

## STAFF REPORT TO THE PLANNING COMMISSION

**APPLICATION NO.:** 03-0208

**APN:** 029-193-02

**APPLICANT:** Devlin Jones

**OWNER:** David and Karyn Adams

**PROJECT DESCRIPTION:** Proposal to create two lots of **7,143** square feet net site area and 6,001 square feet net site area on a site with one single-family dwelling, and to construct one new single-family dwelling.

**LOCATION:** Located on the south side of Kinsley Street about 250 feet east of Chanticleer Street at 2252 Kinsley Street.

**PERMITS REQUIRED:** Minor Land Division and Residential Development Permit

**ENVIRONMENTAL DETERMINATION:** Exempt

**COASTAL ZONE:** —Yes ☒ No

**APPEALABLE TO CCC:** \_\_\_Yes\_\_\_No

### PARCEL INFORMATION

**PARCEL SIZE:** 15,072 square feet (EMIS estimate)

**EXISTING LAND USE:**

**PARCEL:** Residential

**SURROUNDING:** Residential

**PROJECT ACCESS:** Kinsley Street

**PLANNING AREA:** Live Oak

**LAND USE DESIGNATION:** R-UL (Urban Low Density Residential)

**ZONING DISTRICT:** R-1-6 (Single-Family Residential - 6,000 square foot minimum)

**SUPERVISORIAL DISTRICT:** 1<sup>st</sup>

### ENVIRONMENTAL INFORMATION

- |                      |   |
|----------------------|---|
| a. Geologic Hazards  | b. None mapped                          |
| b. Soils             | Report not required                     |
| c. Fire Hazard       | c. None mapped                          |
| d. Slopes            | d. 0 to 3 percent                       |
| e. Env. Sen. Habitat | e. None mapped                          |
| f. Grading           | f. No grading proposed                  |
| g. Tree Removal      | g. 3 pine trees to be removed           |
| h. Scenic            | h. None mapped                          |
| i. Drainage          | i. Engineered drainage required with BP |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line: X Yes ☐ No  
Water Supply: City of Santa Cruz Water Department  
Sewage Disposal: County Sanitation  
Fire District: Central Fire District  
Drainage District: Zone 5

### **ANALYSIS & DISCUSSION**

#### **Background**

On June 3, 2003, the County Planning Department accepted this application for a Minor Land Division. In accordance with the California Environmental Quality Act (CEQA) and the County Environmental Review Guidelines, the project was determined to be categorically exempt from the provisions of CEQA, per Section 15315 of the California Code of Regulations. A Notice of Exemption was prepared for the proposed project (See Exhibit D).

The Department of Public Works has requested the dedication of an additional 5 feet of right of way but no roadside improvements. The existing home on the property is to be retained. Assessor's records indicate the structure was built in 1930.

#### **Project Setting & Surroundings**

The parcel is approximately 15,071 +- square feet (EMIS est.) in area and is in the Live Oak Planning Area. The subject parcel fronts Kinsley Street, which is a County maintained road. The parcel is relatively flat, with slopes less than 5 percent.

The current use of the subject parcel is single-family residential (one unit on 15,071 square feet). Surrounding development consists predominately of residential uses, developed to a similar density as that requested by this proposal. Commercial uses are located south of the site on Portola Drive, and northeast of the site at the intersection of 17 Ave and Brommer Ave.

Zoning in the immediate area is R-1-6, with RM-4, RM-4-MH, and RM-5 zoning surrounding the single-family zoned neighborhood. Commercial zoning (C-1, C-2, and VA) is found along Portola Drive and in the area of the East Cliff Village Special Coastal Community at the intersection of 17 Ave and East Cliff Drive.

#### **Project Description**

The applicant proposes to create two single-family residential parcels of 7,143 net developable square feet (Lot B), and 6,001 net developable square feet (Lot A). Both lots will obtain access from Kinsley Street with Lot B having corridor access over a 20-foot corridor and a 12-foot paved driveway with landscaping on both sides. The existing dwelling will be located on Lot A and will also have Kinsley Street access. One new two-story, 2,155-square foot home with an attached 500-square foot garage is proposed for the Lot B. The existing detached garage on the east side of the site will be removed.

### **General Plan & Zoning Consistency**

The project site has a General Plan land use designation of “R-UL” (Urban Low Density Residential). This designation allows a density range of 4.4 to 7.2 units per net developable acre, which corresponds to lot size requirements of 6,000 to 10,000 square feet of net developable parcel area. The objective of this land use designation is to provide for lower density residential development in areas within the Urban Services Line that have a full range of urban services. As proposed, the average parcel size for the two new lots is 6,572 square feet; therefore the density of the project is consistent with the General Plan.

The project is in the R-1-6 Zone District (single-family residential; 6,000 square feet of net developable land area per dwelling unit). The proposed division of land complies with the zoning ordinance as the property is intended for residential use, the lot sizes meet the ~~minimum~~ dimensional standard for the R-1-6 zone district, and the setbacks on the new lots created will be consistent with the minimum zoning ordinance requirements.

Specifically, both the proposed new dwelling (2,655 square feet) and the existing dwelling (846 square feet) meet the required setbacks of 20 feet from the front parcel boundary/edge of any right of way, 15 feet from the rear parcel boundary, and 5 and 8 feet from the side parcel boundaries. Both the proposed dwelling and the existing dwelling will cover less than 30 percent of the total lot area, and the proposed floor area ratio is less than 50 percent. The proposed building footprints are shown on the architectural plans included as Exhibit A, as are the lot coverage and floor area ratio calculations.

