

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



Th15a

A-3-SCO-24-0019 (TSEU AND MOCUS LANDSCAPING)

JUNE 13, 2024 HEARING

EXHIBITS

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Capitola

Aptos/
Rio Del Mar

Project Site



Seacliff Neighborhood

Project Site

Las Olas Drive

Seacliff State Beach



Project
Site

Seacliff State Beach

Las Olas Drive



Project Site

Las Olas Drive

Seacliff State Beach



Outdoor Kitchen

Fire Pit

Garden Wall



Garden Wall

Fire Pit

NOTICE OF FINAL LOCAL ACTION ON COASTAL PERMIT

County of Santa Cruz

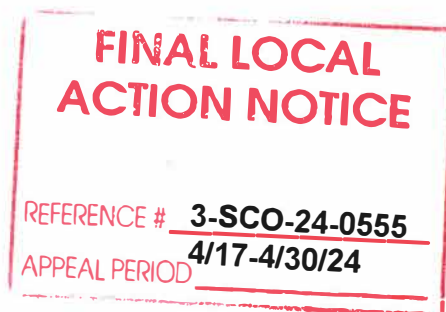
RECEIVED

Date of Notice: 4/8/2024

APR 16 2024

Notice Sent (via certified mail) to:
California Coastal Commission
Central Coast Area Office
725 Front Street, Ste. 300
Santa Cruz, CA 95060

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.: 231511
Project Applicant: Dennis Anderson
Address: 3120 Wallace Avenue, Aptos CA 95003
Phone/E-mail: (831) 239-1522
Applicant's Representative: Dennis Anderson
Address: 3120 Wallace Avenue, Aptos CA 95003
Phone/E-mail: (831) 239-1522

Project Planner: John Hunter
Phone/E-mail: (831) 454-3170

Project Location: 735 Seacliff Drive, Aptos CA 95003

Project Description: Recognize landscaping features including a garden wall, fire pit and outdoor kitchen. Requires a Coastal Development Permit.

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 | X | |
| Geotechnical Reports | X | |
| 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



Staff Report to the Zoning Administrator

Application Number: **231511**

Applicant: Dennis Anderson
Owner: Marvin Tseu & Mary Mocus
APN: 038-151-11
Site Address: 735 Seacliff Drive

Agenda Date: 03/15/2024
Agenda Item #:
Time: After 9:00 a.m.

Project Description: Proposal to recognize landscaping features including a garden wall, fire pit and outdoor kitchen.

Location: Property is located on the southern side of Seacliff Drive (735 Seacliff Drive) approximately 90 feet southeast of the intersection of Seacliff Drive and Oakhill Road in Aptos.

Permits Required: Requires a Coastal Development Permit.

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

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 231511, based on the attached findings and conditions.

Analysis

The subject parcel is an 11,070 square foot lot developed with a 3,258 square foot, two story single-family residence and attached 559 square foot garage. The parcel is located on a coastal bluff and within a residential neighborhood in the Aptos Planning Area.

The dwelling was originally built in 1951 and was subsequently improved under Coastal Development Permits 10-0114 and 211071. Coastal Development Permit 10-0114 approved in 2010, authorized the replacement and expansion of an existing deck by approximately 330 square feet along with the conversion of two existing windows into doors, the enlargement of three existing windows and the addition of approximately 40 square feet to the dwelling's entry. Coastal Development Permit 211071 approved in 2021, authorized the construction of an approximately 1,094 square foot residential addition with an approximately 559 square foot attached garage.

On June 14th, 2023, County Code Compliance staff received a service request regarding the installation of a sink and fire pit connected to utilities. A subsequent site visit conducted by Code Compliance staff found an outdoor kitchen and fire pit connected to utilities and a garden wall. These landscape structures were built without the benefit of any previously approved Coastal Development Permit.

County of Santa Cruz - Community Development & Infrastructure - Planning Division
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

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Owner: Marvin Tseu & Mary Mocus

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Santa Cruz County Code Section 13.20.061(B) requires that improvements to existing single-family residences, including structures on the property normally associated with a single-family residence, obtain a Coastal Development Permit if the structure is located within 50 feet of a coastal bluff top edge. The garden wall, outdoor kitchen, and fire pit are located within 50 feet of a coastal bluff top edge therefore a Coastal Development Permit is required.

In addition to being within 50 of the coastal bluff, the garden wall and fire pit are located within the 25-foot/100-year geologic setback where development activities are limited under County Code Section 16.10.070. Because the fire pit (once the utilities have been removed) and the garden wall do not specifically require a building permit, these improvements are allowed pursuant to County Code section 16.10.070(H)(2), provided they will not unfavorably alter drainage patterns (defined as a change that would significantly increase or concentrate runoff over the bluff edge or significantly increase infiltration into the bluff). To ensure compliance with this provision, a letter from a geologist will be submitted, confirming that the garden wall and fire pit would not unfavorably alter drainage patterns relative to the adjacent bluff. Further, as a condition of approval of this application, an owner acknowledgement is required attesting that, should the garden wall or fire pit become unstable due to erosion or slope instability, the threat to the garden wall and/or fire pit shall not qualify the parcel for a coastal bluff retaining structure or shoreline protection structure. In addition, if either the garden wall or fire pit become a hazard, they shall either be removed or relocated, rather than protected in place. The outdoor kitchen is not located within the 25-foot/100-year geologic setback and can be recognized through the approval of this Coastal Development Permit and under a condition of approval that an Electrical/Plumbing Permit is obtained from the County Building Official to recognize the existing utility connections. The Electrical/Plumbing Permit will also authorize the removal and capping of the existing unpermitted utility connection to the fire pit (gas).

Zoning & General Plan Consistency

The subject property is an 11,070 square foot lot, located in the R-1-8 (Single-Family Residential, 8,000 square feet or greater) zone district, a designation which allows residential uses. The proposed garden wall, fire pit and outdoor kitchen are allowed within the zone district and the zoning is consistent with the site's R-UL (Urban Residential Low Density) General Plan designation.

Local Coastal Program Consistency

The proposed garden wall, fire pit and outdoor kitchen are in conformance with the County's certified Local Coastal Program, in that the structures are 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 of outdoor entertainment areas and other landscape improvements associated with other dwellings in the area are varied, and the design and siting of these landscape improvements are consistent with the pattern of development in the surrounding neighborhood. Although the project site is located between the shoreline and the first through road, there is no access to the beach, ocean or other body of water in that the steep coastal bluff at the rear of the parcel effectively prevents any public or private access to these amenities. In addition, the project site is not identified as a priority acquisition site in the County's Local Coastal Program.

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Public Outreach/Public Comment

To date staff has received two phone calls from neighbors regarding this proposal. One was a request for the project to be heard at a public hearing, which was granted. The other caller was concerned that the project proposed new construction. Staff informed the caller that the project does not propose any new construction.

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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **231520**, 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 Division, 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: John Hunter
Santa Cruz County Planning
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3170
E-mail: John.Hunter@santacruzcountyca.gov

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Division 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: **231511**

Assessor Parcel Number: **038-151-11**

Project Location: **735 Seacliff Drive, Aptos CA 95003**

Project Description: **recognize landscaping features including a garden wall, fire pit and outdoor kitchen.**

Person or Agency Proposing Project: **Dennis Anderson**

Contact Phone Number: **(831) 239-1522**

- 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**

Class 4, 15304(b) – Minor Alterations to Land

Class 3, 15303(e) – New Construction or Conversion of Small Structures

F. Reasons why the project is exempt:

The proposed garden wall, fire pit and outdoor kitchen are accessory to the existing single-family dwelling on the parcel.

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

John Hunter

Digitally signed by John Hunter
DN: cn=John Hunter, email=jhunter@santacruzcountyca.gov,
o=Santa Cruz County Community Development &
Infrastructure, ou=Development Review, cn=John
Hunter
Date: 2024.03.15 11:20:24-07'00'

John Hunter, Project Planner

Date: **3/15/2024**

Application #: 231511
APN: 038-151-11
Owner: Marvin Tseu & Mary Mocus

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-1-8 (Single-Family Residential, 8,000 square feet or greater), a designation which allows residential uses. The proposed garden wall, fire pit and outdoor kitchen (hereafter referred to together as "landscape structures" unless differentiation is required) are associated with a principal permitted use within the zone district, and the zoning is consistent with the site's R-UL (Urban Residential Low Density) 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. While the garden wall and fire pit are located on a bluff top, they are 21 inches in height and do not impact views of the bluff top. The proposed outdoor kitchen is not on a prominent ridge, beach, or bluff top in that it is located approximately 50 feet from the bluff edge and further from the bluff than the permitted SFD and associated decks.

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 at 201 State Park Drive, Aptos CA 95003.

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

This finding can be made, in that the landscape structures are 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-1-8 (Single-Family Residential, 8,000 square feet or greater) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area primarily contain one single family dwelling. Size and architectural styles of outdoor entertainment areas and other landscape improvements associated with other dwellings in the area are varied, and the design submitted is consistent with the pattern of development within the surrounding neighborhood.

6. If the project is located between the nearest through public road and the sea or the shoreline

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Owner: Marvin Tseu & Mary Mocus

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 while the project site is located between the shoreline and the first public road, the proposed landscape structures at an existing single-family dwelling will not interfere with public access to the beach, ocean or any nearby body of water, because there is no public beach access from Seacliff Drive due to the steep coastal bluff that runs along the rear of properties located on the south side of Seacliff Drive. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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

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 landscape structures and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-8 (Single-Family Residential – 8,000 square feet or greater) zone district as the primary use of the property will be one single-family residence that meets all current site standards for the zone district. The project will further comply with the provisions of county Code section 16.10.070(H)(2) in that, as a condition of approval of this Permit, all utility connections to the firepit are required to be removed and capped.

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-UL (Urban Residential Low Density) land use designation in the County General Plan.

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 landscape structures are to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is not expected to change as a result of the project and, as such, the project will not adversely impact existing roads or 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 landscape structures are located in a mixed neighborhood containing a variety of architectural styles, where the majority of properties also contain landscape improvements and the proposed garden structures are consistent with the land use intensity and density of the neighborhood.

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Conditions of Approval

Exhibit D: Project plans, prepared by Dennis Anderson, dated 02/09/2024.

- I. This permit authorizes the construction of landscape structures 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 Santa Cruz County Planning one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Plumbing/Electrical Permit from the Santa Cruz County Building Official to recognize existing utility connections to the outdoor kitchen and to remove and cap the existing utility connection to the fire pit.
 1. Any outstanding balance due to Santa Cruz County Planning must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Submit a letter from the project geologist confirming the garden wall and fire pit will not unfavorably alter drainage patterns relative to the adjacent bluff.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by Santa Cruz County Planning. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with Santa Cruz County Planning. 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. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
 - 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 discretionary application has not been reviewed for compliance with

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Part 3 of the County Design Criteria. Prior to issuance of a building, grading, or other permit, final Stormwater Management documents shall be submitted for review and approval by Stormwater Management Section that adhere to the County Design Criteria and County Code 7.79.

2. Pre-development runoff patterns and rates shall be maintained, and safe stormwater overflow shall be incorporated into the project design.
 3. New and/or replaced impervious and/or semi-impervious surface area shall not exceed 5,000 square feet.
- C. Meet all requirements of the Environmental Planning section of Santa Cruz County Planning.
- D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- E. Complete and record an owner acknowledgement attesting that, should the garden wall or fire pit become unstable due to erosion or slope instability, the threat to the garden wall and fire pit shall not qualify the parcel for a coastal bluff retaining structure or shoreline protection structure and that, if either the fire pit or retaining wall become a hazard, they shall either be removed or relocated, rather than protected in place. **You may not alter the wording of this document.**
- III. All work shall be performed according to the approved Plumbing/Electrical Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - B. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
- IV. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

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V. 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.

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

Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

Approval Date: 3/15/2024

Effective Date: 3/29/2024

Expiration Date: 3/15/2027

DocuSigned by:
Steve Guiney
3BD0834C753C4EA
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.

