



## Staff Report to the Planning Commission

Application Number: **211213**

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**Applicant:** Charlie Eadie  
**Owner:** Madinger  
**APN:** 037-211-01 (no situs)

**Agenda Date:** March 8, 2023  
**Agenda Item #:**  
**Time:** After 9:30 a.m.

**Project Description:** Proposal to subdivide an existing 41,019 square foot parcel into six (6) lots plus a common interest conservation parcel, construct six dwelling units and install an entrance gate. Requires a tentative map approval, residential development permit, design review, overheight fence approval, environmental review and a roadway/roadside exception to allow a street width of 24' with no sidewalks or on-street parking. The application also includes a request for a 5% Residential Density Bonus in exchange for provision of one moderate-income affordable unit, a request for one concession to allow for priority processing and a request for four waivers to development standards to allow for: 1) reduced site width and frontage on Lot 6, 2) reduced lot coverage and floor area ratio on Lots 1 and 6, 3) to allow a parcel (Lot 6) smaller than 3,500 sq.ft. in area, and 4) to allow semi-detached units with reduced setbacks in the R-1-9 zone district on Lots 1 and 6. The project also includes a request to reduce the parking from 3 spaces to 2 for Lot 6 as allowed for Density Bonus projects.

**Location:** The property is located on the east side of Monterey Avenue (no situs) approximately 325 feet south of the intersection with Soquel Drive.

**Supervisory District:** First District (District Supervisor: Manu Koenig)

### Staff Recommendation:

- Adopt the Mitigated Negative Declaration and Mitigation and Monitoring Plan.
- Approve Application 211213, based on the attached findings and conditions.

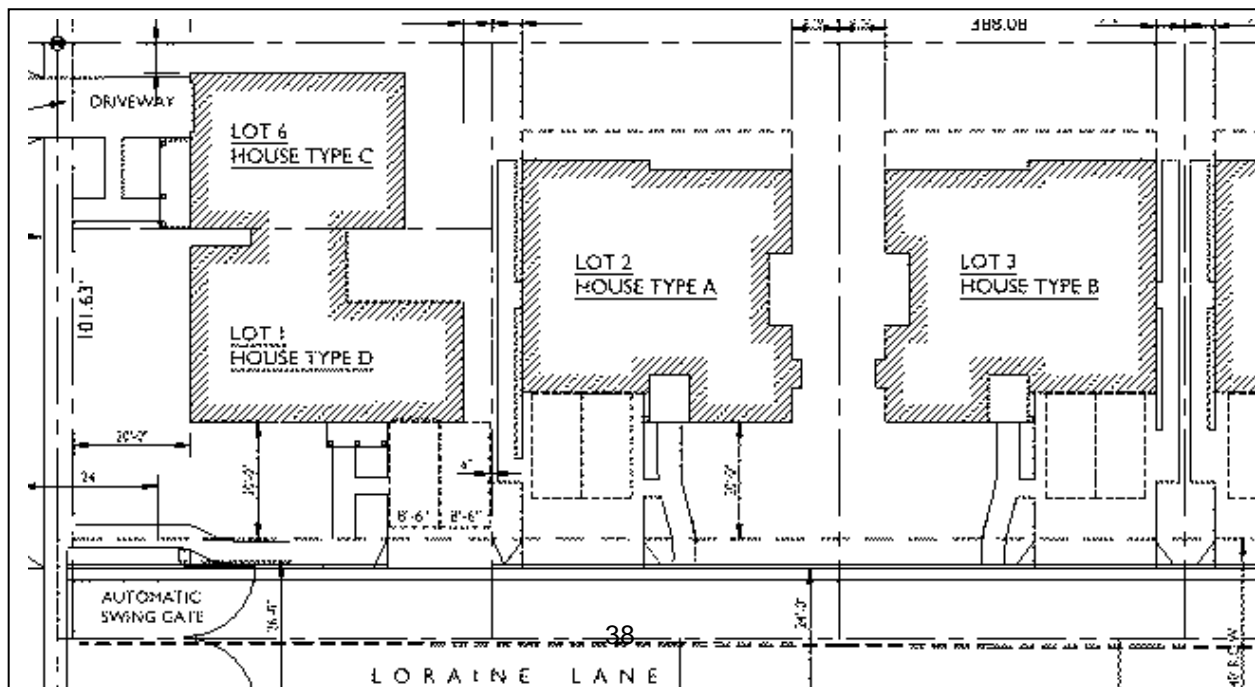
**Project Background:** In March of 2018 a Project Review Consultation (PRC) was completed for the site, indicating that findings could potentially be made for a rezone from R-1-9 to R-1-6 to facilitate a 4-5 lot land division, based on housing trends in the area and the Santa Cruz County General Plan Sustainability Update. The PRC also noted that the eastern end of the parcel contained a riparian corridor, and that a riparian presite was recommended to establish the riparian buffer requirements and net developable area. In June of 2021, an application was received to rezone the property to R-1-6, create five lots and a common parcel, implement a riparian set-aside and restoration plan and construct five residential units. Applications were also submitted and reviewed for an Arborist Report Review (REV211390), a Soils/Geotechnical Report Review (REV211391) and a Riparian Pre-site Review (REV211392). After discussions with Planning and Housing staff, the application was revised to delete the request for a rezoning and instead to include a request for a Density Bonus pursuant to the provisions of SCCC Chapter 17.12, Residential Density Bonuses and Affordability Incentives.

**Project Description & Setting:** The subject site is within in a residential neighborhood located about halfway between Soquel Village and Cabrillo College in Aptos. Parcel sizes in the neighborhood are mostly in the range of 10,000 to 20,000 sq.ft. The six existing parcels on the south side of Loraine Lane average about 8,500 sq.ft. in size (net site area). Most of the existing dwellings on Loraine Lane are one-story structures; the dwellings on Monterey Avenue are a mix of one-story and two-story structures. The proposed subdivision would maintain the existing 40-foot Loraine Lane right-of-way but would extinguish 17 feet of this right-of-way on the south side of the street and add 17 feet to the north side (Project plans, Exhibit D). At the eastern end of the subject parcel is riparian habitat (approx. one-tenth acre), bordering an unnamed intermittent stream that runs in a north to south direction adjacent to the east property line.

The proposed project would subdivide the parcel into six (6) lots plus a common interest conservation parcel (parcel A). The project would include construction of six (6) dwelling units, including one affordable unit. The dwellings on Lots 1-5 would be 4-bedroom units and the dwelling on Lot 6 would be a 3-bedroom. The affordable unit would be located on Lot 1. The gross parcel area and net site area for each proposed parcel are provided in the following table:

Lot #	Gross Area	Net Site Area (Gross area minus rights of way)
1	5,214	3,790
2	6,098	5,078
3	6,098	5,078
4	6,098	5,078
5	7,571	6,006
6	2,358	2,263

The applicant has proposed several waivers to development standards, to enable the establishment of 6 lots plus a conservation parcel. The proposed waivers include reduced site width and frontage on Lot 6, increased lot coverage and floor area allowances for Lots 1 and 6, and to allow construction of two semi-detached dwellings with zero setbacks on a shared property line between Lots 1 and 6. The west lots of the proposed subdivision are shown below.



Three parking spaces are proposed on Lot 1, which would meet the County standard for a four-bedroom dwelling. Lots 2-5 would each have four spaces, exceeding the County requirement by one space. Reduced parking (two spaces) is requested for Lot 6 in accordance with allowed parking standards for Density Bonus projects.

The access would be from Monterey Ave. (publicly maintained) south of the intersection with Soquel Drive. The property owners on the south side of Loraine Lane conveyed a vehicular easement to the applicant to allow the site to be developed, but required the street to maintain the rustic aesthetic of the existing street, with no sidewalks or on-street parking, only a curb, gutter and drainage structures. Street parking, sidewalk, curb and gutter would be provided on the frontage on Monterey Ave., however. Although no landscaping is proposed within the Loraine Way right-of-way, the proposed landscape plan would install trees and other planting on each parcel to the curb. A fire-turnaround would be provided on Loraine Lane, while the existing half cul-de-sac would also be maintained.

Following are the required permits and reference code sections:

- **Tentative map approval.** Required by SCCC § 14.01.201(A): Map requirements, as follows: *(A) A tentative and final map shall be required for all subdivisions creating five or more parcels.*
- **Residential development permit.** Required by SCCC 13.10.322 – the residential uses chart, that states that any residential development of 5-19 units shall be reviewed by the Planning Commission.
- **Design Review:** Required by SCCC § 13.11.040 (D) for any land division of five or more lots.
- **Overheight fence approval:** Required for any proposed project that entails a fence or gate higher than three feet within a front yard setback or within a street or right-of-way.
- **Roadway/roadside exception:** The County Design Criteria require a minimum of two 12-foot-wide travel lanes with on-street parking, separated sidewalks and landscaping on both sides of the street. The proposed project will require a Roadway/Roadside Exception (per SCCC 15.11.050) to allow the omission of sidewalks and on-street parking.

### **Zoning & General Plan Consistency**

The subject property is a 41,019 square foot lot, located in the R-1-9 (single-family residential, 9,000 sq.ft. minimum parcel size) zone district, a designation which allows residential uses. The proposed single-family dwellings are a principal permitted use within the zone district and the zoning is consistent with the site's R-UL (Residential, Urban Low) General Plan designation. No disturbance is proposed for the small corner of the parcel (less than 100 sq.ft.) that is designated O-U (Urban Open Space).

The proposed project qualifies for a density bonus of 5% based upon the provision of one additional unit that will be affordable to moderate income households (SCCC § 17.12.060(A)(4)). With a Density Bonus, the allowable density is based on the highest density allowed by the General Plan rather than the zoning, and is based on the gross area rather than the net developable area (Santa Cruz County Code § 17.12.150). The General Plan land use classification is R-UL (Urban Low Density Residential), which allows development within the range of 4.4 – 7.2 units per acre, equating to parcel sizes of between 6,000 to 10,000 square feet.

The density of the proposed 6-lot subdivision would be approximately 6,836 sq.ft. per unit, which is consistent with the General Plan, so the one-unit density bonus is not required in order to allow the proposed number of parcels and dwelling units, and would not be utilized, although the project is still considered a Density Bonus project in accordance with 17.12.110-120.

### **Proposed Incentive and Waivers**

Incentive: The applicant has requested one incentive, as provided in SCCC § 17.12.040, which allows one incentive / concession for project with at least 10% affordable units (one in six is 17%). The requested waiver is for priority processing of this application. The project has received priority processing in Development Review and Environmental Planning to date, in accordance with 17.10.040(C)(3). Managers and staff of CDI Zoning, Environmental Planning, Stormwater Management, Transportation and Building have indicated that priority processing is feasible for processing the Final Map and for the subsequent Building / Grading Permits for the project.

Waivers: The applicant has requested several waivers, as provided by SCCC § 17.12.050 (A), which allows waivers of standards that would otherwise preclude construction of the development. Specifically, the requested waivers and staff analysis are as follows:

<b>Development Standard</b>	<b>Waiver Requested and Reason</b>	<b>Staff Analysis</b>
1. 9,000 SF minimum site area / unit	Cannot achieve GP density on site with 9,000 SF lots, especially given riparian setback requirements.	This development standard is not applicable to a density bonus application because, if the density range is different under the zoning vs. the General Plan, the General Plan prevails, according to State law. The project as proposed meets the density allowed by the General Plan (max 7.2 units/acre), even without the density bonus units. Waiver is not necessary.
2. 60' minimum lot frontage standard (Lot 6)	Lot 6 has less than 60' of frontage. Cannot provide density bonus unit without creating one lot with reduced frontage. This lot is a market-rate unit, and its smaller lot size provides an [added] element of affordability by design.	The distance from the frontage to the conservation parcel is 329 feet, or an average of 54.8 feet, so it is not possible to meet the minimum 60' width. The frontage on Monterey Ave. is 101.63 feet, so it is not possible to meet the minimum 60' width with two parcels on that frontage. Staff studied various possible site layouts to accommodate 6 homes on site within the constraints of the site and the limitations of the negotiated private road access agreement with neighbors. The proposed layout meets minimum width requirements on five of the six lots, while also allowing a premium parcel adjacent to the conservation area. The

		proposed layout would accommodate the physical limitations of the site and also provide for diversity among the proposed building site and include a premium parcel that would facilitate project financing for a development that includes an affordable unit.
3. Maximum 50% FAR: (Lots 1 and 6)	Lot 6 FAR is 73%. Lot 1 FAR is 51.8%. Cannot provide density bonus unit without higher FAR. The two lots were designed to best utilize the land and create complementary functional units. Lot 1 is only slightly above maximum and provides better home design for the affordable unit.	Lots 1 and 6 are the smallest lots in the project. For the homes on these lots to be similar in size to the other 4 homes in the project, a waiver of the 50% FAR limit is needed. Alternatively, these homes would need to be much smaller than the others in the project. Lot 1 as the affordable unit must meet the minimum size standards of Chapter 17.10 so it cannot be made much smaller than proposed.
4. Maximum 40% lot coverage (Lot 6)	Lot 6 coverage is 46%. Cannot provide density bonus unit without creating one lot with higher maximum lot coverage. This lot is a market-rate unit, and its denser development provides an element of affordability by design.	The smaller size of Lot 6 (see tentative map illustration below) requires increased lot coverage to construct a comparable sized home. Despite the added lot coverage and FAR, the dwelling does not visually impose on the streetscape of Monterey Ave.
5. Semi-detached (duet) homes are not allowed in R1-9 zone district.	Homes on Lots 1 and 6 are semi-detached. This type of home was necessary to add density bonus unit.	The semi-detached configuration is appropriate to the net site area of the two lots (3,790 and 2,263), as the County Code allows semi-detached in the R-1-4 and R-1-3.5 zones. The semi-detached configuration allows yard areas with more usable open space.
6. Side & Rear yard setbacks.	Reduce southern side yard of Lot 6 from 5 ft to 0 ft. Reduce a portion of the Lot 1 side yard from 5ft to zero (adjacent to Lot 6). This lot and house configuration is necessary to provide a density bonus unit and maximize livability.	If dwellings on Lots 1 and 6 are semi-detached, “setbacks” are automatically zero. The reduced setbacks on Lot 1, in particular, support the proposed floor plan of the dwelling unit proposed on this parcel.
7. One lot smaller than 3,500 sq.ft.	SCCC § 13.10.323(D)(1)(a) provides that no parcel in a new land division shall be created smaller than 3,500 sq.ft. Proposed Lot 6 is 2,358 sq.ft., gross, and 2,263 net developable area.	The proposed Lot 6 is smaller than the other five lots, to allow the subdivision to achieve the necessary density (6 lots), while still including a premium parcel (Lot 5) and maintaining the other lots at or close to 6,000 sq.ft. with mostly standard setbacks for their size. The smaller size of Lot 6 will also increase its affordability.

The number of proposed parking spaces would meet or exceed County parking standards as set out in SCCC 13.10.552(A) on every parcel except for Lot 6, where the development would provide two spaces consistent with parking standards for affordable units pursuant SCCC 17.20.090. Under State Law, all units that are part of a project developed pursuant to an application for a density bonus may take advantage of the reduced parking standards set out in SCCC 17.20.090. Therefore, the project, as proposed, exceeds parking standards overall.

## **Improvement Plans**

The proposed improvement plan would widen the existing 15' pavement width of Loraine Lane to two 12-foot travel lanes, and would add curbs and gutters to both sides of the street where only an asphalt berm on the north side of the street currently exists. The neighboring property owners provided the applicant an easement for a shared right-of-way, but stipulated no on-street parking or sidewalks, in order to maintain a more rural design aesthetic. The owners' preference for no sidewalks or on-street parking was confirmed by a letter from the owners of all five parcels on the south side of Loraine Lane (Exhibit M). The right-of-way easement would remain 40' wide, but would be shifted 17 feet north. County Design Criteria for local streets require a minimum of two 12-foot-wide travel lanes with on-street parking, separated sidewalks and landscaping on both sides of the street, so the proposed project will require a Roadway/Roadside Exception (per SCCC 15.11.050) to omit sidewalks and on-street parking. The Monterey Avenue frontage would be improved with curb, gutter, sidewalk and on-street parking. Five of the proposed parcels would be accessed from Loraine Lane, while Lot 6 would be accessed from Monterey Ave. The proposed Roadway/Roadside Exception is acceptable partly due to the lack of urban street improvements on surrounding developed property, as Loraine Lane currently has a 15-foot travel lane with no curbs, gutter, sidewalks or formal on-street parking and informal landscaping. The re-designed roadway, as proposed, would be a gated local street serving only 11 single-family lots and will not be dedicated as a public street. Therefore, given the low volume of traffic and vehicle speeds, the proposed roadway will allow safe travel for all modes of transportation.

According to the Preliminary Stormwater Management Report (Exhibit H), the project site will receive stormwater runoff from a land area of about one acre lying to the north of the parcel. Due to clay soils and high groundwater on the site, water settles too slowly for storm runoff to be detained and percolated. Instead, the proposed stormwater management system would filter water through bio-swales and bio-filtration structures that would be designed to reduce the stormwater runoff from a 25-year storm to the equivalent of a 10-year storm. The storm drains would discharge into the nearby creek and new velocity dissipators would be installed. The soils report for the project was accepted by CDI Environmental Planning (Exhibit N).

## **Design Review**

The proposed project would comply with SCCC Ch. 13.11 Design Review. As illustrated by the project photo simulations and neighborhood context (Exhibit K), the proposed dwellings feature diverse, nicely articulated facades with dormers, projections, trimmed windows and lap siding, in brown, beige and gray earth tone colors with doors in complementary accent colors. The affordable unit on Lot 1 would be indistinguishable from the other units and not the smallest dwelling. The two attached units on Monterey Avenue (Lots 1 & 6) resemble a single family dwelling in appearance and scale and are partly screened with landscaping. The site plans provide for front yard setbacks and rear yard activity areas.

A landscape plan was submitted that would fully landscape the front of each parcel, partially screening all structures. Trees would be planted along both the north side of Loraine Lane and the frontage on Monterey Avenue. Proposed trees are medium sized ornamental varieties, including plum, maple, olive, hawthorn and pistachio.

The 4' entrance gate would feature an attractive galvanized steel design with stone pillars.

### **Public Outreach/Public Comment**

A neighborhood meeting was held (virtually) on May 25, 2022. The meeting presenters included the project applicant, civil engineer and architect. The meeting notice was sent to sixty-seven property owners and households. Eight participants attended. According to the meeting summary (Exhibit L), neighborhood concerns included stormwater management, paving, street-lighting, water pressure and dwelling unit size. The project engineer indicated that the street drainage system would eliminate existing ponding issues. The neighbors expressed support for the proposed street design that includes curb and gutter on both sides but no on-street parking, streetlights or landscape strips.

### **Biotic Resources**

At the eastern end of the parcel is approximately 4,137 sq.ft. (0.1 acres) of riparian woodland. The habitat includes a variety of native and non-native plants, with an overstory of Coast live oak (*Quercus agrifolia*), Western sycamore (*Platanus racemose*) box elder (*Acer negundo*) and common elderberry (*Sambucus nigra*) along the higher edge of the banks. The shrub layer is dominated by coffeeberry (*Frangula californica*), California blackberry (*Rubus ursinus*), poison oak (*Toxicodendron diversilobum*), flowering currant (*Ribes sanguinum*) and California wild rose (*Rosa californica*). This habitat is described in the submitted Riparian Enhancement Plan (Attachment 2); the Arborist Report (Attachment 3) describes tree conditions on the property.

The conservation parcel would permanently preserve a 4,137 sq.ft. area of riparian corridor and would also provide riparian enhancement within both the 20-foot-wide riparian buffer and 10-foot construction setback. The total area of the conservation parcel would be 7,582 sq.ft., making it the largest parcel in the project. The proposed Riparian Enhancement Plan (Attachment 2) would remove invasive vegetation including eucalyptus trees, French broom, periwinkle, Italian thistle and several other plant species, and require the site to be maintained free of identified invasive species in perpetuity. Native plants including coast live oak, Western sycamore, box elder, common elderberry, coffeeberry, snowberry and California rose would be installed and a split rail fence constructed to protect the area. The enhanced habitat would be a significant addition and improvement to the urban riparian habitats along the Rodeo Gulch corridor.

According to the Arborist Report for the project (Exhibit J), five small oak trees would be removed to allow construction of the widened street. In addition, one large diameter oak in the riparian habitat is in danger of falling and would be removed for safety reasons. Three additional oaks, also small (4", 4" & 12" diameter) that are adjacent to the existing street are also in poor condition; these will be re-evaluated when the site is staked for grading.

**Environmental Review:** The County Environmental Coordinator determined that the proposed subdivision was not exempt from CEQA, and therefore an Initial Study was required. In order to

qualify for the CEQA Infill Exemption described in California Public Resources Code (PRC) section 21159.25, projects must be a residential or mixed use housing project (at least 67% residential square footage) with at least six units, on a site with maximum size of 5 acres, surrounded by urban uses, consistent with General Plan designation and policies, have density greater than or equal to surrounding parcels, have appropriate access to utilities and public services, not have value as habitat for endangered species, not have hazardous waste facilities, not change the significance of a historic resource, and not cause significant environmental impacts. Although the revised project provides six units, the project as presented does not appear to meet all requirements for the Infill Exemption, particularly because the project does not meet the definition of a “residential or mixed-use housing project” under PRC § 21159.25, which requires multifamily residential uses. In addition, the proposed land division exceeds the maximum four parcels that may be allowed with a Minor Land Division Categorical Exemption. The project was reviewed by the County’s Environmental Coordinator on January 12, 2023. The County Environmental Coordinator made a preliminary determination to issue a Negative Declaration with Mitigations (Exhibit A).

The environmental review process focused on the potential impacts of the project in the areas of biotic resources, noise and aesthetic resources. The proposed mitigation measures would require implementation of the submitted Riparian Enhancement Plan and Arborist Report, which that would reduce potential biotic impacts to “less than significant with mitigation,” potentially improve riparian habitat quality and adequately address biotic issues. Standard mitigation measures were proposed to address temporary noise impacts and to ensure that the proposed design was compatible with the design review ordinance, reducing these potential impacts to a level of less than significant with mitigation. All mitigation measures are included as conditions of approval of this Permit.

The mandatory public comment period expired on 2/19/2023. One comment was received, from the California Department of Fish and Wildlife (Exhibit O). In a letter dated 2-14-2023, CDFW proposed revisions to mitigation measures for riparian habitat, oak trees, nesting birds and stormwater management, and proposed additional mitigation for monarch butterflies. The Santa Cruz County Environmental Coordinator responded in an email dated February 17 (Exhibit O), noting that riparian habitat and stormwater management were adequately addressed, suitable habitat for monarch butterflies was not present and sections of BIO-1 regarding migratory bird nesting surveys would be revised in accordance with CDFW recommendations. The attached Initial Study and MMRP (Exhibit A) reflect revisions addressing the CDFW letter.

### **Final Action Required:**

The Planning Commission action should be taken as soon as possible, as the project has requested priority processing as its single concession.

### **Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. The two twelve-foot travel lanes and fire turnaround meet fire codes and Dept. Public Works road standards. The design of the proposed dwelling units is consistent with design review criteria provided by SCCC Ch. 13.11 and would be enhanced and partly screened by landscaping within the front yard of each parcel. The entrance at Monterey Avenue would feature stone pillars, a designed steel gate, walkway and



landscaping. Consistent with design preferences of the neighboring property owners, the street would not have sidewalks, on-street parking or street lighting. Parking for the proposed project exceeds County standards and the State requirements for affordable projects. Sensitive riparian habitat would be set aside and enhanced with native vegetation. Stormwater management would be improved on the street by addition of a curb and gutter on the north (uphill) side. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

### Staff Recommendation

- **ADOPT** the CEQA Mitigated Negative Declaration and Mitigation Measures and Reporting Program related to the proposed project, certifying the Mitigated Negative Declaration pursuant to the California Environmental Quality Act; and
- **APPROVE** Application Number **211213**, 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](http://www.sccoplanning.com)

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

  
Jerry Busch  
Planner IV  
Community Development and Infrastructure, Planning Division  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3234  
E-mail: [jerry.busch@santacruzcounty.us](mailto:jerry.busch@santacruzcounty.us)

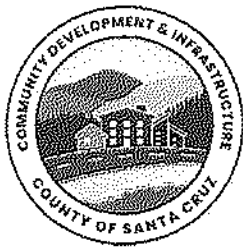
Report Reviewed By: \_\_\_\_\_

  
Lezanne Jeffs  
Principal Planner  
Community Development and Infrastructure, Planning Division

### Exhibits

- A. Mitigated Negative Declaration, Mitigation and Monitoring Plan and Initial Study (Note: Initial Study linked separately under this agenda item)
- B. Findings
- C. Conditions
- D. Project plans

- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Will-serve letters (Water, Sanitation)
- H. Preliminary Stormwater Management Report
- I. Riparian Enhancement Plan
- J. Arborist Report
- K. Photo simulations and neighborhood context
- L. Neighborhood Meeting Summary
- M. Neighboring Landowners' Letter
- N. Soils Report Acceptance Letter
- O. CDFW Comment; County Environmental Coordinator Response



## County of Santa Cruz

### Department of Community Development and Infrastructure

701 Ocean Street, Fourth Floor, Santa Cruz, CA 95060  
Planning (831) 454-2580      Public Works (831) 454-2160  
sccoplanning.com      dpw.co.santa-cruz.ca.us

**Matt Machado** - Deputy CAO / Director

**Carolyn Burke**  
Assistant Director  
Permit Division

**Stephanie Hansen**  
Assistant Director  
Housing & Policy

**Kent Edler**  
Assistant Director  
Special Services

**Steve Wiesner**  
Assistant Director  
Transportation

**Travis Cary**  
Director  
Capital Projects

**Kim Moore**  
Assistant Director  
Administration

### MITIGATED NEGATIVE DECLARATION

**Project: Monterey Glen Subdivision**

**APN(S): 037-211-01**

**Application #: 211213**

**Project Description:** Proposal to subdivide an existing 41,019 square foot parcel into six (6) lots plus a common interest conservation parcel, to construct six dwelling units and install an entrance gate.

Requires a tentative map approval, residential development permit, design review, overheight fence approval, environmental review and a roadway/roadside exception to allow a street width of 24' with no sidewalks or on-street parking. The application also includes a request for a 5% Residential Density Bonus in exchange for provision of one moderate-income affordable unit, a request for one concession to allow for priority processing and a request for waivers to development standards to allow for: 1) reduced site width and frontage on Lot 6, 2) reduced lot coverage and floor area ratio on Lots 1 and 6, and 3) to allow a parcel (Lot 6) smaller than 3,500 sq.ft. in area, and 4) to allow semi-detached units with reduced setbacks in the R-1-9 zone district on Lots 1 and 6. The project also includes a request for reduced parking for Lot 6 as allowed for Density Bonus projects.

**Project Location:** The project is located on the north side of Loraine Lane within the community of Soquel in unincorporated Santa Cruz County (Figure 1). Santa Cruz County is bounded on the north by San Mateo County, on the south by Monterey and San Benito counties, on the east by Santa Clara County, and on the south and west by the Monterey Bay and the Pacific Ocean.

**Owner: Monterey Avenue, LLC**

**Applicant: Charlie Eadie**

**Staff Planner: Jerry Busch**

**Email: [JERRY.BUSCH@SANTACRUZCOUNTY.US](mailto:JERRY.BUSCH@SANTACRUZCOUNTY.US)**

**This project will be considered at a public hearing by the Planning Commission on 02/22/2023.**

Revised 1/23/2023

California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and, that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment. The expected environmental impacts of the project are documented in the attached Initial Study on file with the County of Santa Cruz Planning Department located at 701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz, California. A digital copy of the document can be reviewed at the following web address:

<http://www.sccoplanning.com/PlanningHome/Environmental/CEQAINitialStudiesEIRs/CEQADocumentsOpenforPublicReview.aspx>

Review Period Ends: 02/19/2023

*Note: This Document is considered Draft until it is Adopted by the Appropriate County of Santa Cruz Decision-Making Body*

Date:

1/23/2023

DecoSigned by:

Matt Johnston

MATT JOHNSTON, Environmental Coordinator  
(831) 454-5357

Revised 1/23/2023



## County of Santa Cruz

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

## MITIGATION MONITORING AND REPORTING PROGRAM for Application No. 211213

No.	Potential Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
<b>BIOTIC RESOURCES</b>					
<b>BIO-1</b>	<i>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, or U.S. Fish and Wildlife Service?</i>	<p>Under the MBTA, nests that contain eggs or unfledged young are not to be disturbed during the breeding season.</p> <ul style="list-style-type: none"> <li>If Project-related construction work is scheduled during the nesting season (typically February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct two surveys for active nests of such birds within 14 days prior to the beginning of Project construction, with a final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding the work area are typically the following: i) 250 feet for passerines; ii) 500 feet for small raptors such as accipiters; and iii) 1,000 feet for larger raptors such as buteos. Surveys shall be conducted at the appropriate times of day and during appropriate nesting times.</li> <li>If the qualified biologist documents active nests within the Project area or in nearby surrounding areas, a species appropriate buffer between the nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of the nest to characterize "normal" bird behavior and establish a buffer distance which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if the birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist shall have the authority to cease all construction work in the area until the young have fledged, and the nest is no longer active.</li> <li>Tree removal activities shall be limited to the months between September 15 and January 15, if feasible. If trees must be removed outside of the timeframe above, the protocols described for Project construction in both paragraphs above shall be followed for tree removal.</li> <li>If an active nest is identified in or adjacent to the construction zone after construction has started, the buffer measures above will be implemented to ensure construction is not causing disturbance to the nest.</li> </ul>	Construction Contractor's Manager and a Qualified Biologist	County Environmental Planning Department, County Biologist	3-4 weeks prior to vegetation removal.
<b>BIO-2</b>		<p>In order to avoid impacts to special status bats, the following measures shall be implemented.</p> <ul style="list-style-type: none"> <li>Tree removal activities shall be limited to between September 15 and</li> </ul>	Construction Contractor's Manager and a	County Environmental Planning	3-4 weeks prior to site disturbance

No.	Potential Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
		<p>November 1, if feasible</p> <ul style="list-style-type: none"> <li>A qualified biologist shall conduct surveys for special status bats 3-4 weeks prior to site disturbance. If active roosts are present in trees to be retained, roosting bats shall be excluded from trees to be removed prior to any disturbance. In trees to be retained, no disturbance zones, set by the biologist based on the particular species present, shall be fenced off around the subject tree to ensure other construction activities do not harm sensitive species.</li> <li>The maternity roosting season for bats is March 1 – July 3. Tree removal should be scheduled outside of the maternal roosting period if special status bats are present. Before any trees are removed during the maternal roosting season, a qualified biologist shall perform surveys. If maternal roosts are present, disturbance shall be avoided until roosts are unoccupied. The biologist shall be responsible for ensuring bat roosts are vacated.</li> </ul>	Qualified Biologist	Department, County Biologist	
<b>BIO-3</b>	<i>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, or U.S. Fish and Wildlife Service?</i>	<p>In order to avoid any potential impacts to San Francisco dusky-footed woodrats, all nests must be avoided if feasible. The following mitigation measures shall be observed in conjunction with all vegetation planting and control activities:</p> <ul style="list-style-type: none"> <li>3-4 weeks before any riparian planting or invasive vegetation removal activities are initiated, the work area shall be surveyed by a qualified biologist to identify any woodrat houses. Such surveys shall be conducted both during the initial five-year reporting period and for invasive vegetation control in perpetuity.</li> <li>All woodrat houses shall be retained, with a minimum 10-foot buffer around each house that shall be staked and flagged. Workers shall be shown each woodrat nest and provided training on avoidance.</li> <li>If an invasive weed is found growing through a house, the stem can be cut off and painted at a level above the top of the house.</li> <li>No woodrat houses shall be disturbed without prior approval of the California Department of Fish and Wildlife.</li> </ul>	Construction Contractor's Manager and work crew supervisor	County Environmental Planning Department, County Biologist	Three to four weeks before any vegetation removal or riparian planting activities are initiated, in perpetuity.
<b>BIO-4</b>	<i>Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</i>	<p>Removal of native trees shall be minimized with the following environmental commitments:</p> <ul style="list-style-type: none"> <li>Prior to construction, the Project Applicant and the Project Arborist will identify the limits of construction so as to maximize native tree and shrub retention. Temporary fencing will be placed along the limits of construction to avoid unnecessary disturbance to riparian woodland.</li> <li>All recommendations of the Arborist Report (Attachment 3), will be implemented, including tree protection measures and tree removal as recommended in the report and further refined on a pre-construction site evaluation</li> </ul>	Construction Contractor's Manager and Project Arborist.	County Planning Department	After staking and prior to any earth-moving and construction activities
<b>BIO-5</b>	<i>Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</i>	<p>The Project shall enhance the existing riparian woodland by implementing the approved Riparian Enhancement Plan (Attachment 2). Riparian planting shall follow the requirements contained in the Plan, including the following elements:</p> <ul style="list-style-type: none"> <li>Removal of non-native, invasive plants.</li> </ul>	Construction Contractor's Manager and Biotic Resources Group (Kathleen Lyons or designee)	County Environmental Planning Department, County Biologist	After staking and prior to any earth-moving and construction activities

No.	Potential Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
		<ul style="list-style-type: none"> <li>Maintain Parcel "A" free of invasive vegetation (as described in the Riparian Enhancement Plan) in perpetuity.</li> <li>Installation of a habitat restoration planting plan.</li> <li>Implementation of performance criteria for both plant removal and plant establishment.</li> <li>Require the Homeowner's Association to maintain the restored area free of invasive vegetation in perpetuity.</li> <li>5-year reporting requirement. Establish photo stations and take annual photographs to support verbal documentation. Submit annual reports with photographic evidence to the County of Santa Cruz Planning Department, Environmental Planning Section, every year for at least five years or longer as necessary to achieve described performance standards</li> </ul>			
<b>BIO-6</b>	<i>Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</i>	<p>The following measures shall be implemented to avoid impacts from light pollution:</p> <ul style="list-style-type: none"> <li>All attached residential lighting shall be low-intensity, minimal height, downward directed and shielded from lateral light spill.</li> <li>All detached lighting shall be low rise and downward directed and shielded from lateral light spill.</li> <li>Automatic lighting systems shall shut off automatically at 10 pm unless essential for safety and security.</li> <li>Street lighting shall meet all DPW standards for sensitive locations.</li> </ul>	Construction Contractor's Manager	County Planning Department	Building permit issuance and inspections.
<b>NOISE</b>					
<b>NOI-1</b>	<i>Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies</i>	Require that all construction and maintenance equipment powered by gasoline or diesel engines have sound-control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation.	Construction Contractor's Manager	County Planning Department	All earth-moving and construction activities
<b>NOI-2</b>		Prohibit gasoline or diesel engines from having unmuffled exhaust.	Construction Contractor's Manager	County Planning Department	All earth-moving and construction activities
<b>NOI-3</b>		Use noise-reducing enclosures around stationary noise-generating equipment capable of 6 dB attenuation.	Construction Contractor's Manager	County Planning Department	All earth-moving and construction activities

## **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 qualifies for a density bonus of 5% based upon the provision of one additional unit that will be affordable to moderate income households (SCCC § 17.12.060(A)(4)). With a Density Bonus, the allowable density is based on the highest density allowed by the General Plan rather than the zoning (Santa Cruz County Code § 17.12.150). The General Plan land use classification is R-UL (Urban Low Density Residential), which allows development within the range of 4.4 – 7.2 units per acre, equating to parcel sizes of between 6,000 to 10,000 square feet. The density of the proposed 6-lot subdivision would be approximately 6,836 sq.ft. per unit, which is consistent with the General Plan.