### **Design Review Issues**

Because the project is a land division located inside the Urban Services Line, it is subject to the provisions of County Code Chapter 13.11; Site, Architectural and Landscape Design Review. A primary purpose of the Design Review ordinance, as defined by General Plan Objective 8.1, is to achieve functional high quality development through design review policies that recognize the diverse characteristics of the area, maintain design creativity, and preserve and enhance the visual fabric of the community. Architectural drawings, floor plans, and a perspective drawing for the proposed new home is included as part of Exhibit A.

The new home is proposed to be two-stories with a design that incorporates some of the architectural details found on other homes in the area. Siding for the new home is proposed to be cement plaster on the first floor and board and bat siding for the second floor with a bellyband to create a visual separation. Windows and trim will consist of a combination of wood and vinyl along with galvanized rain gutters. Exterior colors are proposed to be antique white on the first floor and mill stream green on the second floor, with the trim color to be a lighter off-white shade. Roofing material is proposed to be composition shingles.

To assure that the final construction is in conformance with the information submitted, a condition of approval has been included that requires all construction to be as presented in Exhibits A. Staff has incorporated a condition of approval that prohibits changes in the placement of windows that face directly towards existing residential development without review and approval.

The proposed project has been designed to complement and harmonize with the existing and proposed land uses in the vicinity. It will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

The site plan shows the placement of 3 coast live *oak* and 5 maple replacement trees, as three pine trees are proposed to be removed to facilitate the development. Seven other mature trees on the site have been incorporated into the design and are to be retained. The project has been conditioned to require a final landscape plan for review with the building plans. The final plan shall indicate how the trees that are to remain will be protected during construction.

### **Affordable Housing**

The project is subject to the most recent affordable housing regulations as adopted by the Board of Supervisors. According to County Code Section 17.10.031, the project is not required to pay inclusionary housing in-lieu fees for small residential projects, as the project results in less than 3 new housing units.

### **Conclusion**

All required findings can be made to approve this application. The project is consistent with the General Plan in that the project constitutes a residential use. The proposed density is compatible with the existing density and intensity of land use in the surrounding area, and is consistent with the zoning designation of the subject parcel. The project, as conditioned, will not have a significant effect on the environment.

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

### **RECOMMENDATION**

Staff recommends:

1. **APPROVAL** of Application Number **03-0208**, based on the attached findings and conditions.
2. **Certification** that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

## EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Location map
- F. Assessor's parcel map
- G. Zoning map
- H. General Plan map
- I. Letter from Central Fire Protection District, dated June 10, 2003
- J. Letter from County Sanitation, dated March 2, 2004
- K. Letter from City of Santa Cruz Water Department, dated May 6, 2003
- L. Comments & Correspondence

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: \_\_\_\_\_

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

Report Reviewed By: \_\_\_\_\_

  
Cathy Graves  
Principal Planner  
Development Review

## **SUBDIVISION FINDINGS:**

1. THAT THE PROPOSED SUBDIVISION MEETS ALL REQUIREMENTS OR CONDITIONS OF THE SUBDIVISION ORDINANCE AND THE STATE SUBDIVISION MAP ACT.

The proposed division of land meets all requirements and conditions of the County Subdivision Ordinance and the State Map Act in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan and the Zoning Ordinance as set forth in the findings below.

2. THAT THE PROPOSED SUBDIVISION, ITS DESIGN, AND ITS IMPROVEMENTS, ARE CONSISTENT WITH THE GENERAL PLAN, AND THE AREA GENERAL PLAN OR SPECIFIC PLAN, IF ANY.

The proposed division of land, its design, and its improvements, are consistent with the General Plan. The project creates one new single family lot and is located in the Residential, Urban Low Density General Plan designation which allows a density of one dwelling for each 6,000 to 10,000 square feet of net developable site area. The average parcel size for the two new lots is 6,572 square feet, therefore the density of the project is consistent with the General Plan.

The project is consistent with the General Plan in that the full range of urban services is available and will be extended to the new parcel created, including municipal water and sewer service. The land division is on an existing street, and no improvements are needed to provide satisfactory access to the project, with the exception of a new driveway for Lot B. The proposed land division is similar to the pattern and density of surrounding development, is near commercial shopping facilities and recreational opportunities, and will have adequate and safe vehicular access.

The land division, as conditioned, will be consistent with the General Plan regarding infill development in that the proposed single-family development will be consistent with the pattern of the surrounding development, and the design of the proposed home is consistent with the character of the surrounding neighborhood. The land division is not in a hazardous or environmentally sensitive area and protects natural resources by providing residential development in an area designated for this type and density of development.

3. THAT THE PROPOSED SUBDIVISION COMPLIES WITH ZONING ORDINANCE PROVISIONS AS TO USES OF LAND, LOT SIZES AND DIMENSIONS AND ANY OTHER APPLICABLE REGULATIONS.

The proposed division of land complies with the zoning ordinance provisions as to uses of land, lot sizes and dimensions and other applicable regulations in that the use of the property will be residential in nature, lot sizes meet the minimum dimensional standards for the R-1-6 zone district where the project is located, and all setbacks will be consistent with the zoning standards. The existing dwelling and proposed new dwelling will both comply with the development standards in the zoning ordinance as they relate to setbacks, maximum parcel coverage, minimum site width, floor area ratio and minimum site frontage

**4. THAT THE SITE OF THE PROPOSED SUBDIVISION IS PHYSICALLY SUITABLE FOR THE TYPE AND DENSITY OF DEVELOPMENT.**

The site of the proposed land division is physically suitable for the type and density of development in that no challenging topography affects the site, the existing property is commonly shaped to ensure efficiency in further development of the property, and the proposed parcels offer a traditional arrangement and shape to insure development without the need for variances or site standard exceptions. No environmental constraints exist which would necessitate the area remain undeveloped.

