

ORDINANCE GRANTING A PLANNED UNIT DEVELOPMENT AS ALLOWED BY SANTA CRUZ COUNTY CODE RELATING TO ESTABLISHMENT OF DEVELOPMENT STANDARDS FOR APN: 039-471-09

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

A Planned Unit Development Permit and Development Permit are hereby granted to the property located on the east side of Aptos Rancho Road about 250 feet northeast of the intersection of Aptos Rancho Road and Soquel Drive, in the Aptos Planning Area, and shown on Exhibit A attached hereto and subject to the conditions shown on Exhibit B, attached hereto.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Planned Unit Development as described in Section I, and adopts their findings in support thereof without modification as set forth below:

1. That the proposed location of the uses are in accordance with the objectives of the County Code and the purposes of the district in which the site is located.
2. That the proposed location of the Planned Unit Development and the conditions under which it would be operated or maintained will not be detrimental to the public's health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed Planned Unit Development will comply with each of the applicable provisions of Chapter 18.10 of the County Code.
4. That the standards of dwelling unit density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between off-street loading facilities and landscaped areas will produce a development that is compatible with and integrated into the surrounding built and natural environment consistent with the objectives of the County Code.
5. That the standards of dwelling unit density, site coverage, yard spaces, heights of structures, distances between structures, off-street parking, and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry and will not overload utilities.
6. That the combination of different dwelling and/or structure types and the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses, structures, and the natural environment in the vicinity.
7. That the degree of departure from the required development and density standards is roughly proportional to the benefits provided to the neighborhood and/or the community in which the Planned Unit Development is located.
8. That the proposed development is consistent with the General Plan/Local Coastal Program Land Use Plan.

SECTION III

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Development Permit **as** described in Section I, and adopts their findings in support **thereof** without modification as **set** forth below:

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.
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.
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.
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.
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.
6. The proposed development project **is** consistent with the Design Standards and Guidelines (**sections** 13.1 1.070 through 13.11.076), **and** any other applicable requirements **of** this chapter.

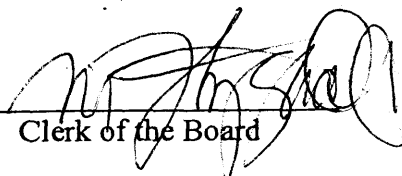
SECTION IV

This ordinance shall become effective 31 days after adoption.

PASSED AND ADOPTED this 25th day of November 2008 by the Board of Supervisors of the County of **Santa Cruz** by the following vote:

AYES:	SUPERVISORS	Beautz, Coonerty, and Pirie
NOES:	SUPERVISORS	Stone
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	Campos


Chairman of the Board of Supervisors

Attest: 
Clerk of the Board

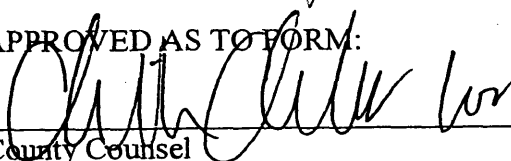
APPROVED AS TO FORM:

County Counsel

EXHIBIT A

Planned Unit Development Permit
Conditions of Approval

Property located on the east side of Aptos Rancho Road about 250 feet northeast of the intersection of Aptos Rancho Road and Soquel Drive; Aptos Planning Area.

APN: 039-471-09

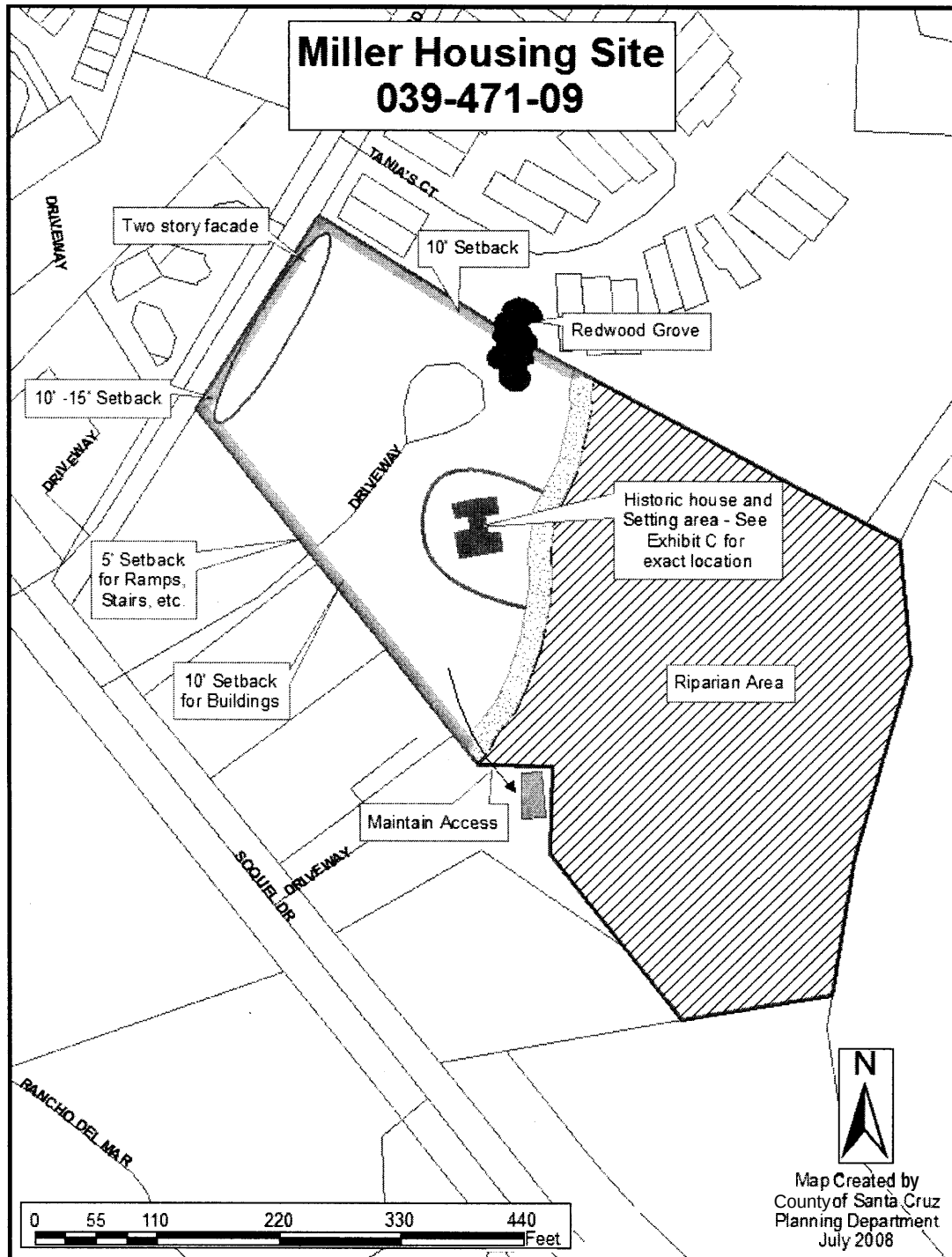


EXHIBIT B**Planned Unit Development Permit
Conditions of Approval**

*Property located on the east side of Aptos Rancho Road about 250 feet north of the
intersection of Aptos Rancho Road and Soquel Drive; Aptos Planning Area.*

APN: 039-471-09

This site contains 2.0 usable (developable) acres, equating to **40** total (39 new) dwelling units, of these, **5** affordable units and an in lieu fee for .85 of a unit are required under County Code Section 17.10.030(b)(1) and 10 affordable units are required as specified in Section III (A)1 of this Planned Unit Development (PUD). Development of this site is by-right in that the use and density for the site are not discretionary. A Level VII Design Review Permit is required. The remainder of the site, located within the Riparian Corridor will carry a General Plan Designation of Urban Open Space (O-U) and be zoned Parks and Recreation (PR).

CONDITIONS**I) General Site Standards**

- A) Site Standards.** Unless specifically defined below, developments must meet all required development standards in the County Code at the time the design review application is deemed complete. All of the site standards contained within Chapter 13.10 applicable to the zone district of the property, RM-2-R/RM-2-R-L shall be applicable unless modified by this Planned Unit Development. The following development standards supersede the development standards in the County Code.

1) Circulation and Parking Requirements.

- (a) **Parking requirements.** 1.5 spaces per studio and one bedroom units; 2.0 spaces for two bedroom units; 2.5 spaces for three bedroom units; 3.0 spaces for 4 bedroom units. An additional 20% of the total number of parking spaces is required to accommodate guest parking.
- (i) The maximum number of required parking spaces that may be compact in size is specified in County Code Section 13.10.553(e) or its successor ordinance. The standards for the off-street parking facilities as outlined in County Code Section 13.10.554 at the time the application is deemed complete shall apply.
- (b) **Circulation Requirements.** All interior roadways shall be a minimum of 20 feet in width for two-way circulation and 12 feet in width for one-way circulation. A minimum 50 foot centerline radius on all access routes is required unless a different turning radius is required by the fire agency.

(c) Access to Site. The main access to the site shall be located on the Aptos Rancho Road frontage, consistent with the standards contained within the adopted Design Criteria for the County of Santa Cruz. The existing width of the Aptos Rancho Road Right-of-way is considered adequate and further modifications are not required to meet the Design Criteria standard for road width.

