



## Staff Report to the Planning Commission

Application Number: **09-0114**

**Applicant:** County of Santa Cruz  
**Owner:** 56 Atkinson Lane Associates and  
Bruce Lamb  
**APNs:** 048-211-25 and 048-221-09

**Agenda Date:** 5/13/09  
**Agenda Item #:** 7  
**Time:** After 9:00 a.m.

**Project Description:** Public hearing to consider a proposed Rezoning, General Plan Amendment, Planned Unit Development (PUD) and Riparian Exception to allow a development density of 20 dwelling units per usable acre on the project site as a by-right use for future development. The proposed Rezoning would require any development on the parcel to provide a minimum of forty percent of the total number of units as affordable to low- and moderate-income households. The site contains a maximum of 10.0 usable (developable) acres equating to a maximum of 200 dwelling units. The project proposes to rezone the parcels from "Single Family, 6,000 square feet per unit (R-1-6)" to "Multi-Family Residential – 2,000 square foot minimum parcel size, Regional Housing Need Site (RM-2-R)" with a PUD, and "Parks, Recreation, and Open Space (PR)", and to amend the General Plan to change the Land Use Designation of the parcels from "Residential – Urban Low (R-UL)" to "Residential - Urban High (R-UH)".

**Location:** The property is located between Atkinson Lane and Brewington Avenue outside the City of Watsonville, in the Pajaro Valley Planning Area.

**Supervisory District:** 4<sup>th</sup> District (District Supervisor: Tony Campos)

**Permits Required:** General Plan Amendment, Rezoning, PUD Permit, Riparian Exception

### Staff Recommendation:

- Adopt the attached resolution recommending approval of this proposal and the attached findings to the Board of Supervisors

### Exhibits

- |    |  |    |  |
|----|--|----|--|
| A. | Resolution recommending approval of a General Plan Amendment, Rezoning, Riparian Exception and Planned Unit Development Permit, to the Board | C. | Findings                               |
| B. | Planned Unit Development Permit  | D. | Assessor's parcel map                  |
|    |  | E. | Rezoning & General Plan Amendment maps |

County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

### Parcel Information

#### *APN 048-211-25*

Parcel Size: 2.4 Acres  
Existing Land Use - Parcel: Single Family home, accessory structures  
Existing Land Use - Surrounding: Residential, Vacant  
Project Access: Atkinson Lane  
Planning Area: Pajaro Valley  
Land Use Designation: R-UL(Residential, Urban Low Density)  
Zone District: R-1-6 (Single Family, 6,000 square feet per lot)  
Coastal Zone: ☐ Inside ☒ Outside

#### *APN 048-221-09*

Parcel Size: 14.4 Acres  
Existing Land Use - Parcel: Vacant  
Existing Land Use - Surrounding: Residential, Commercial Agriculture  
Project Access: Brewington Avenue  
Planning Area: Pajaro Valley  
Land Use Designation: R-UL (Residential, Urban Low Density)  
Zone District: R-1-6 (Single Family, 6,000 square feet per lot)  
Coastal Zone: ☐ Inside ☒ Outside

### Environmental Information

An Environmental Impact Report (EIR) has been prepared that addresses the environmental concerns associated with this application. The Draft EIR was provided to your Commission in March 2009, and is on file with the Planning Department.

### Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside  
Water Supply: City of Watsonville Municipal Utilities District  
Sewage Disposal: City of Watsonville Municipal Utilities District  
Fire District: Pajaro Valley Fire District  
Drainage District: Zone 7

### Background

The proposal now coming before your Commission is the sixth and final candidate for redesignation under the County's higher-density rezoning program, which was created to meet the requirements of the Housing Element of the County's General Plan. The creation of the Regional Housing Need "-R" Combining Zone District was the subject of several hearings in 2007 by both your Commission and the Board of Supervisors, and was created to address many of the issues related to the program, including height, parking and lot coverage concessions. The "-R" Combining Zone District also requires that a Planned Unit Development (PUD) be created for each site. A PUD functions as a site-specific zoning ordinance, incorporating all the standards

for site design, building placement, massing, etc. on a parcel, and provides a basis for recording the environmental mitigation measures that accompany the rezoning.

Recognizing the challenges of developing at a density 20 unit/acre under the County's typical development standards, the "-R" Combining District provides development standards that reduce required parking slightly and allow for taller structures and greater floor area ratios, among other necessary accommodations. The "-R" Combining Zone, as adopted by the Board of Supervisors, can be found in Sections 13.10.475 through 13.10.478 of the County Code, with additional information on affordability requirements found in Sections 17.10.030 and 17.10.032.

One of the biggest challenges of this program is that state law (California Government Code Section 65583.2) requires that development of sites rezoned through this program be allowed by-right at the 20-unit-per-acre density, meaning that neither the residential use nor the density can be changed following rezoning. In order to comply with these requirements, the CEQA analysis must be done at the time of the rezoning, before a development application has been submitted. As a result, the PUD creates the framework of development standards and CEQA mitigation measures that will apply to and shape any future development on the property. As such, future development proposals must comply with all provisions of the PUD, and developers will need to demonstrate that their projects comply with the PUD. Additionally, under the "-R" Combining District regulations, any future development proposal will be subject to a Level VII Design Review Permit (requiring early notification of neighbors, public noticing, and public hearings before both your Commission and the Board of Supervisors). That Design Review would focus on two things – compliance with the PUD Permit and design issues such as site layout, finish materials, landscaping, and programming details like parking management and CC&Rs. In the event that a potential developer wishes to pursue a project that is not in compliance with a particular aspect of the PUD, they would need to apply for a PUD amendment, an application that would require additional environmental review and public hearings, and could be either denied or approved by the Board of Supervisors after a recommendation from your Commission.

The item before you at this time includes a Rezoning, General Plan land use designation amendment, adoption of a PUD Permit and a Riparian Exception for the reduction of a wetland buffer and the implementation of certain required restoration activities and drainage improvements within the wetland and buffer area. Each of these actions is a necessary piece of the process for bringing this site into the "-R" Combining District and establishing the development and environmental standards to ensure that future development will be appropriate to the site given its various constraints.

To summarize, in the event that this application is approved, a developer would need to apply for a Level VII Design Permit. As a Level VII review, the design permit would require early notification (a meeting with the neighbors), and hearings both before your Commission and the Board of Supervisors, allowing additional opportunity for public input into the final design of the project. Due to the by-right nature of this project these hearings would need to focus on design issues only, and could not address the use, density, or related environmental impacts of the proposed development.

### *Working with the City of Watsonville*

This site lies directly adjacent to the City of Watsonville and is part of a larger area identified by the City's Measure U initiative as a future growth area for the City. The parcels subject to the rezoning proposal currently lie within the County's Urban Services Line, and are, under Measure U, planned for annexation by the City no sooner than 2012. As a result of the location of this site within the larger Measure U site, the Board of Supervisors entered into a Memorandum of Understanding with the City of Watsonville to engage in a joint planning process for the area. The City and County have been working together on the planning and review of this site over the past two years, and have developed a Specific Plan, which will govern development of the larger site following annexation of this land by the City, the proposed PUD, which will govern development within the County's proposed rezoning site, and an Environmental Impact Report, which analyzes impacts and identifies mitigations for the entirety of the planning area.

An important piece of the planning process for this site was the creation of a Technical Advisory Committee (TAC) with members appointed by both the City and the County. The purpose of the TAC was to provide guidance to staff regarding the creation of the PUD and Specific Plan, which would in turn shape the EIR. Working with the TAC, staff and consultants were able to identify land use plan options that offered different site configurations in terms of the locations of roads, residential densities, and community parkland. The Board of Supervisors selected one of these three options as the "project" to be analyzed in the EIR, and directed staff to include one of the other options (which included an additional park site and reduced density on a portion of the Phase 2 development area) as an alternative. The Draft EIR identifies the Board-selected proposal as the environmentally superior alternative based on the fact that the more concentrated development helps to limit agricultural impacts in the area by promoting infill over sprawl.

The proposal before your Commission at this time relates only to the two parcels selected by the Board as candidates for rezoning. The additional Measure U area analyzed in the EIR is not proposed for redesignation or development by the County, and will remain Commercial Agricultural land until such time as these uses are suspended in conjunction with annexation by the City of Watsonville.

