



Staff Report to the Planning Commission

Application Number: **04-0381**

Applicants: Stephen & Cheryl Maruyama
Owners: Stephen & Cheryl Maruyama
APN: 031-281-15

Agenda Date: February 23, 2005
Agenda Item: # 9
Time: After 9:00 a.m.

Project Description: Proposal to create two parcels of 6,496 and 9,107 square feet, and to assign alternate front and side yards for the resulting parcels.

Location: Property located on the south side of Via Gargano, about 80 feet west of Gross Road, at 3366 Via Gargano in Santa Cruz.

Supervisory District: First District (District Supervisor: Beautz)

Permits Required: Minor Land Division, Residential Development Permit

Staff Recommendation:

- Approval of Application 04-0381, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | | | |
|----|--|----|------------------------------|
| A. | Project plans | F. | Zoning & General Plan maps |
| B. | Findings | G. | Will Serve Letters |
| C. | Conditions | H. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA determination) | I. | Applicant's Design Statement |
| E. | Assessor's parcel map, Location map | | |

Parcel Information

Parcel Size:	15,603 square feet
Existing Land Use - Parcel:	Single-family residential
Existing Land Use - Surrounding:	Single-family residential
Project Access:	Gross Road to Via Gargano
Planning Area:	Live Oak
Land Use Designation:	R-UL (Urban Low Residential)

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

Zone District: R-1-6-D (Single-family Residential with a 6,000 square foot minimum parcel size, designated park site)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Watsonville loam
Fire Hazard: Not a mapped constraint
Slopes: 0 – 2 percent slopes
Env. Sen. Habitat: Mapped biotic/no physical evidence on site
Grading: No grading proposed
Tree Removal: Two trees proposed to be removed from driveway, replaced on site
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Traffic: No significant impact, traffic fees assessed
Roads: Existing roads adequate
Parks: Existing park facilities at Coffee Lane adjacent to site are adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: City of Santa Cruz
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5 Flood Control/Water Conservation District

History

The subject property was created under Minor Land Division #98-0610, a proposal to create four parcels with one remainder parcel, which was approved by the Planning Commission on 2/28/00. A Certificate of Compliance was issued for the subject remainder parcel, APN 031-281-15, under Application #03-0473 on 11/12/03.

Project Setting

The project area is 15,603 square feet in area and is located in the Live Oak Planning Area. The property is developed with a single-family dwelling of 1,911 square feet with a 516 square foot garage constructed in 1970. The existing home faces the driveway and is not oriented toward Via Gargano. The existing home would be located on Parcel B, the rear parcel of 9,107 square feet, and the Via Gargano frontage parcel, Parcel A of 6,496 square feet, would be developed with a single-family dwelling. The property has access from Gross Road and Via Gargano, which are both publicly maintained streets. The proposed building site is relatively flat, with slopes of less than two percent. The neighborhood consists of single-family residences on 6,000 square foot parcels. The

neighborhood is connected via a pedestrian pathway to the Coffee Lane Park and urban open space associated with Rodeo Creek Gulch to the west.

Zoning & General Plan Consistency

The subject property is a 15,603 square foot lot, located in the R-1-6 (Single-family Residential with a 6,000 square foot minimum parcel size) zone district. a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district and the project is consistent with the site's (R-UL) Urban Low Residential General Plan designation.

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 area. The lot split as proposed is consistent with the density requirements as the average size of the two lots is 7,801 square feet; therefore the density is consistent with the General Plan. The existing single-family residence was constructed in 1970 and is in a good physical condition. General Plan policy 8.4.2 encourages the maintenance of existing housing, even if it would be nonconforming, in this case with regard to assigning alternate side and front setbacks, when found not to be detrimental to the health, safety or welfare of the surrounding neighborhood.

The project is located in the R-1-6-D Zone District and the land division proposal is consistent with zoning ordinance in that the property is intended for residential use. The "D" overlay designates sites that are proposed park sites. In this case, the subject parcels and those in the immediate area were considered for potential addition to Coffee Lane Park. The Board of Supervisors accepted the recommendation of the Director of the Parks, Open Space and Cultural Services Department in review of the minor land division which created this parcel, that acquisition of the site was not appropriate so the proposed project is subject only to the regulations of the R-1-6 zone district.

The proposed project is consistent with the 28-foot height limitation, the provision of four parking spaces for the four bedroom home, required setbacks of 20 feet from the front, 15 feet from the rear, and side setbacks of 5 and 10 feet from parcel boundaries. Alternate front and side yards are assigned in order to establish consistency with the existing street face setbacks for the new single-family dwelling and to maintain compatible orientation with the existing residence on the site. This also allows for the proposed residence to attain compatible building design in terms of massing of the building form in relation to existing structures. County Code Section 13.10.510(f) allows the Planning Commission to establish building setback lines different from those required by the district standards when the standards would impose a purposeless hardship on new buildings compared to the setback of existing buildings in the same block or area. The proposed configuration will allow adequate private open space for each dwelling and will provide an increased setback between the proposed new home and the adjacent dwelling to the east. Both the existing and the proposed dwellings are consistent with development regulations, which require less than 30 percent lot coverage and 50 per cent floor area ratio (Exhibit A).

Design Review

Because the project is a land division within 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. Because the proposed project is an urban infill development, the applicant has submitted an axonometric drawing along with required architectural floor plans and elevations.

The proposed single-family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as natural materials and earth tone colors to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The home is proposed to be two stories with stucco and vertical board and batten siding. Roofing materials are proposed to be composition shingle of a neutral gray color (color board in project file). The proposed home is 2,414 square feet in area with an attached garage of 501 square feet, which is consistent with homes in the project vicinity. Other design features include a front porch and varied roofline to provide visual interest. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The project was designed by the original architect of the Minor Land Division from which the parcel was created under Application 98-0610.

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 consistent with 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 land uses in the vicinity in that the original subdivision architect has been retained to design this infill project. The project will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood. A colored concrete driveway is proposed. Two street trees are proposed to be removed where the driveway connects with Via Gargano, and shall be replaced on a 3:1 ratio with 6 minimum 15-gallon birch trees at the site frontage as per the Landscape Plan of Exhibit A. The proposed London Plane Tree shall be replaced with a minimum 15-gallon native Coast Live *Oak* in the designated rear yard. This large shade tree shall be set in a minimum of 10 feet from the property line to allow the tree sufficient room to grow on the project site.

Affordable Housing Issues

Because the proposed development would create only one additional lot and building site, it is not subject to the requirements of Chapter 17.10 relating to the provision of affordable housing. Minor Land Division 98-0610, from which the subject parcel was created, received final approval by the Planning Commission on 2/28/00, however, this sequential development is not being undertaken by the same property owner and/or applicant, and so this project is not subject to exclusionary housing requirements of Section 17.10.030.

Environmental Review

Environmental review has been not required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project

qualifies for this exemption due to the fact that the proposed parcels are located within the Urban Services Line, will be served by ~~an~~ existing roadway, and the existing single-family dwelling is currently served by water and sewer utilities. No extenuating circumstances or special site conditions that would require further review ~~under~~ CEQA are evident in the proposed project.

