

COUNTY OF SANTA CRUZ

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

TOM BURNS, PLANNING DIRECTOR

March 15,2006

Agenda Date: March 22,2006

Planning Commission County of Santa Cruz 701 Ocean Street Santa Cruz. CA 95060

Subject:Design ResubmittalApplication:05-0582 (Mar Serreno, LLC)Applicant:Thacher and Thompson

Members of the Commission:

On February 8,2006, your Commission initially heard the above application, a proposal to modify the grading plans and architectural designs for Lots 2 through 6 of the Mar Sereno subdivision. The staff report for that agenda is included as Attachment 2. The application required an amendment to Subdivision Permit 99-0801, approved by the Board of Supervisors on January 29,2002. As part of the redesign, the size of some of the homes increased from what had originally been approved by the Board. Your Commission continued the item until the February 22 agenda for a redesign of the homes to be consistent with the original house sizes approved. The minutes from the February 22 agenda are included as Attachment 1.

On February 22,2006, the applicant requested an additional continuance in order to meet with the neighbors, who had been consulted previously about the revised house plans. The public hearing was continued until today's agenda.

The applicant and owner then met with the neighbors. The outcome of the meeting (as indicated by the applicant) was that the designs submitted io the Commission on February 8, are acceptable to the neighbors. Based on this input, the owner is requesting that your Commission reconsider those designs.

Given your Commission's action and the applicant's response, staff is left in an awkward situation and needs additional guidance from your Commission. Because several of the Commissioners did raise concerns about the increase in the house sizes, staff is recommending three alternative ways to proceed:

1. Direct the applicant to reduce the size of the homes and **CONTINUE** the public hearing for Application Number **05-0582** to a future date, pending receipt of the new information for review by County staff, and direct staff to re-notice the public hearing, or

- 2. **APPROVE** Application **05-0582**, based on the findings and conditions of approval contained in the February 8 staff report (Attachment 2), or.
- **3.** Direct staff to return with findings for denial and **CONTINUE** the public hearing for Application Number **05-0582** to April 12,2006. Should your Commission choose this option, staff requests direction as to appropriate findings for denial.

2

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Attachments:

- 1. Planning Commission minutes of February 8,2006
- 2. Planning Commission staff report of February 8,2006.

Planning Minutes

APN



County of Santa Cruz **Pianning Commission Minutes**

Planning Department, 701 Ocean Street, Suite 400, Santa Cruz, CA 95060

Meeting Date : Wednesday, February 08,2006 9:00 AM

Location : Board of Supervisors Chambers, Room 525 County Government Center **701** Ocean Street Santa Cruz, CA 95060

VOTING KEY

Commissioners: Chair: Osmer, ViceChair: Holbert, Shepherd, Durkee, Bremner Alternate Commissioners: Hummel, Britton, Hancock. Messer, Gonzalez

REGULAR AGENDA ITEMS

1. 🖘 Roll Call

Commissioners present were Durkee, Vice Chair Holbert, Chair Osmer, and Shepherd. Commissioner Hancock sat in for Durkee on Item 9. Commissioner Bremner was absent due to illness.

- 2. Image: Planning Director's Report
- 3. County Counsel Report
- 4. Additions and Corrections to Agenda
- 5. Oral Communications

Planning Commissions will hear brief (5- minute maximum) statements regarding items not on this agenda.

CONSENT ITEMS

6. APPROVAL OF MINUTES

To approve the minutes of the January 25, 2006 Planning Commission meeting as submitted by the Planning Department.

Approved minutes with the date amended to reflect the hearing occurred on January 25, 2006. Osmer made the motion and Durkee seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

6.1 05-0406 45 CUTTER DR., WATSONVILLE (S): 051-701-13

Consider findings for denial on **a** proposal to construct a garage with a boathouse below, an attached bath, and recognize an existing sheetpile wall. Requires a Residential Development Permit to increase the maximum 1000 square foot size limitation for nonhabitable accessory structures and to maintain a bath within a detached accessory structure and **Riparian Exception**. Property located on the west side of a 20 foot right of way, about 200 feet north from Cutter Drive at 45 Cutter Drive in Watsonville. APPELLANT: RICHARD YANDO, ETAL APPLICANT: RON GORDON OWNER: JOSEPH AND DOMITILA GUERRERO SUPERVISORIAL DISTRICT: **4**

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1

PROJECT PLANNER: JOAN VAN DER HOEVEN, 454-5174 EMAIL: pin140@co.santa-cruz.ca.us

Continued to February 22,2006 in order to have five Commissioners for the vote. Osmer made the motion and Durkee seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

CONTINUED ITEMS

44-0294 ()** 7 (S): 032-051-36

391 PORTOLA DRIVE, SANTA CRUZ APN

Proposal to remove two structures and to construct an approx. 25,500 square foot mixeduse building: containing one retail/office condominium on the lower level and one office condominium and 17 residential condominium units at the upper level with common area including parking and landscaping. Requires a Commercial Development Permit, a Coastal Development Permit, a Subdivision, a Master Occupancy Program, and a Variance to reduce the required 30 foot rear setback to the residential carports to approximately 5 feet. Property located on the north side of Portola Drive about 150 feet west of 41st Avenue, at 3911 Portola Drive. OWNEWAPPLICANT: ABBAS HAGHSHENAS SUPERVISORIAL DISTRICT: 1

PROJECT PLANNER: LARRY KASPAROWITZ, 454-2676 EMAIL: pln795@co.santa-cruz.ca.us

Approved application with amended conditions to include the addition that parking and circulation areas shall be surfaced as shown on the approved exhibit A (II.D.11). Holbert made the motion and Shepherd seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

04-0176 **1815 CHANTICLEER AVENUE, SANTA CRUZ** <u>8.</u> APN(S): 029-101-03

Proposal to divide a parcel into four single-family lots, to construct a two-story single-family home on each new lot and a one-story, 17-foot high detached accessory structure (garage with habitable accessory structure) on proposed Lot 3, and to reduce the required right-ofway and road width from 56 feet and 36 feet to 41 feet and 32 feet respectively, to reduce the required corner radius from 20 feet to 12 feet on the northern corner of the new access road and Chanticleer Avenue, and to construct contiguous (not separated) sidewalks. Requires a Minor Land Division and a Roadway/Roadside Exception Permit. Property located in Live Oak on the west side of Chanticleer Avenue (1815 Chanticleer) at the intersection of Thomas Avenue.

