



## Staff Report to the Planning Commission

Application Number: **171090**

**Applicant:** Abbas Haghshenas  
**Owner:** Abbas Haghshenas  
**APN:** 025-224-05

**Agenda Date:** March 28, 2018  
**Agenda Item #:** 6  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to divide an existing property into two parcels, one with an existing dwelling unit and detached garage (where one-third of the garage will be demolished), and one parcel with a new single family dwelling, located in the R-1-6 (Single-Family Residential) district. Requires a Minor Land Division, Residential Development Permit, Design Review for Architectural Guidelines and Soils Report Review (REV171071), and a determination that the project is exempt from further environmental review under CEQA.

**Location:** Property located on the west side of Winkle Avenue about 100 feet north from Sequoia Drive in the Live Oak planning area (3323 Winkle Avenue).

**Supervisory District:** 1st District (District Supervisor: John Leopold)

**Permits Required:** Minor Land Division, Residential Development Permit

**Technical Reviews:** Soils Report Review

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act. (Class 15 – Minor Land Divisions)
- Approval of Application 171090, based on the attached findings and conditions.

### Exhibits

- |   |   |
|---|---|
| A. Categorical Exemption (CEQA determination) | E. Assessor's, Aerial, Location, Zoning and General Plan Maps |
| B. Findings                                   | F. 3-D Color Elevation  |
| C. Conditions                                 | G. Will Serve Letters   |
| D. Project plans                              | H. Comments & Correspondence                                  |

### Parcel Information

Parcel Size: 14,580 square feet  
Existing Land Use - Parcel: Single family residence  
Existing Land Use - Surrounding: Single family residential

Project Access: Lillian Way  
Planning Area: Live Oak  
Land Use Designation: R-UL (Urban Low Density Residential)  
Zone District: R-1-6 (Single Family Residential) – (6,000 square feet minimum)  
Coastal Zone: ☐ Inside ☒ Outside  
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Report reviewed and accepted  
Fire Hazard: Not a mapped constraint  
Slopes: Mostly 2-15% with portions 15-30%  
Env. Sen. Habitat: No physical evidence on site  
Grading: 91 cubic yards (cut, fill & export)  
Tree Removal: No trees proposed to be removed  
Scenic: Yes  
Drainage: Drainage system reviewed and approved by the Department of Public Works  
Archeology: No physical evidence on site

### Services Information

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

### Project Setting

The subject property is located on the west side of Winkle Avenue and the east side of Lillian Way. There is an existing older home that fronts on Winkle Avenue. The vacant portion of the property faces Lillian Way which is where the applicant has proposed a new two-story single family home. There are one and two-story homes along Lillian Way and at the end of the dead end street.

### Minor Land Division

The application includes a proposal to divide an approximately 14,580 square foot property into two parcels. An existing older residence will remain on the parcel facing Winkle Avenue, and one new two-story home is proposed for the lot facing Lillian Way.

The subject property is located in the R-1-6 (Single-Family Residential) zone district, a designation which allows single family residential uses. The division of the parcel into two separate residential parcels requires a minimum of 6,000 square feet of net developable land per parcel. Each proposed

parcel contains sufficient net developable land area to comply with the minimum parcel size of the R-1-6 (Single-Family Residential – 6,000 square feet minimum) zone district.

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 square feet to 10,000 square feet of net developable land per residential unit. The proposed land division complies with the required General Plan density range.

### **Site Access**

The existing older home will be accessed from Winkle Avenue as it is today. Access to the new two-story home will be off Lillian Way.

### **Site Improvement and Utilities**

Site grading is proposed for the access driveway to the new home and rough grading of the new building envelope. In addition, a new sidewalk will be installed to connect with the existing sidewalk on both sides of the parcel along Lillian Way. Grading volumes will be approximate 91 cubic yards cut/fill with some being exported off site. The applicant is required to dedicate a 4 foot wide strip of land along the front of Winkle Avenue as a public right of way easement and to install a new 4 foot wide sidewalk. This will reduce the front setback from 20 feet to 16 feet.

The property is located within the Urban Services Line and all utilities are available to serve the proposed single family home. Will serve letters have been provided from the City of Santa Cruz Water Department and the Santa Cruz County Sanitation District.