(d) Bicycle Storage. One lockable storage shed or lockable garage space shall be provided for on site bicycle storage. -This lockable storage area may be located within the storage area, as required in Section II.C.4 of this PUD. At least one bicycle space shall be provided for each dwelling unit.

2) Accessibility.

(a) Developments must meet accessibility requirements of Title 24 of the California Building Code or successor code in effect at the time the building permit application is submitted.

(b) Accessible parking shall be provided consistent with California State Law. This applies to the design of the parking spaces, location of the parking spaces, number of accessible spaces provided, and accessible path of travel through the development.

3) Developable Area Requirements.

(a) Setbacks. The applicable minimum yard setbacks shall be established from the perimeter of the property to structures in aggregate, and are as follows:

(i) Aptos Rancho Road Frontage: 15 feet to buildings, 10 feet to porches, not to encroach on the Public Utilities Easement that runs parallel to Aptos Rancho Road along the site frontage.

(ii) Southern Property Line: 10 feet to buildings, 5 feet to other structures such as exterior stairwells, access ramps, and cantilevered decks or balconies.

(iii) Eastern Property Line: 20 feet from the edge of the Riparian Corridor, as shown on Exhibit A and delineated by the existing wire fence at the top of the bank.

(iv) Northern Property Line: Distance determined sufficient to minimize shading on adjacent residences, not less than 10 feet, also outside the dripline of the existing redwood grove shown in Exhibit A.

(v) For projects involving the creation of new lots, the interior setbacks and lot size shall be established through the Design Review process and are not subject to obtaining a Residential Development Permit under County Code Section 13.10.323(d)(1)(A) or its successor ordinance.

- (b) Historic Setting: Area. The Historic Setting Area (Setting Area) described in the August 2008 CEQA Impacts Analysis Report prepared by JRP Historical Consulting, LLC (Historic Report) may be utilized for passive open space for the overall project subject to the conditions of Section III of this PUD. Encroachments addressed by the Historic Report shall be permitted with the recommended mitigations. Other encroachments shall be minimized to the greatest extent possible, shall be constructed with appropriate materials, and shall be subject to Design Review.
- (i) Any buildings built in or directly adjacent to the footprint of the existing garage for the Castro House, shall be limited to two stories and 28 feet in height, measured from existing natural grade.
- (c) Riparian Area. A riparian buffer averaging 30 feet, and in no case less than 20 feet shall be maintained, according to the Findings made at the time of the adoption of this PUD, and in accordance with the standards for the "R" combining zone district. In order to clearly delineate the riparian area, the top of the bank shall be fenced with permanent fencing.
- (i) A Riparian Exception is granted by this PUD for the encroachment for the installation and maintenance of drainage outlets and energy dissipaters under the following conditions:
- No disturbance is allowed below the average high-water mark of Aptos Creek,
 - Prior to issuance of the final building permit, drainage plans complying with the requirements of Section XI, Hydrology/Water Supply/Water Quality, of this PUD particularly those related to runoff-reduction, filtration using berms and vegetated swales, and dispersion of overflows over vegetated, non-erodible areas, shall be reviewed and approved by both DPW Drainage and Environmental Planning.
 - Prior to issuance of the final building permit, the applicant shall provide the County a copy of the California Department of Fish and Game (CDFG) 1602 permit, or a statement from the CDFG that no permit is required.
- (d) Open Space. Instead of meeting the useable open space standards found in County Code Section 13.10.323 (f), useable open space shall be maximized on site, and any development project is not required to meet the open space requirements of the Multifamily Residential (RM) ordinance.
- (e) Lot Coverage and Floor Area Ratio. Lot coverage and floor area ratio limitations do not apply.
- (f) Redwood Grove. In order to screen and minimize the perceived scale of new buildings, the redwood grove in the northeastern corner of the developable area of the site, shown

on Exhibit A (Redwood Grove), shall not be removed except as provided in Section I.A.3.f(i) below.

(i) Requests for the removal of any trees from the Redwood Grove shall be considered as part of the Level VII Design Review Permit, and shall require an arborist's report reviewed and accepted by the Planning Department. Following Permit approval, any subsequent tree removal within the Redwood Grove shall require an amendment to this Permit and review at a Level VII.

(ii) Structures shall be located outside the dripline of the Redwood Grove, as indicated in Section I.A.3.a(iv).

(g) Geotechnical Requirements. As specified in PUD Section XI and in Section VI.D.1, the parameters specified in the referenced Geotechnical Investigation shall be implemented on site, including setbacks for structures and foundations from the eastern break in slope and requirements for geotechnical review of foundation designs.

11) Requirements for Structures

A) Number of Stories

- 1) A maximum of three (3) stories as defined by the County Code, exclusive of basement or subterranean parking, is allowed.
 - (a) Structures along the Aptos Rancho Road frontage shall comply with the conditions of Section II D of this PUD.

B) Height

- 1) Height of three-story structures may be up to 37 feet and two story structures up to 28 feet, measured from preconstruction natural grade or finished grade, whichever is higher, except for the areas directly adjacent to the northern edge of the historical setting area (see PUD Section 111), and the area fronting Aptos Rancho Road (see PUD Section II.D.). All exceptions as specified in County Code Section 13.10.510 (d) (2) or successor ordinance shall apply.
 - (a) For any structure proposed to be within 2 feet of the maximum height limit allowed by this PUD, the building permit application plans and the Design Review application 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 above preconstruction natural grade and finished grade. For the first row of buildings along Aptos Rancho Road, the road elevation must also be shown.

C) Building Design

- 1) It shall be an objective of building design that the basic architectural design principles of balance, harmony, order and unity prevail, while not excluding the opportunity for unique design.
 - (a) Project proposals would best achieve this goal by incorporating the design elements complementary to those on the Castro House such as the shutters, porches, narrow-plank siding, and color scheme.
- 2) Building design should consider the view from Soquel Drive and appropriate articulation, colors, materials, and glazing should be used to enhance visual interest of structures on site.
- 3) To reduce the apparent bulk and mass of the development, efforts shall be made to provide articulation and architectural features for buildings and mitigate the impression of height as viewed from Aptos Rancho Road.
- 4) Where garages are not provided for any individual unit, that unit (market rate or affordable unit) shall have a minimum of 84 cubic feet of private storage space which shall be accessed from the outside of the unit and may not reduce the number of required parking spaces.

D) Aptos Rancho Road Frontage

- 1) Along the Aptos Rancho Road frontage buildings shall face the street with porches and appropriately scaled architectural features, and shall appear to be two stories in height when viewed from the road.
- 2) Buildings within 30 feet of Aptos Rancho Road shall be limited to 30 feet in height measured from the crown of Aptos Rancho Road, not from natural or finished grade, and may be three stories in height provided they appear as two story buildings from Aptos Rancho Road. Condition 2.B.1.a. of this PUD shall apply to these buildings as well. An increase in height from 28 feet to 30 feet may be accepted if it can be demonstrated that a superior design or compatible roof pitch can be achieved.
- 3) These buildings may have tuck-under parking in the rear and be three story structures from the interior of the project site.

111) **Historical Structure and Setting Area Requirements**

- A) The historic Castro House currently located on the property shall be retained on site in its current or improved state, in accordance with County Code Section 16.42.070.
 - 1) The exterior of the home shall be maintained as a historic structure, either by an owner or by an HOA, depending on ownership mix and use of structure

- B) All recommendations of the Historic Report, included in Exhibit C, shall be carried out unless specifically excepted by this PUD.
- C) The Castro House may be a separate townhouse parcel or single-family parcel, provided the Setting Area and integrity of the structure is maintained.
 - 1) The Setting Area described in the report by JRP shall provide passive open space with appropriate garden structures in keeping with the historic nature of the setting area and utilizing minimal paving and appropriate materials. No permanent structures or extensive paving shall be permitted, and the majority of this area shall be used as common open space by all residents of the site. If the Castro House is developed as a single-family lot, some of the area may be fenced for private use by the residence, as determined during the design review hearing.
- D) A maximum number of trees shall be maintained in, and not be removed from the Setting Area, in particular, any redwood trees or others greater than 12" diameter at breast height shall be retained to the greatest extent possible in order to provide scale for new surrounding buildings.

IV) Project Review

- A) Entitlements. All future entitlements, with the exception of the building permit application review, shall be processed concurrently at Level VII.
- B) Design Review. Development proposals shall undergo a Design Review process and public hearing limited to design issues only. No discretionary permit is required for the density or use of the site. For development proposals under these "by-right" provisions, applicants must apply for a Level VII Design Review, which will require review at public hearings by the Historic Resources Commission, Planning Commission and Board of Supervisors. The Design Review Permit will expire after two (2) years, unless exercised. The Design Review Permit will be considered exercised when a building permit has been issued, construction has commenced and the first foundation inspection has been conducted.
 - 1) Time Extensions. Requests for an extension of time for the Design Review Permit shall be processed as a Level III permit review. The Planning Director may raise the level of review to a higher level at his or her discretion. The permit may be extended for one year up to five (5) times for a total permit life of seven years. A review of the adequacy of all reports and improvements shall be conducted prior to the approval of any time extension to determine whether the existing information on the site is still valid.
- C) Tentative Map. If a tentative map approval is required, it shall be processed concurrently with the Design Review application. A Residential Development Permit, normally required by County Code Section 13.10.323(d)(1)(A), is not required.
 - 1) Development that includes approval of a Tentative Map is subject to the provisions of the Subdivision Map Act and Chapter 14.01. Where a tentative map is proposed, the public hearing shall be expanded to address findings necessary under the Subdivision Map Act.