**5. THAT THE DESIGN OF THE PROPOSED SUBDIVISION OR TYPE OF IMPROVEMENTS WILL NOT CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE NOR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.**

The design of the proposed division of land and its improvements will not cause environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. No mapped or observed sensitive habitats or threatened species impede development of the site as proposed. The project was determined to be exempt from CEQA, pursuant to the California Environmental Quality Act and the County Environmental Review Guidelines (Exhibit D).

**6. THAT THE PROPOSED SUBDIVISION OR TYPE OF IMPROVEMENTS WILL NOT CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.**

The proposed division of land or its improvements will not cause serious public health problems in that municipal water and sewer are available to serve the proposed parcel, and these services will be extended to serve the new parcel created.

**7. THAT THE DESIGN OF THE PROPOSED SUBDIVISION OR TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH, OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.**

The design of the proposed division of land and its improvements will not conflict with public easements for access in that no easements are known to encumber the property. Access to all lots will be from existing public roads with Lot B to have corridor access from Kinsley Street.

**8. THE DESIGN OF THE PROPOSED SUBDIVISION PROVIDES, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES,**

The design of the proposed division of land provides to the fullest extent possible, the ability to use passive and natural heating and cooling in that the resulting parcels are oriented in a manner to take advantage of solar opportunities. All of the proposed parcels are conventionally configured and the proposed building envelopes meet the minimum setbacks as required by the zone district for the property and County code.

9. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076) AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed lot sizes meet the minimum dimensional standards for the R-1-6 zone district, and all development standards for the zone district will be met. The new home is proposed to be two-stories with a design that incorporates some of the architectural details found on other homes in the area.

Siding for the new home is proposed to be cement plaster on the first floor and board and bat siding for the second floor with a bellyband to create a visual separation. Windows and trim will consist of a combination of wood and vinyl along with galvanized rain gutters. Exterior colors are proposed to be antique white on the first floor and mill stream green on the second floor, with the trim color to be a lighter off-white shade. Roofing material is proposed to be composition shingles.

To assure that the final construction is in conformance with the information submitted, a condition of approval has been included that requires all construction to be as presented in Exhibit "A". An additional condition of approval has been incorporated that prohibits changes in the placement of windows that face directly towards existing residential development without review and approval by the Planning Commission.

The proposed project has been designed to complement and harmonize with the existing and proposed land uses in the vicinity. It will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.



### **DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the proposed residential development 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 in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed residential development will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The project site is located in the R-1-6 (Single-Family Residential - 6,000 square foot minimum) zone district. The proposed location of the residential development and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 zone district in that the primary use of the property will be one residential development that meets all current site standards for the zone district.

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.

The project is located in the Urban Low Density Residential (R-UL) land use designation. The proposed residential use is consistent with the General Plan in that it meets the density requirements specified in General Plan Objective (Urban Low Density Residential). The average parcel size for the two new lots is 6,572 square feet, which is within the General Plan density range for urban low density (6,000-10,000 square feet)

The proposed residential development will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and

development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the residential development will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed residential development will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed residential development will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stones) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The proposed use will not overload utilities or generate more than the acceptable level of traffic on the streets in the vicinity in that it is a residential development on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be one (1) peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The proposed residential development 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 in the vicinity, in that the proposed structure is two stones, in a mixed neighborhood of both one and two story homes and the proposed residential development is consistent with the land use intensity and density of the neighborhood.

6. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed residential development will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

## CONDITIONS OF APPROVAL

### Land Division Permit 03-0208

Applicant: Devlin Jones

Property Owners: David and Karyn Adams

Assessor's Parcel Number(s): 029-193-02

Property Address and Location: 2252 Kinsley Street, on the south side of Kinsley Street about 250 feet east of Chanticleer Street

Planning Area: Live Oak

---

Exhibits:

- A. Tentative Map prepared by John Clarke, P.E., dated 4/6/04; Architectural and floor plans prepared by Devlin Jones, dated 1/5/04
- 

All correspondence and maps relating to this land division shall carry the land number noted above.

- I. Prior to exercising any rights granted by this Approval, the owner shall:
- A. Sign, date and return one copy of the Permit Form to indicate acceptance and agreement with the conditions thereof, and
  - B. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder). The conditions shall also be recorded on the Parcel Map and are applicable to all resulting parcels.
  - C. Submit a copy of the approved Tentative Map on vellum to the County Surveyor.
  - D. Pay an Environmental Exemption fee of \$25 to the Clerk of the Board of the County of Santa Cruz.
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the Tentative Map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:

**EXHIBIT C**

- A. The Parcel Map shall be in general conformance with the approved Tentative Map and shall conform to the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
- B. This land division shall result in no more than two (2) single-family residential lots.
- C. The minimum lot size shall be 6,000 square feet, net developable land.
- D. The following items shall be shown on the Parcel Map:
  - 1. Development envelopes and/or building setback lines located according to the approved Tentative Map. The building envelope shall meet the minimum setbacks for the R-1-6 zone district.
  - 2. Show the net area of each lot to nearest square foot.
  - 3. The owner's certificate shall include:
    - a. An irrevocable offer of dedication to the County of Santa Cruz for improvements shown on the Tentative Map.
    - b. An irrevocable offer of dedication to the County of Santa Cruz for a 5-foot strip of land along the property frontage.
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
  - 1. Lots shall be connected for water service to City of Santa Cruz Water District.
  - 2. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the Sanitation District shall be met.
  - 3. All future construction on the lots shall conform to the Architectural Floor Plans and Elevations, and the Perspective Drawing as stated or depicted in Exhibits "A" and shall also meet the following additional conditions:
    - a. No changes in the placement of windows that face directly towards existing residential development as shown on the architectural plans, shall be permitted without review and approval by the Planning Commission.
    - b. Exterior finishes shall incorporate cement plaster siding and board and bat siding (painted in a variety of shades) with accents and details, as shown on the approved plans. TI-11 type wood siding is not permitted.