Conclusion

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

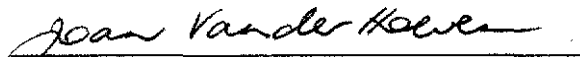
Staff Recommendation

- APPROVAL of Application Number **04-0381**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

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

Report Prepared By:


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Owners: **Stephen** & Cheryl Maruyama

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Report Reviewed By: _____

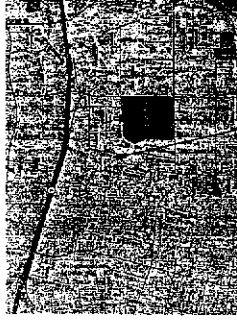


Cathy Graves
Principal Planner
Development Review

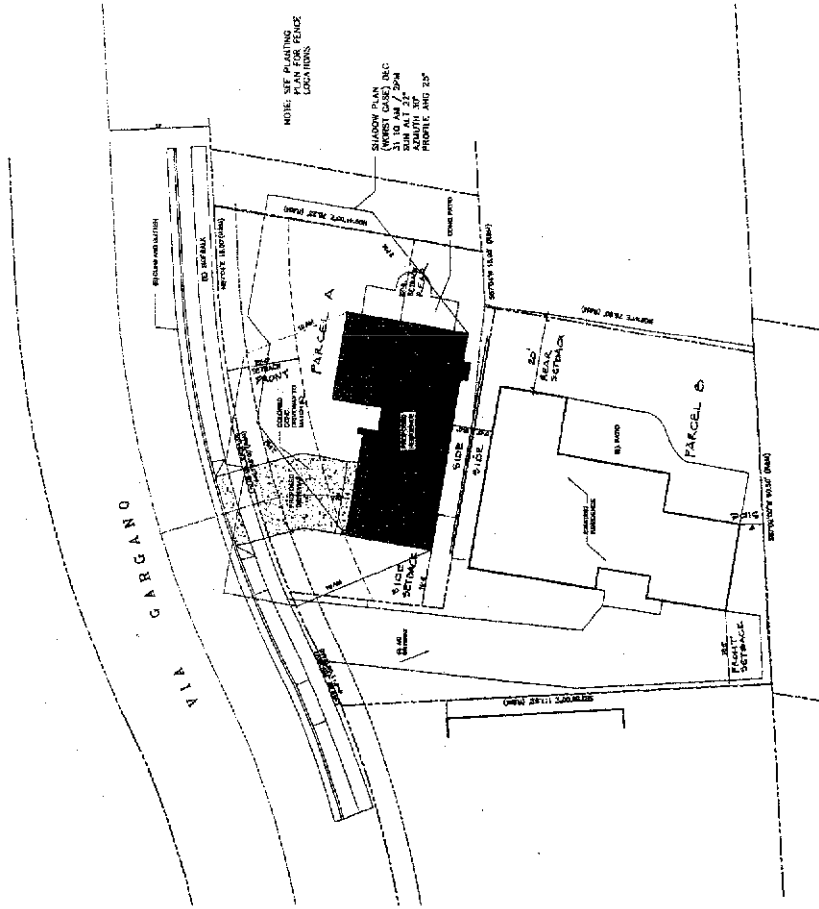
MARUYAMA LOT SPLIT

3366 VIA GARGANO

VICINITY MAP



PROJECT LOCATION



SITE PLAN
1/16"=1'-0"
3

SHEET INDEX

- 1 SITE PLAN COVER SHEET
- 2 FLOOR PLANS
- 3 EXHIBIT ELEVATIONS
- 4 PLANNING PLAN

PROJECT DATA

ASSESSOR'S PARCEL NUMBER: APN 031-291-13
OWNER: STEPHEN C. & GERTIE A. MARUYAMA
ADDRESS: 3366 VIA GARGANO, SANTA CRUZ, CA 95060
ARCHITECT: THOMAS RAHE ARCHITECT
ZONING: R-1-6
SQUARE FOOTAGE: 11,322 SQ. FT.
SUN AREA: 1,132 SQ. FT.
TOTAL: 12,454 SQ. FT.
SLOPE: 5%
PARCEL: 11,322 SQ. FT.
LOT COVERAGE BY STRUCTURES: 17.62%
LOT COVERAGE AS %: 27.23%

THOMAS RAHE ARCHITECT C11815
2A RITE HILL ROAD SANTA CRUZ, CALIFORNIA 95060
831 459 9073

MARUYAMA
PROPOSED LOT SPLIT FOR
3366 VIA GARGANO
SANTA CRUZ, CA

A1

DATE: 10/12/2004
BY: AS SHOWN
SHEET: 11

EXHIBIT

Small **000000**

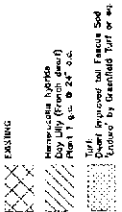
EXH-1

REVISIONS	




AXONOMETRIC


ALL FENCES TO BE REDUCED
TO 3 FT IN HEIGHT WITHIN
FRONT SETBACK AREA.




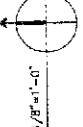
SHRUBS	COMMON NAME	SIZE
① ARDISIA VIRGATA	WAX PLANT	5 ft.
② PITTOSPORUM 'NIRLEUM'	WAX PLANT	5 ft.
③ PITTOSPORUM 'NIRLEUM'	WAX PLANT	5 ft.
④ PITTOSPORUM 'NIRLEUM'	WAX PLANT	5 ft.
⑤ PITTOSPORUM 'NIRLEUM'	WAX PLANT	5 ft.
⑥ PITTOSPORUM 'NIRLEUM'	WAX PLANT	5 ft.
⑦ PITTOSPORUM 'NIRLEUM'	WAX PLANT	5 ft.

TREES

 A - BIRCH

 B - LONDON PLANE TREE

 C - PINING



PLANTING PLAN

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses 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 single-family dwelling 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.

This finding can be made, in that the proposed location of the single-family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (Single-family Residential with a 6,000 square foot minimum parcel size) zone district in that the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district with the exception of assigning alternate front and side setbacks to accommodate existing development.. County Code Section 13.10.510(f) allows the Planning Commission to establish building setback lines different from those required by the district standards when the standards would impose a purposeless hardship on new buildings compared to the setback of existing buildings in the same block or area.

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

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Low Residential (R-UL) land use designation in the County General Plan.

The proposed single-family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single-family dwelling 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 single-family dwelling 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 single-family dwelling will comply with the site standards for the R-1-6 zone district (including setbacks with the exception of assigning alternate front and side yards, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

This finding can be made, in that the proposed single-family dwelling is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

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

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single-family dwelling is consistent with the land use intensity and density of the neighborhood. The minor land division would create two residences parcels of 9,107 and 6,496 square feet , consistent with the Urban Low density designation.

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

This finding can be made, in that the proposed single-family dwelling 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. The project was found to meet all design review standards of County Code Section 13.11 (Exhibit H).

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 two single-family lots and is located in the Residential Urban Low Density General Plan designation, which authorizes a density of development of one dwelling unit per 6 – 10,000 square feet of net developable area. Parcel A, the vacant parcel, is proposed to be 6,496 square feet, and Parcel B, developed with an existing single-family dwelling, is proposed to be 9,107 square feet. Due to the irregular parcel configuration and the location of the existing single-family residence, assignment of alternate side and front setbacks is required for the parcels. County Code Section 13.10.510(f) allows the Planning Commission to establish building setback lines different from those required by the district standards when the standards would impose a purposeless hardship on new buildings compared to the setback of existing buildings in the same block or area. General Plan policy 8.4.2 encourages the maintenance of existing housing, even if it would be nonconforming, in this case with regard to assigning alternate side and front setbacks, when found not to be detrimental to the health, safety or welfare of the surrounding neighborhood.

