

Staff Report to the Planning Commission

Application Number: 171265

Applicant: Bill Kempf Owner: Jim Reilly, 432 Capitola Road LLC APN: 026-081-09 Site Address: 432 Capitola Road Extension Agenda Date: August 26, 2020 Agenda Item #: 6

Time: After 9:00 a.m.

Project Description: Proposal to demolish an existing duplex and construct two, two-story buildings totaling 8,932 square feet with seven apartment units (four 3-bedroom and three 2-bedroom units). The project includes a request for a 35% residential density bonus in exchange for provision of two low income rental units. The site is located in the RM-4 (Multiple family Residential) zone district.

Location: Property located on the west side of Capitola Road Extension approximately 325 feet north from Capitola Road (432 Capitola Road Extension).

Permits Required: Residential Development Permit. The application also includes a request for a 35% residential density bonus in exchange for the provision of two low income rental units and a request for two concessions: 1) a reduction in the required twenty-foot front setback to ten feet and 2) a reduction in the required landscape design requirements as set forth in SCCC 13.11.

Supervisorial District: District 1 (District Supervisor: John Leopold)

Staff Recommendation:

- Determine that the proposal is statutorily exempt from further Environmental Review under the California Environmental Quality Act pursuant to PRC 21159.25.
- Approval of Application 171265, based on the attached findings and conditions.

Project Setting

The subject parcel is located on the west side of Capitola Road Extension approximately 300 feet north of Capitola Road and 400 feet south of Rodriguez Street. South of Rodriguez Street, the neighborhood is developed with mostly with one- and two-story single-family dwellings with a private school (VHM Christian) located directly across the street from the subject parcel. North of Rodriguez Street, towards Soquel Avenue, are commercial sites with an autobody business, a Caltrans yard, and a cemetery. The project site is located within walking distance of Green Acres Elementary School and the bus lines on Capitola Road and Soquel Avenue.

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

The subject parcel is currently developed with an existing nonconforming dwelling used as a duplex with a detached shed located in the rear of the parcel. The relatively flat parcel is accessed by a single driveway located at the northeast corner of the parcel. The parcel is approximately 64 feet wide and 281 feet deep with the existing development located toward the front of the parcel.

Project Description

The proposed infill development includes demolition of the existing duplex and shed and the construction of two, two-story buildings that will consist of seven apartment units, two of which will be low-income rental units subject to regulations in SCCC Section 17.10 (Affordable Housing Requirements) and 17.12 (Residential Density Bonus and Affordability Incentives). Details related to these two code sections are provided below.

As shown on the project plans (Exhibit D), there will be one two-story building with two 3bedroom units, (Units 1 and 2), that will be located at the front of the parcel. The second two-story building, located at the rear of the parcel, will have two, 3-bedroom units on the lower floor, (Units 3 and 4), and three, 2-bedroom units on the upper floor (Units 5, 6, and 7). Parking for Units 1 and 2 will be located in carports underneath the second floor between Units 1 and 2. Parking for the units in the rear building will be located in the parking lot between the two buildings in the center of the parcel. There is an existing driveway on the northeast corner of the parcel that extends about half-way down the length of the parcel. This will be replaced with a twenty-four-foot wide driveway consisting of pervious pavers and asphalt running along the north (side) property line.

Estimated grading for the proposed project includes approximately 45 cubic yards of excavation and 660 cubic yards of embankment. Additional site improvements include a pervious paver walkway along the side (north) property line, a comprehensive landscape plan to include planting of twelve new trees, installation of a common outdoor area for residents and guests, mailboxes, a fire turnaround, and a six foot high good neighbor fence. Three California Live Oak trees located on the south side of the parcel are proposed for removal. A five-foot wide right-of-way dedication will be required as a condition of approval, effectively moving the front property line back five feet westward. This will allow offsite improvements to include repaving in the public right of way to allow two public parking spaces in front of the subject parcel and a new driveway approach.

Zoning & General Plan Consistency

The subject property is an 18,165 square foot lot, located in the RM-4 (Multi-family Residentialminimum 4,000 square feet) zone district, a designation which allows residential uses. With the right-of-way dedication deducted, the net parcel size is approximately 17,845 square feet. The proposed multi-family project is an allowed use within the zone district, and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation.

The Urban Medium Density Residential (R-UM) General Plan designation allows for a density range of one unit per 4,000 to 6,000 square feet of net developable area. Since density bonus calculations are based on gross area, when these standards are applied to the gross lot area, a total of 4.54 units is allowed, which with rounding, allows for five units (18,165 / 4,000 = 4.54 units). As a density bonus project entitled to a 35% increase in units, an additional two units are allowed (see explanation below), bringing the total to seven units. Density is discussed in further detail in the next section.

Location	RM-4 Standards	Proposed
Front yard setback	20 feet (parcels > 5,000 s.f.)	10 feet
Side yard setbacks	5 and 8 feet	5 and 8 feet
Rear yard setback	15 feet	15 feet
Maximum height	28 feet	24 feet (building #1) and
		26 feet, 6 inches (building #2)
Floor area ratio	50%	49.17%
Lot coverage	40%	30.6%

Santa Cruz County Code section 13.10.323(F) requires that multi-family projects in the RM district provide private or group usable open space, or a combination of the two for each unit. Outdoor patios will provide private open space for Units 2 through 4 and group open space is being provided for Units 1 and 5 through 7 along the rear of the parcel that connects with a barbeque area on the northwest corner of the site. Additionally, Jose Avenue Park is located approximately one-half mile southeast of the subject site.

Affordable Housing Density Bonus

The applicant has applied for a residential density bonus of 35% pursuant to California Government Code sections 65915-65918 and County Code chapter 17.12 (Density Bonus Law). Density Bonus Law sets out that a housing development is eligible for an enhanced density bonus as described in Code chapter 17.12, as well as regulatory incentives when the applicant for the development agrees to construct the applicable number of qualifying very low and/or lower income units required by County Code sections 17.12.020 and 17.12.025.

Pursuant to State density bonus law, all density calculations resulting in fractional units must be rounded up to the next whole unit. For this reason, the "base" unit yield for this site, before the density bonus is applied, is 5 units. The requested 35% density bonus would therefore allow for the construction of seven units (5 X 35% = 1.75 units, which rounds up to 2 additional units), subject to the provision that at least 20% of the base units, in this case, (5 X .20 = 1 unit) be provided as a low-income affordable unit.

County Code section 17.12.025 requires on-site replacement of any rental units occupied by lowerincome households within the past five years that will be removed from the rental market due to the proposed project. The property currently has two occupied rental units. The applicant had the option of either providing the gross household income and household size of each tenant, or if the income level was left unknown, the Code (and state density bonus law) requires the County to presume that lower income households occupied the units. The income level was left unknown, therefore, the project needed to include two low-income rental units to replace the two that were being removed.

As proposed, two of the proposed units would be affordable to low-income households. These units will be regulated for a 55-year term and restricted to rent and income limits and related terms of an Affordable Housing and Density Bonus Agreement to be recorded against the property prior

Page 4

to construction. Units 3 (a three-bedroom unit) and 6 (a two-bedroom unit) will be the designated low-income affordable units and Units 3 and 4, being single-level units, will be 'adaptable' under California Building Code Chapter 11B for accessibility.

Concessions and Parking

The regulatory incentives set out in Density Bonus Law allow an applicant to submit a proposal for specific incentives or concessions in order to facilitate the project. County Code section 17.12.040 states applicants may request two incentives or concessions when they include at least 20 percent of the total units for lower income households. The proposed project meets this requirement, and the applicant has requested two concessions in conjunction with the density bonus application. In addition, the applicant may use the State parking standards for density bonus projects, as set out in County Code section 17.12.090.

As set out in County Code section 17.12.040(C), a "Concession" or "Incentive," means any of the following:

- 1. A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, reductions in setbacks, square footage requirements, or number of parking spaces, when the reduction results in identifiable and actual cost reductions, as defined in section 50052.5 of the Health and Safety Code, allows for the affordable units to be rented at the low income level.
- 2. Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.
- 3. Priority processing as provide in SCCC 17.10.040.
- 4. Other regulatory incentives or concessions proposed by the developer or the County that result in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code section 65915(c).

For the proposed project the applicant has requested one concession to reduce the required twentyfoot front yard setback to ten feet, to allow the front building containing Units 1 and 2 to be situated ten feet from the front property line. Granting this concession is appropriate because the developable area has been reduced due to the five-foot right-of-way dedication. The concession allows the project to include the required parking and the fire turnaround between the two structures and maintain the design with seven units.

The second requested concession is for a reduction to the landscape design requirements. County Code section 13.11.053 allows flexibility in the application of design standards and guidelines

based on the following factors: 1) Special site circumstances or existing site uses, or 2) the objectives of this chapter are better achieved by allowing flexibility when considering the design standards and guidelines.

County Code section 13.11.074(A)(1)(h) states when a driveway parallels the side property line, a minimum five-foot wide landscape strip shall be provided between the driveway and property line. This would require the applicant provide a landscape strip along the north (side) property line on the north side of the driveway. Adjacent to this parcel on the north side is a corridor access road that leads to a single-family dwelling behind the subject parcel. On the south side of this corridor road next to the side property line of the subject site is a row of redwood trees. These mature redwood trees provide a robust buffer that meets the intent of the five-foot landscape strip requirement. If the applicant were to plant a landscape strip, the plants would have a difficult time surviving because of the deep shade under the trees and the tree roots that lie underneath. Granting this concession is appropriate because, due to this existing site circumstance, staff believes a landscape strip along the driveway would not serve the intended purpose and that the site is better served utilizing the existing redwood trees as the buffer between the driveway and neighboring parcel.

Parking would be provided in accordance with density bonus provisions of SCCC 17.12.090, which requires two parking spaces for each 2- or 3-bedroom dwelling unit, for a total of 14 spaces. Guest parking is not a requirement under State Density Bonus Law. While the size of the parcel restricts the ability of including guest parking for the units, two additional on-street parking spaces would be provided as a result of this project.

There is a great demand for low income rental housing in the County and for rental housing in general. One of the main purposes of the California State Density Bonus Law is to encourage the development of affordable housing. Therefore, granting these concessions/incentives is appropriate because the project, as designed, would allow for the construction of two affordable rental units for low-income households, in addition to the other five new rental units that will add to the County's stock of rental housing. The project addresses several policies and objectives in the Housing Element of the General Plan and contributes to the County's 2015-2023 Regional Housing Needs Allocation (RHNA).

Design Review

County Code section 13.11.040(B) states all residential development of three or more units requires design review based on the design standards and guidelines listed in SCCC sections 13.11.070 through 13.11.076.

The project includes construction of two Craftsman-style buildings with one situated at the front of the parcel and the other towards the rear. Both buildings are long and narrow reflecting the long and narrow shape of the parcel. The front building is the smaller of the two buildings and would be the "face" of the project. The east side of the front building which faces the street will have a shed roof over the first story window which will break up the two-story element and provide visual relief when viewed from the street. Shingles on the top floor would be a muted green color with grey stucco on the bottom floor. Parking for four vehicles would be provided in carports located at the center of the structure. The lower roof over the two carports breaks up the roof plane and highlights the stepped back portion of the second floor. The rear building would be finished in blue horizontal siding on the top floor and grey stucco on the bottom floor. Two second-floor decks, which overlook a landscape area, will break up the massing on the north side. Both buildings would have composition shingle roofs and dark brown-colored wood trim around the windows and as a bellyband between floors.

Page 6

The proposed driveway would be surfaced in pervious pavers for the first fifty-eight feet of the driveway which would provide an aesthetically pleasing entrance. A pedestrian path from Capitola Road Extension to the rear building also would be demarcated with pavers. In addition to the four parking spaces located in the front building's carports, parking is located between the two buildings. The front building would screen views from the street of this parking area. Landscape strips have been provided either at the end of each parking aisle or alongside parking spaces. Three of the proposed trees are located in the landscape strips which will also be planted with complementary shrubs and perennials.

The project has incorporated landscape planters throughout and around the perimeter of the parcel. A ten-foot wide landscape area with trees, shrubs and perennials would be planted within the front setback area to soften the two-story element of the front building. A large tree-lined walkway/common area would be provided along the north and west sides of the rear building.

As proposed, the project complies with the requirements of the County Design Review Ordinance, in that the proposed project incorporates site and architectural design features such as pitched roofs and varying colors and materials which are characteristic of residential development within vicinity of the project and allowing it to blend and be compatible with other homes in the neighborhood.

Public Outreach/Public Comment

Pursuant to SCCC 18.10, a community meeting was held on March 6, 2018 to solicit feedback from neighbors regarding the proposed development. According to the submitted meeting summary, most of the people who attended were supportive of the project. Most of the questions related to the landscape and stormwater plans which were discussed with the project applicant. Staff received an email from one of the neighbors when the project sign was erected. Correspondence received is included in Exhibit H.

Environmental Review

The proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code (PRC) Section 21159.25 relating to environmental quality and it has been determined that, pursuant to this code, the project qualities for a Statutory Exemption (Exhibit A).

PRC Section 21159.25 provides for a statutory exemption from CEQA when an infill residential or mixed-use project meets certain criteria. The proposed residential project qualifies for the exemption, in that the project is proposed on a legal parcel that is located in an unincorporated area of Santa Cruz County, within an urbanized area, and is substantially surrounded by qualified urban uses. The site is adequately served by all required utilities and public services and does not have value as habitat for endangered, rare, or threatened species. Furthermore, the proposed project is consistent with all applicable policies of the General Plan and the zoning designation. The project

is multi-family housing development containing 7 units, that complies with zoning and density bonus regulations. In addition, approval of the project would not result in any significant effects relating to transportation, noise, air quality, greenhouse gas emissions, or water quality. None of the disqualifying criteria that would preclude the use of the exemption apply to the project. A complete and detailed analysis of the provisions of Section 21159.25 of the Public Resources Code, as related to the proposed project is included with this report (Exhibit G).

Conclusion

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

Staff Recommendation

- Determine that the proposal is statutorily exempt from further Environmental Review under the California Environmental Quality Act pursuant to PRC 21159.25, and
- **APPROVAL** of Application Number 171265, 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.sccoplanning.com

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Report Reviewed By:

Annette Olson Principal Planner Development Review Santa Cruz County Planning Department

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans and color board.
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Geotechnical report review letter, dated January 22, 2020
- G. Comments & Correspondence

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: 171265 Assessor Parcel Number: 026-081-09 Project Location: 432 Capitola Road Extension

Project Description: Proposal to construct two, 2-story buildings totaling 8,932 square feet with seven residential apartment units, subject to a residential density bonus.

Person or Agency Proposing Project: Bill Kempf, WCK Architect

Contact Phone Number: (831) 459-0951

- 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. <u>Ministerial Project</u> involving only the use of fixed standards or objective measurements without personal judgment.
- **D.** X Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
- E. <u>Categorical Exemption</u>

F. Reasons why the project is exempt:

Project is exempt pursuant to PRC 21159.25. Construction of residential housing project on a less than 5-acre site located within an unincorporated area of Santa Cruz County that is substantially surrounded by qualified urban uses and where all public utilities are available. The project is consistent with the current General Plan and the applicable zoning designation and regulations and will consist of multi-family residential uses and where the density of the project will exceed the average density of adjoining residential properties. No significant effects relating to traffic, noise, air quality, greenhouse gas emissions would result from project implementation and the project site has no value as habitat for endangered, rare or threatened species.

In addition, none of the conditions described in Section 21159.25(c) apply to this project.

Elizabeth Cramblet, Project Planner

Date:_____

EXHIBIT A

This page will be removed when packet is prepared.

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 where multi-family uses are allowed. The site is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure 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 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 RM-4 (Multi-family residential) zone district. The primary use of the property will be multi-family residential that meets all current site standards for the zone district with the exception of two proposed density bonus concessions to reduce the required twenty-foot front yard setback to ten feet and to reduce the required landscape design requirements as set forth in County Code section 13.11. Granting the concession to reduce the required front yard setback is appropriate because the developable area has been reduced due to the five-foot right-of-way dedication. The concession allows the project to include the required parking and the fire turnaround between the two structures and maintain the current design with seven proposed seven units.

The second requested concession is for a reduction from the landscape design requirements. County Code section 13.11.053 allows flexibility in the application of design standards and guidelines based on the following factors: 1) Special site circumstances or existing site uses, or 2) the objectives of this chapter are better achieved by allowing flexibility when considering the design standards and guidelines.

