

## STAFF REPORT TO THE PLANNING COMMISSION

**APPLICATION NO.:** 02-0364                      **APN:** 054-102-10  
**APPLICANT:** Marmie & Diane Rockett  
**OWNER:** Marmie & Diane Rockett

**PROJECT DESCRIPTION:** Proposal to divide a 6000 square foot parcel into two townhouse lots of approximately 975 square feet each, with the remaining parcel area as common area. The parcel is currently developed with a duplex, which will be converted into two townhouse units. This is a conversion of rental units to ownership units, only. No new units will be created.

Requires a Minor Land Division and a Coastal Development Permit.

**LOCATION:** Property located on the south side of the intersection of Dolphin Drive and Penasquitas Drive. (2042 & 2044 Dolphin Drive)

**PERMITS REQUIRED:** Minor Land Division, Coastal Development Permit

**ENVIRONMENTAL DETERMINATION:** Exempt - Category 15

**COASTAL ZONE:** X Yes    o                      **APPEALABLE TO CCC:** X Yes       No

### PARCEL INFORMATION

**PARCEL SIZE:**                      6000 square feet  
**EXISTING LAND USE:**  
    **PARCEL:**                      Residential duplex  
    **SURROUNDING**              Single and multi-family residential neighborhood  
**PROJECT ACCESS:**              Dolphin Drive  
**PLANNING AREA:**              Aptos  
**LAND USE DESIGNATION:**      R-UH (Urban High Density Residential)  
**ZONING DISTRICT:**              RM- 3 (Multi Family Residential - 3000 square foot minimum)  
**SUPERVISORIAL DISTRICT:**      2

### ENVIRONMENTAL INFORMATION

a. Geologic Hazards	a. Not mapped/no physical evidence on site
b. Soils	b. N/A – Existing Structure
c. Fire Hazard	c. Not a mapped constraint
d. Slopes	d. 2-5% slopes
e. Env. Sen. Habitat	e. Not mapped/no physical evidence on site
f. Grading	f. No grading proposed
g. Tree Removal	g. No trees proposed to be removed
h. Scenic	Not a mapped resource
i. Drainage	i. Existing drainage adequate
j. Traffic	j. No new units/no existing traffic problems
k. Roads	k. Existing roads adequate

- |                       |  |
|-----------------------|--|
| l. Parks              | 1. Existing park facilities adequate       |
| m. Sewer Availability | m. Yes                                     |
| n. Water Availability | n. Yes                                     |
| o. Archeology         | o. Not mapped/no physical evidence on site |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line:  X  Yes N o

Water Supply: Soquel Creek Water District  
Sewage Disposal: Santa **Cruz** County Sanitation District  
Fire District: Aptos/La Selva Fire Protection District  
Drainage District: Zone **6** Flood Control District

### **ANALYSIS AND DISCUSSION**

The proposed project consists of the division of an existing multi-family residential duplex on one parcel into two separate townhouse parcels with a common area.

#### **Parcel Size & Developable Area**

The subject property is one single parcel of 6,000 square feet that is developed with a duplex. The division of the parcel into two separate townhouse parcels requires a minimum of 3,000 square feet of net developable land per unit. The proposed land division will comply with the minimum parcel size of the RM-3 (Multi-Family Residential – 3,000 square foot minimum) zone district.

Each existing duplex unit is currently accessed via separate driveways to Dolphin Drive. Any shared driveways would be deducted from the net developable land totals for this development. As no shared driveways are proposed as a component of this development, the net developable land total is not reduced below 6,000 square feet in this proposal.

#### **General Plan Consistency**

The subject property is designated as Urban High Density Residential (R-UH) in the General Plan. The Urban High Density Residential (R-UH) General Plan designation requires a range of 2,500 to 4,000 square feet per dwelling unit. The existing and proposed development is within the required density range at 3,000 square feet per dwelling unit.

#### **Site standards**

The existing duplex complies with all of the required site standards for the RM-3 zone district. In dividing the existing 6,000 square foot parcel into two townhouse parcels, with a common area around the perimeter, the interior setbacks are allowed to be reduced (per County Code section 13.10.323(d)1(i)). This reduction in interior setbacks will not affect or reduce the required setbacks around the periphery of the project site.

## Utilities

Water, sewer, and electrical utilities are available to the subject property and the applicant has obtained will serve letters from the service providers for the proposed new residential parcel. The existing water and sewer mains will be capable of handling the additional volume necessary to serve the proposed parcel.