OWNER: GARY & JUDY JONES, TRUSTEES APPLICANT: STEPHEN GRAVES & ASSOC. SUPERVISORIAL DISTRICT: 1 PROJECT PLANNER: CATHLEEN CARR, 454-3225 EMAIL: pin716@co.santa-cruz.ca.us

Approved application with amended condition IV.J to require that the applicant/owner shall maintain temporary fencing with dust suppression barrier during construction. Durkee made the motion and Holbert seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

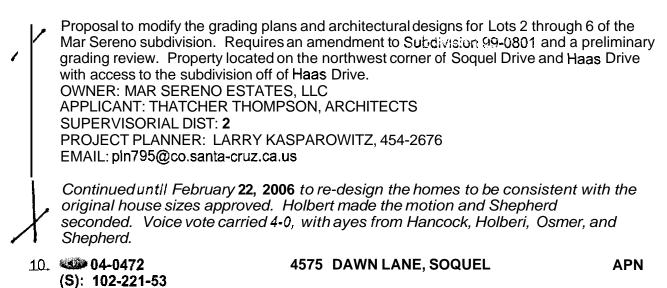
SCHEDULED ITEMS

9.

05-0582 105,106,118,128, and 142 MAR SERENO DR., APTOS APN(S): 039-061-10, -11, -12, -13, 8-14 ATTACHMENT

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Planning Minutes



Proposal to remove 3 existing houses on one parcel and to divide the parcel into 7 new single-family lots of between 6,000 and 9,500 square feet, and seven two-story residences, and to grade about 900 cubic yards of earth. Requires a Subdivision Permit and Preliminary Grading Approval. Located at the end of Dawn Lane about 400 feet west of the intersection of Dawn Lane and Soquel-San Jose Road, at 4575 Dawn Lane, Soquel.

OWNER: LOLETA HEICHEL APPLICANT: HAMILTON-SWIFT SUPERVISORIAL DIST: 1 PROJECT PLANNER: CATHLEEN CARR, 454-3225 EMAIL: pIn716@co.santa-cruz.ca.us

Continued until March 8, 2006 with the public hearing open. Durkee made the motion and Holberi seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

11. 06-0020 (S): 071-061-01

7354 HWY 9, FELTON

APN

ALIACHMENT

1

Proposal to change the General Plan Designation from Neighborhood Commercial (C-N) to Suburban Residential (R-S) and to change the Zoning Designation from Neighborhood Commercial (C-1) to Single Family Residential (R-1-15) on a 9,192 square foot parcel located at 7354 Highway 9, Felton, which contains one single-family dwelling. Requires a General Plan Amendment and Rezoning.

Property located at the intersection of Highway 9 and Lazy Woods Road, Felton.

OWNER: VICTOR QUIROZ APPLICANT: COUNTY OF SANTA CRUZ SUPERVISORIAL DIST: 5 PROJECT PLANNER: FRANK BARRON, 454-2530 EMAIL: pln782@co.santa-cruz.ca.us

Adopted resolution recommending that the Board of Supervisors approve the General Plan amendment and the rezoning. Shepherd made the motion and Durkee seconded. Voice vote carried 4-0, with ayes from Durkee, Holberi, Osmer, and Shepherd.

12. W 2005 ANNUAL GENERAL PLAN REPORT

Public hearing to consider the County of Santa Cruz 2005 Annual General Plan Report. **OWNEWAPPLICANT: COUNTY OF SANTA CRUZ**

5 http:i/sccountyOl.co.santa-ruz.ca.us/planning/plnmeetings/ASP/Display/ASPX/DisplayM... 3/15/2006

ATTACHMENT

1

SUPERVISORIAL DISTRICT: COUNTY-WIDE PROJECT PLANNER: GLENDA Nich, 454-3216 EMAIL: pin610@co.santa-cruz.ca.us

Approved staff recommendation to forward the report to the Board of Supervisors. Holbert made the motion and Durkee seconded. Voice vote carried **4-0**, with ayes from Durkee, Holbert, Osmer, and Shepherd.

APPEAL INFORMATION

Denial or approval of any permit by the Planning Commission is appealable to the Board of Supervisors. The appeal must be filed with the required appeal fee within 14 calendar days of action by the Planning Commission. To file an appeal you must write a letter to the Board of Supervisors and include the appeal fee. For more information on appeals, please **see** the "Planning Appeals" brochure located in the Planning Department lobby, or contact the project planner.

APPEALS OF COASTAL PROJECTS

(*) This project requires a Coastal Zone Permit which is not appealable to the California Coastal Commission. It may be appealed to the Board of Supervisors; the appeal must be filed within 14 calendar days of action by the Planning Commission.

(**) This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action. Denial or approval of the Coastal Zone Permit is appealable to the Board of Supervisors; the appeal must be filed within 14 calendar days of action by the Planning Commission.

Note regarding **Public hearing** *items:* If any person challenges an action taken on the foregoing matter(s) in court, they may be limited to raising only those issues raised at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

Agenda documents may be reviewed at the Planning Department, Room 420, County Government Center, 701 Ocean Street, Santa Cruz.

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. The Board of Supervisors chambers is located in an accessible facility. As a courtesy to those persons affected, please attend the meeting smoke and scent free. If you wish to attend this meeting and you will require special assistance in order to participate, please contact the ADA Coordinator at 454-3055 (TTD number is 454-2123 or 763-8123 from Watsonville area phones) at least 72 hours in advance of the meeting to make arrangements. As a courtesy to those persons affected, please attend the meeting smoke and scent free.

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Planning Commission Meeting Date: 3/22/06 Agenda Item: # 7 Time: After 9:00 a.m.

APPLICATION NO. 05-0582 STAFF REPORT TO THE PLANNING COMMISSION

ATTACHMENT 2

Planning Commission Staff Report of February 8,2006



Staff Report to the Planning Commission

Application Number: 05-0582

Applicant: Thacher and Thomson, Architects Owner: Mar Sereno Estates, LLC APN: 039-061-10,11,12,13,14 Agenda Date: February 8,2006 Agenda Item #: 9 Time: After 9:00 a.m.