County Code section 13.11.074(A)(1)(h) states when a driveway parallels the side property line, a minimum five-foot wide landscape strip shall be provided between the driveway and property line. This would require the applicant provide a landscape strip along the north (side) property line on the north side of the driveway. Adjacent to this parcel on the north side is a corridor access road that leads to a single-family dwelling behind the subject parcel. On the south side of this corridor road next to the side property line of the subject site is a row of redwood trees. These mature redwood trees provide a robust buffer that meets the intent of the five-foot landscape strip requirement. If the applicant were to plant a landscape strip, the plants would have a difficult time surviving because of the deep shade under the trees and the tree roots that lie underneath. Granting this concession is appropriate because, due to this existing site circumstance, staff believes a landscape strip along the driveway would not serve the intended purpose and that the site is better served utilizing the existing redwood trees as the buffer between the driveway and neighboring

EXHIBIT B

parcel.

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 multi-family project is an allowed use within the zone district, and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation. The Urban Medium Density Residential (R-UM) General Plan designation allows for a density range of one unit per 4,000 to 6,000 square feet of net developable area. Since density bonus calculations are based on gross area, when these standards are applied to the gross lot area, a total of 4.54 units is allowed, which with rounding, allows for five units (18,165 / 4,000 = 4.54 units). As a density bonus project entitled to a 35% increase in units, an additional two units are allowed, bringing the total allowed units to seven.

Santa Cruz County Code section 13.10.323(F) requires that multi-family projects in the RM district provide private or group usable open space, or a combination of the two for each unit. Outdoor patios will provide private open space for Units 2 through 4 and group open space is being provided for Units 1 and 5 through 7 along the rear of the parcel that connects with a barbeque area on the northwest corner of the site. Additionally, San Jose County Park is located approximately one-half mile southeast of the subject site.

The proposed development 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) with the exception of two proposed density bonus "concessions" as allowed by SCCC 17.12 to reduce the required twenty-foot front yard setback to ten feet and for a reduction in the open space requirement for Unit 1.

The proposed project will be properly proportioned to the parcel size and 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 two proposed multi-family buildings will comply with the site standards for the RM-4 zone district (including setbacks--with the exception of the front yard setback--, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed project is to be constructed on an existing developed lot with a duplex. The zone district is RM-4 which allows for multi-family housing. All utilities are available for the proposed project and the expected level of traffic generated by the proposed project is anticipated to be consistent with other multi-family projects located in the same zone district. This project was reviewed by the Department of Public Works. Trips generated by this project will be at an acceptable level.

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 project is located in a mixed neighborhood containing a mixture of one- and two-story single-family dwellings with some commercial sites within the neighborhood. Size and architectural styles of buildings vary widely in the area, and the design submitted is consistent with the existing range of styles for other existing residential dwellings. The proposed project, which includes two multi-family structures that are each two-stories high with associated parking, will be compatible with other residential and commercial businesses in the neighborhood and has been designed and landscaped to be compatible with homes and commercial site within the neighborhood. The subject site is located in the RM-4 (Multi-Family Residential) zone district which allows for multi-family uses; therefore, the project 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.

County Code section 13.11.040(B) states all residential development of three or more units requires design review based on the design standards and guidelines listed in SCCC sections 13.11.070 through 13.11.076.

The project includes construction of two Craftsman-style buildings with one situated at the front of the parcel and the other towards the rear. Both buildings are long and narrow reflecting the long and narrow shape of the parcel. The front building is the smaller of the two buildings and would be the "face" of the project. The east side of the front building which faces the street will have a shed roof over the first story window which will break up the two-story element and provide visual relief when viewed from the street. Shingles on the top floor would be a muted green color with grey stucco on the bottom floor. Parking for four vehicles would be provided in carports located at the center of the structure. The proposed lower roof over the two carports breaks up the roof plane and highlights the stepped back portion of the second floor.

The rear building would be finished in blue horizontal siding on the top floor and grey stucco on the bottom floor. Two second-floor decks will break up the massing on the north side. Both buildings would have composition shingle roofs and dark brown-colored wood trim around the windows and as a bellyband between floors.

The proposed driveway would be surfaced in pervious pavers for the first fifty-eight feet of the driveway which would provide an aesthetically pleasing entrance. A pedestrian path from Capitola Road Extension to the rear building also would be demarcated with pavers. In addition to the four parking spaces located in the front building's carports, parking is located between the two buildings. The front building would screen views from the street of this parking area. Landscape strips have been provided either at the end of each parking aisle or alongside parking spaces. Three of the proposed trees are located in the landscape strips which will also be planted with complementary shrubs and perennials.

In terms of landscaping, the project has incorporated landscape planters throughout and around the

EXHIBIT B

perimeter of the parcel. A ten-foot wide landscape area with trees, shrubs and perennials would be planted within the front setback area to soften the two-story element of the front building. A large tree-lined walkway/common area would be provided along the north and west sides of the rear building.

As proposed, the project complies with the requirements of the County Design Review Ordinance, in that the proposed project incorporates site and architectural design features such as pitched roofs and varying colors and materials which are characteristic of residential development within vicinity of the project and allowing it to blend and be compatible with other homes in the neighborhood.

Residential Density Bonus Findings

1. The housing development is eligible for the density bonus and any incentives, concessions, parking reduction or waivers requested.

This finding can be made, in that pursuant to County Code 17.12.060 (Density bonuses), the project as proposed with 20% of the units provided as affordable rental units for low-income households, qualifies for a 35% density bonus, parking reductions, and up to two concessions or incentives as allowed under County Code section 17.12.040(B) and 17.12.090, and any number of waivers, if requested. The project includes two affordable rental units for low-income households, which represents 20% of the 5 base units allowed on the site under County Code 13.10.323 and SCCC 17.12.

Parking would be provided in accordance with density bonus provisions of SCCC 17.12.090, which requires two parking spaces for each 2- or 3-bedroom dwelling unit, for a total of 14 spaces. Guest parking is not a requirement under State Density Bonus Law. While the size of the parcel restricts the ability of including guest parking for the units, the project would result in two new onstreet parking spaces.

County Code section 17.12.025 requires on-site replacement of any rental units occupied by lowerincome households within the past five years that will be removed from the rental market due to the proposed project. The property currently has two occupied rental units. The applicant had the option of either providing the gross household income and household size of each tenant, or if the income level was left unknown, the County is required to presume that lower income households occupied the units based on state law and census data regarding household incomes of renters in the County. The applicant did not provide the tenant income, therefore, the project needed to include two low-income rental units to replace the two that were being removed.

2. Any requested incentive or concession will result in identifiable, financially sufficient, and actual cost reductions.

For the proposed project the applicant has requested one concession to reduce the required twentyfoot front yard setback to ten feet, to allow the front building containing Units 1 and 2 to be situated ten feet from the front property line. Granting this concession is appropriate because the developable area has been reduced due to the five-foot right-of-way dedication. The concession allows the project to include the required parking and the fire turnaround between the two structures and maintain the design with seven units.

The second requested concession is for a reduction from the landscape design requirements. County Code section 13.11.053 allows flexibility in the application of design standards and guidelines based on the following factors: 1) Special site circumstances or existing site uses, or 2) the objectives of this chapter are better achieved by allowing flexibility when considering the design standards and guidelines.

County Code section 13.11.074(A)(1)(h) states when a driveway parallels the side property line, a minimum five-foot wide landscape strip shall be provided between the driveway and property line. This would require the applicant provide a landscape strip along the north (side) property line on the north side of the driveway. Adjacent to this parcel on the north side is a corridor access road

that leads to a single-family dwelling behind the subject parcel. On the south side of this corridor road next to the side property line of the subject site is a row of redwood trees. These mature redwood trees provide a robust buffer that meets the intent of the five-foot landscape strip requirement. If the applicant were to plant a landscape strip, the plants would have a difficult time surviving because of the deep shade under the trees and the tree roots that lie underneath. Granting this concession is appropriate because, due to this existing site circumstance, staff believes a landscape strip along the driveway would not serve the intended purpose and that the site is better served utilizing the existing redwood trees as the buffer between the driveway and neighboring parcel.

There is a great demand for low income rental housing in the County and for rental housing in general. One of the main purposes of the California State Density Bonus Law is to encourage the development of affordable housing. Therefore, granting these concessions/incentives is appropriate because the project, as designed, would allow for the construction of two affordable rental units for low-income households, in addition to the other five new rental units that will add to the County's stock of rental housing. The project addresses several policies and objectives in the Housing Element of the General Plan and contributes to the County's 2015-2023 Regional Housing Needs Allocation (RHNA).

3. If the density bonus is based on all or in part on donation of land, a finding that all the requirements included in SCCC 17.12.070 have been met.

This finding is not applicable as the project does not propose the donation of land.

4. If the density bonus or incentive is based all or in part on the inclusion of a child-care facility, a finding that all the requirements included in SCCC 17.12.080 have been met.

This finding is not applicable as the project does not propose a child-care facility.

5. If the density bonus or incentive is based all or in part on the inclusion of affordable units as part of a condominium conversion, a finding that all the requirements included in Government Code Section 65915.5 have been met.

This finding is not applicable in that the project does not involve a condominium conversion.

6. If an incentive includes mixed-use development, a finding that nonresidential land uses will reduce the cost of the housing development and that the nonresidential land uses are compatible with the housing development and the existing or planned development in the area.

This finding is not applicable as a mixed-use development is not proposed.

7. If a waiver is requested, a finding that the development standards for which the waiver is requested would have the effect of physically precluding the construction of the housing development with the density bonus and incentives and concessions permitted.

This finding is not applicable as a waiver of development standards has not been requested for the project.

EXHIBIT B

Conditions of Approval

Exhibit D: Project plans, prepared by William Kempf, Architect, dated 8-10-20.

- I. This permit authorizes the construction of two, 2-story multi-family residential buildings totaling 8,932 square feet as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - 1) Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - D. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - E. Obtain an Encroachment Permit from the Department of Public Works for all offsite work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 - 1) A copy of the text of these conditions of approval incorporated into the fullsize sheets of the architectural plan set.
 - 2) One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review and approval.

- 3) Grading, drainage, and erosion control plans.
- 4) The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet.
- 5) The backflow preventer located within the front yard setback shall be screened with landscaping to the greatest extent feasible.
- 6) No utilities (e.g., electrical panels) shall be located on the front elevation of the front (eastern-most) building.
- 7) All utilities shall be provided underground. No overhead electrical lines are allowed.
- 8) Details showing compliance with fire department requirements.
- 9) Provide an arborist's recommendations for protecting the redwood trees located along the northern property line during construction. Those protection recommendations shall be reflected on the project plans.
- B. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area. Following are additional conditions of approval:
 - 1) This project is considered a large project and must provide a project Information and Threshold Determination Form (Appendix A of the County Design Criteria) and all of the required items detailed in Appendix D County Design Criteria (CDC).
 - 2) Provide final stormwater management plans that are adequately detailed for construction and that demonstrate compliance with the Part 3 Section C.3 of the CDC.
 - a. Additional grading information is necessary to ensure that the DMAs drain consistent with the stormwater design.
 - b. Design should include provisions for safe overflow, flow control sizing, capacity analysis, treatment, pollution prevention, provisions for avoiding/minimizing clogging, drain time and vector control assessment.
 - c. Plans should clearly describe how runoff from all project areas

(roof, hardscapes, landscapes, rear yards, etc.) will be routed and should include details such as: surface and invert elevations, slopes, surface details, flow control structures, clean-out facilities at pipe connections/grade/direction changes, materials, installation requirements, compaction/decompaction requirements, downspout locations and routing, etc.

- d. Provide cross sections, details, specifications for the proposed overflow dissipator, swales, etc.
- e. The pervious paver design should include information on paver material, spacing requirements, spacing material, minimum surface infiltration rate and testing method, bedding material, minimum void ratio, high permeability fabric, subgrade noncompaction/compaction, etc.
- f. The raingarden design shall include information on bioretention soil, planting, mulch material, minimum surface infiltration rate and testing method, minimum void ratio in rock, etc.
- g. The depth of the retention/detention facilities shall be consistent with the depth where the poorly graded sand with silt was encountered (approximately 7.5 feet). Please coordinate with the geotechnical engineer to determine at what depth/s the storage volume should be provided in order to ensure the required storage volume will be drained and available for storm storage within 48 hours after a storm. The opinions and recommendations in section 7.2.8 of the 4/28/16 Geotechnical Investigation shall be taken into account and discussed with the geotechnical engineer to ensure the proposed facilities meet the CDC requirements for storage availability within 48 hours after a storm.
- h. Provide additional details for the cobble spillway from raingarden 6 - this design will need to.
- i. Include note restricting any additional impervious or semiimpervious areas on the project site beyond those accounted for in the final analysis and plans.
- 3) Provide a final Stormwater Management Report that is signed and stamped by the project engineer and includes all narrative, analysis, backup technical documentation and maintenance requirements for the final design. The preliminary design intent was described to retain/infiltrate all runoff up to the 25-year storm on site. The final report shall include additional details and analysis for each mitigation facility that demonstrate compliance with the CDC and are consistent with the final plans. Analysis demonstrating compliance with drain times, orifice release, maintenance/clogging design, routing, and adequacy of off-site routing, etc. The final report shall address the following:

- a. Description of how the project complies with the site design and runoff reduction requirements in the CDC.
- b. Preliminary evaluation has been provided regarding with compliance with requirements for stormwater discharge rates and volumes. Provide final civil design based on site specific soils data. Final design with 25-year evaluations will be required and include analysis and details for storage, release, drain time, etc. Given combined systems, utilization of the standard spreadsheets will not be acceptable. Final sizing shall account for all additional areas draining to the mitigation features beyond impervious areas, if any as well as any areas that bypass mitigation (ex: driveway apron at Capitola Road Extension). Please utilize the standard detention spreadsheet (rather than the retention spreadsheet) and update/revise for the 25-year storm intensities and allowable release rate for sizing these non-standard facilities. The required storage volumes shall include the 25% safety factor as well as the 1.1 antecedent moisture factor for the 25-year storm.
- c. County Design Criteria (CDC) Section C.3.c: Please provide a narrative that describes how the project meets this section. Please include each strategy in the site design or provide technical justification as to why it is not feasible. The strategy of not maximizing density is noted and can be included in the narrative along with consideration of other required strategies.
- 4) CDC Section C.3.d: All inlets on the site shall be marked "No Dumping Drains to Ocean" or equivalent. These markings should be maintained by the property owner.
- 5) Provide a review letter from the project geotechnical engineer that specifically addresses the feasibility of infiltration and retention of stormwater runoff of the project site and concurs with the design infiltration rate/s used in mitigation sizing as well as the depths of the mitigation facilities.
- 6) Since the site receives some upstream, offsite drainage, provide a recorded document that acknowledges that the parcel does and will continue to receive upstream runoff and that the property owner is responsible for the maintenance of the drainage pathway (see CDC Part 3 Section E.3).
- 7) Provide landscape and architectural plans with surfacing, grading, and drainage information for review for consistency with the civil plans. The project landscape architect shall confirm that the proposed planting materials (including trees) proposed in the rain gardens will be viable in well drained soils with periods on inundation. Details for the location of proposed downspouts and methods of routing roof runoff consistent with the stormwater management design shall be provided.