The project is consistent with the General Plan in that the full range of urban services is available to the site including municipal water, sewer service, and nearby recreational opportunities. The land division is located on an existing County road that provides satisfactory access. The proposed land division is similar to the pattern and density of the surrounding residential development, is near neighborhood and community shopping facilities and opportunities, and enjoys adequate and safe vehicular and pedestrian access from public streets.

The proposed minor land division, as conditioned, is consistent with the General Plan regarding infill development in that the proposed single-family development will be consistent with the pattern of surrounding development, and the design of the proposed residence is consistent with the character of the surrounding neighborhood. The land division is not located 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.

This finding can be made, in that the use of the property will be residential in nature, parcel sizes are consistent with the minimum dimensional standards for the R-1-6 zone district in which the project is located, and setbacks are consistent with zoning standards with assignment of alternate front and side yards. Further, the project as conditioned, is consistent with requirements of the Site, Architectural and Landscape Design Review Ordinance.

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

The site of the proposed division of land is physically suitable for the type and density of development in that no challenging topography affects the portion of the site to be developed, the development area is adequately shaped to ensure efficiency in the conventional development of the property, and the proposed site plan offers a traditional arrangement and shape to insure development without the need for variances or site standard exceptions. No environmental constraints exist which would necessitate that 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 habitat or threatened species impede development of the site as proposed. The project is categorically exempt from the California Environmental Quality Act and the County Environmental Review Guidelines.

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

The proposed division of land will not cause serious public health problems in that municipal water and sewer service is available to both parcels.

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.

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. Both proposed parcels are conventionally configured and meet the minimum setbacks as required by the R-1-6 zone district for the property and County code.

Conditions of Approval

Land Division Permit 04-0381

Applicant: Thomas Rahe, Architect
Property Owners: Stephen & Cheryl Maruyama
Assessor's Parcel Number: 031-281-15
Property Address: 3366 Via Gargano, Santa Cruz
Planning Area: Live Oak

Exhibit A: Project Plans by Thomas Rahe, Architect, 4 sheets, dated 10/12/04
Landscape plan by Thomas Rahe, Architect, 1 sheet, dated 10/12/04
Tentative Map by Bowman & Williams, Civil Engineers, 3 sheets, dated 10/12/04

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

I. Prior to exercising any rights granted by this Approval, the owner shall:

- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- B. 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. Pay the Environmental Exemption fee of \$25 to the Clerk of the Board.

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:

- 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 the improvement of property, or affecting public health and safety shall remain fully applicable.
- B. This land division shall result in no more than two 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. 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 the nearest square foot.
- 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 the City of Santa Cruz.
 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 Axonometric Drawing as depicted in Exhibit A, and shall also meet the following additional conditions:
 - i. 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.
 - ii. Exterior finishes shall incorporate stucco, siding and wood trim (painted in earth tones) with accents and details as shown on the approved plans. T-111 type wood siding is not permitted.
 - iii. 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, 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. Submit a final Landscape Plan for the entire site specifying the size and species of all plants and containing irrigation plans that meet the criteria of the City of Santa Cruz Water Department for water efficient landscape and irrigation design, and conform to the following requirements:
 - 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 that 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 irrigation, or where feasible, by 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.
 - i. The irrigation plan and 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 or annual basis.
 - ii. Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, 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.
 - f) All landscaping shall be permanently maintained by the property owner.
 - g) The London Plane tree shown on Exhibit A shall be replaced with a minimum 15-gallon Coast Live *Oak* tree, consistent with the plantings of MLD 98-0610, set a minimum 10-feet from rear (east).
5. Submit a written statement signed by an authorized representative of the Live *Oak* 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.

6. 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 materials onto public streets. The owner/applicant is responsible for cleaning the street should materials from the site reach the street.
7. 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.
111. 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 stating 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 August 24, 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 connection fees.
 - C. All new utilities shall be underground. All facility relocation, upgrades or installations required for utility 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 for all water line extensions required by the City of Santa Cruz Water Department shall be submitted for the review and approval

of the water agency.

- E. All requirements of Central Fire Protection District as outlined in the District's letter of August 24, 2004 shall be met.
 - F. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - G. Pay the current fees for Parks and Child Care mitigation for 4 bedrooms. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom, but are subject to change.
 - H. Pay the current fees for Roadside and Transportation improvements for the proposed single-family dwelling on Parcel A. Currently, these fees are, respectively, \$2,000 per unit and \$2,000 per unit, but are subject to change.
- IV. All construction shall be performed according to the approved plans for the Building Permit for the proposed single-family dwelling on Parcel A. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. Meet all requirements by the Planning Department to obtain a building permit for the proposed single-family dwelling. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. Final Architectural Plans shall be submitted for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
 - 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 - 2. Drainage and erosion control plans.
 - 3. Details showing compliance with fire department requirements.
 - 4. An operable skylight window shall be installed in Bathroom 2.
 - 5. Provide required off-street parking for four cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - 6. Obtain the required Encroachment Permit from Public Works for driveway improvements onto the Via Gargano public road right-of-way as per County Code Section 9.70. All work shall be consistent with the

Department of Public Works Design Criteria.

7. For any structure to be within two feet of the maximum height limit for the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure.
- C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The project must comply with all recommendations of any required soils reports.
 - E. 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.
- V. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- VI. 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.
- 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 three weeks prior to the expiration date.

Please note: This permit expires two years from the effective date unless you obtain the required permits and commence construction.

Approval Date: 2/23/05

Effective Date: 3/09/05

Expiration Date: 3/09/07

Cathy Graves
Principal Planner

Joan Van der Hoeven, AICP
Project Planner

cc: County Surveyor

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal **the** act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa **Cruz** County Code.

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: 04-0381

Assessor Parcel Number: 031-281-15

Project Location: 3366 Via Gargano, Santa Cruz 95062

Project Description: Proposal to create two parcels of 6,496 and 9,107 square feet and to construct a single-family dwelling assigned alternate front and side yards.

Person or Agency Proposing Project: Thomas Rahe, Architect

Contact Phone Number: (831) 466-9073

- 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: Categorical Exemption - Section 15315 Minor Land Division