### **Design Review**

The existing residence facing Winkle Avenue will remain. The applicant is proposing to trim the rear of the existing detached garage to comply with the 15 foot rear setback requirement. The reduced detached garage will be large enough to park two cars as before at the required standard size of 8 and one half feet by 18 feet. A new 3 foot high retaining wall will replace an existing one along the front and sides and minor work to repair the existing driveway will be done. The new home facing Lillian Way is proposed to be a two-story, 2,755 square foot, 5 bedroom house with a 425 square foot attached garage. Adequate parking for each parcel will be provided. The subject parcel is located within the scenic viewshed of Highway 1; however, due to its location approximately ½ mile from the highway on a fairly level lot, and existing vegetation, and development, it will not be visible from the highway.

The proposed land division complies with the requirements of the County Design Review Ordinance, in that the proposed residence will incorporate site and architectural design features such as pitched roofs, varied materials, and a front porch/entryway to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. In addition, the proposed new home will comply with all requirements from the County Code and General Plan.

Outlined below are the required site standards and what the applicant is proposing:

	R-1-6 Site Standards	Proposed
Front yard setback	20 feet	33 feet
Side yard setback	5 & 8 feet	5 & 21 feet
Rear yard setback	15 feet	27.5 feet
Maximum height	28 feet	22 feet
Total s.f. (1 <sup>st</sup> & 2nd floor + garage - garage credit of 225 s.f.)		2,955 square feet
Floor area ratio	50%	39%
Lot coverage	40%	23.6%

### 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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act (Class 15 – Minor Land Divisions)
- **APPROVAL** of Application Number 171090, 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: \_\_\_\_\_

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

  
Steven Guiney, AICP  
Principal Planner  
Development Review  
Santa Cruz County Planning Department

# 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: 171090

Assessor Parcel Number: 025-224-05

Project Location: 3329 Winkle Avenue

**Project Description:** Proposal to divide an existing property into two parcels, one with an existing dwelling unit and detached garage (where one-third of the garage will be demolished), and one parcel with a new single-family dwelling.

**Person or Agency Proposing Project:** Abbas Haghshenas

**Contact Phone Number:** (408) 364-0888

- 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).  
E.  X  Categorical Exemption

Specify type: Class 15 – Minor Land Divisions

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

Minor land division within the Urban Services Line with all urban services available.

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

\_\_\_\_\_  
Elizabeth Cramblet, Project Planner

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

## **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. The project creates two residential parcels. The property is located in the Urban Low Density Residential (R-UL) General Plan designation which allows a density of one parcel 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 each residential parcel will contain a minimum of 6,000 square feet of net developable area.

The project is consistent with the General Plan in that the full range of urban services is available, including public water and sewer service. The parcel with the existing single family home will be accessed by Winkle Avenue, and the vacant parcel will be accessed by a new driveway to Lillian Way.

The subdivision, 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 surrounding development, and the design of the proposed structure is consistent with the character of similar developments in the surrounding area.

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, unit densities meet the minimum standards for the R-1-6 (Single Family Residential - 6,000 square feet minimum) zone district where the project is located, and the project will be consistent with the required site standards of the R-1-6 zone district.

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 building envelope is properly configured to allow development in compliance with the required site standards. No environmental resources 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 services are available to serve the proposed 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 affect the project site.

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

This finding can be made, in that the resulting parcels are oriented to the 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 proposed residence will incorporate architectural design features such as pitched roofs, varied materials, and porches/front entryway to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The surrounding neighborhood contains single family residential development. The design and layout of the proposed land division is compatible with 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. 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.

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 residential development and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (Single-Family Residential) zone district as the primary use of the property will be one single family home 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 R-UL (Urban Low Density Residential) land use designation in the County General Plan.

The proposed single family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single family home 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 home will be properly 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 home will comply with the site standards for the R-1-6 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.

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



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

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

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single family home is consistent with the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed single family home will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

## Conditions of Approval

### Land Division 171090

Applicant: Abbas Haghshenas

Property Owner: Abbas Haghshenas

Assessor's Parcel Number(s): 025-224-05

Property Address and Location: Property located on the west side of Winkle Avenue approximately 100 feet north of Sequoia Drive in the Live Oak planning area (3329 Winkle Avenue).

