County of Santa Cruz

Department of Community Development and Infrastructure

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https://cdi.santacruzcountyca.gov/

MEMORANDUM

Date: November 19, 2026

To: Santa Cruz County Planning Commission

From: Jonathan DiSalvo, CDI Senior Planner

Re: Continued Public Hearing on Application No. 241360, 3500 Paul Sweet Road, Santa Cruz

Executive Summary

This item involves consideration of a proposal to construct 105 units within a six-story multifamily building. The project includes a 32.5-percent Density Bonus in exchange for the provision of six affordable units (comprised of six Extremely Low (ELI) units). It requires approval of a Site Development Permit pursuant to SB 330 and Builder's Remedy (Gov. Code § 65589.5) and Density Bonus pursuant to Government Code Section 65915. The project site is located on the east side of Paul Sweet Road at 3500 Paul Sweet Road in Santa Cruz.

At the January 14, 2026 Planning Commission meeting, the Commission considered Application No. 241360 and took action to continue the item to a date uncertain directing staff to provide additional information and to schedule the next public hearing when the Central Fire District Marshall can attend.

The hearing was continued to March 25, 2025. However, before the public hearing could be held, the Applicant (Workbench and Sweet Developments LLC) filed a lawsuit against the County of Santa Cruz and Planning Commission on March 23, 2026. The lawsuit tolled all administrative proceedings for Application No. 241360 while the lawsuit was in process.

In its lawsuit, Workbench argued that the Project was deemed approved by operation of law because the Planning Commission did not approve or disapprove it within 60 days of staff's preliminary determination that the Project was exempt from the California Environmental Quality Act ("CEQA.") The County argued that this was an incorrect reading of the law and that no CEQA determination had been made yet. The Court held that the Project was not deemed approved by operation of law.

The Court found that staff *could* make a CEQA determination, and made an unequivocal CEQA exemption determination in its January 14, 2026 staff report. It held that the sixty-day deadline to approve or disapprove the Project would run from the date of the Court's order (October 13, 2026). Accordingly, if the Project is not approved or disapproved by December 12, 2026, the Project could be deemed approved by operation of law. Workbench has appealed the Court's decision.

Discussion

1. *The Planning Commission requested to hear from the Central Fire Marshall to explain the fire standards that apply to the hose pull diagram as presented, explain standards, and identify any revisions necessary to the diagram that would reflect those standards.*

   Response:

   CDI has invited Central Fire District staff to attend the Planning Commission hearing scheduled for November 19, 2026.

   The Central Fire District has also provided an updated review letter and revised Conditions of Approval for Application No. 241360, included as Attachment A. In this updated review, Central Fire requests additional Conditions of Approval to ensure the project complies with the California Fire Code and the District's standard practices. The project's Conditions of Approval have been updated accordingly to incorporate these new requirements.

2. *The Planning Commission requested that staff quantify the direct impact to travel times for ambulances destined to Dominican Hospital from the project, considering impacts from increased traffic and parking from the project on ingress and egress, with information provided in coordination with Dominican Hospital regarding traffic impacts to public health and safety.*

   Response:

   As described in the Planning Commission Staff Report for the January 14, 2026 hearing, the Applicant submitted a Traffic Impact Analysis prepared by Linscott, Law & Greenspan Engineers (dated May 16, 2025). The analysis concludes that the key study intersection, Paul Sweet Road/Highway 1 Westbound Ramps at Soquel Drive, will continue to operate at an acceptable Level of Service (LOS) in the 2045 horizon year with project-generated traffic. The minimum acceptable LOS for this intersection is LOS D, and the intersection is projected to continue operating at LOS D with project traffic. Therefore, consistent with General Plan Policy AM 6.2.1, the project is expected to result in a less than significant impact on vehicular travel times.

   In response to concerns regarding potential delays to emergency vehicles accessing Dominican Hospital, staff provides the following information:

   - The primary hospital entrance at Soquel Drive and Hospital Drive is equipped with an upgraded traffic signal system that incorporates emergency vehicle signal preemption. This system grants emergency vehicles priority control of the signal, supplementing the use of lights and sirens to ensure rapid and unimpeded access.

   - State law requires motorists to yield to emergency vehicles by pulling to the right and stopping when lights and sirens are activated. This includes proceeding through an intersection, if necessary, before pulling to the right. These operational requirements are designed to maintain emergency response times even under increased traffic conditions.

   These features and established roadway protocols support the conclusion that the project would not create significant delays to emergency vehicle access to Dominican Hospital.

3. *The Planning Commission requested that staff create an on-street parking plan on Paul Sweet Road to mitigate parking overflow impacts to Dominican Hospital and Dominican Oaks patients, residents, and staff, including a draft ordinance for code changes.*

   Response:

   CDI Public Works staff have agreed to lift the existing on-street parking restriction on Paul Sweet Road, which prohibits parking between midnight and 6:00 a.m. Removal of this restriction will expand available on-street parking and help mitigate potential overflow parking impacts to Dominican Hospital and Dominican Oaks. No ordinance amendment is required, as lifting the restriction can be completed administratively. Staff estimate that removing the restriction and taking down the associated signage will take approximately six months to complete.

4. *The Planning Commission requested that staff identify an independent engineer to review sewer infrastructure or provide in-house review of diagrams so there is no uncertainty regarding sewer infrastructure to serve the project.*

   Response:

   CDI Public Works staff have prepared a technical narrative outlining existing sewer capacity, current system configuration, and the recorded sewer easement that provides legal access for service to the project site. This narrative is included as Attachment B. Based on this analysis, staff have determined that the existing infrastructure is sufficient to serve the project. Because this review was completed in-house by qualified Public Works engineering staff, identifying an additional independent engineer is not necessary at this time.

   A new Condition of Approval (II.E.1) has been added requiring the applicant to demonstrate that all structures remain outside the existing five-foot public sewer easement along the southeast property line. As amended, Conditions of Approval II.E.1–8 require the applicant to comply with all Santa Cruz County Sanitation District requirements and Design Criteria prior to issuance of building permits.

5. *The Planning Commission requested that staff provide a review, analysis, and discussion of Federal Disability Law – Title III of the American Disabilities Act (ADA).*

   Response:

   The proposed project is required to comply with all applicable ADA provisions, including the accessibility requirements established under Title III, which governs public accommodations and commercial facilities. As part of the preliminary discretionary review for Application No. 241360, CDI Building Section staff conducted a feasibility level accessibility assessment to identify major site and building elements requiring ADA compliance.

   Condition of Approval I.B. requires the applicant to obtain a Building Permit from the Santa Cruz County Building Official, and Condition of Approval II.B.6. requires that all Building Permit submittals include detailed accessibility plans demonstrating full compliance with federal and state accessibility standards. These standards include ADA Title III, the 2010 ADA Standards for Accessible Design, and the California Building Code accessibility provisions, which in some cases are more stringent.

As conditioned, the project will be required to meet all federal and state accessibility laws and regulations through the Building Permit review and inspection process.

