



## Staff Report to the Planning Commission

Application Number: **07-0760**

**Applicant:** Dee Murray  
**Owner:** Robert & Karen Stuart and  
Greg & Laurie Heath  
**APNs:** 028-053-02, 028-053-16

**Agenda Date:** 5/27/09

**Agenda Item #:** 9

**Time:** After 9:00 a.m.

**Project Description:** Proposal for a Minor Land Division involving two parcels to result in three parcels. The existing dwelling on 031-053-02 is proposed to be demolished and two new single-family dwellings will be constructed.

**Location:** The properties are located on the southeast corner of the intersection of 40<sup>th</sup> Avenue and Gross Road (2230 40<sup>th</sup> Avenue and 3910 Gross Road).

**Supervisory District:** First District (District Supervisor: John Leopold)

**Permits Required:** Minor Land Division, Residential Development Permit and  
Roadside/Roadway Exception

**Technical Reviews:** Soils Report Review

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0760, based on the attached findings and conditions.

### Exhibits

- |  |  |
|--|--|
| A. Project plans                                 | I. Geotechnical engineer plan review   |
| B. Findings                                      | letter; soil report recommendations  |
| C. Conditions                                    | J. Neighborhood meeting results  |
| D. Categorical Exemption (CEQA<br>determination) | K. Applicant letter, neighborhood<br>petition regarding frontage<br>improvements |
| E. Assessor's parcel map                         | L. Letter from Luke Beautz regarding<br>drainage and frontage improvements       |
| F. Zoning & General Plan maps                    |  |
| G. Will Serve Letters                            |  |
| H. Comments & Correspondence                     |  |

### Parcel Information

Parcel Size:	Post adjustment: 12,720 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Gross Road
Planning Area:	Live Oak
Land Use Designation:	R-UL (Urban Low Residential)
Zone District:	R-1-6,000 (Single-family residential, 6,000 square foot minimum site area)
Coastal Zone:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	Soils report accepted
Fire Hazard:	Not a mapped constraint
Slopes:	Gently slopes away from 40 <sup>th</sup> Avenue
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	80 cubic yards cut, 60 cubic yards fill
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Drainage plan submitted and accepted
Archeology:	Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Water Supply:	Santa Cruz Water District
Sewage Disposal:	County of Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Zone 5

### History

This land division involves two parcels. The first is located at the corner of 40<sup>th</sup> Avenue and Gross Road and is developed with a single-family dwelling that was constructed with a building permit in 2002. The second parcel fronts on 40<sup>th</sup> Avenue and is adjacent to and south of the first parcel. It is developed with a single-family dwelling and a detached accessory structure, both of which were constructed before building permits were required.

The current proposal is to shift the existing property boundary between the two properties north to give the southern parcel (APN 031-053-02) sufficient frontage to allow for a land division. Two new single-family dwellings are proposed for the two new lots.

## **Project Setting**

The project site is located at the intersection of Gross Road and 40<sup>th</sup> Avenue, a busy intersection used by motorists accessing Soquel Avenue as an alternative route to Highway 1. At the southern end of this block of 40<sup>th</sup> Avenue, the road is closed to through vehicular traffic. This demarcates the County's boundary with the City of Capitola. Because the road closure effectively makes this section of 40<sup>th</sup> Avenue a dead end, 40<sup>th</sup> Avenue is a quiet residential neighborhood. It is comprised of modest, single-family dwellings. Pedestrians use 40<sup>th</sup> Avenue to access the Capitola Mall commercial area.

The surrounding neighborhood stands in contrast to the quiet of 40<sup>th</sup> Avenue and the residential zone district to the west. To the east, behind the subject parcels, is the busy commercial strip of 41<sup>st</sup> Avenue. A masonry retaining wall separates the subject parcels from this commercial area. To the south is the Capitola Mall, and to the north is a commercial area zoned PA (Professional-Administrative Office) and Highway 1.

The Redevelopment Agency installed improvements including curb, gutter and sidewalk along Gross Road. These improvements stop after turning onto 40<sup>th</sup> Avenue. 40<sup>th</sup> Avenue has no gutter, curb or sidewalk. Two large oak trees are located along the 40<sup>th</sup> Avenue frontage in front of the northern subject parcel and will be retained. All of the mature trees located on the southern parcel have been incorporated into the proposed site plan.

## **Minor Land Division**

The proposed land division will create three single-family residential parcels where there are currently two. The parcel located at the corner of Gross Road and 40<sup>th</sup> Avenue will 'contribute' about 1,272 square feet to the southern parcel. This will provide sufficient frontage to meet the 60-foot minimum frontage length required in the zone district. The southern parcel will then be divided into two new parcels with two new single-family dwellings to be accessed from 40<sup>th</sup> Avenue.

The subject property is designated as Urban Low Density Residential (R-UL) in the General Plan. The Urban Low Density Residential (R-UL) General Plan designation requires new development to be within a density range of 6,000 to 10,000 square feet of net developable land per residential unit. The proposed land division complies with the General Plan density range in that two new parcels of 6,360 square feet each will be created. The parcel located at the corner of Gross Road and 40<sup>th</sup> Avenue also will be within the required density range.

The parcel is within the R-1-6 (Single-family residential – 6,000 square foot minimum) zone district which requires a minimum of 6,000 square feet of net developable land per parcel, excluding any vehicular rights-of-way and dedications. A one-foot wide dedication to the County of Santa Cruz is proposed along the 40<sup>th</sup> Avenue frontage which totals 199 square feet. The proposed land division will comply with the minimum parcel size of the R-1-6 (Single-family residential – 6,000 square foot minimum) zone district and the zone district standards as demonstrated in the table below.

	<b>R-1-6 Site Standards</b>	<b>Northern Parcel (APN 031-053-16)</b>	<b>Proposed Parcel 1</b>	<b>Proposed Parcel 2</b>
<b>Parcel Size</b>	6,000 s.f. min.	9,947 s.f.	6,360 s.f.	6,360 s.f.
<b>Front yard setback</b>	20'	25'	20'	20'
<b>Rear yard setback</b>	15'	39'+	15'+	15'+
<b>Side yard setbacks</b>	5' and 8'	12.6' & 16.2'	5' & 8'+	5' & 8'+
<b>Maximum height</b>	28'	<28'	28'	28'
<b>Maximum % lot coverage</b>	40%	20%	28%	28%
<b>Maximum Floor Area Ratio</b>	50%	26%	37%	37%
<b>Frontage Length</b>	60'	~87'	60'	60'

### Design Review

The proposed single-family dwellings comply with the requirements of the County Design Review Ordinance, in that the project will incorporate site and architectural design features to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The County's Urban Designer reviewed and accepted the proposed designs with minor modifications (see memo, Exhibit H).

The proposed dwellings are two stories in height and are essentially mirror images of each other. To distinguish the two from each other, the designer proposes a hipped roof for one dwelling and a gabled roofline for the other. In addition, the garage doors of each will be of a different paneled design.

In terms of the architectural designs, the design incorporates craftsman details such as tapered columns, brackets, and paneled front doors. An articulated roofline and second floor setback breaks up the mass and bulk of the structures. In addition, the second floor setback provides a transition between the new dwelling and the one-story house located to the south of the subject parcel.

All of the existing trees are to be retained (see landscape plan, sheet L1). The driveway on the northern new parcel is proposed to curve slightly to accommodate an existing tree. The three existing trees located within the front yard setbacks will soften the visual impact of the new dwellings on the surrounding neighborhood.

An un-permitted overheight fence is located on the property located at the corner of Gross Road and 40<sup>th</sup> Avenue. This fence is about six feet in height and is constructed on, or very close, to the property line. It is not compatible with the surrounding neighborhood and poses a potential line of sight issue for vehicles leaving the property. A condition of approval is included to require the fence to be reduced in height to the allowed three feet or to be moved entirely outside of the ten-foot side yard setback.

## Frontage Improvements

In reviewing this project, the Department of Public Works, Road Engineering requested that the property owners provide curb, gutter and sidewalk improvements, as is typical for a land division on an urban local street. The Planning Department supports this requirement. Below is the rationale for requiring roadside improvements and the applicant and project engineer's arguments against the installation of the improvements.

The Planning Department recommends the installation of roadside improvements for the following reasons. The Redevelopment Agency improved Gross Road in 2005 with curb, gutter and sidewalks. A curb return onto 40<sup>th</sup> Avenue was constructed which is intended to provide a point of connection for future improvements along 40<sup>th</sup> Avenue. In addition, on the southern end of 40<sup>th</sup> Avenue, just beyond the road closure, there are sidewalks maintained by the City of Capitola. This project is an opportunity to improve pedestrian connectivity by constructing a portion of the sidewalk between these two points. Given the project's proximity to the Capitola mall and the fact that pedestrians use 40<sup>th</sup> Avenue as an alternative route to busy 41<sup>st</sup> Avenue, a sidewalk is considered to be particularly important in this location. Finally, since the cost of these improvements would be borne by the subject property owners, no public funds would be required for this portion of the roadside improvements.

The applicant submitted a petition signed by residents objecting to the roadside improvements (Exhibit K). According to the applicant, neighbors want to maintain the 'rural' feel they believe is created by the absence of improvements. They are also concerned that the installation of sidewalks could be a precursor to the removal of the road closure which would then allow through traffic and dramatically change the character of their street. Steve Jesberg, Public Works Director of the City of Capitola, has indicated that the City of Capitola has no plan to open 40<sup>th</sup> Avenue<sup>1</sup>. He believes that since the road closure was County-initiated, the removal of it would require a County action. There is no current County plan to remove the road closure.

In addition, the project engineer, Luke Beautz, has expressed a concern that if the roadside improvements are constructed, they may create a drainage problem. Currently, runoff is collected in a shallow, semi-paved swale along the eastern side of 40<sup>th</sup> Avenue. According to Mr. Beautz, if the roadside improvements are constructed, runoff will become concentrated in the gutter and, where the gutter ends, the runoff may overtop the existing shallow drainage swale and run down slope onto the southern neighbor's property. A problem like this would typically be remedied with a drainage inlet into a stormwater system, but since no system exists in 40<sup>th</sup> Avenue, this is not an option. Mr. Beautz suggests that an alternative remedy would be to construct roadside improvements the length of 40<sup>th</sup> Avenue at one time.

The Department of Public Works, Road Engineering and Drainage sections reviewed Mr. Beautz's letter. Both reviewers requested additional information which would have required a significant amount of additional engineering work. Given the cost of providing this information, the applicant requested that the project be brought to hearing for resolution before the Planning Commission.

---

<sup>1</sup> Telephone call 1/24/09

In light of the feasibility question raised by Mr. Beautz, Planning staff considered whether it would be imprudent to require the construction of the improvements without having resolved whether or not they would create a drainage problem. However, given that roadside improvements in this location are important and that this is an opportunity for a private developer to pay for public improvements, staff has included a condition of approval that the improvements be installed, but prior to the recordation of the parcel map, the drainage issue must be resolved.

If additional off-site improvements are required as a part of solving the drainage issue, then Planning staff will determine whether or not the nexus exists to require these improvements. Should the nexus be exceeded, the property owner will not be required to install the improvements. The project would then return to the Planning Commission on the consent agenda to provide an opportunity for both the public and the Planning Commission to review the project.

### **Roadside / Roadway Exception**

In either scenario—with frontage improvements or not—a roadside/roadway exception is required as 40<sup>th</sup> Avenue does not meet the minimum width required of urban local streets and has no frontage improvements. The County Design Criteria standard for a local street is a 56-foot wide right-of-way with parking, sidewalks, and landscaping on both sides of the roadway. In contrast, 40<sup>th</sup> Avenue is unimproved and 50 feet wide.

The Department of Public Works has no objection to the roadway exception to allow the proposed 34-foot curb-to-curb road width given the difficulty of acquiring additional width for future improvements in this developed neighborhood. As noted above, DPW strongly advocates for the installation of roadside improvements, but does not object to a roadside exception for contiguous sidewalk (i.e. no landscaping strip) given the narrowness of 40<sup>th</sup> Avenue.

### **Grading, Drainage & Utilities**

The proposed land division and associated improvements will require site grading and preparation, primarily to establish final building pads and pavement elevations in order to maintain positive drainage away from structures to drainage swales and catch basins. A total of approximately 80 cubic yards of earth will be cut and a total of approximately 60 cubic yards of earth will be placed as fill to allow for the preparation of the project site. The grading volumes are considered as reasonable and appropriate due to the nature and scale of the required improvements. Protection measures will be required to preserve existing trees that will not be removed during construction.

The existing drainage pattern is from the front of the parcels to the back (towards 41<sup>st</sup> Avenue). In broad strokes, the proposed drainage plan will work in the following way. Runoff from the new dwellings' roofs will discharge onto either the pervious driveway or into landscape areas. Rainfall onto the driveways will flow into an inlet which connects to a pipe system. This pipe system continues along the side yards of each parcel and flows north across Parcel B to the parcel located at the corner of 40<sup>th</sup> Avenue and Gross Road. Runoff flows into the Gross Road storm drain system ultimately connects to the Gross Road storm drain system which then connects to the storm drain system in 41<sup>st</sup> Avenue. A five-foot wide easement across Parcels B and C will allow for the ongoing maintenance of this portion of the drainage system.

The proposed drainage plan has been reviewed by the Department of Public Works, Stormwater Management Section and by the geotechnical engineer for the project, Friar Associates Incorporated. A copy of the geotechnical engineer's plan review letter is included as Exhibit I. Conditions of approval are also included that require the maintenance of the drainage facilities by each homeowner and a recorded maintenance agreement to maintain the shared drainage improvements.

Water, sewer, and electrical utilities are available to the subject property. The existing water and sewer mains are capable of handling the additional volume necessary to serve the proposed development. Will serve letters from the County Sanitation District and the City of Santa Cruz Water Department are included as Exhibit G.

### 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

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **07-0760**, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning 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](http://www.co.santa-cruz.ca.us)**

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

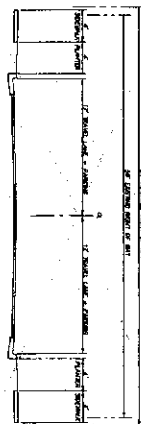
Annette Olson  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3134  
E-mail: [annette.olson@co.santa-cruz.ca.us](mailto:annette.olson@co.santa-cruz.ca.us)

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

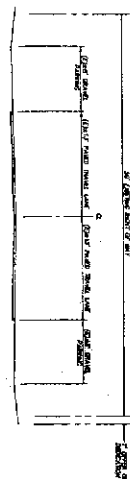
Paia Levine  
Principal Planner, Development Review  
Santa Cruz County Planning Department



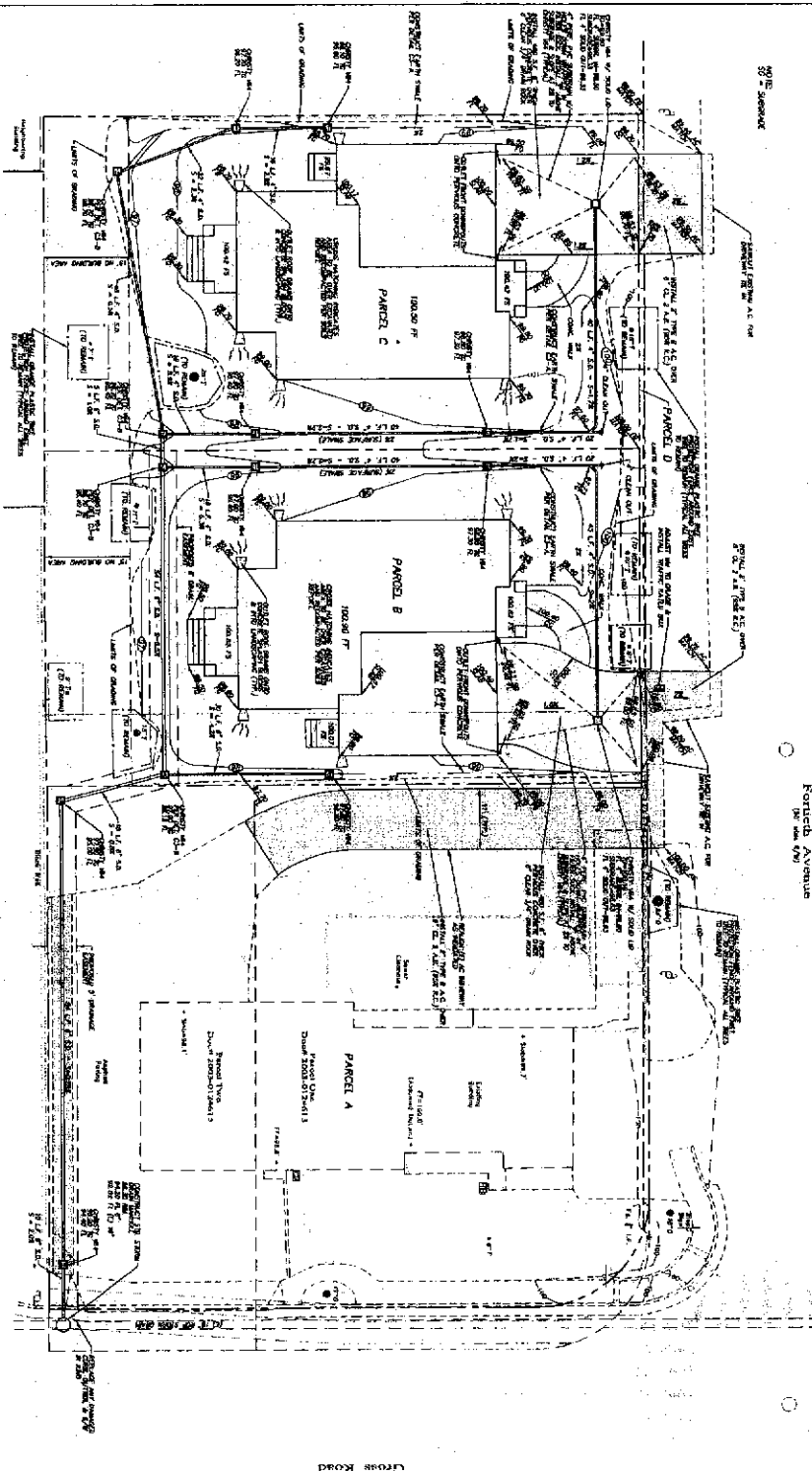




GROSS ROAD STANDARD ROAD SECTION



PROPOSED ROADWAY ELEVATION

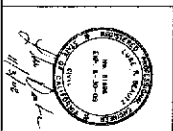


- NOTES
1. TO THE TRAVEL MAP PREPARED FOR THE PROJECT BY
  2. BASELINE LAND SURVEYORS, INC. FOR NEW PARCEL DIVISIONS.
  3. PLEASE SEE SHEET C3 FOR DRAINAGE ANALYSIS AND CALCULATIONS.
  4. TREE PROTECTION REMAINING TO REMAIN IN PLACE THROUGH ALL
  5. PHASES OF CONSTRUCTION.