- 8) Recorded maintenance agreement for the maintenance of the stormwater management and mitigation facilities will be required. Include a figure showing the project site, location of each stormwater mitigation facility and associated drainage area as an attachment to the maintenance agreement. Include in an attached table/checklist the detailed management activities, maintenance requirements, schedule, signs of system failure, maintenance intervals, infiltration testing method and minimum surface infiltration rates for the pervious pavement and raingarden surfaces, restrictions on any additional impervious or semi-impervious area construction and responsible party (this table/checklist shall be completed and included with the annual maintenance report sent in to the County). The maintenance agreement should also include the standard language provided in Part 3 Section C.3.k and Fig. swM-25B of the CDC and may also include the acknowledgement of upstream runoff per Part 3 Section E.3 of the CDC.
- 9) Provide a letter from the geotechnical engineer reviewing and approving the final stormwater management design. If the final plan includes infiltrative stormwater management facilities, the geotechnical letter should confirm that the site soils encountered are consistent with the design infiltration rate used in the design.
- C. Meet all requirements of the County Department of Public Works Driveway/Encroachment review including the following conditions of approval:
 - 1) Per Figure DW-5 and public works requirements, the asphalt driveway apron is to extend to the edge of the County right-of-way. The pervious driveway limits should be adjusted to meet this standard.
 - 2) Due to the new right-of-way dedication of 5 feet in the frontage of the parcel, the improvements in the right-of-way should be removed or approved through the encroachment permit process.
 - 3) An encroachment permit will be required for all trenching and improvements proposed in the County right-of-way. Before your building application can be approved, please submit an encroachment permit application with 2 sets of the plans (only the sheets showing work in R-O-W) directly to the Department of Public works, 701 Ocean Street, Room 410 or via email at Kristine.conley@santacruzcounty.us The encroachment permit application can be found on the internet at:<u>http://www.dpw.co.santacruz.ca.us/Portals/19/pdfs/EncroachmentEditable.pdf</u>
- D. Meet all requirements of the City of Santa Cruz Water District. Proof of water service availability is required prior to application for a Building Permit.
- E. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit. Following are additional conditions of approval:

- 1) The proposed location of the private collector line on a shelf under the permeable pavers is not an approved solution. Sheet C4.0 Section C show this shelf at approximately 1' deep. Applicant must show how this meets the County Design Criteria. Details must be provided addressing the risk of water undermining the bedding of the sewer line, as well as meeting cap requirements of CDC Fig SS-11. A phone conversation with the project engineer discussed an impermeable membrane wrapping from the top of the shelf down the side of the drainage basin. However, this solution must be proposed by the applicant and reviewed or acceptance by the District Engineer. This item may be deferred until building permit application is submitted, however, the project engineer is encouraged to contact the district engineering staff directly as early as the applicant deems practical.
- 2) Single ownership of more that two dwelling units on same parcel: The drawings (sheet C3.0) show a 6" diameter private collector line with a 1.5% slope. The County Design Criteria (Part 4, fig. SS-3.1) provides a prescriptive requirement that private collector lines slope at 2% minimum. The design shown on the drawings does not comply with this requirement. Any deviation from the stated criteria would require a written request for variance from the CDC (CDC, Part 4, sections B, C, & D) showing that the proposed design meets or exceeds the performance criteria. If neither the performance nor prescriptive criteria can be met, a privately-maintained pumped system would be required, possibly resulting in significant additional expense. The District recommends that the applicant analyze this condition as soon as possible to minimize the chance of unforeseen expenses arising later.
- 3) Backflow prevention devices and associated cleanouts. (It appears as if the lower floor levels of the buildings will be less than 1' above the rim height of the nearest upstream manhole; in which case backflow prevention devices will be required for each lateral. The plans provided do not show these devices and it is not clear that there is sufficient room to locate them within the proposed landscape areas. Final plans must indicate a solution to this problem that has been approved by the DPW.
- 4) Existing sewer lateral. Locate and label with this note: "To be properly abandoned (including inspection by District) prior to issuance of demolition permit or relocation or disconnection of structure."
- 5) District's "General Notes." Contact staff for electronic copy.

<u>If a sewer pump station is required</u>: Provide adequate driveway depression and sufficient width (12' paved) of all season surfacing to accommodate a truck in case the pump needs repair or replacement (our trucks require 12' width paving) in an emergency. Pump station maintenance manual shall be adhered to and name and phone number of emergency responder, to be retained by developer/owner of property, shall be on file with the Sanitation District.

- F. Meet all requirements of the County Department of Public Works Road Engineering Department including the following conditions of approval:
 - 1) Remove pervious pavement from the new right-of-way area.
 - 2) Landscape plan should remove vegetation shown within the right-of-way.
 - 3) Provide offer of right-of-way dedication.
- G. Meet all requirements of the Environmental Planning section of the Planning Department. Following are additional conditions of approval:
 - 1) 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.
 - 2) Building permit application plans shall clearly represent all proposed grading, including any overexcavation and recompaction as recommended by the geotechnical engineer.
 - 3) The applicant shall submit a drainage plan that complies with the requirements set forth in 2019 California Building Code (CBC) Section 1804.4 and the recommendations of the soils engineer.
 - 4) After plans are prepared that are acceptable to all reviewing agencies, please submit an original wet-signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. Please note that the plan review form must reference the final plan set by last revision date. Any updates to 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. An electronic copy of this form may be found on our website: www.sccoplanning.com, under "Environmental," Geology & Soils," "Assistance & Forms," "Consultant Plan Review Form-PLG300."
 - 5) 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: <u>http://www.sccoplanning.com/Portals/2/County/Planning/env/Construction StormwaterBMPManual-Oct%20312011version.pdf</u>.
 - 6) Prior to building permit approval, a consulting arborist shall review the grading plan and provide recommendations to minimize impacts to the root zone of the trees located on the adjacent parcel. Tree protection measures as required by the arborist shall be clearly shown on the building permit application plans.

- 7) Prior to site disturbance, 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, the civil engineer, and the consulting arborist. Perimeter erosion control (and tree protection) will be inspected by Environmental Planning staff.
- H. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- I. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
- J. Pay the current fees for Parks and Child Care mitigation for 18 bedrooms. Currently, these fees are, respectively, \$750 and \$36 per bedroom.
- K. Pay the current fees for Roadside and Transportation improvements for 4 multifamily units. Currently, these fees are, respectively, \$2,100 and \$2,100 per unit.
- L. Meet all requirements of the Planning Department's Housing section including the following:
 - Project will provide 2 of the proposed 7 units within the project as lowincome rental units pursuant to SCCC 17.12 and State density bonus law. The two affordable units will include (1) two-bedroom unit and (1) threebedroom unit, and will be dispersed throughout the project consistent with 17.10.032 as approved by the Housing Manager.
 - 2) Owner shall enter into an Affordable Rental Housing Density Bonus Agreement in a form provided by the County, setting forth the rent and income limits for the affordable units, establishing the 55-year term of restrictions, and related procedures and restrictions for operation of the lowincome affordable rental units consistent with state law and SCCC 17.12. The Agreement shall be recorded against the property title prior to issuance of a building permit for the project.
 - 3) The project will satisfy the Affordable Housing Impact Fee (AHIF0 requirement by providing 2 low-income rental units on site and thus no AHIF fees will be due, provided that Conditions #2 above is satisfied before issuance of a building permit.
- M. Provide required off-street parking for 14 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- N. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.

- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
 - A. Construction hours shall occur Monday through Friday between the hours of 8 a.m. and 5 p.m. only.
 - B. All site improvements shown on the final approved Building Permit plans shall be installed.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The project must comply with all recommendations of the approved soils reports.
 - 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.
- IV. Operational Conditions
 - A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
 - B. All landscaping and improvements shall be maintained in good condition. Plants that become diseased or die shall be replaced in-kind.
- V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation

reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

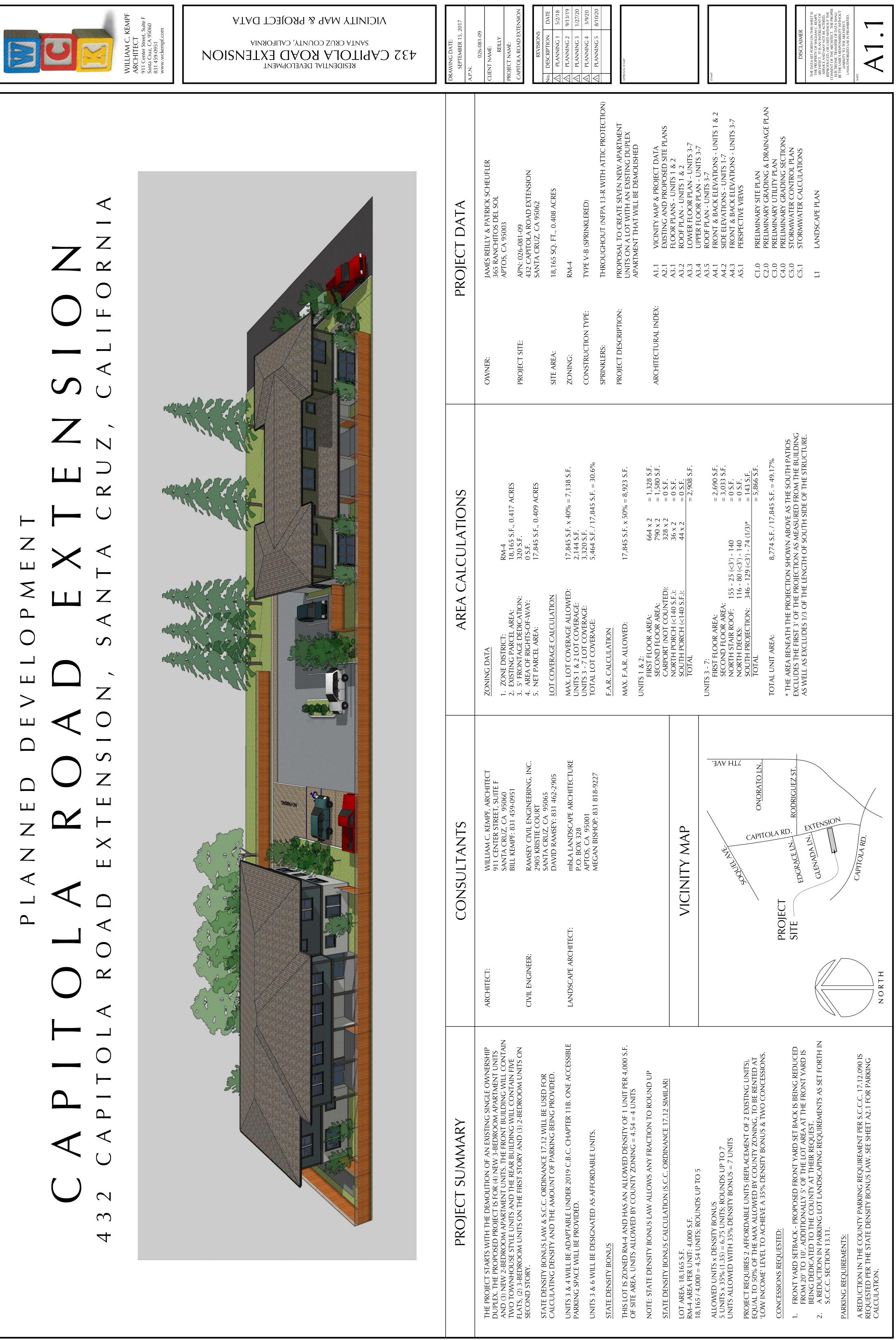
- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the 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. <u>Settlement</u>. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the COUNTY.
- D. <u>Successors Bound</u>. The "applicant/owner" shall include the applicant and/or the owner and the successor'(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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

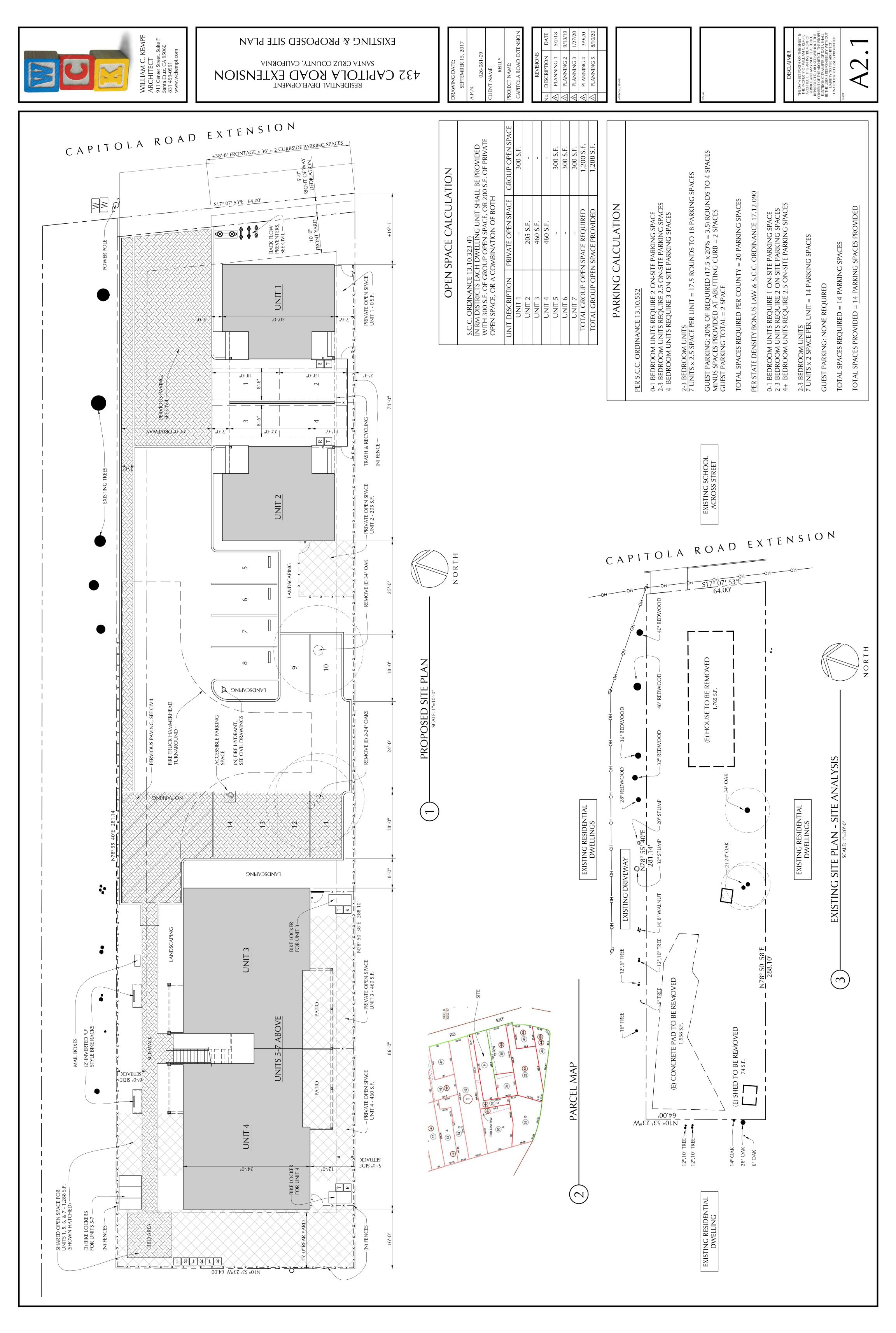
Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures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

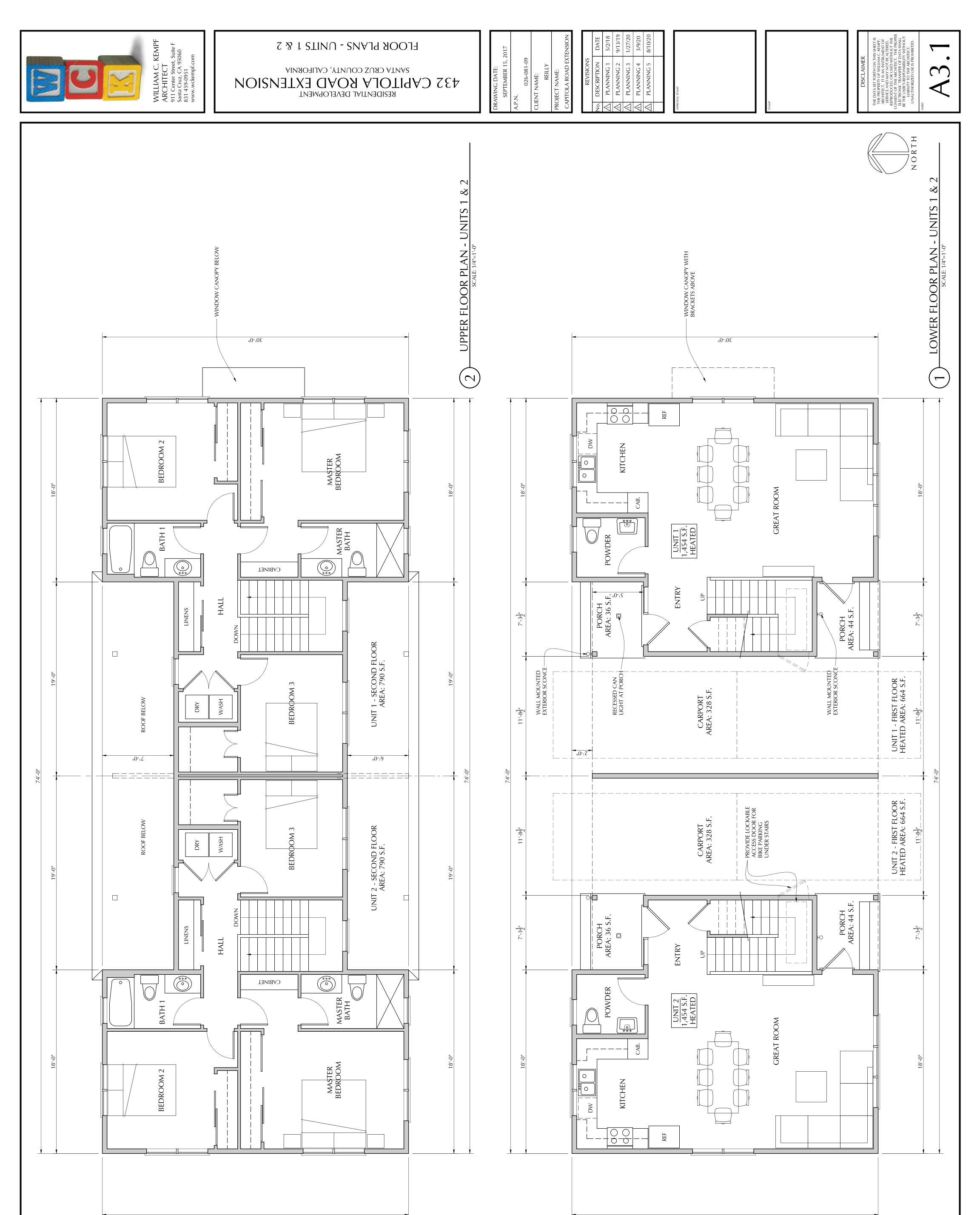
Approval Date:	
Effective Date:	
Expiration Date:	

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



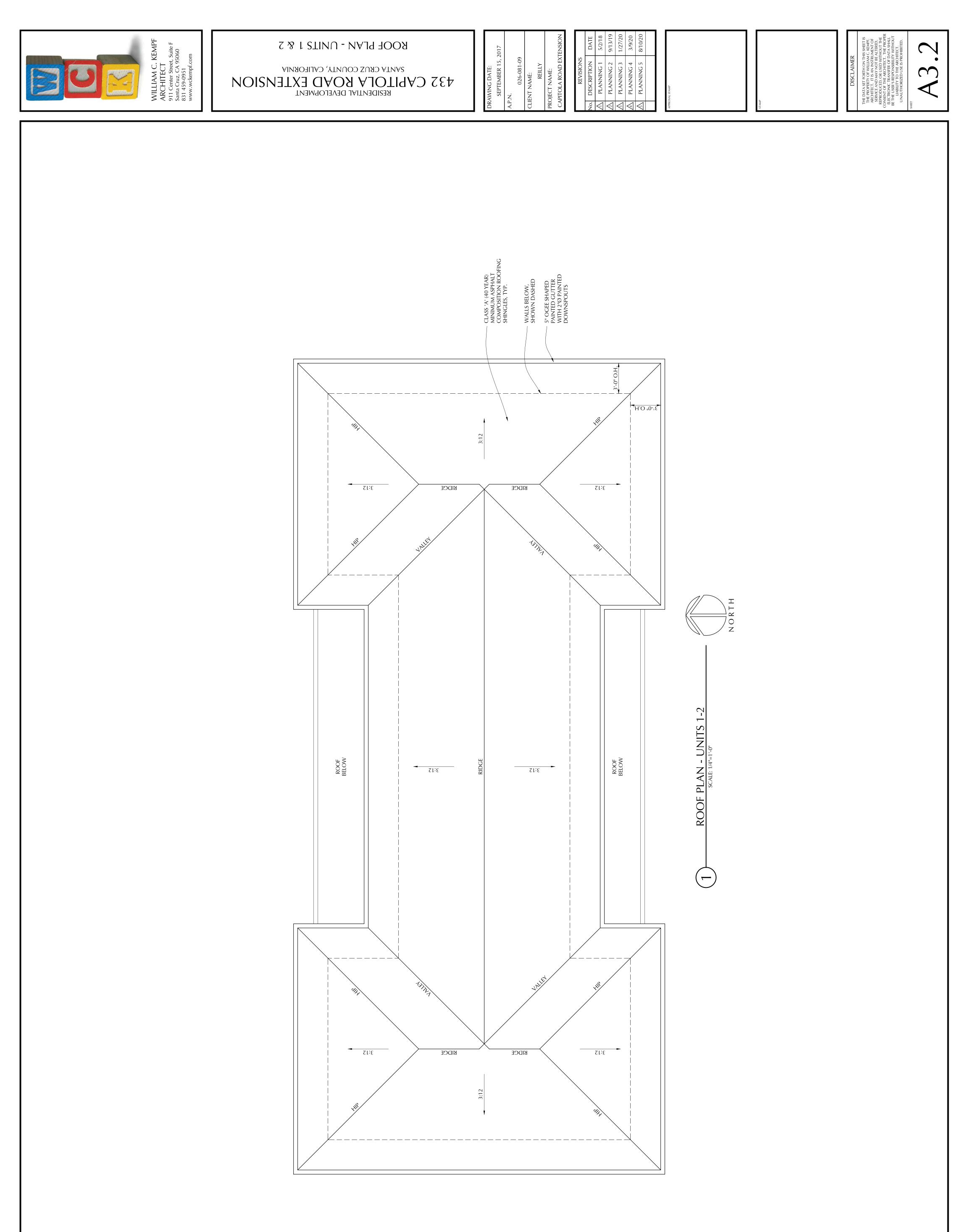
AREA CALCULATIONS	ZONING DATA 2. EXISTING PARCEL AREA: 3. 5' FRONTAGE DEDICATION: 4. AREA OF RIGHTS-OF-WAY: 5. NET PARCEL AREA: 3. 5' FRONTAGE DEDICATION: 4. AREA OF RIGHTS-OF-WAY: 5. NET PARCEL AREA: 17,845 S.F., 0.409 ACRES 17,845 S.F., 0.409 ACRES 17,845 S.F., 0.409 ACRES	MAX. LOT COVERAGE ALLOWED: 17,845 S.F. x 40% = 7,138 S.F. UNITS 1 & 2 LOT COVERAGE: 2,144 S.F.
CONSULTANTS	WILLIAM C. KEMPF, ARCHITECT 911 CENTER STREET, SUITE F SANTA CRUZ, CA 95060 BILL KEMPF: 831 459-0951 RAMSEY CIVIL ENGINEERING, INC. 2905 KRISTIE COURT SANTA CRUZ, CA 95065 DAVID RAMSEY: 831 462-2905	TECT: mbLa LANDSCAPE ARCHITECTURE P.O. BOX 328

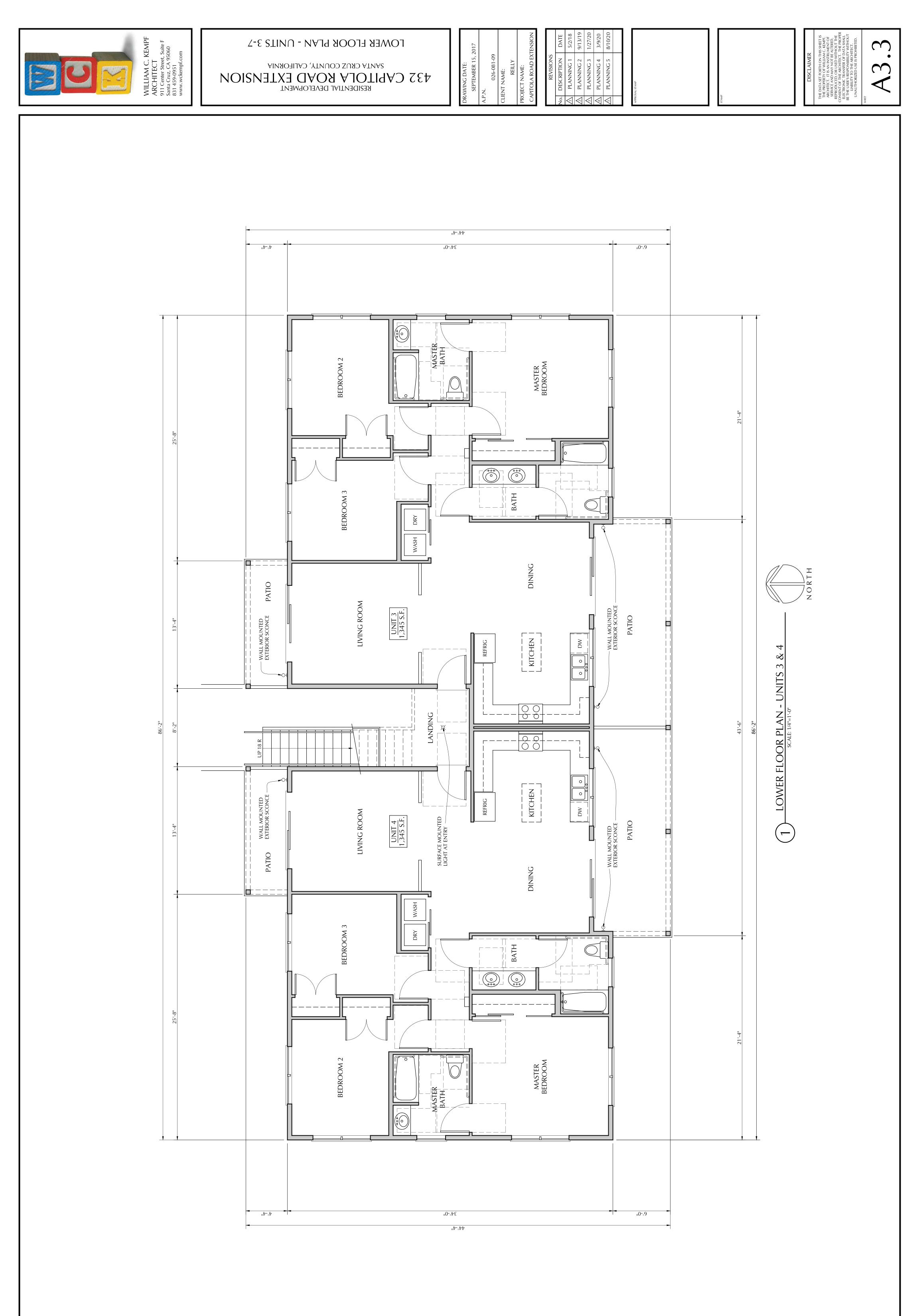


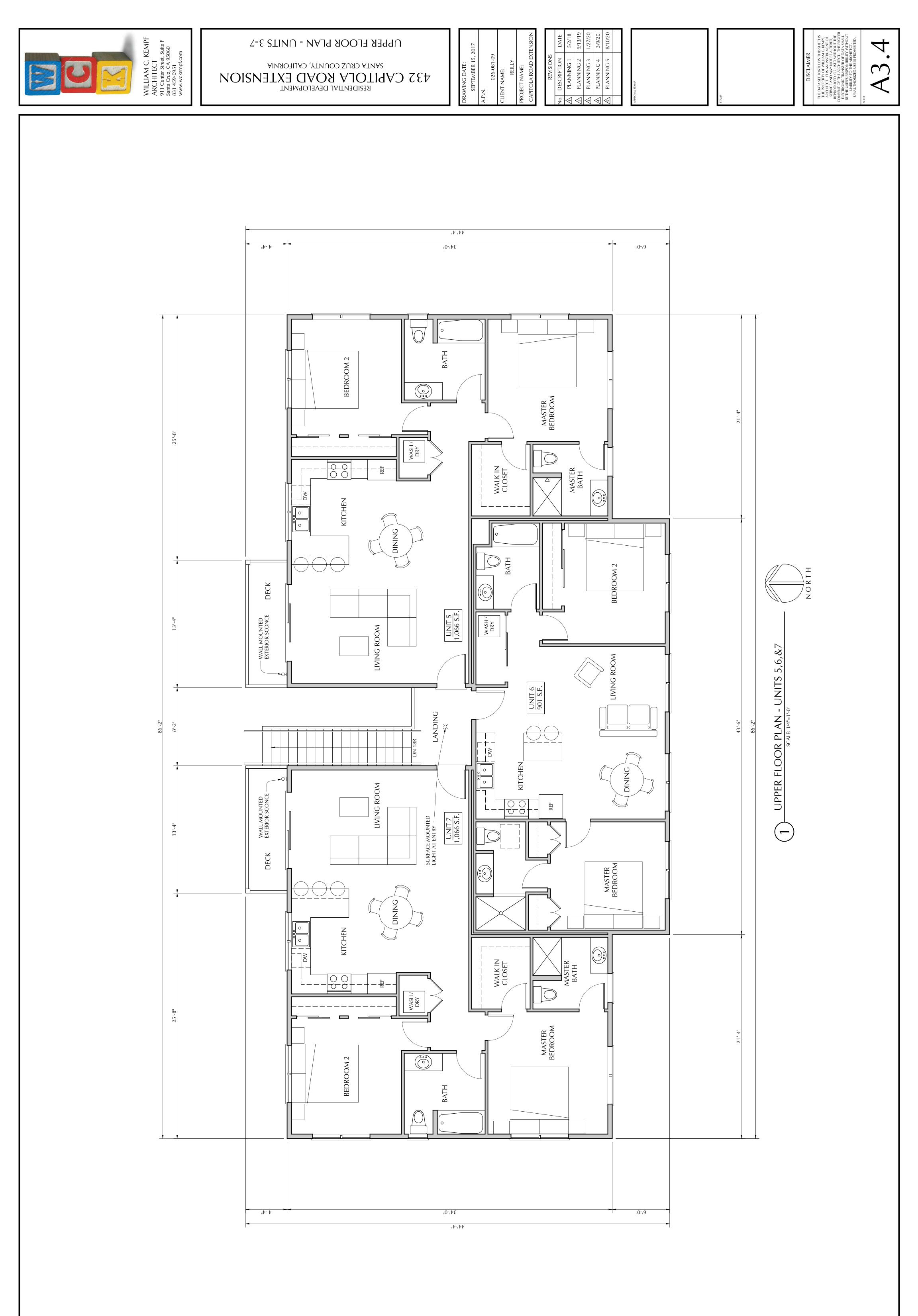


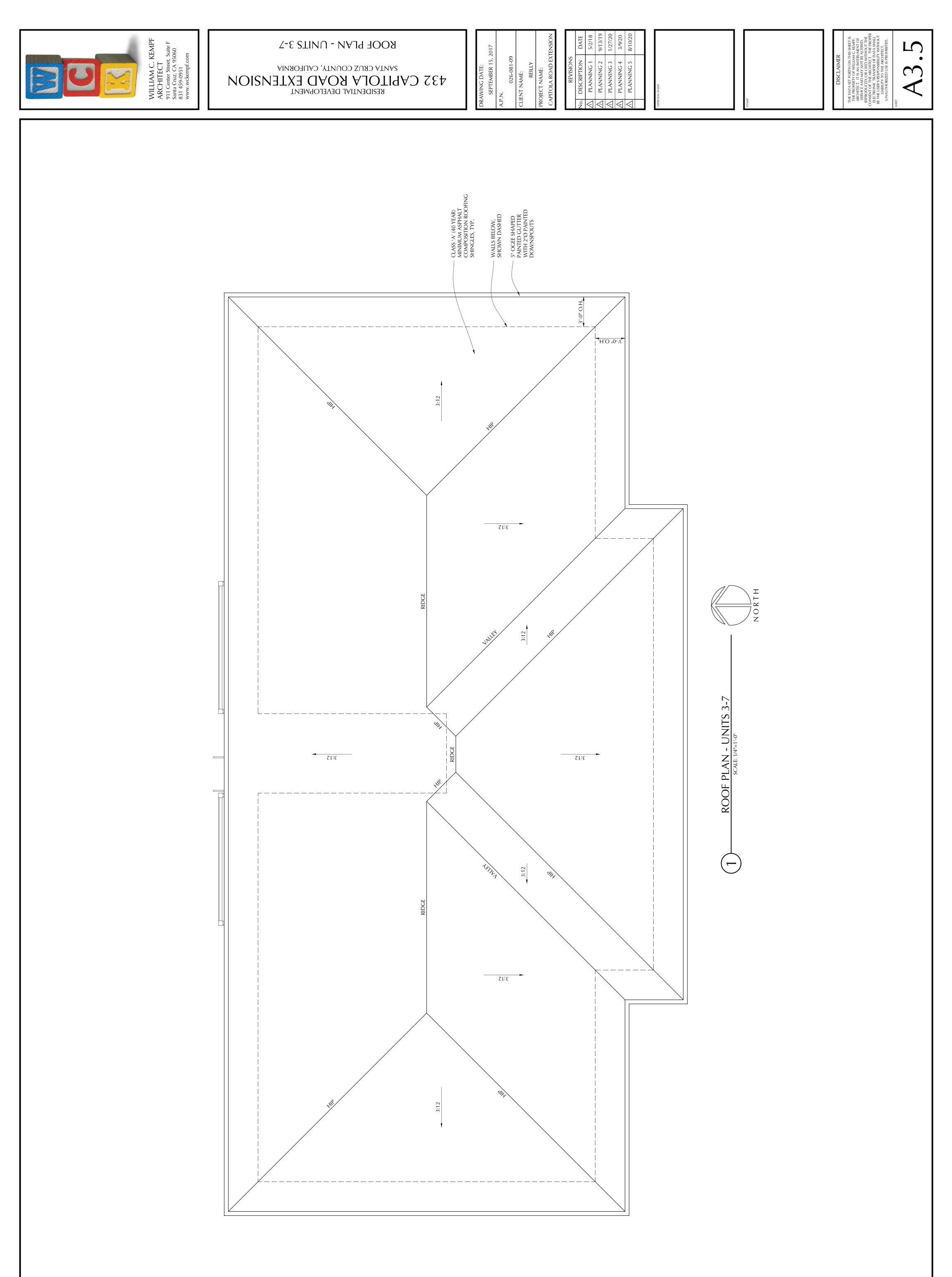
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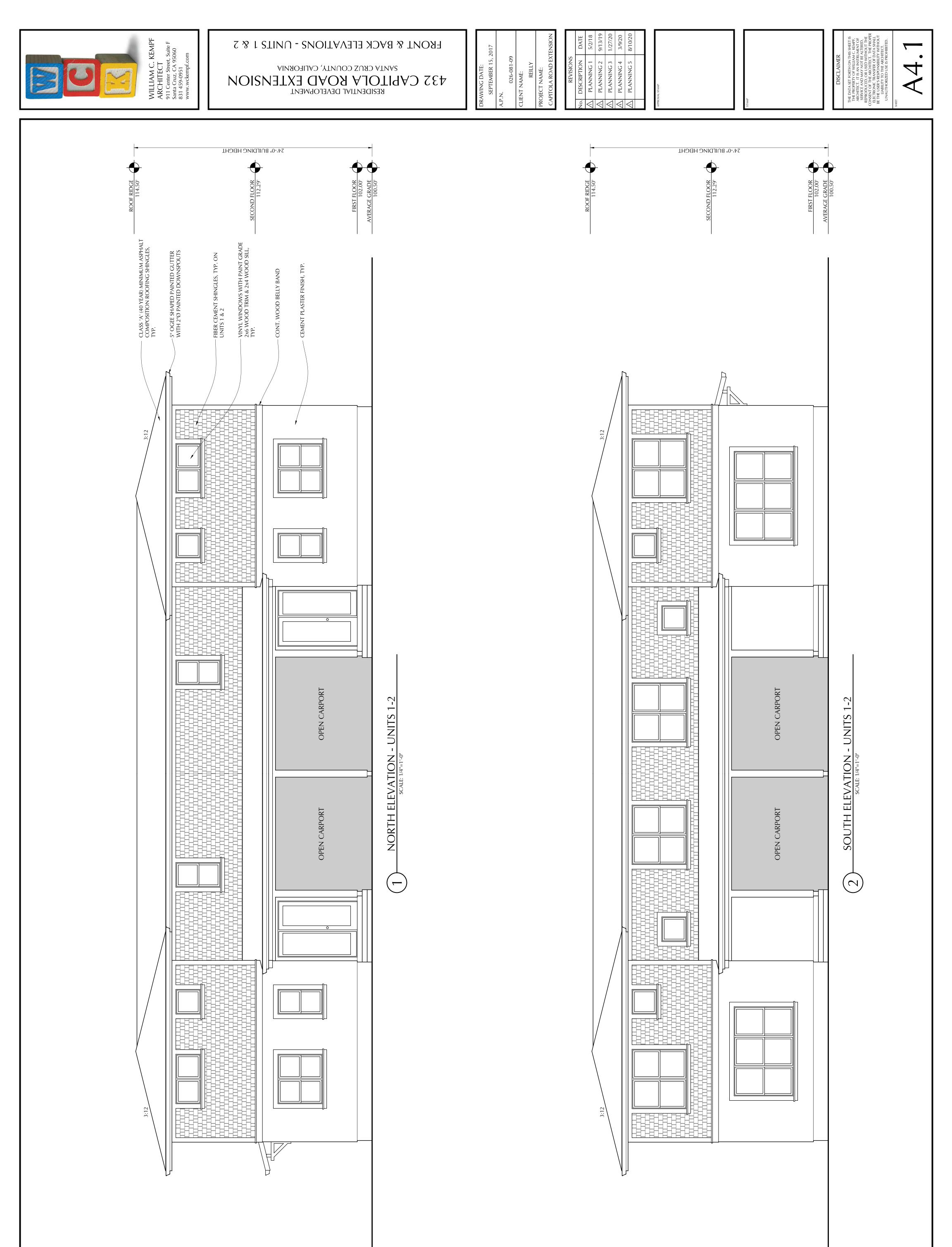
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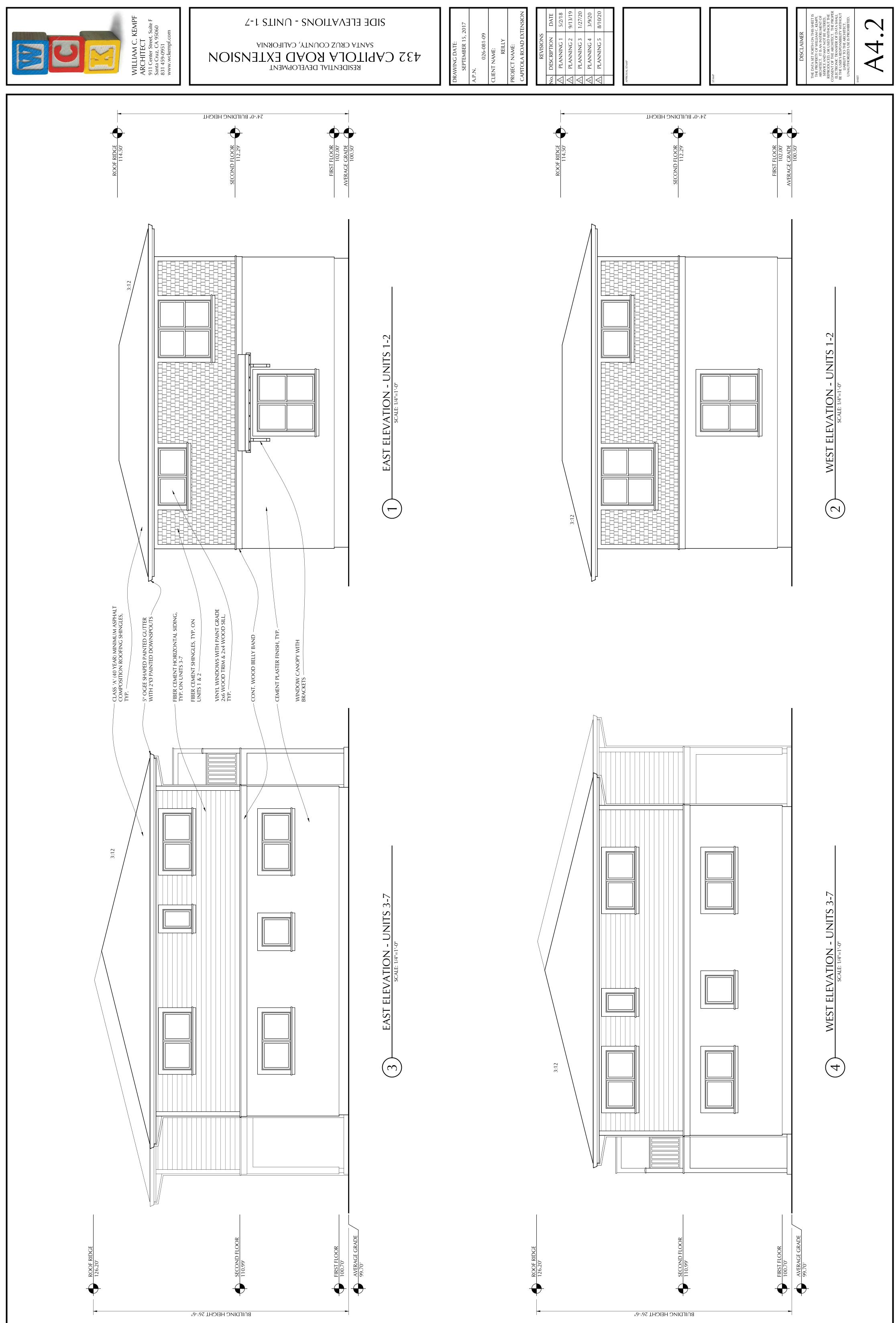


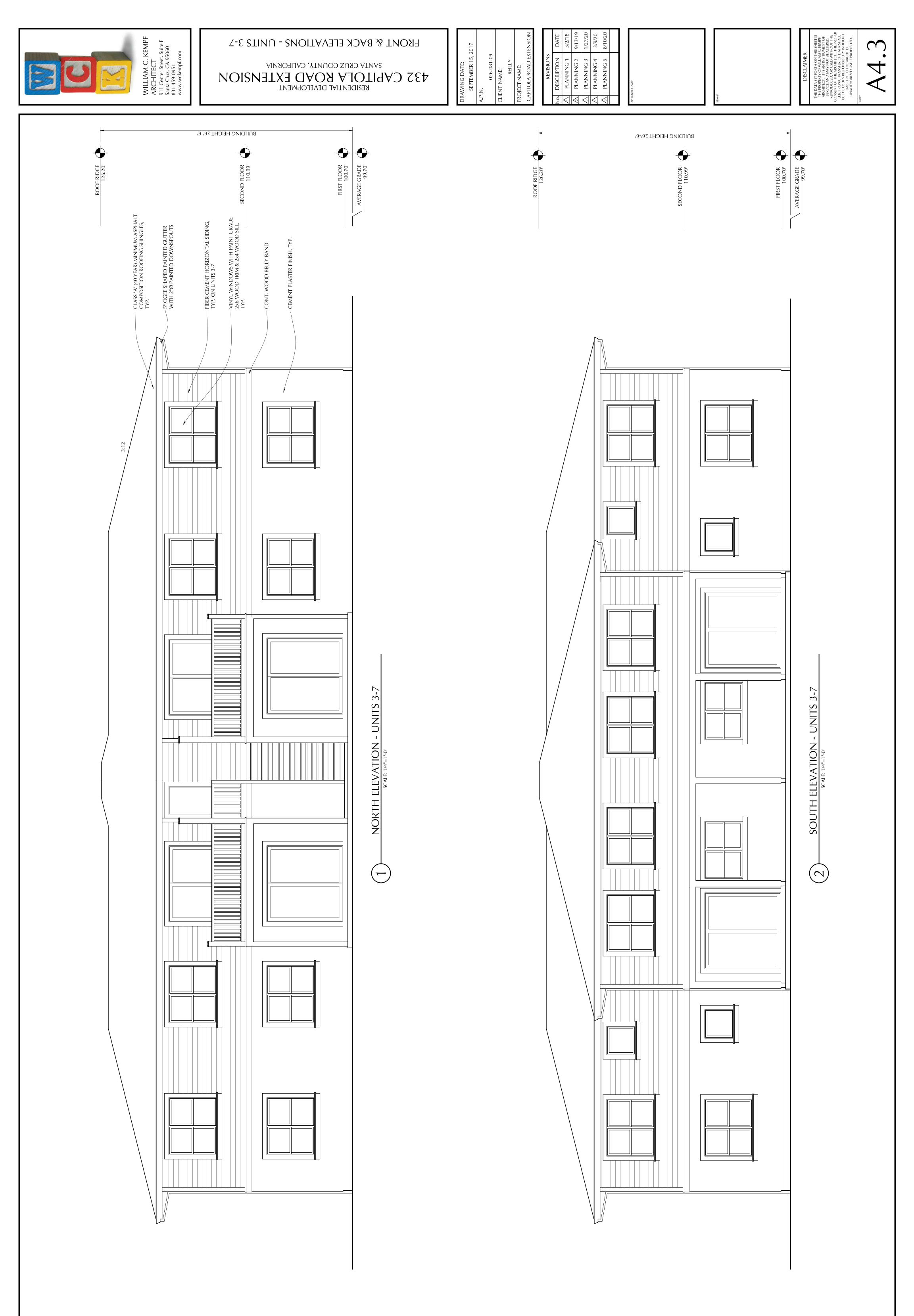


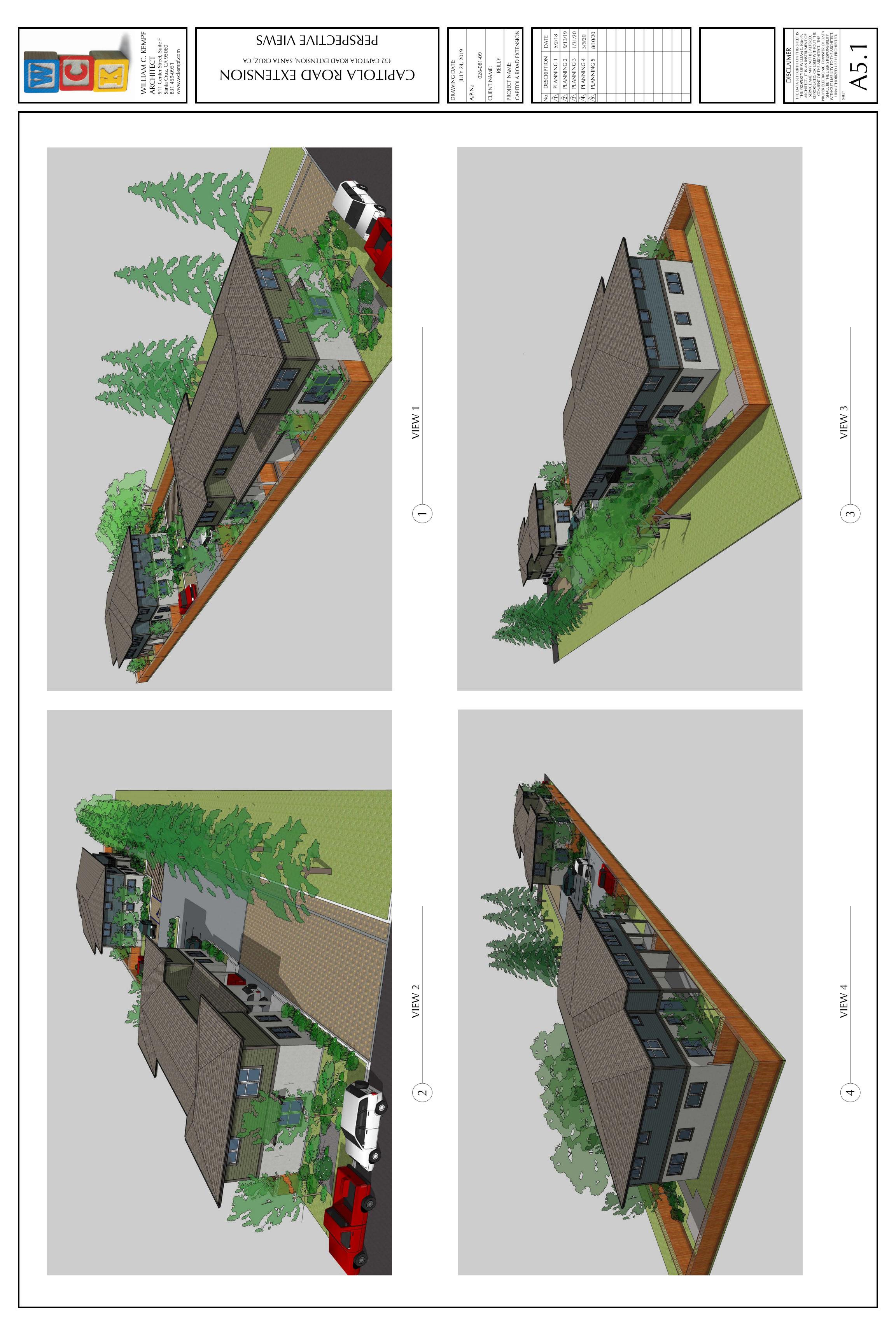


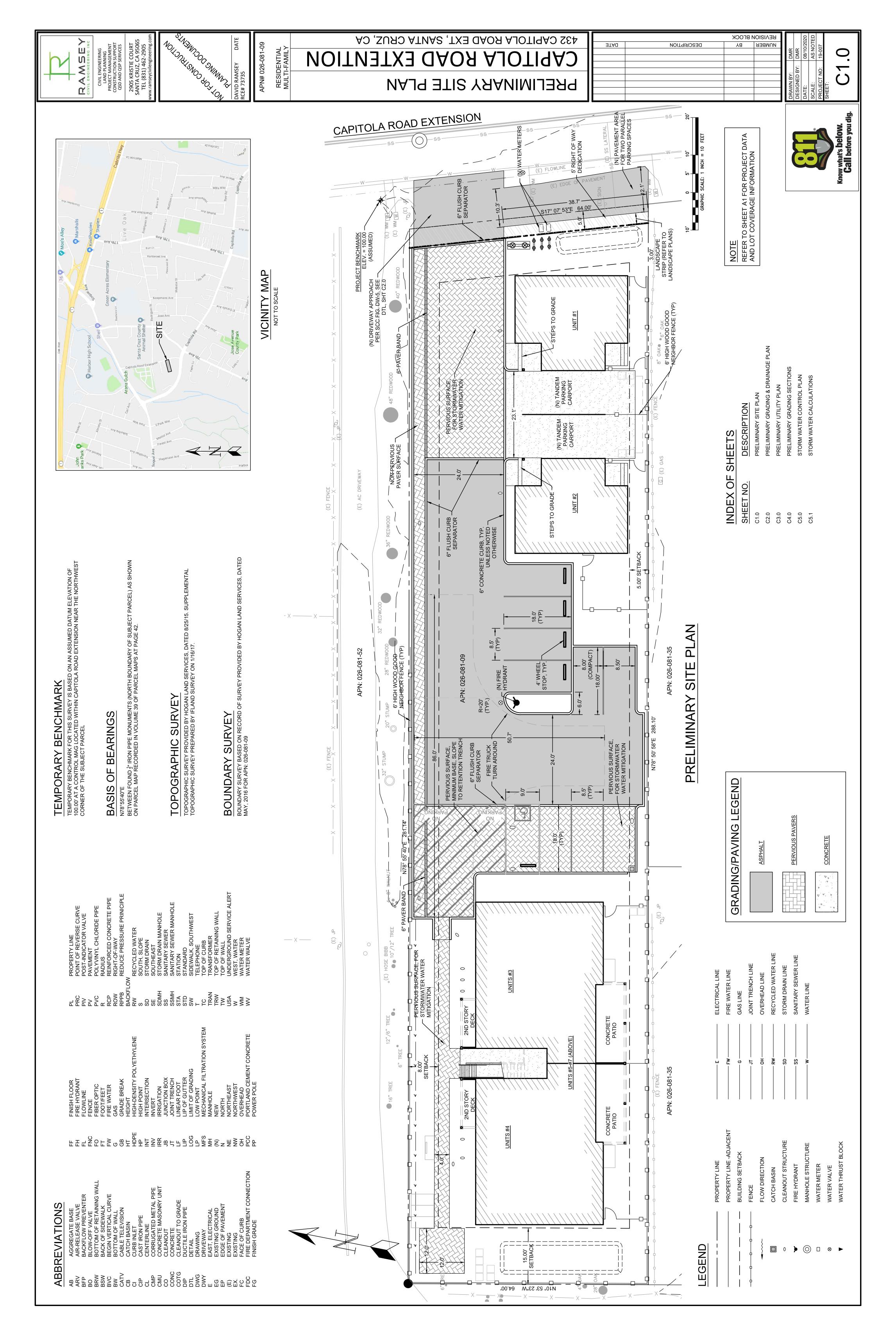


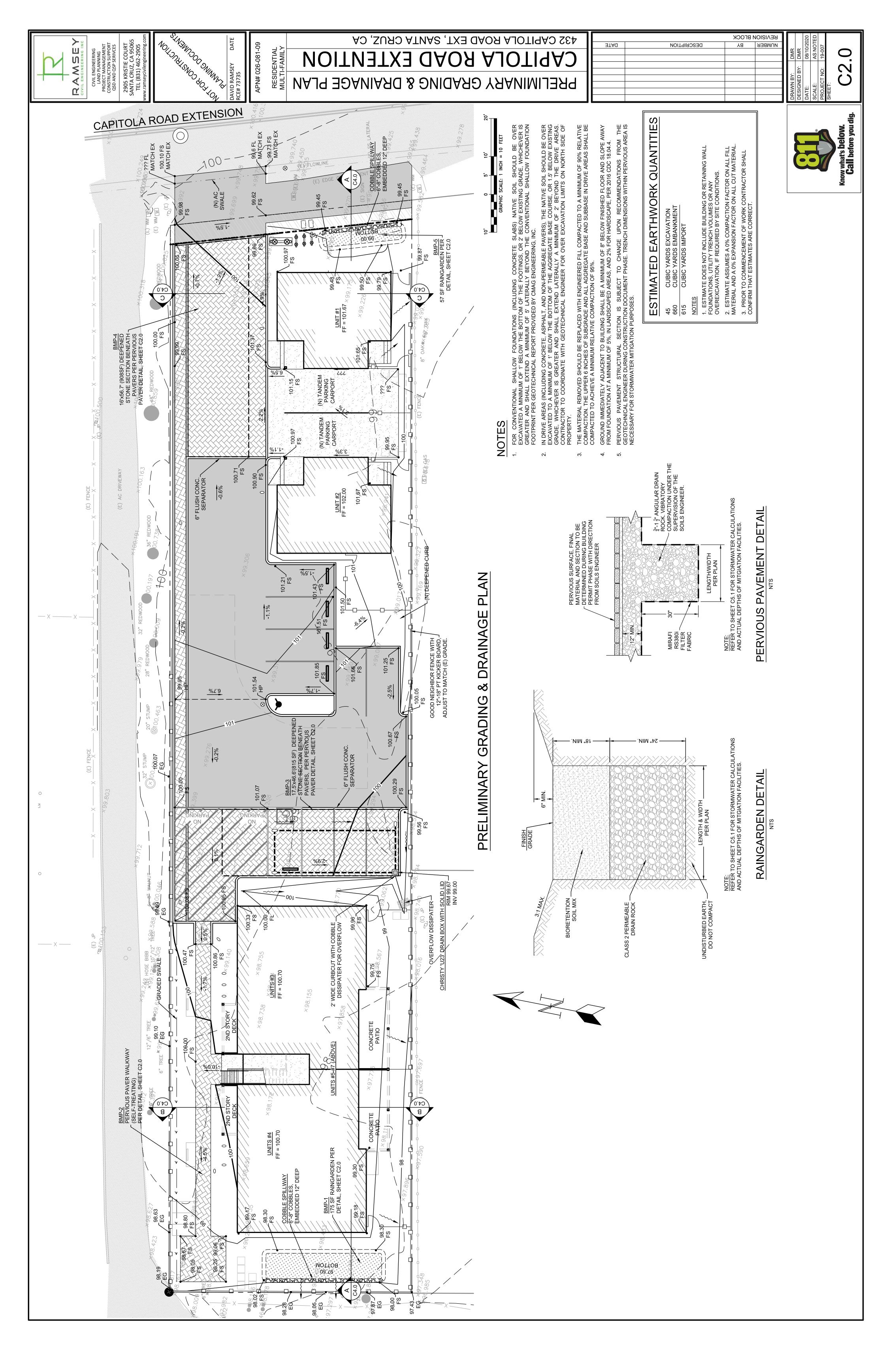


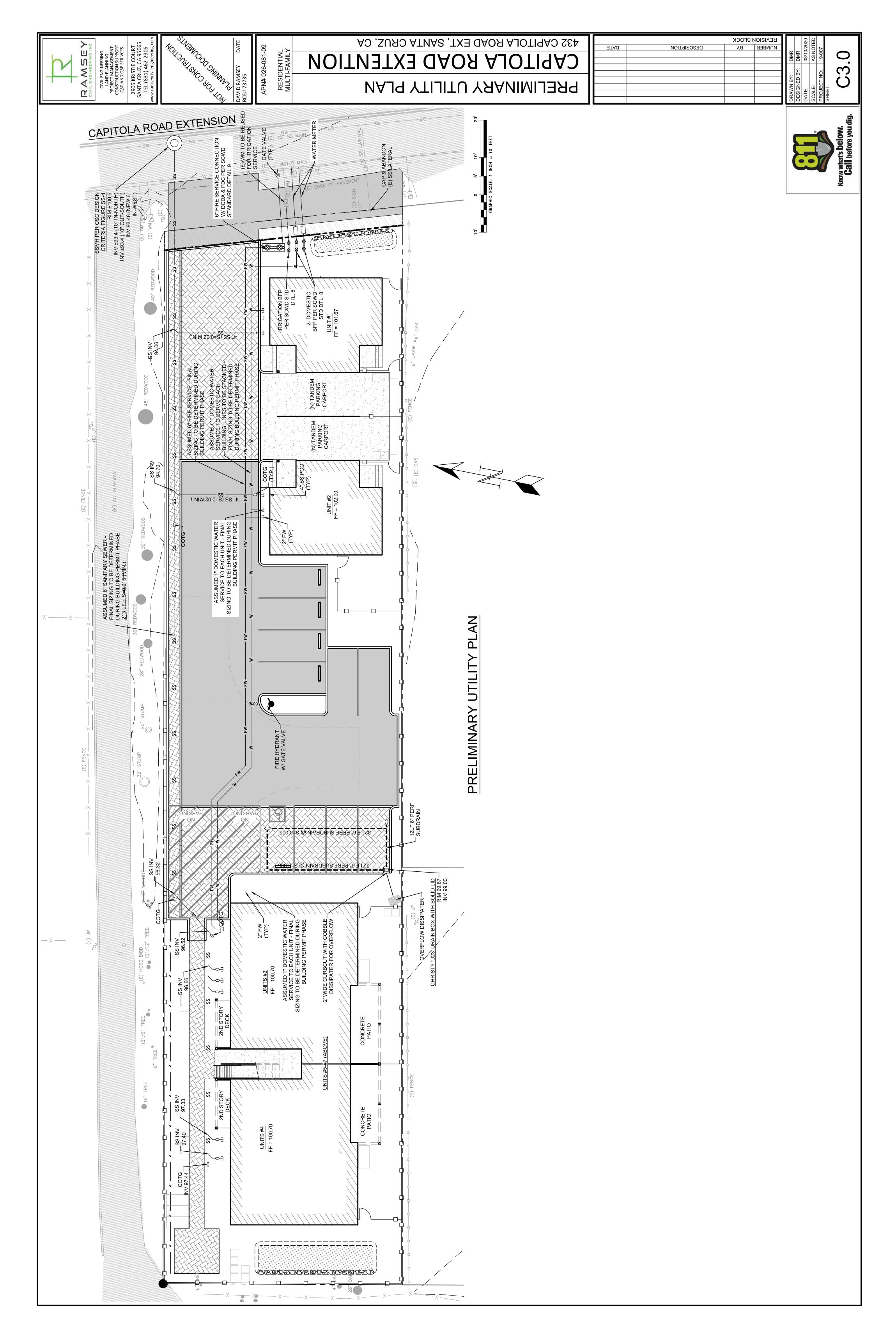


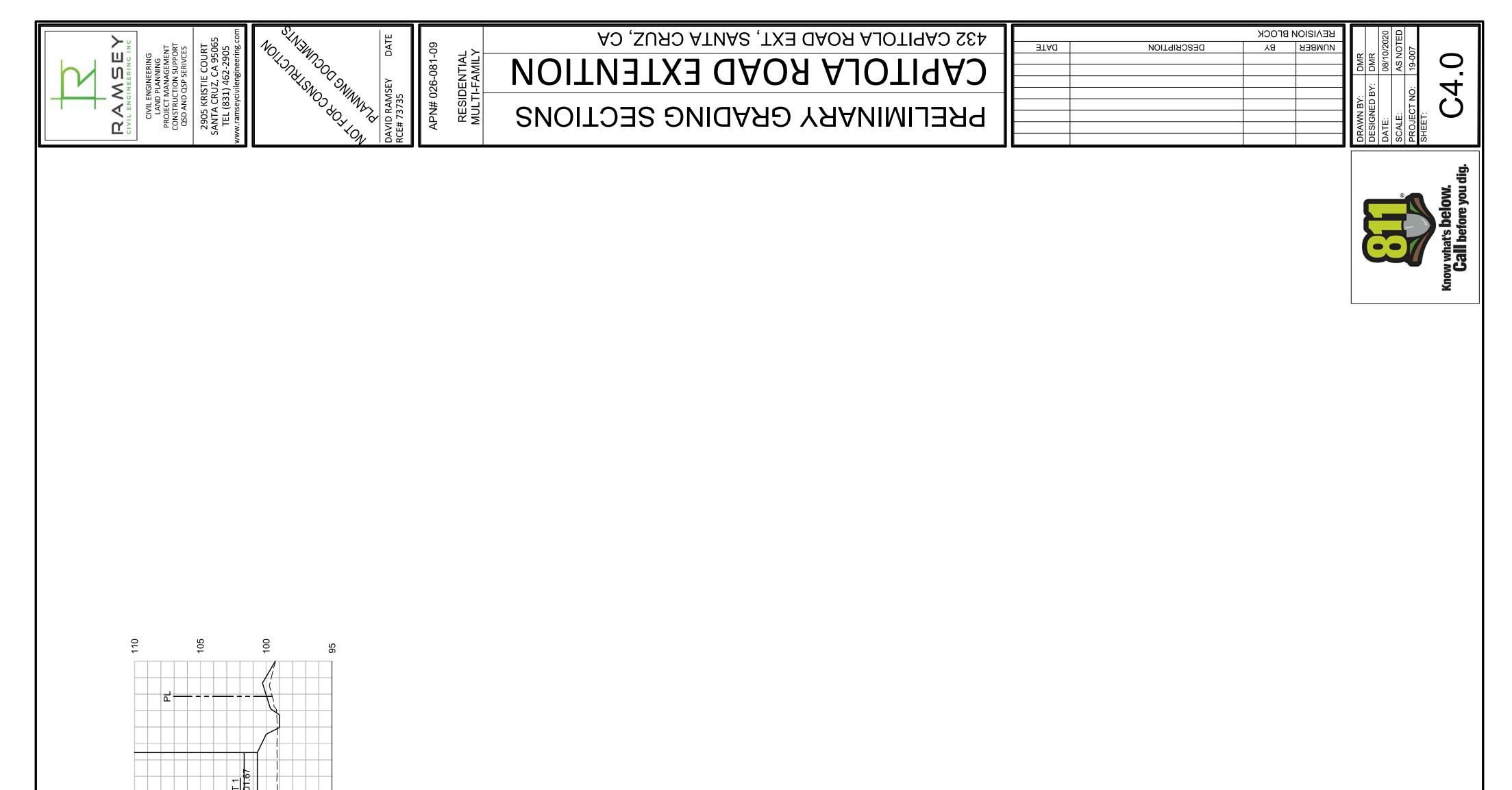






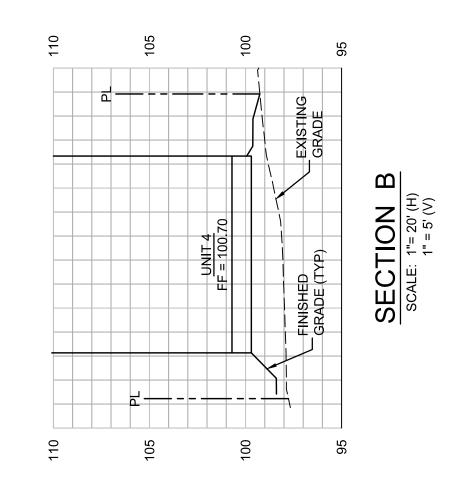


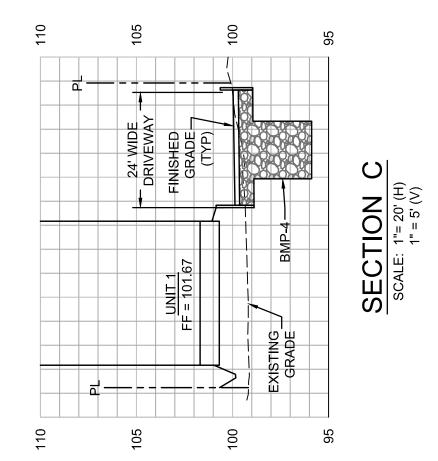


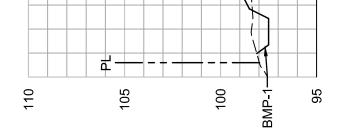


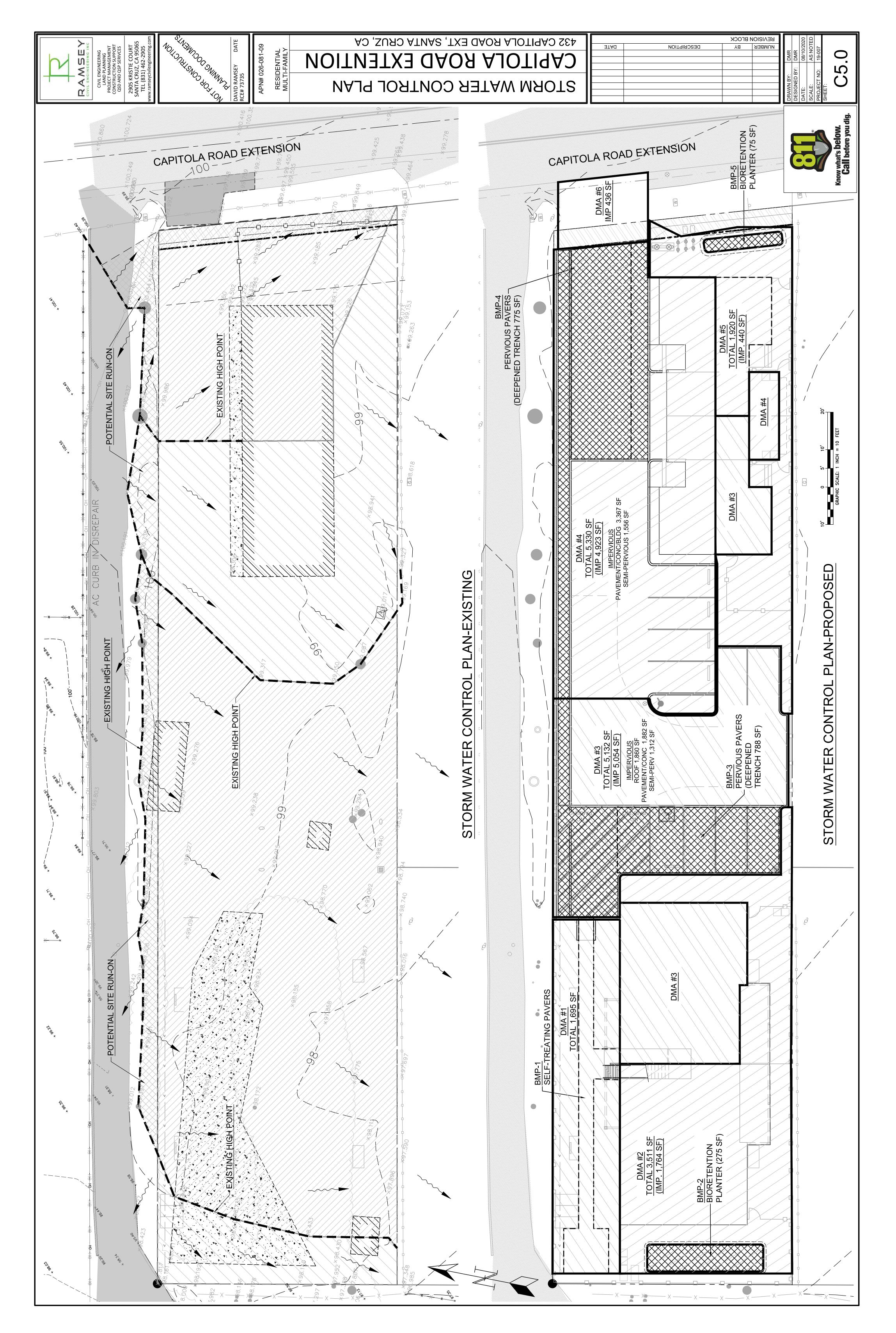
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PARKING AREA	
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UNITS 5 & 6 UNITS 5 & 6 EE - 100 70	

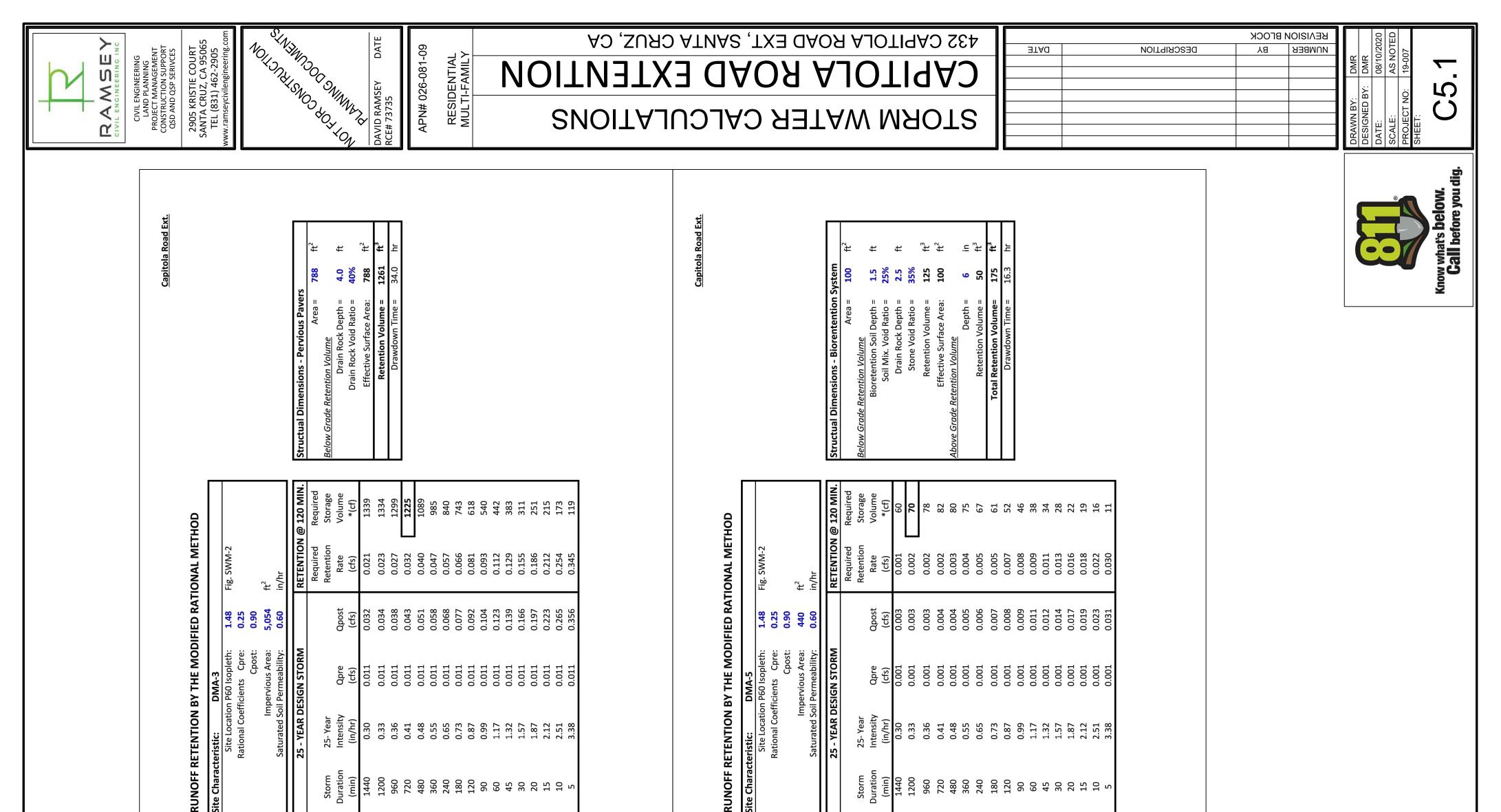






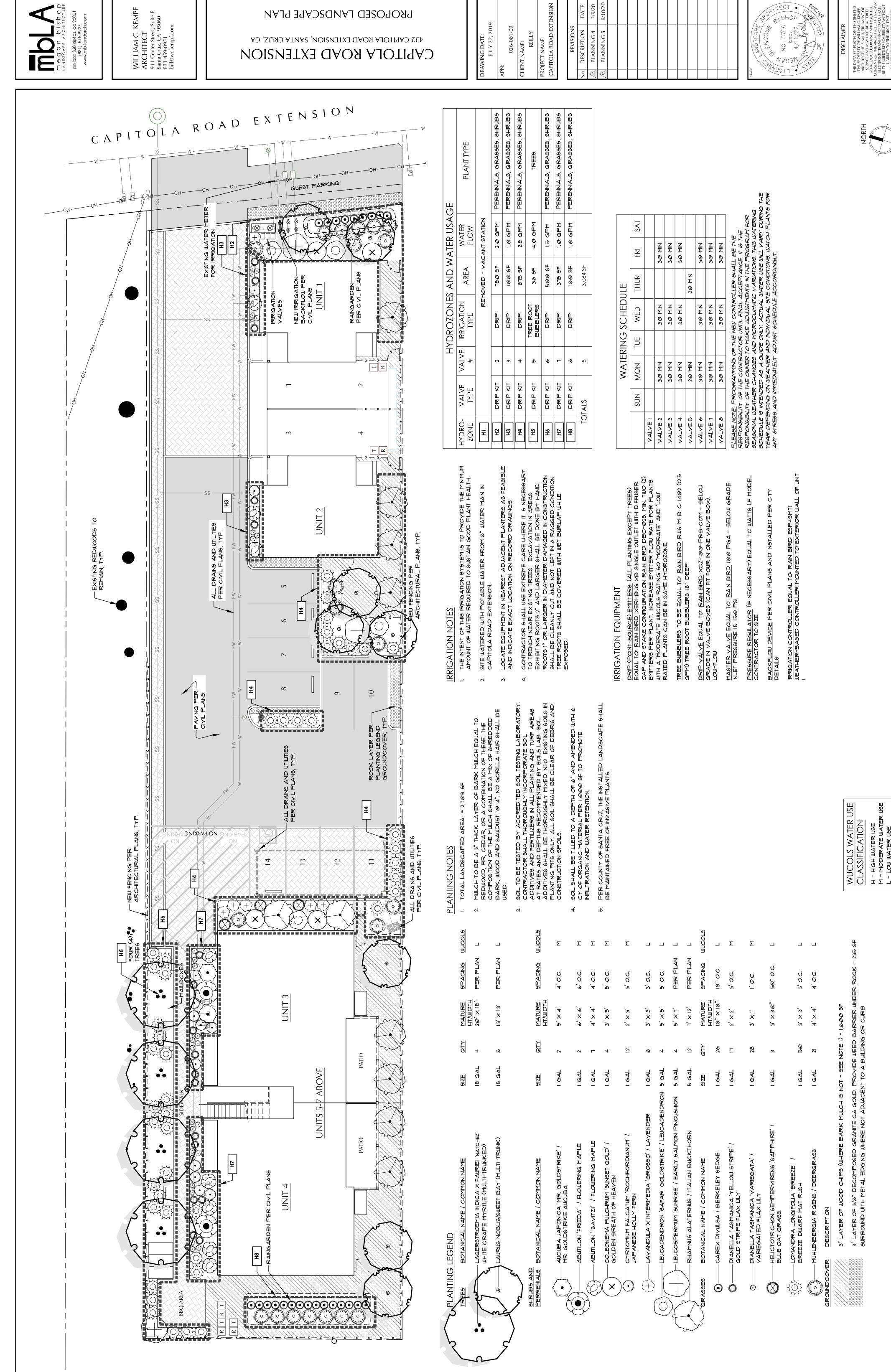






Capitola Road Ext.	Structual Dimensions - Biorentention System Area = 275 ft ² Below Grade Retention Volume Area = 275 ft ² Bioretention Solid Depth = 1.5 ft 5% Bioretention Volume 25% ft ³ Bioretention Volume = 344 ft ³ Retention Volume = 344 ft ³ Above Grade Retention Volume = 344 ft ³ Above Grade Retention Volume = 344 ft ³ Depth = 6 in Depth = 138 ft ³	Capitola Road Ext. Structual Dimensions - Pervious Pavers Structual Dimensions - Pervious Pavers Area = 775 ft ² Below Grade Retention Volume Drain Rock Void Ratio = 40% Effective Surface Area: Train Rock Void Ratio = 40% Effective Surface Area: Drawdown Time = 33.3 hr
RUNOFF RETENTION BY THE MODIFIED RATIONAL METHOD Site Characteristics: DMA-2 Site Location P60 Isopleth: 1.48 Fig. SWM-2 Rational Coefficients Cpre: 0.25 Cnoct: 0.00	1,764 ft ² 0.60 in/hr 0.60 in/hr Retention Required Required Required Required Required Retention Storage Qpost Rate Volume (cfs) (cfs) *(cf) 0.011 0.007 468 0.0113 0.0013 0.0014 0.0113 0.0014 380 0.0113 0.0014 344 0.0114 380 0.0114 0.0118 0.0114 380 0.0119 0.0114 380 0.0119 0.0114 380 0.022 0.0114 380 0.023 0.0123 134 0.032 0.023 259 0.033 0.023 216 0.043 0.023 134 0.054 0.033 154 0.058 0.058 0.056 0.059 0.056 88 0.054 134 75 0.024 0.1	Static continue of the contin contin continue of the continue of the continue of th
