

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Date: May **12,2004**
Agenda Item: # **3**
Time: After **9:00** a.m.

STAFF REPORT TO THE PLANNING COMMISSION

APPLICATION NO.: 03-0285 (Tract 1479) **APN:** 102-451-02

APPLICANT: Richard Beale, Richard Beale Land Use and Planning

OWNERS: Eamon Joseph Boyd Barrett and Wendy Barrett

PROJECT DESCRIPTION: Proposal to divide Assessor's Parcel Number 102-451-02 into two parcels of 8.13 and 2.24 net developable acres.

LOCATION: Property located in Soquel at the end of Lupin Drive, about ½ mile east from North Rodeo Gulch Road, at 381 Lupin Drive.

PERMITS REQUIRED: Minor Land Division

ENVIRONMENTAL DETERMINATION Negative Declaration - Issued 3/23/04 with mitigations

COASTAL ZONE: ___ Yes X No

PARCEL INFORMATION

PARCEL SIZE: 13.48 gross acres

EXISTING LAND USE:

PARCEL: Single-family dwelling

SURROUNDING Single-family dwellings

PROJECT ACCESS: Lupin Drive from North Rodeo Gulch Road

PLANNING AREA: Soquel

LAND USE DESIGNATION: RR (Rural Residential)

ZONING DISTRICT: RA (Residential Agriculture)

SUPERVISORIAL DISTRICT: 1st

ENVIRONMENTAL INFORMATION

- | | |
|----------------------|---|
| a. Geologic Hazards | a. None mapped. The proposed development envelope is set back from slopes in excess of 30% |
| b. Soils | b. Soils & Geologic reports accepted (Exhibit D) |
| c. Fire Hazard | c. Yes, (portion) |
| d. Slopes | d. 0 to > 50 percent, no development proposed on slopes > 30%, max slope in development envelope = @15% |
| e. Env. Sen. Habitat | e. Biotic Pre-site conducted, no sensitive habitat found |
| f. Grading | f. None, to be reviewed and approved as part of any future building permit application. |
| g. Tree Removal | g. One 44" oak in declining health |
| h. Scenic | h. Not a mapped resource |
| i. Drainage | i. No change in drainage patterns |
| j. Traffic | j. No significant impact |
| k. Roads | k. Existing shared driveway adequate |

SERVICES INFORMATION

Inside **Urban/Rural** Services Line: ____ Yes **X** No
Water Supply: Private well
Sewage Disposal: Private septic system
Fire District: Central Fire Protection District
Drainage District: None

HISTORY

This application for a Minor Land Division was received by the Planning Department on July 17, 2003. In accordance with the California Environmental Quality Act (CEQA) and the County Environmental Review Guidelines, the County Environmental Coordinator considered the project on February 23, 2004. A Mitigated Negative Declaration was issued for the project on March 23, 2004. The Negative Declaration and Initial Study are included with this staff report as Exhibit D.

According to the State Map Act, the project **is an** adjacent/sequential land division. Minor Land Division 93-0436 created 4 lots, including the subject parcel, under the same ownership **as** this application. A tract number (1479) is therefore required for this land division, and Final Map rather than a Parcel Map must be recorded. As approved with 93-0436, the subject parcel contained a two-unit dwelling group, with a second house that was located near the proposed building envelope. The current application therefore proposes no increase in density. The second house **has** subsequently been removed.

PROJECT SETTLNG

The property lies at the end of Lupin Drive, a private 40-foot right of way that **serves** 4 parcels adjacent to North Rodeo Gulch Road. The area is wooded with mature vegetation. **On** proposed Parcel B, the project identifies a building site along a relatively flat elongated ridge on the south side **of** Lupin Drive. The building site is relatively void of mature native trees, with the exception of one large **oak** in declining health that is proposed **to** be removed.

The zoning in the area is RA (Residential Agriculture), with a General Plan Designation of R-R (Rural Residential). Surrounding development is sparse, consisting primarily of single-family homes on relatively large lots.

ANALYSIS AND DISCUSSION

This proposal is to divide Parcel 102-451-02 into two lots of 8.13 acres (Parcel A) and 2.24 acres (Parcel B). The site had been legally developed with two single-family dwellings (see History above). One single-family dwelling remains on the site and is to be included on proposed Parcel A. An additional single-family dwelling will be constructed on proposed Parcel B, subject to a County building permit.

Lupin Drive is improved to a width of 12 feet with drainage facilities that were required at the time of Land Division 93-0436. **An** emergency vehicle **turnaround** at the terminus of Lupin Drive was also installed at that time. No additional road improvements are proposed.

Application: 03-0285
APN: 102-451-02

The project has received approval ~~from~~ the County Environmental Health Services for preliminary septic layout ~~as~~ shown on Exhibit A. The project shall obtain water from a private well.

A rural density matrix was completed for Land Division **93-0436**, and is applicable to the present application. The matrix established a minimum of **5** acres per dwelling unit, and the two new lots have an average parcel size of **5.19** net developable acres. As with all parcel averaging, a note shall appear on the Final Map indicating that Parcel A contains acreage attributable to Parcel B for the purpose of density calculations and that it may not be further subdivided without including both lots in ~~future~~ density calculations.

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 **03-0285**, based on the attached findings and conditions.
2. Certification of the Mitigated Negative Declaration as complying with the requirements of the California Environmental Quality Act.

EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Initial Study (CEQA determination)
- E. 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: 

John Schlagheck
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Report Reviewed By: 

Cathy Graves
Principal Planner
Development Review
Santa Cruz County Planning Department

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 Rural Residential General Plan designation, which allows development consistent with the Rural Density Matrix, parcel averaging and overriding General Plan policies.

Per County Code Section 13.14.060, the matrix established that the minimum average developable parcel size would be five (5) acres, and the two new lots have an average parcel size of 5.19 net developable acres. A Geotechnical Investigation was prepared for the property by Rodgers Johnson & Associates in October, 1994, which concluded that the proposed residential development project is feasible from a geotechnical standpoint provided the recommendations of the report are incorporated into the project design and construction. A subsequent soils report was prepared for the property by Haro, Kasunich & Associates also concluded that subdivision of the property for development is geologically feasible, provided that recommendations regarding site development are successfully implemented. The reports were reviewed and accepted by County Geologist, Joe Hanna, and the acceptance letter was issued on July 3, 2002.

The project is consistent with the General Plan in that access is provided by an existing 40-foot right of way, Lupin Drive, which has an existing width of 12-feet and adequate drainage improvements.

Water is to be provided by a private well, and the new parcel has been determined to be suitable for an individual septic system by the Environmental Health Service.

The proposed building envelope is not in a hazardous or environmentally sensitive area and the project protects natural resources by allowing development in an area appropriate for residential uses at the proposed density.

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 and lot sizes meet the minimum average parcel size of five (5) acres, as

determined by the Rural Density Matrix. The proposed density is consistent with the rural density matrix completed for the parcel, with consideration for restrictions on locating the building envelope away from slopes greater than 30 percent.

The proposal meets all dimensional standards for the RA zone district where the project is located, and all setbacks will be consistent with the zoning standards. The proposed development envelope will comply with the development standards in the zoning ordinance as they relate to **minimum** 40-foot front and 20-foot side and rear yard setbacks.

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

The site of the proposed division of land is physically suitable for the type and density of development in that no challenging topography affects the portion of the site to be developed, the development area is adequately shaped to ensure efficiency in the conventional development of the property, and the proposed site plan offers a traditional arrangement and shape to insure development without the need for variances or site standard exceptions. No environmental constraints exist which would necessitate that the area remains undeveloped.

The property has been previously developed under County Permit 93-0436.

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 habitat or threatened species impede development of the site as proposed. Conditions of approval require a County building permit, with a detailed erosion control plans be submitted and approved prior to any ground disturbance.

The project received a mitigated Negative Declaration on March 23, 2004, pursuant to the California Environmental Quality Act and the County Environmental Review Guidelines (Exhibit D), and is conditioned to comply with all mitigation measures.

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 Environmental Health Service has determined that private septic system is approvable. Water shall be provided by private wells regulated also by Environmental Health Services. A private 40-foot right of way, Lupin Drive, will provide access to both resulting parcels. The road has been reviewed and approved by the local fire protection agency and will be maintained by a private maintenance agreement that has existing for many years.

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.

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. Both proposed parcels are conventionally configured and meet the minimum setbacks as required by the A zone district for the property and County code.

CONDITIONS OF APPROVAL

Land Division No. **03-0285** (Tract **1479**)
Property Owners: Eamon Joseph Boyd Barrett and Wendy Barrett
Assessor's Parcel Number: **102-451-02**
Property Location: **381** Lupin Drive, Soquel, CA
Soquel Planning Area

Exhibit: **A.** Tentative Map prepared by Bowman & Williams, dated 4/2/04

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

I. Prior to exercising any rights granted by this Approval, the owner shall:

- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Submit a copy of the approved Tentative Map to the County Surveyor on vellum.
11. A Final 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 Final Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including without limitation, grading and vegetation removal, shall be done prior to recording the Final Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Final Map shall meet the following requirements:
- A. The Final Map shall be in general conformance with the approved Tentative Map and shall conform to the conditions contained herein. All other State and County laws relating to the improvement of property, or affecting public health and safety shall remain fully applicable.
 - B. This land division shall result in no more than two lots.
 - C. The minimum average lot size shall be five **(5)** acres net developable land.
 - D. The following items shall be shown on the Final Map:
 - 1. Development envelopes and/or building setback lines, located according to the approved Tentative Map. No slopes greater than **30** percent or areas within the drip line of surrounding native trees shall be included within the development envelope.
 - 2. Gross lot area and net lot area shown to the nearest hundredth acre.
 - 3. Evidence of review and approval by the local fire agency.

- E. The following requirements shall be noted on the Final Map **as** items to be completed prior to obtaining a building permit **or** grading permit on lots created by this land division:
1. The new Parcel B shall obtain a permit **from** The County Environmental Health Service for a new individual sewage disposal system and a private well.
 2. Future development shall comply with all recommendations of the geologic report by Rogers Johnson & Associates dated October **10, 1994** and the geotechnical report by Haro, Kasunich and Associates, dated July **19, 1995**.
 3. Grading plans for future development must be approved by a geotechnical engineer and must include an erosion control plan approved by the County.
 4. A written statement must be submitted, 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.
 5. All requirements of the Central Fire Protection District shall be met.
- F. A note shall appear on the Final Map indicating that Parcel A contains acreage attributable to Parcel B for the purpose of density calculations and that it may not be further subdivided without including both lots in future density calculations.
- G. A note shall appear on the Final Map that Parcel A retains access across the surface of the septic leach field area of Parcel B.
- H. A note shall appear on the Final Map the Parcel B retains ingress/egress access across Parcel A for the purpose of septic leach field maintenance.