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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: | Central FPD |
| Drainage District: | NA |

Parcel Information

| | |
|------------------------------------|---|
| Parcel Size: | 10,846 Square Feet |
| Existing Land Use - Parcel: | Residential |
| Existing Land Use - Surrounding: | Residential |
| Project Access: | Seacliff Drive |
| Planning Area: | Aptos |
| Land Use Designation: | R-UL (Urban Residential Low Density) |
| Zone District: | R-1-8 (Single-Family Residential) |
| Coastal Zone: | <u> X </u> Inside <u> </u> Outside |
| Appealable to Calif. Coastal Comm. | <u> X </u> Yes <u> </u> No |

Environmental Information

XX (if an environmental review document has been prepared, delete the table and include the following language referencing that document): An Initial Study has been prepared (Exhibit XX) that addresses the environmental review associated with this application.

| | |
|--------------------|---|
| Geologic Hazards: | Not mapped/no physical evidence on site |
| Fire Hazard: | Not a mapped constraint |
| Slopes: | N/A |
| Env. Sen. Habitat: | Not mapped/no physical evidence on site |
| Grading: | No grading proposed |
| Tree Removal: | No trees proposed to be removed |
| Scenic: | Not a mapped resource |
| Archeology: | Not mapped/no physical evidence on site |



PROJECT SITE

GENERAL NOTES:

- ALL WORK SHALL BE PERFORMED IN CONFORMANCE WITH CALIFORNIA BUILDING & FIRE CODES AND CENTRAL FIRE PROTECTION DISTRICT AMENDMENTS AND REGULATIONS APPLICABLE AS FOLLOWS:

2022 CALIFORNIA BUILDING CODE
2022 CALIFORNIA MECHANICAL CODE
2022 CALIFORNIA PLUMBING CODE
2022 CALIFORNIA ELECTRICAL CODE
2022 CALIFORNIA GREEN BUILDING STANDARDS
2022 CALIFORNIA ENERGY EFFICIENCY STANDARDS
2022 CALIFORNIA RESIDENTIAL CODE
2022 CALIFORNIA FIRE CODE

NOTHING IN THE CONTRACT DOCUMENTS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES, LAWS, ORDINANCES AND REGULATIONS.

2. ALL WORK LISTED, SHOWN, OR IMPLIED ON ANY CONSTRUCTION DOCUMENTS SHALL BE SUPPLIED AND INSTALLED BY THE GENERAL CONTRACTOR EXCEPT WHERE NOTED OTHERWISE THE GENERAL CONTRACTOR SHALL CLOSELY COORDINATE THE WORK WITH THAT OF OTHER CONTRACTORS OR VENDORS TO ASSURE THAT ALL SCHEDULES ARE MET AND THAT ALL WORK IS DONE IN CONFORMANCE TO MANUFACTURER'S REQUIREMENTS.

3. CONTRACTOR SHALL FIELD VERIFY EXISTING SITE CONDITIONS PRIOR TO COMMENCING WITH COST ESTIMATE.

ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED ON PROJECT SITE BY THE CONTRACTOR AND EACH TRADE BEFORE WORK BEGIN. ERRORS, OMISSIONS AND DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION BEFORE CONSTRUCTION BEGINS.

4. ALL ITEMS ARE NEW UNLESS SPECIFICALLY INDICATED OR NOTED AS EXISTING.

5. ALL DIMENSIONS ARE FROM FACE OF STUD OR CENTERLINE OF COLUMN OR CENTERLINE OF DOOR OR OTHER SCHEDULED OPENING.

6. COORDINATION:

THE CONTRACTOR SHALL COORDINATE LAYOUT DIMENSIONS INDICATED ON THE LANDSCAPE, STRUCTURAL, AND ELECTRICAL DRAWINGS WITH THOSE INDICATED ON THE ARCHITECTURAL DRAWINGS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

SEE ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS, ELEVATIONS, DEPRESSIONS IN SLAB, OPENINGS IN WALLS AND ROOF, ROOF SLOPE, CRICKETS, AND ROOF DRAINS.

IN THE EVENT CERTAIN FEATURES OF THE CONSTRUCTION ARE NOT FULLY SHOWN ON THE CONSTRUCTION DOCUMENTS, THEN THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS FOR SIMILAR CONDITIONS THAT ARE SHOWN.

THE CONTRACTOR SHALL VERIFY ALL ELECTRICAL, MECHANICAL, TELEPHONE AND SECURITY REQUIREMENTS BEFORE CONSTRUCTION BEGINS.

THE CONTRACTOR SHALL COORDINATE THE LOCATIONS OF LIGHTS, HVAC OUTLET AND INLET REGISTERS, AND SMOKE DETECTORS BEFORE CONSTRUCTION BEGINS.

7. ON ALL CONTINUOUS SURFACES WHERE CONSTRUCTION INVOLVES MORE THAN ONE MATERIAL, FINISH OR MATERIAL THICKNESS, ALIGN FACE OF FINISH U.N.O.

8. THE CONTRACTOR SHALL REPLACE OR REPAIR, AT CONTRACTOR'S EXPENSE, ALL DAMAGED, REMOVED OR OTHERWISE DISTURBED EXISTING UTILITIES, IMPROVEMENTS OR FEATURES OF WHATEVER NATURE, TO THEIR ORIGINAL CONDITION WHETHER SHOWN ON THE DRAWINGS OR NOT.

9. VERIFY MOUNTING HEIGHTS OF BACKING PLATES AND SPECIAL STRUCTURAL SUPPORT REQUIREMENTS WITH EQUIPMENT MANUFACTURERS BEFORE INSTALLING BACKING PLATES AND SUPPORT.

10. THE USE OF THE WORD "PROVIDED" IN CONNECTION WITH ANY ITEM SPECIFIED IS INTENDED TO MEAN THAT SUCH SHALL BE FURNISHED, INSTALLED AND CONNECTED, WHERE SO REQUIRED, U.N.O.

11. THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DOCUMENTS ON THE JOB SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES, AND SHALL PROVIDE ALL SUBCONTRACTORS WITH CURRENT CONSTRUCTION DOCUMENTS AS REQUIRED.

12. THE JOB COPIES OF THE BUILDING AND FIRE SYSTEMS PLANS AND PERMITS MUST BE ON SITE DURING INSPECTIONS.

CONTACTS

OWNERS
MARVIN TSEU & MARY MOCAS
12002 OLD SNAKEY ROAD
LOS ALTOS HILLS, CA 94022
(650) 947-0402
marv@waypointstrategies.com

ARCHITECT
ANDERSON MCKELVEY ARCHITECTS
536 SOQUEL AVENUE
SANTA CRUZ, CA 95062
(831) 457-8348
dennis@andmck.com

CIVIL ENGINEER
RAMSEY CIVIL ENGINEERING, INC
2805 KRISTIE COURT
SANTA CRUZ, CA 95065
(831) 462-2905
www.ramseycivilengineering.com

STRUCTURAL DESIGN
ANDREW RADOVAN C PE
2815 MISSION STREET
SANTA CRUZ, CA 95060
(831) 459-7296
andrew@radovan.us

ENERGY CONSULTANT
A+ GREEN ENERGY SERVICES
41 C HANGAR WAY
WATSONVILLE, CA 95076
(831) 728-5503
www.apges.com

GEOTECHNICAL CONSULTANT
GREG BLOOM, PE GE
BUTANO GEOTECHNICAL ENGINEERING
231 GREEN VALLEY ROAD, SUITE E
FREEDOM, CA 95018
(831) 724-2612
www.butanogeotech.com

GEOLOGIST
JIM OLSON, PG #7244, CEG #2267
202 ANITA STREET
SANTA CRUZ, CA 95060
(831) 234-7825
jim@baysidegeology.com

PROJECT DESCRIPTION

RETRO BUILDING PERMIT FOR OUTDOOR KITCHEN AND FIRE PIT

PROJECT DATA

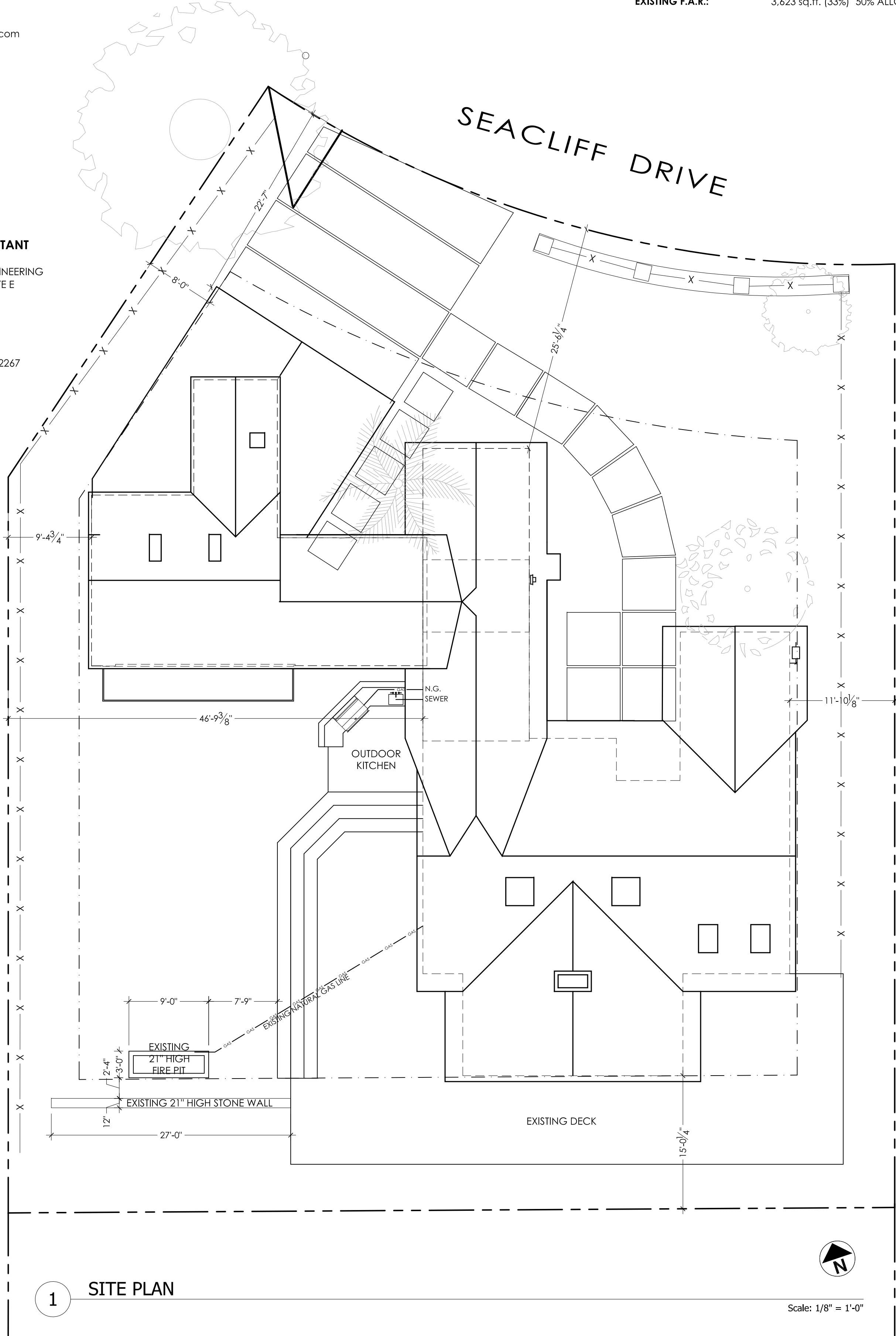
APN: 038-151-11
ZONING: R-1-8
CONSTRUCTION TYPE: VB
OCCUPANCY CLASSIFICATION: R-3
SPRINKLERED: yes

LOT AREA: ±11,070 sq.ft.

EXISTING BUILDING AREAS

UNCONDITIONED PANTRY: 256 sq.ft.
MAIN HOUSE: 1,922 sq.ft.
GARAGE: 559 sq.ft.
A.D.U. FIRST FLOOR: 553 sq.ft.
A.D.U. SECOND FLOOR: 527 sq.ft.