Project Description: Proposal to modify the grading plans and architectural designs for Lots 2-6 of the Mar Sereno subdivision.

Location: Mar Sereno Drive, Aptos

Supervisoral District: Third District (District Supervisor: Ellen Pirie)

Permits Required: Amendment to Permit 98-0801 and Preliminary Grading Approval

Staff Recommendation:

- Approval of Application 05-0582, 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
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Location map
- F. Zoning map
- G. General Plan map
- H. Discretionary Application Comments
- I. Urban Designer's Memo
- J. Reduced copies of architectural plans

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

Parcel Information

Parcel Size:	Varies – seeExhibit A
Existing Land Use - Parcel:	Vacant
Existing Land Use - Surrounding:	Residential
Project Access:	Mar Sereno Drive
Planning Area:	Aptos
Land Use Designation:	R-UVL (Urban Very Low Density Residential)
'Zone District:	R-1-10 (10,000 sq. ft. min. parcel size)
Coastal Zone:	$_$ Inside \underline{X} Outside
Appealable to Calif. Coastal Comm	<u>Yes</u> <u>X</u> No

Eavironmental Information

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

Services Information

Urban/Rural Services Line:	X_InsideOutside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	6

History

Application 99-0801 for a twelve-lot subdivision adjacent to Soquel Avenue was approved on November 28,2001. Grading has commenced and the retaining walls have been erected. The roadway is completed. All lots (except Lot 12 which has the original house which will remain) were submitted with floor plans and elevations for single-family residences.

The grading shown on the improvement plans did not match the elevations shown on the original architectural plans, and new house designs have been submitted which more closely fit the actual grades and provide additional architectural interest.

2

 Application #
 05-0582

 APN:
 039-061-10,11,12,13,14

 Owner
 Mar Sereno Estates, LLC

Current Application

The applicant has resubmitted plans for the houses on five lots in the Mar Sereno Subdivision on Soquel Avenue. The "Areas Table" on the Site Plan illustrates the existing and revised house footprints, Lot Coverage and Floor Area Ratios. All parcels have been redesigned to remain within the maximum Lot Coverage and Floor Area Ratio for this zoning district.

Most of the lot coverage percentages for the revised designs are within five percent of the ones formerly proposed (two higher and three lower). The Floor Area Ratios are similar for three of the lots, but ten percent (10%) higher on Lot 2 and fourteen percent (14%) higher on lot 3. While this approaches the 50% maximum, it does not overpower the lot and is consistent with the character of the other designs being proposed.

The current architectural plans have all been designed and referenced to the grading plan. In addition, the designs have been refined to be more compatible with each other and internally consistent The proposed changes to the approved architectural designs comply with the requirements of the County Design Review Ordinance (13.11) and have been reviewed by the Urban Designer (see Exhibit I).

Grading Review and Architectural Revisions

During construction of improvements, it was discovered that site grading was inconsistent with the originally approved improvement plans. Part of the settlement agreement between the county and the applicant was to return the grades for the subdivision to those that were approved on the Final Map. The applicant complied with this requirement as confirmed by a licensed surveyor. The original designs for the residences did not reference floor elevations, spot elevations or any coordination with the approved grading plan. The grading for the location of these revised house designs on the specific lots has reviewed by Environmental Planning and minor modifications were made (see Exhibit H), that are consistent with the improvement plans.

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 **05-0582**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

 Application #:
 05-0582

 APN:
 039-061-10,11,12,13,14

 Owner
 Mar Sereno Estates, LLC

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: <u>www.co.santa-cruz.ca.us</u>

Report Prepared By: Lawrence K sparowitz

Santa Cruz/County Planning Department 701 Ocean@treet, 4th Floor Santa Cruz CA 95060 Phone Number: (831) 454-2676 E-mail: pln795@co.santa-cruz.ca.us

Report Reviewed By:

Cathy Graves

Cathy Graves Principal Planner Development Review

EXHIBIT B

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 residences 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 he 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 residences and the conditions under which they would be operated or maintained will he consistent with all pertinent County ordinances and the purpose of the R-1-10 (10,000 sq. ft. min. parcel size) zone district in that the primary use of the property will be residential.

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 Very Low Density Residential (R-UVL) land use designation in the County General Plan.

The proposed residences will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meet 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 homes 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 residences are not improperly proportioned to their parcel sizes 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 residences will comply with the site standards for the R-1-10 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stones) and will result in structures consistent with a design that could be approved on any

 Application #:
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 Owner:
 Mar Sereno Estates, LLC

similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed residences are to be constructed on existing, previously approved, undeveloped lots.

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 structures are located in a mixed neighborhood containing a variety of architectural styles, and the proposed residences are 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 13.11.070through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed residences 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 Urban Designer has reviewed this application in accordance with Chapter 13.11 (Exhibit I) and found the designs to be in conformance with the ordinance.

Conditions of Approval

- Exhibit A: Architectural plans prepared by Thacher & Thompson Architects, dated May 20, 2005 with latest revisions dated 10/12/05.
- I. This permit authorizes the substitution of five single-family residential architectural designs in a previously approved subdivision. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - **A.** Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official,
 - C.. Obtain an Encroachment Permit from the Department of Public Works for all offsite work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - **A.** Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 - 1. 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. Grading, drainage, and erosion control plans.
 - 3. For any structure proposed to be within 2 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 that clearly depict the total height of the proposed structure.

- 4. Details showing compliance with fire department requirement.
- 5. Landscape plans for the front yards, including planting, irrigation, walkways with fence location and design.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- D. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer, if required.
- *G.* Pay the current fees for Parks and Child Care mitigation for:
 - Lot 2 three bedrooms.
 - Lot *3* − three bedrooms
 - Lot 4 two bedrooms
 - Lot 5 two bedrooms
 - Lot 6 two bedrooms

Currently, these fees are, respectively, \$1,000 and \$109 per bedroom. (Note: credit has been givenfor three bedroomsfor **the**feepaid during the subdivision process – allfeesfor Transportation and Roadside Improvements have beenpaid)

- H. Provide required off-street parking for five cars for Lots 2 & 3 and four cars for Lots 4, 5 & 6. 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.
- I. Submit a written statement signed by an authorized representative of the school district in which *the* project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.

- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
 - A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils reports.
 - D. 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.
- IV. Operational Conditions
 - A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. 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, it 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 were 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'sfees and costs; and
 - 2. COUNTY defends the action in good faith
- C. <u>Settlement</u>. 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. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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

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

Approval Date:

Effective Date:

Expiration Date:

Cathy Graves Principal Planner Lawrence Kasparowitz Project **Planner**

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:05-0582Assessor Parcel Number:039-061-10,11,12,13,1Project Location:Mar Sereno, Aptos		039-061-10,11,12,13,14	
Project Description:		Proposal to modify the grading plans and architectural designs for Lots 2-6 of the Mar Sereno subdivision.	
Person Proposit	ng Project:	Thacher and Thomson	
Contact Phone	Number:	(831) 457-3939	
 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 Guideline Section 15060(c). C Ministerial Project involving only the use of fixed standards or objective measurem without personal judgment. D Statutorv Exemption other than a Ministerial Project (CEQA Guidelines Section 15285). E Categorical Exemption – Specify type: Class 15 - Minor Land Divisions (Section 15315) 			

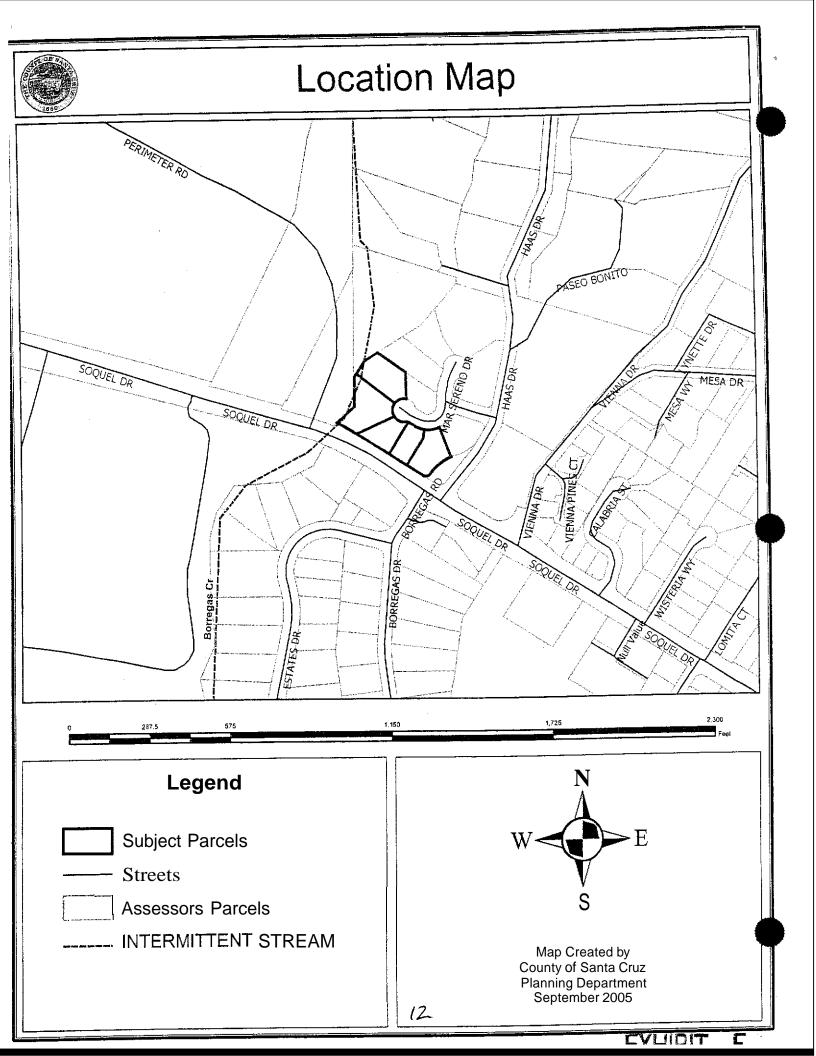
F. Reasons why the project is exempt:

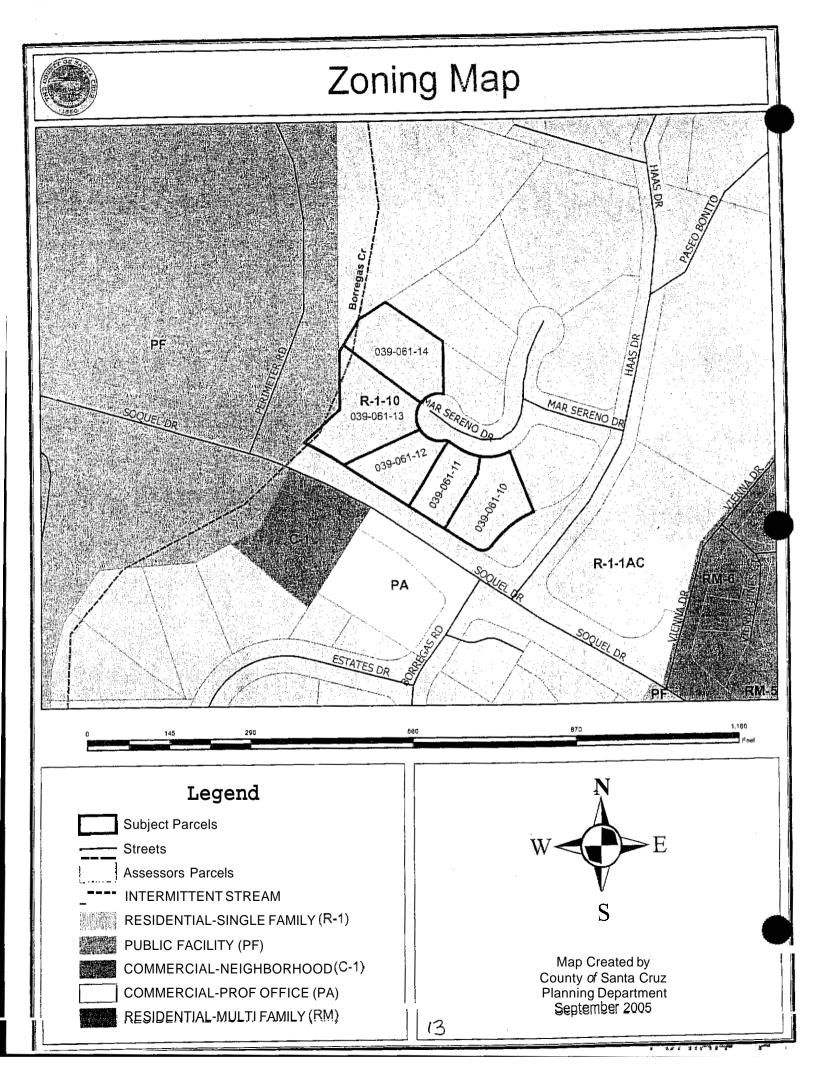
Revised residential designs in a previously approved subdivision, in an urbanized area with existing road access and utilities available.