- c. Notwithstanding the approved preliminary architectural plans, all future development shall comply with the development standards for the R-1-6 zone district. The development of any lot shall not exceed 30 percent lot coverage, or 50 percent floor area ratio, or other standards as may be established for the zone district. No fencing shall exceed **three** feet in height within the required front setback or six feet in height within the required side or rear setback.
4. A final Landscape Plan for the entire site specifying the species, their size, and irrigation plans and meet the following criteria and must conform to all water conservation requirement of the City of Santa Cruz water conservation regulations:
  - a. **Turf** Limitation. ~~Turf~~ area shall not exceed 25 percent of the total landscaped area. Turf area shall be of low to moderate water-using varieties, such as tall or dwarf fescue.
  - b. Plant Selection. At least 80 percent of the plant materials selected for non-turf areas (equivalent to 60 percent of the total landscaped area) shall be well-suited to the climate of the region and require minimal water once established (drought tolerant). Native plants are encouraged. Up to 20 percent of the plant materials in non-turf areas (equivalent to 15 percent of the total landscaped area), need not be drought tolerant, provided they are grouped together and can be irrigated separately.
  - c. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.
  - d. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.
    1. The irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit applications. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.

- ii. Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinklerheads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be used to maximize the efficiency of water applied to the landscape.
  - iii. Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.
  - iv. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.
- e. All planting shall conform to the preliminary plan shown as part of Exhibit A, except that all trees planted adjacent to the public right of way shall be 24" box in size and shall be selected from the suggested planting list in the Urban Forestry Master Plan. Also:
  - i. All landscaping shall be permanently maintained by the property owner including any plantings within the County right of way along the frontage of the property.
  - ii. Any trees planted in the County right of way shall be approved by the Department of Public Works and shall be installed according to provisions of the County Design Criteria.
  - iii. Notes shall be added to the improvement plans and the building permit plans that indicate the manner in which existing trees will be protected during construction.
  - iv. Three coast live *oak* replacement trees are required.
- 5. A soils report may be required with the submittal of building plans.
- 6. Submit grading and drainage plans that include estimated earthwork, cross sections through all pads delineating existing and proposed cut and fill areas, existing and proposed drainage facilities, and details of devices such as back drains, culverts, energy dissipaters, etc.
- 7. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located. In the case of Live Oak School District, the applicant/developer is advised that the development may be subject to inclusion in a Mello-Roos Community Facilities District.

8. Prior to any building permit issuance or ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Department of Public Works and the Planning Department. Earthwork between October 15 and April 15 requires a separate winter grading approval from Environmental Planning that may or may not be granted. The erosion control plans shall identify the location and type of erosion control practices and devices to be used and shall include **the** following:
  - a. An effective sediment barrier placed along the perimeter of the disturbance area and maintenance of the barrier.
  - b. Soil management that prevents loose material from leaving the site.
  - c. A plan to prevent construction vehicles from carrying soil, dirt, gravel, or other material onto public streets. **The** owner/applicant is responsible for cleaning **the** street should materials from the site reach the street.
9. Any changes between **the** approved Tentative Map, including but not limited to the attached exhibits for architectural and landscaping plans, must be submitted for review and approval by **the** decision-making body. Such proposed changes will be included in a report to the decision making body to consider if they are sufficiently material to warrant consideration at **a** public hearing noticed in accordance with Section 18.10.223 of the County Code.

III. Prior to recordation of the Parcel Map, the following requirements shall be met:

- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- B. Meet all requirements of the Santa Cruz County Sanitation District as stated in the District's letter dated March 2, 2004 including, without limitation, the following standard conditions:
  1. Submit and secure final approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.
  2. Pay all necessary bonding, deposits, and connections fees, and furnish a copy of the CC&R's to the district, if applicable.
- C. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to **the** project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment

such as gas meters and electrical panels shall not be visible from public streets or building entries.

- D. Engineered improvement plans are required for this land division, and an agreement backed by financial securities is necessary. Improvements shall occur with the issuance of building permits for the new parcels and shall comply with the following:
1. All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria. Plans shall also comply with applicable provisions of the Americans With Disabilities Act and/or Title 24 of the State Building Code.
  2. Plans shall include a cross section of Kinsley Street that will show the required 5-foot dedication. The fence must be removed from the right of way.
  3. Complete 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. The plans shall show construction details for the detentions system. The detention system should include safe overflow and bypass provisions. Describe all paths of runoff. Runoff from Parcel A should bypass the detention system. Easements may be required on Parcel B.
  4. Plans shall comply with any required soils reports. Plan review letters shall be submitted as needed to verify that the plans are in compliance with geotechnical recommendations.
- E. Engineered improvement plans for all water line extensions required by City of Santa Cruz shall be submitted for the review and approval of the water agency.
- F. All requirements of the Central Fire District shall be met as set forth in the District's letter dated June 10,2003.
- G. Park dedication in-lieu fees shall be paid for one (1) dwelling unit. These fees are 3,000 per unit (which assumes 3 bedrooms at \$1,000 per bedroom), but are subject to change.
- H. Transportation improvement fees shall be paid for one (1) dwelling unit. These fees \$2,000 per unit, but are subject to change.
- I. Roadside improvement fees shall be paid for one (1) dwelling unit. These fees are \$2,000 per unit, but are subject to change.
- J. Child Care Development fees shall be paid for one (1) dwelling unit. These fees \$327 per unit (which assumes three bedrooms at \$109 per bedroom), but are subject to change.
- K. Remove the detached garage that straddles the proposed new property line.