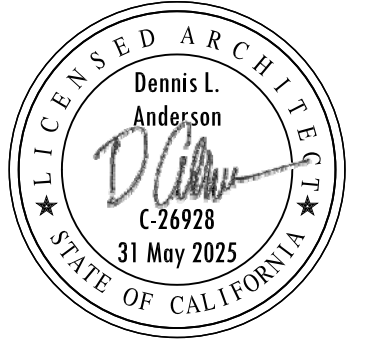
EXISTING LOT COVERAGE: 4,287 sq.ft. (39%) 40% ALLOWABLE
EXISTING F.A.R.: 3,623 sq.ft. (33%) 50% ALLOWABLE



1 SITE PLAN

Scale: 1/8" = 1'-0"

STUDIO 3120
DENNIS ANDERSON
ARCHITECT
3120 WALLACE AVENUE
APTOS CALIFORNIA 95003
831.239.1522
dennis@studio3120.com



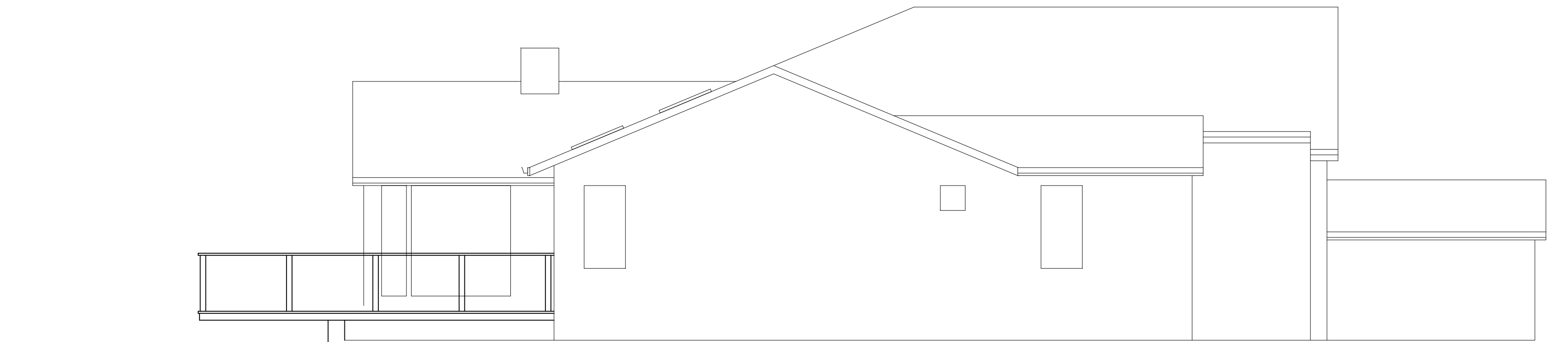
MOCUS-TSEU RESIDENCE

RETRO BUILDING PERMIT
735 SEACLIFF DRIVE
APTOS, CA 95003
APN: 038-151-11

SITE PLAN
PROJECT INFO
VICINITY MAP
GENERAL NOTES

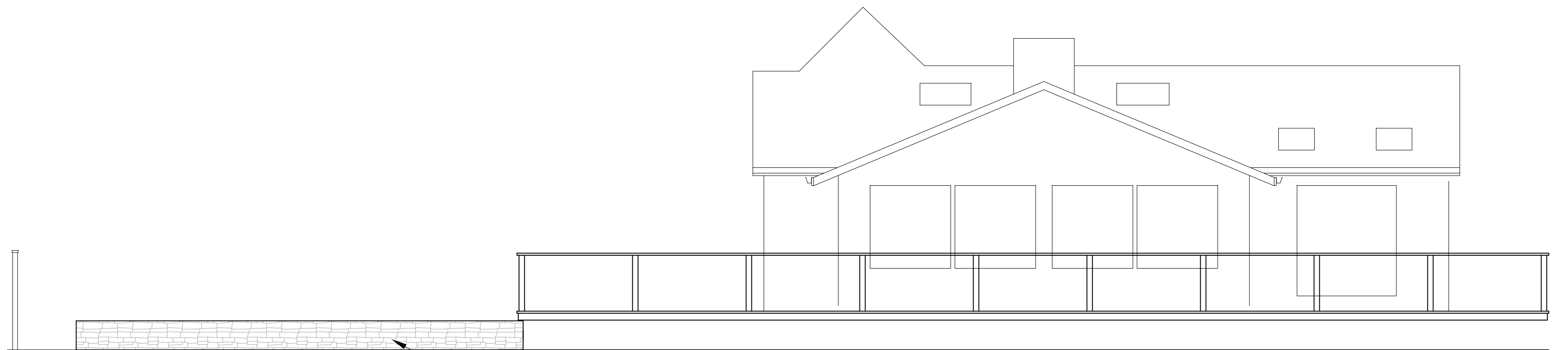
DRAWN RCR
SCALE 1/8" = 1'-0"
DATE 9 February 2024

A1



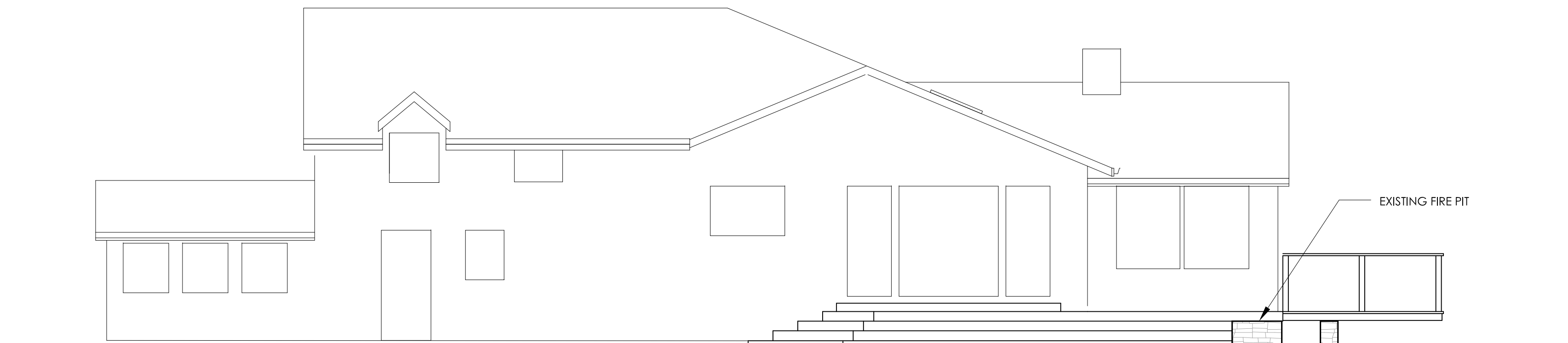
4 EXISTING EAST ELEVATION

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



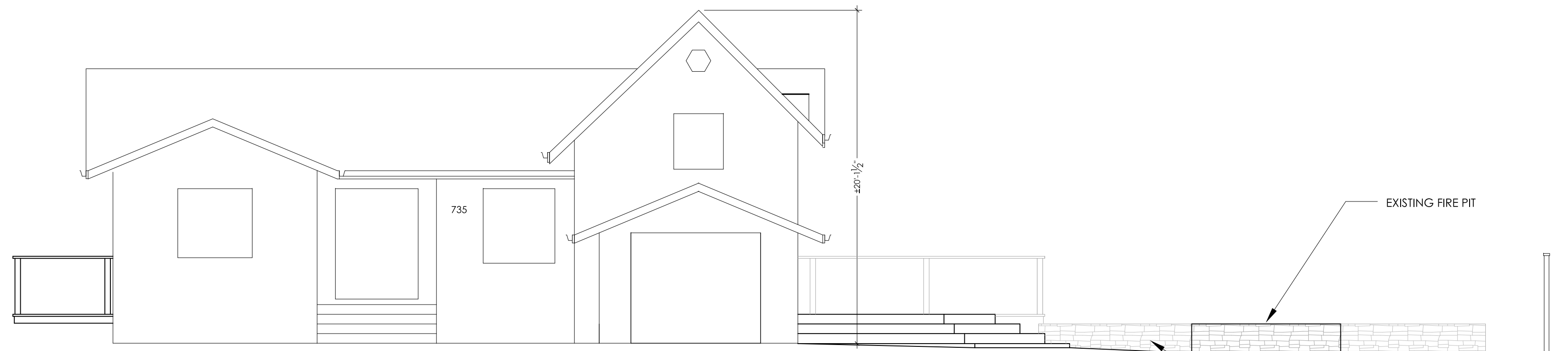
3 EXISTING SOUTH ELEVATION

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



2 EXISTING WEST ELEVATION

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



1 EXISTING NORTH ELEVATION

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



MOCUS-TSEU RESIDENCE

RETRO BUILDING PERMIT

735 SEACLIFF DRIVE
APTOS, CA 95003
APN: 038-151-11

EXISTING
EXTERIOR
ELEVATIONS

DRAWN
SCALE
DATE 9 February 2024

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
455 MARKET ST., SUITE 228
SAN FRANCISCO, CA 94105-2420
(415) 904-5260
NORTHCENTRALCOAST@COASTAL.CA.GOV

**APPEAL FORM****Appeal of Local Government Coastal Development Permit****RECEIVED****Filing Information (STAFF ONLY)****APR 29 2024**

District Office: North Central Coast

Appeal Number: A-3-SCO-24-0019Date Filed: April 29, 2024Appellant Name(s): Jeanell Martin

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

APPELLANTS

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

Note regarding emailed appeals. Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the North Central Coast district office, the email address is NorthCentralCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>.

Appeal of local CDP decision

Page 2

1. Appellant information¹

Name:

Jeanell Martin

Mailing address:

733 SeacLiff DRIVE, APTOS, CA.

Phone number:

831 818-8761

Email address:

JeanellMARTin@yahoo.com

How did you participate in the local CDP application and decision-making process?

☐

Did not participate

☐

Submitted comment

☒

Testified at hearing

☐

Other

Describe:

I talked to Zoning County Planner John Hunter with 2 of my neighbors. We showed up at the Hearing to testify also.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe:

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe:

Local Government Planning Dept. charges A fee of \$1200. to Appeal.

¹ If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

Appeal of local CDP decision

Page 3

2. Local CDP decision being appealed²

Local government name:

Santa Cruz County Planning
Dept.

Local government approval body:

Local government CDP application number:

Local government CDP decision:

☐

CDP approval

☐

CDP denial³

Date of local government CDP decision:

3/15/24

Please identify the location and description of the development that was approved or denied by the local government.

Describe:

735 Seacliff Dr.
Aptos, CA. 95003

* A "GARDEN wall" (20' Long concrete wall, 22" high, 9" Deep footing & Along the Bluff with Homes Below)

* Fire pit (next to 20' wall area 3' wide + 7' Long concrete along Bluff.)

* Outdoor Kitchen

✓ All Done By owners without A Permit.

✓ The Signage on Property left out the 20' Long wall. No mention of it.

² Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

³ Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.

see Attached Paperwork

Exhibit 4

A-3-SCO-24-0019

Page 3 of 59

Appeal of local CDP decision

Page 4

3. Applicant information

Applicant name(s):

Dennis Anderson
3120 W 4114th

Applicant Address:

Aptos, CA 95023

4. Grounds for this appeal

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe:

1) No concrete Along cliff Bluff
* 4 1/2 - 5 tons off concrete!
20' Long concrete wall & 3x7 Firepit.
No concrete Along Bluff cliff
Because it will fall on the homes
Below, 100' cliff, Las Olas

* According to John Kasunich,
Coastal engineer & Geotechnical
Firm, It is not if this 20'
wall will fall, It will fall.

* This effects All of us neighbors.
& the Homes Below.

4 Attach additional sheets as necessary to fully describe the grounds for appeal.

→ Please See Attached PAPERs

Exhibit 4

A-3-SCO-24-0019

Page 4 of 59

* See pictures of unpermitted Deck & wall in 1st year, done.
* NO permits for Deck

Appeal of local CDP decision

Page 5

5. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☒ Interested persons identified and provided on a separate attached sheet

6. Appellant certifications

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

Print name Jeanell Martin

Signature Jeanell Martin

Date of Signature 4/19/24

7. Representative authorizations

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

⁵ If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

⁶ If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400

**DISCLOSURE OF REPRESENTATIVES**

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name _____

CDP Application or Appeal Number _____

Lead Representative

Name _____

Title _____

Street Address. _____

City _____

State, Zip _____

Email Address _____

Daytime Phone _____

Your Signature _____

Date of Signature _____

Additional Representatives (as necessary)

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Your Signature _____

Date of Signature _____



From: Katharine P. Minott <kpminott@gmail.com>

Sent: Monday, March 4, 2024 9:33 AM

To: John Hunter <John.Hunter@santacruzcountyca.gov>; Jeanell Martin <jeanellmartin@yahoo.com>

Subject: Requesting appointment with you to review 735 Seacliff Dr. plans for ZA Item #4.231511**

****CAUTION: This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Good Morning Mr. Hunter

My neighbor, Jeanell Martin and I are bluff-top neighbors to the Mocas-Tseu planned landscaping project at 735 Seacliff Drive Aptos 95003 [APN 038-151-11].