### **Project Setting**

This site consists of two separate legal parcels, APNs 048-211-25 and 048-221-09 which lie on either side of a wetland just outside the City Limits of the City of Watsonville. Parcel 048-211-25 is the smaller of the two and is currently developed with a single-family home and associated accessory structures and is accessed from Atkinson Lane. The larger parcel, APN 048-221-09 was historically used for agriculture but has not been farmed for many years, and is most easily accessed from Brewington Avenue. To the north of the site lies Atkinson Lane in the City of Watsonville, to the south lies Brewington Avenue and Paloma Way in the City of Watsonville, and to the east and southeast lies commercial agricultural land, currently producing strawberries. The adjacent land uses found inside the city limits are residential ranging from single-family medium density to multi-family higher density.

The site is generally flat, to gently sloping with a depression between the two parcels in the location of the wetland, the majority of which lies in the southwest corner of APN 048-221-09. The site is 16.8 acres in size and 10.0 acres are considered developable land. APN 048-211-25

contains 1.3 acres of developable land, and APN 048-221-09 contains 8.7 acres of developable land.

### **Proposed Zoning & General Plan Changes**

Currently, the subject parcels both have a General Plan land use designation of R-UL (Residential, Urban Low Density) and are zoned R-1-6 (Single-Family Residential, 6,000 square feet per lot). The proposed redesignation would change the General Plan land use designation to R-UH (Residential – Urban High) with a zone district of RM-2-R (Multi-Family Residential, 2,000 square foot minimum lot size, Regional Housing Need Site), for the developable portions of both parcels, and a General Plan designation of O-U (Urban Open Space) and zone district of PR (Parks, Recreation, and Open Space) for the wetland and buffer areas located on each parcel. A total of 10.0 acres of this site are considered developable for the purposes of this application, equating to a total of 200 homes at the proposed density.

As explained above, the Rezoning and General Plan Amendment for this property has been suggested to meet the requirements of the County's Housing Element, certified by the State Department Housing and Community Development. The rezoning and General Plan amendment meet the goals of the General Plan to provide sufficient housing to meet the County's Regional Housing Needs Assessment, and to promote development inside the Urban Services Boundary.

### **Site and Other Constraints that Guided the PUD Conditions**

The PUD for this property was guided by the TAC process described above, and was developed along side the Specific Plan written for the City. The mitigation measures incorporated into this PUD are consistent with those suggested by the Draft EIR to address impacts and constraints present on the properties.

#### *Wetland*

The wetland area located on this site is approximately 4.6 acres in size and includes a man-made berm through the center, creating a small pond to the west of the berm. The EIR and PUD require that the wetland be enhanced to improve wetland functions and values. Surveys conducted for the EIR found that the wetland was occupied by the Western Pond Turtle, a California Department of Fish and Game Species of Special Concern. No state or federally listed threatened, endangered or species of special concern on the property, are known to occur within the wetland. The PUD also includes mitigation measures for species that could potentially occur on the property, and requires that the existing wetland habitat be enhanced to encourage any existing wildlife populations.

#### *Neighboring Residential Area*

The PUD area is bordered on three sides by existing residential development. Both single-family and multi-family uses are present, and the PUD includes requirements for setbacks, height transitions, and building orientation to ensure that any new development fits in with existing development in the surrounding area. Furthermore, the PUD and EIR also include mitigation measures relating to the potential traffic generation of new development, and require improvements to the Crestview Drive/Freedom Boulevard intersection as well as traffic calming measures for surrounding neighborhood streets.

### *Development Phasing*

Because this site is made up of two parcels, one of which will include two phases of development, and is also part of the larger Measure U site, the PUD addresses the phasing of the development in some detail. The PUD requires that the development of APN 048-221-09 (the larger of the two parcels) be conducted in two phases. The Phase 1 development area on this parcel would be located primarily north of the wetland, and would include an interim agricultural buffer from the Commercial Agricultural Land to the east as required by the County Code. When the adjacent agricultural uses are suspended in conjunction with annexation actions by the City of Watsonville, the area of the interim agricultural buffer could be developed as Phase 2. Development of APN 048-211-25 (the smaller of the two parcels) is anticipated to occur as one phase, either independently or in conjunction with adjacent land inside the City Limits.

Furthermore, the PUD allows for the two parcels to be developed independently, while still ensuring that the fair-share of impact fees are paid and that all required environmental mitigations are performed. Because this site could some day be annexed by the City of Watsonville, and many of the off-site impacts occur within the City, the PUD includes conditions to ensure that impact fees are appropriately shared between the City and the County.

### **Environmental Review**

Environmental review has been conducted for the proposed project per the requirements of the California Environmental Quality Act (CEQA). An EIR was prepared and released for comment on March 9, 2009. The mandatory 45-day public comment period ended on April 22, 2009, with comments received.

Your Commission received copies of the Draft EIR when the document was released for public comment, and a Final EIR will be included with this proposal when the Board of Supervisors reviews it. The comments received during the comment period focused primarily on the areas discussed below.

The mitigation measures affecting the PUD area that were identified in the Draft EIR have been incorporated into the PUD as Section IX. Staff may be required to modify these mitigations in the PUD prior to review by the Board of Supervisors if changes are required in order to maintain consistency between the PUD and the Final EIR. At this time, staff anticipates only minor changes will be necessary, primarily related to the details of infrastructure and financing, but will need to await the Final EIR before drawing any final conclusions.

### *Water Use and Supply*

The Pajaro Valley is currently suffering from an overdraft of water resulting in seawater intrusion along the western edge of the basin. Though the EIR analyzes an area that includes active agricultural land, the primary water consumer in the basin, the two parcels included in the PUD area currently have no active agricultural use, and therefore cannot off-set new development with the removal of an existing agricultural water use. Development on the PUD area would be required to pay the City of Watsonville Public Works and Utilities Department a water off-set fee on a per-bedroom basis. This fee is collected by the City and used to fund the change out of household fixtures within the water basin, thereby reducing water consumption.

While there is an existing shortage of water in the Pajaro Valley, the problems are larger than those that can reasonably be addressed by this project. Development in this area will do its fair share requirement for water off-sets, and will, due to the density of development, consume less water on a per-household basis than surrounding existing land uses.

#### *Stormwater Management*

The PUD and EIR require that the drainage from the Phase 1 development areas be configured such that the run-off from these areas maintains its existing path of travel to the greatest extent possible. The wetland on site will receive this runoff, as it does currently.

The Draft EIR and PUD require pre-treatment for all stormwater leaving developed portions of the site and entering the wetland. Pre-treatment may include a combination of filtration through swales, silt and grease traps, and over-land flows through the buffer area. Furthermore, the design guidelines in the PUD include recommendations and requirements for Low-Impact Design techniques that will help to reduce the amount of runoff from developed areas and will improve the function of existing drainage features.

#### *Traffic*

Each phase of development will contribute to an increase in traffic volumes on local streets, raising questions about the timing and implementation of proposed mitigation measures.

The PUD requires that each phase of development contribute its fair-share toward each of the required improvements identified by the Draft EIR. A requirement to plan and build improvements to the intersection of Freedom Boulevard and Crestview Drive will also apply to the first developer to begin construction on APN 048-221-09 (the larger parcel) which will have access from Brewington Avenue. Additionally, the PUD discusses how traffic impact fees would be used to help finance other off-site improvements.

#### *Biotic concerns*

The Draft EIR evaluates potential impacts with regard to a number of biotic resources, with one species being the Western Pond Turtle which is presumed to be present in the wetland area.

The PUD and Draft EIR include extensive mitigation for the Western Pond Turtle, if a viable population is confirmed to be present on the site during a pre construction survey. The first developer to apply for a Level VII Design Review Permit on the PUD area would be required, if a viable turtle population is present, to develop a Habitat Enhancement Plan for the wetland area in conjunction with the required wetland restoration plan. That developer would then be responsible for the implementation and monitoring of the plan until identified measures of success were met. Based on the extensive restoration and enhancement activities identified by the EIR, the document concludes that habitat for the Western Pond Turtle would be improved following implementation of the required mitigation measures. Ultimately, the cost for biotic work would need to be shared by owners of both properties

### **Riparian Exception**

As part of the environmental review for this project, a wetland delineation of the wetlands on the property was conducted, and identified the feature as hydrologically isolated, meaning the US Army Corps of Engineers does not have jurisdiction. A Riparian Exception to reduce the required buffer to 50 feet in width has been included with this proposal. Through investigation of this wetland, staff determined that the area outside the proposed buffer has been intensely modified as an agricultural use, and continues to be managed by the land owner, the feature is hydrologically isolated and impounds run-off water from adjacent urban areas, the feature is surrounded on three sides by urban development, and is isolated from wildlife corridors by agricultural and urban land uses. The reduction of this buffer area will not adversely impact the wetland, and was therefore deemed appropriate. Through the restoration activities that are required by the PUD and Draft EIR, the habitat value of the wetland will be improved through the removal of non-native plant and animal species. Furthermore, the restoration will include the ability of the Vector Control District to effectively manage the area for pests.