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

- A. Pay a Negative Declaration filing fee **of \$25.00** to the Clerk of the Board of the County of Santa Cruz **as** required by the California Department of Fish and Game mitigation fees program.
- B. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- C. Engineered improvement plans are not required for this land division, and a subdivision agreement backed by financial securities is not necessary. Improvements shall occur with the issuance of building permits 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. An erosion control plan for any improvements shall be submitted for Planning Department review and approval.
 3. All future development on the lots shall comply with all recommendations of the submitted geologic and geotechnical reports.
 4. All new utilities shall be constructed underground. **All** facility relocations, 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.
 5. All improvements shall comply with the applicable provisions of the Americans with Disabilities Act and/or Title **24** of the State Building Regulations.

- D. **An** amended agreement for shared maintenance of Lupin Drive and its drainage facilities, applicable to all parcels, shall be submitted and recorded with the Final Map.
- E. Park dedication in-lieu fees shall be paid for one single-family dwelling unit. These fees are \$2,400.00, which assumes a three-bedroom home at \$800 per bedroom, but are subject to change.
- F. Child Care Development fees shall be paid for one single-family dwelling unit. These fees are **\$327**, which assumes a three-bedroom home at \$109 per bedroom, but are subject to change.
- G. Public Works Roadside Improvement fees shall be paid for one single-family lot. These fees are \$2,000.00 per lot, but are subject to change.
- H. Public Works Transportation Improvement fees shall be paid for one single-family lot. These fees are \$2,000.00 per lot, but are subject to change.
- I. Submit one reproducible copy of the Final Map to the County Surveyor for distribution and assignment of temporary Assessor's Parcel Numbers and situs addresses.

IV. All future construction within the minor land division 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 a separate winter erosion-control plan is approved by the Planning Director.
- 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).
- 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 the 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.
 - 3. Construction of improvements shall comply with the requirements of the required 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 reports. **An** engineered

drainage plan shall verify that all drainage runoff shall be retained on the property for the purpose of recharge. A geotechnical plan review performed by a state-registered geotechnical engineer is required prior to issuance of any building permit on the vacant parcel. A fee-paid Geotechnical Plan Review by the County Planning Department will be required prior to approval of a building permit.

4. Prior to obtaining a building or grading permit for Parcel B the applicant shall submit a report from a licensed arborist that details any preventative measures that must be taken to ensure that native trees greater than six inches will not be compromised by construction **or** grading. The **44"** oak may be removed.

F. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lot.

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

V. **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, which incorporates the provisions of this condition, **or** this development approval shall become null and void.

VI. MITIGATION MONITORING PROGRAM

The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate **or** avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the following mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval, including the terms of the adopted monitoring program, may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code.

- 1. Mitigation Measure: Development Envelope (Required prior to public hearing)
Monitoring Program: The Tentative Map prepared by a licensed surveyor now indicates the location of a future driveway and that the development envelope is outside the drip line of native trees greater than 6' in size inches.
- 2. Mitigation Measure: Tree Protection (Condition **IV.E.4**)
Monitoring Program: Prior to obtaining a building or grading permit for Parcel B the applicant shall submit a report from a licensed arborist that details any preventative measures that must be taken to ensure that native trees **greater** than six inches will not be compromised by construction **or** grading. The Planning Department shall review the report prior to the issuance **of** a building permit or a grading permit. Correction notices will be issued in the event of non-compliance.

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

Application: 03-0285
APN: 102-451-02

**PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE DATE
UNLESS YOU OBTAIN THE REQUIRED PERMITS
AND COMMENCE CONSTRUCTION.**

Approval Date: _____

Effective Date: _____

Expiration Date: _____

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



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 950604000
(831)454-2580 FAX (831) 454-2131 TOO (631) 454-2123
TOM BURNS, DIRECTOR

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

Application Number: 03-0285

Rich Beale, for Eamon and Wendy Barrett

Proposal to divide a 13.48-acre parcel into two parcels of 8.13 acres and 2.24 acres, on a parcel where a two unit dwelling group was approved by Minor Land division 93-036. Requires a subdivision and a Biotic Pre-Site. The project location is at the end of Lupin Drive off North Rodeo Gulch Road. The exact address is 381 Lupin Drive, Soquel, California.

APN: 102-451-02

John Schlagheck, Staff Planner

Zone district: "RA" Residential Agriculture

ACTION Negative Declaration with Mitigations

REVIEW PERIOD ENDS: March 22, 2004

This project will be considered at a public hearing by the Planning Commission. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.

Findings:

This project, if conditioned to comply with required mitigation measures or conditions shown below, will not have significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project attached to the original of this notice on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Required Mitigation Measures or Conditions:

 None

 XX Are Attached

Review Period Ends March 22, 2004

Date Approved By Environmental Coordinator March 23, 2004


KEN HART
Environmental Coordinator
(831) 454-3127

If this project is approved, complete and file this notice with the Clerk of the Board:

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by _____

on _____. No EIR was prepared under CEQA.

THE PROJECT WAS DETERMINED TO NOT HAVE SIGNIFICANT EFFECT ON THE ENVIRONMENT

Date completed notice filed with Clerk of the Board: _____

EXHIBIT D

NAME: Richard Beale for Eamon and Wendy Barrett
APPLICATION: 03-0285
A.P.N: 102-451-02

NEGATIVE DECLARATION MITIGATIONS

A. In order to ensure that existing native trees are preserved:

1. Prior to scheduling the public hearing the applicant shall revise the tentative map to indicate the proposed driveway, and to indicate the accurate location of the dripline of native trees greater than six inches which are within thirty feet of the proposed building envelope, septic improvements and/or driveway. If the driplines overlap the building envelope the envelope shall be revised to exclude those areas. If the driplines overlap the proposed driveway or septic improvements those improvements shall be shifted out of the canopy.
An exception to this mitigation measure is that the single 44 inch oak tree that is in the proposed building envelope and which is in declining health may be removed.
2. Prior to obtaining a building or grading permit for Parcel B the applicant shall submit a report from a licensed arborist that details any preventative measures that must be taken to ensure that native trees greater than six inches will not be comprised by proposed construction or grading.

**COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT**

Date: **February 23, 2004**
Staff Planner: John Schlagheck

**ENVIRONMENTAL REVIEW
INITIAL STUDY**

APPLICANT: Rich Beale
OWNER: Eamon and Wendy Barrett
Application No: 03-0285
Site Address: 760 North Rodeo Gulch Road
Location: At the end of Lupin Drive off North Rodeo Gulch Road

APN: 102-451-02

Supervisory District: 1st

EXISTING SITE CONDITIONS

Conditions unchanged from those described in Initial Study dated 1996. See that Initial Study, Attachment 1.

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Conditions unchanged from those described in Initial Study dated 1996. See that Initial Study, Attachment 1.

SERVICES

Conditions unchanged from those described in Initial Study dated 1996. See that Initial Study, Attachment 1.

PLANNING POLICIES

Conditions unchanged from those described in Initial Study dated 1996. See that Initial Study, Attachment 1.

PROJECT DESCRIPTION:

Proposal to divide a 13.48-acre parcel into two parcels of 10.4 acres and 3.07 acres. This 13.48-acre parcel was created as one parcel of a 4-lot MLD, 93-0436, which also allowed a two-unit dwelling group. Because one of the four MLD parcels is now proposed to be redivided, the current proposal requires a Subdivision. Of the two proposed parcels, Parcel A is developed with one housing unit, and Parcel B, which had been developed with one housing unit as part of the two-unit dwelling group, is now vacant.

PROJECT SETTING:

The property lies at the end of Lupin Drive, a private road that serves 4 parcels adjacent to North Rodeo Gulch Road. The general area is wooded with mature vegetation. On the vacant Parcel B, the project identifies a building site at the top of an elongated ridge that is relatively flat. There are several native trees on the ridge. One is a large oak in declining health that is proposed to be removed.

The zoning in the area is RA (Residential Agriculture), with a General Plan Designation of R-R (Rural Residential). Surrounding development is sparse, consisting primarily of single-family homes on relatively large lots.

NOTES ON THIS INITIAL STUDY

Because the subject parcel was previously developed as part of a recent MLD and because physical conditions have not changed, this initial study consists of the previous initial study with an updated biotic section and new mandatory findings in significance. Also, a new list of attachments has been added that relate to the review of the current project.

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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C. Biological Resources

Does the project have the potential to:

1. *Have an adverse effect on any species identified as a candidate, sensitive, or special status species, in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or **US**. Fish and Wildlife Service?*

___	___	___	<u>X</u>
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According to the California Natural Diversity Data Base (CNDDB), maintained by the California Department of Fish and Game, there are no known special-status plant or wildlife species in the site vicinity.

2. *Have an adverse effect on a sensitive biotic community (riparian corridor), wetland, native grassland, special forests, intertidal zone, etc.)?*

___	<u>X</u>	___	___
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There are no designated sensitive biotic communities on or adjacent to the project site. However, the site is surrounded by a mature forest with many >6" trees. The applicant will amend to plan to include a development envelope that restricts development to areas outside the drip lines of the existing large trees. Also, an arborist report will be required with the building permit that provides details of how the surrounding trees should be protected during construction.

3. *Interfere with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites?*

___	___	<u>X</u>	___
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The building envelope is relatively small compared to the size of the parcel. The building envelope is void of mature trees except for one large tree in declining health that is to be removed. Consequently, the project will not interfere with the movement of wildlife.

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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4. Produce night time lighting that will illuminate animal habitats?

_____	_____	<u> X </u>	_____
-------	-------	--------------	-------

There are no mapped sensitive animal habitats within the vicinity of the proposed project. Nighttime lighting will be very limited, *consisting* of only that which is typical *for* any single-family home.

5. Make a significant contribution to the reduction of the number of species of plants or animals?

_____	_____	<u> X </u>	_____
-------	-------	--------------	-------

The building envelope is void of mature trees except for one large tree in declining health that is to be removed.

6. Conflict with any local policies or ordinances protecting biological resources (such as the Significant Tree Protection Ordinance, Sensitive Habitat Ordinance, provisions of the Design Review ordinance protecting trees with trunk sizes of 6 inch diameters or greater)?

_____	_____	_____	<u> X </u> .
-------	-------	-------	----------------

The project will not conflict with local policies or ordinances.

7. Conflict with the provisions of an adopted Habitat Conservation Plan, Biotic Conservation Easement, or other approved local, regional, or state habitat conservation plan?