6. *The Planning Commission requested that staff add construction conditions considering construction parking and traffic.*

Response:

The Planning Commission Staff Report for the January 14, 2026 hearing contained the following construction-related Conditions of Approval (III):

III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

A. 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. To minimize noise, dust and nuisance impacts to surrounding properties during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:

1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless the Building Official has in advance authorized a temporary exception to this time restriction to construction activities to occur outside of those hours; and

2. Perform dust reduction measures consistent with the Monterey Bay Area Air Resources District's basic control measures

3. The Applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

Per the request of the Planning Commission, staff recommends the following conditions be added for conditions of approval relating to construction staging, parking, and traffic management, as Condition of Approval II.U.1.-6.:

U. Prior to issuance of any Building Permit, the applicant shall submit a Construction Staging, Parking, and Traffic Management Plan for review and approval by the Planning Division and the Public Works Division. The plan shall address, at a minimum, the following requirements:

1. The project contractor shall identify and secure a construction staging area and

shall submit a completed Construction Staging Area Notification Form to the CDI Public Works Encroachment Section for review and approval. No staging activities shall begin until the form is approved.

2. It is the project applicant's and project contractor's responsibility to secure a construction staging area outside of the right-of-way for the purposes of storing material, equipment, and other items necessary for the construction of the project.

3. Staging area must be in conformance with all County land use and zoning regulations.

4. Staging in areas zoned as Residential is prohibited. Staging in areas zoned as Non-Residential requires a temporary use permit through the CDI Planning Division.

5. Incorporate best management practices such as surfacing the ingress and egress to the construction staging area with gravel, compacted base rock material or other measures to prevent tracking or deposition of mud, dirt, dust and debris onto the public right-of-way or outside of the staging area. Submit details of the proposed ingress/egress improvements to the DPW Engineer prior to use of said construction staging area. During the course of the work and prior to the end of each work day, clean all tracked materials from the public right of way to the satisfaction of the Engineer.

6. Staging areas must be included in the Water Pollution Control Program or Storm Water Pollution Prevention Plan and follow Water Pollution Control practices of the approved project design.

7. *The Planning Commission requested Helipad Federal Aviation Administration (FAA) compliance information.*

Response:

As noted in the Planning Commission Staff Report for the January 14, 2026, public hearing, the project site is located near the Dominican Hospital heliport. To ensure compliance with all applicable FAA requirements, Condition of Approval I.F. requires the applicant to notify the FAA prior to any construction or alteration associated with the approved project. This includes filing FAA Form 7460-1 in accordance with all applicable Federal Aviation Regulations. The completed Form 7460-1 must be included with all Building Permit applications for any construction or alteration.

Condition of Approval I.F.:

> "To ensure conformance with the Federal Aviation Administration (FAA) regulations, the FAA shall be notified in advance of any construction or alteration of the approved project as required by the Federal Aviation Regulations, including filing of the FAA Form 7460-1 in accordance with all its requirements. FAA Form 7460-1 shall be included with all Building Permit Applications for construction or alteration of the building."

Filing Form 7460-1[1] is necessary for FAA review and determination, prior to construction and submitting for building permits. The project remains subject to all applicable federal aviation safety regulations. In summary, upon submission of Form 7460-1, the FAA reviews the proposed development for any obstacle to aviation, as well as confirming that the submission meets regulatory triggers, and after its analysis, issues either a "no hazard" determination or "presumed hazard". Conditions / Mitigations will be included in the ultimate determination by the FAA. This determination is the purview of the FAA and not the County.

8. *The Planning Commission requested that staff produce an evacuation plan for project residents and Dominican Oaks, with requested coordination with Dominican Hospital and Dominican Oaks, in coordination with Office of Response, Recovery & Resilience (OR3).*

Response:

CDI staff consulted with the Sheriff's Office and the Office of Response, Recovery & Resilience (OR3) regarding the Planning Commission's request for an evacuation plan for the proposed 105-unit project at 3500 Paul Sweet Road and the existing Dominican Oaks facility.

The Sheriff's Office confirmed that evacuations for this area are managed through the County's established evacuation zone system. The project site and Dominican Oaks are both located within Evacuation Zone CTL-E013, which is part of the County's coordinated, all-hazards evacuation framework developed jointly by the Sheriff's Office, Central Fire, and OR3. Under this system, the County does not prepare evacuation plans for individual private facilities. Instead, evacuation actions are tailored to real-time conditions during an incident.

Facilities are encouraged to maintain their own internal emergency procedures. Dominican Oaks has already developed internal plans for managing residents during emergencies. OR3 staff can review existing or proposed facility-level plans for completeness, but the County does not author facility-specific evacuation plans.

Both the Sheriff's Office and OR3 are available to participate in further discussions, as needed.

9. *Provide a plan detail that shows the full width of the street proposed as secondary fire access within the Dominican Oaks property.*

Response:

The applicant has indicated that no additional project materials will be submitted at this time; therefore, a site plan identifying the full width of the internal roadway on the Dominican Oaks property was not provided. CDI staff reviewed previously approved permits for the existing Dominican Oaks residential facility, including Use Permit No. 85664RDP. Based on these permit records, the internal access roadway within the Dominican Oaks property was constructed in conformance with the applicable codes in effect at the time, including the Fire Code, and provides an access roadway width of 24 feet in conformance with Use Permit No. 85664RDP Condition of Approval No. 1..b.1). Per a Central Fire District memorandum in the project file dated August 5, 1985 pertaining to Use Permit No. 85664RDP, the recommended minimum width for access roads was 24 feet, and the minimum width for fire lanes was 14 feet in width.

[1] https://www.faa.gov/documentLibrary/media/Form/FAA_7460-1.pdf

Conclusion

Per the direction provided by the Planning Commission at its January 14, 2026 hearing, CDI staff have prepared responses to each of the Commission's requests for additional information, as detailed above.

An updated set of Conditions of Approval have been provided as Attachment C.

Staff therefore recommends that the Planning Commission take the following actions:

- Certify that the Project is exempt from further Environmental Review under the California Environmental Quality Act and direct staff to issue a Notice of Exemption.

- Deny concession request in-part for the requested reduction in the number of required parking spaces to zero spaces, instead grant a concession reducing the number of required vehicle parking spaces to 68 spaces.

- Deny waiver request in-part to reduce the number of parking spaces below what is required by State Density Bonus Law, as the project shall instead utilize a concession to reduce the number of required parking spaces; however, grant the waiver for all other County parking standards.

- Grant remaining concession and waiver requests.

- Approve Application Number 241360, based on the findings and conditions as modified herein and contained in the January 14, 2026 Planning Commission staff report.

Central Fire District of Santa Cruz County
COMMUNITY RISK REDUCTION DIVISION
930 17th Avenue Santa Cruz Ca 95062
(831) 685-6698

Date: March 18, 2026

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Santa Cruz, CA 95060
E-mail: Jonathan.DiSalvo@santacruzcountyca.gov

Project Address: 3500 Paul Sweet Road, Santa Cruz, CA
Owner: Sweet Developments LLC.
Applicant: Clay Toombs for Workbench
Subject: Conditions of Approval for 105-unit Multi-Family Housing Development
APN: 025-013-37
Permit/Eplan: Disc. 241360 (PC3)

The Central Fire Protection District previously issued a letter dated December 22, 2025, stating that the Workbench Project, located at 3500 Paul Sweet Road, Santa Cruz, CA ("Project"), met the applicable fire requirements. This determination was based on the assumption that, pursuant to the California Fire Code (CFC) requirements and the standard practices and procedures of the Central Fire Protection District, the Project developer had, or was in the process of executing, some formal agreement that ensured that Central Fire has unrestricted access of the private property for the use of the private road for fire access and private fire hydrant located on the neighboring Dominican Oaks property for the purposes of firefighting and providing emergency services for this Project.

