



County of Santa Cruz

PLANNING DEPARTMENT

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

Tom Burns, Director

MEMORANDUM TO THE PLANNING COMMISSION

DATE: February 25, 2004

APPLICANT: Henry and Virginia Robinson

APPLICATION NO: 02-0236

PROJECT DESCRIPTION: Proposal to demolish an existing single-family dwelling, divide one lot into two parcels and construct two single-family dwellings.

DISCUSSION

Your Commission reviewed this project on October 22, 2003.

The applicant addressed the following issues:

1. Story poles erected for both structures (give County one week notice before removing).

This was accomplished on November 7, 2003.

2. Indication on the drainage plan that the water from all downspouts on the building will be connected by solid pipe to the drainage system piping.

The notes regarding downspouts were on the drawings previously submitted, and have been underlined on the resubmitted Drainage Plan, Sheet 1B.

3. Revision of the title to indicate "Proposed Site, Grading and Landscape Plan". Clearly note that no grading is required. Indicate the finished lower floor elevations for both residences.

The title of the Plot Plan (Sheet A) has been revised. Note no. 3 indicates that there is no grading. Notes have been added at each corner of the building to indicate the grade elevations (based on the slab being 0.0').

4. Provide landscape notes and symbols for the front yards of both residences on the Site Plan.

Landscape symbols have been added and note no. 4 on Sheet A1 indicates that drought

December 10,2003

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Assessor's No.

028-173-09

Applicant:

Henry and Virginia Robinson

tolerant turf shall be used throughout.

5. Indicate by notes and/or drawings how the drainage will be accommodated at the downstream outlet.

The notes regarding downstream drainage were on the drawings previously submitted, and have been clouded on the resubmitted Drainage Plan, Sheet 1B.

Staff believes that the applicant has complied with the requests ~~from~~ the Planning Commission.

On December 10,2003, the application was removed ~~from~~ the ~~calendar~~ due to the fact that issues of drainage onto Coastview Drive were not resolved. Another application (number 01-0090) on Coastview Drive has ~~been~~ appealed by the Coastal Commission and that approval may affect the design of the previously approved drainage facilities.

The applicant has submitted a revised drainage plan which indicates on-site biotic swales and grease and silt traps. The plan and a letter from the civil engineer are attached to your packets (Exhibits C and D). The applicants *engineer* and a representative from the Department of Public Works Drainage Division will be at the hearing to answer your questions.

Staff believes the Planning Commission should make the final decision on 02-0236, with the following additional conditions based on the outcome of Application 01-0091:

- a No building permits may be issued for **this** project until the design of drainage facilities on Coastview Drive has been finalized, and
- b No building permits may be finalized until the drainage improvements on Coastview are constructed and inspected.

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Assessor's No.

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Applicant:

Henry and Virginia Robinson

RECOMMENDATION

Staff recommends that the Commission take the following actions:

1. **Approve the determination that the project is Categorically Exempt from the California Environmental Quality Act, and**
2. **Approve Application No. 02-0236, based on the project Plans (Exhibit "B"), the attached findings and subject to the attached conditions (included in Exhibit "A") and the revisions as stated above.**

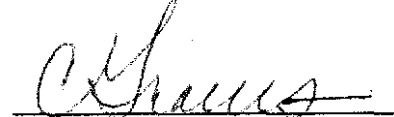
Exhibits:

- A. Previous staff report dated October 22, 2003
- B. Previously submitted plans including:
 - Tentative Parcel Map, prepared by Dunbar and Craig, dated November 22, 2002
 - Site and Architectural Plans, prepared by R&R Design, dated August 4, 2003 and revised November 7, 2003
 - Drainage Plan, prepared by C2G, dated September 3, 2003 and revised November 7, 2003
- C. Revised Drainage Plan prepared by C2G Civil Consultant Group dated January, 2004
- D. Letter regarding revised drainage scheme prepared by C2G Civil Consultant Group dated January 26, 2004

Prepared By:

Lawrence Kasparowitz, Project Planner
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060

Reviewed By:



Cathy Graves
Principal Planner
Development Review

Civil Consultants Group
Engineers/Planners



4444 Scotts Valley Drive • Suite 6 • Scotts Valley, CA 95063424
831/438-4420 • Fax 831/438-5829 ■ [name] @ c2gengis.com

January 26, 2004

Mr. Larry Kasparowitz
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Subject: 236 21st Avenue, Santa Cruz

Dear: Larry

Our client, Henry Robinson, has **asked** that we provide you a brief narrative explaining our **drainage** plan for the subject property.

The **project** is a residential development located on a 0.2-acre site located at 236 21st Avenue in the Live *Oak* area of Santa Cruz **County**. **The** current site is being subdivided into two lots. The two proposed structures will be situated on a small level terrace with the rear yards moderately sloped west to east with tributary area to the west.

Stormwater runoff in the driveway area of **the** two lots will be collected in individual catch basins, located adjacent to each driveway. The catch basins shall be equipped with **an** approved stormwater filtration device. This device shall be capable of removing and containing sediment, debris, trash and petroleum hydrocarbons **from** the stormwater runoff. The filter medium shall be a non-leaching inert blend of **minerals** that contain non-hazardous ingredients, as defined by the Federal EPA, **OSHA** and WHO. The runoff collected in the driveway area catch basins will be conveyed through buried storm sewer to the rear (east) of the property.

Stormwater runoff collected in roof drains **as** well **as** surface runoff will be conveyed west to east across the property in four bio-swales. Bio-swales are broad, shallow channels with a dense stand of vegetation covering the side slopes and channel bottom. The swales **are** designed to slowly convey storm water runoff, and in the process trap pollutants, promote infiltration and reduce flow velocities. Runoff collected in the bio-

swales will be collected in two catch basins at **the** rear of the **property**.

All stormwater runoff collected on **the** subject property will be conveyed through a buried storm sewer and discharged to Coast View Drive. Through **the use** of **the** catch basin filtration system and the bio-swale, all runoff leaving **the** property will be cleansed of sediment, debris, trash and **petroleum** hydrocarbons.