F. Reasons why the project is exempt:

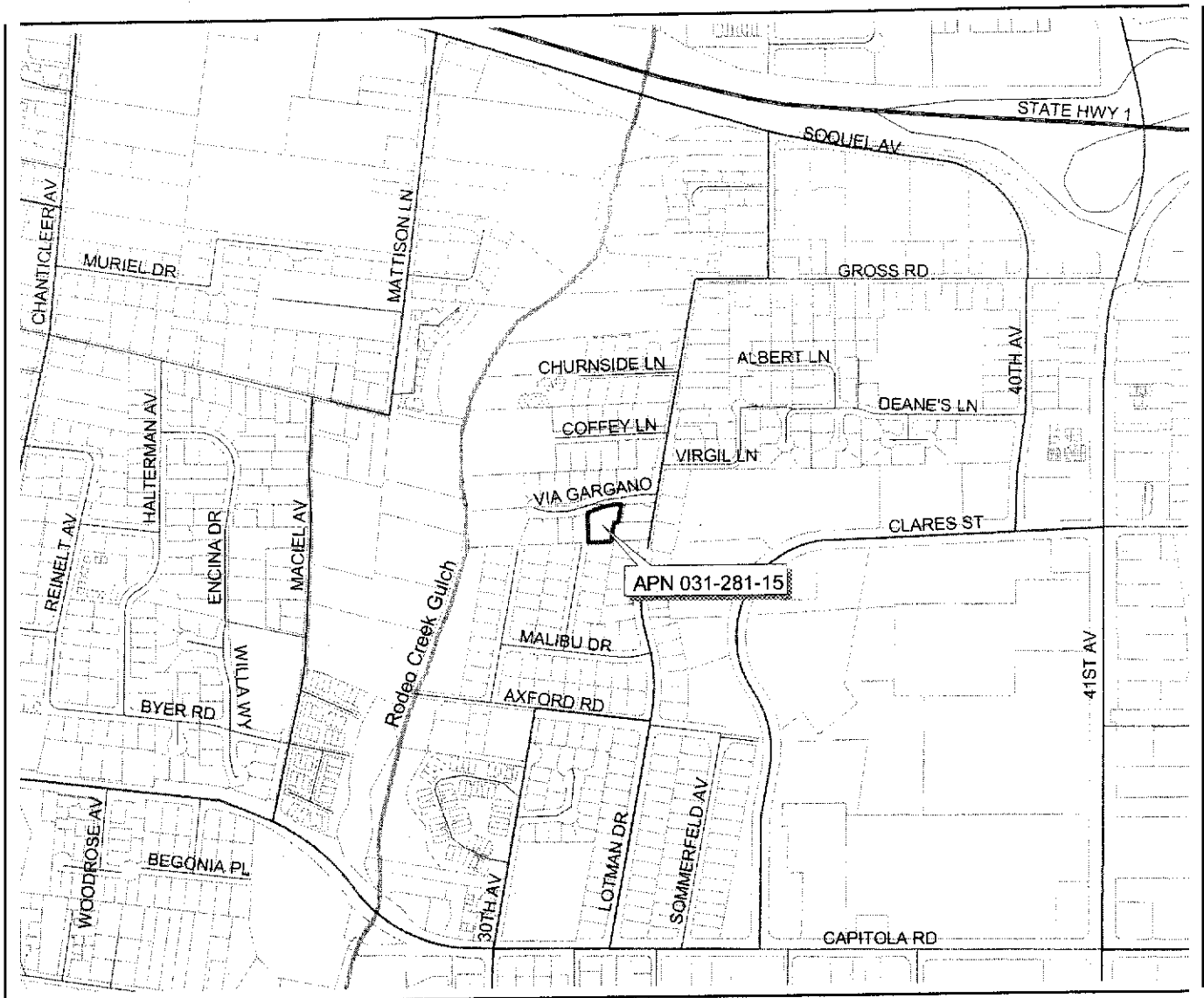
Division of property in urbanized areas zoned for residential use, construction of a small structure.

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

Joan Van der Hoeven, AICP, Project Planner

Date: February 23, 2005

Location Map

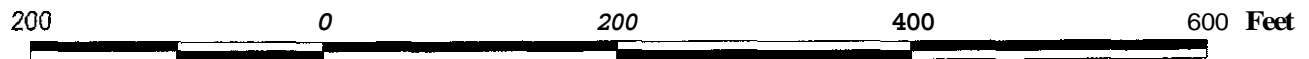
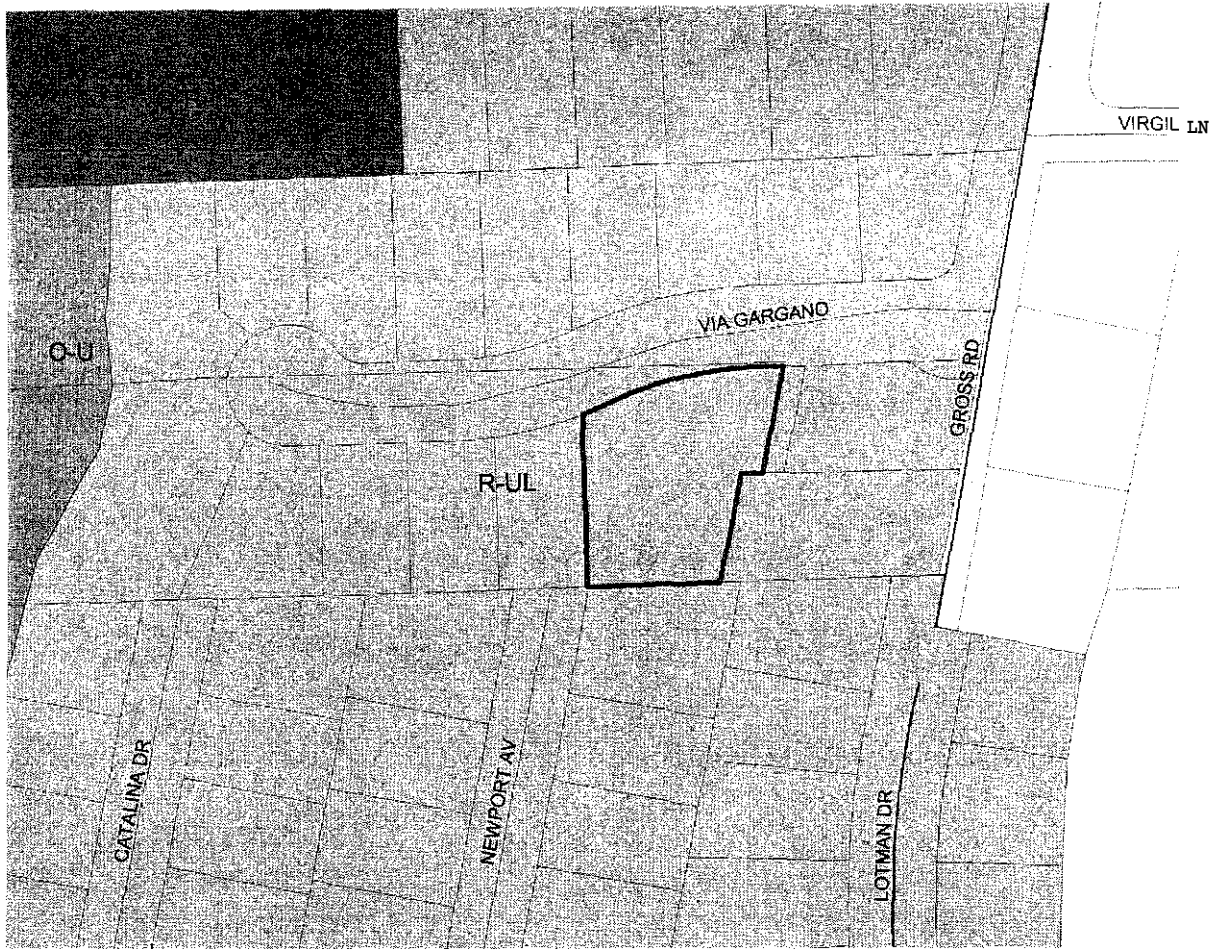