Wherever possible, the environmental review performed at the time this PUD is adopted will be utilized in the processing of the Tentative Map unless the Environmental Coordinator determines that additional CEQA review is required based upon the available information.

V) Affordable Housing

- A) Affordability Level. All development proposals on this parcel shall be required to meet the affordability requirements described in County Code Section 17.10.030(b)(6) of the Santa Cruz County Code.
- B) Affordable units may average 0.5 fewer bedrooms than the average number of bedrooms in the market rate units.
 - 1) If the developer can demonstrate during the Level VII Design Review Permit process that a further reduction in the bedroom count of the affordable units is required in order to meet the other standards of this PUD and the “-R” Combining Zone District, the Board may consider allowing affordable units to average up to 1.0 bedrooms fewer than market rate units.
- C) Affordable units may average no less than 70% of the average size of the market rate units.
 - 1) If the developer can demonstrate during the Level VII Design Review Permit process that a further reduction in the size of the affordable units is required in order to meet the other standards of this PUD and the “-R” Combining Zone District, the Board may consider allowing affordable units to be up to 65% of the size of market rate units.
- D) Participation Agreement. Prior to Building Permit issuance or prior to filing of the Final Map, if one is required, the developer shall enter into a Certification and Participation Agreement with the County of Santa Cruz to meet the Affordable Housing Requirements specified by Chapter 17.10 of the County Code.
- E) Applicability of Density Bonus.
 - 1) Density Bonus provisions do not apply to developments meeting the minimum requirements of this PUD.
 - 2) For projects eligible for concessions under State density bonus law due to an appropriate incremental increase as set forth in State law in the number of affordable units beyond those required by this PUD, a project developer may request additional concessions as set forth in Chapter 17.12, however, no increase in the number of units on the site is allowed.

VI) Design Review

- A) Design Review. Development proposals shall undergo a Design Review process and public hearing limited to design issues only. No discretionary permit is necessary for the density or use of the site. All requirements of the Site, Architectural and Landscape Design Review (Chapter 13.11) or successor ordinance in effect at the time a Design Review application is deemed complete for processing shall be applicable unless modified by this PUD.

- B) Zoning and Environmental Regulations. All applicable requirements and standards of the Zoning Regulations (Title 13, Chapter 13.10) and Title 16 (Environmental and Resource Protection) in effect at the time a Design Review application is deemed complete for processing shall be applicable unless modified by this PUD.
- C) Minor Variations. The Planning Director at the request of the applicant or staff may approve minor variations to this permit, which do not affect the overall concept or density, as a Level III Permit.
- D) Level VII Design Review Submittal Requirements
- 1) All development and future slope maintenance and monitoring on the site shall comply with the requirements of the geotechnical report prepared by Stevens, Ferrone, and Bailey Engineering Company, Inc., dated October 2006 as reviewed and approved by the County of Santa Cruz. The report is included as Exhibit D to the Initial Study for this PUD, and is on file with the Planning Department.
 - 2) All development on the site shall comply with the requirements of the traffic study prepared by Fehr and Peers Transportation Consultants dated December 20th, 2007 or any subsequent traffic report for the development of this site that has been reviewed and accepted by the County of Santa Cruz.
 - 3) Preliminary architectural and site plans, prepared by a licensed architect, meeting the standards established by the Planning Department for multi-family residential application submittal, shall be submitted. The plans shall at a minimum incorporate all requirements contained within this PUD. The site plan shall clearly delineate all useable and non-useable areas, including but not limited to:
 - (a) Riparian Buffer. The riparian corridor and buffer area shown on Exhibit "A" must be shown on the Site Plan as non-useable area.
 - (b) Historic Setting Area. As described in the report by JRP Consultants, dated August 2008, the historic setting of the Castro House must be preserved.
 - (i) Through Access. In order to maintain proper access to the residential structure on the adjacent parcel (APN 039-471-03), site plans shall show vehicular access to the structure and the location of utility meters for that unit. Utilities for this unit and vehicular access to it must be maintained during the construction process. No setbacks from this access way shall be required.
 - An easement for ingress and egress to the residential unit located on APN 039-471-03 shall be required, in accordance with Section VIII.C.2 of this PUD.
 - 4) Utilities, Roads and Services

- (a) Improvement Plans. Preliminary engineered improvement plans shall be submitted to the Planning Department for all roads, curbs and gutters, grading, stormwater management systems, sanitary sewers, erosion control, and other improvements proposed or required by this PUD. Form and content of the plans shall meet the standards established by the Planning Department for multi-family residential application submittal.

(i) Preliminary improvement plans shall meet the following requirements:

- All preliminary improvement plans shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified herein. Plans shall also comply with applicable provisions of Title 24 (Accessibility) of the California Building Code.
- Preliminary drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils, as specified in Section VI.D.7 of this PUD.
- Preliminary grading plans must be submitted at time of application. **An** objective of the project design shall be to minimize the grading on site and off site to the maximum extent possible. This includes designing the grading and foundations to follow the existing topography as much **as** possible. The grading plans shall include existing and proposed contours, plan views and centerline profiles of all driveway improvements, locations and heights of all retaining walls, preliminary drainage design, grading cross sections through proposed building pads, and all volumes of excavated and fill soils. This includes all on-site and off-site work.

- (b) Road Plans. All road plans shall comply with all requirements of the Department of Public Works Road Engineering standards and shall be consistent with the County's Design Criteria. Additionally:

- (i) Parking is not allowed on either side of Aptos Rancho Road;
- (ii) A wrap-around with pedestrian easement at the entrance driveway, connecting to existing sidewalk on Aptos Rancho Road, is required;
- (iii) No additional sidewalk improvements are required;
- (iv) Impact fees will be paid for the Improvement Plan area.

- 5) A current water will serve letter from the Soquel Creek Water District shall be submitted with the application for Design Review. At the time of the adoption of this PUD, the District has the following requirements:

- (a) Any wells on site will be destroyed according to State Bulletin No. 74.
- (b) Offsets will be required at a 1.2 to 1 ratio.
- (c) A water-efficient landscape plan will be submitted to the District for approval.

- (d) All interior plumbing fixtures will be low-flow.
 - (e) District staff will inspect the finished project prior to commencing water service.
 - (f) All units must be metered individually.
 - (g) **A Fire Protection Requirements Form** will need to be completed and reviewed by the Aptos-La Selva Fire Department.
 - (h) **A Water Waiver for Pressure and/or Flow** must be recorded.
- 6) A current sanitary sewer will serve letter from the County Public Works Department, Sanitation Division, shall be submitted.
- (a) A gravity line to the townhome development directly north of the property is the recommended alternative, with the project developer paying for upgrades to the pump station. In the event that the Home Owner's Association of the Courtside Townhomes does not grant easements or access to the pump station, a private pump station will be required on site. Depending on development timing, efforts could be made to coordinate with the Community Foundation Building, directly to the south.
 - (b) The development shall deliver to the District Engineer flow metering or odor control equipment. Equipment shall be specified at time of Design review. At the District Engineer's option, a payment equivalent to the installed required equipment cost may instead be collected for future use.
 - (c) The existing septic system must be properly abandoned.
 - (d) The project will be required to provide for the analysis of two District pump stations and potential upgrades to accommodate increased flow.
 - (e) Annexation fees in addition to sewer connection fees will be due at the time of Building Permit application.
- 7) Preliminary drainage plans meeting the requirements detailed in Section XI, Hydrology/Water Supply/Water Quality, shall be submitted at the time of application for a Design Review Permit. These plans shall incorporate the requirements for runoff reduction, runoff retention and infiltration on-site, detention and dispersion over non-erodible areas if infiltration is not sufficient to meet the needs of the project, and finally the construction of channels or conduits to carry water to Aptos Creek only after other methods of stormwater management have been exhausted.
- (a) Drainage outlets shall be sited to maximize natural filtration.
 - (b) Project proposals are required to meet County Best Management Practices (BMPs) including porous pavement and directing roof and pavement runoff to vegetated swales

for filtration. Furthermore, the measures identified to control runoff detailed in Section XI, Hydrology/Water Supply/Water Quality shall be implemented fully.

(c) The release rate from the site into Aptos Creek is limited to a 5-year storm predevelopment condition. Runoff currently received from the uphill area must be quantified and developer must show how this drainage is accommodated on site.

(d) Zone 6 fees will apply.

8) A sign plan indicating the location and size of all signs on the site shall be submitted. The signs shall be consistent with the provisions of Section VII. J this PUD.

