



Staff Report to the Planning Commission

Application Number: **02-0593**

Applicant: Guy Tringali

Agenda Date: December 8, 2004

Owner: Tringali Development Company Inc.

Agenda Item #: **8**

APN: 032-011-61

Time: After 9:00 a.m.

Project Description: Proposal to divide an existing lot into three single-family residential parcels of 6,249 square feet, 7,191 square feet, and 7,307 square feet, and to construct 3 new single-family structures with both on-site and off-site improvements.

Location: Located on the east side of Vanessa Lane about 150 feet north of Roland Drive

Supervisory District: 1st District (District Supervisor: Jan Beautz)

Permits Required: Minor Land Division, Coastal Development Permit, and Approval for a Less than 40-foot Right of Way.

Staff Recommendation:

- Approval of Application 02-0593, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's parcel map
- F. Zoning & General Plan maps
- G. County Sanitation will serve letter
- H. Water District will serve letter
- I. Approved Zone **5** cost-sharing plan
- J. Comments & Correspondence

Parcel Information

Parcel Size: 24,596 square feet (Emis estimate)
Existing Land Use - Parcel: Developed with one non-habitable structure
Existing Land Use - Surrounding: Residential
Project Access: Vanessa Lane
Planning Area: Live Oak
Land Use Designation: R-UL (Urban Low Residential)
Zone District: R-1-6 (Residential (6,000 square foot minimum))
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Soils report accepted
Fire Hazard: Not a mapped constraint
Slopes: 0 to 3 percent
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Grading Permit required
Tree Removal: 8 of 14 existing trees to be removed, replaced with 15 new trees
Scenic: Not a mapped resource
Drainage: Off-site improvements required

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: City of Santa Cruz Water Department
Sewage Disposal: County of Santa Cruz Sanitation District
Fire District: Central Fire District
Drainage District: Zone 5

Background

On November 21, 2002, the County Planning Department accepted this application for a Minor Land Division and Coastal Development Permit. In accordance with the California Environmental Quality Act (CEQA) and the County Environmental Review Guidelines, the project was determined to be categorically exempt from the provisions of CEQA, per Section 15315 of the California Code of Regulations. A Notice of Exemption was prepared for the proposed project (See Exhibit D).

Project Setting & Surroundings

The parcel is approximately 24,586 square feet (EMIS est.) in area and is in the Live Oak Planning Area. The parcel is relatively flat with no slopes greater than 30 percent. The parcel abuts the City of Capitola at its north property line.

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

The subject parcel is essentially vacant with one old non-habitable structure in the south central portion of the lot. Surrounding development consists of a mixture of high, medium and low-density residential uses, including single-family, multi-family, and mobile home development. Commercial uses are located south of the site on Portola Drive.

Zoning in the immediate area is R-1-6, with a variety of RM zoning to the south and west of the subject parcel, and RM-MH and some M-1 zoning to the north and east of the site. Commercial zoning (C-1 and PA) is found on Portola Drive to the south. The abutting property in the City of Capitola is zoned MHE (Mobile Home Exclusive), which is similar to the County's RM-MH zoning designation.

General Plan and Zoning

The project site has a General Plan designation of "R-UL" (Urban Low Density Residential). This designation allows a density range of 4.4 to 7.2 units per net developable acre, which corresponds to lot size requirements of 6,000 square feet to 10,000 square feet of net developable parcel area. The project as proposed is consistent with the density requirements as the average lot size is 6,915 square feet, for a density of 6.25 units per developable acre.

The project is in the R-1-6 Zone District (Single Family Residential; 6,000 square feet of net developable land area per dwelling unit). The proposed division of land complies with the zoning ordinance as the property is intended for residential use, the lot sizes meet the minimum dimensional standard for the R-1-6 Zone District, and the setbacks on the new lots created will be consistent with the minimum zoning ordinance requirements. Each home will meet the required setbacks of twenty feet from the front or street side parcel boundary/edge of any right of way, 15 feet from the rear parcel boundary, and five and eight feet from the side parcel boundaries. Each proposed dwelling covers less than 30% of the total lot area, and the proposed floor area ratio is less than 50%. The proposed building footprints **are** shown on the architectural plans included as Exhibit "A".

The land division has been designed with a 30-foot common driveway/right of way to serve Parcel B and Parcel C, where a 40-foot is required without approval by the approving body. Joint access will be granted with reciprocal easements to provide access to these parcels. The driveway will have 20-foot paved surface with landscaping or yard area on both sides. A 1-foot non-access strip is shown on both sides of the shared drive, as not more than two homes can be served with a driveway.

The full range of urban services is available and will be extended to the new parcels, including municipal water and sewer service.

Off-Site Improvements

During the course of the plan review for this project, the Department of Public **Works** identified **an** area of poor drainage downstream of the proposed project within the County right of way along 35th Avenue near Roland Drive. For many years these poor conditions have resulted in

localized flooding. Since the proposed project would be drained through this area, DPW staff worked with the applicant to develop plans for drainage improvements that would serve to improve existing conditions. As these improvements (shown on sheet P6 of Exhibit A) are considerably more extensive than what is needed to mitigate the proposed project, the Flood Control and Water Conservation District (Zone 5) Board of Directors approved a cost-sharing plan with the applicant and the Redevelopment Agency that equitably divides the cost of the improvements. The Zone 5 Board approved the agreement on May 25, 2004 (Exhibit I). The applicant will construct the improvements and will be reimbursed for a portion of the cost.