_____	_____	_____	<u> X </u> .
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There are no *conservation* plans or biotic conservation easements in effect or planned in the project vicinity.

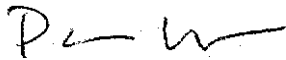
N. Mandatory Findings of Significance

- | | | | |
|----|--|------|---------------|
| 1. | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant, animal, or natural community, or eliminate important examples of the major periods of California history or prehistory? | Yes— | No <u>X</u> . |
| | | | |
| 2. | Does the project have impacts that are individually limited, but cumulatively considerable (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, and the effects of reasonably foreseeable future projects which have entered the Environmental Review stage)? | Yes— | No <u>X</u> . |
| | | | |
| 3. | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | Yes— | No <u>X</u> . |

ENVIRONMENTAL REVIEW ACTION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described below have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



Signature

3.3.04

Date

For: 
Environmental Coordinator

Attachments:

1. Initial Study 93-0436
2. Location Map
3. Map of Zoning Districts
4. Map of General Plan Designations
5. Project Plans dated 1/8/04, containing 3 sheets
6. Letter from Paia Levine for Biotic Pre-Site, dated 7/8/04
7. Review of Geotechnical investigation by Santa Cruz County staff, dated 7/3/02
8. Letter from Rogers/Johnson and Associates. dated 3/26/02
9. Review comments by Environmental Planning
10. Review comments by DPW Drainage
11. Review comments from Environmental Health Services
12. Letter from Central Fire District, dated 2/15/99
13. Negative Declaration & Notice of Determination for 93-0436 MLD
14. Adopted Mitigations for Negative Declaration 93-0436
15. Environmental constraints map

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Date: February 5, 1996
Staff Planner: Martin J. Jacobson

INITIAL STUDY

APPLICANT: Eamon & Wendy Barrett, et al.

APN: 102-131-02

OWNER: Same

Application No: 93-0436

Supervisory District: First

Site Address: 760 North Rodeo Gulch

Section: 4, T11S, R1W

Location: North side of North Rodeo Gulch Road (at 760 North Rodeo Gulch Road), about 0.6 mile north of Soquel Drive, Soquel planning area

EXISTING SITE CONDITIONS

Parcel Size: 26.07 acres, net developable acres (33.9 acres, gross)

Existing Land Use: Rural Residential

Vegetation: Mixed evergreen trees and non-native annual grasses.

Slope: 0-15% 3.9, 16-30% 8.6, 31-50% 17.0, >51% 4.4 acres

Nearby Watercourse: Rodeo Creek

Distance To: 200 feet, west

Soil Type: Elder sandy loam

ENVIRONMENTAL CONCERNS

Groundwater Supply: Good quality/quantity

Liquefaction: Moderate

Water Supply Watershed: No

Fault Zone: Not mapped

Groundwater Recharge: Yes

Floodplain: No

Timber and Mineral: Not mapped

Riparian Corridor: Yes

Biotic Resources: No

Solar Access: Fair

Fire Hazard: Mapped critical

Solar Orientation: Fair

Archaeology: Not mapped

Scenic Corridor: No

Noise Constraint: No

Electric Power Lines: No

Erosion: Yes

Agricultural Resource: No

Landslide: Yes

SERVICES

Fire Protection: Central Fire

Drainage District: Zone 4

School District: Soquel Elementary

Project Access: Driveway

Water Supply: Private well

Sewage Disposal: Septic systems

PLANNING POLICIES

Zone District: "RA" Residential Agriculture Within USL: No

General Plan: Rural Residential

Coastal Zone: No

Environmental Review Initial Study

ATTACHMENT 1.1 of 12
APPLICATION 03-0285

PROJECT DESCRIPTION:

Proposal to create four parcels of 1.62, 5.02, 8.54, and 10.89 acres and maintain all existing two-unit dwelling group on proposed lot "B". Requires a Minor Land Division and a Residential Development Permit.

ENVIRONMENTAL REVIEW CHECKLISTA. GEOLOGIC FACTORS

Could the project, or its related activities affect, or be affected by, the following:

YES NO MAYBE

- | | | | |
|------------|--------------|--------------|--|
| <u> </u> | <u> X </u> | <u> </u> | 1. Geologic Hazards - earthquakes (particularly surface ground rupture, liquefaction, seismic shaking), landslides, mud slides or other slope instability, or similar hazards? |
| <u> </u> | <u> X </u> | <u> </u> | 2. Soil Hazards - soil creep, shrink swell (expansiveness), high erosion potential? |
| <u> </u> | <u> X </u> | <u> </u> | 3. Change in topography or ground surface relief features? |
| <u> </u> | <u> X </u> | <u> </u> | 4. The destruction, covering or modification of any unique geologic or physical feature? |
| <u> </u> | <u> </u> | <u> X </u> | 5. Steep slopes (over 30%)? |
| <u> </u> | <u> X </u> | <u> </u> | 6. Coastal cliff erosion? |
| <u> </u> | <u> X </u> | <u> </u> | 7. Beach sand distribution? |
| <u> </u> | <u> X </u> | <u> </u> | 8. Any increase in wind or water erosion of soils, either on or off site? |

B. HYDROLOGIC FACTORS

Could the project affect, or be affected by, the following:

YES NO MAYBE

- | | | | |
|------------|--------------|------------|--|
| <u> </u> | <u> X </u> | <u> </u> | 1. Water related hazards such as flooding or tidal waves? |
| <u> </u> | <u> X </u> | <u> </u> | 2. Private or public water supply? |
| <u> </u> | <u> X </u> | <u> </u> | 3. Septic system functioning (inadequate percolation, high water table, proximity to water courses)? |
| <u> </u> | <u> X </u> | <u> </u> | 4. Increased siltation rates? |
| <u> </u> | <u> X </u> | <u> </u> | 5. Surface or ground water quality (contaminates other than silt-urban runoff, nutrient enrichment, pesticides, etc.)? |
| <u> </u> | <u> X </u> | <u> </u> | 6. Quantity of ground water supply, or alteration in the direction or rate of flow of ground waters? |
| <u> </u> | <u> X </u> | <u> </u> | 7. Groundwater recharge? |
| <u> </u> | <u> X </u> | <u> </u> | 8. Watercourse configuration, capacity, or hydraulics? |

Environmental Review Initial Study
ATTACHMENT 1, 2 of 10
APPLICATION 03-0285

YES NO MAYBE

- ☒ — 9. Changes in drainage patterns or the rate and amount. of run-off?
- ☒ — 10. Cumulative saltwater intrusion?
- ☒ — 11. Inefficient or unnecessary water consumption?
- ☒ — 12. Change in the amount of surface water in any water body?

C. BIOTIC FACTORS

Could the project affect, or be affected by, the following:

YES NO MAYBE

- ☒ — 1. Known habitat of any unique, rare or endangered plants or animals (designate species if known)?
- ☒ — 2. Unique or fragile biotic community (Riparian Corridor, Wetland, Coastal Grasslands, Special Forests, etc.)?
- ☒ — 3. Fire hazard from flammable brush, grass, or trees?
- ☒ — 4. Anadromous fishery?
- ☒ — 5. Timber resources?
- ☒ — 6. Lands currently utilized for agriculture or designated for agricultural use?
- ☒ — 7. Change in the diversity of species, or number of species of plants (including trees, shrubs, grass, crops, and aquatic plants), or animals (birds, land animals including reptiles, fish, shellfish, and benthic organisms or insects)?
- ☒ — 8. Involve the use of any experimental animals on the site? If yes, would the standards on use of animals of the American Association for Accreditation of Laboratory Animal Care (AAA-LAC) be adhered to?

D. NOISE

Environmental Review Initial Study

Will the project:

ATTACHMENT 1 3 of 10
APPLICATION 03-0285

YES NO MAYBE

- ☒ — 1. Increase the ambient noise level for adjoining areas?
- ☒ — 2. Violate Title 25 noise insulation standards, or General Plan noise standards, as applicable?
- ☒ — 3. Be substantially impacted by existing noise levels?

E. AIR

Will the project:

YES NO MAYBE

- ☐ X ☐ 1. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?
- ☐ X ☐ 2. Expose sensitive receptors to substantial pollutant concentrations?
- ☐ X ☐ 3. Release bioengineered organisms or chemicals to the air outside of project buildings?
- ☐ X ☐ 4. Create objectionable odors?
- ☐ ~~X~~ ☐ 5. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect areas, or change the climate either in the community or region?

F. ENERGY AND NATURAL RESOURCES

Will the project:

YES NO MAYBE

- ☐ ~~X~~ ☐ 1. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner?
- ☐ ~~X~~ ☐ 2. Have a substantial effect on the potential use, extraction, or depletion of a natural resource (i.e., minerals or energy resources)?

G. CULTURAL/AESTHETIC FACTORS

Will the project result in:

YES NO MAYBE

- ☐ ~~X~~ ☐ 1. Alteration or destruction of historical buildings or unique cultural features?
- ☐ X ☐ 2. Disturbance of archaeological or paleontological resources?
- ☐ X ☐ 3. Obstruction or alteration of views from areas having important visual/scenic values?
- ☐ X ☐ 4. Being visible from any adopted scenic highway or scenic corridor?

Environmental Review Initial Study

ATTACHMENT
APPLICATION4 4 of 10

YES NO MAYBE

- ☒ — 5. Interference with established recreational, educational, religious, or scientific uses of the area?

Will the project or its related activities result in:

YES NO MAYBE

- ☒ — 1. A breach of national, state, or local standards relating to solid waste or litter management?
- ☒ — 2. Expansion of or creation of new utility facilities (e.g., sewage plants, water storage, mutual water systems, storm drainage, etc.) including expansion of service area boundaries?
3. A need for expanded governmental services in any of the following areas:
- ☒ — a. Fire protection?
- ☒ — b. Police protection?
- ☒ — c. Schools?
- ☒ — d. Parks or other recreational facilities?
- ☒ — e. Maintenance of public facilities including roads?
- ☒ — f. Other governmental services?
- ☒ — 4. Inadequate water supply for fire protection?
- ☒ — 5. Inadequate access for fire protection?

I. TRAFFIC AND TRANSPORTATION

Environmental Review Initial Study

Will the project result in:

ATTACHMENT 4 50 10
APPLICATION 03-0285

YES NO MAYBE

- ☒ — 1. An increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?
- ☒ — 2. Cause substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?
- ☒ — 3. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?

T-1

YES NO MAYBE

- ~~X~~ — 4. Alterations to present patterns of circulation or movement of people and/or goods?
- X — 5. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?
- ~~X~~ — 6. Cause preemption of public mass-transportation modes?