The project is consistent with the General Plan in that the project is an urban infill development served by a full range of urban services, including public water and sewer service. The proposed roadway design provides adequate access to the proposed development, in that Loraine Lane, a local street that intersects Monterey Avenue. approximately 400 feet south of its intersection with Soquel Drive, would provide access to five parcels; one parcel would be accessed off Monterey Avenue.

Further, the proposed two-story dwelling units would be articulated with varying roof heights and articulated facades. In combination with the earth tone colors, diverse siding materials and comprehensive landscaping, the development would provide an attractive development harmonious with the surrounding residential neighborhood. The subdivision, as conditioned, would 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 neighborhood character.

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 as discussed above, in that single-family dwellings are proposed in a R-1 (single-family) district. The proposed project density of approximately 6,836 sq.ft. per dwelling unit would be consistent with the maximum 6,000 sq.ft. maximum density allowed by the General Plan for a Density Bonus project. As such, the project also qualifies for waivers as needed to enable the density, as per SCCC § 17.12.050 (A). The subject parcel is not wide enough to establish six lots that all meet the standard 60' frontage and width standard of the R-1-9 zone district (or R-1-6), unless the size of the conservation parcel (Parcel A) is significantly reduced. Therefore, a waiver to reduce the width of Lot 6 to 31.63 feet is consistent with SCCC §



17.12.050 (A). The reduced net site areas of Lots 1 & 6 (3,790 and 2,263 sq.ft. respectively) are an appropriate basis for allowing waivers to lot coverage and FAR on those parcels, along with a waiver to the 3,500 sq.ft. minimum lot size provided by 13.10.323(D)(1)(a), increasing the FAR to 51.8 on Lot 1 and 73% on Lot 6, and increasing the lot coverage on Lot 6 to 46%. These waivers would also be consistent with § 17.12.050 (A). Finally, the development of semi-detached dwellings with zero setbacks from the shared property line, allows for increased usable yard area on Lots 1 and 6 and is therefore consistent with SCCC § 17.12.050 (A).

The number of proposed parking spaces for the project would meet or exceed County parking standards as set out in SCCC 13.10.552(A) on every parcel except for Lot 6, where the development would provide two spaces consistent with parking standards for affordable units pursuant SCCC 17.20.090. Under State Law, all units that are part of a project developed pursuant to an application for a density bonus may take advantage of the reduced parking standards set out in SCCC 17.20.090. Therefore, the project, as proposed, exceeds parking standards overall.

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 at the density allowed for this Density Bonus project. As indicated in the Preliminary Stormwater Management Report accepted by CDI – Stormwater Management Division (Exhibit H), the proposed biofiltration systems, stormwater detention system, stormwater discharge velocity dissipator and other stormwater management structures would adequately address the low permeability of the soils found on the site and the high groundwater table, and are predicted to improve the site drainage while addressing runoff from an approximately one-acre area lying to the north of the parcel. A soils report was submitted for the project (REV211391) and accepted by the County. Therefore, the proposed project density and improvement plans are appropriate to the physical attributes of the site.

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.

Approximately 0.1 acre of riparian habitat exists at the eastern edge of the parcel, containing potential habitat for protected raptors and other migratory bird species, along with special status bat and wood rat species. A mitigated negative declaration was prepared that includes mitigation measures to ensure that the riparian area will be protected by establishment of a designated conservation Parcel A. Implementation of a proposed Riparian Enhancement Plan (Exhibit I) will be required, along with measures – including breeding season surveys and protocols to prevent any nest disturbance – to ensure that potential impacts to migratory birds and any species of bats or wood rats would be less than significant with mitigation. As a result, the finding can be made, that any potential impacts to sensitive habitats or threatened species will be less than significant with mitigation.

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 and all units will be connected. Storm drains are adequate to accommodate all runoff, and facilities to minimize stormwater runoff would be installed and will address existing surface drainage issues that had previously caused pooling on Loraine Lane. The proposed subdivision street meets fire access standards for road width and the fire turnaround at the end of the street. Adequate, safe vehicular sightlines are provided at the intersection of the proposed street with Monterey Avenue.

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 and proposed dwelling units are oriented to the extent possible in a manner to take advantage of solar opportunities.

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

This finding can be made, in that the proposed residences are consistent with the Chapter 13.11, in that the proposed residences would incorporate articulated facades with dormers, projections, trimmed windows and lap siding, including an earth-tones color palette, pitched roofs, covered decks and other bungalow design attributes to provide an attractive aesthetic consistent with the mid-century residential styles in the surrounding neighborhood. The surrounding neighborhood contains 1- and 2-story single-family residential development similar in area and mass to the proposed structures. The design and layout of the proposed land division is therefore compatible with the surrounding pattern of development. Landscaping would be provided along all sides of the project to supplement existing trees and other vegetation and to provide visual buffers to adjoining streets.

## Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources. The proposed setbacks comply with County standards to insure adequate light and air for residential parcels of 6,000 sq.ft.. Proposed widening of the existing 15' pavement width of Loraine Lane to two 12-foot travel lanes would comply with fire and DPW standards, and would add curbs and gutters to both sides of the street where only an asphalt berm on the north side of the street currently exists. Drainage on the site and street would be improved and runoff pooling issues would be addressed. Omission of on-street parking and sidewalks would be consistent with the requirements of neighborhood property owners.

Entrance gate: The proposed 4-foot-high entrance gate would exceed the maximum 3' height allowed by right within a right-of-way and is within the sight-distance triangles formed by the intersection of Loraine Lane and Monterey Ave., and so requires an overheight fence permit. The 17.75' gate setback from Monterey Ave was approved by the Central Fire District for emergency vehicle access and will be facilitated by a Knox box at the entry gate. The gate setback is a full vehicle length from Monterey Ave., providing adequate visibility for safe vehicular egress from Loraine Lane. Adequate sightlines (approved by DPW Transportation) would be provided for pedestrians crossing Loraine Lane on the proposed sidewalk.

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 project includes six single-family dwellings to be built in a single-family residential zone district. The proposed project density of approximately 6,836 sq.ft. per dwelling unit would be consistent with the maximum 6,000 sq.ft. maximum density allowed by the General Plan and Santa Cruz County Code § 17.12.150. As a Density Bonus Project, the project also qualifies for waivers as provided by SCCC § 17.12.050 (A).

The finding can be made that the proposed waivers and parking reduction are consistent with Santa Cruz County Code § 13.10.323 and Ch. 17.12 as follows:

- Santa Cruz County Code § 13.10.323(B) requires a 60-foot frontage and width for parcels in both the R-1-9 and R-1-6 zone districts. However, the subject parcel would not be wide enough to establish six lots meeting the 60' standard unless the size of the conservation parcel (Parcel A) was significantly reduced. Therefore, a waiver to reduce the frontage and width of Lot 6 to 31.63 feet is consistent with SCCC § 17.12.050 (A).
- The size of Lot 6 would be reduced below the 3,500 sq.ft. minimum normally required by 13.10.323(D)(1)(a) for any land division establishing new lots. However, a waiver to

allow the proposed 2,263 sq.ft. net developable area is justified by several factors: the subdivision includes a large conservation parcel, one premium parcel (Lot 5) to maintain economic viability and market diversity, and the remaining four parcels (Lots 2-4) would be maintained at close to 6,000 sq.ft. gross area with standard setbacks for lots of this size. Further, the dwelling proposed for Lot 6 would have attributes comparable to the other dwellings proposed, with three bedrooms and a total floor area close to 2,000 sq.ft.

- The reduced net site areas of Lots 1 & 6 (3,790 and 2,263 sq.ft. respectively) justify waivers to lot coverage and FAR on those parcels, increasing the FAR to 51.8 on Lot 1 and 73% on Lot 6, and increasing the lot coverage on Lot 6 to 46%. These waivers would also be consistent with § 17.12.050 (A).
- The development of semi-detached units on Lots 1 & 6 would allow a more conventional floor plan than would an extremely narrow building, and would provide more usable open space, light and air on these parcels, therefore the finding of consistency with SCCC § 17.12.050 (A) can be made. It is notable that semi-detached structures are allowed by right on parcels within the R-1-4 and R-1-3.5 districts, and Lots 1 & 6 are 3,790 and 2,263 sq.ft. respectively. Zero setbacks from shared property lines are allowed on sites with semi-detached structures.
- The number of proposed parking spaces for the project would meet or exceed County parking standards as set out in SCCC 13.10.552(A) on every parcel except for Lot 6, where the development would provide two spaces consistent with parking standards for affordable units pursuant SCCC 17.20.090. Under State Law, all units that are part of a project developed pursuant to an application for a density bonus may take advantage of the reduced parking standards set out in SCCC 17.20.090. Therefore, the project, as proposed, exceeds parking standards overall.

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

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the R-UL Residential, Urban Low / Urban Open Space land use designation in the County General Plan. With a Density Bonus, the allowable density is based on the highest density allowed by the General Plan and on the gross area rather than the net developable area (Santa Cruz County Code § 17.12.150). The General Plan land use classification is R-UL (Urban Low Density Residential), which allows development within the range of 4.4 – 7.2 units per acre, equating to parcel sizes of between 6,000 to 10,000 square feet. The density of the proposed 6-lot subdivision would be approximately 6,836 sq.ft. per unit, which is consistent with the General Plan, therefore this finding can be made.

The incorporation of an additional affordable unit is consistent with General Plan Objective 2.11 (Flexible Land Use Strategies for Affordable and Attainable Housing) as well as County Strategic Plan Goal 2C (Attainable Housing: Local Inventory). Although the revised plans do not include ADUs with each new home, the floor plans do retain ADU potential consistent with Housing Element Policy 2.3. Additional attached units would also be consistent with the County's vision for multifamily housing near the Soquel Drive corridor as identified in the Sustainable Santa Cruz County Plan (SSCC).

The proposed single-family dwellings will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, as the setbacks from all exterior

property lines meet the current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), the single-family dwellings will not adversely shade adjacent properties. The interior setbacks will all meet current setbacks for the R-1-9 zone district, except for the zero setbacks from the shared property line of Lots 1 and 6 to provide for semi-detached dwellings on these reduced area parcels.

The proposed single-family dwellings 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 proposed single-family dwellings will comply with the site standards for R-UL General Plan designation, which provides for 6,000 sq.ft. parcels. The structures comply with all other required standards for the zone district (including height and 2-story limitations) except for waivers to lot coverage and FAR on two lots, increasing the FAR to 51.8 on Lot 1 and 73% on Lot 6, and increasing the lot coverage on Lot 6 to 46%, to provide for structures consistent with the dwellings proposed on other parcels in the subdivision.

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 single-family dwellings is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only six peak trips per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads or intersections in the surrounding area. Will-serve letters were received from the Soquel Creek Water District and County Sanitation (Exhibit G).

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

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of mid-century architectural styles with a mix of 1- and 2-story buildings. and the proposed single-family development is consistent with the land use intensity, density and landscaping of the neighborhood. The rural sensibility of omitted sidewalks and on-street parking is consistent with the existing development on Loraine Lane and the preference of the neighborhood.

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

This finding can be made, in that the proposed single-family dwellings will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. The parcel front yards would be landscaped, trees would be planted along the streets, and proposed dwellings would be appropriately situated on lots, with paved driveways and entrance, with attached garages set back or flush with the dwelling front. The architecture and colors of the

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proposed dwellings would vary from parcel to parcel, but would all feature articulated facades and earth tone colors.

The 4' entrance gate would feature an attractive galvanized steel design with stone pillars.

## **Residential Density Bonus Findings**

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

This finding can be made, in that the project includes one unit that would be affordable to moderate-income households (per [17.12.020\(D\)](#)), which represents 16% of the six base units proposed. In conformance with County Code 17.12.025 “Eligibility for regulatory incentives,” a minimum of 10% of the base units are required to be affordable to very low-income households. Therefore, the project is eligible for a 5% density bonus and also qualifies for parking reductions and one concession or incentives as allowed under County code section 17.12.040(B).

The applicant has not requested an additional dwelling unit above the maximum density allowable under the General Plan for a Density Bonus Project as discussed above, but has requested one concession/incentive pursuant to SCCC § 17.12.040(C)(3): priority processing for the discretionary, environmental and building permit reviews and final map. The project has received priority processing of the discretionary permit and environmental review to date in anticipation that this concession will be granted. The conditions of approval would reflect a requirement that the Community Development and Infrastructure Department, Planning Division accord priority processing to the building permit application and inspection process.

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

Priority processing in compliance with SCCC § 17.12.040(C)(3) would shorten the timeline required for approval, construction and final sign-off of the residential project, resulting in lower construction loan and interest charges, thereby making the project more economically feasible.

The requested concessions/incentives will result in identifiable and actual cost reductions to the project, allowing the provision of a moderate income affordable unit and therefore, this finding can be made.

**3. If the density bonus is based 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 involve 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 include the provision of a childcare 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.**

The project does not involve a condominium conversion and therefore this finding is not applicable.

- 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.**

The project does not involve a condominium conversion and therefore this finding is not applicable.

- 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.**

Parcel Width And Frontage Waiver: The distance from the frontage to the Conservation Parcel (Parcel A) is 329 feet, or an average of 54.8 feet, so it is not physically possible to meet the minimum 60' width along Loraine Lane for all proposed parcels. The frontage on Monterey Ave. is 101.63 feet, so it is not physically possible to meet the minimum width with two parcels on that frontage. Therefore, the minimum width and frontage requirements would have the effect of physically precluding construction of the Density Bonus housing development at the allowable density.

Floor Area Ratio, Lot Coverage and Minimum Size (3,500 sq.ft.) Waivers: Lots 1 and 6 would be the smallest lots in the project, to account for the large conservation parcel, the premium parcel (Lot 5), and parcels 2-4 with an average net developable area of close to 5,000 sq.ft. For the homes on these lots to be similar in size to the other four homes in the project, waivers of the 50% FAR limit and 40% lot coverage limits are required. Alternatively, these homes would need to be much smaller than the others in the project. Lot 1 as the affordable unit must meet the minimum size standards of Chapter 17.10 so it cannot be made much smaller than other units in the development. Therefore, the minimum floor area ratio and lot coverage requirements would have the effect of physically precluding construction of the Density Bonus housing development at the allowable density.

Semi-detached (duet) Homes in R-1-9 zone district: The homes on Lots 1 and 6 would be semi-detached. Due to the 20' corner setbacks on Lot 1 and the proposed narrow (31.63') width of Lot 6, a semi-detached configuration is necessary to allow two homes with a floor plan similar in size and layout to other dwellings in the development. Lot 1 as the affordable unit must meet the minimum size standards of Chapter 17.10 so it cannot be made much smaller than proposed. Additionally, the semi-detached configuration is appropriate to the net site area of the two lots (3,790 and 2,263), as the zoning ordinance allows semi-detached in the R-1-4 and R-1-3.5 zones. The semi-detached configuration allows yard areas with a reasonable amount of usable open space, similar to the open space that would be provided for the other dwellings in the subdivision. Therefore, disallowing the semi-detached configuration would have the effect of physically precluding construction of the Density Bonus housing development at the allowable density. Zero setbacks on the shared property line are automatically applied to semi-detached dwellings.



## **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 Loraine Lane currently has a 15-foot travel lane with no curbs, gutter, sidewalks or formal on-street parking and informal landscaping along the street. The County standard width for local road rights-of-way within the Urban Service Line is 56 feet including parking, sidewalks, and landscaping, a level of development that was opposed and restricted by neighboring property owners, who wanted to maintain the rustic ambiance of the neighborhood to the extent feasible. The applicant therefore proposed two 12-foot travel lanes with curbs and gutters, but no sidewalks or on-street parking, with landscaped lots out to the edge of the curb. A Roadway / Roadside Exception is required to not require sidewalks, on-street parking or formal landscape strips on either side.

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. As proposed, a Roadway/Roadside Exception is appropriate due to the proposed site design and configuration of the residential development and parking meeting or exceeding standards provided for all the existing and proposed lots on the street.

## **Design Review Findings**

1. 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.

Structures: The proposed project would comply with SCCC Ch. 13.11 Design Review, in that the proposed dwellings feature articulated facades with dormers, projections, trimmed windows and lap siding, in various brown, beige and gray earth tone colors and accent colors on doors. The affordable unit on Lot 1, would be indistinguishable from the other units and not the smallest dwelling. The dwellings are compatible with the neighborhood in that surrounding dwellings across Loraine Way and Monterey Ave. include a mix of one- and two-story buildings with pitched rooflines, trimmed windows and siding materials similar to those proposed.

Site Plans: Like the proposed dwellings, the proposed building sites also vary in size and shape, from approximately 32 feet wide and 2,358 sq.ft. in area to 74.5 feet wide and 7,571 sq.ft. Dwellings would be set back from the street with paved driveways, onsite parking, walkways to doors, and rear and side yards. Curbs and gutters would be constructed on all frontages with sidewalks added to the Monterey Ave. frontage. The proposed project complies with the Loraine Lane neighbor's written request that the rustic aesthetic of Loraine Lane be preserved by omitting sidewalks and on-street parking and bringing landscaping out to the edge of the curb. The pastoral quality of the street would be further enhanced by minimizing native tree removal and conserving a wooded conservation parcel and arroyo at the east end of the street.

A landscape plan was submitted that would fully landscape the front yard of each parcel, partially screening all structures. Trees would be planted along both the north side of Loraine Lane and the frontage on Monterey Avenue. Proposed trees are medium sized ornamental varieties, including plum, maple, olive, hawthorn and Chinese pistache.

The 4' entrance gate would feature an attractive galvanized steel design with stone pillars.

All exterior lighting would be contained and downward directed to omit side glare.

## Conditions of Approval

Exhibit D: Tentative map and civil plans, prepared by Roper Engineering, dated August 9, 2022; architectural plans prepared by Thatcher and Thompson Architects, dated January 11, 2019; landscape plans prepared by Eileen Cooper, Landscape Architect, dated October 1, 2020; Riparian Enhancement Plan prepared by Biotic Resources Group, dated June 19, 2020, and Arborist Report prepared by Maureen Hamb, Certified Arborist, dated August 2020.

All correspondence and maps relating to this land division shall carry the land division number (211213) and parcel (037-211-01).

- I. This permit authorizes a six (6)-parcel Density Bonus subdivision and construction of six single-family dwellings, including one dwelling unit meeting affordability requirements for families of moderate income, and including the submitted Riparian Enhancement Plan, consistent with 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. Record the Conditions of Approval with the Parcel Map. The Conditions of Approval shall be applicable to all resulting parcels.
  - C. Pay the required fee to the Clerk of the Board of the County of Santa Cruz for posting the Mitigated Negative Declaration as required by the California Department of Fish and Game mitigation fees program.
  - D. Obtain a Demolition Permit from the Santa Cruz County Building Official, as applicable.
  - E. 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.
  - F. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. A Final Map for the land division shall be recorded prior to the expiration date of the tentative map and prior to sale, lease or financing of any new lots. The Final 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 Final Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Final Map shall meet the following requirements:

- A. The Final 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 six (6) single family residential parcels.
- C. Parcel areas shall be in general conformance with the approved Tentative Map, with an average density of 5,111 sq.ft. of developable land per primary dwelling unit. The largest parcel shall not exceed approximately 7,571 sq.ft. gross area, and the smallest parcel shall not be less than approximately 2,358 sq.ft. gross area. Lot 1 shall be the parcel with the affordable dwelling unit.
- D. The following items shall be shown on the Final Map:
  - 1. Show the gross and net area of each lot to nearest square foot.
  - 2. All site standards that vary from the site standards for the R-1-9 zone district, as authorized by these Conditions and Exhibit D, shall be clearly noted on the Final Map.
  - 3. A note stating that the common area parcel (Parcel A) is "not a building site" shall be added to the Final Map.
  - 4. The owner's certificate shall include:
    - a. An irrevocable offer of dedication of road right of way on Monterey Ave., as indicated on the approved Exhibit "D".
  - 5. All easements and dedications that are to be recorded or that have been recorded prior to recordation of the Final Map.
  - 6. Show the 20' public sewer easement for the public sewer main.
- E. The following requirements shall be noted on the Final 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 may be assigned by the Assessor's Office prior to application for a Building Permit on any parcel created by this land division. If the application is approved for priority processing by the Planning Commission, and new parcel numbers have

not been assigned when the applicant is ready to submit building permit applications, the CDI Director may allow the building permit applications to be submitted under APN 037-211-01 and migrated to the new parcel numbers when assigned.

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 approved Exhibit D (as consistent with #5 below) and shall also meet the following additional conditions:
  - a. Notwithstanding the approved Exhibit D, all future development shall comply with the development standards for the R-1-9 zone district, including without limitation a maximum of 50% floor area ratio, 40% lot coverage and 28' maximum height for primary dwelling units, or other standard as may be established for the zone district, except that an entrance gate of 4' with 5' pillars shall be allowed per Exhibit D and the following waivers from development standards are provided:
    - i. Minimum frontage and width of Lot 6 shall be approximately 31.63 feet.
    - ii. Maximum floor area ratio of Lot 1 shall not exceed approximately 51.8%.
    - iii. On Lot 6, the maximum floor area ratio shall not exceed approximately 73.% and the maximum lot coverage shall not exceed 46%.
    - iv. Semi-detached dwellings shall be allowed on Lots 1 and 6, with zero minimum setbacks on from the shared property line.
    - v. The offstreet parking requirement for Lot 6 shall be two spaces. One space shall be added for each additional bedroom exceeding three bedrooms.
  - b. The decorated pillars at the end of the street shall be maintained in good condition.
5. Future ADUs, garages or similar may be built outside designated building envelopes on parcels 1-6 as compliant with the Santa Cruz County Code and State Law in effect at the time of application.

6. All future development on the lots shall comply with the requirements of the approved geotechnical report(s) for this project.
7. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
8. Prior to any building permit issuance or ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Department of Public Works and the Planning Department. Earthwork between October 15 and April 15 requires a separate winter grading approval from Environmental Planning that may or may not be granted.
9. Any changes from the approved Exhibit "D", including but not limited to the Tentative Map or Preliminary Improvement Plans, must be submitted for review and approval by the Planning Department. Changes may be forwarded to the decision making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. Any changes that are on the final plans which do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review.

III. Prior to recordation of the Final 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. Submit a shared maintenance agreement (Declaration of Common Easements & Maintenance Agreement) for maintenance of all areas under common ownership/responsibility including the driveways, all landscaping, drainage structures, water lines, sewer laterals, fences, silt and grease traps.
- C. A Homeowners Association (HOA) shall be formed, or a shared maintenance agreement shall be established, setting out the responsibilities for maintenance of all areas under common ownership including without limitation: sidewalks, roadways, all landscaping, the riparian enhancement area in compliance with the Riparian Enhancement Plan, drainage structures, water lines, sewer laterals, fences, silt and grease traps and any common buildings. CC&R's and/or the shared maintenance agreement shall include the following, which are permit conditions:
  1. All drainage structures, including, but not necessarily limited to, the proposed detention system, porous asphalt concrete, proposed swale in the private drainage easement, drainage swales, bioswale(s), biofiltration systems, silt and grease traps, storm drain inverts, storm drain outfall and

velocity dissipators, shall be permanently maintained by the HOA or shared maintenance association. See Condition G.8 below.

2. Annual inspection of the drainage structures shall be performed and reports sent to the Drainage section of the Department of Public Works on an annual basis. Inspections shall be performed prior to October 15 each year. The expense for inspections and report preparation shall be the responsibility of the HOA or shared maintenance association. See Condition G.8 below.
  - a. An annual report shall be prepared and submitted to the Drainage section of the Department of Public Works by October 15<sup>th</sup> of each year. This monitoring report shall specify any repairs that have been done or that are needed to allow drainage structures to function as designed. See Condition G.8 below.
3. All sanitation facilities on the site shall be maintained, including, but not necessarily limited to, sanitary sewer lines, manholes and covers.
4. All common-interest water service structures shall be permanently maintained.
5. The HOA or other entity as specified in a shared maintenance agreement, shall maintain the conservation parcel (Parcel A) in perpetuity in compliance with the Riparian Enhancement Plan, including without limitation the following measures and actions:
  - a. The HOA or other entity as specified in a shared maintenance agreement, shall require the habitat to be maintained free of invasive vegetation by a qualified biotic consultant, consistent with the Riparian Enhancement Plan, in perpetuity. No native vegetation shall be removed unless for health, safety or biotic purposes.
  - b. Vegetation installed for riparian enhancement shall be maintained in perpetuity, including replacement of any installed plants that are damaged or destroyed.
  - c. Prior to all vegetation management activities, the site shall be checked for roosting bats and dusky-footed woodrat nests, and these shall not be disturbed during vegetation removal or installation.
  - d. The split-rail fence and signage demarcating the site shall be maintained in perpetuity.
  - e. Irrigation systems shall be maintained as long as necessary to permanently establish replacement trees and enhancement planting.
  - f. The HOA or other entity as specified in a shared maintenance agreement, shall submit annual reports to the County of Santa Cruz Environmental Planning section for monitoring years 1-5.

The reports will each present data on the mitigation area(s), actions implemented, the attainment of yearly target criteria, progress toward final success criteria, and any remedial actions required. Reports will be prepared by a qualified botanist, ecologist, or revegetation specialist; the landowner will be responsible for submitting the reports by December 31 of each monitoring year. Reports shall be submitted to:

County of Santa Cruz  
Dept. Community Development and Infrastructure  
Environmental Planning Section  
701 Ocean St., 4<sup>th</sup> Floor  
Santa Cruz, CA 95062

6. Any landscaping within the private right of way shall be permanently maintained by the HOA or shared maintenance association.
- D. Meet all requirements of the Environmental Planning section of the Planning Department including, without limitation, the following conditions:
1. No grading shall be allowed or shown on plans within the limits of Parcel A (Conservation parcel / Common Area). Please annotate the grading plan for Lot 5 to state that no grading activity shall be allowed within the limits of Parcel A (Common Area).
  2. Submit a detailed plan for conducting surveys as required for nesting migratory birds, bat roosts and breeding sites, and wood rat nests, in compliance with the Mitigation, Monitoring and Reporting Plan (MMRP, Exhibit A).
  3. Submit a detailed tree protection and removal plan consistent with the Arborist Report (Exhibit J) and MMRP as excepted by these conditions, including without limitation trees to be removed, trees to be protected and location and specifications for protective fencing. Tree protection and removal plan, including Loraine Lane Tree Inventory, shall be modified to include removal of all eucalyptus trees. Plan shall also include a summary re-evaluation of trees 6, 7, 8 and 9 with updated recommendations regarding retention or removal.
  4. Submit detailed riparian implementation plan sheet(s), completed by a qualified professional, for Parcel A (Common Area) for review and approval, consistent with the approved Riparian Enhancement Plan as excepted by these Conditions. The implementation plan shall include, without limitation:
    - a. Tree removal plan including all eucalyptus trees and providing details for stump treatment to prevent resprouting.



- b. Invasive vegetation removal and maintenance plan.
  - c. A planting list, planting plan and planting specifications of appropriate native plants (minimum tree replacement ratio is 3:1).
  - d. Irrigation plan consistent with the requirements of the Soquel Creek Water District as applicable.
  - e. Location and construction details of three- to four-foot-tall split rail fence to be constructed along the 20-foot riparian buffer setback to demarcate the sensitive habitat area and limit public access to the habitat restoration area. For additional protection to the habitat restoration area a series of all weather "Habitat Restoration Area - Authorized Personnel Only" signs shall be affixed to the fencing (approximately every 50 feet). Sign details including fence elevation, dimensions, color and materials shall be provided. Earth tone colors required.
  - f. Sheets shall reference the monitoring and reporting requirements of the Riparian Enhancement Plan and the homeowners (HOA or maintenance agreement) that covers a minimum of five years, with habitat maintenance in perpetuity.
5. Submit detailed plans for a four-foot-tall split rail fence to be constructed along western boundary of Parcel A to demarcate the sensitive habitat area and limit public access to the habitat restoration area. Plans shall indicate that concrete pillars shall be preserved.
6. Submit detailed sign plan for the habitat restoration area. The sign plan shall propose a series of non-intrusive, environmentally compatible, attractively designed all-weather interpretive signs to be attached to the fence, indicating that the habitat is a designated habitat restoration area and that no unauthorized foot or vehicular access is allowed. Plans shall indicate proposed size, color, materials, wording and mounting instructions. Location of signs shall be indicated on the site plan and elevation.
7. Submit a Landscape Plan for the entire site. the entire site. The landscape plan shall meet all of the Water Efficient Landscape requirements of the Soquel Creek Water District. Additionally, the final landscape plan shall meet the following criteria:
- a. Turf limitation – Turf area shall not exceed 25 percent of the total landscaped area. Turf area shall be of low to moderate water-using varieties, such as tall or dwarf fescue.
  - b. Selection. At least 80 percent of the plant materials selected for non-turf areas (equivalent to 60 percent of the total landscaped area) shall be well-suited to the climate of the region and require

minimal water once established (drought tolerant). Native plants are encouraged.

- c. Trees. In addition to tree planting within yard areas the landscape plan shall include trees lining the street as indicated in the approved plan. Trees shall be planted at a minimum rate of one tree per 25 lineal feet of frontage, with tree cluster an option for placement.
- d. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.
- e. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation compliant with Soquel Creek WD requirements. Irrigation systems shall be designed to avoid runoff, over-spray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.
- f.
  - i. The irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit applications. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.
  - ii. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.

E. Meet all requirements of the Department of Public Works, Transportation.

- 1. The final map shall reflect a five-foot utility easement behind the 3' public right of way dedication to the County, required across all lots fronting Monterey Avenue.
- 2. The project shall be subject to Roadside and Transportation Improvement fees as specified in the Unified Fee Schedule for the Live Oak Transportation Improvement Area.
- 3. The grading and site plans for Lot 1 on the final map shall reflect three

offstreet parking spaces off of Loraine Lane.

- F. Meet all requirements of the Santa Cruz County Sanitation District including, without limitation, the following standard conditions. All items must be resolved prior to approval of any final map:
1. Pay all necessary bonding, deposits, and connections fees, and furnish a copy of any CC&R's or shared maintenance agreement to the district.
  2. Provide the District with recorded private sewer easements between neighboring parcels.
  3. A Sewer Abandonment Permit shall be required prior to demolishing existing sewer lines. An abandonment permit shall be requested by the Contractor from the Department of Public Works either by phone (831) 454-2160 or email [dpwsanitation@santacruzcounty.us](mailto:dpwsanitation@santacruzcounty.us).
  4. Submit and secure approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel, including, without limitation:
    - a. Project shall satisfy all Department of Public Works County of Santa Cruz Design Criteria and Santa Cruz County Sanitation District (SCCSD) requirements.
    - b. Provide details and profile for the proposed sewer improvements, consistent with Part 4 of the County Design Criteria. Include pipe material for proposed laterals and manholes. I
    - c. Include specifications for the cleanout at the end of Loraine Lane to be replaced with a manhole at the developer's expense in order to allow for maintenance access. Plan shall show the proposed manhole location and include detail Figure SS-4 from Part 4 of the County Design Criteria.
    - d. Show the approximate locations of the private sewer easements for the sewer laterals serving the proposed homes.
    - e. Show the 20' public sewer easement for the public sewer main on the parcel map.
- G. Meet all drainage requirements of the Department of Community Development and Infrastructure, Stormwater Management section.
1. Provide a final map showing proposed private drainage easement/s for common drainage facilities (both on individual lots for common swales at lot boundaries as well as in the private roadway) and facilities serving upstream offsite areas (swales, inlets and storm drainpipes). Indicate

whether an HOA or maintenance association shall maintain the storm drain outfall and other common drainage facilities.