Local Coastal Program Consistency

The proposed land division is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain a combination of single-family dwellings and multiple-family dwellings. Size and architectural styles **vary** widely in the **area**, and the design submitted is not inconsistent with the existing range. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The project is consistent with the County's design review ordinance (Section 13.11). The new homes are proposed to be two-story with a design that incorporates some of the characteristics common to this area of Live **Oak**. Exterior finish materials are proposed to be horizontal wood siding, bat and board siding, and stucco with doors and trim, vinyl windows and composition roof shingles. The new homes range in size from 2,417 to 2,491 gross square feet, which for each home includes an attached two-car garage of about 480 square feet.

The proposed project has been designed to complement and harmonize with the existing and proposed land uses in the vicinity. It will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood. Proposed landscaping includes street tree plantings on the east side of Vanessa Lane and around the perimeter of the project to reduce the impact on adjacent properties. A total of 15 new trees are shown on the submitted plan. Six of the 14 existing trees on the property have been incorporated into the site plan and **will** be protected during construction.

Conclusion

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.

Staff Recommendation

- APPROVAL of Application Number **02-0593**, based on the attached findings and conditions.
- Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.


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.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: _____


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Report Reviewed By: _____


Cathy Graves
Principal Planner
Development Review

SUBDMSION 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 three single-family on property located in the R-UL (Residential, Urban Low Density) General Plan designation that allows a density of 4.4 to 7.2 units per net developable acre. As proposed the project density is 6.25 units per net developable acre.

The project is consistent with the General Plan in that the full range of urban services is available and will be extended to the new parcels, including municipal water and sewer service. The land division has been designed with a 30-foot common driveway/right of way to serve Parcel B and Parcel C, where a 40-foot is required without approval by the approving body. Joint access will be granted with reciprocal easements to provide access to these parcels. The driveway will have 20-foot paved surface with landscaping on both sides. The proposed land division is similar to the pattern and density of surrounding development, is near commercial shopping facilities and recreational opportunities, and will consistent with all elements of the Local Coastal Program.

The land division, as conditioned, will be consistent with the General Plan regarding infill development in that the proposed single-family development will be consistent with the pattern of the surrounding development, and the design of the proposed home is consistent with the character of the surrounding neighborhood. The land division is not in a hazardous or environmentally sensitive area and protects natural resources by providing residential development in an area designated for this type and density of development.

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

The proposed division of land complies with the zoning ordinance provisions as to uses of land, lot sizes and dimensions and other applicable regulations in that the use of the property will be residential in nature, lot sizes meet the minimum dimensional standards for the R-1-6 Zone District where the project is located, and all setbacks will be consistent with the zoning standards or exceptions to setback standards have been granted by the approving body per County Code 13.10.510(f).

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

The site of the proposed land division is physically suitable for the type and density of development in that no challenging topography affects the site and no environmental constraints exist which would necessitate the area remain undeveloped.

5. THAT THE DESIGN OF THE PROPOSED SUBDIVISION OR TYPE OF IMPROVEMENTS WILL NOT CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE NOR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The design of the proposed division of land and its improvements will not cause environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. No mapped or observed sensitive habitats or threatened species impede development of the site as proposed.

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

The proposed division of land or its improvements will not cause serious public health problems in that municipal water and sewer are available to serve both proposed parcels, and these services will be extended to serve the new parcels.

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

The design of the proposed division of land and its improvements ~~will~~ not conflict with public easements for access in that no easements are known to encumber the property. Access to two of the lots will be via a common driveway off Vanessa Lane, a private road, and the third lot will have a private drive also off of Vanessa Lane.

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

The design of the proposed division of land provides, to the fullest extent possible, the ability to use passive and natural heating and cooling in that the resulting parcels are oriented in a manner to take advantage of solar opportunities. All proposed parcels are conventionally configured and the proposed setbacks between buildings meets or exceeds standards required by the zone district.

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

The project is consistent with Sections 13.11.070 through 13.11.076. The new homes are proposed to be two-story with a design that incorporates some of the characteristics common to

Applicant: Tringali Development Company

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this area of Live *Oak*. Exterior finish materials are proposed to be horizontal wood siding, bat and board siding, and stucco with doors and trim, vinyl windows and composition roof shingles.

The proposed project has been designed to complement and harmonize with the existing and proposed land uses in the vicinity. It will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood. Proposed landscaping includes street tree plantings *on* the east side of Vanessa Lane and around the perimeter of the project to reduce the impact on adjacent properties. A total of 15 new trees area shown on the submitted plan. Six of the 14 existing trees on the property have been incorporated into the site plan and will be protected during construction.

COASTAL DEVELOPMENT PERMIT FINDINGS

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

The proposed Minor Land Division would create three residential lots and development of three new single-family homes is proposed on property in the R-1-6 zone district. The R-1-6 zone district allows the development of single-family dwellings, and this type of development is consistent with the General Plan and Local Coastal Program land use designation of Urban Medium Low Residential (R-UL). Specifically, the low density General Plan designation allows a density of 4.4 to 7.2 units per net developable acre. As proposed the project density is 6.25 units per net developable acre.

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

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

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

The Minor Land Division is consistent with the design criteria and special use standards and conditions of County Code Section 13.20.130 et seq., in that the project does not involve excessive grading, is not on a prominent ridge, and is visually compatible with the character of the surrounding residential neighborhood. The project does not obstruct any public views. The design of the proposed single-family residences will minimize impacts on the site and the surrounding neighborhood.

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

The project site is not located in the appealable area between the shoreline and the first through public road. Consequently, the proposed subdivision will not interfere with public access to the beach, ocean, or any nearby body of water. In addition, the project site is not identified as a priority acquisition site in the County Local Coastal Program, and is not designated for public recreation or visitor serving facilities.