## Residential Design & Neighborhood Compatibility

The duplex that is proposed to be converted to two separate townhouse units currently exists and no modifications are proposed. The surrounding neighborhood contains single family and multi-family residential development, with many duplexes and townhouse developments in the immediate area. The current and proposed architectural style is compatible with the architecture in the neighborhood and the surrounding pattern of development.

## Coastal Issues

The proposed land division is in conformance with the County's certified Local Coastal Program in that the structure is existing and is visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

## Environmental Review

Environmental Review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for this exemption due to the fact that the proposed parcels are located within the Urban Services line, will be served by existing driveways to an existing roadway, and the existing duplex is currently served by water and sewer utilities. No extenuating circumstances or special site conditions that would require further review under CEQA are evident in the proposed project.

## Conclusion

The proposed division of the existing duplex lot into two townhouse parcels will be compatible with surrounding development patterns and will not adversely impact scenic or environmental resources.

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

## RECOMMENDATION

Staff recommends:

1. **APPROVAL** of Application Number **02-0364**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

## EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's Parcel Map
- F. Location map
- G. Zoning map
- H. General Plan map
- I. Comments & Correspondence

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.

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

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

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

Cathy Graves  
Principal Planner  
Development Review

### **SUBDIVISION FINDINGS:**

1. THAT THE PROPOSED SUBDIVISION MEETS ALL REQUIREMENTS OR CONDITIONS OF THE SUBDIVISION ORDINANCE AND THE STATE SUBDIVISION MAP ACT.

The proposed division of land meets all requirements and conditions of the County Subdivision Ordinance and the State Map Act 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.

The proposed subdivision is consistent with County Code section 14.02 pertaining to Condominium Conversions, in that the current vacancy rate for the County is above the 3 percent minimum per the records available to the County Planning Department, all required tenant notifications have been properly mailed, and the structure is currently sound and capable of meeting current building regulations for townhouse development.

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.

The proposed division of land, its design, and its improvements, are consistent with the General Plan. The project creates two multi-family residential townhouse parcels and a common area parcel and is located in the Urban High Density Residential (R-UH) General Plan designation which allows a density of one unit for each 2,500 to 4,000 square feet of net developable parcel area. The proposed project is consistent with the General Plan, in that the two townhouse parcels will share common area open space for a total of 3,000 square feet per each multi-family dwelling unit.

The project is consistent with the General Plan in that the full range of urban services is available to the existing duplex which will be converted to two townhouses, including public water and sewer service. Both units are currently accessed by separate exiting driveways to Dolphin Drive, which provides satisfactory access to the project. The proposed subdivision is similar to the pattern and density of surrounding development, is near commercial shopping facilities and recreational opportunities, and will have adequate and safe vehicular and pedestrian access.

The subdivision, as conditioned, will be consistent with the General Plan regarding infill development, in that the proposed single-family development will be consistent with the pattern of the surrounding development, and the design of the proposed homes is consistent with the character of similar developments in the surrounding neighborhood.

3. THAT THE PROPOSED SUBDIVISION COMPLIES WITH ZONING ORDINANCE PROVISIONS AS TO USES OF LAND, LOT SIZES AND DIMENSIONS AND ANY OTHER APPLICABLE REGULATIONS.

The proposed division of land complies with the zoning ordinance provisions as to uses of land, lot sizes and dimensions and other applicable regulations in that the use of the property will be

residential in nature, lot sizes meet the minimum dimensional standards for the RM-3 (Multi-Family Residential – 3,000 square feet minimum) zone district where the project is located, which allows for interior setbacks to be reduced for parcels not abutting the periphery of the project site (per County Code section 13.10.323(d)1(i)) and all exterior setbacks will be consistent with the required site standards of the RM-3 zone district. The existing duplex complies with the development standards in the zoning ordinance as they relate to setbacks, maximum parcel coverage, and height.

4. THAT THE SITE OF THE PROPOSED SUBDIVISION IS PHYSICALLY SUITABLE FOR THE TYPE AND DENSITY OF DEVELOPMENT.

The site of the proposed land division is physically suitable for the type and density of development in that no challenging topography affects the site and the structure and all site improvements have already been installed.

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.

The design of the proposed division of land and its improvements will not cause environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The conversion of the existing duplex to townhouses will not create any adverse environmental impact.

6. THAT THE PROPOSED SUBDIVISION OR TYPE OF IMPROVEMENTS WILL NOT CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

The proposed division of land or its improvements will not cause serious public health problems in that municipal water and sewer are available to serve all proposed parcels.

7. THAT THE DESIGN OF THE PROPOSED SUBDIVISION OR TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH, OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

The design of the proposed division of land and its improvements will not conflict with public easements for access in that no easements are known to encumber the property. Access to all lots will be from existing roadways.