Please feel free to contact our office with any questions you may **have**.

Very truly yours,

C2G/Civil Consultants Group

A handwritten signature in black ink, appearing to read "Todd Creamer". The signature is written in a cursive, flowing style.

Todd R. Creamer, P.E.
Senior Civil Engineer

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COUNTY OF SANTA CRUZ
PLANKING DEPARTMENT

Date: October 22, 2003
Agenda Item: No. 9
Time: after 9:00 a.m.

STAFF REPORT TO THE PLANNING COMMISSION

APPLICATION NO.: 02-0236
APN: 028-173-09
APPLICANT: Henry and Virginia Robinson
OWNERS: Henry and Virginia Robinson

PROJECT DESCRIPTION: Proposal to demolish an existing single family dwelling and divide one lot into two parcels and construct two single family dwellings.

LOCATION: 236 21st Avenue, Santa Cruz

PERMITS REQUIRED: Roadway Exception
Minor Land Division
Residential Development Pennit
Coastal Permit

EKVIRONMENTAL
DETERMINATION: Exempt per CEQA Section 15315.

Coastal Zone: X Yes N o
Appealable to CCC: X Yes No

PARCEL INFORMATION

PARCEL SIZE: 3,903 square feet
EXISTING LAND USE:
PARCEL Residential
SURROUNDING: Residential
PROJECT ACCESS: 21st Avenue
PLANNING AREA: Live Oak
LAND USE DESIGNATION: Urban Medium Density Residential (R-UM)
ZONING DISTRICT: R- 1-4

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ENVIRONMENTAL INFORMATION

<u>Item</u>	<u>Comments</u>
a. Geologic Hazards	a. No mapped hazards.
b. Soils	b. USDA Soil Type 176, Watsonville loam
C. Fire Hazard	Low
d. Slopes	d. All slopes are less than 5%.
e. Env. Sen. Habitat	f. None
f. Grading	Minimal grading required
g. Tree Removal	g. None
h. Scenic	h. Not visible from a designated scenic corridor.
i. Drainage	i. Within Zone 5 Drainage District.
j. Traffic	j. No significant increase.
k. Roads	k. No new roads to be constructed.
l. Parks	l. Park fees are required.
m. Sewer Availability	m. Sewer service is available.
n. Water Availability	n. Municipal water is available from City of Santa Cruz.
o. Archeology	o. Not within a mapped Archeological Resource Area.

SERVICES INFORMATION

W/in Urban Services Line:	<u>X</u> yes ___ no
Water Supply:	City of Santa Cruz Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Zone 5 Drainage District

ANALYSIS & DISCUSSION

Background

On April 5, 2002, the County Planning Department accepted this application for the demolition of an existing residence and the construction of two new residences on a large lot. The applicant subsequently revised the application to include dividing the lot (Minor Land Division). In accordance with the California Environmental Quality Act (CEQA) and the County Environmental Review Guidelines, the project was determined to be eligible for a categorical exemption from the provisions of CEQA, per Section 15315 of the California Code of Regulations.

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Project Setting & Surroundings

The parcel is approximately **8,908** square feet in area and is in the *Live Oak* Planning area. The subject parcel fronts on 21st Avenue, which is a publicly maintained street. The parcel is relatively flat, with slopes less than 5%.

The current use of the subject parcel is residential. Surrounding development consists of residential uses, developed to a similar density as that requested by this proposal. Zoning in the immediate area is **R-1-4**.

Project Description

The applicant proposes to create two parcels of **4,906** sq. ft. net developable area and 4,002 sq. ft. net developable area. Each parcel is proposed to be developed with a new single-family residence.

General Plan & Zoning Consistency

The project site has a General Plan land use designation of "R-UM" (Urban Medium Density Residential). This designation allows a density range of 7.3 to 10.8 units per net developable acre, which corresponds to lot size requirements of **4,000** square feet to 6,000 square feet of net developable parcel area. The objective of this land use designation is to provide for medium density residential development in areas within the Urban Services Line that have a full range of urban services.

The project is in the **R-1-4** Zone District (Single Family residential; **4,000** square feet of net developable land area per dwelling unit). The proposed division of land complies with the zoning ordinance as the property is intended for residential use, the lot sizes meet the minimum dimensional standard for the R-1-4 Zone District, and the setbacks on the new lots created will be consistent with the minimum zoning ordinance requirements. The proposed new dwellings and the existing dwelling would meet development standards for the R-1-4 zone district. Each home will meet the required setbacks of 15 feet from the front parcel boundary/ edge of any right of way, 15 feet from the rear parcel boundary, and 5 feet from the side parcel boundaries. Each proposed dwelling covers less than 40% of the total lot area, the proposed floor area ratio is less than 50%, and neither home exceeds the maximum 28 feet height limit. The proposed building footprints are shown on the architectural plans included as Exhibit "A", as are the lot coverage and floor area ratio calculations.

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effect on the environment.

Please see Exhibit "B" (Findings) for a complete listing of findings and evidence related to the above discussion.

RECOMMENDATION

Staff recommends that the Commission take the following actions:

1. Approve the determination that the project is Categorically Exempt from the California Environmental Quality Act, and
2. Approve Application No. 02-0236, based on the project Plans (Exhibit "A"), the attached findings, (Exhibit "B") and subject to the attached conditions (Exhibit "C").

EXHIBITS

- A. Tentative Map prepared by Dunbar and Craig, dated November 22, 2002;
Architectural plans prepared by R&R Design, dated September 3, 2002,
Architectural renderings of each residence, prepared by R&R Design.
- B Coastal Findings, Subdivision Findings and Development Findings
and Conditions of Approval
- C. Notice of Exemption from CEQA
- D. Assessor's Parcel Map
- E. General Plan Map
- F. Zoning Map
- G. Memo from the Urban Designer
- H. Owner/Agent form and Trustee's Certificate from neighbor
- I. Discretionary Application Comments


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**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: Lawrence Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-2676

Report reviewed by:



Cathy Graves
Principal Planner, Development Review Planner

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 R-1-4 (Single Family Residential - 4,000 square foot minimum), a designation which allows residential uses. The proposed single family dwellings are a principal permitted use within the zone district, consistent with the site's (R-UM) Urban Medium 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

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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 single family dwelling 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.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE
CERTIFIED LOCAL COASTAL PROGRAM.