VII) Final Map Requirements and Timing. If the project includes a Map, the following requirements shall be met prior to the final filing:

- A) Drainage. Final engineered drainage details meeting all requirements of Section XI, Hydrology/Water Supply/Water Quality shall be submitted to the County Planning and Public Works departments for both on- and off-site drainage work. Drainage plans shall show that the release rate to **Aptos** Creek will not exceed the pre-development 5-year storm level. Drainage from road improvements shall be filtered and released into the riparian corridor. A Construction Activities Stormwater General National Pollution Discharge Elimination System (NPDES) Permit shall be obtained from the State Water Resources Control Board. Drainage outlets shall be sited to maximize natural filtration.
- B) Roads. Final engineered road improvement plans shall be submitted to the County Planning and Public Works departments for both on- and off-site road improvements.
- C) Recorded Conditions. Proof must be submitted that the conditions of all required permits (such as Design Review, NPDES) have been recorded in the official records of the County Recorder.
- D) Affordable Housing. The developer must enter into an Affordable Housing Participation Agreement with the County of Santa Cruz.
- E) Fees. All applicable in-lieu fees shall be paid.

- 1) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.01 or its successor ordinance, park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.

VIII) Building Permit Requirements and Timing. Prior to the issuance of any building permit, all of the following conditions shall be met, some of which may have been met at the Final Map Stage:

- A) PUD Consistency. Plans shall be consistent with the approved Design Review Permit and with all requirements of this PUD, as determined by Planning Department Staff.
- 1) Final engineered drainage details shall be submitted to the County Planning and Public Works Departments for both on- and off-site drainage work. Drainage plans shall show that

the release rate to Aptos Creek will not exceed the pre-development 5-year storm level. Drainage from road improvements shall be filtered and released into the riparian corridor. A Construction Activities Stormwater General NPDES Permit shall be obtained from the State Water Resources Control Board.

- B) Roads. Final engineered road improvement plans shall be submitted to the County Planning and Public Works Departments.
- C) Recorded Conditions. Proof that the conditions of all required permits (such as Design Review, Tentative Map) and all required Declarations of Restriction and Statements of Acknowledgment have been recorded in the official records of the County Recorder must be submitted.
- 1) Prior to any Building Permit issuance on the parcel the owner shall record a Statement of Acknowledgement regarding the presence of the riparian corridor and buffer area on the parcel. These recordable documents shall be prepared by the Planning Department and shall include statements that any development within, or use of, the riparian corridor and/or buffer area is subject to the provisions of the County Code Chapter 16.30 related to riparian resource protection.
 - 2) An easement for ingress and egress to the residential unit located on APN 039-471-03 shall be recorded prior to the issuance of any Building Permit.
- D) Affordable Housing. If not completed as part of an application for a Tentative Map, the developer must enter into an Affordable Housing Participation Agreement with the County of Santa Cruz.
- E) Fees. All applicable in-lieu fees shall be paid unless already paid as part of an application for a Tentative Map.
- 1) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.01 or its successor ordinance, park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance or filing of a Final Map, if applicable, shall be paid.
 - 2) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.04 or its successor ordinance, Child Care Development fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance or filing of a Final Map, if applicable, shall be paid.
 - 3) Transportation improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance or filing of a Final Map, if applicable, shall be paid. A credit shall be allowed for installation of improvements to Aptos Rancho Road and any off-site improvements that are part of the Capital Improvement Program.
 - 4) Roadside improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance or filing of a Final Map, if applicable, shall be paid.

- 5) Written statements shall be submitted that are signed by authorized representatives 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 said school district in which the project is located at the time of building permit issuance. The applicant/developer is advised that the development may be subject to inclusion in a Mello-Roos Community Facilities District.
- F) Plan Review. Plan review letters shall be submitted from the geologic report and geotechnical report authors indicating that the plans comply with the County approved technical reports and that all of the report recommendations have been incorporated into the project plans.
- G) Fire District. All requirements of the Aptos-La Selva Fire District shall be met.
- H) Sanitation. The units shall be connected for sewer service to County Sanitation District. All regulations, conditions and hookup charges of the Sanitation District shall be met. Off-site improvements may be required. Final engineered plans shall be submitted complying with all requirements and standards of the County Sanitation District.
- I) Water. All units shall be connected for water service to the Soquel Creek Water District. All requirements of that water district including the payment of connection charges shall be met. Engineered improvement plans for all water line extensions required by Soquel Creek Water District shall be submitted for the review and approval of the water agency.
- J) Signs. The following signs are allowed. The signs shall comply with Section 13.10.580 or any successor ordinance and the location and design shall be reviewed and approved as part of the Design Review process.
- 1) A non-illuminated temporary sign pertaining to the sale, lease or rental of a dwelling and limited to six square feet in size or less.
 - 2) A permanent identification sign, in-directly illuminated, of 12 square feet or less.
 - 3) A sign documenting and identifying the Historic Castro House shall be placed near the Setting Area, as required by the Historic Report.
- K) Final Inspection. Prior to the final inspection or clearance of the building permit, all of the site improvements shown on the approved building permit plans and Design Review approval shall be installed/ implemented.
- L) The Historic Resource Preservation Plan, and Historic Structures Report addressing the Castro House and setting area, as required by the report prepared by JRP Historical Consulting, LLC, dated August 2008 shall be submitted to the Planning Department for review by the Historic Resources Commission. This review shall be limited to the treatment and preservation of the Castro House and setting area only.

IX) Construction Phase Requirements.

- A) Pre-Construction Meeting. Prior to any site disturbance or physical construction on the subject property and in order to ensure that the mitigation measures are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: applicant, grading contractor supervisor, and Santa Cruz County Environmental Planning staff. The temporary construction fencing demarcating the edge of the riparian corridor setback and the tree protection fencing will be inspected at that time. Approval of the results of the pre-construction biotic surveys will be reaffirmed at this time. The receiving site for any exported fill will also be identified and County approved grading permits presented.
- B) Encroachment. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code or its successor, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. Work performed in the public right of way shall not proceed without first obtaining an Encroachment Permit from the Department of Public Works. All work shall be consistent with the Department of Public Works Design Criteria unless otherwise specifically excepted by this PUD Ordinance.
- C) Winter Grading. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter grading and erosion-control plan.
- D) Riparian Corridor. During the construction period temporary fencing shall be installed at the edge of the buffer area, in addition to the permanent fencing required by Section I.A.3.d of this PUD.
- E) Timing. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required drainage and sanitation improvements, provide access for County required tests or to carry out work required by the conditions of an entitlement permit).
- F) Archaeological Resources. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
 - 1) A historic archaeologist must be present on site during any ground disturbance in the archaeological sensitivity area shown in the report by Archaeological Consulting dated January 21, 2008.
- G) Disturbance Coordinator. To minimize noise, dust and nuisance impacts on surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:

- 1) All construction shall be limited to the time between 7:30 am and 4:30 pm weekdays unless a temporary exception to this time restriction is approved in advance by the County Planning Department to address an emergency situation; and
- 2) Each day it does not rain, all exposed soil shall be wet down frequently enough to prevent significant amounts of dust from leaving the site.
- 3) The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

H) Construction Trailer. One (1) "construction/ security trailer" (maximum 12 feet by 60 feet) is allowed on the site during the construction. The size of the unit and the location of the unit conforming to all yard setbacks contained in the PUD shall be shown on the plot plan, and the trailer shall not be placed within the Setting Area. Compliance with Section 13.10.683 or any successor ordinance is required. A building permit is required for the installation of the construction trailer.

X) Mitigation Monitoring Program

- A) The mitigation measures listed under this heading have been incorporated into the conditions of this approval in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the mitigations is hereby adopted as a condition of approval. This program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during implementation and operation. Failure to comply with the conditions contained within the Planned Unit development, including the terms of the adopted monitoring program, may result in the revocation of the Planned Unit Development Permit pursuant to section 18.10.136 of the Santa Cruz County Code.

XI) Mitigation Measures:
See Next Page

XI) Mitigation Measures, Continued

ENVIRONMENTAL IMPACTS		Mitigation Measures			Responsibility for Compliance	Method of Compliance	Timing of Compliance
Geology/Soils							
Expose people or structures to potential adverse effects, including the risk of material loss, injury, or death involving seismic ground shaking.		The seismic design parameters outlined in the Geotechnical Investigation produced by Aptos Cottages, Aptos, California, prepared by Stevens, Ferrone & Bailey Engineering Company, Inc., October 13, 2006 shall be implemented. The report is on file at the County of Santa Cruz Planning Department.	County Planning Department	Building/Grading Permit	County Planning Department	Building/Grading Permit	Project Design
Expose people or structures to potential adverse effects, including the risk of material loss, injury, or death involving landslides.		In order to reduce the potential for property damage caused by creek bank erosion and debris flows, a 2:1 (horizontal to vertical) slope shall be projected upward from the toe of the streambank towards the development. Where the projected line intersects roadways and other surface improvements, a setback of at least 5 feet be established, and a setback of at least 10 feet for buildings. The project proposes a 20-foot setback from the top of slope of the riparian corridor.	County Planning Department	Building/Grading Permit	County Planning Department	Building/Grading Permit	Project Design
Subject people or improvements to damage from soil instability as a result of on- or off-site landslide, lateral spreading, to subsidence, liquefaction, or structural collapse.		The recommendations contained in the geotechnical report (by constructing with post-tensioned slab foundations and by following the recommendations in the geotechnical report) will be implemented to mitigate for this potential hazard (Stevens, Ferrone & Bailey Engineering Company, June 2006).	County Planning Department	Building/Grading Permit	County Planning Department	Building/Grading Permit	Project Design
Result in soil erosion or the substantial loss of topsoil.		Prior to approval of a grading or building permit, the project must have an approved Erosion Control Plan, which will specify detailed erosion and sedimentation control measures (County Code Chapter 16.22.060). The plan will include provisions for disturbed areas to be planted with groundcover and to be maintained to minimize surface erosion.	County Planning Department	Building/Grading Permit	County Planning Department	Building/Grading Permit	Prior to issuance of Building Permit
Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to property.		To reduce the potential for post-construction distress to the proposed structures resulting from swelling and shrinkage of these materials, residential structures shall be supported on a post-tensioned slab foundation system. In addition, special design consideration will be required for exterior slabs. The measures contained in the geological report, (Stevens, Ferrone & Bailey Engineering Company, June 2006) shall be implemented to adequately mitigate for this potential hazard.	County Planning Department	Building/Grading Permit	County Planning Department	Building/Grading Permit	Project Design
Hydrology/Water Supply/Water Quality							
Deplete groundwater supplies or interfere substantially with groundwater recharge such		The proposed project would obtain water from Soquel Creek Water District, and would not rely on private well water. Although the project would incrementally increase water demand, the Soquel Creek Water District has indicated that	Soquel Creek Water District	Water Service	Soquel Creek Water District	Water Service	Prior to Construction