Since issuance of the December 22, 2025 letter, Central Fire has become aware of public comments submitted by Dominican Oaks representatives for the Santa Cruz County Planning Commission hearing for the Project on January 14, 2026. The comments submitted by Dominican Oaks representatives indicated their concerns regarding lack of "formal agreements, easements, or legal assurances" for the Project's proposed use of private roadway located on Dominican Oaks property for fire access that would "guarantee uninterrupted and perpetual access [of private property] for emergency services" and that private use of property would not impede the emergency response times for this Project. Public comments also raised concerns regarding hose-pull requirements and the fire flow capacity of the hydrants proposed for the Project. As a result of these comments and concerns, Central Fire provides the following notes regarding fire-flow calculations and requests that certain conditions of approval be added for the Project. These conditions are intended to ensure the Project complies with the California Fire Code (as adopted and amended by Central Fire) and with Central Fire's standard practices and procedures.

At the Planning Commission hearing, some commenters and the Planning Commissioners raised questions about the fire-flow calculation for the Project's fire hydrants. The Project must be served by at least one hydrant capable of supplying a minimum of 1,000 gallons per minute (gpm). Central Fire used the California State Fire Marshal (CSFM) Code Interpretation 11-015 (dated 12/19/11) to guide the required fire-flow calculation for mixed-construction buildings, as proposed for this project. Per that interpretation, required fire flow for mixed construction is determined by weighting the required flows for each construction type by the percentage of building area in that type.

Based on the Project Plans (Sheet GP0.02), the building is approximately 22.9% Type IA (garage) and 77.1% Type IIIA, with Type IA area of 21,776 square feet and Type IIIA area of 70,041 square feet. Using CFC Table BB105.1, the required flow for the Type IA portion is 3,250 gpm and for the Type IIIA portion is 4,250 gpm, yielding a weighted required fire flow of 4,021 gpm. Per CFC Table BB105.2, required fire flow for this project is 25% of 4,021 gpm (1,005.25 gpm). Further, as per CFC Table BB105.2, a minimum required fire flow of 1,000 gpm is required for NFPA 13 fire sprinkler systems (see CFC section 903.3.1.1), and the Project Plans for this project shows that NFPA 13 fire sprinkler system would be provided for this Project (see Sheet GP0.02). Therefore, the project's required hydrant flow is 1,000 gpm, and per CFC Table CC 105.1, a minimum of one hydrant is required for that flow.[1]

To address remaining issues and concerns, the Central Fire Protection District requests that the following conditions now be added to ensure the Project remains compliant with the CFC and with Central Fire's standard practices and procedures.

1. The Project shall comply with the CFC Requirements as amended and adopted by the Central Fire Protection District and as per the standard practice and procedures of the Central Fire Protection District. These include:

   a. A fire hydrant capable of producing a minimum of 1,000 gallons per minute measured at 20 psi residual pressure shall be installed within a maximum of 100 feet from the fire department connection serving the fire sprinkler and fire standpipe systems. Location of the fire hydrant shall not be located in a position or location that will impede traffic on Paul Sweet Road or the singular entrance/exit to the adjoining property of Dominican Oaks. Section 507 and Appendix B of the CFC and section 507.3 of the local amendments (Ordinance 2023-01)

   b. Fire hydrant shall be installed to the standards of the City of Santa Cruz Water Department.

   c. Fire sprinkler/standpipe backflow assembly shall be installed to the standards of the City of Santa Cruz Water Department.

   d. Fire department connection shall be located on the fire service backflow assembly. CFC Sections 912 and 903.3.7 of the local amendments (Ordinance 2023-01)

   e. Fire service backflow assembly shall be located no further than 25 feet from edge of pavement.

   f. An approved fire apparatus access roads shall be provided for every facility, building, or portion of a building proposed for the Project. The fire apparatus access road shall comply with the requirements of CFC §503, §503.1.1; §503.2.1, §503.2.2, §503.2.3, §503.2.4, §503.2.5 and §503.3. Fire apparatus access road shall extend to within 150 feet (45 720 mm) of all portions of a structure and all portions of the exterior walls of the first story of the building of the Project as measured by an approved route around the exterior of the building.

   g. Prior to building or demolition permit review and approval, in accordance with CFC Section C104.1 and standard practices and procedures of the Central Fire Protection District regarding access roads,[2] the Project developer shall provide evidence that Central Fire has unimpeded legal access to

[1] As per the fire flow test report provided by City of Santa Cruz Water Department, for the current hydrant located at the intersection of Paul Sweet Road and Chaminade Lane, meets these fire flow requirements; but as indicated in Condition 1(a) in this letter, the fire hydrant must be within a maximum of 100 feet from the fire department connection serving the fire sprinkler and fire standpipe systems.

[2] FPB-59, Central Fire Protection District's Standard Details and Specifications for Access Road Requirements, has been in effect since October 13, 2023, and was in effect when the Workbench Project application was deemed complete by the County of Santa Cruz in April 2024 (available at: https://centralfiresc.org/DocumentCenter/View/256/FPB-59-Access-Road-Requirements-PDF?bidId=). Under FPB-59, prior to permit approval—or as a condition of approval—"[a]ccess for any new dwelling unit or other structure used for human occupancy . . . on an existing parcel of record shall be in the duly recorded form of a deeded access or an access recognized by court order." It further required that "[t]o ensure maintenance of private access roads, driveways, turnarounds, gates, and bridges, the owner(s) of parcels where new development is proposed shall participate in an existing road maintenance group. For those without an existing agreement, the formation of such an agreement shall be required."

Attachment A

fire apparatus access road (if located on a private property) and any private water system and fire hydrants for firefighting purposes for this Project, if any private roads and infrastructure are relied upon. The Project developer shall also provide evidence of maintenance agreements needed to maintain the private access roads, driveways, turnarounds, gates, etc. being proposed for use by this Project as per the standard practices and procedures of the Central Fire Protection District.

h. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible building materials arrive on the site, on commencement of vertical combustible construction and on installation of a standpipe system in buildings under construction, in accordance with CFC Sections 3313.2 through 3313.5.

i. When combustible building materials of the building under construction are delivered to a site, a minimum fire flow of 500 gallons per minute (1893 L/m) shall be provided. The fire hydrant used to provide this fire-flow supply shall be within 500 feet (152 m) of the combustible building materials, as measured along an approved fire apparatus access lane. Where the site configuration is such that one fire hydrant cannot be located within 500 feet (152 m) of all combustible building materials, additional fire hydrants shall be required to provide coverage in accordance with CFC Section 3313.

j. Prior to commencement of vertical construction of Type III, IV or V buildings that utilize any combustible building materials, the fire flow required by CFC Sections 3313.3.1 through 3313.3.3 shall be provided, accompanied by fire hydrants in sufficient quantity to deliver the required fire flow and proper coverage.

k. Project requires standpipes per CFC Section 905.3.1. Not less than one standpipe shall be provided for use during construction. Standpipes shall be installed prior to construction exceeding 40 feet (12 192 mm) in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways. As construction progresses, standpipe shall be extended to within one floor of the highest point of construction having secured decking or flooring. A water supply providing a minimum flow of 500 gallons per minute (1893 L/m) shall be provided. The fire hydrant used for this water supply shall be located within 100 feet (30 480 mm) of the fire department connection supplying the standpipe.

Overall, Central Fire Protection District believes that in light of the concerns raised by the public and Dominican Oaks representatives, compliance with the above-mentioned conditions of approval is required for the Project to meet the CFC requirements and the standard practices and procedures of the Central Fire Protection District, and to be considered adequate for firefighting purposes.