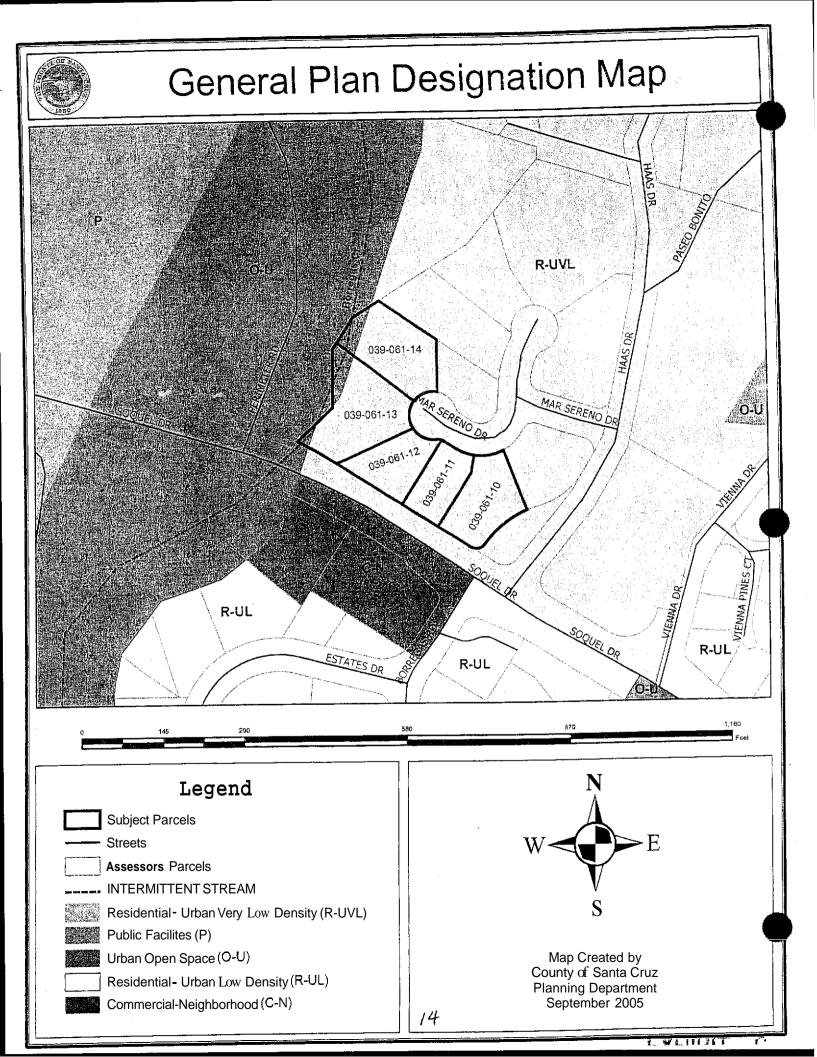
In addition, none of the conditions described in Section 15300.2 apply to this project,

Lawrence Kasparowitz, Project Planner

Date:_____







COUNTY OF SANTA CRUZ Discretionary Application Comments

Project Planner: Larry Kasparowitz Application No.: 05-0582 APN: 039-061-10 Date: January 3, 2006 Time: 13:11:32 Page: 1

Environmental Planning Completeness Comments

REVIEW ON SEPTEMEER 26, 2005 BY KENT M EDLER

1. On Lot 5 (near the lot 4 property line), the cut slope is too steep. It is shown as a little flatter than 1:1, but should be 2:1.

Ail other aspects of the grading plans are acceptable

Previous grading corrments have been addressed

Environmental Planning Miscellaneous Comments

REVIEW ON SEPTEMBER 26, 2005 BY KENT M EDLER ----- No comment UPDATED ON NOVEMEER 10, 2005 BY KENT M EDLER ----- no comment **COUNTY OF SANTA CRUZ**

MEMORANDUM

Application No: 05-0582 (second routing)

Date: May 16,2005

To: Randall Adams, Project Planner

From: Lawrence Kasparowitz, Urban Designer

Re: Design Review for revisions to Mar Serrano Subdivision

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			N/A
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			N/A
Landscaping		✓	
Streetscape relationship	~		
Street design and transit facilities			N/A
Relationship to existing structures	~		
Natural Site Amenities and Features			
Relate to surrounding topography			
Retention of natural amenities			N/A

 $|\psi$

Application No: 05-0582 (second routing)

November 14, ZOOS

advantage of natural amenities	↓ ▼		1
Ridgeline protection			NIA
Views			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Safe and Functional Circulation			
Accessible to the disabied, pedestrians. bicycles and vehicles	✓		
Solar Design and Access			
Reasonable protection for adjacent properties			l l
Reasonable protection for currently occupied buildings using a solar			1
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
Massing of building form	✓		
Buildingsilhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	~		1
Buildingscale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	~		
Location and treatment of entryways			
Finish material, texture and color			
Scale is addressed on appropriate levels	~		
Design elements create a sense of human scale and pedestrian	✓		