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<u>ENVIRONMENTAL IMPACTS</u>	<u>Mitigation Measures</u>	Responsibility for Compliance	Method of Compliance	Timing of Compliance
What there would be a net deficit, or a significant contribution to an existing net deficit in available supply, or a significant lowering of the local groundwater table.	adequate supplies are available to serve the project with implementation of the following mitigation measures. - All applicants for new water service from Soquel Creek Water District shall be required to offset expected water use of their respective development by a 1:2:1 ratio by retrofitting existing developed property within the Soquel Creek Water District service area so that any new development has a "zero impact" on the District's groundwater supply. Applicants for new service shall bear those costs associated with the retrofit as deemed appropriate by the District up to a maximum set by the District and pay any associated fees set by the District to reimburse administrative and inspection costs in accordance with District procedures for implementing this program. - Plans for a water efficient landscape and irrigation system shall be submitted to District Conservation Staff for approval. - All interior plumbing fixtures shall be low-flow and have the EPA Energy Star label. - District Staff shall inspect the completed project for compliance with all conservation requirements prior to commencing water service.			
Degrade a public or private water supply. (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion).	Runoff from this project may contain small amounts of chemicals and other household contaminants. No commercial or industrial activities are proposed that would contribute a significant amount of contaminants to a public or private water supply. The parking and driveway associated with the project would incrementally contribute urban pollutants to the environment; however, the contribution would be minimal given the size of the driveway and parking area. Potential siltation from the proposed project will be mitigated through implementation of an Erosion Control Plan (see above). A silt and grease trap, and a plan for maintenance, will be required to reduce this impact to a less than significant level.	County Planning Department	Building/Grading Permit	Ongoing
Alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that could result in flooding, erosion, or siltation on or off-site.	The proposed project is located adjacent to Aptos Creek. A 20-foot setback would be established from the break in slope to protect it from disturbance both during and after construction. The proposed project would comply with Chapter 16.22.070 (Runoff Control) of the County Code. The following measures shall be used for runoff control, and shall be adequate to control runoff from a five-year storm: (a) On soils having high permeability (more than two inches/hour), all runoff in excess of predevelopment levels shall be retained on the site. This may be accomplished through the use of infiltration basins, percolation pits or trenches, or other suitable means. This requirement may be waived where the Planning Director determines that high groundwater, slope stability problems, etc., would inhibit or be aggravated by on-site retention, or where retention would provide no benefits for groundwater recharge or erosion control.	County Planning Department	Building/Grading Permit	During Construction and Ongoing

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<u>ENVIRONMENTAL IMPACTS</u>	<u>Mitigation Measures</u>	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	(b) If it is determined that on-site percolation is not feasible, all runoff shall be detained or dispersed over non-erodible vegetated surfaces so that the runoff rate does not exceed the predevelopment level. On-site detention may be required by the Planning Director where excessive runoff would contribute to downstream erosion or flooding. Any policies and regulations for any drainage zones where the project is located will also apply. (c) Any concentrated runoff that cannot be effectively dispersed without causing erosion, shall be carried in non-erodible channels or conduits to the nearest drainage course designated for such purpose by the Planning Director or to on-site percolation devices. Where water will be discharged to natural ground or channels, appropriate energy dissipaters shall be installed to prevent erosion at the point of discharge. (d) Runoff from disturbed areas shall be detained or filtered by berms, vegetated filter strips, catch basins, or other means as necessary to prevent the escape of sediment from the disturbed area. (e) No earth or organic material shall be deposited or placed where it may be directly carried into a stream, marsh, slough, lagoon, or body of standing water. (f) In an effort to reduce runoff, techniques shall be required such as minimizing site disturbance, minimizing proposed impervious areas, utilizing pervious surfacing, eliminating directly connected impervious areas, and clustering development, etc.			
Create or contribute runoff that would exceed the capacity of existing or planned storm water drainage systems, or create additional source(s) of polluted runoff.	All runoff in excess of predevelopment levels for a five-year storm event shall be detained on the site (see above).	County Planning Department	Building/Grading Permit	Design and Construction
<u>Biological Resources</u>				
Have an adverse effect on a sensitive biotic community (riparian corridor), wetland, native grassland, special forests, intertidal zone, etc.).	All proposed structures shall maintain at least a 20 foot setback from the top of the bank along Aptos Creek. In addition, permanent fencing will be placed at the top of bank, and temporary fencing shall be placed at the edge of the 20-foot buffer during construction. Minor impacts to riparian areas are anticipated. The construction of a storm water drainage facility would be necessary to convey storm water from the proposed development area down to Aptos Creek. Mitigation for securing pipes to the slope above the stream channel and the installation of energy dissipaters will include avoidance of mature vegetation, and revegetation with species to include coastal redwood, coast live oak, big-leaf maple, and willow staking around the dissipaters. A revegetation plan shall be prepared for review and approval by	County Planning Department; California Department of Fish and Game	Building/Grading Permit	Design and Construction

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<u>ENVIRONMENTAL IMPACTS</u>		Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
		the County Planning Department and the CDFG. All permanent impacts will be mitigated through enhancement of habitat within the riparian area at a 3:1 replacement ratio. Enhancement will consist of exotic species removal and replanting with native species. No permanent or temporary impacts will be allowed below the "ordinary high water mark" of Aptos Creek. A jurisdictional delineation shall be conducted to determine the location of the Ordinary High Water Mark for waters of the U.S. and to map waters of the state. A 1602 Streambed Alteration Agreement may be required from CDFG. All impacts to waters of the U.S. will be avoided.			
Produce nighttime lighting that will illuminate animal habitats.		Aptos Creek and the associated riparian area encompasses most of the southeastern portion of the project site. This habitat area could be adversely affected by project-generated lighting. All project lighting located adjacent to the riparian buffer shall be shielded away from the buffer area. All development in the vicinity of the riparian corridor shall be consistent with Chapter 16.30 of the County Code.	County Planning Department	Building/Grading Permit	Design and Construction
Visual Resources and Aesthetics					
Create a new source of light or glare that would adversely affect day or nighttime views in the area.		The project would contribute an incremental amount of night lighting to the visual environment. However, the following project conditions would reduce this potential impact to a less than significant level: (a) It shall be an objective of lighting design to relate to the site and building design and reduce off-site impacts. (b) All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structures, fixture design or other physical means. Building and security lighting shall be integrated into the building design. (c) All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards to a maximum height of 15 feet are allowed. (d) Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.	County Planning Department	Building/Grading Permit	Design and Construction
Cultural & Archeological Resources					
Cause an adverse change in the significance of a historical resource as defined in CEQA Guidelines 15064.5.		The proposed project site contains a single historic, architectural resource, the Vicente Castro House. The following measures will be implemented to maintain the cultural integrity of the Vicente Castro House and its setting: Documentation/Recordation Documentation and recordation of the Vicente Castro House and property shall precede any construction, demolition, or removal activities. Documentation is the	County Planning Department	Building/Grading Permit	Design, Construction, and Ongoing

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ENVIRONMENTAL IMPACTS	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	baseline mitigation measure. Written and photograph documentation will be prepared to record the property. The text and photographs will be used for completion of other mitigation measures identified below. The developer shall hire a qualified historian/architectural historian (according to the Secretary of Interior's professional qualification standards) to conduct the documentation and recordation of this property. <u>HABS-like Dataset</u> The written documentation for the property will be prepared based on the National Park Services' (NPS) Historic American Building Survey (HABS) Historical Report Guidelines. The information for this documentation will be derived from the JRP Historical Report (on file at the County of Santa Cruz Planning Department), as well as from Dill Design Group's recordation of the site and other sources. Additional information may come from extended research and oral histories conducted as part of mitigation for this project. The proposed documentation will not be reviewed by NPS or transmitted to the Library of Congress and therefore, will not be a full-definition, HABS dataset. The documentation will follow HABS standards, as appropriate, and NPS policy for photographic documentation as outlined in the <i>National Register of Historic Places</i> and <i>National Historic Landmarks Survey Photo Policy Expansion</i> (March 2005). The HABS-like documentation should approximate HABS Level II documentation and include: a) select existing drawings, if available, that would be photographed; b) photographs following the NPS photo policy, of exterior and interior views, along with historic views, if available; and c) written data providing history and description of the property. Either HABS standard large format or digital photography may be used. If digital photography is used, the ink and paper combinations for printing photographs must be in compliance with NR-NHL photo expansion policy and have a permanency rating of approximately 115 years. Photographs will be labeled with text reading "Vicente Castro House and Property, 7839 Soquel Drive, Aptos," and photograph number on the back of the photograph in pencil (2B or softer lead) or photo archive pen. Digital photographs will be taken as uncompressed .TIF file format. The size of each image will be 1600x1200 pixels at 300 ppi (pixels per inch) or larger, color format, and printed in black and white. The file name for each electronic image will correspond with the index of photographs and photograph label. <u>Oral History Project</u> Additional information shall be collected through an oral history project. Such a project will assemble important personal histories of people who lived in the Vicente Castro House. An oral history project to record their stories will be a valuable resource and assist with future interpretative and educational exhibits. The County of Santa Cruz Historic Resources Commission and the Aptos History			