8. THE DESIGN OF THE PROPOSED SUBDIVISION PROVIDES, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES.

The design of the proposed division of land provides to the fullest extent possible, the ability to use passive and natural heating and cooling in that the resulting parcels are oriented in a manner to take advantage of solar opportunities. The existing structure will not be modified and will meet the minimum setbacks as required within the zone district.

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.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed lot sizes meet the minimum dimensional standards for the RM-3 zone district, and all development standards for the zone district will be met, with the exception of interior setbacks as allowed by County Code section 13.10.323(d)1(i).

The duplex that is proposed to be converted to two separate townhouse units currently exists and no modifications are proposed. The surrounding neighborhood contains single family and multi-family residential development, with many duplexes and townhouse developments in the immediate area. The current and proposed architectural style is compatible with the architecture in the neighborhood and the surrounding pattern of development.

### **COASTAL DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROJECT **IS** A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

The property is zoned RM-3 (Multi Family Residential - 3000 square foot minimum), a designation which allows residential uses. The proposed multi-family residential development is a principal permitted use within the zone district, consistent with the site's (R-UH) Urban High Density Residential General Plan designation.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 et seq.

The proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN AND NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is not located between the shoreline and the first public road. Consequently, the multi-family residential development will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.



2. Pay all necessary bonding, deposits, and connection fees.
  - C. All requirements of the Aptos/La Selva Fire Protection District shall be met.
  - D. Submit one reproducible copy of the Parcel Map to the County Surveyor for distribution and assignment of temporary Assessor's parcel numbers and situs address.
- IV. Pursuant to Sections 16.40.040 and 16.42.100 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 16.42.100, shall be observed.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
  - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
    1. COUNTY bears its own attorney's fees and costs; and
    2. COUNTY defends the action in good faith.
  - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the

interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement that incorporates the provisions of this condition, or this development approval shall become null and void.

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

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

cc: County Surveyor

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

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

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

\_\_\_\_\_  
Cathy Graves  
Principal Planner

\_\_\_\_\_  
Randall Adams  
Project Planner

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

## NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

Application No.: 02-0364

Assessor Parcel No.: 054-102-10

Project Location: 2042 & 2044 Dolphin Drive

Project Description: Proposal to divide a parcel developed with an existing duplex into two townhouse lots.

Person or Agency Proposing Project: Mamie & Diane Rockett

Contact Phone: (831) 688-9627

- A. ☐ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.
- B. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
- C. ☐ Statutory Exemption other than a Ministerial Project.  
Specify type:

**D. Categorical Exemption**

- |  |   |
|--|---|
| <input type="checkbox"/> 1. Existing Facility  | <input type="checkbox"/> 20. Changes in Organization of Local Agencies  |
| <input type="checkbox"/> 2. Replacement or Reconstruction                                    | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies   |
| <input type="checkbox"/> 3. New Construction of Small Structure                              | <input type="checkbox"/> 22. Educational Programs   |
| <input type="checkbox"/> 4. Minor Alterations to Land  | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings  |
| <input type="checkbox"/> 5. Alterations in Land Use Limitations                              | <input type="checkbox"/> 24. Regulation of Working Conditions   |
| <input type="checkbox"/> 6. Information Collection   | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space   |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs   |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Nat. Resources  | <input type="checkbox"/> 27. Leasing New Facilities   |
| <input type="checkbox"/> 9. Inspection   | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities  |
| <input type="checkbox"/> 10. Loans   | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities   |
| <input type="checkbox"/> 11. Accessory Structures  | <input type="checkbox"/> 30. Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales                                    | <input type="checkbox"/> 31. Historical Resource Restoration/Rehabilitation   |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes         | <input type="checkbox"/> 32. In-Fill Development Projects   |
| <input type="checkbox"/> 14. Minor Additions to Schools                                      |   |
| <input checked="" type="checkbox"/> 15. Minor Land Divisions                                 |   |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks                   |   |
| <input type="checkbox"/> 17. Open Space Contracts or Easements                               |   |
| <input type="checkbox"/> 18. Designation of Wilderness Areas                                 |   |
| <input type="checkbox"/> 19. Annexation of Existing Facilities Lots for Exempt Facilities    |   |