Planning Area: Live Oak

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Exhibit(s):

- D. Tentative Map & Project Plans - prepared by A + Plus Design, Engineering, dated 2/16/18, consisting of 8 sheets.
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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 to the Planning Department 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.
- II. A Parcel Map for the 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 two (2) residential parcels.
  - C. The minimum parcel area shall be 6,000 square feet of net developable land per unit.
  - D. The following items shall be shown on the Parcel Map:

1. Building envelopes located according to the approved Tentative Map. The building envelope of the project shall meet the minimum setbacks for the R-1-6 zone district of 20 feet for front yards, 5 feet and 8 feet for side yards, and 15 feet for rear yards.
  2. Show the net area of each lot to the nearest square foot.
  3. All easements and dedications to be recorded prior to recordation of the Parcel Map.
  4. Include the Minor Land Division number "171090" on all sheets of the Parcel Map.
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
1. Obtain a Demolition Permit from the Santa Cruz County Building Official, for the existing garage to be partially demolished prior to application for a Building Permit on any parcel created by this land division.
  2. New parcel numbers for all of the parcels must be assigned by the Assessor's Office prior to application for a Building Permit on any parcel created by this land division.
  3. The new lot shall be connected for water service to the City of Santa Cruz Water Department. The City will require a full set of building plans when applying for a building permit with the County to determine water permit fees and water/fire installation requirements. All regulations and conditions of the water department shall be met. Proof of water service availability is required prior to issuance of a building permit on any parcel.
  4. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the sanitation district shall be met. Proof of sewer service availability is required prior to issuance of a building permit on any parcel.
  5. All future construction on the lots shall conform to the design guidelines approved for this land division and shall also meet the following additional conditions:
    - a. 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 40% lot coverage, or 50% floor area ratio, or other standard as may be established for the zone district.

6. All future development on the lots shall comply with the requirements of the approved geotechnical report(s) for this project.
7. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
8. Prior to any building permit issuance or ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Department of Public Works and the Planning Department. Earthwork between October 15 and April 15 requires a separate winter grading approval from Environmental Planning that may or may not be granted. The erosion control plans shall identify the type of erosion control practices to be used and shall include the following:
  - a. Silt and grease traps shall be installed according to the approved improvement plans.
  - b. An effective sediment barrier placed along the perimeter of the disturbance area and maintenance of the barrier.
  - c. Spoils management that prevents loose material from clearing, excavation, and other activities from entering any drainage channel.
9. Any changes from the approved Exhibit "D", including but not limited to the Tentative Map or Preliminary Improvement 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.

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

- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcel(s).
- B. Meet all drainage requirements of the Department of Public Works, Stormwater management Services section to including the following conditions:
  1. Please provide a cross-section construction details for all drainage/stormwater structures and systems. Please include spot & invert elevations to ensure accurate construction.

2. A recorded maintenance agreement will be required for any new drainage system. Please contact the County of Santa Cruz Recorder's office for appropriate recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at: [http://www.dpw.co.santa-cruz.ca.us/Storm\\_Water/FigureSWM25A.pdf](http://www.dpw.co.santa-cruz.ca.us/Storm_Water/FigureSWM25A.pdf).
3. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: In order to clear the Hold, one of these options has to be exercised:
  - a. The civil engineer must inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient.
  - b. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
  - c. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone number. The civil engineer will review the as built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold, if the submittal is satisfactory.
4. Zone 5 fees will be assessed on the net increase in permitted impervious area due to the project. This project may be eligible for fee credits for existing impervious areas if documentation is presented demonstrating existing impervious areas are permitted or were built prior to 1969. County

staff will utilize 1975 aerial photos to establish credit if no additional information is furnished by the applicant. The fees are currently \$1.23 per square foot, and are subject to increase based on the fee amount applicable at the time of permit issuance. Contact Gerry Vargas, if you have questions about the above comments, Email: dpw105@santacruzcounty.us Counter: Monday-Friday 8:00-12:00 PM Phone: 831-454-2160.