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ENVIRONMENTAL IMPACTS	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	Museum shall be given the opportunity to comment on the research design for the oral history project. The research design will identify anticipated informants, research goals, and protocols. The oral history research shall be conducted in conformance with the Principles and Standards of the Oral History Association revised September 2000. This project will be conducted or supervised by a qualified historian or someone with experience in conducting oral history interviews. The following provides guidelines for conducting an oral history project for this property. The oral history project shall consist of interviews conducted with persons knowledgeable about the Vicente Castro House. Patricia Bosworth (Bartley Crum's daughter) shall be interviewed for her first-hand knowledge of the property during one of the periods of significance. John Anthony Miller (Joseph Miller's son) shall be interviewed for his knowledge of the most recent changes to the property and house. This information will expand on the historical record available in the JRP Historical Report. In general, the goal will be to synthesize information gathered from individuals who lived in the house and to gather their personal insights and recollections of the house and the property, including gardens and outbuildings. Planning/Preparation for Interviews: • Review the available historical research and reports, including JRP Historical Report; • Prepare questions list prior to the interviews; • Conduct a tour of the property with the interviewees prior to demolition of buildings, if possible. • Prepare and have signed release forms for each interviewee, giving permission for any tapes or photographs made during the project to be used by researchers and the public for educational purposes. Interviews: • The oral interviews would be no longer than 1-2 hours in length; • Each interview (with permission of the interviewee) will be recorded with a digital voice recorder and use Digital Speech Standard (DSS) Player Software to create a topic index for the interviews linked to a time counter so that the topic index will be searchable on the CD ROM (or DVD) containing the recording of the interview. Use of this software will eliminate the need for a full written transcript of the interviews. Post-Interviews: • Archive quality CDs would be prepared containing a recording of the interview, topic index, biographical data sheet, and a read.me file explaining the contents of the CD and how to use the DSS Player Software. • Short biographical data sheets will be prepared for each interviewee and			

ENVIRONMENTAL IMPACTS	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	put in a file on the CD along with a photograph of each interviewee. - Interviewers will synthesize relevant information from the oral histories into a thematic narrative presenting understandings and insights. This narrative will be included on the CDs; - Typed transcripts of interviews will not be required. - CDs will be disseminated to appropriate repositories. <u>Documentation/Dissemination</u> The HABS-like documentation of the Vicente Castro House and property will be disseminated on archival quality paper to appropriate repositories and interested parties. Appropriate distribution of the documentation is a required mitigation for this project. The distribution of the documentation will include: the California Historical Resources Information System Northwest Information Center at Sonoma State University; the Aptos Chamber of Commerce and History Museum; the Museum of Art and History in Santa Cruz; the Santa Cruz Historical Society; the Santa Cruz Public Library's local history collection; and other local repositories that may be identified. CDs prepared during the oral history project should be on archive quality discs, such as archival gold CD-Rs, and disseminated to the same repositories as the HABS-like documentation. <u>Interpretation of the Property</u> The loss of the historic setting for the Vicente Castro House as a result of potential development can be partially mitigated through the implementation of measures to interpret the property's historic significance for the public and for residents that will inhabit the property. Some measures to interpret the property will be required. However, there are options to the exact nature of such interpretation that would best explain the historical significance of the property, be appropriate for the housing development once built, and would be both practical and economically feasible. It is important that the property's historic significance be conveyed to future residents and visitors to the Castro property. The HABS-like documentation prepared for this project, as well as the oral history project, both described above, will provide information for the chosen interpretive actions and educational materials. Interpretive and/or educational exhibits will include, but are not necessarily limited to the following items: <u>Permanent interpretive displays/signage/plaques:</u> The developer will install one or more interpretive displays on the property that will provide information to visitors and residents regarding the history of the development of Aptos and the Castro family ranchos in the region, the history of the Castro family and history of the Crum family as it relates to the Vicente Castro House and the surrounding property. These displays will be integrated into the design of the public areas of the new housing development and will be installed in			

ENVIRONMENTAL IMPACTS	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	highly visible public areas near the Castro House. The displays will include historical data taken from the HABS-like documentation or other cited archival source. Interpretive displays and the signage/plaques installed on this property will be sufficiently durable to withstand typical weather conditions. Displays and signage/plaques will be installed at pedestrian-friendly locations, and be of adequate size to attract the interested pedestrian. Maintenance of displays and signage/plaques will be included in the management of the common area maintenance program on the property. Protection and Avoidance <u>Supervision of Excavation in Archaeological Sensitivity Area</u> An archaeological sensitivity area has been identified behind the Vicente Castro House and over the creek hillside. Any earth moving activities planned for this area will require an archaeological testing program prior to any ground disturbance. Earthmoving is defined as any grading, trenching (for water, irrigation, or sewage lines), excavation of large planting holes, or any other disturbances extending more than one foot below ground surface. Monitoring will not be necessary outside the sensitivity area, but standard practices in compliance with CEQA guidelines, Section 15064.5 (e)-(f), shall be followed to ensure the stoppage of work and appropriate actions taken if earthmoving activities reveal potential archaeological resources. A portion of the archaeological sensitivity area is included in the mitigated setting area for the Vicente Castro House as described above. Another portion of the sensitivity area coincides with the riparian area between the top of the hill (east of the Castro House) and Aptos Creek. According to the project description, the proposed project includes a provision to preserve the on-site riparian area as open space. Therefore, only a small portion of the sensitivity area may be impacted by the proposed development. The archaeological testing and mitigation program typically involves scraping the impact area with heavy equipment to expose the presence of artifact features, test excavation of any identified artifact deposits, and evaluation of the deposits to see if they are associated with the Castro occupation and qualify as important under CEQA. If they are determined significant, the entire deposit shall be excavated, analyzed, and interpreted in both scientific and public documents. Significant deposits may alternatively be treated with preservation and long-term protections. The archaeological testing and mitigation program shall be conducted and/or supervised by a qualified archaeologist (according to the Secretary of the Interior's professional qualification standards). <u>Preserving the Setting of the Vicente Castro House</u> A portion of the existing setting around the Vicente Castro House retains sufficient historic integrity and is considered to be part of the historical resource. The construction of housing units at 20 units per acre, along with parking, in close			

ENVIRONMENTAL IMPACTS	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	proximity to the Castro House would result in the loss of much of its setting. A measure to mitigate the impact the project would have on the historical resource is to ensure that there is adequate setting for the house, such that the setting can continue to contribute in conveying the historical resource's significance. The existing fence adjacent to the house serves to help define the north and west areas of the setting that includes the landscaped yard. The setting of the house also included the area south of the house, as defined by the driveway, and to the east between the house and the top of the hill that slopes down to Aptos Creek. Thus the area surrounding the house during the secondary period of significance was distinct from the remainder of the property, which formerly contained an orchard and presently contains ancillary buildings and open space. This separation, reinforced by landscaping, allowed the Castro House to be distinct and secluded from the rest of the property. The proposed setting boundary would encompass an area with landscaping, but no new buildings or structures. This would help preserve a degree of the house's integrity of setting. The extent of the area to be preserved takes into account the house's current immediate setting, the characteristics of that setting, and the historical evidence of the setting within the property's later period of significance during the Crum period. The alignment of the existing fence follows the driveway that has been modified since the secondary period of significance. Therefore, neither the existing fence nor its current alignment designates the historic boundary of the house's immediate setting. Although the current fence is not historic and need not be preserved, a new fence surrounding the entire historical resource shall be constructed. This new fence will define the boundary of the historical resource, serve as a visual boundary for the resource, and prevent encroachment by any development into the area surrounding the house. The new fence shall be similar to the existing fence (wood stakes or planks, approximately five feet tall) and be appropriate to the construction style of the Castro House. It would not be necessary to preserve the current alignment of the dirt driveway because its alignment has been modified over the years and is not a contributing element to the significance of the property and its setting. The Castro House's secluded setting is produced primarily by the trees that occupy the area around the building. As mentioned above, portions of the landscaping may date to the secondary period of significance, but there is no significant designed landscape still present today. However, in order to maintain the residential and secluded setting of the house, the developer shall maintain many of the existing trees as possible, and supplement them with new plantings, if needed, within the setting boundary to preserve the residential setting of the house and to decrease the impact of the nearby construction. Some vegetation may need to be planted following grading or other construction activities at the edges of the historic setting boundary. JRP identified an area randina between 25 and 40 feet from the north, west, and			