E. ☐ Lead Agency Other Than County:

\_\_\_\_\_  
Randall Adams, Project Planner

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

**EXHIBIT D**

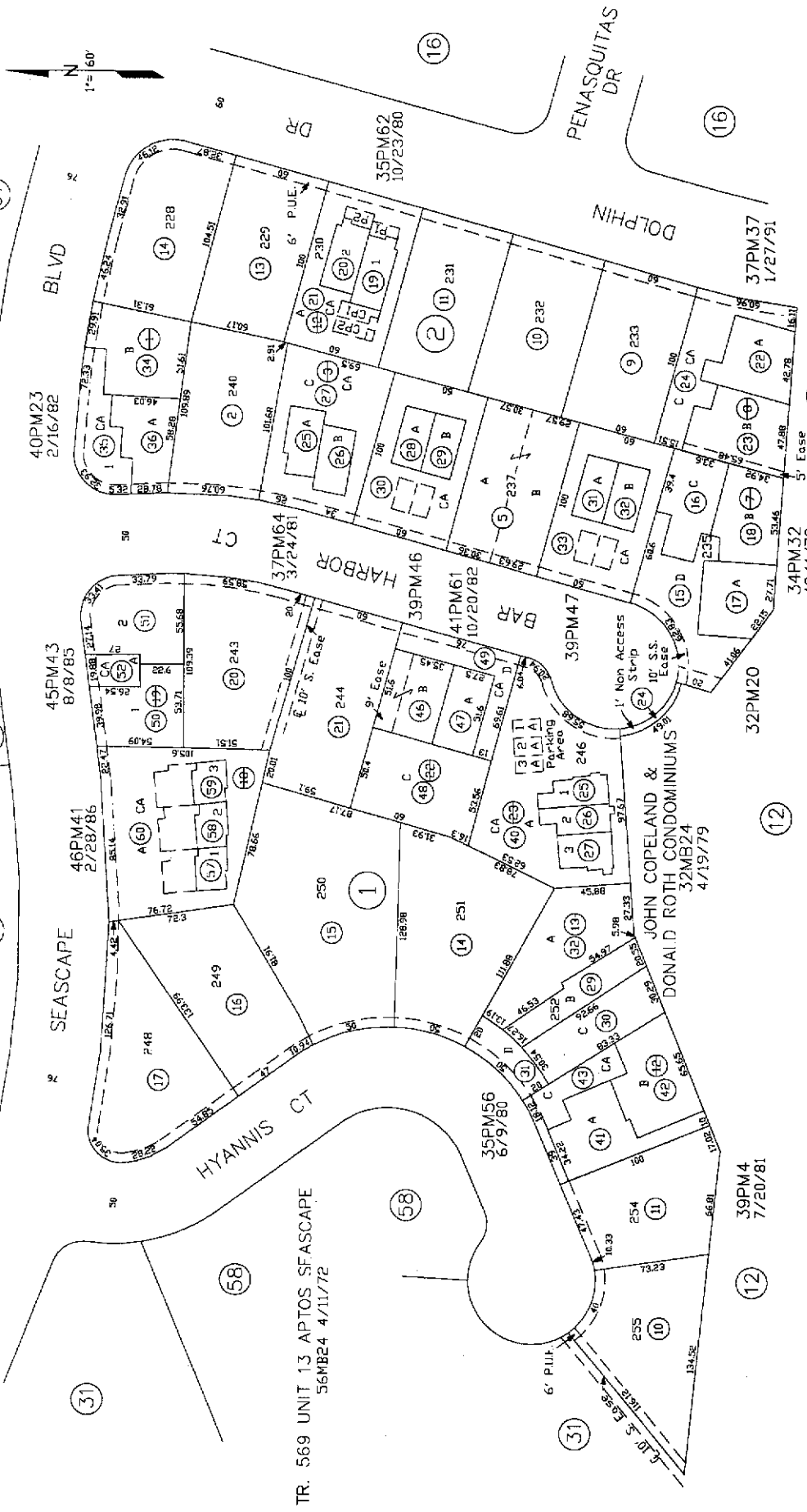
# FOR TAX PURPOSES ONLY

THIS ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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POR, APTOS RANCHO  
SEC. 28 T11S., R1E., M.D.B. & M.