The proposed project is in conformity with the County's certified Local Coastal Program in that the structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-4 (Single Family Residential - 4,000 square foot minimum) zone district of the area, as well as *the* General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

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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 R-1-4 (Single Family Residential - 4,000 square foot minimum), a designation which allows residential uses. The proposed single family dwellings are a principal permitted use within the zone district, consistent with the site's (R-UM) Urban Medium 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

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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 single family dwelling 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.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE
CERTIFIED LOCAL COASTAL PROGRAM.

The proposed project is in conformity with the County's certified Local Coastal Program in that the structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-4 (Single Family Residential - 4,000 square foot minimum) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

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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.

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 single family lots and is located in the Residential, Urban Medium Density General Plan designation which allows a density of one dwelling for each 4,000 to 6,000 square feet of net developable parcel area,

The project is consistent with the General Plan in that the full range of urban services is available and will be extended to the new parcel created, including municipal water and sewer service. The land division is on an existing street, and no improvements are needed to provide satisfactory access to the project, with the exception of a new driveway to each lot. The proposed land division 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 access.

The land division, 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 are consistent with the character of the surrounding neighborhood. The land division is not in a hazardous or environmentally sensitive area and protects natural resources by providing residential development in an area designated for this type and density of development.

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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 R-1-4 Zone District where the project is located, and all setbacks will be consistent with the zoning standards. The proposed new dwellings will both comply with the development standards in the zoning ordinance as they relate to setbacks, maximum parcel coverage, minimum site width, floor area ratio and minimum site frontage

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, the existing property is commonly shaped to ensure efficiency in further development of the property, and the proposed parcels offer a traditional arrangement and shape to insure development without the need for variances or site standard exceptions. No environmental constraints exist which would necessitate the area remain undeveloped.

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. No mapped or observed sensitive habitats or threatened species impede development of the site as proposed. The project was determined to be exempt from CEQA, pursuant to the California Environmental Quality Act and the County Environmental Review Guidelines (Exhibit "G").

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 the proposed parcels,

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and these services will be extended to serve the new parcels created.

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 CSE 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 public roads.

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. All of the proposed parcels are conventionally configured and the proposed building envelopes meet the minimum setbacks as required by the zone district for the property and County code.

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 R-1-4 zone district, and all development standards for the zone district will be met. The new homes are proposed to be one story with a design that incorporates some of the Craftsman detailing found on other homes in the area. Siding for the new homes is proposed to be cedar shingles and board and batt siding for one home and stucco for the other home. Walls are proposed to be painted in beige tones. Roofing material is proposed to be dark colored composition shingles.

To assure that the final construction is in conformance with the information submitted, a condition of approval has been included that requires all construction to be as presented in Exhibit "A". An additional condition of approval has been incorporated that prohibits changes in the placement of windows that face directly towards existing residential development without review and approval by the Planning Commission.

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The proposed project has been designed to complement and harmonize with the existing and proposed land uses in the vicinity. It will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood. Street trees are required in the project conditions.

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DEVELOPMENT PERMIT FINDINGS:

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The use of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, will not result in inefficient or wasteful use of energy and will not be materially injurious to properties or improvements in the vicinity in that adequate and safe access will be provided.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The project site is located in the R-1-4 zone district. The project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-4 zone district in that the primary use of the property will be residential. No commercial use is proposed.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is located in the Urban Medium Residential land use designation, The proposed use of the right of way is consistent with all elements of the General Plan in that safe and adequate access is being provided as outlined in Section 6.5 of the General Plan.

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4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The use of the right of way for a residential use only will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects of the area.

6. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

The Urban Designer has reviewed this project for consistency with Chapter 13.11 and found the designs for the two new residences to be acceptable. A copy of the analysis is attached.

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CONDITIONS OF APPROVAL

Minor Land Division Permit No.: 02-0236

Applicant: Henry and Virginia Robinson

Property Owners: Henry and Virginia Robinson

Assessor's Parcel No.: 028-173-09

Property Location and Address: 236 21st Avenue, on the east side of 21st Avenue about 200 feet from Portola Drive.

Planning Area: Live Oak

Exhibits:

- A. Tentative Map prepared by Dunbar and Craig, Land Surveyors, dated November 22, 2002; Architectural plans prepared by R & R Design dated September 3, 2002

All correspondence and maps relating to this land division shall carry the land division number noted above.

- I. Prior to exercising any rights granted by this Approval, the owner shall:
 - A. Sign, date and return one copy of the Approval to indicate acceptance and agreement with the conditions thereof, and
 - B. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the tentative map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:
 - A. The Parcel Map shall be in general conformance with the approved tentative map and shall conform with the conditions contained herein. All other State and

EXHIBIT B

County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.

- B. This land division shall result in no more than two (2) single-family residential lots.
- C. The minimum lot size shall be 4,000 square feet, net developable land
- D. The following items shall be shown on the Parcel Map:
 - 1. Developinent envelopes and/or building setback lines located according to the approved Tentative Map.
 - 2. Show the net area of each lot to nearest square foot,
 - 3. The owner's certificate shall include:
 - a. An irrevocable offer of dedication to the County of Santa Cmz for the improvements shown on the tentative map,
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
 - 1. Lots shall be connected for sewer service to Santa Cruz County Sanitation District.
 - 2. Lots shall be connected for water service to city of Santa Cmz Water District.
 - 3. All future construction on the lots shall conform to the Architectural Floor Plans and Elevations, and the Perspective Drawing as stated or depicted in Exhibits "A" and shall also meet the following additional conditions:
 - a. No changes in the placement of windows that face directly towards existing residential development as shown on the architectural plans, shall be permitted without review and approval by the Planning Commission.
 - b. Exterior finishes shall incorporate wood siding or stucco, as shown on the architectural plans and color sample board.