Capitola Road Ext.	Structual Dimensions - Biorentention SystemArea = 533Area = 533Area = 533Area = 533Below Grade Retention Soil Depth = 0.0ftSoil Mix. Void Ratio = 25%Drain Rock Depth = 0.0Fffective Surface Area:Soil Mix. Void Ratio = 25%Prain Rock Depth = 0.5ftSoin Mix. Void Ratio = 25%Prain Rock Depth = 0.5ftStone Void Ratio = 35%Above Grade Retention Volume = 35%Above Grade Retention Volume = 0In Depth = 0In Depth = 0In Depth = 0In Depth = 0In Drawdown Time = 1.0In Drawdown Time = 1.0	Drainage Management Area Summary off Area off Area field (C) Design (ft ³) off Area field (C) Required 25-vr (ft ³) Design (ft ³) off Area field (C) Required 25-vr (ft ³) Design (ft ³) off Area field (C) Required 25-vr (ft ³) Design (ft ³) off Area field (C) Required 25-vr (ft ³) Design (ft ³) off Area field (C) Area field (ft ³) Area field (ft ³) off Area field (ft ³) 1,261 1,293 off Area field (ft ³) 1,261 1,293 off Area field (ft ³) 1,261 1,293 off Area field (ft ³) 1,293 off Area field (ft ³) 0,01 Area within oversized onsite
RUNOFF RETENTION BY THE MODIFIED RATIONAL METHOD Site Characteristics: DMA-1 Site Location P60 Isopleth: 1.48 Fig. SWM-2 Rational Coefficients Cpre: 0.25 Cnost: 0.00		simptions: site Location PEOI Sopleth: 1.48 Per Fig. SWM-2 Site Location PEOI Sopleth: 1.48 Per Fig. SWM-2 moff Coefficients: Impervious, $C_1 = 0.90$ Semi-impervious, $C_2 = 0.30$ Pervious, $C_2 = 0.30$ Pervious, $C_2 = 0.30$ Pervious, $C_3 = 0.30$ Pervious, $C_3 = 0.30$ Paraagement Point Area (tr ²) Area (tr ²) Pervious Daaagement Point Area (tr ²) Area (tr ²) 0.36 DMA-1 BMP-1 1,695 0 1,747 0.60 DMA-2 BMP-3 3,742 1,312 78 0.73 DMA-3 BMP-4 5,330 3,742 1,747 0.60 DMA-4 BMP-4 5,330 3,367 1,748 0.74 DMA-5 BMP-5 1,920 440 0 0.44 DMA-6 Uncollected 436 0 0 0.44 DMA-5 BMP-5 1,974 3,401 4,874 0.44