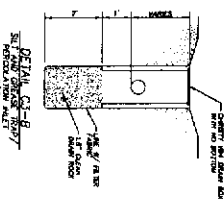
PRELIMINARY GRADING & DRAINAGE PLAN

1" = 10'

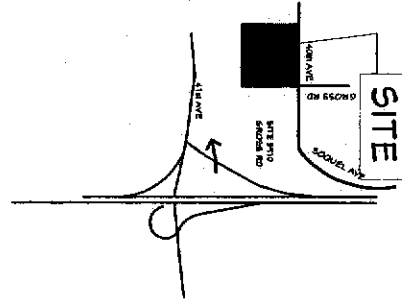
C3



PRELIMINARY IMPROVEMENT PLAN  
FOR LANDS DESCRIBED IN THE DEEDS TO  
ROBERT B. STUART  
BY ROBERT B. STUART  
2005-012461'S AND 2005-012462'S  
SANTA CRUZ COUNTY, CALIFORNIA  
SCALE: 1" = 10'  
BY: LANCE B. DEAN, C.E., L.S.  
NOVEMBER 2008  
APN: 031-033-02 & 18  
SHEET C3



# Vicinity Map nts



## Site Statistics:

PARCELS B & C	R1.5
1. ZONE DESIGNATION	LOT B - 4,420.10 SF ACROSS 4' ST
2. PARCEL AREA	LOT C - 4,420.10 SF ACROSS 4' ST
3. NET PARCEL AREA (NO. 2 MINUS RIGHT-OF-WAY)	3,220 +/- SF
4. COVERAGES BY STRUCTURE (EXISTING + PROPOSED)	1100 SF
5. PARCEL COVERAGES PERCENTAGE	97%
6. PARKING PROVIDED (812 SF X 18 FT)	2 CARS GARAGE + 2 UNCOVERED
	4 TOTAL

## Scope of Work:

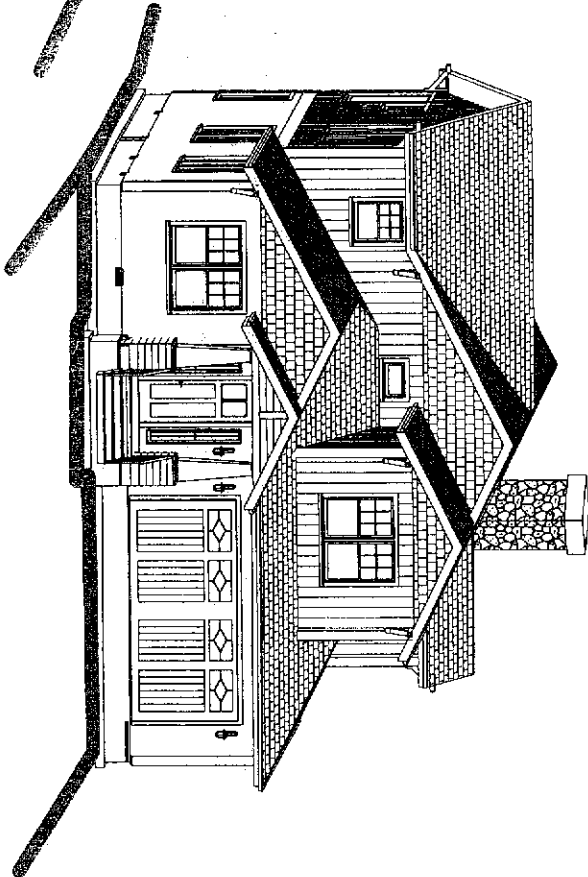
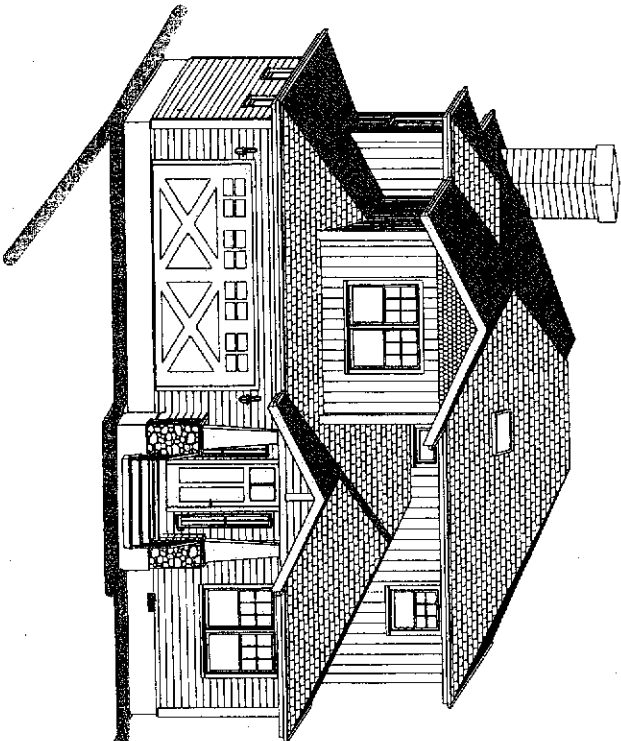
PROPOSED 2,271 SF 3 BEDROOM, 2 1/2 BATHROOM, 2 CAR GARAGE SINGLE FAMILY RESIDENCE ON EACH PARCEL.

R-1.5 LOT OCCUPANCY CLASS  
MIN. CONSTRUCTION - SPRINKLERED

## Schedule of Drawings

T1	COVER SHEET
C-1.5	TENTATIVE MAP
L1	CIVIL ENGINEERING
2-B-C	LANDSCAPING
3-A-B-C	SITE LAYOUT
4-B-C	ELEVATIONS LOT B-LOT C
5-B-C	FLOOR PLANS LOT B-LOT C
6-B-C	SECTION VIEWS LOT B-LOT C
7-B-C	1ST & 2ND FLOOR FRAMING FOUNDATION PLAN LOT B-LOT C
8-B-C	TRUSS ROOF LAYOUT LOT B-LOT C
9-B-C	SHEARWALL PLAN LOT B-LOT C
10-B-C	ENGINEERING
11-B-C	ELECTRICAL LAYOUT LOT B-LOT C
12-B-C	DETAILS
13-B-C	GENERAL NOTES & CONDITIONS
14-B-C	NOTES
15-B-C	TITLE 24

1. ALL CONSTRUCTION TO CONFORM TO THE 2001 EDITION OF THE CALIFORNIA BUILDING, MECHANICAL, PLUMBING, AND 2001 ELECTRICAL, SANITARY CODES AND COUNTY OF SANTA CRUZ CODES AND 3. WHERE PERMITS ARE REQUIRED, THE PERMITTING AGENCIES SHALL BE ADVISED.  
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
3. ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS OF THE CALIFORNIA BUILDING, MECHANICAL, PLUMBING, AND 2001 ELECTRICAL, SANITARY CODES AND COUNTY OF SANTA CRUZ CODES AND 3. WHERE PERMITS ARE REQUIRED, THE PERMITTING AGENCIES SHALL BE ADVISED.  
4. NO PORTION SHALL BE DEEMED TO BE IN VIOLATION OF THE CALIFORNIA BUILDING, MECHANICAL, PLUMBING, AND 2001 ELECTRICAL, SANITARY CODES AND COUNTY OF SANTA CRUZ CODES AND 3. WHERE PERMITS ARE REQUIRED, THE PERMITTING AGENCIES SHALL BE ADVISED.  
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS OF THE CALIFORNIA BUILDING, MECHANICAL, PLUMBING, AND 2001 ELECTRICAL, SANITARY CODES AND COUNTY OF SANTA CRUZ CODES AND 3. WHERE PERMITS ARE REQUIRED, THE PERMITTING AGENCIES SHALL BE ADVISED.  
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.  
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.



COVER PAGE LOT C

PROPOSED RESIDENCE FOR MR. & MRS. STUART / MR. & MRS. HEATH

PROJECT ADDRESS: 2280 40th AVE, SANTA CRUZ, CA 95062, APN 051-055-16

TIMBERWORKS P.O. BOX 66894, SCOTT'S VALLEY, CA 95067, 851-439-6030

PAGE 8

T1

THE DRAWING ROOM

P.J. VAN GUILDER

REGISTERED PROFESSIONAL ARCHITECT

10100 SAN JOSE AVENUE, SUITE 100, SAN JOSE, CA 95131

408.261.7880

REVISIONS BY DATE



40th AVE

GROSS RD

LOT A  
EXISTING

LOT B  
HIP ROOF

LOT C  
GABLE ROOF

SITE PLAN

1/8" = 1'-0"

SITE PLAN

PROPOSED RESIDENCE FOR MR. & MRS. STUART & MR. & MRS. HEATH

PROJECT ADDRESS:  
2290 40th AVE  
SANTA CRUZ, CA 95062  
ATN 031-059-18

TIMBERWORKS  
P.O. BOX 86098  
SCOTT'S VALLEY, CA 95067  
851-456-8030



THE DRAWING ROOM

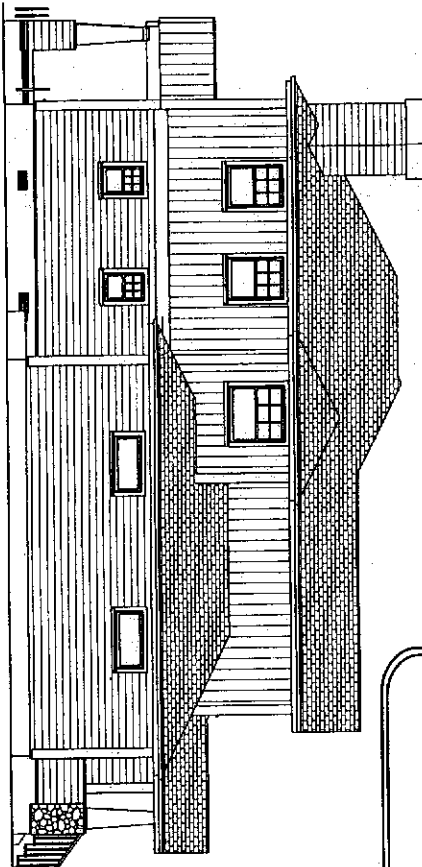
P.J. VAN GUILDER  
REGISTERED ARCHITECT  
SANTA CRUZ, CA 95062  
TEL 851-2838

ALBA PROFESSIONAL SCALES - RENOVER

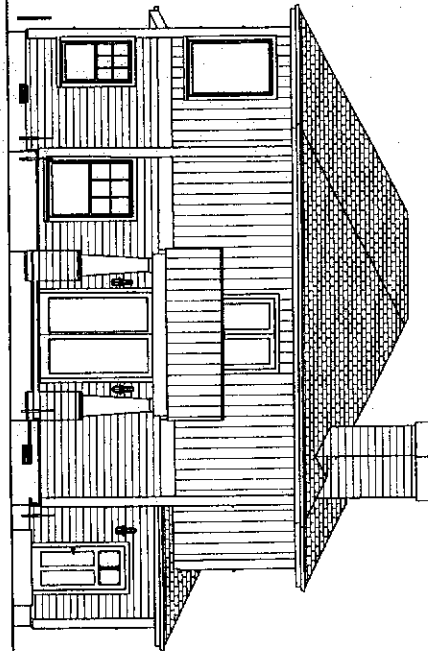


REVISIONS BY DATE

LEFT



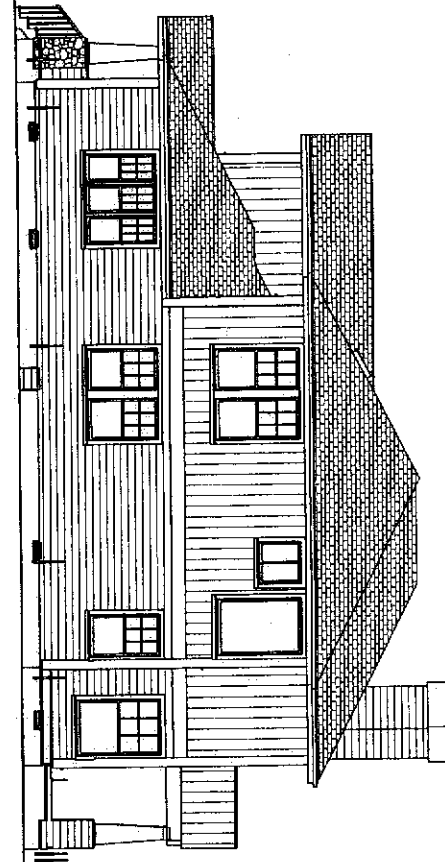
BACK



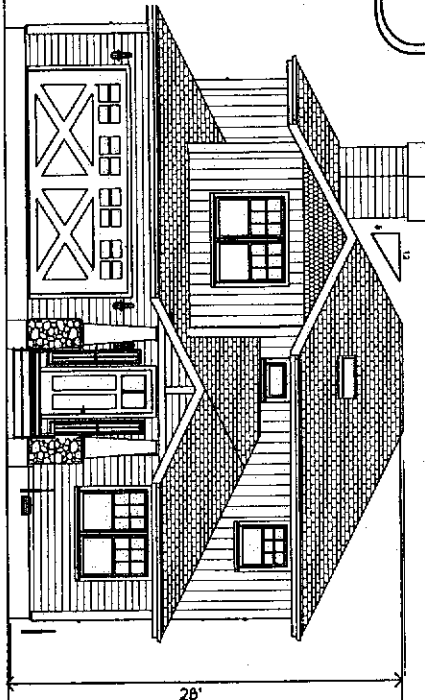
EXTERIOR MATERIALS:

1. HARDBOARD SIDING
2. VINYL FRAME WINDOWS
3. 1 1/4" DOOR & WINDOW TRIM
4. 2" X 4" SHIMMER ROOF
5. 2" X 4" SHIMMER ROOF
6. DOWNSPUTS TO FLASH BLOCKS
7. FLASH SUTTERS
8. PROVIDE 2X6 SLATS @ 8" VIN. JAW FROM FOUNDATION
9. TRUSS MANUFACTURER TO BLEND RIDGES TO MAX HT. OF 20'