1000 0 1000 2000 Feet

Map created by Santa Cruz County
Planning Department:
August 2004



EXHIBIT E



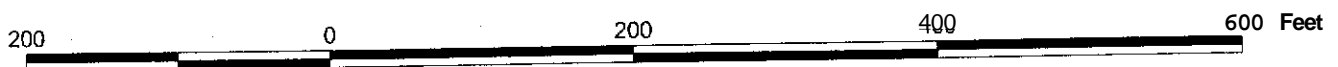
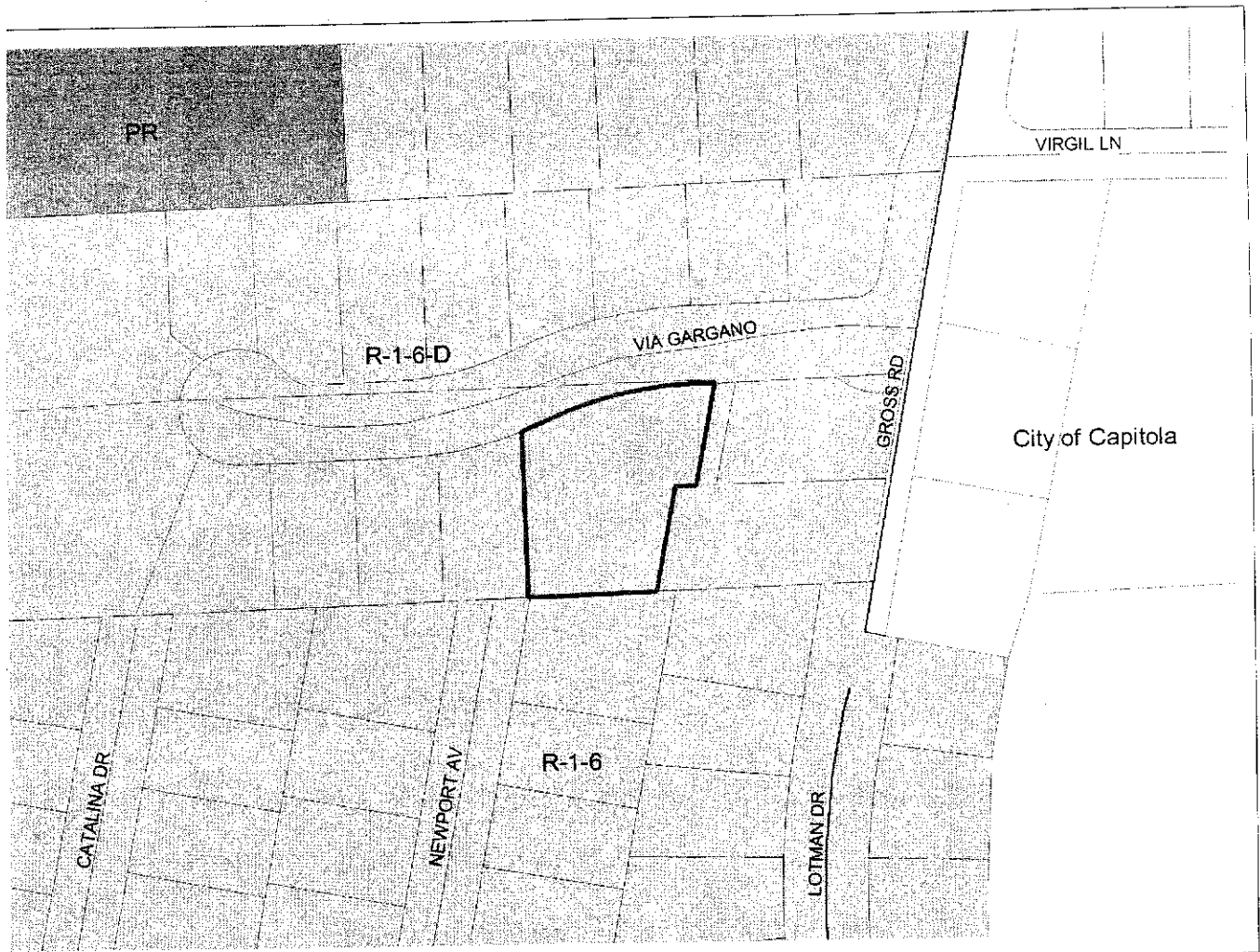
Legend

-  APN 031-281-15
-  Streets
-  Parks and Recreation
-  Urban Open Space
-  Residential - Urban Low Density

Map created by Santa Cruz County
Planning Department:
August 2004

EXHIBIT F

Zoning Map



Legend

- APN 031-281-15
- Streets
- Single-Family Residential (R-1-X)
- Parks, Recreation, and Open Space (PR)
- City of Capitola



Map created by Santa Cruz County
Planning Department:
August 2004

EXHIBIT F



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

August 5, 2004

Thomas Rahe
2A Kite Hill Road
Santa Cruz, CA 95060

Re: **APN 031-281-15, 3366 Via Gargano, Santa Cruz, CA, Proposed 2 Lot MLD**

Dear Mr. Rahe:

This letter is to advise you that the subject parcel 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 the parcel upon payment of the fees and charges in effect at the time of service application and upon completion of the installation, at developer expense, of any water mains, service connections, fire hydrants and other facilities required for the parcel under the rules and regulations of the Santa Cruz Water Department. The development will also be subject to the City's Landscape Water Conservation requirements.


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 landscape water conservation requirements, please contact the Water Conservation Office at (831) 420-5230.

Sincerely,


for Bill Kocher
Director



Santa Cruz County Sanitation District

701 OCEAN STREET, SUITE 410, J CRUZ, CA 950604073
(831) 454-2160 FAX (831) 454-2089 TDD: (831) 454-2123

THOMAS L. BOLICH, DISTRICT ENGINEER

August 10, 2004

THOMAS RAHE
24 KITE HILL ROAD
SANTA CRUZ CA 95003

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE
FOR THE FOLLOWING PROPOSED DEVELOPMENT:


APN: 031-281-15 APPLICATION NO.: N/A
PARCEL ADDRESS: 3366 VIA GARGANO
PROJECT DESCRIPTION:

Sewer service would be available following completion of an approved preliminary sewer design submitted as part of a tentative map, development or other discretionary permit approval process. Please note that this letter does not reserve sewer service availability. Only upon completion of an approved preliminary sewer design submitted as part of a tentative map, development or other discretionary permit approval process shall the District reserve sewer service availability.

The District reserves the right to expand, modify, and/or rescind the mitigation requirements noted up to the time the tentative map is approved.

Yours truly,

THOMAS L. BOLICH
District Engineer

By: 
Drew Byrne
Sanitation Engineering Staff

DB:abc/488

c: Planning Department

Property Owner: STEPHEN MARUYAMA
180 MEADOW COURT
APTOS CA 95003

(REV. 3-01)

EXHIBIT G 1

INTER

MEM

Application No: 04-0381

Date: August 19, 2004

To: John Schlagheck, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for a new residence at 3366 Via Gargano, Santa Cruz

GENERAL PLAN / ZONING CODE ISSUES

Design Review Authority

13.11.040 Projects requiring design review.

- (d) Ail minor land divisions, as defined in Chapter 14.01, occurring within the Urban Services Line or Rural Services Line, as defined in Chapter 17.02; all minor land divisions located outside of the Urban Services Line and the Rural Services Line, which affect sensitive sites; and, all land divisions of 5 parcels (lots) or more.