EXHIBIT B

- c. Notwithstanding the approved preliminary architectural plans, all future development shall comply with the development standards for the R-1-4 zone district. No residence shall exceed a 30% lot coverage, or a 50% floor area ratio, or other standard as may be established for the zone district. No fencing shall exceed three feet in height within the required front setback.
4. A final Landscape Plan for the entire site specifying the species, their size, and irrigation plans and meet the criteria of the City of Santa Cruz Water Department.

The following specific landscape requirements apply:

- a. Two, minimum 15 gallon size street trees of a species selected from the DPW Street Tree List shall be planted and a drip irrigation system shall be installed in the required landscape strip.
- b. Street trees shall be installed according to provisions of the County Design Criteria.
5. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
6. Any changes between the approved Tentative Map, including but not limited to the attached exhibits for architectural and landscaping plans, must be submitted for review and approval by the decision-making body. Such proposed changes will be included in a report to the decision making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code.

III. Prior to recordation of the Final Map, the following requirements shall be met:

- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- B. Meet all requirements of the Santa Cruz County Sanitation District including, without limitation, the following standard conditions:

EXHIBIT B

Application Number: 02-0236
APN: 028-173-09
Owner: Henry and Virginia Robinson

page 12

1. Submit and secure approval of **an** engineered sewer improvement plan providing sanitary sewer service to each parcel.
 2. Pay all necessary bonding, deposits, and connection fees.
- C. Engineered improvement plans are required for this land division, and a subdivision agreement backed by financial securities is necessary. Improvements shall occur with the issuance of building permits for the new parcels and shall comply with the following:
1. All improvements shall meet the requirements of the County of Santa Cruz Design Criteria except as modified in these conditions of approval.
 2. The applicant shall submit to the Planning Department for review and approval the following:
 - a A soils report for this site. Plans shall comply with all requirements of the soils report. Plan review letters shall be submitted from the geotechnical engineer indicating that the plans have been reviewed and found to be in compliance with the recommendations of the soils report.
 - b A preliminary grading plan to the Planning Department for review and approval.
 - c An erosion control plan.
 3. Engineered drainage plans shall be reviewed and approved by the Department of Public Works. The following will be required:
 - a All necessary legal easement(s) will be required to be in existence across all neighboring parcels over which the constructed improvements will be built. The Improvement plans are to show these offsite improvements in sufficient detail that there is a clear record, and that they may be constructed.
 - b A formal agreement for maintenance of these offsite drainage improvements must be created and recorded. The responsible parties for performance of such maintenance and associated costs is to be resolved between the affected landowners in the manner they deem fit.
 - 4 All new utilities shall be constructed underground. All facility relocations,

EXHIBIT B

upgrades or installations required for utilities service to the project shall be noted on the improvement plans. All preliminary engineering for such utility improvements is the responsibility of the developer.

- D. Engineered improvement plans for all water line extensions required by City of Santa Cruz shall be submitted for the review and approval of the water agency.
- E. All requirements of the Central Fire District shall be met.
- F. Park dedication in-lieu fees shall be paid for one (1) single-family dwelling unit,
- G. Transportation improvement fees shall be paid for one (1) single-family dwelling unit. An application for a fee credit for any off site improvement installed may be applied for with the DPW.
- H. Roadside improvement fees shall be paid for one (1) dwelling unit. An application for a fee credit for any off site improvement installed may be applied for with the DPW.
- I. Child Care Development fees shall be paid for one (1) single-family dwelling unit.
- J. 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. All future construction within the subdivision shall meet the following conditions:

- A. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road.
- B. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan.
- C. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out other work specifically required by another of these conditions).

EXHIBIT B

- D. 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.
 - E. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
 - 1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address and emergency situation; and
 - 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
 - F. Construction of improvements shall comply with the requirements of the geotechnical report. The geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report.
- VI. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.
- VII. 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.

EXHIBIT B

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified: or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement which incorporates the provisions of this condition, or this development approval shall become null and void.

EXHIBIT B

Application Number: 02-0236
APN: 028-173-09
Owner: Henry and Virginin Robinson

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**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 Final 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

Lawrence Kasparowitz
Project Planner

EXHIBIT B

Application Number: 02-0236
APN: 028-173-09
Owner: Henry and Virginia Robinson

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.: 02-0236
Assessor Parcel No.: 028-173-09
Project Location: 236 21st Avenue, Santa Cruz
Project Description: Proposal to demolish and existing single family dwelling and divide on lot into two parcels and construct two single family dwellings.
Person Proposing Project: Henry and Virginia Robinson
Contact Phone: 831-335-4419

