

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
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A-3-SCO-22-0033 (HOYLE SFD) SEPTEMBER 9, 2022 HEARING EXHIBITS

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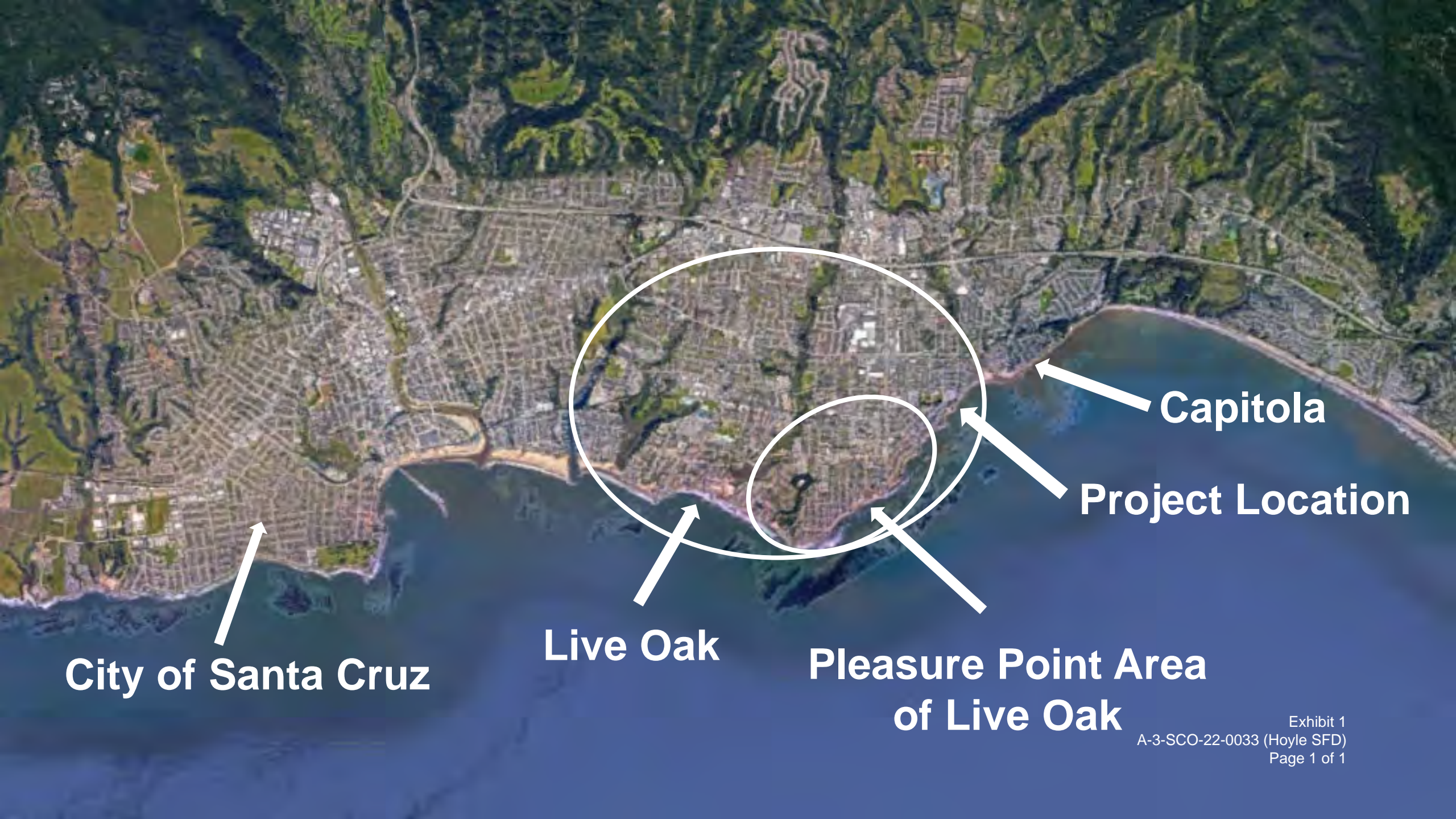
Exhibit 1: Location Map

Exhibit 2: Project Site Photo

Exhibit 3: County's Final Local CDP Action Notice

Exhibit 4: Appeal of County's CDP Action

Exhibit 5: Applicable Coastal Act and LCP Provisions



City of Santa Cruz

Live Oak

Capitola

Project Location

**Pleasure Point Area
of Live Oak**



Project Location

Source: California Coastal Records Project (2019)

NOTICE OF FINAL LOCAL ACTION ON COASTAL PERMIT

County of Santa Cruz

Date of Notice: June 17, 2022

Notice Sent (via certified mail) to:

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

FINAL LOCAL
ACTION NOTICE

REFERENCE # 3-SCO-22-0506

APPEAL PERIOD 6/23 - 7/7/22

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.: 211298

Project Applicant: Sara and David Hoyle

Address: 4630 Opal Cliff Drive, Santa Cruz

Phone/E-mail: provacdave@gmail.com

Applicant's Representative: Cove Britton

Address: 728 N Branciforte Drive, Santa Cruz, CA 95062

Phone/E-mail: 831-425-0544

Project Planner: Evan Ditmars

Phone/E-mail: 831-454-3227

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Project Location: 4630 Opal Cliff Drive, Santa Cruz

Project Description: Proposal to demolish a SFD and constructed a 3,033sf replacement house SFD with a 433sf ADU

Final Action Information

Final Local Action: Approved with Conditions

Final Action Body:

- ☐ Administrative Approval
☒ Zoning Administrator

- ☐ Planning Commission
☐ Board of Supervisors

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

Additional Materials Supporting the Final Action	Enclosed	Previously sent (date)
CEQA Document		
Geotechnical Reports		
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.
- ☒ This Final Action is 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

MEMORANDUM

Date: June 3, 2022
To: Deputy Zoning Administrator
From: Evan Ditmars, Project Planner
Re: Coastal Development Permit 211298

The proposed project, the demolition and reconstruction of a single-family dwelling on a Coastal Bluff, was scheduled to be heard by the Zoning Administrator on April 15, 2022. On April 12, 2022, the California Coastal Commission provided additional comments on the application, including evidence that a deck on the rear of the property was unpermitted. Planning staff attempted to reach resolution of the alleged violation prior to the scheduled hearing but were ultimately unable to make a determination within that timeframe. The Project Planner requested a continuance of the item to allow for additional discussions with the Chief Building Official and senior management. The Zoning Administrator continued the item to June 3, 2022.

Following internal discussions, the determination was made that the deck was constructed in 2018 or 2019, without the benefit of permits, and that decking in that location could not be supported by the Planning Department; the deck would require Building and Coastal Development permits and development within 25-feet of the Coastal Bluff edge is prohibited by Santa Cruz County Geologic Hazards Ordinance.

In the interest of moving the project forward, Planning Staff included a revised condition of approval, Conditions II(A)(2) and III(B), which requires demolition of the deck. The applicant would be required to show the deck, presently labeled as "existing", as to "to be removed" and will require removal prior to final inspection of the building permit.

Planning Staff recommends approval of application 211198, subject to adoption of the revised conditions approval, and recommends a determination that the project be found exempt from further environmental review under the California Environmental Quality Act (CEQA).

Sincerely,

Evan Ditmars
Project Planner

Attachments:

- 1) Staff Report (211298) with revised Conditions of Approval



Staff Report to the Zoning Administrator

Application Number: **211298**

Applicant: Matson Britton Architects

Agenda Date: June 3, 2022 (continued from April 15, 2022)

Owners: Sara and David Hoyle

Agenda Item #:

APN: 033-132-02

Time: After 9:00 a.m.

Site Address: 4630 Opal Cliff Drive, Santa Cruz

Project Description: Proposal to demolish an existing 2,696 square foot family dwelling and to construct a new 3,033 square foot single-family dwelling and 433 square foot accessory dwelling unit (ADU).

Location: Ocean side of Opal Cliff Drive, approximately 900 feet south of the intersection of Opal Cliff Drive.

Permits Required: Coastal Development Permit

Supervisory District: 1st District (District Supervisor: Manu Koenig)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 211298, based on the attached findings and conditions.

Project Description & Setting

The subject property is located approximately 900 feet south of the Opal Cliff Drive, Cliff Drive, and Portola Drive intersection. The parcel is situated between Opal Cliff Drive to the west and the ocean to the west. The rear of the property has minimal vegetation, preserving views onto the Monterey Bay. Approximately 3,400 square feet of the 10,280 square foot parcel extend onto the bluff and beach below.

The property has been remodeled and redeveloped at various times throughout its history. A 1,160 square foot second story addition, originally approved in 1993 under Coastal Development Permit 93-0610 and amended under 96-0231, was constructed in 1997. Currently, the site is developed with an approximately 2,700 square foot, two-story, three-bedroom single-family dwelling. The existing home is situated towards the front portion of the property, approximately 44 feet from the bluff edge. The rear portion of the home has abundant windows facing the ocean and a large, ground-level deck spanning the property.

County of Santa Cruz Planning Department

701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Exhibit 3

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The proposed replacement home is a 3,033 square foot, two-story, two-bedroom home with a 538 square foot attached garage and 433 square foot accessory dwelling unit. In terms of appearance, the home will be a strong departure from existing architecture. The existing shingle siding will be replaced with a mixture of stucco, horizontal cedar planks, and stone; copper standing seam metal roofing will replace the asphalt shingle roof. In addition to changing the architectural style of the structure, the proposal will create a patio courtyard on the south side of the property and reconfigures site access by moving the existing driveway from the south property line to the north property line. The ground level deck at the rear of the home will be retained. Landscaping at the front of the property will be removed and replaced with drought tolerant plantings. The home will expand seaward by approximately 13-feet, ultimately ending 29.5 feet from the bluff edge and once completed, will be about 15 feet closer to the bluff edge than the existing structure).

The project site is located on a Coastal Bluff and is subject to technical studies, as required by the policies described in Santa Cruz County LCP Chapter 6.2 and Santa Cruz County Zoning Code Chapter 16.10. The geological report provided by the applicant (REV211488) establishes a 100-year setback based on the existing site conditions (including the presence of the existing seawall). The proposed expansion is built up to, but does not cross, the 100-year geologic setback identified in the report. County Environmental Planning Staff accepted the report (Exhibit G) and all development proposed as part of the project complies with the established 100-year setback.

The proposed development does not qualify for a residential exclusion (SCCC 13.20.071), as the site is located both between the sea and the first public through road and is within 300 feet of the top of the seaward face of a coastal bluff. Therefore, the proposed project requires a Coastal Development permit and is appealable to the Coastal Commission.

Zoning & General Plan Consistency

The subject property is a 10,280 square foot lot, located in the R-1-5 (Single family residential - 5,000 square foot parcel size) zone district, a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation. Approximately 3,400 square feet of the 10,280 square foot parcel are deducted from the site area, a result of the County Code definitions of net site area (13.10.700-S), which deducts Coastal bluff, beaches, and all land seaward of the mean high tide line of Monterey Bay. The resulting net site area, approximately 6,900 square feet, results in a parcel that remains conforming with the minimum site area for an R-1-5 zoned parcel and as such, the development standards for the R-1-5 zone district still apply.

The proposed lot coverage (36.14%) and floor area ratio (49.9%) are in compliance with the development standards for the R-1-5 zone district. The project proposes two, five-foot side yard setbacks, which is consistent with the requirement for parcels less than 60 feet wide as described in Santa Cruz County Code 13.10.323. The proposed ADU is substantially smaller than what could be allowed (433 square feet versus 800 square feet), is integrated into the design of the primary dwelling, reads as part of the structure, and is not subject ADU specific height requirements.