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

The subdivision is in conformity with the County's certified Local Coastal Program in that structures will be sited, designed and landscaped to be visually compatible and integrated with the character of the surrounding neighborhood. Additionally, single-family homes are allowed uses in the residential zone district of the area, as well as the General Plan and Local Coastal Program land use designation.

Homes in the area are both one and two-story and incorporate a wide variety of styles and materials. The proposed homes are to be two-story with a design that incorporates some of the characteristics of other older homes, in the area, and is not inconsistent with the range of designs in the area.

CONDITIONS OF APPROVAL

Land Division Permit 02-0593

Applicant: Guy Tringali

Property Owners: Tringali Development Company

Assessor's Parcel Number(s): 032-011-61

Property Address and Location: Located in Live *Oak*, on the west side of Vanessa Lane about 150 feet north of Roland Drive

Planning Area: Live *Oak*

Exhibits:

- A. Tentative Map prepared by Dewitt and Associates, Inc., dated 11/22/04; Architectural and floor plans prepared by Terri Fisher, Architect, dated 9/15/02
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All correspondence and maps relating to this land division shall carry the land number noted above.

- I. Prior to exercising any rights granted by this Approval, the owner shall:
- A. Sign, date and return one copy of the Permit Form to indicate acceptance and agreement with the conditions thereof. and
 - B. The conditions shall be recorded on the Parcel Map and are applicable to all resulting parcels.
 - C. Pay the Environmental Exemption fee of \$25 to the Clerk of the Board.
- 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 to 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.

EXHIBIT C

- B. This land division shall result in no more than three (3) single-family residential lots.
- C. The minimum lot size shall be 6,000 square feet, net developable land.
- D. The following items shall be shown on the Parcel Map:
 - 1. Development envelopes and/or building setback lines located according to the approved Tentative Map.
 - 2. Show the net area of each lot to nearest square foot.
 - 3. An easement over the driveway and turnaround portion of Parcel B for access to Parcel C and an easement over the driveway and turnaround portion of Parcel C for access to Parcel B.
 - 4. A 1-foot non-access strip on both sides of the shared driveway.
 - 5. A drainage easement (approximately **54'** X 30') over any areas that contains common storm drain facilities for common maintenance.
 - 6. A statement that the three new lots shall participate in the existing road maintenance agreement for Vanessa Lane.
 - 7. The owner's certificate shall include:
 - a. A Public Utility Easement (PUE) along the frontage of the property for public access for utility maintenance, if required by the Department of Public Works.
- 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 water service to the City of Santa Cruz Water District.
 - 2. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the Sanitation District shall be met.
 - 3. Construct off-site storm drain improvements to Roland Drive and 35th Avenue consistent with the cost-sharing plan approved by the Zone **5** Board of Directors on May 25, 2004.
 - 4. Obtain a Grading Permit from the County of Santa Cruz Planning Department.

5. 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. Any changes from an approved Tentative Map or approved site plan, including but not limited to the attached exhibits for preliminary grading, drainage, erosion control, preliminary improvement plans, architectural and landscaping plans, must be submitted for review 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. Any changes that are on the final plans that in any way do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review.
 - b. Exterior finishes shall be in general conformance to the architectural plans attached Exhibit A. Colors shall be earth tones with accents and details to complimentary colors as shown on the approved plans. T1-11 type wood siding is not permitted.
 - c. Notwithstanding the approved preliminary architectural plans, all future development shall comply with the development standards for the R-1-6 zone district. The development of any lot shall not exceed 30 percent lot coverage, or 50 percent floor area ratio, or other standards as may be established for the zone district. No fencing shall exceed three feet in height within the required front setback or six feet in height within the required side or rear setback.
6. A final Landscape Plan for the entire site specifying the species, their size, and irrigation plans and meet the following criteria and must conform to all water conservation requirements of the City of Santa Cruz Water Department:
 - a. Turf Limitation. Turf area shall not exceed 25 percent of the total landscaped area. Turf area shall be of low to moderate water-using varieties, such as tall or dwarf fescue.
 - b. Plant Selection. At least 80 percent of the plant materials selected for non-turf areas (equivalent to 60 percent of the total landscaped area) shall be well-suited to the climate of the region and require minimal water once established (drought tolerant). Native plants are encouraged. Up to 20 percent of the plant materials in non-turf areas (equivalent to 15 percent of the total landscaped area), need not be drought tolerant, provided they are grouped together and can be irrigated separately.

- c. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.
- d. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.
 - i. The irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit applications. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.
 - ii. Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinklerheads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be used to maximize the efficiency of water applied to the landscape.
 - iii. Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.
 - iv. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.
- e. All planting shall conform to the preliminary plan shown as part of Exhibit A, except that all trees planted in the public right of way, adjacent to the public right of way, or adjacent to a private right of way, shall be 24" box in size and shall be selected from the suggested planting list in the Urban Forestry Master Plan. Also:
 - i. All landscaping shall be permanently maintained by the property owner including any plantings within the County right of way along the frontage of the property. Replacement trees are required to be installed at a 2:1 ratio. Location shall be shown on future construction plans.