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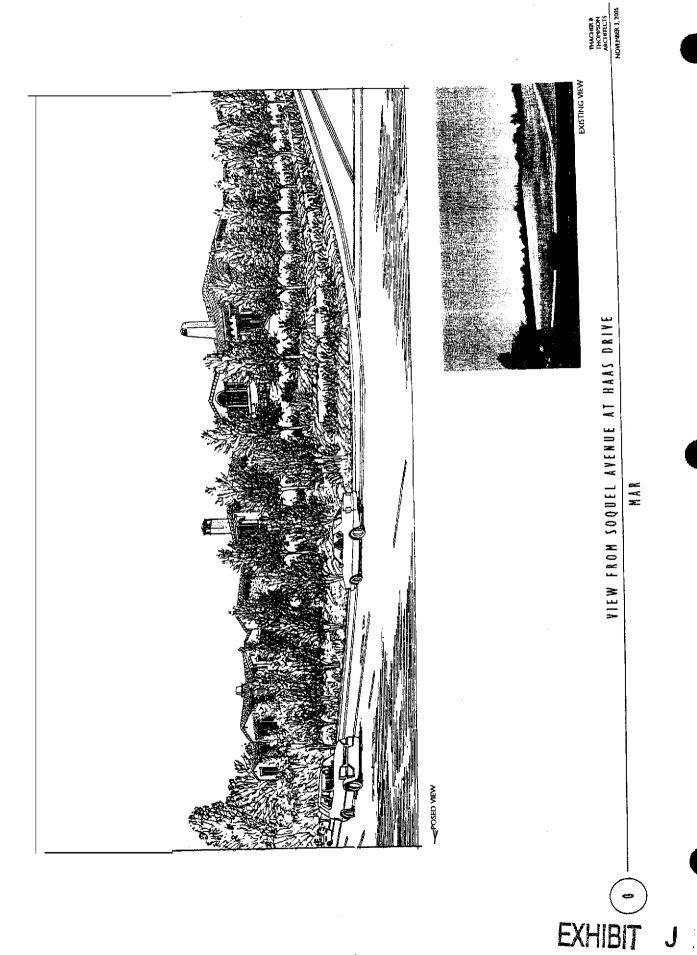
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BuildingArticulation		
Variation in wall plane, roof line, detailing, materials and siting	¥	
Solar Design		
Building design provides solar access that is reasonabiy protected for adjacent properties	~	
Building walls and major window areas are oriented for passive solar and natural lighting		NIA

URBAN DESIGNER's COMMENTS:

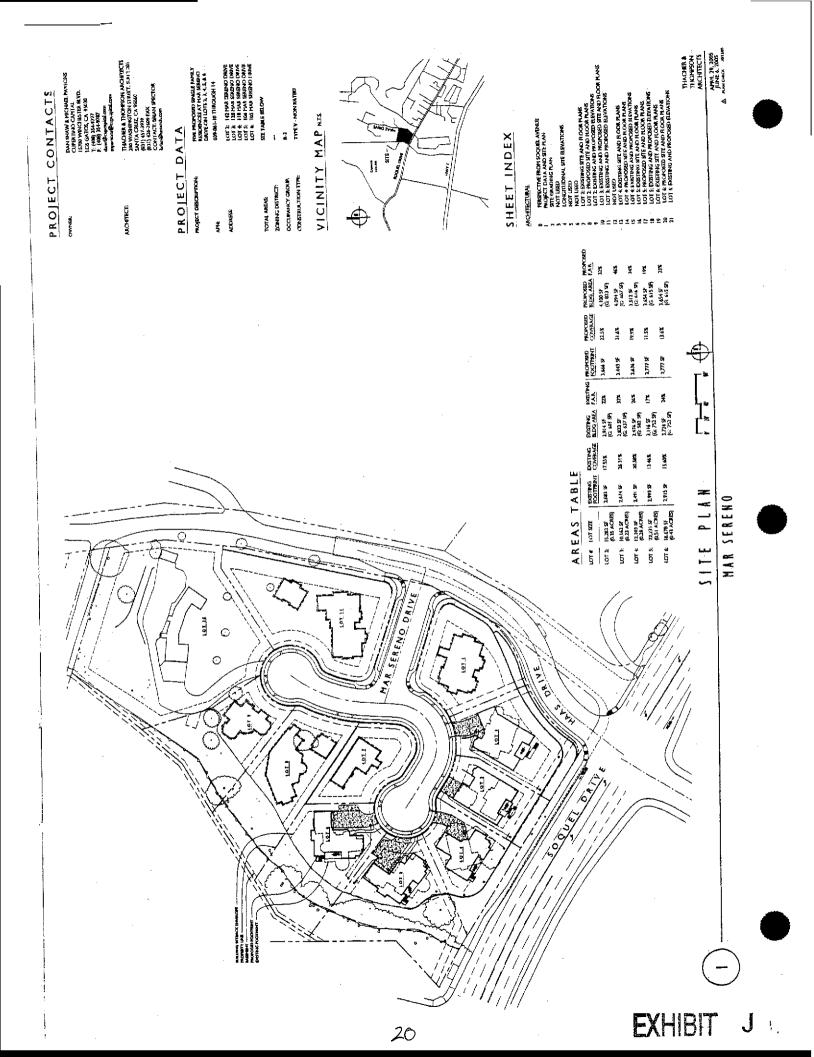
• A landscape design for the front yards should be required to be submitted with final building plans.