Other activities permitted with this Riparian Exception include all restoration and habitat enhancement work required by the PUD, which will aid in improving both the drainage and habitat functions of the wetland.

### **Neighborhood Comments**

Over the course of this project, neighbors have attended many public meetings with both the City and the County. All TAC meetings were noticed and held as public hearings, and were generally attended by between 10 and 30 members of the public. Also, two community workshops were held during the Draft EIR comment period in order to ensure that the public had the opportunity to ask questions about the document and understood the requirements for submitting comments on the Draft EIR. Over 1000 households were directly notified of these workshops, and approximately 40 people attended each one.

Over the course of this project, neighbors have expressed ongoing concerns over perceived impacts to schools, water supply, community character, public services and utilities, area traffic and the fiscal state of the City of Watsonville. A few citizens have also raised the issue of whether there is a need for affordable housing throughout the community. Overall, neighbors have been opposed to the concept of development in general, and high density housing specifically, despite its inclusion with Measure U as a targeted growth area for the City.

Because the City and County have been working jointly on this project, and because all neighboring residential land lies inside the City limits, City staff has received a larger amount of the correspondence and comments from neighbors. Several neighbors did provide comments during the Draft EIR comment period, and those letters will be included with the Final EIR when it is reviewed by the Board of Supervisors.

### **Conclusion**

At the time that the “-R” Combining District was created and sites were chosen by the Board for this program, all involved recognized that formal designation of these sites would be challenging – due to the by-right component, the lack of a formal development proposal to accompany the



rezoning, and the density of the housing required by State law. In spite of those concerns, staff believes that we have drafted a PUD that carefully balances the policy mandate of this program, the constraints of the site, the character of the community, and the requirements of the County's General Plan to the greatest extent possible. Please see Exhibit C ("Findings") for a complete listing of findings and evidence related to the above discussion.

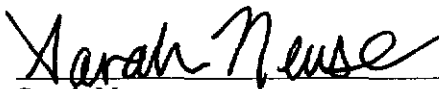
The complexities inherent in a project of this size that affects two jurisdictions have contributed to the lengthy timeline needed to complete the processing of this site. We believe this planning process has been improved by our cooperation with the City of Watsonville, and the extent of public involvement, and feel confident that the Final EIR will adequately address all the potential impacts from development not only of the PUD area, but of the larger Measure U area as well. Though your Commission has not been able to review the Final EIR, the big picture planning issues were captured in the Draft EIR and have been thoroughly incorporated into the PUD before you at this time.

As proposed, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan. Please see Exhibit C ("Findings") for a complete listing of findings and evidence related to the above discussion. The PUD addresses the constraints and concessions intrinsic to this density of development in this location. Staff has worked with the City, the neighbors, the TAC and consultants to identify the issues that are likely to present themselves when a development project is built on this site and 200 new homes are added to the area.

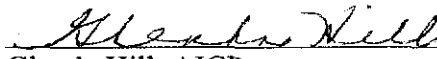
#### **Staff Recommendation**

- Hold a public hearing on this item, and
- Adopt the attached resolution recommending approval of the Findings, General Plan Amendment, Rezoning, Riparian Exception and Planned Unit Development Permit to the Board of Supervisors.

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**



Sarah Neuse  
Planner III



Glenda Hill, AICP  
Principal Planner

BEFORE THE PLANNING COMMISSION OF THE  
COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the motion of Commissioner:  
Duly seconded by Commissioner:  
The following resolution is adopted:

RESOLUTION RECOMMENDING ADOPTION OF REZONING, GENERAL PLAN  
AMENDMENTS, AND PLANNED UNIT DEVELOPMENT, TO CHANGE PARCELS (APNS  
048-211-25 and 048-221-09) FROM RESIDENTIAL, URBAN LOW DESIGNATION TO HIGH  
DENSITY RESIDENTIAL DESIGNATION WITH A PUD

WHEREAS, the Housing Element of the Santa Cruz County General Plan was adopted by the Board of Supervisors in November of 2006 and certified by the State of California Department of Housing and Community Development in December of 2006; and

WHEREAS, one of the goals of the County General Plan, and more specifically the Housing Element, is to designate sufficient land to be developed at a density prescribed by the State of California to fulfill our obligation for low- and very-low-income households; and

WHEREAS, Programs 1.1 Rezoning Program (20 units per acre) and 1.2 Selection and Rezoning of Sites of the Housing Element call for the rezoning of 30-32 acres of land to be developed at a density of 20 units per developable acre as a by-right use; and

WHEREAS, the Board of Supervisors, in order to implement the Housing Element's rezoning program, established the Regional Housing Need "-R" Combining Zone District with the purpose to "...increase the supply of affordable housing by designating sites for development at 20 units per acre in order to meet the requirements of the Regional Housing Needs Allocation..."; and

WHEREAS, the Board of Supervisors identified several sites encompassing 30-32 acres in total as candidates for rezoning to the Regional Housing Need "-R" combining zone district, including the housing site between Atkinson Lane and Brewington Avenue, APNs 048-211-25 and 048-221-09, also known as the Atkinson Lane Site ("Site"); and

WHEREAS, the designation of higher density housing on the Site requires the General Plan land use designation be changed to allow the higher density, a Planned Unit Development to establish the basic development standards and incorporate CEQA mitigations for future by-right development on the site, and a rezoning to identify the site as one of the Regional Housing Need "-R" sites and as a multifamily residential site; and

WHEREAS, the Planning Commission finds that the required Findings for a Planned Unit Development Permit, as set forth in County Code Sections 18.10.230 and 18.10.183, to establish development standards and incorporate environmental mitigation measures can be made as attached; and

WHEREAS, the Findings for a Riparian Exception to reduce the required wetland buffer from 100 feet to 50 feet, and to permit certain restoration-related construction activities in the riparian area of the wetland on site can be made as attached; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and has considered the proposed Rezoning, General Plan Amendment, PUD and all testimony and evidence received at the public hearing; and

WHEREAS, the Planning Commission finds that the proposed General Plan Amendments will be consistent with the policies of the General Plan and other provisions of the County Code, is appropriate to the level of utilities and community services available to the property, is necessary to fulfill the County's Housing Element of the General Plan, and is in compliance with the provisions of the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby finds that the proposed Rezoning, General Plan Amendments, and PUD serve a public benefit; and

BE IT FURTHER RESOLVED, that the Planning Commission recommends the proposed rezoning set forth in Attachment 1 to Exhibit A, a General Plan Amendment to change the land use designation for APNs 048-211-25 and 048-221-09 from Residential, Urban Low Density to Residential, Urban High Density, the Planned Unit Development Permit, Development Permit and Riparian Exception Findings as set forth in Exhibit C, and the PUD set forth in Exhibit B, understanding that minor changes may be necessary to maintain consistency with the Final EIR, and incorporated herein by reference, be adopted by the Board of Supervisors.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by the following vote:

AYES: COMMISSIONERS  
NOES: COMMISSIONERS  
ABSENT: COMMISSIONERS  
ABSTAIN: COMMISSIONERS

\_\_\_\_\_  
Chairperson

ATTEST: \_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
County Counsel

Cc: County Counsel  
Planning Department

**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE AMENDING CHAPTER 13.10  
OF THE SANTA CRUZ COUNTY CODE  
CHANGING APNS 048-211-25 AND 048-221-09 FROM THE R-1-6 ZONE  
DISTRICT TO THE RM-2-R AND PR ZONE DISTRICTS**

---

The Board of Supervisors of the County of Santa Cruz ordains as follows:

**SECTION I**

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan regarding the property listed in Section III of this ordinance; finds that the zoning established herein is consistent with all elements of the Santa Cruz County General Plan; and finds and certifies that all environmental regulations specified in the California Environmental Quality Act, the State and County Environmental Guidelines, and Chapter 16 of the County Code have been complied with by the preparation and certification of an Environmental Impact Report for the project.