- ii. Any trees planted in the County right of way shall be approved by the Department of Public Works and shall be installed according to provisions of the County Design Criteria.
 - iii. Notes shall be added to the improvement plans and the building permit plans that indicate the manner in which existing trees will be protected during construction.
 - 7. All construction shall conform to the recommendations of the accepted soils report.
 - 8. Submit grading and drainage plans that include estimated earthwork, cross sections through all pads delineating existing and proposed cut and fill areas, existing and proposed drainage facilities, and details of devices such as back drains, culverts, energy dissipaters, detention facilities, etc. All drainage plans will be reviewed by and must be approved by the Department of Public Works Storm Water Management Section. Zone 5 drainage fees will apply to the net increase in impervious surface.
 - 9. 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.
 - 10. Prior to any building permit issuance or ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Department of Public Works and the Planning Department. Earthwork between October 15 and April 15 requires a separate winter grading approval from Environmental Planning that may or may not be granted. The erosion control plans shall identify the location and type of erosion control practices and devices to be used and shall include the following:
 - a. An effective sediment barrier placed along the perimeter of the disturbance area and maintenance of the barrier.
 - b. Soil management that prevents loose material from leaving the site.
 - c. A plan to prevent construction vehicles from carrying soil, dirt, gravel, or other material onto public streets. The owner/applicant is responsible for cleaning the street should materials from the site reach the street.
- III. Prior to recordation of the Parcel 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 as stated in the District's letter dated October 25, 2004 including, without limitation, the following standard conditions:
1. Submit and secure final approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.
 2. Pay all necessary bonding, deposits, and connections fees, and furnish a copy of the CC&R's and/or maintenance agreement to the district, if applicable.
- C. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries.
- D. Engineered improvement plans are required for this land division and off-site storm drain system improvements, and an agreement backed by financial securities is necessary. Improvement Plans must be approved by both the Department of Public works and the Planning Department and must be consistent with the preliminary plans included as Exhibit A. Improvements shall occur with the issuance of building permits for the new parcels and shall comply with the following:
1. All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria. Plans shall also comply with applicable provisions of the Americans With Disabilities Act and/or Title 24 of the State Building Code.
 2. Plans shall include a cross section of Vanessa Lane with the existing right of way and existing improvements, and any proposed additional improvements.
 3. Complete drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils. The plans shall show construction details for all proposed drainage facilities. The detention system should include safe overflow and bypass provisions. Describe all paths of runoff.

Complete engineered plans are also required for the required off-site storm drain improvements. The plans shall include the proposed main extension from the new parcels south on Vanessa lane to the County right of way at Roland Drive, and across Roland Drive and south on 35th Ave for a distance of about 400 feet. The plans shall be in general conformance with Sheet 6 of Exhibit A by Dewitt and Associates, dated 9/16/04, inclusive of subsequent review comments by DPW

and RDA, and shall be consistent with cost sharing plan approved by the Zone 5 Board of Directors on May 25, 2004. The plans shall note that the improvements covered by the Zone 5 cost-sharing plan must be completed prior to the approval of building permits.

4. Plans shall comply with the accepted soils report. Plan review letters shall be submitted as needed to verify that the plans are in compliance with geotechnical recommendations.
 5. Any changes between the approved preliminary improvement plans and the final improvement plans including but not limited to the attached exhibits for preliminary grading, drainage, erosion control, preliminary improvement plans, 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. Any changes that are on the final plans that in any way do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review.
- E. Engineered improvement plans for all water line extensions required by City of Santa Cruz Water Department shall be submitted for the review and approval of the water agency.
- F. All requirements of the Central Fire District shall be met.
- G. Park Dedication Fees shall be paid for three (3) new dwelling units. These fees are \$3,000 per unit (which assumes 3 bedrooms at \$1,000 per bedroom), but are subject to change.
- H. Transportation Improvement Fees shall be paid for three (3) new dwelling units. These fees \$2,000 per unit, but are subject to change.
- I. Roadside Improvement Fees shall be paid for three (3) new dwelling units. These fees are \$2,000 per unit, but are subject to change.
- J. Child Care Development Fees shall be paid for three (3) new dwelling units. These fees \$327 per unit (which assumes three bedrooms at \$109 per bedroom), but are subject to change.
- K. Inclusionary Housing In-lieu Fee for Small Residential Projects shall be paid for one (1) new dwelling unit. These fees are \$10,000 per unit, but are subject to change.
- L. Submit one reproducible copy of the Parcel Map to the County Surveyor for distribution and assignment of temporary Assessor's parcel numbers and situs addresses.

- M. A private maintenance agreement, applicable to all parcels, for the maintenance of the detention system, shared right of way, and the silt and grease traps shall be recorded.
- N. A private maintenance agreement, applicable to Parcel B and Parcel C for the maintenance of the driveway and turnaround portions of both parcels shall be recorded

IV. All future construction within the property 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. Obtain an Encroachment Permit from the Department of Public Works for any work performed in the public right of way. All work shall be consistent with the Department of Public Works Design Criteria.
- B. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan that may or may not be granted.
- 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 work 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 and emergency situation; and
 - 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.

- F. Construction of improvements shall comply with the requirements of any required soil reports. The geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with any geotechnical recommendations.
- G. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lot.
- V. All future development on lots created by this subdivision shall comply with the requirements forth in Condition II.E, above.
- VI. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.
- VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorney fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or ~~an~~ 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.

Application # 02-0593

APN 032-011-61

Owner Tringali Development Company

- 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.

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

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

cc: County Surveyor

APPROVAL DATE: _____

EFFECTIVE DATE: _____

EXPIRATION DATE: _____

Cathy Graves
Principal Planner

John Schlagheck
Project Planner

EXHIBIT C

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 02-0593

Assessor Parcel Number: 032-011-61

Project Location: In Live Oak on the east side of Vanessa Lane about 150 feet north of Roland Dr

Project Description: Minor Land Division creating 3 new lots from 1 existing lot

Person or Agency Proposing Project: Guy Tringali

Contact Phone Number: (831) 476-3873

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Section 15314 (Minor Land Divisions)

F. Reasons why the project is exempt:

Division of land into four or fewer parcels with all urban services and consistent with the General Plan

In addition, none of the conditions described in Section 15300.2 apply to this project.