- C. All requirements of the Environmental Planning Section of the Planning Department shall be met, including the following:
- a. The applicant shall provide 2 copies of the accepted soils report and update(s).
  - b. Building permit application plans shall reference the soils report and update(s), include contact information for the geotechnical engineer, and include a statement that the project shall conform to the recommendations of the geotechnical engineer.
  - c. Building permit application plans shall clearly represent all proposed grading, including any overexcavation and recompaction as recommended by the geotechnical engineer.
  - d. The applicant shall submit a stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual, available here: <http://www.sccoplanning.com/Portals/2/County/Planning/env/ConstructionStormwaterBMPManual-Oct%20312011version.pdf>.
  - e. The applicant shall submit a drainage plan that complies with the requirements set forth in 2016 California Building Code (CBC) Section 1804.4 and the recommendations of the soils engineer.
  - f. The applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form.
  - g. Earthwork is prohibited during the rainy season (October 15-April 15) unless a winter grading permit is approved by the Planning Director.
- 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.
  2. Pay all necessary bonding, deposits, and connections fees, and furnish a copy of any CC&Rs to the district.
- E. A Homeowners Association (HOA) shall be formed, or shared maintenance agreement shall be established, for maintenance of all areas under common ownership including sidewalks, roadways, all landscaping, drainage structures, water lines, sewer laterals, fences, silt and grease traps and buildings. CC&Rs and/or the shared maintenance agreement shall include the following, which are permit conditions:
1. All drainage structures, including the proposed detention system, porous asphalt concrete, proposed swale in the private drainage easement, and silt and grease traps, shall be permanently maintained by the HOA or shared maintenance association.
  2. Annual inspection of the silt and grease traps and drainage structures 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 HOA or shared maintenance association.
    - a. 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.
- F. Engineered improvement plans for all water line extensions required by the City of Santa Cruz Water Department shall be submitted for the review and approval of the water agency.
- G. 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.
- H. All requirements of the Central Fire Protection District shall be met.

- I. Park dedication in-lieu fees shall be paid for five (5) new bedrooms. These fees are currently \$800 per bedroom, but are subject to change.
- J. Child Care Development fees shall be paid for five (5) bedrooms. These fees are currently \$109 per bedroom, but are subject to change.
- K. Transportation improvement fees shall be paid for one (1) new dwelling unit. These fees are currently \$3,000 per unit, but are subject to change.
- L. Roadside improvement fees shall be paid for (1) new dwelling unit. These fees are currently \$3,000 per unit, but are subject to change.
- M. Submit and secure approval of engineered improvement plans from the Department of Public Works 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 improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified in these conditions of approval. Plans shall also comply with applicable provisions of the State Building Code regarding accessibility.
  - 2. The **proposed curb, gutter and sidewalks** for Winkle Avenue and Lillian Way will need to connect to existing curb, gutter and sidewalks.
  - 3. Complete drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils.
  - 4. Details for the installation of required silt and grease traps. Submit a silt and grease trap maintenance agreement to the Department of Public Works.
  - 5. A detailed erosion control plan shall be submitted which includes the following: a clearing and grading schedule that limits grading to the period of April 15 - October 15, clearly marked disturbance envelope, revegetation specifications, silt barrier locations, temporary road surfacing and construction entry stabilization, sediment barriers around drain inlets, etc. This plan shall be integrated with the improvement plans that are approved by the Department of Public Works, and shall be submitted to Environmental Planning staff for review and approval prior to recording of



the Parcel Map.

- N. Submit a final Landscape Plan for the entire site for review and approval by the Planning Department. The landscape plan shall specify plant species, size and location, and shall include irrigation plans, which meet the following criteria and must conform to all water conservation requirements of the local water district and the following conservation regulations:
1. 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.
  2. 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.
  3. 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.
  4. 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.
    - a. 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.
    - b. 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.

- c. Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.
- d. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.

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

- A. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. Obtain an Encroachment Permit from the Department of Public Works for any work performed in the public right of way. All work shall be consistent with the Department of Public Works Design Criteria unless otherwise specifically excepted by these conditions of approval.
- B. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan that may or may not be granted.
- C. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
- D. Prior to any site disturbance on the subject property, the following conditions shall be met:
  - 1. A preconstruction meeting shall be scheduled 14 days prior to commencement of earthwork. Attendees shall include Environmental Planning staff, the project arborist, the grading contractor, the soils engineer and the civil engineer. Tree protection fencing and perimeter erosion control will be inspected by Environmental Planning staff. In addition, findings of the bat ecologist and the bird survey (if required) will be reviewed.
  - 2. All sediment control measures shall be installed as shown on the approved plans.
- E. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.