J. LAND USE/HOUSING

Will the project result in:

YES NO MAYBE

- X — 1. Reduction of low/moderate income housing?
- X — 2. Demand for additional housing?
- X — 3. A substantial alteration of the present or planned land use of an area?
- X — 4. Change in the character of the community in terms of distribution or concentration of income, ethnic, housing, or age group?
- ~~X~~ — 5. Land use not in conformance with the character of the surrounding neighborhood?

K. HAZARDS

Will the project:

YES NO MAYBE

- ~~X~~ — 1. Involve the use, production or disposal of materials which pose hazard to people or animal or plant populations in the area affected?
- X — 2. Result in transportation of significant amounts of hazardous materials, other than motor fuel?
- X — 3. Involve release of any bioengineered organisms outside of controlled laboratories?
- X — 4. Involve the use of any pathogenic organisms on site?
- X — 5. Require major expansion or special training of police, fire, hospital and/or ambulance services to deal with possible accidents?
- — X 6. Create a potential substantial fire hazard?
- ~~X~~ — 7. Expose people to electromagnetic fields associated with electrical transmission lines?

Environmental Review Initial Study

ATTACHMENT 1, 6 of 10
APPLICATION 03 - 0285

L. GENERAL PLANS AND PLANNING POLICY

YES NO MAYBE

- ~~X~~ — 1. **Does** the project conflict with any policies in the adopted General Plan or Local Coastal Program? If **so**, how?
- X — 2. **Does** the project conflict with any local, state or federal ordinances? If **so**, how?
- X — 3. **Does** the project have potentially growth inducing effect?
- X — 4. **Does** the project require approval of regional, state, or federal agencies? Which agencies?

MANDATORY FINDINGS OF SIGNIFICANCEYes No

- — 1. **Does** the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?
- — 2. **Does** the project have the potential to achieve short term, to the disadvantage of long term environmental goals? (a short term impact on the environment is one which occurs in a relatively brief, definitive period of time while long term impacts will endure well into the future).
- — 3. **Does** the project have impacts which are individually limited but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant. Analyze in the light of past projects, other current projects, and probable future projects).
- — 4. **Does** the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Environmental Review Initial Study

ATTACHMENT 1 7 & 10APPLICATION 03 - 0285

DISCUSSION OF ENVIRONMENTAL IMPACT AND MITIGATIONS

(All "Yes" and "Maybe" answers must be discussed as to their potential for resulting in significant environmental impacts. "No" answers should be discussed where necessary to provide a clear understanding of project impacts). Use checklist numbers for reference. Mitigations should be discussed for any potentially significant impacts. Indicate whether or not the mitigation is included in the project as proposed.

- A.1. and A.2. The County conducted a Geologic Hazards Assessment of the subject property and concluded that development constraints in the form of landslides, erosion, and soil instability are present. As a result, additional technical analysis of the property was required in order to identify and mitigate these obstacles to development.

An engineering geologic report prepared by Rogers Johnson Associates has been reviewed and accepted by the County Geologist. A geotechnical report prepared by Hara, Kasunich Associates has also been reviewed and accepted by the County Geologist. These reports conclude that, provided all necessary precautions are observed, the building sites are developable from a technical standpoint.

- A.5. Slopes over 30% are present on the project site. The proposed building envelopes are on slopes of less than 30 percent. The existing access road crosses slopes in excess of 30 percent. Provided that grading of this road can be completed to meet the minimum required width and does not exceed a volume of 100 cubic yards, the road is not considered new and not subject to the prohibition of access roads crossing greater than 30% slopes (General Plan Policy 6.3.9). Preliminary improvement plans for the road indicate 95 cubic yards of earthwork.
- B.5. The project will result in a minor increase in runoff containing urban contaminants. This is not considered a significant adverse impact.
- 6.7. The western most portion of the property is within an area of groundwater recharge associated with nearby Rodeo Creek. The subdivision is not expected to impact this resource.
- C.2. A riparian corridor crosses the property in a north-south direction. No development is proposed within the corridor, the riparian buffer, or the buffer setback. No adverse impact is anticipated.
- C.3. Nearly the entire property is within a mapped critical fire hazard area including the building site of the existing home and two of the proposed building envelopes. However, based on staff inspection of the property, the site does not possess the chaparral vegetative cover which is characteristic of a critical fire hazard area as specified by the General Plan. Instead, vegetation consists of eucalyptus, Monterey pine and cypress, and Douglas fir. Thus, the General Plan overriding policy pertaining to property with critical fire hazard areas does not apply.
- C.7. Development of the property will not significantly affect the wildlife habitat.

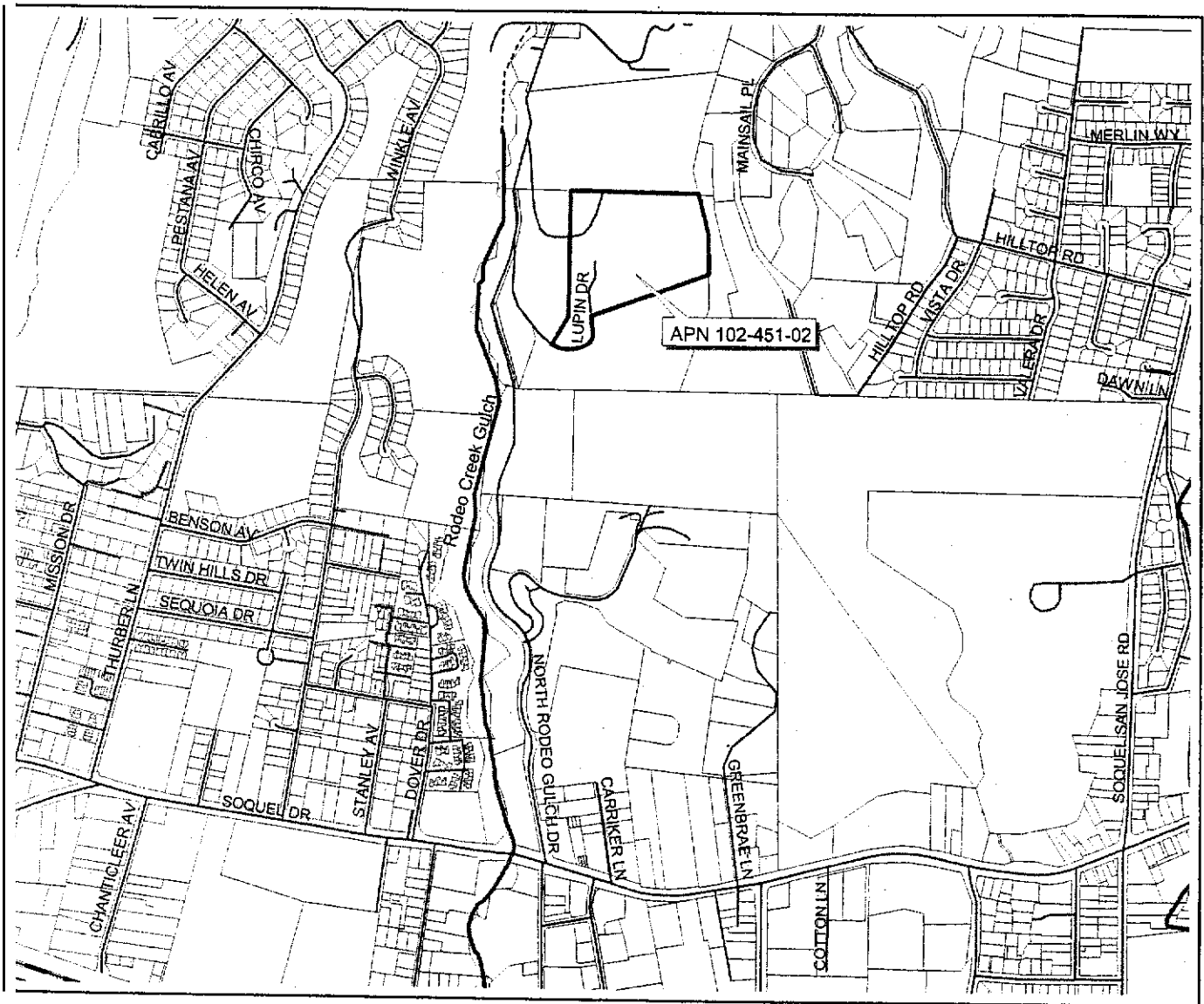
Environmental Review Initial Study

ATTACHMENT 1 8 of 10
APPLICATION 03-0255

- D.1. Noise levels would temporarily increase due to construction activities. Residential use of the property would increase ambient noise levels to surrounding properties. This is not considered a significant adverse impact.
- E.1. Construction related activities would lead to a temporary increase in airborne particles. Though the project itself will not violate air quality standards, its development will contribute to the cumulative impact on the Monterey Bay air basin. Further, the California Air Resources Board has designated the North Central Coast Air Basin, to which Santa Cruz County is a component, as a non-attainment area for ambient levels of ozone and suspended particulate matter.
- H.5. Policy 6.5.1(i) of the 1994 General Plan states that "no roadway shall have an inside turning radius of less than 50 feet." The turning radius from North Rodeo Gulch Road and onto the access road to the subdivision is 30 feet. In addition, this radius is calculated using the southbound lane (the opposite direction to access the site), of North Rodeo Gulch Road. While Central Fire Protection District has approved the proposed access, they disclosed that emergency response vehicles will be delayed due to the inability to provide the necessary approach. Instead, the Fire District has reported that larger emergency vehicles would travel to a point beyond the entrance of the subdivision, turn around, and then return to the property.
- I.1. The project will result in a minor increase in traffic on the surrounding roadways. This is not considered a significant adverse impact.
- K.6. If response time to the property is lengthened due to inadequate access as described above, an increased fire hazard is anticipated. Whether this increase is substantial in nature is unknown.