- L. Submit one reproducible copy of the Parcel Map to the County Surveyor for distribution and assignment of temporary Assessor's parcel numbers and situs address.
  - M. A private maintenance agreement, applicable to all parcels, for the maintenance of detention system and the silt and grease traps shall be recorded.
- IV. All future construction within the property shall meet the following conditions:
- A. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, 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. Obtain ~~an~~ Encroachment Permit from the Department of Public Works for any work performed in the public right of way. All work shall be consistent with the Department of Public Works Design Criteria.
  - B. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan that may or may not be granted.
  - C. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
  - D. 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.
  - E. To minimize noise, dust and nuisance impacts of 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. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address and emergency situation; and
    - 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
  - F. Construction of improvements shall comply with the requirements of any required soil reports. The geotechnical engineer shall inspect the completed project and certify in



writing that the improvements have been constructed in conformance with any geotechnical recommendations.

- G. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lot.
- V. All future development on lots created by this subdivision shall comply with the requirements set forth in Condition ILE, above.
- VI. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.
- VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
  - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days ~~of~~ any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
  - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
    - 1. COUNTY bears its own attorney's fees and costs; and
    - 2. COUNTY defends the action in good faith.
  - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
  - D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) ~~of~~ the applicant.

Application # 03-0208  
APN 029-193-02  
Owner: David and Karyn Adams

- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement, which incorporates the provisions of this condition, or this development approval shall become null and void.

**AMENDMENTS TO THIS LAND DIVISION APPROVAL SHALL BE  
PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE.**

This Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the 14-day appeal period. The Final Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking at least 90 days prior to the expiration date and in no event later than 3 weeks prior to the expiration date.

cc: County Surveyor

**APPROVAL DATE:** \_\_\_\_\_

**EFFECTIVE DATE:** \_\_\_\_\_

**EXPIRATION DATE:** \_\_\_\_\_

\_\_\_\_\_  
Cathy Graves  
Principal Planner

\_\_\_\_\_  
John Schlagheck  
Project Planner

**EXHIBIT C**

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

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

Application Number: 03-0208

Assessor Parcel Number: 029-193-02

Project Location: 2252 Kinsley Street

**Project Description: Minor Land Division**

**Person or Agency Proposing Project: Devlin Jones**

**Contact Phone Number: (831) 476-5829**

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

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Minor Land Divisions (15315)

**F. Reasons why the project is exempt:**

Land divisions of four or fewer lots in an urbanized area consistent with existing zoning and General Plan

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

\_\_\_\_\_  
John Schlagheck, Project Planner

Date: \_\_\_\_\_

**EXHIBIT D**

# Location Map

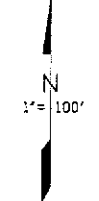


0.25 0 0.25 Miles

Map created by Santa Cruz County  
Planning Department:  
June 2003



EXHIBIT E



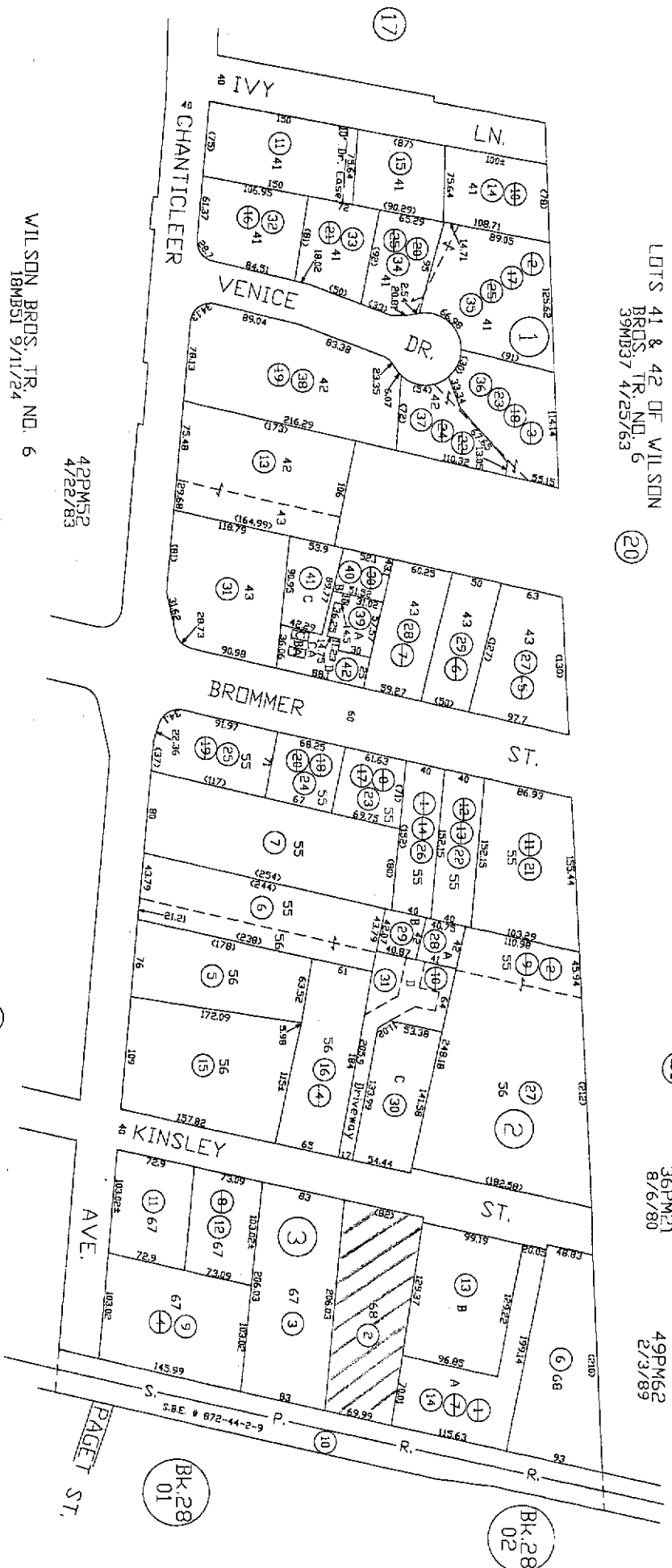
EXHIBIT

LOTS 41 & 42 OF WILSON  
 BROS. TR. NO. 6  
 35MB37 4/23/63

(20)

