designated sanitary sewer easement.
 - ii. The drainage pipe, outlet, and dissipater shall be of a type and size to minimize visibility of the drainage system and shall be further screened with camouflage materials and colors that mimic the appearance of the coastal bluff to minimize visual impacts to coastal scenic resources.
 - d. The grading, drainage, and erosion control plans shall be prepared in conformance with all the recommendations in the approved geologic and geotechnical reports.
 - e. Separate grading volumes for the shared improvements within the

CCC Exhibit 3B
(page 18 of 25 pages)

right of way and for the building site shall be provided.

- f. The retaining walls adjacent to the shared driveway shall be constructed of split face material, or be otherwise textured and colored to break up the wall mass. Vegetation will be required to screen the retaining wall below the road grade of the proposed shared driveway.
- g. All details, calculations, and easements required by the Department of Public Works, Drainage section shall be provided.

3. A landscape plan prepared by a licensed landscape architect shall be provided and shall include the following additional information:

- a. All proposed landscaping and outdoor improvements in the coastal bluff setback areas shall be shown.
- b. All plant species shall be non-invasive, drought tolerant, and suited to the soil and moisture conditions on the project site.
- c. The landscape plan shall include sufficient vegetation to provide a foundation for the proposed residence and to soften the east and south elevations of the structure. A mix of large shrubs and/or small trees shall be used to achieve this effect.

- i. The required vegetation shall be maintained and shall not be removed, unless diseased or dead. If removed, due to disease or death, equivalent replacement vegetation shall be installed and maintained in place of the removed vegetation.

- d. The landscape plan shall include sufficient vegetation to screen the retaining wall below the road grade of the proposed shared driveway.

- e. One replacement tree shall be required to be installed to mitigate the removal of one existing live tree on the project site. The tree species shall be non-invasive and shall be appropriate to the soil and moisture conditions on the project site. Tree placement locations shall be selected that provide additional screening and a backdrop for the proposed development.

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(page 19 of 25 pages)

- i. The 27" (26.5") diameter tree located off the project site (on APN 043-161-41) shall be retained. If it is not possible to preserve this tree, authorization for removal of the tree from the property owner shall be provided.

- ii. The required replacement tree shall be maintained and shall not be removed, unless diseased or dead. If removed, due to disease or death, an equivalent replacement tree shall be

installed and maintained in place of the removed tree.

f. Irrigation on the project site shall be limited to low volume, drip irrigation and all irrigation within the coastal bluff setback shall be removed as soon as plant material has been established. Permanent irrigation or pressurized water lines are not allowed within the coastal bluff setback.

g. Elevations and locations of all proposed fencing (including any free-standing landscape walls) shall be provided.

i. Fencing (including free-standing landscape walls) within the rear yard (and coastal bluff setback area) are limited to low height, low visibility, open fencing. Fencing shall not exceed 4 feet in height and shall be constructed of open pickets, metal, wire mesh, or cable materials. Free standing landscape walls are not allowed within the rear yard (and coastal bluff setback area). Fence colors shall be selected to reduce visibility of the fence materials.

ii. The design, location, height, colors, and materials of the proposed fencing shall be subject to Planning Department review and approval.

h. Elevations and locations of all proposed outdoor improvements (including but not limited to: decks, walkways, patios, hardscape, pools, hot tubs, arbors, trellises, shade structures, barbecues, planters, and retaining walls.) shall be provided.

i. The design, location, height, colors, and materials of the proposed outdoor improvements shall be subject to Planning Department review and approval.

ii. All decks shall be under 30 inches in height within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance), shall comply with the requirements of the Geologic Hazards ordinance, and any deck in excess of 18 inches in height shall meet the required yard setbacks.

iii. No structures are allowed within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance).

i. The landscape plan is subject to review and approval by the County geologist and urban designer.

4. Plans shall be prepared in compliance with all recommendations set forth in the letter from Joe Hanna, County Geologist, dated 7/26/07.

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(page 20 **of** 25 **pages)**

5. *The building plans shall comply with the following requirements: (Added at ZA 12/5/08)*

a. 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 as shown on the approved Exhibit "A" for this permit, but shall not exceed 28 feet.

b. *Submit surveyed cross sections for staff review and approval that confirm the underfloor is under 7 feet 6 inches in height as defined by County Code. If any portion of the underfloor area is over 7 feet 6 inches in height, the amount of underfloor area over 5 feet in height shall be included in the Floor Area Ratio calculations. (Added at ZA 12/5/08)*

6. Details showing compliance with fire department requirements.

7. *Submit a plot plan prepared and wet stamped by a licensed civil engineer or surveyor. The plan shall note the gross area and net site area. (Added at ZA 12/5/08)*

C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached.

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 of and pay all applicable fees to the Santa Cruz County Sanitation District.

1. The outlet and dissipater for the shared drainage system *and the drainage system itself* shall be designed and located in a manner to not have an adverse effect on the operation and/or maintenance of the existing sanitary sewer line in the project vicinity *or the existing trail at the toe of the slope*. The outlet and dissipater shall not be located within any designated sanitary sewer easement. *(Amended at ZA 12/5/08)*

F. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

G. Submit 3 copies of a plan review letter prepared and wet stamped by the project geotechnical engineer which reference the final revised set of building plans and state that the plans conform to the recommendations in the approved geotechnical

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(page 21 of 25 pages)

report. The letter shall also specifically address the slope stability related to the drainage system on the coastal bluff.

- H. Submit 3 copies of a plan review letter prepared and wet stamped by the project geologist which reference the final revised set of building plans and state that the plans conform to the recommendations in the approved geologic report.
 - I. Submit 3 copies of a recorded maintenance agreement which specifically address shared maintenance of the roadway and drainage improvements. All shared improvements shall be the responsibility of all three property owners to maintain in perpetuity. This maintenance agreement shall include all on site roads, retaining walls, and landscaping within the right of way on Lot 1, the interconnected drainage system on site, and the drainage pipe, dissipater, and associated landscaping off site (on APNs 043-131-34 & 054-621-04), and any shared sanitation pump stations or other such necessary facilities.
 - 1. An additional maintenance agreement shall be required for shared improvements and drainage interconnection with APN 043-161-58.
 - J. Provide 3 copies of a letter from the project arborist with recommendations for the protection of all existing trees (that are to be retained) during construction.
 - K. Pay the current fees for Parks and Child Care mitigation for 3 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - L. Pay the current fees for Roadside and Transportation improvements for 1 unit. Currently, these fees are, respectively, \$2,540 and \$2,540 per unit.
 - M. 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.
 - N. 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.
 - O. Complete and record a Declaration Regarding the Issuance of a Development Permit in an area Subject to Geologic Hazards. **You may not alter the wording of this declaration.** This form will be prepared and provided to you by the Environmental Planning section of the Planning Department after the boundary adjustment has been recorded and a revised APN has been issued. Record and return the form to the Planning Department.
 - P. *Comply with all site standards. (Added at ZA 12/5/08)* **CCC Exhibit 3B**
(page 22 of 25 pages)
- IV. Prior to any site disturbance, grading, or construction on the project site, the applicant/owner shall hold a pre-construction meeting on site prior to the start of construction. The applicant, contractor, geologist, soils engineer, arborist, and Environmental Planning staff shall attend this meeting.

- V. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner shall 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. The geotechnical engineer, or a similar qualified testing laboratory, shall be employed to inspect and test all fill material placed on site. The relative compaction test locations shall be noted on a copy of the approved grading plans, and all related test data shall be included in a table with a reference number that correlates the data to the test location indicated on the grading plan. This testing includes backfill to any retaining wall.
 - E. Prior to final inspection, final letters are required from the project geologist, geotechnical engineer, and civil engineer which clearly state that all work was performed according to the approved geologic and geotechnical reports and the approved building plans for the project.
 - F. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

CCC Exhibit 3B
(page 23 of 25 pages)

VI. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. All required shared improvements (located on and off site) shall be maintained in perpetuity.
- C. All future development of this parcel shall be subject to the geologic/coastal setback.
 - 1. All decks shall 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 shall meet the required yard setbacks.

2. No structures are allowed within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance).

D. Any modifications to the approved colors or materials shall be subject to review and approval by the Planning Department. Modifications which have a potential to increase the visual impact of the development shall not be approved without amendment to this permit.

E. Any modifications to landscaping, outdoor improvements, or fencing in the rear yard (and coastal bluff setback area) shall be subject to review and approval by the Planning Department. Features which have a potential to increase the visual impact of the development shall not be approved without amendment to this permit.

VII. 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.

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(page 24 of 25 pages)

C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

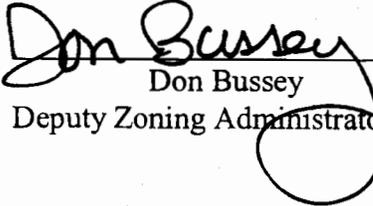
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires two 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: 12/5/08

Effective Date: 12/19/08

Expiration Date: 12/19/10


Don Bussey
Deputy Zoning Administrator

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.

CCC Exhibit 3B
(page 25 of 25 pages)

NOTICE OF FINAL LOCAL ACTION ON COASTAL PERMIT

County of Santa Cruz

Date of Notice: 12/22/08

Notice Sent to (via certified mail):

California Coastal Commission
Central Coast Area Office
725 Front Street, Ste. 300
Santa Cruz, CA 95060

FINAL LOCAL ACTION NOTICE
REFERENCE # <u>A-3-SCO-09-003</u>
APPEAL PERIOD <u>12/22/08 - 1/19/09</u>

RECEIVED

DEC 23 2008

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Please note the following **Final Santa Cruz County Action** on a coastal permit, coastal permit amendment or coastal permit extension application (all local appeals have been exhausted for this matter):

Project Information

Application No.: 08-0224
Project Applicant: Donald Neil Frank
Applicant's Rep: Matson-Britton Architects
Project Location: No Situs (adjacent to 660 Bayview Drive), Aptos

Project Description: Proposal to construct a single family dwelling and associated improvements

Final Action Information

Final Local Action: Approved with Conditions

Final Action Body:

- Zoning Administrator
- Planning Commission
- Board of Supervisors

Required Materials Supporting the Final Action	Enclosed	Previously sent (date)
Staff Report	XXX	
Adopted Findings	XXX	
Adopted Conditions	XXX	
Site Plans	XXX	
Elevations	XXX	

Additional Materials Supporting the Final Action	Enclosed	Previously sent (date)
CEQA Document	XXX	
Geotechnical Reports		5/19/08 (with 07-0117)
Biotic Reports		
Other:		
Other:		

Coastal Commission Appeal Information

This Final Action is:

- NOT appealable** to the California Coastal Commission. The Final County of Santa Cruz Action is now Effective.
- Appealable** to the California Coastal Commission. The Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this Final Action. The Final Action is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission Central Coast Area Office in Santa Cruz; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact the Central Coast Area Office at the address listed above, or by phone at (831) 427-4863.

Copies of this notice have also been sent via first-class mail to:

- Applicant
- Interested parties who requested mailing of notice

CCC Exhibit 3C
(page 1 of 25 pages)



COUNTY OF SANTA CRUZ
Planning Department

COASTAL DEVELOPMENT PERMIT
AND RESIDENTIAL DEVELOPMENT PERMIT

Owner: DONALD NEIL FRANK
Address: 3 OTTER TERRACE
BROOKINGS, OR 97415

Permit Number: 08-0224
Parcel Number(s): 043-131-15 &-34;
043-161-39, & -40, -51; 054-621-04

PROJECT DESCRIPTION AND LOCATION

Permit to construct a two story single family residence (about 5,547 square feet) with associated site improvements (including a shared roadway, with retaining walls up to 4.5 feet above and 8 feet below the roadway) and to remove one significant tree on a vacant property. Requires a Coastal Development Permit, an Exception to the Geologic Hazards Ordinance for the installation of drainage improvements on a coastal bluff, a Residential Development Permit for a wall in excess of 3 feet in height within the right of way, and Preliminary Grading Review for approximately 138 cubic yards (cut), 65 cubic yards (fill), and an unspecified quantity of grading within the right of way on Lot 1 for shared access improvements. Property located off a proposed right of way to the southeast of 660 Bayview Drive, Aptos.

SUBJECT TO ATTACHED CONDITIONS

Approval Date: 12/05/08

Effective Date: 12/19/08

Exp. Date (if not exercised): see conditions

Coastal Appeal Exp. Date: Call Coastal Com

Denial Date: _____

Denial Date: _____

_____ This project requires a Coastal Zone Permit, which is not appealable to the California Coastal Commission. It may be appealed to the Board of Supervisors. The appeal must be filed within 14 calendar days of action by the decision body.

This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110.) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable. The appeal must be filed within 14 calendar days of action by the decision body.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. **THIS PERMIT IS NOT A BUILDING PERMIT.**

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

Signature of Owner/Agent

Staff Planner

Distribution: Applicant, File, Clerical, Coastal Commission

Date

12/5/08

Date

CCC Exhibit 3C
(page 2 **of** 25 **pages)**



Staff Report to the Zoning Administrator

Application Number: **08-0224**

Applicant: Matson-Britton Architects
Owner: Donald Frank
APN: 043-131-15 & -34; 043-161-39, -40 & -51;
054-621-04

Agenda Date: 12/5/08
Agenda Item #: 6
Time: After 10:00 a.m.

Project Description: Proposal to construct a two story single family residence (about 5,547 square feet) with associated site improvements (including a shared roadway, with retaining walls up to 4.5 feet above and 8 feet below the roadway) and to remove one significant tree on a vacant property.

Requires a Coastal Development Permit, an Exception to the Geologic Hazards Ordinance for the installation of drainage improvements on a coastal bluff, a Residential Development Permit for a wall in excess of 3 feet in height within the right of way, and Preliminary Grading Review for approximately 138 cubic yards (cut) and 65 cubic yards (fill), and an unspecified quantity of grading within the right of way on Lot 1.

Location: Property located off a proposed right of way to the southeast of 660 Bayview Drive.

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

Permits Required: Coastal Development Permit, Exception to the Geologic Hazards Ordinance, Residential Development Permit

Technical Reviews: Preliminary Grading Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0224, based on the attached findings and conditions.

Exhibits

- | | |
|---|-----------------------------------|
| A. Project plans | E. Location, Assessor's, Zoning & |
| B. Findings | General Plan maps |
| C. Conditions | F. Photo-simulations |
| D. Categorical Exemption (CEQA determination) | G. Site photographs |
| | H. Comments & Correspondence |

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

OCC Exhibit 3c
(page 3 **of** 25 **pages)**

Parcel Information

Parcel Size: 13,602 square feet (including 1,404 square feet access corridor)
Existing Land Use - Parcel: Vacant
Existing Land Use - Surrounding: Coastal Bluff, Beach, Single family residential neighborhood
Project Access: Private right of way (off 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 feet per unit)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

Environmental Information

Geologic Hazards: Coastal bluff at rear and both sides of property
Soils: Report reviewed and accepted (Geologic/Soils Report Review 06-0495)
Fire Hazard: Not a mapped constraint
Slopes: 10-15 % slopes & edge of coastal bluff (at rear and both sides of property)
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Approximately 138 cubic yards of cut, 65 cubic yards of fill
(not including work within shared right of way)
Tree Removal: Two trees to be removed: 44" (dead), and 10" diameter
Scenic: Mapped scenic resource - public beach & access path viewshed
Drainage: Drainage system on Coastal Bluff (APNs 043-131-34 & 054-621-04)
requires Exception to Geologic Hazards Ordinance
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

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The subject property is one of three parcels resulting from Lot Line Adjustment 07-0049. The three parcels were adjusted from four existing parcels that were legally created by deeds between 1936 (the date of the original subdivision) and 1971. The Coastal Exclusion for the local approval has been challenged by the California Coastal Commission and the boundary adjustment deeds have not been recorded as of the time of preparation of this report. The parcel configuration and boundaries referenced in this report are dependent on the recordation of the boundary adjustment as approved under Lot Line Adjustment 07-0049 with a minor correction that has been proposed by the project applicant. The correction is in keeping with the original approval for Lot Line Adjustment 07-0049. The applicant will be required to record the boundary adjustment prior to making a building permit application.

This application for a Coastal Development Permit is for Lot 3 from the prior Coastal Development Permit application 07-0474 (for three single family residences). Two additional applications are currently in process for the remaining two residences (08-0221 & 08-0223). Per discussions with the applicant, the application was split into three separate applications. The first resubmittal of the materials for the three residences did not include all of the information requested to process the application. The letter requesting additional materials (in response to the first resubmittal) was not mailed within the timeline specified by the Permit Streamlining Act. As a result, the applicant requested that the application be considered as complete and a public hearing scheduled without delay. Based on the lack of adequate information to evaluate potential project impacts, staff had intended to bring the project forward with a recommendation for denial. However, after a number of meetings with the project applicant, limited additional information has recently been provided. With this information, Planning Department staff have been able to complete the reviews for the three residences.

Project Setting

The subject property includes three vacant parcels located to the southeast of 660 Bayview Drive on a section of coastal bluff in the shape of a peninsula. An existing single family residential neighborhood is located to the north and northwest. The coastal bluff edge surrounds the vacant parcels to the west, south, and east, becoming an arroyo to the east. The elevation of the coastal bluff begins to drop on the adjacent parcels to the northwest and the elevation of the subject property is substantially lower (50 to 90 feet above sea level) than other bluff top properties along the extent of Bayview Drive (where the elevation is 110 to 130 feet above sea level). A total of nine trees, two of which are dead, are located on the three vacant parcels.

The project site is Lot 3 of the three parcels reconfigured by Lot Line Adjustment 07-0049. Lot 3 is located the furthest from Bayview Drive at the lowest elevation of the three parcels (50 to 60 feet above sea level) with the coastal bluff surrounding the parcel on three sides (west, south, and east). The project site is located within the viewshed of the public beach to the south and the public beach access path (from Hidden Beach park) to the east.

Project Scope

This application includes a proposal to construct a 4 bedroom, two story, single family dwelling of about 5,547 square feet and associated improvements. The associated improvements include site grading and preparation for the single family dwelling and for the shared access driveway within the right of way on Lot 1. Retaining walls to support the shared driveway are proposed (up to 4.5 feet above and 8 feet below the driveway) which will exceed 3 feet height limitation within the right of way. Shared drainage improvements are also proposed, with a drainage line to be bored through the coastal bluff (or attached to the surface) to outlet on the sand in the arroyo to the east of the subject property. Two trees, one of which is dead, are proposed for removal to accommodate the proposed development on Lot 3.

Zoning & General Plan Consistency

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The subject property is approximately 13,602 square feet (including 1,404 square feet of access

corridor), located in the R-1-6 (Single-family residential - 6,000 square feet minimum) zone district. A single family dwelling is a allowed use within the zone district. The zoning is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

The net site area of Lot 3 does not include the access corridor from the shared access driveway. The access corridor is approximately 1,404 square feet and has been deducted from the gross parcel area. The net site area, upon which site standards are calculated, is 12,198 square feet.

The proposed residence complies with the site standards for the zone district, as outlined in the chart below.

	R-1-6 Site Standards	Proposed
Front yard setback	20'	20'
Rear yard setback	15' (or coastal bluff setback)*	23'*
Side yard setbacks	5' and 8' (or coastal bluff setback)*	5' and 13'**
Maximum height	28'	28'
Maximum % lot coverage	30%	29%
Maximum Floor Area Ratio	50%	44%
Maximum Number of Stories	2	2
Parking (4 Bedrooms)	3 spaces required	5 spaces provided

*Building envelope complies with minimum required setback from coastal bluff edge (per technical reports).

Parking and circulation area will be limited to no more than 50% of the required front yard area.

Design Review

The proposed residence design for Lot 3 is larger than the average size of residences in the Bayview Drive neighborhood. The structure has substantial bulk and a large building footprint. However, the design of the structure steps down the slope and is articulated with varied materials and wall planes which break up the wall mass and provide visual relief. The body finish is proposed to be stucco, board & batt, and stone with a clay tile roof. The variety of these materials will also help to reduce the apparent bulk and mass of the proposed residence. In order to reduce the overall bulk and scale of the proposed residence it will be necessary to remove some building square footage. It is recommended that the single car garage be removed, and additional architectural treatment (through use of alternating materials) be provided on the two story section of the north elevation. Although the garage is not in the most prominent visual location, it will reduce the overall building footprint (and width of the front elevation) and can be removed without a dramatic change in the functional floor plan of the residence.

The current color proposed for Lot 3 is a burnt orange, which may be too bold to allow the structure to recede into the background. Color modifications are recommended to reduce the visual bulk the residence. This includes using the color from Lot 1 on Lot 3 (which would place the olive green body color for the larger residence) and by modifying the colors of the other materials towards grey, tan, or light brown to reduce the visual bulk of the structure. With an appropriate mix of colors and materials for each residence, the apparent bulk and mass of all three residences could be further reduced.

At this time, no landscape plan has been provided. A landscape plan, which provides a foundation for the proposed residence and a softening of the building elevation, is an essential component in reducing the apparent bulk and mass of the project. Fencing design and outdoor improvements will also be specifically controlled in the rear yard of the proposed residence due to the visibility of the project site. The need to address visibility of the proposed residence from the rear is important due to the orientation of the structure and the location of the project on a highly visible site on the coastal bluff.

Scenic Resources

The subject property is located on a coastal bluff within a mapped scenic resource area as designated by the County General Plan and Local Coastal Plan. The property is within the viewshed of the beach to the south and the beach access path from Hidden Beach park to the east. Views from beaches and parks (including the public beach access path) are considered as protected visual resources per the County General Plan and Local Coastal Plan. The impact on visual resources has been considered in evaluating the proposed development against the context of the unique environment in which the project site is located.

The analysis of the existing pattern of development along the coastal bluff included an evaluation of the residences that have been constructed along the coast side of Bayview Drive and the visual character of the bluff in the project vicinity. Photo-simulations and architectural elevations, provided by the project applicant, as well as photographs, topographic information, and site visits performed by Planning Department staff are taken into consideration as components of this review. Photo-simulations of the proposed residence are required to assist in determining visual compatibility and context within the surrounding landscape. Although the photo-simulations originally submitted were not adequate for this purpose, the applicant has recently provided sufficient visual information to evaluate the proposed project in the context of the surrounding built and natural environment.

The proposed residence design results in the construction of a large two story structure located at the point of the peninsula on the coastal bluff. However, the proposed residence steps down the bluff and includes a one story section at the lower end of the project site, which aids in reducing the visual bulk of the proposed development within the viewshed. The proposed residence will be highly visible from public access pathway to the east and from the mean high tide line on the public beach to the south. Public views of the residence will be available from multiple locations due to the reduced bluff height and the location at the point of the coastal bluff. Neither of the residences proposed on Lots 1 & 2 (applications 08-0221 & 08-0223) will screen the proposed residence. The structure is at the maximum 28 feet height limit for the zone district, further increasing the visibility of the proposed residence.

For the above listed reasons, it is necessary to modify the structure design and proposed colors and materials, and to require a specific landscape plan to ensure protection of scenic resources as designated by the County General Plan and Local Coastal Plan. In order to adequately protect scenic resources, it will be necessary to modify the structure design to eliminate the chimney and hip the roof at the east end of the residence (reducing the bulk at the most prominent edge of the project site), to use colors and materials that will cause the structure to subordinate to the

surrounding natural backdrop, and to require landscaping which will soften the proposed development while restricting fencing and outdoor improvements along the coastal bluff. Tree removals will be mitigated through the planting of replacement trees to provide a backdrop for the proposed development. With the inclusion of these modifications, the visual impact of the proposed residence to scenic resources can be adequately mitigated.

Coastal Bluff and Geologic Hazards

The project site is one of three vacant parcels located on a section of coastal bluff in the shape of a peninsula. The coastal bluff edge surrounds the vacant parcels to the west, south, and east, becoming an arroyo to the east. Geologic and geotechnical reports have been reviewed and accepted for the proposed building envelopes (under Geologic and Soils Report Review 06-0495). The proposed residence will comply with the required geologic setbacks. Site drainage will be captured and channeled to a shared drainage line and released at the base of the coastal bluff.

Drainage Improvements - Exception to Geologic Hazards Ordinance

The shared drainage improvements will collect storm water runoff from the three proposed building sites and the shared driveway. The storm water will be channeled into a pipe which is proposed to run down the coastal bluff to the arroyo below the subject properties. The shared drainage feature is proposed to be bored into the slope of the coastal bluff and will include a rock dissipater in the arroyo at the pipe outlet. These improvements are proposed on adjacent property (APNs 043-131-34 & 054-621-04) and the applicant has provided information indicating that the owner of these adjacent parcels is willing to negotiate a drainage easement. The installation of the proposed drainage improvements on a coastal bluff requires an exception to the geologic hazards ordinance.

Findings for an exception to the geologic hazards ordinance can be made, in that the only logical drainage route is down from the lowest point in the proposed development. It would be exceptionally challenging to reliably capture all of the runoff from the project site and to redirect it up onto Bayview Drive and to a point of release. However, the boring of a drainage line through the slope of the coastal bluff could potentially result in increased slope instability, in which case a drainage line attached to the surface will be substituted. It is also unclear if the installation of the rock dissipater in the arroyo at the base of the bluff will interfere with the operation and maintenance of an existing sanitary sewer line that is located in the vicinity. These issues will be addressed during the post approval stage of this project, before any building permits are issued.

Prior to making an application for a building permit, the applicant will need to provide proof of a drainage easement for the improvements proposed on the adjacent property (APNs 043-131-34 & 054-621-04). Through the review of the building permit application, the applicant will be required to demonstrate that the location of the proposed dissipater will not interfere with the operation and maintenance of an existing sanitary sewer line, and that the design of the proposed drainage system will not result in increased slope instability. Alternative drainage designs may include placing the drainage line on the bluff face to reduce potential for slope failure and provide access for maintenance. A plan to camouflage the drainage improvements will be required for screening the improvements on the coastal bluff and within the arroyo area. A

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maintenance plan and agreement for the shared drainage improvements will be required to ensure long term maintenance by the future property owners.

Parking and Turnaround Design

The proposed parking and circulation design lacks necessary backing and turning area for the proposed single car garage. It will be difficult for vehicles to back out and turn when exiting the parking space within the single car garage. The single car garage is recommended for removal to address this issue and to reduce the overall footprint and visual bulk of the proposed structure. Additionally, it is assumed that the sand paver area will be used as backing and turning area for the two car garage and to provide additional parking on the project site. The combined concrete apron and sand paver area may not exceed 50 percent of the required front yard area. The architectural site plans indicate a larger combined area (over 50 percent of the required front yard), where the civil drawings indicate a smaller area in compliance with required site standards.

Tree Removals

The natural backdrop of mature trees serves to reduce visibility of the project from the public beach to the south and the public access path to the east. Arborists reports have been provided evaluating the health and structure of the trees on the project site. It is understood that two trees will need to be removed on Lot 3 due to death, disease, or poor structure, and to accommodate the proposed development. Regardless of the apparent need for tree removals, the preservation of mature trees is required by County Code wherever possible. Existing mature trees provide multiple benefits, including providing screening and a backdrop for proposed development. A replacement tree shall be planted and maintained to compensate for the one live tree that is proposed for removal. Replacement trees shall be an appropriate species for the project site and be located in a manner to provide a natural backdrop for the proposed development.

Retaining Walls

The shared driveway and access turnaround will result in walls in excess of 3 feet in height within the right of way. The wall on the south side of the shared driveway will be up to 4.5 feet in height above the grade of the road. The wall supporting the driveway and turn around on the north side will be up to 8 feet in height below the grade of the road. The grade on the project site requires retaining walls to achieve a workable road grade. Although these two walls will not be visible from the public beach to the south or the public access pathway from Hidden Beach to the east, these walls will be required to be constructed of split face material, or be otherwise textured and colored to break up the wall mass. Vegetation will be required to screen the wall below the road grade of the proposed shared driveway.

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Conclusion

The proposed development will result in the construction of a single family residence on a legal lot of record adjacent to a coastal bluff. The proposed residence will be visible within a designated scenic resource area and is located in an area away from existing development on Bayview Drive. To reduce visibility of the proposed structure it will be necessary to modify the structure design, to modify the colors and materials, to require a landscape plan, and to limit the

design and location of fencing and outdoor improvements along the coastal bluff. As proposed and conditioned, the project is consistent with all applicable codes and policies of the County Code and General Plan/Local Coastal Program. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 08-0224, based on the attached findings and conditions.

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

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

Report Prepared By: Randall Adams
Santa Cruz County Planning Department
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Recording requested by:

COUNTY OF SANTA CRUZ

When recorded, return to:

Planning Department
Attn: Randall Adams
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Conditions of Approval

Development Permit No. 08-0224

Property Owner: Donald Frank

Assessor's Parcel No.: 043-131-15 & -34; 043-161-39, -40 & -51; 054-621-04

Exhibit A: Project plans "Frank Residence - Lot 3", prepared by Matson-Britton Architects, revised 10/27/08.

I. This permit authorizes the construction of a four bedroom, two story, single family dwelling and associated improvements, as depicted on the approved Exhibit "A" for this permit and including all modifications specified by these conditions.

~~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: *(Amended at ZA 12/5/08)*

- 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 final water service approval from the Soquel Creek Water District.
- C. Obtain final sanitary sewer service approval from the Santa Cruz County Sanitation District.
- D. 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.

2. The Building Permit application shall include the appropriate Grading

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Permit fee.

- E. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - F. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - G. *Pay the required fee to the Clerk of the Board for the posting of the CEQA determination. (Added at ZA 12/5/08)*
- II. Prior to making an application for a Building Permit (and associated Grading Permit) for this application, the applicant/owner shall:
- A. Obtain *and record* a drainage easement from the adjacent property owner for the installation of drainage improvements on APNs 043-131-34 & 054-621-04. *(Amended at ZA 12/5/08)*
 - B. Record the boundary adjustment approved under Lot Line Adjustment 07-0049, incorporating the corrections noted in the Exhibit "A" for this permit. The boundary adjustment shall be recorded and new parcel numbers shall be issued prior to making an application for a Building Permit for this project.
 - C. Provide 3 copies of a landscape and outdoor improvement plan for review and approval by the Zoning Administrator, on the consent agenda of a noticed public hearing, to determine consistency with these Conditions of Approval.
 - D. Provide 3 copies of a revised colors and materials sheet (8.5" x 11" format) for review and approval by the Zoning Administrator, on the consent agenda of a noticed public hearing, to determine consistency with these Conditions of Approval.
- III. Prior to issuance of a Building Permit the applicant/owner shall:
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- 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 "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. The applicant shall supply color and material sheets (in 8 1/2" x 11" format) with each building plan set for Planning Department review and approval.

- a. The body color for the residence on Lot 3 shall be modified to be a light green or olive color. The color selection shall be balanced with the colors of the other residences to provide variety and to allow the structure to recede into the background.
 - b. The roofing tile shall be selected to compliment the body color and shall be in brown, tan, or grey tones.
 - c. The stone veneer shall be selected to compliment the body color and shall be in brown, tan, or grey tones.
2. The architectural plans shall be revised as follows:
- a. The single car garage shall be removed and appropriate finish materials shall be added to the north elevation to break up the two story stucco wall mass.
 - b. The chimney on the east elevation ~~shall be removed~~ *may be retained* and the roof shall be hipped down to the east where the chimney was located. A direct vent (or other similar type of approved exhaust system) may be used for a fireplace, or the fireplace can be removed entirely. *(Amended at ZA 12/5/08)*
3. The parking and circulation area (concrete and sand paver area combined) shall be revised and shall not exceed 50 percent of the required front yard setback (the area of the 20 feet front yard setback as measured from the minimum lot width, not including the access corridor portion of the parcel).
4. Grading, drainage, and erosion control plans shall be prepared and wet stamped by a licensed civil engineer with the following information.
- a. All requirements of the Environmental Planning section of the Planning Department shall be met in the grading, drainage, and erosion control plans.
 - b. All requirements of the Department of Public Works, Drainage section shall be met in the grading, drainage, and erosion control plans.
 - c. The drainage system shall be designed to have the least degree of disturbance to the coastal bluff, as determined by the project geologist, geotechnical engineer, civil engineer, and subject to review and approval by the County geologist and Planning Department civil engineer. This could mean that the drainage pipe will be trenched into the slope, bored through the slope, or placed on top of the slope with appropriate vegetative screening and erosion control.

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- i. The outlet and dissipater for the shared drainage system shall be designed and located in a manner to not have an adverse effect on the operation and/or maintenance of the existing sanitary sewer line in the project vicinity. The outlet and dissipater shall not be located within any designated sanitary sewer easement.
 - ii. The drainage pipe, outlet, and dissipater shall be of a type and size to minimize visibility of the drainage system and shall be further screened with camouflage materials and colors that mimic the appearance of the coastal bluff to minimize visual impacts to coastal scenic resources.
 - d. The grading, drainage, and erosion control plans shall be prepared in conformance with all the recommendations in the approved geologic and geotechnical reports.
 - e. **Separate grading volumes** for the shared improvements within the right of way and for the building site shall be provided.
 - f. The retaining walls adjacent to the shared driveway shall be constructed of split face material, or be otherwise textured and colored to break up the wall mass. Vegetation will be required to screen the retaining wall below the road grade of the proposed shared driveway.
 - g. All details, calculations, and easements required by the Department of Public Works, Drainage section shall be provided.
5. A landscape plan prepared by a licensed landscape architect shall be provided and shall include the following additional information:
- a. All proposed landscaping and outdoor improvements in the coastal bluff setback areas shall be shown.
 - b. All plant species shall be non-invasive, drought tolerant, and suited to the soil and moisture conditions on the project site.
 - c. The landscape plan shall include sufficient vegetation to provide a foundation for the proposed residence and to soften the *north*, east, and south elevations of the structure. A mix of large shrubs and/or small trees shall be used to achieve this effect. (*Amended at ZA 12/5/08*)
 - i. The required vegetation shall be maintained and shall not be removed, unless diseased or dead. If removed, due to disease or death, equivalent replacement vegetation shall be installed and maintained in place of the removed vegetation.

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- d. The landscape plan shall include sufficient vegetation to screen the retaining wall below the road grade of the proposed shared driveway.
- e. One replacement tree shall be required to be installed to mitigate the removal of one existing live tree on the project site. The tree species shall be non-invasive and shall be appropriate to the soil and moisture conditions on the project site. Tree placement locations shall be selected that provide additional screening and a backdrop for the proposed development.
 - i. The required replacement tree shall be maintained and shall not be removed, unless diseased or dead. If removed, due to disease or death, an equivalent replacement tree shall be installed and maintained in place of the removed tree.
- f. Irrigation on the project site shall be limited to low volume, drip irrigation and all irrigation within the coastal bluff setback shall be removed as soon as plant material has been established. Permanent irrigation or pressurized water lines are not allowed within the coastal bluff setback.
- g. Elevations and locations of all proposed fencing (including any free-standing landscape walls) shall be provided.
 - i. Fencing (including free-standing landscape walls) within the rear yard (and coastal bluff setback area) are limited to low height, low visibility, open fencing. Fencing shall not exceed 4 feet in height and shall be constructed of open pickets, metal, wire mesh, or cable materials. Free standing landscape walls are not allowed within the rear yard (and coastal bluff setback area). Fence colors shall be selected to reduce visibility of the fence materials.
 - ii. The design, location, height, colors, and materials of the proposed fencing shall be subject to Planning Department review and approval.
- h. Elevations and locations of all proposed outdoor improvements (including but not limited to: decks, walkways, patios, hardscape, pools, hot tubs, arbors, trellises, shade structures, barbecues, planters, and retaining walls.) shall be provided.
 - i. The design, location, height, colors, and materials of the proposed outdoor improvements shall be subject to Planning Department review and approval.
 - ii. All decks shall be under 30 inches in height within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance), shall comply with the

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requirements of the Geologic Hazards ordinance, and any deck in excess of 18 inches in height shall meet the required yard setbacks.

iii. No structures are allowed within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance).

i. The landscape plan is subject to review and approval by the County geologist and urban designer.

6. Plans shall be prepared in compliance with all recommendations set forth in the letter from Joe Hanna, County Geologist, dated 7/26/07.

7. *The building plans shall comply with the following requirements: (Added at ZA 12/5/08)*

a. 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 as shown on the approved Exhibit "A" for this permit, but shall not exceed 28 feet.

b. *Submit surveyed cross sections for staff review and approval that confirm the underfloor is under 7 feet 6 inches in height as defined by County Code. If any portion of the underfloor area is over 7 feet 6 inches in height, the amount of underfloor area over 5 feet in height shall be included in the Floor Area Ratio calculations. (Added at ZA 12/5/08)*

8. Details showing compliance with fire department requirements.

9. *Submit a plot plan prepared and wet stamped by a licensed civil engineer or surveyor. The plan shall note the gross area and net site area. (Added at ZA 12/5/08)*

C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached.

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 of and pay all applicable fees to the Santa Cruz County Sanitation District.

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1. The outlet and dissipater for the shared drainage system *and the drainage system itself* shall be designed and located in a manner to not have an adverse effect on the operation and/or maintenance of the existing sanitary sewer line in the project vicinity *or the existing trail at the toe of the slope*. The outlet and dissipater shall not be located within any designated sanitary sewer easement. (*Amended at ZA 12/5/08*)

F. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

G. Submit 3 copies of a plan review letter prepared and wet stamped by the project geotechnical engineer which reference the final revised set of building plans and state that the plans conform to the recommendations in the approved geotechnical report. The letter shall also specifically address the slope stability related to the drainage system on the coastal bluff.

H. Submit 3 copies of a plan review letter prepared and wet stamped by the project geologist which reference the final revised set of building plans and state that the plans conform to the recommendations in the approved geologic report.

I. Submit 3 copies of a recorded maintenance agreement which specifically address shared maintenance of the roadway and drainage improvements. All shared improvements shall be the responsibility of all three property owners to maintain in perpetuity. This maintenance agreement shall include all on site roads, retaining walls, and landscaping within the right of way on Lot 1, the interconnected drainage system on site, and the drainage pipe, dissipater, and associated landscaping off site (on APNs 043-131-34 & 054-621-04), and any shared sanitation pump stations or other such necessary facilities.

1. An additional maintenance agreement shall be required for shared improvements and drainage interconnection with APN 043-161-58.

J. Provide 3 copies of a letter from the project arborist with recommendations for the protection of all existing trees (that are to be retained) during construction.

K. Pay the current fees for Parks and Child Care mitigation for 3 4 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom. (*Amended at ZA 12/5/08*)

L. Pay the current fees for Roadside and Transportation improvements for 1 unit. Currently, these fees are, respectively, \$2,540 and \$2,540 per unit.

M. 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.

N. 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.

O. Complete and record a Declaration Regarding the Issuance of a Development Permit in an area Subject to Geologic Hazards. **You may not alter the wording of this declaration.** This form will be prepared and provided to you by the Environmental Planning section of the Planning Department after the boundary adjustment has been recorded and a revised APN has been issued. Record and return the form to the Planning Department.

P. *Comply with all site standards. (Added at ZA 12/5/08)*

IV. Prior to any site disturbance, grading, or construction on the project site, the applicant/owner shall hold a pre-construction meeting on site prior to the start of construction. The applicant, contractor, geologist, soils engineer, arborist, and Environmental Planning staff shall attend this meeting.

V. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner shall 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. The geotechnical engineer, or a similar qualified testing laboratory, shall be employed to inspect and test all fill material placed on site. The relative compaction test locations shall be noted on a copy of the approved grading plans, and all related test data shall be included in a table with a reference number that correlates the data to the test location indicated on the grading plan. This testing includes backfill to any retaining wall.

E. Prior to final inspection, final letters are required from the project geologist, geotechnical engineer, and civil engineer which clearly state that all work was performed according to the approved geologic and geotechnical reports and the approved building plans for the project.

F. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with

this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

VI. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. All required shared improvements (located on and off site) shall be maintained in perpetuity.
- C. All future development of this parcel shall be subject to the geologic/coastal setback and the requirements of the Geologic Hazards ordinance.
 - 1. All decks shall 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 shall meet the required yard setbacks.
 - 2. No structures are allowed within the required geologic setback (25 feet or 100 year stability, whichever is the greater distance).
- D. Any modifications to the approved colors or materials shall be subject to review and approval by the Planning Department. Modifications which have a potential to increase the visual impact of the development shall not be approved without amendment to this permit.
- E. Any modifications to landscaping, outdoor improvements, or fencing in the rear yard (and coastal bluff setback area) shall be subject to review and approval by the Planning Department. Features which have a potential to increase the visual impact of the development shall not be approved without amendment to this permit.

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

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.

B. Nothing contained herein shall prohibit the COUNTY from participating in the

defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. **Settlement.** The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. **Successors Bound.** "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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

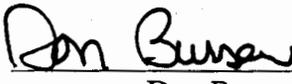
Please note: This permit expires two years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures 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: _____ 12/5/08 _____

Effective Date: _____ 12/19/08 _____

Expiration Date: _____ 12/19/10 _____

CCC Exhibit 3C
(page 20 of 25 pages)



Don Bussey
Deputy Zoning Administrator

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.

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 in 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 applicant/owner is required (as a condition of approval) to provide evidence that the drainage outlet will not conflict with the existing 10 feet wide easement for sanitary sewer lines in the arroyo below the subject property prior to application for a building permit. No other 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.

The project site is located within a mapped scenic resource area as designated in the County General Plan and Local Coastal Program. The protected visual resources in this case are from the public beach (at mean high tide line) to the south and from the beach access path from Hidden Beach park to the east of the project site. The subject property is located at the end of the developed parcels along the coastal bluff side of Bayview Drive and the elevation of the bluff in this location is lower than it is along the majority of Bayview Drive. As a result, the project site is more visible than other properties along Bayview Drive.

This finding can be made, in that the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to the structure, colors, and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources.

In order to adequately protect scenic resources, it will be necessary to modify the structure design, to use colors and materials that will cause the structure to appear subordinate to the surrounding natural backdrop, and to require landscaping which will soften the proposed development while restricting fencing and outdoor improvements along the coastal bluff. Tree removals will be mitigated through the planting of replacement trees to provide a backdrop and screening for the proposed development. With the inclusion of these and other modifications, required as conditions of approval, the visual impact of the proposed residence to coastal scenic resources will be adequately mitigated.

The project is consistent with County Code section 13.0724(iv) (Site Design - Natural

CCC Exhibit

(page 21 of 25 pages)

EXHIBIT B

Amenities & Features), 13.11.072(b)(2)(i) (Site Design - Views), 13.20.130(d)1 (Coastal Design Criteria - Beach Viewsheds - Blufftop Development), 13.20.130(c)2 (Coastal Design Criteria - Scenic Resources - Site Planning) & 13.20.130(c)3 (Coastal Design Criteria - Scenic Resources - Building Design), in that the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to the structure, colors, and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources.

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. Additionally, the property owner is required (as a condition of approval) to address any legitimate claim of beach access in this location and, if necessary, provide access equivalent to that currently provided by the trail lot on the subject property. 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.

CCC Exhibit 3C
(page 23 of 25 pages)

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 minimum required setback from the coastal bluff (as specified in the geologic and geotechnical reports) shall be maintained and the drainage shall be directed in a manner to prevent slope instability.

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 project is consistent with County Code sections 13.11.072(b)(1)(iv) (Site Design - Natural Amenities & Features), 13.11.072(b)(2)(i) (Site Design - Views), 13.20.130(d)1 (Coastal Design Criteria - Beach Viewsheds - Blufftop Development), 13.20.130(c)2 (Coastal Design Criteria - Scenic Resources - Site Planning) & 13.20.130(c)3 (Coastal Design Criteria - Scenic Resources - Building Design), in that the structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to the structure, colors, and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources.

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. An exception to the Geologic Hazards Ordinance is required for the drainage facilities down the coastal bluff and the findings regarding the required exception are included in this report.

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 a principal permitted use in the R-1-6 zone district. The zoning is consistent with 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 subject property is located on a coastal bluff within a mapped scenic resource area as designated by the County General Plan and Local Coastal Plan. The property is within the viewshed of the beach to the south and the beach access path from Hidden Beach park to the east. Views from beaches and parks (including the public beach access path) are considered as protected visual resources per the County General Plan and Local Coastal Plan. The project is consistent with General Plan/Local Coastal Plan policies 5.10.2 (Development within Visual Resource Areas), 5.10.3 (Protection of Public Vistas), 5.10.7 (Open Beaches and Blufftops), & 8.6.5 (Designing with the Environment), in that the proposed residence is located on an ~~existing~~ legal lot of record, the structure is stepped down the hillside, and the design includes varied wall planes and materials to reduce the visual bulk and mass of the structure. Additional modifications to the structure, colors, and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the visual impact of the proposed residence on coastal scenic resources. *(Amended at ZA 12/5/08)*

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

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

This finding can be made, in that the proposed residence is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day (1 peak trip per dwelling unit), such an increase 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 adjacent to a neighborhood of existing single family homes, and the construction of a single family dwelling on an existing lot of record 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 structure steps down the hillside and the visual bulk and mass of the proposed residence has been reduced through varied wall planes and materials. Additional modifications to the structure, colors, and materials, as well as landscaping and restrictions on the installation of fencing and outdoor improvements, required as conditions of approval, will further reduce the apparent bulk and mass of the proposed residence.

Exception to the Geologic Hazards Ordinance - Required Findings

1. That hardship, as defined in section 16.10.040(2j) exists; and

This finding can be made, in that it would be exceptionally challenging to create an alternate drainage design for the proposed development which would capture storm water drainage and reroute it to a location that would not drain back down to the coastal bluff due to the slope and location of the project site. A drainage system that would require active pumping of storm water runoff is not considered as appropriate or reliable for the long term in this setting.

2. The project is necessary to mitigate a threat to the public health, safety, or welfare.

This finding can be made, in that the drainage of storm water across the face of the coastal bluff in an uncontrolled manner would result in accelerated erosion and slope instability. The construction of a drainage system to collect and conduct the storm water drainage down the coastal bluff would mitigate the potential threat to the public health, safety, or welfare.

3. That the request for an exception is for the smallest amount of variance from the provisions of the geologic hazards ordinance as possible; and

This finding can be made, in that the drainage facilities will be designed to minimize disturbance and any potential for slope instability. The design of the drainage facilities will be required, as a condition of approval, to be of the smallest degree of disturbance to the coastal bluff.

4. That adequate measures will be taken to ensure consistency with the purposes of this chapter and the county general plan.

This finding can be made, in that the design of the drainage facilities will be required, as a condition of approval, to be of the smallest degree of disturbance to the coastal bluff. All requirements of the project geologist, geotechnical engineer, and civil engineer will be required to be met and a shared maintenance agreement will be required, as conditions of approval, in order to ensure that the proposed drainage improvements are designed to minimize the potential geologic hazards, as required by General Plan Policy 6.2.10 (Site Development to Minimize Hazards).

CCC Exhibit 3C
(page 25 of 25 pages)

PROJECT SUMMARY

OWNER: NEIL FRANK
 3 OTTER TERRACE
 BROOKINGS, CA 94145

A.P.N.: 043 - (6) - 34

ZONING: R-1-6

OCCUPANCY: R-3 (UPPER 2007 C.B.C.)

GROUP: VB, FULLY SPRINKLERED

CONSTRUCTION TYPE: PROJECT DESCRIPTION: CONSTRUCTION OF A NEW TWO STORY SINGLE FAMILY DWELLING WITH THREE BEDROOMS, 2.5 BATHS, LIVING ROOM, DINING ROOM, FAMILY ROOM, KITCHEN, ELEVATOR AND AN ATTACHED TWO CAR GARAGE.

CODE COMPLIANCE: CONSTRUCTION COMPLIES WITH TITLE 24, AND THE FOLLOWING CODES: 2007 C.B.C., 2007 C.A.C., 2007 C.P.C. AND 2007 NEC.

LOT SIZE: 12603 SF (GROSS SITE AREA)
 7642 SF (NET SITE AREA)

GROSS FLOOR AREA:
 PROPOSED UPPER FLOOR: 1155 50 FT
 GARAGE: 467 50 FT
 PROPOSED LOWER FLOOR: 1585 50 FT

TOTAL FLOOR AREA: 1155+467+1585=3207.50 FT²
 LESS COUNTY GARAGE CREDIT: -225 50 FT²
 COVERED PORCH: 31 50 FT²
 BRIDGE AREA: 450 50 FT²
 ADJUSTED TOTAL FLOOR AREA: 3207+225+2482 50 FT²
 F.A.R.: 2482 SF / 7642 SF = 32.77%

LOT COVERAGE: 1730-450 SF / 7642 SF = 22.63%

CONSULTANTS

ARCHITECT:
 MATSON BRITTON ARCHITECTS
 128 N. BRANIFFORTE
 APTOS, CA 95021
 PHONE: (831) 426-0562
 FAX: (831) 426-1185
 EMAIL: gmb@matsonbrilton.com
 CONTACT: DENISE FORBES

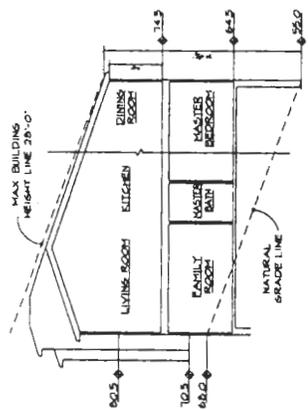
CIVIL ENGINEER (GRADING):
 RICHARD IRISH ENGINEERING
 5000 S. STATE ST. SUITE 42-202
 SANTA ANITA, CA 95020
 (831) 425-3101 / (831) 425-1522
 EMAIL: rich@irish-engineering.com
 CONTACT: RICHARD IRISH

SURVEYOR:
 GARY IFLAND & ASSOCIATES
 503 PORTER ST. STE. 43-108
 APTOS, CA 95021
 PHONE: (831) 426-1841
 FAX: (831) 426-6266
 EMAIL: kevin@ilandurvey.com
 CONTACT: KEVIN SMITH

GEOLOGIST:
 ZINN GEOLOGY
 2005 CAROLAN LANE
 SERRANO, CA 95075
 PHONE: (831) 476-8443
 EMAIL: zinngeo@aol.com
 CONTACT: ERIC ZINN

SOIL ENGINEER:
 PACIFIC CREST ENGINEERING
 4445 AVENUE BLVD. SUITE 106
 MENLO PARK, CA 94025
 PHONE: (831) 722-4446
 FAX: (831) 722-4158
 EMAIL: elizabeth@pcengineering.net
 CONTACT: ELIZABETH MITCHELL

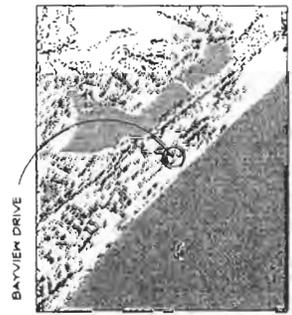
FRANK
 RESIDENCE
 NEW HOUSE
 BAYVIEW DRIVE - LOT 1
 APTOS, CA 95003



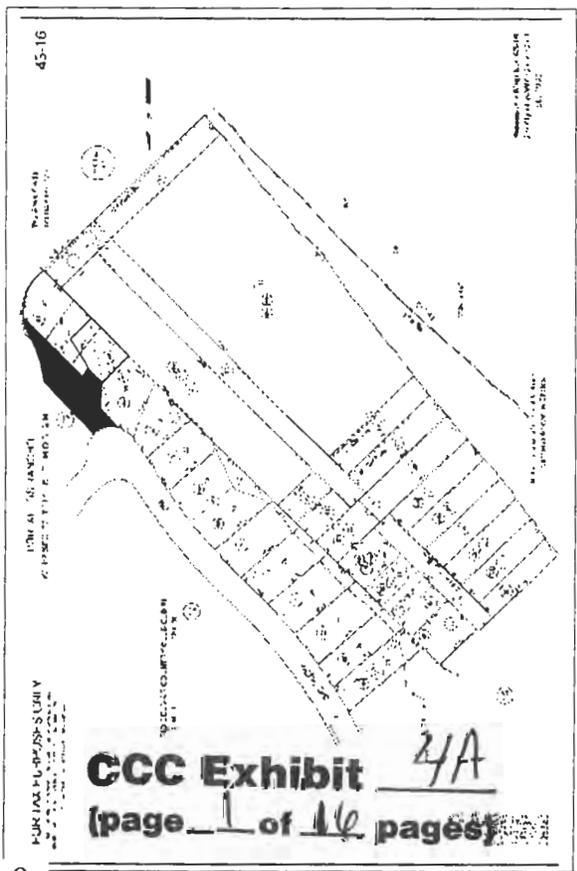
SECTION @ HIGH P.T.
 SCALE: 1/8" = 1'-0"

SHEET INDEX

- PI TITLE SHEET
- P0 SITE PLAN - ALL LOTS
- P06 TREE LOCATION PLAN - ALL LOTS
- P2 SITE PLAN
- P3 MAIN FLOOR PLAN
- P4 LOWER FLOOR PLAN
- P5 SOUTH WEST ELEVATIONS
- P6 NORTH & EAST ELEVATIONS
- P7 GRADING & DRAINAGE PLAN
- G1 UTILITY PLAN
- G2 SECTIONS & DETAILS
- G3 SECTIONS & DETAILS
- G5 EROSION CONTROL PLAN
- SURVEY



VICINITY MAP



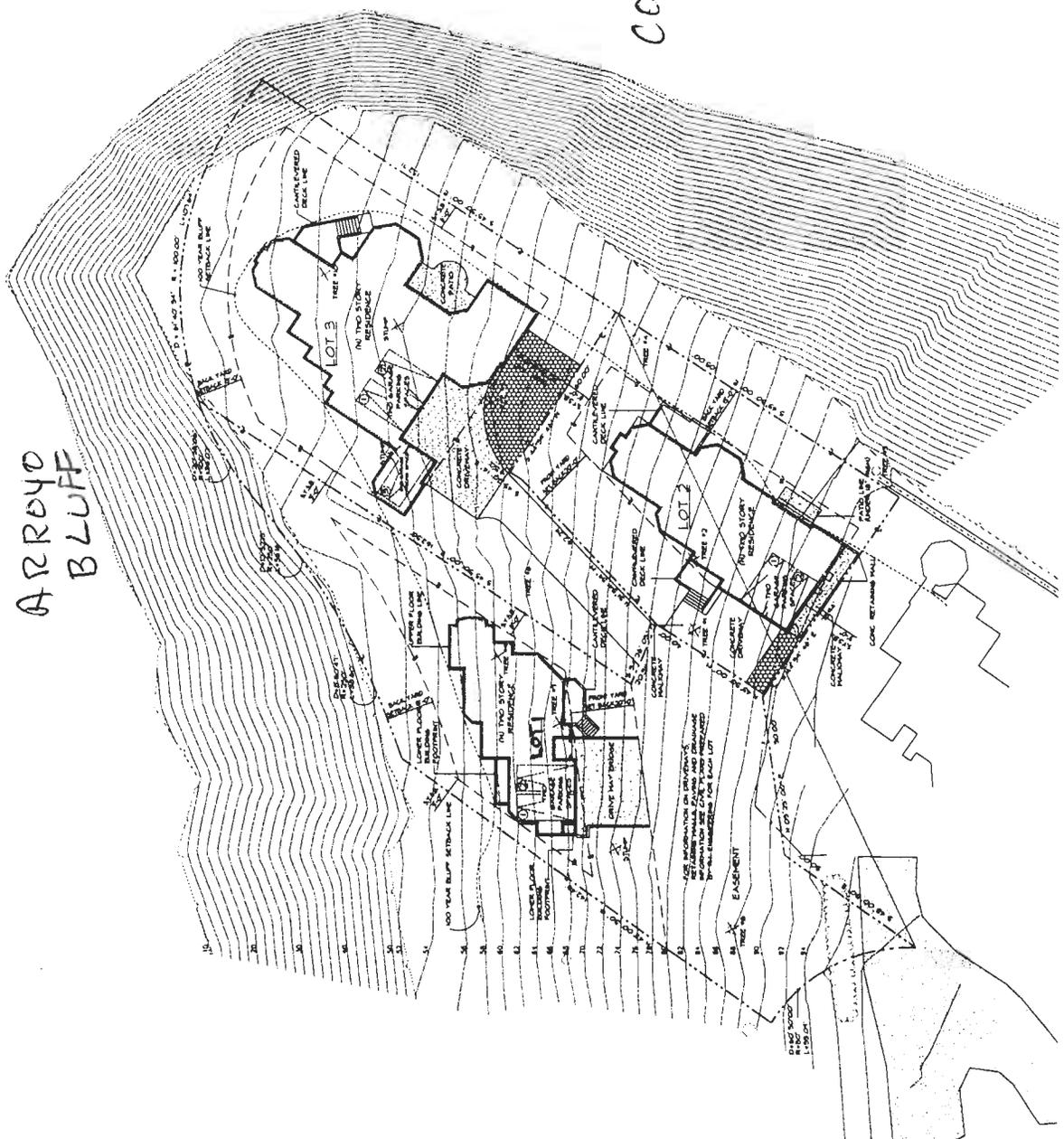
CCC Exhibit 4A
 (page 1 of 14 pages)

A.P.N. MAP
 EXISTING & NEW PARCEL LAYOUTS

SITE LEGEND

	PROPERTY LINE
	SETBACK LINE
	IN BUILDING FOOTPRINT
	IN CONCRETE DRIVEWAY OR PARKING
	IN SAND PAVERS
	EXISTING TREE TO BE MAINTAINED AS SHOWN IN SURVEYOR'S REPORTS DATED JAN. 11, 2007 & NOV. 7, 2007 FOR THE PROJECT. TREE NUMBERS INDICATED REFERENCE THOSE REPORTS
	IN RESIDENCE

NOTES
 THIS PLAN IS PREPARED WITH INFORMATION PROVIDED BY THE SURVEY PREPARED BY GARY IFLAND & ASSOC. SEE ORIGINAL SURVEY LOCATED AS THE LAST SHEET OF THIS SET



CCC Exhibit 4A
 (page 2 of 16 pages)

SITE PLAN
 SCALE: 1" = 16'



DATE: 10/24/01
 DRAWN BY: [blank]
 CHECKED BY: [blank]
 PROJECT: [blank]

FRANK RESIDENCE
 NEW RESIDENCE
 LOTS 1, 2 & 3
 TREE LOCATION PLAN
 10/24/01

POA

SITE LEGEND

	PROPERTY LINE
	SETBACK LINE
	EXISTING TREE TO BE REMOVED
	EXISTING TREE TO BE PRESERVED

EXISTING TREE TO BE PRESERVED
 REPORTS DATED JULY II 2001 & NOV. 1, 2001 FOR
 INFORMATION TREE NUMBERING
 REFERENCE THOSE REPORTS

NOTES
 THE PLAN IS PREPARED WITH INFORMATION PROVIDED BY THE SURVEY PREPARED BY GARY INLAND ASSOC SEE ORIGINAL SURVEY LOCATED AS THE LAST SHEET OF THIS SET

COASTAL BLUFF

ARROYO BLUFF



TREE LOCATION PLAN
 SCALE: 1" = 16'

CCC Exhibit 4A
 (page 3 of 16 pages)



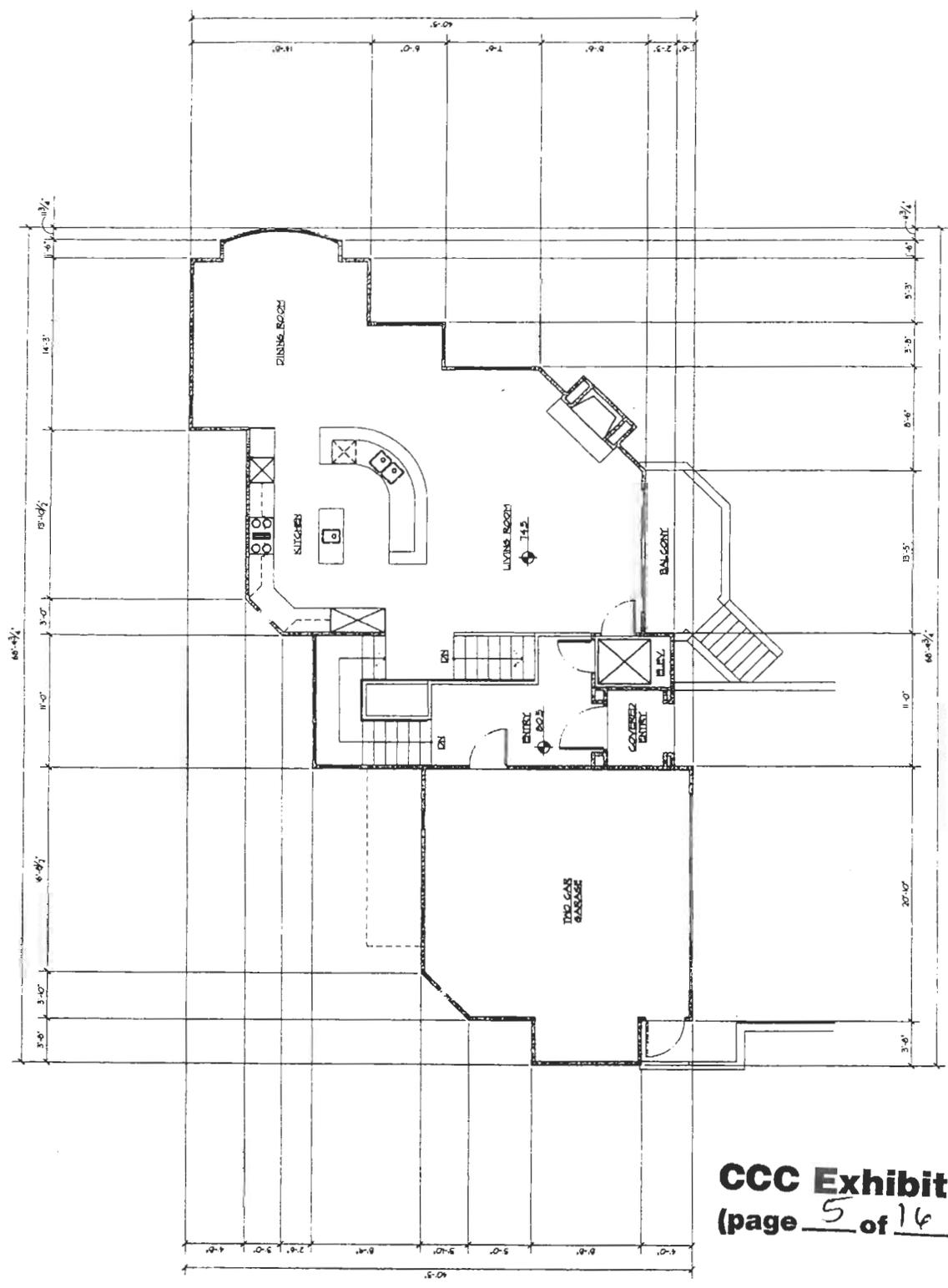
WATSON ARCHITECTURE
 1000 S. GARDEN AVENUE, SUITE 100
 ANAHEIM, CA 92805
 TEL: 714.771.1111
 WWW.WATSONARCHITECTURE.COM

FRANK RESIDENCE
 BAYVIEW DRIVE LOT 1
 ANAHEIM, CA 92805
 APR. 04.18.14

MAIN FLOOR PLAN

07/21/07
 22 / DELAND
 FRANK
 BAYVIEW LOT 1

P3



UPPER FLOOR: 1155 SQ. FT.
 GARAGE: 467 SQ. FT.

CCC Exhibit 4A
 (page 5 of 16 pages)

MAIN FLOOR PLAN
 SCALE: 1/4" = 1' - 0"

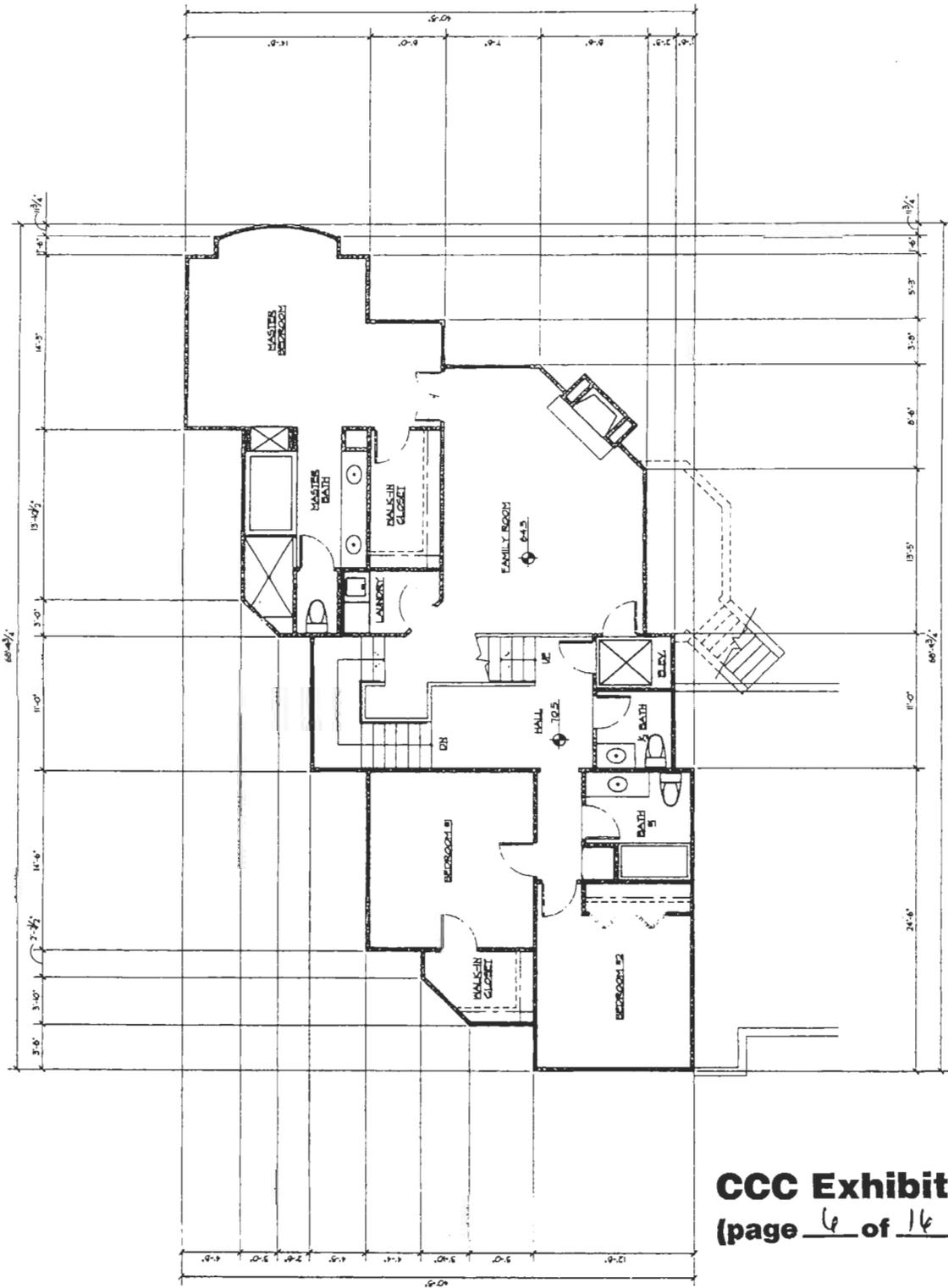


FRANK RESIDENCE
 NEW RESIDENCE
 12011 BAYVIEW DRIVE, LOT 11
 BAYVIEW, CA 90242
 A.P.N. 045-015-014

LOWER FLOOR PLAN

DATE	12/11/10
BY	Z.L. / D.B. / A.M.
PROJECT	FRANK RESIDENCE LOT 11

P4



LOWER FLOOR, 1505 SQ. FT.

LOWER FLOOR PLAN

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

CCC Exhibit 4A
 (page 4 of 16 pages)



FRANK RESIDENCE
 NEW RESIDENCE
 BAYVIEW DRIVE LOT 1
 A.P.N. 045-81-54

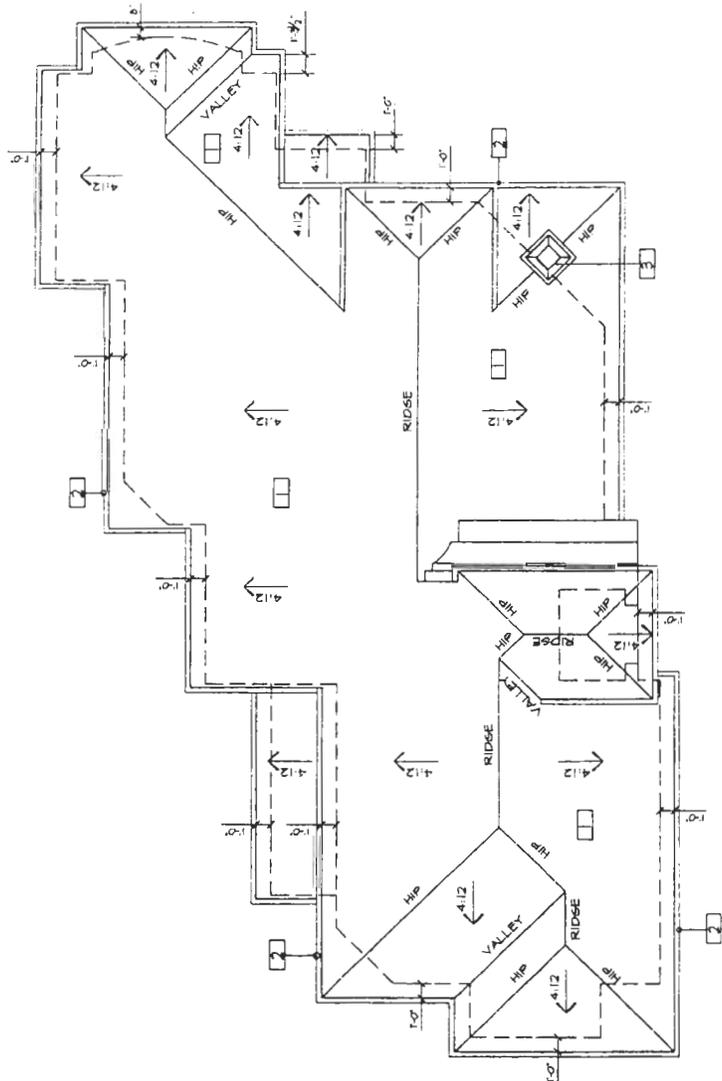
ROOF PLAN

SECTION
 22. IRELAND
 TRACT
 BAYVIEW LOT 1

P5

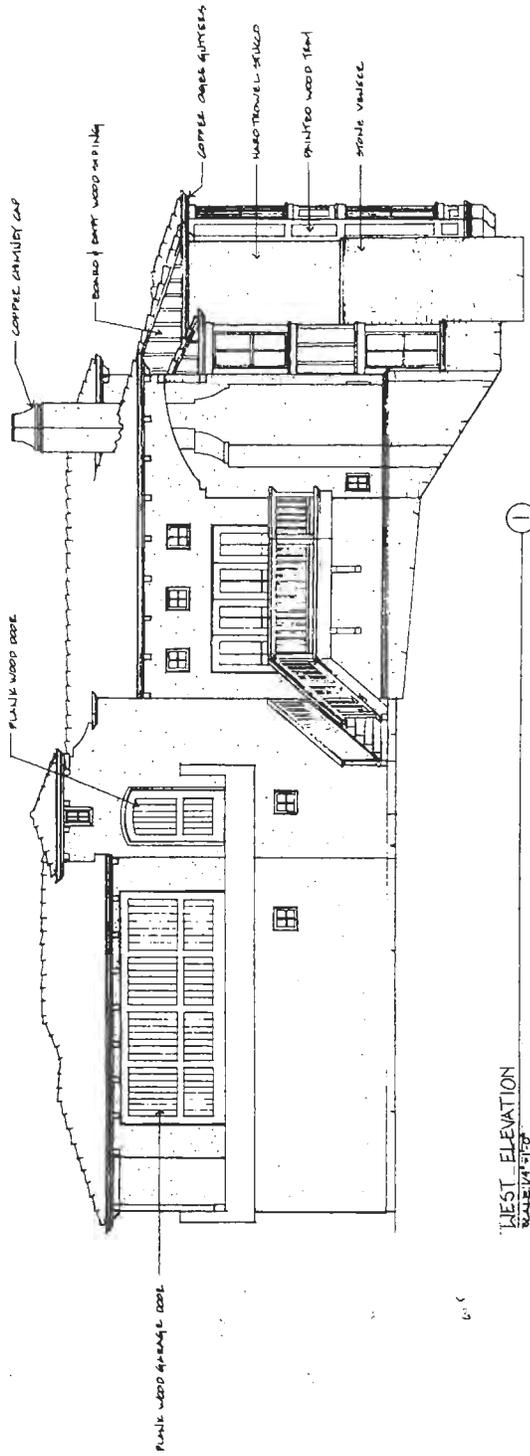
ROOF PLAN
 LEGEND

	6.5" TILE ROOF
	ROOF SHINGLES
	COPPER BUTTER
	COPPER GANNET CAP
	SPARK ARRESTOR

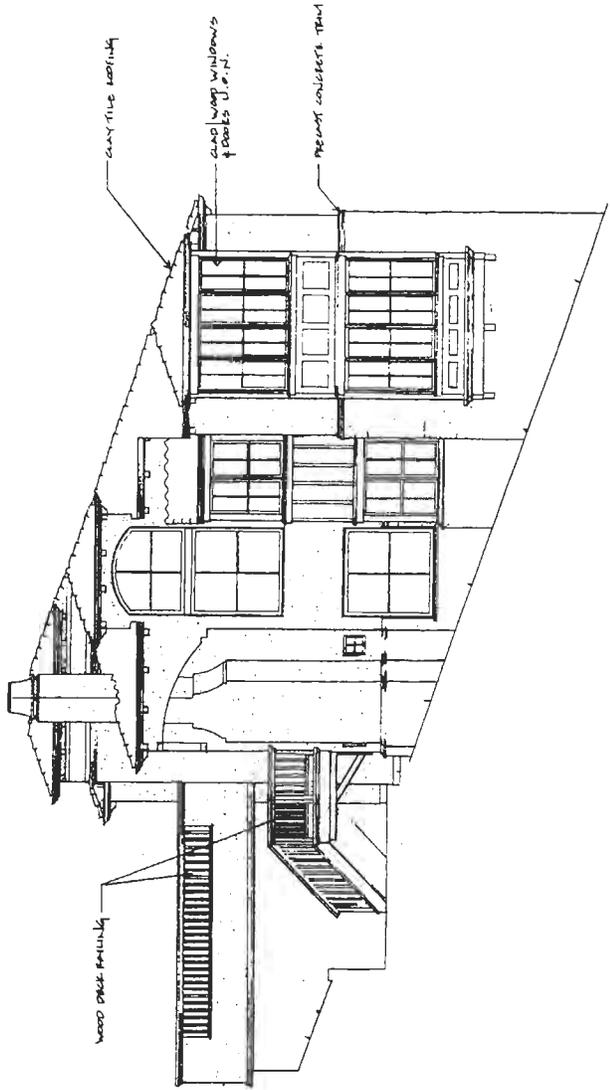


ROOF PLAN
 SCALE: 1/4" = 1'-0"

CCC Exhibit 4A
 (page 7 of 16 pages)



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



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



LOT 1

AS SHOWN

DATE: AUGUST 2007

PROJECT NO. 06-07-1

PROFILE AND DETAILS

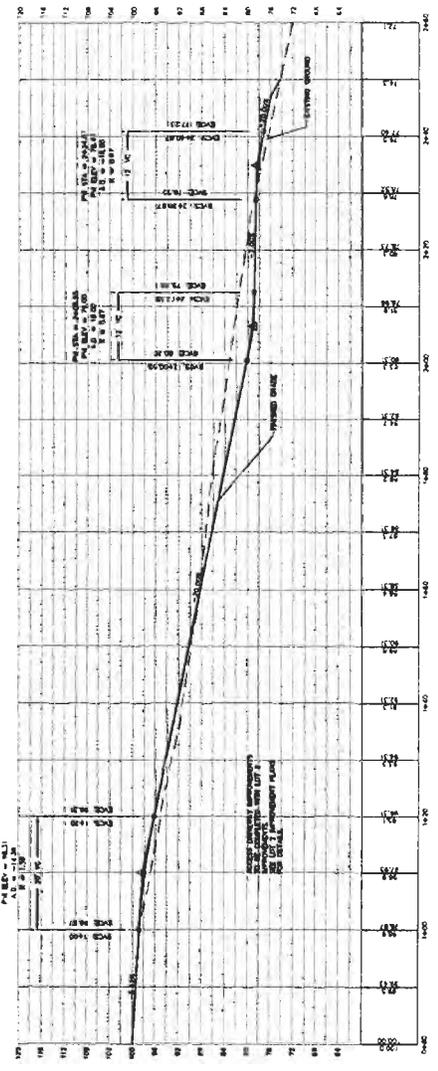
PROPOSED SINGLE-FAMILY RESIDENCE LOT 1
FOR MR. NEIL FRANK
BARNEW PARK
APN 043-161-19-10 & 21
MUNICIPALITY OF SANTA CRUZ, CALIFORNIA

333 PORTER ST., SUITE 42-202, SANTA CRUZ, CA 95060
831-425-3901 www.r1engineering.com

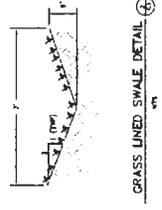
R1 Engineering, Inc.



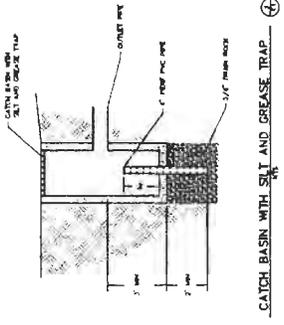
REVISION PER COUNTY OF SANTA CRUZ COMMENTS, NOVEMBER 2007



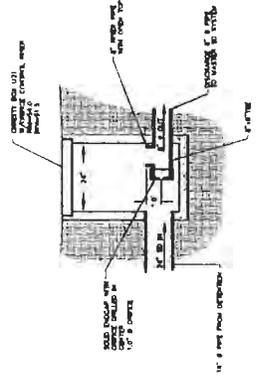
EXISTING ACCESS DRIVEWAY PROFILE
SCALE 1" = 10' HORIZONTAL, 1" = 1' VERTICAL



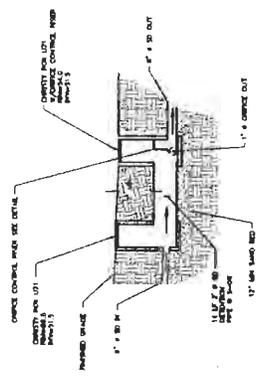
GRASS LINED SWALE DETAIL



CATCH BASIN WITH SILT AND GREASE TRAP



OUTLET CONTROL STRUCTURE DETAIL



DETENTION SYSTEM DETAIL

CCC Exhibit 4A
(page 13 of 16 pages)

EXHIBIT A



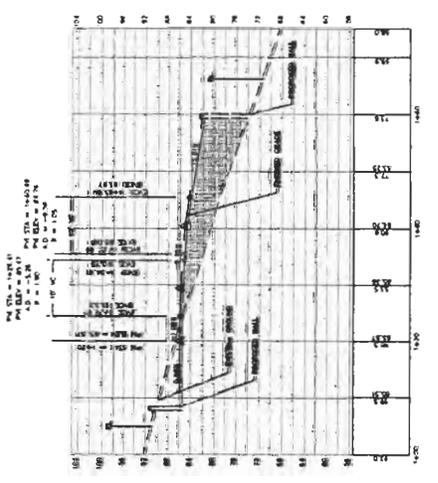
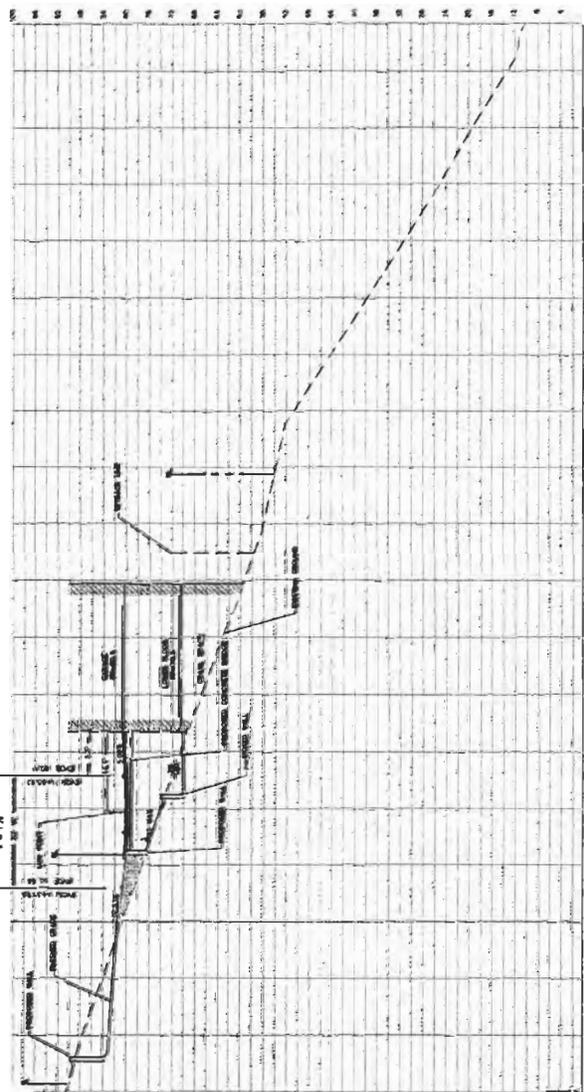
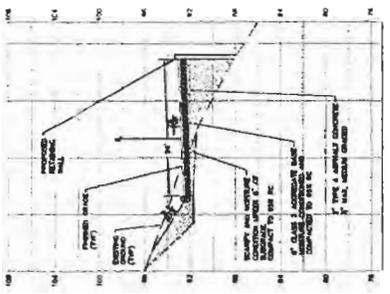
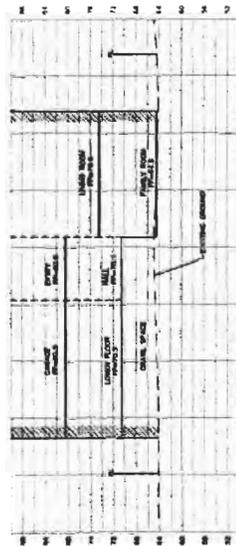
DATE: AUGUST 2007
 PROJECT NO.: 06-4322-1
 AS SHOWN
 LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

PROPOSED SINGLE-FAMILY RESIDENCE LOT 1
 MR. NEIL FRANK
 4015 OAK BROMAN
 BAYVIEW DRIVE
 SECTION AND DETAILS

RI Engineering, Inc.
 303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
 831-425-3901 www.riengineering.com



REVIEWED PER COUNTY OF SANTA CRUZ COMPLYING NOVEMBER 2007



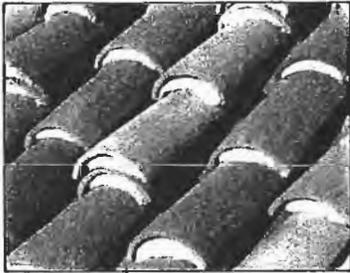
CCC Exhibit 4A
 (page 14 of 16 pages)

FRANK - BAYVIEW RESIDENCE

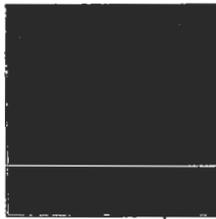
BAYVIEW DRIVE LOT "1"
 APTOS, CA 95003
 A.P.N.: 043 - 161 - 39

COLOR & MATERIALS

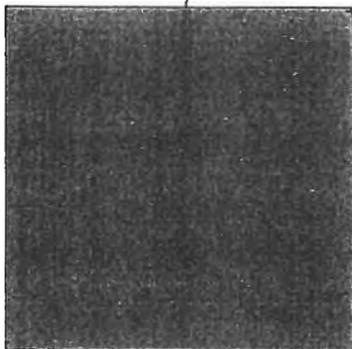
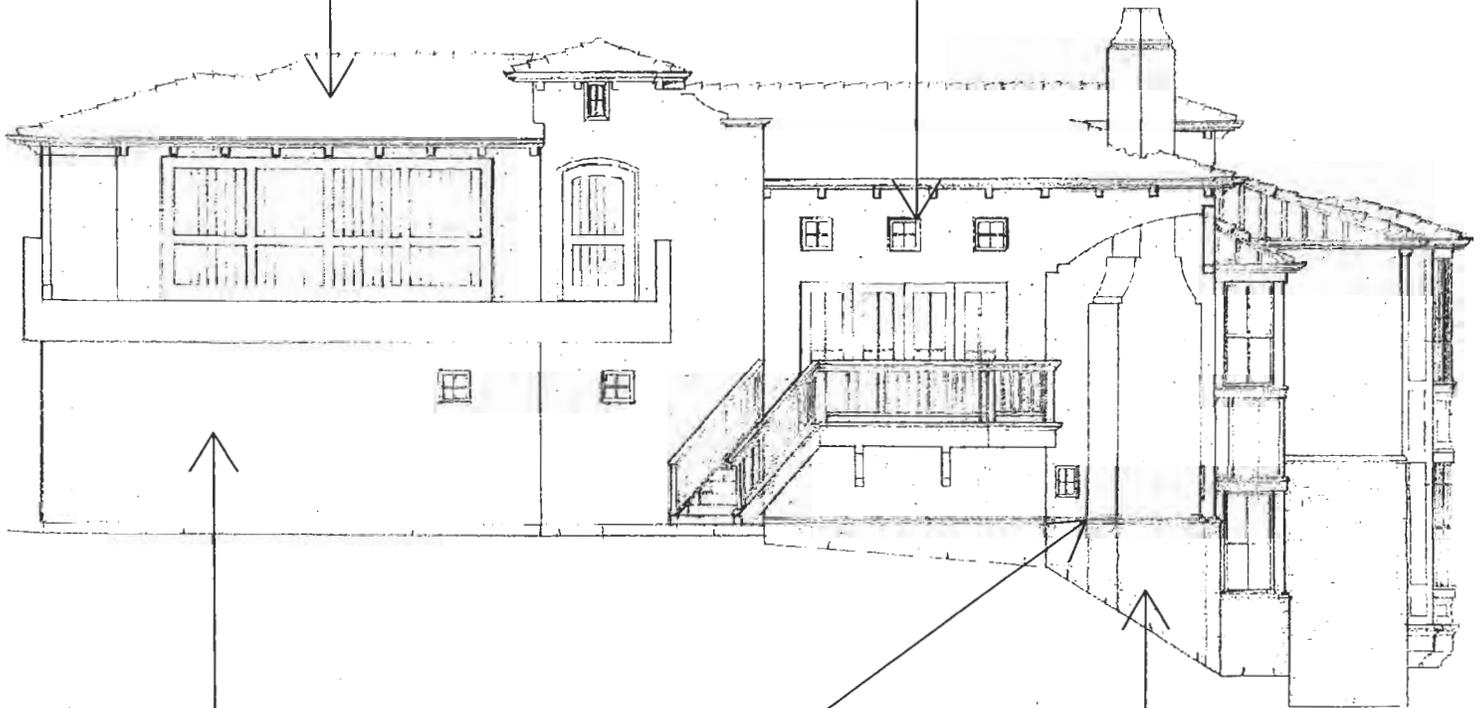
ROOF TO BE DELEO CLAY ROOF TILES, ENCANTO COLOR BLEND



WOOD TRIM & SIDING TO MATCH WINDOW & DOOR TRIM

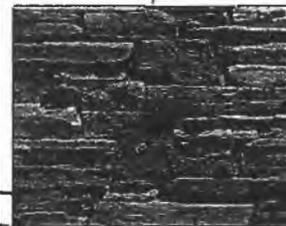


CLAD / WOOD WINDOW & DOOR & TRIM COLOR TO BE CHESTNUT BRONZE



WALLS TO BE 3 COAT HARD TROWEL STUCCO W/ CUSTOM COLOR TO MATCH #KM3455-3 OLIVE OIL

CAST MOULD CONCRETE TRIM, SMOOTH FINISH



STONE VENEER TO BE EL DORADO STONE, "SEQUOIA RUSTIC LEDGE".

CCC Exhibit 4A
 (page 16 of 16 pages)



728 N BRANCIFFORTE

SANTA CRUZ

CA 95005

831-425-0544



DATE: 06/21/08
 PROJECT: FRANK RESIDENCE
 SHEET: 4B

FRANK RESIDENCE
 120 N BRANCFORTE
 SANTA CRUZ, CA 95062
 43-18
 TITLE SHEET

DATE: 06/21/08
 PROJECT: FRANK RESIDENCE
 SHEET: 4B

PROJECT SUMMARY

OWNER: NEIL FRANK BRIDGE
 15000 N. BRIDGE
 BROOMFIELD, CO 80120

A.P.N.: 043-161-40

ZONING: R-1.6

OCCUPANCY: R-3 (UPPER 2001 CBC)

CONSTRUCTION: VB, FULLY SPRINKLERED

TYPE: VB, FULLY SPRINKLERED

PROJECT DESCRIPTION:
 THIS PROJECT CONSISTS OF A NEW THREE LEVEL SINGLE FAMILY DWELLING WITH THREE BEDROOMS, 4.5 BATHS, LIVING ROOM, DINING ROOM, FAMILY ROOM, KITCHEN, GARAGE, ELEVATOR AND AN ATTACHED TWO CAR GARAGE.

CODE COMPLIANCE:
 THIS RESIDENTIAL CONSTRUCTION COMPLES WITH TITLE 24 AND THE FOLLOWING CODES: 2001 CBC, 2001 CMC, 2001 CPC, AND 2001 NEC.

LOT SIZE: 1554 S.F.

GROSS FLOOR AREA: 1343.55+1087.763+971.71 = 3403.02 S.F.

PROPOSED LOWER LEVEL FLOOR: 1087.50 S.F.

PROPOSED THIS LEVEL FLOOR: 984.50 S.F.

PROPOSED UPPER LEVEL FLOOR: 763.50 S.F.

TOTAL FLOOR AREA: 1343.55+1087.763+971.71 = 3403.02 S.F.

LESS GARAGE: 1087.50 S.F.

ADJUSTED TOTAL FLOOR AREA: 2315.52 S.F.

P.A.R.: (2448.57 / 1554.57) 100% = 47.54%

LOT COVERAGE: (2190.57 / 1554.57) 100% = 39.78%

CONSULTANTS

ARCHITECT:
 MATSON BRITTON ARCHITECTS
 120 N BRANCFORTE
 SANTA CRUZ, CA 95062
 PHONE: 831-425-0544
 FAX: 831-425-4795
 EMAIL: matsonbr@matsonbr.com
 CONTACT: DENISE FORBES

CIVIL ENGINEERS (GRADING):
 RICHARD IRISH ENGINEERING
 305 PORTERO ST. SUITE 42-202
 SANTA CRUZ, CA 95060
 831-425-3101 F 831-425-19270
 EMAIL: richard@richardirish.com
 CONTACT: RICHARD IRISH

SURVEYOR:
 GARY IRLAND & ASSOCIATES
 305 PORTERO, STE 43-108
 SANTA CRUZ, CA 95060
 PHONE: 831-426-7441
 831-426-8286
 EMAIL: gary@irlandirish.com
 CONTACT: KEVIN SMITH

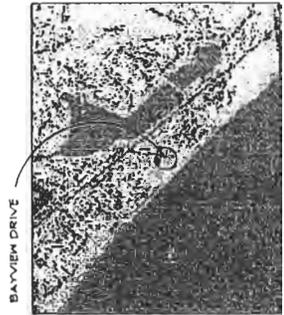
GEOLOGY:
 ZINN GEOLOGY
 5085 CARRIKER LANE
 SAN JOSE, CA 95128
 PHONE: 415-476-8443
 EMAIL: zinn@zinngeo.com
 CONTACT: ERIC ZINN

SOIL ENGINEERS:
 PACIFIC CREST ENGINEERING
 444 AIRPORT BLVD. STE 106
 MATSONVILLE, CA 95076
 PHONE: 831-426-4646
 FAX: 831-426-1855
 EMAIL: elizabeth@pceengineering.net
 CONTACT: ELIZABETH MITCHELL

FRANK RESIDENCE
 NEW HOUSE
 BAYVIEW DRIVE - LOT 2
 APTOS, CA 95003

SHEET INDEX

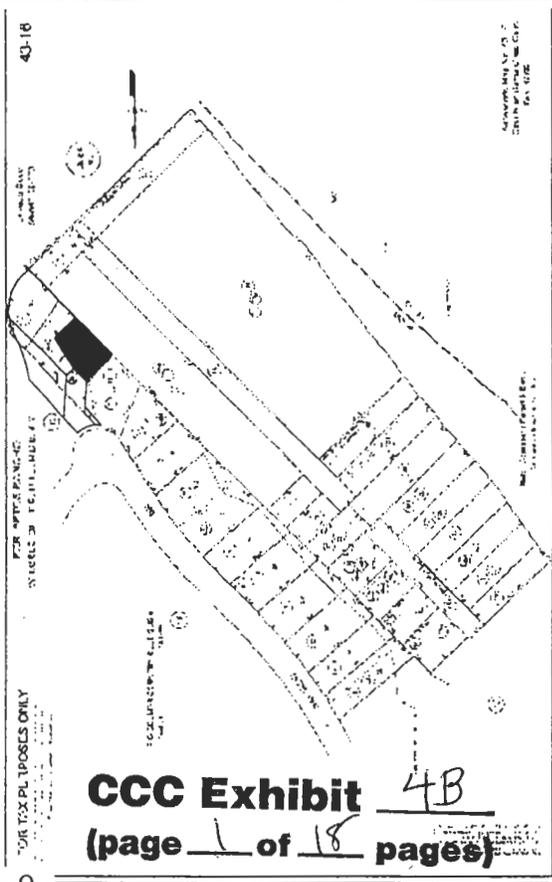
- PI TITLE SHEET
- PO SITE PLAN - ALL LOTS
- P1 SITE PLAN - LOTS 1-10
- P2 MAIN FLOOR PLAN
- P3 LOWER FLOOR PLAN
- P4 ROOF PLAN
- P5 SOUTH & WEST ELEVATIONS
- P6 NORTH & EAST ELEVATIONS
- C1 GRADINGS & DRAINAGE PLAN
- C2 PROFILES
- C3 SECTIONS & DETAILS
- C4 EROSION CONTROL PLAN
- C5 SURVEY



VICINITY MAP



SECTION @ HIGH P.T.
 SCALE: N.T.S. (SEE SHEET P4 FOR FULL SCALE)



CCC Exhibit 4B
 (page 1 of 18 pages)

A.P.N. MAP
 EXISTING & NEW PARCEL LAYOUTS



DATE: 11/11/11
 DRAWN BY: [illegible]
 CHECKED BY: [illegible]
 PROJECT NO: [illegible]

FRANK RESIDENCE
 1875 BAYVIEW DRIVE
 BAYVIEW, CA 94025
 P.N. 043-161-04 40 1 30

SITE PLAN
 LOTS 1, 2 & 3

NO. 11/11/11
 DELAND
 FRANK
 BAYVIEW

PO

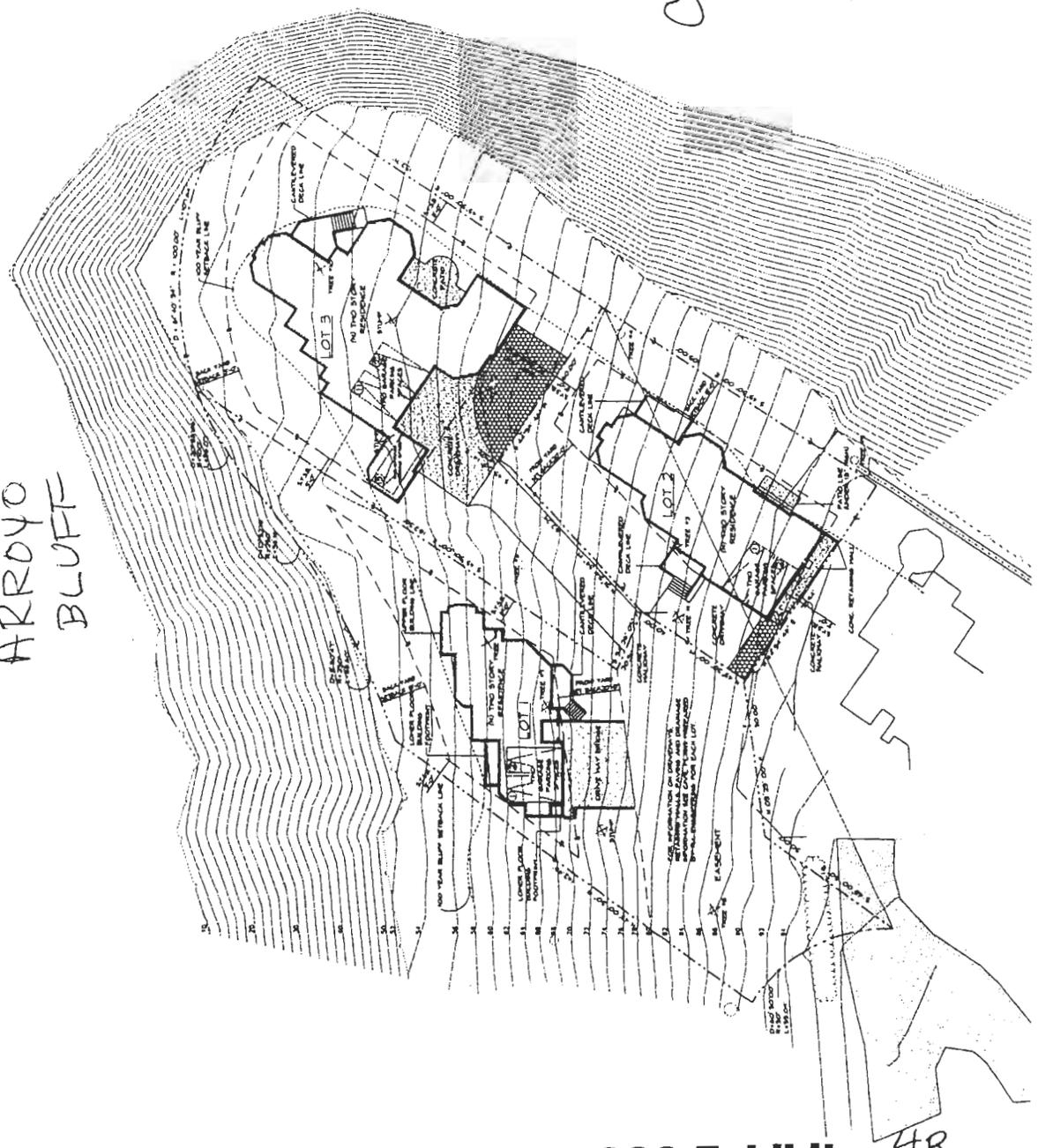
SITE LEGEND

- TC --- PROPERTY LINE
- SB --- SETBACK LINE
- (/ / / /) BUILDING FOOTPRINT
- (/ / / /) CONCRETE DRIVEWAY OR WALKWAY
- (/ / / /) SAND PAVERS
- (X) EXISTING TREE TO BE REMOVED SEE ARBORIST'S REPORTS DATED JULY 11, 2007 FOR 100' YEAR SETBACK LINE
- (X) TREE TO BE PLANTED SEE ARBORIST'S REPORTS DATED JULY 11, 2007 FOR 100' YEAR SETBACK LINE
- (/ / / /) IN RESIDENCE

NOTES:
 THE PLAN IS PREPARED WITH INFORMATION PROVIDED BY THE SURVEY PREPARED BY GARY AND ASSOC. SEE ORIGINAL SURVEY LOCATED IN THE LAST SHEET OF THIS SET.

COASTAL BLUFF

ARROYO BLUFF



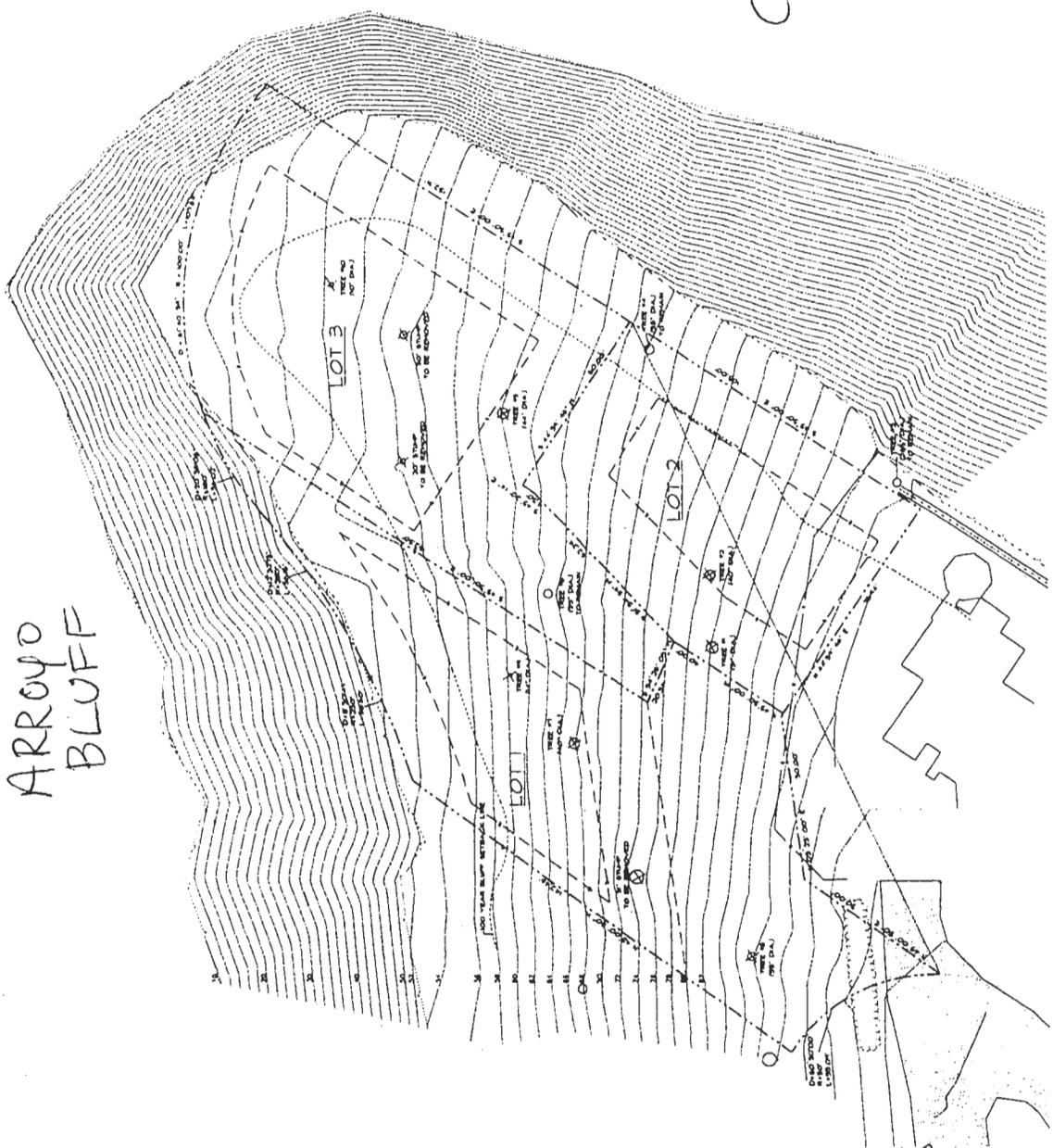
CCC Exhibit 4B
 (page 2 of 18 pages)

SITE PLAN
 SCALE: 1" = 16'

SITE LEGEND

- PROPERTY LINE
- - - SETBACK LINE
- ⊗ EXISTING TREE TO BE REMOVED SEE ARBORIST'S REPORTS DATED JULY 11, 2007 FOR MORE INFORMATION TREE NUMBERS INDICATED REFERENCE THOSE REPORTS

NOTES
 THE PLAN IS PREPARED WITH INFORMATION PROVIDED BY THE SURVEYOR AND IS ASSUMED TO BE ACCURATE. ANY DISCREPANCIES LOCATED AS THE LAST SHEET OF THIS SET.



COASTAL BLUFF

ARROYO BLUFF



CCC Exhibit 4B
 (page 3 of 18 pages)

TREE LOCATION PLAN
 SCALE: 1" = 16'



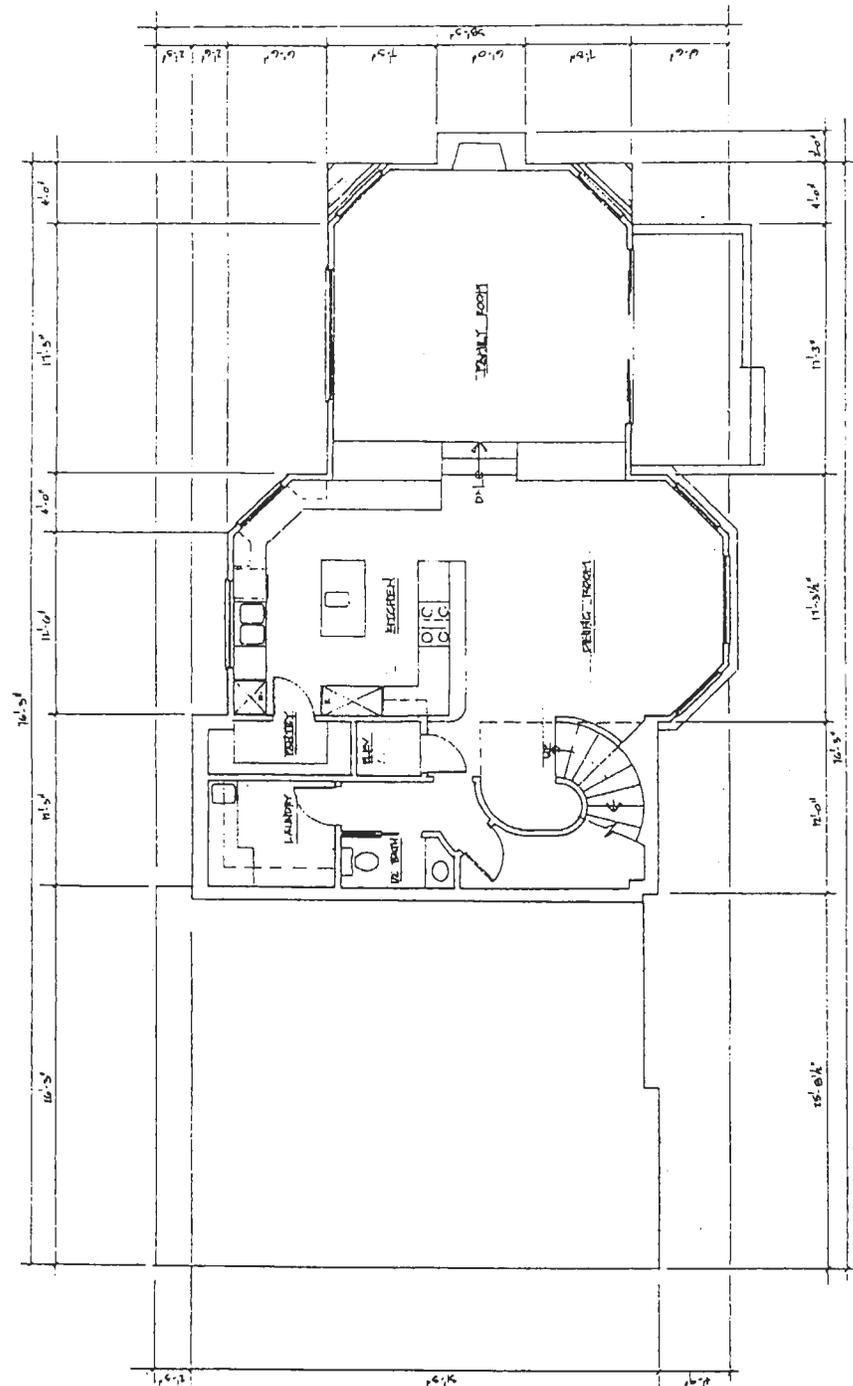
THE ARCHITECT'S RESPONSIBILITY IS TO DESIGN AND CONSTRUCT A BUILDING THAT MEETS THE CLIENT'S NEEDS AND IS SAFE, SOUND AND BEAUTIFUL.
 THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR FOR THE CONSTRUCTION OF THE BUILDING.
 THE ARCHITECT'S SERVICES ARE LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND DO NOT INCLUDE THE OBTAINING OF PERMITS OR THE INSPECTION OF THE CONSTRUCTION.
 THE ARCHITECT'S FEE IS \$10,000.00.
 THE ARCHITECT'S OFFICE IS LOCATED AT 1234 MAIN STREET, SUITE 500, SAN FRANCISCO, CA 94102.
 THE ARCHITECT'S PHONE NUMBER IS (415) 555-1234.
 THE ARCHITECT'S FAX NUMBER IS (415) 555-5678.
 THE ARCHITECT'S E-MAIL ADDRESS IS ARCH@MAYSONARCH.COM.
 THE ARCHITECT'S WEBSITE IS WWW.MAYSONARCH.COM.

FRANK RESIDENCE
 34700 CALIFORNIA AVENUE
 SAN FRANCISCO, CA 94134
 APRIL 2018

LOWER LEVEL FLOOR PLAN

00 01 02
 DATE
 04/18/18

P3

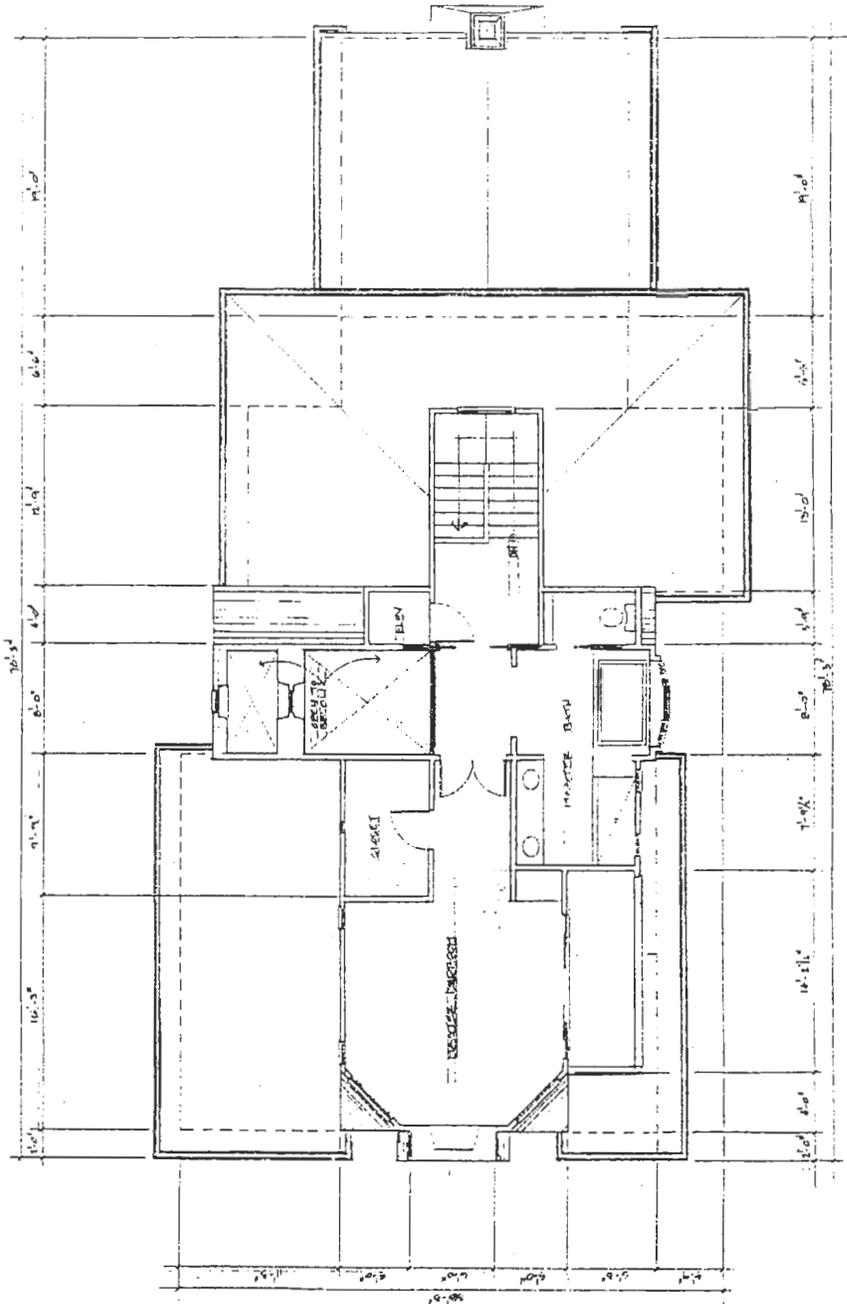


LOWER LEVEL PLAN
 SECTION 1-1

CCC Exhibit 4B
 (page 5 of 18 pages)

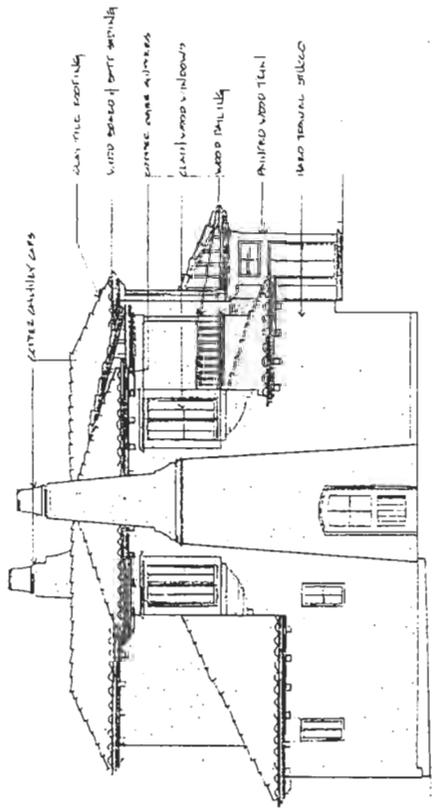


1/8" = 1'-0"
 1/4" = 3'-0"
 1/2" = 6'-0"
 3/4" = 9'-0"
 1" = 12'-0"
 1 1/4" = 15'-0"
 1 1/2" = 18'-0"
 2" = 24'-0"
 2 1/2" = 30'-0"
 3" = 36'-0"
 3 1/2" = 42'-0"
 4" = 48'-0"
 4 1/2" = 54'-0"
 5" = 60'-0"
 5 1/2" = 66'-0"
 6" = 72'-0"
 6 1/2" = 78'-0"
 7" = 84'-0"
 7 1/2" = 90'-0"
 8" = 96'-0"
 8 1/2" = 102'-0"
 9" = 108'-0"
 9 1/2" = 114'-0"
 10" = 120'-0"
 10 1/2" = 126'-0"
 11" = 132'-0"
 11 1/2" = 138'-0"
 12" = 144'-0"
 12 1/2" = 150'-0"
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 13 1/2" = 162'-0"
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 14 1/2" = 174'-0"
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 25 1/2" = 306'-0"
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 194 1/2" = 2334'-0"
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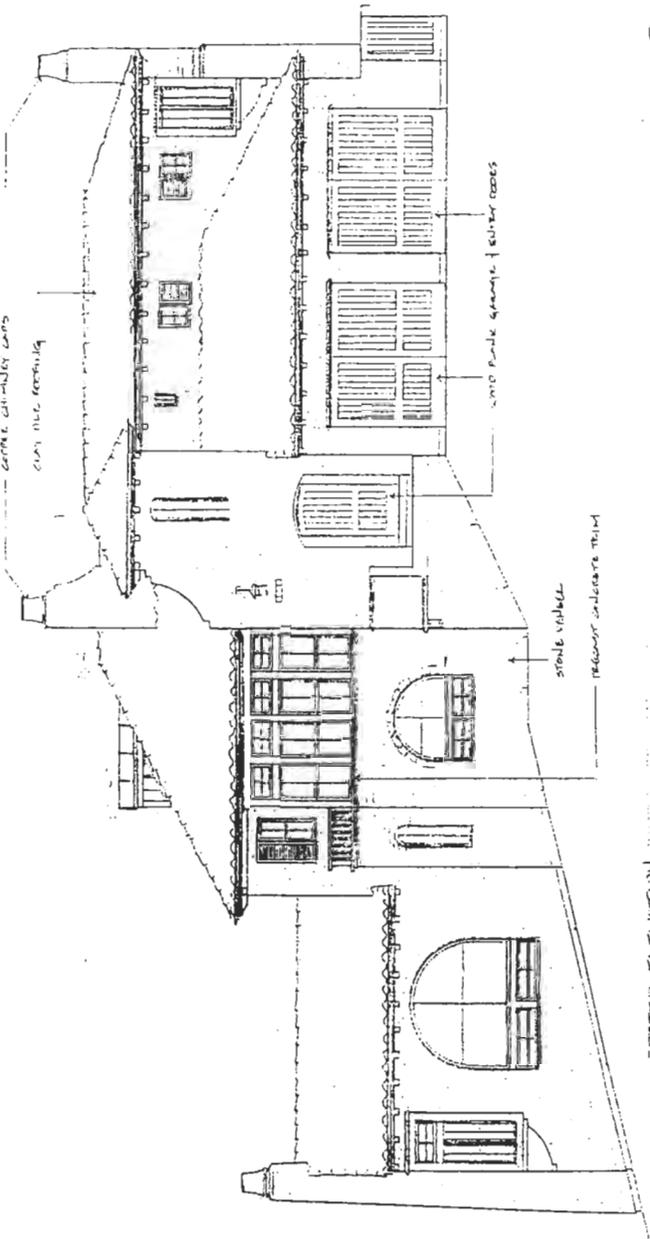


UPPER LEVEL PLAN
 SCALE: 1/8" = 1'-0"

CCC Exhibit 4B
 (page 7 of 18 pages)

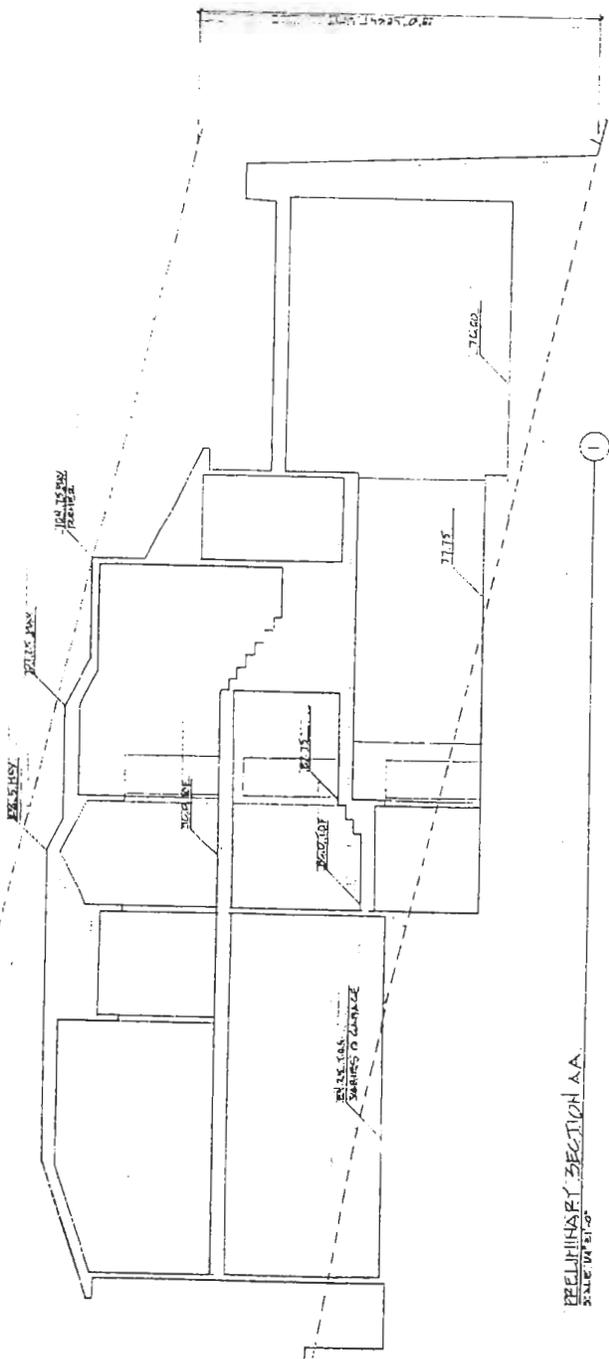


WEST ELEVATION
 SCALE: 1/8" = 1'-0"



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

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PRELIMINARY SECTION A-A
 SCALE: 1/8" = 1'-0"

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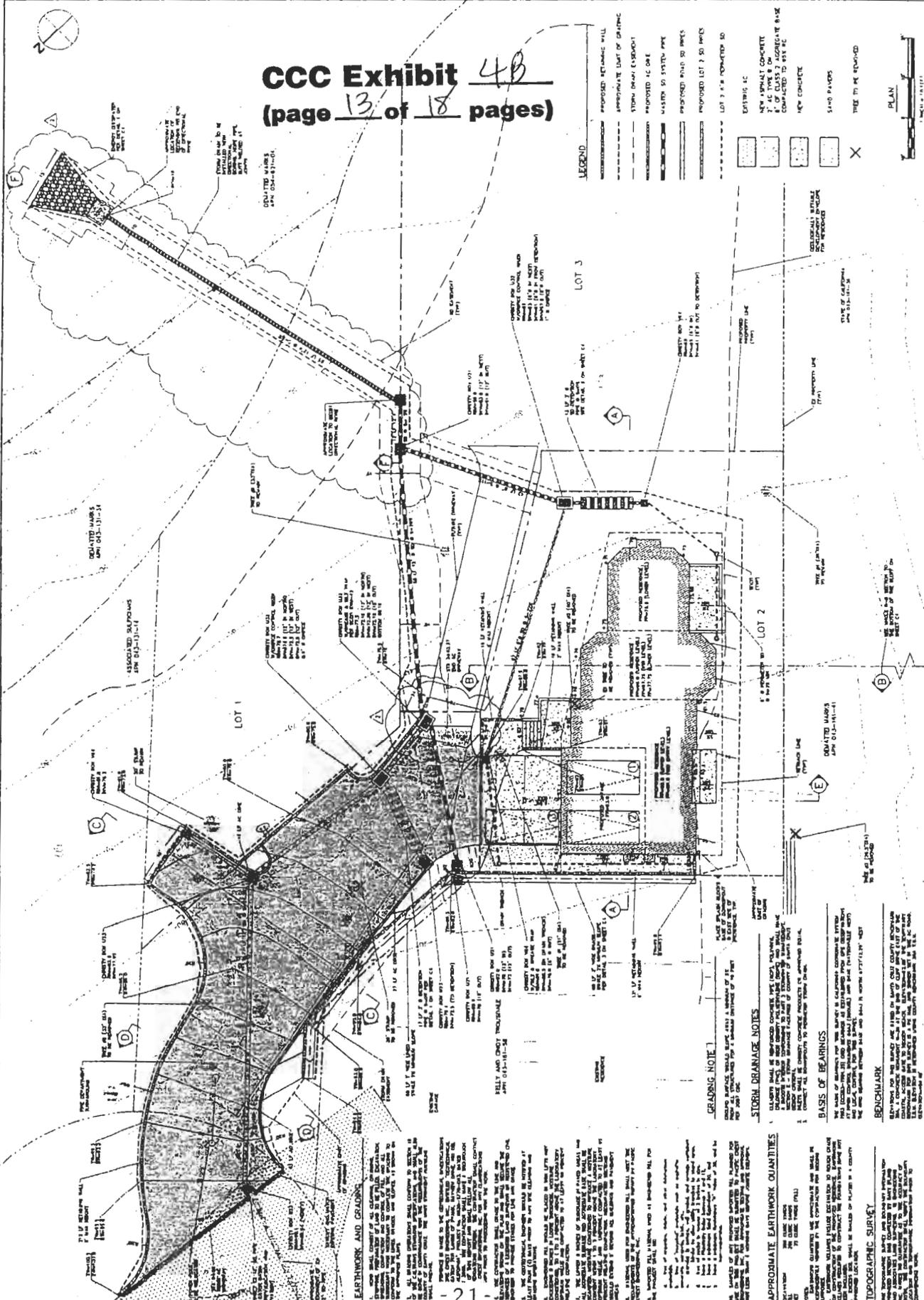


RL Engineering, Inc.
 303 PATERA ST., SUITE 42-202, SAN DIEGO, CA 92108
 619-455-3901 www.rleng.com

GRADING AND DRAINAGE PLAN
 PROPOSED SINGLE-FAMILY RESIDENCE LOT 2
 04-07-11
 DATE: MAY 2007
 DRAWN BY: J. SHIMON
 CHECKED BY: J. SHIMON
 SCALE: AS SHOWN

APPROVED FOR COUNTY OF SAN DIEGO COUNTY COMMENTS: APPROVED 2007
 APPROVED FOR COUNTY OF SAN DIEGO COUNTY COMMENTS: APPROVED 2007

CCC Exhibit 4B
(page 13 of 18 pages)



LEGEND

- EXISTING 1% SLOPE
- NEW ASPHALT CONCRETE
- NEW CONCRETE
- 3" SAND FILLWORK
- 3" FINE TO MEDIUM SAND
- COLLECTOR DRAINAGE
- PROPOSED DRAINAGE

STORM DRAINAGE NOTES

1. ALL STORM DRAINAGE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE S.D.G.E.D. STORM DRAINAGE MANUAL.

GRADING NOTE 1

1. ALL GRADING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE S.D.G.E.D. GRADING MANUAL.

STORM DRAINAGE NOTES

1. ALL STORM DRAINAGE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE S.D.G.E.D. STORM DRAINAGE MANUAL.

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DATE: MAY 2007
 SCALE: AS SHOWN
 SHEET NO.: 101
 PROJECT: PROFILES

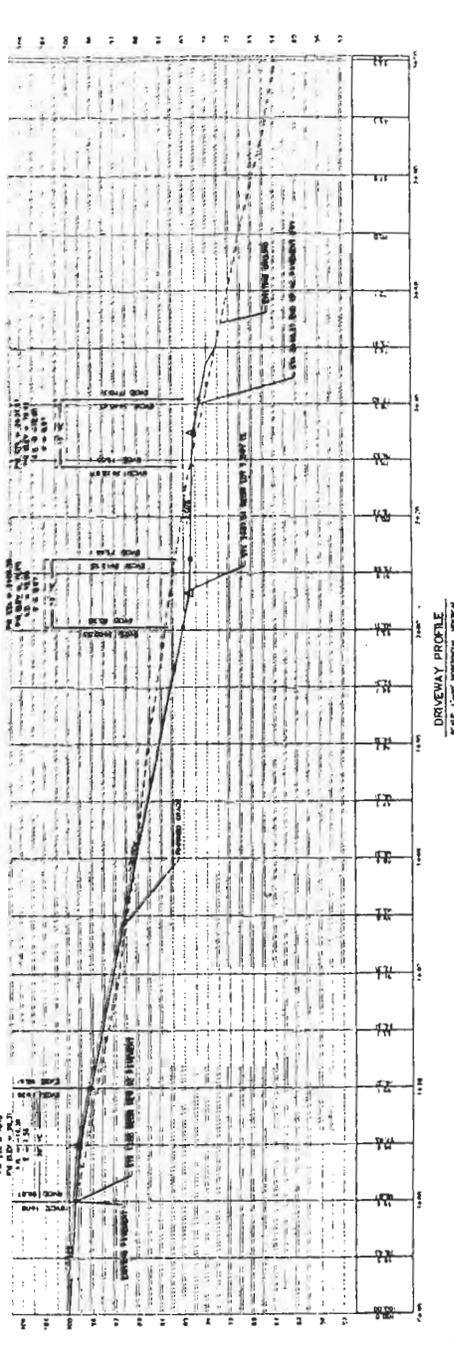
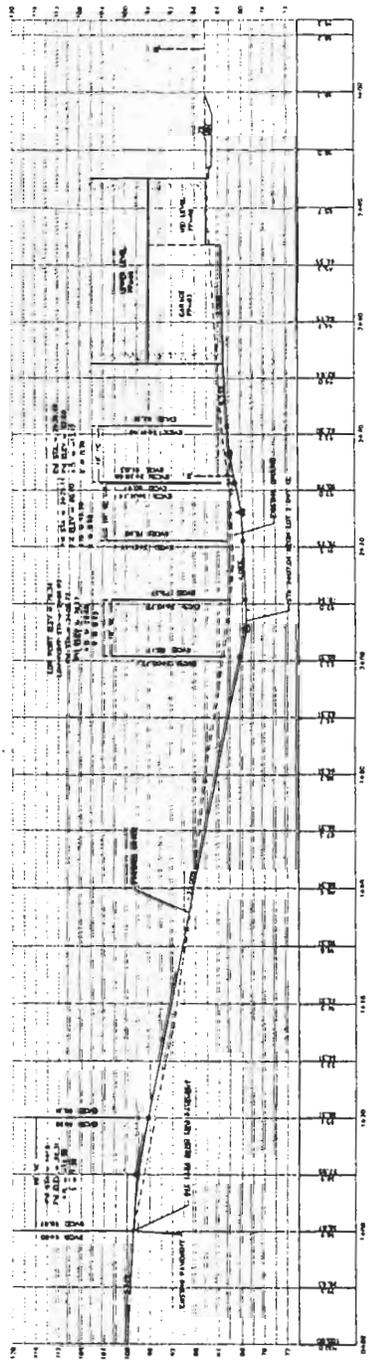
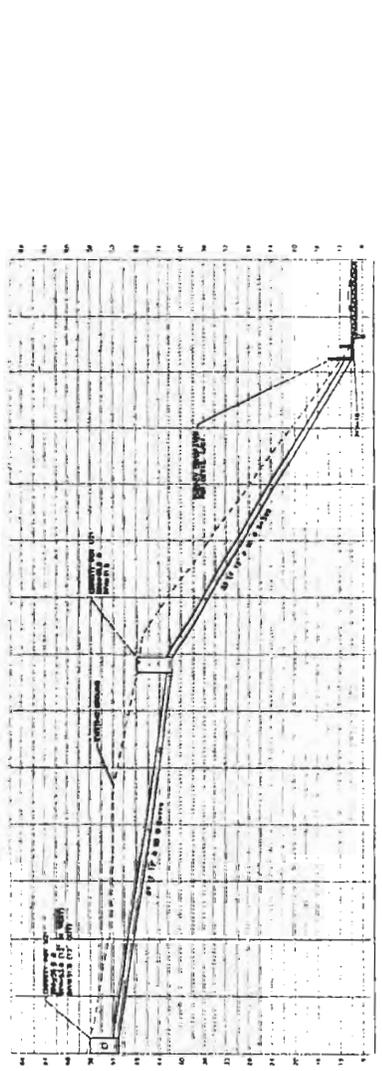
PROFILES
 R1 ENGINEERING, INC.
 303 PORTER ST., SUITE 42-202, SANTA CRUZ, CA 95060
 831-425-3901 www.r1engineering.com



APPROVED FOR CONSTRUCTION BY THE COUNTY OF SANTA CRUZ, CALIFORNIA, UNDER CHAPTER 2100

GENERAL NOTES

1. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND CONDITIONS SHOWN ON THIS PLAN AND PROFILE. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.
2. THE CONTRACTOR SHALL MAINTAIN THE EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE NOTED.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
6. THE CONTRACTOR SHALL MAINTAIN THE PROPOSED DRIVEWAY PROFILE THROUGHOUT THE CONSTRUCTION PERIOD.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
8. THE CONTRACTOR SHALL MAINTAIN THE PROPOSED DRIVEWAY PROFILE THROUGHOUT THE CONSTRUCTION PERIOD.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
10. THE CONTRACTOR SHALL MAINTAIN THE PROPOSED DRIVEWAY PROFILE THROUGHOUT THE CONSTRUCTION PERIOD.



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C4

DATE: 05/07
 DRAWN BY: J. HANSEN
 CHECKED BY: J. HANSEN
 PROJECT: 10121200

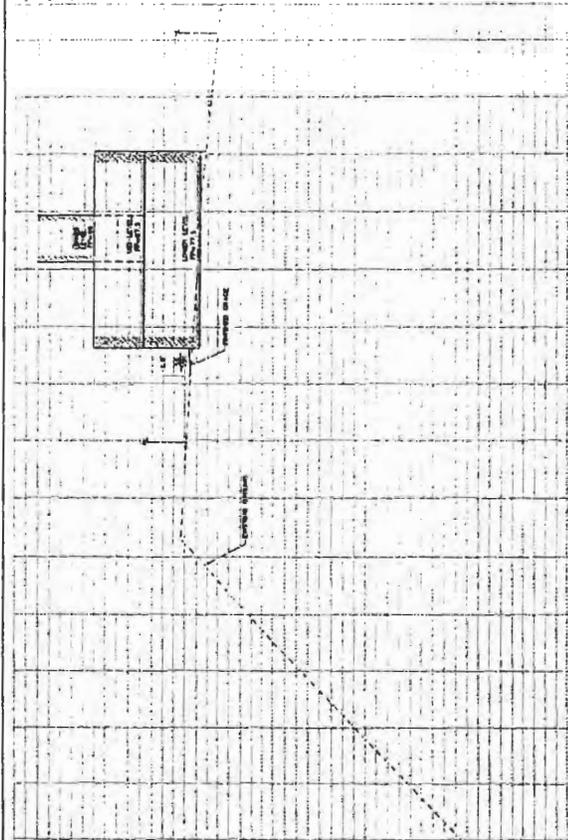
SECTIONS AND DETAILS

PROPOSED SINGLE-FAMILY RESIDENCE LOT 2
 400 PLYWOOD ST., SUITE 42-202, SANTA CRUZ, CA 95060
 931-425-3901 www.r1engineering.com

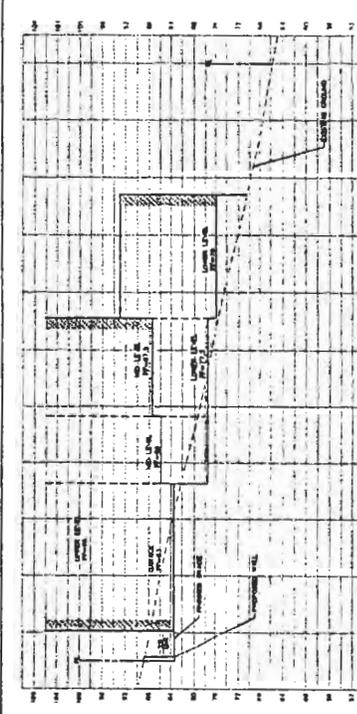
R1 Engineering, Inc.



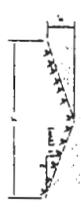
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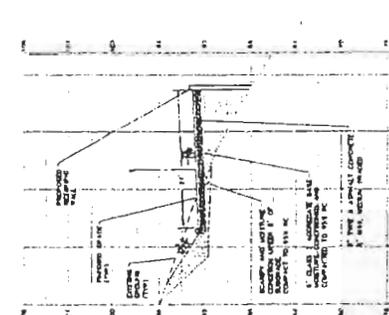
CCC Exhibit 4B
 (page 16 of 18 pages)



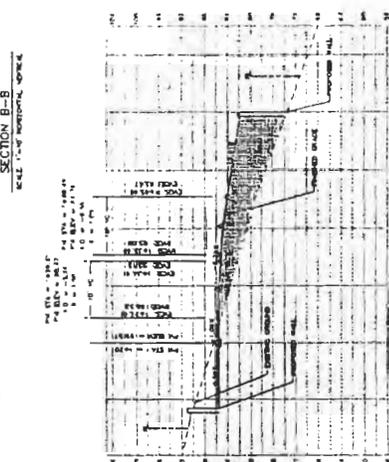
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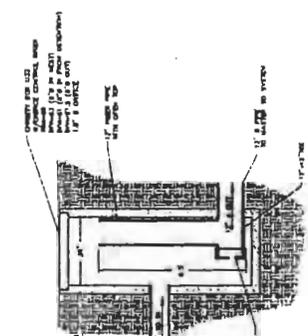
GRASS LINED SWALE DETAIL



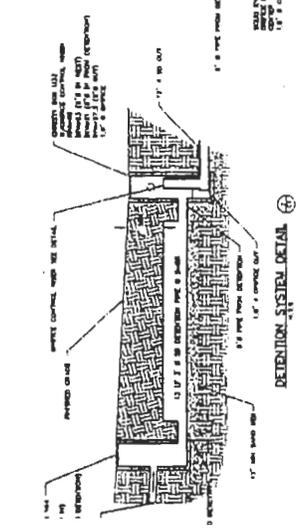
SECTION B-B
 SCALE: 1/4" = 1'-0" NOMINAL WORK



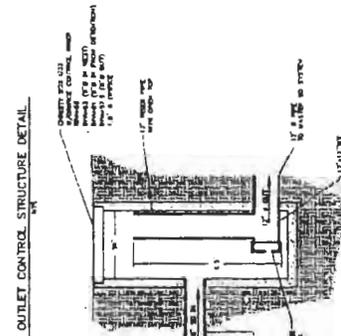
SECTION C-C
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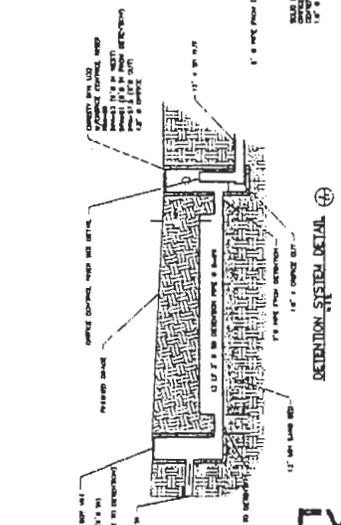
OUTLET CONTROL STRUCTURE DETAIL



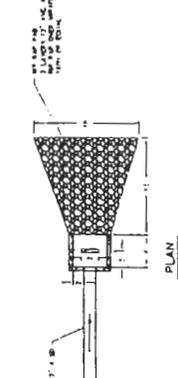
DETERENTION SYSTEM DETAIL



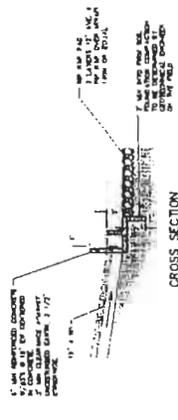
OUTLET CONTROL STRUCTURE DETAIL



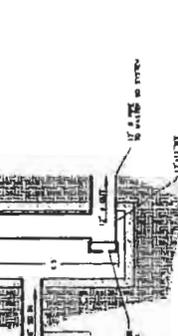
DETERENTION SYSTEM DETAIL



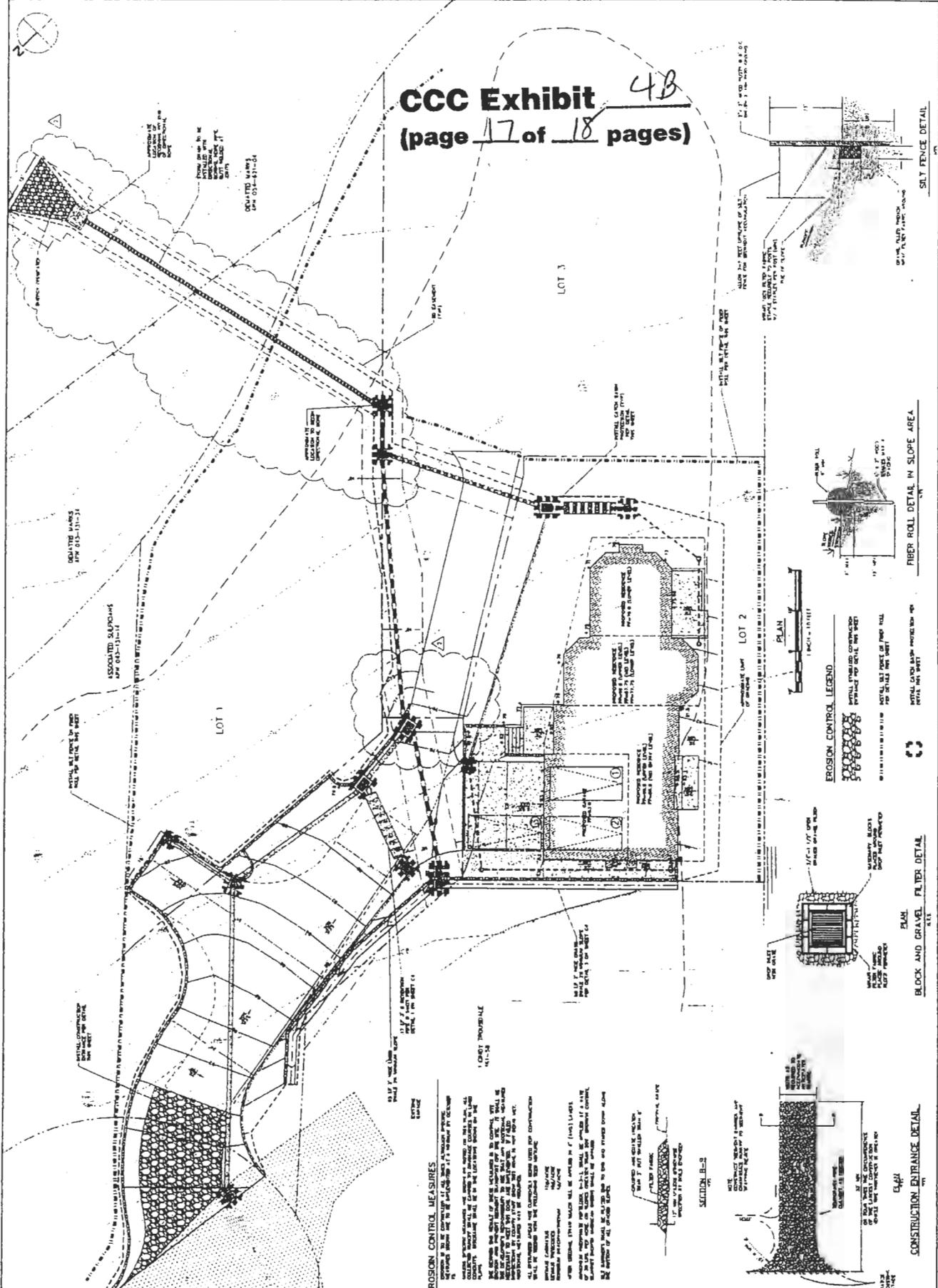
ENERGY DISSIPATER DETAIL



ENERGY DISSIPATER DETAIL



ENERGY DISSIPATER DETAIL



CCC Exhibit 4B
 (page 17 of 18 pages)

- EROSION CONTROL MEASURES**
1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 2. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 3. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 5. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 6. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 7. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

EROSION CONTROL LEGEND

- 1. SILT FENCE DETAIL
- 2. FIBER ROLL DETAIL IN SLOPE AREA
- 3. BLOCK AND GRAVEL FILTER DETAIL
- 4. CONSTRUCTION ENTRANCE DETAIL

SECTION B-B

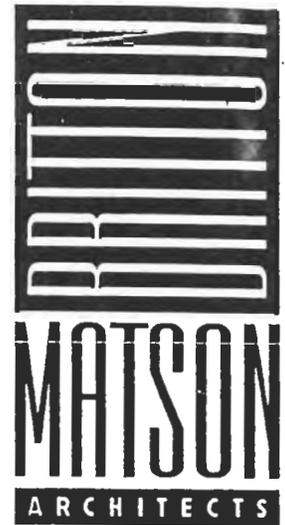
PLAN

SCALE: 1" = 10'-0"

FRANK - BAYVIEW RESIDENCE

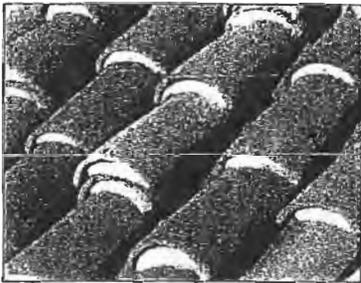
BAYVIEW DRIVE LOT "2"
 APTOS, CA 95003
 A.P.N.: 043 - 161 - 40

COLOR & MATERIALS



728 N BRANCIFFORTE
 SANTA CRUZ
 CA 95062
 831.425.0544

ROOF TO BE DELEO CLAY ROOF TILES, ENCANTO COLOR BLEND



WOOD TRIM & SIDING TO MATCH WINDOW & DOOR TRIM



CLAD / WOOD WINDOW & DOOR & TRIM COLOR TO BE CHESTNUT BRONZE



CCC Exhibit 48
 (page 18 of 18 pages)



STONE VENEER TO BE EL DORADO STONE, "SEQUOIA RUSTIC LEDGE".