Environmental Review Initial Study
ATTACHMENT 1, 9 & 10
APPLICATION 03-0285

Location Map



0.25 0 0.25 0.5 Miles

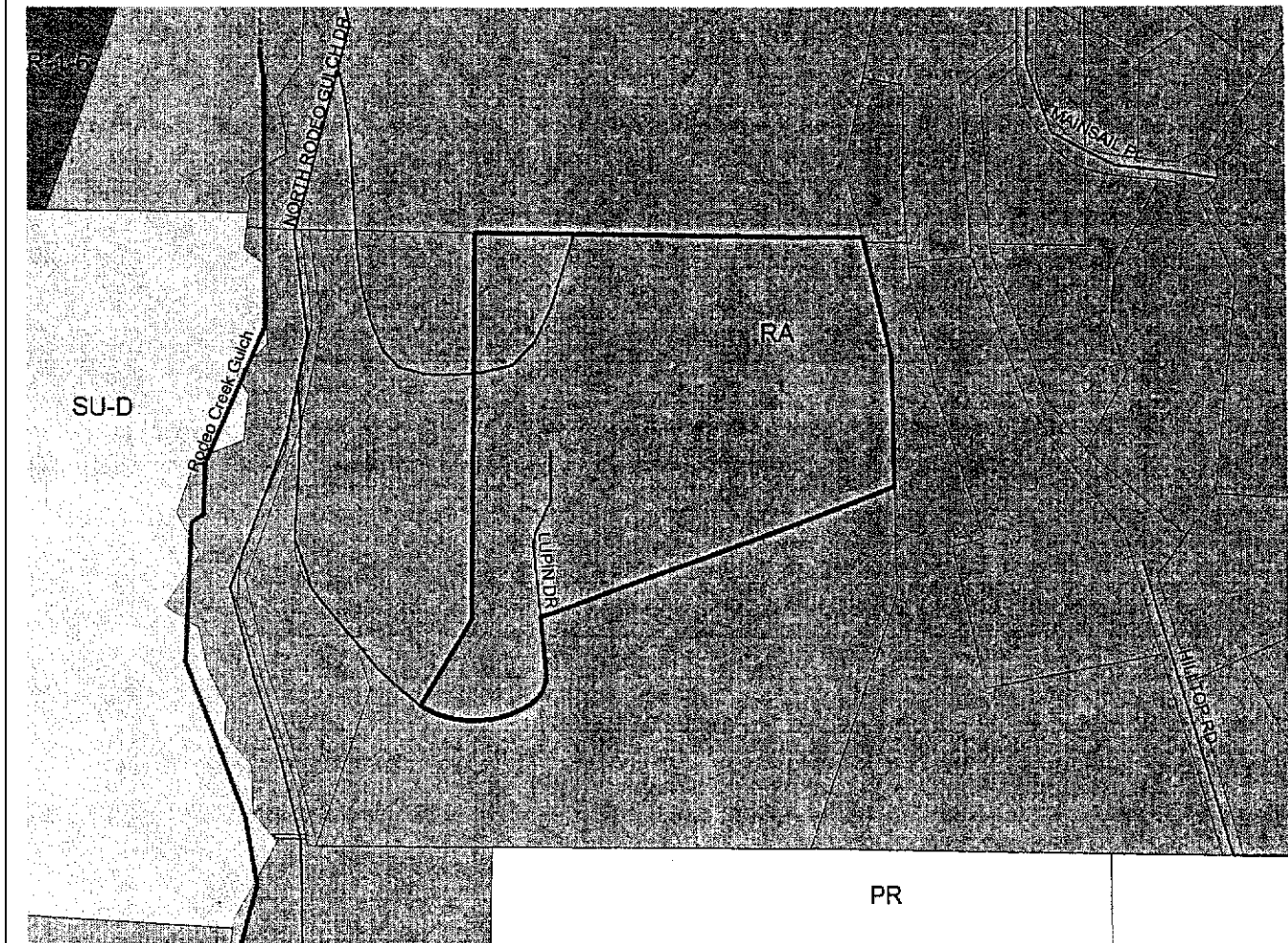
Environmental Review Initial Study
ATTACHMENT 7
APPLICATION 03-0285

N



Map created by Santa Cruz County
Planning Department:
July 2003

Zoning Map



500 0 500 1000 Feet

Legend

	APN 102-451-02
	Parcel boundaries
	Streets
	Intermittent Stream
	Perennial Stream
	PR
	SU
	RA
	R-1-6

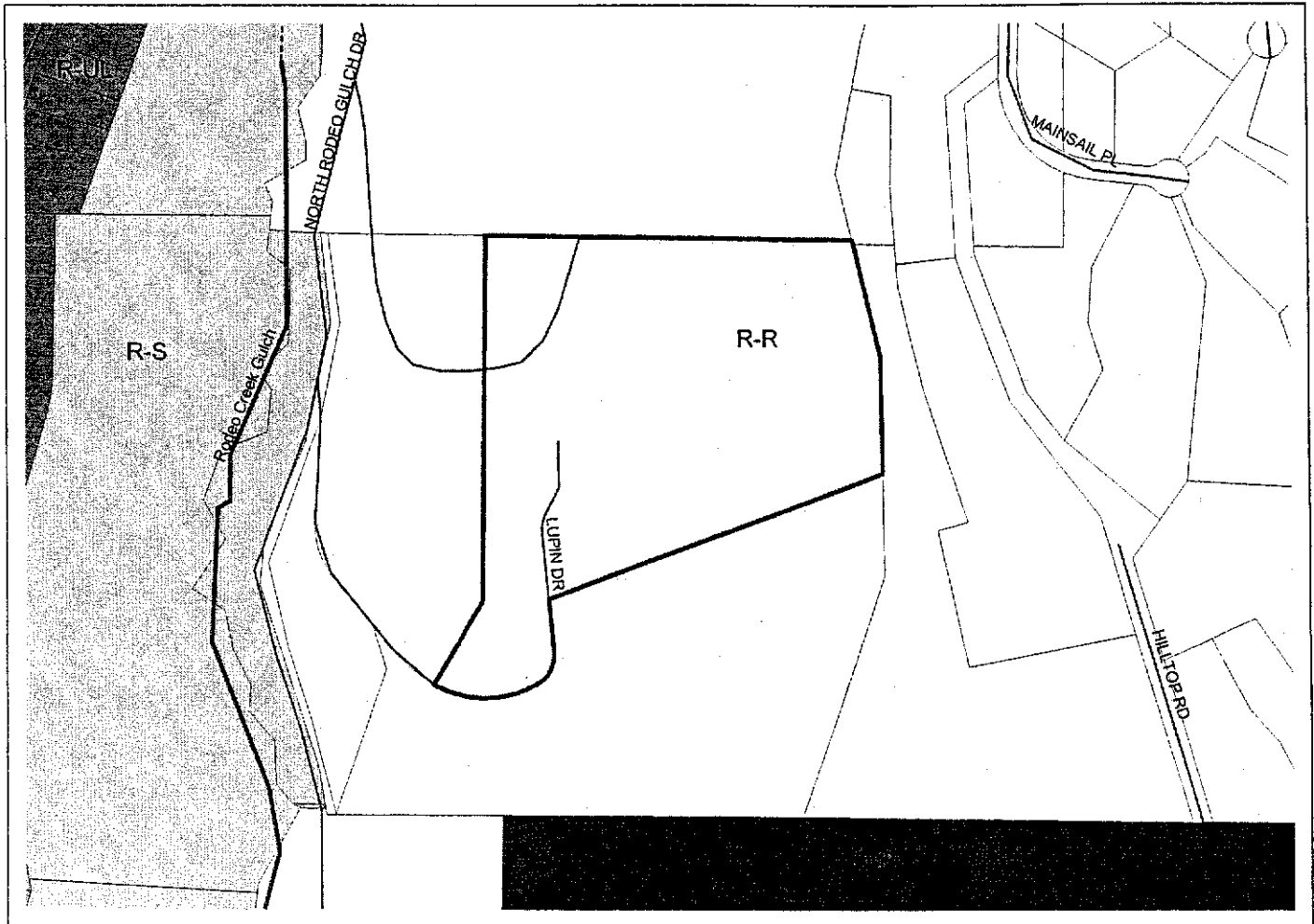
Environmental Review Initial S

ATTACHMENT 3
APPLICATION 03-0285



Map created by Santa Cruz County
Planning Department:
July 2003

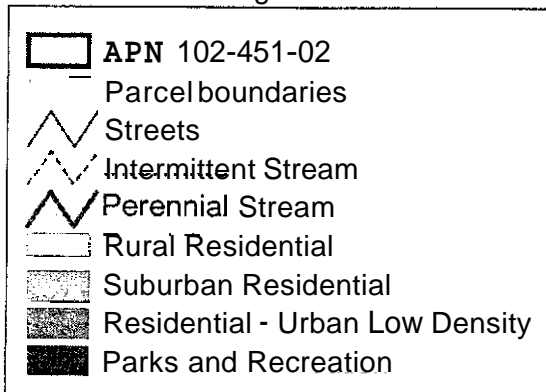
General Plan Map



500 0 500 1000 Feet

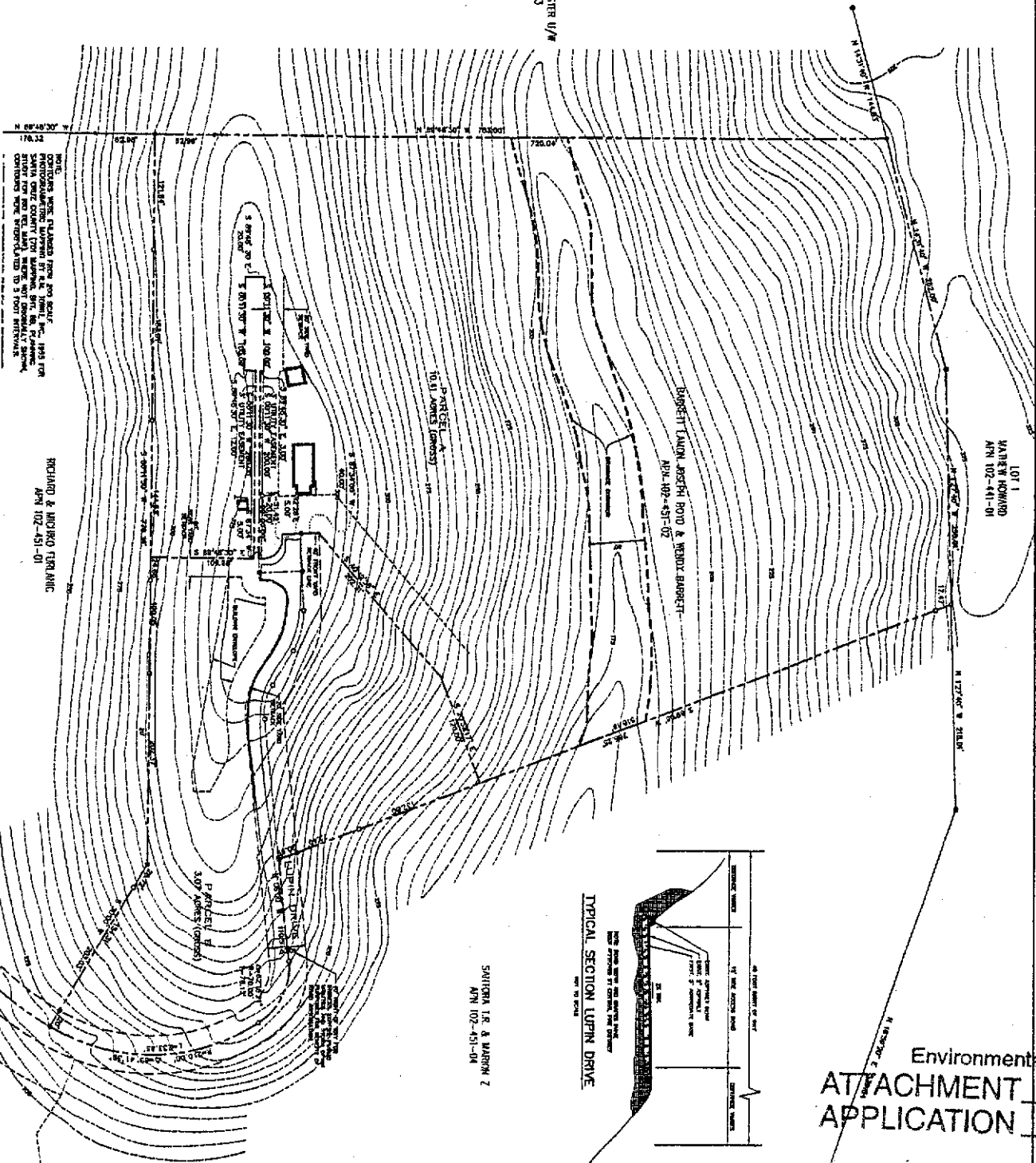
Environmental Review Initial Study
 ATTACHMENT 4
 APPLICATION 03-0285