RIGHT



FRONT



ELEVATIONS- LOT B

PROPOSED RESIDENCE FOR MR. & MRS. STUART & MR. & MRS. HEATH

PROJECT ADDRESS:  
2250 40th AVE  
SANTA CRUZ, CA 95062  
APN 051-092-12

TIMBERWORKS  
P.O. BOX 66594  
SCOTT'S VALLEY, CA 95067  
951-458-6030

2.B

PAGE 4

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

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

DRAWN BY: P. J. VAN GUILDER

CHECKED BY: P. J. VAN GUILDER

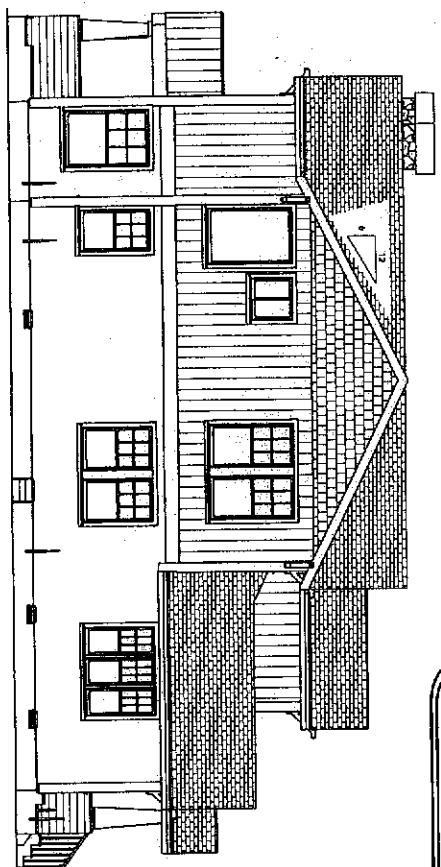
APPROVED BY: P. J. VAN GUILDER

DATE: 10/1/81

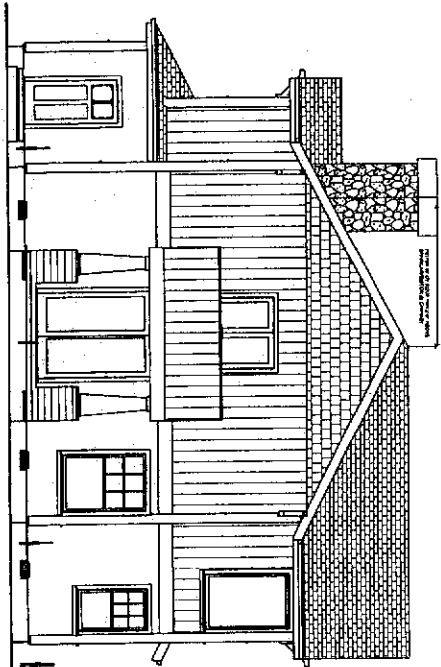
SCALE: 1/4" = 1'-0"

DRAWN BY: P. J. VAN GUILDER

LEFT



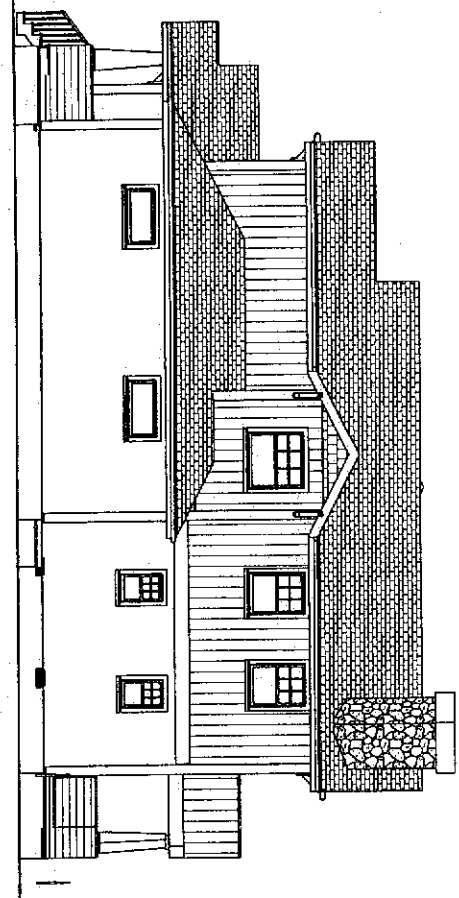
BACK



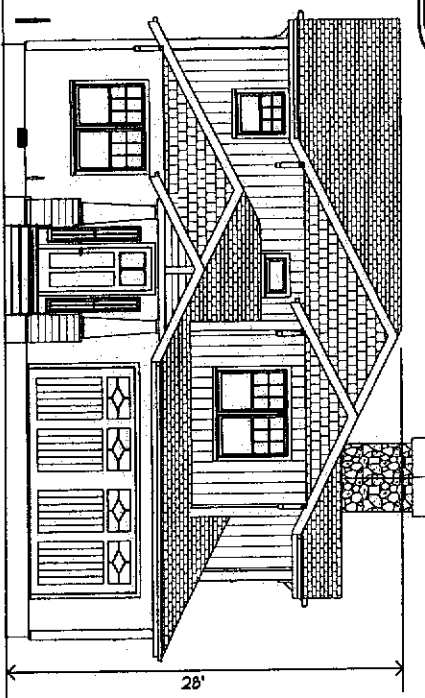
**EXTERIOR MATERIALS:**

1. HORIZONTAL SIDING
2. VINYL FRAME WINDOWS
3. VIN DOWN & WINDOW TRIM
4. CORNER BRICKLE ROOF
5. BRICK CHIMNEY
6. BRICK CHIMNEY FLASHING BLOCKS
7. BRICK CHIMNEY FLASHING
8. PROVIDE 2x6 SLOPE @ 3" MIN AWAY FROM FOUNDATION
9. TRUSS MANUFACTURER TO BLEND SIDINGS TO MAX HT. OF 2x6

RIGHT

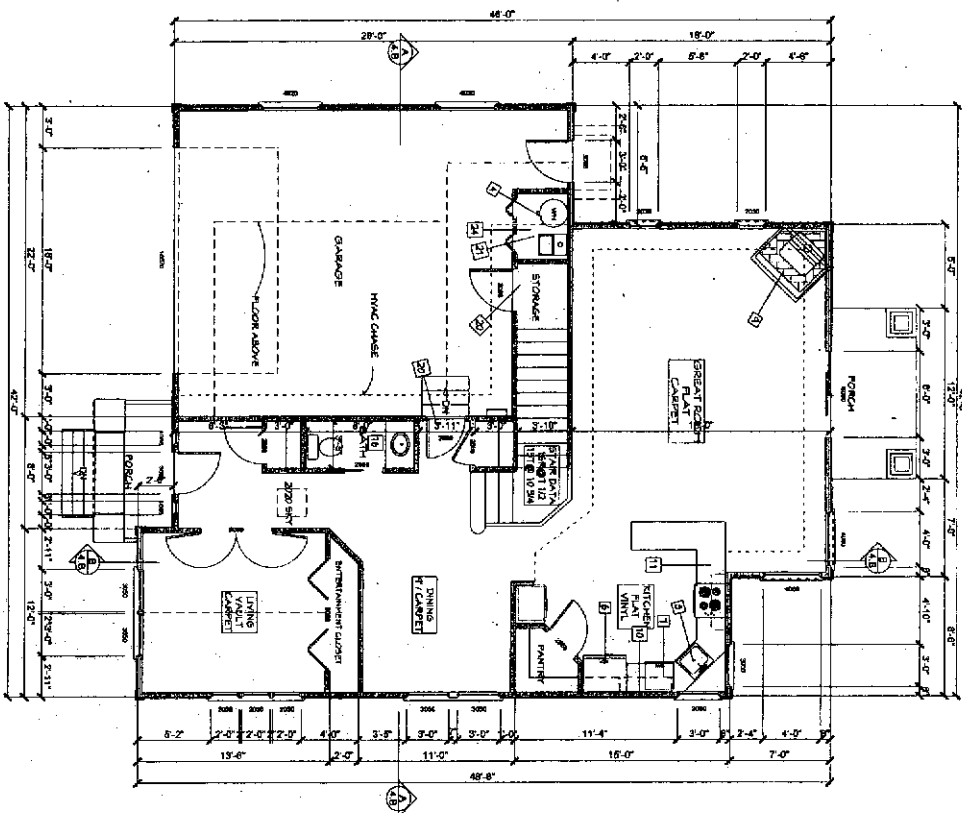
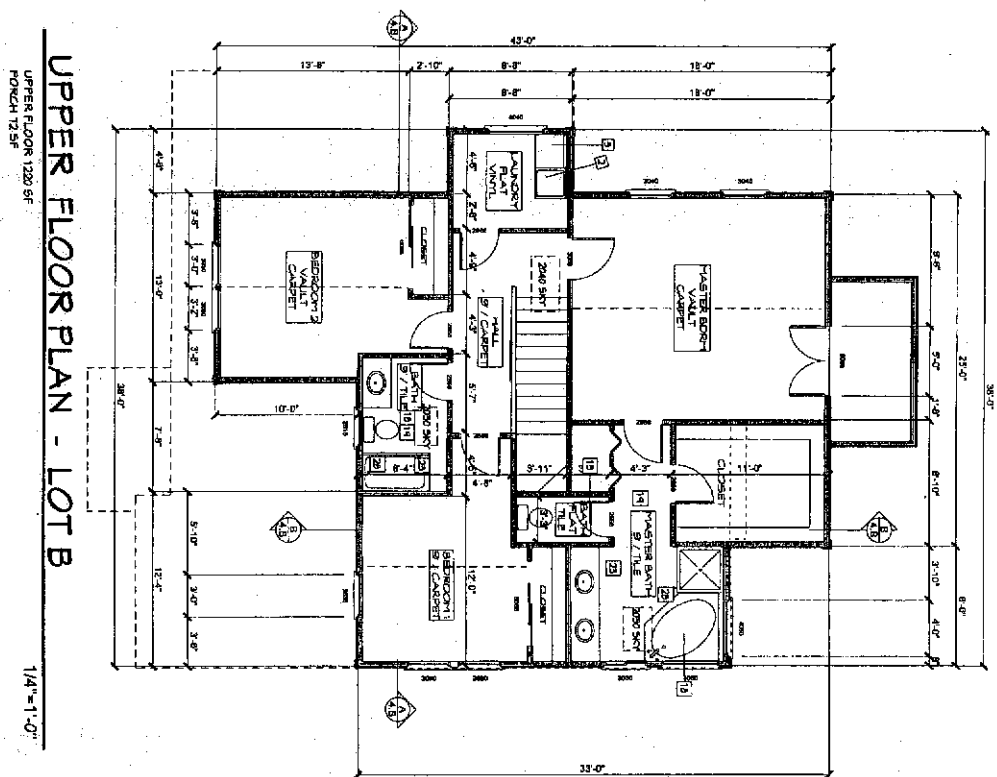


FRONT



**ELEVATIONS- LOT C**

<p><b>2.C</b></p>	<p><b>PROPOSED RESIDENCE FOR MR. &amp; MRS. STUART &amp; MR. &amp; MRS. HEATH</b></p> <p>PROJECT ADDRESS: 2230 40TH AVE SANTA CRUZ, CA 95062 APN 031-025-18</p> <p>TIMBERWORKS P.O. BOX 66894 SCOTT'S VALLEY, CA 95067 831-468-4050</p>	<p><b>THE DRAWING ROOM</b></p> <p>P.J. VAN GULDER 10700 SANITARY PATERSON, NJ 07651 TEL: 973-261-1000</p>	<p>REVISIONS: BY: DATE</p>
-------------------	---	---	----------------------------



FLOOR PLAN - LOT B

PROPOSED RESIDENCE FOR MR. & MRS. STUART & MR. & MRS. HEATH

PROJECT ADDRESS:  
 3238 UP AVE  
 SANTA CRUZ, CA 95062  
 APN 051-035-16

TIBBETSON'S  
 PO BOX 68591  
 SCOTT'S VALLEY, CA 95061

N C B D C

THE DRAWING ROOM

P.J. VAN GUILDER  
 1210 WILSON AVE  
 PUEBLO, CO 81001

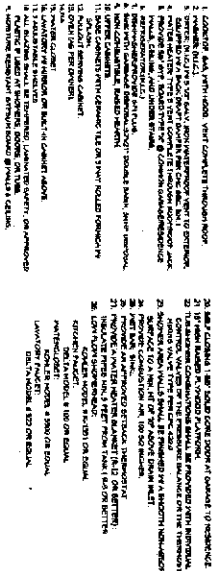
DATE: 10/10/00

REVISOR: BY: DATE:



3.B

PHASE 1  
 3.B

$1/4" = 1'-0"$ 

1



30

- 15 -

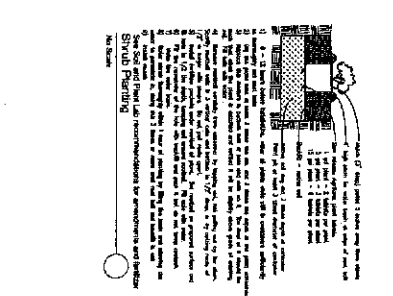
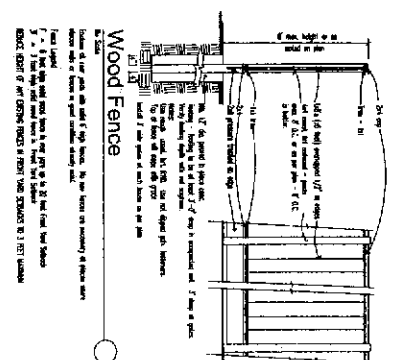
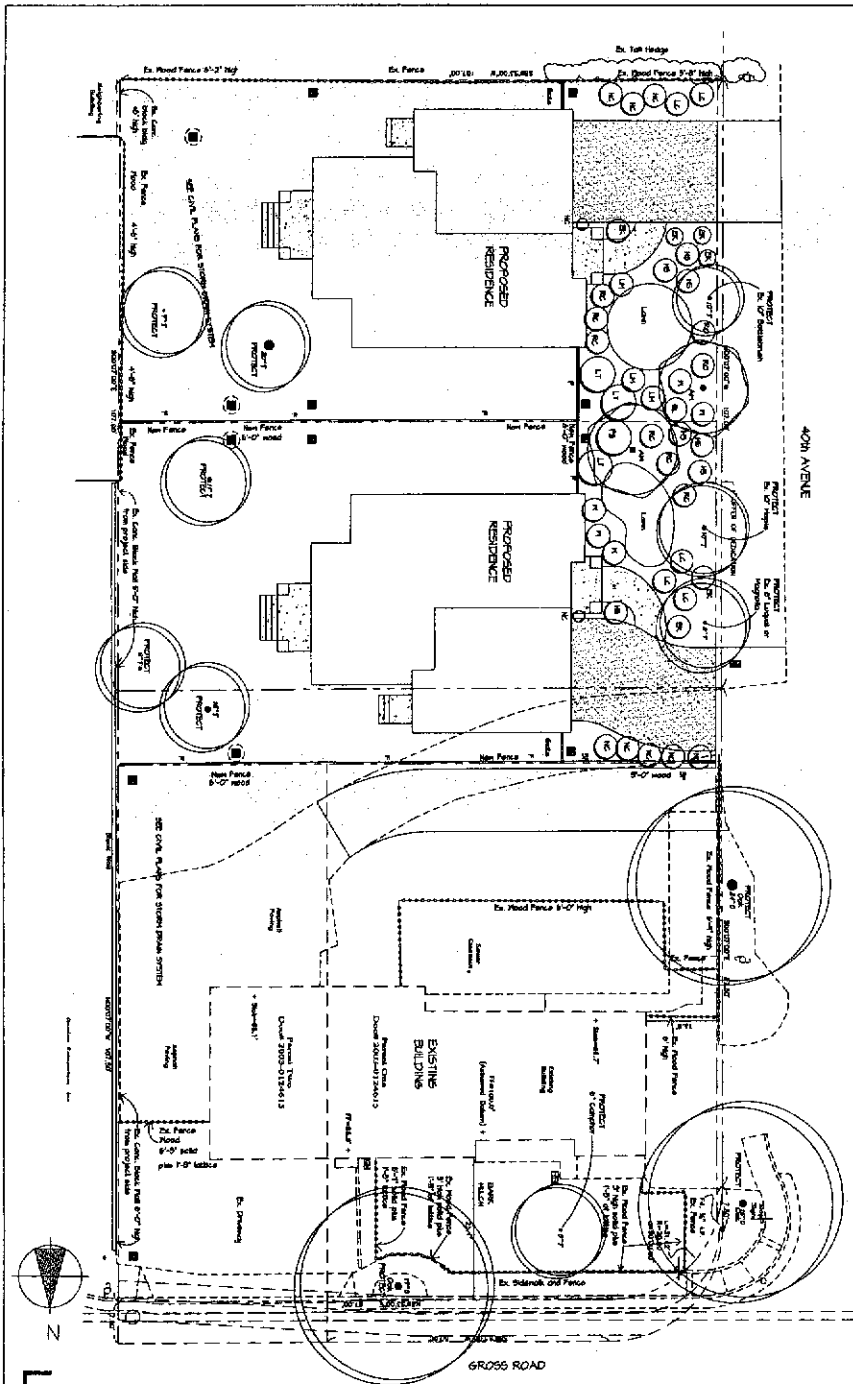
\_\_\_\_\_

**A.I.D. PROFESSIONAL MARKING DEVICES**

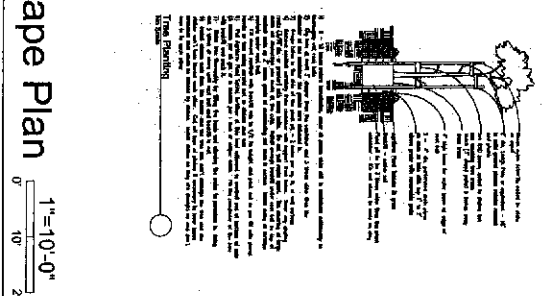
100

---

**EXHIBIT A**



Landscape Plan 1"=10'-0" 0' 10' 20'



**Plant Legend**

Code	Plant Name	Quantity
1	Redwood	1
2	Redwood	1
3	Redwood	1
4	Redwood	1
5	Redwood	1
6	Redwood	1
7	Redwood	1
8	Redwood	1
9	Redwood	1
10	Redwood	1



## **Subdivision Findings**

1. That the proposed subdivision meets all requirements or conditions of the Subdivision Ordinance and the State Subdivision Map Act.