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	south sides of the house that would be adequate to preserve a sufficient setting for the Vicente Castro House. Preservation of the identified setting is intended to mitigate significant impacts that the project would have on the historical resource. On the east side of the house, a portion of the existing fence line along the top of the hill above Aptos Creek, within the riparian zone, serves as the eastern boundary of the preserved setting area. The area east of the fence is visually distinct from the immediate setting from the house because of the vegetation and the slope of the hill. From a point along the fence northeast of the house, the line proceeds northwest to where the garage currently stands before tracing an arc through the space around the north and west sides of the house, passing on the far side of several existing trees, including a large redwood tree located southeast of the southwest corner of the house and another redwood tree located southeast of the house near the fence to the southeast of the Castro House. The varying width of the area within the setting's boundary corresponds proportionally with the house's immediate setting during the property's secondary period of significance, which included a moderately larger garden area on the south side of the house. The current garage does not date to either period of significance and the project proposes to remove this building. When demolished, a portion of its site would be located within the setting boundary because its proximity to the Castro House makes it part of the setting for the resource. Preserving a measure of the existing setting will also help prevent damage to the Castro House that might result from vibration impacts during construction. In general, studies have found that ground borne vibrations of less than 0.20 peak particle velocity (PPV) in inches per second do not damage fragile buildings. Typically, wood frame buildings are less susceptible to vibration damage than unreinforced masonry or adobe buildings. The construction of the housing on this site is not anticipated to include construction methods that would cause extreme ground borne vibrations, such as blasting or pile driving. However, such vibrations could be caused by large equipment like bulldozers. Consistent ground-borne vibrations caused by this type of activity that are at least 25 feet from historical buildings usually do not cause structural or cosmetic damage and are less than 0.20 PPV. Thus, if all construction activities that would cause potential vibration impacts are at least 25 feet from the Castro House, it is not necessary to assess whether proposed construction methods would cause vibrations to the Castro House that would exceed 0.20 PPV. If construction activities are different than currently anticipated, additional mitigation may be required to protect the house, including changes to construction methods and/or shoring of the house's structure. <u>Mitigation for Construction within and at the Setting Boundary of the Castro House</u> Project elements potentially encroaching into the historical resource's setting boundary include a driveway for the Vicente Castro House and parking for housing units located on the west side of the house. Additionally, construction			

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	adjacent to the Castro House would likely include two-story buildings in the location of the current garage and three-story buildings along the southern edge of the immediate setting. The following measures are intended to reduce the potential impact that these potential encroachments would have on the historical resource. <u>Driveway Location</u> Construction of a driveway would help ensure that the Castro House remains in use as a residential property and would help the house meet county codes for residential use. The paving that would be required for a permanent driveway on the south side of the house would further impact the setting of the historical resource reducing the landscaping adjacent to the house. Therefore, the new driveway for the Vicente Castro House shall be located on the north side of the house where the (non-contributing) brick lined walkway and patio currently sit. The developer may replace the brick pavers with an asphalt or concrete driveway. The driveway may be wider than the current pathway in this location. The driveway and parking area for the house may also cover a portion of the site where the garage currently sits. <u>"Green" Parking Area on South Side of Historic Setting</u> The developer shall minimize impacts to the landscaping within the setting area for the historical resource resulting from the potential encroachment of up to nine parking spaces to meet parking requirements. "Green" paving techniques shall be used in this area, along with sufficient bushes, trees, and landscape features to minimize its appearance as a parking area. The developer shall use hollow paving units, such as Turf Grid or Turf Stone, to provide the necessary paving for the parking area and allow the planting of grass in this area. This approach will provide the additional benefits of erosion control and reduce storm water runoff. The impact of parked cars could be reduced by designating these spaces for guest parking, in which they would conceivably be used less frequently. <u>Fencing of Historic Setting Boundary</u> The Castro House's setting boundary shall be defined by fencing similar to the existing picket fence. This should be tall enough to provide some privacy to the yard, preserving a degree of its current secluded appearance. The fence should also allow the Castro House to be viewed from the rest of the property similar to the current views of the house. <u>Preservation Treatment of the Castro House</u> In compensation for impacting the historical resource, particularly for construction of project features within the historical resources setting boundary (e.g., parking, driveway for Castro House), mitigation for this project shall include preservation work on the Castro house itself. This work would help ensure that the project would not lead to neglect of the historical resource and it would increase the potential for preserving the house. The house would very likely need to be remodeled for use by a subsequent owner, who would also need to comply with			

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<u>ENVIRONMENTAL IMPACTS</u>	<u>Mitigation Measures</u>	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	the county historic preservation ordinance for any changes he or she may wish to perform to character-defining features of the historical resource. Also, CEQA guidelines state that a project, which follows the Secretary of Interior's Standards for the Treatment of Historic Properties is a project that is mitigated to a level that is less than significant. The mitigation proposed under this section would help ensure that this project and its permanent impacts would meet the CEQA guidelines standards. Preservation work performed on the Castro House would also enhance its stature as a centerpiece to the proposed development. The appropriate treatment as mitigation for this project shall be Preservation. The National Park Services defines "preservation" as "the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction." <u>Historic Resources Preservation Plan.</u> A Historic Resource Preservation Plan shall be prepared and submitted to the Historic Resources Commission for approval, and shall conform to the criteria set forth in Section 16.42.070 of the Santa Cruz County Code. This criterion, which is as follows, is based on the Secretary of Interior's Standards for Rehabilitation. The mitigation listed below will help provide historical data and guidance to help ensure that the subsequent owner of the Castro House can meet these requirements: 1. Every reasonable effort shall be made to provide a compatible use for a property, which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose. 2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible. 3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged. 4. Changes that may have taken place over the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected. 5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity. 6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of			

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	missing architectural features shall be based on accurate duplications of features substantiated by historic, physical or pictorial evidence, rather than on conjectural design or the availability of different architectural elements from other buildings or structures. 7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials should not be utilized. 8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project. 9. Alterations and additions to existing properties shall not destroy significant historical, architectural or cultural elements or materials, and shall be compatible with the size, scale, color, materials, and character of the property, neighborhood or environment. 10. Whenever possible, new additions or alterations to structures shall be done in a manner so that the essential form and integrity of the structure would be unimpaired. Historic Structures Report. A Historic Structures Report (HSR), following the guidance from the National Park Service (NPS), shall be prepared. Historical data and standards for the HSR shall be provided, along with steps to ensure that important architectural characteristics of the house are retained. The HSR would provide guidance for the treatment of this property. As noted in NPS Preservation Brief 43 an HSR would be: • A primary planning document for decision-making about preservation, rehabilitation, restoration, or reconstruction treatments • Documentation to help establish significant dates or periods of construction • A guide for budget and schedule planning for work on the historic structure • A basis for design of recommended work • A compilation of key information on the history, significance, and existing condition of the historic structure • A summary of information known and conditions observed at the time of the survey • A readily accessible reference document for owners, managers, staff, committees, and professionals working on or using the historic structure • A tool for use in interpretation of the structure based on historical and physical evidence • A bibliography of archival documentation relevant to the structure			

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	• A resource for further research and investigation • A record of completed work HSRs can include a variety of information. The HSR for the Vicente Castro House shall be focused on identifying the elements of the house that are historically important, the preservation condition of the house's important architectural elements, and provide recommendations that could be employed to rehabilitate the house in the future. The HSR should include a conditions assessment, noting the current conditions of the building, including existing deterioration and structural issues, along with distress to the frame of the house, wood rot, warping, and plaster damage, for example. The HSR would also provide recommendations for interim protections and a plan for long-term maintenance, including recommendations for structural stabilization, protection against damages to important architectural and structural elements, weatherproofing the building (moisture, wind, heat), and protection from vandalism. The developer should hire a qualified historic preservation firm to prepare the HSR. As part of this effort, the developer will be required to conduct preservation work based on recommendations from the HSR. The level of effort required will be determined by the Planning Department, based on the conclusions and results of the HSR. The goal of this mitigation is to preserve the house's character defining features, to prevent further deterioration while the house was uninhabited, and to prevent damage occurring either by or during construction of the housing project prior to the sale of the house. The developer shall also salvage possible historic windows from the garage and other units that will be demolished. These windows could be reused on the Castro House during subsequent rehabilitation of the property. Such reuse, however, will need to be based on appropriate documentation or otherwise be installed in compliance with the Secretary of Interior's Standards for Rehabilitation. <u>Building Treatments immediately adjacent to the Setting Boundary</u> The impact of constructing new housing units adjacent to the Castro House will be reduced by requiring specific architectural treatment of the units, particularly those situated at or near where the garage currently sits. Such treatments will help avoid the imposition of buildings looming over the historic house. The use of gable roofs with a similar pitch as found on the Castro House to reduce the overall volume of the units shall be incorporated into the project design. The design shall also incorporate materials and architecture features that are similar to the Castro House, without creating a false sense that they are themselves historic. The use of gable roofs decreases the need to require upper story setbacks. In particular, the exterior cladding of the units shall be horizontal wood siding. Highly contemporary style or Neo-Spanish style architecture commonly used in townhouse / condominium projects, including stucco exterior walls, is not appropriate for the design of units on this property. Efforts to further reduce the impact of the project on the Castro House would			