2. The map shall include language to keep private drainage easements free and clear of buildings or structures of any kind. The map shall acknowledge that no additional impervious/semi-impervious area coverage beyond the limits shown shall be constructed without additional permits, mitigations, and approval by the County of Santa Cruz. The map shall identify who is responsible for the maintenance of the drainage facilities on individual lots, in easement areas, in the common roadway/driveway, and the outfall.
3. The map shall include an access easement for Zone 5 Flood Control and Water Conservation District for use of the private road for vehicular access to the riparian/open channel at the east of the parcel. Please coordinate with District staff for the processing of the offer and acceptance of this easement.
4. Please label the 5-foot easement/property boundary going from the southeast of the existing cul-de-sac to the riparian area. What is the purpose of this easement/property boundary? If this is an easement meant for the outfall it should be relocated to cover the outfall and dissipation facilities.
5. Provide a Final Stormwater Management Report that is signed and stamped, is consistent with the final improvement plans, and demonstrates compliance with the County Design Criteria (CDC) requirements for:
  - a. Minimize Stormwater Pollutants of Concern: The January 21, 2021, letter addressing infeasibility of infiltration-based treatment has been received. Please update the Stormwater report and plans to incorporate biofiltration treatment consistent with Part 3 Section C.3.b.iii of the CDC. A subdrain at the top of the rock layer may be incorporated as needed and it is understood that filtering will be the main mode of treatment. The Filterra Bioscape Vault does not comply with the biofiltration treatment prioritized as section iii. Please update the plans to be consistent with biofiltration treatment. Utilizing structural treatment (like the Filterra vault) is only allowed if documentation demonstrating that biofiltration is not technically feasible is provided.
  - b. Site Design and Runoff Reduction Measures: Include a section in the report addressing each required strategy and describe how each has been incorporated or why it is infeasible. If construction of the roadway, sidewalks, walkways, and driveways can be built with semi-impervious surfaces this shall be incorporated into the site design.

- c. Stormwater Discharge Rates and Volumes: The flood control mitigation shall be sized and shall mitigate for all new and replaced impervious areas. Provide final analysis and coordinated design along with flow control analysis. If there will be some redeveloped road areas that bypass the flood control mitigation this bypass shall be taken into account and the flow control device shall be sized accordingly.
  - d. Provide analysis for the bypass system demonstrating adequacy for handling the upstream areas
  - e. Provide analysis demonstrating the outfall dissipation is adequate for complying with Fig SWM-19b of the CDC.
6. Provide Final Improvement Plans consistent with the Final Stormwater Management Report, landscape and architectural plans, Arborist's Report (Exhibit J), Riparian Enhancement Plan (Exhibit I) and CDC requirements:
- a. Clearly label which improvements will be constructed with the land division and which will be constructed with future building permits. All facilities that serve more than one parcel or upstream areas shall be constructed with the land division.
  - b. The decorative pillars at the end of the street shall be maintained.
  - c. Show the location/s of the proposed biofiltration facilities in the improvement plans.
  - d. Include an accounting of impervious areas used for the design that is broken down by lot. Include acknowledgement that no additional impervious or semi-impervious development beyond this shall be constructed.
  - e. Show how runoff from new and redeveloped roadway areas will be routed to the mitigation facilities. While the north half of Loraine Avenue appears to be accounted for in the mitigation sizing it unclear how runoff from the new DI will route to the water quality and flood control mitigations.
  - f. Provide a detail of the proposed outlet and dissipation facilities so that the extent of disturbance, improvements, and adequacy of easement/s are clear.
  - g. Include notes on the civil plans that specifies how (pipes, swales, splash blocks, discharge to driveway, etc.) roof runoff shall be routed to mitigation facilities. Show these routing facilities on the

plans.

- h. Provide detail/s for side yard swales including minimum dimensions, surfacing, etc. If fences will be constructed between the lots show how the swale and fence construction will be coordinated.
  - i. The storm drains proposed in Monterey Avenue shall be a minimum 18-inch diameter and shall be HDPE.
  - j. Provide connection details for the storm drain system in Monterey Avenue consistent with Figure SWM-9 in the CDC.
  - k. Provide detail/s for the proposed detention system with materials, elevations, access and connection details demonstrating how all flows will be routed through both detention and biofiltration prior to discharge.
  - l. Include signage on all inlets with markings “No Dumping Drains to Bay” or equivalent. The inspection and maintenance of this signage shall be included in the SWM-25B and annual report.
- 7. Provide approval from the geotechnical engineer for the final improvement plans and specifically for the outfall design.
- 8. An O&M agreement consistent with SWM-25B including the required attachments (maps and detailed O&M tables) is required. A single entity shall be identified for submitting the annual service fee and annual reports for the entire project. Include a restriction on the construction of any additional impervious or semi-impervious coverage without additional permit/s and updated mitigation design and maintenance agreement. Include annual infiltration testing of the biofiltration surfaces, specifying the test method and demonstrating the minimum 5 inch/hour infiltration rate.
- 9. Zone 5 fees will be assessed based on the net increase in impervious area (both on and offsite) due to the project.
- H. Meet all requirements of the CDI Planning Division, Housing Section, including without limitation:
  - 1. Applicant/Property Owner shall enter into an Affordable Housing Participation and Density Bonus Agreement in a form provided by the County Housing Division to set forth all required details for development and sale of the affordable unit in the project, compliant with SCCC Chapters 17.10 and 17.12.
- I. 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.

- J. Engineered improvement plans for utilities. Plans shall be revised to reflect no gas utilities or gas infrastructure, only electric power.
- K. 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 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. Utility plan will be revised to show no gas utilities or infrastructure, only electric power.
- L. All requirements of the Central Fire Protection District shall be met, including, without limitation:
  - 1. The final map shall show a public fire hydrant, type and location, meeting the minimum required fire flow for the building, within 600 feet of any portion of the building when the building is equipped with an automatic fire sprinkler system
- M. Park dedication fees (\$9,400 per parcel), transportation improvement fees and roadside improvement fees shall be paid for six (6) new dwelling units based on the fee schedule in effect at the time the building permit application is processed.
- N. Add a note to the Final 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.
- O. 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. Civil plans shall be consistent with Final Stormwater Management Report, final landscape and architectural plans, Riparian Enhancement Plan (Exhibit I), Arborist Report (Exhibit J), and requirements by Stormwater Management.
  4. Grading, drainage, and erosion control plans shall be consistent with County standards as provided at <https://www.sccoplanning.com/PlanningHome/Environmental/ErosionStormwaterPollutionControl/ErosionControlPlanRequirements.aspx>
  5. The decorative pillars at the end of the street shall be maintained.
  6. No grading shall be proposed or implemented within the riparian corridor or riparian buffer area. Please annotate the grading plan to state that no grading activity shall be allowed within the limits of Parcel A (Common Area).
  7. Trees shall be preserved as indicated by the Riparian Enhancement Plan (Exhibit I) and Arborist Report (Exhibit J). Location and details for tree protection shall be indicated on grading plans.
  8. Tree protection shall be installed prior to any grading activity.
  9. 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 Final Map.
- IV. Prior to any site disturbance or physical construction on the subject property the following condition(s) shall be met:
- A. Pre-Construction Meeting: In order to ensure that the mitigation measures are



communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: the applicant, grading contractor supervisor, the project biologist, project arborist, and Santa Cruz County Environmental Planning staff. The temporary construction fencing demarcating the disturbance envelope, tree protection fencing, and silt fencing will be inspected at that time. Results of pre-construction biological surveys will also be collected at that time.

- B. All required biological surveys (including rats, bats and birds) shall be conducted prior to site disturbance or tree removals on the subject property, per the requirements of the Mitigation Monitoring and Reporting Program.
  - C. Following the Pre-Construction meeting and prior to any site disturbance or physical construction, any additional pre-construction activities required by Environmental Planning shall be conducted as determined by the meeting, including without limitation, nest buffer establishment, wood rat nest relocation, and adjustments / additions to tree protection fences.
  - D. All of the other pre-construction procedures, requirements and protocols of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.
- V. 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, without limitation, the additional information:
    - 1. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
    - 2. Building envelopes, common area and/or building setback lines located according to the approved Site Plan. Building envelopes shall meet the minimum setbacks for the R-1-9 zone district in effect at the time of building permit submittal, which are 20 feet for front yards, 20 feet for street side yards, 5 and 8 feet for side yards, and 15 feet for rear yards, except that zero setbacks shall be allowed from the shared property line of Lots 1 and 6. All proposed setbacks shall be indicated on plans.
    - 3. Indicate building envelopes and proposed setbacks for proposed structures on all sides, including rear yard on Lot 6 (omitted from

subdivision plans but scaled at 15'). Structures shall meet the site and structural standards of the R-1-9 district, which at the time of project approval provide a maximum height of 28' for dwelling units and attached garages, maximum lot coverage of 40%, maximum floor area ratio of 50%, minimum 20' setback to garage entrance, except that the following waivers to site standards are herewith provided:

- a. Minimum lot sizes (gross / net) less than 9,000 sq.ft., as shown on the approved tentative map, including 2,358 sq.ft., gross, and 2,263 net developable area, for Lot 6 (less than 3,500 sq.ft.).
  - b. Minimum frontage and width for Lot 6 of approximately 31 feet.
  - c. Maximum floor area ratio of approximately 75% for Lot 6 and approximately 52% for Lot 1.
  - d. Maximum lot coverage of approximately 46% for Lot 6.
  - e. Semi-detached homes on Lots 1 & 6, with zero minimum setbacks for structures from the shared property line.
4. 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.
  5. Details of the proposed overheight gate matching the approved Exhibit D, including design, colors and materials.
  6. Provide required off-street parking in compliance with the approved Exhibit D. Parking spaces shall 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. The Exhibit indicates parking as follows:
    - a. Lot 1: 3 spaces
    - b. Lot 2: 4 spaces
    - c. Lot 3: 4 spaces
    - d. Lot 4: 4 spaces
    - e. Lot 5: 4 spaces
    - f. Lot 6: 2 spaces
  7. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
  8. A landscape plan for each lot consistent with approved subdivision landscape plan. Any proposed additions or changes shall be clouded and labeled as such. The landscape plan shall meet all of the Water Efficient

Landscape requirements of the Soquel Creek Water District.

- B. Provide Civil grading and drainage plans consistent with the Final Improvement Plans, Final Stormwater Management Report, final landscape and architectural plans, Riparian Enhancement Plan (Exhibit I), Arborist Report (Exhibit J), and CDC requirements for review and approval by the Department of Community Development and Infrastructure, Stormwater Management. Grading and drainage plans shall be consistent with the final improvement plans in terms of impervious area limits and routing of stormwater runoff.
- E. Zone 5 fees will be assessed based on the net increase in impervious area (both on and offsite) due to the improvements to be built with the building permit.
- F. Meet all requirements of the Soquel Creek Water District. Proof of water service availability was submitted as part of the Subdivision approval.
- G. Meet all requirements of the Santa Cruz County Sanitation District. Proof of water service availability was submitted as part of the Subdivision approval.
- H. Meet all requirements of the Environmental Planning section of the Planning Department, including without limitation:
  - 1. Plans shall demonstrate compliance with the approved soils report, REV211391.
- I. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
  - 2. Plans shall meet all current code requirements, including local amendments at the time of building application. Specifically, Lot 6 shall have a Monterey Ave address in order to have Loraine Lane 24 feet wide no parking either side.
  - 3. Please ensure designer/architect reflects equivalent notes and requirements on velums as appropriate when submitting for Application for Building Permit.
  - 4. Please ensure designer/architect reflects equivalent notes and requirements on velums as appropriate when submitting for Application for Building Permit.
  - 5. When plans are submitted for multiple lots in a tract, and several standard Floor Plans are depicted, include Fire District Notes on the small-scale Site Plan. For each lot, submit only sheets with the following information: Site Plan (small-scale, highlight lot, with District notes), Floor Plan, Elevation (roof covering notes), Electrical Plan (if smoke detectors are shown on the Architectural Floor Plan this sheet is not required). Again, we must receive, VIA the COUNTY, SEPARATE

submittals (appropriate site plans and sheets) FOR EACH APN!!

6. NOTE on the plans that these plans are in compliance with California Building and Fire Codes (2019) and District Amendment.
7. NOTE on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE-FIRE RATING and SPRINKLERED as determined by the building and fire code officials and outlined in the 2019 California Building Code (e.g., R-3, Type V-B, Sprinklered).
8. The FIRE FLOW requirement for the subject property is 1000 gallons per minute. NOTE on the plans the REQUIRED and AVAILABLE FIRE FLOW. The AVAILABLE FIRE FLOW information can be obtained from the water company.
9. SHOW on the plans a public fire hydrant, type and location, meeting the minimum required fire flow for the building, within 600 feet of any portion of the building when the building is equipped with an automatic fire sprinkler system.
10. NOTE on the plans that the building shall be protected by an approved automatic sprinkler system complying with the edition of NFPA 13D currently adopted in Chapter 35 of the California Building Code.
11. NOTE on the plans that the designer/installer shall submit two (2) sets of plans, calculations, and cut sheets for the underground and overhead Residential Automatic Sprinkler System to this agency for approval. Installation shall follow our guide sheet.
12. SHOW on the plans where smoke detectors are to be installed according to the following locations and approved by this agency as a minimum requirement:
  - a. One detector adjacent to each sleeping area (hall, foyer, balcony, or etc.).
  - b. One detector in each sleeping room.
  - c. One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder.
  - d. There must be at least one smoke detector on each floor level regardless of area usage.
  - e. There must be a minimum of one smoke detector in every basement area.
13. SHOW the location of the CO detector outside each sleeping room and on each level at a minimum of the residence.
14. NOTE on the plans where address numbers will be posted and maintained. Note on plans that address numbers shall be a minimum of

FOUR (4) inches in height and of a color contrasting to their background.

15. NOTE on the plans that the roof coverings to be no less than Class "B" rated roof.
  16. NOTE on the plans that a 30-foot clearance will be maintained with non-combustible vegetation around all structures.
  17. NOTE on the plans that the electric gate shall be equipped with the Central Fire District key entry system.
  18. 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 this agency.
- J. Submit a digital copy of the soils report accepted pursuant to REV211391, stamped by the Geotechnical Engineer.
  - K. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
  - L. Pay the current Affordable Housing Impact Fee if not already paid with the final map or deferred in compliance with Affordable Housing Requirements specified by Chapter 17.10 of the County Code.
  - M. Pay the current Childcare fee (\$.85 per sq. ft. as of 2/3/2023 but subject to change).
  - M. 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.
- VI. All construction shall be performed according to the approved plans for the Building Permits. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

- C. The project must comply with all recommendations of the approved soils reports.
- D. The affordable unit must be sold (not rented) to an eligible buyer when the home is completed. Developer shall coordinate with the Housing Division several months prior to final inspection to hold a random drawing to select the buyer (and several back-up buyers) for the affordable unit, according to standard practice for new Measure J homes.
- 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.

#### VII. Operational Conditions

- A. Future ADUs, garages or similar may be built outside designated building envelopes on Parcels 1-6 as compliant with the Santa Cruz County Code and State Law in effect at the time of application.
- B. 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.

#### VIII. Indemnification

- A. 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.

- B. 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.
- C. 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.
- D. Settlement. 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.
- E. Successors Bound. 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.

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

**Please note: This permit expires two years from the effective date listed below unless 1) 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), 2) an application for an extended expiration date is submitted and approved by the County, or 3) an automatic extension is mandated by State law. 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 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.

# MONTEREY GLEN

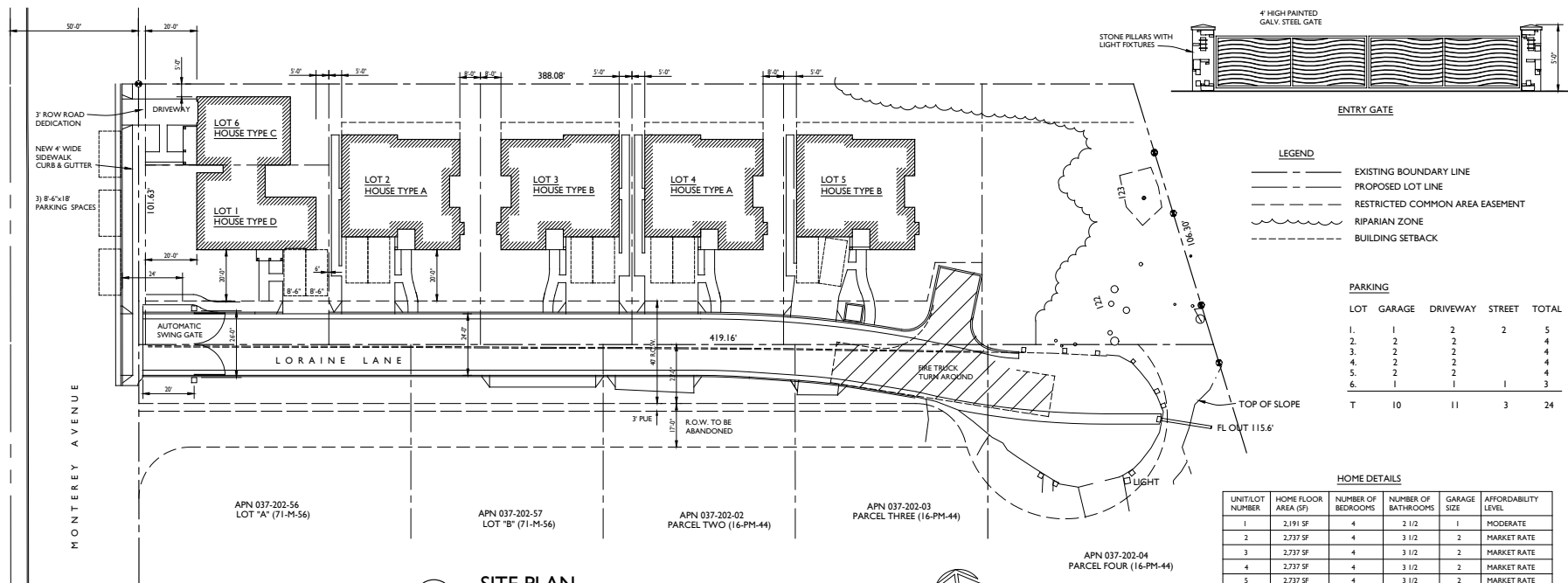


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ARCHITECTS

215 OREGON STREET  
SANTA CRUZ, CA 95060  
(831) 467-3319  
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LORAINE LANE HOMES  
0 MONTEREY AVENUE AT LORAIN LANE, SANTA CRUZ, CA

PROJECT DATA	PROJECT TEAM	SHEET INDEX	AREA CALCULATIONS (CONT.)	VICINITY MAP
<b>PROJECT DESCRIPTION:</b> SUBDIVISION MAP AND DENSITY BONUS PROPOSAL CREATING 6 RESIDENTIAL LOTS PLUS A REMAINDER COMMON-INTEREST LOT FOR OPEN SPACE AND RIPARIAN SETBACK. CONSTRUCTION OF 6 NEW FAMILY HOMES WITH THE PROVISION OF ONE AFFORDABLE MODERATE-INCOME, FOR SALE UNIT ALONG WITH ASSOCIATED DENSITY BONUS WAIVERS OF SOME R1-9 ZONING STANDARDS AND AN INCENTIVE REQUEST FOR EXPEDITED PROCESSING. PROJECT INCLUDES AN OVER-HEIGHT FENCE APPROVAL FOR THE ENTRY GATE. PROJECT INCLUDES ENVIRONMENTAL REVIEW (CEQA) AND COMPLETED ARBORIST REPORT REVIEW (REV211390) AND RIPARIAN PRE-SITE REVIEW (REV211392). REQUIRES LEVEL 6 APPROVAL BY THE PLANNING COMMISSION.	<b>OWNER:</b> MONTEREY AVENUE, LLC 347 MASSOL AVENUE, APT. 202 LOS GATOS, CA 95030 samuca36@hotmail.com <b>ARCHITECT:</b> THACHER & THOMPSON ARCHITECTS 215 OREGON STREET SANTA CRUZ, CA 95060 (831) 566-3079 <b>CONTACT:</b> tom@tnarch.com matt@tnarch.com <b>LAND USE PLANNER:</b> EADIE CONSULTANTS P.O. BOX 1647 SANTA CRUZ, CA 95061 (831) 431-3396 charlie@eadieconsultants.com <b>CIVIL ENGINEER/SURVEYOR:</b> ROPER ENGINEERING 48 MANN AVENUE CORRALITOS, CA 95076 (831) 724-5300 jeff@ropereengineering.com <b>LANDSCAPE ARCHITECT:</b> ELLEN COOPER 612 WINDSOR STREET SANTA CRUZ, CA 95062 (831) 426-6845 ecooper@baymoon.com	<b>ARCHITECTURAL</b> A1 SITE PLAN & PROJECT DATA A2 HOUSE TYPE A PLANS AND ELEVATIONS A3 HOUSE TYPE B PLANS AND ELEVATIONS A3.1 HOUSE TYPES C & D A4 SITE SECTION A5 EXTERIOR COLORS <b>CIVIL</b> T1 TENTATIVE MAP T2 PRELIMINARY GRADING PLAN T3 PRELIMINARY UTILITY PLAN <b>LANDSCAPE</b> L1 PLANTING PLAN <b>AREA CALCULATIONS</b> GROSS SITE AREA: +/- 41,019 SF STREET DEDICATION: +/- 301 SF NEW ROAD RIGHT OF WAY: +/- 5,910 SF RIPARIAN ZONE: +/- 4,137 SF NET AREA: +/- 30,671 SF AVERAGE NET LOT SIZE: +/- 5,112 SF	<b>AREA BY HOUSE:</b> <b>HOUSE A:</b> FIRST FLOOR HEATED: 1,298 SF SECOND FLOOR HEATED: 974 SF GARAGE: 465 SF TOTAL HOUSE: 2,737 SF COVERED PORCH: 60 SF <b>HOUSE B:</b> FIRST FLOOR HEATED: 1,300 SF SECOND FLOOR HEATED: 972 SF GARAGE: 465 SF TOTAL HOUSE: 2,737 SF COVERED PORCH: 60 SF <b>HOUSE C:</b> FIRST FLOOR HEATED: 730 SF SECOND FLOOR HEATED: 914 SF GARAGE: 242 SF TOTAL HOUSE: 1,886 SF COVERED PORCH: 41 SF <b>HOUSE D:</b> FIRST FLOOR HEATED: 986 SF SECOND FLOOR HEATED: 935 SF GARAGE: 270 SF TOTAL HOUSE: 2,191 SF COVERED PORCH: 45 SF <b>AREA BY LOTS:</b> <b>LOTS 1 HOUSE TYPE D:</b> LOT AREA: 3,790 SF LOT COVERAGE: 1,301 SF = 34.3% FAR: 2,191 SF - 225 SF = 1,966 SF = 51.9% IMPERVIOUS AREA: 370 SF = 9.8% LANDSCAPE AREA: 2,119 SF = 55.9% <b>LOTS 2 AND 4 HOUSE TYPE A:</b> LOT AREA: 5,078 SF LOT COVERAGE: 1,864 SF = 36.7% FAR: 2,737 SF - 225 SF = 2,512 SF = 49.5% IMPERVIOUS AREA: 747 SF = 12.3% LANDSCAPE AREA: 2,388 SF = 47.0% <b>LOT 3 HOUSE TYPE B:</b> LOT AREA: 5,078 SF LOT COVERAGE: 1,864 SF = 36.7% FAR: 2,737 SF - 225 SF = 2,512 SF = 49.5% IMPERVIOUS AREA: 747 SF = 12.3% LANDSCAPE AREA: 2,388 SF = 47.0% <b>LOTS 5 HOUSE TYPE B:</b> LOT AREA: 6,006 SF LOT COVERAGE: 1,864 SF = 31.0% FAR: 2,737 SF - 225 SF = 2,512 SF = 41.8% IMPERVIOUS AREA: 804 SF = 13.4% LANDSCAPE AREA: 3,338 SF = 55.6% <b>LOTS 6 HOUSE TYPE C:</b> LOT AREA: 2,263 SF LOT COVERAGE: 1,013 SF = 44.8% FAR: 1,886 SF - 225 SF = 1,661 SF = 73.4% IMPERVIOUS AREA: 370 SF = 16.3% LANDSCAPE AREA: 880 SF = 38.9%	



DRAWING DATE  
JANUARY 11, 2019

ISSUED TO FACILITATE  
CONSTRUCTION:  
DATE PENDING

PROJECT FILE NAME:  
PETERSON MONTEREY 19 SD

PRELIMINARY  
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CONSTRUCTION



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**SITE PLAN**  
SCALE: 1" = 20'-0"



**EXHIBIT D**

**AI**





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215 OREGON STREET  
SANTA CRUZ, CA 95060  
(831) 427-3919  
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LORAIN LANE HOMES  
0 MONTEREY AVENUE AT LORAIN LANE, SANTA CRUZ, CA  
HOUSE A

DRAWING DATE  
JANUARY 11, 2019

ISSUED TO FACILITATE  
CONSTRUCTION:  
DATE PENDING

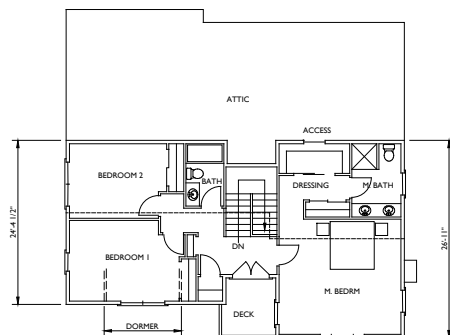
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PETERSON MONTEREY 19 SD

PRELIMINARY  
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CONSTRUCTION

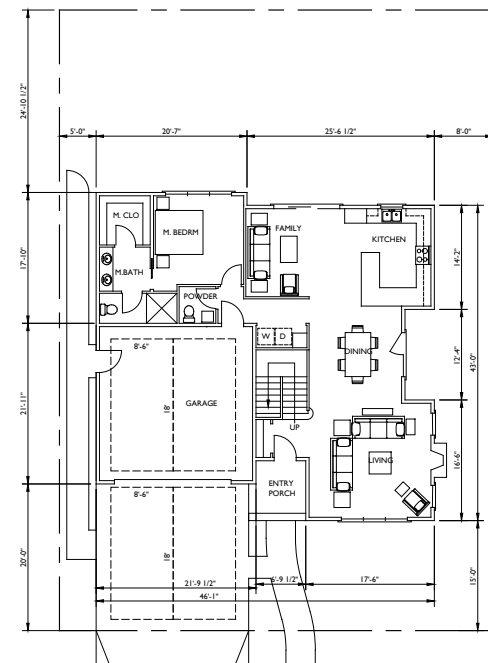


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## HOUSE A



1 2ND FLOOR PLAN  
SCALE: 1/8"=1'-0"



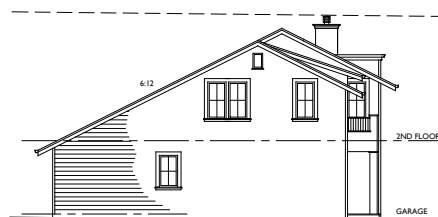
2 1ST FLOOR PLAN  
SCALE: 1/8"=1'-0"



3 EAST ELEVATION  
SCALE: 1/8"=1'-0"



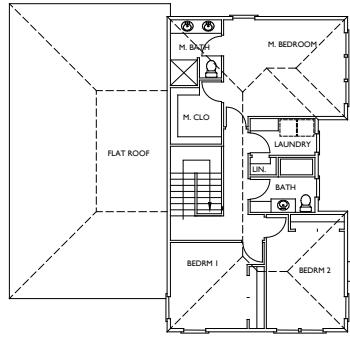
5 SOUTH ELEVATION  
SCALE: 1/8"=1'-0"



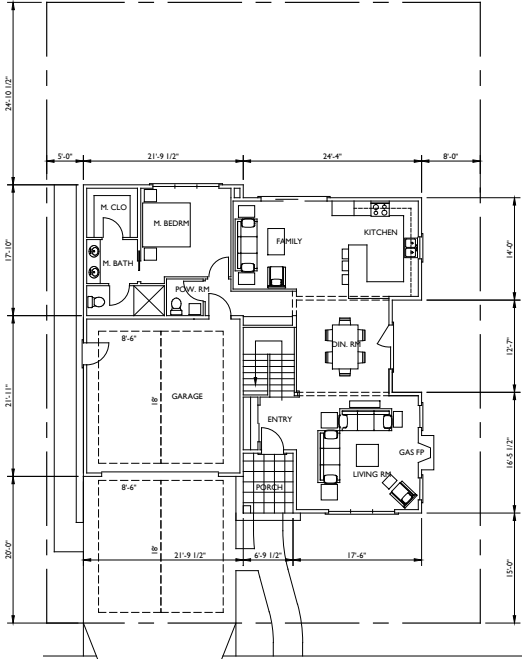
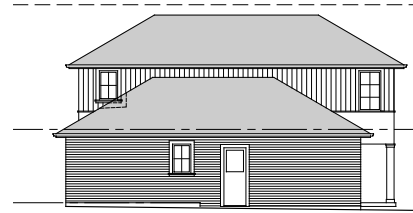
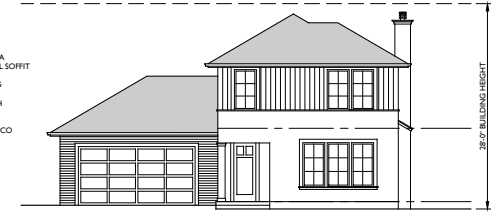
4 WEST ELEVATION  
SCALE: 1/8"=1'-0"



6 NORTH ELEVATION  
SCALE: 1/8"=1'-0"



## HOUSE B



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ARCHITECTS

215 OREGON STREET  
SANTA CRUZ, CA 95060  
(831) 457-2019  
www.thacher.com

LORAINE LANE HOMES  
0 MONTEREY AVENUE AT LORAIN LANE, SANTA CRUZ, CA  
HOUSE B

DRAWING DATE  
JANUARY 11, 2019  
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CONSTRUCTION  
DATE PENDING  
PROJECT FILE NAME  
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215 OREGON STREET  
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(831) 457-3919  
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LORAIN LANE HOMES  
0 MONTEREY AVENUE AT LORAIN LANE, SANTA CRUZ, CA  
HOUSE TYPES C & D

REVISED 1/20/22

DRAWING DATE

JANUARY 11, 2019

ISSUED TO FACILITATE

CONSTRUCTION

DATE PENDING

PROJECT FILE NAME

PETERSON MONTEREY 19 SD

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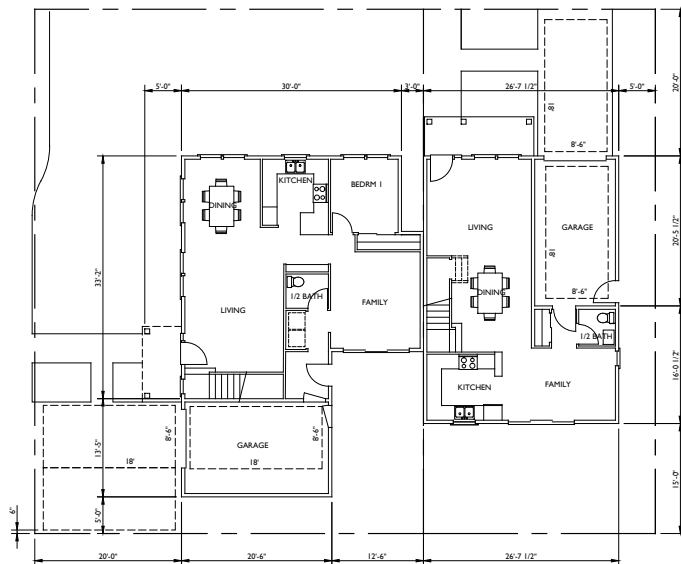
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MONTEREY AVE.