This finding can be made, 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.

This finding can be made, in that the proposed division of land, its design, and its improvements, will be consistent with the General Plan as amended by this proposal. The project creates three single-family residential parcels, where there are currently two, and is located in the Urban Low Density Residential (R-UL) General Plan designation which allows a density of one unit for each 6,000 to 10,000 square feet of net developable parcel area. The proposed project is consistent with the General Plan, in that the development creates three parcels of 9,947, 6,360 and 6,360 square feet.

The project is consistent with the General Plan in that the full range of urban services is available, including public water and sewer service. Each parcel will be accessed via 40<sup>th</sup> Avenue. This roadway provides satisfactory access to the project. The proposed land division is similar to the pattern and density of surrounding development, is near commercial shopping facilities and recreational opportunities, and will have adequate and safe access.

The land division, as conditioned, will be consistent with the General Plan regarding infill development, in that the proposed residential development will be consistent with the pattern of the surrounding development, and the design of the proposed structure is consistent with the character of similar developments in the surrounding neighborhood.

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, lot sizes meet the minimum dimensional standards for the R-1-6 (Single Family Residential - 6,000 square foot minimum) zone district where the project is located.

4. That the site of the proposed subdivision is physically suitable for the type and density of development.

This finding can be made, in that no challenging topography affects the building site, technical reports prepared for the property conclude that the site is suitable for residential development, and the proposed parcels are properly configured to allow development in compliance with the required site standards. The 15-foot setback from the rear property line recommended in the project Geotechnical Investigation by Friar Associates, Inc. (March 2007) has been incorporated into the project plans. No environmental resources exist which would be adversely impacted by

the proposed development.

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.

This finding can be made, in that no mapped or observed sensitive habitats or threatened species will be adversely impacted through the development of the site.

6. That the proposed subdivision or type of improvements will not cause serious public health problems.

This finding can be made, in that municipal water and sewer are available to serve 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.

This finding can be made, in that no such easements are known to encumber the property.

8. The design of the proposed land division provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

This finding can be made, in that the resulting parcels and proposed new dwelling are oriented to the fullest extent possible in a manner to take advantage of solar opportunities.

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

This finding can be made, in that the new dwelling is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The surrounding neighborhood contains single-family and multi-family residential development, as well as commercial developments, with a predominance of single-family residential developments in the immediate area. The proposed residential development is compatible with the architecture in the neighborhood and the surrounding pattern of development.

## **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. The project Geotechnical Report by Friar Associates, Inc. recommended a 15-foot setback from the rear property line which has been incorporated into the project plans. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single-family dwellings 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 dwellings and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6,000 (Single-family residential, 6,000 square foot minimum site area) zone district in that the primary use of the property will be one single-family dwelling per parcel that meets all current site standards for the zone district.

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

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 dwellings 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 dwellings 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 dwellings 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 dwellings will comply with the site standards for the R-1-6,000 zone district (including setbacks, 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.

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 there are currently two dwellings and the project will result in three, a net increase of one dwelling. This one additional unit will not overload utilities. The expected level of traffic generated by the proposed project is anticipated to be only one additional peak trip per day, and 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 structures are located in a mixed neighborhood containing a variety of architectural styles, and the proposed new single-family dwellings 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 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed single-family dwellings 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.

### **Roadside / Roadway Exception Findings**

1. The required improvements would encroach on private property in which neither the developer nor the County have an interest sufficient to allow the improvements to be constructed or installed; the developer has attempted in good faith, but has been unable to acquire such an interest; and the County has not acquired such an interest through its power of eminent domain.

This finding can be made, in that 40<sup>th</sup> Avenue varies from the County Design Criteria in terms of width and improvements. The County Design Criteria standard for a local street is a 56-foot wide right-of-way with parking, sidewalks, and landscaping on both sides of the roadway. In contrast, 40<sup>th</sup> Avenue is 50 feet wide (51 feet with the proposed dedication) and currently has no roadside improvements.

Given the difficulty of acquiring additional right-of-way from private landholders to meet the 56-foot width on this built-out road and provide a landscape strip, the Planning Department and Department of Public Works has no objection to this Roadside / Roadway Exception to allow for a reduced road width of 34 feet from curb to curb and roadside improvements without the standard landscaping strip.

### **Conditions of Approval**

#### **Land Division 07-0670**

Proposal for a Minor Land Division involving two parcels to result in three parcels. The existing structures on 031-053-02 are proposed to be demolished and two new single-family dwellings will be constructed.

Applicant: Dee Murray

Property Owner: Robert and Karen Stuart & Greg and Laurie Heath

Assessor's Parcel Number: 031-053-02 and 031-053-16

Property Address and Location of 031-053-02: Located one parcel south of the intersection of 40<sup>th</sup> Avenue and Gross Road on the east side of 40<sup>th</sup> Avenue (2230 40<sup>th</sup> Avenue).

Property Address and Location of 031-053-16: Located on the southeast corner of the intersection of 40<sup>th</sup> Avenue and Gross Road (3910 Gross Road).

Planning Area: Live Oak

---

#### Exhibit(s):

- A. 1 sheet, Tentative Map, Base Line Land Surveyors, Inc.: Mark T. Doolittle, Licensed Land Surveyor, revised to 3/26/08; 6 sheets, Preliminary Improvement Plan, Luke R. Beautz, C.E., L.S., November 2008; 9 sheets, Architectural Drawings, The Drawing Room: P.J. Van Guilder, dated 3/20/07; 1 sheet, Landscape Plan, Greg Lewis, Landscape Architect, revised to 8/15/08.

---

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

- I. Prior to exercising any rights granted by this Approval, the owner shall:
  - A. Sign, date and return one copy of the Approval to indicate acceptance and agreement with the conditions thereof.
  - B. Record the Conditions of Approval with the Parcel Map. The Conditions of Approval shall be applicable to all resulting parcels.
  - C. The property owner(s) shall sign and record the Indemnity Waiver within 30 days

of the effective date of this permit.

- 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 improvement of the property, or affecting public health and safety shall remain fully applicable.
  - B. This land division shall result in no more than three (3) single-family residential parcels.
  - C. The minimum parcel area shall be 6,000 square feet of net developable land per parcel.
  - D. The following items shall be shown on the Parcel Map:
    - 1. Building envelopes and/or building setback lines located according to the approved Tentative Map, including the 15-foot rear yard building setback required in the Geotechnical Report prepared by Friar Associates, Inc (March 2007).
    - 2. The net area of each lot to the nearest square foot.
    - 3. The 5-foot drainage easement across Parcel A which benefits Parcels A and B.
    - 4. The 5-foot drainage easement across Parcel B which benefits Parcel C.
  - F. 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. New parcel numbers for all of the parcels must be assigned by the Assessors Office prior to application for a Building Permit on any parcel created by this land division.
    - 2. Lots shall be connected for water service to the City of Santa Cruz Water Department. All regulations and conditions of the water district shall be met including the provision of fire sprinklers; a utility site plan with existing water main and service locations, types and sizes; and the

payment of all fees.

5. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the sanitation district shall be met.
6. All future construction on the lots shall conform to the Architectural Floor Plans and Elevations as stated or depicted in the approved Exhibit "A" and shall also meet the following additional conditions:
  - a. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department.
  - b. Notwithstanding the approved preliminary architectural plans, all future development shall comply with the development standards for the R-1-6 zone district. Development on each parcel shall not exceed the lot coverage limit specified in County Code 13.10.323, or a 50% floor area ratio, or other standard as may be established for the zone district.
  - c. 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.
  - d. No fencing shall exceed three feet in height within the required front yard setback and no fencing shall exceed six feet in height within the required side and rear yard setbacks of any of three parcels. The existing 6-foot high fence located on the 40<sup>th</sup> Avenue frontage and within the street side yard setback of the parcel located at the corner of 40<sup>th</sup> Avenue and Gross Road shall be reduced in height to three feet or moved so that it is entirely outside of all setbacks.
  - e. For any structure proposed to be within 2 feet of the maximum height limit for the zone district, the building plans may be required to 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.
  - f. Include the project arborist's recommendations on all building application plans.



7. Submit an arborist report with tree protection recommendations to be reviewed and accepted by Environmental Planning staff.
8. A final Landscape Plan for the entire site specifying the species, their size, and irrigation plans and meet the following criteria and must conform to all water conservation requirement of the City of Santa Cruz water conservation regulations:
  - a. Turf Limitation. Turf area shall not exceed 25 percent of the total landscaped area. Turf area shall be of low to moderate water-using varieties, such as tall or dwarf fescue.
  - b. Plant Selection. At least 80 percent of the plant materials selected for non-turf areas (equivalent to 60 percent of the total landscaped area) shall be well-suited to the climate of the region and require minimal water once established (drought tolerant). Native plants are encouraged. Up to 20 percent of the plant materials in non-turf areas (equivalent to 15 percent of the total landscaped area), need not be drought tolerant, provided they are grouped together and can be irrigated separately.
  - c. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.
  - d. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid runoff, over-spray, 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 an irrigation schedule for the established landscape shall be submitted with the building permit applications. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.

- (ii) Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume 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 landscape plan shown as part of the approved Exhibit "A" except as specified below. The landscape plan must be reviewed and accepted by the County's Urban Designer.
  - (i) Notes shall be added to the improvement plans and the building permit plans that indicate the manner in which the retained trees shall be protected during construction. Provide a letter from a certified arborist verifying that the protection measures have been incorporated into the construction plans.
  - (ii) The road improvements shall include the installation, irrigation and maintenance of street trees. Arbutus marina trees shall be planted at 24-inch box size. The County's Urban Designer and the Redevelopment Agency shall review the proposed planting plan.
- 9. Record declaration of restrictions for Parcels B and C acknowledging the location of the drainage improvements and the owners' responsibility for maintaining these improvements in perpetuity.
- 10. All future development on the lots shall comply with the requirements of the geotechnical report prepared by Friar Associates, Inc. dated March 2007.
- 11. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located. This project is subject to inclusion in a Mello-Roos Community Facilities District and is subject to the related fees.
- 12. Any changes from the approved Exhibit "A", including but not limited to

the Tentative Map, Preliminary Improvement Plans, or the attached exhibits for architectural and landscaping plans, must be submitted for review and approval by the Planning Department. Changes may be forwarded 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. Any changes that are on the final plans which do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review.

- II. Prior to recordation of the Parcel Map, the following requirements shall be met:
- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
  - B. Provide a recorded maintenance agreement for the shared drainage improvements. Include maintenance recommendations for each facility and identify who is responsible for the maintenance of each facility on the final plans.
  - C. Provide recorded maintenance agreements for the porous pavement. Identify maintenance recommendations and the responsible party for maintaining the paving. The agreements shall provide wording to the effect that future resurfacing of pervious with impermeable material is not permissible.
  - D. Meet all requirements of the Santa Cruz County Sanitation District including, without limitation, the following standard conditions:
    - 1. Submit and secure approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel. The improvement plan shall conform to the County's Design Criteria and shall also show any roads and existing and proposed easements.
    - 2. Show any existing sewer laterals that will be abandoned, if applicable.
    - 3. Pay all necessary bonding, deposits, and connections fees.
  - E. Meet all requirements and pay the Zone 5 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area. Currently, the fees are \$1.00 per square foot and are assessed upon permit issuance. These fees are subject to change.
    - 1. Provide documentation that the existing impervious areas are either permitted or were installed prior to 1969 for impact analysis and possible fee credit.
  - F. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the

construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries. Backflow prevention devices must be located in the least visually obtrusive location.

- G. All requirements of the Central Fire Protection District shall be met.
- H. Park dedication in-lieu fees shall be paid for one (1) single-family dwelling unit. This fee is currently \$1,000 per bedroom, but is subject to change.
- I. Child Care Development fees shall be paid for one (1) single-family dwelling unit. This fee is currently \$109 per bedroom, but is subject to change.
- J. Transportation improvement fees shall be paid for one (1) single-family dwelling unit. This fee is currently \$2,200 per unit, but is subject to change.
- K. Roadside improvement fees shall be paid for one (1) single-family dwelling unit. This fee is currently \$2,200 per unit, but is subject to change.
- L. If an overlay occurs on 40<sup>th</sup> Avenue prior to the installation of water and sewer lines, pay the Department of Public Works trench cut fee.
- M. Submit and secure approval of engineered improvement plans from the Department of Public Works, the Redevelopment Agency and the Planning Department for all roads, curbs and gutters, storm drains, erosion control, and other improvements required by the Subdivision Ordinance, noted on the attached tentative map and/or specified in these conditions of approval. A subdivision agreement backed by financial securities (equal to 150% of engineer's estimate of the cost of improvements), per Sections 14.01.510 and 511 of the Subdivision Ordinance, shall be executed to guarantee completion of this work. Improvement plans shall meet the following requirements:
  - 1. All improvement plans shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria, except as modified by these Conditions of Approval. Plans shall also comply with applicable provisions of the Americans With Disabilities Act and/or Title 24 of the State Building Code.
  - 2. Show frontage improvements (gutter, curb and sidewalk) along the project frontage (APNs 028-053-02 and 028-053-16) in conformance with the Department of Public Works Design Criteria. County staff will evaluate the feasibility of these improvements, including potential drainage impacts. Should additional off-site improvements be required that exceed a reasonable nexus, the roadside improvement requirement will be

waived and the project will return to the Planning Commission on the consent agenda.

3. Submit complete grading and drainage plans that include limits of grading; existing and proposed contours (including topography 50 feet beyond the project work limits); plan views and centerline profiles of all driveway improvements; existing and proposed drainage facilities, including details of all drainage features; complete drainage calculations and accurate elevations of drainage features.
  - a. Note on the plans the provision of permanent bold markings at each inlet that read: "No Dumping – Drains to Bay".
  - b. Identify on the plans who is responsible for the maintenance of the common drainage facilities.
  - c. The Christy V-64 drain boxes located on Parcel A shall have solid covers.
  - d. The final engineered grading plans shall conform to all recommendations of the geotechnical report prepared by Friar Associates, Inc dated March 2007. Final plans shall reference the project soils report and soils engineer and must comply with the following:
    - (i) A plan review letter from the project soils engineer is required.
    - (ii) Include notes on the grading plan that clearly show the existing trees to be retained. No grading is allowed within the tree protection areas of all trees to be retained.
    - (iii) Note a County-approved location for the disposal of off-hauled soil.
    - (iv) Include the lateral extents of overexcavation on the grading plans.
    - (v) Provide the soil engineer contact information and cite the report prepared for the project. Also note that construction will comply with the recommendations of the report.
    - (vi) The final grading plans shall be reviewed and approved by the Environmental Planning Section of the Planning Department and the Department of Public Works.
    - (vii) The grading plans shall provide a thorough and realistic

representation of all grading necessary to complete this project. Provide the pad elevations, in addition to the floor elevations, on both the grading and drainage plans.

4. Prior to any building permit issuance or ground disturbance, a detailed erosion and sediment 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 and sediment control plans shall identify the type of erosion and sediment control practices to be used and shall include the following:
  - a. Show a rock construction entrance.
  - b. An effective sediment barrier (silt fence) placed along the perimeter of the disturbance area, located downslope of where drainage paths flow, and maintenance of the barrier.
  - c. Spoils management that prevents loose material from clearing, excavation, and other activities from entering any drainage facility.
  - d. A plan to prevent construction vehicles from carrying soil, dirt, gravel or other material onto public streets. The owner/applicant is responsible for cleaning the street should materials from the site reach the street.
  - e. Silt and grease traps shall be installed according to the approved improvement plans. Sediment barriers shall be maintained around all drain inlets during construction.
5. Show all existing trees which are to be retained. In addition, provide a tree protection plan which shows the locations of the tree protection fencing and any addition protection measures per the recommendations of the project arborist. A plan review and approval letter from the project arborist is required prior to recordation of the Parcel Map.
6. Obtain a Demolition Permit to remove existing structures from the property. Prior to issuance of a Demolition Permit the following shall be completed:
  - a. All existing sewer laterals must be capped at the property line and cleared by the District inspector.
  - b. Contact the Monterey Bay Unified Air Pollution Control District prior to the issuance of any demolition permit.

- c. Obtain a Special Inspection of the existing dwelling on APN 031-053-02 to determine whether the structure is suitable for relocation. Make the building available for relocation as required.

III. Prior to any site disturbance or physical construction on the subject property the following condition(s) shall be met:

- A. Prior to any disturbance, the owner/applicant shall organize a pre-construction meeting on the site. The applicant, the project arborist, grading contractor, Department of Public Works Inspector, and Environmental Planning Staff shall participate. Temporary construction fencing shall be in place for the meeting and for the duration of construction, which marks the disturbance envelope. Tree protection measures shall be installed per the recommendations of the project arborist. During the meeting, the applicant shall identify tree protection measures and erosion control measures to be implemented during construction.
- B. Obtain an Encroachment Permit for the installation of roadside improvements located within the County right-of-way.
- C. The property owner will be responsible for applicable street trenching fees as detailed in County Code 9.80 (Street Trench Cut Cost Recovery Fee).