If you should have any questions regarding the plan check comments, please email me at erin.collins@centralfirsc.org. All other inquires may be directed to Central Fire Districts Community Risk Reduction Division at (831) 685-6698.

FPB-59 was recently rescinded when Central Fire adopted the 2025 California Fire Code on November 13 to ensure compliance with current standards. However, Central Fire continues to use FPB-59 as guidance for access road requirements—particularly regarding access deeds and maintenance agreements for private roads—where the 2025 California Fire Code does not clearly address these issues.

Attachment A

Sewer Service Availability
3500 Paul Sweet Rd, APN 02501337
03-12-2026

Sewer service is available for the subject proposed development at 3500 Paul Sweet Rd. There is an existing County Sanitation sewer main that straddles the property line between 3500 Paul Sweet Rd. and the neighboring parcel to the East (APN 02501334, Dominican Oaks Property). The existing public sewer main lies within a 10' public utility easement, 5' of which are on the subject parcel. A sewer availability letter has been provided to the applicant indicating that sewer service is available at this existing public sewer main.

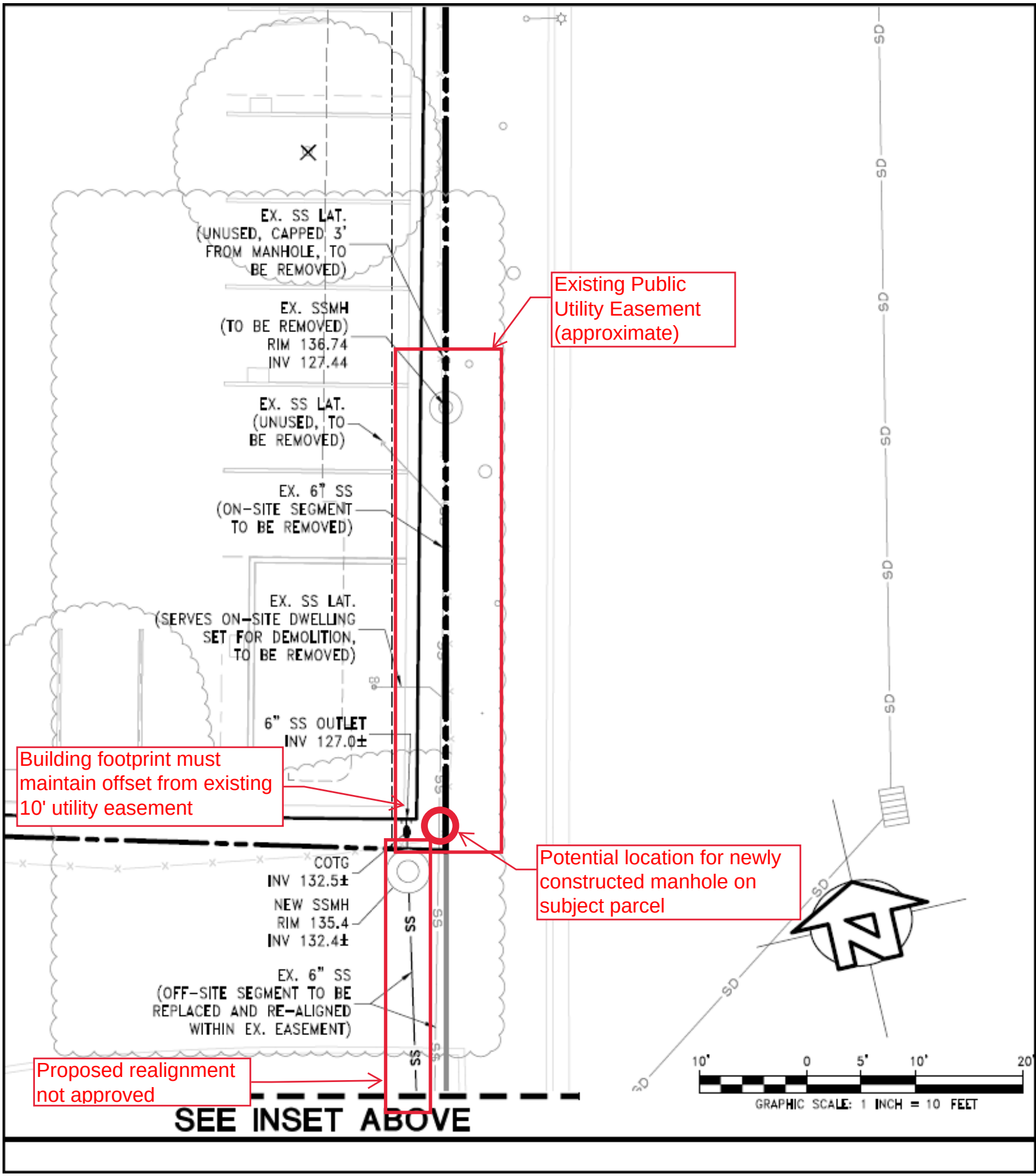
The applicant's submitted plans have to date shown the footprint of their structure encroaching into the Sanitation District's existing public utility easement. The structure needs to be moved to remain outside the 5' public sewer easement along the southeast property line.

The applicant has proposed several re-alignments to the existing public sewer main. None of the proposed re-alignments have been approved at this time. A title report detailing the existing easement on the subject property has been provided. However, a title report for the neighboring property (Dominican Oaks Property) has been requested but not provided at this time. Details of the easement on the neighboring parcel are required to fully evaluate modifications to the public sewer main as the easement straddles both parcels. Any construction on the existing sewer main such as installing a new manhole would require construction on the neighboring parcel. The District would typically be required to obtain a temporary construction easement in order to modify the existing sewer main. Obtaining a TCE may be difficult in this case depending on the neighbor's view of the proposed development.

The applicant's proposal to install a new manhole entirely off their property has been denied. *If* modification of the existing sewer main is approved, the most likely configuration to be approved by the Sanitation District would involve installing a new manhole at the subject property's southeast corner. Unnecessary portions of the remaining existing public utility easement to the north could be abandoned. The southeast corner of the proposed development would still need to be modified or relocated to maintain sufficient offset from the public sewer main. See exhibit 1 below for potential configuration (assuming rights on the Dominican Oaks Property are confirmed).

Attachment B

EXHIBIT 1



Attachment B

Conditions of Approval

Exhibit D: Project plans, prepared by Workbench, dated May 15, 2025.

I. This permit authorizes the construction of a multifamily building as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

A. Sign, date, and return to Santa Cruz County Planning one copy of the approval to indicate acceptance and agreement with the conditions thereof.

B. Obtain a Building Permit from the Santa Cruz County Building Official.

1. Any outstanding balance due to Santa Cruz County Planning 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.

C. Obtain a Grading Permit from the Santa Cruz County Building Official.

D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.

E. In conformance with Public Resources Code Section 21080.66, complete and provide a phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code.

F. To ensure conformance with the Federal Aviation Administration (FAA) regulations, the FAA shall be notified in advance of any construction or alteration of the approved project as required by the Federal Aviation Regulations, including filing of the FAA Form 7460-1 in accordance with all its requirements. FAA Form 7460-1 shall be included with all Building Permit Applications for construction or alteration of the building.