**SECTION II**

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Zoning Plan Amendment as described in Section III, and adopts their findings in support thereof without modification as set forth below:

1. The proposed zone district will allow a density of development and types of uses which is consistent with the objectives and land use designations of the adopted General Plan; and
2. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
3. The proposed rezoning is necessary to provide for a community-related use which was not anticipated when the Zoning Plan was adopted.

**SECTION III**

Chapter 13.10, Zoning Regulations of the Santa Cruz County Code is hereby amended by amending the County Zoning Plan to change the following property from the existing zone district to the new zone district as follows:

	APN	Recorded Zoning	New Zoning
2	048-211-25	R-1-6	RM-2-R, PR
3	048-221-09	R-1-6	RM-2-R, PR

#### SECTION IV

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this  
 \_\_\_\_\_ day of \_\_\_\_\_, 2009, by the following vote:

AYES: SUPERVISORS  
 NOES: SUPERVISORS  
 ABSENT: SUPERVISORS  
 ABSTAIN: SUPERVISORS

\_\_\_\_\_  
 CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: \_\_\_\_\_  
 Clerk of the Board

APPROVED AS TO FORM: \_\_\_\_\_

County Counsel

Copies to: Planning  
 County Counsel

EXHIBIT A-  
 ATTACHMENT 1

ORDINANCE NO. \_\_\_\_\_

ORDINANCE GRANTING A PLANNED UNIT DEVELOPMENT AS ALLOWED BY SANTA  
CRUZ COUNTY CODE RELATING TO ESTABLISHMENT OF DEVELOPMENT STANDARDS  
FOR APNS: 048-211-25, 048-221-09

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

A Planned Unit Development is hereby granted to the property located between Atkinson Lane and Brewington Avenue, in the Pajaro Valley Planning Area, also known as the Atkinson Lane Housing Site, and shown on Exhibit A attached hereto and subject to the conditions shown on Exhibit B, attached hereto.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Planned Unit Development as described in Section I, and adopts their findings in support thereof without modification as set forth below:

1. That the proposed location of the uses are in accordance with the objectives of the County Code and the purposes of the district in which the site is located.
2. That the proposed location of the Planned Unit Development and the conditions under which it would be operated or maintained will not be detrimental to the public's health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed Planned Unit Development will comply with each of the applicable provisions of Chapter 18.10 of the County Code.
4. That the standards of dwelling unit density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between off-street loading facilities and landscaped areas will produce a development that is compatible with and integrated into the surrounding built and natural environment consistent with the objectives of the County Code.
5. That the standards of dwelling unit density, site coverage, yard spaces, heights of structures, distances between structures, off-street parking, and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry and will not overload utilities.
6. That the combination of different dwelling and/or structure types and the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses, structures, and the natural environment in the vicinity.
7. That the degree of departure from the required development and density standards is roughly proportional to the benefits provided to the neighborhood and/or the community in which the Planned Unit Development is located.

8. That the proposed development is consistent with the General Plan/Local Coastal Program Land Use Plan.

### SECTION III

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Development Permit as described in Section I, and adopts their findings in support thereof without modification as set forth below:

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.
2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.
3. That the proposed use is consistent with all elements of the County General Plan and with any Specific Plan which has been adopted for the area.
4. That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.
5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.
6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

### SECTION IV

This ordinance shall become effective 31 days after adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2009 by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS
NOES:	SUPERVISORS
ABSENT:	SUPERVISORS
ABSTAIN:	SUPERVISORS

Atkinson PUD  
4/24/2009

\_\_\_\_\_  
Chairman of the Board of Supervisors

Attest: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

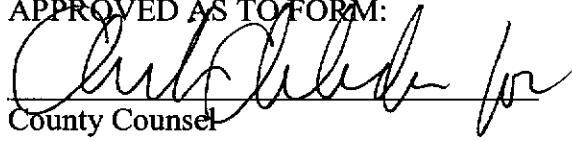
  
\_\_\_\_\_  
County Counsel



EXHIBIT A

Planned Unit Development  
Conditions of Approval

Property located between Atkinson Lane and Brewington Avenue,  
in the Pajaro Valley Planning Area.

APNs: 048-211-25, 048-221-09

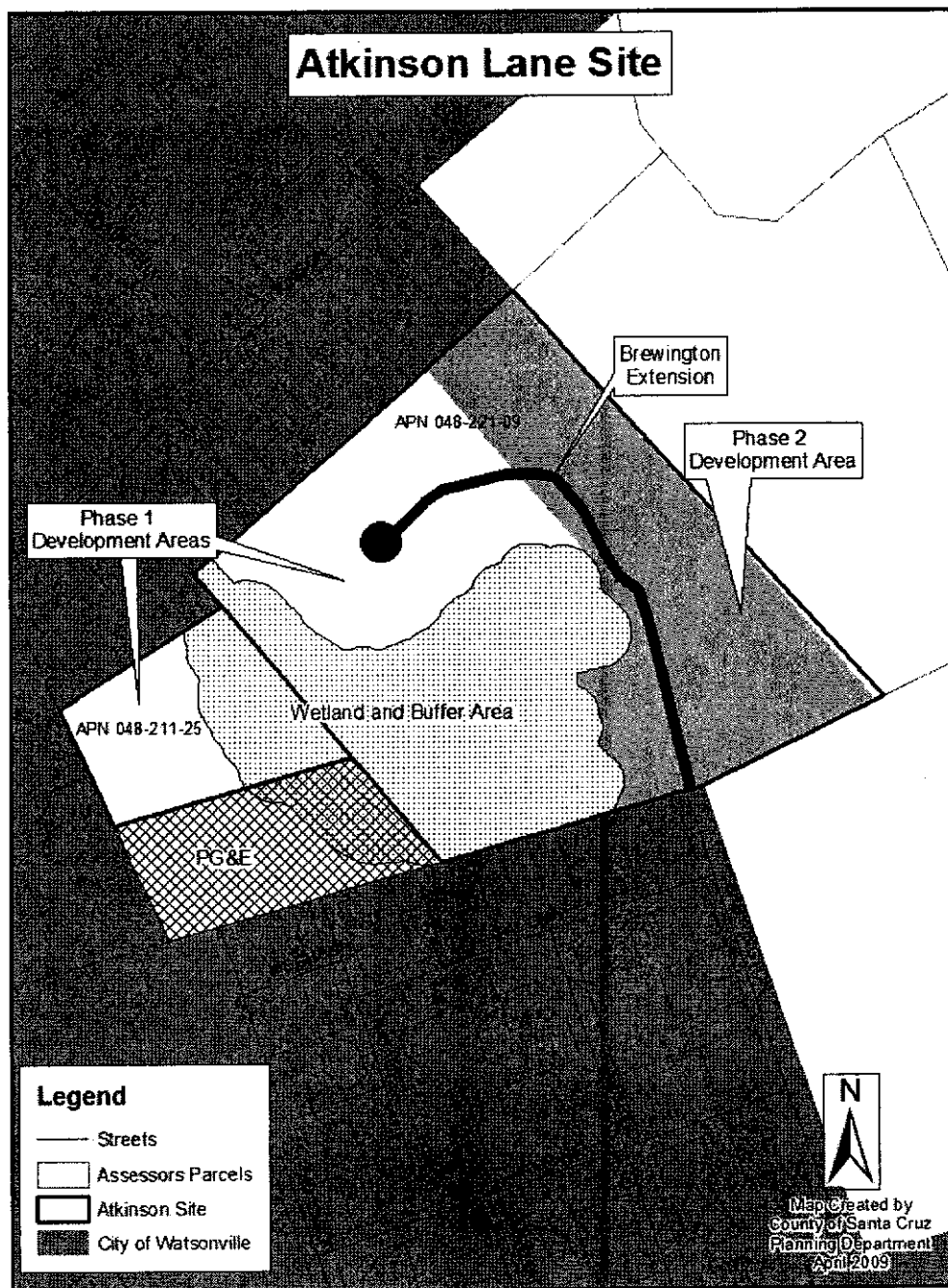


EXHIBIT B

Planned Unit Development  
Conditions of Approval

Property located between Atkinson Lane and Brewington Avenue,  
in the Pajaro Valley Planning Area.