Tax Area Code  
69-267

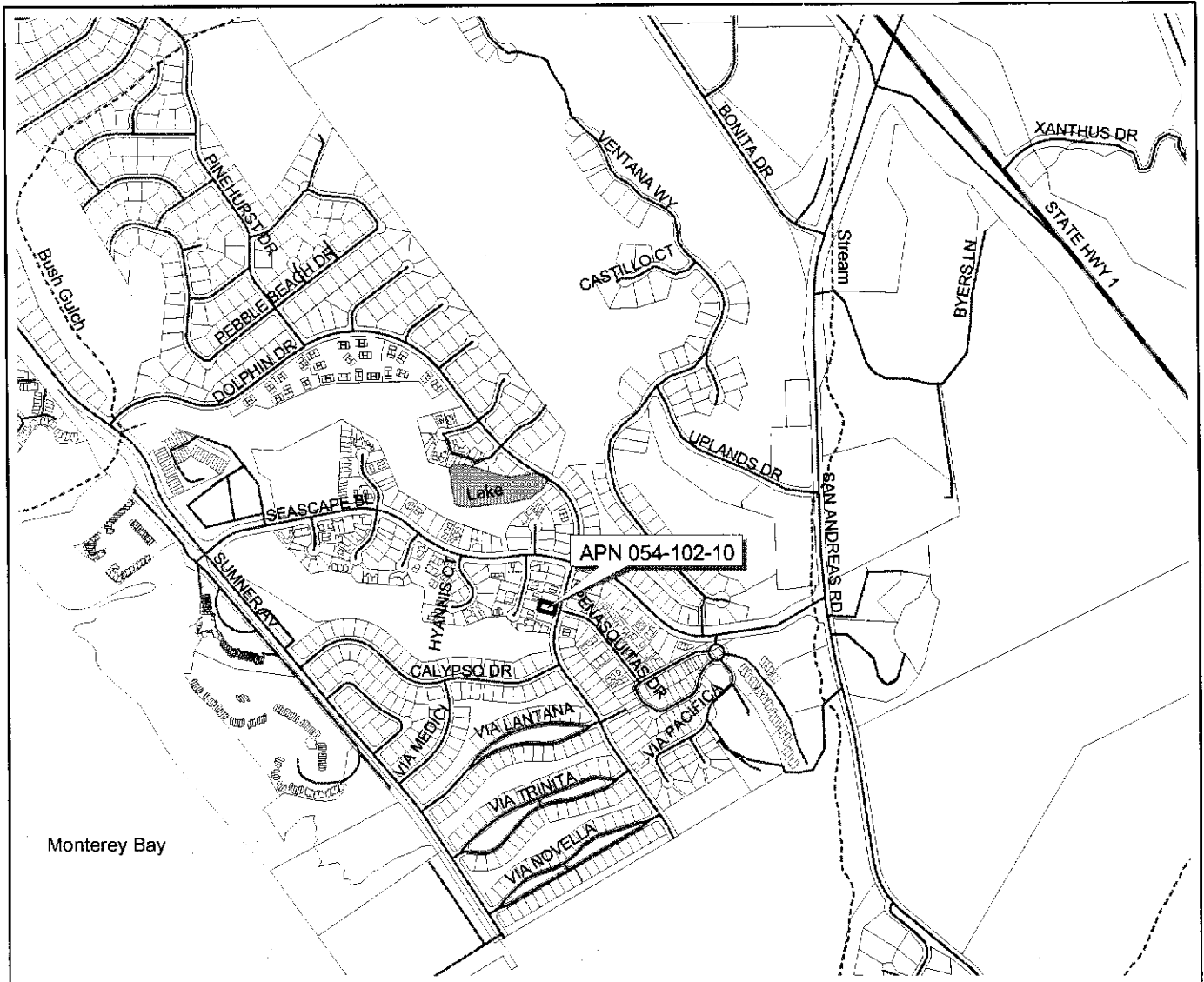
54-10



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

Assessor's Map No. 54-10  
County of Santa Cruz, Calif.  
Sep. 2000

# Location Map



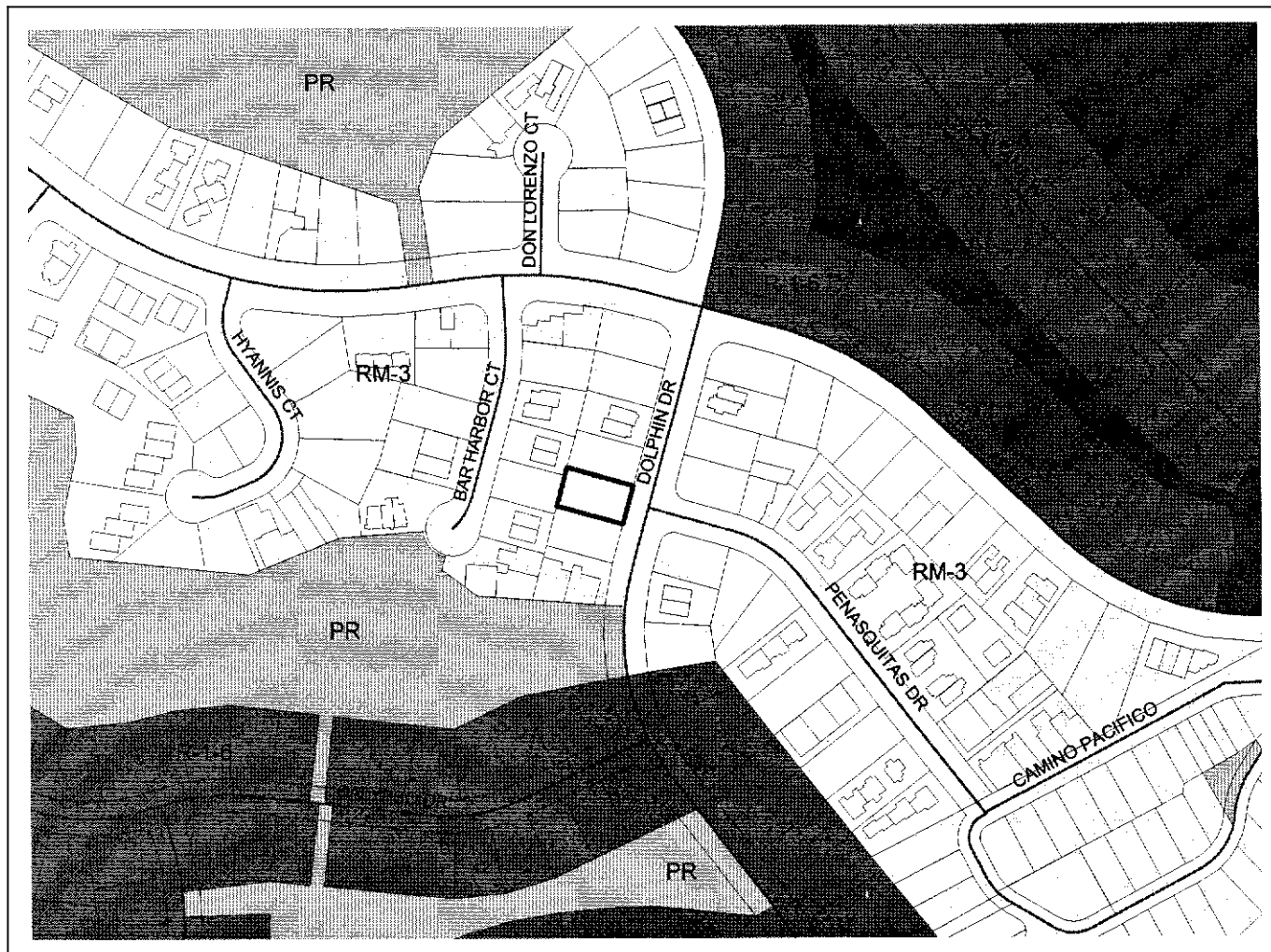
0.5 0 0.5 Miles

Map created by Santa Cruz County  
Planning Department:  
October 2003



EXHIBIT F

# Zoning Map



500 0 500 1000 Feet

## Legend

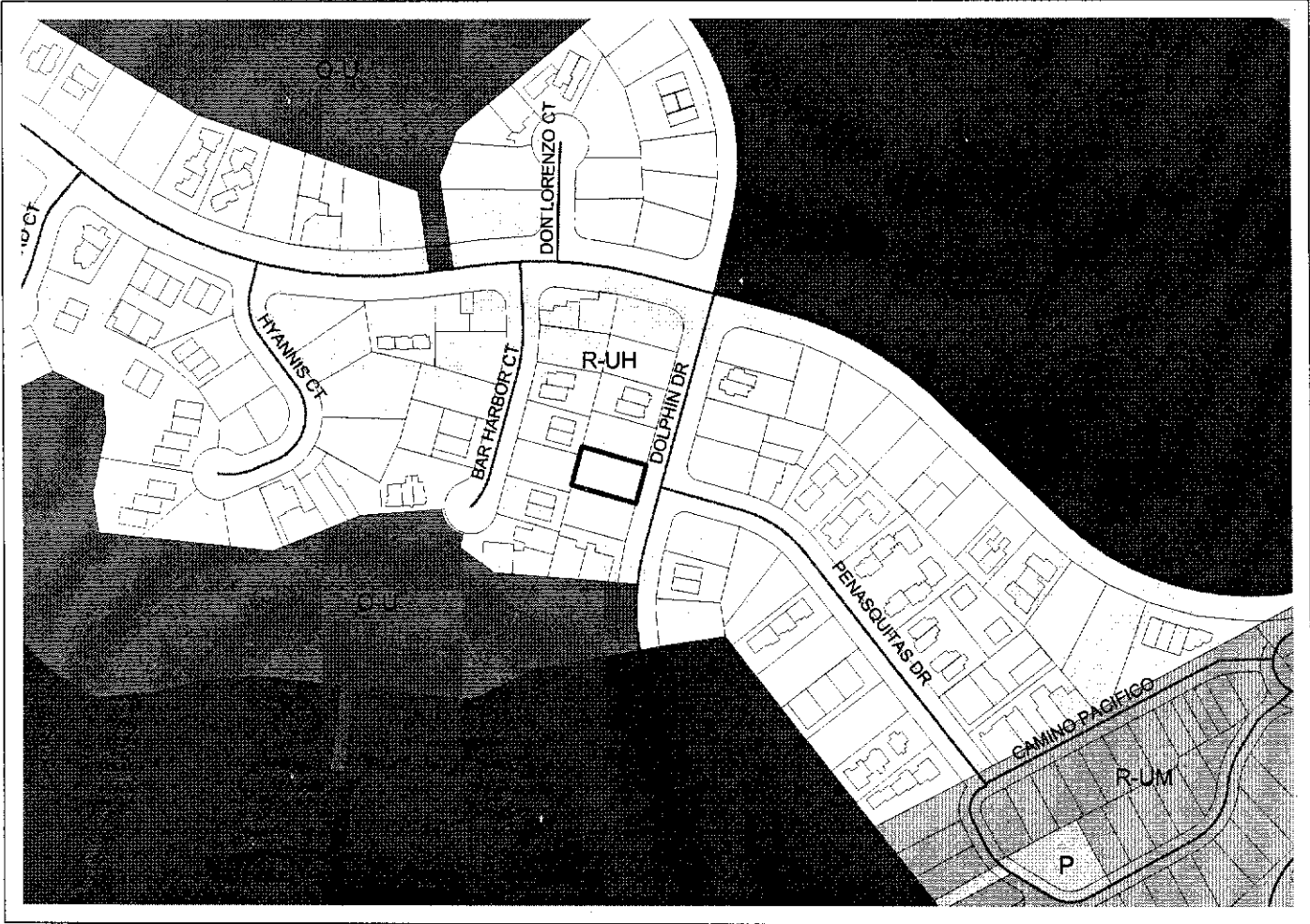
	APN 054-102-10
	Parcel boundaries
	Streets
	RM
	PR
	R-1-X
	SU



Map created by Santa Cruz County  
Planning Department:  
October 2003

**EXHIBIT**

# General Plan Map



500 0 500 1000 Feet

## Legend

	APN 054-102-10
	Parcel boundaries
	Streets
	Public Facilities
	Urban Open Space
	Parks and Recreation
	Residential - Urban Low Density
	Residential - Urban Medium Density