(21)  
 36PM21  
 8/6/80

49PM62  
 2/3/89



WILSON BROS. TR. NO. 6  
 18MB31 9/11/24

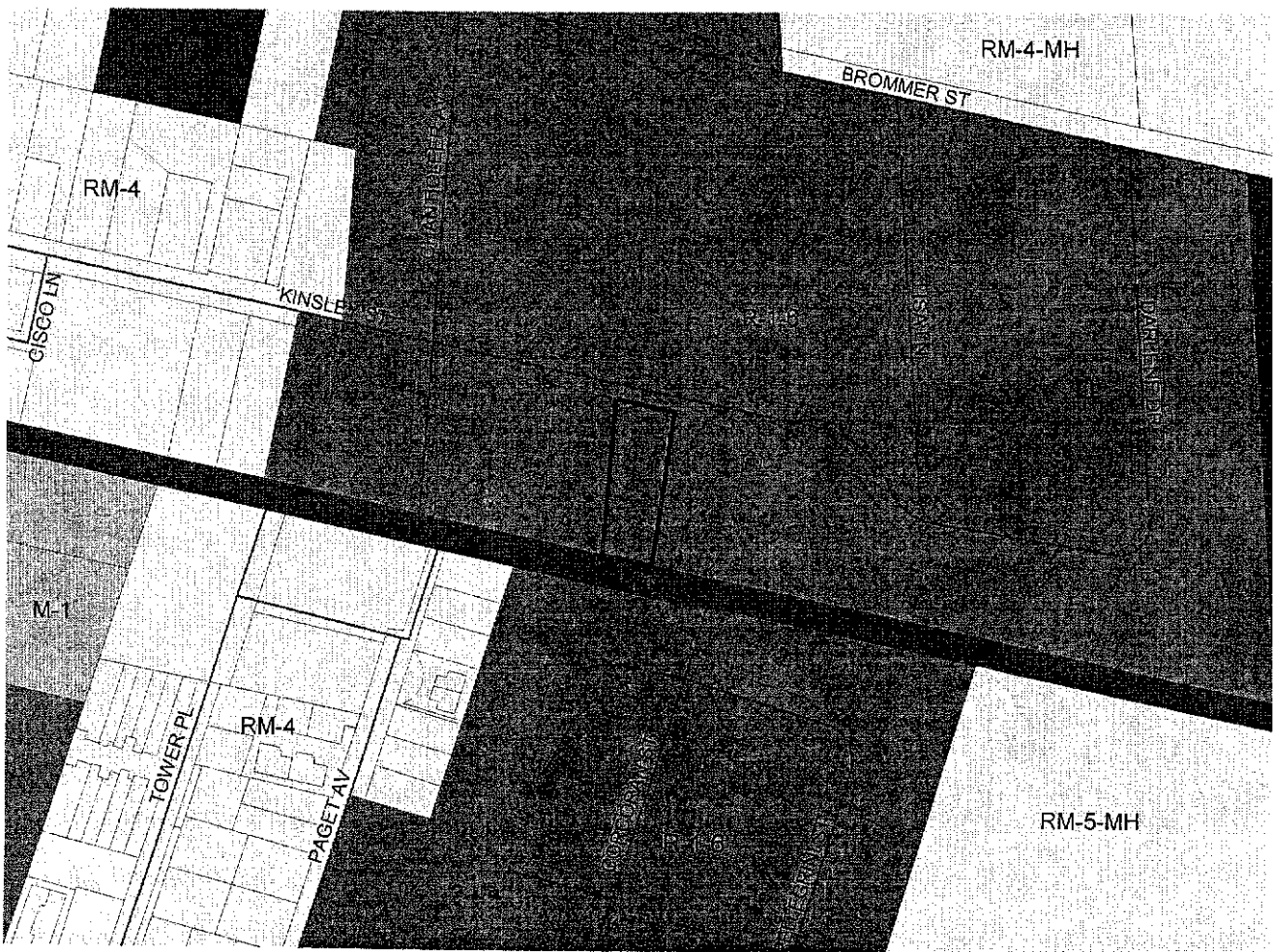
(16)

(18)

Note - Assessor's Parcel Block &  
 Lot Numbers Shown in Circles.