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

E. ☐ Lead Agency Other Than County:

Lawrence Kasparowitz, Project Planner

Date: _____

THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

Tax Area Code
82-040

28-17

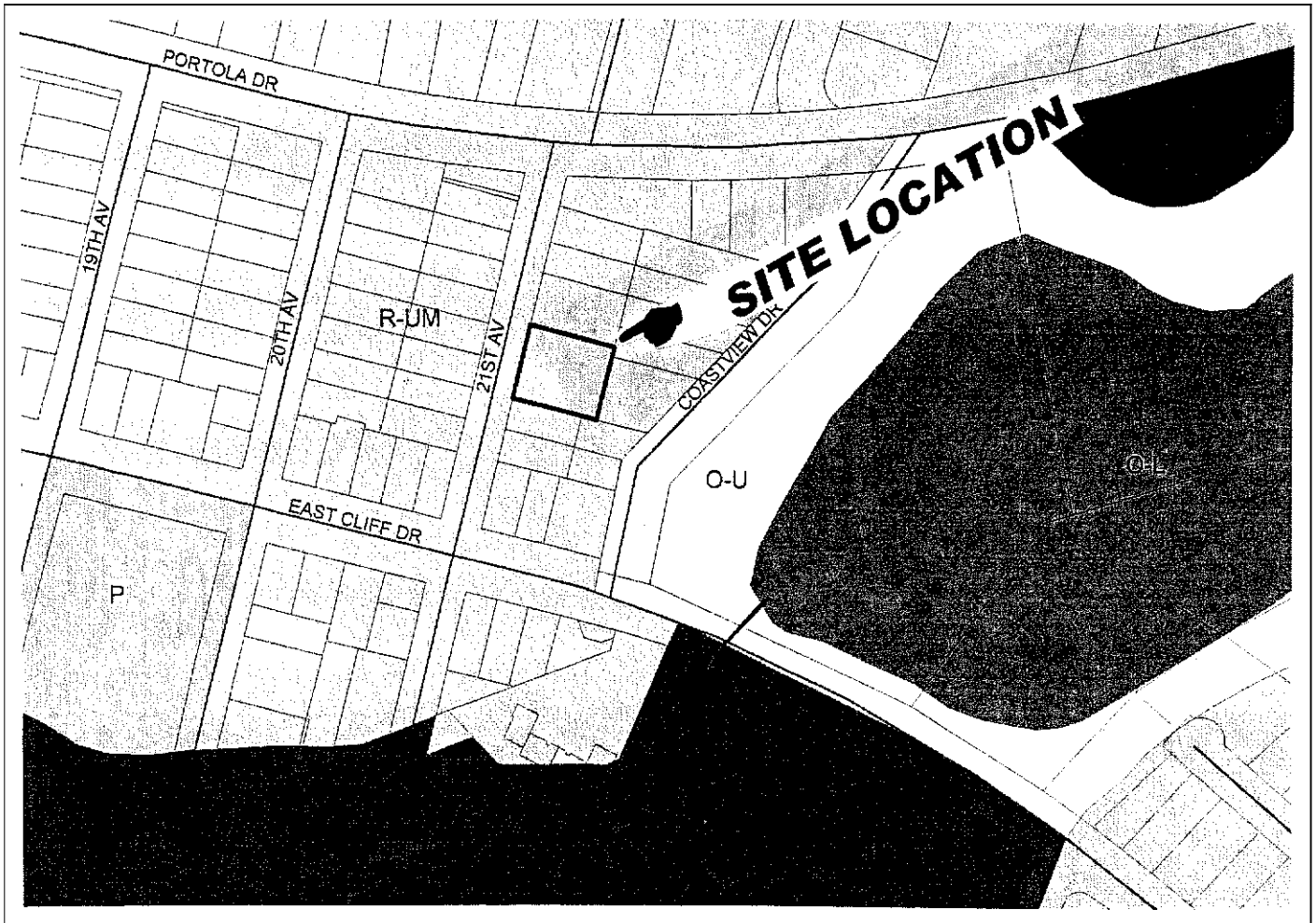
Electronically Redrawn 8/19/98
Rev. 6/6/00 MVM (98RS9)
Rev. 11/30/01 MVM (100RS38)
Rev. 2/8/02 MVM (01 name)

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

Assessor's Map No. 28-17
County of Santa Cruz, Calif.
August, 1998



General Plan Map



300 0 300 600 Feet

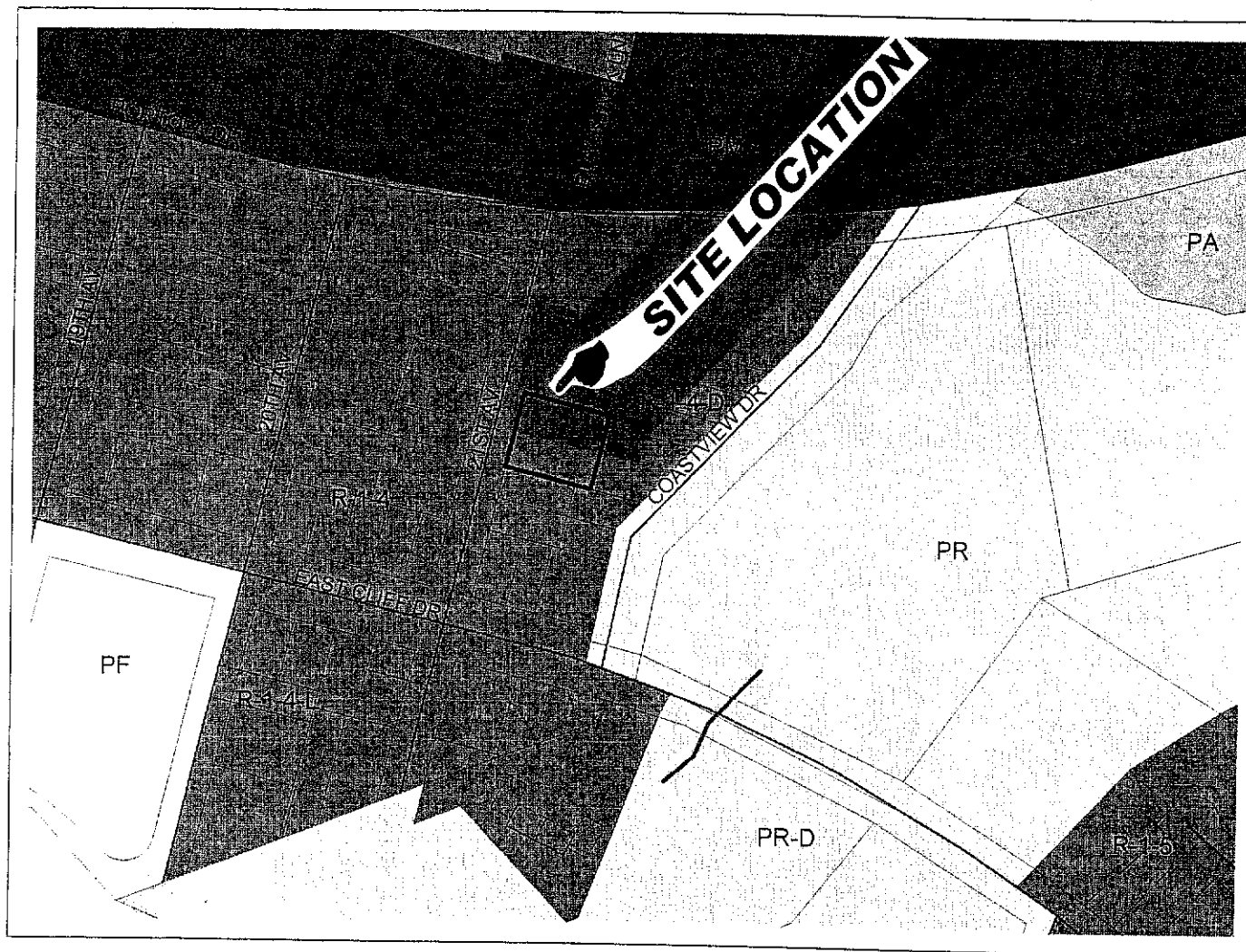
Legend

	APN 028-173-09
	Parcel boundaries
	Streets
	Perennial Stream
	Urban Open Space
	Residential - Urban Medium Density
	Public Facilities
	Lake (O-L)
	Parks and Recreation (O-R)