We would appreciate you making the time to meet with us tomorrow, Tuesday, March 5, 2024 so that we may review the submitted plans well in advance of the Zoning Administrator's public hearing scheduled for Friday, March 15 2024.

We have serious concerns about the weight and set-backs of the "garden wall" in proximity to the Mocas-Tseu coastal bluff as well as the safety of the energy source for firing an outdoor fire pit and outdoor kitchen.

With deep appreciation for your time,

Katharine Minott

745 Oakhill Road, Aptos 95003

kpminott@gmail.com

2 / 10

Application #231511 735 Seacliff Drive, Aptos
 From: Jeanell Martin (jeanellmartin@yahoo.com)
 To: john.hunter@santacruzcountyca.gov
 Date: Monday, February 5, 2024 at 12:18 PM PST

Hello, I would like to request a public hearing on Application #231511. I am concerned about the concrete firepit that was put in without the required permit. This is within a few feet of the sensitive ocean bluff. I understand no concrete should be along the bluff. The cliff is eroding and the concrete could be a hazard to the homes below. In addition, I noticed there is a 25' to 30' long, 2' high concrete retaining wall next to the firepit that was put in without a permit. Once again, I am concerned about all the concrete within a few feet of the bluff.

Thank you,
 Jeanell Martin
 733 Seacliff Drive
 Aptos, Ca. 95003

#831 818-8761



Del Mar Caregiver
 Resource Center

*No mention
 of 20'
 Garden wall
 - concrete*

COUNTY OF SANTA CRUZ
 PLANNING DEPARTMENT
 701 Ocean Street, 4th Floor
 Santa Cruz, CA 95060
 (831) 454-2580

NOTICE OF PENDING ACTION

The Planning Department has received the following application.
 The identified planner may be contacted for specific information on this application.

APPLICATION NUMBER: 231511

APN: 038-151-1

SITUS ADDRESS: 735 Seacliff Dr, Aptos CA 95003

Proposal to recognize an as built fire pit and outdoor kitchen.
 Requires a Coastal Development Permit.

735 Seacliff Dr, Aptos CA 95003

OWNER: Marvin Tseu & Mary Mocus

APPLICANT: Dennis Anderson

SUPERVISORIAL DISTRICT: 2

PLANNER: John Hunter, (831) 454-3170

EMAIL: John.Hunter@santacruzcountyca.gov

Public comments must be received by 5:00 p.m. February 13, 2018.

A decision will be made on or shortly after February 20, 2018.

Appeals of the decision will be accepted until 5:00 p.m. two weeks after the decision date. If you would like to request a public hearing be held for this item, please contact the project planner listed on this notice. Information regarding the appeal process, including required fees, may be obtained by phoning (831) 454-2130.

For more information, contact the project planner identified above.

NOTICE OF PROPOSED DEVELOPMENT

APPLICATION # 231511

PROPOSAL TO RECOGNIZE AN AS BUILT FIRE PIT AND OUTDOOR KITCHEN. REQUIRES A COASTAL DEVELOPMENT PERMIT.

PROJECT LOCATED AT 735 SEACLIFF DRIVE, IN THE APTOS PLANNING AREA

APN: 038-151-11

FOR FURTHER INFORMATION CONTACT:

APPLICANT:

DENNIS ANDERSON

Tel: (831) 239-1522

E-mail: dennis@studio3120.com

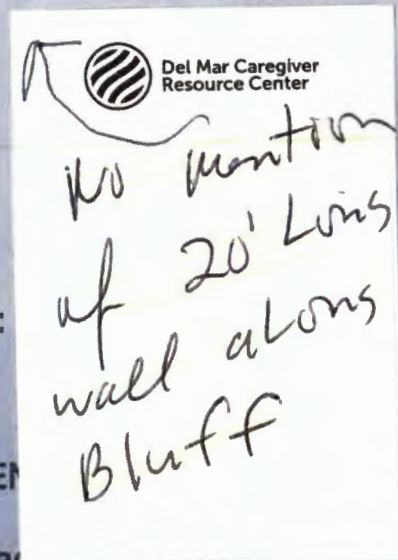
PROJECT PLANNER:

JOHN HUNTER

COMMUNITY DEVELOPMENT

Tel (831) 454-3170

E-mail: John.Hunter@santa



NOTICE OF PUBLIC HEARING

Notice is hereby given that the County of Santa Cruz Zoning Administrator will hold a public hearing on the following items:

Item #4. 231511**

735 Seacliff Dr., Aptos, 95003

APN: 038-151-11

Proposal to recognize landscaping features including a garden wall, fire pit and outdoor kitchen. Requires a Coastal Development Permit determination that the project is exempt from further review under the California Environmental Quality Act (CEQA).

Property is located on the southern side of Seacliff Drive approximately 90 feet southeast of the intersection of Seacliff Drive and Oak in the Aptos Planning Area.

OWNER: Marvin Tseu & Mary Mocus

APPLICANT: Dennis Anderson

SUPERVISORIAL DIST: 2

PROJECT PLANNER: John Hunter, (831) 454-3170

EMAIL: John.Hunter@santacruzcountyca.gov

DATE: Friday, MARCH 15, 2024

TIME: The Morning Agenda beginning at 9:00 AM

PLACE: Board of Supervisors Chamber
County Government Center
701 Ocean Street, Room 525
Santa Cruz CA 95060

Any persons whose interests are adversely affected by an action of the Zoning Administrator may appeal such act of determination to the Planning Department and paying the appeal fee on which the act or determination appealed.

If any person challenges an action taken on the basis of the appeal, only those issues which were raised in the written correspondence delivered to the Planning Department will be considered.

** This project requires a Coastal Zone Permit from the California Coastal Commission. (Grounds for appeal 13.20.110.) The appeal must be filed with the receipt by the Coastal Commission of notice. The Coastal Zone Permit is appealable. The appeal must be filed with the decision body.

For more information, call the project planner noted in the above project.

I called John Hunter & asked that the "Garden wall" should have a permit ALSO.

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
(831) 454-2580

NOTICE OF PENDING ACTION

The Planning Department has received the following application. The identified planner may be contacted for specific information on this application.

APPLICATION NUMBER: 231511

APN: 038-151-11

SITUS ADDRESS: 735 Seacliff Dr, Aptos CA 95003

Proposal to recognize an as built fire pit and outdoor kitchen. Requires a Coastal Development Permit.

735 Seacliff Dr, Aptos CA 95003

OWNER: Marvin Tseu & Mary Mocus

APPLICANT: Dennis Anderson

SUPERVISORIAL DISTRICT: 2

PLANNER: John Hunter, (831) 454-

EMAIL: John.Hunter@santacruzcountyca.gov

Public comments must be received by 2018.

A decision will be made on or shortly after the public hearing.

Appeals of the decision will be accepted until the decision date. If you would like to request a review of this item, please contact the project planner.

Information regarding the appeal process, including required fees, may be obtained by phoning (831) 454-2130.

For more information, contact the project planner identified above.



NO mention of A 20' wall! Garden wall concrete

Exhibit 4

A-3-SCO-24-0019

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COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
(831) 454-2580

NOTICE OF PENDING ACTION

The Planning Department has received the following application.
The identified planner may be contacted for specific information on this application.

APPLICATION NUMBER: 231511

APN: 038-151-11

SITUS ADDRESS: 735 Seaciff Dr, Aptos CA 95003

Proposal to recognize an as built fire-pit and outdoor kitchen.
Requires a Coastal Development Permit.

735 Seaciff Dr, Aptos CA 95003

OWNER: Marvin Tseu & Mary Mocus

APPLICANT: Dennis Anderson

SUPERVISORIAL DISTRICT: 2

PLANNER: John Hunter, (831) 454-3170

EMAIL: John.Hunter@santacruzcountyca.gov

Public comments must be received by 5:00 p.m. February 13, 2018.

A decision will be made on or shortly after February 20, 2018.

Appeals of the decision will be accepted until 5:00 p.m. two weeks after the decision date. If you would like to request a public hearing be held for this item, please contact the project planner listed on this notice.

Information regarding the appeal process, including required fees, may be obtained by phoning (831) 454-2130.

For more information, contact the project planner identified above.

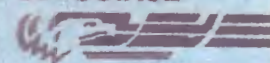


County of Santa Cruz
Planning Department
701 Ocean St. 4th Floor
Santa Cruz, CA 95060

✓ Back of Post CARD



US POSTAGE



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0001386792 FEB 29 2

PUBLIC HEARING NOTICE

All interested persons are invited to provide comments to the Zoning Administrator either at the public hearing, or in writing. Written comments may be sent to the Zoning Administrator at the County Government Center, 701 Ocean Street, Room 400, Santa Cruz, CA 95060. Staff reports on permit applications are available one week before the hearing for review and download at www.sccoplanning.com or for purchase by calling 831-454-5317.

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. The Board of Supervisors Chambers is located in an accessible facility. If you wish to attend this meeting and you require special assistance in order to participate, please contact ADA Coordinator at 454-3137 (TDD/ TTY call 711), at least 72 hours in advance of the meeting, to make arrangements. Persons with disabilities may request a copy of the agenda in an alternative format. As a courtesy to those persons affected, please attend the meeting smoke and scent free.

03815112 OO

MARTIN JEANELL TRUSTEE
733 SEACLIFF DR
APTOS, CA 95003

Exhibit 4

A-3-SCO-24-0019

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Del Mar Caregiver
Resource Center

735 Seaciff

20' Long wall
along bluff

+
Fire pit
3' x 7'

* pictures of
proposal, And
cliff, homes
Below.