Assessor's Map No. 29-19  
 County of Santa Cruz, Calif.  
 September, 1998

# Zoning Map



## Legend

	APN 029-193-02
	Parcel boundaries
	Streets
	RM
	M-1
	R-1-X
	PF

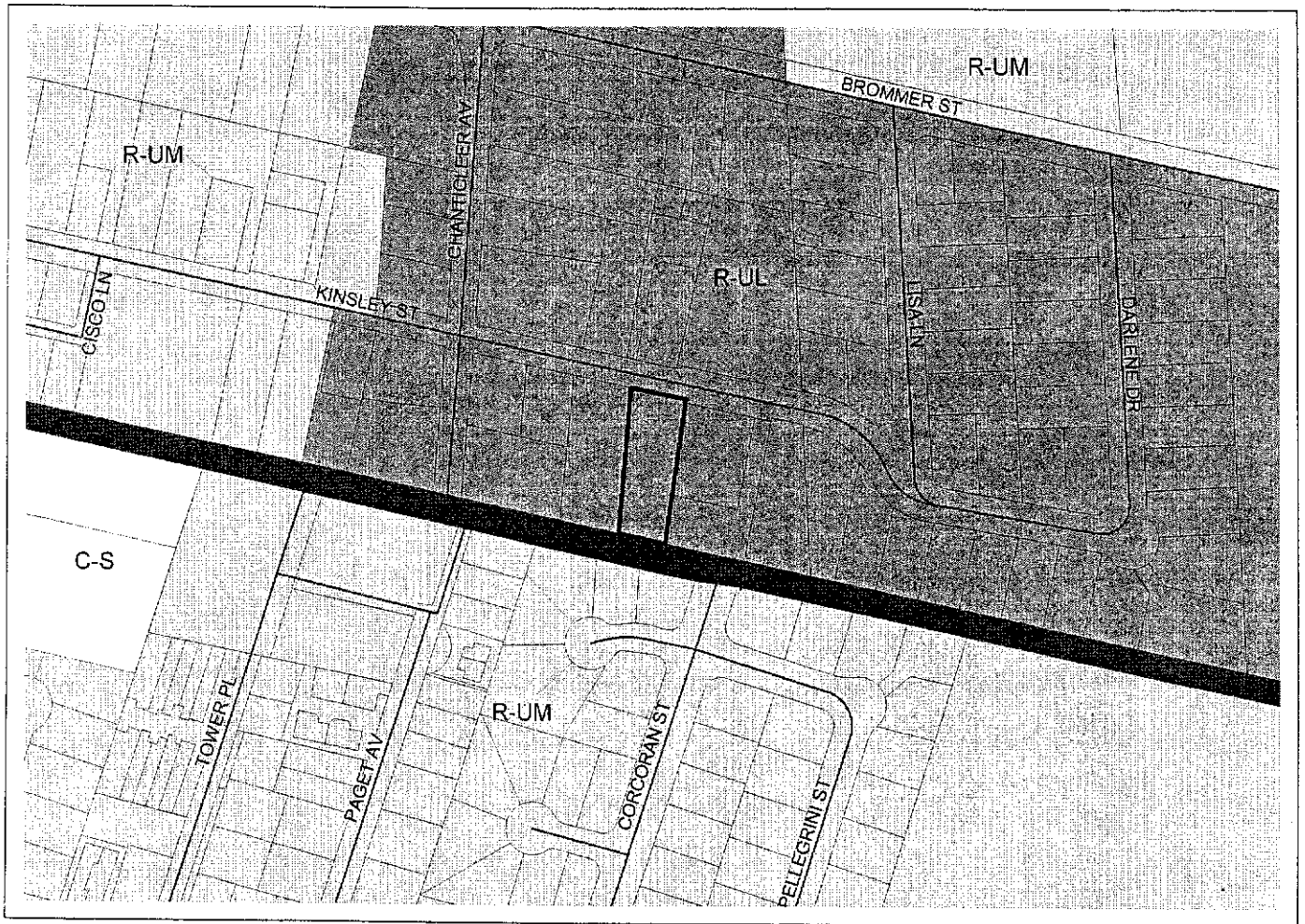


Map created by Santa Cruz County  
Planning Department:  
June 2003

EXHIBIT C



# General Plan Map



300 0 300 600 Feet



APN 029-193-02  
Parcel boundaries

Residential - Urban Medium Density  
Residential - Urban Low Density  
Parks and Recreation

Map created by Santa Cruz County  
Planning Department:  
June 2003

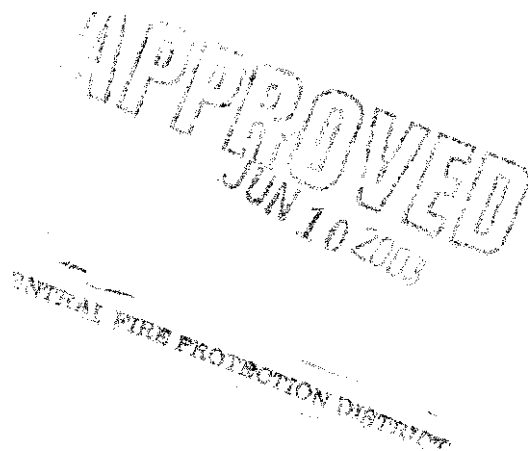
EXHIBIT H



**CENTRAL  
FIRE PROTECTION DISTRICT**  
of Santa Cruz County  
Fire Prevention Division

930 17<sup>th</sup> Avenue, Santa Cruz, CA 95062  
phone (831)479-6843 fax (831)479-6847

**Date:** 10 June 2003  
**To:** David Adams  
**Applicant:** Devlin Jones  
**From:** Tom Wiley  
**Subject:** 03-0208  
**Address:** 2252 Kinsley Street, Santa Cruz  
**APN:** 029-193-02  
**OCC:** 2919302  
**Permit:** 030148



We have reviewed plans for the above subject project.

The following NOTES must be added to notes on velums by the designer/architect in order to satisfy District requirements when submitting for Application for Building Permit:

**THE FOLLOWING ARE DISTRICT REQUIREMENTS:**

*When plans are submitted for multiple lots in a tract, and several standard Floor Plans are depicted, include Fire District Notes on the small scale Site Plan. For each lot, submit only sheets with the following information; Site Plan (small scale, highlight lot, with District notes), Floor Plan, Elevation (roof covering and spark arrestor notes), Electrical Plan (if smoke detectors are shown on the Architectural Floor Plan this sheet is not required). Again, we must receive, VIA the COUNTY, SEPARATE submittals (appropriate site plans and sheets) FOR EACH APN!!*

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (2001) and District Amendment.