APNs: 048-211-25, 048-221-09

This 16.8 acre site contains 10.0 useable (developable) acres, 1.3 acres on APN 048-211-25 and 8.7 acres on APN 048-221-09, equating to a total of 200 dwelling units, 26 on APN 048-211-25 and 174 on APN 048-221-09, of these, 30 total affordable units are required under County Code Section 17.10.030(b)(1), 3 plus an in-lieu fee for 0.9 of a unit on APN 048-211-25, and 26 plus an in-lieu fee for 0.1 of a unit on APN 048-221-09, and 51 total affordable units are required under County Code Section 17.10.030(b)(6), 7 on APN 048-211-25 and 44 on APN 048-221-09. Development of this site is by-right in that the use and density for the site are not discretionary. A Level VII design review hearing is required.

**I) General Site Standards**

- A) All requirements and standards contained in Section 13.10.475 through 13.10.478 of the County Code (Regional Housing Needs "R" Combining District) shall be applicable unless expressly modified by the conditions of this Planned Unit Development (PUD).
- B) Development Standards. The following development standards supersede the development standards in the County Code. Unless specifically defined below, developments must meet all required development standards in the County Code at the time the Design Review application is deemed complete. All of the site standards contained within Chapter 13.10 shall be applicable unless modified by this Planned Unit Development.

**1) Circulation and Parking Requirements**

**(a) Parking requirements.**

- (i) 1.5 spaces per studio or one-bedroom unit;
- (ii) 2.0 spaces for two-bedroom unit;
- (iii) 2.5 spaces for three-bedroom unit; and
- (iv) 3.0 spaces per four-bedroom unit.
- (v) An additional 20% of the total number of parking spaces to accommodate guest parking.
- (vi) The Board of Supervisors, as part of the Design Review Permit, may consider a reduction to the required on-site parking standard above. Any request shall include an on-site parking management plan prepared by a traffic engineer.

- (vii) The maximum number of required parking spaces that may be compact in size shall be as specified in County Code Section 13.10.553 (e) or its successor ordinance.
- (viii) The standards for off-street parking facilities as outlined in County Code Section 13.10.554 at the time of application is deemed complete shall apply.
- (b) Circulation Requirements. Primary access through the PUD area will be provided via a collector street that will extend north from Brewington Avenue to be constructed by the developer of the Phase I Development Area. An emergency-only access road through APN 019-236-01 will serve both the Phase I and Phase 2 Development Areas on APN 048-221-09. An access road from Atkinson Lane along the existing vehicular easement leading to the PG&E site will provide access to APN 048-211-25.
- (c) Roadway Design. The following standards shall apply to roadways on the project site:
  - (i) Right-of-Way Width:
    - 32 feet for access to APN 048-211-25: two 12-foot travel lanes and an 8-foot parking shoulder on east side only,
    - 52 feet for Brewington Avenue extension (Collector Street): from east to west, 6-foot sidewalk, 8-foot parking shoulder, 4-foot bike lane, two 12-foot travel lanes, 4-foot bike lane, and 6-foot sidewalk (eastern sidewalk to be constructed only after removal of the interim agricultural buffer)
    - 20 feet for two-way interior driveways,
    - 12 feet for one-way driveways, and
    - 12 feet for the temporary emergency-only access through APN 019-236-01 to APN 048-221-09
  - (ii) Improvements: Where possible, pedestrian improvements should connect with existing infrastructure in the surrounding neighborhoods.
- (d) Bicycle Storage. A minimum of one lockable storage space for bicycle storage shall be provided for each dwelling unit. This lockable storage space may be located within a larger exterior storage area provided for the unit, or in a garage.
- (e) Accessibility. Developments must meet accessibility requirements of Title 24 of the Building Code or successor code in effect at the time the Building Permit application is submitted.
  - (i) Accessible parking shall be provided consistent with California State Law. This applies to the design and location of parking spaces, number of accessible spaces provided, and accessible path of travel through the development and to the public right-of-way.

2) Requirements for Structures

- (a) Number of Stories. A maximum of three (3) stories as defined by the County Code exclusive of subsurface parking is allowed.
  - (i) Three stories are allowed except in areas restricted to a two-story maximum, as delineated in Section I.B.2.a(ii) below, in order to provide a logical transition between existing neighborhoods and higher density development.

(ii) To reduce bulk and mass, efforts shall be made to provide articulation and architectural features and to provide a transition from the adjacent properties. This transition shall be achieved by the following:

- Restricting buildings to 28 feet and two stories in height adjacent to existing homes located along Atkinson Lane. See Section I.B.3.b for further detail.
- Requiring buildings facing public roads to incorporate features such as step-back heights, articulation, variations in finishes, glazing, building separation and varied roof heights.

(b) Height. Height of three-story structures may be up to 37 feet, exclusive of sub-surface parking, and the height of two-story structures may be up to 28 feet, exclusive of subsurface parking. Height will be measured in accordance with the provisions of County Code Section 13.10.477.

(i) For any structure proposed to be within 2 feet of the maximum height limit, the building plans shall include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site, that clearly depict the total height of the proposed structure above preconstruction natural grade and finished grade.

### 3) Site Standards

(a) Lot Coverage and Floor Area Ratio. Lot Coverage Site Standards and Floor Area Ratio Site Standards specified in County Code Section 13.10.323 (b) do not apply.

(b) Setbacks. The following setbacks are established from the perimeter of the subject property, as shown on Exhibit A, to the structures in aggregate and are as follows:

(i) APN 048-211-25, located west of wetlands

- North: 3 feet if developed in conjunction with adjacent City parcel, otherwise 10 feet.
- West: 5 feet from 32-foot wide access roadway, located along the existing vehicular easement
- East: outside 50-foot wetland buffer
- South: 10 feet

(ii) APN 048-221-09, located north and east of the wetlands

- Phase 1 Development Area:
  1. North: 15 feet for 2 story structures, 20 feet for 3 story structures
  2. West: outside 50' wetland buffer
  3. East: outside interim agricultural buffer
  4. South: outside 50' wetland buffer
- Phase 2 Development Area:

1. North: 15 feet for 2 story structures, 20 feet for 3 story structures
  2. West: outside 50' wetland buffer
  3. East: 3 feet if developed in conjunction with adjacent City parcel, otherwise 10 feet
  4. South: 15 feet
- (iii) For projects involving a Tentative Map, the interior setbacks and lot size shall be established through the Design Review process and are not subject to obtaining a Residential Development Permit under County Code Section 13.10.323(d)(1)(A) or its successor ordinance.
- (c) Wetland Area. A riparian exception approving a buffer of 50 feet from the edge of the delineated wetland area on the property is included with the adoption of this PUD. Inside this buffer limited activities will be permitted, including placement of interpretive signage and the execution of ecological restoration activities including the removal of exotic plant species and establishment of native species. No lighting will be placed within the riparian buffer.
- (i) Restoration of the wetland and the removal of non-native species from the pond area and buffer is required. A comprehensive management plan/wetland protection program shall be submitted to the County Planning Department for review and approval concurrent with the Level VII Design Review Permit application, and should be developed in conjunction with the Habitat Enhancement Plan detailed in Section IX.C. MM3.4-3b if such a plan is required.
  - (ii) A Riparian Exception is granted by this PUD for the encroachment, installation, and maintenance of drainage outlets and energy dissipaters under the following conditions:
    - No disturbance is allowed below the ordinary high-water mark of the mapped wetland other than restoration activities required by Section IX of this PUD.
    - Prior to issuance of the building permit for the first permanent structure, drainage plans complying with the requirements of this PUD, particularly those related to runoff-reduction and Low Impact Design guidelines, shall be reviewed and approved by both DPW Drainage and Environmental Planning.
    - Prior to issuance of the building permit for the first permanent structure, the applicant shall provide the County with a copy of the California Department of Fish and Game (CDFG) 1602 Streambed Alteration Agreement, or a statement from the CDFG that no permit is required for the restoration and drainage improvement construction activities to occur within the wetland or wetland buffer area.
- (d) Stormwater Management. Consistent with Section IX.G. MM 3.8-1a and MM 3.8-1b, development in the PUD area will utilize the wetland for stormwater retention, and the developer or developers of Phase I shall be responsible for the construction of a temporary detention basin, located in the Phase 2 Development Area, to mitigate the increase of stormwater runoff from the PUD area. The temporary detention basin shall be sized appropriately to accommodate run-off generated by the development of

Phase 1 of the PUD area. The Developer of the Phase 2 Development Area shall be responsible for the design and construction of a drainage system sufficient to limit runoff to predevelopment levels for a range of storm events up to the 25 year storm event. The application of appropriate erosion control measures at this location shall be required.