Exhibit 4

A-3 SCO-24-0019

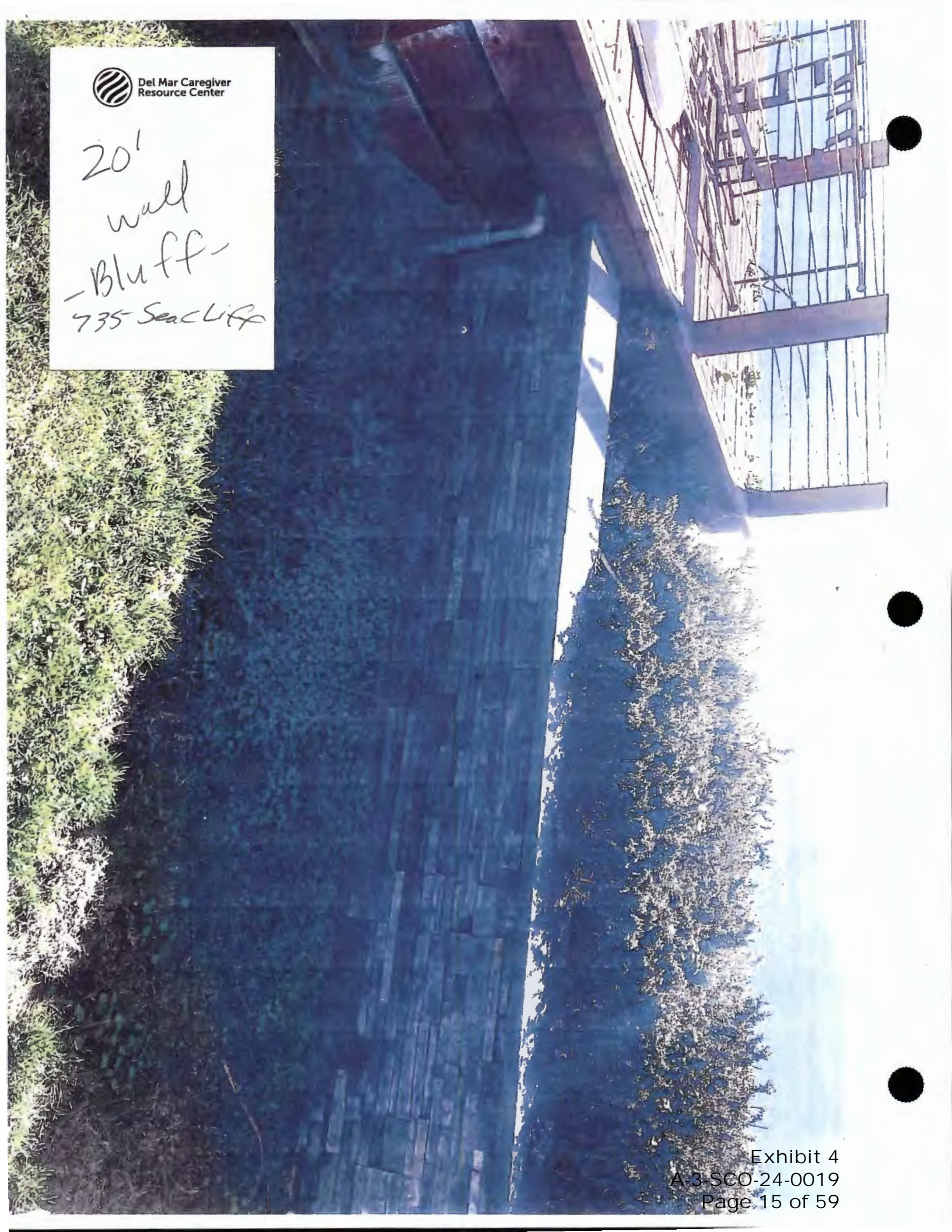
Page 13 of 59





Del Mar Caregiver
Resource Center

20'
wall
- Bluff -
735 Sea Cliff





735 Seaville

Expanding
Wall



Wall 201

✓ 735 Seaside Dr. #1



Exhibit 4

A-2-SCO-24-0019

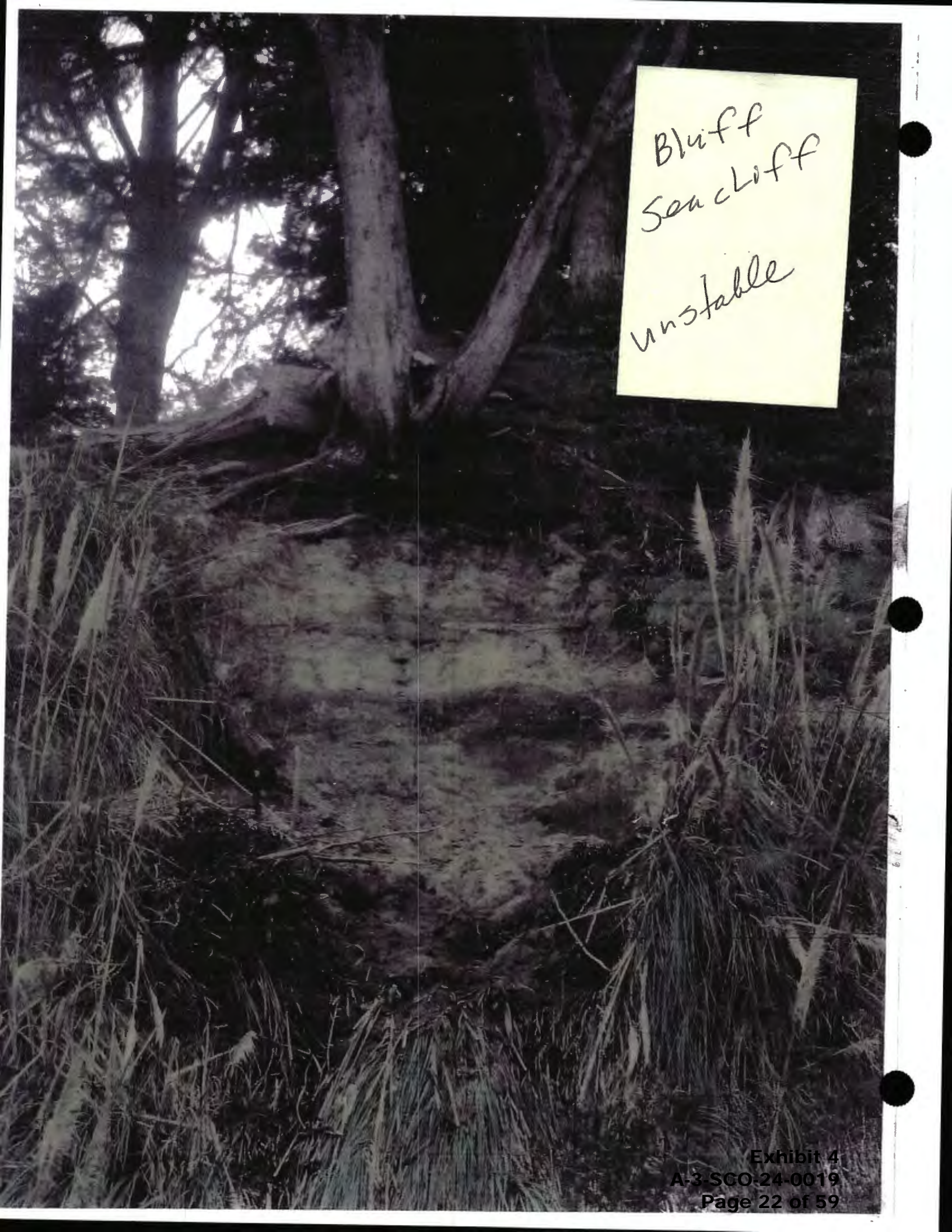
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10 ft 135
below
11 ft
Seal
Deline
Unstable


unstable
cliff

Seacliff Dr.

tractors
135
below DW
Seawall
Newly
10-10-00



Bluff
Seacliff
unstable



Unstable
Cliff

Seacliff
Drive





unstable
bluff

Seac
Drift

Exhibit 4

A-3-SCO-24-0019

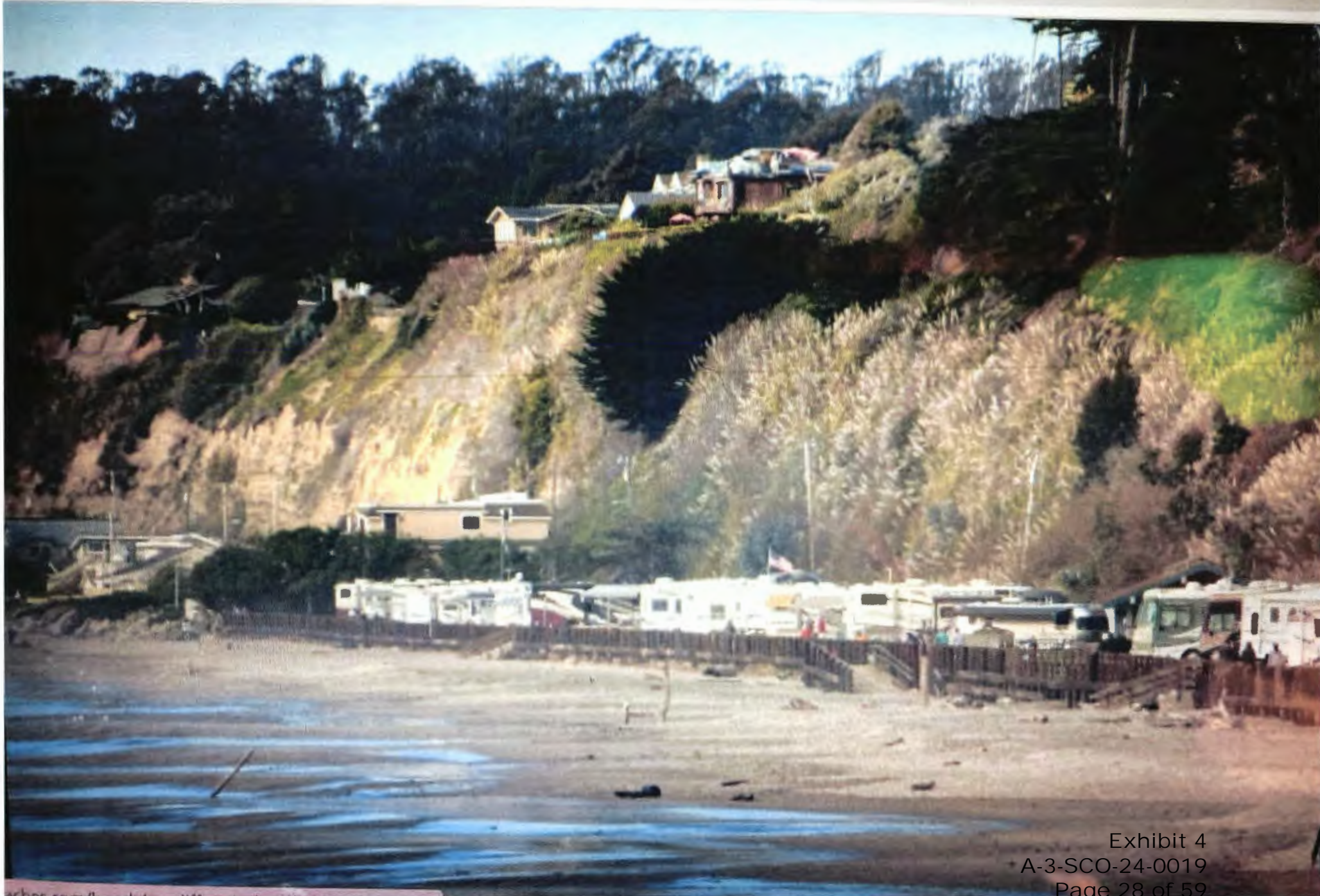
Page 26 of 59



Del Mar Caregiver
Resource Center

Seacliff
Bluff

<https://images.search.yahoo.com/search/images?p=Cliff+Bluff+Seacliff+Aptos+pictures&fr=mcafee&type=E211US1494G0&imgurl=>





s rise...