II. Prior to issuance of a Building Permit the applicant/owner shall:

A. Fees shall be paid prior to obtaining a building permit, however, if fees are deferred pursuant to Government Code Section 66007(d)(3), property owner shall enter into a fee deferral agreement with the County, which shall be recorded.

B. Submit final architectural plans for review and approval by Santa Cruz County Planning. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with Santa Cruz County Planning. 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

Attachment C

labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:

1. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.

2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Santa Cruz County Planning review and approval.

3. Grading, drainage, and erosion control plans.

4. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum number of stories is six stories.

5. Details showing compliance with fire department requirements. The Project shall comply with the CFC Requirements as amended and adopted by the Central Fire Protection District and as per the standard practice and procedures of the Central Fire Protection District. These include:

    a. A fire hydrant capable of producing a minimum of 1,000 gallons per minute measured at 20 psi residual pressure shall be installed within a maximum of 100 feet from the fire department connection serving the fire sprinkler and fire standpipe systems. Location of the fire hydrant shall not be located in a position or location that will impede traffic on Paul Sweet Road or the singular entrance/exit to the adjoining property of Dominican Oaks. Section 507 and Appendix B of the CFC and section 507.3 of the local amendments (Ordinance 2023-01)

    b. Fire hydrant shall be installed to the standards of the City of Santa Cruz Water Department.

    c. Fire sprinkler/standpipe backflow assembly shall be installed to the standards of the City of Santa Cruz Water Department.

    d. Fire department connection shall be located on the fire service backflow assembly. CFC Sections 912 and 903.3.7 of the local amendments (Ordinance 2023-01)

Attachment C

e. Fire service backflow assembly shall be located no further than 25 feet from edge of pavement.

f. An approved fire apparatus access roads shall be provided for every facility, building, or portion of a building proposed for the Project. The fire apparatus access road shall comply with the requirements of CFC §503, §503.1.1; §503.2.1, §503.2.2, §503.2.3, §503.2.4, §503.2.5 and §503.3. Fire apparatus access road shall extend to within 150 feet (45 720 mm) of all portions of a structure and all portions of the exterior walls of the first story of the building of the Project as measured by an approved route around the exterior of the building.

g. Prior to building or demolition permit review and approval, in accordance with CFC Section C104.1 and standard practices and procedures of the Central Fire Protection District regarding access roads,2 the Project developer shall provide evidence that Central Fire has unimpeded legal access to fire apparatus access road (if located on a private property) and any private water system and fire hydrants for firefighting purposes for this Project, if any private roads and infrastructure are relied upon. The Project developer shall also provide evidence of maintenance agreements needed to maintain the private access roads, driveways, turnarounds, gates, etc. being proposed for use by this Project as per the standard practices and procedures of the Central Fire Protection District.

h. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible building materials arrive on the site, on commencement of vertical combustible construction and on installation of a standpipe system in buildings under construction, in accordance with CFC Sections 3313.2 through 3313.5.

i. When combustible building materials of the building under construction are delivered to a site, a minimum fire flow of 500 gallons per minute (1893 L/m) shall be provided. The fire hydrant used to provide this fire-flow supply shall be within 500 feet (152 m) of the combustible building materials, as measured along an approved fire apparatus access lane. Where the site configuration is such that one fire hydrant cannot be located within 500 feet (152 m) of all combustible building materials, additional fire hydrants shall be required to provide coverage in accordance with CFC Section 3313.

j. Prior to commencement of vertical construction of Type III, IV or V buildings that utilize any combustible building materials, the fire flow required by CFC Sections 3313.3.1 through 3313.3.3 shall be provided, accompanied by fire hydrants in sufficient quantity to

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deliver the required fire flow and proper coverage.

k. Project requires standpipes per CFC Section 905.3.1. Not less than one standpipe shall be provided for use during construction. Standpipes shall be installed prior to construction exceeding 40 feet (12 192 mm) in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways. As construction progresses, standpipe shall be extended to within one floor of the highest point of construction having secured decking or flooring. A water supply providing a minimum flow of 500 gallons per minute (1893 L/m) shall be provided. The fire hydrant used for this water supply shall be located within 100 feet (30 480 mm) of the fire department connection supplying the standpipe.

6. Details showing compliance with Accessibility (ADA) requirements.

7. Final plans shall include a lighting plan meeting the following standards:

a. All site, building, security, and landscape lighting shall be directed onto the site and away from adjacent properties, so as not to cause annoying glare or illumination. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design.

b. All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards shall not exceed a maximum height of 15 feet.

c. Area lighting shall be consistent with California Green Building Standards Code and California Energy Code for outdoor lighting requirements

C. Meet all requirements of the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area. The rate on April 22, 2024, was $1.57 per square foot. At a minimum, with regards to Stormwater Management review, the following items shall be included with the building permit application:

1. Final Civil Improvement Plans that address all items in the CDC Part 3 Appendix D and:

a. Plans shall include a legend and details for all proposed surfacing.

b. Plans shall show how runoff from all proposed impervious areas will be routed consistent with the final mitigation sizing and analysis.

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Show how all roof runoff will be routed to the surface of the SCMs. How will the stairways and concrete area near the NW corner be routed to the SCM for DMA-1b Show how runoff from the trench drains will be routed to the SCMs.

c. Provide a detail for the depressed landscape strip behind the sidewalk on Paul Sweet Road. Maintenance of this biofiltration area shall be covered in the SWM-25B for the project.

d. Update the plans to show how and where retaining wall backdrains will be routed. They should not be routed to SCMs or hard piped to the County road or storm drain system.

e. Provide final details, materials, specifications and methods of construction. The design and materials shall be consistent with the CDC Part 3 Section J – Storm Drain Facilities.

f. Update biofiltration detail to include a requirement for surface infiltration testing. Specify the test method and acceptable rate to be demonstrated prior to permit final.

g. Provide a legend for all of the abbreviations used for the biofiltration facility callouts. Show these callouts on the detail C3.1. Provide minimum dimensions for each biofiltration/detention planter.

h. Provide plans to include the upgrades, repair, replacement of the downstream private storm drain system as needed based on the engineer's assessment of the capacity and condition.

i. Add a note to include signage at each inlet/catch basin stating "No Dumping Drains to Bay" or equivalent.

j. Part 3 Section D.3.c: Update the plans to include all feasible Site Design and Runoff Reduction Requirements.

2. Final Stormwater Management Report: Please provide an updated report that addresses the requirements in the CDC Part 3 Appendix D and the following:

a. Due to known downstream constraints in the Arana Gulch watershed the flood control mitigation shall be sized to store the post development 25 year volume while releasing at the predevelopment 10 year rate as a minimum (if the assessment of the downstream private system shows further restrictions, mitigation sizing may need to be adjusted). While the report acknowledges this requirement, the preliminary analysis in Appendix E was based on post development 10 year volume. See CDC Part 3 Sections D.3.a.i and G.3.d.a. Provide analysis demonstrating the proposed systems

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provide adequate storage below the biofiltration cross section.

b. Update the report to include a downstream evaluation for the private portion of the storm drain system through the Santa Cruz Cemetery property from Paul Sweet Road to Arana Gulch for both capacity and condition. The master plan provided in the preliminary report did not evaluate the system through private property. See CDC Part 3 Section D.3. The applicant has opted, at their own risk, to delay providing this assessment until the building permit application stage. If the assessment results in requirements for additional offsite work (upgrades, repairs, replacements, etc.) this may necessitate an additional discretionary application.

c. Provide geotechnical review and evaluation of the feasibility of open bottom biofiltration facilities with an underdrain, but without liners/barriers consistent with CDC requirements. Update plans as necessary to be consistent with these requirements as feasible.

d. Update the report to address the feasibility of the Site Design and Runoff Reduction Measure requirements from the CDC.