John Schlagheck, Project Planner

Date: _____

LAND DEPICTED HEREON FIRST AMERICAN EXPRESSLY
DISCLAIMS ANY LIABILITY FOR LOSS OR DAMAGE WHICH
MAY RESULT FROM RELIANCE ON THIS MAP EXCEPT TO THE
EXTENT COVERED FOR SUCH LOSS OR DAMAGE IS
EXPRESSLY PROVIDED BY THE TERMS AND PROVISIONS OF
THE TITLE INSURANCE POLICY, IF ANY, TO WHICH THIS MAP
IS ATTACHED.

THIS MAP MAY OR MAY NOT BE A SURVEY OF THE
LAND DEPICTED HEREON FIRST AMERICAN EXPRESSLY
DISCLAIMS ANY LIABILITY FOR LOSS OR DAMAGE WHICH
MAY RESULT FROM RELIANCE ON THIS MAP EXCEPT TO THE
EXTENT COVERED FOR SUCH LOSS OR DAMAGE IS
EXPRESSLY PROVIDED BY THE TERMS AND PROVISIONS OF
THE TITLE INSURANCE POLICY, IF ANY, TO WHICH THIS MAP
IS ATTACHED.

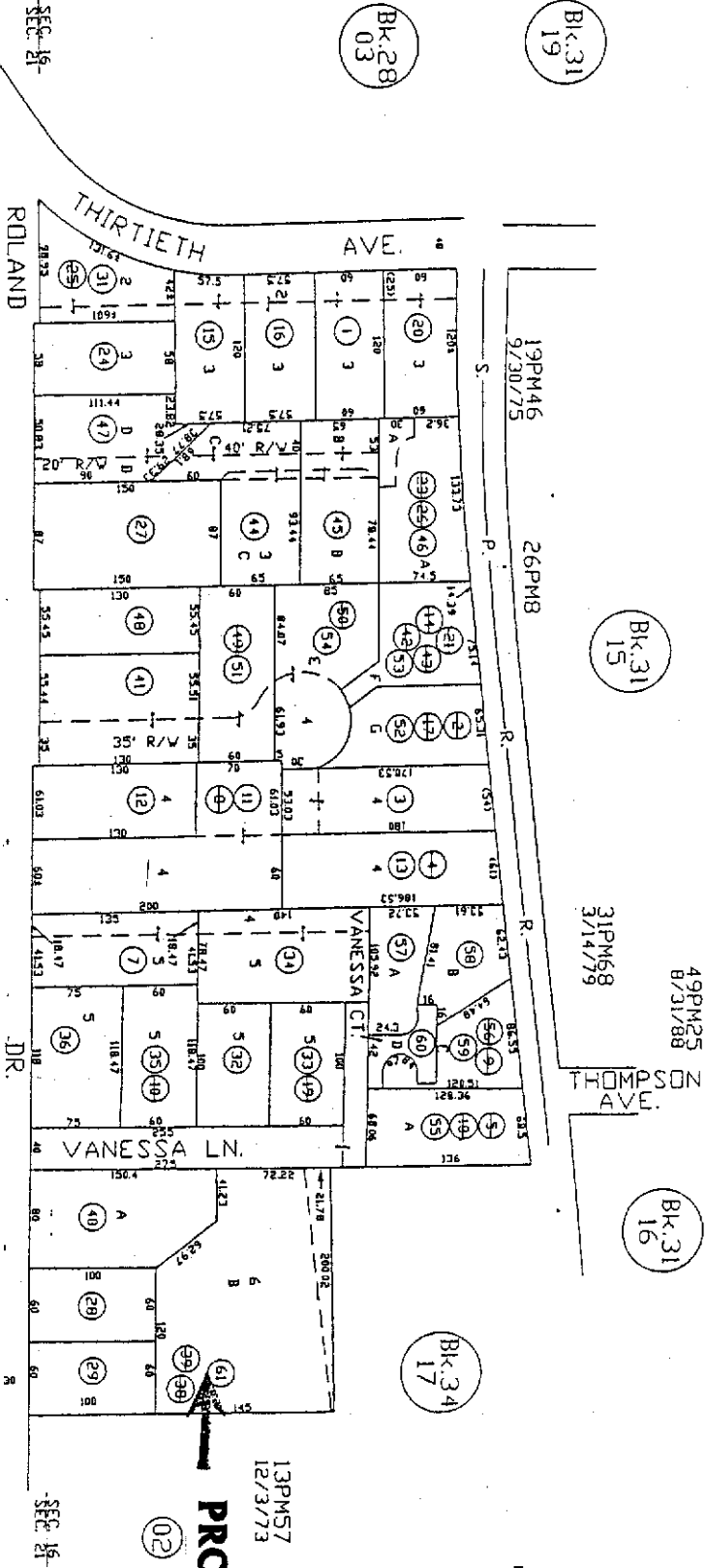
FOR TAX PURPOSES ONLY

PDR. RANCHO ARROYO DEL RODEO
SEC. 1/4 SEC. 16, T.11S, R.1W, M.D.B. & M.