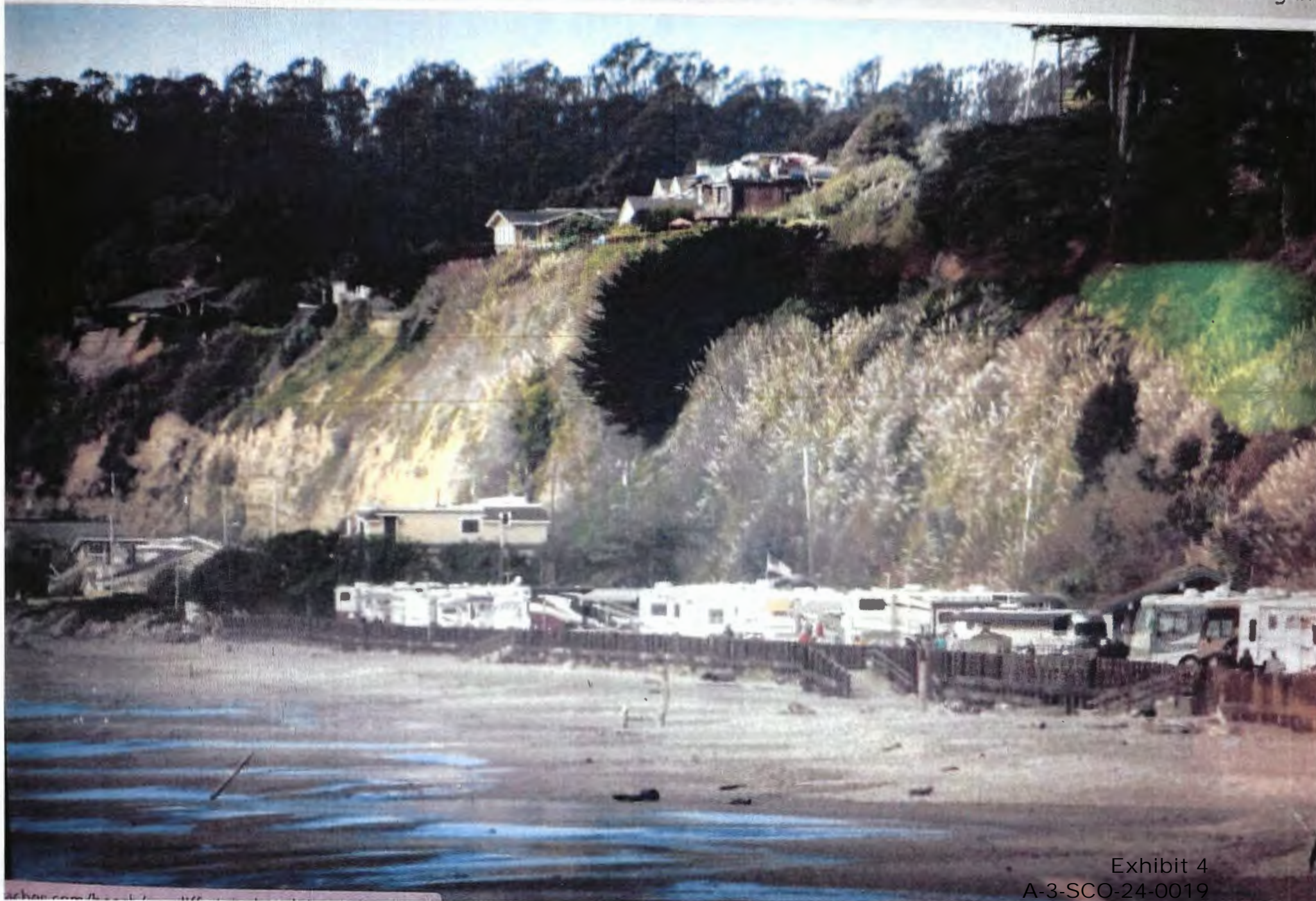
Seacliff Neighborhood of Aptos

Visit Seacliff Beach in A

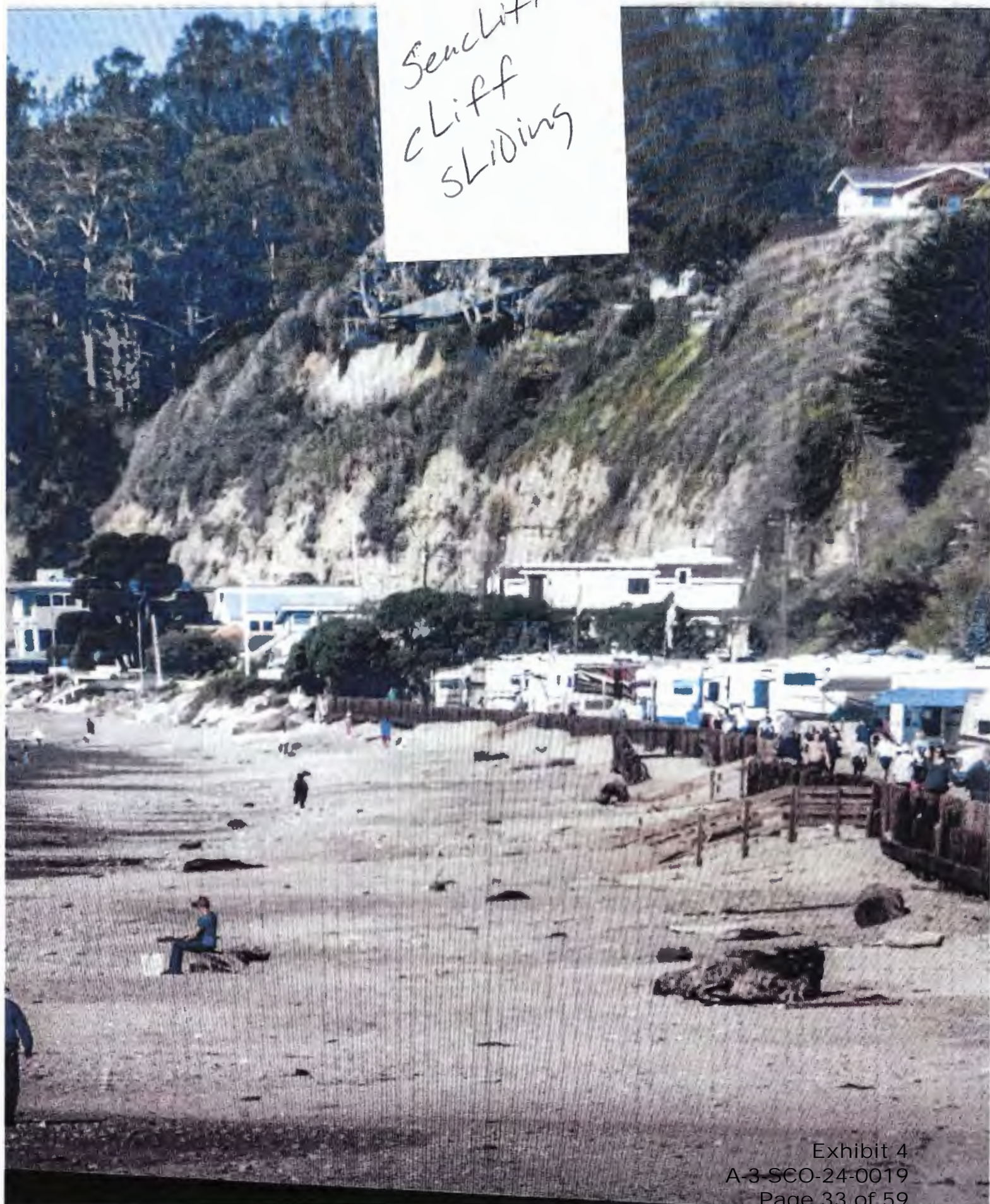


✓ Bluff Seacloft Bluff





*Seacliff
cliff
sliding*

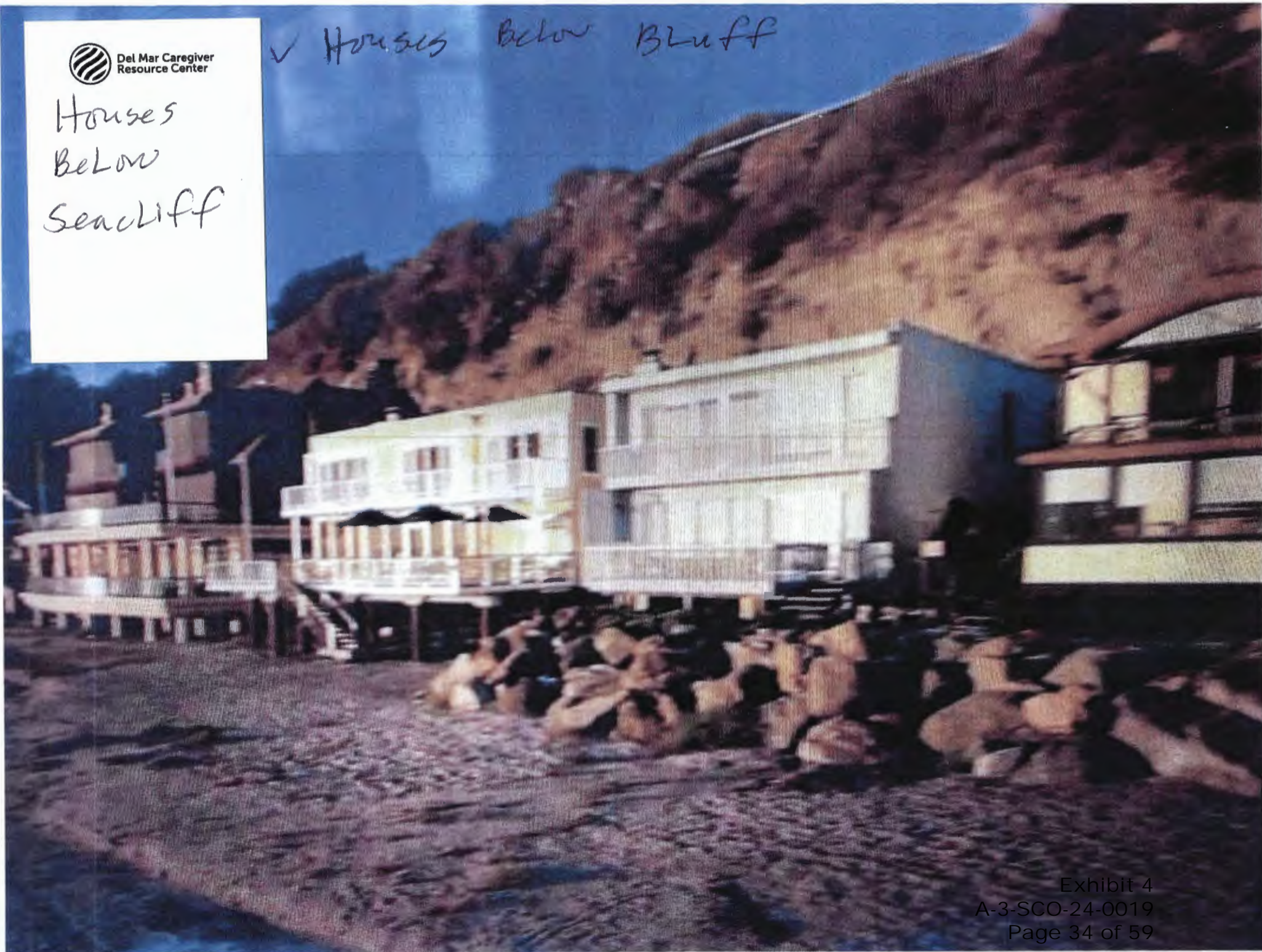




Del Mar Caregiver
Resource Center

Houses
Below
Seacliff

✓ Houses Below Bluff



814 Seacliff Dr, Aptos, CA - 2 Bed, 1.5 B...

Visit Seacliff Beach in Aptos California -...



Visit Seacliff Beach in Aptos
California - Free Fun Guides
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Del Mar Caregiver
Resource Center

cliff
SLIDE
←



Del Mar Caregiver
Resource Center

cliff
Falling

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Visit Seacliff Beach in Aptos California -...

Exhibit 4

A-3-SCO-24-0019

Page 36 of 59



santacruzlocal.org

West Cliff Drive traffic meeting on tap -...

1 Person
Died

San Diego
Cliffs

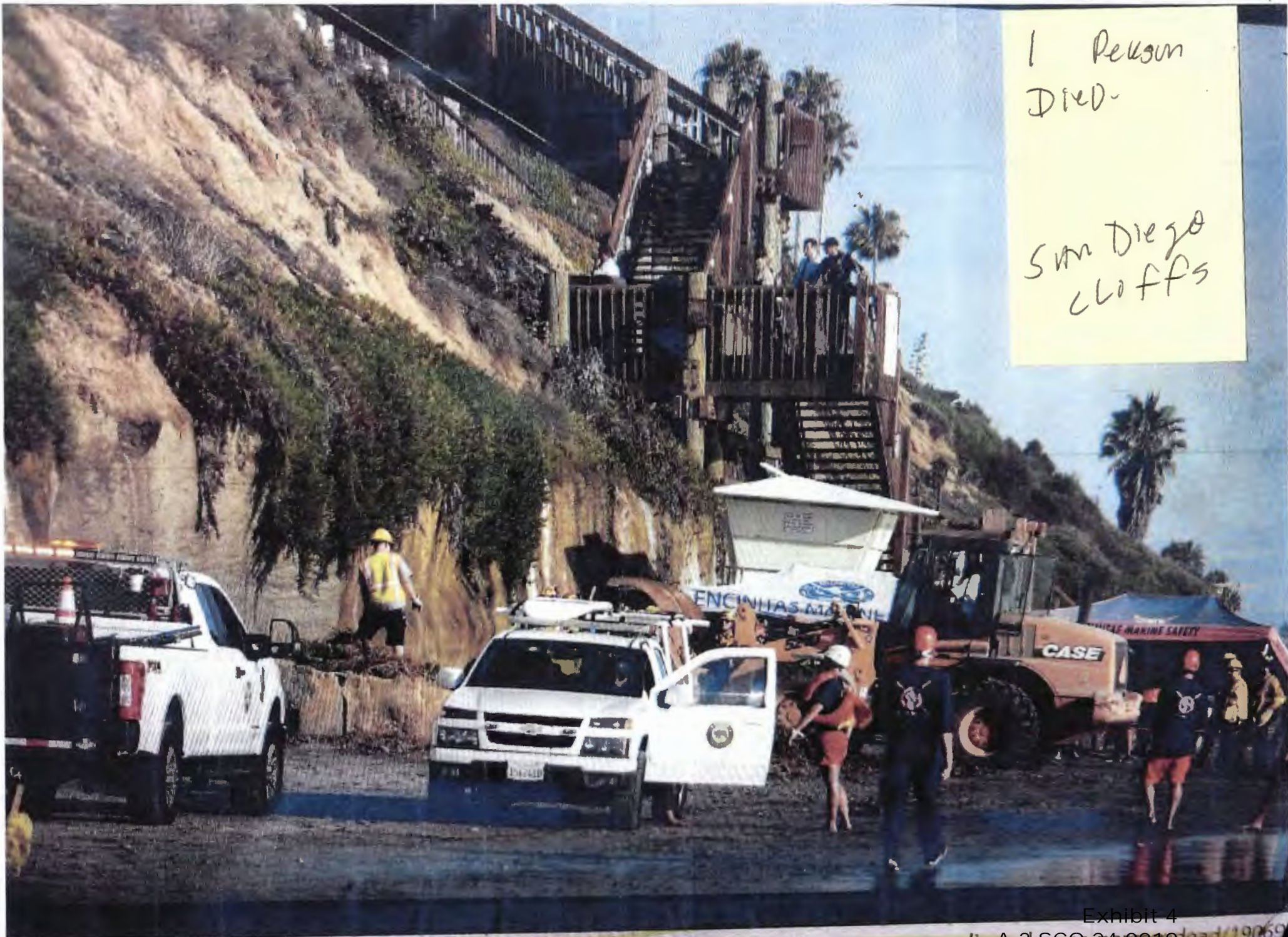
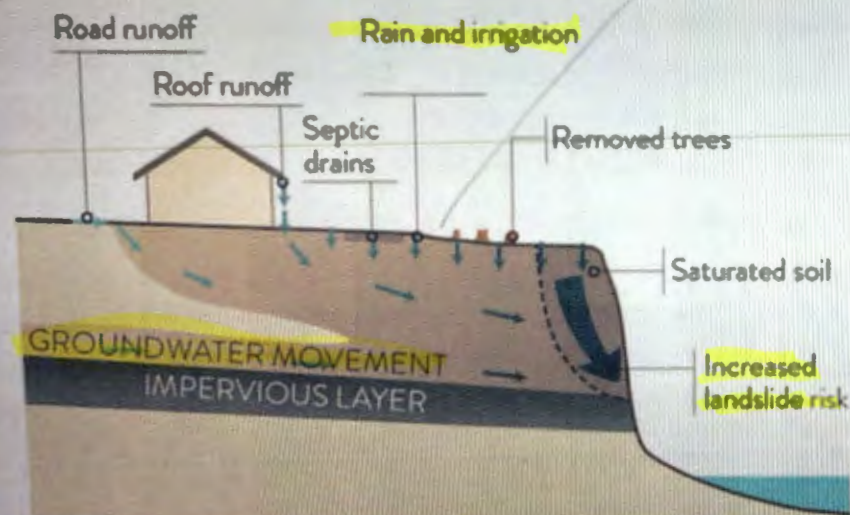