Design Review Standards

13.11.072 Site design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship	✓		
Street design and transit facilities	✓		
Relationship to existing structures	✓		
Natural Site Amenities and Features			
Relate to surrounding topography	✓		

EXHIBIT

Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection	✓		
Views			
Minimize impact on private views	✓		
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles	✓		
Solar Design and Access			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
Noise			
Reasonable protection for adjacent properties	✓		

13.11.073 Building design.

Evaluation Criteria	Meets criteria in code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian	✓		

Variation in wall plane, roof line, detailing, materials and siting	✓		
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		



Right of Way
340 PAJARO ST
SALINAS, CA 93901
831-754-8165

Memorandum

To: John Schlagheck, Planning Department FAX: 931-454-2131
Cc:
From: Roxie Tossie, Right of Way Mgr (831) 754-8165
Date: Tuesday, August 24, 2004
Re: MLD - 04-0381
FEE OWNER: Steven & Cheryl Maruyama
Location: 3366 Via Gargano, Santa Cruz
APN: 031-281-15

Message:

Per your request our SBC Engineer Chris Barraza (831-728-0160) has reviewed the proposed project plans for the above mentioned MLD and has determined the following:

- Our engineer has determined the PUE as designated on the Tentative MLD Map *will be adequate for serving the proposed 2 lot split and we have no conflict with the final recording of this Map,*
- Please provide me a copy of the Tract Map upon Final Recording for my files.

Please call me if you require any additional information on 831-754-8165

Thank You,
Roxie

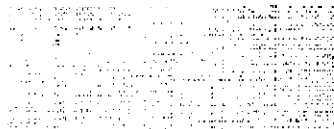


EXHIBIT H

NO. 0498

35

4087648690 4087648690 4087648690



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

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

Date: August 24, 2004
To: Stephen and Cheryl Maruyama
Applicant: same
From: Tom Wiley
Subject: 04-0381
Address: 3366 Via Gargano
APN: 031-281-15
OCC: 3128115
Permit: 20040260

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:

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 PLANS: New/upgraded hydrants, water storage tanks, and/or upgraded roadways shall be installed PRIOR to and during time of construction (CFC 901.3).

SHOW on the plans DETAILS of compliance with the District Access Requirements outlined on the enclosed handout.

NOTE on the plans that the building 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:

Serving the communities of Capitola, Live Oak, and Soquel

- 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.
- There must be a minimum of one smoke detector in every basement area.

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 regarding the plan check comments, please call me at (831) 722-2393, or email me at tomw@centralfod.com. All other questions may be directed to Fire Prevention at (831)479-6843.

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.
3128115-082404

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: August 20, 2004
TO: John Schlagheck, Planning Department, Project Planner
FROM: Melissa Allen, Planning Liaison to the Redevelopment Agency
SUBJECT: Application **04-0381**, APN 031-281-15,3366 Via Gargano, Live Oak

The applicant is proposing to create two parcels of 6,496 and 9,107 square feet. The project requires a Minor Land Division and a Residential Development Permit to assign alternate front and side yards for the resulting parcels. The property is located on the south side of Via Gargano Street at 3366 Via Gargano.

This application was considered at an Engineering Review Group (ERG) meeting on August 18, 2004. The Redevelopment Agency (RDA) has the following comments regarding the proposed project.

1. The Assessor's Parcel Map seems to show a 5' or 6' easement along the Via Gargano frontage. The Site Plan has a dashed line about 6' back from the property line which is not labeled. Is this a public utilities easement, road dedication, etc.? The project plans should clearly address this.
2. No additional roadway or roadside improvements along the Via Gargano frontage are required at this time.
3. Proposed parcels "A" and " B should be identified on the Site Plan consistent with the Tentative Map sheets for ease of reference.
4. The remaining width of property frontage for Parcel "B" should be dimensioned.
5. The project Site Plan should identify ~~required/proposed~~ front, side and rear setbacks so compliance with the R-1-6 zone development standards can be analyzed, and as this may be relevant to the proposed lot lines and configuration of the footprint for parcel "A".
6. The existing street trees should be required to be permanently irrigated and maintained by the property owners, if they are not currently.
7. The landscape plan should clearly demonstrate that existing and proposed fences are reduced to 3' in height within the front setback area.

The items and issues referenced above should be evaluated as part of this application and/or addressed by conditions of approval. RDA does not need to see future routings of these plans. The Redevelopment Agency appreciates this opportunity to comment. Thank you.

Cc: Greg Martin, DPW Road Engineering
Paul Rodrigues, RDA Urban Designer

EXHIBIT 1

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: August 31, 2004
TO: John Schlagheck, Planning Department
FROM: Carl Rom, Department of Public Works *Carl*
SUBJECT: APPLICATION 04-0381, APN 031-281-15, VIA GARGANO

As with all land divisions, the developer will have to submit a map and improvement plan to Public Works for review and approval. Upon approval of the plans and prior to recording the map, the developer will have to sign a subdivision agreement and submit securities to guarantee the construction of all work shown on the improvement plans.

I have the following comments specific to the subject application:

1. The application number should appear on all pages of the tentative map.
2. The construction of the new driveway will require removal of the existing curb and gutter, and the plan should reflect that.
3. The detail referred to for the new water service is a Santa Cruz Water Department detail, not County of Santa Cruz.
4. The location of the existing water service line, and any other utility services to the existing house (overhead and underground), should be located to make sure that they do not encroach on the new lot.

I'll defer to the traffic and drainage folks for any other comments related to those areas.

If you have any questions or would like to discuss these comments, please call me at extension 2806.

CDR:cdr

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Joan Van Der Hoeven
Application No. : 04-0381
APN: 031-281-15

Date: January 27, 2005
Time: 12:57:22
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON AUGUST 26, 2004 BY KENT M EDLER =====

A new soils report is not required for this application. but an update letter updating the soils report by Steven Raas and Associates, Inc. is required. Steven Raas and Associates is no longer in business - Pacific Crest Engineering has taken over Steven Raas' geotechnical work.

===== UPDATED ON JANUARY 5, 2005 BY KENT M EDLER ===== The update letter letter from a soils engineer is a Condition of Approval and therefore be required at the building permit stage

Environmental Planning Miscellaneous Comments

===== REVIEW ON AUGUST 26, 2004 BY KENT M EDLER =====

Condition of Approval for Building Permit Stage:

1. A plan review letter from the soils engineer will be required for building permit applications.

===== UPDATED ON AUGUST 31, 2004 BY ROBIN M BOLSTER =====

2. Please submit a detailed erosion control plan, which includes location and construction details for all proposed erosion/sediment control devices. Plan must include construction entrance/exit stabilization measures.

Project Review Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 10, 2005 BY JOAN VAN DER HOEVEN =====
.NO COMMENT

Project Review Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 10, 2005 BY JOAN VAN DER HOEVEN =====

Final landscape plan shall be revised to replace London Plane tree with smaller species like Coast Live Oak or Purple Plum at west side property line. Turf areas not to exceed 25 percent of total landscape area. Bath 2 to have window open to outdoors.

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON SEPTEMBER 3, 2004 BY CARISA REGALADO =====

Plans accepted as submitted and discretionary stage application review is complete for this division.

Project Planner: Joan Van Der Hoeven
Application No.: 04-0381
APN: 031-281-15

Date: January 27, 2005
Time: 12:57:22
Page: 2

Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON SEPTEMBER 3, 2004 BY CARISA REGALADO =====

For increases in impervious area, a drainage fee will be assessed. The fees are currently \$0.85 per square foot, (See 2004/05 Santa Cruz County Department of Public Works Service & Capital Improvement Fees.)