3. Maintenance: A recorded stormwater management maintenance that establishes responsibility for the operation and maintenance of the stormwater facilities, source control measures, mitigation features, storm drain markings/signage, drainage patterns, and impervious area limits established with the project and which is consistent with and includes all required attachments (site plan and checklist) as specified in Part 3 Section D.3.d of CDC is required. The agreement shall identify the entity responsible for submitting the annual maintenance report and paying associated annual fees. The agreement shall include annual infiltration testing of each biofiltration surface, photos of each cleaned and intact flow control orifice as well as checklists for each stormwater mitigation and feature. An acceptable draft agreement shall be provided prior to building permit issuance. The recorded agreement shall be provided prior to building permit final – a hold will be placed on the permit for the recorded agreement.

4. Impervious area impact fees. Since the project is located in Santa Cruz County Flood Control and Water Conservation District Zones 5 impact fees based on the net increase in permitted impervious area will be assessed following the Unified Fee Schedule. The project may be eligible for fee credits for existing impervious areas previously permitted or built prior to the establishment of the flood control zone. To establish credit eligibility, documentation should be submitted with the project plans. Documentation such as assessor's records, survey records, permit records, dated aerial photographs or other official records that will help establish and determine the construction date, structure/impervious area footprint, or to confirm that a permit was previously issued is acceptable. Zones 5 was established in

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1969.

5. Public Works staff will inspect the construction of the drainage related items. Please provide an engineer's estimate for the construction of the drainage items (there is a 3% deposit for an at-cost inspection fee). A hold will be placed on the building permit for a preconstruction meeting with the Public Works Construction Inspector (please email at least 48 hours prior to construction to schedule the preconstruction meeting at DPWCMInspection@santacruzcountyca.gov). A second hold will be made for approval of the final construction by the Public Works Construction Inspector.

6. The project civil engineer is required to provide as-built civil improvement plans. The plans shall be signed and dated and all as-built changes relative to the approved plans shall be clouded.

D. Meet all requirements of the City of Santa Cruz Water Department. Proof of water service availability is required prior to application for a Building Permit.

E. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit. At a minimum, with regards to Sanitation District review, the following items shall be included with the building permit application:

1. Applicant shall revise project plans to demonstrate that all structures and improvements remain fully outside the existing 5-foot public sewer easement located along the southeast property line. No building encroachments into the public utility easement will be permitted.

2. Applicant shall work with the Sanitation District to confirm the public sewer main has been properly vacated.

3. Provide evidence of private utility easement for private service line on neighbor's property.

4. Include profiles of private sewer lines.

5. Include Santa Cruz County Design Criteria

6. Sewer connection fees shall be calculated per the most recently approved District Code/Resolution at the time of building permit application.

7. Include demolition notes on the plans that a sewer lateral abandonment permit must be acquired from the Sanitation District and completed prior to demolition of the structures.

8. Design and Construction Standards: The project sewer design and connection of the project to the Santa Cruz County Sanitation District

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system will be required to conform to the County of Santa Cruz Design Criteria (CDC) Part 4, Sanitary Sewer Design, latest edition. http://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/DESIGNCRITERIA.pdf

F. Meet all requirements of the Environmental Planning section of Santa Cruz County Planning. The following items shall be included with the building permit application.

1. A copy of the biotic approval letter dated October 15, 2025, including all attachments, shall be submitted with any future permit applications.

2. To reduce potential impacts to sensitive habitats and special-status species that may result from artificial light, the following shall be adhered to:

   a. The project shall avoid the installation of any non-essential artificial lighting.

   b. All essential outdoor lighting shall be limited through the use of timers and/or motion sensors.

   c. All essential outdoor lighting shall be shielded, cast downward, and directed such that it does not shine off the property into surrounding areas, other parcels, or the night sky.

3. Existing mature oak trees on the property and adjacent properties shall be incorporated into the project design to the maximum extent feasible. Trees to be retained shall be protected at or outside of the dripline. If work must occur within the dripline of retained trees, impacts shall be evaluated by a certified arborist and protective measures, as recommended by the arborist, shall be included in the project plans.

4. To comply with Santa Cruz County General Plan Policy ARC-3.1.6 and Santa Cruz County Code Sections 16.32.090 (B)(1), to compensate for permanent impacts to sensitive oak woodland habitat, oak trees removed or otherwise permanently impacted as a result of the project shall be compensated for through in-kind replacement plantings at a 3:1 ratio through one of the options listed below.

   a. Replacement plantings: Native trees removed for this project shall be compensated for through replacement plantings in kind either onsite or at an approved offsite location at a 3:1 ratio. This option requires: a planting plan with the species, size, and locations of all replacement plantings, information regarding the methods of irrigation for all replacement plantings, a 5-year plan for maintenance and monitoring of replacement plantings.

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b. Payment to County in-leu fee program: Native trees removed for this project shall be compensated for through payment into a County approved in-leu fee program for tree removal compensation at a 3:1 ratio if/when such a program is available. This option must be considered only as a last resort and must be approved by the Environmental Coordinator. Alternative options considered and determined infeasible must be discussed in the Habitat Mitigation Plan.

c. Offsite habitat preservation: Native trees removed for this project shall be compensated for through preservation of habitat at an offsite location approved in collaboration with the County Environmental Coordinator which includes protection in perpetuity of trees in an amount equivalent to or greater than a 3:1 ratio. This option requires: a habitat evaluation and/or arborist report of the property to be preserved with the species, size, and locations of trees intended to compensate for tree removals at a 3:1 ratio, and a conservation easement or equivalent intended to protect the property as "protected habitat" from habitat disturbance in perpetuity.

d. For any off-site locations, written property owner approval for a deed restricted habitat protection site must be provided. An agreement for ongoing access to monitor and maintain the plantings for the required monitoring period must also be included.

5. A Habitat Mitigation Plan prepared by a qualified biologist or restoration specialist must be submitted with the building permit application for review and approval by Environmental Planning Staff. The plan should be focused on identifying and outlining the strategy for complying with Condition II.F.4 above and must include the following minimum elements:

a. A table with the final post-construction permanent and temporary impact calculations, area of oak woodland permanently removed as part of the project, and final quantity of oak trees removed or otherwise permanently impacted as a result of the project.

b. A map of all designated restoration areas on site or at an off-site location required for replacement oak tree plantings including a map of all designated restoration areas on that site and a planting plan with species, size, and locations of all restoration plantings including replacement oak trees required under Condition II.F.4 above.

c. Property owner approval for a deed restricted habitat protection site must be provided for any off-site locations. An agreement for ongoing access to monitor and maintain the plantings for the required monitoring period must also be included.