Exhibit 4



EROSION ON BLUFFS

THE BASICS



The biggest threat to property on a bluff or slope is not gradual erosion but a sudden landslide or collapse—most likely in a storm or during a wet winter. For this reason, homes are no longer built right along the edge of a bluff or at the foot of a bluff or steep slope.

Homeowners have a variety of options for reducing erosion risk on bluffs without resorting to erecting expensive bulkheads—which harm the shoreline ecosystem and can even worsen erosion.



Search





STAFF (/STAFF)
PROJECTS (/PROJECTS)
CLIENTS (/CLIENTS)
CONTACT (/CONTACT)

HARO, KASUNICH & ASSOCIATES, INC.

*Geotechnical & Coastal Engineers Serving
the Monterey Bay Area for Over 35 Years*

X John Kasunich says this 20'
concrete wall will fall!

Haro, Kasunich and Associates (HKA) is a professional consulting firm dedicated to providing quality geotechnical and coastal engineering services to private and public clients throughout the Central Coast of California. HKA's staff consists of a team of professionals and technical specialists

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Page 40 of 59

- recognized for their expertise in the fields of geotechnical engineering, coastal engineering, earthwork construction testing and expert testimony. We offer a local presence with 35+ years experience and practice in Santa Cruz and Monterey Counties as prime and/or subconsultant's on over 12,000 projects.

The firm's strength is built on the extensive experience with a wide range of projects from small private developments to some of the more moderately large public projects in the Central Coast region.

Established in 1984, the firm (headquartered in Watsonville, California) was founded to provide geotechnical engineering, coastal engineering and construction monitoring and testing services to public and private clients including municipalities, developers, architects and engineers throughout the Central Coast of California. We are a full-capacity, geotechnical engineering consulting firm specializing in soil, foundation and coastal engineering for public works, industrial, commercial, water district, residential, highway, bridge and reservoir/dam developments. The range of public projects typically supported by HKA includes streets, bridges, water service infrastructure, parks, wastewater treatment facilities, schools, fire stations, and other buildings.

HKA's approach to a project is to **listen to our client's needs** and then design the services to satisfy those requirements. This approach maintains cost-effective management while ensuring necessary client contact through completion of the project. For 35+ years HKA has worked successfully with our clients to maximize return to their investment dollar. HKA strives to provide engineering and construction monitoring services in a timely manner, within project budgets, using diligent problem solving capabilities.

Our staff is small but efficient, consisting of seven Registered Engineers (three of which are also licensed Geotechnical Engineers), one Engineering Geologist, four Staff Engineers, three Field Technicians, two Laboratory Technicians, and three Administrative Personnel.

Come explore our website and find out for yourself why HKA is one of the leading geotechnical and coastal engineering firms on the Central Coast. **We look forward to working with you!**



(/services)

SERVICES (/SERVICES)

Find out what we can do for
you!

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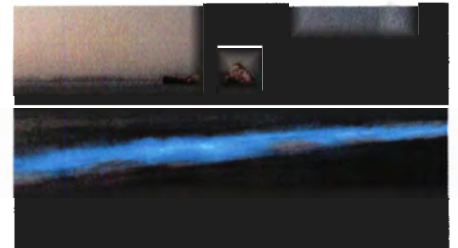


(/contact)

CONTACT (/CONTACT)

Contact us!

[Learn More \(/contact\)](#)



(/staff)

STAFF (/STAFF)

Find out who we are!

[Learn More \(/staff\)](#)

(http

PHONE

(831) 722-4175

ADDRESS

116 East Lake Ave.

Watsonville, CA 95076

(<https://www.google.com/maps/place/116+E+Lake+Ave,+Watsonville,+CA+95076/@36.912699,-121.7584767,17z/data=!3m1!4b1!4m5!3m4!1s0x808e1b2308c6571b:0xc5357b11e40ce91c!8m2!3d36.912699!4d-121.756288!5m1!1e1>)

Las Olas
Homes

Be Low

Bluff
History

Seacliff Drive and View Point Rd. Owners
Aptos, California

Re: SeaCliff Beach Homeowners Association
Your Downhill Neighbors

Dear Upslope Neighbor:

The SeaCliff Beach Homeowners Association, comprised of property owners on Las Olas Drive, below the cliff on which you own property, is sending this message to all upslope owners about a matter of common concern – preventing the erosion of the cliffs and the need to clean up in the event of any slides or sluffing. In the past, the homeowners on Las Olas Drive have experienced landslides and sluffing from some uphill lots. Although state land lies between your property and the Las Olas properties, slides can originate from higher up, carry onto the State owned land and come to rest on the Las Olas homes. We know that you are as anxious to prevent your property from falling down as we are from having it land on us below. We are, thereby, encouraging all upslope neighbors to take all reasonable steps to prevent erosion or slides on their property.

Just for your information, the law is well-developed that adjacent neighbors have a duty to prevent matters that cause damage to other parties. A major case in this area is *Sprecher v. Adamson Companies* (1981) 30 Cal.3d 358, 178 Cal. Rptr. 783. Many cases have been decided in line with *Sprecher*. The basic message is that everyone is responsible for any injury caused to another by his want of ordinary care or skill in the management of his property. A landowner must exercise reasonable care to prevent injury to others outside of his land, whether on public roads or neighboring property. This rule applies to earth movement, water that flows from another property, fallen trees, and any other matters whereby a condition on land causes an injury to a person outside of the land. An upper owner is liable for all hazardous conditions that he reasonably should know concerning his property.

Thank you for your attention to this letter. If you have any questions or concerns you are welcome to call our office, the Seacliff Beach Association Business Manager, Nikki Henninger at (831) 423-7875, or our association's road superintendent, Robert Schultz, at (831) 688-0694.

Sincerely,

Gary Redenbacher

Distribution: All upslope owners, including State of California
SeaCliff Beach Association Board Members
Nikki Henninger, Association Business Manager
Robert Schultz, Association Road Superintendent



735 Seacliff Drive, Aptos permit

From: Jeanell Martin (jeanellmartin@yahoo.com)

To: nolan.clark@coastal.ca.gov

Date: Wednesday, April 3, 2024 at 05:08 PM PDT

Hi Noland, it's Jeanell martin at 831-818-8761. I wanted to send you information and pictures about my neighbors notice of pending action. This is application number 231511. Parcel number 038-1 51-11. It's for a 20 foot long wall along the bluff in their backyard. Also a fire pit and an outdoor kitchen. I'm concerned because this is about 4 1/2 to 5 tons of concrete along the bluff, we've been having lots of problems over the years with the cliff coming down in lots of areas, lots of erosion. I was hoping they would get a drainage plan, and maybe move all concrete away from the Bluff at least 25 feet. I would think a building permit would be necessary since I had to get one for my fence in my backyard that did not have any concrete whatsoever. Also, recently they added a 5 foot long wall on their deck that's facing the bluff. I will send you pictures of this. Months earlier they replaced part of the deck 20 feet long by a couple feet. This is with new wood and stringers. Some of this is overhang into my backyard. I had it surveyed so the markers are very clear.

 Back

Discretionary Application Review Status

Click on the underlined component below for definition and explanatory details.

| | |
|---------------------------|------------|
| Application Number: | 99-0534 |
| Assessor's Parcel Number: | 038-151-11 |
| Application Date: | 1/1/0001 |
| Project Status: | Withdrawn |
| Project Planner: | Joe Hanna |
| Primary Applicant: | |

Project Description:

99-0534 Proposal to construct a retaining wall and to grade about 300 cubic yards in order to stabilize a slope, on-site and/or adjacent to residences. Project requires a Coastal Development permit, a Grading Permit and a fence Height Approval. Project is located on the south side of Seacliff Drive West (735 Seacliff Drive) about 200 feet west of the intersection of Oak Hill Road and Seacliff Drive.

Development Projects may require several discrete reviews. The status of each is given below.

| Category | Type (/PlanningApplicationStatus/Pln?) | Status | Project Status |
|---|---|--|---|
| (/PlanningApplicationStatus/Pln?) | (/PlanningApplicationStatus/Pln?) | (/PlanningApplicationStatus/Pln?) | (/PlanningApplicationStatus/Pln?) |
| n=99- | n=99- | n=99- | n=99- |
| 0534&sort=Category&sortdir=ASC) | 0534&sort=WorkTypeDesc&sortdir=ASC) | 0534&sort=Milestone&sortdir=ASC) | 0534&sort=AppStatus&sortdir=A |
| DISC | Level 5 (Zoning Administration) | Withdrawn | Withdrawn |

Email the Planner for further information about the Project (<mailto:Joe.Hanna@co.santa-cruz.ca.us>)

Discretionary Application- Discretionary is a term used to describe applications that the County has the authority to approve, approve with conditions, or deny. The decision maker is specified by the County Code. The lowest level of decision is an administrative decision made by the Planning Director. At the next highest level, public notice of the project submittal is given both before and after the administrative decision is made. At the next levels, a public hearing is held by the Zoning Administrator, or the Planning Commission, or both the Planning Commission and the Board of Supervisors. Return to top of page.

Application Number- This number identifies the set of reviews that constitute a project. It is assigned once the application fees are paid. The first two numbers indicate the last two digits of the year of the application; the numbers that follow distinguish this application from the others made during the year of application. Return to top of page.

Assessor's Parcel Number- This number identifies the property where the development is proposed to be located. Return to top of page.

Application Date- This is the date the application fees were paid. It is the base date for various events under the Permit Streamlining Act. Return to top of page.

Project Status- Until the decision on a project has been made, the project status shows the particular point in the process, such as "incomplete" or "hearing process." Once the decision has been made (in the case of development permits and environmental permits), the project status is changed to "Approved" or "Denied." In the case of technical reviews (for example, a biotic pre-site) or report reviews (for example, a soils report review), once the review has been completed, the project status is changed to "Closed." On occasion, the decision is appealed to a higher authority; the project status then is shown as "Appealed." Other project statuses are "Abandoned," used when the project applicant fails to submit required materials within a specified period of time, and "Revoked," used in the rare instances of revocation of a permit for cause. Return to top of page.