Local Coastal Program Consistency

The proposal is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary in the area, and the design submitted is consistent with the existing range of styles. The project site is located between the shoreline and the first public road, but the site does not provide access to the shoreline; public access is available approximately 650 feet to the west of the project area at Private's Beach. The site is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

The design of the home incorporates elements that comply with Coastal Design criteria described in SCCC 13.20.130, including a structure that emphasizes aesthetic value using contrasting and complementary elements distributed across the entirety of the building. A range of materials are used on the façade of the structure; a copper roof tops the wood, stone, and stucco walls. Horizontal wood siding provides contrast to the vertical lines found on the windows, walls, and garage door. The curved roof elements are unique features that provide visual interest in the top portions of the structure. Examples of the proposed barrel roof can be found in the vicinity of the project. The structure is set back from the bluff edged minimizing adverse impacts on the public viewshed. The project is not readily visible from a public beach.

Design Review

Pursuant to SCCC 13.11.040, projects located on coastal bluffs are subject to Design Review. The proposed single-family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as building articulation, architectural surface treatment, and building character. The design uses a variety of materials and unique architectural elements to provide an attractive building.

SCCC 13.11.075 (Landscaping) requires that "mature trees over six inches in diameter at five feet above ground level shall be incorporated into the site and landscape plan". The proposed project includes the removal of a 14" DBH (diameter at breast height) tree located in the front yard to facilitate the construction of a new driveway. As a condition of approval for this project (Condition III(D)), no removal would be permitted without a written recommendation by a certified arborist to ensure reasonable measures are considered to retain the tree including slight modifications to the proposed driveway. The subject tree is not considered a significant tree per Chapter 16 of County Code and thus is not protected by the County significant tree removal regulations.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

California Environmental Quality Act.

- **APPROVAL** of Application Number **211298**, 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.sccoplanning.com

Report Prepared By: Evan Ditmars
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3227
E-mail: evan.ditmars@santacruzcounty.us

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Acceptance Letter for Geotechnical Investigation (REV211488)

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 211298

Assessor Parcel Number: 033-132-02

Project Location: 4630 Opal Cliff Drive

Project Description: Proposal to demolish an existing single family dwelling and to construct a replacement single family dwelling

Person or Agency Proposing Project: Matson Britton Architects Attn Cove Britton

Contact Phone Number: 831-425-0544

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

Specify type: Class 2 - Replacement or Reconstruction (Section 15302); Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Proposed home is a replacement to an existing single-family dwelling located on a parcel designated for residential uses.

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



Evan Ditmars, Project Planner

Date:

6/3/22

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned R-1-5 (Single family residential - 5,000 square foot parcel size), a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UM (Urban Medium 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 no such easements or restrictions are known to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 and 13.20.140 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors will be natural in appearance and complementary to the site; and, although the site is on blufftop, the development is set back from the edge of the bluff to minimize potential impacts on the public view and the project site is not visible from a public beach or located in a designated scenic resource area.

The design of the home incorporates elements that comply with Coastal Design criteria described in SCCC 13.20.130, including a structure that emphasizes aesthetic value using contrasting and complementary elements distributed across the entirety of the building. A range of materials are used on the façade of the structure; a copper roof tops the wood, stone, and stucco walls. Horizontal wood siding provides contrast to the vertical lines found on the windows, walls, and garage door. The curved roof elements are unique features that provide visual interest in the top portions of the structure. Examples of the curved (barrel) roof can be found in the vicinity of the project.

The project site is not located in one of the special communities specified in SCCC 13.20.140 through 13.20.149.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site in the County Local Coastal Program and public beach access is available approximately 650 feet south of the project site at Private's Beach.

5. That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structure is sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood. Additionally, residential uses are

allowed uses in the R-1-5 (Single family residential - 5,000 square foot parcel size) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary in the area, and the design submitted is consistent with the pattern of development within the surrounding neighborhood.

The project site is located on a Coastal Bluff and is subject to technical studies, as required by the policies described in Santa Cruz County LCP Chapter 6.2 and Santa Cruz County Zoning Code Chapter 16.10. The geotechnical report provided by the applicant (REV211488) establishes a 100-year setback based on the existing site conditions (including the presence of the existing seawall). The proposed expansion is built up to, but does not cross, the 100-year geologic setback identified in the report. County Environmental Planning Staff accepted the report (Exhibit G) and all development proposed as part of the project complies with the established 100-year setback.

6. If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that although the project site is located between the shoreline and the first public road, the proposed single-family residence 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. See also Finding 2 above.

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, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources.

The geologic report provided by the applicant (REV211488) establishes a 100-year setback based on the existing site conditions (including the presence of the existing seawall). The proposed expansion is built up to, but does not cross, the 100-year geologic setback identified in the report.

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

This finding can be made, in that the proposed location of the single family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-5 (Single family residential - 5,000 square feet) zone district as the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district.

The proposed ADU will be incorporated into the design of the proposed home and will be consistent with the size, height, and location allowed by the County Accessory Dwelling Unit Ordinance (SCCC 13.10.681).

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

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the R-UM (Urban Medium Density Residential) 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), in that the single family dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed single family dwelling will be properly proportioned to the parcel size and the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single family dwelling will comply with the site standards for the R-1-5 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that

could be approved on any similarly sized lot in the vicinity.

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

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 dwelling is to be constructed on an existing developed lot. The expected level of traffic is anticipated to stay at the same level generated by the existing dwelling, i.e., one peak trip. As such, the project will not adversely impact existing roads or intersections in the surrounding area or overload existing utilities serving the site.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single-family residence is consistent with the land use intensity and density of the neighborhood. Homes along Opal Cliff Drive range in architectural style. The proposed dwelling is not readily visible from the beach therefore will not appear to loom or hang into the beach and will visually read as integrated into the existing built environment.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed single-family residence will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

A range of materials are used on the exterior of the structure; wood, stucco, and stone are used on the walls and standing metal seam copper is used on the roof. The architecture provides visual interest. The curved roof design provides visual relief from the rectangular design in the rest of the structure.

To ensure compliance with SCCC 13.11.075, a condition of approval for the project prohibits the removal of a 14-inch DBH tree without a written recommendation/verification from a certified arborist to ensure reasonable measures have been considered to retain the tree. Any removal would be accompanied by two new replacement trees. Landscaping in the front yard will be replaced with drought tolerant plants.

Conditions of Approval

Exhibit D: Project plans, prepared by Matson Britton Architects, dated 10/25/21.

- I. This permit authorizes the construction of a single family dwelling as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - D. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 1. The proposed driveway shall conform to figure DW-5 of the Santa Cruz County Design Criteria. Please include figure DW-5 on the plans
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. A copy of the text of these conditions of approval incorporated into the full-size sheets of the architectural plan set.
 2. *Plans shall indicate the removal of the deck shown on project plans (Exhibit D, sheet P1). (Condition adopted by Zoning Administrator at 6/3/22 ZA hearing).*
 3. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not

been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review and approval.

4. Grading, drainage, and erosion control plans.
 5. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet.
 6. Details showing compliance with fire department requirements.
- B. Meet all requirements of the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
1. The application submittal shall adhere to Part 3 Section C of the CDC and County Code 7.79. Pre-development runoff patterns and rates shall be maintained, and safe stormwater overflow shall be incorporated into the project design.
 2. Zone 5 fees will be assessed on the net increase in permitted impervious area following the Unified Fee Schedule in place at building permit issuance. Reduced fees (50%) are assessed for semi-impervious surfacing without liners (such as gravel, base rock, paver blocks, porous pavement, etc.) to offset costs and encourage more extensive use of these materials.
- C. Meet all requirements of the Soquel Water District. Proof of water service availability is required prior to application for a Building Permit.
- D. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit.
1. A sewer lateral abandonment permit shall be secured by the applicant and completed/inspected prior to demolition of the structure.
 2. A sewer lateral inspection video, completed by a licensed plumber, shall be submitted prior to OR in concurrence with the building permit application for review by DPW Sanitation staff. If defects or other issues are identified, a no-cost Sanitation permit, will be required to complete the necessary repairs to the private lateral prior to building permit issuance. Work will be inspected by DPW Sanitation staff.
 3. SCCSD sewer service, connection and fixture fees shall be administered.

Reference Title 5, Chapter 5.04, Section 5.04.080 “New Facilities” and Section 5.04.160 “Sewer Service Charges” of the SCCSD code

- E. Meet all requirements of the Environmental Planning section of the Planning Department.
 - F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - G. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
 - H. Pay the current fees for Parks mitigation. Currently, these fees are \$4.51 per square foot for single-family dwellings.
 - I. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for a dwelling up to 2,000 square feet is \$2 per square foot.
 - J. Provide required off-street parking for 4 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. *Prior to foundation inspection, confirm removal of rear yard decking, shown on project plans (Exhibit D, sheet P1). A hold and/or inspection will be placed for confirmation of removal. (Condition moved and incorporated by Zoning Administrator at 6/3/22 ZA hearing).*
- IV. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils reports.
 - D. The 14” tree located in the front yard is required to be retained unless removal is recommended by a certified arborist. If removed, two replacement trees (15-gallon minimum box size) must be planted prior to the final inspection.
 - E. A “Notice of Geologic Hazards, Acceptance of Risk, Liability Release, and Indemnification” shall be recorded on the parcel with the format and content of that document to be reviewed and accepted by the County of Santa Cruz prior to

recordation. The Notice will provide for property owner (and all successors and assigns) agreement to an acknowledgement of coastal and geologic hazards, an acceptance of and assumption of risk, a waiver of liability against the County, and an indemnification of the County; the final language of such provisions will be consistent with the following:

1. Coastal Hazards. The site is subject to coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, wave impacts, storm surge, tsunami, tidal scour, coastal flooding and inundation, earthquakes, landslides, and the interaction of same;
 2. Assume Risks. To assume and accept the risks to the Applicant and the properties that are the subject of this Coastal Development Permit of injury and damage from such coastal hazards in connection with the permitted development;
 3. Waive Liability. To unconditionally waive any claim of damage or liability against the County of Santa Cruz, its officers, agents, and employees for injury or damage from such coastal hazards in connection with this permitted development;
 4. Indemnification. To indemnify and hold harmless the County of Santa Cruz, its officers, agents, and employees with respect to the County's approval of the development against any and all liability, claims, demands, damages, costs, including costs and fees incurred in defense of such claims, expenses, and amounts paid in settlement arising from any injury or damage in connection with the permitted development;
 5. Property Owner Responsible. That any adverse effects to property caused by the permitted development shall be fully the responsibility of the property owner. That cost of abatement and/or future removal of structures shall be the responsibility of the property owner.
- F. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

V. 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. *Fencing shall comply with the regulations of Santa Cruz County Code 13.10.535 and 13.20. (Condition added by Zoning Administrator at 6/3/22 ZA hearing).*
- C. Requirement for Geotechnical and Coastal Hazards Reports: Ten-foot Trigger. In the event that in the future the blufftop edge recedes to within ten feet of the single-family dwelling, the property owner shall undertake the following:
 - 1. Notify the Santa Cruz County Geologist, and
 - 2. Retain a licensed geologist or civil engineer with experience in coastal processes and hazard response to prepare a geologic and/or geotechnical assessment that addresses whether all or any portions of the residence and related development are threatened by coastal hazards, and that identifies actions that should be taken to ensure safe use and occupancy.
 - 3. Agree to undertake activities to pursue an appropriate response to address safety issues, consistent with these Conditions of Approval and in accordance with adopted and applicable County of Santa Cruz and California Coastal Commission regulations. The geotechnical investigation and geologic and/or geotechnical assessment shall be submitted to the Planning Director, Chief Building Official and County Geologist of Santa Cruz County.