1. An archaeological monitor shall be present on-site during all grading operations.
- F. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
  2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
  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.
- G. Construction of improvements shall comply with the requirements of the approved geotechnical report(s) for this project. 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).
- H. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lots.
- V. 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.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement, which incorporates the provisions of this condition, or this development approval shall become null and void.

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

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

**cc: County Surveyor**

Application #: 171090  
APN: 025-224-05  
Owner: Abbas Haghshenas

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

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

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

\_\_\_\_\_  
Steven Guiney, AICP  
Principal Planner

\_\_\_\_\_  
Elizabeth Cramblet  
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.

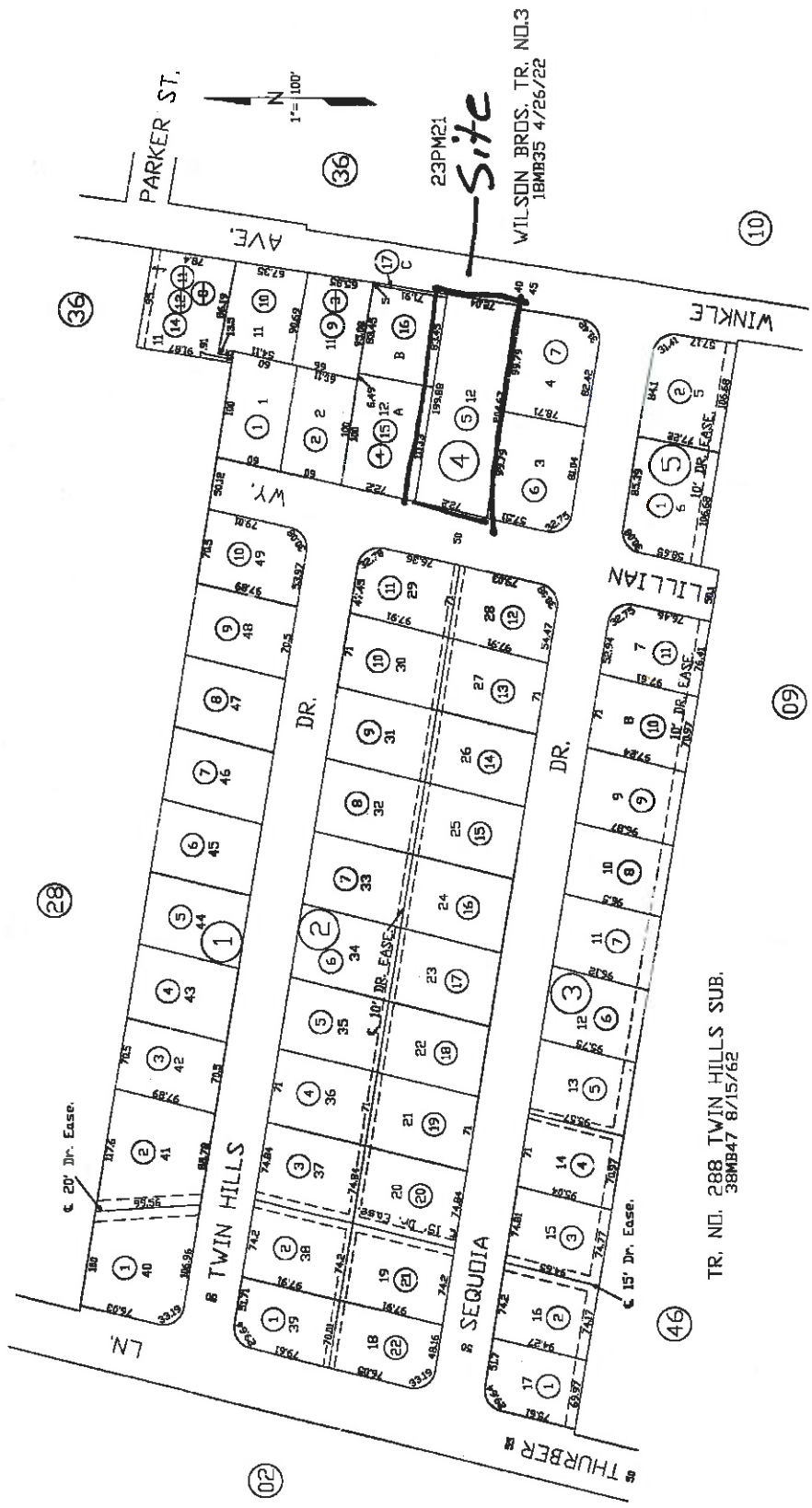
FOR TAX PURPOSES ONLY

POR. SEC. 9, T.11S., R.1W., M.D.B. & M.

Tax Area Code  
96-103

25-22

THIS ASSASSOR'S MAP IS GUARANTEED AS TO MAP ACCURACY AND ASSURES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1998



Assessor's Map No. 25-22  
County of Santa Cruz, Calif.  
July, 1998

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

TR. NO. 288 TWIN HILLS SUB.  
38MB47 8/15/62

EXHIBIT E





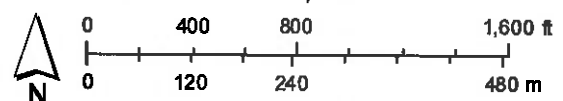


EXHIBIT E

March 7, 2018





# Parcel Location Map

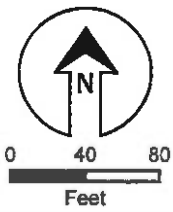
Santa Cruz County Planning Department

Parcel Number  
025-224-05  
Feb. 16, 2018



## Symbol Key

- Street
- Park

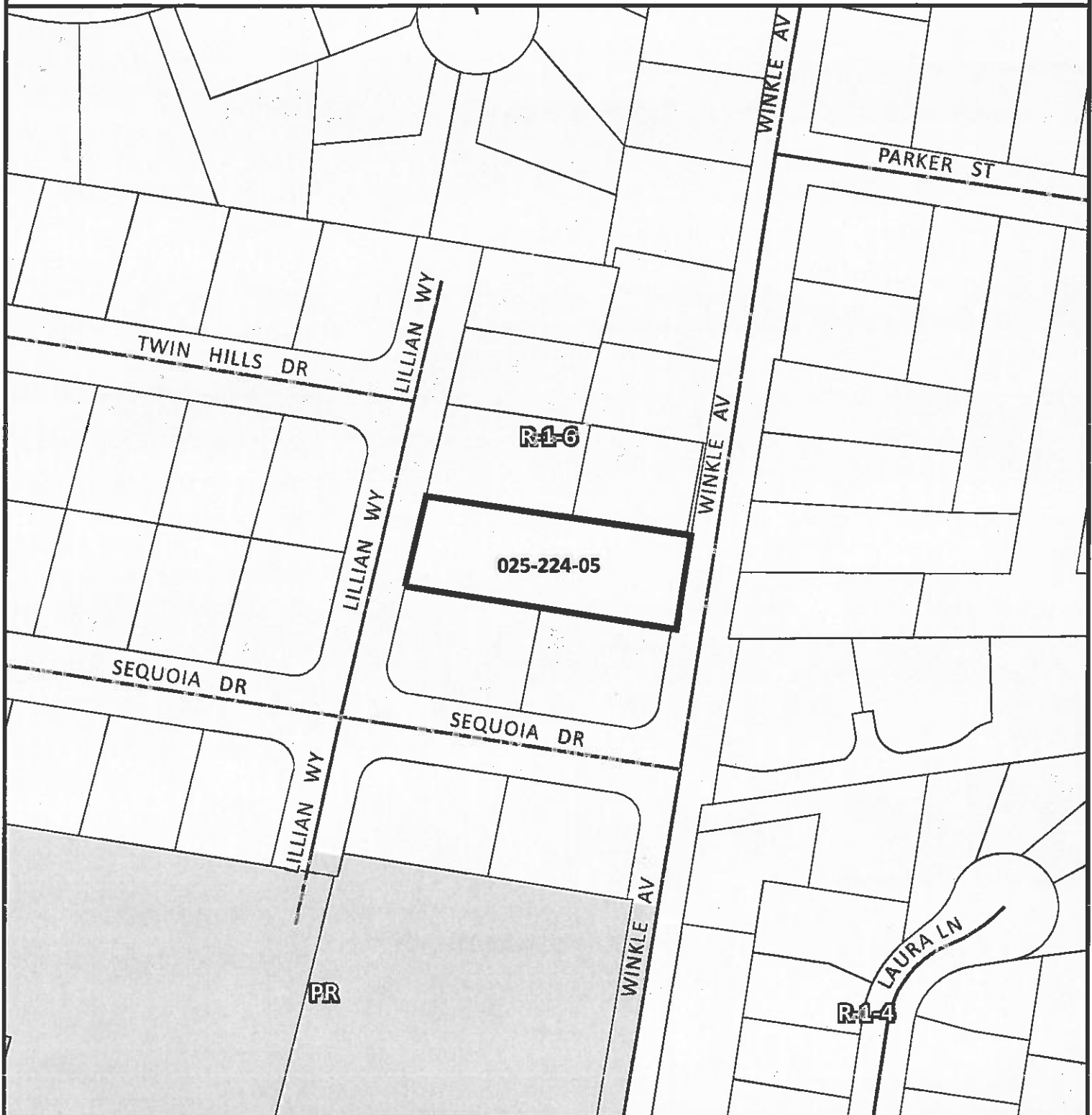




# Parcel Zoning Map

Santa Cruz County Planning Department

Parcel Number  
025-224-05  
Feb. 16, 2018



## Zoning

- (PR) Parks, Recreation, and Open Space
- (R-1) Single-Family Residential



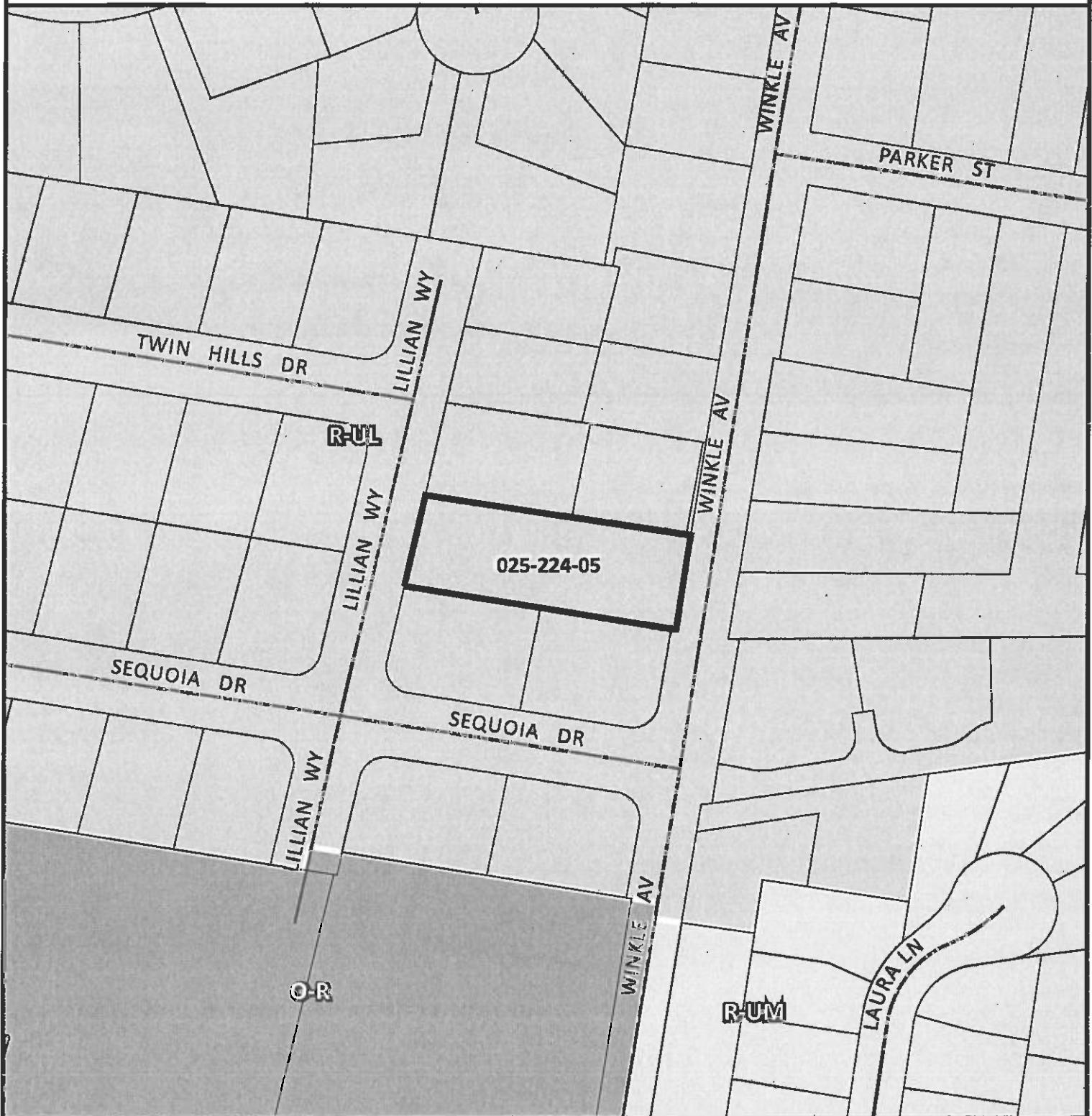
0 40 80  
Feet



# Parcel General Plan Map

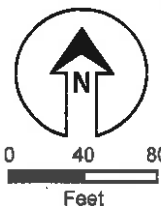
Santa Cruz County Planning Department

Parcel Number  
025-224-05  
Feb. 16, 2018



## General Plan

- O-R - Parks and Recreation
- R-UL - Residential - Urban Low Density
- R-UM - Residential - Urban Medium Density







# Santa Cruz County Sanitation District

701 OCEAN STREET, SUITE 410, SANTA CRUZ, CA 95060-4073  
(831) 454-2160 FAX (831) 454-2089 TDD/TTY- CALL 711

JOHN J. PRESLEIGH, DISTRICT ENGINEER

May 24, 2017

ABBAS HAGHSHENAS  
127 EAST CAMPBELL AVE.  
CAMPBELL, CA 95008

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

APN: 025-224-05

APPLICATION NO.: N/A

PARCEL ADDRESS: 3329 WINKLE AVE.

PROJECT DESCRIPTION: DIVIDE ONE PROPERTY INTO TWO. RETAIN THE EXISTING  
HOUSE ON ONE OF THE NEW PARCELS. BUILD A NEW  
SINGE-FAMILY RESIDENCE ON THE NEWLY CREATED PARCEL.  
RESULTS: TWO PARCELS, TWO HOUSES.

Dear Mr. Haghshenas,

We've received your inquiry regarding sewer service availability for the subject parcel(s). Sewer service is available in Winkle Avenue to serve the proposed development.

No downstream capacity problem or other issue is known at this time. However, downstream sewer requirements will again be studied at time of Planning Permit review, at which time the District reserves the right to add or modify downstream sewer requirements.

This notice is valid for one year from the date of this letter. If, after this time frame, this project has not yet received approval from the Planning Department, then this determination of availability will be considered to have expired and will no longer be valid.

Also, for your reference, we have attached a list of common items required during the review of sanitation projects.

Note that, to protect your privacy, we have not forwarded this letter to any other agency. If and when you are ready to present this letter to the Planning Department, please do so.

Thank you for your inquiry. If you have any questions, please call Robert Hambelton at (831) 454-2160.

Yours truly,

JOHN J. PRESLEIGH  
District Engineer

By:

  
Kent Edler  
Sanitation Engineer

BH:tlp/129





W A T E R   D E P A R T M E N T

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

February 17, 2017

Abbas Haghshenas  
127 East Campbell Avenue  
Campbell, CA 95008

Re: PROPOSED LOT SPLIT OF DEVELOPED LOT AT 3329 WINKLE AVENUE; APN 025-224-05.

Dear Mr. Haghshenas:

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,

Rosemary Menard  
Water Director