	Residential - Urban High Density



Map created by Santa Cruz County  
Planning Department:  
October 2003

**C O U N T Y   O F   S A N T A   C R U Z**  
**DISCRETIONARY APPLICATION COMMENTS**

Project Planner: Randall Adams  
Application No.: 02-0364  
APN: 054-102-10

Date: October 29, 2003  
Time: 15:55:01  
Page: 1

**Dpw Drainage Completeness Comments**

LATEST COMMENTS HAVE **NOT** YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON AUGUST 8, 2002 BY =====

Is the concrete walk and driveway proposed or existing? Where does this surface ultimately drain? At least half of this lot is draining to the rear of the home toward Lot 237 and 238. From this scenario, are there any adverse affects to these lots, such as flooding or erosion? Also, please confirm if the front half of the lot drains toward Dolphin Drive. (Contours are not labeled in this area.)

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.80 per square foot. Further drainage plan guidance may be obtained from the County of Santa Cruz Planning website: <http://sccounty01.co.santa-cruz.ca.us/planning/drain.htm>

Please call the Dept. of Public Works, drainage division, from 8:00 am to 12 pm if you have any questions. ===== UPDATED ON SEPTEMBER 23, 2003 BY CARISA REGALADO

=====

Application cannot be accepted as submitted. Comments returned by this division on August 6, 2002 have not been addressed.

**Dpw Drainage Miscellaneous Comments**

LATEST COMMENTS HAVE **NOT** YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON AUGUST 8, 2002 BY =====

No comment. ===== UPDATED ON SEPTEMBER 23, 2003 BY CARISA REGALADO =====  
No comment.