Legend



Map created by Santa Cruz County
 Planning Department
 July 2003

ELIZABETH A. TOSTER U/W
5020 OR 303
64-M-38



RICIARD & MORGAN TIRAHIC
APN 102-451-01

TYPICAL SECTION LUPIN DRIVE
NOT TO SCALE

SAVONA L.R. & MARY Z
APN 102-451-04

Environment: Review Initial Stu
ATTACHMENT
APPLICATION
5, 1st: 285

PROJECT INFORMATION

OWNER:
ELIZABETH A. TOSTER U/W
5020 OR 303
64-M-38

DESIGNER:
BOWMAN & WILLIAMS
1001 DOWD STREET
SAN JOSE, CA 95128
OFFICE PHONE: (415) 228-3500
FAX PHONE: (415) 424-5182

PROJECT PLANNER:
BOULDER ESTATE LAND USE PLANNING INC.
3000 BAYVIEW AVENUE, SUITE 200
SAN JOSE, CA 95134
OFFICE PHONE: (415) 424-5182
FAX PHONE: (415) 424-5183

GENERAL PLAN:
GENERAL PLAN
CITY OF SAN JOSE
2000
2000

EXISTING USE:
EXISTING USE
2000
2000

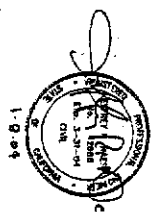
WATER SERVICE:
WATER SERVICE
2000
2000

SEWER SERVICE:
SEWER SERVICE
2000
2000

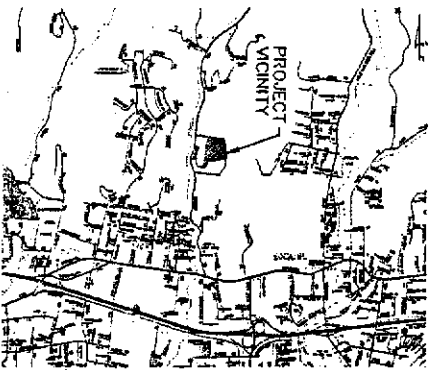
AREA OF JURISDICTION:
AREA OF JURISDICTION
2000
2000

AREA OF INTEREST:
AREA OF INTEREST
2000
2000

APPROVED BY APPLICATION NO. 102-451-04

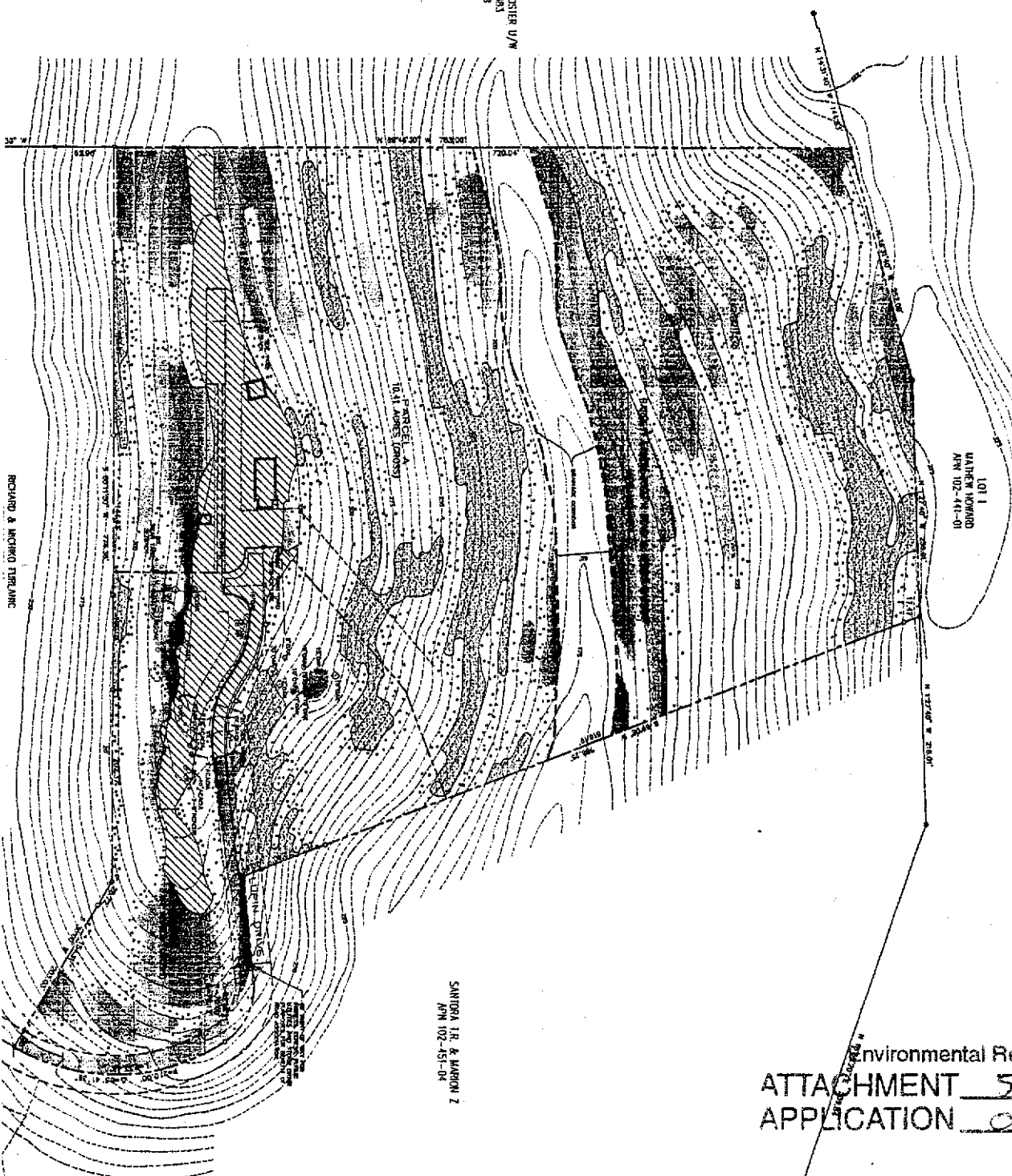


VICINITY MAP
NOT TO SCALE



<p>BOWMAN & WILLIAMS CIVIL ENGINEERS 1001 DOWD STREET SAN JOSE, CA 95128 (415) 228-3500</p>	<p>TECHNICAL MAP FOR LUPIN DRIVE PROJECT NO. 102-451-01 DATE: 10/20/00</p>
---	--

ELIZABETH A. FOSIER U/W
5820 OR 381
64-M-38



Environmental Re
ATTACHMENT 5
APPLICATION 0

Initial Study
2 of 3
- 0285

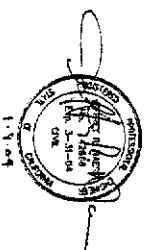
APR# 102-451-02	
GROSS AREA	13.40 ACRES
50% SLOPE AREA	1.70 (cont'd)
DEVELOPABLE CROWN AREA	0.50 (cont'd)
RIGHT OF WAY	0.53 (cont'd)
TOTAL	3.11 (cont'd)
NET DEVELOPABLE AREA	10.37 ACRES

PARCEL A - NET AREA 0.05 ACRES
PARCEL B - NET AREA 2.31 ACRES

LEGEND

-
- Figure 1 shows four schematic representations of microstructures in rectangular boxes. (a) shows a random distribution of small black dots. (b) shows a regular, grid-like distribution of small black dots. (c) shows a random distribution of small black dots with a higher density than (a). (d) shows a random distribution of small black dots with a lower density than (a). Below each box is a label: (a) $50\% \text{ 50}\%$, (b) $50\% \text{ 50}\%$, (c) $50\% \text{ 50}\%$, and (d) $50\% \text{ 50}\%$.

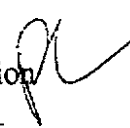
— INFORMATION CONTAINED HEREIN IS UNCLASSIFIED



NEW YORK COUNTY DEPT. OF RECORDS 100 NASSAU ST. NEW YORK, N.Y. 10038 (212) 312-1000	RECEIVED 10/15/88 10:00 AM
DONALD & WILLIAMS 100 NASSAU ST. NEW YORK, N.Y. 10038 (212) 312-1000	815E 44D FOR LIFE DEED TRACT NO. 1478
DEED 100 NASSAU ST. NEW YORK, N.Y. 10038	100 NASSAU ST. NEW YORK, N.Y. 10038

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

DATE: July 8, 2002
TO: File, App. #02-0303
FROM: Paia Levine, Resource Planner
SUBJECT: Results of Biotic Pre- Site inspection



I visited the site of the proposed Minor Land Division today. Parcel B consists of an elongate ridge on the uphill side of Lupin Drive. There are several heritage oak trees on the ridge top and a nice multi aged stand of Coast Live Oaks on the north facing slope. One sizeable oak has been cut within the last several months. The stump measures 36 inches in diameter at the base. The tree service arrived to grind the stump while I was on site.