CAST MOULD CONCRETE TRIM, SMOOTH FINISH



WALLS TO BE 3 COAT HARD TROWEL STUCCO W/ CUSTOM COLOR TO MATCH #KM4064-5 WARRIOR KING



SITE LEGEND

	PROPERTY LINE
	SETBACK LINE
	(N) BUILDING FOOTPRINT
	(N) CONCRETE DRIVEWAY OR PAVEMENT
	(N) SAND PAVERS
	EXISTING TREE TO BE REMOVED SEE ARBORIST'S REPORTS DATED JULY 11, 2013 FOR TREE REMOVAL INFORMATION TREE NUMBERS INDICATED IN THESE REPORTS
	(N) RESIDENCE

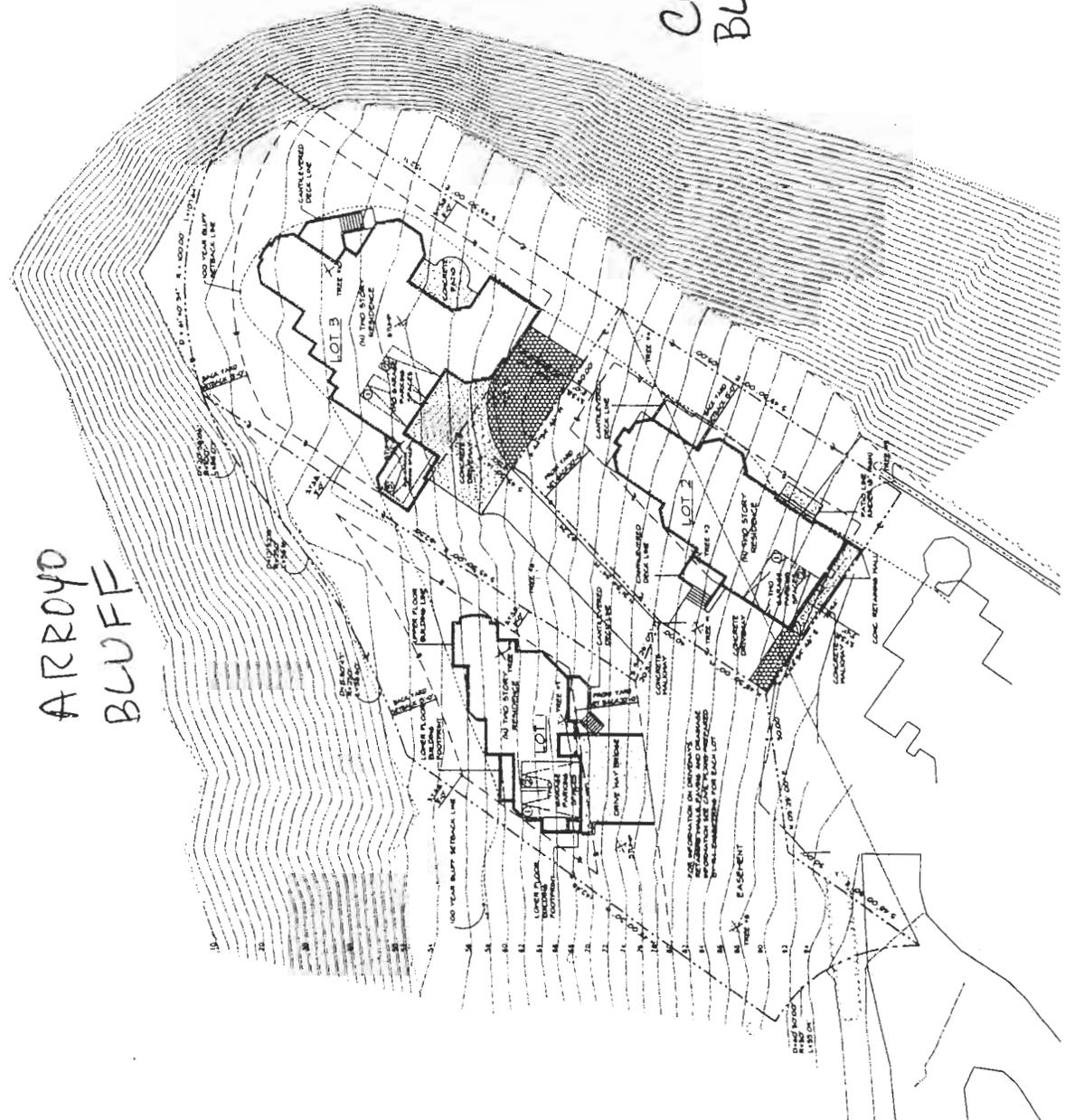
NOTES:
 THE PLAN IS PREPARED WITH INFORMATION PROVIDED BY THE SURVEY PREPARED BY A LICENSED SURVEYOR. THE SURVEY IS LOCATED AS THE LAST SHEET OF THIS SET.

FRANK RESIDENCE
 2400 W. 12th St
 APTOS, CA 95008
 A.P.N. 043-161-071, 401 & 20

SITE PLAN
 LOTS 1, 2 & 3

10/24/07
 PREPARED BY
 FRANK RESIDENCE

PO



CCC Exhibit 40
 (page 2 of 17 pages)

SITE PLAN
 SCALE: 1" = 16'



SITE LEGEND

---	PROPERTY LINE
---	SETBACK LINE
⊗	EXISTING TREE TO BE REMOVED (SEE REPORT'S FOR DATE AND MORE INFORMATION TREE TO BE REMOVED)
⊗	TREE

NOTES:
 THIS PLAN IS PREPARED WITH INFORMATION PROVIDED BY THE SURVEY PREPARED BY GARY PLAND & ASSOC. SEE ORIGINAL SURVEY LOCATED AS THE LAST SHEET OF THIS SET

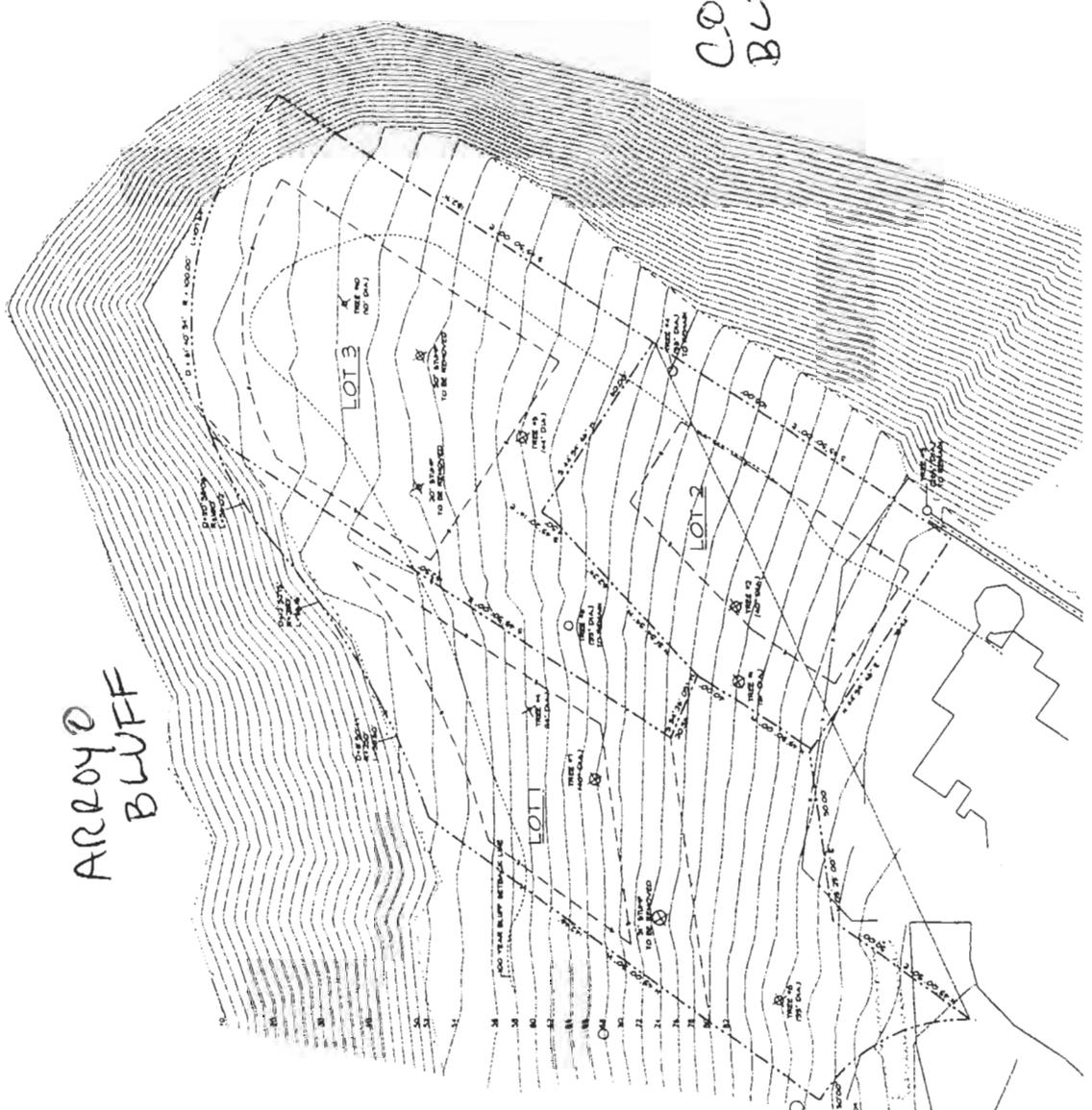
DATE: 06/21/2018

FRANK RESIDENCE
 BAYVIEW DRIVE
 ARTOS, CA 94028
 A.P.N. 043-16-29-40 & 50

TREE LOCATION PLAN
 LOTS 1, 2 & 3

6/21/18
 GARY PLAND & ASSOC.
 1000 TREE BLVD. SUITE 100
 SAN FRANCISCO, CA 94116
 TEL: 415.774.1111
 WWW.GARYPLAND.COM

POA



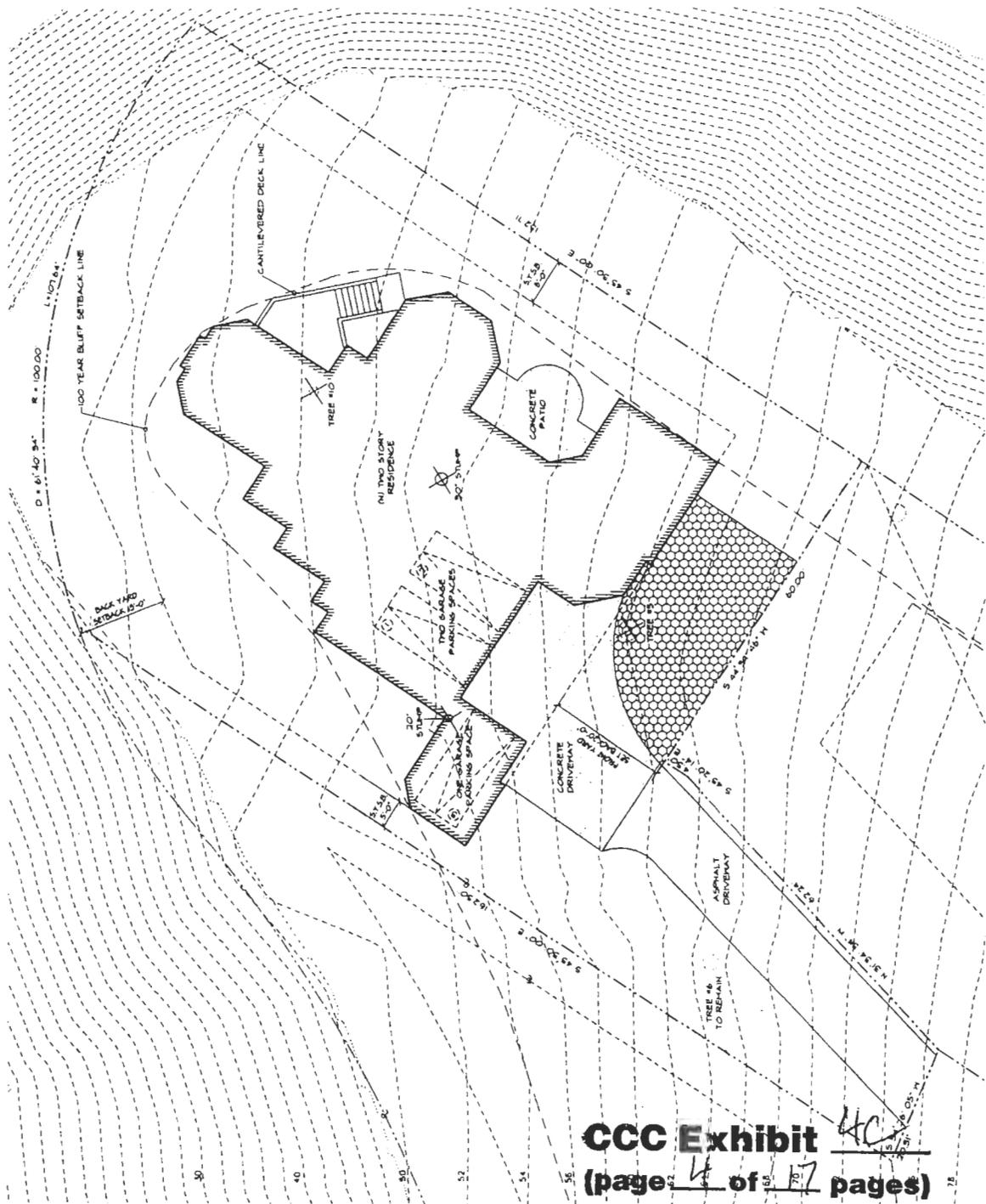
CCC Exhibit 40
 (page 3 of 17 pages)

TREE LOCATION PLAN
 SCALE: 1" = 16'

SITE LEGEND

	PROPERTY LINE
	SETBACK LINE
	(N) BUILDING FOOTPRINT
	(N) CONCRETE DRIVEWAY OR WALKWAY
	(N) SAND PAVERS
	TREE
	(N) RESIDENCE

NOTES
 THE PLAN IS PREPARED WITH INFORMATION PROVIDED BY THE SURVEY PREPARED BY THE SURVEYOR. THE SURVEYOR HAS LOCATED AS THE LAST SHEET OF THIS SET



GROSS LOT AREA: 13602 SQ. FT.
 NET LOT AREA: 12148 SQ. FT.

CCC Exhibit *40*
 (page *4* of *17* pages)

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

EXHIBIT A

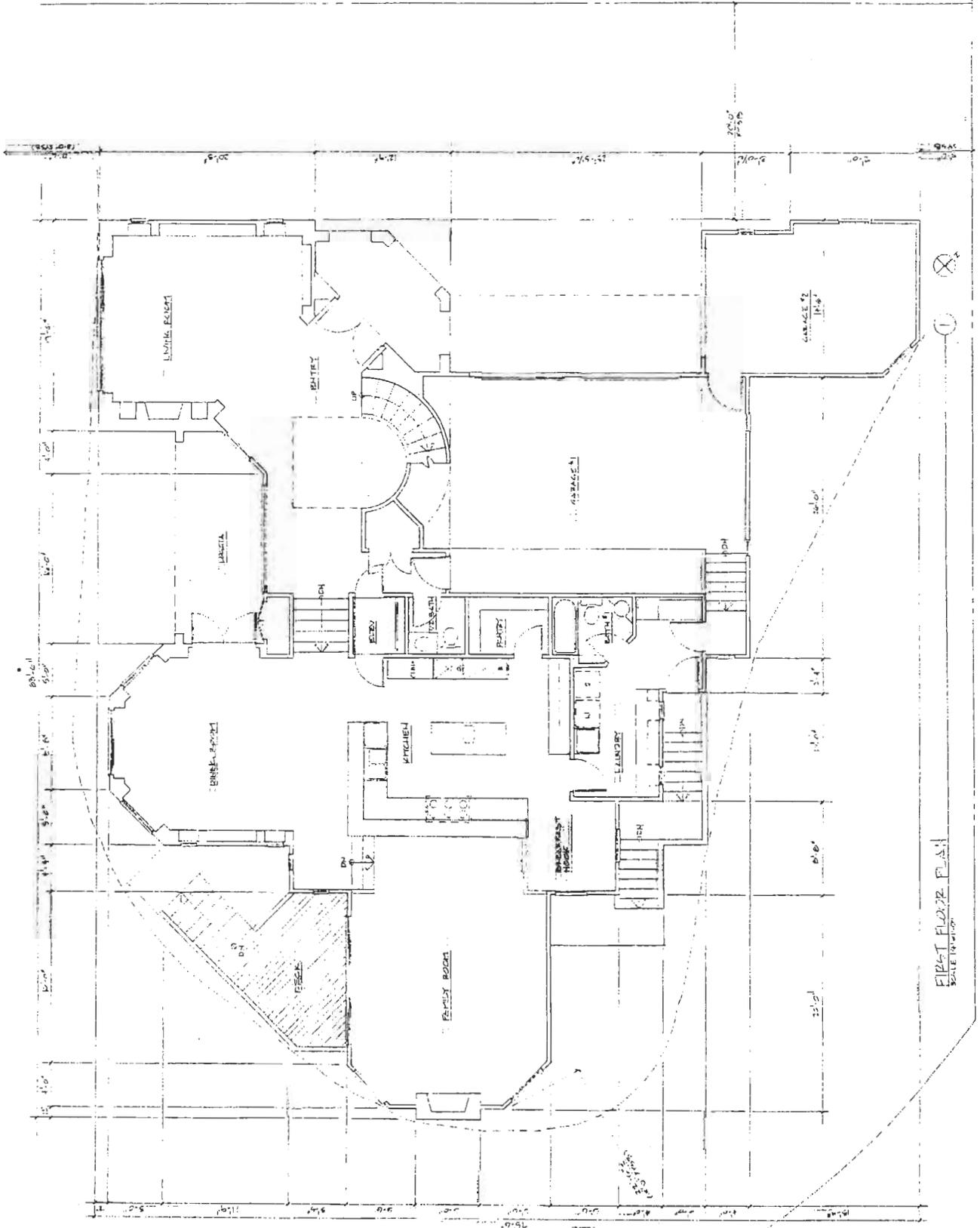


1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
 5. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL NEIGHBORHOODS AND THE ENVIRONMENT.
 7. THE CONTRACTOR SHALL MAINTAIN THE SITE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
 9. THE CONTRACTOR SHALL MAINTAIN THE SITE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL NEIGHBORHOODS AND THE ENVIRONMENT.

FRANK RESIDENCE
 14715 N. AVENUE
 APT. 1000
 APT. 1000
 APT. 1000

FIRST FLOOR PLAN
 1/2" = 1'-0"

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
 5. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL NEIGHBORHOODS AND THE ENVIRONMENT.
 7. THE CONTRACTOR SHALL MAINTAIN THE SITE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
 9. THE CONTRACTOR SHALL MAINTAIN THE SITE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL NEIGHBORHOODS AND THE ENVIRONMENT.



CCC Exhibit 4C
 (page 5 of 17 pages)



THE PROJECT IS SUBJECT TO THE CITY OF SAN FRANCISCO'S PLANNING DEPARTMENT'S REVIEW AND APPROVAL. THE CITY OF SAN FRANCISCO'S PLANNING DEPARTMENT'S REVIEW AND APPROVAL IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE CITY OF SAN FRANCISCO'S PLANNING DEPARTMENT'S REVIEW AND APPROVAL IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.

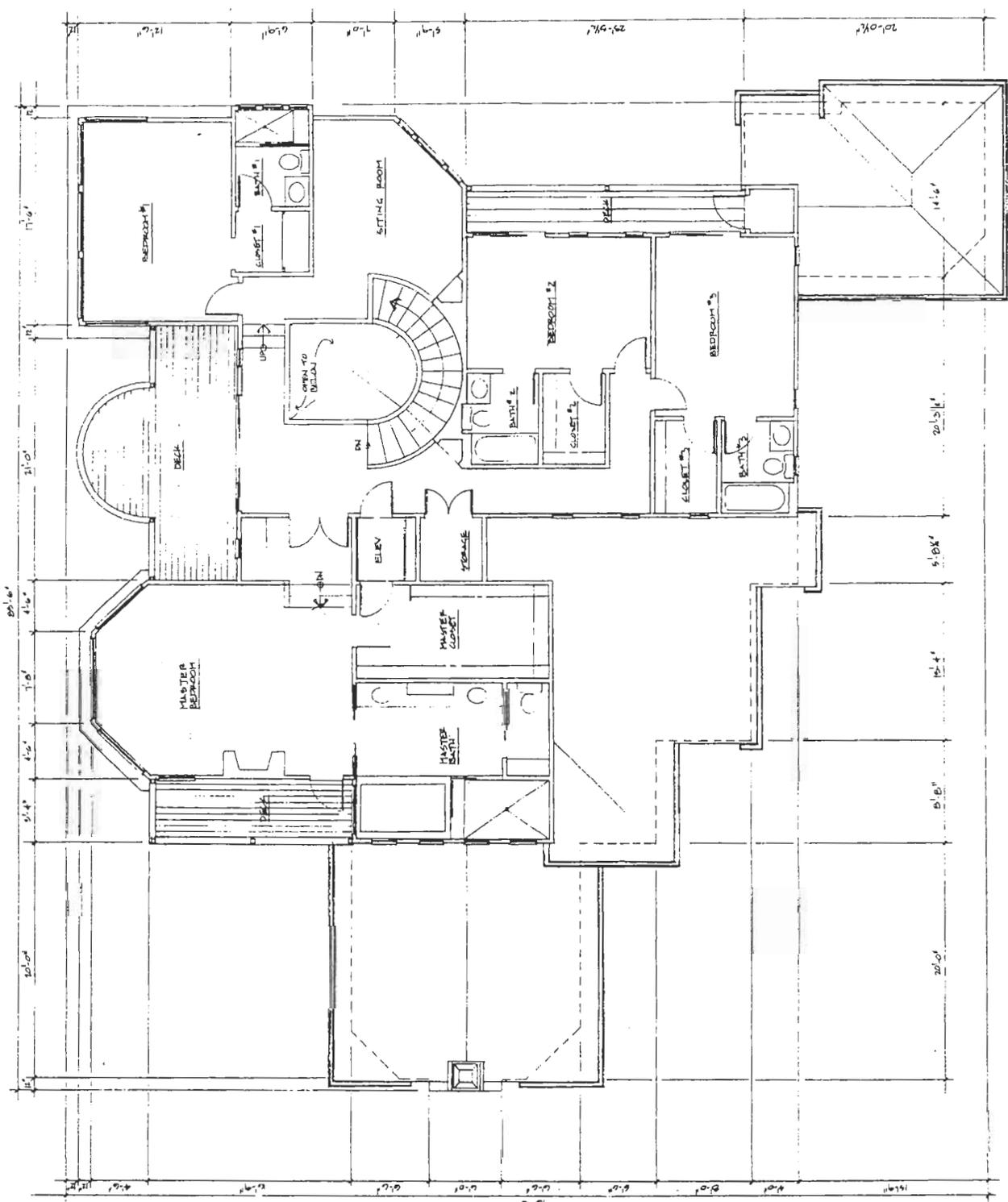


FRANK RESIDENCE
 1701 CALIFORNIA STREET
 SAN FRANCISCO, CA 94109
 415.774.1111

• SECOND FLOOR PLAN

Sheet No. 200
 11/10/00

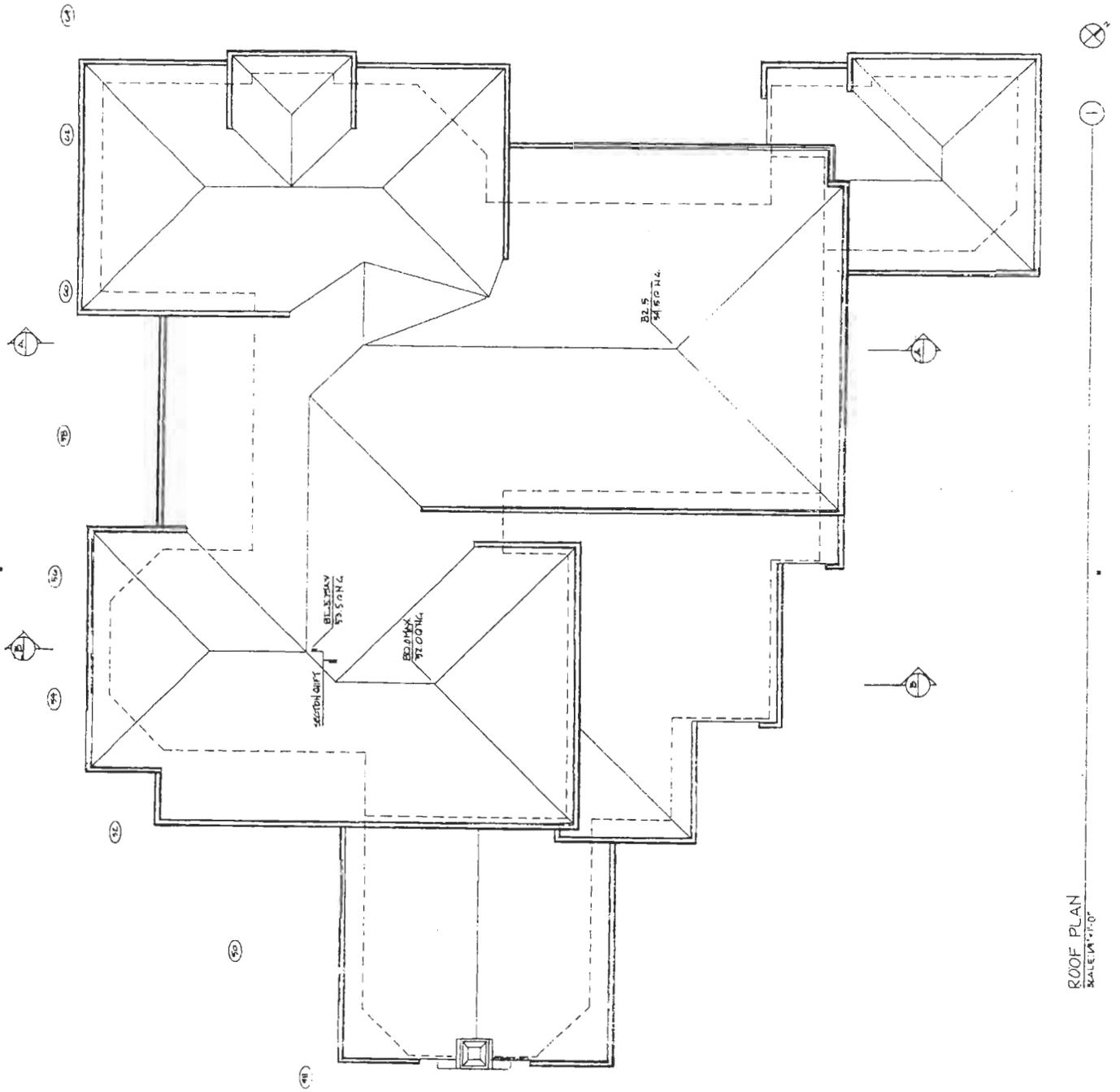
P4



① ⊗

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

CCC Exhibit 4C
 (page 6 of 17 pages)



CCC Exhibit 4C
 (page 7 of 17 pages)

ROOF PLAN
 SCALE 1/4" = 1'-0"



WATSON
CONSTRUCTION

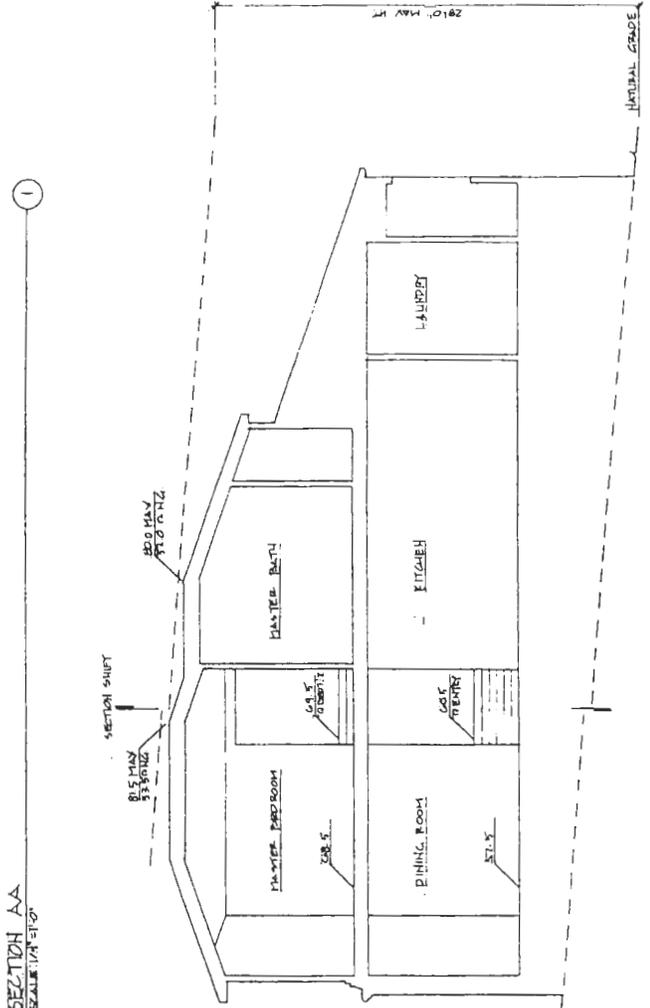
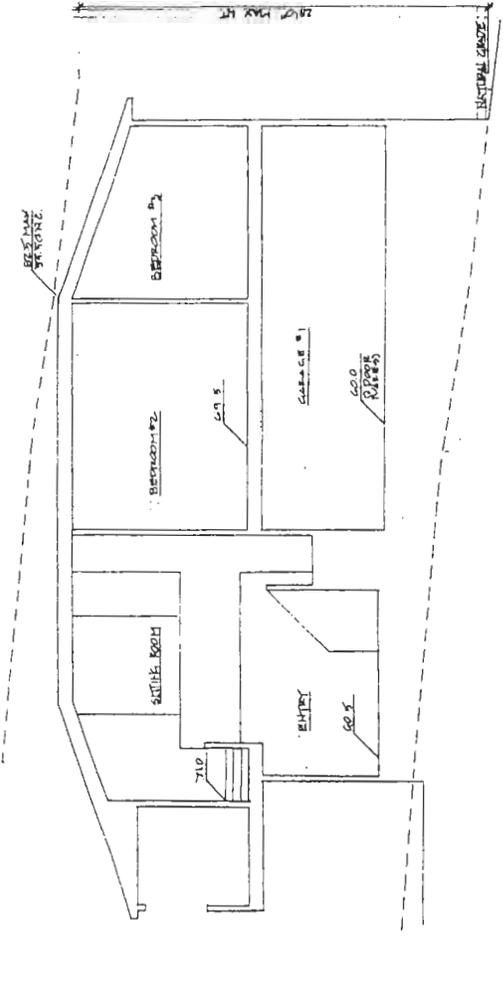
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORK SITE AT ALL TIMES.

FRANK RES'DENCE
101 N. BAYVIEW
MAYBLEN DRIVE LOT 9
MAYBLEN CA 94068

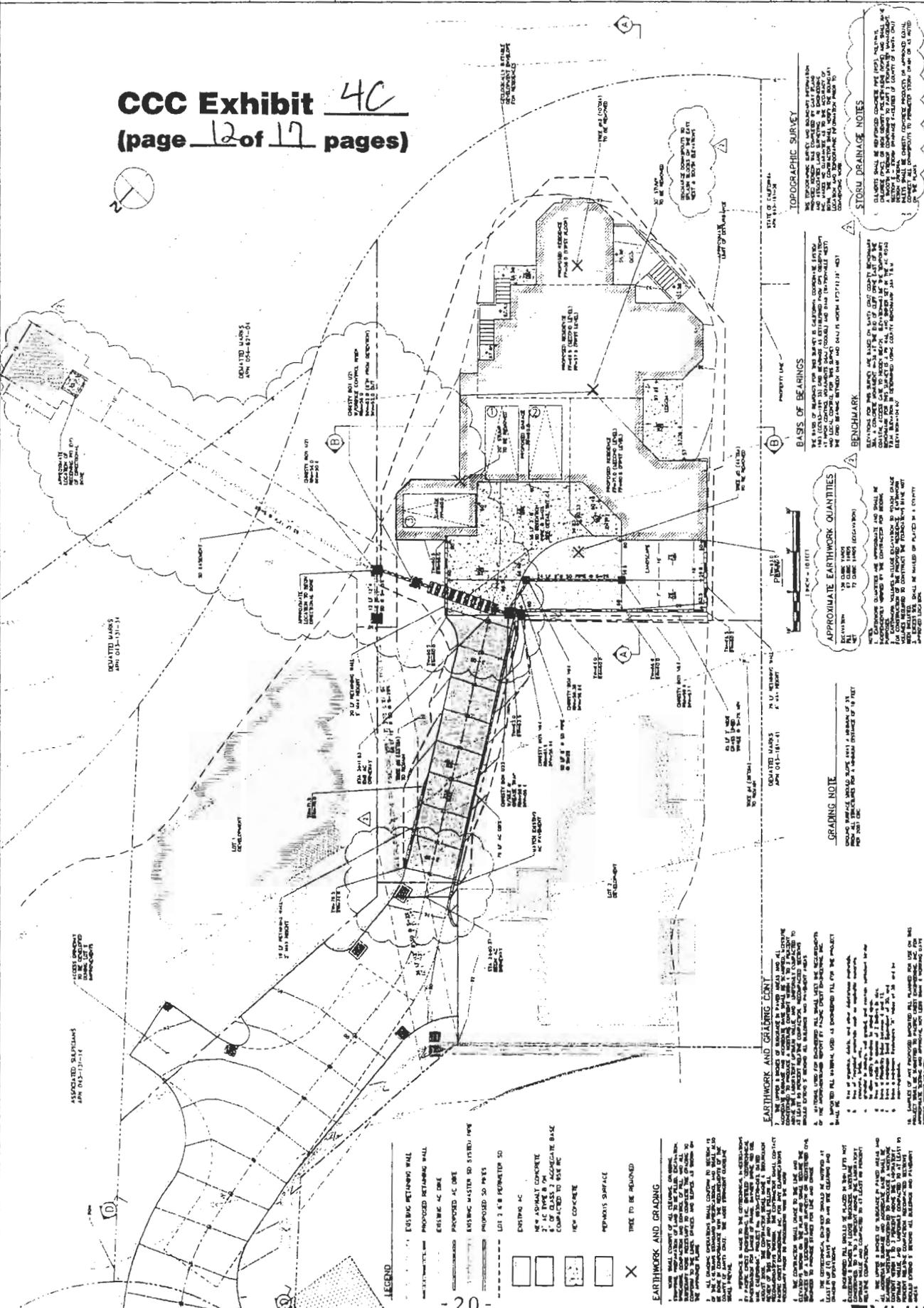
BUILDING SECTIONS

DATE: 04/10/17
DRAWN BY: [Signature]
SCALE: 1/8" = 1'-0"

P.8



CCC Exhibit 4C
(page 10 of 17 pages)



CCC Exhibit 40
 (page 12 of 17 pages)



LEGEND

- EXISTING RETAINING WALL
- PROPOSED RETAINING WALL
- EXISTING AC DIBE
- PROPOSED AC DIBE
- EXISTING MASTER SD SYSTEM / NEW
- PROPOSED SD PAVES
- LOT 3 & B REFINISHED SO
- EXISTING AC
- NEW ASPHALT CONCRETE
- 2" AC BASE & 4" AGGREGATE BASE
- COMPACTED TO 98% MC
- NEW CONCRETE
- REPAIRS SURFACE
- TO BE REPAIRED

EARTHWORK AND GRADING

1. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
2. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
3. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
4. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
5. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
6. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
7. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
8. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
9. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
10. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.

EARTHWORK AND GRADING CONT.

1. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
2. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
3. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
4. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
5. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
6. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
7. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
8. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
9. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.
10. ALL EXISTING EARTHWORK SHALL BE REMOVED AND REPAIRED TO ORIGINAL GRADE OR BETTER.

GRADING NOTE

1. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 2. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 3. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 4. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 5. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 6. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 7. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 8. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 9. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 10. ALL GRADING SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.

APPROXIMATE EARTHWORK QUANTITIES

1. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.
 2. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.
 3. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.
 4. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.
 5. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.
 6. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.
 7. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.
 8. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.
 9. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.
 10. ALL EARTHWORK QUANTITIES ARE APPROXIMATE AND SHALL BE BASED ON THE GRADING PLAN.

TOPOGRAPHIC SURVEY

1. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].
 2. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].
 3. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].
 4. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].
 5. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].
 6. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].
 7. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].
 8. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].
 9. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].
 10. THE TOPOGRAPHIC SURVEY WAS CONDUCTED BY [Name] ON [Date].

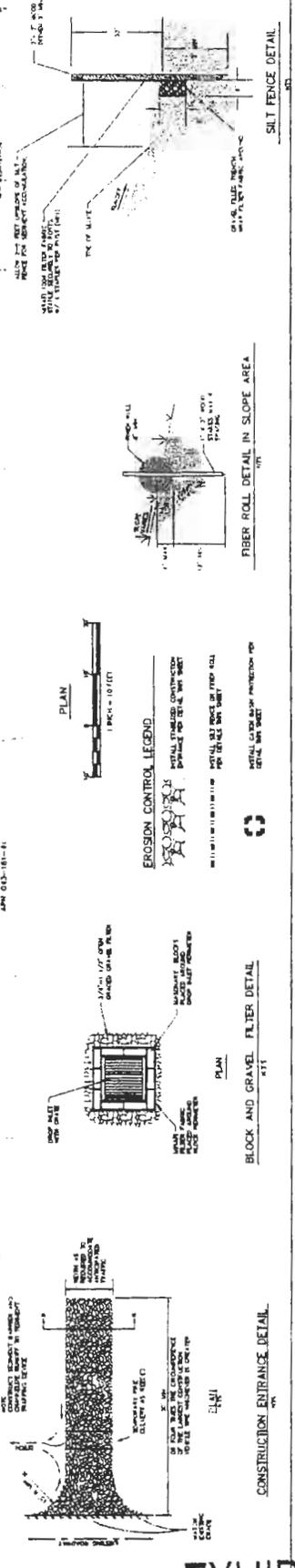
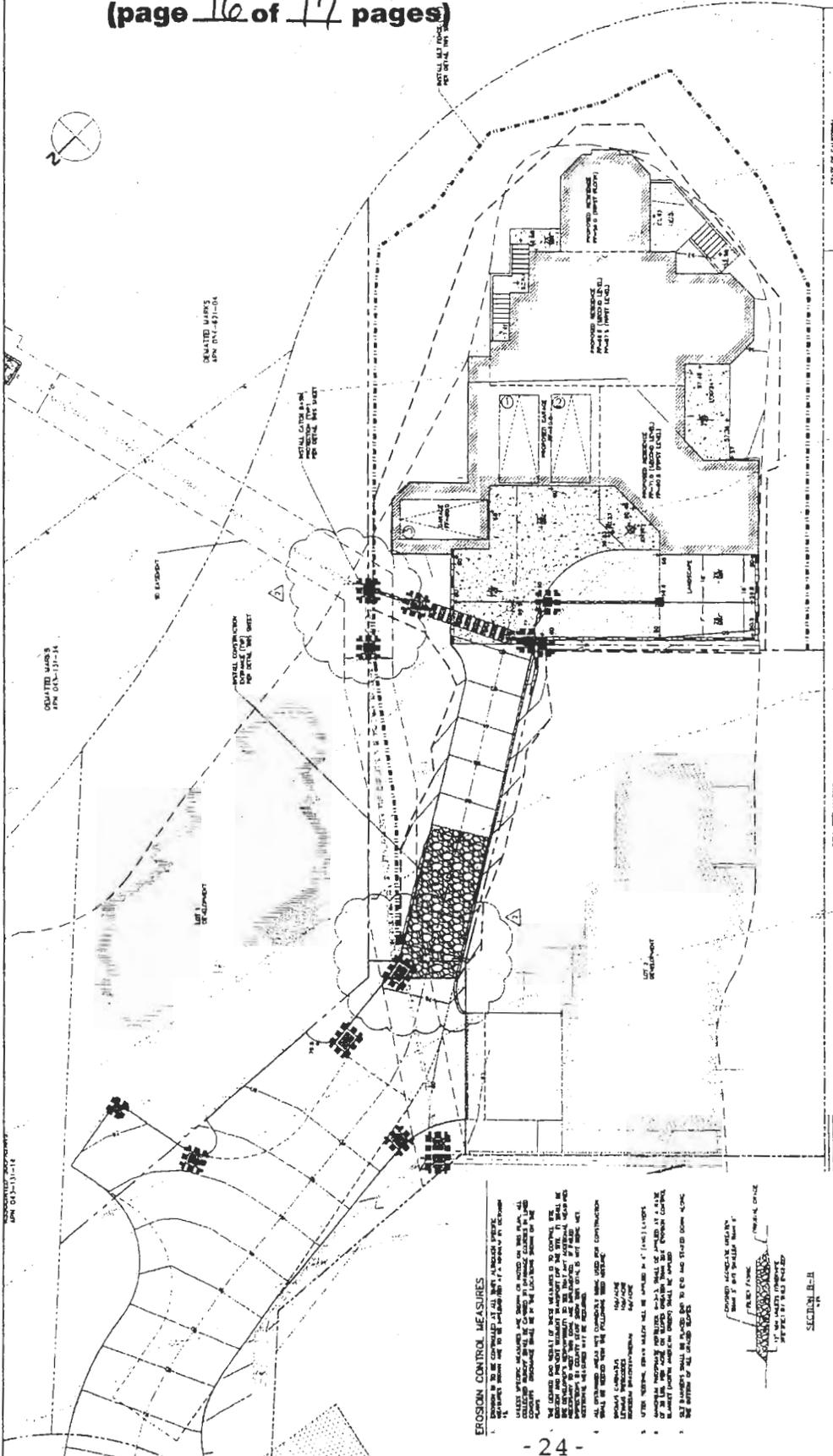
BENCHMARK

1. THE BENCHMARK IS LOCATED AT [Location].
 2. THE BENCHMARK IS LOCATED AT [Location].
 3. THE BENCHMARK IS LOCATED AT [Location].
 4. THE BENCHMARK IS LOCATED AT [Location].
 5. THE BENCHMARK IS LOCATED AT [Location].
 6. THE BENCHMARK IS LOCATED AT [Location].
 7. THE BENCHMARK IS LOCATED AT [Location].
 8. THE BENCHMARK IS LOCATED AT [Location].
 9. THE BENCHMARK IS LOCATED AT [Location].
 10. THE BENCHMARK IS LOCATED AT [Location].

STORM DRAINAGE NOTES

1. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 2. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 3. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 4. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 5. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 6. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 7. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 8. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 9. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.
 10. ALL STORM DRAINAGE SHALL BE TO ORIGINAL GRADE UNLESS OTHERWISE NOTED.

CCC Exhibit 4C
(page 16 of 17 pages)



EROSION CONTROL MEASURES
 1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 2. THE SLOPE OF ANY EROSION CONTROL MEASURE SHALL BE MAINTAINED AS SHOWN ON THE PLAN.
 3. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 5. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 6. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 7. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

FRANK - BAYVIEW RESIDENCE

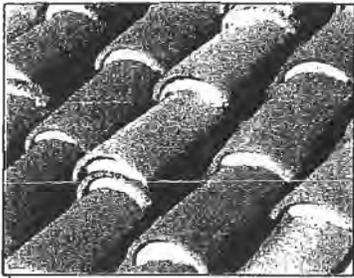
BAYVIEW DRIVE LOT "3"
 APTOS, CA 95003
 A.P.N.: 043 - 161 - 51



728 N BRANCI FORTE
 SANTA CRUZ
 CA 95062
 831-425-0544

COLOR & MATERIALS

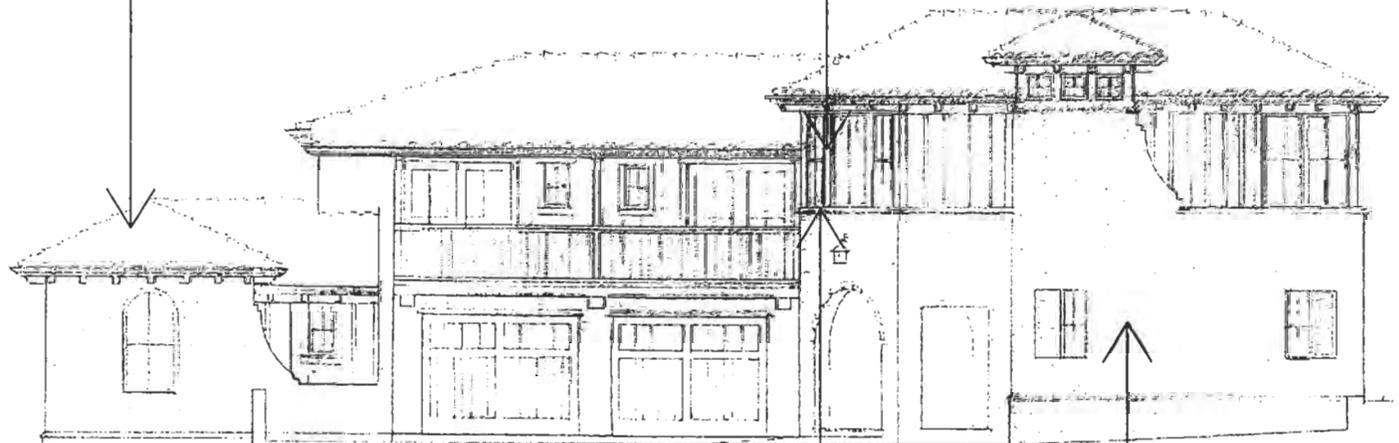
ROOF TO BE DELEO CLAY ROOF TILES, ENCANTO COLOR BLEND



WOOD TRIM & SIDING TO MATCH WINDOW & DOOR TRIM



CLAD / WOOD WINDOW & DOOR & TRIM COLOR TO BE CHESTNUT BRONZE



CCC Exhibit 4C
 (page 17 of 17 pages)



STONE VENEER TO BE EL DORADO STONE, "SEQUOIA RUSTIC LEDGE".

CAST MOULD CONCRETE TRIM, SMOOTH FINISH



WALLS TO BE 3 COAT HARD TROWEL STUCCO W/ CUSTOM COLOR TO MATCH #KM3536-5 FIELD GEAR