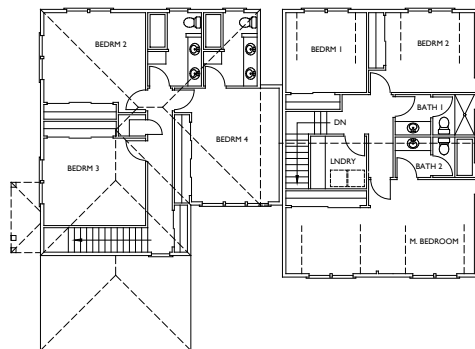
HOUSE TYPE D

HOUSE TYPE C

LORAIN LANE



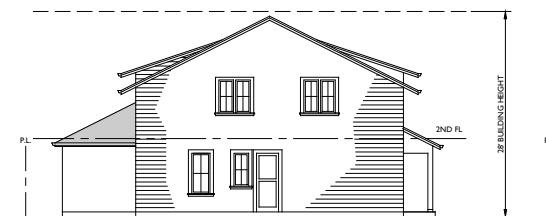
1 1ST FLOOR  
SCALE: 1/8"=1'-0"



2 2ND FLOOR  
SCALE: 1/8"=1'-0"



3 WEST ELEVATION AS SEEN FROM MONTEREY AVENUE  
SCALE: 1/8"=1'-0"



4 NORTH ELEVATION UNIT C  
SCALE: 1/8"=1'-0"



5 EAST ELEVATION  
SCALE: 1/8"=1'-0"



6 SOUTH ELEVATION AS SEEN FROM LORAIN LANE  
SCALE: 1/8"=1'-0"



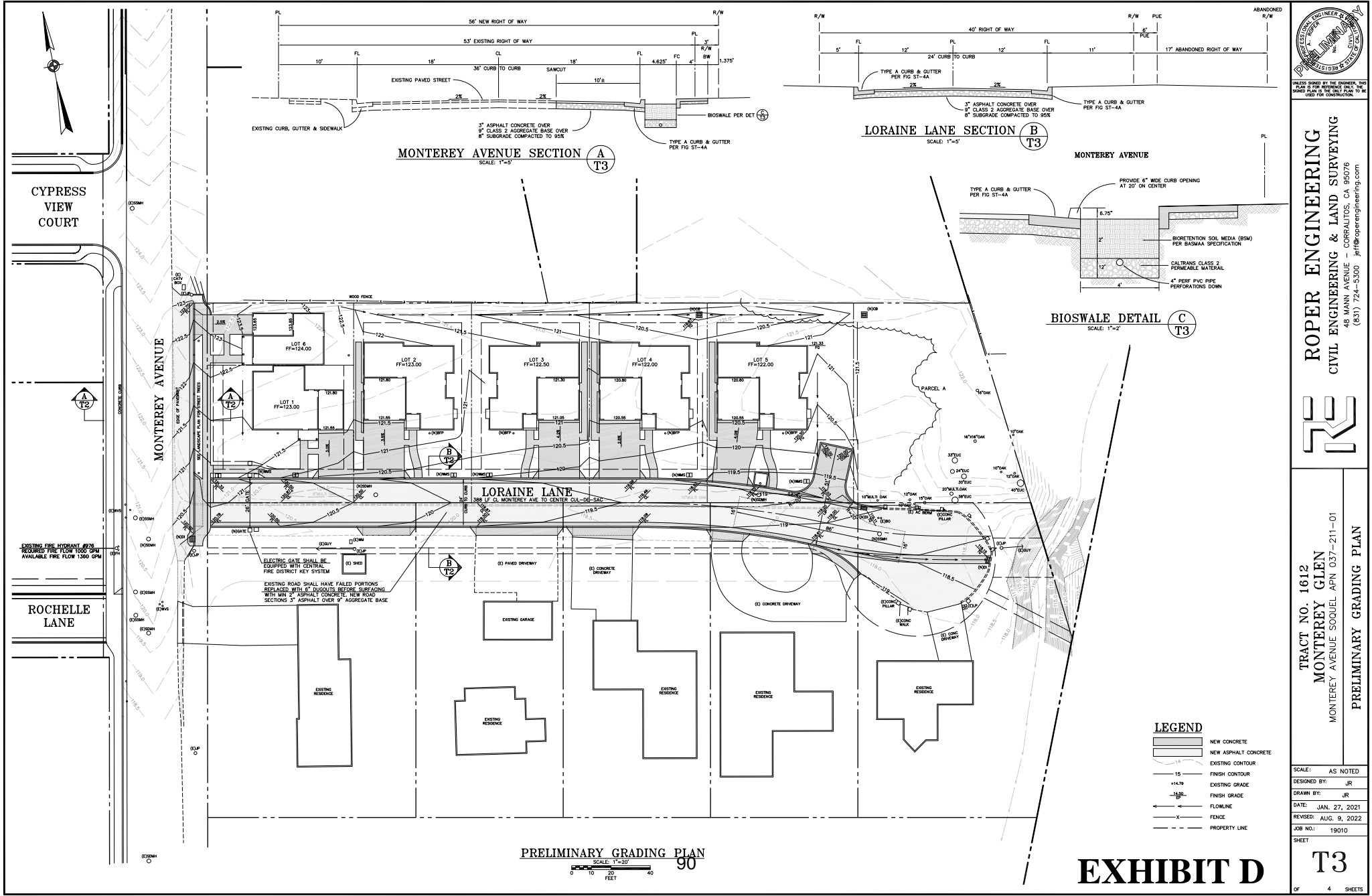
# USE OF COLOR PALETTES

LOTS	1	2	3	4	5	6
FIRST FLOOR SIDING	B	A	A	A	B	A
SECOND FLOOR SIDING	A	A	B	A	A	A
GARAGE DOOR	B	B	B	C	B	C
PORCH	-	B	B	B	B	B
CHIMNEY	-	B	B	B	B	-
DOOR	C	D	C	C	C	C
WINDOW & DOOR TRIM	C	C	C	B	B	B
ROOF	Weathered Wood					

Lot 1	Universal Khaki
1A	Moderate White
1B	Naval
Lot 2	Downing Earth
2A	Renwick Beige
2B	Rockwood Terra Cotta
Lot 3	Knitting Needles
3A	Pearty White
3B	Sea Worthy
Lot 4	Maison Blanche
4A	Alabaster
4B	Dried Thyme
Lot 5	Green Earth
5A	Nacre
5B	Fairy Brown







MONTEREY AVENUE SECTION A  
SCALE: 1"=5'

LORAIN LANE SECTION B  
SCALE: 1"=5'

BIOSWALE DETAIL C  
SCALE: 1"=2'



PLEASE NOTE: THIS PLAN IS FOR REFERENCE ONLY. THE DESIGNER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

**ROPER ENGINEERING**  
CIVIL ENGINEERING & LAND SURVEYING  
48 MANN AVENUE - CORRALITOS, CA 95076  
(831) 724-5300 [info@roperengineering.com](mailto:info@roperengineering.com)



TRACT NO. 1612  
**MONTEREY GLEN**  
MONTEREY AVENUE SQUEL APN 037-211-01  
**PRELIMINARY GRADING PLAN**

SCALE: AS NOTED  
DESIGNED BY: JR  
DRAWN BY: JR  
DATE: JAN. 27, 2021  
REVISED: AUG. 9, 2022  
JOB NO.: 19010  
SHEET

**T3**  
OF 4 SHEETS



# Plant Legend

Plant Material Name	Common Name	Size	Qty
1. <i>Platanus</i>	Platanus	1200	1
2. <i>Platanus</i>	Platanus	1200	1
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# Planting Notes

1. Remove soil as required to accommodate amendments and ensure positive drainage away from all structures.
  2. Cultivate all planting areas to a minimum of 8" incorporating a minimum of two cubic yards per 1,000 square feet of planting area into the soil. Soils with greater than 8% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.
  3. After the completion of all grading and underground construction, all planting areas shall be back-filled, to smooth, even surface with positive drainage per existing topography or to drainage swales or ditches.
  4. Existing plants to be saved shall be protected from injury.
  5. No acceptance of plants or materials to be saved shall be issued until the top line of any existing tree is to be saved.
- ## QUALITY OF PLANT MATERIALS
1. All plant material shall be healthy, growing, healthy and free from disease and pests.
  2. Plants not conforming to common nursery standards or found unacceptable for the landscape architect will be considered defective and shall be replaced at no additional cost to the owner.
  3. Plants shall be protected from drying out, wind burn and injury during handling and storage.
- ## INSTALLATION
1. Planting holes shall be as deep as the root ball and 2/3 times the width of the root ball.
  2. Each plant shall have a one inch or six inch grade based on the appropriate soil.
  3. Backfill for the planting holes shall be 50% soil and 50% soil. No bare root material shall be used.
  4. All planting areas shall be mulched with 2" of mulch, to be in other approved material, except for lawns, swales or existing groundcover, or other existing applications where such is contraindicated.
  5. All trees shall be staked with 2" x 4" stake pole placed outside the root ball and secured with two rubber tree ties.

## Groundcover Legend

1. <i>Azalea</i>	Azalea	1200
2. <i>Azalea</i>	Azalea	1200
3. <i>Azalea</i>	Azalea	1200

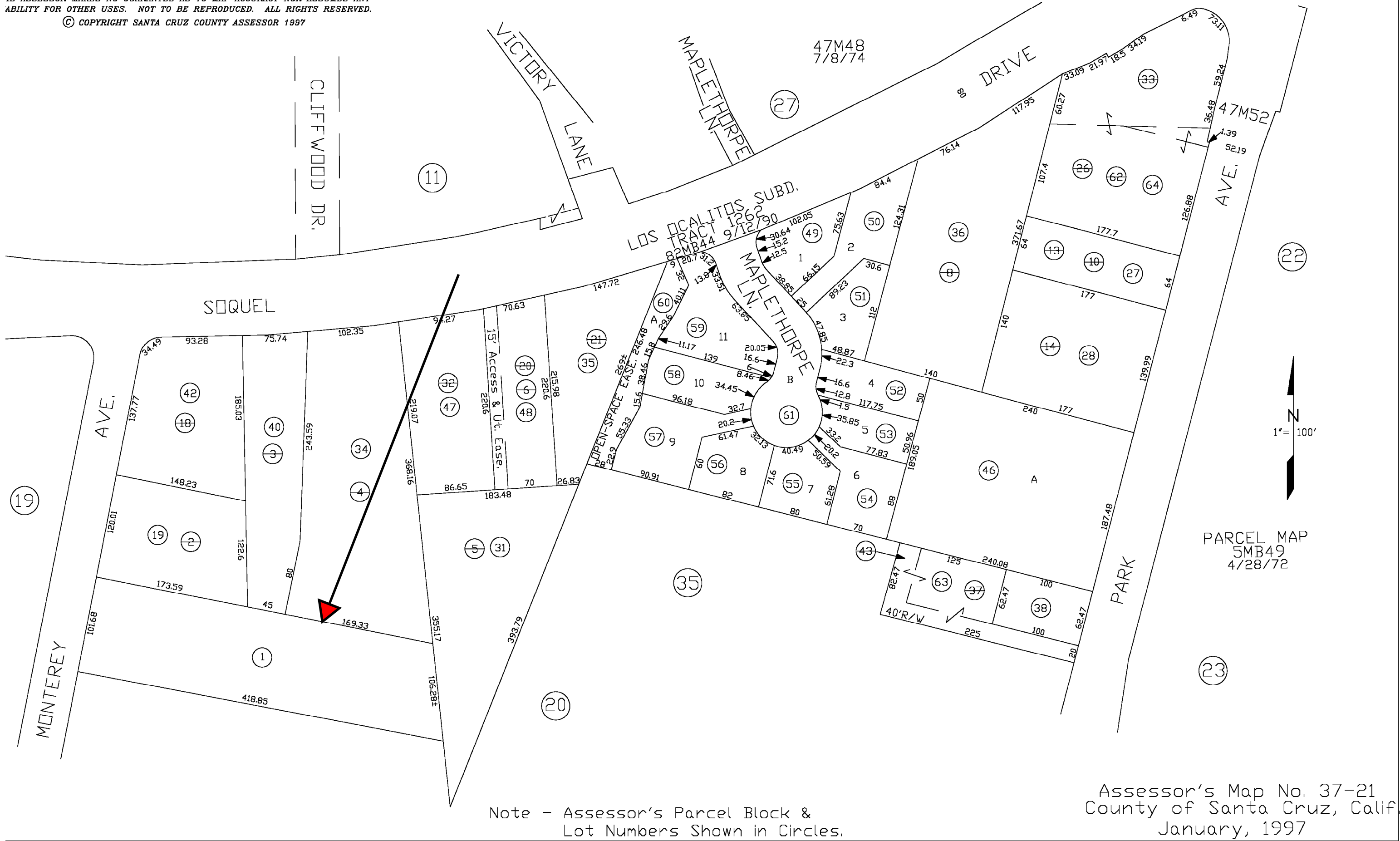
FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
ABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1997

# Assessor's Parcel Map

Tax Area Code  
96-101

37-21



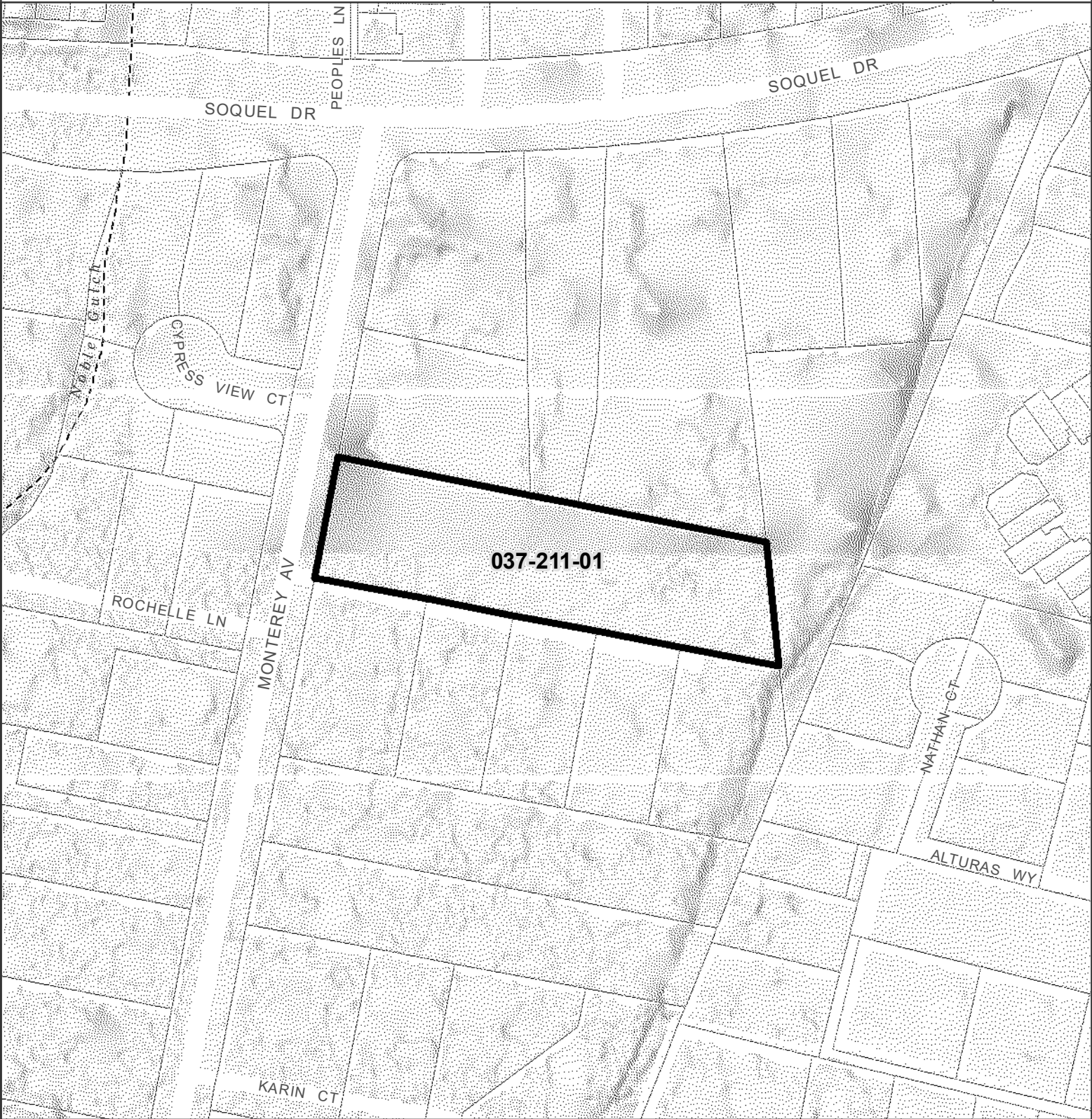
Note - Assessor's Parcel Block &  
Lot Numbers Shown in Circles.

Assessor's Map No. 37-21  
County of Santa Cruz, Calif.  
January, 1997





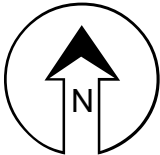


# Parcel Location Map



Parcel: 03721101

-  Study Parcel
-  Assessor Parcel Boundary

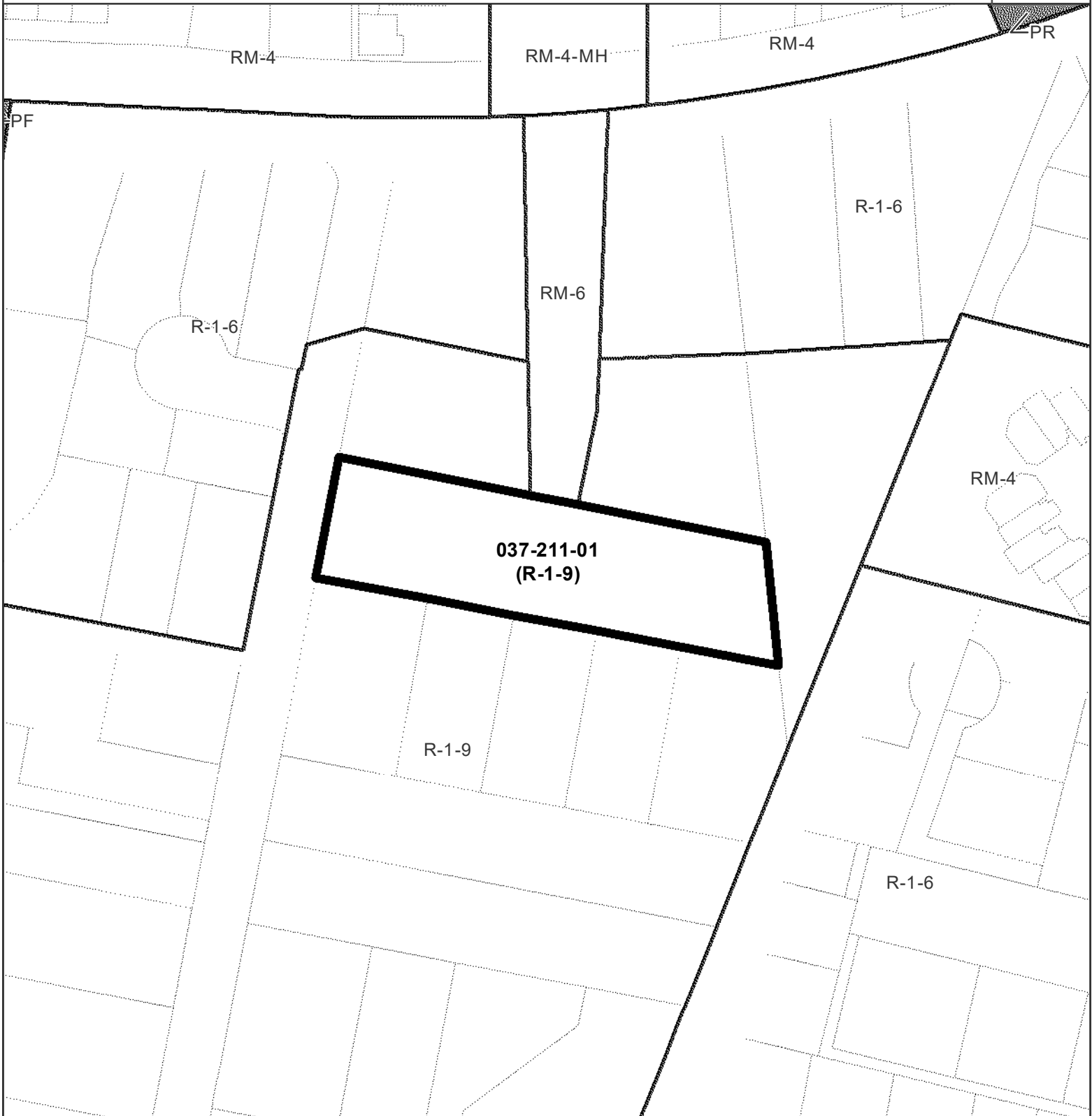




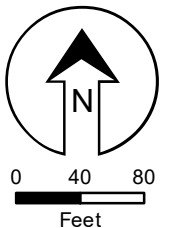
# Parcel Zoning Map



Mapped Area



- PF Public/Community Facilities
- PR Parks, Recreation, & Open Space
- R-1 Single-Family Residential
- RM Residential Multi-Family





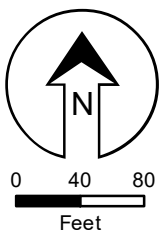
# Parcel General Plan Map



Mapped Area



- O-U Urban Open Space
- P Public Facilities
- R-UM Res. Urban Medium Density
- R-UL Res. Urban Low Density



## Parcel Information

### Services Information

Urban/Rural Services Line:   X   Inside      Outside  
Water Supply: Soquel Creek Water District  
Sewage Disposal: Santa Cruz County Sanitation District  
Fire District: Central  
Drainage District: Zone 5

### Parcel Information

Parcel Size: 41,019  
Existing Land Use - Parcel: Vacant  
Existing Land Use - Surrounding: Residential  
Project Access: Public Street and Private Street  
Planning Area: Soquel  
Land Use Designation: R-UL / O-U (Residential, Urban Low / Urban Open Space)  
Zone District: R-1-9 (single-family residential, 9,000 sq.ft. minimum parcel size)  
Coastal Zone:      Inside   X   Outside

**Technical Reviews:** Arborist Report Review (REV2113900), Soils/Geotech Report Review (REV211391).

### Environmental Information

An Initial Study has been prepared (Exhibit A) that addresses the environmental review associated with this application.



## SANTA CRUZ COUNTY SANITATION DISTRICT

701 OCEAN STREET, SUITE 410 · SANTA CRUZ, CA · 95060-4073  
(831) 454-2160 · FAX (831) 454-2089 · TDD: (831) 454-2123 · WWW.SCCSD.US  
**MATT MACHADO, DISTRICT ENGINEER**

SEPTEMBER 26, 2022

EADIE CONSULTANTS  
PO BOX 1647  
SANTA CRUZ, CA 95061

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF  
SERVICE FOR THE FOLLOWING PROPOSED DEVELOPMENT  
APN: 037-211-01  
PARCEL ADDRESS: 0 MONTEREY AVE, SOQUEL CA 95062  
PROJECT DESCRIPTION: SIX NEW SINGLE-FAMILY DWELLINGS

Dear Mr. Eadie and Mr. Madinger,

The Santa Cruz County Sanitation District (District) has received your inquiry regarding sewer service availability for the subject parcel(s). Sewer service is available at for the subject development, currently no address assigned. Previously issued availability letter was for five new single-family dwellings and this current request is for six single-family dwellings.

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

This notice is valid for one year from the date of this letter. If, after this time frame, this project has not yet received approval from the Planning Department, then this determination of availability will be considered to have expired. If that occurs or is likely to occur prior to an upcoming submittal or public hearing, please call us ahead of time for a new letter. At that time, we can evaluate the then proposed use, improvements, and downstream capacity, and provide a new letter.

Also, for your reference, we have attached a list of common items required during the review of sanitation projects. Thank you for your inquiry. If you have any questions, please call Forrest Revere at (831) 454-2160.

Yours truly,

MATT MACHADO  
District Engineer

By:

DocuSigned by:  
  
528D647137C44D4...  
Ashleigh Trujillo  
Sanitation Engineer

January 19, 2022

Daron Madinger  
347 Massol Ave, Apt 202  
Los Gatos, CA 95030

**SUBJECT: Conditional Water Service Application for 6 Home Subdivision Residential Development at "0" Monterey Ave, Soquel, APN 037-211-01**

Dear Daron Madinger:

In response to the subject application, Soquel Creek Water District (SqCWD) has approved your request for a Conditional Will Serve Letter for the proposed 6 unit subdivision (2 single family homes - 0.05 acre lots, 4 single family homes - 0.140 acre lots) to be located at "0" Monterey Ave, Soquel, so that you may proceed through the appropriate land use planning entity. This letter is effective as of January 19, 2022. Your previous application for a 5 unit subdivision (3 single family homes - 0.140 acre lots, 1 single family home - 0.166 acre lot, and 1 single family home - 0.348 acre lot) was approved at the regular Board meeting at June 1, 2021. The new proposed project results in a lower expected water demand than the previous proposal so the revision was approved at a Staff level.

This letter is specifically granted for the project as proposed in regard to uses and densities. Changes to 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. Changes in ownership will also require modification of the Will Serve Letter. This conditional approval of water service for your project is valid for two years from the date of this Letter. A 1-year extension of the Conditional Will Serve may be requested using the attached 1-Year Extension Request Form. To be considered for a Conditional Will Serve Extension you must demonstrate that your development permit application with the appropriate land use planning agency is valid. Complete details of the terms and conditions of the Conditional Will Serve can be found in the "Water Demand Offset (WDO) Program Applicant Agreement" that you signed during your application process.

After you have received a tentative map or building permit from the land use planning agency, you will be required to meet all applicable SqCWD requirements defined in the attached Requirements Checklist before your application can be considered for final Board approval. If you meet all the applicable requirements (*including possible future requirements that arise prior to development approval of your project*), and final Board approval is granted, you will be issued an Unconditional Will Serve Letter, which would secure your water service. This present indication to serve is intended to acknowledge that, under existing conditions, water service would be available on the condition that the developer agrees to meet all of the requirements without cost to the District.

The Board of Directors of the SqCWD 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. The subject project would be subject to 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

A handwritten signature in blue ink, appearing to read 'TAD', followed by a horizontal line.

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

Attachment: Requirements Checklist for APN 037-211-01

Enclosures:

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
4. 1-Year Extension Request Form



# Roper Engineering

Civil Engineering & Land Surveying

48 Mann Avenue – Corralitos, CA 95076-1114  
(831) 724-5300 phone  
jeff@roperengineering.com e-mail

**Jeff A. Roper**  
Civil Engineer & Land Surveyor  
RCE 41081  
PLS 5180

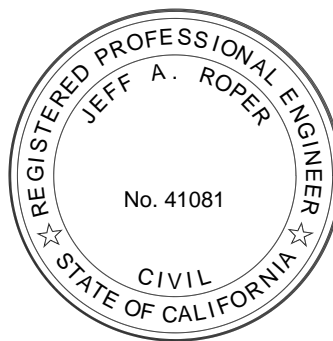
## PRELIMINARY STORMWATER MANAGEMENT REPORT

For

### Tract No. 1612 Monterey Glen

Monterey Avenue  
Soquel, CA 95073

APN 037-211-01  
Job No. 19010  
March 10, 2022





### Project Description

This project consists of a 6 lot subdivision and the construction of 6 new residences and road widening.

### Existing Site Conditions

The existing site conditions are represented on the Civil Plans attached. The development site is vacant with Loraine Lane along the southern boundary and Monterey along the west boundary.

### Upstream Runoff

The project site will receive upstream runoff from the area to the north. See sheet D1 attached. The upstream runoff will be intercepted by a landscaped swale and directed to the existing drainage swale on the east end of the property and bypassing the detention system.

### Drainage Mitigation

This project is located in Zone 5 Flood Control District. A detention system is proposed for stormwater mitigation, see civil plans. Drainage map and calculations are attached to this report. Due to the low permeability of onsite soils, onsite retention is not feasible.

A bioswale is proposed in the landscape strip along Monterey Avenue to treat the street widening. S perforated pipe subdrain is provided due to the low permeability of the onsite soils.

Biofiltration is provided for the new impervious surfaces including new homes, driveway, walks and Loraine Lane widening. A 6' x 6' Filterra Bioscape Vault is provided to filter storm water runoff. See attached Filterra Details.

The north half of Loraine Lane will be constructed new and is included in the new impervious surface mitigation. The south half and cul-de-sac of Loraine Lane is considered a repair of existing pavement and driveways and therefore not included in the impervious surface mitigation.


### Downstream Runoff

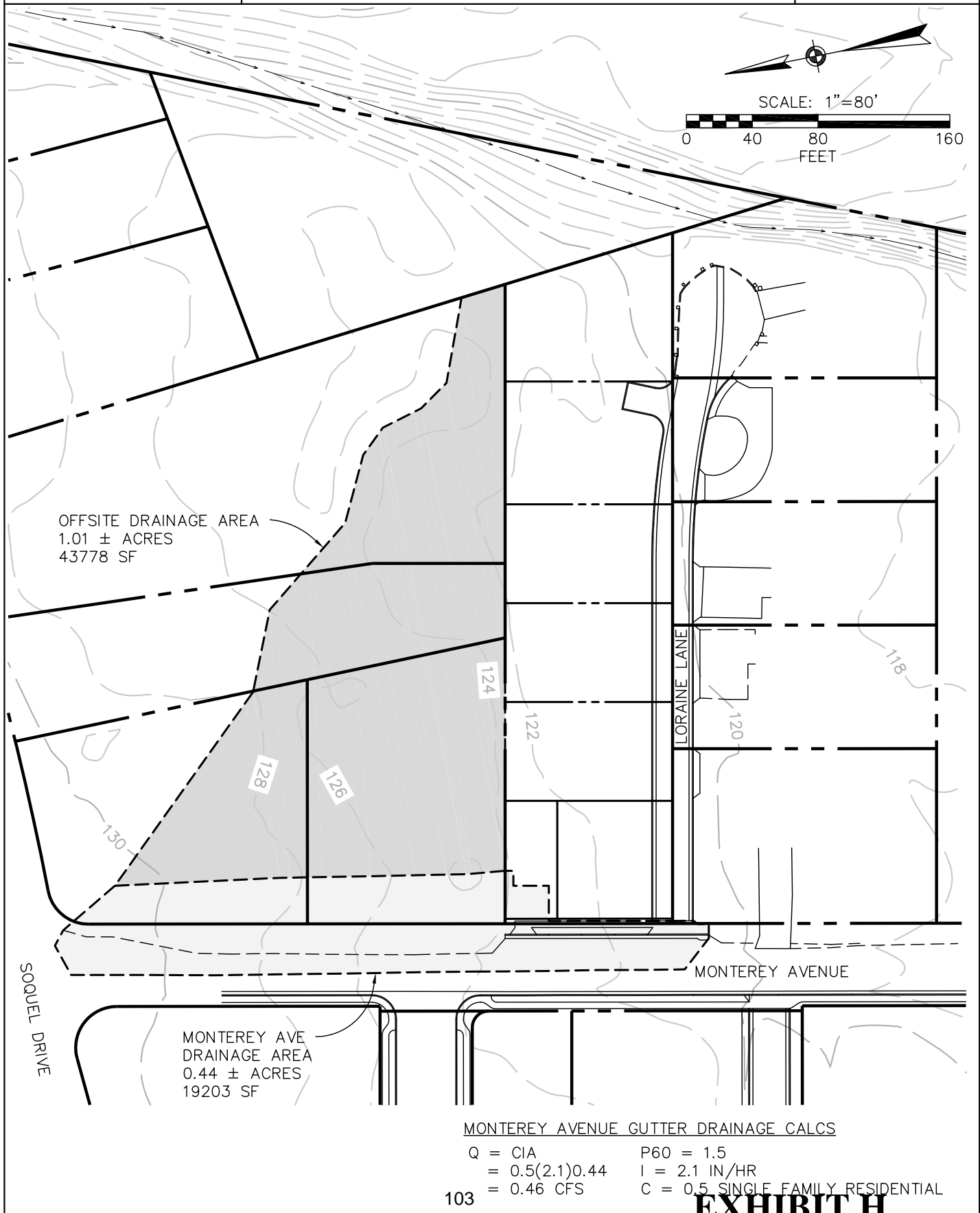
Runoff from the project will flow to the existing drainage swale at the east side of the property. Runoff from the Monterey Avenue widening will drain into a new drainage inlet at the end of the new curb and gutter and then to the existing storm drain in Monterey Avenue.


### Drainage Observations

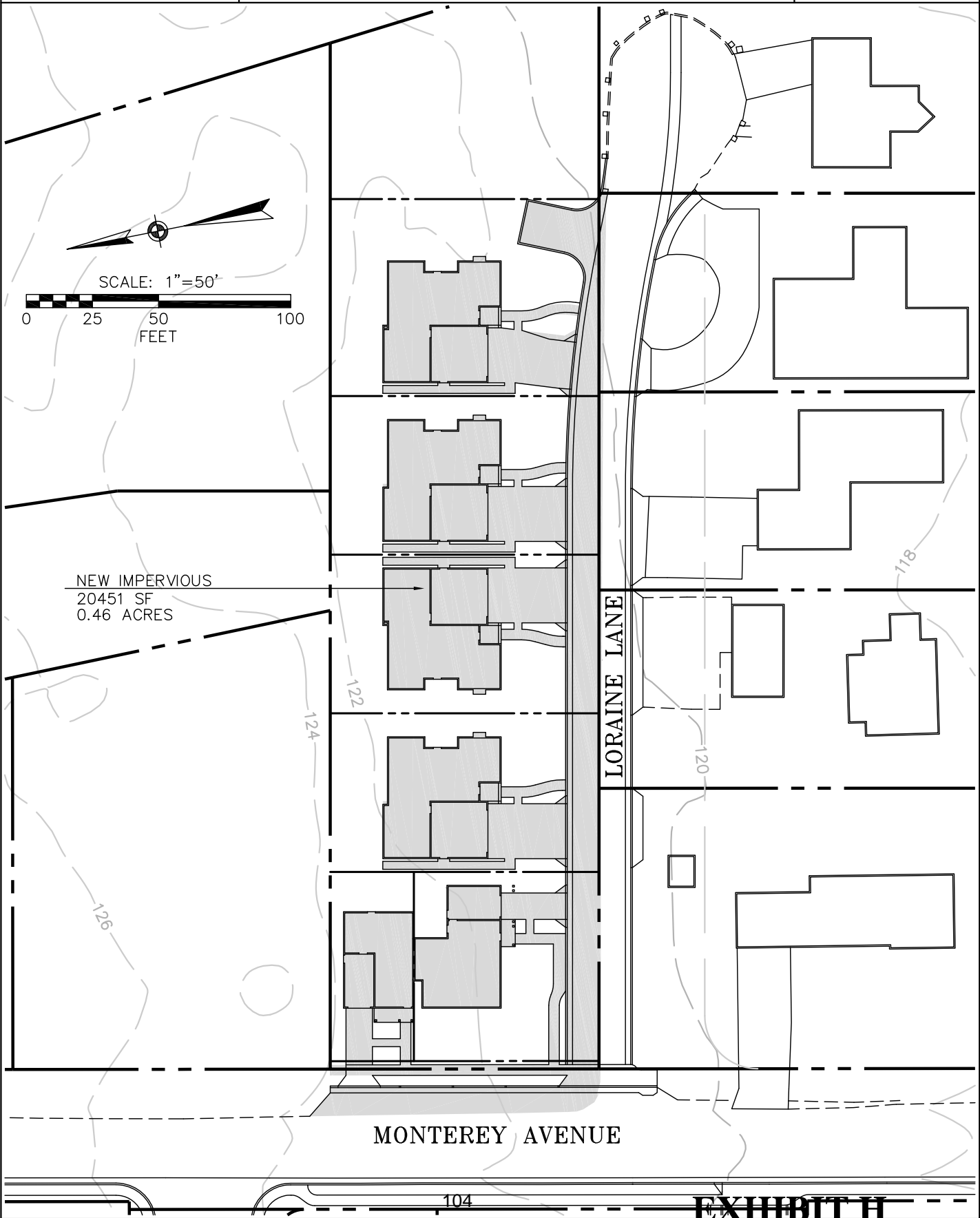
Based upon testimony from the neighboring property owners, ponding occurs along Loraine Lane, especially at the cul-de-sac at the end of the road. Drainage will be improved with the reconstruction of Loraine Lane along with new storm drains and curb & gutter. The existing 12" CMP culvert empties into the existing drainage swale without an energy dissipater causing erosion. A new storm drain outfall will be constructed with energy dissipation at the outlet.