**Dpw Road Engineering Completeness Comments**

**Dpw Road Engineering Miscellaneous Comments**

===== UPDATED ON NOVEMBER 7, 2002 BY GREG J MARTIN =====

The ERG reviewed the application. The following comments are made:

1. An eight foot dedication is required on 35th Avenue unless an exception is requested.
2. Frontage improvements including landscaping and sidewalk shall be required unless an exception is requested.
3. Marilyn Avenue appears to have a right-of-way of thirty feet. This does not meet County design criteria and it unlikely that the applicant will be able to acquire an additional ten feet of right of way to meet County minimum standard of forty feet. The applicant may elect to show the County standard for a road with a 40 foot right-of-way on the plans crossed out and propose an alternative.



Discretionary Comments - Continued

Project Planner: Randall Adams  
Application No.: 02-0364  
APN: 054-102-10

Date: October 29, 2003  
Time: 15:55:01  
Page: 2

Aptos-La Selva Beach Fire Prot Dist Completeness C

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON AUGUST 14, 2002 BY ERIN K STOW =====

DEPARTMENT NAME: Aptos/La Selva Fire Dept. Plans approved.

A 30 foot clearance will be maintained with non-combustible vegetation around all structures or to the property line (whichever is a shorter distance). Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure are exempt.

All Fire Department building requirements and fees will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON AUGUST 14, 2002 BY ERIN K STOW =====

NO COMMENT

# SANTA CRUZ COUNTY SANITATION DISTRICT

## INTER-OFFICE CORRESPONDENCE

DATE: August 6, 2002

TO: Planning Department, ATTENTION Cathleen Carr

FROM: Santa Cruz County Sanitation District

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

APN 54-102-10

APPLICATION NO.: 02- 0364

PARCEL ADDRESS:

2042/2044 DOLPHIN DRIVE

PROJECT DESCRIPTION

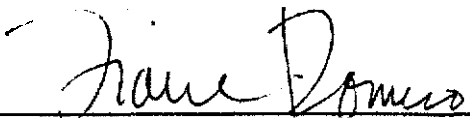
DIVIDE PARCEL **WITH EXISTING** DUPLEX. PROPOSAL  
**WILL RESULT** IN ONE **TOWNHOUSE** UNIT ON EACH  
PARCEL.

Sewer service is available for the subject development upon completion of the following conditions. **This** notice is effective for one **year from** the issuance date **to** allow the applicant the time **to** receive tentative map, development or other discretionary permit approval. **If** after **this** time frame **this** project **has** not received approval from the Planning Department, a new sewer service availability letter must be obtained by the applicant. Once a tentative map is approved **this** letter shall apply until the tentative map approval expires.

Existing or proposed location of on-site sewer lateral(s), clean-out(s), **and** connection(s) to existing public sewer must be shown.

The applicant may **form** a homeowners' association with ownership **and** maintenance responsibilities for all on-site **sewers** for **this** project; reference **shall** be included in the Association's CC&Rs which shall be recorded. Provide copy of said CC&Rs to District prior to the **filing** of the **final** map.

Other: Connection permit inspection records indicate that one sewer lateral **serves** both dwelling units. Applicant has choice **of** installing additional lateral **at** property, or recording Homeowner's Maintenance Agreement to include maintenance, repair **and** replacement of **shared** sewer lateral.

  
Diane Romeo  
Sanitation Engineering

DR/af: 174

c: Applicant: Mamie & Diane Rockett  
126 Via Novella Dr.  
Aptos CA 95003

EXHIBIT |

## **Randall Adams**

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**From:** Cathleen Carr  
**Sent:** Tuesday, June 10, 2003 11:38 AM  
**To:** Randall Adams  
**Subject:** FW: vacancy rates

-----Original Message-----

**From:** Mark Deming  
**Sent:** Monday, June 09, 2003 3:54 PM  
**To:** Cathleen Carr  
**Subject:** RE: vacancy rates

Cathleen, I'd say the vacancy rate is over 3% and let him go for it based on that (plus the DOF says its like 9 9%) . **MD**

-----Original Message-----

**From:** Cathleen Carr  
**Sent:** Tuesday, May 27, 2003 11:58 AM  
**To:** Mark Deming  
**cc:** Alvin James; Cathy Graves  
**Subject:** vacancy rates  
**Importance:** High

Hi Mark, I've gotten another call from my applicant (Marmie Rockett, ring a bell?) regarding the vacancy rate... he wants to move forward ASAP, but the project hinges on the meeting the vacancy rate (its a land division, converting an existing duplex to two townhouse units). Please let me know the status, even if its still looking. Thanks, Cathleen

P.S. this is an at cost project appl.# 02-0364.

**EXHIBIT**