Map created by Santa Cruz County
Planning Department:
July 2003

Zoning Map



300 0 300 600 Feet

Legend

- APN 028-173-09
- Parcel boundaries
- Streets
- Perennial Stream
- RM
- R-1-4, R-1-5
- PA
- PR
- PR-D
- PF



Map created by Santa Cruz County
Planning Department:
June 2003

COUNTY OF SANTA CRUZ**Planning Department****INTEROFFICE MEMO****APPLICATION N O 02.0236****Date:** August 1, 2003**To:** Project Planner**From:** Larry Kasparowitz, Urban Designer**Re:** Design Review for a two new residences at 236 21st Avenue, Santa Cruz (Robinson, owner / applicant)**GENERAL PLAN /ZONING CODE ISSUES****Design Review Authority****13.20.050** Projects requiring coastal zone approval.**Design Review Standards****13.20.130** Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where			N/A

EXHIBIT G

circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.			
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.			N/A
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			N/A
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			N/A
Landscaping			
New or replacement vegetation shall	✓		
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)			N/A
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A
Building design			

EXHIBIT G

Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy			N/A
Natural materials and colors which blend with the vegetative cover of the site shall be used. or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the			N/A
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
Restoration			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Signs			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A

EXHIBIT G

Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A
In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive			N/A
Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive			N/A
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred			N/A

EXHIBIT G

Design Review Authority**13.11.040** Projects requiring design review.

(d) All minor land divisions, as defined in Chapter 14.01, occurring within the Urban Services Line or Rural Services Line, as defined in Chapter 17.02; all minor land divisions located outside of the Urban Services Line and the Rural Services Line, which affect sensitive sites; and, all land divisions of 5 parcels (lots) or more.

Design Review Standards**13.11.072** Sitedesign.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout			N/A
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship	✓		
Street design and transit facilities			N/A
Relationship to existing	✓		
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			NIA
Views			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles			NIA
Solar Design and Access			

EXHIBIT G

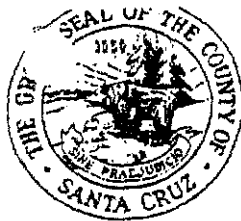
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system			N/A
Noise			
Reasonable protection for adjacent properties	✓		

13.11.073 Building design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties	✓		

EXHIBIT G

Building walls and major window areas are oriented for passive solar and natural lighting	✓		
---	---	--	--



OWNER-AGENT APPROVAL FORM

For persons other than the owner who wish to obtain a building, development and/or other permit, the approval of the owner is required,

This is the County's authorization to issue a permit to the agent listed below:

AGENT: NAME: HENRY RUBINSON
 ADDRESS: 221 Geyser Rd
 CITY: Scotts Valley
 STATE/ZIP CODE: C 95066
 TELEPHONE: (831) 335 4419

OWNER: NAME: X Margaret F Well
 ADDRESS: X 375 Coastview Ln
 CITY: X Santa Cruz
 STATE/ZIP CODE: X CA 95062
 TELEPHONE: X (831) 475-7436

7-10-03
 DATE

Margaret F Well, Trustee
 SIGNATURE OF OWNER

23-173-09

21st Ave

02-0236

ASSESSOR'S PARCEL NUMBER PROJECT LOCATION

NOTE: One owner-agent form will be required for each permit required. For development permits, by signing this form, the owner is authorizing the agent to legally bind the owner to responsibility for payment of the County's cost for inspections and all other actions related to noncompliance with the permit conditions. The agent will be required to provide proof of service, by mail, to the owner of a copy of the executed acceptance of permit conditions.

ownragnt pln051

* NEED PROOF OF Trustee & ownership (because Assessor's Records different)
 35

EXHIBIT H

Recording Requested BY and
When Recorded Mail To:

SANSON & LOCKE-PADDON
Attorneys at Law
311 Bonita Dr (PO Box 1076)
Aptos CA 95001-1076

TRUSTEE'S CERTIFICATE OF TRUST

(California Probate Code Section 18100.5)

The undersigned, **MARGARET E. WEBB**, certifies to the following:

1. That I am the current Trustee of the Trust established by **FRANCIS L. MARKEY** on January 26, 1982, and **as** amended on May 8, 1996, by Third Amendment thereto and **as** amended on January 21, 1999 by Fourth Amendment thereto.
2. **FRANCIS L. MARKEY** died on July 16, 1999; a certified copy of the certificate of death is attached hereto.
3. Attached hereto is a true and correct copy of the portion of the trust instrument which provides that the declarant **is** now the sole Trustee.
4. This Trust is Irrevocable
5. The trust **has** not been revoked, modified or amended in any **manner** which would cause the representations contained in this Certification to be incorrect.
6. This Certification **is** being signed by the currently acting sole Trustee of the trust

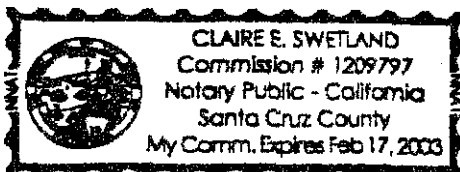
Dated: August 23, 1999.



MARGARET E. WEBB

STATE OF CALIFORNIA, COUNTY OF **SANTA CRUZ**) ss

~~On~~ August 23, 1999, before the undersigned, a Notary Public, personally appeared **MARGARET WEBB**, ~~personally known to me~~ **-OR-** ☐ **proved to me** on the basis of satisfactory evidence to be the ~~person whose~~ **person** whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of **which** the person acted executed the instrument.

WITNESS my hand and official seal.




Notary Public

C O U N T Y O F S A N T A C R U Z
Discretionary Application Comments

Project Planner: Larry Kasparowitz
Application No.: 02-0236
APN: 028-173-09

Date: September 15, 2003
Time: 10:22:44
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON MAY 30, 2002 BY ROBERT S IOVELAND =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW CN MAY 30, 2002 BY ROBERT S LOVELAND =====

Conditions of Approval:

1. A soils report will be required for this project
2. A preliminary grading plan will be required
3. Supply a detailed drainage/erosion control plan for review

Dpw Drainage Completeness Comments

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

===== REVIEW ON JUNE 11, 2002 BY CAVID id SIMS =====

The subject parcel is shown to drain to the rear of the parcel down 5 to 10 % slopes. Neighboring homes and streets exist down slope, and may be negatively affected by the increased runoff from the proposed development. Please provide additional information that indicates the downstream Conditions and facilities, if any, for handling drainage. It must be conclusively demonstrated that the site runoff will be conveyed with negative impact to a safe point of release. Propose improvements where they are needed. Easements and encroachments may be a necessity.

Drainage Guidelines for Single Family Dwellings may be found at the following site:

<http://sccounty01.co.santa-cruz.ca.us/planning/drain.htm> ===== UPDATED ON OCTOBER 1, 2002 BY DAVID W SIMS =====

2nd Routing:

Drainage content of the 2nd routing has not been changed from the 1st routing. Off-site drainage routing still needs to be addressed, particularly as it relates to neighboring developments. Applicant recently came into the Public Works question desk to discuss these requirements, and the reviewer assumes that these changes will appear on a forthcoming 3rd routing. ===== UPDATED ON OCTOBER 4, 2002 BY RACHEL J FATOCHI =====

===== UPDATED ON OCTOBER 24, 2002 BY DAVID W SIMS =====

There is no information provided on the disposal of water past the NE corner of the lot. The vacancy status of a neighboring parcel is not sufficient to demonstrate a safe and adequate path for disposal. It is highly likely that this neighboring parcel will be developed in the future. The owner should not be receiving potentially damaging runoff to this property. Drainage must be conducted along an adequate path to a safe point of disposal. The applicant still needs to clarify that this adequate path exists. This is likely to necessitate improvements that would require a

Project Planner: Larry Kasparowitz
Application No.: 02-0236
APN: 028-173-09

Date: September 15, 2003
Time: 10:22:44
Page: 2

formal property easement. ~~It may~~ be alternately possible to acquire an easement across the already developed parcel due west.

The applicant has clarified and ~~improved~~ the proposal for handling on site drainage, and the general approach provided is appropriate. More details on how the rear yard grading will be done to drain sideways across the natural slope contours will be required. A shallow gradient ditch would seem necessary. The parcel-dividing fence would obstruct such a ditch, and not ~~all~~ drainage would flow to the indicated locations. Please clarify this. A less ground disturbing option ~~may~~ exist by placing an interception ditch across the rear property line and draining towards the SW property corner to the point of the natural low. From here an easement across the neighbor's developed parcel would be needed for a surface swale, or for an inlet and buried pipe.

Surface grading along the north property line is noted to drain water across the existing tree line and onto the north parcel. This notation ~~may~~ be in error. ~~If not~~ an error, this proposal ~~may~~ be a problem to the northern neighbor. Please clarify.

----- UPDATED ON MAY 1, 2003 BY DAVID W SIMS -----

4th routing: shown as 3rd routing

The application has been changed to a Minor Land Division (MLD) resulting in the production of a tentative map and improvement plans. This change produces different requirements

All off-site drainage improvements, ~~easements~~ or encroachments (if any) will need to be clearly developed and detailed on the tentative map to receive Stormwater Management Section review approval, ~~It~~ appears the driveway approaches are to be reconstructed as part of the application. The offsite portions of these driveways appear to create additional impervious area and ~~may~~ require drainage features to accommodate drainage along the street frontage. This is not presently indicated on the MLD tentative map. Please clarify and add this information to the tentative map where applicable.

As a condition of all MLD's in a coastal zone, any runoff released offsite will be required to be passed through a silt and grease trap(s) accompanied by a recorded maintenance agreement(s).

On-site drainage improvements will not require the same level of plan detail on the tentative map. Rather such detail ~~may~~ be placed on the improvement plans, or deferred to the building application stage. Please carefully read the miscellaneous comments below for additional discussion. ----- UPDATED ON AUGUST 8, 2003 BY DAVID W SIMS -----

4th Routing shown as 5th Routing:

The latest submittal of drainage design calculations, which includes inlets and an 8" stormdrain, is accepted as a viable design solution for handling development runoff. The following items need to be resolved with respect to this proposal before the application can be approved for discretionary review:

1) Please submit a full size set of updated plans (tentative map and improvement plans) reflecting the most current proposal for stormdrain pipes.

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2) The inlet for parcel 2 must be constructed as a silt and grease trap, and so noted on the tentative/final map. Please refer to CDC fig., SD-16. (A legally recorded maintenance agreement will be required of this parcel at the time of building plan application, fig SO-17)

3) There is no indication where the pipe outfall will be located offsite. This must be determined and shown on the improvement plans. Portions of Coast View Drive, a private road, are known to have drainage problems already existing. The outfall location should be chosen with care that discharge from the pipe does not aggravate drainage problems along this private road. Indicate on the improvement plans how this will be achieved. Obtain an easement to cross under this road if necessary.

4) For approval of the discretionary application please provide a signed letter from each owner of each affected parcel that indicates their willingness to provide legal drainage easement over their property. Before the final map is recorded, these legal easement(s) will be required to be in existence across all neighboring parcels over which the constructed improvements will be built.