Detail of the outlet will be provided with the final improvement plans and coordinated with the Planning Department with the Riparian Permit. A road maintenance agreement along with a homeowners association will be created that will be responsible for maintenance of the stormwater mitigation systems and the stormwater outfall.

CLIENT: MONTEREY GLEN	 <b>ROPER ENGINEERING</b> CIVIL ENGINEERING & LAND SURVEYING 48 MANN AVENUE CORRALITOS, CA 95076 (831) 724-5300	JOB NO.: 19010
LOCATION: MONTEREY AVE		DATE: MAR. 7, 2022
DRAINAGE CALCS		SHEET: D1 OF 2



CLIENT: MONTEREY GLEN	<div></div> <div>ROPER ENGINEERING CIVIL ENGINEERING &amp; LAND SURVEYING 48 MANN AVENUE CORRALITOS, CA 95076 (831) 724-5300</div>	JOB NO.: 19010
LOCATION: MONTEREY AVE		DATE: MAR. 7, 2022
DRAINAGE CALCS		SHEET: D2 OF 2



PROJECT: Tract No. 1612 Monterey GlenCalc by: JRDate: 3/8/2022**RUNOFF DETENTION BY THE MODIFIED RATIONAL METHOD****Data Entry:** PRESS TAB & ENTER DESIGN VALUES

SS Ver: 1.0

Site Location P60 Isopleth: 1.50 Fig. SWM-2 in County Design Criteria  
 Rational Coefficients Cpre: 0.35 See note # 2  
 Cpost: 0.90 See note # 2  
 Impervious Area: 20451 ft<sup>2</sup> See note # 2 and # 4

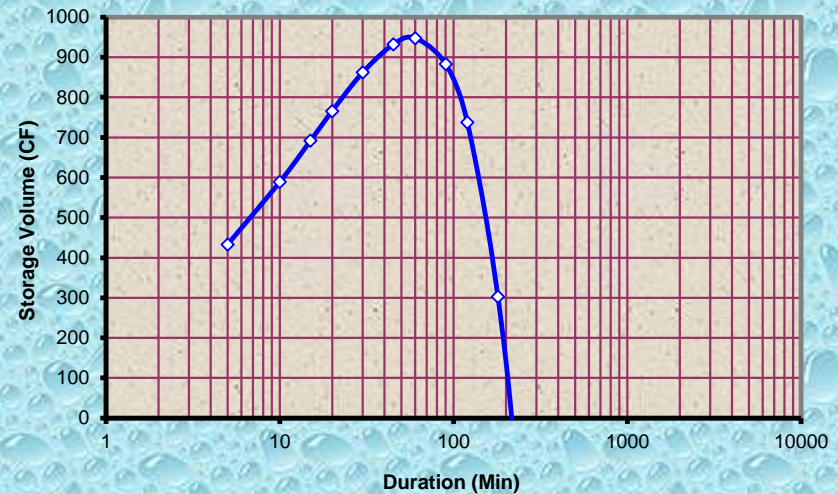
**STRUCTURE DIMENSIONS FOR DETENTION**948 ft<sup>3</sup> storage volume calculated100 % void space assumed948 ft<sup>3</sup> excavated volume needed

Structure Ratios	Length	Width*	Depth*	*For pipe, use the square root of the sectional area
	<u>192.00</u>	<u>2.22</u>	<u>2.22</u>	
<b>Dimen. (ft)</b>	<b>192.10</b>	<b>2.22</b>	<b>2.22</b>	

**25 - YEAR DESIGN STORM****DETENTION @ 15 MIN.**

Storm Duration (min)	25 - Year Intensity (in/hr)	10 - Yr. Release Qpre (cfs)	25 - Year Qpost (cfs)	Detention Rate To Storage (cfs)	Specified Storage Volume (cf)
1440	0.31	0.043	0.131	-0.163	-17646
1200	0.33	0.046	0.142	-0.153	-13755
960	0.37	0.051	0.156	-0.139	-9990
720	0.41	0.057	0.176	-0.119	-6400
480	0.49	0.068	0.209	-0.085	-3077
360	0.55	0.077	0.236	-0.058	-1574
240	0.66	0.091	0.281	-0.014	-251
180	0.74	0.103	0.317	0.022	303
120	0.88	0.122	0.377	0.082	737
90	1.00	0.138	0.426	0.131	883
60	1.19	0.164	0.505	0.211	<u>948</u>
45	1.34	0.185	0.571	0.276	932
30	1.59	0.220	0.678	0.383	862
20	1.89	0.261	0.805	0.510	766
15	2.13	<u>0.295</u>	0.910	0.615	692
10	2.54	0.350	1.080	0.785	589
5	3.40	0.470	<u>1.449</u>	1.154	433

**25-Yr Post-Development Detention Storage Volume  
@ 10-Yr Pre-Development Release Rate**

**Notes & Limitations on Use:**

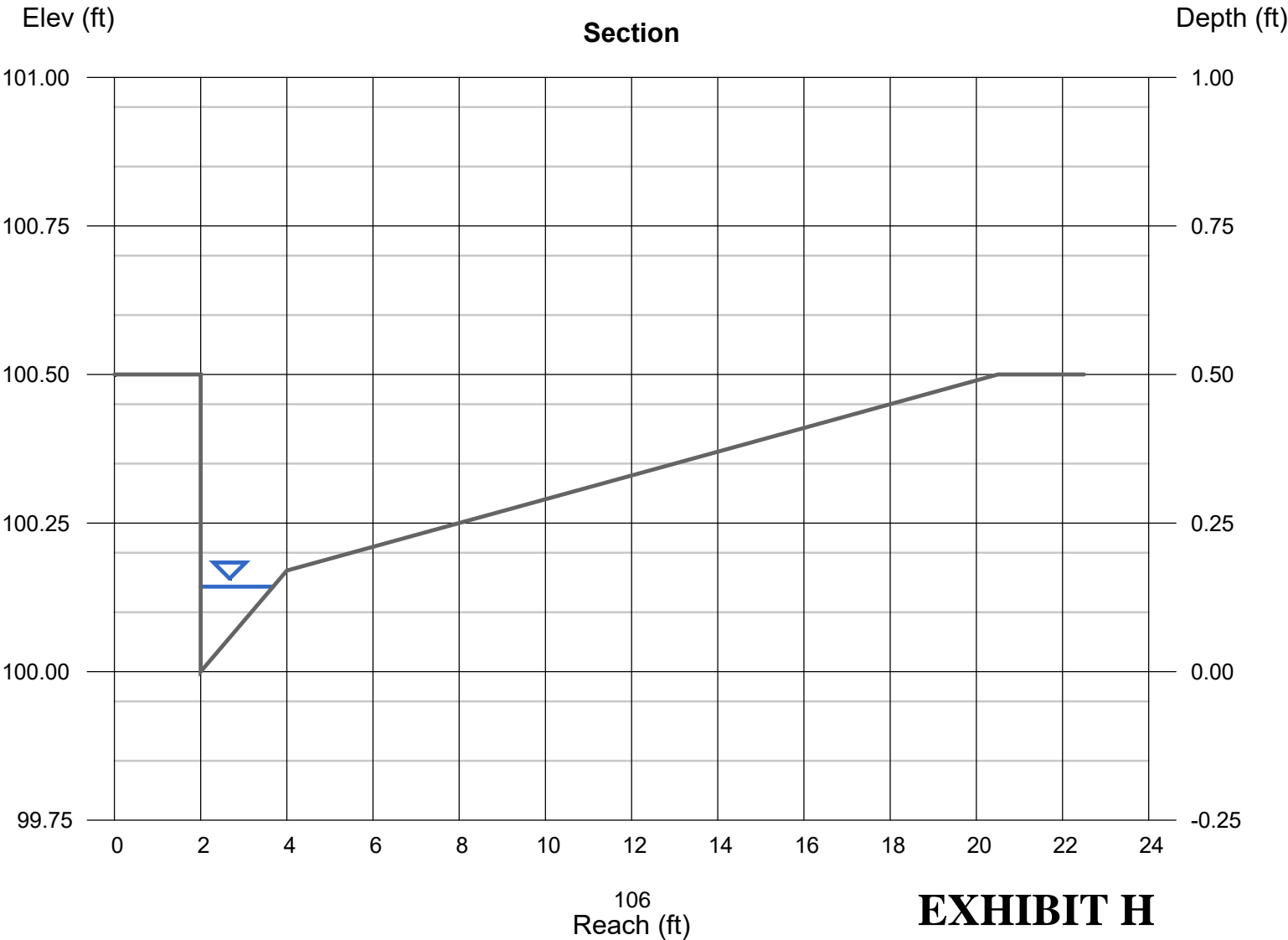
- 1) The modified rational method, and therefore the standard calculations are applicable in watersheds up to 20 acres in size.
- 2) Required detention volume determinations shall be based on all net new impervious area both on and off-site, resulting from the proposed project. Pervious areas shall not be included in detention volume sizing; an exception may be made for incidental pervious areas less than 10% of the total area.
- 3) Gravel packed detention chambers shall specify on the plans, aggregate that is washed, angular, and uniformly graded (of single size), assuring void space not less than 35%.
- 4) A map showing boundaries of both regulated impervious areas and actual drainage areas routed to the hydraulic control structure of the detention facility is to be provided, clearly distinguishing between the two areas, and noting the square footage.
- 5) The EPA defines a class V injection well as any bored, drilled, or driven shaft, or dug hole that is deeper than its widest surface dimension, or an improved sinkhole, or a subsurface fluid distribution system. Such storm water drainage wells are "authorized by rule". For more information on these rules, contact the EPA. A web site link is provided from the County DPW Stormwater Management web page.
- 6) Refer to the County of Santa Cruz Design Criteria, for complete detention criteria.

**EXHIBIT H**

# Channel Report

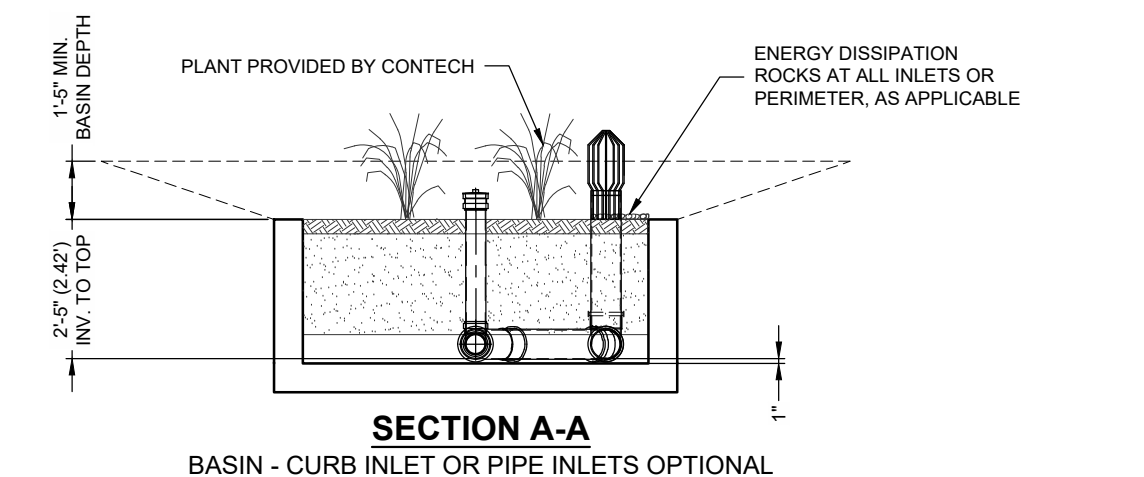
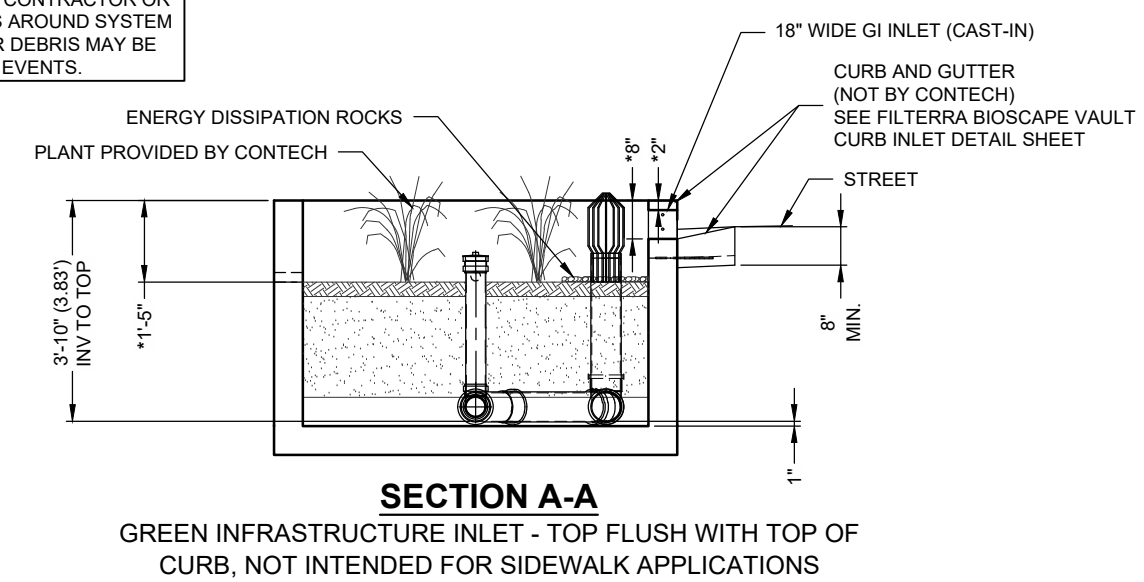
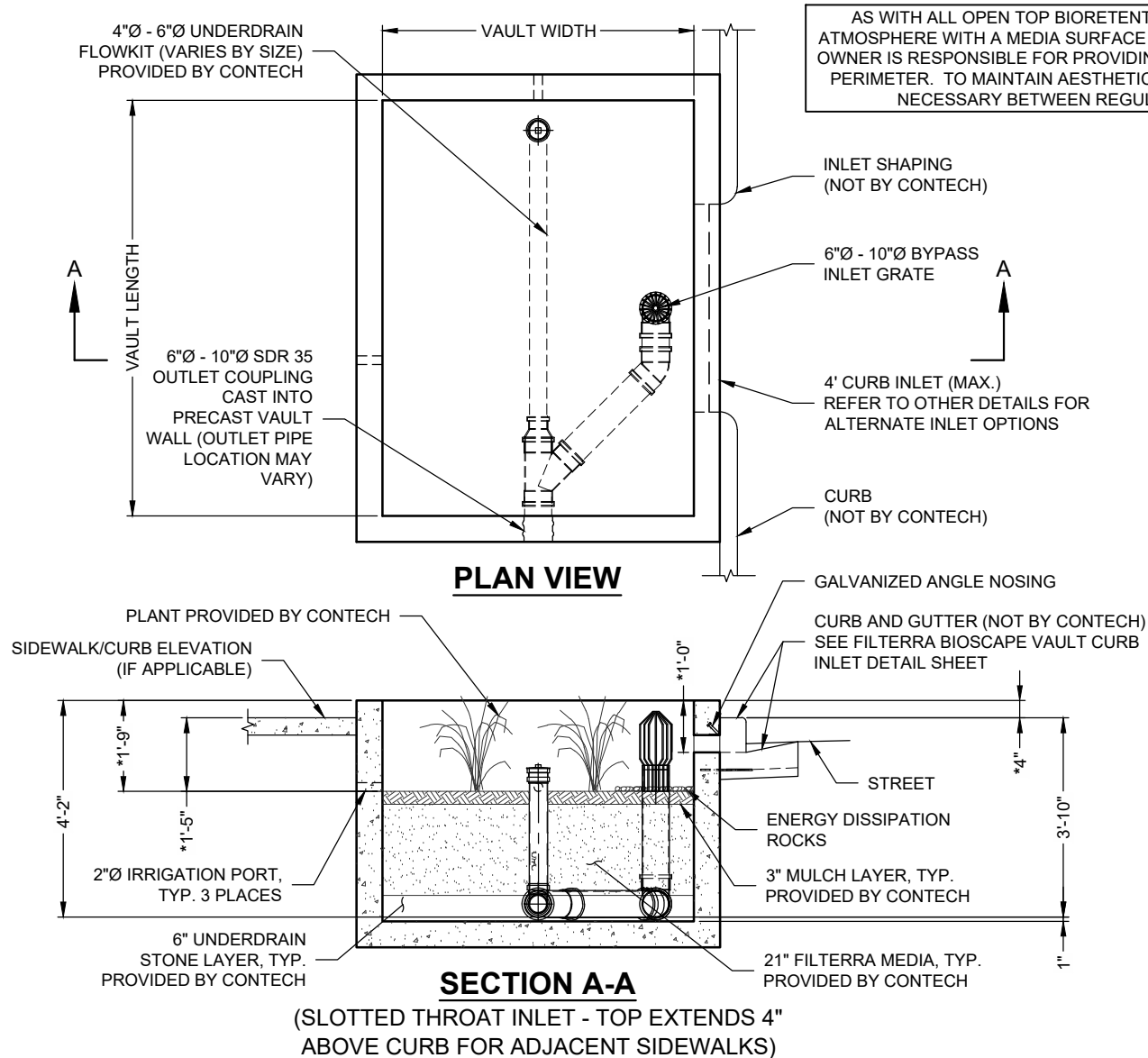
## Gutter Flow in Monterey Avenue

<b>Gutter</b>		<b>Highlighted</b>	
Cross SI, Sx (ft/ft)	= 0.020	Depth (ft)	= 0.14
Cross SI, Sw (ft/ft)	= 0.085	Q (cfs)	= 0.460
Gutter Width (ft)	= 2.00	Area (sqft)	= 0.12
Invert Elev (ft)	= 100.00	Velocity (ft/s)	= 3.82
Slope (%)	= 2.30	Wetted Perim (ft)	= 1.83
N-Value	= 0.012	Crit Depth, Yc (ft)	= 0.22
<b>Calculations</b>		Spread Width (ft)	= 1.68
Compute by:		EGL (ft)	= 0.37
Known Q (cfs)	= 0.46		



I:\STORMWATER\COMPOPS\54 FILTERRA\40 STANDARD DRAWINGS\FTBSVIB - FILTERRA BIOSCAPE VAULT INTERNAL BYPASS CONFIG DTL UPD.DWG 12/22/2020 2:45 PM

DIMENSIONS PRECEDED BY " \* " ARE CRITICAL AND MAY NOT BE MODIFIED WITHOUT CONSULTING CONTECH



FTBSVIB CONFIGURATION								
(OPTIONS: BASIN "-B", GREEN INFRASTRUCTURE INLET "-I", PIPE INLET "-P", SLOTTED THROAT INLET "-T")								
MEDIA BAY SIZE	VAULT SIZE (L x W)	LONG SIDE INLET DESIGNATION	SHORT SIDE INLET DESIGNATION	AVAILABILITY	MAX. OUTLET / BYPASS PIPE DIA.	MAX. BYPASS FLOW (CFS)	UNDERDRAIN PIPE DIA. (PERF)	MIN. NO. OF INLET PIPES (-P ONLY)
4 x 4	4 x 4	FTBSVIB0404	FTBSVIB0404	ALL	6" SDR 35	1.42	4" SDR 35	1
6 x 4	6 x 4	FTBSVIB0604	FTBSVIB0406	N/A CA	8" SDR 35	1.89	4" SDR 35	1
6.5 x 4	6.5 x 4	FTBSVIB06504	FTBSVIB04065	CA ONLY	8" SDR 35	1.89	4" SDR 35	1
7.83 x 4.5	7.83 x 4.5	FTBSVIB078045	FTBSVIB045078	DE,MD,NJ,PA,VA,WV ONLY	8" SDR 35	1.89	4" SDR 35	1
8 x 4	8 x 4	FTBSVIB0804	FTBSVIB0408	N/A DE,MD,NJ,PA,VA,WV	8" SDR 35	1.89	4" SDR 35	1
6 x 6	6 x 6	FTBSVIB0606	FTBSVIB0606	ALL	8" SDR 35	1.89	4" SDR 35	1
8 x 6	8 x 6	FTBSVIB0806	FTBSVIB0608	ALL	10" SDR 35	2.37	4" SDR 35	1
10 x 6	10 x 6	FTBSVIB1006	FTBSVIB0610	ALL	10" SDR 35	2.37	6" SDR 35	2
12 x 6	12 x 6	FTBSVIB1206	FTBSVIB0612	ALL	10" SDR 35	2.37	6" SDR 35	2
13 x 7	13 x 7	FTBSVIB1307	FTBSVIB0713	ALL	10" SDR 35	2.37	6" SDR 35	2
14 x 8	14 x 8	FTBSVIB1408†	N/A	ALL	10" SDR 35	2.37	6" SDR 35	3
16 x 8	16 x 8	FTBSVIB1608†	N/A	N/A OR, WA	10" SDR 35	2.37	6" SDR 35	3
15 x 9	15 x 9	FTBSVIB1509†	N/A	OR, WA ONLY	10" SDR 35	2.37	6" SDR 35	3
18 x 8	18 x 8	FTBSVIB1808†	N/A	CALL CONTECH	10" SDR 35	2.37	6" SDR 35	3
20 x 8	20 x 8	FTBSVIB2008†	N/A	CALL CONTECH	10" SDR 35	2.37	6" SDR 35	4
22 x 8	22 x 8	FTBSVIB2208†	N/A	CALL CONTECH	10" SDR 35	2.37	6" SDR 35	4

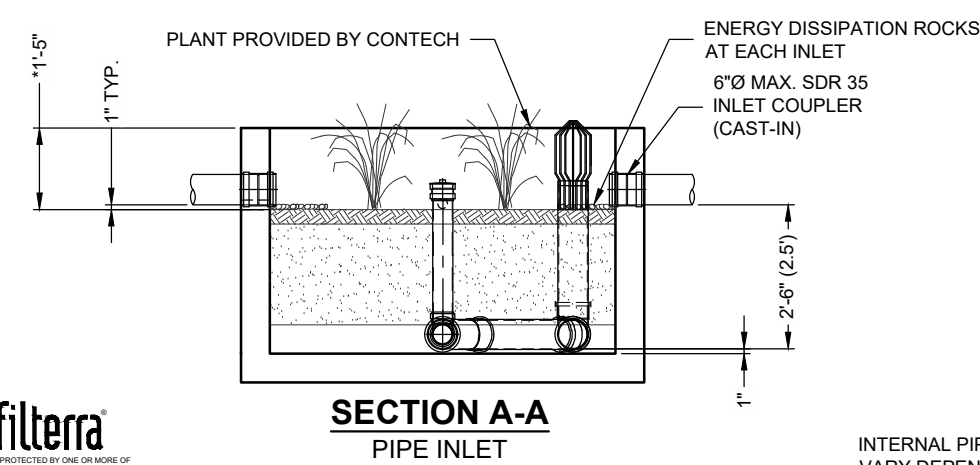
†UTILIZES (2) CURB OPENINGS WITH MIN 1' SPACING

N/A = NOT AVAILABLE



The design and information shown on this drawing is provided as a service to the project owner, engineer and contractor by Contech Engineered Solutions LLC or one of its affiliated companies ("Contech"). Neither this drawing, nor any part thereof, may be used, reproduced or modified in any manner without the prior written consent of Contech. Failure to comply is done at the user's own risk and Contech expressly disclaims any liability or responsibility for such use. If discrepancies between the supplied information upon which the drawing is based and actual field conditions are encountered as site work progresses, these discrepancies must be reported to Contech immediately for re-evaluation of the design. Contech accepts no liability for designs based on missing, incomplete or inaccurate information supplied by others.

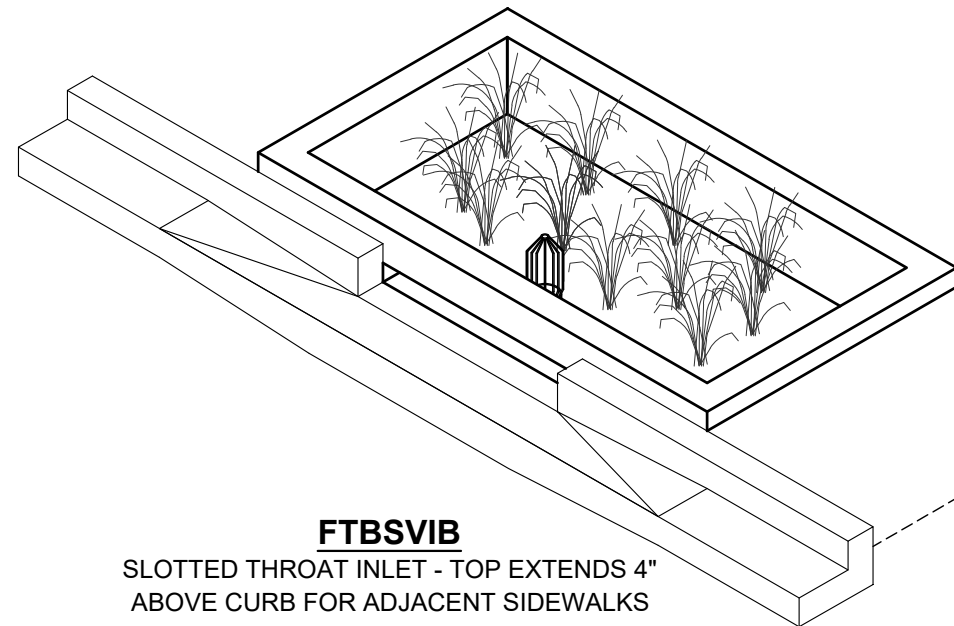
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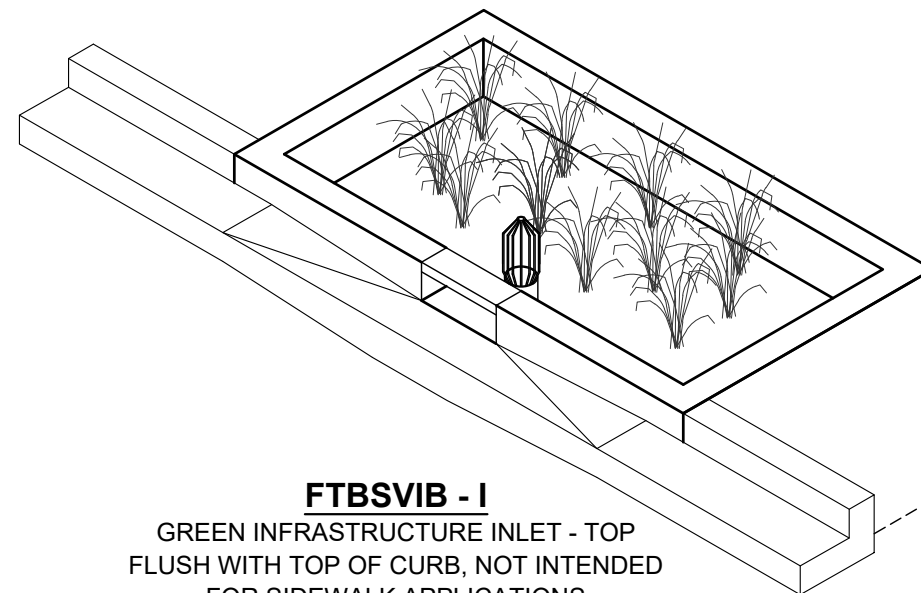
INTERNAL PIPE CONFIGURATION MAY VARY DEPENDING ON VAULT SIZE.

FILTERRA BIOSCAPE VAULT INTERNAL BYPASS (FTBSVIB) CONFIGURATION DETAIL

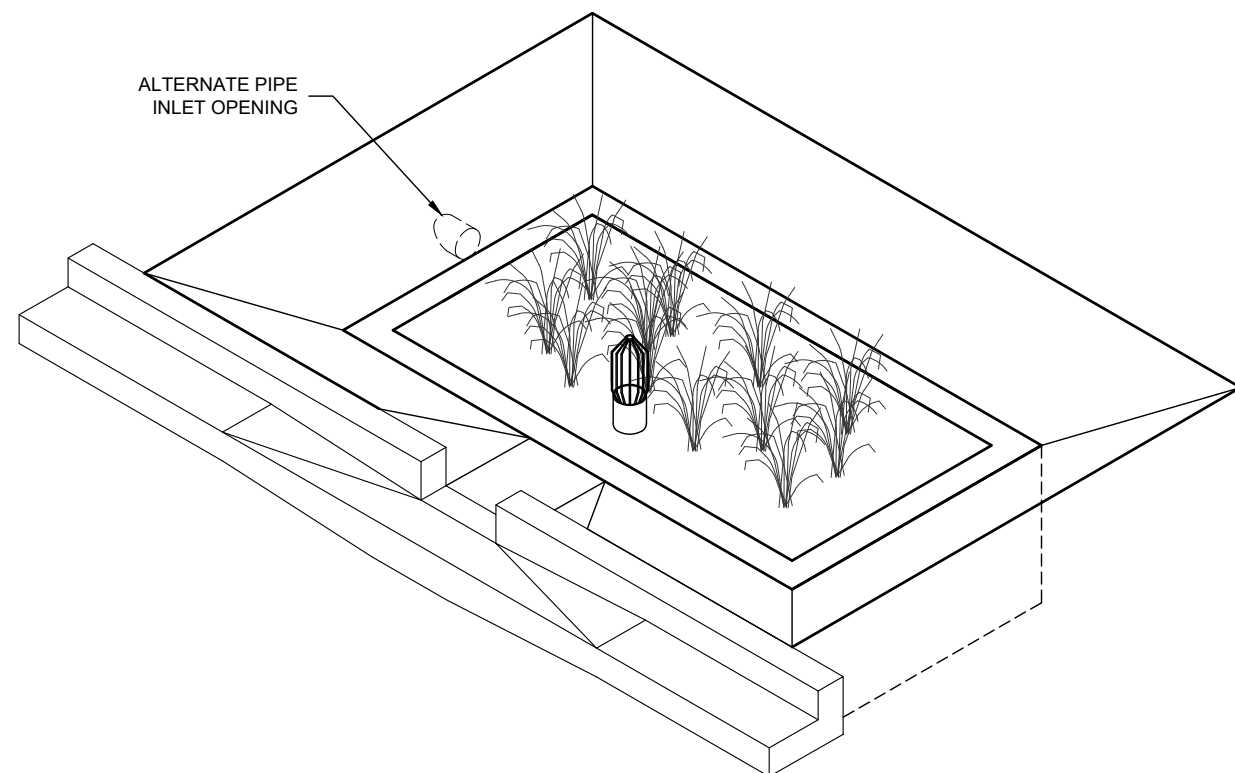
I:\COMMONCADD\TREATMENT\54 FILTERRA\40 STANDARD DRAWINGS\IN PROCESS FTBSVIB - BIOSCAPE VAULT INTERNAL BYPASS LAYOUT DETAILS\DWG\FTBSVIB - FILTERRA BIOSCAPE VAULT INTERNAL BYPASS CONFIG DTL.DWG - 11/3/2020 10:41 AM



**FTBSVIB**  
SLOTTED THROAT INLET - TOP EXTENDS 4"  
ABOVE CURB FOR ADJACENT SIDEWALKS

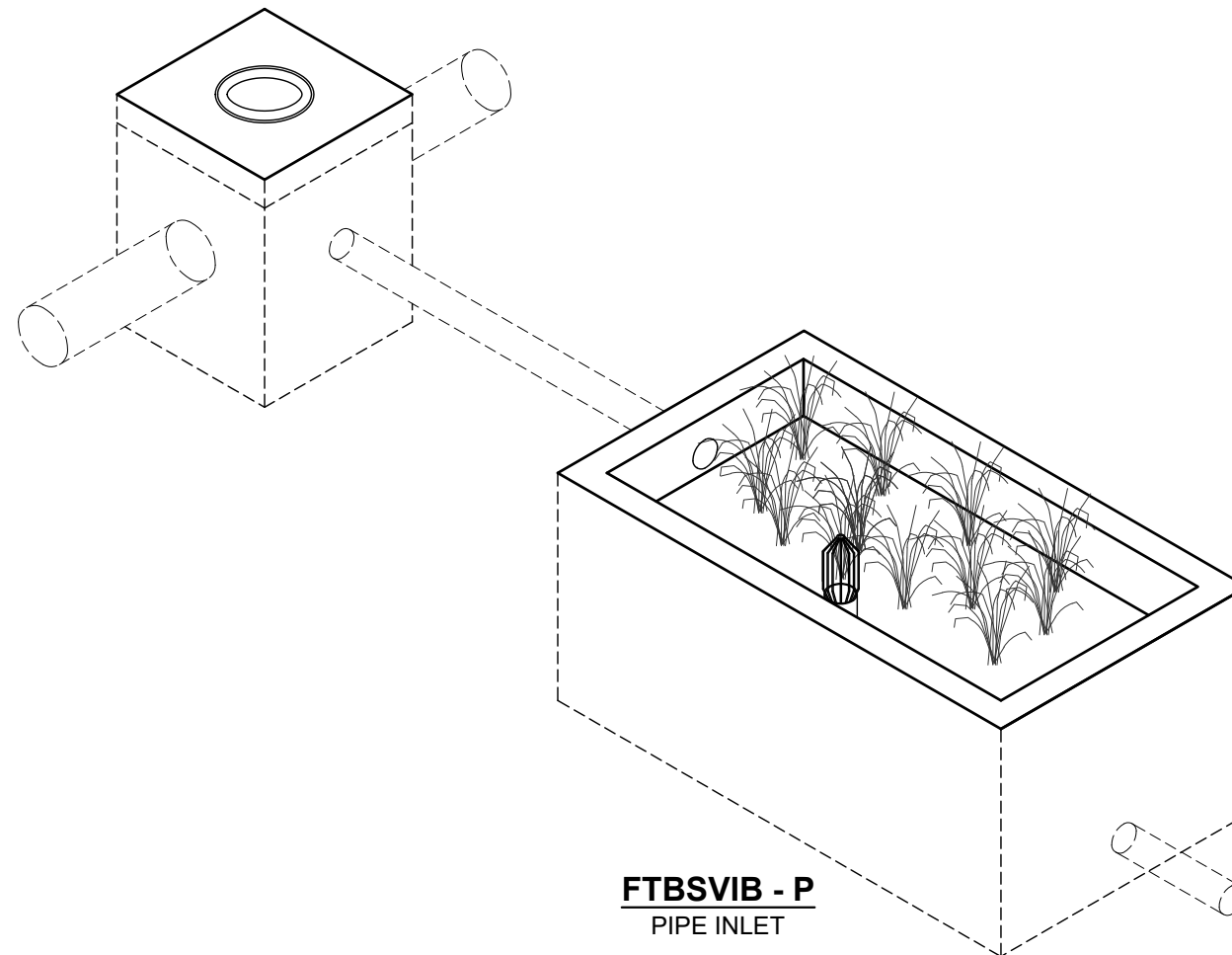


**FTBSVIB - I**  
GREEN INFRASTRUCTURE INLET - TOP  
FLUSH WITH TOP OF CURB, NOT INTENDED  
FOR SIDEWALK APPLICATIONS



ALTERNATE PIPE  
INLET OPENING

**FTBSVIB - B**  
BASIN - CURB INLET OR PIPE INLET OPTIONAL



**FTBSVIB - P**  
PIPE INLET



THIS PRODUCT MAY BE PROTECTED BY ONE OR MORE OF  
THE FOLLOWING U.S. PATENTS: 6,277,274; 6,569,321;  
7,625,485; 7,425,261; 7,853,412. RELATED FOREIGN PATENTS.