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d. Information regarding the methods of irrigation for restoration plantings.

e. A 5-year Management Plan for maintenance and monitoring of restored areas, including a proposed mechanism for evaluating success.

f. The establishment and planting of all areas as outlined in this Plan must be completed prior to final inspection of the project.

g. Design Conditions. The final plans shall include a plan sheet showing the development footprint delineated with a thick bold line. The development footprint (total project impact area) encompasses the building envelope (permanent impact area; structures and paving) and all temporary disturbance associated with a project including grading, installation of utilities, access routes, deposition of refuse or debris and areas needed for creation and management of defensible space. The development footprint shall mark the limits of work within which all temporary and permanent disturbance associated with the project may occur. This plan sheet shall also include the following: (1) All trees proposed for removal shall be shown on the plans and all oak trees shall be labeled as 'oak'. (2) Native trees to be retained near or within the project impact area shall be identified on the plans and labeled for protection. (3) Tree protection specifications and measures provided by a certified arborist to reduce impacts to retained trees shall be listed. (4) A table with the final post-construction permanent and temporary impact calculations, area of oak woodland permanently removed as part of the project, and final quantity of oak trees removed or otherwise permanently impacted as a result of the project. (5) Everything outside of the development footprint shall be marked on the plans for avoidance during construction and fenced or flagged as outlined in the construction conditions below.

G. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.

H. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.

I. Pay the fees for Parks mitigation. On April 22, 2024, these fees were $3.38 per square foot for multifamily dwellings. Deed restricted lower-income affordable units in the project are exempt from this fee pursuant to the Parks fee enabling ordinance.

J. Pay the current fees Child Care mitigation. On April 22, 2024, these fees were $0.28 per square foot for multifamily dwellings. Deed restricted lower-income affordable

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units in the project are exempt from this fee pursuant to the Child Care fee enabling ordinance.

K. Meet all requirements of the Roadway Engineering Section of the Public Works Division. Including the following:

1. Pay the fees for Roadside and Transportation improvements. On April 22, 2024, these fees were, respectively, $2,100 and $2,100 per unit.

2. The project shall provide half-width improvements consisting of the following:
   a. One 11-foot-wide vehicular Travel Lane
   b. One 6-foot-wide Bike Lane (not required to stripe, however flowline shall be set to accommodate it)
   c. 6.625-foot-wide Curb and Sidewalk (0.625-foot-wide Curb and 6-foot-wide Sidewalk)
   d. One 4-foot-wide Landscape Strip.
   e. Where the existing right-of-way is not adequate to accommodate the standards listed above, the width of the landscape strip can be reduced as necessary to accommodate.

3. The civil plans submitted for the building permit shall address the following:
   a. Landscape strip at the back of sidewalk shall be graded to 2-percent maximum for 4 feet-width and then 2:1 maximum for any remainder
   b. Provide plan and profile sheets, profiles shall include existing and proposed flowline and centerline
   c. Provide cross sections every 50 feet along Paul Sweet Road along the project frontage
   d. Provide stationing along Paul Sweet Road
   e. Any proposed backflow preventers shall be installed on-site, no portion of it shall encroach within the existing right-of-way

L. Project shall provide at least six (6) units in the project deed-restricted affordable to Extremely Low-Income households (those at or below 30% AMI, as further defined by State Law and as published annually in the HCD State Income Limits table), for a term of at least 55 years.

M. All affordable units in the project shall comply with Government Code Section 65598.5(f)(6)(G)(ii): “Affordable units in the development project shall have a comparable bedroom and bathroom count as the market rate units”.

N. The project shall comply with all applicable requirements of Government Code Sections 65915 through 65918 (State Density Bonus Law), including recording a deed restriction sufficient for the County to ensure, pursuant to Government Code Section 65915(c)(1), the continued affordability of all very low and low-income rental units (including ELI units) that qualified the applicant for the award of the density bonus for 55 years or a longer period of time if required by the construction

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or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

O. The project shall comply with all applicable requirements of Government Code Section 65589.5 (Housing Accountability Act), including recording a deed restriction sufficient for the County to ensure, pursuant to Government Code Section 65589.5(h)(3)(D), the continued affordability of all extremely low income rental units that qualified the housing development as a builder's remedy project as defined at Government Code Section 65589.5(h)(11), and as housing for mixed-income households as defined at Government Code Section 65589.5(h)(3)(C).

P. The project shall comply with Health and Safety Code Section 17929, which requires that the occupants of the affordable units have the same access to common entrances, common areas, and amenities as the market-rate housing units; and that the affordable units not be isolated to a specific floor, or area of a specific floor. The project shall comply with all other applicable provisions of State and Federal law, including fair housing laws.

Q. The six affordable units shall be credited against the entire affordable impact fee due. Those units shall be identified and operated as Measure J units but shall not be subject to any of the County's local inclusionary requirements not otherwise required by State Law. Developer shall enter into and record an Affordable Housing Rent Regulatory Agreement with the County, prior to building permit issuance or recordation of a final map (if any), whichever occurs first, to restrict the project pursuant to the applicable affordability requirements of State Law.

R. Provided parking must be located entirely outside all public rights-of-way. Parking must be clearly designated on the plot plan.

S. 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.

T. Any application for conversion of non-living space within the multifamily structure to ADUs shall not be considered until certificate of occupancy is issued for the building.

U. Prior to issuance of any Building Permit, the applicant shall submit a Construction Staging, Parking, and Traffic Management Plan for review and approval by the Planning Division and the Public Works Division. The plan shall address, at a minimum, the following requirements:

1. The project contractor shall identify and secure a construction staging area and shall submit a completed Construction Staging Area Notification Form to the CDI Public Works Encroachment Section for review and approval. No staging activities shall begin until the form is approved.

2. It is the project applicant's and project contractor's responsibility to secure

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a construction staging area outside of the right-of-way for the purposes of storing material, equipment, and other items necessary for the construction of the project.

3. Staging area must be in conformance with all County land use and zoning regulations.

4. Staging in areas zoned as Residential is prohibited. Staging in areas zoned as Non-Residential requires a temporary use permit through the CDI Planning Division.

5. Incorporate best management practices such as surfacing the ingress and egress to the construction staging area with gravel, compacted base rock material or other measures to prevent tracking or deposition of mud, dirt, dust and debris onto the public right-of-way or outside of the staging area. Submit details of the proposed ingress/egress improvements to the DPW Engineer prior to use of said construction staging area. During the course of the work and prior to the end of each work day, clean all tracked materials from the public right of way to the satisfaction of the Engineer.

6. Staging areas must be included in the Water Pollution Control Program or Storm Water Pollution Prevention Plan and follow Water Pollution Control practices of the approved project design.

III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

A. 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. To minimize noise, dust and nuisance impacts to surrounding properties during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:

1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless the Building Official has in advance authorized a temporary exception to this time restriction to construction activities to occur outside of those hours; and

2. Perform dust reduction measures consistent with the Monterey Bay Area Air Resources District's basic control measures

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3. The Applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

E. Construction shall adhere to the conditions provided in the conditioned Biotic Review and Conditioned Biotic Approval letter dated October 15, 2025, and included below for reference:

1. Trees to be retained on site or on adjacent parcels shall be protected with high visibility fencing as recommended by a certified arborist and avoided during construction. All additional protection measures provided by the arborist shall be adhered to.

2. To avoid impacts to protected wildlife:

a. Tree removal and building demolition shall occur during the period of September 1st through January 31st if feasible in order to avoid the bird and bat nesting season and after bumblebee colonies have senesced on their own. If building demolition and removal of vegetation begins outside of the February 1 to August 31 breeding season, there will be no need to conduct a preconstruction survey for bumblebees or active bird nests.

b. If building demolition and removal of vegetation is to commence between February 1st and August 31st the following shall be adhered to:

i. Within two weeks prior to commencement of building demolition of removal of trees, a survey for active bird nests shall be conducted by a qualified biologist. The survey area shall include the project area, and a survey radius around the project area of 50 feet for MBTA birds and 250 feet for birds of prey.

ii. If no active nest of a bird of prey or MBTA bird is found, then no further avoidance and minimization measures are necessary.

iii. If active nest(s) of MBTA birds or birds of prey are found in the survey area, an avoidance buffer intended to prevent project-related nest abandonment shall be established around the active nest(s). The size of the buffer shall be determined by the biologist as appropriate to the species and types of work activities being completed. The biologist shall monitor the nest to ensure that nesting behavior is not negatively impacted and will advise the applicant when all young have fledged the nest.