Tax Area Code
82-040

32-01

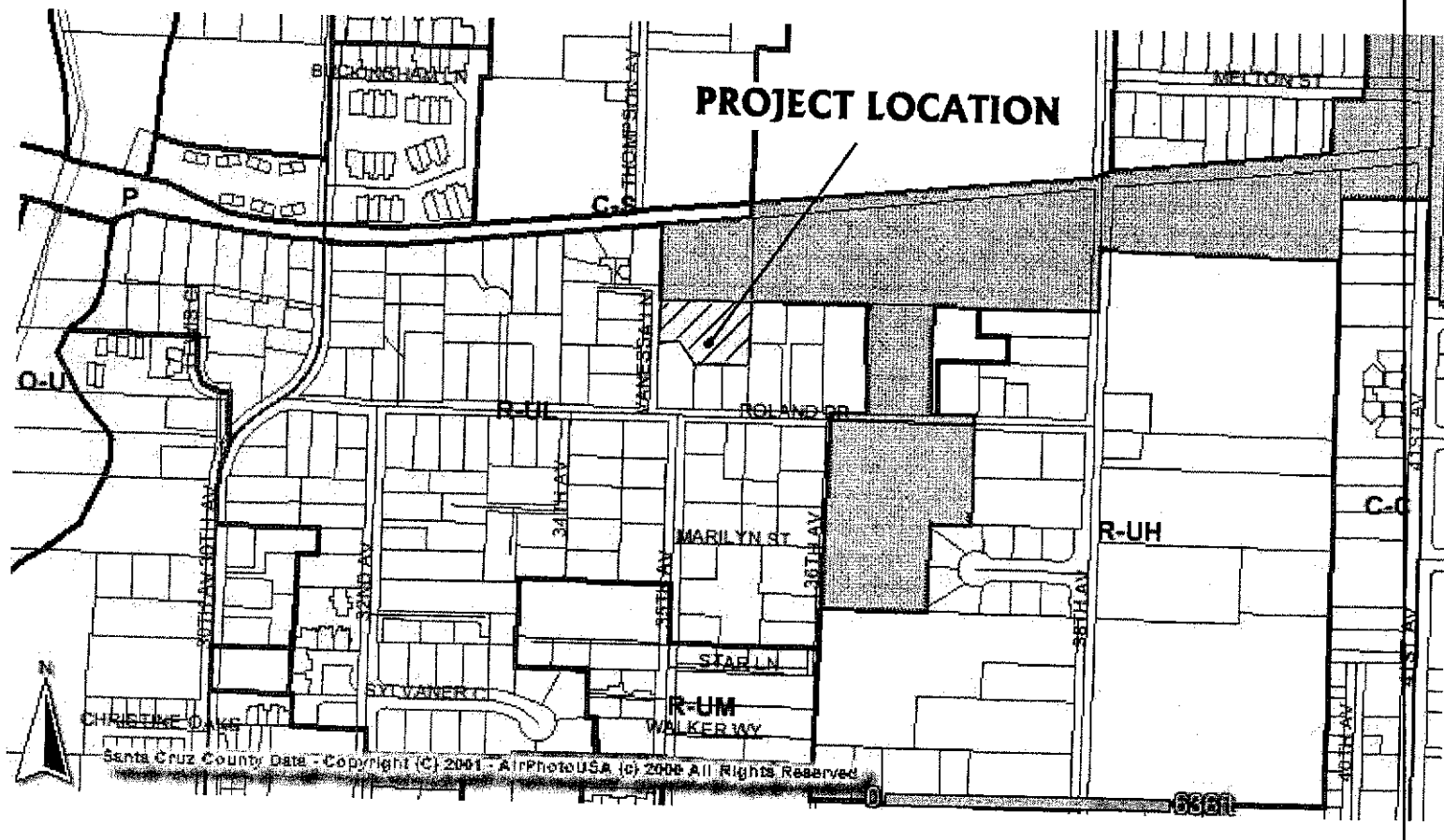
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1988



Electronically Read with 10/4
4/12/01: Map changed
4/19/01: C3 (Part of B)
4/19/01: C3 (1-00000001)