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513-645-7993 FAX

FILTERRA BIOSCAPE VAULT INTERNAL BYPASS  
(FTBSVIB)

SITE LAYOUTS

**EXHIBIT H**



**MONTEREY GLEN  
(MONTEREY AVENUE PARCEL) SOQUEL CA  
APN 037-211-01**

**RIPARIAN ENHANCEMENT PLAN**



**Biotic Resources Group**

Biotic Assessments ♦ Resource Management ♦ Permitting

# **Biotic Resources Group**

Biotic Assessments ♦ Resource Management ♦ Permitting

**MONTEREY GLEN  
(MONTEREY AVENUE PARCEL) SOQUEL CA  
APN 037-211-01**

**RIPARIAN ENHANCEMENT PLAN**

*Prepared for:*

Eadie Consultants  
P.O. Box 1647  
Santa Cruz, CA 95061  
Attn: Charlie Eadie

*Prepared by:*

Biotic Resources Group  
Kathleen Lyons

Updated March 28, 2022

## 1.0 INTRODUCTION

This Riparian Enhancement Plan (Plan) identifies methods for the enhancement of the riparian corridor, a 20-foot wide riparian corridor buffer and a 10-foot construction setback (Restoration Area) for the parcel located at the northeast corner of Monterey Avenue and Loraine Lane (APN 037-211-01). The site is located south of Soquel Drive in Soquel. The landowner of the parcel, and subsequent Homeowners Association (HOA), will be responsible for implementing this plan to comply with the County of Santa Cruz's Condition of Approval for the proposed six lot subdivision. Figure 1 shows the location of the parcel subject to this Plan.

The Plan identifies the location and techniques to be used by the landowner (and/or HOA) to enhance the Restoration Area through the removal and control of invasive, non-native plant species and planting of native trees and shrubs. The Plan identifies measures to avoid or minimize impacts to sensitive biological resources within the Restoration Area during subdivision construction and during implementation of Plan activities. The Plan will utilize an adaptive management process, such that the Plan activities may be adapted over time to achieve the biological goals and objectives. Plan actions include the following:

- **Demarcation of Restoration Area:** Install permanent fencing and signs along western and southern edge of Restoration Area concurrent with subdivision construction. Retain Restoration Area as open space in perpetuity.
- **Invasive, Non-native Plant Control:** Implement an integrated pest management approach to remove and control invasive, non-native plant species which degrade the riparian habitat. The HOA shall maintain the Restoration Area free of identified invasive plants and any other invasive vines, trees, or shrubs, in perpetuity.
- **Revegetation and Management:** Revegetation of western 30-feet of the Restoration Area, and areas of eucalyptus tree removal, with native riparian trees and shrubs. Provide maintenance and monitoring of revegetation area for minimum of 5 years.
- **Monitoring:** Implement habitat monitoring protocols designed to evaluate the effectiveness of the Plan actions. Monitor Plan actions for a minimum of 5 years.

### 1.1 PLAN GOALS AND OBJECTIVES

The Plan includes biological goals and objectives based on the ecology of the sensitive habitat, threats to the habitat, and the potential effects of Plan actions on such resources.

**Goal 1:** Within Restoration Area, remove occurrences of invasive, non-native trees, maintain and monitor occurrences for 5 years and achieve 5-year performance standards.

Objective 1.1: In Years 1-3, remove all mature eucalyptus trees (5), all eucalyptus saplings (7); cut tree flush with ground surface and apply herbicide to cut stump; dispose of all cut material off-site. Note: See Arborist report regarding tree removal.

Objective 1.2: In Years 1-5, remove all young re-sprouts of eucalyptus; dispose all above ground material off-site.

Objective 1.3: Remove trees between October and March 1, to be outside the bird breeding season.

Objective 1.4: The HOA shall maintain the Restoration Area free of identified invasive plants and any other invasive vines, trees, or shrubs, in perpetuity.

**Goal 2:** Within Restoration Area, remove occurrences of invasive, non-native shrubs and groundcovers, maintain and monitor occurrences for 5 years and achieve 5-year performance standards.

Objective 2.1: In Years 1-3, remove periwinkle and dracaena from riparian corridor; dispose of all material off-site.

Objective 2.2: In Years 1-5, remove all invasive species if encountered, such as broom and thistles; dispose all above ground material off-site.

Objective 2.3: Retain native understory vegetation, including California blackberry (*Rubus ursinus*) and poison oak (*Toxicodendron diversilobum*).

Objective 2.4: The HOA shall maintain the Restoration Area free of identified invasive plants and any other invasive vines, trees, or shrubs, in perpetuity.

**Goal 3:** Within the western portion of the Restoration Area and areas of eucalyptus tree removal in the riparian woodland, install native riparian trees and shrubs, maintain and monitor for 5 years and achieve 5-year performance standards.

Objective 3.1: Engage services of native plant nursery to conduct regional collection of native riparian plant propagules and grow plants for out-planting (1-year lead time).

Objective 3.2: Install grown plants into designated area; maintain and monitor for 5 years and achieve 5-year performance standards.

**Goal 4:** Monitor and report to Santa Cruz County on an annual basis Plan actions implemented, goals met, performance standards and remedial actions needed.

Objective 4.1: Document dates and areas of plan implementation.

Objective 4.2: Establish a series of permanent photo-stations to document yearly progress of plan actions.

Objective 4.3: Submit annual reports to County Planning Department by December 31 of each monitoring year, for a period of 5 years, or longer, until performance standards are met.



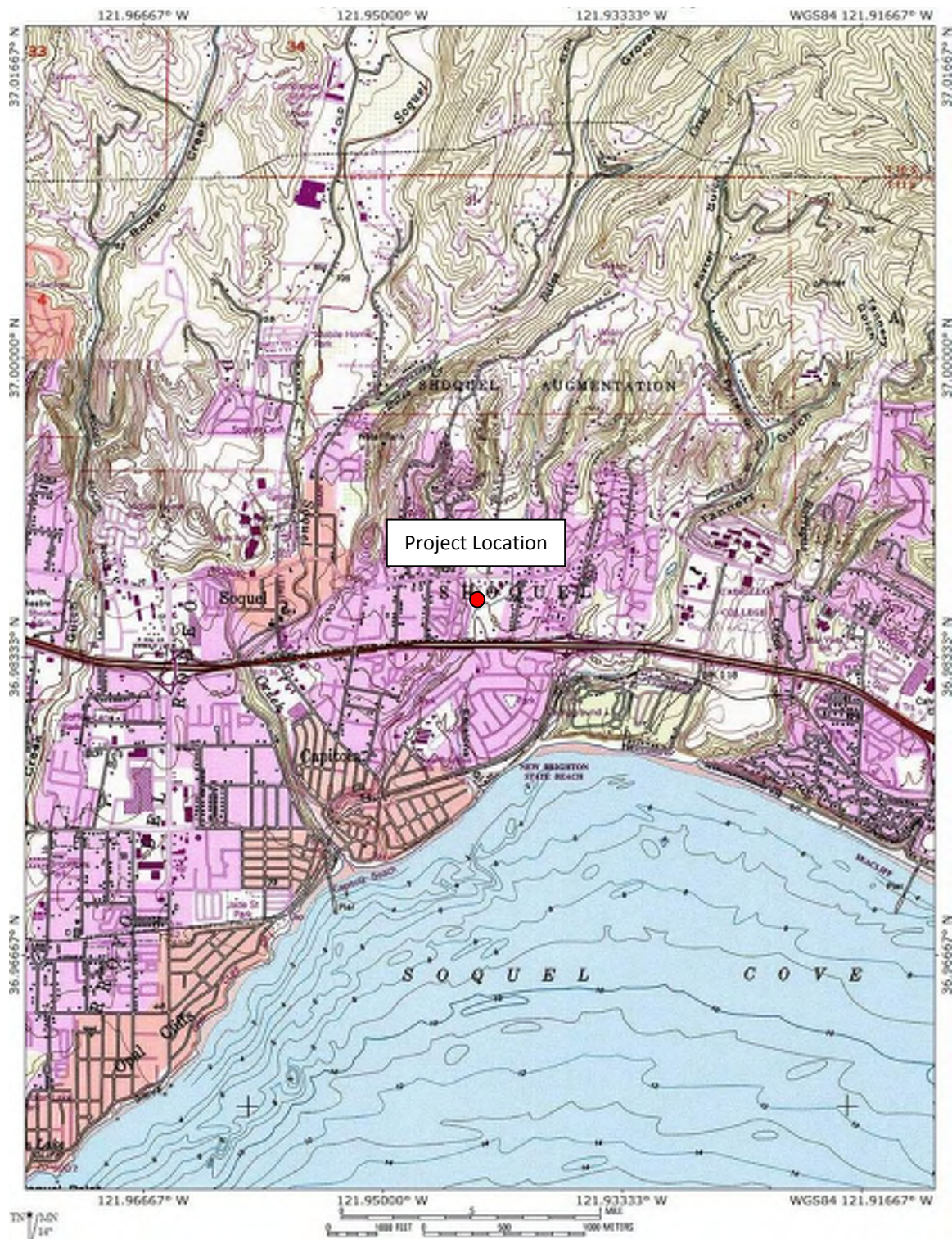


Figure 1. Location of Project on USGS Topographic Map  
(USGS Soquel Quadrangle)

## 1.2 PLAN DEVELOPMENT

### 1.2.1 Invasive, Non-native Plant Species, Infestation Areas, Threat Rankings, and Control Methods

The occurrence of invasive, non-native plant species within the Restoration Area were identified and mapped during field surveys conducted in June 2020. The infestations were identified as polygons or spot locations onto the projects preliminary grading plan (Roper Engineering, June 2020). The 2020 survey documented seven (7) plant species of management concern.

A species growth pattern, extent within the riparian corridor, effect on native vegetation, and ability to spread into uninfected areas were used to determine which invasive weeds are of management concern. Information on the invasive weed species found on the site and their ranking and threat is described in Section 2.0.

Various weed removal methods were evaluated as to their potential use, such as hand pulling, weed whipping, cutting, and herbicide application. Methods that minimize potential impacts to adjacent native riparian vegetation were also considered. Section 2.0 outlines the recommended invasive weed control techniques. A general yearlong schedule outlining the optimum time for implementing treatment is also provided in this section.

### 1.2.2 Revegetation of Western edge of Restoration Area

Opportunities for the revegetation of the western portion of the Restoration Area with native riparian trees and shrubs were identified. Areas within the riparian woodland where eucalyptus trees are removed were also identified for revegetation. Methods for plant establishment were developed. Section 3.0 outlines the revegetation of the western portion of the Restoration Area.

### 1.2.3 Monitoring and Reporting

The Plan outlines implementation of a 5-year monitoring and reporting program. Field monitoring techniques were evaluated for all Plan actions. Metrics for monitoring were developed with yearly performance standards and final Year 5 standards. Reporting requirements to County Planning Department were also determined. Section 4.0 outlines monitoring and reporting requirements.

## 2.0 INVASIVE, NON-NATIVE PLANT CONTROL AND REMOVAL

The Plan addresses plant species considered to be of significant management concern within the Restoration Area. Some of the plant species found within these areas are listed by the California Department of Food and Agriculture (CDFA) and California Invasive Plant Council (Cal-IPC), as *noxious weeds* and *invasive species*. Table 1 lists these species and their Cal-IPC invasive rating.

In general, *noxious weeds* and *invasive plants* are adapted to establish on previously disturbed conditions, such as loose soils exposed by grading or on sites that have experienced a substantial habitat change from previous agriculture, grazing or other activity.

Plants can be annual/biennial species, such as Italian thistle, that grow quickly and produce large amounts of seed. The seeds from annual plants are often easily dispersed by wind or by animals. Perennial plants, such as French broom (*Genista monspessulana*) reproduce by seed. These seeds can persist in the soil for long periods of time. Trees, such as eucalyptus often reproduce by suckers. The growth habitat of the invasive non-native plant species of management concern are listed on Table 1.

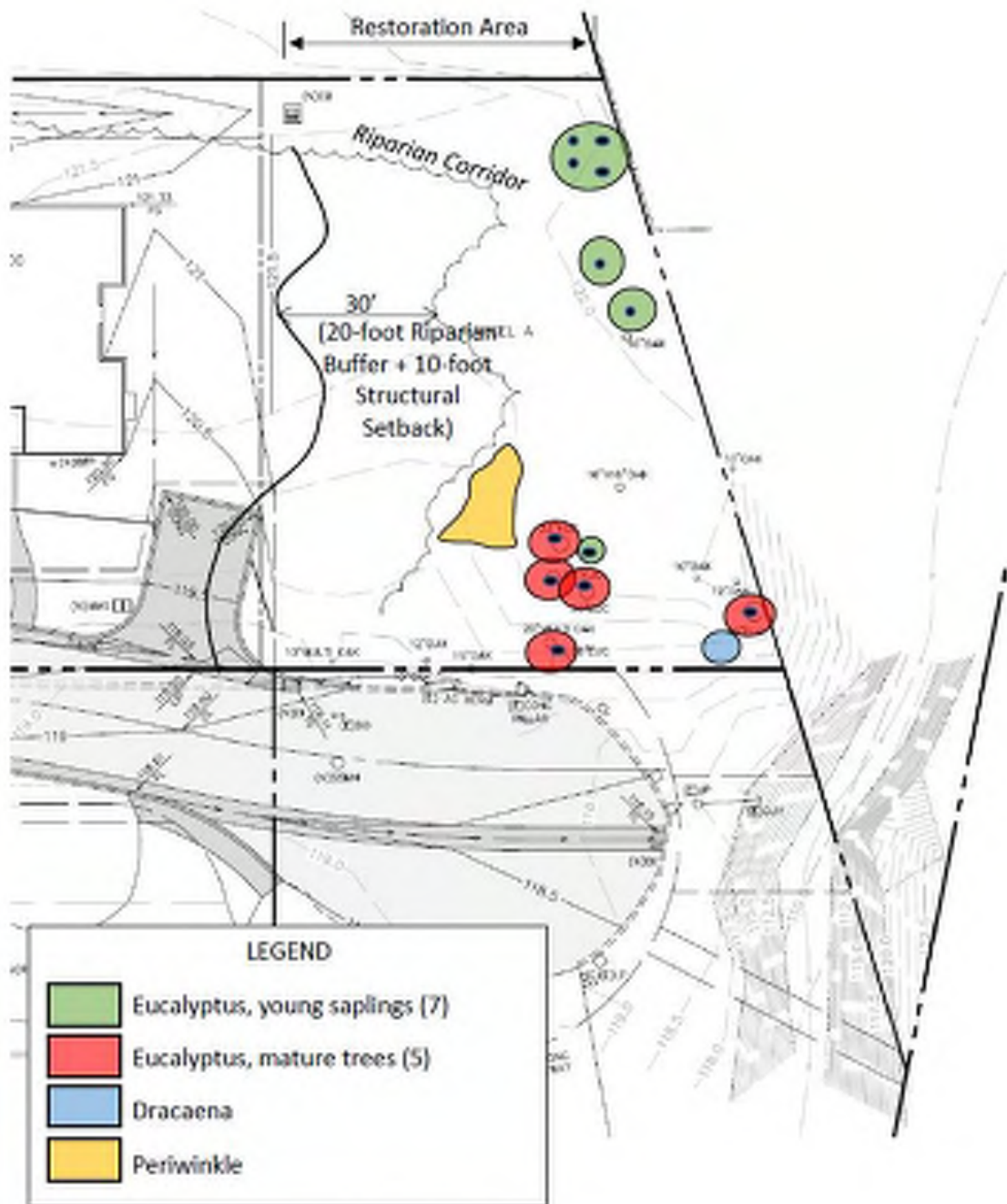
Figure 2 shows the baseline condition of invasive weeds within the Restoration Area. These weed occurrences, as well as additional invasive plant species that may be found on site in the future during monitoring, are identified for removal and control as part of this Plan.

**Table 1. Invasive, Non-native Plant Species of Management Concern Within the Restoration Area, Monterey Avenue Subdivision**

Common Name	Scientific Name	Cal-IPC Ranking	Growth Habit
<b>TREES</b>			
Blue Gum Eucalyptus	<i>Eucalyptus globulus</i>	Limited	Perennial
<b>SHRUBS</b>			
French broom	<i>Genista monspessulana</i>	High	Perennial
<b>GROUNDCOVERS</b>			
Periwinkle	<i>Vinca major</i>	High	Perennial
Dracaena	<i>Dracaena sp.</i>	-	Perennial
Italian thistle	<i>Carduus pycnocephalus</i>	Moderate	Annual
Bull thistle	<i>Cirsium vulgare</i>	Moderate	Biennial
Himalaya blackberry	<i>Rubus armeniacus</i>	High	Perennial

Polygons of invasive, non-native plants were identified for removal/control within the Restoration Area in June 2020. In fall 2020 the landowner expressed interest in removing all eucalyptus trees. The location of the polygons is depicted on Figure 2.





**Figure 2. Occurrences of Invasive, Non-native Plant Species for Removal/Control within Restoration Area**

(Note: See Arborist Report for tree removal)



## 2.1 INVASIVE, NON-NATIVE PLANT SPECIES MANAGEMENT

The management of invasive plants within the Restoration Area refers to the removal/control of invasive, non-native plant species that have been considered an immediate and/or significant threat to the sensitive habitat (i.e., riparian woodland). The desired manner for the control of these species is for the landowner (or contractors) to remove the occurrences. Removal of these plants will also reduce weed seeds that can re-infest the area and surrounding areas. This section describes the various management techniques that can be used and identifies the most effective techniques for each species.

As stated in Section 1.1, the goals and objectives for invasive, non-native plant control are:

**Goal 1:** Within Restoration Area, remove occurrences of invasive, non-native trees, maintain and monitor occurrences for 5 years and achieve 5-year performance standards.

Objective 1.1: In Years 1-3, remove all mature eucalyptus trees (5), all eucalyptus saplings (7); cut trunks flush with ground and apply herbicide to cut stump; dispose of all material off-site.

Objective 1.2: In Years 1-5, remove all young re-sprouts of eucalyptus; dispose all above ground material off-site.

Objective 1.3: Remove trees between October and March 1, to be outside the bird breeding season.

Objective 1.4: The HOA shall maintain the Restoration Area free of identified invasive plants and any other invasive vines, trees, or shrubs, in perpetuity.

**Goal 2:** Within Restoration Area, remove occurrences of invasive, non-native shrubs and groundcovers, maintain and monitor occurrences for 5 years and achieve 5-year performance standards.

Objective 2.1: In Years 1-3, remove periwinkle and dracaena from riparian corridor; dispose of all material off-site.

Objective 2.2: In Years 1-5, remove all invasive species if encountered, such as broom and thistles; dispose all above ground material off-site.

Objective 2.4: The HOA shall maintain the Restoration Area free of identified invasive plants and any other invasive vines, trees, or shrubs, in perpetuity.

### 2.1.1 General Guidelines and Specifications

The most effective control techniques must take into account a species growth cycle, its flowering period and seed production/release periods, and its occurrence or level of infestation. Although supervision as to timing, technique and general location for invasive plant management can be provided for personnel performing invasive plant fieldwork, a certain level of field training is required for success.

Field training should include, but not be limited to, the follow skills and abilities:

- The ability to identify the key invasive plant species likely to be encountered. Appendix A depicts photos of the current invasive plant species on the parcel.
- The ability to identify native riparian plant species that may be encountered within the work area and should be retained. Appendix B depicts photos of the native riparian plant species that are to be retained.
- Skill with various types of equipment, details of proper techniques and timing to achieve maximum efficiency and success.

- General guidance to limit harm to sensitive resources (see Section 2.1.3).
- Use of adaptive management strategies. Field personnel should be encouraged to consider new ideas and potential improvements based on monitoring the effectiveness and effects of actions implemented on both the targeted species and the habitat, short and long-term.

The techniques to control specific invasive plants are numerous. The various techniques and methods in this Plan have been tailored specifically for the plant species, conditions and locations, within the riparian corridor and setback area are listed in Table 2. Proper training of field personnel is recommended prior to field work, such that the method and technique is correlated to the biology of the species and the surrounding environmental conditions. Additionally, as biological environments are subject to constant dynamic processes, adjustments to method or technique details may be required.

**Table 2. Techniques for Removal of Invasive, Non-native Plant Species**

Method #	Technique	Guidelines	Applicable Species
1	Hand-pull	<ul style="list-style-type: none"> <li>▪ Hand pull – maximize root removal and minimize soil disturbance</li> <li>▪ Dispose of above-ground biomass off-site</li> <li>▪ Conduct removal October – March</li> </ul>	<ul style="list-style-type: none"> <li>▪ Young broom plants, with stem less than 0.5-inch diameter</li> <li>▪ Thistles</li> <li>▪ Dracaena</li> </ul>
2	Cut and Paint with herbicide	<ul style="list-style-type: none"> <li>▪ Cut stem and paint herbicide to cut stem</li> <li>▪ Use on woody species capable of stump re-sprouts, other vegetative growth or having rhizomatous stems; minimizes soil disturbance</li> <li>▪ Requires specific concentrations and usually no surfactant</li> <li>▪ Use 1" brush or small dabber</li> <li>▪ Apply to cambium layer only</li> <li>▪ Apply first treatment within 1 minute of cut</li> <li>▪ A second treatment may be applied within 2 minutes of first application</li> <li>▪ Dispose of above-ground biomass off site, particularly flowers and seed pods of eucalyptus and broom; no on-site chipping</li> <li>▪ Conduct removal October – March</li> </ul>	<ul style="list-style-type: none"> <li>▪ Eucalyptus</li> <li>▪ Mature broom plants</li> <li>▪ Periwinkle</li> </ul>

### 2.1.2 Herbicide Guidelines and Restrictions

All herbicide use must follow legal and biological requirements and restrictions for application, cleanup and disposal. Additional considerations include:

- Dye shall be added to herbicide to identify placement
- Herbicide should be new unopened containers and should be mixed on site, at a designated location away from sensitive habitat
- No herbicide shall be used near on in running or standing water
- No herbicide shall be used within 48 hours, before or after a rain event based on the weather forecast
- No herbicide shall be used in proximity to bee colonies or like pollinators

### 2.1.3 Precautions to Protect Sensitive Biotic Resources

Implementation of some weed management activities has the potential to harm native plant and animal species, if such resources are present in the work area. For example, ground nesting birds can be harmed if they have nests within areas subject to vegetation removal during the bird nesting season. Dens of dusky-footed woodrat can be harmed if weed control activities inadvertently alter these dens. Measures are described in this section on actions to be implemented to avoid impacts to non-target plants and animals. Appendix C presents photos of these habitat features.





**2.1.3.1 Measures to Minimize Impacts to Breeding Birds and Woodrat Nests.** Within the central coast region, the bird-breeding season is typically between March 1 and August 31. All migratory bird nests are protected under the Federal Migratory Bird Treaty Act. Invasive plant removal will be conducted between October and March, which is outside of the bird breeding season.

The work area should be walked to identify any wood rat houses. Wood rats construct large stick-filled houses that can be several feet tall and wide. All wood rat houses are to be retained, with a minimum 10-foot buffer established around each house. Each den should be flagged and workers notified as to the location of each house. If a weed plant is found to be growing through a house, the stem can be cut and painted at a level above the top of the house. No wood rat houses shall be disturbed without prior written approval from California Department of Fish and Wildlife (CDFW).

### 2.1.4 Schedule

Removal and control of invasive, non-native plant species will occur in perpetuity. There are performance standards for Years 1-5, or longer, if needed to meet these performance standards. A schedule for Years 1 -5 is depicted on Table 3.

**Table 3. Schedule for Removal of Invasive, Non-native Plant Species**

Task	September	October –March
Years 1-3: Locate mapped occurrences of eucalyptus, dracaena, and periwinkle as depicted on Figure 2, and others, if detected. Flag any sensitive resources at/near mapped polygons.		
Year 1: Cut eucalyptus; cut stumps flush with ground; apply herbicide to cut stump. Remove cut material from site.		
Years 1-3: Hand pull all broom; cut and paint large broom plants if necessary. Remove pulled and cut material from site. Remove dracaena. Remove and treat periwinkle. Re-treat previously treated areas, as needed.		
Years 4-5: Re-treat previously treated areas, as needed. Maintain area free of invasive plants in perpetuity.		

### 3.0 REVEGETATION ACTIVITIES

The County has requested revegetation of the 20-foot wide riparian buffer and 10-foot construction setback within the Restoration Area. As per Section 1.1, the goals and objectives for this portion of the Restoration Area are:

**Goal 3:** Within the western portion of the Restoration Area and areas of eucalyptus tree removal in the riparian woodland, install native riparian trees and shrubs, maintain and monitor for 5 years, and achieve 5-year performance standards.

Objective 3.1: Engage services of native plant nursery to conduct regional collection of native riparian plant propagules and grow plants for out-planting (1-year lead time).

Objective 3.2: Install grown plants into designated area; maintain and monitor for 5 years and achieve 5-year performance standards.

#### 3.1 Revegetation Area

The revegetation area is a 30-foot wide zone measured outward from the riparian woodland dripline as well as areas where mature eucalyptus trees are to be removed. This area is depicted on Figure 3. The 30-foot wide zone area is an existing clearing that supports grasses and forbs. This area measures approximately 2,500 square feet (0.06 acre).

The western edge of the Restoration Area will be demarcated by a permanent fence. This can be split-rail fence, or other fence design; yet the fence should be a minimum of four feet in height. Interpretive signs shall be installed on the fence indicating that the area is a designated habitat restoration and enhancement area and no unauthorized foot or vehicular access is allowed.

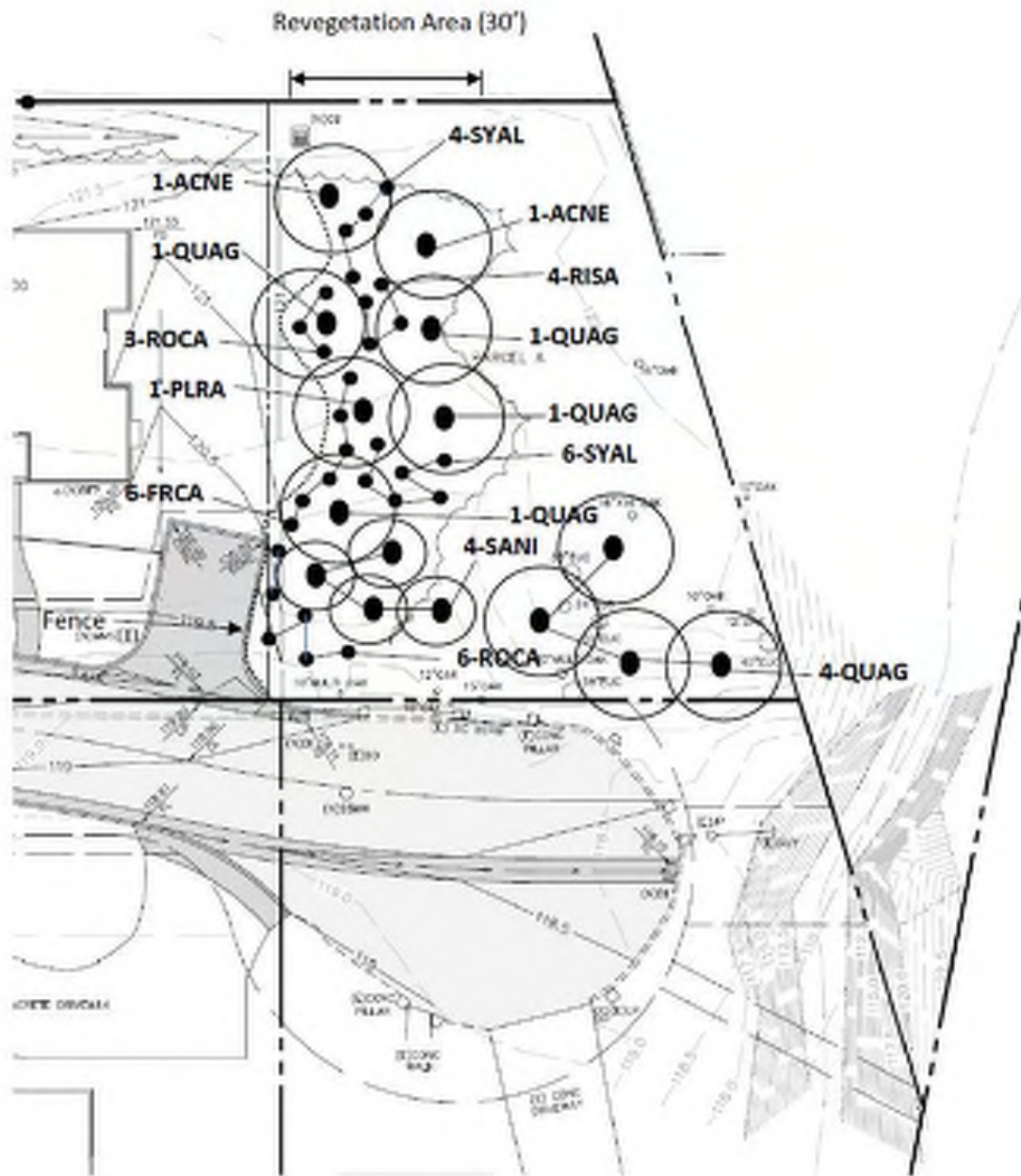
#### 3.2 Plant Installation

Native riparian trees and shrubs (container stock) will be used for the revegetation, as listed in Table 4. A conceptual plant layout is presented in Figure 3. The landowner (and/or HOA) will be responsible for contracting with a native plant nursery to do regional collection of plant propagules (i.e., seed/cuttings) and plant propagation. The landowner (and/or HOA) will be responsible for contracting with a landscape contractor for installation of the plantings and designing/installing a temporary drip irrigation system.

**Table 4. Plant Palette for Riparian Revegetation Area**

Map Code Figure 3	Common Name	Scientific Name	Propagule Size	Approx. Spacing	Number of Plants
<b>TREES</b>					
QUAG	Coast Live Oak	<i>Quercus agrifolia</i>	5 gal.	20'	8
ACNE	Box Elder	<i>Acer negundo</i>	5 gal.	20'	2
PLRA	Western Sycamore	<i>Platanus racemosa</i>	5 gal.	20'	1
SANI	Common Elderberry	<i>Sambucus nigra</i>	5 gal.	15'	4
<b>TOTAL TREES</b>					<b>15</b>
<b>SHRUBS</b>					
FRCA	Coffee Berry	<i>Frangula californica</i>	1 gal.	6'	6
SYAL	Snowberry	<i>Symphoricarpos albus</i>	1 gal.	6'	10
RISA	Flowering Currant	<i>Ribes sanguineum</i>	1 gal.	6'	4
ROCA	California Rose	<i>Rosa californica</i>	1 gal.	5'	9
<b>TOTAL SHRUBS</b>					<b>29</b>

The typical planting season for container stock is in the fall; however, spring plantings can also occur where there is a reliable irrigation system. The plantings will be irrigated before and after planting.