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The project biologist shall have the authority to increase the buffer distance based on monitoring results if necessary to provide adequate protection for nesting birds. Removal of vegetation, grading activity, or other use of heavy equipment may begin after fledging is complete.

iv. If removal of vegetation, grading activity, or other use of heavy equipment stops for more than two weeks during the nesting season (February 1st - August 31st) a new survey shall be conducted prior to re-commencement of construction.

v. A survey to confirm presence/absence of bumblebee activity shall be conducted by a qualified biologist within two weeks prior to building demolition or removal of trees. If bumblebee activity indicating a potential nest site is observed, development activity that would disturb the nest, may not occur until bumblebee activity has ceased. Once bumblebee activity (bees entering and exiting the location) has ceased, development activity may proceed.

c. To avoid impacts to bats: Within two weeks prior to building demolition or removal of trees, a focused survey for bats shall be conducted by a qualified biologist. If no bats are occupying the outbuildings or tree cavities, then demolition or removal of trees may proceed. If bats are observed using the outbuildings or tree cavities, then the biologist, in coordination with CDFW, will recommend methods to either allow bats to leave the outbuildings and trees and not return (exclusion devices), or other methods specific to this demolition project to avoid harm to individual bats. Trees without cavities may have foliage roosting bats occasionally. To avoid harm to individual bats, trees shall be cut down and allowed to lie on the ground for 24 hours prior to chipping, to allow any foliage roosting bats to leave on their own.

d. To avoid impacts to San Francisco dusky-footed Woodrats: Within two weeks prior to commencement of construction, a qualified biologist shall perform a pre-construction survey for woodrat houses within the work area boundaries and a 25-foot buffer around the proposed work. Flag and establish buffers around each woodrat house observed. The buffer width will be determined by the qualified biologist, but will not be less than 5 feet. If a woodrat house is present and impacts cannot be avoided, then a qualified biologist shall contact CDFW for approval to implement a woodrat relocation plan. This could involve live trapping and the construction of alternate houses in adjacent suitable habitat. The woodrat relocation plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of woodrats. Authorization by CDFW must be obtained

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prior to the implementation of this measure. Post-relocation monitoring may be required by CDFW, as part of the plan.

3. A brief memo summarizing the results of the preconstruction surveys outlined above shall be submitted to the Environmental Coordinator for review prior to the start of construction.

F. 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.

G. Provisions to address discovery of a tribal cultural resource during construction:

1. Tribal Cultural Resources Sensitivity Training. The project sponsor, in consultation with any Cultural Resources Team if one is available, shall retain the services of an Ohlone Native American representative and/or archeological consultant from the Qualified List of Archaeological Consultants to provide cultural sensitivity and archeological awareness training to all work crews who will be involved in ground disturbing activities at the project site. The training shall inform all project contractors, subcontractors and work crew members to be on the alert for evidence of the presence of potential tribal cultural resource(s), of how to identify the evidence of such a resource(s), and of stop work, resource protection, and notification requirements in the event of suspected discovery of a tribal cultural resource by construction crew members.

2. Stop Work and Notification Upon Discovery. Should any indication of a tribal cultural resource be encountered during any soils-disturbing activity of the project, the project Head Foreperson and/or project sponsor shall immediately notify tribe and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the Cultural Monitor and a qualified archeological consultant from the Qualified Archeological Consultants List have assessed the find and the respective parties have determined whether and what additional measures should be undertaken.

3. Preservation in Place. In the event of the discovery of a tribal cultural resource, the cultural resource team (if one is present on job), the project sponsor, the archeological consultant, and the Ohlone representative shall consult to determine whether preservation in place would be feasible and effective in preserving the values represented by the resource. The archeological consultant, in consultation with the Ohlone representative, shall document the find to current professional standards. The tribe may also require that the project sponsor immediately implement a site security

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program if the resource is at risk from vandalism, looting, or other damaging actions.

a. If it is determined that preservation-in-place of the tribal cultural resource would be both feasible and effective, the archeological consultant shall prepare a Resource Preservation Plan (RPP) in consultation with the Ohlone representative, for review, which shall be implemented by the project sponsor during construction.

b. If it is determined that preservation in place would not be feasible or effective, then archeological assessment and treatment shall be implemented and in consultation with the Ohlone representative, as detailed below.

4. Archeological Treatment. If it is determined, in consultation with the Ohlone representative and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option to preserve the values represented by the resource, then the archeological consultant, in consultation with the Ohlone representative, shall conduct archeological assessment to determine the significance of the find and determine whether it retains sufficient integrity to warrant additional treatment. If the tribal cultural resource is determined to be a significant archeological resource, the archeological consultant, in consultation with the Ohlone representative, shall recommend appropriate archeological treatment to preserve the data and values of the tribal cultural resource, which may include archeological data recovery. Data recovery shall be implemented in consultation with the Ohlone representative and shall include appropriate analyses and reporting. If an archeological interpretive, monitoring, and/or testing program is required, it shall be consistent with Standard guidelines for such programs and shall be implemented immediately.

5. Human Remains and Funerary Objects. The treatment of any human remains, and funerary objects discovered during any soils disturbing activity shall comply with applicable State laws, including Section 7050.5 of the Health and Safety Code and Public Resources Code Section 5097.98. If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that ground-disturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this section. The project sponsor shall immediately notify the Medical Examiner of the County in which the job resides and the Tribe of the find. In the event of the Medical Examiner's determination that the human remains are Native American in origin, the Medical Examiner will notify the California State Native American Heritage Commission (NAHC) within 24 hours and all provisions of Public Resources Code Section 5097.98 will be followed.

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6. Interpretive Program. If it is determined, in consultation with Ohlone representative and the project sponsor, determines that preservation-in-place of the tribal cultural resource is not a sufficient or feasible option, the project sponsor, in consultation with local Native American representatives, shall prepare a Cultural Resources Public Interpretation Plan (CRPIP) to guide the interpretive program. The CRPIP shall be submitted for review and approval prior to implementation of the program. The interpretive program may but is not limited to artist installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the sponsor, and Ohlone Native American representatives, and shall include an on-site acknowledgement that the project is built on traditional Ohlone land. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. Upon approval of the CRPIP and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. The project sponsor shall work with the tribal representative to identify the scope of work by the tribal representative to fulfill the requirements of this mitigation measure, which may include participation in preparation and review of deliverables (e.g., plans, interpretive materials, artwork). Tribal representatives shall be compensated for their work as identified in the agreed upon scope of work.

IV. Operational Conditions

A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. However, the applicant is not required to indemnify, defend, or hold harmless the COUNTY in any manner with respect to an action brought by the applicant, or any other person, alleging that the COUNTY violated the applicant's rights or deprived the applicant of the benefits or protections provided by a housing reform law. 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

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

A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.

B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.

C. 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.

D. 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.

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

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

Approval Date: _____

Effective Date: _____

Expiration Date: _____

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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.

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