VI. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- 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 applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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. The “applicant/owner” shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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

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

Approval Date: 6/3/22

Effective Date: 6/17/22

Expiration Date: 6/17/25

Jocelyn Drake
Deputy Zoning Administrator

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.

2013
7/3
17/3

Exhibit 13
A-3-SCO-22-0033 (Hoyle SFD)
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ABBREVIATIONS

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
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HOYLE
NEW RESIDENCE
4630 OPAL CLIFF DRIVE
SANTA CRUZ, CA 95062
APN 033-132-02 LOT 16

PROJECT INFORMATION

DAVID HOYLE and SARA WELCH
4630 OPAL CLIFF DRIVE

033-132-02

LOT 16
R-1-6

R-3 & U (PER 2019 CRC)
VB (SPRINKLERED)

PROJECT DESCRIPTION:
COMPLETE DEMOLITION OF EXISTING RESIDENCE. CONSTRUCT A NEW
3,033 SF TWO-STORY REPLACEMENT RESIDENCE WITH ATTACHED 539 SF
GARAGE/WORKSHOP AND 433 SF ADU.

THIS PROJECT CONSISTS OF THE FOLLOWING:
THE CONSTRUCTION OF A NEW 3,033.75 SF TWO-STORY REPLACEMENT RESIDENCE, 1,520.55 SF FIRST FLOOR WITH COVERED PORCH AND PATIO WITH A 1,513.22 SF SECOND FLOOR AND OPEN DECK; ATTACHED 539 SF 2-CAR GARAGE & WORKSHOP WITH AN ATTACHED 433 SF ACCESSORY DWELLING UNIT (FIRST FLOOR).

CONSULTANTS

ARCHITECTS:
MATSON BRITTON ARCHITECTS
728 N. BRANCIORTE
SANTA CRUZ, CA 95062
PHONE: 831-425-0544
FAX: 831-425-4795

SURVEYING:
HANAGAN LAND SURVEYING, INC.
305-C LOCHLAN AVE
SANTA CRUZ, CA 95062
PHONE: 831-469-3428
FAX: 831-469-3400

ENERGY COMPLIANCE:
INTELLIGENT HOUSE DESIGN
124 OTIS ST
SANTA CRUZ, CA 95060
PHONE: 831-345-1028

NOTE: PROJECT SHALL CONFORM TO
GEOTECHNICAL SOILS REPORT RECOMMENDATIONS

SHEET INDEX

ARCHITECTURAL DRAWINGS

PO	TITLE SHEET
P0	COVER SHEET
P1	FIRST FLOOR PLAN
P2.1	SECOND FLOOR PLAN
P2.2	ROOF PLAN
P3.1	EXTERIOR ELEVATIONS
P3.2	EXTERIOR ELEVATION IS
P4.1	SECTION
CIVIL DRAWINGS	
C1	GRADING & DRAINAGE PLAN
C2	DETAILS
C3	STORMWATER POLLUTION CONTROL PLAN
SURVEY	
SU1	SURVEY PLAN

CIVIL DRAWINGS

SURVEY	
SUR	SURVEY PLAN
C1	GRADING & DRAINAGE PLAN
C2	DETAILS
C3	STORMWATER POLLUTION CONTROL PLAN

SURVEY

SUPERVISOR PLAN

PARCEL MAP



PROJECT CALCULATIONS

TOTAL LOT SIZE:	2,285.0 SQ. FT.
GRASS AREA:	6,698.9 SQ. FT.
NET AREA (TOP OF BLUFF):	2,273.5 SQ. FT.
MAX LOT COVERAGE (10% OF NET LOT SIZE):	227.35 SQ. FT.
6,698.9 S.F. X .40 =	2,679.56 SQ. FT.
PROPOSED FOOTPRINT (LOT COVERAGE):	2,460.8 SQ. FT.
(N) FIRST FLOOR AREA	1,570.5 SQ. FT.
(N) GARAGE	539.8 SQ. FT.
(N) ADJ:	401.5 SQ. FT.
TOTAL:	2,460.8 SQ. FT.
PROPOSED LOT COVERAGE	36.12%
2,460.8 S.F. / 6,698.9 S.F. =	3,404.8 SQ. FT.
6,698.9 S.F. X .30 =	2,009.7 SQ. FT.
MAX FLOOR AREA RATIO (FAR) [10% OF NET LOT SIZE]	227.35 SQ. FT.
PROPOSED RESIDENCE FAR:	1,570.5 SQ. FT.
FIRST FLOOR CONDITIONED AREA:	1,513.2 SQ. FT.
SECOND FLOOR CONDITIONED AREA:	55.4 SQ. FT.
OPEN AREAS GREATER THAN 16" IN HEIGHT:	313.9 SQ. FT.
GARAGES AND SHOP 338.8 S.F. - 1223.5 S.F. CREDIT =	0 SQ. FT.
1st FLOOR COVERED PORCH - 48 S.F. (140.3 S.F. CREDIT)	0 SQ. FT.
"JUMP" COVERED SIDE PORCH - 45 S.F. (140.3 S.F. CREDIT)	0 SQ. FT.
2nd FLOOR UNCOVERED DECKS (80.5 + 182.5 S.F.) =	N/A
TOTAL SQ. FT. (W/ CREDITS TAKEN) :	3,402.9 SQ. FT.
FLOOR AREA RATIO (FAR):	40.9 %
3,402.9 S.F. / 6,698.9 S.F. =	433.33 SQ. FT.
ADJ. (ATTACHED):	
PARKING SPACES PROVIDED:	2 COVERED, 2 UNCOVERED

VICINITY MAP

CODE COMPLIANCE

THIS RESIDENTIAL CONSTRUCTION COMPLIES WITH TITLE 24 AND THE FOLLOWING CODES:

- 2019 CALIFORNIA RESIDENTIAL CODE (CIRC)
- 2019 CALIFORNIA BUILDING CODE (CBC)
- 2019 CALIFORNIA MECHANICAL CODE (CMC)
- 2019 CALIFORNIA PLUMBING CODE (CPC)
- 2019 CALIFORNIA ELECTRICAL CODE (CEC)
- 2019 CALIFORNIA ENERGY CODE (CEC)

FIRE NOTES

1. THESE PLANS SHALL COMPLY WITH 2017 CALIFORNIA BUILDING CODE AND 2017 CALIFORNIA FIRE CODE DISTRICT AMENDMENTS.
2. OCCUPANCY R-3 & U-TYPE VUL. FIRE SPRINKLED. APPROVED AUTOMATIC SYSTEM COMPLYING WITH THE EDITION OF NFPA 13D CURRENTLY ADOPED IN CHAPTER 35 OF THE CALIFORNIA BUILDING CODE.
3. THE DESIGNER/INSTALLER SHALL SUBMIT TWO (2) SETS OF PLANS, CALCULATIONS, AND CUT SHEETS FOR THE UNDERGROUND AND OVERHEAD RESIDENTIAL AUTOMATIC SPRINKLER SYSTEM TO THE CENTRAL FIRE PROTECTION DISTRICT.
4. ADDRESS NUMBERS SHALL BE POSTED AND MAINTAINED AS SHOWN ON THE PLANS. ALL ADDRESS NUMBERS SHALL BE 4 INCHES IN HEIGHT AND OF A COLOR CONTRASTING TO THEIR BACKGROUND.
5. ROOF COVERING SHALL BE NO LESS THAN "CLASS 'B' RATED".
6. THE JOB COPIES OF THE BUILDING PLANS AND PERMITS MUST REMAIN ON-SITE DURING INSPECTIONS.
7. PUBLIC FIRE HYDRANT REQUIRED WITHIN 400 FT. OF ANY PORTION OF THE BUILDING WITH A MINIMUM 1000 GALLON FIRE FLOW, AVAILABLE FIRE HYDRANTS [WHARE] APPROXIMATELY 400' AND 450' FROM BUILDING.
8. ONE HUNDRED (100) FOOT CLEARANCE TO BE MAINTAINED WITH NON-COMBUSTIBLE VEGETATION AROUND ALL STRUCTURES OR TO THE PROPERTY LINE, WHICHEVER IS SHORTER DISTANCE.