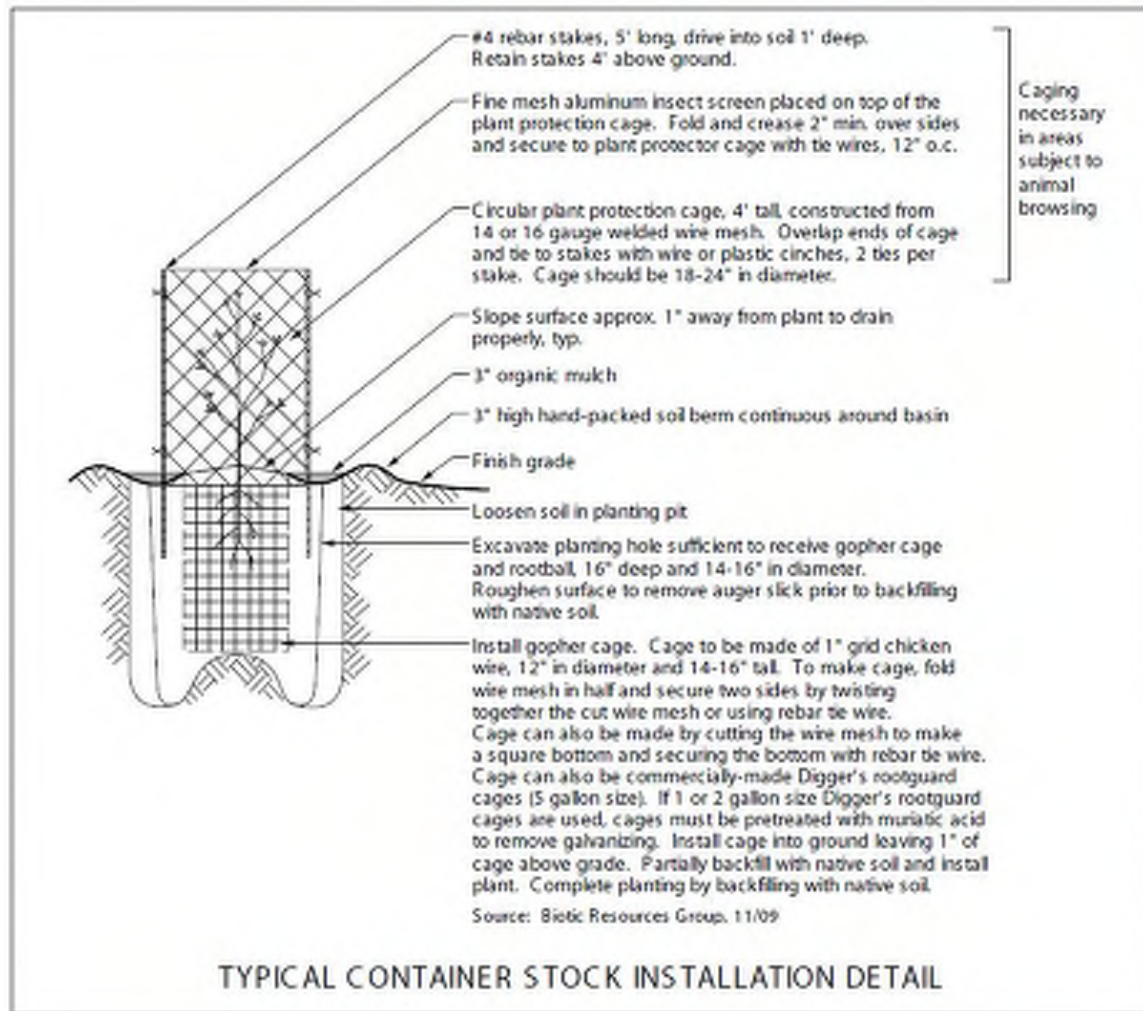


**Figure 3. Conceptual Plant Layout Within Revegetation Area**

Once plantings are delivered to the site, plant installation can proceed. The planting hole should be excavated to the specified dimensions (see Figure 4) and prepared to receive the plant. A root protector cage should then be installed in the planting hole, as gopher activity is expected and plant losses could occur due to gopher browse. The plant should be carefully removed from its container



in order to avoid any root damage and placed in the planting hole/cage. The planting hole is then to be back filled with the native soil and a water basin constructed. An above-ground foliage protector (i.e., deer browse cage) is to then be fitted over the plant. The final step is to apply a three-inch layer of clean wood chip mulch. Plant installation should follow the typical details presented in Figure 4; however, cage sizes will need to be adjusted to accommodate 5-gallon size plants.



**Figure 4. Typical Plant Installation Detail**

### 3.3 Site Maintenance

The plantings will be maintained regularly during a 5-year plant establishment period. Maintenance activities will include supplemental irrigation in Years 1-3, weed control and browse protection. During this period, the landowner will perform maintenance activities approximately 1 time per month. This schedule will ensure that plant survival rates are maximized and desired habitat features are achieved. A maintenance schedule for Years 1 -5 is depicted on Table 5.

Typical maintenance tasks during Years 1-5 will include weeding of planting basins, repair/replace animal protection devices, re-application of mulch, repair of watering basins, check/repair of irrigation system, removal of invasive, non-native plant species, and installation of replacement plants (if needed to meet performance standards).






**3.3.1 Supplemental Irrigation.** Irrigation can be provided by a landowner-built temporary drip system. Watering must be effectively controlled to minimize plant loss and water waste resulting from over watering. It is the responsibility of the landowner to ensure that the plantings receive sufficient water to promote healthy plant growth. The plantings will be irrigated during the first two growing seasons, 1 time per week between May and October (depending upon weather). In Year 3, irrigation should be reduced to twice a month between May and September. Each watering will be of such a quantity as to provide optimum growth conditions. If drought stress or chlorosis (leaf yellowing) is noted on any of the plantings, the quantity and interval of watering will be increased.

If an unusual drought occurs in other months (i.e., less than 70% of normal rainfall between October and May) such that soil moisture drops to a level where plant survival is compromised, supplemental irrigation will be initiated. Supplemental irrigation will be continued until natural rainfall levels replenish soil moisture.

**3.3.2 Weed Control.** During Years 1-5, competition from weeds and/or invasive, non-native plant species within the planting basins shall be minimized; basin shall be kept weed-free during the growing season; maximum weed height of 6 inches during non-growing season.

**3.3.3 Browse Control.** During Years 1-5, actions to minimize browse damage on plantings will be implementing by maintaining browse protection devices (i.e. cages) on selected plants so as to maximize plant survival and desired habitat features. Repair and/or replace cages that have been damaged.

**Table 5. Revegetation Area Maintenance Schedule**

Task	Winter	Spring	Summer	Fall
<u>Minimum of one year prior to plant installation.</u> Enter into agreement with native plant nursery to collect plant propagules and grow container stock plants.				
<u>Year 0.</u> In late fall, after first soaking rains, install plants within revegetation area, as per conceptual layout and as reviewed by restoration specialist or botanist. Install below and above ground browse protection. Provide irrigation after planting and until natural rains commence.				
<u>Years 1-3:</u> May through September, begin supplemental irrigation. At periodic intervals, check plant growth and health. Remove weeds from planting basins, repair cages, replace mulch, if needed. Check irrigation system.				
<u>Year 4-5:</u> Discontinue supplemental irrigation. At periodic intervals, check plant growth and health. Remove weeds from planting basins, repair cages, replace mulch, if needed.				
<u>Years 2-5:</u> Install replacement plants if any plants die, to achieve 100% survival each year.				

## **4.0 MONITORING AND REPORTING OF PLAN PROGRESS**

### **4.1 ANNUAL MONITORING, YEARS 1-5**

Monitoring of the progress of Plan implementation is required. Monitoring will be conducted to document areas of invasive removal, document survival of installed riparian planting, evaluate the effectiveness of management actions and, over time, provide insight on ways to improve habitat restoration and management actions.

The landowner's botanist, ecologist, or restoration specialist should periodic assess how the invasive plant removal and revegetation is proceeding, and to identify problems or potential problems that may exist, including possible colonization of the site by new weeds and invasive species.

**Goal 4:** Monitor and report to Santa Cruz County on an annual basis Plan actions implemented, goals met, performance standards and remedial actions needed.

Objective 4.1: Document dates and areas of plan implementation.

Objective 4.2: Establish a series of permanent photo-stations to document yearly progress of plan actions.

Objective 4.3: Submit annual reports to County Planning Department by December 31 of each monitoring year, for a period of 5 years, or longer until performance standards are met.

#### **4.1.1 Inspect Invasive Plant Removal**

A qualified botanist, ecologist, or revegetation specialist will inspect the invasive plant removal areas at least once a year, for 5 years (or longer if performance standards are not met). The purpose of the inspection will be to assess how the removal work is progressing, identify problems or potential problems that may exist, and identify any new occurrences of invasive species that warrant control. The progress of invasive non-native plant species removal will be ascertained during the inspections and the invasive plant infestation maps updated/annotated as to the polygons treated, timing, and control techniques used.

#### **4.1.2 Inspect Revegetation**

A qualified botanist, ecologist, or revegetation specialist will inspect the revegetation area at least once a year, for 5 years (or longer if performance standards are not met). The purpose of the inspection will be to assess how the revegetation and habitat restoration actions are proceeding, and to identify problems or potential problems that may exist. During the inspection, the biologist will look for plant damage, document compliance with Conditions of Approval, and make recommendations to correct any significant problems or potential problems. The inspection visit will also be used to document the need to change or adjust revegetation plan actions (i.e., altering the maintenance schedule, adding extra weed control visits, increasing or reducing the frequency or amount of irrigation water, etc.). All plantings will be monitored as to dead/alive, height, and health/vigor. During Years 1-3, yearly plant survival should be maintained at 100 percent. In Years 4 and 5, plant survival should be 80%. If plant survival falls below these thresholds in any year, the inspection will document the number of supplemental container stock planting required to be installed.

#### **4.1.3 Photo Documentation**

The landowner's botanist, ecologist, or restoration specialist should photograph the Restoration Area to record the progress of invasive plant removal and revegetation. Photo stations should be established in Year 1 that can be used in Years 1-5 to depict the before and after work efforts and



to create a photo record of the progress of the restoration plan. Photo-stations should be established prior to work (Year 1) and photos will be taken from the same vantage point and in the same direction every year.

#### 4.1.4 Success Criteria and Yearly Performance Standards

The final success criteria for the restoration plan are outlined in Table 6. When these criteria are fulfilled, the area will be determined to be progressing toward the habitat type and values that constitute the long-term goals of this project. These final success criteria will be monitored for compliance at the end of the 5-year monitoring period. Final success criteria for the Restoration Area will be documented by monitoring by a qualified botanist, ecologist or revegetation specialist.

Performance standards are established for the Restoration Area. These are measured during Years 1-5 as the areal extent of invasive, non-native plant species. This will be determined by the number and extent of polygons supporting invasive, non-native plant species. Within the revegetation area, survival of installed plantings and overall site maintenance will be monitored.

Remedial measures will be implemented by the landowner if these standards are not achieved in any of the monitoring years. Examples of remedial actions include re-planting failed plants, increasing weeding sessions, supplemental planting, additional control of invasive plant species, and/or modifying the irrigation system.

**Table 6. Performance Standards for Years 1-4 and Final Success Criteria for Year 5**

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Restoration Area</b>					
# of Polygons of Invasive Weeds	2	2	2	1	0
<b>Revegetation Area</b>					
Plant Survival (%)	100	100	100	80	80
Maximum Cover of Invasive, Non-native Plant Species (%)	<10	<10	<5	<5	<5
<b>Plant Survival by Vegetative Group (# of plants) - Trees</b>					
Coast Live Oak	8	8	8	6	6
Box Elder	2	2	2	2	2
Western Sycamore	1	1	1	1	1
Common Elderberry	4	4	4	3	3
<b>Total Trees</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>12</b>	<b>12</b>
<b>Plant Survival by Vegetative Group (# of plants) - Shrubs</b>					
Coffee Berry	6	6	6	5	5
Snowberry	10	10	10	8	8
Flowering Currant	4	4	4	3	3
California Rose	9	9	9	7	7
<b>Total Shrubs</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>23</b>	<b>23</b>

## 4.2 REPORTING

Annual reports for monitoring Years 1-5 will present data on the mitigation area(s), actions implemented, the attainment of yearly target criteria, progress toward final success criteria, and any remedial actions required. Reports will be prepared by a qualified botanist, ecologist, or revegetation specialist; the landowner will be responsible for submitting the reports to the County Planning Department by December 31 of each monitoring year.

**APPENDIX A**  
**INVASIVE, NON-NATIVE PLANT SPECIES**



Blue Gum Eucalyptus (*Eucalyptus globulus*)



French Broom (*Genista monspessulana*)



Periwinkle (*Vinca major*)



Italian thistle (*Carduus pycnocephalus*)





Bull Thistle (*Cirsium vulgare*)



Himalaya Berry (*Rubus procerus*)

**APPENDIX B  
NATIVE PLANT SPECIES**



Coast Live Oak (*Quercus agrifolia*)



Western Sycamore (*Platanus racemosa*)



Box Elder (*Acer negundo*)



Common Elderberry (*Sambucus nigra*)



Flowering Currant (*Ribes sanguineum*)



California Rose (*Rosa californica*)





Snowberry (*Symphoricarpos albus*)



Coffee Berry (*Frangula californica*)



California Blackberry (*Rubus ursinus*)



Poison Oak (*Toxicodendron diversilobum*)

**APPENDIX C  
SENSITIVE RESOURCES**



Nesting Birds



Woodrat House





## TREE RESOURCE EVALUATION PROJECT IMPACT ANALYSIS

VACANT LAND  
LORAIN LANE  
APN 037-211-01

AUGUST, 2020

## **ASSIGNMENT/SCOPE OF SERVICES**

Development plans for five homes and other improvements are proposed for vacant land located on Loraine Lane off Monterey Avenue (APN 037-211-01). The property owners retained me to evaluate the health, structural stability and suitability of all trees on the site.

I have completed the following scope of services to complete the impact analysis.

- Review site plans prepared by Roper Engineering.
- Locate number and map 21 trees and tree groups growing adjacent to the proposed development.
- Identify trees as to species and measure trunk diameter at 54 inches above grade.
- Visually inspect each tree to evaluate health status, structural integrity and suitability for incorporation into the development project.
- Rate each tree as “good”, “fair”, or “poor” based on overall condition and species tolerances.
- Determine the Critical Root Zone areas based on trunk diameter and tree condition.
- Prepare a protection plan and provide recommendations for tree removal/retention based on construction impacts or overall condition.

## **SUMMARY**

I have completed a visual assessment of 21 individual trees and tree groups growing on undeveloped property located off Loraine Lane. Young coast live oaks are growing behind the curb of the existing narrow roadway. A cluster of eucalyptus and oaks are concentrated at the east end of the site where the roadway ends. A healthy group of coast live oaks are growing at the northern property boundary.

The development plans have been reviewed and impacts to the trees have been analyzed. The attached inventory includes specific impacts and recommendations for protecting the trees.

Tree removal will be necessary to develop the property as proposed. Five young oaks and one 38-inch eucalyptus are in conflict with the road improvements that will be a component of the project.

The removal of an additional eucalyptus has been recommended for risk management. The tree is leaning, and it appears that the root structure is no longer able to support the tree.

Recently, a tree removal project was completed for the Soquel Creek Water District on an adjacent property located at 5738 Soquel Drive. A component of that project was a restoration/tree replacement plan. A number of young coast live oaks and big leaf maple have been planted at the edge of the Loraine Lane development site where the two properties are joined. The replacement trees are healthy and have been provided irrigation and are caged to prevent damage from browsing.

This area can be utilized to add replacement trees that may be required by County of Santa Cruz as a result of the recommended tree removal. Expanding this existing planting area will enhance the recently planted young trees and long-term forest restoration.

## **TREE INVENTORY OVERVIEW**

To complete the inventory and assessment of trees on this project site, I made two site visits in May and June of this year. The tree locations are documented on the attached site plan and correspond with the data in the inventory spreadsheet. The inventory includes the following information for the trees on this undeveloped site:

### **Tree Number**

Tree locations are documented on the attached site plan prepared by Roper Engineering.

### **Tree Species**

The inventory indicates the “common” name for each tree. The botanical names of the trees in the project boundaries are listed here:

- Coast live oak (*Quercus agrifolia*)
- Eucalyptus (*Eucalyptus globulus*)

### **Trunk Diameter**

The diameter of each trunk/trunks was measured at a point 54 inches above natural grade (DBH) using a diameter tape. The Significant Tree Protection ordinance in Santa Cruz County seeks to preserve significant (20 inches and greater in trunk diameter) trees and forests communities and to protect and enhance the County’s natural beauty, property values, and tourist industry (Section 16.34.010).

### **Tree Health**

The trees were visually inspected to evaluate health status and structural integrity. This type of assessment includes an evaluation of the biology and mechanics of each tree based on the visual analysis procedures developed by Claus Mattheck published in The Body Language of Trees. The health and structure of the tree is then rated as “good”, “fair”, or “poor” in the attached inventory.

The biological assessment determines health status and includes an evaluation of the following:

- Vitality of the leaves, bark and twigs
- Presence of fungi or decay
- Percentage and size of dead branching
- Status of old wounds or cavities.

Healthy trees rated as “good” display dense full canopies with dark green foliage. Dead branching is limited to small twigs and branches less than one inch in diameter. No evidence of disease, significant decay or insect activity is visible. Vigorous, healthy trees are much better able to tolerate site alteration and invasive construction impacts than less vigorous trees of the same species.

Trees in “fair” health have 10-30% foliar dieback, small areas of dead branching greater than one inch in diameter and minor evidence of disease, decay or insect activity.

Trees in “poor” health display greater than 30% foliar dieback, dead branches greater than two inches in diameter and/or areas of decay, disease or insect activity.

### **Tree Structure**

The mechanical assessment determines the structural integrity of the tree and includes an evaluation of the following:

Trees with “good” structure are well rooted with visible taper in the lower trunk leading to buttress root development. These qualities indicate that the tree is solidly rooted in its growing site. No significant structural defects such as codominant stems (two stems of similar size that emerge from the same point on the trunk), weakly attached branches, cavities or decay are present.

Trees with “fair” structural integrity may have defects such as poor taper in the trunk, inadequate root development or growing site limitations. They may have multiple trunks, included bark (where bark turns inward at an attachment point), or suppressed canopies. Small areas of decay or evidence of small limb loss may be present in these trees. The condition of these trees can be improved using common maintenance procedures.

Poorly structured trees display one or more serious structural defects that may lead to the failure of branches, trunk or the whole tree due to uprooting. Trees in this condition may have had root loss due to decay or site conditions. The supporting trunk or large stems could be compromised by decay or structural defect (large codominant stems with included bark).

Trees in this condition represent a risk. In some situations, maintenance including cable support systems, props or severe pruning can reduce, but not eliminate the potential hazard.

Trees that contain dead branching, decayed areas or other structural defects that cannot be mitigated are not suitable for preservation on developed sites and should not be retained in areas where improvements are proposed.

Tree health and tree structure are evaluated separately. A “healthy” tree can be weakly structured and represent a risk; a well-structured tree can be “unhealthy” or in poor vigor.

### **Impact Rating**

Trees rated as having low impact potential are outside the development area, but require the protection provided by exclusionary fencing.

Trees rated as having a moderate impact potential are within 10 to 15 feet of excavation, grade changes or demolition activities. Fencing in combination with straw bale barricades are recommended to protect these trees.

Trees rated as having a high impact potential have excavation, grade changes or other site alterations proposed within the Critical Root Zone. Trees in these areas may be subjected to alternative construction methods or special treatments (manual grading or special construction methods) and require fencing and straw bale barricades to create a defined exclusion zone. Monitoring of all activities adjacent to, or within, the CRZ will be required.

In some circumstances using alternative methods cannot reduce impacts and tree removal becomes necessary. Excavation that removes structural roots can destabilize the tree and lead to failure.

### **Critical Root Zone (CRZ)**

The “**Critical Root Zone**” is the optimum rooting area around a single tree or group of trees in which no grading or construction activity should occur. The zone should be large enough to retain sufficient root and crown area to maintain tree health and stability. The size of this zone depends on a number of factors (Matheny, Clark & Harris 1999)

This optimum area is based on the British Standards Institute (BS5837:1991 and BS 5837:2005). This method is based on ranges in tree diameter, tree age and vigor.

The CRZ does not always represent a radius around the tree. When necessary the area can be offset or shaped in a manner that accepts tree canopy constraints or existing conditions.

### **Comments/Recommendations**

Recommendations for tree removal/retention are listed here.

## **PROJECT DESCRIPTION**

The project includes the development of five housing units on undeveloped land. Each parcel will be accessed by driveways from by an improved and widened roadway.

## **OBSERVATIONS**

### **Site Description**

The site is an undeveloped property bordering a narrow paved roadway. Several existing residences are to the south of the site. The roadway is a cul-de-sac at the east end of the property. The bulk of the site is an open grass area with trees at the perimeter.

### **Tree Description**

Coast live oak is the dominant species on this site, large eucalyptus are growing at the east end of the property amongst the oaks.

Young oaks are growing along the existing roadway. In general, they are in fair condition with multiple trunks.

The oaks growing amongst the eucalyptus at the end of the road are in decline. The younger trees have thinning canopies and are absent of new growth. It is likely the suppressive conditions created by the large eucalyptus has caused this level of decline.





A healthy grove of coast live oaks (pictured at left) are growing on the northern property boundary.

One more dead oak is growing between two large eucalyptus is significantly decayed and is leaning to the west. One of the eucalyptus trees is also leaning in this direction, it appears the root plate is coming out of the ground. These trees are not stable and could fail.

The other large eucalyptus appear to be stable. Eucalyptus as a species can be prone to branch and whole tree failure. I did not observe any significant defects in these trees that could indicate potential failure points.

### **Construction Impacts**

The impacts to trees on this site have been rated from low to high. Trees #1-#5 are within the widened roadway and removal is required. Trees #6-#9 are in decline and may be affected by road improvements. The impacts to these trees will be reviewed after the site staking is in place and a comprehensive analysis can be completed.

Tree #12, a 38" eucalyptus is growing at the edge of the existing curb and roadway. There is evidence of root development that has damaged the existing curb and road surface. To complete the roadway improvements the roots of this tree would be significantly impacted. I have recommended the removal of this tree due to impacts.

### **CONCLUSION**

The housing project proposed for this vacant site can be completed with the removal of five small diameter coast live trees and one "significant" eucalyptus. Additional tree removal has been suggested due to condition and risk of failure.

Tree Resource Evaluation/Project Impact Analysis  
Undeveloped Land/Loraine Lane  
August 2020 (updated)  
Page 7

Other trees will be retained and protected by exclusionary fencing and straw bale barricades.

Any questions regarding the trees on this site or the content of this report can be directed to my office.

Respectfully submitted,  
Maureen Hamb- Certified Arborist WE2280



Lorraine Lane Tree Inventory

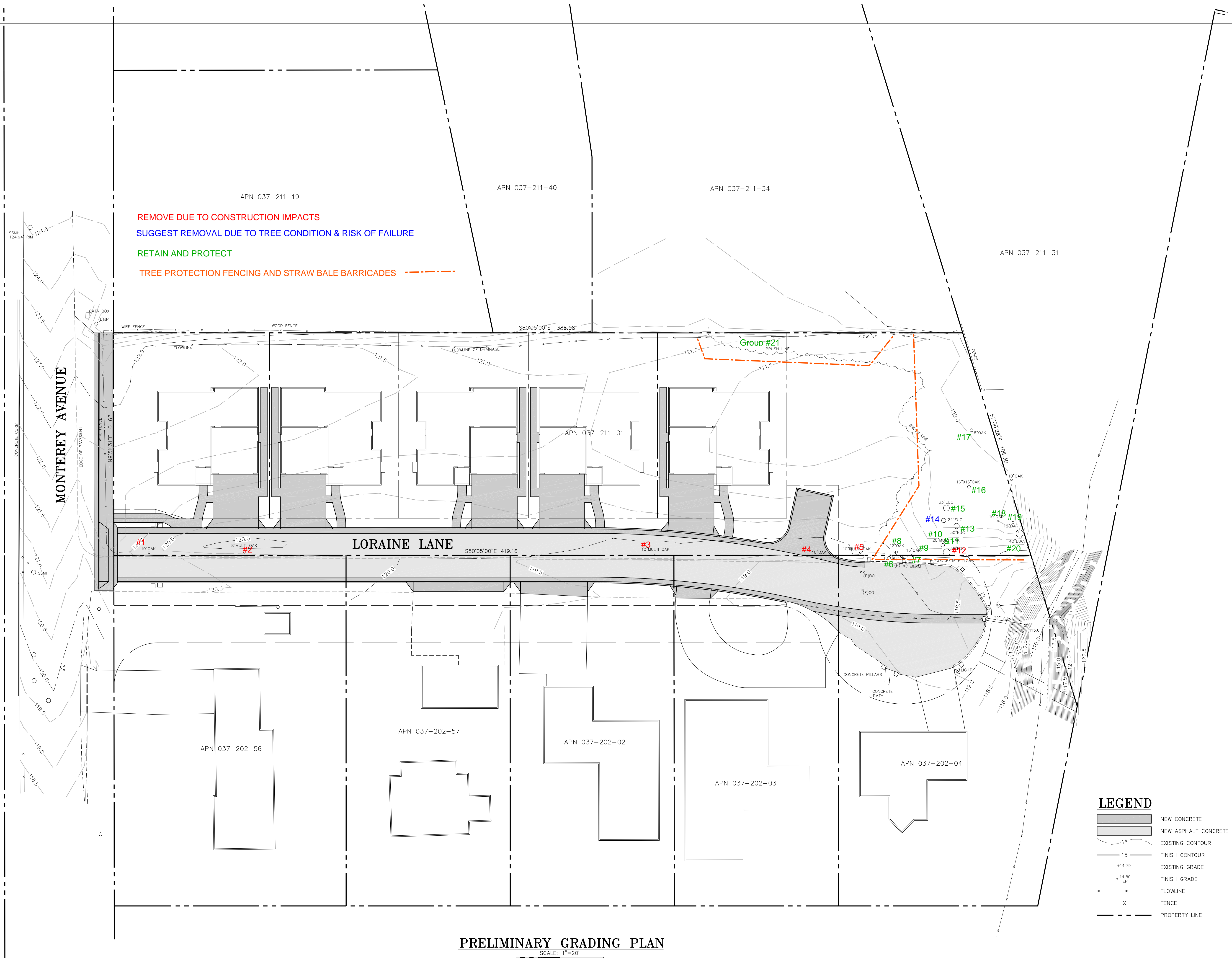
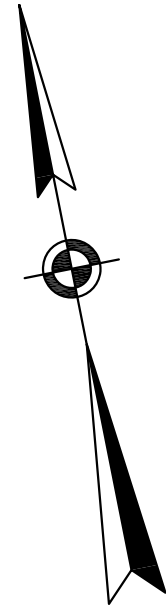
Tree #	Species	Diameter @ 54"	Health	Structure	Impacts: High Moderate Low	Critical Root Zone Radius in feet	Comments
1	coast live oak	11	good	fair	high	6	Growing behind the curb of existing road/Remove due to impacts for road improvements
2	coast live oak	multi 1 to 4	good	fair	high	5	growing behind the curb of existing road/Remove due to impacts for road improvements
3	coast live oak	multi 1 to 4	good	fair	high	5	growing behind the curb of existing road/Remove due to impacts for road improvements
4	coast live oak	multi 2 to 5	good	fair	high	5	growing behind the curb of existing road/Remove due to impacts for road improvements
5	coast live oak	9.8	fair	fair	high	4	growing behind the curb of existing road/Remove due to impacts for road improvements
6	coast live oak	9.4	poor	poor	high	4	Tree in declining condition/May be impacted by road improvements. Re-evaluate after staking in place
7	coast live oak	multi	poor	poor	high	5	Tree in declining condition/May be impacted by road improvements. Re-evaluate after staking in place

Lorraine Lane Tree Inventory

Tree #	Species	Diameter @ 54"	Health	Structure	Impacts: High Moderate Low	Critical Root Zone Radius in feet	Comments
8	coast live oak	12.2	poor	poor	high	12	Tree in declining condition/May be impacted by road improvements. Re-evaluate after staking in place
9	coast live oak	4	poor	poor	high	4	Tree in declining condition/May be impacted by road improvements. Re-evaluate after staking in place
10	coast live oak	13.7	poor	poor	moderate	13	Tree in declining condition
11	coast live oak	multi	poor	poor	moderate	8	Tree in declining condition
12	eucalyptus	38	fair	fair	high	28	Growing just behind existing curb, root development has damaged curb and roadway/Remove due to impacts related to road improvements
13	eucalyptus	28.5	fair	fair	moderate	21	No significant structural defects/Retain and protect
14	eucalyptus	22.8	fair	poor	moderate	17	The main trunk is leaning, root zone covered in debris. Appears that the root plate is lifting/Recommend removal due to instability and risk of failure

Lorraine Lane Tree Inventory

Tree #	Species	Diameter @ 54"	Health	Structure	Impacts: High Moderate Low	Critical Root Zone Radius in feet	Comments
15	eucalyptus	32.6	fair	fair	low	24	No significant structural defects/Retain and protect
16	coast live oak	double 15 & 16.5	fair	fair	low	15	Leaning structure, large foliar canopy touches the ground/Retain and protect
17	coast live oak	17.3	fair	poor	low	8	Areas of decay, thinning canopy/Retain and protect
18	coast live oak	9.4	fair	poor	low	4	Thin canopy/Retain and protect
19	coast live oak	11.5	fair	poor	low	6	Thin canopy/Retain and protect
20	eucalyptus	40	fair	fair	low	30	Large tree, no significant structural defects/Retain and protect
21	coast live oak	varies	good	fair	low	15	Grove of healthy trees with broad and spreading canopies/Retain and protect



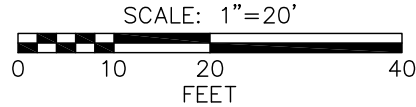
REMOVE DUE TO CONSTRUCTION IMPACTS

SUGGEST REMOVAL DUE TO TREE CONDITION & RISK OF FAILURE

RETAIN AND PROTECT

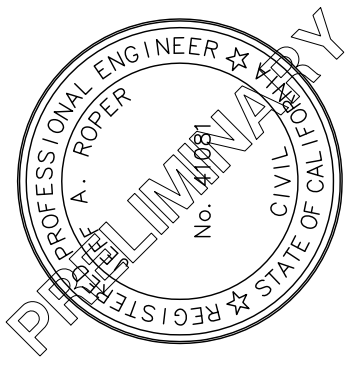
TREE PROTECTION FENCING AND STRAW BALE BARRICADES

PRELIMINARY GRADING PLAN

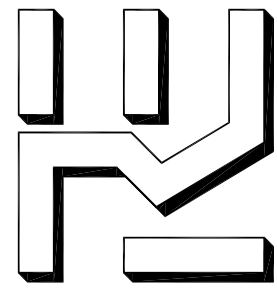


LEGEND

- NEW CONCRETE
- NEW ASPHALT CONCRETE
- EXISTING CONTOUR
- FINISH CONTOUR
- EXISTING GRADE
- FINISH GRADE
- FLOWLINE
- FENCE
- PROPERTY LINE



ROPER ENGINEERING  
CIVIL ENGINEERING & LAND SURVEYING  
64 PENNY LANE, SUITE A WATSONVILLE, CA 95076  
(831) 724-5300 jeff@roperengineering.com



TRACT NO. ---  
SUBDIVISION NAME  
MONTEREY AVENUE SOQUEL APN 037-211-01  
PRELIMINARY GRADING PLAN

SCALE: AS NOTED  
DESIGNED BY: JR  
DRAWN BY: JR  
DATE: JUNE 9, 2020  
REVISED:  
JOB NO.: 19010  
SHEET

T2

OF SHEETS





Photo Simulation View Angles





# Current View: Monterey Ave





# Photo Simulation: Monterey Ave View





# Current View: Loraine Lane





# Photo Simulation: Loraine Ln View



# Neighborhood Context





# Neighborhood Context





# Neighborhood Context





## Neighborhood Meeting Summary

Monterey Glen Subdivision

May 25, 2022, 7-8:00 PM

**Outreach:** Sixty-seven meeting notices were sent two weeks prior to the meeting to all properties and property owners within a 300-foot radius of the project, based on information provided by the County GIS division. (Notice and Distribution List attached.)

**Format:** The meeting was conducted via virtual format (Google Meets.)

**Attendance:** Eight neighbors participated. Project team attending were architects Tom Thacher and Matthew Thompson (Thacher & Thompson Architects), civil engineer Jeff Roper (Roper Engineering), and planning consultant Charles Eadie (Eadie Consultants.)

**Discussion and Issues:** The project team updated the neighbors on the proposed plans, reviewing details on architecture, landscape, road design, grading and drainage.

Neighbors raised no objections to the project. Their primary concern was with drainage, which has been problematic in the area in the past. The property owners to the north stated that they wanted to go on record as raising this issue to be sure it would be addressed. Civil engineer Jeff Roper explained how the grading would alleviate ponding that the north property owner referenced. He described how the catch basins and drainage pathways were designed to direct the flow to Loraine Lane then through to the drainage area to the east.

Jeff Roper explained that the road would be reconstructed. Neighbors asked for details about the paving materials and the proposed driveway aprons. They expressed support for the street design, and for the fact that no street lighting is proposed (which they do not want.)

Water pressure was discussed, and Jeff Roper stated that the pipe size would provide and maintain adequate pressure.

In response to questions, Tom Thacher described the house sizes and square footage, and Charles Eadie discussed the affordable housing component. He outlined the process and timeline leading to construction, possibly starting in the second half of 2023, but stressed that there are many steps and so time projections are approximate.

Charles Eadie thanked the participants for their attendance and their collaboration throughout the process over the previous years and said he will be available for any questions in the future.

April 30, 2022

Mr. Jerry Busch

Senior Planner, County of Santa Cruz

809 Center Street

Santa Cruz, CA 95060

Mr Todd McKendrick

On behalf of the neighbors of Loraine Lane

2826 Loraine Lane

Soquel, CA 95073

Dear Mr. Busch,

On behalf of the neighbors of Loraine Lane, I am writing to confirm that upon review of the development plans the neighbors unanimously request that the development proceed **without** the requirement for a sidewalk and on-street parking.

Our street has a style and symmetry which would be damaged by such requirements. It is extremely low traffic, and a sidewalk is not required.