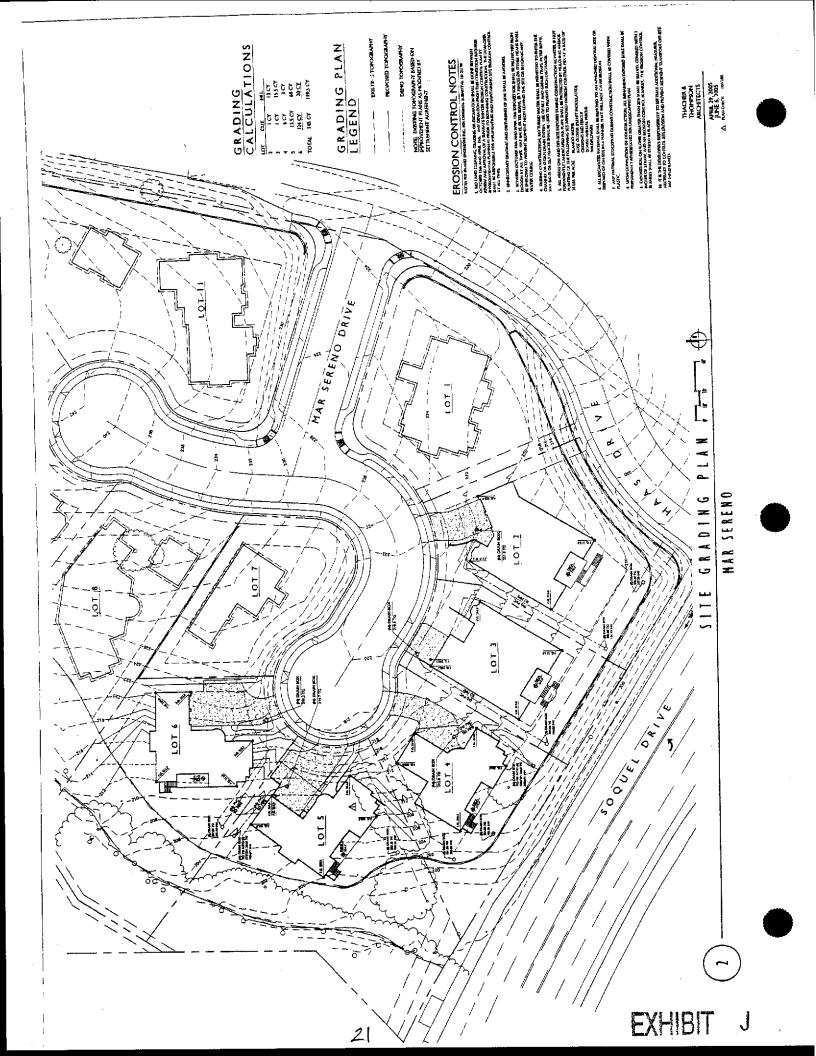


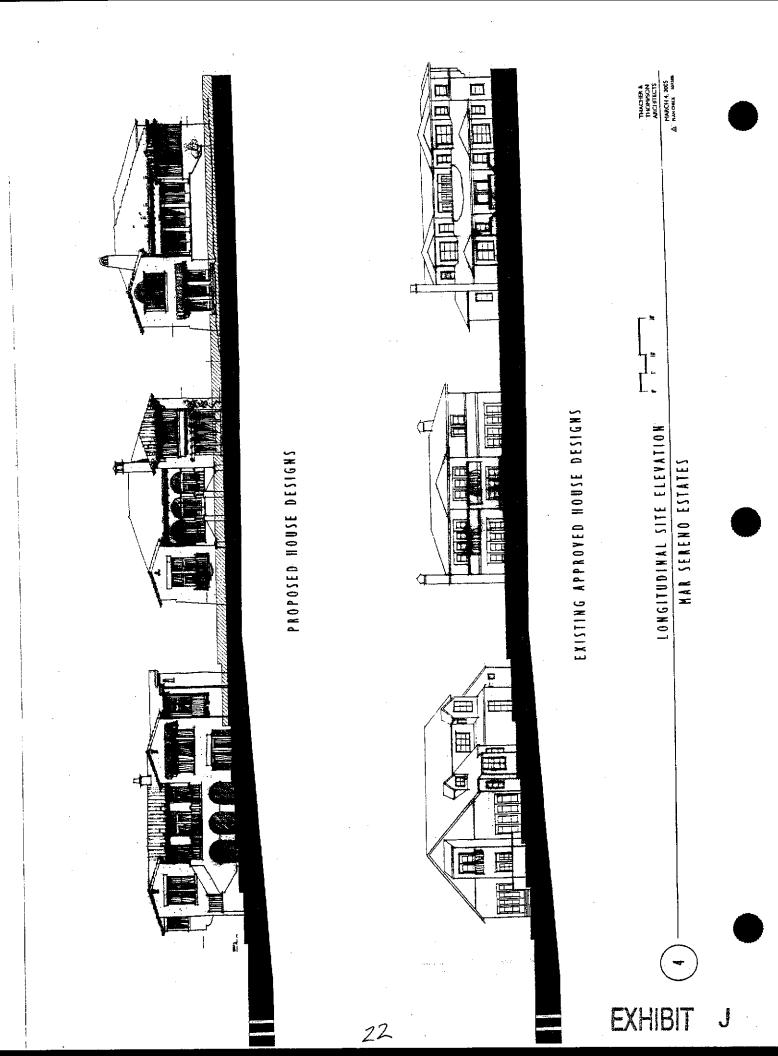


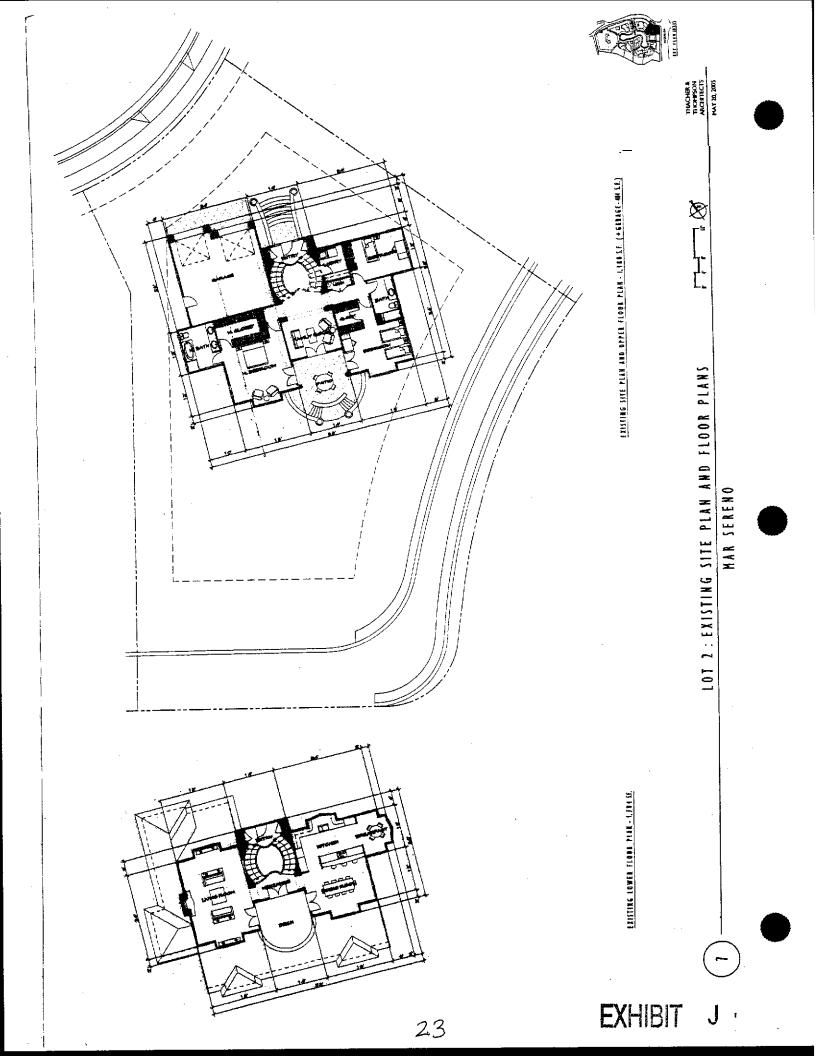
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