Exhibit D

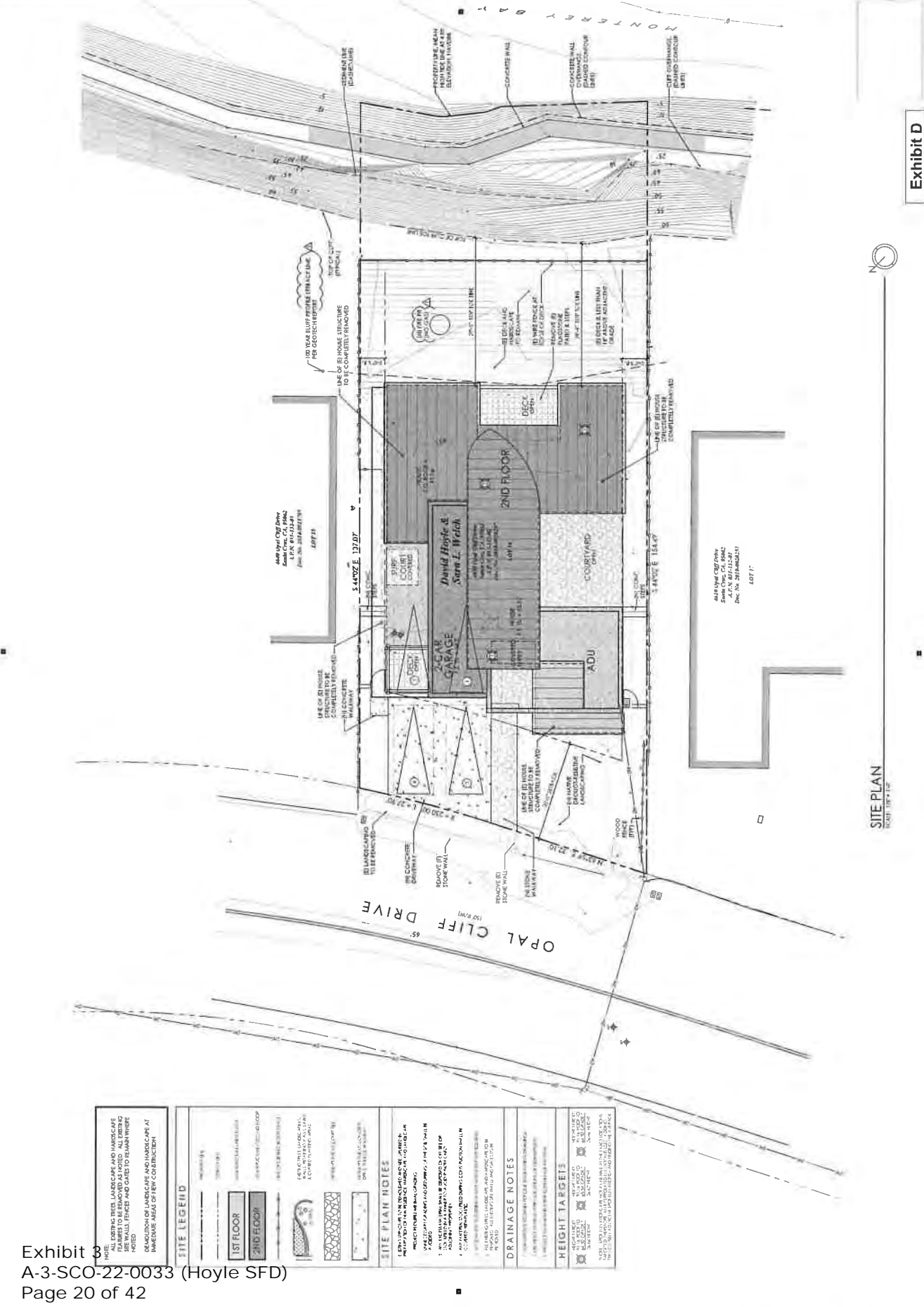


Exhibit 3
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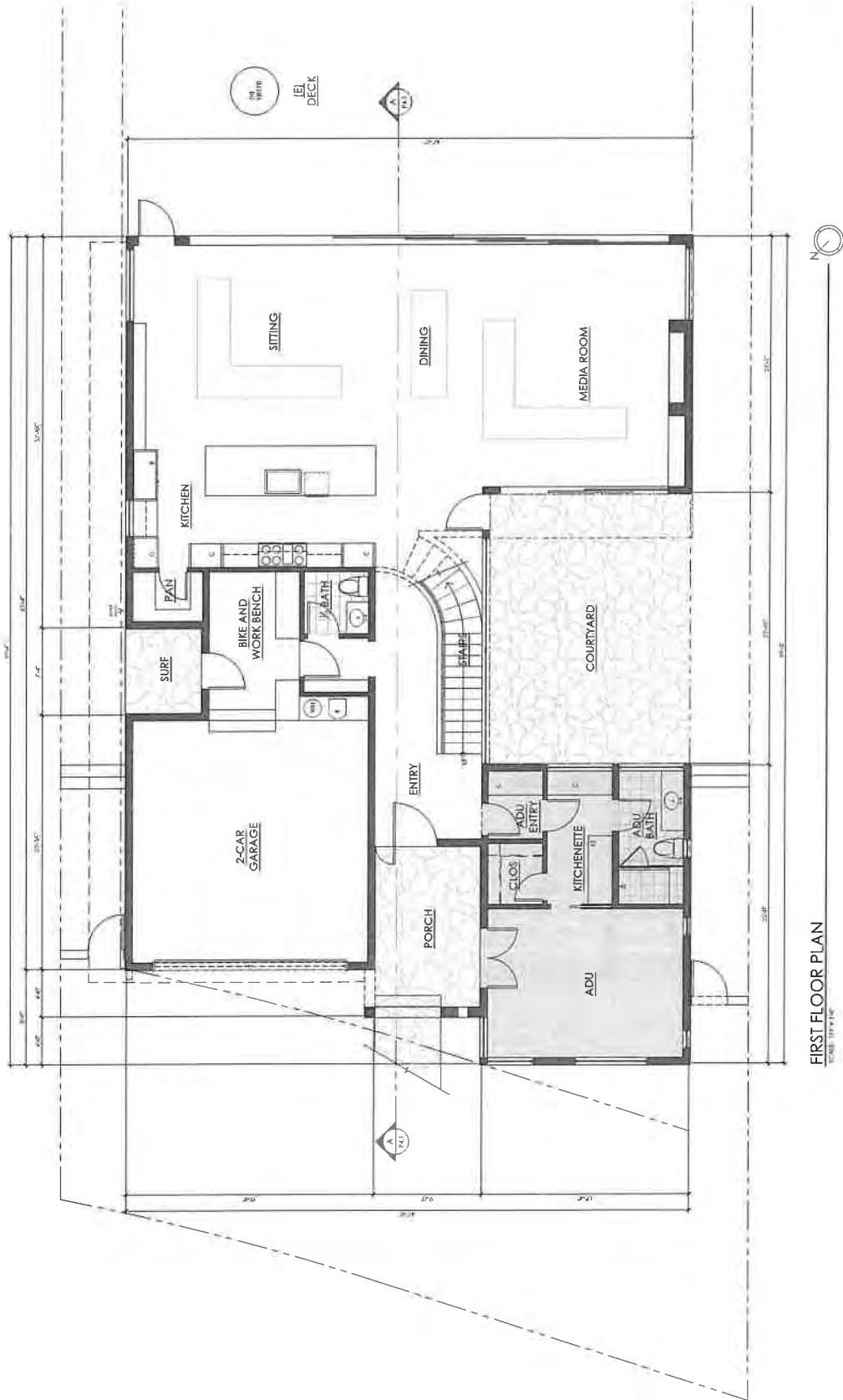


Exhibit D

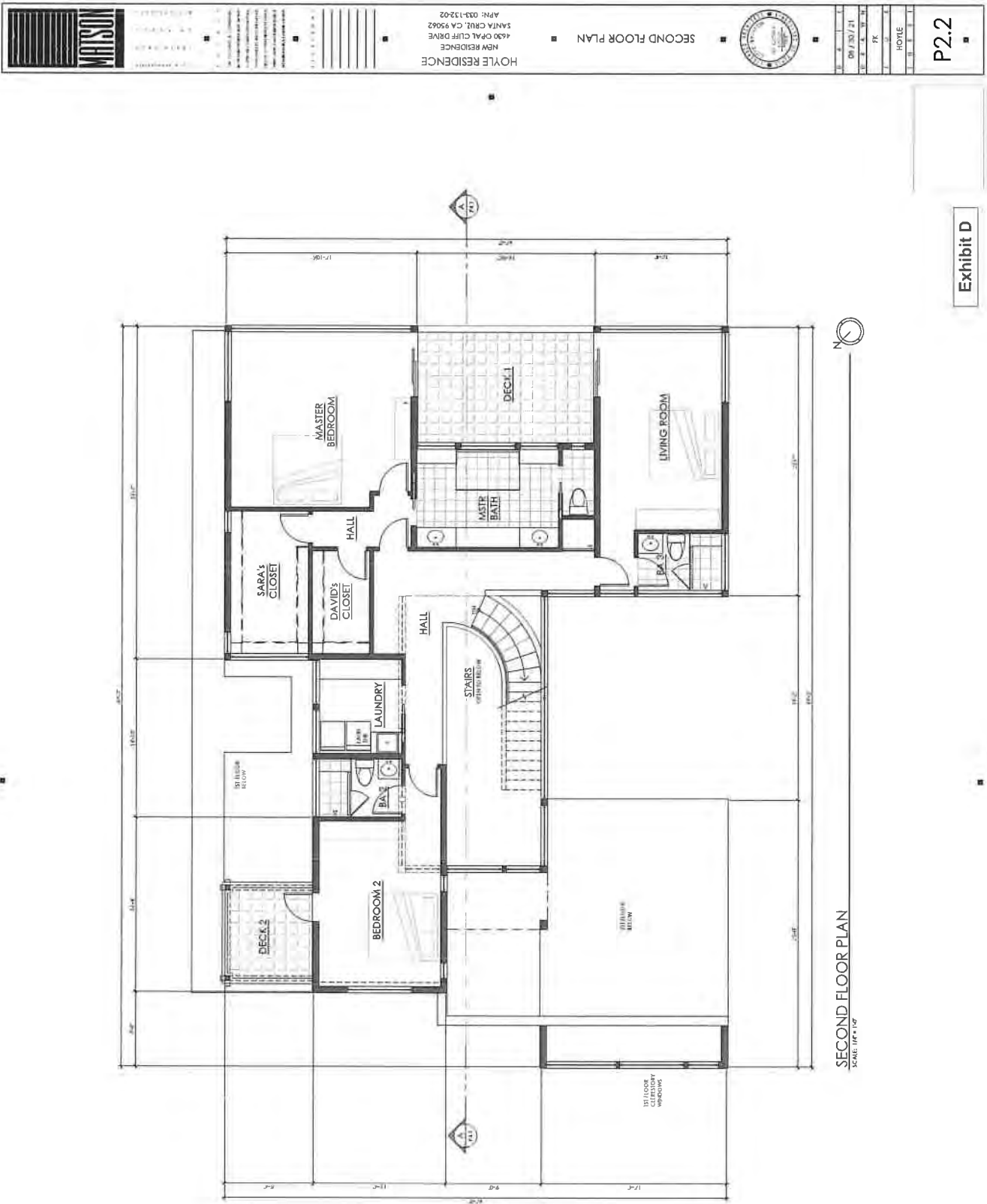
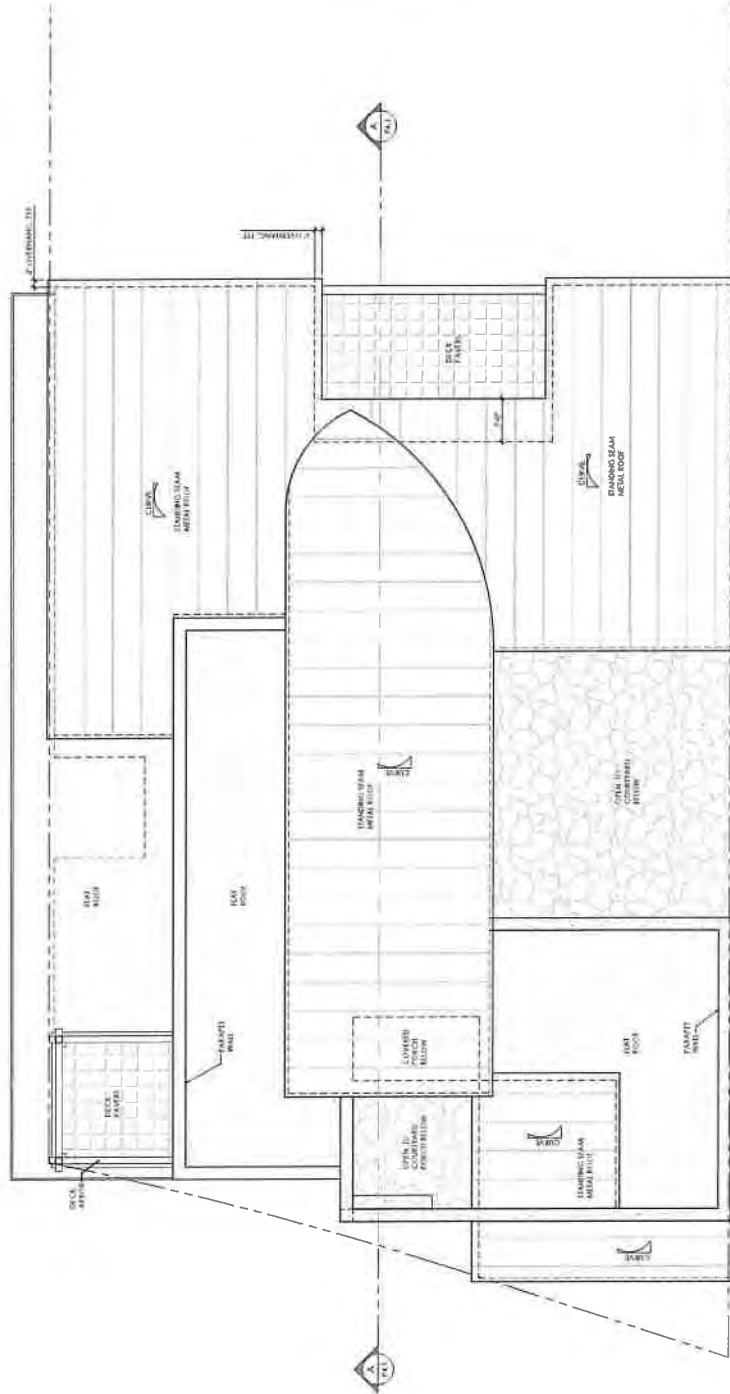