Site Characteristics:	teristics:	DMA-1					
	Site Locat	Site Location P60 Isonleth:	1 48	Fig SW/M-2			
	Rational Coefficients	efficients Cpre:	0.25	a. 0.			
		Cpost:	06.0				
	-	Impervious Area:	0	ft²			
	Saturated 5	Saturated Soil Permeability:	0.60	in/hr			
	25 - YEAR DESIGN S	DESIGN STORM		RETENTION	RETENTION @ 120 MIN.	Structual Dimensions - Biorentention System	Syste
				Required	Required	Area =	533
Storm	25- Year			Retention	Storage	Below Grade Retention Volume	
Duration	Intensity	Qpre	Qpost	Rate	Volume	Bioretention Soil Depth =	0.0
(min)	(in/hr)	(cfs)	(cfs)	(cfs)	*(cf)	Soil Mix. Void Ratio =	25%
1440	0:30	0.000	0.000	0.000	-317	Drain Rock Depth =	0.5
1200	0.33	0.000	0.000	0.000	-242	Stone Void Ratio =	35%
096	0.36	0.000	0.000	0.000	-171	Retention Volume =	93
720	0.41	0.000	0.000	0.000	-103	Effective Surface Area:	533
480	0.48	0.000	0.000	0.000	-41	Above Grade Retention Volume	
360	0.55	0.000	0.000	0.000	-14	Depth =	0
240	0.65	0.000	0.000	0.000	6	Retention Volume =	0
180	0.73	0.000	0.000	0.000	18	Total Retention Volume=	93
120	0.87	0.000	0.000	0.000	24	Drawdown Time =	1.0
06	0.99	0.000	0.000	0.000	26		
60	1.17	0.000	0.000	0.000	25		
45	1.32	0.000	0.000	0.000	24		
30	1.57	0.000	0.000	0.000	22		
20	1.87	0.000	0.000	0.000	19		
15	2.12	0.000	0.000	0.000	17		
10	2.51	0.000	0.000	0.000	14		
ß	3.38	0.000	0.000	0.000	10		

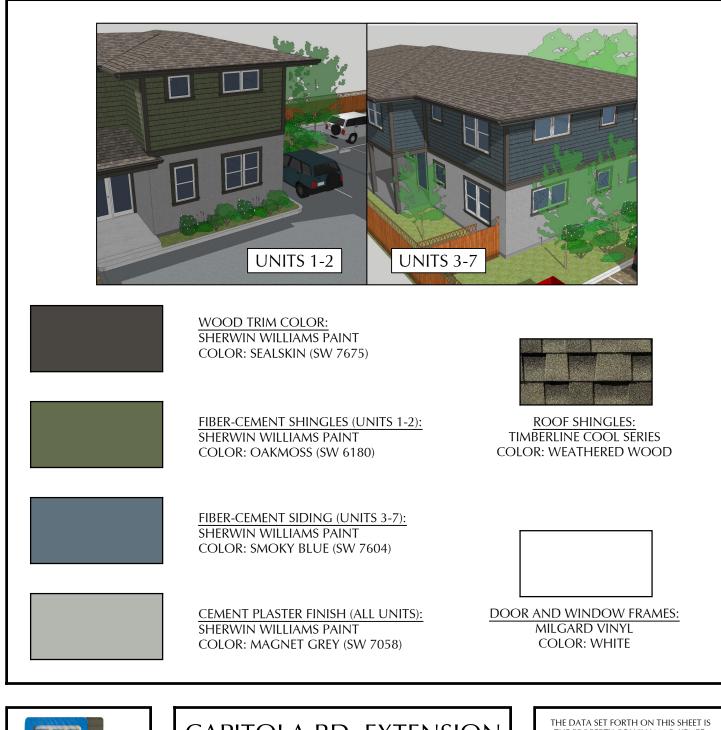


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H - HIGH WATER USE M - MODERATE WATER USE L - LOW WATER USE VL - VERY LOW WATER USE

SCALE: 1" = 10'



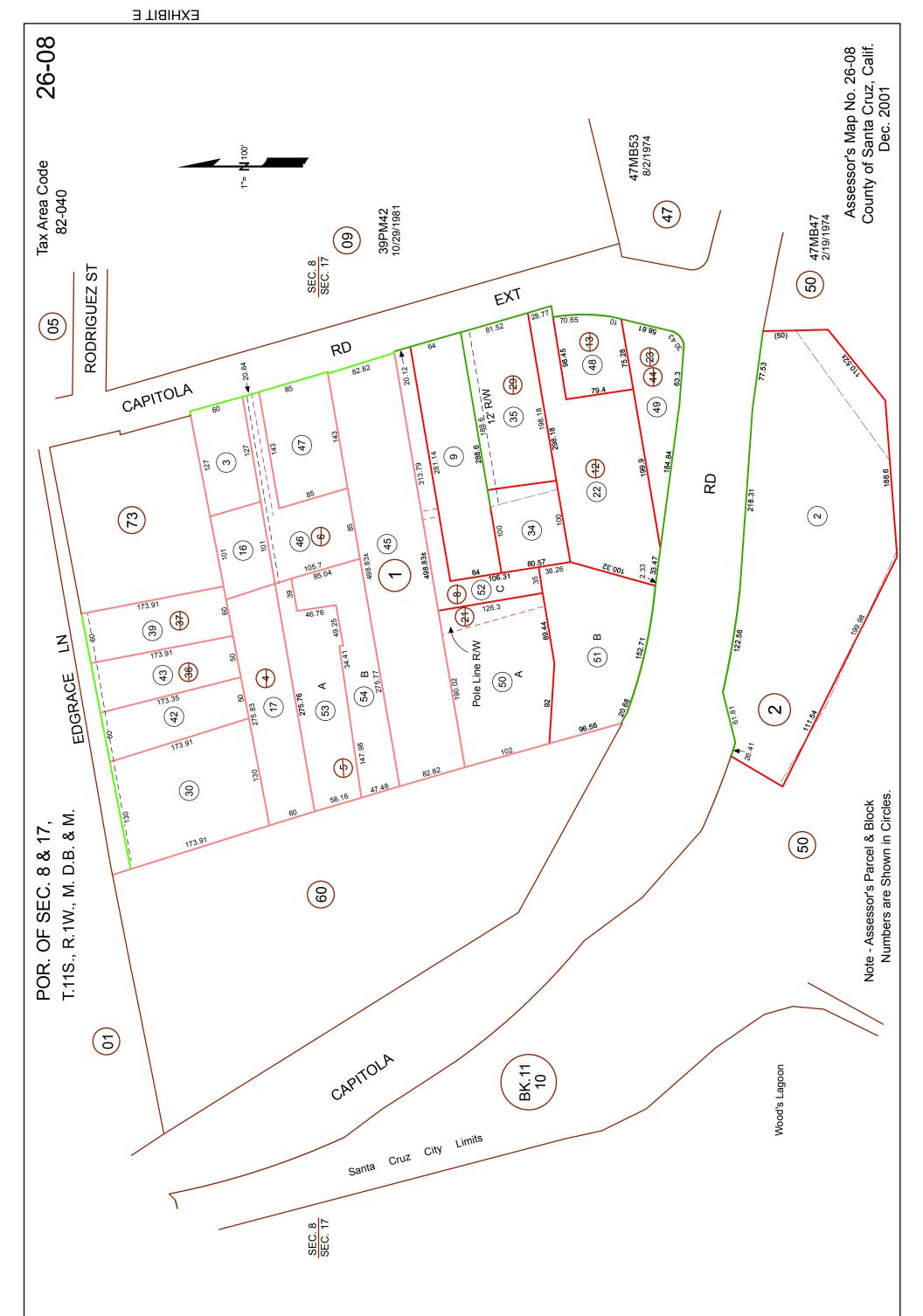


CAPITOLA RD. EXTENSION 432 CAPITOLA ROAD EXTENSION SANTA CRUZ, CALIFORNIA

DATE: APRIL 27, 2020

WILLIAM C. KEMPF, ARCHITECT 911 CENTER STREET, SUITE F SANTA CRUZ, CALIFORNIA 95060 831 459-0951 THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF WILLIAM C. KEMPF, ARCHITECT. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE ALTERED, REPRODUCED, OR USED WITHOUT THE CONSENT OF THE ARCHITECT. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ARCHITECT. UNAUTHORIZED USE IS PROHIBITED.







THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED. © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2001 Electronically repositioned 12/21/01 KSA Rev. Santa Cruz City Realignment 12/21/01 KSA Rev 8/3/06 CB (For to pg 11-10) Rev 4/17/06 CB (Por to pg 26-73) Rev 4/17/08 CB (Por to pg 11-10) Rev 4/17/08 CB (Removed Tax Line)

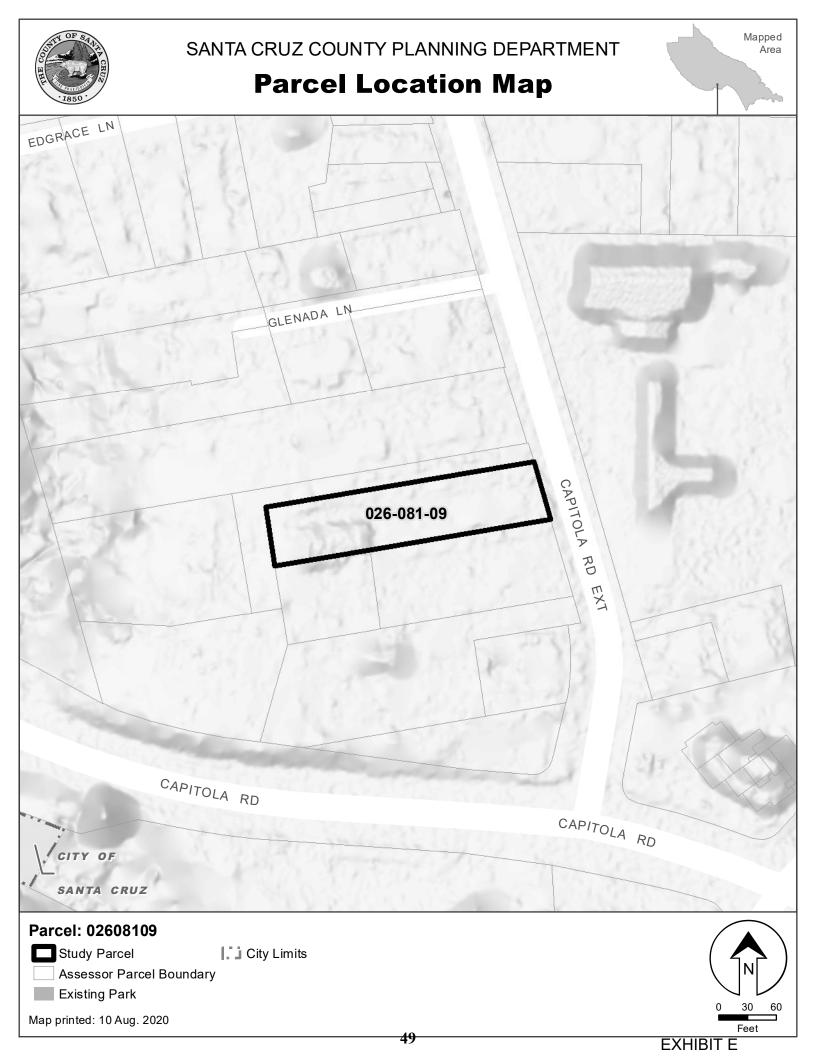


Location Map (026-081-09)

EXHIBIT E

48

County of Santa Cruz









COUNTY OF SANTA CRUZ

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

22 January 2020

Jim Reilly/432 Capitola Road LLC 365 Ranchitos del Sol Aptos, CA 95003

Subject: Review of the <u>Geotechnical Investigation for 432 Capitola Road/APN 026-081-09</u> dated 28 April 2016 and <u>Addendum to Geotechnical Report</u> dated 24 September 2019 by CMAG Engineering, Inc. – Project No. 16-109-SC

Project Site: 432 Capitola Road APN 026-081-09 Application No. REV191166

Dear Applicant:

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

- 1. All project design and construction shall comply with the recommendations of the reports.
- 2. Building Permit Applications submitted after 1 January 2020 will require the project site soils reports be updated to the 2019 <u>California Building Code</u>
- 3. Final plans shall reference the subject report by title, author, and date. Final Plans should also include a statement that the project shall conform to the report's recommendations.
- 4. After plans are prepared that are acceptable to all reviewing agencies, please submit a completed <u>Soils (Geotechnical) Engineer Plan Review Form</u> to Environmental Planning. The author of the soils report shall sign and stamp the completed form. Please note that the plan review form must reference the final plan set by last revision date.

Any updates to report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the subject report.

Electronic copies of all forms required to be completed by the Geotechnical Engineer may be found on our website: <u>www.sccoplanning.com</u>, under "Environmental", "Geology & Soils", and "Assistance & Forms".

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

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

EXHIBIT F

52

Review of the <u>Geotechnical Investigation for 432 Capitola Road/APN 026-081-09</u> dated 28 April 2016 and <u>Addendum to Geotechnical Report</u> dated 24 September 2019 by CMAG Engineering, Inc. – Project No. 16-109-SC
APN 028-122-05
22 January 2020
Page 2 of 3

Please note that this determination may be appealed within 14 calendar days of the date of service. Additional information regarding the appeals process may be found online at: http://www.sccoplanning.com/PlanningHome/ZoningDevelopment/Appeals.aspx

If we can be of any further assistance, please contact the undersigned at (831) 454-3168 or rick.parks@santacruzcounty.us

Sincerely,

15

Rick Parks, GE 2603 [/] Civil Engineer – Environmental Planning

Cc: CMAG Engineering, Inc., Attn: Adrian Garner, GE Environmental Planning, Attn: Leah MacCarter Primary Contact: William Kempf, Architect Planning Dept: Elizabeth Cramblet

Attachments: Notice to Permit Holders

Review of the <u>Geotechnical Investigation for 432 Capitola Road/APN 026-081-09</u> dated 28 April 2016 and <u>Addendum to Geotechnical Report</u> dated 24 September 2019 by CMAG Engineering, Inc. – Project No. 16-109-SC
APN 028-122-05
22 January 2020
Page 3 of 3

NOTICE TO PERMIT HOLDERS WHEN A SOILS REPORT HAS BEEN PREPARED, REVIEWED AND ACCEPTED FOR THE PROJECT

After issuance of the building permit, <u>the County requires your soils engineer to be involved</u> <u>during construction</u>. Several letters or reports are required to be submitted to the County at various times during construction. They are as follows:

- 1. When a project has engineered fills and / or grading, a letter from your soils engineer must be submitted to the Environmental Planning section of the Planning Department prior to foundations being excavated. This letter must state that the grading has been completed in conformance with the recommendations of the soils report. Compaction reports or a summary thereof must be submitted.
- 2. **Prior to placing concrete for foundations**, a letter from the soils engineer must be submitted to the building inspector and to Environmental Planning stating that the soils engineer has observed the foundation excavation and that it meets the recommendations of the soils report.
- 3. At the completion of construction, a *Soils (Geotechnical) Engineer Final Inspection Form* from your soils engineer is required to be submitted to Environmental Planning that includes copies of all observations and the tests the soils engineer has made during construction and is stamped and signed, certifying that the project was constructed in conformance with the recommendations of the soils report.

If the *Final Inspection Form* identifies any portions of the project that were not observed by the soils engineer, you may be required to perform destructive testing in order for your permit to obtain a final inspection. The soils engineer then must complete and initial an *Exceptions Addendum Form* that certifies that the features not observed will not pose a life safety risk to occupants.

We are writing to you about this proposal because we are very concerned neighbors of this property. Previously we were contacted by the developer and shown plans for a 6 unit development which required the use of the driveway for 426 Capitola Rd Ext., for which we have a right of way.

It appears that the plans have changed yet we have not been shown any new plans. We would like to know what is being proposed for this property.

Here are our concerns:

The large, beautiful redwood trees along the driveway(s) which should not be cut down. Our access to our property during construction as we imagine the developers will want to use our driveway at times. We need a guarantee that our access to our house will always be open.

Does the new plan involved a right of way to our driveway for the new construction? If so, will it be repaired?

We feel completely in the dark about these plans and hope for clarification, a view of the proposed plans and assurance that our right of way remains open and intact during construction.

Please respond. Mary Fran Archer and Ivan Rosenblum 428 Capitola Rd Ext., Santa Cruz 95062 831-331-8594 maryfrana@yahoo.com; irpiano@yahoo.com