Regards,

DocuSigned by:  
  
66C5505289FD4C5  
TODD MCKENDRICK

2022-04-30 | 10:23:22 PDT

**Initials**

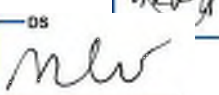
Steven Zigman



Dominic Orlando



Melinda Hodge



Nancy Vierra





# COUNTY OF SANTA CRUZ

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## PLANNING DEPARTMENT

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

28 April 2022

0 Monterey Ave., LLC  
c/o Daron Madinger <daronmadinger@gmail.com>  
347 Massol Avenue, Apt. 202  
Los Gatos CA 95030

Subject: Review of the Geotechnical Investigation Report for Residential Construction Five Lot Subdivision at 0 Monterey Avenue, Soquel, CA/APN 037-211-01 dated 7 July 2020 by Haro, Kasunich and Associates – Project No. SC11772

Project Site: Monterey Avenue and Loraine Lane  
APN 037-221-01  
Application No. REV211391

Dear Applicant:

The Planning Department has accepted the project site geotechnical investigation report. The following items shall be required:

1. All project design and construction shall comply with the recommendations of the report;
2. Final plans shall reference the report by title, author and date. Final Plans should also include a statement that the project shall conform to the report's recommendations; and
3. After plans are prepared that are acceptable to all reviewing agencies, please submit a completed Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The Consultants Plan Review Form (Form PLG-300) is available on the Planning Department's web page. 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.

Electronic copies of all forms required to be completed by the Geotechnical Engineer may be found on our website: [www.sccoplanning.com](http://www.sccoplanning.com), 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 Notice to Permits Holders (attached).

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

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/html/devrev/plnappeal\\_bldg.htm](http://www.sccoplanning.com/html/devrev/plnappeal_bldg.htm)

If we can be of any further assistance, please contact the undersigned at:  
rick.parks@santacruzcounty.us or 831.454.3168

Respectfully,



Rick Parks, GE 2603  
Civil Engineer – Environmental Planning Section  
County of Santa Cruz Planning Department

Cc: Environmental Planning, Attn: Robert Loveland  
Planning Department, Attn: Jerry Busch  
Haro, Kasunich and Associates, Attn: Robert Hasseler, GE  
Applicant's Agent: Charles Eadie <[charlie@eadieconsultants.com](mailto:charlie@eadieconsultants.com)>

Attachments: [Notice to Permit Holders](#)



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

After issuance of the building permit, the County requires your soils engineer to be involved during construction. 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.

**Friday, 2/17/2023**

Hi Wes and Serena,

Please see response to comments below, and if you like we can follow up with a conversation. I'll be out of the office all of next week, so the soonest we could talk would be a week from Monday.

**Comment 1 – The Riparian Buffer**

In our ordinance in the urban services line, we designate streams as urban arroyos. Delineating the riparian corridor in these areas is based initially upon the break in slope above the arroyo, or the 100-year flood elevation where there is no clear break in slope. From the break in slope the riparian corridor extends to the edge of riparian vegetation. If the stream is a perennial stream that distance is a minimum of 50 feet from the mean rainy season (bank full) flowline. If it intermittent it is a minimum of 30 feet. Beyond the riparian corridor we establish a riparian buffer, the width of which is determined by the character of the vegetation and the slope in the buffer area.

<https://www.codepublishing.com/CA/SantaCruzCounty/#!/SantaCruzCounty16/SantaCruzCounty1630.html#16.30.040>

In this case the nearest development to the mean rainy season flowline is the turnaround adjacent to lot 5 (figure 2, page 7 of the initial study) approximately 57 feet from the stream edge and 20 feet from the drip line. The additional 10-foot construction setback is for structures. This is shown more clearly on page 6 of the riparian restoration plan in attachment 2. As the 57 feet exceeds the recommended 50-foot buffer in your recommendation we feel this comment is addressed.

**Comment 2 - Monarch Overwintering**

Your comment notes monarchs are associated with eucalyptus and indicates that due to the proposed removal of mature eucalyptus as a component of the riparian restoration, potential impacts to monarchs must be addressed. The USFWS guidelines for Western Monarch Butterfly Conservation Recommendations ([21-015 03.pdf \(xerces.org\)](#)) focusses efforts within 500 feet of known overwintering sites. It also associates Monarchs with Monterey pine, Monterey cypress, Coast redwood, coast live oak, Douglas fir, Torrey pine, Western sycamore, and Bishop pine. With no historic evidence this site has ever supported monarchs and no wind protection offered by the narrow corridor of woodland, a critical habitat feature for any overwintering site, if your comments are to be consistently applied, we should be requiring monarch surveys for any tree removal within a mile of any known roosting site. Monarchs in Santa Cruz are surveyed annually, new sites are mapped, and the counts are tracked on the site you provided in your comment letter. We believe it is reasonable to apply your recommendations to projects proposed within 500 feet of any mapped site, including those sites such as the two located within a mile of the proposed project that have not supported monarchs since 2017.

**Comment 3 – Tree Removal**

Your comments state the project proposes to remove one large oak but does not provide specific diameter of the tree, and recommends avoidance of the tree, and if not feasible, preservation of comparable trees. I cannot find a reference to a large oak tree proposed for removal. Page 24 of the

initial study identifies a 38-inch blue gum eucalyptus and 5 young oaks to be removed, along with 4 declining oaks in poor health to be monitored. It includes mitigation replacement of 5 oak trees. The restoration plan recommends 4 additional mature eucalyptus and multiple saplings as a part of the riparian restoration and includes 8 coast live oak and 7 other native riparian species to be planted. The arborist report (Attachment 3) identifies the size of the 5 oaks at 11", 9.8", two multi-stem oaks with diameters 1"-4" and one multi-stem 2"-5". These 5 trees are shown on the final page of the arborist report to be located along the edge of the existing road. While our code recognizes and protects oak woodland as a habitat type, these trees do not qualify as woodland, and the restoration plan will enhance riparian oak woodland on site.

#### Comment 4 – Nesting Bird Surveys

Thank you for the correction on the nesting periods. The February 1 through September 1 dates were provided to us by CDFW – then CDFG – over 20 years ago and have been a part of our standard mitigations. We will update our language going forward. Regarding the 1,000-foot radius for surveys, I recognize this is a standard boilerplate condition based upon the range where episodic noise has been shown to affect nesting raptors. We will include it in our mitigations and COAs, however I would hope CDFW could create more nuanced recommendations for projects in urban areas. In this case both highway 1 and Soquel Drive are within that radius, both of which generate ambient and episodic noise that can impact nesting raptors or other species that might be found near the project site, along with the general noise an urban neighborhood produces. Birds that establish nests in areas of high ambient noise are more tolerant of noise than nesting birds in more quiet, rural areas.

As this is a change that improves an existing mitigation it does not trigger recirculation. The MMRP and conditions of approval will be updated to reflect your recommendations.

#### Comment 5 – Storm drain Outfall

Your comments recommend dispersal, LID components such as the use of bioswales and bioretention facilities, and permeable surfaces to allow percolation, to address stormwater flow impacts on the receiving drainage. Page 36 of the initial study notes that "Due to the low permeability of site soils, stormwater retention is not possible." It goes on to state that "...drainage facilities, including biofiltration structures and detention facilities, would adequately control the runoff rate from the property" and "have been included in the proposed drainage design and will be required to be fully met at project implementation."

Regarding the recommendation of dispersed flow release rather than an energy dissipator, there is a rise in elevation between the end of the cul-de-sac and top of bank adjacent to the stream channel. The drainage study noted regular ponding in the cul-de-sac. The following is excerpted from the drainage study and we feel adequately addresses the issues raised in your comments:

*A detention system is proposed for stormwater mitigation, see civil plans.*

*Due to the low permeability of onsite soils, onsite retention is not feasible.*

*A bioswale is proposed in the landscape strip along Monterey Avenue to treat the street widening.*

*A perforated pipe subdrain is provided due to the low permeability of the onsite soils.*

*Biofiltration is provided for the new impervious surfaces including new homes, driveway, walks and Lorraine Lane widening.*

*A 6' x 6' Filterra Bioscape Vault is provided to filter storm water runoff.*

Thank you for your comments and again, if you would like to discuss further, I am happy to have a call when I return. Jerry, please update the MMRP to reflect the recommended mitigations regarding impacts to nesting birds, and include them in your COAs when you take this to hearing.



## Matt Johnston

Principal Planner for Environmental  
Planning and Code Compliance  
831.454.5357  
701 Ocean Street, Room 400  
Santa Cruz, CA 95060



**From:** Limon, Jessica@Wildlife <[Jessica.Limon@Wildlife.ca.gov](mailto:Jessica.Limon@Wildlife.ca.gov)>  
**Sent:** Thursday, February 16, 2023 10:38 AM  
**To:** Jerry Busch <[Jerry.Busch@santacruzcounty.us](mailto:Jerry.Busch@santacruzcounty.us)>  
**Cc:** Hultman, Debbie@Wildlife <[Debbie.Hultman@wildlife.ca.gov](mailto:Debbie.Hultman@wildlife.ca.gov)>; Chappell, Erin@Wildlife <[Erin.Chappell@Wildlife.ca.gov](mailto:Erin.Chappell@Wildlife.ca.gov)>; Sherman, Stacy@Wildlife <[Stacy.Sherman@wildlife.ca.gov](mailto:Stacy.Sherman@wildlife.ca.gov)>; Weightman, Craig@Wildlife <[Craig.Weightman@wildlife.ca.gov](mailto:Craig.Weightman@wildlife.ca.gov)>; Stumpf, Serena@Wildlife <[Serena.Stumpf@Wildlife.ca.gov](mailto:Serena.Stumpf@Wildlife.ca.gov)>; Stokes, Wesley@Wildlife <[Wesley.Stokes@wildlife.ca.gov](mailto:Wesley.Stokes@wildlife.ca.gov)>; OPR State Clearinghouse <[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)>  
**Subject:** Monterey Glen Subdivision-SCH2023010486

\*\*\*\***CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.\*\*\*\*

Good Morning,

Please see the attached letter for your records. If you have any questions, contact Serena Stumpf, cc'd above.

Thank you,

**Jessica Limon**

**Staff Services Analyst/ Administrative Support Analyst**  
California Department of Fish and Wildlife – Bay Delta Region

2109 Arch Airport Rd., Stockton, CA 95206

☎ 209-616-6011

✉ [jessica.limon@wildlife.ca.gov](mailto:jessica.limon@wildlife.ca.gov)



State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 Bay Delta Region  
 2825 Cordelia Road, Suite 100  
 Fairfield, CA 94534  
 (707) 428-2002  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



February 14, 2023

Mr. Jerry Busch  
 Santa Cruz County Planning Department  
 701 Ocean Street, 4<sup>th</sup> Floor  
 Santa Cruz, CA 95060  
[jerry.busch@santacruzcounty.us](mailto:jerry.busch@santacruzcounty.us)

Subject: Monterey Glen Subdivision, Initial Study/Mitigated Negative Declaration,  
 SCH No. 2023010486, Santa Cruz County

Dear Mr. Busch:

The California Department of Fish and Wildlife (CDFW) received an Initial Study/ Mitigated Negative Declaration (IS/MND) prepared by Santa Cruz County (County) for the Monterey Glen Subdivision (Project), located in Santa Cruz County, pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

CDFW is submitting comments on the IS/MND to inform the County, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

## CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Mr. Jerry Busch  
 Santa Cruz County  
 February 14, 2023  
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Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

## REGULATORY REQUIREMENTS

### California Endangered Species Act and Native Plant Protection Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in “take” of plants or animals listed under CESA or the Native Plant Protection Act (NPPA), either during construction or over the life of the Project. Under CESA, take is defined as “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill.” If the Project will impact CESA or NPPA listed species, early consultation with CDFW is encouraged, as significant modification to the Project and mitigation measures may be required to obtain an ITP. Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program.

CEQA requires a Mandatory Finding of Significance if a Project is likely to substantially impact threatened or endangered species (Pub. Resources Code, §§ 21001(c), 21083, and CEQA Guidelines §§ 15380, 15064, 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency’s FOC does not eliminate the Project proponent’s obligation to comply with Fish and Game Code, § 2080 et. seq.

### Lake and Streambed Alteration

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, drainage ditches, washes, watercourses with a subsurface flow, and floodplains are generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through hydraulic directional drilling, is also generally subject to notification requirements. **The Project has the potential to impact resources including mainstems, tributaries and floodplains associated with an unnamed tributary to Nobel Gulch.** Any impacts to the mainstems, tributaries and floodplains or associated riparian habitat would likely require an LSA Notification. CDFW, as a

Mr. Jerry Busch  
 Santa Cruz County  
 February 14, 2023  
 Page 3

responsible agency under CEQA, will consider the IS/MND for the Project. CDFW may not execute a final LSA Agreement until it has complied with CEQA as the responsible agency.

### **Raptors and Other Nesting Birds**

CDFW has authority over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include] §§ 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession, or destruction of any birds of prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

### **PROJECT DESCRIPTION SUMMARY**

**Proponent:** Charlie Eadie

**Objective:** The Project consists of the subdivision of an existing undeveloped 41,019-square-foot parcel into six residential lots. The Project would require waivers to several development standards including reduced site width and frontage requirements for lot 6, increased lot coverage on lots 1 and 6, allowing two single-family dwellings to be semi-detached, and allowing a lot smaller than 3,500 square feet. The Project would also conserve a 4,137-square-foot area of riparian corridor on the eastern side of the existing parcel, with a 20-foot riparian buffer and a 10-foot construction setback. A riparian enhancement plan has been provided for the Project as well.

**Timeframe:** No timeframe listed in the IS/MND.

### **ENVIRONMENTAL SETTING AND LOCATION**

The Project is located on the north side of Loraine Lane within the Community of Soquel in unincorporated Santa Cruz County, APN (037-211-01). The undeveloped parcel is located within an existing residential neighborhood. The parcel borders an unnamed tributary to Nobel Gulch on the east. There is riparian vegetation on site consisting of Coast live oak (*Quercus agrifolia*), western sycamore (*Platanus racemose*), box elder (*Acer negundo*) and common elderberry (*Sambucus nigra*). The proposed riparian enhancement plan would remove invasive vegetation and require the site to be maintained free of invasive species in perpetuity, along with the installation of native plant species.

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 Santa Cruz County  
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## COMMENTS AND RECOMMENDATIONS

CDFW commends the County for providing a riparian enhancement plan which includes removal of invasive plants and revegetation of native tree and shrub species.

CDFW offers the following comments and recommendations to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on biological resources.

### COMMENT 1: Riparian Encroachment

**Issue:** Although the Project incorporates a riparian buffer, it is unclear how far Project development will be from the edge of the top of the streambank. Insufficient buffers between the Project development and the riparian zone can result in substantial adverse effects to riparian habitat. The IS/MND states that the Project would provide a 20-foot riparian buffer with a 10-foot construction setback. CDFW generally recommends a minimum 50-foot buffer as measured from the top of streambank. Appropriately sized riparian buffers between development and the stream channel are necessary to avoid impacts to the stream ecosystem and sensitive fish and wildlife species.

Riparian habitats are important to watershed integrity because they perform many ecological functions such as enhancing water quality, protecting biodiversity, maintaining habitat connectivity, and attenuating high stream flows. Because natural stream processes are complex and dynamic, development too close to stream channels can also result in threats to property from erosion due to lateral and/or vertical channel adjustments over time. Incorporation of a sufficient riparian buffer into the Project design is necessary to avoid the potential need for stream channel stabilization solutions in the long-term. CDFW discourages use of hardscape material such as cement retaining walls in streams as a result of insufficient riparian buffer setbacks.

**Evidence the impact would be significant:** Riparian vegetation improves stream water quality by removing sediment, organic and inorganic nutrients, and toxic materials (Belt and O'Laughlin 1994, Mitsch and Gosselink 2000, USDA 2000, Mayer et al. 2006). Riparian buffers help keep pollutants from entering adjacent waters through a combination of processes including dilution, sequestration by plants and microbes, biodegradation, chemical degradation, volatilization, and entrapment within soil particles. As buffer width increases, the effectiveness of removing pollutants from surface water runoff increases (Castelle et al. 1992). There is substantial evidence showing narrow buffers are considerably less effective in minimizing the effects of adjacent development than wider buffers (Castelle et al. 1992, Brosfokske et al. 1997, Dong et al. 1998, Kiffney et al. 2003, Moore et al. 2005).

Riparian trees and vegetation, and associated floodplains provide many essential benefits to stream and river fish habitat (Moyle 2002, CDFG 2007). Riparian forests



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provide thermal protection, shade, and large woody debris. Large woody debris stabilizes substrate, provides shelter and cover from predators, facilitates pool establishment and maintenance, maintains spawning bed integrity, and creates habitat for aquatic invertebrate prey. Riparian areas also provide critical fish habitat in the form of off-channel and back-water winter-rearing sites and floodwater refugia (CDFG 2007). Few fishes have been more significantly impacted by loss and alteration of habitat than Pacific salmon and anadromous trout (Moyle 2002).

Riparian habitats also contribute to bank stability and provide flood protection. Riparian habitat and adjacent wetlands and floodplains are important because they store and meter floodwaters, recharge groundwater aquifers, trap sediment, filter pollution, help minimize erosion, lessen peak flow velocities, and protect against storm surges (Mitsch and Gosselink 2000, Tockner et al. 2008). In doing so, they protect adjacent upland, down-stream, and coastal properties from loss and damage during flooding and help maintain surface and groundwater during summer months.

In addition to direct habitat loss, development adjacent to a riparian zone has three principal indirect effects: 1) fragmentation of habitat into smaller, non-contiguous areas of less-functional habitat by structures, roads, driveways, yards and associated facilities; 2) the introduction or increased prevalence of exotic species or species that are habitat generalists, termed "human adapted" or "urban exploiters," and 3) decreases in native species abundance and biodiversity and the loss of "human-sensitive" species that require natural habitats (Davies et al. 2001, Hansen et al. 2005, CDFG 2007).

**Recommendation:** CDFW recommends that the Project establish and the IS/MND incorporate a larger riparian buffer zone and limit development to outside of the riparian buffer zone. CDFW is available to coordinate with the County to determine appropriate site-specific buffer riparian buffer to limit impacts to sensitive species. At a minimum, CDFW recommends a 50-foot riparian buffer as measure from the top of streambank to the nearest Project infrastructure.

## **COMMENT 2: Monarch Overwintering**

**Issue:** The IS/MND does not discuss potential impacts to monarch butterfly overwintering colonies or suitable overwintering habitat. The IS/MND states five mature eucalyptus trees and seven young saplings would be removed from the property. Eucalyptus trees provide potential overwintering habitat for monarch butterfly. CDFW is concerned about the loss of trees and host plants needed for to support the monarch butterfly life cycle. The loss of suitable overwintering habitat for monarchs could contribute to extirpation of western monarch populations. If the Project would remove trees used by over-wintering monarchs, tree planting alone is unlikely to be sufficient to mitigate impacts to a less-than-significant level.

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**Occurrences:** Known overwintering sites for monarch butterfly populations according to findings in monarch butterfly modeling from the California Natural Diversity Database (CNDDDB) and the Western Monarch Count Organization show three overwintering sites occurring within approximately one mile of the Project. The sites are designated with the following Xerces Site ID's: Site 1 #2986 (36.97970, -121.93096), Site 2 #2985 (36.97633, -121.94386), and Site 3 #2984 (36.97846, -121.95750) (<https://www.westernmonarchcount.org/find-an-overwintering-site-near-you/>).

**Evidence the impact would be significant:** Data gathered from the Western Monarch Thanksgiving Count since 1997 shows that western overwintering monarchs have an average decline rate of 5% per year (Crone 2023). The decrease in western monarch butterflies may be due to the loss of overwintering habitat and loss of its host plant (milkweed) (Pelton et al. 2019). According to the Xerces Society, "Western monarchs use the same sites each year, even the same trees, and need intact overwintering habitat, which provides a very specific microclimate and protection from winter storms," (Xerces Society, 2020). Xerces Society also states, "The decades-long decline is due in large part to threats such as habitat loss at the overwintering sites and breeding grounds, exposure to pesticides, and the compounding effects of climate change" (Howard and Pelton 2023).

**Recommended Measure 1: Protect, Manage, Enhance and Restore Monarch Butterfly Overwintering Sites:** A qualified biologist shall conduct a monarch feeding, breeding and/or over-wintering habitat assessment(s) and include the results of the assessment in the IS/MND. If monarch habitat occurs within the Project site, CDFW recommends some or a combination of the measures below for the Project.

Avoid the removal of trees or shrubs within a half mile of overwintering groves, except for specific grove management purposes, and/or for human health and safety concerns. The maintenance of trees and shrubs within a half mile of these sites provides a buffer to preserve the microclimate conditions of the winter habitat.

Conduct management activities such as tree trimming, mowing, burning and grazing in monarch overwintering habitat in coordination with a monarch biologist and outside of the estimated timeframe March 16-September 14 when monarchs are likely present.

Enhance native, insecticide-free nectar sources by planting fall/winter blooming forbs or shrubs within overwintering groves and within one mile of the groves ([https://xerces.org/sites/default/files/publications/18-003\\_02\\_Monarch-NectarPlant-Lists-FS\\_web%20-%20Jessa%20Kay%20Cruz.pdf](https://xerces.org/sites/default/files/publications/18-003_02_Monarch-NectarPlant-Lists-FS_web%20-%20Jessa%20Kay%20Cruz.pdf)).

Avoid the use of pesticides within one mile of overwintering groves, particularly when monarchs may be present. If pesticides are used, then conduct applications from March 16-September 14, when possible. Avoid the use of neonicotinoids or other

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systemic insecticides, including coated seeds, any time of the year in monarch habitat due to their ecosystem persistence, systemic nature, and toxicity. Avoid the use of soil fumigants.

Consider non-chemical weed control techniques, when possible (<https://www.cal-ipc.org/resources/library/publications/non-chem/>). Remove tropical milkweed that is detected, and replace it with native, insecticide-free nectar plants suitable for the location ([https://xerces.org/sites/default/files/publications/18-003\\_02\\_Monarch-NectarPlant-Lists-FS\\_web%20-%20Jessa%20Kay%20Cruz.pdf](https://xerces.org/sites/default/files/publications/18-003_02_Monarch-NectarPlant-Lists-FS_web%20-%20Jessa%20Kay%20Cruz.pdf)).

To assist in maintaining normal migration behavior, do not plant any type of milkweed within five miles of the coast from Mendocino County south through Santa Barbara County, and within one mile of the coast south of Santa Barbara County, unless the species of milkweed is native to the local area. Conduct grove monitoring for butterflies during the Western Monarch Counts each fall and winter. When possible, report when monarchs arrive and depart the groves each year (<https://www.westernmonarchcount.org/>).

### **COMMENT 3: Tree Removal**

**Issue:** The IS/MND states that one large diameter oak tree would be removed but does not include the diameter at breast height (dbh) of the tree planned for removal. This information is needed for CDFW to assess the impact of the activity to fish and wildlife resources and evaluate the proposed tree planting mitigation. Planted oak trees would take many years to get to a size that could provide the same ecological benefits that large mature trees provide. Removal of a large mature tree without adequate mitigation should be considered a substantial adverse change in the physical conditions within the area affected by the Project.

**Evidence the impact would be significant:** Oak woodlands provide food and habitat to a variety of wildlife including birds, insects, mammals, reptiles, amphibians, and native understory plants and support some of the richest species abundance in California (Zaveleta et al. 2007, CalPIF 2002). Large mature trees (e.g., native oak tree that is greater than 15 inches in diameter) are of particular importance due to increased biological values such as providing nesting bird habitat and bat roost habitat. Loss of large mature native oaks has the potential to result in significant impacts for these reasons.

**Recommendation:** CDFW recommends the updated IS/MND include the dbh size of the tree planned for removal. If the oak is a large mature tree, CDFW recommends the Project avoid its removal to the greatest extent feasible. Where large diameter tree removal is unavoidable, CDFW recommends Project mitigation include in-kind preservation of mature native trees.

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#### **COMMENT 4: Nesting Bird Surveys**

**Issue:** The IS/MND proposes to implement mitigation measure BIO-1, which incorrectly identifies the nesting bird period for raptor species, does not include baseline monitoring of the nest, and does not provide the qualified biologist with stop work authorization.

**Recommendation:** To evaluate and avoid potential impacts to nesting bird species, CDFW recommends incorporating the following measures into the Project's existing measure.

**Recommended Measure 2, Nesting Bird Surveys:** If Project-related work is scheduled during the nesting season (typically February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct two surveys for active nests of such birds within 14 days prior to the beginning of Project construction, with a final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding the work area are typically the following: i) 250 feet for passerines; ii) 500 feet for small raptors such as accipiters; and iii) 1,000 feet for larger raptors such as buteos. Surveys shall be conducted at the appropriate times of day and during appropriate nesting times.

**Recommended Measure 3, Active Nest Buffers:** If the qualified biologist documents active nests within the Project area or in nearby surrounding areas, a species appropriate buffer between the nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of the nest to characterize "normal" bird behavior and establish a buffer distance which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if the birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist shall have the authority to cease all construction work in the area until the young have fledged, and the nest is no longer active.

#### **COMMENT 5: Storm Drain Outfall**

**Issue:** Although the Project incorporates measures to control site run-off, it still has the potential to cause substantial alterations to a stream channel. Substantial stream channel erosion can occur from altering natural hydrology via concentrated storm run-off discharge from a new storm drain outfall. The Project states that a new storm drain outfall with energy dissipation would be installed to replace the existing 12-inch diameter corrugated metal pipe (CMP) culvert. As shown in Figure 2 in the IS/MND, the

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existing culvert drains directly onto the bank of the unnamed tributary. Impervious surfaces, stormwater systems, and storm drain outfalls such as those directly out letting into tributaries have the potential to significantly affect fish and wildlife resources by altering the hydrograph of natural streamflow patterns via concentrated run-off. In addition, storm drains that outlet directly into creeks or streams have the potential to introduce pollutants that can negatively impact fish species.

**Evidence the impact would be significant:** Urbanization (e.g., impervious surfaces, stormwater systems, storm drain outfalls) can modify natural streamflow patterns by increasing the magnitude and frequency of high flow events and storm flows (Hollis 1975, Konrad and Booth 2005). Arsenic, cadmium, chromium, lead, mercury, nickel, and zinc have been detected in higher levels in urban streambed sediments as compared to forest sites (MacCoy and Black, 1998). Acute toxicity and mortality in Coho salmon (*Oncorhynchus kisutch*) have also been tied to immediate road runoff from a compound occurring in tires, 6PPD-Quinnone (Tian, 2021).

**Recommendations to minimize significant impacts:** CDFW recommends the Project incorporate additional measures to limit storm water discharge to a stream. Storm runoff should be dispersed rather than concentrated to a stormwater outfall or other receiving waters. CDFW recommends implementation of low impact development (LID) and the use of bioswales and bioretention features to intercept storm runoff. CDFW also recommends incorporating permeable surfaces throughout the Project to allow stormwater to percolate in the ground and prevent stream hydromodification (see [https://www.usgs.gov/science/evaluating-potential-benefits-permeable-pavement-quantity-and-quality-stormwater-runoff?qt-science\\_center\\_objects=0#qt-science\\_center\\_objects](https://www.usgs.gov/science/evaluating-potential-benefits-permeable-pavement-quantity-and-quality-stormwater-runoff?qt-science_center_objects=0#qt-science_center_objects)).

## ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB online field survey form and other methods for submitting data can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plantsand-Animals>.

## FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, § 711.4; Pub. Resources

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Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

## CONCLUSION

Thank you for the opportunity to comment on the Project's IS/MND. If you have any questions regarding this letter or for further coordination with CDFW, please contact Ms. Serena Stumpf, Environmental Scientist, at (707) 337-1364 or [Serena.Stumpf@wildlife.ca.gov](mailto:Serena.Stumpf@wildlife.ca.gov); or Mr. Wesley Stokes, Senior Environmental Scientist (Supervisory), at [Wesley.Stokes@wildlife.ca.gov](mailto:Wesley.Stokes@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
662D021D81C4F7  
Erin Crappell  
Regional Manager  
Bay Delta Region

ec: State Clearinghouse # 2023010486

## REFERENCES

- Belt, G.H., and J. O'Laughlin. 1994. Buffer strip design for protecting water quality and fish habitat. *Western Journal of Applied Forestry* 9:41-45.
- Brosofske, K.D., J. Chen, R.J. Naiman, and J.F. Franklin. 1997. Harvesting effects on microclimatic gradients from small streams to uplands in western Washington. *Ecological Applications* 7:1188-1200.
- California Department of Fish and Game (CDFG). 2007. California wildlife: conservation challenges. California Department of Fish and Game, Sacramento, CA.
- CalPIF (California Partners in Flight). 2002. Version 2.0. The oak woodland bird conservation plan: a strategy for protecting and managing oak woodland habitats and associated birds in California (S. Zack, lead author). Point Reyes Bird Observatory, Stinson Beach, CA. <http://www.prbo.org/calpif/plans.html>.
- Castelle, A.J., C. Conolly, M. Emers, E.D. Metz, S. Meyer, M. Witter, S. Mauermann, T. Erickson, S.S. Cooke. 1992. Wetlands buffers use and effectiveness. Adolfson Associates, Inc., Shorelands and Coastal Zone Management Program, Washington Department of Ecology, Olympia, WA. Pub. No. 92-10.

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 Page 11

- Crone, E. 2023. The Current Status Of Western Monarch Butterflies, By The Numbers. The Xerces Society. [accessed February 7, 2023]; <https://xerces.org/blog/current-status-of-western-monarch-butterflies-by-numbers>
- Davies, K.F., C. Gascon, and C.R. Margules. 2001. Habitat fragmentation: consequences, management, and future research priorities. Pages 81-97 in: M.E. Soule and G.H. Orians, (eds.) Conservation Biology: Research Priorities for the Next Decade. Island Press, Washington, DC.
- Dawdy, D.R. 1989. Feasibility of mapping riparian forests under natural conditions in California. pages 63-68 in: Proceedings of the California Riparian Systems Conference. GTR PSW-110. Davis, CA.
- Dong, J., J. Chen, Brosfokske, K.D., and R.J. Naiman, 1998. Modeling air temperature gradients across managed small streams in western Washington. Journal of Environmental Management 53:309-321.
- Hansen, A.J., R.L. Knight, J.M. Marzluff, S. Powell, K. Brown, P.A. Gude, and K. Jones. 2005. Effects of exurban development on biodiversity patterns, mechanisms, and research needs. Ecological Applications 15:1893-1905.
- Hollis, G. 1975. The effect of urbanization on floods of different recurrence interval. Water Resources Research 11:431-435.
- Howard, I., and E. Pelton. 2023. Western Monarch Thanksgiving Count Tallies Over 330,000 Butterflies Before Storms Batter Overwintering Sites. The Xerces Society. [accessed February 7, 2023]; <https://www.xerces.org/blog/western-monarch-thanksgiving-count-tallies-over-330000-butterflies-before-storms-batter>
- Katibah, E.F. 1984. A brief history of riparian forests in the Central Valley of California. Pages 23-29 in: R.E. Warner and K.M. Hendrix (eds) California riparian systems: ecology, conservation and productive management. University of California Press, Berkeley, CA.
- Kiffney, P.M., J.S. Richardson, and J.P. Bull. 2003. Responses of periphyton and insects to experimental manipulation of riparian buffer width along forest streams. Journal of Applied Ecology 40:1060-1076.
- Konrad, C.P. and D.B. Booth. 2005. Hydrologic changes in urban streams and their ecological significance, paper presented at American Fisheries Society Symposium, American Fisheries Society
- Mayer, P.M., S.K. Reynolds, M.D. McCutchen, and T.J. Canfield. 2006. Riparian buffer width, vegetative cover, and nitrogen removal effectiveness: A review of current



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science and regulations. EPA/600/R-05/118. U.S. Environmental Protection Agency. Cincinnati, OH.

MacCoy, D.E. and R.W. Black. 1998. Organic Compounds and Trace Elements in Freshwater Streambed Sediment and Fish from the Puget Sound Basin. USGS Fact Sheet 105-98

Mitsch, W.J., and J.G. Gosselink. 2000. Wetlands, Third Edition. Wiley and Sons. New York, N.Y.

Moore, R.D., D.L. Spittlehouse, and A. Story. 2005. Riparian microclimate and stream temperature response to forest harvesting: a review. Journal of the American Water Resources Association 41:813-834.

Moyle P.B. (2002). Inland fishes of California. University of California Press. Berkeley, CA.

Pelton, E.M., Schultz C.B., Jepsen S.J., Black S.H. and Crone E.E. 2019. Western Monarch Population Plummet: Status, Probable Causes, and Recommended Conservation Actions. Front. Ecol. Evol. 7:258. doi: 10.3389/fevo.2019.00258

Tian, et. al., 2021. A Ubiquitous Tire Rubber-Derived Chemical Induces Acute mortality in Coho Salmon. Science, 08 Jan 2021: Vol. 371, Issue 6525, pp. 185-189

Tockner, K., S.E. Bunn, C. Gordon, R.J. Naiman, G.P. Quinn, and J.A. Stanford. 2008. Flood plains: critically threatened ecosystems. Pages 45–61 in: N. Polunin (ed.) Aquatic Ecosystems: Trends and Global Prospects. Cambridge University Press, Cambridge, U.K.

USDA. 2000. Conservation buffers to reduce pesticide losses. United States Department of Agriculture, Natural Resources Conservation Service. Washington, D.C.

Xerces Society Website 2020. <https://xerces.org/press/western-monarchbutterflypopulation-still-at-critical-level>. Accessed February 5, 2021

Zaveleta, E.S., K.B. Hulvey, and B. Fulfrost. 2007. Regional patterns of recruitment success and failure in two endemic California oaks. Diversity and Distributions 13:735-745.