- (i) Low Impact Design (LID) techniques that maximize infiltration (where appropriate soils exist), minimize runoff volumes and rates, and minimize pollutant loadings, shall be incorporated into the project design. Such practices would include:
  - Providing on-site treatment for low-flow storm events
  - Enhancing treatment of off-site flows
  - Providing vegetated swales for water quality treatment
  - Designing for large event flood control
  - Incorporating landscape features that enhance water quality; and
  - Limiting the post-development runoff rate and volume to the predevelopment runoff rate and volume, to the maximum extent possible.
- (e) Open Space. The open space requirements specified in County Code Section 13.10.323 e(6)F shall not apply. Instead, the developer will be required to provide a minimum of 50 square feet of private open space per unit, and a minimum of 150 square feet of common open space per unit. Common open space may consist of active or passive recreation space, designed with both children and adults in mind.
  - (i) The Design Review process shall determine the final configuration and location of open space on-site, with special consideration for the opportunity to incorporate passive open space adjacent to the wetland area and active areas that are safe and observable from adjacent housing units.
- (f) Signs. Any signs shall comply with Section 13.10.580 or any successor ordinance and the location and design shall be reviewed and approved as part of the Design Review process. The following signs are allowed:
  - (i) A non-illuminated temporary sign pertaining to the sale, lease or rental of a dwelling and limited to six square feet in size or less.
  - (ii) A permanent identification sign, in-directly illuminated, of 12 square feet or less.
- (g) Site Planning. The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
  - (i) Where natural features exist, such as wetlands and drainages, open spaces should be preserved and used to frame and define residential areas.
  - (ii) Grading should limit the visual distinction between graded and adjacent natural landforms and be contoured to blend into adjacent open spaces.
  - (iii) Varied building heights are encouraged, both to provide visual interest and give the appearance of a collection of smaller structures. Building heights at the edge of the subdivision should be considered within the context of the project's

surroundings, the adjacent uses, and should create a transition from the heights of adjacent existing residential development rather than form abrupt height changes. Section I.B.2.a(ii) addresses this concept in further detail.

- (iv) Arrange unit types to provide a logical transition between existing neighborhoods and higher density portions and provide complete consistent streetscapes along existing street frontages.
  - (v) Orient buildings and associated improvements to minimize noise, light, glare, and other visual impacts to adjacent residential neighborhoods.
  - (vi) Use buildings, landscaping, contrasting paving, and site design to frame neighborhood gateways and define common open spaces.
  - (vii) Utilize permeable materials for walkways, driveways, alleys, and patios where possible and locate impervious areas to drain into bioswales or other stormwater detention features.
  - (viii) Incorporate Best Management Practices (BMPs) for bioretention systems.
  - (ix) Site orientation and building design should consider the use of alternative energy sources and passive solar design concepts.
  - (x) The siting of multi-family buildings should consider the existing neighborhood context. Where buildings are not configured around courtyards, gathering areas, and open spaces, they should be oriented parallel to the public street or the internal streets, with some setback variation to provide visual relief.
  - (xi) Public, communal, and private spaces should be clearly distinguishable.
  - (xii) Ground floor units should have direct access from streets and common spaces.
  - (xiii) Entry drives should be designed to create a positive identity for the project. Landscape and site design should frame and distinguish entry drives.
  - (xiv) Parking should be unobtrusive and not disrupt the quality of common spaces and pedestrian environments. It should be distributed throughout the site in discrete courts and shall be screened by landscaping or buildings.
  - (xv) Services should not be visible from public areas. Trash bins, utility meters, transformers, and other service elements should be enclosed or otherwise concealed from view.
  - (xvi) Common open space should be centrally located, have a physical and visible connection to public open space, and connected to each project's internal pedestrian system.
  - (xvii) Common spaces should incorporate play equipment for children and adults that are sized to accommodate the anticipated level of use and located such that they are safe and observable from adjacent areas.
- (h) Architectural and Building Design Standards. The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
- (i) The requirements of Chapter 13.10 relating to distance between structures shall not apply.

- (ii) Provide a variety of architectural styles using high quality architectural materials.
- (iii) All facades, including side and rear elevations, should have the same vocabulary of forms, details, and materials.
- (iv) Create visual interest through the use of articulated facades, forms, and color, but maintain consistent architectural style and details on both the exposed facades of corner lots. Break up large wall and roof surfaces using three dimensional elements on facades, such as chimneys, balconies, bay windows or dormers.
- (v) Incorporate energy-efficient building siting standards and materials.
- (vi) Building forms should be articulated by varying roof heights and wall planes. Long, unbroken volumes and large, unarticulated walls and planes shall not be permitted.
- (vii) Roof forms should cover the entire width and depth of buildings. Superficial roof forms (such as mansards affixed to the building) or false fronts, facades and parapets, shall not be allowed.
- (viii) Flat roofs are strongly discouraged.
- (ix) Individual entries should have a strong relationship with a fronting street, internal walkway, or courtyard, as appropriate to the overall siting concept. A transitional area from the public space or walkway to the private dwelling unit entry, such as a porch, steps, or landscape walkway, should be provided.
- (x) Each dwelling unit's entry should be differentiated through architectural elements such as porches, stoops, or roof canopies, and detailing. Opportunities should be provided for residents to personalize their entry by providing ground level space or wide ledge for potted plants.
- (xi) Stairways, fences, trash enclosures, and other accessory elements shall be designed as integral parts of the architecture. Manufactured components attached to the outside of buildings, such as stairways and shed, shall be prohibited.
- (xii) On-site mechanical equipment visible from buildings or a public street should be screened.
- (i) Materials and Color. The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
  - (i) Architectural design within each residential subdivision should use a palette of materials that convey an image of quality and durability.
  - (ii) Color should be used as an important design element and should be natural or muted tones. Appropriate use of more than one predominant paint color is encouraged. Compatible accent colors are encouraged to enhance important building elements.
  - (iii) Painted surfaces should use colors that reinforce architectural concepts and are compatible with natural materials such as brick or stone.



- (iv) Structures designed with obvious references to styles or periods should be consistent with that style or period.
- (j) Landscaping Standards. The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
  - (i) All developable site areas not covered by structures, walkways, driveways or parking spaces should be landscaped.
  - (ii) Use specimen trees and accent plant materials at major focal points, such as entries or where major walkways intersect with common open space areas.
  - (iii) Landscaping should support the distinction and transition between private, common and public spaces.
  - (iv) Design landscaping that is permanent with automated irrigation. Water-intensive plants, such as lawns and flowering exotics, should be used sparingly as accents.
  - (v) Use drought tolerant, native landscaping and drip irrigation is encouraged in common area landscaping.
  - (vi) Vines and climbing plants on buildings, trellises, walls and fences are encouraged, both to provide an attractive appearance and to minimize graffiti.
  - (vii) Parking lots should be generously landscaped to provide shade, reduce glare and provide visual interest. Parking lots shall provide shade trees (of at least 15 gallon in size) for each four (4) spaces, and should be screened from view with architectural walls, berms or shrubs where possible.
  - (viii) Incorporate natural features and existing trees into the landscape plan to the extent practical and feasible.
- (k) Lighting. The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
  - (i) Provide lighting for specific tasks (i.e., illuminating common areas, parking, driveways, paths, and entryways).
  - (ii) Lighting should be mounted on architecturally designed fixtures that are consistent throughout the subdivision and are less than 16 feet in height, and preferably lower.
  - (iii) Place and design outdoor lighting around buildings, in parking lots, and along streets to prevent excessive "spillover" glare into adjacent residential and habitat areas and minimize night sky illumination.
  - (iv) Lighting in parking areas should be arranged to prevent direct glare into adjacent dwelling units and onto neighboring uses/properties.
  - (v) Incorporate cutoffs into light fixtures to screen the view of light sources from residences.

## II) Project Review

- A) Entitlements. All entitlements, with the exception of the building permit application review shall be processed concurrently at Level VII, subject to the processing provisions of 13.20.100, 18.10.210, 18.10.332, and 18.10.211.