Project Planner- This is the planner assigned to oversee processing of the project through to decision and/or completion. The project planner may not be responsible for each one of the reviews, but does complete at least one. The project planner should be contacted first for specific questions about the project. Return to top of page.

unstable cliff

withdrawn permit

History



Santa Cruz Planning Department

File Edit View

June 12, 2023

Santa Cruz Planning Department
Aaron Landry, code enforcement officer
701 Ocean Street, Room 510
Santa Cruz, Ca. 95060

Dear Aaron Landry,

I wish to follow up with you regarding the following concerns. I am asking for clarification and direction on my neighbor's code infractions. Their address is 735 Seacliff Drive, Aptos. Marv & Mary Tseu. This is their vacation home. They are in the process of getting a final on their ADU unit. The following items are not part of their permit.

- A) The neighbors put up a concrete 20' long, 2' high wall/fence along their backyard bluff without permits or coastal approval. This concrete wall/fence was not there prior to their ownership.
- B) Next to this concrete/fence wall is a concrete built-in firepit. It measures approximately 7' long, 3' wide. It has a direct gas line coming from the house. I was told a direct gas line going along the bluff is not permitted because of safety issues. This firepit was not there prior to their ownership.
- C) A backyard sink and BBQ with a direct gas line was added in their backyard. I am told a direct gas line close to the bluff is a safety issue. This sink and BBQ (with a direct gas line) was not there prior to their ownership.
- D) In the last couple of months, they removed a 5' long wall along the backyard bluff deck. They said they were going to put a stairway in without a permit. This deck and potential stairway will be overhanging on my property. They have already replaced 20' long boards, and new joists that are on my property. There is no sideyard 5' setback as required between their deck and the surveyed property line. The recent remodeling has put my animals at risk. The neighbors were aware of my concerns and opened up the deck and did this work anyways. This resulted in the death of one of my animals.
- E) When I first purchased my home, I notice this property had a backyard screened-in porch along the bluff. This was facing the cliff. When my neighbors purchased this property a few years later, they remodeled their vacation home with permits. However, they made the non-habitable screened-in porch part of their living room (habitable). This was not disclosed to the planning department when they got their permit.
- F) Recently a 7 1/2 high x 47' long side fence was installed in the front yard. I was told this does not have a permit, nor is it legal.

Thank you for your help in this matter,

Jeanell Martin
733 Seacliff Drive
Aptos, Ca. 95003
#831 818-8761

Agenda Item: March 15 2024 #4.231511** Landscape Plan & Drainage on Coastal Bluff

From: Katharine P. Minott (kpminott@gmail.com)

To: john.hunter@santacruzcountyca.gov

Cc: jeanellmartin@yahoo.com

Date: Sunday, March 10, 2024 at 10:21 AM PDT

Dear Mr. Hunter,

Thank you for meeting with the Seacliff Drive/Oakhill Road neighbors concerned about the possibility of retroactively approving the coastal bluff top landscaping features at the Mocus-Tseu house at 735 Seacliff Drive in Aptos.

Current photos of the bluff-top stone wall and firepit show them as built on a boggy lawn. As a fellow bluff-top home owner, I am requesting that an approval be extended to include Coastal Commission review of an installed drainage system that draws rain and garden maintenance water away from the bluff and removal of the existing top-heavy stone wall. Run-off and standing water compromises the compressed sandstone coastal bluff. The fragility of one yard unfortunately affects the stability of the entire bluff.

The downslope Las Olas Drive Homeowners Association sends an annual reminder that, as upslope property owners, we bear a legal responsibility to prevent and maintain our bluff-top properties to the highest and humanly possible standard.

I am troubled by the lack of a submitted drainage plan and the unnecessary weight of the current stone wall along the crest of the bluff ridge.

Therefore, I am requesting an installed drainage plan be submitted for review and approval by the Coastal Commission and that an approval includes removal of the existing top-heavy stone wall.

Sincerely,

Katharine P. Minott

745 Oakhill Road, Aptos 95003

*Katharine P. Minott
Master of Urban and Regional Planning
San José State University*

Hi Nolan;

4/5/24

735 SeacLiff DR.
APT 05

Enclosed are the pictures I said I would send you. Several neighbors and I are concerned about the proposal for a 20' Long wall along the Bluff and a Fire pit. Karen Grellas and Kate Minott are several Houses Down from 735 SeacLiff. They Both were told NO Concrete Along the Bluff. I was told the same thing last year when I was told I needed a Permit for my Backyard 4' high fence.

John Kasunich, from Haro Kasunich & Associates has expressed to me that this 20' wall is going to fall. Not if its going to fall. He said the 20' wall is not anchored securely. Not supportive, & shallow. 4 1/2 - 5 tons of concrete. The Lawn covers the entire yard & is watered regularly, which creates a water Drainage problem. Lots of gopher holes where water will undermine the cliff when the water goes in the holes. This effects all of us neighbors Along the Bluff.

A



Heading 1



Undo

3/18/24

From: jeanellmartin@yahoo.com



To: ellie.oliver@coastal.ca.gov;



Cc & Bcc

No Coastal Permit 735 Seacliff Drive, Aptos

Hi Ellie, I would like to make an appointment with you to go over the application for a 20' long wall along the bluff. About 4 ½ to 5 tons of concrete. For 735 Seacliff Drive, Aptos. Also they recently added a 5' long wall on their deck near the bluff with no permits. I have pictures of the work. My phone number or text is #831-818-8761. Thank you! Jeanell

Sent from [Mail](#) for Windows

| | | | |
|---------------------|----------------------------------|----------------|-----------------------------------|
| Miller, Vanessa | Executive Assistant | (415) 904-5201 | Vanessa.Miller@coastal.ca.gov |
| Mitchell, Catherine | Coastal Program Analyst | (707) 826-8950 | catherine.mitchell@coastal.ca.gov |
| Moddelmog, Rob | Statewide Enforcement Analyst | (415) 904-5220 | Robert.Moddelmog@coastal.ca.gov |
| Moore, Elizabeth | Executive Assistant | (415) 904-5202 | Elizabeth.moore@coastal.ca.gov |
| Moroney, Ryan | District Supervisor | (415) 904-5202 | Ryan.Moroney@coastal.ca.gov |
| Nazari, Lila | Staff Services Analyst | (415) 904-5200 | Lila.Nazari@coastal.ca.gov |
| Nguyen, Tammy | Accounting Officer | (415) 904-5200 | Tammy.Nguyen@coastal.ca.gov |
| ✓ Oliver, Ellie | ✓ Enforcement | (831) 427-4863 | ellie.oliver@coastal.ca.gov |
| Padilla, Javier | Coastal Program Manager | (562) 637-4006 | Javier.padilla@coastal.ca.gov |
| Palato, Adriana | Management Services Technician | (619) 767-2370 | Adriana.Palato@coastal.ca.gov |
| Palm, Jeffrey | Coastal Program Analyst I | (562) 590 5071 | Jeffrey.Palm@coastal.ca.gov |
| Parry, Chris | Public Education Program Manager | (415) 904-5208 | Chris.Parry@coastal.ca.gov |
| Pascua, George | Administrative Staff | (415) 904-9446 | George.Pascua@coastal.ca.gov |

RECEIVED

1-10 pages

APR 20 2024

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA



Search



2:44
3/18/24

Application
23151

No Permit
Replacing
Deck B1
Bluff-
overhanging on
my property





735 SealLiff

Drainage
pipe came
under
Deck - Damaged





No permit +
New beam
+ new roof

1202/2

Tyvek
HomeWrap

New wall
Bluff 2023

vek
meWrap

DRY-TAPE WITH CONSTRUCTION TAPE.COM
The miracles of science

2/2024





Del Mar Caregiver
Resource Center

Rebuild Deck Permit
No Bluff
Strike





Agenda Item Th15a
Appeal No. A-3-SCO-24-0019
June 13, 2024 Coastal Commission Hearing
Applicable LCP Provisions

1. Coastal Hazards

LUP Policy 6.2.12: Setbacks from Coastal Bluffs. All development activities, including those which are cantilevered, and nonhabitable structures for which a building permit is required, shall be set back a minimum of 25 feet from the top edge of the bluff. A setback greater than 25 feet may be required based on conditions on and adjoining the site. The setback shall be sufficient to provide a stable building site over the 100-year lifetime of the structure, as determined through geologic and/or soil engineering reports. The determination of the minimum 100 year setback shall be based on the existing site conditions and shall not take into consideration the effect of any proposed shoreline or coastal bluff protection measures.

IP Section 16.10.070(H)(1)(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.

IP Section 16.10.070(H)(2):

(a) Any project which does not specifically require a building permit pursuant to subsection (B) of this section is exempt from subsection (H)(1) of this section, with the exception of: nonhabitable accessory structures that are located within the minimum 25-foot setback from the coastal bluff where there is space on the parcel to accommodate the structure outside of the setback, above-ground pools, water tanks, projects (including landscaping) which would unfavorably alter drainage patterns, and projects involving grading.

For the purposes of this section, “the unfavorable alteration of drainage” is defined as a change that would significantly increase or concentrate runoff over the bluff edge or significantly increase infiltration into the bluff. “Grading” is defined as any earthwork other than minor leveling, of the scale typically accomplished by hand, necessary to create beneficial drainage patterns or to install an allowed structure, that does not excavate into the face or base of the bluff.

Examples of projects which may qualify for this exemption include: decks which do not require a building permit and do not unfavorably alter drainage, play structures, showers (where runoff is controlled), benches, statues, landscape boulders, benches, and gazebos which do not require a building permit.

(b) If a structure that is constructed pursuant to this exemption subsequently becomes unstable due to erosion or slope instability, the threat to the exempted structure shall

not qualify the parcel for a coastal bluff retaining structure or shoreline protection structure. If the exempted structure itself becomes a hazard it shall either be removed or relocated, rather than protected in place.

2. Rear-Yard Deck

IP Section 13.20.040: Definitions.

“Development” means on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, alteration in the size of any structure including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z’berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, “structure” includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

IP Section 13.20.061: Improvements to existing single-family residences exemption.

(A) Subject to SCCC 13.20.060, no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained residential units including accessory dwelling units that result in intensification of a residential use due to conversion of space from nonhabitable to habitable or by addition of a bedroom to the parcel, or based on location within any of the areas described in SCCC 13.20.071(B).

(B) The improvements to existing single-family residences described in subsection (A) of this section cannot be exempted if any of the following apply:

(1) The structure is located on a beach, in a wetland, in a stream, in a lake, seaward of the mean high tide line, in an environmentally sensitive habitat area, in a significant public view shed (including in a scenic area as mapped on the LCP Land Use Plan maps or as determined during project review), or within 50 feet of a coastal blufftop edge;

(2) The improvement involves any significant landform alteration, as determined by the Planning Director or designee, including removal or placement of vegetation, and including landform alteration on a beach, wetland, sand dune, within 50 feet of a coastal blufftop edge, or in an environmentally sensitive habitat area;

(3) The improvement includes expansion or construction of water wells or septic systems;

(4) If located on property between the sea and the first through public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in a significant public view shed (including in a scenic area as mapped on the LCP Land Use Plan maps or as determined during project review), and the improvement increases height or floor area more than 10 percent (or for floor area more than 250 square feet, whichever is less) on a cumulative basis (i.e., including past exemptions of less than 10 percent (or 250 square feet) individually);

(5) If located in an area deemed by the Coastal Commission or the County to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use, and the improvement includes the construction of any specified major water-using development not essential to residential use including, but not limited to, swimming pools or the construction or extension or any landscaping irrigation system; or

(6) Prior approval(s) associated with the existing single-family residence indicated that any future improvements would require a coastal development permit. (emphasis added)

IP Section 13.20.170(C) [in relevant part]: Violations of Coastal Zone Regulations.

Development that is proposed for property on which there are existing unresolved coastal development permit violations shall only be approved and allowed if: (1) the approval resolves all such violations through its terms and conditions and (2) such resolution protects and enhances coastal resources, including that it results in a coastal resource condition that is as good or better than existed prior to the violations...