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON AUGUST 17, 2004 BY DEBBIE F LOCATELLI =====

No comment, project involves a subdivision or MLD.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON AUGUST 17, 2004 BY DEBBIE F LOCATELLI =====

No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON AUGUST 23, 2004 BY GREG J MARTIN =====

No Comment.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON AUGUST 23, 2004 BY GREG J MARTIN =====

Environmental Health Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON AUGUST 25, 2004 BY JIM G SAFRANEK =====

===== UPDATED ON AUGUST 25, 2004 BY JIM G SAFRANEK =====

NO COMMENT

Environmental Health Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON AUGUST 25, 2004 BY JIM G SAFRANEK =====

NO COMMENT

SANTA CRUZ COUNTY SANITATION DISTRICT

INTER-OFFICE CORRESPONDENCE

DATE: November 23, 2004

TO: Planning Department, ATTENTION: JOHN SCHLAGHECK

FROM: Santa Cruz County Sanitation District

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE FOR THE
FOLLOWING PROPOSED DEVELOPMENT:

APN: 031-281-15

APPLICATION NO.: 04-0381

PARCEL ADDRESS: 3366 VIA GARGANO

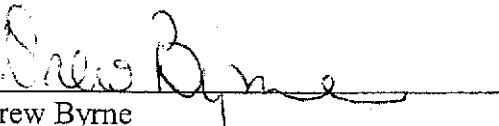
PROJECT DESCRIPTION: TWO PARCEL MINOR LAND DIVISION

Sewer service is available for the subject development upon completion of the following conditions. This notice is effective for one year from the issuance date to allow the applicant the time to receive tentative map, development or other discretionary permit approval. If after this time frame this project has not received approval from the Planning Department, a new sewer service availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until the tentative map approval expires.

Proposed location of on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer must be shown on the plot plan of the building permit application.

Existing lateral(s) must be properly abandoned (including inspection by District) prior to construction of proposed dwelling. An abandonment permit for disconnection work must be obtained from the District. Proposed sewer lateral shall be in place and approved prior to disconnection.

The plan shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the uniform plumbing code.


Drew Byrne
Sanitation Engineering

DB:abc/177

c: Applicant/Property Owner: STEPHEN & CHERYL MARWAMA
180 MEADOW COURT
APTOS CA 95003

(Rev. 3-96)

EXHIBIT 74



LIVE OAK SCHOOL DISTRICT

984-1 Bostwick Lane
Santa Cruz, CA 95062
(831) 475-6333

December 21, 2004

Stephen C. and Cheryl A. Maruyama
3366 Vi2 Gargano
Santa Cruz, CA 95062

RE: APN 031-281-15
Application No. 04-0381

To Whom It May Concern:

Under its authority, and consistent with the County's General Plan, the District has established a Mello-Roos Facilities District. The Mello-Roos *is* to meet the supplemental mitigation cost not covered by the District's current developer fees. The mitigation costs are set forth in the District's adopted Facilities Master Plan: Developmental Impact Mitigation Plan.

The District seeks mitigation as a condition of approval of the impact of your project of development [creating two (2) or more lots] within its boundaries. This condition is based on the full mitigation impacts of these developments upon the District's facilities. You are required to enroll your property in the District's Mello-Roos to help meet the impact of mitigation on the school district. The supplemental mitigation necessary after the developer fee assessment is \$11,636 for single family homes and \$5,818 for multi-family homes. These amounts could either be paid as a one-time assessment or paid over time as a parcel fee through the District's Mello-Roos CFD, in which case the fee will be assessed through the annual property taxes paid on the property. We will be offering Mello-Roos options to finance the cost should you choose to do so.

Please contact me at 475-6333 ext. 215 if you have any questions or would like to discuss finance options.

Your cooperation and assistance in this matter *is* greatly appreciated.

Sincerely,

Steven Romines, Ph.D.
Assistant Superintendent

✓ C: John Schlagheck, County Project Planner

EXHIBIT H

DESIGN STATEMENT

MARUYAMA LOT SPLIT

APN 031-281-15

THE PRIMARY GOAL OF THIS LOT SPLIT AND HOUSE DESIGN WAS TO CONFORM TO AND COMPLEMENT THE EXISTING VIA GARGANO STREET **SCAPE.**

SITE PLANNING

THE PROPOSED NEW LOT AND HOME WERE SITED TO RETAIN THE EXISTING HOME AND DRIVEWAY. (THE HOME HAS BEEN RECENTLY UPGRADWED WITH NEW WINDOWS, ROOFING, AND PAINT AS WELL AS A NEW DRIVEWAY) AND TO PROVIDE SETBACKS CONSISTANT WITH OR GREATER THAN THOSE OF THE SURROUNDING SUBDIVISION.

THE PROPOSED LOT HAS A STREET FRONT YARD SETBACK OF 20 FEET. THE SIDE YARD SETBACKS BETWEEN THE PROPOSED AND EXISTING HOUSE ARE IDENTICAL TO THE SURROUNDING SUBDIVISION. THE PRIVATE YARD SPACE OF THE PROPOSED HOUSE IS TECHNICALLY ON THE SIDE OF THE HOUSE BUT IT IS MORE THAN AMPLE FOR A TRADITIONAL "BACKYARD"

THE RHYTHM ON THE STREET SCAPE ALSO COMPLMENTS THE SURROUNDING SUBDIVISION IN THAT SOME HOMES ARE NARROW TO THE STREET AND SOME ARE WIDE TO THE STREET. IN THIS CASE WE ARE WIDE TO THE STREET.

LANDSCAPING:

THE PLANTING PLAN FOR THIS LOT USES THE SAME PLANT PALLET (TREES, SHRUBS, GROUNDCOVERS) AS THE SURROUNDING SUBDIVISION. THE STREET TREES AND LANDSCAPE STRIP WERE INSTALLED AS PART OF THE SURROUNDING SUBDIVISION.

BUILDING DESIGN:

THE HOME IS VERY SIMILAR TO THE HOME LOCATED 4 HOUSES DOWN THE STREET. IT HAS THE IDENTICAL FOOTPRINT AND ROOF PLAN (EXCEPT FOR THE ADDITION OF 2 DORMERS). THE MATERIALS USED ARE ALSO IDENTICAL. THE COLORS CHOSEN WILL COMPLEMENT THE COLORS OF THE SURROUNDING NEIGHBORHOOD. . SINCE THIS HOUSE IS VIEWED AT A DIFFERENT ANGLE IT WILL NOT APPEAR REPETATIVE.

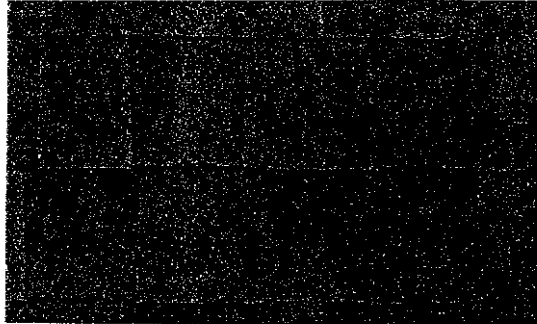
EXHIBIT

COLOR BOARD

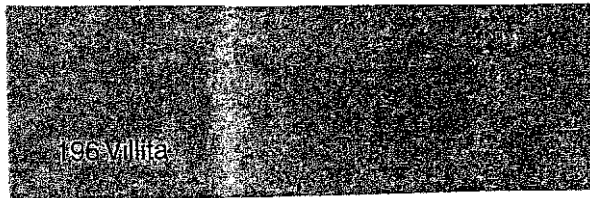
MARUYAMA LOT SPLIT

APN 031-281-15

ROOFING: TIMBERLINE 40 YEAR COMPOSOSION SHINGLE
COLOR "CHARCOAL BLEND"



STUCCO AND SIDING COLOR KELLY MOORE "1% VILLITA"



DOORS AND TRIM COLOR: KELLY MOORE "43 DOVE WHITE"

34
Dove White

WINDOWS: WHITE VINYL

NEIGHBORHOOD PHOTOGRAPHS

MARUYAMA LOT SPLIT

APN 031-281-15

FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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POR. RANCHO ARROYO DEL RODEO

N.E. 1/4 SEC. 16, T.11S., R.1W., M.D.B. & M.