<u>ENVIRONMENTAL IMPACTS</u>	<u>Mitigation Measures</u>	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	include decreasing the size of the units or their proximity of the house. While the townhouses have to meet the county's requirements for the PUD and be commercially viable rental spaces, it may be possible to reduce their visual impact by lowering the height of the eaves and using a steeper pitched roof, for example. The developer shall provide adequate space between the Castro House's setting boundary and the townhouse units to allow for a fence to be built at the historic setting boundary (as discussed above). <u>Conclusion</u> The project's impacts to the Vicente Castro House can be mitigated to a level that is less than significant through implementation of the required mitigation outlined above. This would allow the property to continue being eligible for the NRHP/CRHR and County Historic Resources Inventory. The mitigation would prevent demolition of this historical resource, would retain a degree of its setting, and help ensure its continued preservation.			
Cause an adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 15064.5.	Based upon the supplemental subsurface field reconnaissance and previous research, it has been concluded that, in the current project area, there is no subsurface evidence of potentially significant prehistoric archaeological resources associated with site CA-SCR-233. However, pursuant to Section 16.40.040 of the Santa Cruz County Code, if archeological resources are uncovered during construction, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in County Code Chapter 16.40.040. There remains some potential for discovery of historic features, such as privy or trash pits, associated with the historic Vicente Castro House. This type of feature could provide materials of historic significance and interest. However, location of such generally small features prior to construction grading would not be feasible. The most likely area for this type of discovery would be east and northeast of the Castro House along the bank overlooking Aptos Creek. Because of this, the following measures will be required: A qualified archaeological monitor shall be present during initial grading in the areas deemed most likely to produce evidence of historic features. If potentially historic features or materials are discovered, the monitor shall be authorized to temporarily halt construction to assess the find and to make a determination of its significance. If the find is determined to be significant, appropriate mitigation measures shall be formulated, with the concurrence of the County Planning Department, and implemented. Based on findings during the initial grading, the monitor shall have the authority to determine the location(s) and extent of further monitoring and the point at which monitoring will no longer be necessary.	County Planning Department	Building/Grading Permit	Project Construction
Disturb any human remains, including those interred outside of formal cemeteries.	Because of the possibility of unidentified (e.g., buried) cultural resources being found during construction, the following mitigation measure will be implemented: Pursuant to Section 16.40.040 of the Santa Cruz County Code, if at any time	County Planning Department	Building/Grading Permit	During Construction

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		during site preparation, excavation, or other ground disturbance associated with this project, human remains are discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner and the Planning Director. If the Coroner determines that the remains are not of recent origin, a full archeological report shall be prepared and representatives of the local Native California Indian group shall be contacted. Disturbance shall not resume until the significance of the archeological resource is determined and appropriate mitigations to preserve the resource on the site are established.			
Noise					
Generate a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	Noise generated during construction would temporarily increase the ambient noise levels for adjoining areas. In order to minimize impacts associated with short-term construction noise, the County Planning Department shall ensure that the following noise control measures are incorporated into the final construction design plans for the proposed project: (a) Construction that involves motorized equipment shall be limited to Monday through Friday from 7:30 AM to 4:30 PM to avoid the times of day and the days of the week when noise effects would cause the greatest annoyance to residents. (b) Exceptions to the specified construction hours will be allowed only for construction emergencies and approved by County Planning. (c) Signs will be posted that are clearly visible to users on Soquel Drive and Aptos Rancho Road that provide the phone number for the public to call to register complaints about construction-related noise problems. A single "disturbance coordinator" shall be assigned to log in and respond to all calls. All verified problems shall be resolved within 24 hours of registering the complaint. Implementing these mitigation measures will reduce potential significant construction-related noise impacts to a less than significant level.		County Planning Department		During Construction
Air Quality					
Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	Construction activities (e.g., excavation, grading, on-site vehicles) that directly generate 82 pounds per day or more of PM10 would result in a significant impact on local air quality if located nearby and upwind of sensitive receptors. Although project construction may result in a short-term, localized decrease in air quality due to generation of dust, the implementation of standard best management practices would reduce PM10 levels well below 82 pounds per day. The following mitigation measures will reduce construction-related emissions to a less than significant level. All active construction areas shall be watered at least twice daily. Frequency		County Planning Department and Monterey Bay Unified Air Pollution Control District	Building/Grading Permit	During Construction

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<u>ENVIRONMENTAL IMPACTS</u>	<u>Mitigation Measures</u>	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	will be based on the type of operation, soil, and wind exposure. • All grading activities will be prohibited during periods of high wind (over 15 mph). • Chemical soil stabilizers shall be applied to inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). • Non-toxic binders (e.g., latex acrylic copolymer) shall be applied to exposed areas after cut and fill operations and to hydroseed areas. • Haul trucks shall maintain at least 2'0" of freeboard. • All trucks hauling dirt, sand, or loose materials shall be covered. • Vegetative ground cover shall be installed in disturbed areas as soon as possible. • Inactive storage piles shall be covered. • Wheel washers shall be installed at the entrance to construction-sites for all exiting trucks. • Streets shall be swept if visible soil material is carried out from the construction-site. • A publicly visible sign shall be posted that specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance). • Limit the area under construction at any one time (MBUAPCD 2008).			
Expose sensitive receptors to substantial pollutant concentrations.	There would be a short-term air quality impact from emissions generated during site preparation (including soil stabilization efforts) and building construction. Dust from grading and emissions from heavy equipment would incrementally increase emissions over the short-term. There would be a long-term incremental decrease in air quality resulting from vehicle emissions generated by the proposed project. However, this impact is not considered to be significant with implementation of the above mitigation.	County Planning Department and Monterey Bay Unified Air Pollution Control District	Building/Grading Permit	During Construction

ENVIRONMENTAL IMPACTS	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Public Services and Utilities Result in the need for construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	The final map for the project shall include an appropriate engineering solution to provide drainage infrastructure to accommodate the 5-year storm water runoff flow as required by the Santa Cruz County design standards for drainage structures. The final drainage plan and culvert design is subject to the review and approval of the County of Santa Cruz Department of Public Works. Minor impacts to the riparian area of Aptos Creek are anticipated. However, no permanent or temporary impacts will be allowed below the "ordinary high water mark" of Aptos Creek within the U.S. Army Corps of Engineers' jurisdiction. Mitigation for temporary impacts to riparian habitat will include replanting of habitat (e.g., coast redwood, coast live oak, big-leaf maple, willow, etc.) in disturbed areas following construction. All permanent impacts will be mitigated through enhancement of habitat within the riparian area at a 3:1 ratio. Enhancement will consist of exotic species removal and replanting with native species. A Section 1602 Streambed Alteration Agreement from CDFG may be required for minor impacts to riparian vegetation. The need for a Section 404 Permit from the U.S. Army Corps of Engineers is not anticipated. Encroachment into Waters of the U.S. will be avoided.	County Department of Public Works	Building/Grading Permit	During Construction

IN THE SUPERIOR COURT of the STATE OF CALIFORNIA
in and for the County of Santa Cruz

CERTIFICATE OF PUBLICATION

Ad No.: 02513864

STATE OF CALIFORNIA

COUNTY OF SANTA CRUZ } ss

I, Tess E. Fitzgerald, Supervising Clerk
of the Board of Supervisors of the
County of Santa Cruz, do hereby certify
that Ordinance No. 5025, adopted on
Nov. 25, 2008, has been duly published in
accordance with Section 25124 of the
Government Code.

Tess E. Fitzgerald,
Supervising Board Clerk
By: [Signature]

I, Patricia Turley,
hereby certify that the **Watsonville Register
Pajaronian**, a newspaper of general circulation,
within the provisions of the government code of the
State of California, printed and published in the
City of Watsonville, County of Santa Cruz, State of
California; that I am the principal clerk of the
printer of said newspaper; that the

Legal Notice; Public Notice
Adopted Ordinance NO. 5025
(Summary)

of which the annexed clipping is a true printed
copy was published in said newspaper on the fol-
lowing dates, to wit:

12/6/08
I certify under penalty of perjury that the foregoing
is true and correct, at Watsonville, California, on the

12/6/08

(Paste clipping of publication securely in this space)

WBUC NOTICE

ADOPTED ORDINANCE NO. 5025
(SUMMARY)

NOTICE IS HEREBY GIVEN that at its regularly
scheduled meeting on November 25, 2008, the Board
of Supervisors of the County of Santa Cruz adopted
Ordinance No. 5025 Granting a Planned Unit Develop-
ment as allowed by Santa Cruz County Code relating
to establishment of Development Standards for A:N:
039-471-09. This Ordinance was passed by the follow-
ing vote:

AYES: Beautz, Coonerty, and Pine,
NOES: Stone
ABSENT: None
ABSTAIN: Campos

Copies of the full text of this ordinance are available at
the Office of the Clerk of the Board, Room 500, Gov-
ernmental Center Building, 701 Ocean Street, Santa
Cruz, California 95060.

Date: December 4, 2008

December 6, 2008
02513864

Patricia Turley
Patricia Turley, Legal Clerk

"Proof of Publication must be filed with the County
Clerk's Office within 30 days of the last publication
date, pursuant to Civil Code Section 2466."