4/24/2009

- B) Tentative Map. If a Tentative Map approval is required, it must be included in the application. A Residential Development Permit, as required by Section 13.10.323(d)(1)(A), is not required.
- 1) Development that includes approval of a Tentative Map is subject to the provisions of the Subdivision Map Act and Chapter 14.01. Where a Tentative Map is proposed, the public hearing shall be expanded to address findings necessary under the Subdivision Map Act. Wherever possible the environmental review performed at the time the PUD is adopted will be utilized in the processing of the Tentative Map unless the Environmental Coordinator determines that additional California Environmental Quality Act (CEQA) review is required based upon the available information.
- C) Phasing. In the event that the PUD site is developed as multiple phases, the following requirements shall apply:
- 1) Phase 2, as shown on Exhibit A, shall only be built in coordination with City actions to proceed with annexation of the adjacent land to the City of Watsonville.
- 2) An emergency access point off of Atkinson Lane will be required, through APN 019-236-01, for the development of APN 048-221-09. This emergency access may be abandoned at such time as Brewington Lane is connected to Atkinson Lane with the annexation and development of the adjacent parcels to the east by the City of Watsonville.
- 3) The development of APN 048-221-09 will also require the construction of the Brewington Extension roadway and the extension of the south-bound left-turn pocket at Crestview Drive/Freedom Boulevard intersection required by Section IX.K. of this PUD
- 4) The two APNs that compose this site may be developed as separate projects, and cost of on-site work related to drainage and wetland restoration shall be shared between the two parcels.
- 5) APN 048-221-09 may be subdivided and developed as separate projects, providing that all requirements of the Subdivision Map Act are met, and providing that the entire parcel is master planned in a manner consistent with this PUD. The Master Plan must include, but is not limited to, elements such as roads, utilities, open space, and interior setbacks.
- (a) Each phase of development shall be responsible for its fair share of the 40% affordable housing requirement, unless an alternative plan for the distribution of affordable units is approved at the time of the first Level VII Design Review on each of the parcels.

### III) **Affordability and Financing**

- A) Affordability Level. All development proposals for these parcels are required to provide a minimum of forty (40) percent, of the total number of units as affordable, as defined by County Code Section 13.10.475.
- B) Financial Liability
- 1) In the event that a developer believes that the affordable housing requirements for a project proposed for this site renders the project financially infeasible, the developer may request relief from a proportional amount of the affordability requirements. That request shall be submitted to the Planning Director with all supporting information, including the development pro forma for the project. The Planning Director shall analyze that request and make suitable recommendations to the Board of Supervisors. In the event that the

Board finds that the developer has provided evidence that fulfillment of the affordable housing requirements renders the project financially infeasible, the Board shall grant an increase in the allowed unit resale price, above the price restrictions contained in Section 17.10.030(b)(1) and Chapter 17.10.030(b)(6) of the County Code, in an amount equal to that required to render the project financially feasible. In the event that such price modifications are granted, the developer shall grant the County Redevelopment Agency the option to purchase units at the revised sales price for the purpose of writing them down to suitable levels of affordability, consistent with the intent of this PUD.

C) Participation Agreement

- 1) Prior to Building Permit issuance or prior to filing of the Final Map, if one is required, the developer shall enter into a Certification and Participation Agreement with the County of Santa Cruz to meet the Affordable Housing Requirements specified by Chapter 17.10 of the County Code and as noted in PUD Sections III.A. and III.B. above.

D) Infrastructure

- 1) In order to provide for an equitable distribution of infrastructure costs between the City and the County, the developer shall be subject to the following conditions:
  - (a) The payment of all applicable County impact fees and any additional fair-share costs for required improvements identified in Section IX of this PUD.
    - (i) The County shall credit the development of off-site traffic improvements installed by the developer (such as the southbound left turn pocket at Crestview Drive and Freedom Boulevard required of the first developer on the project site) toward the payment of required TIA impact fees.
  - (b) Impact fees, with the exception of the Childcare impact fee, shall be held by the County in trust for future off-site improvements in the area.
    - (i) TIA fees shall be provided to the City to address the project's fair share of cost for traffic improvements within the City Limits, as required by the EIR.
    - (ii) Park Impact fees shall be provided to the City provided the City begins annexation of the adjacent parcels by 2020, and commits to the construction of the extension of Crestview Park as outlined in the Atkinson Lane Specific Plan.
    - (iii) Drainage Impact fees shall be provided to the City provided the City begins annexation of the adjacent parcels by 2020, and commits to the construction of the drainage improvements called for in the Atkinson Lane Specific Plan.

E) Financing

- 1) The County and City shall develop a financing mechanism such as a PILOT, CFD, CSA, or other tool to address any shortfall between tax revenues generated by the project and the cost of providing services to the area, as required by Section IX.J. MM 3.12-1.
  - (a) If the City of Watsonville has established a Community Facilities District for the PUD Area prior to final approval of a Level VII Design Review application by the County, the project applicant shall be subject to the conditions of that District.
    - (i) If the above condition is not met, the County shall, in the case of an application for the development of an affordable rental project, create a Payment In Lieu of Taxes program to meet the funding gap associated with the development.

**IV) Design Review**

**A) Public Hearings**

- 1) Development proposals shall undergo Design Review and a public hearing process limited to design issues only. No discretionary permit is required for the by-right density or use of the site. For development proposals under these by-right provisions, applicants must apply for a Level VII Design Review, which requires review at public hearing by the Planning Commission and Board of Supervisors. The Design Review Permit is valid for a maximum of three (3) years. In order for the Design Review Permit to be exercised, the building permit shall be issued within the three-year period.
  - (a) Requests for a time extension for the Design Review Permit shall be processed as a Level III permit review. The permit may be extended for one year up to five (5) times for a total permit life of eight years.

**B) Development Standards**

- 1) All requirements of the Site, Architectural and Landscape Design Review (Chapter 13.11) or successor ordinance in effect at the time a Design Review application is deemed complete for processing shall be applicable unless modified by this PUD.
- 2) All applicable requirements and standards of the Zoning Regulations (Title 13, Chapter 13.10) and Environmental and Resource Protection Regulations (Title 16) in effect at the time a Design Review application is deemed complete for processing shall apply unless modified by this PUD.
- 3) A geotechnical report shall be prepared for the site. Four copies of the report shall be submitted to the County for review at the time of project application and accepted prior to the application being determined complete. All requirements and recommendations of the approved report shall be incorporated into the project design. A Plan Review letter shall be submitted as part of the Design Review submittal and Building Permit Submittal. All future development on the site shall comply with the requirements of the accepted geotechnical report prepared by a licensed geotechnical engineer.
- 4) A restoration plan for the wetland area shall be prepared and submitted to the Planning Department for review at the time of the first project application, as required by Section I.B.3.c(i) of this PUD.
- 5) All future development on the site shall comply with the requirements and mitigations established by the EIR conducted for this project, on file with the County of Santa Cruz Planning Department.

**C) Minor Variations**

- 1) Minor variations to this permit that do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff, as a Level III permit.

**D) Level VII Design Review Submittal Requirements**

- 1) Preliminary Architectural and Site Plans
  - (a) Preliminary architectural and site plans, prepared by a licensed architect, meeting the standards established by the Planning Department for multi-family residential

application submittal, shall be submitted. The plans shall incorporate, but not be limited to, all requirements contained in this PUD.

- (b) The site plan shall clearly delineate all non-usable areas, including but not limited to:
- (i) Wetland area and buffer, as shown on Exhibit A.

2) Utilities, Roads and Services

- (a) Submit proof of authority to build the required emergency access road on APN 019-236-01 as specified in PUD Section II.C.2.
- (b) Submit preliminary engineered improvement plans to the Planning Department for all roads, curbs and gutters, storm drains, erosion control, and other improvements proposed or required by this PUD. Form and content of the plans shall meet the standards established by the Planning Department for multi-family residential application submittal.

- (i) Preliminary improvement plans shall meet the following requirements:

- All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified herein. Plans shall also comply with applicable provisions of Title 24 (Accessibility) of the State Building Code.
- Preliminary 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. This includes off-site work.
- Preliminary grading plans must be submitted at time of application. The project design shall minimize grading on-site and off-site to the maximum extent possible. This includes designing the grading and foundations to follow existing topography as much as possible. The grading plans shall include existing and proposed contours, plan views and centerline profiles of all driveway improvements, locations, and heights of all retaining walls, preliminary drainage design, grading cross sections through proposed building pads, and all volumes of excavated and fill soils. This includes all on-site and off-site work.
- Submit preliminary sanitation plans to the Department of Public Works for all sanitary improvements proposed or required by this PUD.
- For the first project applicant, the design of the southbound left-turn pocket from Freedom Boulevard to Crestview Drive shall be submitted, in compliance with Section IX.K. 3.13-11.

- (ii) All road plans shall comply with all requirements of the Department of Public Works Road Engineering and shall be consistent with the County's Design Criteria for road construction. Right-of-way width shall be that described in PUD Section I.B.1.c.