IV. All future construction within the property shall meet the following conditions:

- A. No structures are allowed within the construction buffer and no development is allowed within the riparian buffer. Development is defined in County Code 16.30.030 and includes: grading, land clearing, building, paving, tree and shrub removal, the deposition of refuse or debris, and the use of pesticides, herbicides or any toxic chemicals.
- B. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. Obtain an Encroachment Permit from the Department of Public Works for any work performed in the public right of way. All work shall be consistent with the Department of Public Works Design Criteria unless otherwise specifically excepted by these conditions of approval.
- C. All of the existing frontage improvements on Gross Road, including the sidewalk return onto 40<sup>th</sup> Avenue shall be protected during construction. Should any portion of the improvements be damaged in the course of this project, the property owner shall replace the damaged portion in-kind and to the County Design Criteria standards.
- D. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control

plan that may or may not be granted.

- E. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests, or to carry out work required by another of these conditions).
- F. All construction shall comply with the current California Building Code.
- G. 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.
- H. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
  - 1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning.
  - 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site. If water rationing is in effect at the time of construction, please contact the Planning Department.
  - 3. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- I. Construction of improvements shall comply with the requirements of the geotechnical report prepared by Friar Associates and dated March 2007. The project geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report(s).
- J. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lots.



- K. The project engineer who prepares the grading plans must certify in writing that the grading was completed in conformance with the approved tentative map and/or engineered improvement plans.

V. Operational Conditions

- A. Annual inspection of the silt and grease traps shall be performed and reports sent to the Drainage section of the Department of Public Works on an annual basis. Inspections shall be performed prior to October 15 each year. The expense for inspections and report preparation shall be the responsibility of the Homeowners Association.
  - 1. A brief annual report shall be prepared by the trap inspector at the conclusion of each October inspection and submitted to the Drainage section of the Department of Public Works within 5 days of the inspection. This monitoring report shall specify any repairs that have been done or that are needed to allow the trap to function adequately.
- B. All drainage features, including the inlets, swales and pervious paving, shall be permanently maintained by the property owner(s).
- C. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.

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.
- A. 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.

---

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

**Please note: This permit expires two years from the effective date listed below unless a building permit (or permits) is obtained for the primary structures described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

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

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

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

---

Paia Levine  
Principal Planner

---

Annette Olson  
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: 07-0760

Assessor Parcel Number: 028-053-02, 028-053-16

Project Location: 2230 40th Avenue and 3910 Gross Road

**Project Description:** Proposal to demolish the existing structures on APN 031-053-02, adjust the property boundary with APN 031-053-16 and divide the parcel into two new residential parcels and construct two new single-family dwellings.

**Person or Agency Proposing Project:** Dee Murray

**Contact Phone Number:** (831) 475-5334

- 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:

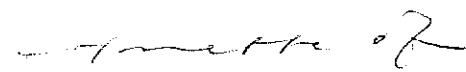
E. ☒ **Categorical Exemption**

Specify type: Class 15 - Minor Land Divisions (Section 15315)

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

Minor land division within an urbanized area with all urban services available.

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



Annette Olson, Project Planner

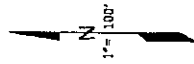
Date: 4/1/09

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.  
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1998

POR. RANCHO ARROYO DEL RODEO  
 SEC. 9 & 16, T.11S., R.1W., M.D.B. & M.

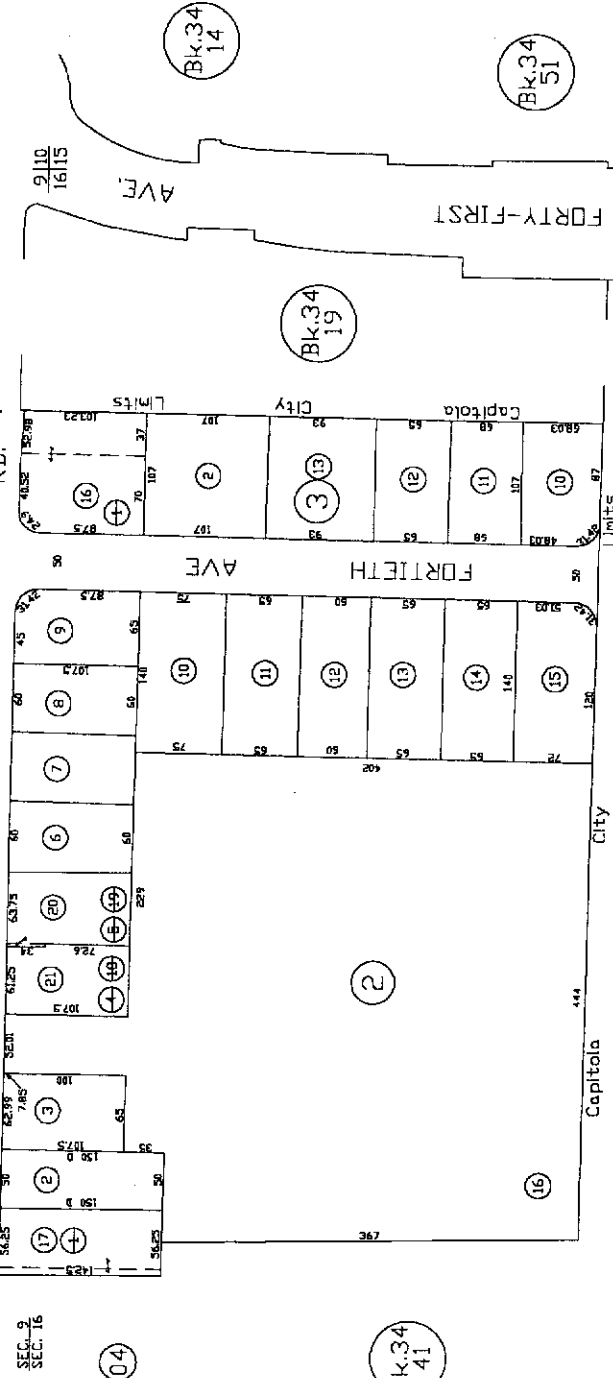
Tax Area Code  
 96-103

31-05



(02)

GROSS



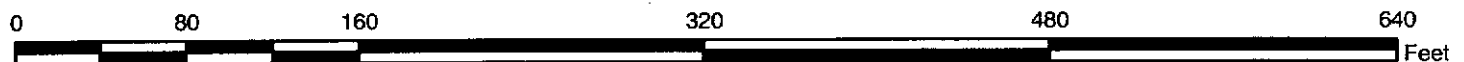
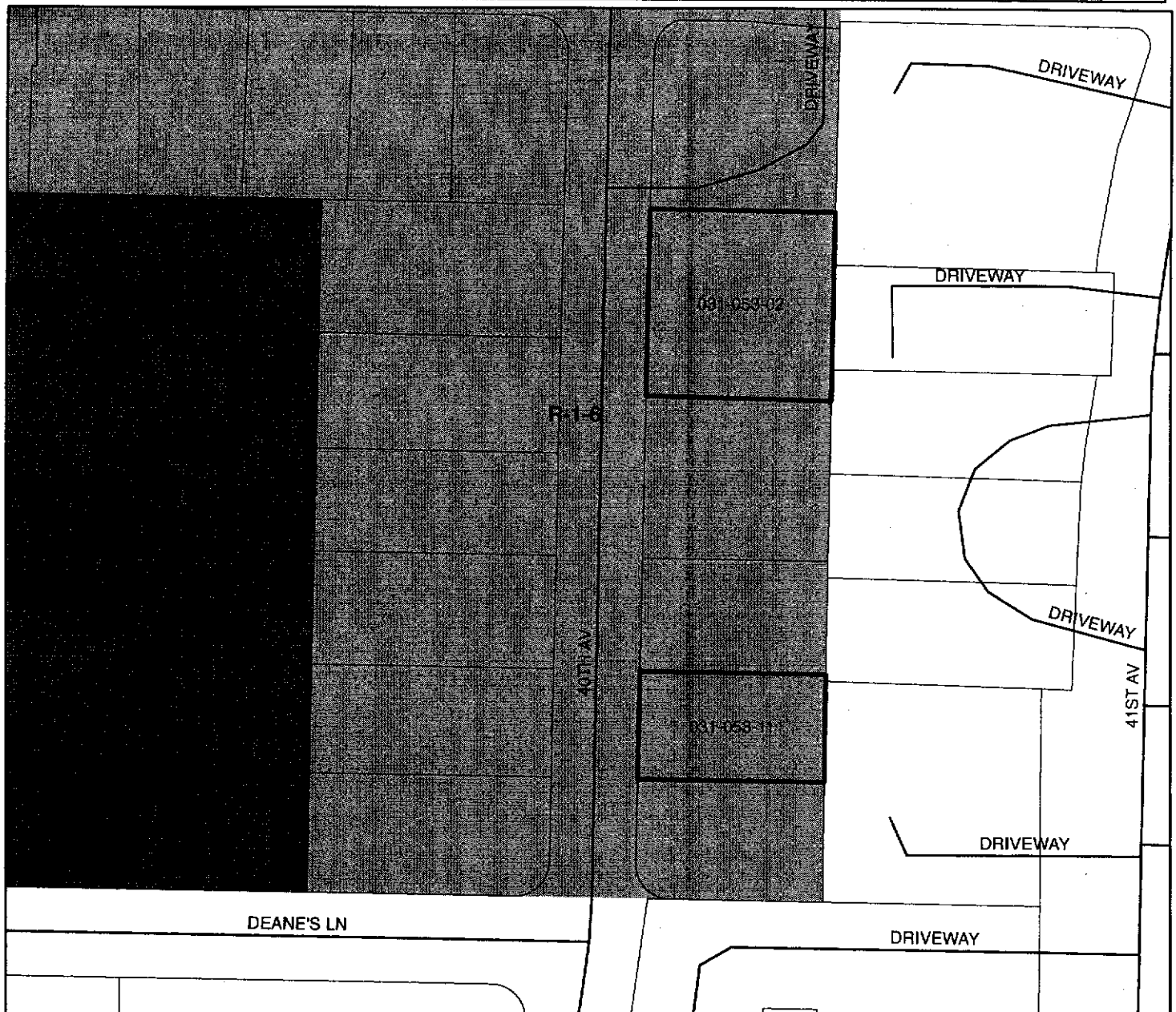
Assessor's Map No. 31-05  
 County of Santa Cruz, Calif.  
 Oct. 1998

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








Electronically Redrawn 10/8/98  
 Rev 11/21/00 CB 00-0048459, LSA 2-20 & 21  
 Rev 2/28/02 KSA 00-0071824, To St. 3-16

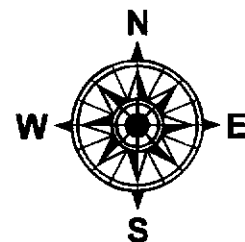


# Zoning Map



## LEGEND

-  APN: 031-053-11
-  APN: 031-053-02
-  Assessors Parcels
-  Streets
-  County Boundary
-  RESIDENTIAL-MULTI FAMILY
-  RESIDENTIAL-SINGLE FAMILY

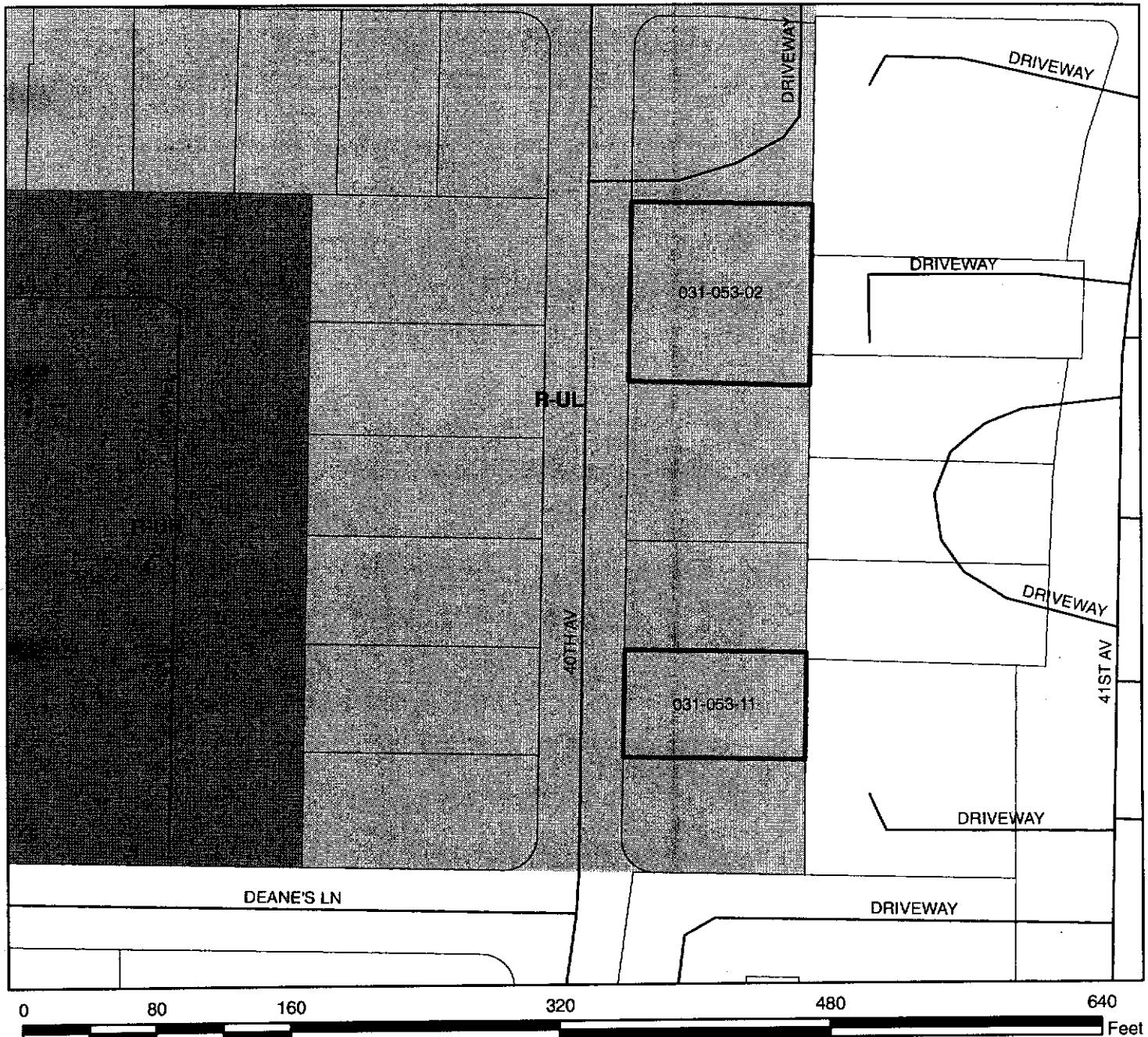


Map created by  
County of Santa Cruz  
Planning Department  
November 2007








**EXHIBIT F**

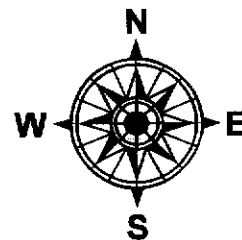


# General Plan Designation Map



## LEGEND

-  APN: 031-053-11
-  APN: 031-053-02
-  Assessors' Parcels
-  Streets
-  County Boundary
-  Residential - Urban Low Density
-  Residential - Urban High Density



Map created by  
County of Santa Cruz  
Planning Department  
November 2007

**EXHIBIT F**



WATER DEPARTMENT  
212 Locust Street, Suite C, Santa Cruz CA 95060 Phone (831) 420-5200 Fax (831) 420-5201

April 1, 2009

Dee Murray  
2272 Kinsley St.  
Santa Cruz, CA 95062

Re: APN 031-053-02, 2230 40<sup>TH</sup> Ave. & 3910 Gross Rd./Combine 2 Parcels & Create 3 Parcels,  
1 Existing SFD to Remain, Demo & Replace 1 SFD and Construct 1 New SFD

Dear Ms. Murray:

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

Bill Kocher  
Director

BK/sr  
P:\WTEN\EngTech\Sherry's\Water Availability 031-053-02.doc  
Cc: SCWD Engineering



# Santa Cruz County Sanitation District

701 OCEAN STREET, SUITE 410, SANTA CRUZ, CA 95060-4073  
(831) 454-2160 FAX (831) 454-2089 TDD: (831) 454-2123

THOMAS L. BOLICH, DISTRICT ENGINEER

March 30, 2009

DEE MURRAY  
2272 KINSLEY STREET  
SANTA CRUZ, CA 95062

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

APN: 31-053-02, 16 APPLICATION NO.: NONE  
PARCEL ADDRESS: 2230 - 42ND AVENUE, SANTA CRUZ, CA  
PROJECT DESCRIPTION: MINOR LAND DIVISION AND LOT LINE ADJUSTMENT

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 issuance of demolition permit or relocation or disconnection of structure. An abandonment permit for disconnection work must be obtained from the District.



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.

Yours truly,

THOMAS L. BOLICH  
District Engineer

By: 

Rachél Lather  
Senior Civil Engineer

CML:bbs/280.wpd

c: Property Owner: Robert and Karen Stuart  
P. O. Box 66339  
Scotts Valley, CA 95067  
Property Owner: Greg and Laurie Heath  
3139 Corte Cabrillo  
Aptos, CA 95003

## INTEROFFICE MEMO

APPLICATION NO: 07-0670 (second routing)

Date: September 25, 2008

To: Annette Olson, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Review of minor land division at Gross Road and 40<sup>th</sup> Avenue, Santa CruzDesign Review Authority

## 13.11.040 Projects requiring design review.

- (d) All 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
<b>Compatible Site Design</b>			
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			N/A
Relationship to existing structures	✓		
<b>Natural Site Amenities and Features</b>			
Relate to surrounding topography			N/A
Retention of natural amenities			N/A
Siting and orientation which takes advantage of natural amenities			N/A
Ridgeline protection			N/A
<b>Views</b>			

Protection of public viewshed			N/A
Minimize impact on private views	✓		
<b>Safe and Functional Circulation</b>			
Accessible to the disabled, pedestrians, bicycles and vehicles			N/A
<b>Solar Design and Access</b>			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
<b>Noise</b>			
Reasonable protection for adjacent properties	✓		

**13.11.073 Building design.**

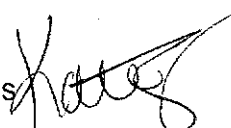
Evaluation Criteria	Meets criteria In code ( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
<b>Compatible Building Design</b>			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion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

Solar Design			
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	✓		

**Urban Designers comments:**

- *none*

**COUNTY OF SANTA CRUZ**  
**DEPARTMENT OF PUBLIC WORKS**  
INTER-OFFICE CORRESPONDENCE

DATE: September 25, 2008  
TO: Annette Olson, Planning Department  
FROM: Kate Seifried, Department of Public Works   
SUBJECT: APPLICATION 07-0670, APN 031-053-02, 11, 40<sup>th</sup> and Gross

---

As with all minor land divisions, the developer will have to submit a parcel map and improvement plans to Public Works for review and approval. 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 on this application:

1. The minor land division number should be added to all sheets of the tentative map and improvement plans.
2. Sidewalk should continue to extend to south property line. If Planning Commission decides to not require sidewalks, at a minimum curb and gutter should be provided at the edge of the gravel path.

I'll defer to the traffic and drainage folks for any comments relevant to their areas of concern.

If you have any questions or would like to discuss these comments, please call me at extension 2824.

KNS:kns



## MEMORANDUM

**DATE:** April 18, 2008  
**TO:** Dee Murray, Land Use Consultant  
**FROM:** Melissa Allen, RDA Project Manager *MAA*  
**CC:** Annette Olson, Project Planner; Steve Guiney, Planning/RDA; Greg Martin, DPW  
**RE:** 07-0670 at 2230 40<sup>th</sup> Avenue, APN 031-053-02 & 16 - Road Improvements

This memo is being sent in response to your letter dated April 8, 2008. In review of your letter, with attached photos of this segment of 40<sup>th</sup> Avenue and neighbor's petition, the Redevelopment Agency (RDA) has reevaluated previous comment #1 on this application for a lot line adjustment and two parcel minor land division (please see previous comments dated December 6, 2007, attached). The following site and nearby conditions were considered in this reevaluation:

- ◆ Fortieth Avenue currently has a 50 foot wide right-of-way (ROW), with existing pavement ranging from roughly 25 to 35 feet (with 40 feet to 50 feet typically available including the road shoulders);
- ◆ No future improvements are planned for this segment of 40<sup>th</sup> Avenue at this time;
- ◆ This neighborhood is fully developed and basically built-out with existing single family homes;
- ◆ There are existing mature trees along the edge of ROW which could be impacted by new roadside improvements;
- ◆ The majority of nearby neighbors have expressed a preference to maintain the informal, unimproved nature (rural character) of this segment of 40<sup>th</sup> Avenue;
- ◆ There is an existing barricade between this neighborhood and the remainder of the street to the south which leads to the commercial businesses along 41<sup>st</sup> Avenue in Capitola;
- ◆ There are not existing sidewalk improvements along the east side which frontage improvements along this site could connect with toward the commercial centers to the south; and,
- ◆ Gross Road Improvements were recently constructed by DPW/RDA (page 7 of 23, plans dated 5/04 with "As Built" modifications dated 4/05/05).

Based on these factors, RDA is not opposed to a roadway/roadside exception in conjunction with this application. Please however, consider the other comments in the previous RDA review memo as still standing with the following exception. In lieu of installing street trees in conjunction with standard roadside improvements (Previous Comment #2), RDA recommends that at least 1 front yard tree(s) be installed at 24-inch box size(s) on each of the two new lots. RDA also strongly encourages the retention and protection of existing mature trees in project design. Please note that existing trees within the 40<sup>th</sup> Avenue public ROW must be retained and protected (e.g. the mature 24" tree in front of the northern parcel). New driveway configuration design(s) should accommodate this on the plans. RDA also recommends that the area fronting along the two new parcels within the ROW be improved with an all weather surface/paved to the existing edge of pavement (while protecting existing trees) in order to provide the opportunity for on-street parking.

**C O U N T Y   O F   S A N T A   C R U Z**  
**DISCRETIONARY APPLICATION COMMENTS**

**Project Planner:** Annette Olson  
**Application No.:** 07-0670  
**APN:** 031-053-02

**Date:** April 27, 2009  
**Time:** 09:54:52  
**Page:** 1

---

**Environmental Planning Completeness Comments**

===== REVIEW ON DECEMBER 4, 2007 BY CAROLYN I BANTI =====

The following are completeness comments in regards to soils and grading issues:

1. The soils report has been accepted. Please see letter dated 12/4/07.
  2. Please revise the plans to show the 15' building setback line relative to the retaining wall on the eastern property line as recommended in the soils report.
  3. Please revise the earthwork quantities to include overexcavation and recompaction as required by the soils report.
  4. Prior to the discretionary application being deemed complete a geotechnical plan review letter shall be submitted to Environmental Planning. The author of the soils report shall write the plan review letter. The letter shall state that project plans conform to the report's recommendations and shall reference reviewed sheets by both drawing and revision dates. ===== UPDATED ON DECEMBER 4, 2007 BY ANTONELLA GENTILE =====
  5. Specify the species of all trees with a diameter at breast height of 6 inches or more. ===== UPDATED ON SEPTEMBER 26, 2008 BY CAROLYN I BANTI =====
- Comments Addressed ===== UPDATED ON SEPTEMBER 26, 2008 BY ANTONELLA GENTILE =====

Tree species labels not required for completeness.

All comments per Environmental Planning have been addressed.

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON DECEMBER 4, 2007 BY CAROLYN I BANTI =====

The following are compliance comments with respect to soils and grading issues:

No Comment

The following are miscellaneous comments/conditions of approval with respect to soils and grading issues:

1. Please submit geotechnical plan review letters with the building permit application and improvement plans.
2. Please include the following on plans to be submitted with the building permit application:
  - Revise the erosion control plan to include a rocked construction entrance.
  - Note county approved location for the disposal of off-hauled soil

## Discretionary Comments - Continued

Project Planner: Annette Olson  
Application No.: 07-0670  
APN: 031-053-02

Date: April 27, 2009  
Time: 09:54:52  
Page: 2

- Include lateral extents of overexcavation on the grading plans
  - Provide soil engineer contact information and cite the report prepared for the project. Also note that all construction will comply with the recommendations of the report.
  - Include 15' setback line relative to the retaining wall at the rear of the property as identified in the soils report. ===== UPDATED ON DECEMBER 4, 2007 BY ANTONELLA GENTILE =====
- Additional compliance comments/conditions:

3. As stated in Chapter 13.11 of the County Code, "mature trees over 6 inches DBH shall be incorporated into the site and landscape design unless other provisions of this subsection allow removal." As shown, the proposal minimizes tree removal. Changes to the grading plan or site design may result in the requirement of a report prepared by a certified arborist that evaluates the health of all trees on the site and makes recommendations for their protection.

4. Building and improvement plans must show tree protection fencing for all trees to be retained. The fencing should extend around the tree and to the limit of grading where applicable. ===== UPDATED ON SEPTEMBER 26, 2008 BY CAROLYN I BANTI =====

No additional Compliance Comments or Conditions of Approval ===== UPDATED ON SEPTEMBER 26, 2008 BY ANTONELLA GENTILE =====  
No additional compliance and/or conditions per Environmental Planning.

### Dpw Drainage Completeness Comments

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

Application with civil plans dated November 2008 has been received. The application is deemed complete with respect to the discretionary permit application stage.

See miscellaneous comments for more information.

===== REVIEW ON DECEMBER 9, 2007 BY LOUISE B DION =====

Application with civil plans dated March 20, 2007 has been received. Please address the following:

- 1) Please include a break down of all existing and proposed pervious and impervious areas on plans. Also provide predevelopment calculation for 5 year storm event.
- 2) Proposed drainage plan indicates that all surface runoff will remain on the parcel. Please describe the pathways of runoff in the event of overflow.
- 3) Please clarify whether property receives any upstream runoff and note whether there are any preexisting drainage issues in the area.

If you have questions, please contact me at 831-233-8083.



Discretionary Comments - Continued

Project Planner: Annette Olson  
Application No.: 07-0670  
APN: 031-053-02

Date: April 27, 2009  
Time: 09:54:52  
Page: 3

===== UPDATED ON DECEMBER 9, 2007 BY LOUISE B DION =====  
===== UPDATED ON DECEMBER 9, 2007 BY LOUISE B DION =====  
===== UPDATED ON DECEMBER 9, 2007 BY LOUISE B DION =====  
===== UPDATED ON SEPTEMBER 18, 2008 BY LOUISE B DION =====

Application with civil plans dated August 2008 has been received. Please address the following:

1) Per plan sheet C-6 the soil permeability in the area of development can be considered 1.27 in/hr. However this rate applies only to the top 18-inches of soil. The soil permeability from 18-inches-39-inches is <0.06 in/hr. Per discussion with Luke Beautz, the pervious concrete will be 6-inches deep with an 8-inch deep aggregate base. This leaves about 4-inches of the more permeable soil before hitting the highly impermeable soil horizon (0.06 in/hr). Thus the retention design while acting as a BMP is also a water detaining structure. Please provide a method to drain water collected beneath the pervious concrete.

Due to the fact that the increase in impervious area is small, orifice control of this discharge is not required. You may however consider placing the drain pipe such that water is retained for smaller storm events.

2) C value used in the calculations for pervious concrete should be changed 0.9 to reflect the fact that the water is detained rather than infiltrated. If the drain pipe allows for smaller storm retention then  $C=0.3$  may be used.

3) Describe overflow path from larger storm event and demonstrate that runoff of will be conveyed to a safe point of release.

4) Runoff from parcels B and C is routed north towards the 18-inch storm drain system located on Gross Road. Further along Gross (east) the diameter increases to 24-inches. Provide an evaluation of the capacity of existing system along Gross Avenue to accommodate the locally diverted runoff from parcels A and B.

===== UPDATED ON SEPTEMBER 18, 2008 BY LOUISE B DION =====  
===== UPDATED ON NOVEMBER 22, 2008 BY LOUISE B DION =====  
===== UPDATED ON APRIL 7, 2009 BY LOUISE B DION =====

Correspondence dated March 23, 2009 to Rob Stuart from Luke Beautz has been received and reviewed. The subject of the letter is potential drainage impacts associated with the County's requirement that a curb, gutter and sidewalk be installed along the 40th Avenue frontage of the parcels under development.

The letter states that under larger storm events the water concentrated along the flow line of the curb and gutter may overtop the 2 inch berm on the adjacent downstream driveway rather than follow down the existing shallow swale. Spot elevations taken by Mr. Beautz on the vicinity of the transition from curb, gutter and sidewalk back to the existing swale indicate that the neighboring driveway is sloped away from the berm at a grade of +/- 1% while the swale is at +/- 0.4%. However the letter does not quantify the amount of flow that will not be contained in the swale. This information is required in order to assess the conclusion of the overflow

## Discretionary Comments - Continued

Project Planner: Annette Olson  
Application No.: 07-0670  
APN: 031-053-02

Date: April 27, 2009  
Time: 09:54:52  
Page: 4

potential.

Please provide a quantitative assessment of the flow anticipated to overtop the asphalt berm rather than flow down the swale.

If you have questions, please contact me at 831-233-8083.

### Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON DECEMBER 9, 2007 BY LOUISE B DION =====  
Prior to final map recordation please address:

1) You may be eligible for fee and impact credits for pre-existing impervious areas to be demolished. To be entitled for credits for pre-existing impervious areas, please submit documentation of permitted impervious areas (buildings, paved areas, gravel areas etc.) to establish eligibility. Documentations such as assessor's records, surveys records, or other official records will help establish and determine the dates they were built, the structure footprint, or to confirm if a building permit was previously issued is accepted.

2) Please note that the Environmental Protection Agency (EPA) defines a class V injection well as any bored, drilled, or driven shaft, or dug hole that is deeper than its widest surface dimension, or an improved sinkhole, or a subsurface fluid distribution system. Such storm water drainage wells are -authorized by rule-. For more information on these rules, contact the EPA. A web site link is provided from the County DPW Stormwater Management web page. Although the County does not exclude the design and use of facilities that may fall under these EPA regulations, we would prefer to applicant to use other methods to control the surface runoff.

If you have questions, please contact me at 831-233-8083.

===== UPDATED ON DECEMBER 9, 2007 BY LOUISE B DION =====

===== UPDATED ON SEPTEMBER 18, 2008 BY LOUISE B DION =====

In addition to comment #1 from previous miscellaneous comment at the time of map recording provide an easement for all common drainage facilities provide recorded maintenance agreement(s) for the the porous pavement. Include maintenance recommendations for each facility and identify who is responsible for maintenance of each facility on the final plans. The agreement shall also provide wording to the effect that future resurfacing of pervious with impermeable material is not permissible.

## Discretionary Comments - Continued

**Project Planner:** Annette Olson  
**Application No.:** 07-0670  
**APN:** 031-053-02

**Date:** April 27, 2009  
**Time:** 09:54:52  
**Page:** 5

Please note that Christy V-64 drain boxes located on Parcel A shall have a solid covers.

===== UPDATED ON NOVEMBER 22, 2008 BY LOUISE B DION =====

All applicable miscellaneous comments must be addressed prior to recording of final map.

===== UPDATED ON NOVEMBER 22, 2008 BY LOUISE B DION =====

### Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON DECEMBER 3, 2007 BY DEBBIE F LOCATELLI =====

THE FOLLOWING SHALL BE CONDITIONED AS PART OF THE DISCRETIONARY PERMIT: Encroachment permit shall be required for any improvements that Road Engineering requires within the County right-of-way. Encroachment permit shall be applied for at the time of building application submittal.

### Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON DECEMBER 3, 2007 BY DEBBIE F LOCATELLI =====

No comment.

### Dpw Road Engineering Completeness Comments

===== REVIEW ON DECEMBER 4, 2007 BY GREG J MARTIN =====

The standard for the road width on Fortieth Street is 34 feet curb face to curb face. We recommend separated sidewalk along the frontage of the project. This will require a right-of-way dedication to the back of the sidewalk.

----- Frontage improvements are in place along Gross Road. The driveway onto Gross Road is recommended to be relocated to Fortieth Street if possible. All driveways are recommended to have a sidewalk with a minimum width of 3 feet behind the driveway apron. ----- Contact Greg Martin at 831-454-2811 with questions. =====  
BY RODOLFO N RIVAS =====

1) Our department will not support the exception to improvements for 40th Avenue since there are adjacent pedestrian improvements on Gross Road. Therefore, provide standard frontage improvements for 40th Avenue.

2) Provide a 3 foot ADA sidewalk pathway for the driveways on 40th Avenue.

===== UPDATED ON NOVEMBER 21, 2008 BY GREG J MARTIN =====

We recommend frontage improvements on 40th St be constructed to County standard. We do not support and exception since there are adjacent pedestrian improvements on Gross Road. Greg Martin 831-454-2811 =====  
UPDATED ON APRIL 27, 2009 BY GREG J

## Discretionary Comments - Continued

Project Planner: Annette Olson  
Application No.: 07-0670  
APN: 031-053-02

Date: April 27, 2009  
Time: 09:54:52  
Page: 6

MARTIN =====

We have no objection to an exception for a road width a 50 ft right-of-way and a contiguous sidewalk (ie. no landscaping strip ). We do recommend th at the sidewalk be constructed at this time as it can connect to existing sidewalk providing a connection to the City of Capitola.

### Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON DECEMBER 4, 2007 BY GREG J MARTIN =====  
===== UPDATED ON SEPTEMBER 19, 2008 BY RODOLFO N RIVAS =====  
NO COMMENT  
===== UPDATED ON NOVEMBER 21, 2008 BY GREG J MARTIN =====  
===== UPDATED ON APRIL 8, 2009 BY JACK R SOHRIAKOFF =====

The letter from Luke Beautz dated March 23, 2009, has been reviewed. DPW requires the improvement plans to show at least 100 feet in each direction beyond the end of frontage improvements in order to assess the drainage issues and to verify if additional offsite improvements may be warranted to counter any negative impacts of the new drainage pattern. Therefore, DPW still recommends the development be conditioned to construct standard curb, gutter, and sidewalk. When the improvement plans are submitted DPW will review the drainage situation and may have to require additional improvements. This is the reason why the preliminary improvement plans are needed prior to public hearing. Please let me know if you have any questions. ===== UP-DATED ON APRIL 27, 2009 BY GREG J MARTIN =====

### Dpw Sanitation Completeness Comments

===== REVIEW ON NOVEMBER 28, 2007 BY CARMEN M LOCATELLI =====  
Sewer service is currently available.  
Before applying for your demolition permit all existing sewer laterals must be capped at the property line and cleared by the District inspector. Until this has been done, your demolition permit will not be issued. No cost sewer lateral abandonment permit can be picked up at the Sanitation counter in Department of Public Works.

### Dpw Sanitation Miscellaneous Comments



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

December 4, 2007

Dee Murray  
2272 Kinsley Street  
Santa Cruz, CA, 95062

**Subject: Review of Geotechnical Investigation by Friar Associates, Inc.**  
**Dated March 2007; Project #: 1555**  
**APN 031-053-02, 16, Application #: 07-0670**

Dear Applicant:

The purpose of this letter is to inform you that the Planning Department has accepted the subject report and the following items shall be required:

1. All construction shall comply with the recommendations of the report.
2. Final plans shall reference the report and include a statement that the project shall conform to the report's recommendations. Plans shall also provide a thorough and realistic representation of all grading necessary to complete this project
3. Prior to the discretionary application being deemed complete, a *plan review letter* shall be submitted to Environmental Planning. The author of the report shall write the *plan review letter*. The letter shall state that the project plans conform to the report's recommendations.

After building permit issuance the soils engineer *must remain involved with the project* during construction. Please review the *Notice to Permits Holders* (attached).

Our acceptance of the report is limited to its technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. may require resolution by other agencies.

Please submit two copies of the report at the time of building permit application.

Please call the undersigned at (831) 454-5121 if we can be of any further assistance.

Sincerely,

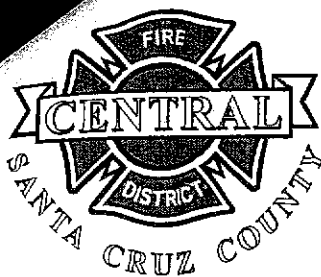
Carolyn Banti  
Associate Civil Engineer

Cc: Anette Olson, Environmental Planning  
Friar Associates, Inc.



SIO Info		Use Info					SIO Fees				Permit Fees					Totals	
Lat Size / Br Config	Use Type	Mtr ID	Mtr Size	Mtr Type	Num Units	Inst Fee	Water	Sys Dev Chgs Sewer	Zone Capacity	Insp Fee	Eng Hrs	BF Rvw Fee	Backflow Permit Type	# Dev	Permit Fee		
2 2" FS	Fire		5/8	Disc	1	\$263	\$0	\$0	\$0	\$0.00	180	1	\$50	\$0	0	\$0	
					Credits	\$0	\$0	\$0	\$0.00								
					Sub total Fees:	\$263	\$0	\$0	\$0	\$0.00							
					Sub total Credits:	\$0	\$0	\$0	\$0	\$0.00							
					SIO Totals:	\$263	\$0	\$0	\$0	\$0.00		1	\$50	\$0	0	\$0	\$313.00
SIO Info																	Totals
			Use Info														
Lat Size / Br Config	Use Type	Mtr ID	Mtr Size	Mtr Type	Num Units	Inst Fee	Water	Sys Dev Chgs Sewer	Zone Capacity	Insp Fee	Eng Hrs	BF Rvw Fee	Backflow Permit Type	# Dev	Permit Fee		Totals
2 2" F x 3/4"	Fire/Dom		5/8 x 5/8	Disc	1	\$526	\$6,530	\$0	\$0	\$0.00	180	1	\$50	\$0	0	\$0	
					Credits	\$0	\$0	\$0	\$0	\$0.00							
					Sub total Fees:	\$526	\$6,530	\$0	\$0	\$0.00							
					Sub total Credits:	\$0	\$0	\$0	\$0	\$0.00							
					SIO Totals:	\$526	\$6,530	\$0	\$0	\$0.00		1	\$50	\$0	0	\$0	\$7,106.00
					Grand Totals:	\$789	\$6,530	\$0	\$0	\$0.00		2	\$100	\$0	0	\$0	\$7,419.00

Total Permit Insp Fees: 360



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

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

**Date:** November 27, 2006  
**To:** Robert Stuart  
**Applicant:** **Dee Murray**  
**From:** Tom Wiley  
**Subject:** **07-0670**  
**Address:** **2230 40<sup>th</sup> Ave.**  
**APN:** 031-053-02  
**OCC:** 3105302  
**Permit:** 20070406

We have reviewed plans for the above subject project.

Based upon a review of the plans submitted, District requirements appear to have been met, and **PLANS ARE APPROVED FOR MINOR LAND DIVISION.**

Please ensure designer/architect reflects equivalent notes and requirements on velums as appropriate when submitting for **Application for Building Permit.**

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

SHOW on the plans a public fire hydrant, type and location, 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).

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) 479-6843 and leave a message, or email me at [tomw@centralfpd.com](mailto:tomw@centralfpd.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

*Serving the communities of Capitola, Live Oak, and Soquel*



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.  
3105302-112707

**Friar Associates, Incorporated . Engineers . Consultants**  
**Soils . Foundations . Geology . Geotechnology**

---

2656 Nicholson Street, San Leandro, CA 94577

Tel: (510) 351-3930 Fax: (510) 351-1020

August 25, 2008

Project 1555

Mr. Rob Stuart

**TIMBERWORKS**

P.O. Box 66339

Scotts Valley, CA 95067

Dear Rob:

Grading And Drainage Plan Review  
2-Lot Subdivision  
9410 Gross Road  
Santa Cruz County, California

Per the request of the Luke R. Beautz and in accordance the requirements of the County of Santa Cruz, we have reviewed the geotechnical aspects of the grading and drainage plan for the proposed 2-Lot subdivision at the subject site. The site is located on the southeast corner of the intersection of Gross Road with 40<sup>th</sup> Avenue, a short distance south of Highway 1 in Santa Cruz County, California. The grading and drainage plan and details dated August 2008, were prepared by Luke R Beautz.

We find the grading and drainage plan and details to be in substantial conformance with the intent of the recommendations given in the project geotechnical investigation report prepared by this office and dated March 31, 2007.

Sincerely,

**FRIAR ASSOCIATES, INCORPORATED**

  
John H. Friar

CE 52281

Copies: Addressee (3)



**Friar Associates, Incorporated** . Engineers . Consultants  
Soils . Foundations . Geology . Geotechnology

---

2656 Nicholson Street, San Leandro, CA 94577  
Tel: (510) 351-3930 Fax: (510) 351-1020

**GEOTECHNICAL INVESTIGATION  
PROPOSED 2-LOT SUBDIVISION**

~~9410 GROSS ROAD~~ 2230 40TH Ave.  
SANTA CRUZ, CALIFORNIA

PROJECT 1555

Prepared for

Timberworks  
P.O. Box 66339  
Scotts Valley, CA 95067

Prepared by

**FRIAR ASSOCIATES, INCORPORATED**  
2656 Nicholson Street  
San Leandro, California 94577

March 2007

March 31, 2007  
Project 1555

6. Observe, test and advise during utility trench backfilling.

### LIMITATIONS

The recommendations contained in this report are based on certain plans, information and data that have been provided to us. Any change in those plans, information and data will render our recommendations invalid unless we are commissioned to review the change and to make any necessary modifications and/or additions to our recommendations.

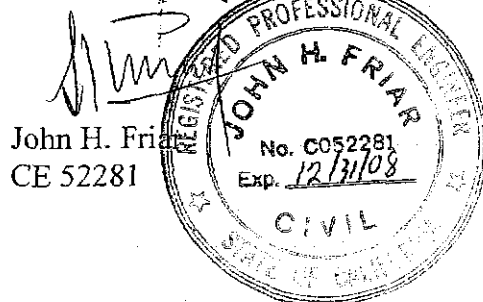
Subsurface exploration of any site is necessarily confined to selected locations. Conditions may, and often do, vary between and around such locations. Should conditions different from those encountered in our explorations come to light during project development, additional exploration, testing and analysis may be necessary; changes in project design and construction may also be necessary.

Our recommendations have been made in accordance with the principles and practices generally employed by the geotechnical engineering profession. This is in lieu of all other warranties, express or implied.

All earthwork and associated construction should be observed by our field representative, and tested where necessary, to compare the generalized site conditions assumed in this report with those found at the site at the time of construction, and to verify that construction complies with the intent of our recommendations.

Report prepared by:

**FRIAR ASSOCIATES, INCORPORATED**



March 31, 2007  
Project 1555

building foundations, concrete slabs and vehicle pavements. In these areas, backfill should be conditioned with water (or allowed to dry) to produce a soil-water content of about five percent above the optimum value and placed in horizontal layers not exceeding six inches in thickness (before compaction). Each layer should be compacted to 85-90 percent relative compaction based on ASTM Test D1557-91. The upper eight inches of pavement subgrades should be compacted to about 90 percent relative compaction based on ASTM Test D1557-91.

Where any trench crosses the perimeter foundation line of any building, the trench should be completely plugged and sealed with compacted clay soil for a horizontal distance of at least two feet on either side of the foundation.

### Surface Drainage

Surface drainage gradients should be planned to prevent ponding and to promote drainage of surface water away from top of slopes, building foundations, slabs, edges of pavements and sidewalks, and towards suitable collection and discharge facilities.

Water seepage or the spread of extensive root systems into the soil subgrades of foundations, slabs, or pavements, could cause differential movements and consequent distress in these structural elements. This potential risk should be given due consideration in the design and construction of landscaping.

To minimize the potential for erosion of surface soils that could be caused by surface water runoff, provisions should be made to collect and control surface runoff.

### Follow-up Geotechnical Services

Our recommendations are based on the assumption that **FRIAR ASSOCIATES, INCORPORATED** will be commissioned to perform the following services.

1. Review final grading and foundation plans prior to construction.
2. Observe, test and advise excavation and removal of existing building foundations and other subsurface elements.
3. Observe and during site grading and placement of structural fill.
4. Test proposed capillary break material that will be used beneath concrete slabs-on-grade and advise on suitability.
5. Observe and advise during foundation excavations and construction.

March 31, 2007  
Project 1555

### Concrete Slabs-On-Grade

Concrete floor slabs should be constructed on compacted soil subgrades prepared as described in the section on "Site Preparation, Grading and Compaction".

To minimize floor dampness, a section of capillary break material at least five inches thick and covered with a membrane vapor barrier should be placed between the floor slab and the compacted soil subgrade. The capillary break should be a free-draining material, such as 3/8" pea gravel or a permeable aggregate complying with CALTRANS Standard Specifications, Section 68, Class 1, Type A or Type B. The material proposed for use as a capillary break should be tested in our laboratory to verify its effectiveness as a capillary break. The membrane vapor barrier should be a high quality membrane. A protective cushion of sand or capillary break material at least two inches thick should be placed between the membrane vapor barrier and the floor slab.

If floor dampness is not objectionable, concrete slabs may be constructed directly on a minimum four-inch thick aggregate base material overlying the water-conditioned and compacted soil subgrade. The aggregate base material should be compacted to at least 93 percent of the maximum dry density as determined by ASTM Test Method 1557-91.

### Utility Trenches

The attention of contractors, particularly the underground contractor, should be drawn to the requirements of California Code of Regulations, Title 8, Construction Code Section 1540 regarding Safety Orders for "Excavations, Trenches, Earthwork".

All temporary trenches and excavations five feet or deeper should be supported by adequately designed shoring systems. A lateral pressure of 45 pounds per cubic foot (pcf) equivalent fluid pressure may be used for the design of shoring for temporary excavations.

For purposes of this section of the report, bedding is defined as material placed in a trench up to one foot above any utility pipe and backfill is all material placed in the trench above the bedding.

Unless concrete bedding is required around utility pipes, free-draining sand should be used as bedding. Sand proposed for use in bedding should be tested in our laboratory to verify its suitability and to measure its compaction characteristics. Sand bedding should be compacted by mechanical means to achieve at least 90 percent compaction density based on ASTM Tests D1557-91.

Approved, on-site, inorganic soil, or imported material may be used as utility trench backfill. Proper compaction of trench backfill will be necessary under and adjacent to structural fill,

March 31, 2007  
Project 1555

(largest dimension) and no rocks larger than six inches. The suitability of on-site soil for reuse as a structural fill should be determined by a member of our staff at the time of grading.

If import soil is required for use as structural fill, it should be inorganic, should preferably have a low expansion potential and should be free from clods or rocks larger than four inches in largest dimension. Prior to delivery to the site, proposed import should be tested in our laboratory to verify its suitability for use as structural fill and, if found to be suitable, further tested to estimate the water content and density at which it should be placed.

### **Building Foundations**

The proposed buildings may be supported on conventional, shallow footing-type foundations provided that a level building pad is created during grading. Continuous, reinforced concrete foundations may be designed to impose pressures on foundation soils up to 2000 pounds per square foot from dead plus normal live loading. Continuous foundations should be at least 12 inches wide and should be embedded at least 15 inches below rough pad grade or adjacent finished grade, whichever is lower.

Interior isolated foundations, such as may support column loads, may be designed to impose pressures on foundation soils up to 2000 pounds per square foot from dead plus normal live loading. Interior foundations should be embedded at least 15 inches below rough pad grade and should be at least 15 inches in smallest dimension.

To resist lateral loads a passive resistance equivalent to a fluid with a unit weight of 250 pounds per cubic foot may be assumed against the foundations in the foundation soils. Alternatively, an ultimate friction factor of 0.30 may be assumed between the bottom of foundation and the supporting foundation soils. Unless the ground surface adjacent to building foundation is paved no passive resistance should be assumed in the top 12 inches of foundation soils. If both passive resistance and friction factors are used, the smaller value should be reduced by fifty percent.

The allowable foundation pressures given above may be increased by one-third when considering additional short-term wind or seismic loading.

During foundation construction, care should be taken to minimize evaporation of water from foundation and floor subgrades. Scheduling the construction sequence to minimize the time interval between foundation excavation and concrete placement is important. Concrete should be placed only in foundation excavations that have been kept moist, are free from drying cracks and contain no loose or soft soil or debris.

March 31, 2007  
Project 1555

exposed during construction with those that were observed during this investigation.

### Site Preparation, Grading and Compaction

The existing building is to be demolished. We recommend that the associated foundations, slabs-on-grade and other subsurface elements thereof be removed and hauled off site.

Areas of the site that will be built on or paved should be stripped to remove surface vegetation and organic matter. Soils containing more than two percent by weight of organic matter should be considered organic.

Loose soils under areas of the site that will be built on, paved or covered with concrete slab-on-grade should be excavated out. The depth and horizontal limits of these excavations should be determined in the field by a member of our staff at the time of excavation. For planning purposes, however, it may be assumed that these excavations will extend to an average depth of four feet below existing grade, will extend five feet horizontally beyond proposed building lines, and will extend three feet horizontally beyond the edges of pavement.

Any subsurface structures that may be in existence at the proposed development site and will be designated for removal on the Project Plans should be demolished and their associated foundation elements should be dug out and removed. Utility lines, leach lines, sanitary sewers and storm drains designated for abandonment on the Project Plans, should be dug out and removed. The resulting voids and cavities should be backfilled with structural fill.

The proposed building and pavement areas should be excavated at least 24 inches below the stripped surface and replaced as structural fill. The subexcavation should extend a minimum of five feet beyond proposed building lines and three beyond the edges of slabs.

Soil surfaces exposed by subexcavation, excavations of loose fills and removal of underground elements should be scarified to a depth of eight inches, conditioned with water (or allowed to dry, as necessary) to produce a soil water content of about three percent above the optimum value and then compacted to 90 percent relative compaction based on ASTM Test D1557-91.

Structural fill may then be placed up to design grades in the proposed building and pavement areas. Structural fill using on-site inorganic soil, or approved import, should be placed in layers, each not exceeding eight inches thick (before compaction), conditioned with water (or allowed to dry, as necessary) to produce a soil water content of about three percent above the optimum value, and then compacted to 90 percent relative compaction based of ASTM Test D1557-91.

On-site soils proposed for use as structural fill should be inorganic, free from deleterious materials, and should contain no more than 15% by weight of rocks larger than three inches



March 31, 2007  
Project 1555

hazards due to ground shaking. Since no active faults are known to cross this property, the risk of earthquake-induced ground rupture occurring across the project site appears to be remote.

Should a major earthquake occur with an epicentral location close to the site, ground shaking at the site will undoubtedly be severe, as it will for other property in the general area. Even under the influence of severe ground shaking, the soils that underlie the area proposed for development are unlikely to liquefy.

The following general site seismic parameters may be used for design in accordance with the 1997 Uniform Building Code:

Seismic Zone:	4
Soil Type:	Sc: Stiff Soil/Soft Rock Profile
Seismic Source Type:	A; Source type A of distance 15 km (San Andreas) and for source type B of distance 9 km (Zayante - Vergeles)
	$N_a$ : 1.02
	$N_v$ : 1.04

## DISCUSSION

The principal geotechnical item that will impact the new development are the near-surface soft/loose soils. To minimize the potential for post-construction settlement, the near-surface sand should be reprocessed. To provide uniform support for the new buildings, the area for the proposed buildings should be subexcavated to a depth of 24 inches below the existing ground surface and replaced as structural fill. This will minimize the potential for post-construction movement of building foundation elements.

The new building may be supported on shallow, footing-type foundations bearing on native competent soil or properly compacted fill. No building should be located within 15 feet of the retaining wall located along the south property line. Detail recommendations for site grading, drainage and foundation design are provided below.

## RECOMMENDATIONS

The following recommendations, which are presented as guidelines to be used by project planners and designers, have been prepared assuming FRIAR ASSOCIATES, INCORPORATION will be commissioned to review the grading and foundation plans prior to construction, and to observe and test during site grading and foundation construction. This additional opportunity to inspect the project site will allow us to compare subsurface conditions

DEE MURRAY  
LAND USE CONSULTANT  
2272 KINSLEY STREET  
SANTA CRUZ, CA. 95062  
(831) 475-5334  
OCTOBER 23, 2007

RE: Results of Neighborhood Meeting, 2230 – 40<sup>th</sup> Avenue and 3910 Gross Road  
APN: 031-053-02 & 16

A neighborhood meeting was held on June 28, 2007, as described on the attached notice. I am attaching the names, addresses and map ordered from the County of persons notified of the meeting. Signatures of persons attending the meeting are also attached. After reviewing the proposed plans that include the proposed lot line adjustment, land division and the architectural drawings, the neighbors voiced no objections to the proposal. They complemented the architectural designs. Mrs. Kenyon residing at 2201 - 40<sup>th</sup> Avenue said she was hoping that the neighbor to the south at 2220 – 40<sup>th</sup> Avenue was present to review the plans because she would be the one that would be most effected. We explained that we would be more than happy to meet with this neighbor at any time at her convenience to allow her the opportunity to review the plans and welcome any input that she might have. At that point Mrs. Kenyon walked over to Mrs. Murphy's home and she assisted her back to the meeting allowing her to review the plans. We informed Mrs. Murphy if she had any concerns about the second story bathroom windows there would be no problems with installing obscured glass. She commented that she was pleased with the architectural drawings and had no objections to the proposal.

DEE MURRAY  
LAND USE CONSULTANT  
2272 KINSLEY STREET  
SANTA CRUZ, CA. 95062  
(831) 475-5334  
JUNE 5, 2007

Dear Neighbor:

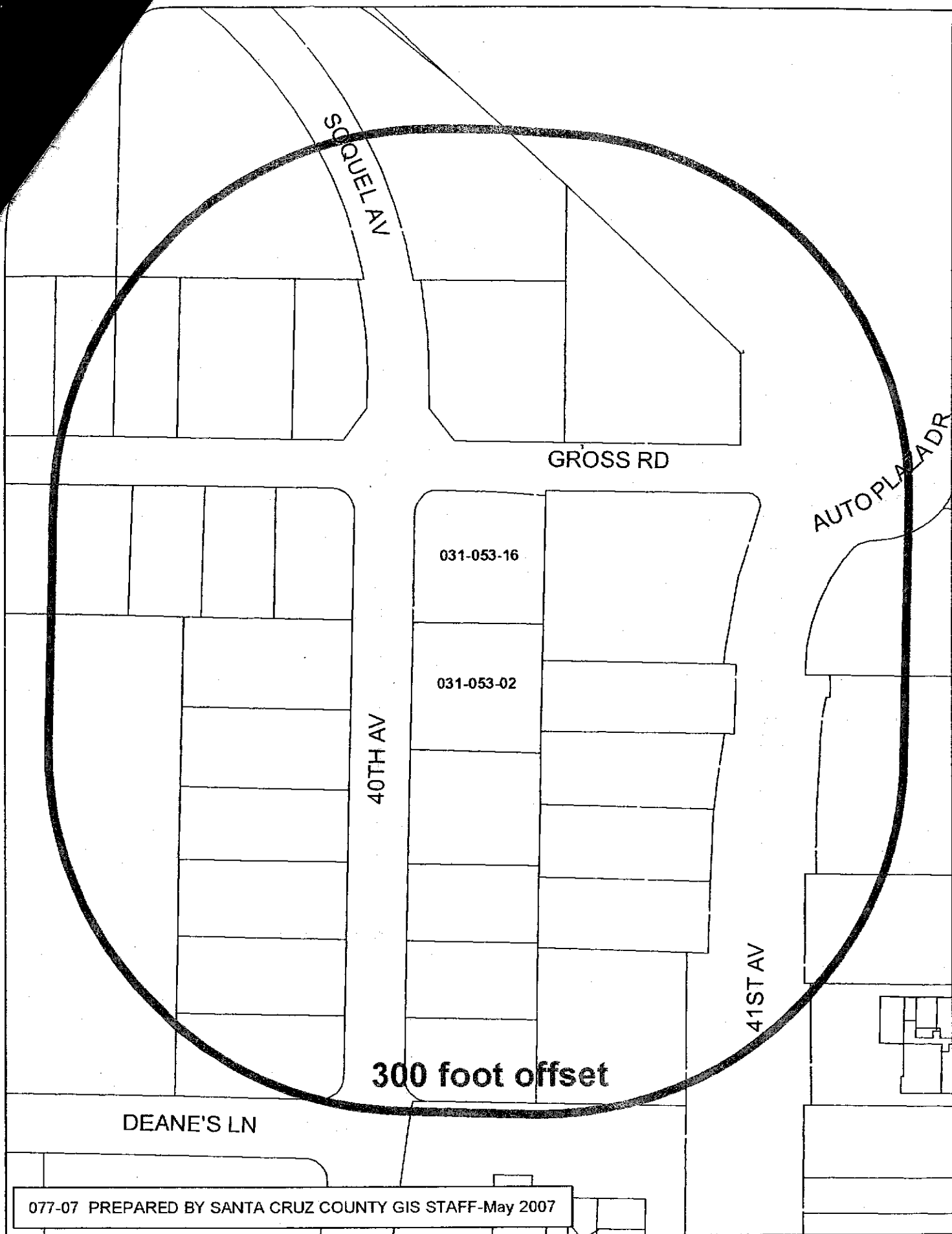
On Thursday June 28, 2007, at 7:00 PM we will be conducting a neighborhood meeting at 3910 Gross Road. The purpose of this meeting is to allow you an opportunity to review plans for a Minor Land Division to create two lots of 6,420 square feet each, including a lot line adjustment to transfer about 1,390 square feet from APN: 031-053-16 to APN: 031-053-02. APN: 031-053-16 to maintain 10,026 square feet. An existing single-family dwelling will be demolished on APN: 031-053-02 and a new single-family dwelling will be constructed on each of the proposed two lots.

We look forward to your attendance at this meeting to answer any questions or concerns that you may have. If you have any questions prior to the meeting date, please contact me Dee Murray at (831) 475-5334.

Thank you in advance for your time and consideration. Looking forward to meeting you at the meeting.

Sincerely,

  
Dee Murray  
Land Use Consultant



077-07 PREPARED BY SANTA CRUZ COUNTY GIS STAFF-May 2007

Neighborhood Meeting held on 06/28/07  
230-40<sup>th</sup> Ave. & 3910 Gross Rd. (APN) 031-053-02 & 16

NAME

ADDRESS

Pat Kenyon  
Michael DeVine  
Bob Kenyon  
Leone & Murphy

2201 40<sup>th</sup> Ave  
3825 Gross Rd.  
2201 40<sup>th</sup> Ave  
2220 40<sup>th</sup> av.

DEE MURRAY  
LAND USE CONSULTANT  
2272 KINSLEY STREET  
SANTA CRUZ, CA. 95062  
(831) 475-5334  
MAY 1, 2008

Annette Olson, Project Planner  
County Planning Dept.  
701 Ocean Street  
400 Governmental Center  
Santa Cruz, ca. 95060

RE: Application No. 07-0670  
APN: 031-053-02 & 16

Dear Annette:

We are requesting to alleviate the need for curb, gutter and sidewalk along the frontage of the above parcels on 40<sup>th</sup> Avenue based on a concern that a drainage problem could be created on parcels south of the subject parcels. The curb and gutter will need to bulb out around the existing large oak tree in the 40th Avenue right-of-way. This will create a high point in the curb and gutter at the oak tree. The 50 feet of new curb and gutter north of the oak tree would flow northerly to the existing curb and gutter at the intersection of Gross Road and 40th Avenue. It would then continue easterly in the curb and gutter on Gross Road to the storm drain system in 41<sup>st</sup> Avenue. The 140 feet of new curb and gutter south of the oak tree would flow southerly along 40<sup>th</sup> Avenue to the end of the new curb and gutter. Once it reaches the end of the new curb and gutter, there are no inlets or existing storm drain systems to direct the water into. Therefore, it would spill out of the curb and gutter and potentially flow onto private properties if the properties south of the subject parcels do not have adequate asphalt berms or curbs to keep the flow within the 40<sup>th</sup> Avenue right-of-way.

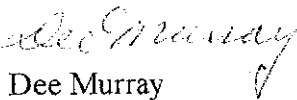
The neighbors and property owners who live on 40<sup>th</sup> Avenue have also expressed their objection to constructing curb, gutter and sidewalk along this street (see petition attached). Many of these residents have lived on this street for a number of years and are desirous of maintaining the street improvements, as they exist to date. The street has a rural character feel that they neighbors enjoy and want to maintain. There is a barricade at the end of 40<sup>th</sup> Avenue within the County's jurisdiction. There are no curb, gutters and sidewalk on the east side of 40<sup>th</sup> Avenue south of the barricade within the City of Capitola. There are also no curb, gutter and sidewalk along the south side of Gross Road

to 40th Avenue. All of the 13 parcels along 40<sup>th</sup> Avenue are improved with homes. The remaining 11 parcels do not have the potential of being divided into a minimum of 6,000 square foot parcels since they do not contain sufficient land area. There is proposed dedication of a 1-foot strip along the entire frontage of the property on 40<sup>th</sup> Avenue. Paved berms will be constructed with landscaping.

Based on the above evaluation, we are requesting a roadside/roadway exception to the County's Design Criteria. The Redevelopment Agency as noted in their Memorandum dated April 18, 2008, have no objections to a roadway/roadside exception to our application.

Thank you for your favorable consideration to this request.

Very truly yours,



Dee Murray

Land Use Consultant

Cc: Greg Heath & Rob Stuart

Luke Beautz, Civil Engineer

Greg Martin, Public Works Road Engineer

RDA Project Manager, Melissa Allen

A per the Memorandum dated April 18, 2008, the

We are signing this petition because we would like the County of Santa Cruz to be aware of the fact that we do not want the curb, gutter, sidewalk and landscaping strip installed at the corner of Gross Road and 40<sup>th</sup> Avenue to the end of 2230 40<sup>th</sup> Avenue.


Leon L. Murphy	3/18/08	2230 40th Avenue SC
Sign	Date	Address

	3/18/08	2210 40th Ave
Sign	Date	Address

Powell Jacobs	3/18/08	2205 40TH AVE
Sign	Date	Address

Robert L. Kenyon	3/18/08	2201 40th Ave
Patricia M. Kenyon	3/18/08	" " "
Sign	Date	Address

Grace R. Hogan	3/18/08	2160 40th Ave
Sign	Date	Address

	3/18/08	2231 40th Avenue
Sign	Date	Address

Sarah Mora	3/18/08	2230 40th Avenue
Sign	Date	Address

John W. Hadwick	3-19-2008	2215 40th Ave.
Sign	Date	Address

Sign	Date	Address

Sign	Date	Address



We are signing this petition because we would like the County of Santa Cruz to be aware of the fact that we do not want the curb, gutter, sidewalk and landscaping strip installed at the corner of Gross Road and 40<sup>th</sup> Avenue to the end of 2230 40<sup>th</sup> Avenue.

<i>David Payne</i>	<i>3/15/08</i>	<i>3915 Gross Rd SC</i>
Sign	Date	Address

<i>Christa Smith</i>	<i>3/20/08</i>	<i>3910 Gross Rd SC</i>
Sign	Date	Address

<i>John Smith</i>	<i>3/20/08</i>	<i>3910 Gross Rd SC</i>
Sign	Date	Address

<i>Clyde W. Hadlock</i>		<i>2215 40<sup>th</sup> Ave S.C.</i>
Sign	Date	Address

Sign	Date	Address
------	------	---------

Sign	Date	Address
------	------	---------

Sign	Date	Address
------	------	---------

Sign	Date	Address
------	------	---------

Sign	Date	Address
------	------	---------

Sign	Date	Address
------	------	---------

Luke R. Beautz, C.E., L.S.  
2026 Alice Street  
Santa Cruz, CA 95062

March 23, 2009

Rob Stuart  
P.O. Box 66339  
Scotts Valley, CA 95067

**Re: Minor Land Division of your properties at Gross Road and Fortieth Avenue within the County of Santa Cruz (A.P.N.'s 031-053-02 & 16) under County Application No. 07-0670.**

Dear Mr. Stuart,

It has come to my attention that the County of Santa Cruz may require you to install curb, gutter, and sidewalk improvements along the Fortieth Avenue frontage of your above referenced properties as a condition of approval of your project. I have some concerns regarding surface drainage patterns that may be altered if the curb, gutter, and sidewalk improvements were to be constructed only along your property frontage and not extended to connect with the existing curb and gutter along Fortieth Avenue which begins approximately 275 feet south of your south property line.

Currently surface runoff from the easterly portion of the Fortieth Avenue roadway flows southerly in a partially paved swale along the east side of the existing Fortieth Avenue traveled way. Although there is some ponding of water following rainfall events, and the existing drainage situation is not ideal, it does seem to function adequately without causing negative impacts to the properties along the east side of Fortieth Avenue.

My concern with installing curb, gutter, and sidewalk that would terminate at your south property line has to do with the fact that the flow in the curb and gutter would be concentrated as it leaves the curb and gutter as opposed to flowing in a broader swale as is now the case. To remedy this situation, typically a drainage inlet would be installed at the end of the curb and gutter to collect the concentrated flow. However in this case there is no existing storm drain system in Fortieth Avenue to connect the drainage inlet into until you reach Clares Street several hundred feet south of your property. It would be against the County of Santa Cruz Public Works Department drainage policy to connect this inlet into the existing storm drain system running along Gross Road because it would involve redirecting the natural runoff pattern.

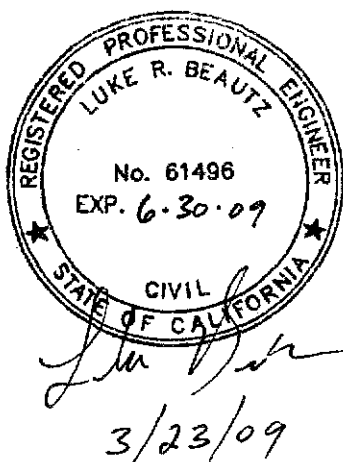
Therefore the concentrated flow would need to be directed into the existing asphalt swale along the frontage of the property south of yours (No. 2220 Fortieth Avenue) once it leaves the curb and gutter. On March 20, 2009, I took several topographic field measurements in the area where the curb and gutter would terminate. At this location, the existing asphalt swale has negligible slope (0.40%) and therefore limited capacity to convey runoff. The driveway of the property south of yours begins about 13 feet south of where the curb and gutter would terminate. This driveway slopes down from the grade of the street at a slope of approximately one percent. The property owner has constructed a small asphalt berm (approximately one foot wide by two inches high) along the driveway to prevent runoff from coming out of the swale and flowing down the driveway towards the existing garage. Although installation of the curb and gutter would only negligibly increase the amount of runoff at this location it would cause the runoff to flow in a more concentrated manner. I am concerned that if this concentrated runoff was to flow

out of the swale at this location, it could cause damage to the property as a result of it flowing down the driveway towards the existing garage.

During the course of taking the topographic measurements, I spoke with the owner of this property (No. 2220 Fortieth Avenue). She indicated that she is not aware of any existing drainage problems. I am concerned that if the curb and gutter were installed and during a large storm event the capacity of the swale was exceeded, resulting in runoff flowing down the driveway towards the garage, that the curb and gutter construction would be blamed. In regards to drainage, it has been my experience that when an existing system is functioning adequately, but is altered even slightly as a result of the construction of improvements, and a problem occurs, usually it is blamed on the construction. Even if the two are not necessarily related. As the project plans currently stand (without curb, gutter, and sidewalk), there would be no alteration to the flow path along the east side of Fortieth Avenue.

In my opinion a better option from a drainage standpoint would be to install all of the curb and gutter along Fortieth Avenue at one time. This would provide a continuous flow path to the existing storm drain facilities near Clares Street, thus avoiding any potential adverse impacts to properties along the east side of Fortieth Avenue and specifically the property at 2220 Fortieth Avenue.

If you have any questions, or need additional information, please call me at (831) 475-8695.



Sincerely,

Luke R. Beautz  
RCE 61496  
PLS 8064