

County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 85080
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

Alvin D. James, Director

August 17, 2004

Agenda Date: August 25, 2004

PLANNING COMMISSION

County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT:	Item No.	9
	Application No.	02-0251
	Owner:	Joseph Quigg
	Applicant:	Easy Access Developers
	Assessor's Parcel No.	028-014-03

Members of the Commission,

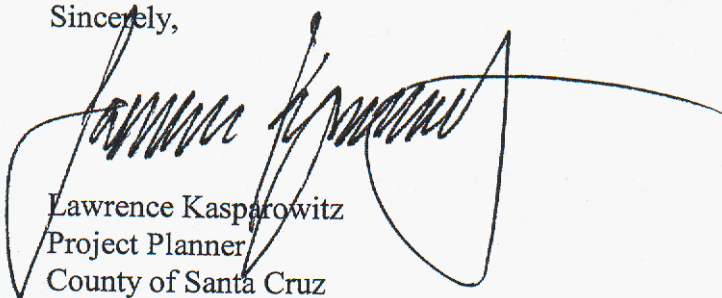
On August 11, 2004, your Commission reviewed ~~this~~ application for a four lot subdivision and construction of four residences at 951 Paget Avenue in Santa Cruz. The commission asked the staff to bring back revised Conditions of Approval. Revisions to the conditions are shown greyed.

RECOMMENDATION

~~Staff~~ recommends that the Commission take the following action:

1. Approve the Conditions of Approval for application No. 02-0251.

Sincerely,



Lawrence Kasparowitz
Project Planner
County of Santa Cruz

Exhibits

- A. Conditions of Approval for 01-0150

CONDITIONS OF APPROVAL

Minor Land Division Permit No.: 02-0251

Applicant: Joe Quigg

Property Owners: Easy Access Developers

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

Property Location and Address: bounded by Tower Place to the west and Paget ~~Street~~ (951 Paget Street) to the east (about **440** feet north of Felt Street)

Planning Area: Live **Oak**

Exhibit A:

Tentative Map and **Preliminary Improvement Plans** prepared by Roper Engineering, dated May 9, 2002 and revised November 5, 2002

Architectural plans prepared by Donna **Stewman** dated August 2003.

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

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.
- 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 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 four **(4)** 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:
 - . Development envelopes and/or building setback lines located according to the

EXHIBIT D

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 Cruz 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 Cruz 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 be as shown on the architectural plans** and color sample board. The siding shown on the front of each residence shall continue full around the entire structure.

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 30% lot coverage, or 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. Twenty, minimum 15 gallon size trees shall be planted and a drip irrigation system shall be installed. Two of the above shall be 24" box size street trees per the DPW Street Tree List (California natives).
 - 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:
 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, ~~if required~~. 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.

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.
- c Revise drainage and detention calculations and resubmit stamped, signed and dated. Include calculations for the proposed arched culvert on Corcoran showing capability of County standard capacity.
- d Note on improvement plans that detention criteria are as follows:
'Allowable release rate equal to the 5-year, 15-minute pre-development event, stricter than County standard. Storage volume is to accommodate a post-development, 10-year storm event per County standard.
- e Adjust detention pipe layout as necessary to accommodate larger calculated storage volume, and confer with landscape designer to adjust for encroachment with Coast Live Oak tree plantings over the pipe alignment.
- f The reconstructed D.I. on Paget Avenue shows two invert elevations. Please provide clarity.
- g Record the maintenance agreement to include the silt and grease trap and detention system, and provide a copy to DPW.
- h Provide construction details of the outlet control structure of the detention system that match with corrected calculations.

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.

- 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. 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.

(NOTE: the following fees are calculated as 4 new lots minus the one legal existing dwelling:

- G. Park dedication in-lieu fees shall be paid for three (3) single-family dwelling units.
- H. Live Oak Transportation Improvement Fees shall be paid for three (3) single-family

dwelling units. An application for a fee credit for any off site improvement installed may be applied for with the DPW.

- I. Roadside improvement fees shall be paid for three (3) dwelling units. An application for a fee credit for any off site improvement installed may be applied for with the DPW.
- J. Child Care Development fees shall be paid for three (3) single-family dwelling units.
- K. Inclusionary Housing fees shall be paid for two (2) single-family dwelling units. (Note: the first two units are exempt).
- L. The applicant shall show evidence that the access easement to the West of Parcel D has been recorded prior to the submittal of the Final Map.
- M. All conditions of the Hearing Officer's decision of 1/14/04 regarding the illegal second unit shall be satisfied. No fee credits shall be given for the illegal dwelling.

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.
- 3. 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).
- 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 an 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.
- G. An eight (8) feet high fence shall be allowed along the North property lines of Parcels C and D.
- V. 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.
- VI. As a condition of this development approval, the holder of ~~this~~ development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the **COUNTY**, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of ~~this~~ development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any ~~claim~~, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (**60**) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or ~~perform~~ any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the county.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the

successor'(s) in interest, transferee(s), and assign(s) of the applicant.

- E. Within 30 days of the issuance of **this** development approval, the Development Approval Holder shall record in the office of the **Santa** Cruz County Recorder an agreement that incorporates the provisions of this condition, or **this** development approval shall become null and void.

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

This Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the 14-day appeal period. The 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.

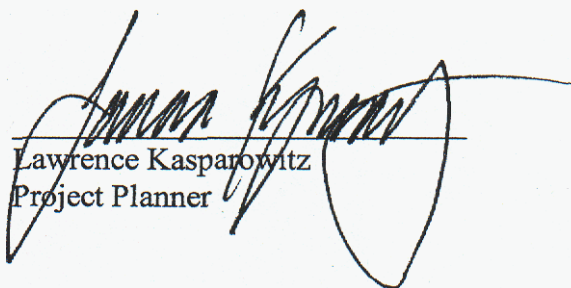
cc: County Surveyor

Approval Date: 8/25/04

Effective Date: 9/8/04

Expiration Date: 9/8/06


Cathy Graves
Principal Planner


Lawrence Kasparowitz
Project Planner