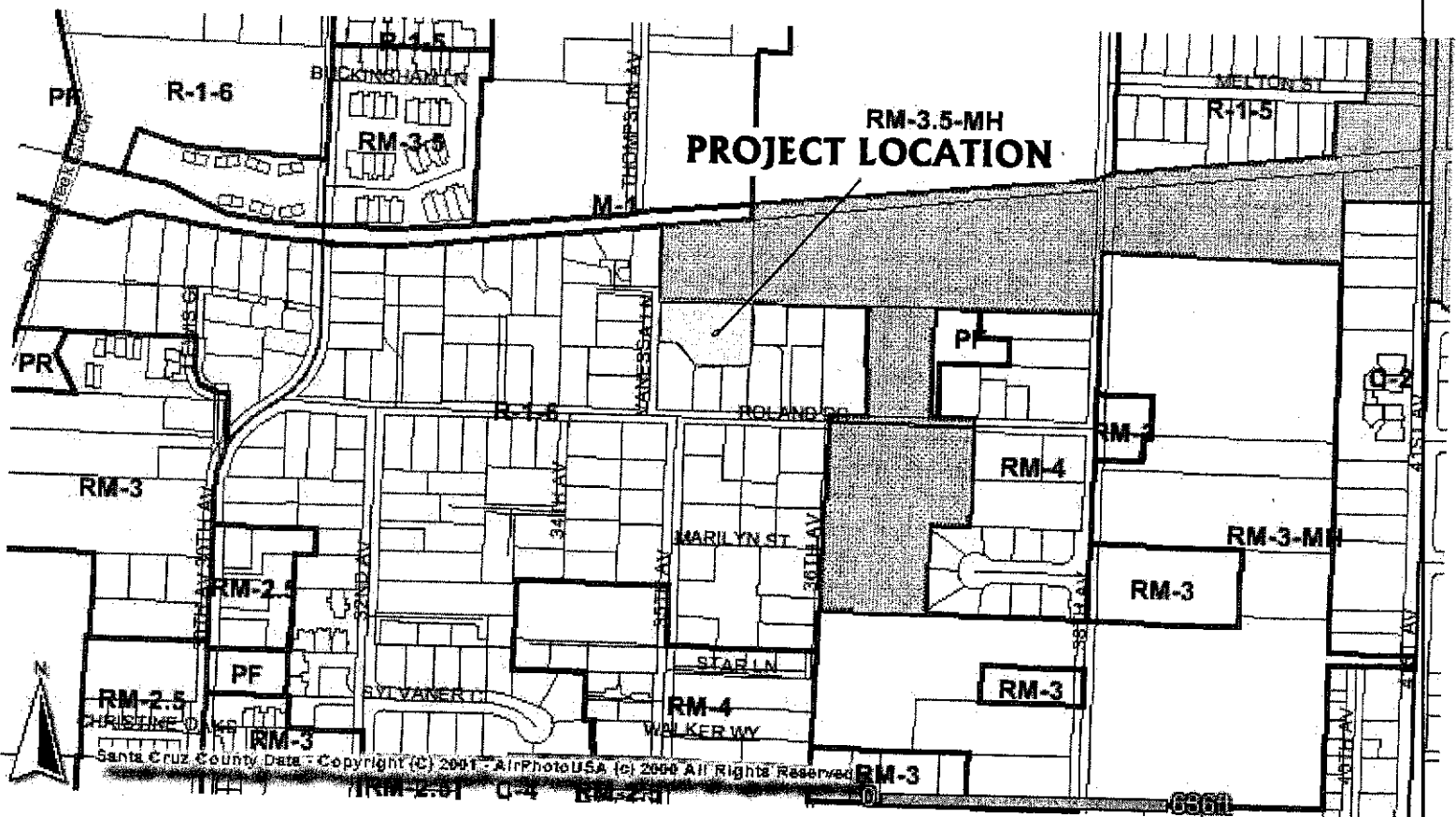
Note - Assessor's Parcel & Block
Numbers Shown in Blue

Assessor's Map No. 32-01
County of Santa Cruz, Calif
11-1-1988



ZONING MAP

ArcIMS Viewer



GENERAL PLAN MAP

EXHIBIT F

SANTA CRUZ COUNTY SANITATION DISTRICT

INTER-OFFICE CORRESPONDENCE

DATE: October 25, 2004

TO: Planning Department, ATTENTION: JOHN SCHLAGHECK

FROM: Santa Cruz County Sanitation District

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

APN 32-011-61

APPLICATION NO.: 02-0593

PROJECT DESCRIPTION: THREE PARCEL RESIDENTIAL MINOR LAND DIVISION

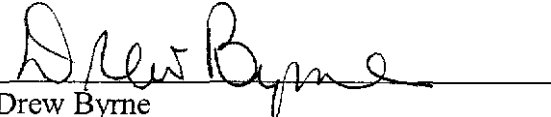
Sewer service is available for the subject development upon completion of the following conditions. This notice is effective for one year from the issuance date to allow the applicant the time to receive tentative map, development or other discretionary permit approval. If after this time frame this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

Department of Public Works and District approval shall be obtained for an engineered sewer improvement plan showing sewers needed to provide service to each lot or unit proposed. This plan shall be approved by the District and the County of Santa Cruz Public Works prior to the issuance of any building permits. This plan shall conform to the County of Santa Cruz Design Criteria and shall show any easements necessary. Existing and proposed easements shall be shown on any required Final Map.

Following completion of the above mentioned engineered sewer plan and Final Map, the following conditions shall be met during the building permit process:

Proposed location of on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer must be shown on the plot plan of the building permit application.

Show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the uniform plumbing code.


Drew Byrne
Sanitation Engineering

DB:

c: Owner / Applicant: Tringali Development Company
3501 Coyote Canyon
Soquel, CA 95073
Robert L. Dewitt & Associates

EXHIBIT G



W A T E R D E P A R T M E N T

809 Center Street, Room 102 Santa Cruz CA 95060 Phone (831) 420-5200 Fax (831) 420-5201

July 18, 2003

Guy Tringali
3501 Coyote Canyon
Soquel CA 95073

Re: APN 032-011-61, Vanessa Lane, 3 lot minor land division

Dear Mr. Tringali:

This is to advise you that the proposed development is located within the service area of the Santa Cruz Water Department and potable water is currently available for normal domestic use and fire protection. Service will be provided to the each and every lot of the development upon payment of the fees and charges in effect at the time of service application and the installation at developer expense of any water mains, service connections, fire hydrants and other facilities required for the development under the rules and regulations of the Santa Cruz Water Department. The development will also be subject to the City's Landscape Water Conservation requirements.

At the present time:

the required water system improvements are not complete; and
financial arrangements have not been made to the satisfaction of the City to guarantee
payment of all unpaid claims.

This letter will remain in effect for a period of *two* years from the above date. It should be noted, however, that the City Council may elect to declare a moratorium on new service connections due to drought conditions or other water emergency. Such a declaration would supersede this statement of water availability.

If you have any questions regarding service requirements, please call the Engineering Division at (831) 420-5210. If you have questions regarding landscape water conservation requirements, please contact the Water Conservation Office at (831) 420-5230.