The largest specimen, 44 inches at chest height according to the survey, may be in decline. A significant amount of rot in the main trunk and limbs was noted. This tree would be in the way of any use of the cleared area along the ridge top. While this tree may have to be removed, the development should be planned to preserve the other native trees. This involves no disturbance within the driplines, and possibly also arborist care during construction. The plan should specifically show the disturbance area so that the driplines can be avoided.

No other biotic resources were noted in the building area. This concludes the biotic pre-site.

CC: John Schlagheck, Project Planner

Environmental Review Initial Study

ATTACHMENT
APPLICATION

6
02-0285



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060-4000

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

July 3, 2002

Richard Beale Land Use Planning, Inc.
100 Doyle Street, Suite E
Santa Cruz, CA 95062

SUBJECT: Review of Focused Geologic Investigation by Rogers E. Jolinson & Associates, Inc., Dated October 10, 1994, and Additional Geotechnical Study by Haro, Kasunich & Associates, Inc., Dated July 19, 1995, Project No: SC4393, APN: 102-451-02; Application No: 02-0303

Dear Mr. Beale:

Thank you for submitting the soil report for the parcel referenced above. The report was reviewed for conformance with County Guidelines for Soils/Geotechnical Reports and also for completeness regarding site-specific hazards and accompanying technical reports (e.g. geologic, hydrologic, etc.). The purpose of this letter is to inform you that the Planning Department has accepted the report and the following recommendations become permit conditions:

1. All report recommendations must be followed.
2. Engineered foundation plans conforming to recommendations in the report shall be required.
3. Final plans shall show the drainage system as detailed in the soils engineering report including outlet locations and appropriate energy dissipation devices.
4. Final plans shall reference the approved soils engineering report and state that all development shall conform to the report recommendations.
5. Prior to building permit issuance, the soil engineer must submit a brief building, grading and drainage plan review letter to Environmental Planning stating that the plans and foundation design are in general compliance with the report recommendations. If, upon plan review, the engineer requires revisions or additions, the applicant shall submit to Environmental Planning two copies of revised plans and a final plan review letter stating that the plans, as revised, conform to the report recommendations.
6. The soil engineer must inspect all foundation excavations and a letter of inspection must be submitted to Environmental Planning and your building inspector prior to pour of concrete.

Environmental Review Initial Study

ATTACHMENT 7, 1 of 2
APPLICATION 03-0285

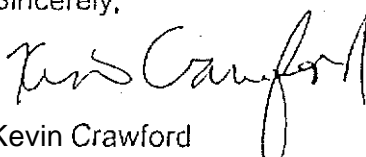
7. For all projects, the soil engineer must submit a final letter report to Environmental Planning and your building inspector regarding compliance with all technical recommendations of the soil report prior to final inspection. For all projects with engineered fills, the soil engineer must submit a final grading report (reference August 1997 County Guidelines for Soils/Geotechnical Reports) to Environmental Planning and your building inspector regarding the compliance with all technical recommendations of the soil report prior to final inspection.
8. Prior to approval of the parcel map, the Soils Engineer and the Engineering Geologist shall indicate their review and approval of the sewage disposal field location with regards to slope stability issues.

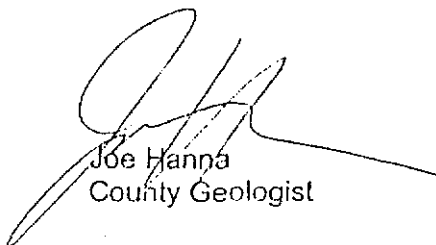
The soil report acceptance is only limited to the technical adequacy of the report. Other issues, like planning, building, septic or sewer approval, etc., may still require resolution.

The Planning Department will check final development plans to verify project consistency with report recommendations and permit conditions prior to building permit issuance. If not already done, please submit two copies of the approved soil report at the time of building permit application for attachment to your building plans.

Please call 154-3210 if we can be of any assistance.

Sincerely,


Kevin Crawford
Senior Civil Engineer


Joe Hanna
County Geologist

Cc: Dan Monroe, Resource Planner
Eamon, Joseph, Boyd & Wendy Barrett, Owner

Environmental Review Initial Study
ATTACHMENT 7 2 of 2
APPLICATION 62-0285

ROGERS E. JOHNSON & ASSOCIATES
CONSULTING ENGINEERING GEOLOGISTS
41 Hangar Way, Suite B
Watsonville, California 95076-2458
e-mail: reja@bigfoot.com
Ofc (831) 728-7200 • Fax (831) 728-7218

March 26, 2002

Mr. Richard Beale
Richard Beale Land Use Planning
100 Doyle Street, Suite E
Santa Cruz, California 95062

Job No. G94035-60

Re: Barrett Minor Land Division
Parcel B, Lupin Drive, Soquel, California
Santa Cruz County APN 102-451-02

Dear Mr. Beale:

At your request we have performed a preliminary evaluation of the proposed building envelope on Parcel B. Herein we make recommendations regarding setbacks from the moderate to steep slopes below the proposed building envelope and drainage control.

Our scope of work included 1) field meetings with you; Ken Mabie, the project sanitarian; and Joe Haro of Haro, Kasunich and Associates, the project geotechnical engineers; 2) review of the slope map prepared by Bowman and Williams, the project civil engineers, which shows the proposed building envelope on Parcel B (October 2001); 3) discussions with the project consultants; 4) review of our original report of October 10, 1994, and Joe Haro's letter of March 14, 2002; and 5) preparation of this letter.

Mr. Haro's letter of March 14, 2002, addresses the various options open to any future builder on the property regarding requirements for varying setbacks from steeper slopes. We concur with these requirements.

The chief recommendation we wish to make is that it is important that no runoff from the proposed development be allowed to discharge onto the slopes to the south and west of the site. Discharge of concentrated runoff onto these slopes may trigger debris flows that could impact the dwellings located on or below these slopes.

Environmental Review Initial Study
ATTACHMENT 8, 1 of 2
APPLICATION 03-0285

Mr. Richard Beale
March 26, 2002


Jnb No. G94035-60
Page 2

We also require compliance with all of the recommendations found in our original report dated October 10, 1994.

Please call if you have questions or comments.

Sincerely,

ROGERS E. JOHNSON & ASSOCIATES



Rogers E. Johnson
Principal Geologist
C.E.G. No. 1016

REJ/cjr

copies: Addressee (6)
Haro, Kasunich and Associates, Inc., attn: Joe Haro

References

Bowman and Williams, 2001, Slope map for Eamon and Wendy Barrett, scale 1" = 20', Sheet 3, October 2001.

Haro, Kasunich and Associates, Inc., 2002, Letter addressing the proposed building envelope on Parcel B of the Barrett Minor Land Division, March 14, 2002.

Rogers E. Johnson & Associates, 1994, Focused Geologic Investigation, Barrett Property, 760 North Rodeo Gulch Road, Soquel, California, APN 102-131-02, October 10, 1994.

Environmental Review Initial Study
ATTACHMENT 8, 2 of 2
APPLICATION 03-0285

Rogers E. Johnson & Associates

8:53:10 Tue Feb 17, 2004

02/17/04 DS9
08:52:53

COUNTY OF SANTA CRUZ - 3.1
BROWSE DISCRETIONARY APPLICATION COMMENTS

I-ALPDR385
ALSDR385

APPL NO: 03-0285 REVIEW AGENCY: ENVIRONMENTAL PLANNING
SENT TO PLNR: 2/13/04 REVIEWER: RMB
ROUTING NO: 1 VERSION NO: 4

COMMENTS:-----

COMPLETENESS COMMENT:

----- REVIEW ON JULY 25, 2003 BY PAIA X LEVINE -----

Please refer to biotic pre-site memo written for application number 02-0303. Plans must show a building envelope that is consistent with "no disturbance within the drip line of any oak tree greater than six inches diameter", and a note indicating same EXCEPT that the declining 44" specimen may be removed.

----- UPDATED ON AUGUST 11, 2003 BY ROBIN M BOLSTER -----

NO COMMENT

----- UPDATED ON FEBRUARY 13, 2004 BY ROBIN M BOLSTER -----

Site visit on January 6, 2004 confirmed no change in conditions since the review of the Minor Land Division was completed. Additionally all mitigations have been incorporated into the plans.

MISCELLANEOUS COMMENT:

----- REVIEW ON JULY 25, 2003 BY PAIA X LEVINE -----

NO COMMENT

----- UPDATED ON AUGUST 11, 2003 BY ROBIN M BOLSTER -----

NO COMMENT

PF7/8=PREV/NXT AGCY

10/11=PAGE COMM THIS RTNG

12/13=OTHER RTNGS-THIS AGCY

PF19=PREVIOUS SCREEN

PA2=EXIT

Environmental Review Initial Study
ATTACHMENT 9
APPLICATION 03-0285

08:59:13 Tue Feb 17, 2004

02/17/04 DS9
08:58:28

COUNTY OF SANTA CRUZ - 3.1
BROWSE DISCRETIONARY APPLICATION COMMENTS

I-ALPDR385
ALSDR385

APPL.NO: 03-0285 REVIEW AGENCY: DPW DRAINAGE
SENT TO PLNR: 8/12/03 REVIEWER: C_R
ROUTING NO: 1 VERSION NO: 1

COMPLETENESS COMMENT:

===== REVIEW ON AUGUST 12, 2003 BY CARISA REGALADO =====

It has been noted that this application was previously reviewed and accepted as Discretionary Application #02-0303. Since no changes have been made to the project, this application is complete for the discretionary stage. Previous Completeness and Miscellaneous Comments made under Application #02-0303 are still valid and apply to this application.

MISCELLANEOUS COMMENT:

===== REVIEW ON AUGUST 12, 2003 BY CARISA REGALADO =====

No comment.

PF7/8=PREV/NXT AGCY 10/11=PAGE COW THIS RTNG 12/13=OTHER RTNGS-THIS AGCY
PF19=PREVIOUS SCREEN PA2=EXIT

Environmental Review Initial Study
ATTACHMENT 10
APPLICATION 03-0285

1:01:47 Tue Feb 17, 2004

02/17/04 DS9

COUNTY OF SANTA CRUZ - 3.1

I-ALPDR385

09:01:08

BROWSE DISCRETIONARY APPLICATION COMMENTS

ALSDR385

APPL NO: 03-0285
SENT TO PLNR: 10/15/03
ROUTING NO: 1

REVIEW AGENCY: ENVIRONMENTAL HEALTH
REVIEWER: JGS
VERSION NO: 2

COMPLETENESS COMMENT:

===== REVIEW ON AUGUST 8, 2003 BY JIM G SAFRANEK =====
The applicant's sewage disposal consultant never made it clear that a specific onsite sewage disposal 'envelope' would be created for parcel B. EHS believes the envelope shown is constrained and the area proposed should be percolation tested by the sewage disposal consultant. Second, a sewage disposal system to serve parcel B should be laid out for a specific # of bedrooms and illustrated to scale by the applicant's engineer (B&W). Contact Rich Wilson of EHS at 454-2761.