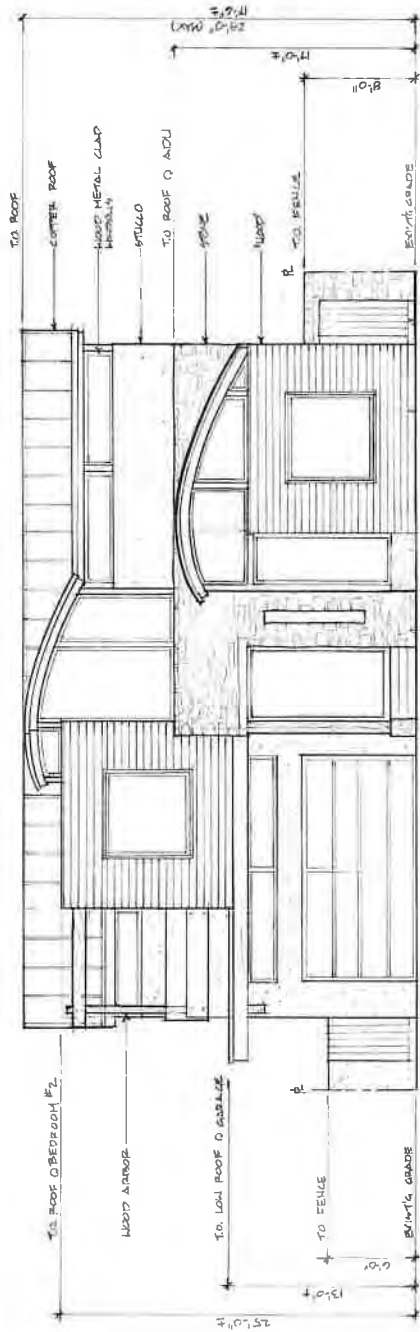
Exhibit D

P2.2

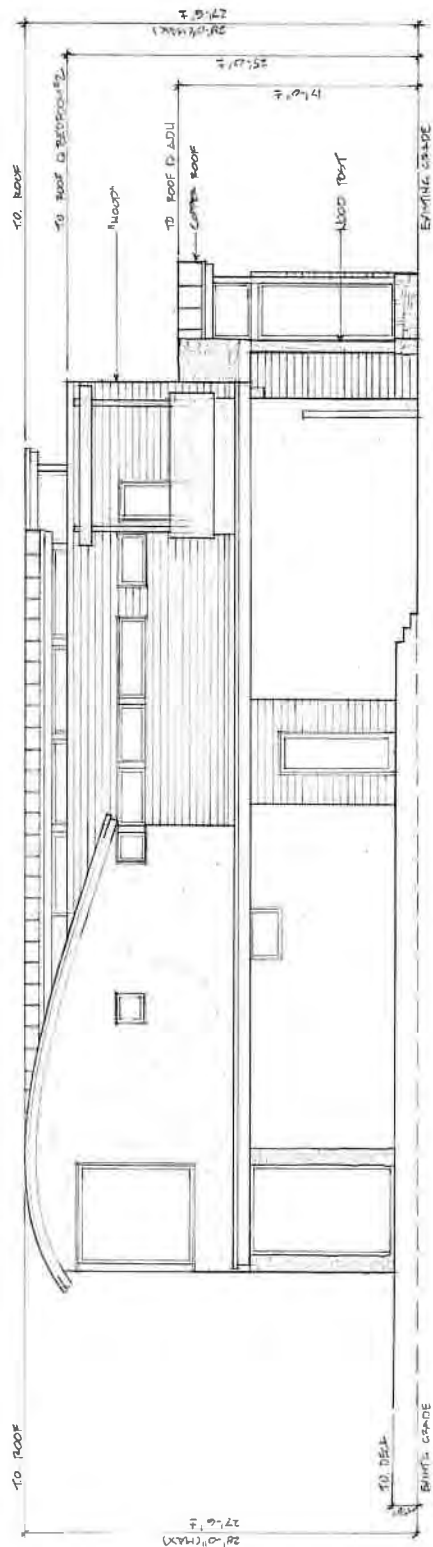


ROOF PLAN
 SCALE: 1/8" = 1'-0"

Exhibit D



EAST ELEVATION
SCALE 1/2"=1'-0"



NORTH ELEVATION
SCALE 1/2"=1'-0"

Exhibit D

PROPOSED REVENUE

(R)

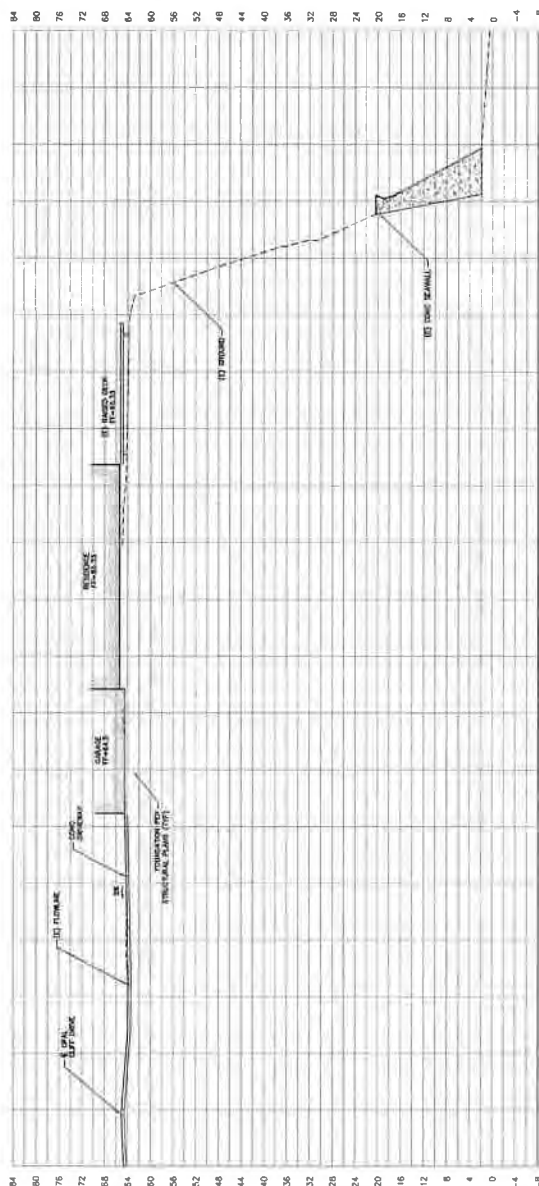


Exhibit 3
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7. SITE HOUSEKEEPING REQUIREMENTS

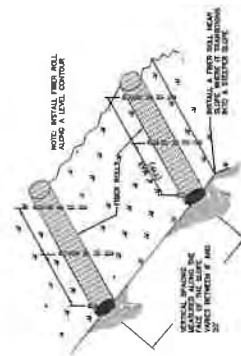
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EROSION CONTROL MEASURES

1. A maximum of 100,000 lbs. of fertilizer shall be shipped on any one truck. The fertilizer shall be weighed and the weight shall be manifested on the bill of lading.
2. The fertilizer shall be shipped in 50,000 lb. bags. The bags shall be marked with the name of the fertilizer, the name of the manufacturer, and the net weight of the fertilizer.
3. The fertilizer shall be shipped in 50,000 lb. bags. The bags shall be marked with the name of the fertilizer, the name of the manufacturer, and the net weight of the fertilizer.
4. The fertilizer shall be shipped in 50,000 lb. bags. The bags shall be marked with the name of the fertilizer, the name of the manufacturer, and the net weight of the fertilizer.
5. The fertilizer shall be shipped in 50,000 lb. bags. The bags shall be marked with the name of the fertilizer, the name of the manufacturer, and the net weight of the fertilizer.
6. The fertilizer shall be shipped in 50,000 lb. bags. The bags shall be marked with the name of the fertilizer, the name of the manufacturer, and the net weight of the fertilizer.
7. The fertilizer shall be shipped in 50,000 lb. bags. The bags shall be marked with the name of the fertilizer, the name of the manufacturer, and the net weight of the fertilizer.
8. The fertilizer shall be shipped in 50,000 lb. bags. The bags shall be marked with the name of the fertilizer, the name of the manufacturer, and the net weight of the fertilizer.
9. The fertilizer shall be shipped in 50,000 lb. bags. The bags shall be marked with the name of the fertilizer, the name of the manufacturer, and the net weight of the fertilizer.
10. The fertilizer shall be shipped in 50,000 lb. bags. The bags shall be marked with the name of the fertilizer, the name of the manufacturer, and the net weight of the fertilizer.

EXPOSED SLOPE MEASURES

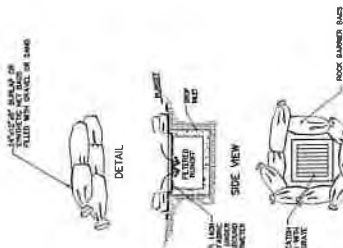
1. COVER ALL EXPOSED BLUFFS
2. STRAW 3 TONS/ACRE ON SLOPES $\leq 20\%$ WITH SOIL BRUSH
3. USE NORTH AMERICAN GREEN CUTS OR EQUAL ON ALL SLOPES $> 20\%$