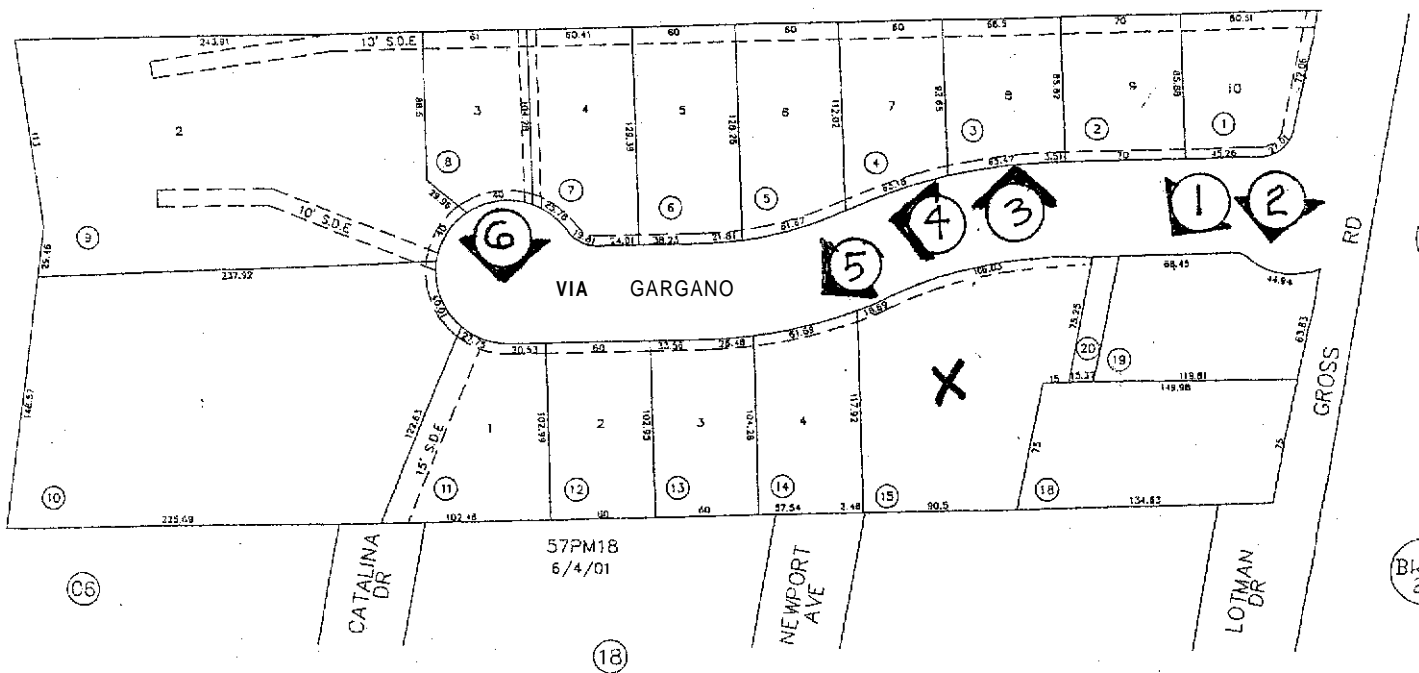
Tax Area Code
96-103

31-

RODEO CREEK TR#1431
100MB2 6/4/01

(03)

Bk.29
06



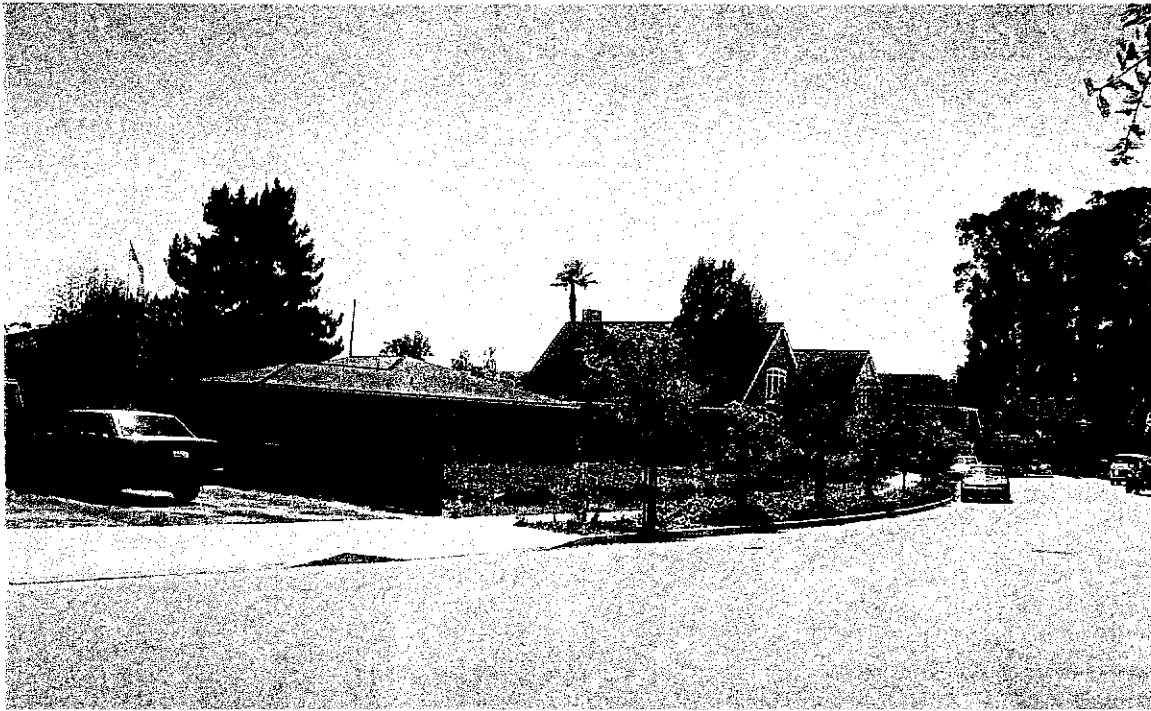
Note - Assessor's Parcel & Block
Numbers Shown in Circles.

Assessor's Map No
County of Santa Cruz
Aug. 2001

NEIGHBORHOOD PHOTOGRAPHS

MARUYAMA LOT SPLIT

APNO31-281-15



1



2

LOOKING S. E NEIGHBORS HOUSE TO THE EAST

NEIGHBORHOOD PHOTOGRAPHS

MARUYAMA LOT SPLIT

APN 031-281-15



LOOKING N.W. ACROSS VIA GARGANO

4



LOOKING N. ACROSS VIA GARGANO

48

3

EXHIBIT

NEIGHBORHOOD PHOTOGRAPHS

MARUYAMA LOT SPLIT

APN 031-281-15



LOOKING S.W @ NEIGHBOR'S HOUSE TO THE WEST



LOOKING SOUTH @ END OF CUL-DE SACK
(HOUSE VERY SIMILAR TO PROPOSED HOUSE)

49

EXIST