===== UPDATED ON OCTOBER 15, 2003 BY JIM G SAFRANEK =====
Applicant's septic consultant responded to EHS septic concerns. Rich Wilson of EHS has approved the preliminary septic layout/testing locations.

Descr. Permit reqs have been satisfied.

MISCELLANEOUS COMMENT:

===== REVIEW ON AUGUST 8, 2003 BY JIM G SAFRANEK =====
NO COMMENT

PF7/8=PREV/NXT AGCY

10/11=PAGE COMM THIS RTNG

12/13=OTHER RTNGS-THIS AGCY

PF19=PREVIOUS SCREEN

PA2=EXIT

Environmental Review Initial Study
ATTACHMENT 11
APPLICATION 03-0285



CENTRAL
FIRE PROTECTION DISTRICT
of Santa Cruz County
Fire Prevention Division

2425 Porter Street, Suite 14 Soquel. CA 95073
phone (831) 479-6843 fax (831) 479-6847

February 5, 1999

Richard Beale
100 Doyle Street Suite E
Santa Cruz CA 95062

Re: Barrett Minor Land Division / APN 102-131-02 / Application No. 93-0436

Dear Mr. Beale

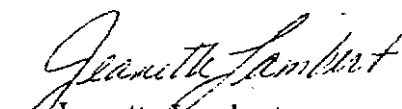
This letter is in response to our phone conversation on February 4, 1999 regarding the road width requirements for you project (93-0436) at 760 North Rodeo Gulch Road, Soquel. Upon review of this file, I was able to ascertain pertinent information of previous conversations between you and the previous Fire Marshal, Christian Holm. My records indicate that on October 7, 1993, Christian Holm approved a 16 foot wide road to Parcels A, C and D and; as per the County General Plan, a 12 foot wide road to the existing home (Parcel B) was acceptable.

This letter is to confirm the acceptable road widths as stated above. All other road requirements shall meet the County General Plan (i.e. turnouts) and Central Fire Protection District's Standard FPB-59 (attached).

In addition, all other requirements of previous letters shall apply to this project including, but not limited to, the installation of an additional 10,000-gallon water tank, that would be used for fire protection of the wildland area.

If you should have any further questions please do not hesitate to call me at (831) 479-6843.

Sincerely,


Jeanette Lambert
Acting Fire Marshal

(Attachment)

Environmental Review Initial Stamp
ATTACHMENT 12
APPLICATION 03-0285

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET ROOM 400 SANTA CRUZ, CALIFORNIA 95060
(408) 454-2580 FAX (408) 454-2131 TDD (408) 454-2123

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

93-0436

EAMON & WENDY BARRETT

Proposal to create four parcels of 1.62, 5.02, 8.54 and 10.89 acres and maintain an existing two-unit dwelling group on proposed lot "8". Requires a Minor Land Division and Residential Development Permit. Property located on the north side of North Rodeo Gulch Road (at 760 North Rodeo Gulch Road), about 0.6 mile north of Soquel Drive, Soquel planning area.

APN: 101-131-02

MARTIN JACOBSON, Planner

RA Zone District

Findings:

This project, if conditioned to comply with required mitigation measures or conditions shown below, will not have a significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project attached to the original of this notice on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Required Mitigation Measures or Conditions:NoneXX Are AttachedReview Period Ends March 4, 1996.Date Approved By Environmental Coordinator March 5, 1996.

PETE PARKINSON

Environmental Coordinator

(408) 454-3172

Environmental Review Initial Study

ATTACHMENT 13APPLICATION 93-028

If this project is approved, complete and file this notice with the Clerk of the Board:

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by _____

on _____. No EIR was prepared under CEQA.

THE PROJECT **WAS** DETERMINED TO NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

Date completed notice filed with Clerk of the Board: _____

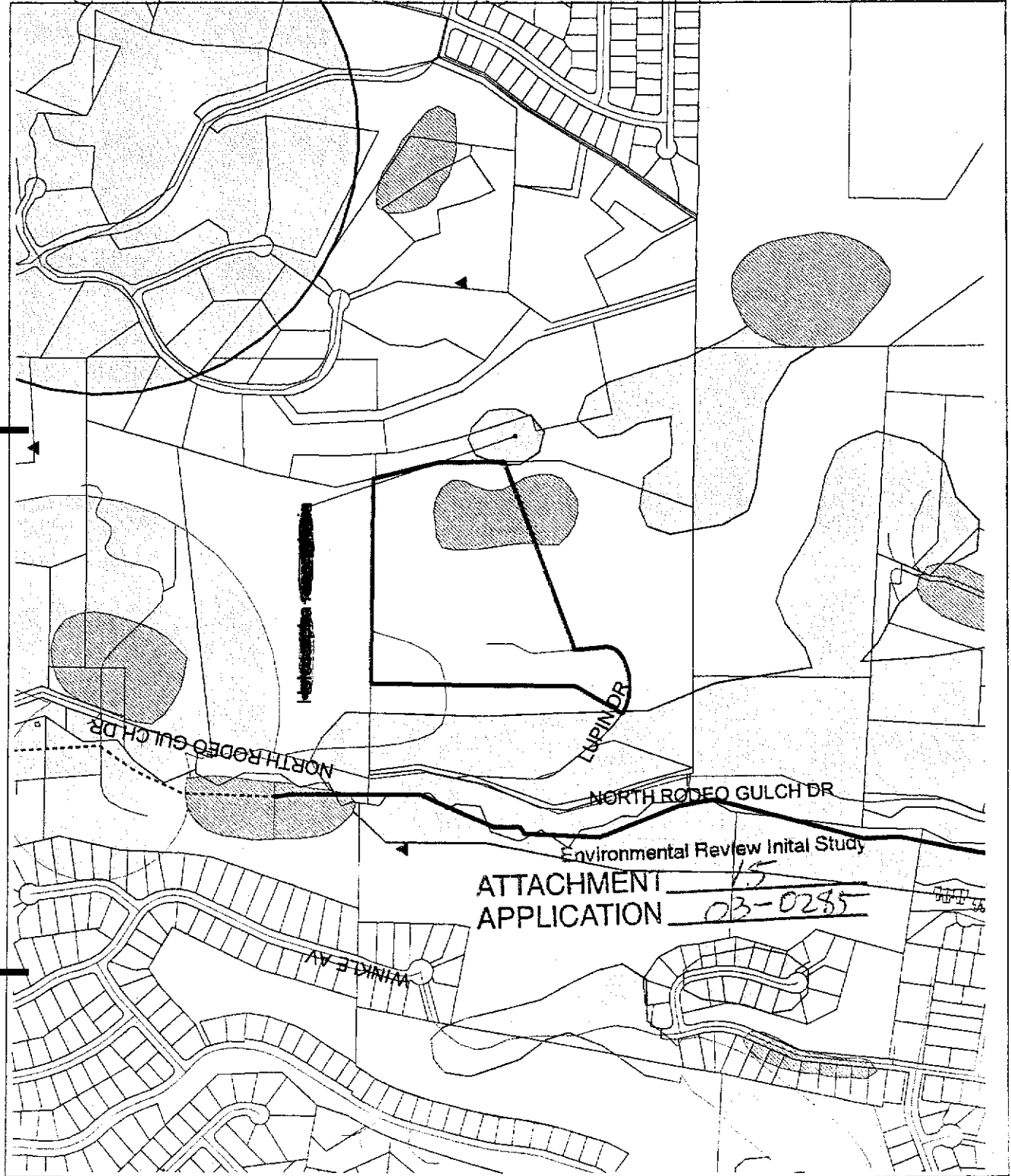
Applicant: Barrett
Appl. NO: 93-0436
APN: 102-131-02

NEGATIVE DECLARATION MITIGATIONS

1. To ensure that the project is not Subject to geologic hazards, future improvements shall comply with all recommendations of the engineering geologic report prepared by Johnson and Associates, and dated October 10, 1994, as accepted by the Planning Department.
2. To ensure that the project improvements do not result in soil instability, the following shall occur:
 - a. The applicant shall follow all recommendations contained in the geotechnical report prepared by Haro, Kasunich and Associates, dated October 13, 1994, along with addenda dated December 12, 1994 and July 19, 1995, as accepted by the Planning Department.
 - b. Prior to recordation of the final parcel map, the applicant shall submit engineered grading plans for review and approval by the Department of Public Works and the Planning Department.
 - c. The soils engineer shall oversee grading activities to take place adjacent to the access road at its intersection with Rodeo Gulch Road. If grading in this location will result in a road cut which exceeds a 1/2:1 slope, or which requires grading which exceeds by 50% that which was evaluated in the geotechnical report, the work shall cease and the soils engineer shall contact Environmental Planning staff for further review and consultation.
2. To ensure that project grading does not damage the mature cypress trees on the property, all grading for the purpose of widening the access road shall be confined to the in-slope edge of the road.
3. In order to limit impacts due to project-related grading and vegetation removal, the building envelope on parcels D shall be reduced in size. The southern boundary of this building envelope shall be relocated to the 175 foot elevation contour. This change shall be reflected on the final parcel map prior to recordation.

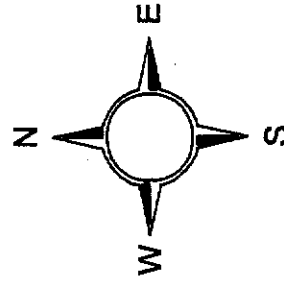
Environmental Review Initial Study
ATTACHMENT 14
APPLICATION 03-0285

Environmental Constraints for APN 102-451-02



Legend

- APN 102-451-02
- Parcel
- Streams
- Intermittent Stream
- Perennial Stream
- Large Landslide
- Small Landslide
- Biologic Resource
- Nat. Div. Data
- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terr. Comm. (80)
- Terr. Comm. (specific)
- Terr. Comm. (non-specific)
- Terr. Comm. (circular)
- Aqu. Comm. (80)
- Aqu. Comm. (specific)
- Aqu. Comm. (non-specific)
- Aqu. Comm. (circular)



250 0 250 500 Feet

Map created by Santa Cruz County
Planning Department:
February 2004