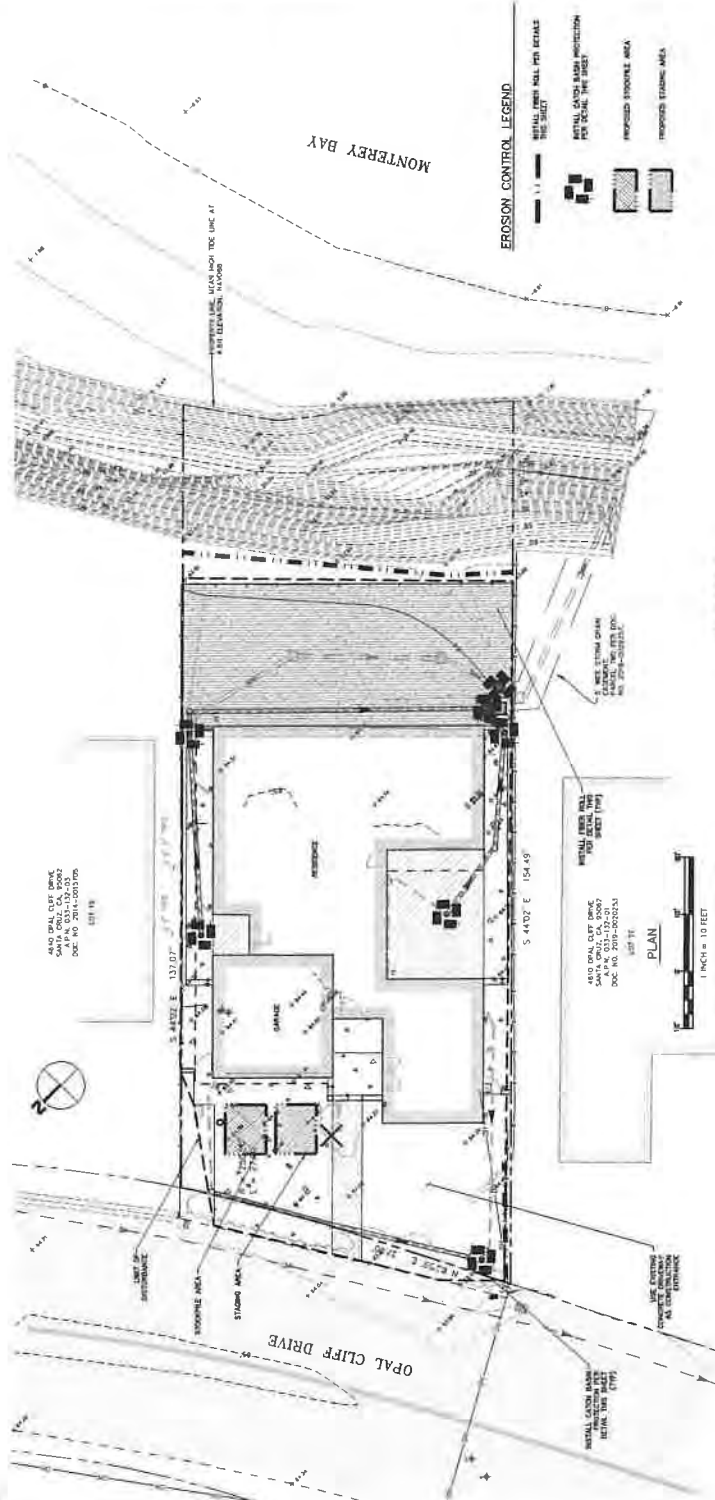
TYPICAL FIBER ROLL INSTALLATION



FIBER ROLL DETAIL IN SLOPE AREA



PLAN VIEW
GRAVEL BAG CATCH BASIN PROTECTION



EROSION CONTROL LEGEND

Exhibit D

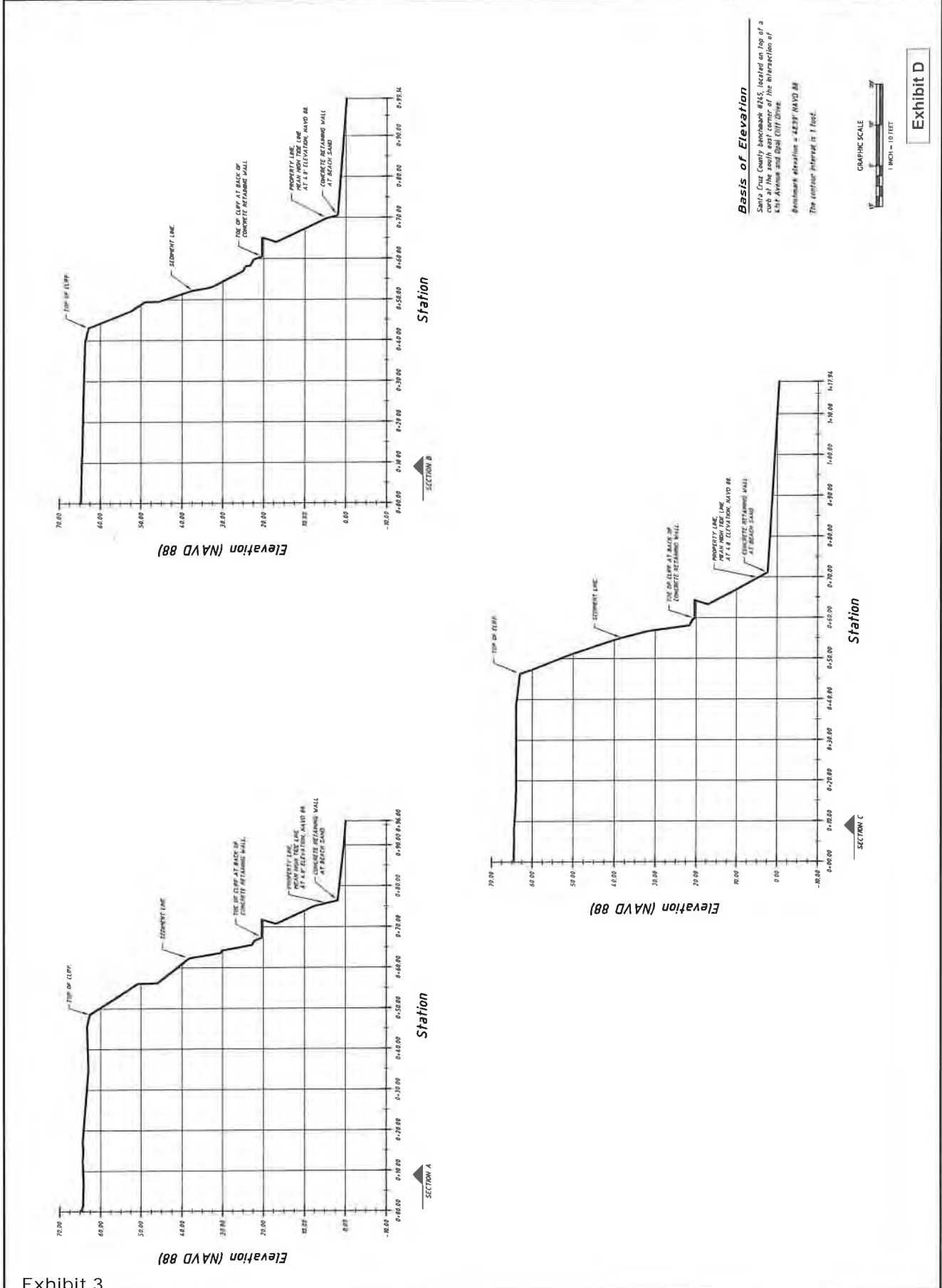
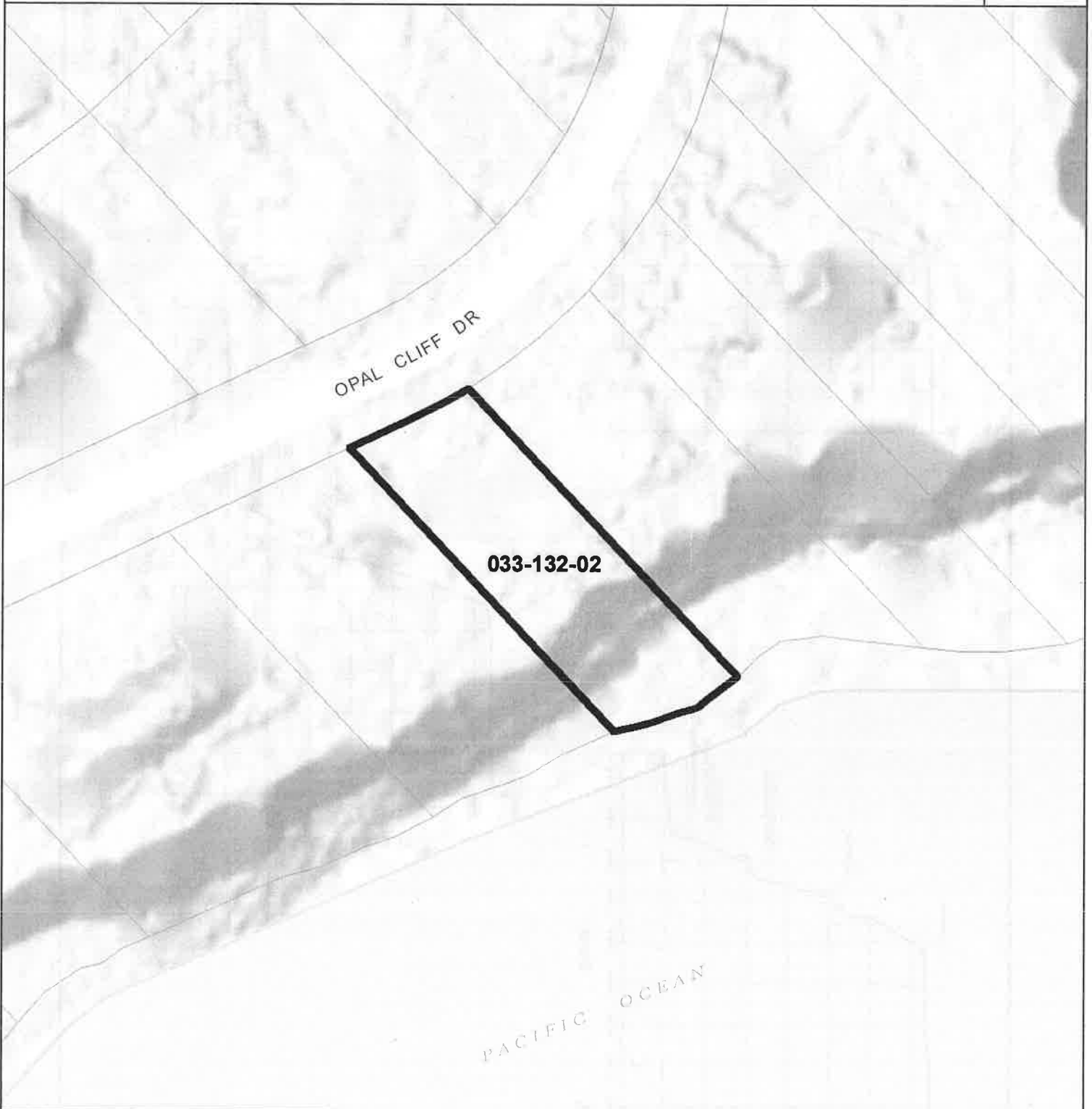


Exhibit 3
A-3-SCO-22-0033 (Hoyle SFD)
Page 31 of 42



Parcel Location Map



Parcel: 03313202

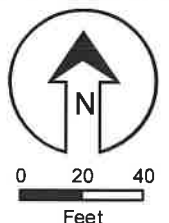
-  Study Parcel
-  Assessor Parcel Boundary

Exhibit 3

A-3-SCO-22-0033 (Hoyle SFD)

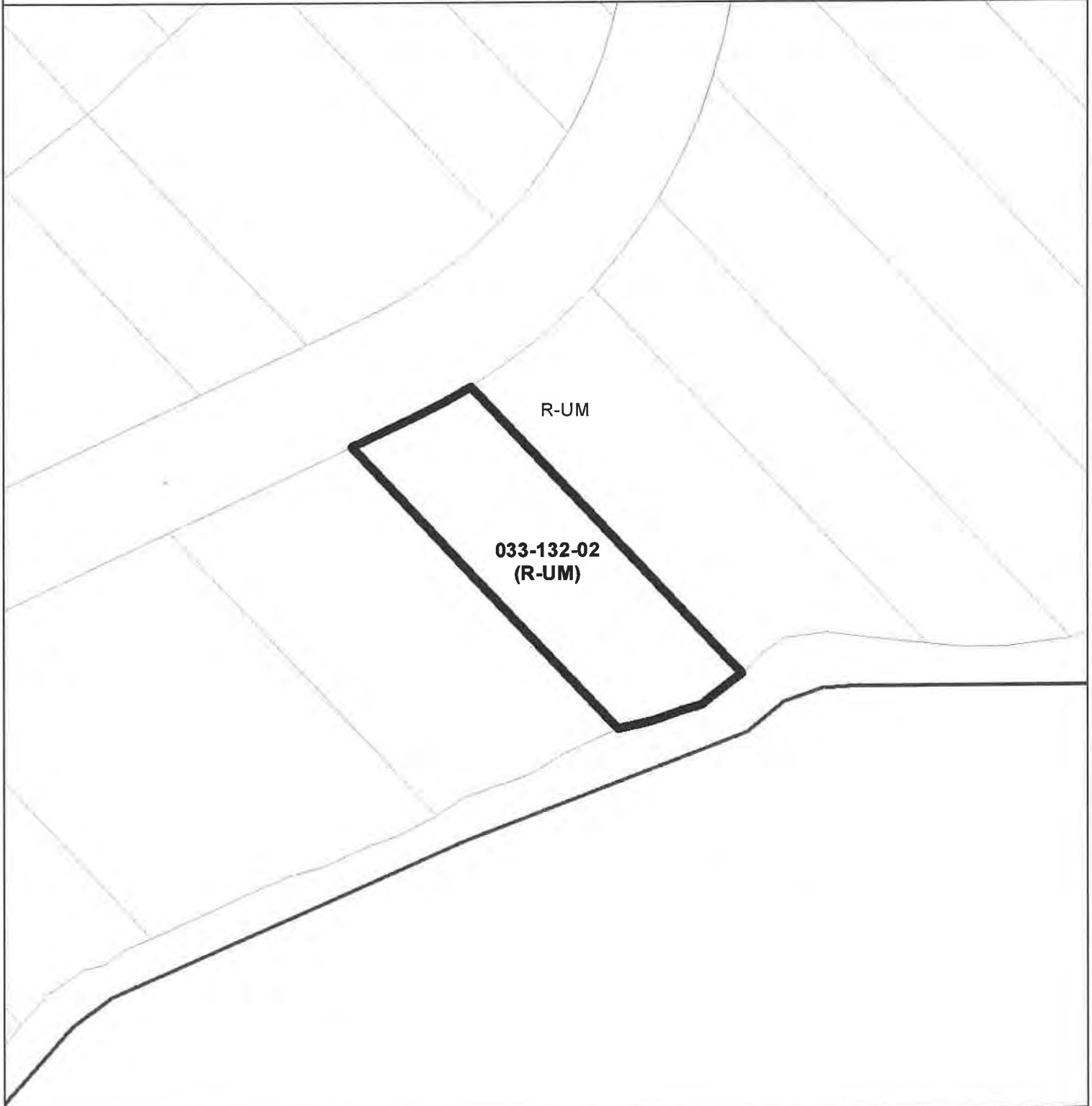
Map printed: 10 Mar 2022
Page 32 of 42

Exhibit E

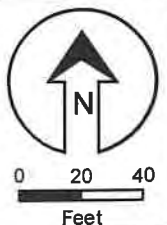




Parcel General Plan Map



☐ R-UM *Res. Urban Medium Density*





Parcel Zoning Map



R-1-5

033-132-02
(R-1-5)

PR

PACIFIC OCEAN

- PR Parks, Recreation, & Open Space
- R-1 Single-Family Residential

Exhibit 3
A-3-SCO-22-0033 (Hoyle SFD)
Page 34 of 42

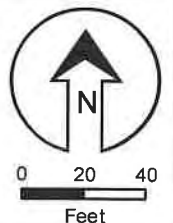


Exhibit E

Parcel Information

Services Information

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

Parcel Information

Parcel Size:	10,280 square feet
Existing Land Use - Parcel:	residential
Existing Land Use - Surrounding:	residential
Project Access:	Public, via Opal Cliff Drive
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Density Residential)
Zone District:	R-1-5 (Single family residential - 5,000 square feet)
Coastal Zone:	<u>X</u> Inside <u> </u> Outside
Appealable to Calif. Coastal Comm.	<u>X</u> Yes <u> </u> No

Technical Reviews: Combined Geologic and Soils Report Review (REV211488)

Environmental Information

Geologic Hazards:	Coastal bluff
Fire Hazard:	Not a mapped constraint
Slopes:	Flat site with Coastal Bluff at the rear
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	Foundation only
Tree Removal:	N/A
Scenic:	Not a mapped resource
Archeology:	Not mapped



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

7 March 2022

David Hoyle <provacdave@gmail.com>
4630 Opal Cliff Drive
Santa Cruz, CA 95062

Subject: Review of Geologic Investigation, Lands of Hoyle, 4630 Opal Cliff Drive, Santa Cruz, California, Santa Cruz County APN 033-132-02 by Zinn Geology dated 25 August 2021 and the 100-year slope angles in marine terrace deposits, 4630 Opal Cliff Drive, Santa Cruz, California, County of Santa Cruz APN 033-132-02 by Zinn Geology dated 1 March 2022, Job No. 2018016-G-SC

Review of the Geotechnical Investigation – Design Phase for the Hoyle Residence at 4630 Opal Cliff Drive/APN 033-132-02, Santa Cruz County, California by Pacific Crest Engineering, Inc. dated 26 August 2021, Project No. 2128-SZ69-B42

Project Site: 4630 Opal Cliff Drive
APN 033-132-02
Application No. REV211488

Dear Applicant:

The purpose of this letter is to inform you that the Planning Department has accepted the above referenced reports. The following items shall be required for the Building Permit Application:

1. All project design and construction shall comply with the recommendations of the reports.
2. Final plans shall reference the subject reports by titles, authors, and dates. Final Plans should also include a statement that the project shall conform to the reports' recommendations.
3. After plans are prepared that are acceptable to all reviewing agencies, please request both your project engineering geologist and geotechnical engineer submit a completed Consultant Plan Review Form (PLG300) to Environmental Planning. The authors of the geology and geotechnical reports shall sign and stamp their completed forms. Please note that the plan review forms must reference the final plan set by last revision date.

Any updates to report recommendations necessary to address conflicts between the reports and plans must be provided via a separate addendum to the soils and geology reports.

Electronic copies of all forms required to be completed by the Geotechnical Engineer and Geologist may be found on our website: www.sccoplanning.com, under "Environmental", "Geology & Soils", and "Assistance & Forms".

EXHIBIT G
A-3-SCO-22-0033 (Hoyle SFD)
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Exhibit G

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

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

Please note that this determination may be appealed within 14 calendar days of the date of service. Additional information regarding the appeals process may be found online at: http://www.sccoplanning.com/html/devrev/plnappeal_bldg.htm

Please contact Rick Parks at (831) 454-3168/email: Rick.Parks@santacruzcounty.us or Jeff Nolan at (831) 454-3175/Jeff.Nolan@santacruzcounty.us if we can be of any further assistance.

Respectfully,



Rick Parks, GE 2603
Civil Engineer – Environmental Planning
County of Santa Cruz Planning Department



Jeffrey Nolan, CEG 2247
County Geologist– Environmental Planning
County of Santa Cruz Planning Department

Cc: County of Santa Cruz Planning Department, Attn: Jessica de Grassi
Zinn Geology, Attn: Erik Zinn, CEG
Pacific Crest Engineering, Inc., Attn: Elizabeth Mitchell, GE
Cove Britton, Architect

Attachments: Notice to Permit Holders

**NOTICE TO PERMIT HOLDERS WHEN SOILS AND GEOLOGY REPORTS HAVE BEEN
PREPARED, REVIEWED AND ACCEPTED FOR THE PROJECT**

After issuance of the building permit, the County requires your soils engineer and engineering geologist to be involved during construction.

1. **At the completion of construction**, a *Soils (Geotechnical) Engineer Final Inspection Form* and a *Geologist Final Inspection Form* are required to be submitted to Environmental Planning that includes copies of all observations made during construction and is stamped and signed, certifying that the project was constructed in conformance with the recommendations of the soils and geology reports.

If the *Final Inspection Form* identifies any portions of the project that were not observed by the soils engineer and/or geologist, you may be required to perform destructive testing in order for your permit to obtain a final inspection. The soils engineer and/or geologist then must complete and initial an *Exceptions Addendum Form* that certifies that the features not observed will not pose a life safety risk to occupants.

Parcel Information

Services Information

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

Parcel Information

Parcel Size: 10,280 square feet
Existing Land Use - Parcel: residential
Existing Land Use - Surrounding: residential
Project Access: Public, via Opal Cliff Drive
Planning Area: Live Oak
Land Use Designation: R-UM (Urban Medium Density Residential)
Zone District: R-1-5 (Single family residential - 5,000 square feet)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

Technical Reviews: Combined Geologic and Soils Report Review (REV211488)

Environmental Information

Geologic Hazards: Coastal bluff
Fire Hazard: Not a mapped constraint
Slopes: Flat site with Coastal Bluff at the rear
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Foundation only
Tree Removal: N/A
Scenic: Not a mapped resource
Archeology: Not mapped

COMMISSION NOTIFICATION OF APPEAL

July 8, 2022

To: Carolyn Burke, Interim Planning Director
Santa Cruz County Planning Department
701 Ocean St., 4th Floor
Santa Cruz, CA 95060

From: Dan Carl, District Director
Rainey Graeven, District Supervisor

Re: Commission Appeal No. A-3-SCO-22-0033

Please be advised the coastal development permit decision described below has been appealed to the California Coastal Commission pursuant to Public Resources Code Sections 30603 and 30625. Therefore, the decision has been stayed pending Commission action on the appeal pursuant to the Public Resources Code Section 30623.

LOCAL PERMIT #: 211298

APPLICANTS: Sara and David Hoyle

APPELLANTS: Commissioner Dr. Hart and Commissioner Escalante

DESCRIPTION: Proposal to demolish an existing 2,696 square foot family dwelling and to construct a new 3,033 square foot, two story, single-family dwelling and 433 square foot accessory dwelling unit (ADU).

LOCATION: 4630 Opal Cliff Drive, Santa Cruz CA 95062 (APN: 033-132-02)

APPEAL FILED: 7/5/2022

The Commission appeal number assigned to this appeal is A-3-SCO-22-0033. The Commission hearing date has not been scheduled at this time. **Within 5 working days of receipt of this Commission Notification of Appeal, copies of all relevant documents and materials used in the Santa Cruz County's consideration of this coastal development permit must be delivered to the Central Coast District Office of the Coastal Commission (California Administrative Code Section 13112).**

Please include copies of plans, relevant photographs, staff reports and related documents, findings (if not already forwarded), all correspondence, the mailing list used to notice the project, and a list, with addresses, of all who provided verbal testimony.

A Commission staff report and notice of the hearing will be forwarded to you prior to the hearing. If you have any questions, please contact Rainey Graeven at Rainey.Graeven@coastal.ca.gov or by mail at the Central Coast District Office.

cc: Sara and David Hoyle

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV

**COASTAL COMMISSIONER APPEAL FORM**

Appeal of a Local Government Coastal Development Permit Action

1. Filing information

Appeal number: A-3-SCO-22-0033
Date appeal filed: 7/5/2022
District: Central Coast District
Commissioner: Caryl Hart
Commissioner: Linda Escalante

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

2. Local CDP decision being appealed

Local government: Santa Cruz County Zoning Administrator
CDP application number: 211298
CDP decision: Approval with Conditions
Date of CDP decision: 6/3/2022
Project location: 4630 Opal Cliff Drive, Santa Cruz
Project description: Proposal to demolish an existing 2,696 square foot family dwelling and to construct a new 3,033 square foot, two story, single-family dwelling and 433 square foot accessory dwelling unit (ADU).

3. Applicant information

Applicant: Sara and David Hoyle

Applicant address: 4630 Opal Cliff Drive, Santa Cruz

Applicant phone number: (831) 425-0544 (Cove Britton, Representative)

Applicant email address: provacdave@gmail.com

4. Grounds for this appeal

See attached statement.

5. Commissioner appellant certification

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Commissioner name: Linda Escalante

Commissioner signature:  DocuSigned by:
CF7DAU569086480...

Date of signature: 07/02/2022

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JUL -5 2022

**CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA**

6. Commissioner appellant certification

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Commissioner name: Caryl Hart

Commissioner signature: 
1EE2DCAAA0034D7...

Date of signature: 07/01/2022

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JUL 02 2022

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Reasons for Appeal
Santa Cruz County Coastal Development Permit Application Number 211298
(Coastal Commission Reference Number 3-SCO-22-0506)

On June 3, 2022, Santa Cruz County approved a coastal development permit to allow the demolition of an existing approximately 2,700-square-foot residence and garage, removal of an unpermitted blufftop deck, and the construction of a new two-story approximately 3,000-square-foot residence and 400-square-foot accessory dwelling unit (i.e., a total of about 3,400 square feet) on the blufftop above the beach and ocean at 4630 Opal Cliff Drive (APN 033-132-02) in Santa Cruz County. The bluff and beach portion of the project site contains 60 feet of an existing approximately 225-foot-long vertical seawall (which was originally approved to protect the existing residence that would be demolished under the County approval as well as the up- and down- coast residences). Under the County-approved project, the existing seawall would remain in place to protect the new house. Although much the beach area through Opal Cliffs is typically only accessible at low tides, the beach area at the subject site has an even smaller window of accessibility due, in part, to the presence of contiguous coastal armoring along this stretch of beach. In other words, the existing armoring currently creates discernible coastal resource impacts, particularly at higher tides.

The County-approved project raises LCP (and Coastal Act, in terms of public access) consistency questions in terms of coastal hazards and public recreational access. In terms of coastal hazards, the County's approval assumed and relied on the continued presence of the seawall in determining the required 100-year minimum setback, despite the fact that the LCP does not allow new development, such as is currently proposed, to be protected by such armoring.

In terms of public recreational access, the County's approval allows the existing armoring to remain even though it was originally constructed to protect a residence that was, at that time, found to be an "existing" structure that was in danger. Both the Coastal Act and the LCP allow for armoring in that context. When the existing 2,700-square-foot house is no longer present (i.e., when it is demolished through the County-approved project), the armoring itself is no longer allowed under the Coastal Act or the LCP (i.e., the armoring was only allowed to protect that existing house, and armoring is not allowed to protect new development, such as the new house, approved by the County here), and thus the armoring becomes 'non-conforming' at that point. This non-conforming armoring results in significant public recreational access and related coastal resource impacts that are not allowed under the Coastal Act and the LCP, and none of these issues were addressed in the County's approval.

In short, the County-approved project raises questions regarding its consistency with Coastal Act and LCP public recreational access requirements, as well as the LCP's coastal hazards and related requirements, and the County-approved project warrants further Commission review and deliberations regarding these issues.

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COASTAL COMMISSION
CENTRAL COAST AREA

Exhibit 4
A-3-SCO-22-0033 (Hoyle SFD)

7 of 7

GEOLOGIC HAZARDS POLICIES (LCP)

IP Section 16.10.040(12)

“Coastal erosion processes” means natural forces that cause the breakdown and transportation of earth or rock materials on or along beaches and bluffs. These forces include landsliding, surface runoff, wave action and tsunamis.

IP Section 16.10.040(59)

“Shoreline protection structure” means any structure or material, including but not limited to riprap or a seawall, placed in an area where coastal processes operate.

IP Section 16.10.070:

(H) Coastal Bluffs and Beaches.

(1) Criteria in Areas Subject to Coastal Bluff Erosion. Projects in areas subject to coastal bluff erosion shall meet the following criteria:

(a) For all development and for nonhabitable structures, demonstration of the stability of the site, in its current, pre-development application condition, for a minimum of 100 years as determined by either a geologic hazards assessment or a full geologic report.

(b) For all development, including that which is cantilevered, and for nonhabitable structures, a minimum setback shall be established at least 25 feet from the top edge of the coastal bluff, or alternatively, the distance necessary to provide a stable building site over a 100-year lifetime of the structure, whichever is greater.

(c) The determination of the minimum setback shall be based on the existing site conditions and shall not take into consideration the effect of any proposed protection measures, such as shoreline protection structures, retaining walls, or deep piers.

(3) Shoreline protection structures shall be governed by the following:

(a) Shoreline protection structures shall only be allowed on parcels where both adjacent parcels are already similarly protected, or where necessary to protect existing structures from a significant threat, or on vacant parcels which, through lack of protection threaten adjacent developed lots, or to protect public works, public beaches, and coastal dependent uses.

Note: New shoreline protection structures shall not be allowed where the existing structure proposed for protection was granted an exemption pursuant to subsection (H)(2) of this section.

- (b) Seawalls, specifically, shall only be considered where there is a significant threat to an existing structure and both adjacent parcels are already similarly protected.
- (c) Application for shoreline protective structures shall include thorough analysis of all reasonable alternatives to such structures, including but not limited to relocation or partial removal of the threatened structure, protection of only the upper bluff area or the area immediately adjacent to the threatened structure, beach nourishment, and vertical walls. Structural protection measures on the bluff and beach shall only be permitted where nonstructural measures, such as relocating the structure or changing the design, are infeasible from an engineering standpoint or are not economically viable.
- (d) Shoreline protection structures shall be placed as close as possible to the development or structure requiring protection.
- (e) Shoreline protection structures shall not reduce or restrict public beach access, adversely affect shoreline processes and sand supply, adversely impact recreational resources, increase erosion on adjacent property, create a significant visual intrusion, or cause harmful impacts to wildlife or fish habitat, archaeological or paleontologic resources. Shoreline protection structures shall minimize visual impact by employing materials that blend with the color of natural materials in the area.
- (f) All protection structures shall meet approved engineering standards as determined through environmental review.
- (g) All shoreline protection structures shall include a permanent, County approved, monitoring and maintenance program.
- (h) Applications for shoreline protection structures shall include a construction and staging plan that minimizes disturbance to the beach, specifies the access and staging areas, and includes a construction schedule that limits presence on the beach, as much as possible, to periods of low visitor demand. The plan for repair projects shall include recovery of rock and other material that has been dislodged onto the beach.
- (i) All other required local, State and Federal permits shall be obtained.

LUP Policy 6.2.15 New Development on Existing Lots of Record

Allow development activities in areas subject to storm wave inundation or beach or bluff erosion on existing lots of record, within existing developed neighborhoods, under the following circumstances:

- (a) A technical report (including a geologic hazards assessment, engineering geology report and/or soil engineering report) demonstrates that the potential hazard can be mitigated over the 100-year lifetime of the structure. Mitigations can include, but are not limited to, building setbacks, elevation of the structure, and foundation design;

(b) Mitigation of the potential hazard is not dependent on shoreline or coastal bluff protection structures, except on lots where both adjacent parcels are already similarly protected; and

(c) The owner records a Declaration of Geologic Hazards on the property deed that describes the potential hazard and the level of geologic and/or geotechnical investigation conducted.

LUP Policy 6.2.16 Structural Shoreline Protection Measures

Limit structural shoreline protection measures to structures which protect existing structures from a significant threat, vacant lots which through lack of protection threaten adjacent developed lots, public works, public beaches, or coastal dependent uses. Require any application for shoreline protection measures to include a thorough analysis of all reasonable alternatives, including but not limited to, relocation or partial removal of the threatened structure, protection of the upper bluff or area immediately adjacent to the threatened structure, engineered shoreline protection such as beach nourishment, revetments, or vertical walls. Permit structural protection measures only if non-structural measures (e.g. building relocation or change in design) are infeasible from an engineering standpoint or not economically viable. The protection structure must not reduce or restrict public beach access, adversely affect shoreline processes and sand supply, increase erosion on adjacent properties, or cause harmful impacts on wildlife and fish habitats or archaeological or paleontological resources. The protection structure must be placed as close as possible to the development requiring protection and must be designed to minimize adverse impacts to recreation and to minimize visual intrusion. Shoreline protection structures shall be designed to meet approved engineering standards for the site as determined through the environmental review process. Detailed technical studies shall be required to accurately define oceanographic conditions affecting the site. All shoreline protective structures shall incorporate permanent survey monuments for future use in establishing a survey monument network along the coast for use in monitoring seaward encroachment or slumping of revetments or erosion trends.

No approval shall be given for shoreline protective structures that do not include permanent monitoring and maintenance programs. Such programs shall include a report to the County every five years or less, as determined by a qualified professional, after construction of the structure, detailing the condition of the structure and listing any recommended maintenance work. Maintenance programs shall be recorded and shall allow for County removal or repair of a shoreline protective structure, at the owner's expense, if its condition creates a public nuisance or if necessary to protect the public health and safety.

LUP Policy 6.3.9 Site Design to Minimize Grading

Require site design in all areas to minimize grading activities and reduce vegetation removal based on the following guidelines:

(a) Structures should be clustered;

- (b) Access roads and driveways shall not cross slopes greater than 30 percent; cuts and fills should not exceed 10 feet, unless they are wholly underneath the footprint and adequately retained;
- (c) Foundation designs should minimize excavation or fill;
- (d) Building and access envelopes should be designated on the basis of site inspection to avoid particularly erodable areas;
- (e) Require all fill and sidecast material to be recompact to engineered standards, reseeded, and mulched and/or burlap covered.

PUBLIC ACCESS/ RECREATION POLICIES (COASTAL ACT)

30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

30212. *(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

(b) For purposes of this section, "new development" does not include:[...]

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.[...]

30213. *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...*

30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

PUBLIC ACCESS/ RECREATION POLICIES (LCP)

13.20.110 Coastal development permit findings.

The following coastal development permit findings shall be required for approval of a coastal development permit, and which shall be based on clear evidence and analysis supporting the findings, prior to granting approvals pursuant to this chapter in addition to the findings required for the issuance of a development permit in accordance with Chapter [18.10](#) SCCC: [...]

(F) If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

LUP Objective 7.7a Coastal Recreation

To maximize public use and enjoyment of coastal recreation resources for all people, including those with disabilities, while protecting those resources from the adverse impacts of overuse.

LUP Objective 7.7b Shoreline Access

To provide a system of shoreline access to the coast with adequate improvements to serve the general public and the coastal neighborhoods which is consistent with the California Coastal Act, meets public safety needs, protects natural resource areas from overuse, protects public rights and the rights of private property owners, minimizes conflicts with adjacent land uses, and does not adversely affect agriculture, subject to policy 7.6.2.

LUP Policy 7.7.11 Vertical Access

Determine whether new development may decrease or otherwise adversely affect the availability of public access, if any, to beaches and/or increases the recreational demand. If such impact will occur, the County will obtain, as a condition of new development approval, dedication of vertical access easements adequate to accommodate the intended use, as well as existing access patterns, if adverse environmental impacts and use conflicts can be mitigated, under the following conditions:

(b) Within the Urban Services Line:

- from the first public roadway to the shoreline if there is not dedicated access within 650 feet;
- through properties inland of the first public roadway if there is evidence that residents have been using the property to gain access to the shoreline, and if closure of the pathway would require residents to detour more than one-eighth mile.

(c) All dedications required shall comply with policy 7.6.2 and the other policies of this chapter.

LUP Policy 7.7.12 Lateral Access

Determine whether new development would interfere with or otherwise adversely affect public lateral access along beaches. If such impact will occur, the County will obtain dedication of lateral access along the beach to the first line of terrestrial vegetation to the base of the bluffs, where present, or to the base of any seawall; and the dedication of lateral access along bluff tops where pedestrian and/or bicycle trails can be provided and where environmental and use conflict issues can be mitigated. Unrestricted lateral access to North Coast beaches shall be provided where environmental and public safety concerns can be mitigated. All dedications required shall comply with policy 7.6.2 and the other policies of this chapter.