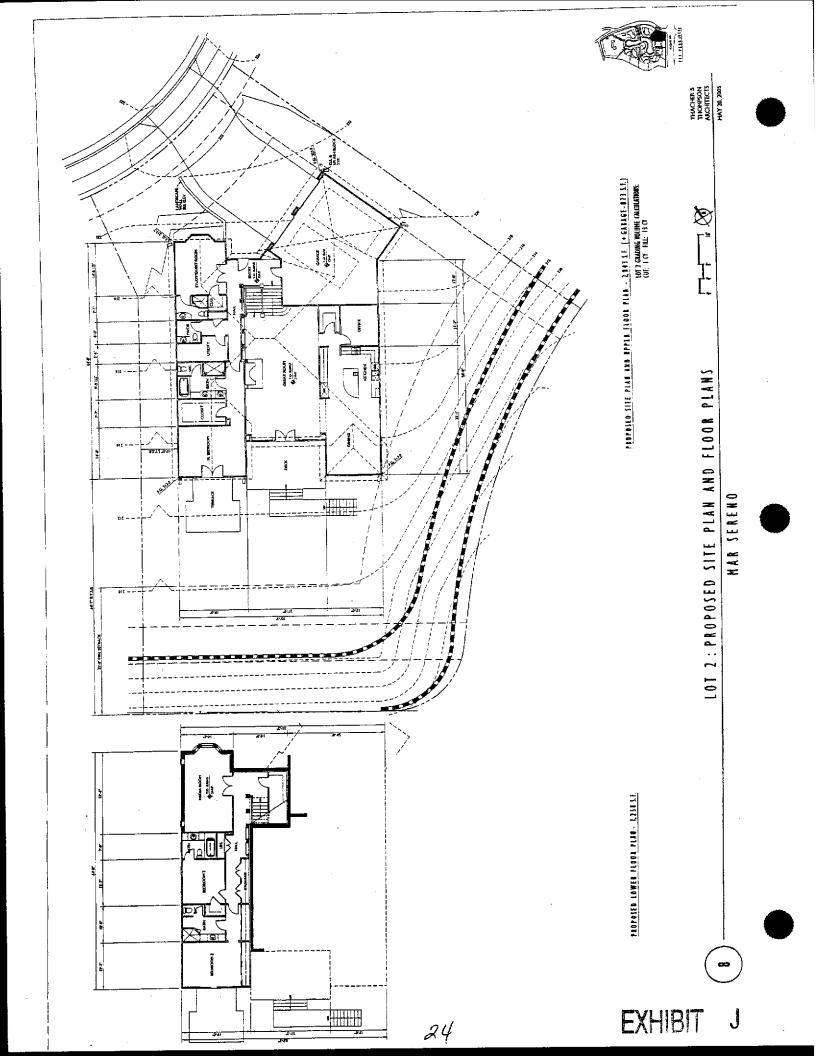
J

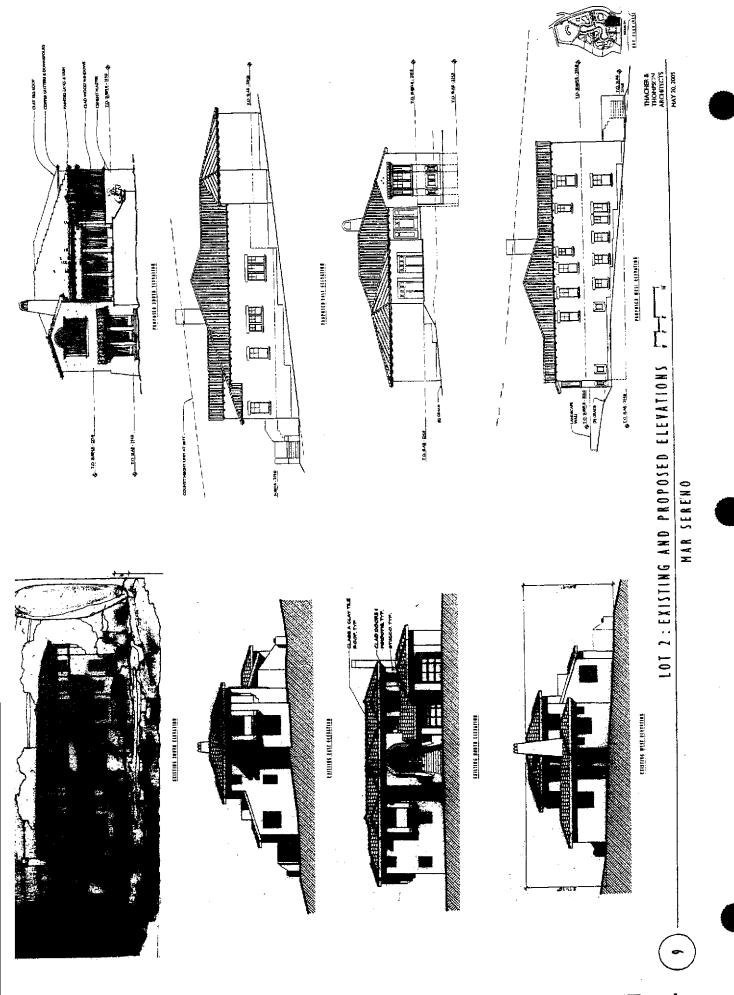












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J