Sincerely,

Bill Kocher, Director

BK/mf

P:\Word\Eng Tech\Letters\Water Availability.doc

cc: SCWD Engineering

EXHIBIT H



THOMAS L. BOLICH
DISTRICT ENGINEER

County of Santa Cruz

FLOOD CONTROL AND WATER CONSERVATION DISTRICT - ZONE 5

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

ZONE 5

APPROVED

Santa Cruz County
Flood Control and
Water Conservation
District

Date

By

May 25, 2004
Sharon Mitchell
Deputy Clerk of the
Board

AGENDA: MAY 25, 2004

May 14, 2004

BOARD OF DIRECTORS-ZONE 5
SANTA CRUZ COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: COST SHARE AGREEMENTS FOR IMPROVEMENTS ACROSS ROLAND
DRIVE AND ALONG PORTION OF 35TH AVENUE

Members of the Board:

For a number of years poor drainage patterns have existed in the County's right of way along 35th Avenue in the Live Oak area resulting in localized flooding. Upon the submittal and review of plans for a minor land division upstream of 35th Avenue, the possibility of these existing poor drainage conditions getting even worse became apparent. Therefore, the Zone 5 Santa Cruz County Flood Control and Water Conservation District (Zone 5) staff worked with the minor land division developer to propose construction of drainage improvements that would serve to improve existing conditions.

Because the scope and cost of such improvements exceed the typical requirements of a minor land division of this size, Zone 5 staff worked with the developer and negotiated an appropriate cost sharing plan to construct the improvements. The drainage improvements are to be constructed by the developer's contractor on a road situated within the redevelopment area boundary and the improvements to be constructed are typical of a Redevelopment Agency (RDA) project. Therefore, the RDA staff is recommending contributing agency funds toward the cost of the drainage improvements. A separate letter from the RDA is on today's agenda approving the agreement and financing for the agency's share of the project.

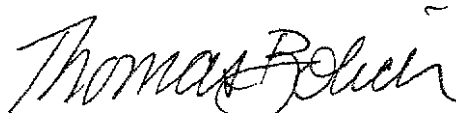
As described in the attached proposed agreement, which requires completion of all off-site drainage improvements prior to approval of building permits, Zone 5 will contribute 25 percent not to exceed \$38,750, and the RDA will contribute 50 percent not to exceed \$77,500 of the construction cost of the Roland 135th Avenue storm drain improvements. The developer will construct the improvements and contribute the balance of construction cost for a minimum of 25 percent. The developer's civil engineer will also be responsible for completing the construction plans. Other terms of the proposed agreement are detailed in the attached agreement generated by RDA and Zone 5 staff, in consultation with the developer, and presented here for your review and approval.

EXHIBIT I

It is therefore recommended that the Board of Directors take the following action:

1. Approve the proposed agreement for the Roland Drive and 35th Avenue storm drain improvements
2. Authorize the Zone 5 District Engineer to sign the agreement
3. Approve the attached AUD-74 transferring \$41,462 from Structures and Improvements to DPW Services.
4. Approve reimbursement to the developer in an amount not to exceed \$38,750.

Yours truly,



THOMAS L. BOLICH
District Engineer

TLB:RJF:mg

Attachments

RECOMMENDED FOR APPROVAL:

County Administrative Officer

copy to: **Zone 5 Board of Directors**
Attorney John Barisone, City of Capitola
Redevelopment Agency
Guy Tringali, Tringali Development
Public Works

John Schlagheck

From: David Sims
 Sent: Wednesday, November 24, 2004 4:09 PM
 To: John Schlagheck
 Subject: 02-0593 Copy of Last Comments

Here you are John

David **W. Sims, P.E.**
 Associate Civil Engineer
 Storm Water Management Section

Review 10/20/04
 02-0593 Tringali
 Posted late due to uncleared mainframe computer system fault.

The current submittal was reviewed and approved for discretionary stage Storm Water Management concerns.

The following additional information will be needed prior to recording the final parcel map and completion of the improvement plans.

- 1) Prior item #1) Submitted on-site detention volume calculations contain errors that will need to be corrected and resubmitted. Marked copies of all calculations are being returned to the applicant through the project planner.
- 2) Prior item #2) Calculations for the hydraulic control structure were received. Comment in regard to this structure is included in returned marked calculations noted in item 1.
- 3) Prior item #3) Drainage area maps were received. Any comments in regard to these maps are included in returned marked calculations noted in item 1.
- 4) Prior item #4 and #5) Completed
- 5) Prior item #6) The silt and grease trap structure is to be placed within the boundaries of the development parcel upstream of the detention structure in an area easily accessed for maintenance and inspection. (note: it appears that prior item #6 was truncated from the prior comments due to computer error)
- 6) Prior item #7) Addressed, apart from correct location of the silt and grease trap, and drawing plan clarifications noted.
- 7) Prior item #8) Prior requirement remains. Recordation may occur concurrent with recording the parcel map and finishing the improvement plans.
- 8) Prior item #9) Offsite calculations and area maps received and

11/29/2004

accepted. Requirement to provide calculations on County standard forms is waived due to demonstrated significant over-capacity provided by minimum size requirement for an 18" diameter pipe.

9) Prior item #10) Specific comment on off-site design work has been marked on the plans and is being returned to the applicant through the project planner. Significant items include detailing the conform of GO inlets, and locating the inlet at Roland and Vanessa such that it intercepts Roland Drive runoff and meets CDC requirements in relation to the curb return.

Plan copy of sheet P6 was routed to RDA for review. Additional comment may be made by this section and will be returned separately.

Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions.