



Staff Report to the Planning Commission

Application Number: **171166**

Applicant: Jim Weaver
Owner: Joseph Crossen
APN: 037-151-03

Agenda Date: April 11, 2018
Agenda Item #: 6
Time: After 9:00 a.m.

Project Description: Proposal to divide an approximately 78,000 square foot parcel into two parcels. Requires a Minor Land Division, a Residential Development Permit to utilize a less than 40 foot wide right of way for access, and a Roadway/Roadside Exception.

Location: Property located on the west side of Merrill Road approximately 900 feet north of Soquel Drive (3435 Merrill Road).

Supervisory District: Second District (District Supervisor: Zach Friend)

Permits Required: Minor Land Division, Residential Development Permit

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171166, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	78,000 square feet
Existing Land Use - Parcel:	Single family residence
Existing Land Use - Surrounding:	Residential neighborhood
Project Access:	Merrill Road
Planning Area:	Aptos
Land Use Designation:	R-UVL (Urban Very Low Density Residential)
Zone District:	R-1-15 (Single family residential - 15,000 sq ft min)

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

Environmental Information

Services Information

History

Project Setting

Minor Land Division

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provided for future development of the lower (proposed) parcel.

The subject property is located in the R-1-15 (Single family residential - 15,000 square feet minimum) zone district. The division of the parcel into two separate single family residential parcels requires a minimum of 15,000 square feet of net developable land per parcel. Each parcel contains sufficient net developable land area to comply with the minimum parcel size of the R-1-15 (Single family residential - 15,000 square feet minimum) zone district.

The subject property is designated as Urban Very Low Density Residential (R-UVL) in the General Plan. The Urban Very Low Density Residential (R-UVL) General Plan designation requires new development to be within a density range of 10,000 square feet to 1 acre of net developable land area per residential unit. The proposed land division complies with the required General Plan density range.

Project Access

The proposed development is accessed by Merrill Road, which is a County maintained road from Soquel Drive to Aster Lane. Beyond Aster Lane, the width of the right of way and paved surface narrows considerably as the roadway climbs a hill up to and past the subject property. The right of way width from Aster Lane to the subject property is 20 feet in width and the roadway width varies somewhat but is as narrow as 12 feet wide in some locations.

Any development creating new parcels to be accessed from a vehicular right of way that is less than 40 feet in width requires an exception to site access requirements (per SCCC 13.10.521). The existing right of way of Merrill Road which serves the property is less than 40 feet in width from Aster Lane, as well as along the frontage of the subject property. The existing conditions would make widening difficult, due to steep slopes along Merrill Road and the excessive grading and associated drainage improvements that extensive road widening would require. The applicant has included a proposal to widen the right of way and improve a new 12 foot wide turnout in front of the new parcel that will provide an area for vehicles to pass each other on the existing roadway. These improvements are sufficient to allow access to the newly created parcel without adversely impacting surrounding parcels both above and below the subject property along Merrill Road.

Roadway/Roadside Exception

As discussed above, the vehicular right of way which serves the proposed development is less than the 56 feet required (per the County Design Criteria) for new development within the Urban Services Line. This proposal will require a Roadway/Roadside Exception (per SCCC 15.11.050) to allow a reduced right of way 20 feet in width, a paved surface to 12 feet in width (with one 12 foot wide turnout) and to eliminate on-street parking, sidewalks, and landscape strips on both sides of the roadway. Street parking, sidewalks, and landscape strips do not exist along the upper section of Merrill Road. Extensive widening of the roadway would be challenging due to slope and drainage considerations and is not proposed as a component of this project. A Roadway/Roadside Exception can be considered due to the limited number of new parcels proposed (one parcel), the provision of a new vehicular turnout to allow passing, and the existing conditions on upper Merrill Road.

Site Improvements & Utilities

Site improvements for the proposed land division would be minimal. Grading would be required for the proposed turnout and rain garden and utilities would be connected to the newly created parcel.

The property is located within the Urban Services Line and all utilities are available to serve the proposed development. Will serve letters have been provided from the both the Soquel Creek Water District and the Santa Cruz County Sanitation District.

Design Review & Scenic Resources

The proposed minor land division complies with the requirements of the County Design Review Ordinance, in that the design guidelines require the future residence to incorporate architectural design features such as varied siding materials and natural color tones to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

The subject property is located within a mapped scenic resource area. No scenic resources will be affected in that the property is not visible from any public parks or designated scenic roadways. Further, the design guidelines, colors and materials, will ensure that any future residential construction will blend with the surrounding residential neighborhood.

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.

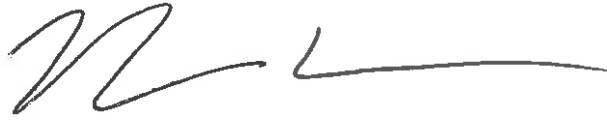
Staff Recommendation

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 171166, 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

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: 171166
Assessor Parcel Number: 037-151-03
Project Location: 3435 Merrill Road

Project Description: Two lot minor land division

Person or Agency Proposing Project: Jim Weaver

Contact Phone Number: 831-457-2033

- 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. ☒ **Categorical Exemption**

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

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.

Randall Adams, Project Planner

Date: _____

EXHIBIT A

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 single family residential parcels. The property is located in the Urban Very Low Density Residential (R-UVL) General Plan designation which allows a density of one parcel for each 10,000 square feet to 1 acre of net developable parcel area. The proposed project is consistent with the General Plan, in that each residential parcel will contain a minimum of 15,000 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. Parcels will be accessed by Merrill Road and Soquel Drive. The modifications to the existing access road will require an exception to the County Design Criteria due to the presence of steep slopes and the lack of similar improvements fronting the adjacent parcels. The proposed roadway design provides adequate access to the proposed development.

The subject property is located within a mapped scenic resource area. No scenic resources will be affected in that the property is not visible from any public parks or designated scenic roadways. Further, the design guidelines, colors and materials, will ensure that any future residential construction will blend with the surrounding residential neighborhood.

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 guidelines require that structures be 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-1-15 (Single family residential - 15,000 square feet minimum) zone district where the project is located, and the project will be consistent with the required site standards of the R-1-15 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 the proposed building envelopes are 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 all 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 design guidelines require the future residences to incorporate architectural design features such as varied siding materials and natural color tones 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 of future residential development 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 use of the property will be residential in nature, unit densities meet the minimum standards for the R-1-15 (Single family residential - 15,000 square feet minimum) zone district where the project is located, and the project will be consistent with the required site standards of the R-1-15 zone district.

The existing access road (Merrill Road) is narrow and this project requires an exception to utilize a right of way that is less than 40 feet in width for access to the proposed parcel (SCCC 13.10.521). The exception can be granted, in that the existing conditions would make widening the road difficult, due to steep slopes along Merrill Road and the excessive grading and associated drainage improvements that extensive road widening would require. The applicant has included a proposal to widen the right of way and improve a turnout in front of the new parcel that will provide an area for vehicles to pass each other on the existing roadway. These improvements are sufficient to allow access to the newly created parcel without adversely impacting surrounding parcels both above and below the subject property along Merrill Road.

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 division of land, its design, and its improvements, will be consistent with the General Plan. The project creates two single family residential parcels. The property is located in the Urban Very Low Density Residential (R-UVL) General Plan designation which allows a density of one parcel for each 10,000 square feet to 1 acre of net developable parcel area. The proposed project is consistent with the General Plan, in that each residential parcel will contain a minimum of 15,000 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. Parcels will be accessed by Merrill Road and Soquel Drive. The modifications to the existing access road will require an exception to the County Design Criteria due to the presence of steep slopes and the lack of similar improvements fronting the adjacent parcels. The proposed roadway design provides adequate access to the proposed

development.

The subject property is located within a mapped scenic resource area. No scenic resources will be affected in that the property is not visible from any public parks or designated scenic roadways. Further, the design guidelines, colors and materials, will ensure that any future residential construction will blend with the surrounding residential neighborhood.

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 guidelines require that structures be consistent with the character of similar developments in the surrounding area.

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

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

This finding can be made, in that the proposed land division will result in one additional residential parcel. The expected level of traffic generated by the proposed project is anticipated to be 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 future residential structure will be subject to the proposed design guidelines; and the proposed land division 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 design guidelines require the future residences to incorporate architectural design features such as varied siding materials and natural color tones 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.

Roadway/Roadside Exception Findings

1. The improvements are not appropriate due to the character of development in the area and the lack of such improvements on surrounding developed property.

This finding can be made, in that full local street improvements would not be consistent with the pattern of development in the neighborhood or the improvements on the upper portion of the existing roadway that accesses the project site (Merrill Road). The proposed roadway varies from the County Design Criteria in terms of width and improvements with a 20 foot wide right of way and a 12 foot wide pavement section. The County Design Criteria standard for a local street is a 56 feet wide right of way with parking, sidewalks, and landscaping on both sides of the roadway. A Roadside Exception is required for the proposed roadway due to the lack of a full 56 foot wide right of way and improvements. The existing conditions would make widening difficult, due to steep slopes along Merrill Road, the excessive grading and associated drainage improvements that extensive road widening would require, and the lack of similar improvements on the upper section of Merrill Road. The applicant has included a proposal to widen the right of way and improve a turnout in front of the new parcel that will provide an area for vehicles to pass each other on the existing roadway. These improvements are sufficient to allow access to the newly created parcel without adversely impacting surrounding parcels both above and below the subject property along Merrill Road. A Roadside Exception is considered as appropriate due to the number of residences served and the existing conditions within the surrounding neighborhood.

County Code Section 15.10.050(f)(1) allows for exceptions to roadside improvements when those improvements would not be appropriate due to the character of existing or proposed development.

Conditions of Approval

Land Division 171166

Applicant: Pacific Rim Planning Group - Jim Weaver

Property Owner: Joseph Crossen

Assessor's Parcel Number(s): 037-151-03

Property Address and Location: Property located on the west side of Merrill Road approximately 900 feet north of Soquel Drive (3435 Merrill Road).

Planning Area: Soquel

Exhibit(s):

D. Tentative Map - prepared by Ifland Engineers, revised 10/19/17.

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.

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) single family residential parcels.

C. The minimum aggregate parcel area shall be 15,000 square feet of net developable land per unit.

D. The following items shall be shown on the Parcel Map:

1. Building envelopes, common area and/or building setback lines located according to the approved Tentative Map. The building envelopes for the

EXHIBIT C

perimeter of the project shall meet the minimum setbacks for the R-1-15 zone district of 20 feet for front yards, 20 feet for street side yards, 10 feet for side yards, and 15 feet for rear yards.

2. Show the net area of each lot to nearest square foot.
 3. The owner's certificate shall include:
 - a. An irrevocable offer of dedication of road right of way on Merrill Drive, as indicated on the approved Exhibit "D".
 4. All easements and dedications to be recorded prior to recordation 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. 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.
 2. Lots shall be connected for water service to the Soquel Creek Water District. All regulations and conditions of the water district shall be met. Proof of water service availability is required prior to issuance of a building permit on any parcel.
 3. 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.
 4. 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. All future development shall comply with the development standards for the R-1-15 zone district. Development on each parcel shall not exceed a 40% lot coverage, or a 50% floor area ratio, or other standard as may be established for the zone district.
 5. All future development on the lots shall comply with the requirements of the approved geotechnical report(s) for this project.
 6. 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.

7. 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.
8. 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 parcels.
- B. Meet all drainage requirements of the Department of Public Works, Stormwater Management Services section.
- C. Meet all requirements of the Environmental Planning section of the Planning Department.
- 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&R's or shared maintenance agreement to the district.
- E. Engineered improvement plans for all water line extensions required by Soquel Creek Water District shall be submitted for the review and approval of the water agency.
- 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) new dwelling unit. These fees are currently \$1,000 per bedroom, but are subject to change. (a 3 bedroom dwelling unit will be assumed at the time of map recordation)
- I. Child Care Development fees shall be paid for one (1) new dwelling unit. These fees are currently \$109 per bedroom, but are subject to change. (a 3 bedroom dwelling unit will be assumed at the time of map recordation)
- J. 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.
- K. Roadside 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. Add a note to the Parcel Map that the affordable housing fees for this project, that are in effect at the time of building permit issuance, shall be paid in compliance with the Affordable Housing Requirements specified by Chapter 17.10 of the County Code.
- 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.
 - a. The proposed access road improvements shall be constructed per the approved improvement plans for this permit. A Roadside Exception is approved to vary from County standards with respect to the width of the right of way, sidewalks, and landscaping.
 - 2. 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.
 - 3. 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.
- 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 1-4 days prior to commencement of earthwork. Attendees shall include Environmental Planning staff, the grading contractor, the soils engineer and the civil engineer.
 - 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.

- 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

Approval Date: _____

Effective Date: _____

Expiration Date: _____

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.

TENTATIVE MAP FOR MINOR LAND DIVISION 3435 MERRILL ROAD APTOS, CALIFORNIA

BASIS OF BEARINGS

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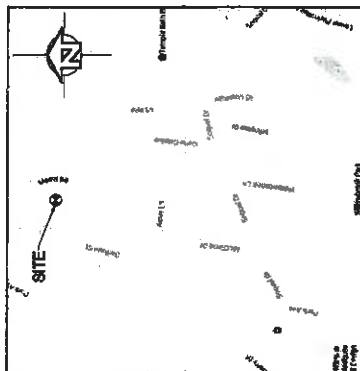
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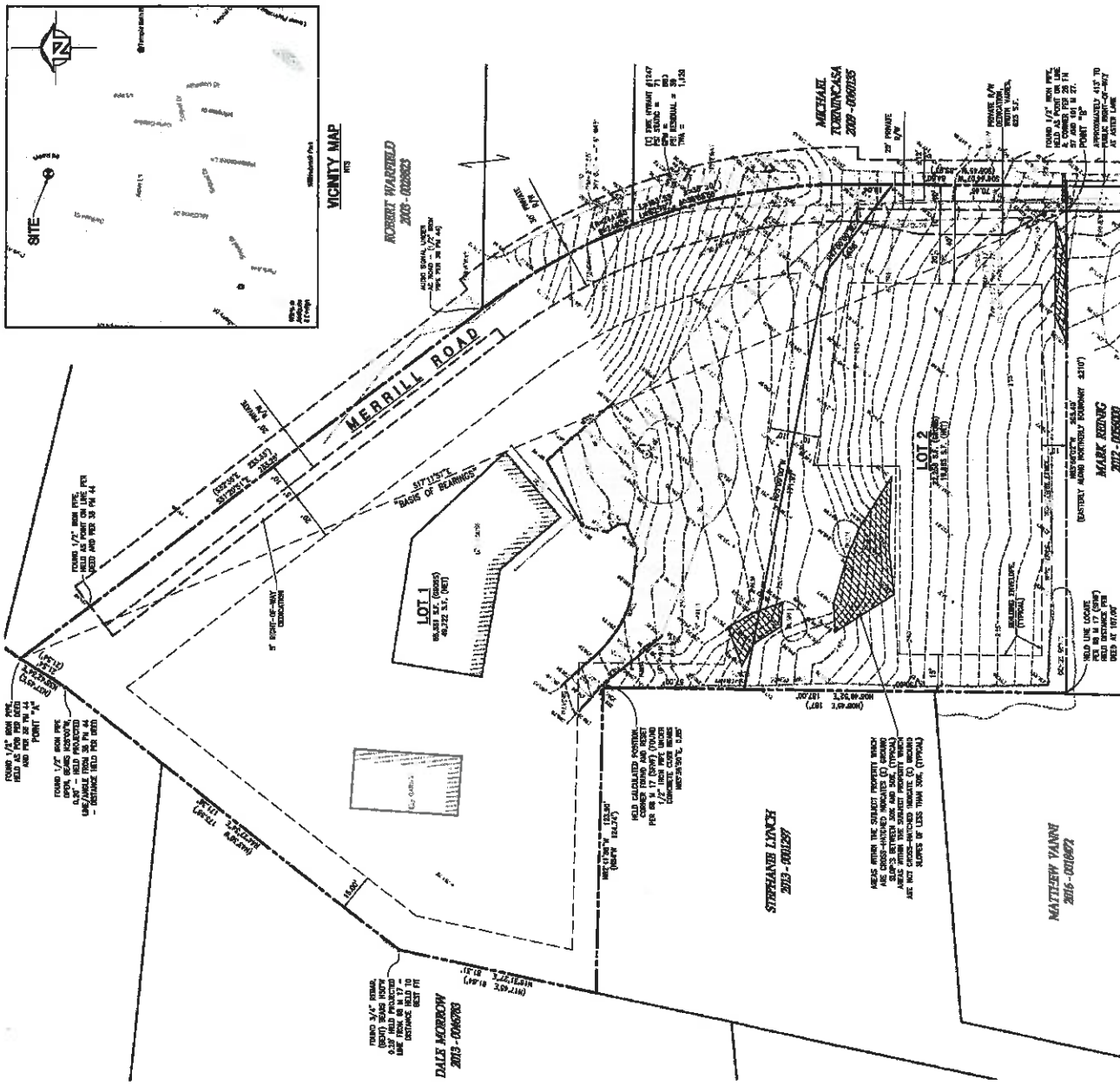
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EXHIBIT D



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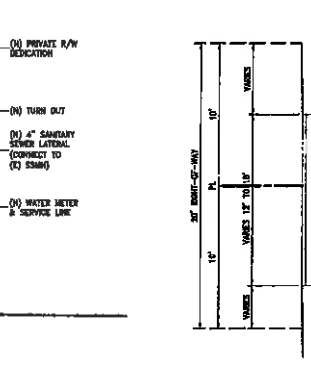
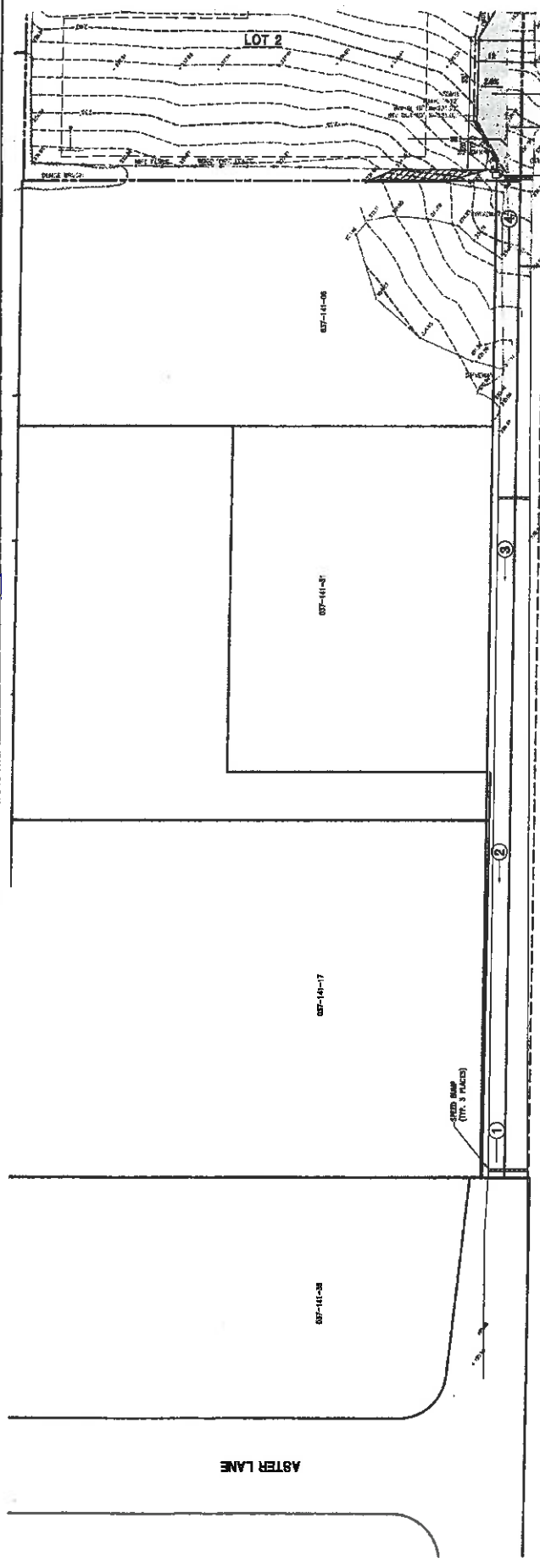
EXISTING MERRILL ROAD IMPROVEMENTS
CROSSEN M.L.D.
3435 MERRILL ROAD, APTOS, CALIFORNIA

DATE 6/12/17
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MINOR LAND DIVISION #XXXX

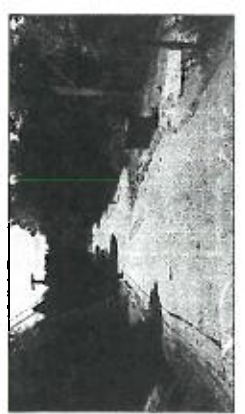
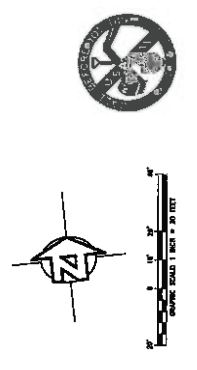
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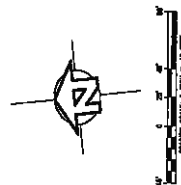
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SECTION - MERRILL ROAD
SCALE: 1" = 2'





FOR TAX PURPOSES ONLY

THE ASSessor MAKES NO GUARANTEE AS TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE ASSessor MAKES NO GUARANTEE AS TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE ASSessor MAKES NO GUARANTEE AS TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

POR. SOQUEL RANCHO
SEC. 2 & 11, T.11S., R.1W., M.D.B. & M.

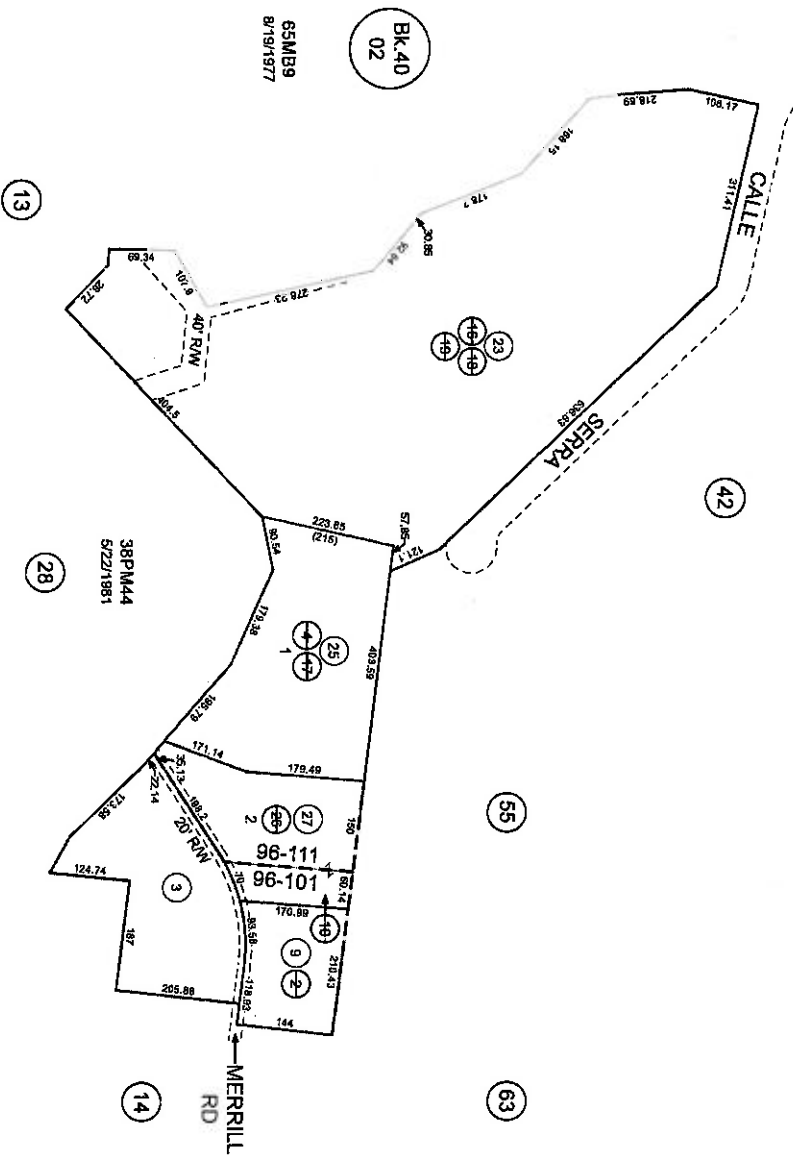
Tax Area Code
96-101 96-111

37-15

Electronically Redrawn 5/1/98
Rev. 4/8/00 mc (2005-0001647, per. hom at. 1-28)
Rev. 7/15/11 mc (per. to pg. 63)

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

Assessor's Map No. 37-15
County of Santa Cruz, Calif.
May, 1998

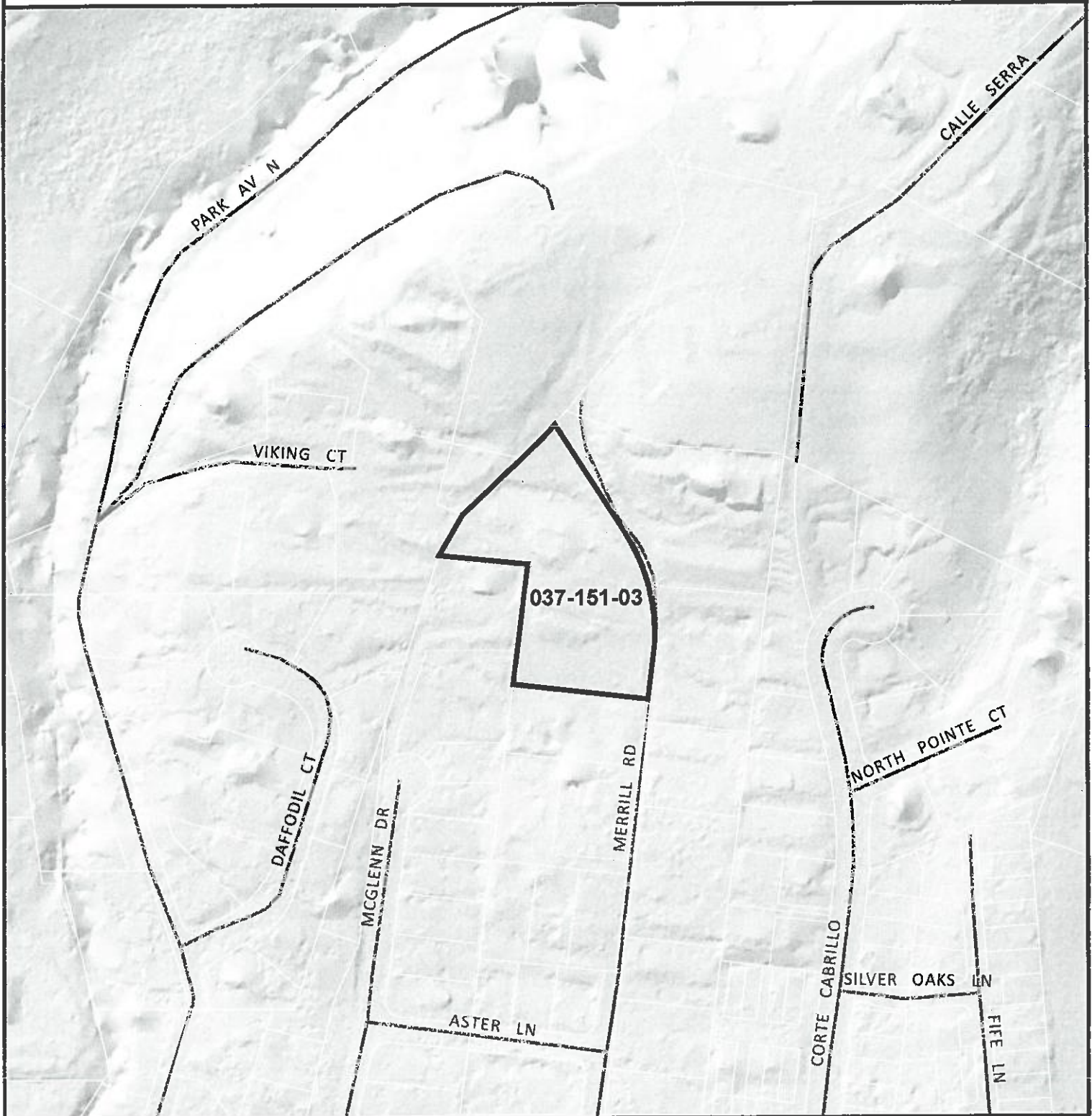




Parcel Location Map

Santa Cruz County Planning Department

Parcel Number
037-151-03
Mar. 2, 2018



Location Overview

Symbol Key

— Street



0 80 160
Feet







Parcel General Plan Map

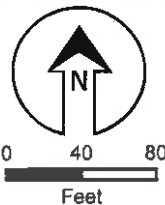
Santa Cruz County Planning Department

Parcel Number
037-151-03
Mar. 2, 2018



General Plan

-  R-R - Residential-Rural
-  R-S - Residential-Suburban
-  R-UVL - Residential - Urban Very Low Density
-  R-UL - Residential - Urban Low Density

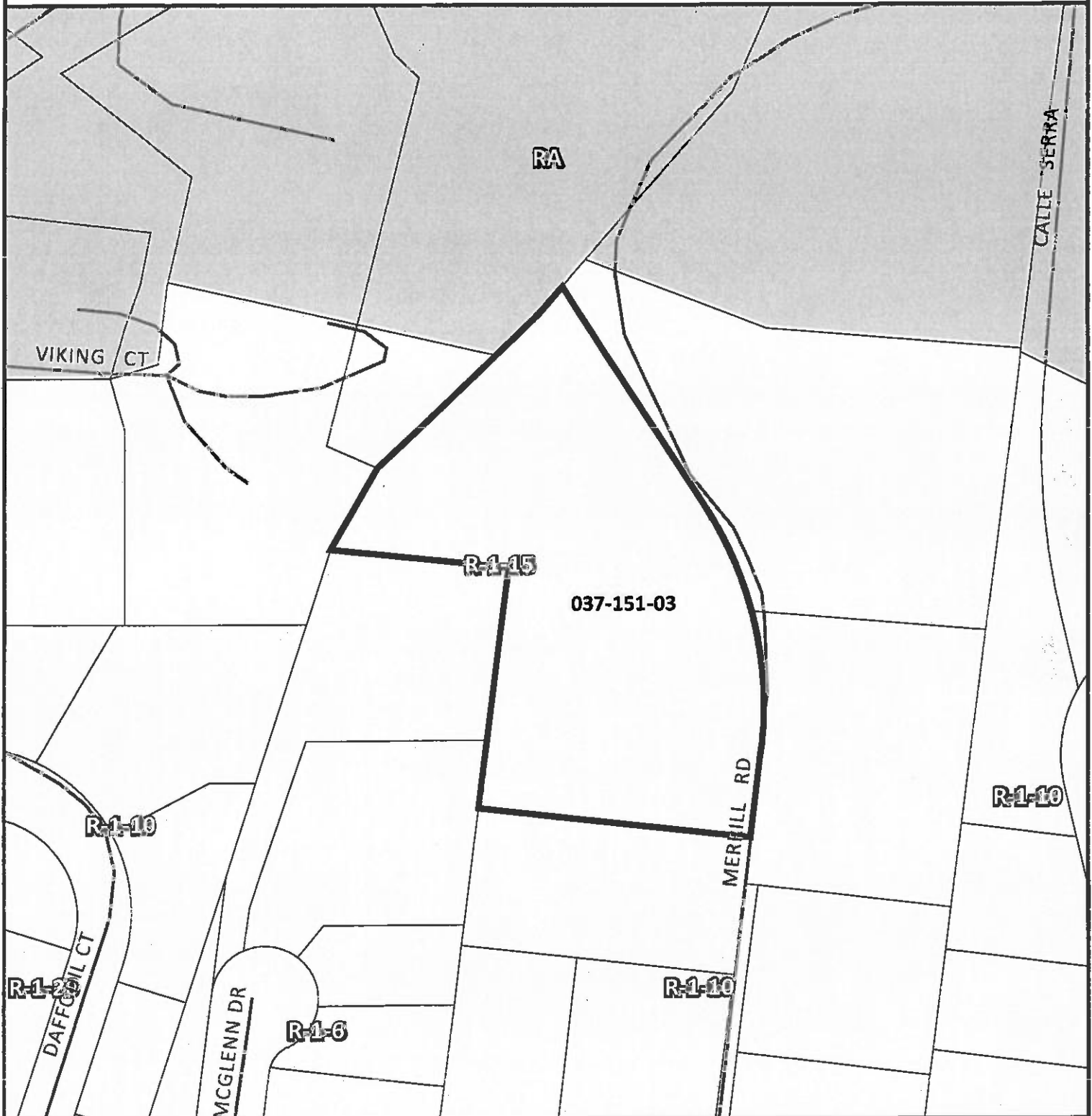




Parcel Zoning Map

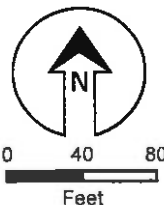
Santa Cruz County Planning Department

Parcel Number
037-151-03
Mar. 2, 2018



Zoning

- (R-1) Single-Family Residential
- (RA) Residential Agricultural



May 5, 2017

Scott Crossen
206 Morrissey Blvd.
Santa Cruz CA 95062

**SUBJECT: Water Service Application for Tier II Single-Family
Residential Development at 3435 Merrill Road, Aptos, APN
037-151-03**

Dear Mr. Crossen:

In response to the subject application, the Board of Directors (Board) of the Soquel Creek Water District (SqCWD) at their regular meeting of May 2, 2017 voted to grant you a Will Serve Letter for the proposed Tier II (parcels sized greater than 10,000 square feet) single-family dwelling to be located at 3435 Merrill Road, so that you may proceed through the appropriate land use planning entity.

The issuance of this letter corresponds with the completion of the Water Demand Offset (WDO) requirement for this project. You have fulfilled the Water Demand Offset requirement for 0.826 acre-feet, which incorporates no reduction in demand via the Go Green program. If the requirement is adjusted to be lower (i.e. additional Go Green measures are agreed upon and/or lot has been deed restricted) after the issuance of this letter, then you will receive a refund equivalent to the difference in offset. If it is adjusted to be higher (i.e. building plans are changed or Go Green measures are not completed as listed above) you must complete additional offsets. This letter is specifically granted for the project as proposed in regards to uses and densities. Any changes in the project that result in a change in use or an increase in water demand will require an application for a modification of this Will Serve Letter.

This Will Serve approval is valid for 4 years from the date of Board approval. If there is no activity to develop the property (you have not applied for planning/building permits with the land use planning agency before the expiration date of this approval) the WDO fees paid will be automatically refunded at 90%. All conditions are as outlined in the "New Water Service Applicant Agreement" that you signed when applying for new service.

After you have received a building permit from the land use planning agency, you are responsible for meeting all applicable SqCWD requirements defined in the attached Requirements Checklist. If you meet all of the applicable requirements, the meter can be installed and service can be activated.

EXHIBIT F

In order to finalize water service to your project, you will need to enter into a written "Applicant Installed Service Agreement" with the District. Please note that the District no longer performs water service installation. You are responsible for hiring a pre-approved contractor to perform the installation, including obtaining any necessary encroachment permit. The aforementioned agreement will itemize the required construction inspection deposit associated with your contractor installing the water service, meter installation fees, and water capacity fees as applicable. Prior to installing a meter, SqCWD Conservation staff will need to perform an on-site verification of compliance if you are participating in the Go Green program. Should you have any questions about this process or require assistance, please contact Conservation or Engineering staff at (831) 475-8500.

The Board of the SqCWD also reserves the right to adopt additional policies to mitigate the impact of new development on the local groundwater basins, which are currently the District's only source of supply. Such actions would be in response to concerns about existing conditions that threaten the groundwater basins and the lack of a supplemental supply source that would restore and maintain the aquifers. The subject project would be required to comply with any applicable conditions of service that the District may adopt prior to granting water service.

As new policies and/or requirements are developed, the information will be made available by the SqCWD.

Sincerely,
SOQUEL CREEK WATER DISTRICT



Taj A. Dufour, P.E.
Engineering Manager/Chief Engineer

Attachment: Requirements Checklist for APN 037-151-03

Enclosures - Green (for Tier II Single-Family Residential Development):

1. Overview of the SqCWD Water Use Efficiency Requirements for Tier II Single Family Residential, Multi-Family Residential, Commercial, Industrial & Public Development
2. Indoor Water Use Efficiency Checklist
3. Landscape Project Application Submittal Requirements Package

EXHIBIT F



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

November 9, 2016

JIM WEAVER
206 MORRISSEY BLVD.
SANTA CRUZ, CA 95062
(831) 457-2033

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF
SERVICE FOR THE FOLLOWING PROPOSED DEVELOPMENT:
APN: 037-151-03 APPLICATION NO.: N/A
PARCEL ADDRESS: 3435 MERRILL ROAD, APTOS, CA 95003
PROJECT DESCRIPTION: 2-UNIT RESIDENTIAL DEVELOPMENT --
TOTAL 2 UNITS

Sewer service is available for the subject development upon completion of the following conditions.

A sewer connection can be issued, and final charges determined, after the District and, as needed, other Department of Public Works divisions have reviewed and approved the final engineered sewer improvement plans.

If the existing lot is to be split and a new tentative, parcel, or final map is required, then show all adjacent or impacted roads and easements on the improvement plans.

If a new tentative, parcel, or final map is NOT required, then provide to the District proof of recordation of any and all existing or proposed easement(s). On the improvement plans, show all adjacent or impacted roads and easements, and all on- and off-site sewer improvements needed to provide service to each lot or unit proposed. These plans must conform to the County's "Design Criteria."

If two residences on a single parcel are to be owned separately, then the applicant must form a homeowners' association with ownership and maintenance responsibilities for all on-site sewers for this project; reference to homeowner's association shall be included on any Final Map and in the CC&R's, which shall be recorded. Applicant shall provide a copy of said CC&R's to the District prior to the filing of the final map.

The plans shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table T-702.1 of the California Plumbing Code.

EXHIBIT F

Proposed and existing on-site sewer laterals, clean-outs, and connections to the existing public sewer must be shown on the plot plan accompanying the building permit application.

If the existing lateral is going to be relocated, then the applicant must secure a separate permit from the Sanitation District for that lateral relocation. The relocation of that lateral must be complete and inspected prior to the issuance of any building permit for the additional new residence.

A backflow preventive device for the new residence may be required.

The District notifies the property owner that a public sewer main is located on the property and that any improvements in the easement will be removed if the District needs to replace the sewer main. The existing sewer system line and easement shall be surveyed and plotted on the site plan for the application, at the applicant's expense. No permanent improvements shall be constructed within the easement.

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 effective for one year from the issuance date to allow the applicant the time to receive a tentative map, development or other discretionary permit approval. If, after this time frame, this project has not received approval from the Planning Department, then a new sewer service availability letter must be obtained by the applicant. If, for whatever reason, any approval by the Planning Department of a tentative map for this project is withdrawn, is revoked, or has expired, then this determination of availability will be considered to have expired and will be invalid.

If you have any questions about these conditions, please contact Robert Hambelton at Robert.Hambelton@SantaCruzCounty.us.

Yours truly,

JOHN J. PRESLEIGH
District Engineer

By:


Kent Edler
Sanitation Engineer

RLH/tlp/469

SAKEY2.DOC (REV.2/2016)

EXHIBIT F

Pacific Rim Planning Group
 206 Morrissey Blvd
 Santa Cruz, CA. 95062
 Ph: 831.457.2033
 Email: pacrimplangrp@gmail.com

June 13, 2017

RE: Design Guidelines for Lands of Crossen; APN No.: 037 -151-03; 3435 Merrill Road Aptos

Pursuant to Chapter 13.11 and Section 18.10.210(e) of the Santa Cruz County Code we are providing Design Guidelines for the proposed minor land division of Assessor's Parcel 037-151-03.

Project Description & Location

The subject parcel is located on the west side of Merrill Road approximately 1100 feet north of Soquel Drive in the Aptos Planning area. The 1.78 acre parcel is developed with a single family dwelling and paved driveway. The gently sloping property contains south facing slopes with landscape vegetation around the home and native grasses on the remainder of the property. The proposed land division will create one additional parcel resulting in two parcels. Parcel 1 will be approximately 53,331 square feet and parcel 2 will be approximately 22,258 square feet. Surrounding development consists of single family homes incorporating one and two story elements with a variety of architectural styles.

Design Guidelines

It is anticipated that a new home on the lower portion of the subject property would be of split level design to take advantage of the gently sloping topography. Access will be provided by a separate paved driveway below the house pad and terminate at a garage. The new home would mirror the high quality construction of the surrounding homes. The size of the home would be in the 2200 square foot range and be of low profile. Stucco or wood ship lap siding would be the exterior material and would incorporate craftsmen style components in roof supports, window trim and entryway features. Finish exterior colors will be of natural tones with perhaps some enhancing trim colors. Window placement and size will take advantage of the properties all day sun and south facing roof overhangs will be incorporated to help cool the home in the summer.

Abundant Landscape will be incorporated into the design of the home that is consistent with the Soquel Creek Water District Water Conservation Landscape Ordinance. Landscaping will include a variety of native trees, shrubs and ground covers. A fence is planned along Merrill Road and likely along the property line between the subject property and the adjacent property to the south.

When finished, the design of this home, along with its landscaping will blend in with the neighborhood and be an asset to that neighborhood.

EXHIBIT G

Pacific Rim Planning Group
206 Morrissey Blvd
Santa Cruz, CA. 95062
Ph: 831.457.2033
Email: pacrimplangrp@gmail.com

June 13, 2017

RE: Neighborhood Meeting of April 15, 2017 for 3435 Merrill Road

On April 15, 2017 at 11 am in the morning a neighborhood meeting was held as required by Santa Cruz County. The meeting was held in the front yard of the subject property. Jim Weaver of Pacific Rim Planning Group and property owner Mr. Scott Crossen hosted the meeting.

A total of three neighbors attended. One neighbor, who lived further up Merrill Road, was simply curious and had no real concerns or issues. The other two neighbors home is immediately south of the subject property and they were interested in where the home would be placed on the new parcel. They have lived here for some 20 years and their children grew up playing on the subject property. They wished that the new home would be as far away as is possible given required setbacks.

Mr. Crossen understood their concern and agreed to keep the new home as far away from the common property line as is feasible. The required side yard set back is 10 feet. The actual likely setback will be 20 to 30 feet.

With that the neighborhood meeting concluded.

EXHIBIT G

Pacific Rim Planning Group
Land Use & Development Consultants
206 Morrissey Blvd
Santa Cruz, CA. 95062
Ph: 831-457-2033 –
Email: pacrimplangrp@gmail.com

NOTICE OF NEIGHBORHOOD MEETING

DATE: APRIL 15, 2017

WHERE: 3435 MERRILL STREET

TIME: 11 AM

RE: DISCUSSION OF PROPOSAL TO SUBDIVIDE 3435 INTO TWO PARCELS

The property owner is inviting you to meet and discuss his proposal to subdivide his property and build one additional home. We would welcome your thoughts and concerns. Please feel to call me at 831.457.2033 with any questions.

See you there

Jim Weaver
Project Manager

EXHIBIT G

THINGS TO DO TODAY

DATE:

April 19, 2017

Name

Email

Sandra Jones

sandrajones@mito.com

Sandy Kaplan

sandy@seattlecentral.com

Marc Reinia

marc10837@uic.edu

EXHIBIT G



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

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

Date: June 22, 2017
To: Jim Weaver
Applicant: **SAME**
From: Jim Dias
Subject: **MLD**
Address: 3435 Merrill Road Aptos CA 95003-3112
APN: 037-751-03
OCC: 3715103
Permit:

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.

Submit a check in the amount of \$115.00 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 OWNER OF RECORD. 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 jimd@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 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.
-100112