Please call the Public Works, Stormwater Management Section, from 8:00 to 12:00 am if you wish to discuss your project. ===== UPDATED ON AUGUST 8, 2003 BY DAVID W SIMS =====

===== UPDATED ON AUGUST 28, 2003 BY DAVID W SIMS =====

5th Routing shown as 2nd Routing:

Status of items from prior comments:

Item 1: Full size plans received with hand written notes added,

Item 2: S& G trap noted as requested.

Item 3: Discussed at the counter with the applicant, and hand noted routing of drainage pipe on the latest plan submittal. Applicant indicated that there is already in existence some improvements on Coast View Dr. which could accept his run-off. Item 4: Received Owner-Agent Approval form signed by Margzret Webb of 315 Coast View Dr. This is the parcel over which Mr. Robinson wishes to place a drainage easement and pipeline. Also received a Road Maintenance Agreement for 22nd Ave. (same as Coast View Dr.) that indicates that Webb has maintenance right and access to the roadway in case an easement and improvements are needed here. It is not completely clear that this agreement is still in effect (recorded 1/12/88), because ownership of the road parcel is presently shown as: Zwierling, Michael L'U/M ETAL. The name Zwierling does not show anyplace on the Road Maintenance Agreement. However, the above is deemed sufficient evidence to indicate the willingness of downstream owners to work with the applicant in the course of his application and associated improvements.

Status of Review: Drainage review is approved for the discretionary stage of review with the following conditions to be met prior to recording the Final Map and Improvement Plans

A) Before the final map is recorded, all necessary legal easement(s) will be required to be in existence across all neighboring parcels over which the constructed

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improvements will be built. The Improvement Plans are to show these offsite improvements in sufficient detail that there is a clear record, and that they may be constructed; do not simply note them.

B) A formal agreement for maintenance of these offsite drainage improvements must be created and recorded. The responsible parties for performance of such maintenance and associated costs is to be resolved between the affected landowners in the manner they deem fit.

Please call the Public Works, Stormwater Management Section, from 8:00 to 12:00 am if you wish to discuss your project.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON JUNE 11, 2002 BY DAVID W SIMS =====

All **drainage** issues with offsite implications **must** be addressed in the discretionary application. Additional **onsite** drainage details may need to be clarified on the plans. but may be addressed in the building application phase.

A drainage impact fee will be assessed on the net increase in impervious area. The fees will be \$0.80 per square foot as of July 1, 2002.

Please call the Dept. of Public Works. drainage division, from 8:00 to 12:00 am if you have questions.

===== UPDATED ON OCTOBER 1, 2002 BY DAVID W SIMS =====

NO COMMENT

===== UPDATED ON OCTOBER 24, 2002 BY DAVID W SIMS =====

NO COMMENT

===== UPDATED ON MAY 1, 2003 BY DAVID W SIMS =====

The suggestion of the 'french drain' under the retaining wall is conceivably feasible to control runoff successfully. but lacks detail that would allow adequate review. Since **it** is likely feasible, and on-site improvement, complete design development is not a requirement for approval of the tentative map at this time. However, **it may** be in the applicant's interest to further resolve the issue of general feasibility, ~~sthat~~ the risk of a future costly problem at a later stage is avoided. The concerns of feasibility **also** lead to the potential for overflow to off sitelocations, which **if** they are problematic need to be addressed up front.

The site soils are mapped as Pinto loam and are very restrictive to infiltration of water that would be retained in the proposed gravel trench. Since this is true the structure would function similar to a detention system and would be subject to over flow in large storm events. The storms that you observed in 2002 were relatively minor and not representative of the larger 10-year storm event that is the normal County design standard. A large storm might create problems on **this** site.

It is very important that you demonstrate how you will prevent or resolve this over flow problem. The potential to accomplish this satisfactorily on-site appears possible due to the substantial vegetated open space, but **it** is not apparent without

Discretionary Comments - Continued

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more detail

It will be a requirement that a licensed geotechnical firm review the proposed on-site drain structure and provide a stamped/signed letter substantiating the capability of the design to avoid off-site impacts for the standard County 10-year design storm. You may be best served with the same licensed professional to handle the design as well, since firms may be reluctant to sign-off on work that is not their own.

Please call the reviewer, David Sims of Public Works. Stormwater Management Section, from 8:00 to 12:00 am to discuss your project. ===== UPDATED ON AUGUST 8, 2003
BY DAVID W SIMS =====
NO COMMENT
===== UPDATE@ON AUGUST 28. 2003 BY DAVID W SIMS =====
NO COMMENT

Dpw Road Engineering Completeness Comments

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

===== REVIEW ON JULY 1, 2002 BY GREG J MARTIN =====

The existing edge of pavement for 21st Avenue should be shown. The road section should accommodate parking where possible For each driveway. show the edge of pavement profile, and structural section. TIA fees for the additional single family dwelling unit shall be required. ===== UPDATED ON DECEMBER 13, 2002 BY GREG J MARTIN =====

Profile and section for each driveway still need to be shown. ===== UPDATED ON APRIL 4, 2003 BY GREG J MARTIN =====

Comments still apply, at least one location for a driveway should be shown for each parcel and the information provided. ===== UPDATED ON SEPTEMBER 12, 2003 BY GREG J MARTIN =====

Profile information has been provided which demonstrates the driveways may be constructed to County Standards. The building permit will need to show a profile that is properly drawn. In addition the structural section shall need to be given. The information provided is adequate for the development permit,

Dpw Road Engineering Miscellaneous Comments

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

===== REVIEW ON JULY 1, 2002 BY GREG J MARTIN =====

===== UPDATED ON DECEMBER 13, 2002 BY GREG J MARTIN =====

It appeared from a site visit that the driveway will be downhill without roadside drainage. If this is the case, which should be clear when the profiles are provided then the driveway will be required to have a 15 foot radius in accordance with the County Design Criteria. Please contact Greg Martin at 831-454-2811 if you have any questions regarding this. ===== UPDATED ON SEPTEMBER 12, 2003 BY GREG J MARTIN =====