NOTE on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE-FIRE RATING and either SPRINKLERED or NON-SPRINKLERED as determined by the building official and outlined in Chapters 3 through 6 of the 2001 California Building Code (e.g., R-3, Type V-N, Sprinklered).

The FIRE FLOW requirement for the subject property is 1000 gallons per minute for 120 minutes. NOTE on the plans the REQUIRED and AVAILABLE FIRE FLOW. The AVAILABLE FIRE FLOW information can be obtained from the water company.

SHOW on the plans a public fire hydrant, meeting the minimum required fire flow for the building, within 250 feet of any portion of the building.

NOTE on the plans that the building(s) shall be protected by an approved automatic sprinkler system complying with the edition of NFPA 13D currently adopted in Chapter 35 of the California Building Code.

NOTE that the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Sprinkler System to this agency for approval. Installation shall follow our guide sheet.

Show on the plans where smoke detectors are to be installed according to the following locations and approved by this agency as a minimum requirement:

- One detector adjacent to each sleeping area (hall, foyer, balcony, or etc).
- One detector in each sleeping room.
  - One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder
- There must be at least one smoke detector on each floor level regardless of area usage.

NOTE on the plans where address numbers will be posted and maintained. Note on plans that address numbers shall be a minimum of FOUR (4) inches in height and of a color contrasting to their background

NOTE on the plans the installation of an approved spark arrestor on the top of the chimney. Wire mesh not to exceed ½ inch.

NOTE on the plans that the roof coverings to be no less than Class "B" rated roof

NOTE on the plans that a 30-foot clearance will be maintained with non-combustible vegetation around all structures.

Submit a check in the amount of \$100.00 for this particular plan check, made payable to Central Fire Protection District. A \$35.00 Late Fee may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions or comments, please call me at (831) 722-2393, or email me at TomW@centralfpd.com.

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.

Any order of the Fire Chief shall be appealable to the Fire Code Board of Appeals as established by any party beneficially interested, except for order affecting acts or conditions which, in the opinion of the Fire Chief, pose an immediate threat to life, property, or the environment as a result of panic, fire, explosion or release.

Any beneficially interested party has the right to appeal the order served by the Fire Chief by filing a written "NOTICE OF APPEAL" with the office of the Fire Chief within ten days after service of such written order. The notice shall state the order appealed from, the identity and mailing address of the appellant, and the specific grounds upon which the appeal is taken.

2919302-50

**SANTA CRUZ COUNTY SANITATION DISTRICT**  
INTER-OFFICE CORRESPONDENCE

DATE: MARCH 2, 2004 (FOURTH SUBMITTAL)  
TO: PLANNING DEPARTMENT: JOHN SCHLAGHECK  
FROM: SANTA CRUZ COUNTY SANITATION DISTRICT  
SUBJECT: CONDITIONS OF SERVICE FOR THE FOLLOWING  
PROPOSED DEVELOPMENT

APN: 29-193-02

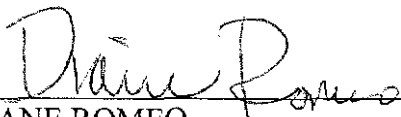
APPLICATION NO.: ~~02-0251~~ 03-0208 ZRY

PARCEL ADDRESS: 2252 KINSLEY STREET

PROJECT DESCRIPTION: 2 PARCEL MINOR LAND DIVISION

---

Sewer service is available for the proposed project based upon the sewer improvement plan attached to the current routing for this application. The original sewer improvement plan as approved under this application shall be submitted for final approval and signature prior to filing a final map for the proposed development.

  
DIANE ROMEO  
Sanitation Engineering

DR:dr

\\FNGR\SAN\DIANE\apps\03-0208 4th.doc

c:     Applicant:     Devlin's Designs  
                         P.O.Box 2128  
                         Santa Cruz, CA 95062

         Owner:        David and Karen Adams  
                         1155 Rodriguez St.  
                         Santa Cruz, CA 95062

         Engineer:     John Clark  
                         2560 Borregas Dr.  
                         Aptos, CA 95003

EXHIBIT J



W A T E R   D E P A R T M E N T

809 Center Street, Room 102 Santa Cruz CA 95060 Phone (831) 420-5200 Fax (831) 420-5201

May 6, 2003

Devlin Jones  
**P. O. Box 2128**  
Santa Cruz, CA  
95063

Dear Mr. Jones:

Re: APN: 029-193-02                      LOCATION      2252 Kinsley Ave.

This is to advise you that the proposed development is located within the service area of the Santa Cruz Water Department and potable water is currently available for normal domestic use and fire protection. Service will be provided to each and every lot of the development upon payment of the fees and charges in effect at the time of service application and the installation at developer expense of any water mains, service connections, fire hydrants and other facilities required for the development under the rules and regulations of the Santa Cruz Water Department. The development will also be subject to any landscape and/or water fixture requirements or restrictions in effect at the time of service application.

At the present time:

the required water system improvements are not complete; and  
financial arrangements have not been made to the satisfaction of the City to guarantee payment of all unpaid claims.

This letter will remain in effect for a period of two years from the above date. It should be noted, however, that the City Council may elect to declare a moratorium on new service connections due to drought conditions or other water emergency. Such a declaration would supersede this statement of water availability.

If you have any questions regarding service requirements, please call the Engineering Division at (831) 420-5210. If you have questions regarding landscaping or water conservation requirements, please contact the Water Conservation Office at (831) 420-5230.

Sincerely,

Bill Kocher, Director

BW ah  
I:\word\wtraval.doc

cc      SCWD Engineering

EXHIBIT K