- 3) A sign plan indicating the location and size of all signs on the site shall be submitted. The signs shall be consistent with the provisions of this PUD.

- 4) A current water will-serve letter from the City of Watsonville Public Works and Utilities Department shall be submitted to the Planning Department.
  - (a) The Local Agency Formation Commission (LAFCo) approval of extraterritorial water service will be required.
  - (b) All groundwater wells shall be properly abandoned and capped, in compliance with all state, federal and local regulations, as detailed in Section IX.F. MM 3.7-7.
- 5) A current sanitary sewer will-serve letter from the City of Watsonville Public Works and Utilities Department shall be submitted to the Planning Department.
  - (a) The Local Agency Formation Commission (LAFCo) approval of an annexation into the Sanitation District, or extraterritorial sewer service, will be required prior to the issuance of a will-serve letter.
  - (b) Any existing septic systems shall be properly abandoned per County requirements, as detailed in Section IX.F. MM3.7-6.
  - (c) Due to the property's topography, a private pump station may be required to sewer some or all of the developments structures. The pump station shall be designed and constructed to resemble the development and shall be privately maintained. An onsite private generator will be required to run the sewer pump(s) in case of power outage. Odor control shall be required on the pump.

**V) Final Map Requirements and Timing.**

*If the project includes a Map, the following requirements shall be met prior to the final filing:*

- A) Drainage. Final engineered drainage details shall be submitted to the County Planning and Public Works departments for both on- and off-site drainage work. Drainage plans for Phase I shall show the temporary detention basin designed with sufficient capacity to address the drainage impacts identified by the EIR and included in Section IX of this PUD. Drainage from road improvements shall be filtered and released into the new drainage system. A Construction Activities Stormwater General National Pollution Discharge Elimination System (NPDES) Permit shall be obtained from the State Water Resources Control Board.
- B) Roads. Final engineered road improvement plans shall be submitted to the County Planning and Public Works departments for both on- and off-site road improvements.
- C) Sanitation. The applicant shall form a homeowner's association with ownership and maintenance responsibilities for all on-site sewers for this project. Reference to the homeowners association shall be included on the Final Map and in the Association's Covenants, Conditions & Restrictions, which shall be recorded and include District-approved language on maintenance responsibilities.
  - 1) The applicant shall provide a copy of the CC&Rs to the District prior to the filing of the Final Map.
- D) Recorded Conditions. Proof must be submitted that the conditions of all required permits (such as Design Review, NPDES) have been recorded in the official records of the County Recorder.
- E) Affordable Housing. The developer must enter into an Affordable Housing Participation Agreement with the County of Santa Cruz.

F) Fees. All applicable in-lieu fees shall be paid.

- 1) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.01 or its successor ordinance, park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.
- 2) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.04 or its successor ordinance, Child Care Development fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.
- 3) Transportation improvement fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid. A credit may be allowed for installation of improvements off-site that are part of the Capital Improvement Program.
- 4) Roadside improvement fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid. A credit may be allowed for installation of improvements off-site that are part of the County's or City's Capital Improvement Program.

VI) **Building Permit Requirements and Timing.**

*Prior to the issuance of any building permit, all of the following conditions shall be met, some of which may have been met at the Final Map stage:*

- A) Plans shall be consistent with the Design Review approved project and all requirements of this PUD.
- B) Final engineered drainage details shall be submitted to the Department of Public Works, Drainage for both on-site and off-site drainage work.
  - 1) The allowable release rate from the site shall be limited to the volumes identified in Section IX.G. MM 3.8-1 or less based on an assessment performed by a drainage engineer and reviewed and approved by the Department of Public Works Drainage. The safe overflow paths for any proposed mitigation system shall be described and analyzed, and techniques such as minimizing site disturbance, minimizing impervious areas, utilizing pervious surfacing, eliminating directly connected impervious areas, clustering development, etc shall be considered.
  - 2) All runoff from parking and driveway areas shall pass through water quality treatment prior to the wetland and/or interim drainage basin.
  - 3) Depending on the nature of the proposed development, Public Works staff may inspect the construction of the drainage related items.
  - 4) Fees will be assessed on the net increase in impervious area due to the development project. Semi-pervious surfaces will be charged at a 50% rate.
- C) Final engineered road improvement plans shall be submitted to the Department of Public Works, Road Engineering for both on-site and off-site road improvements.
- D) Submit proof that the conditions of all required permits (such as Design Review, Tentative Map) and all required Declarations of Restriction and Statements of Acknowledgment including those required by Section IX.A. MM 3.2-2c and Section IX.F. MM 3.7-10 have been recorded in the official records of the County Recorder.

- E) All applicable in lieu fees shall be paid, if not paid at the time of the filing of the Final Map.
- 1) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.01 or its successor ordinance, park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid.
  - 2) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.04 or its successor ordinance, Child Care Development fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid.
  - 3) Transportation improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid. A credit may be allowed for installation of improvements off-site that are part of the Capital Improvement Program or otherwise required by the conditions of this PUD.
  - 4) Roadside improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid. A credit may be allowed for installation of improvements off-site that are part of the Capital Improvement Program or otherwise required by the conditions of this PUD.
  - 5) Fair-share fees toward road improvements required by Section IX.K of this PUD shall be paid by the developer at the time of Building Permit issuance, and shared between the County and the City of Watsonville in accordance with the conditions of Section V.E. of this PUD.
  - 6) 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 said school district in which the project is located at the time of building permit issuance. The applicant/developer is advised that the development may be subject to inclusion in a Mello-Roos Community Facilities District.
- F) Plan review letters shall be obtained from the technical report authors indicating that the plans comply with the County approved technical report and all of their recommendations have been incorporated into the project plans, particularly the requirements of Section IX.E. MM 3.6-1 and MM 3.6-2.
- G) All requirements of the Pajaro Valley Fire Protection District shall be met with respect to access, turnarounds, fees, water availability and design features.
- H) The units shall be connected for sewer service to the City of Watsonville Public Works and Utilities Department. All regulations, conditions and hookup charges of the Public Works and Utilities Department shall be met. Off-site improvements may be required. Final engineered plans shall be submitted, which comply with all requirements and standards of the Public Works and Utilities Department.
- 1) If a private pump station is proposed as part of the project, a private pump station and sewer system maintenance and response manual shall be outlined by the applicant and submitted to the Public Works and Utilities Department for review and approval.
- I) All units shall be served by the City of Watsonville Water Department. All requirements of that water district including the payment of connection charges and water off-set fees or activities shall be met. Engineered improvement plans for all water line extensions required shall be submitted for the review and approval of the Water Department. Off-site improvements may be required.



- J) Final engineered plans shall be submitted complying with all requirements and standards of the City of Watsonville Water Department.
- K) The developer shall enter into an Affordable Housing Participation Agreement.
- L) Prior to the final inspection or clearance of the building permit, all of the site improvements shown on the approved building permit plans and Design Review Approval shall be installed/implemented.

#### **VII) Construction Phase Requirements**

- A) Prior to any site disturbance or physical construction on the subject property the following condition shall be met:
  - 1) Pre-Construction Meeting: In order to ensure that the mitigation measures are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: applicant, grading contractor supervisor, project arborist, and Santa Cruz County Environmental Planning staff. The temporary construction fencing demarcating the edge of the riparian corridor setback and the tree protection fencing will be inspected at that time. Approval of the results of the pre-construction biotic surveys will be reaffirmed at this time. The receiving site for any exported fill will also be identified and County approved grading permits presented.
- B) No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director grants a separate winter grading permit, which may or may not be granted.
  - 1) County standards for stormwater best management practices, including those related to erosion and sediment control during construction, shall be implemented.
- 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 the conditions of an entitlement permit).
- D) Unless determined to be unnecessary by an archaeological field survey, an archaeologist shall be present on-site during all ground disturbance on the site.
- E) In the event that threatened or endangered plant or animal species are discovered on the site, the habitat areas for these species shall be avoided and no disturbance will be permitted. Section IX.C details further requirements for developers of the PUD area in order to minimize the potential impacts of construction activities on sensitive species in the area.
- F) 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, and Section IX.D. MM 3.5-1a and 3.5-1c of this PUD shall be observed.
- G) 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 as well as those delineated in Section IX.I. MM 3.10-1 of this PUD, during all construction work:

- 1) Limit all construction to the time between 7:30 am and 4:30 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.
- H) The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction-site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- I) One (1) "construction/security trailer" (maximum 12 feet by 60 feet) is allowed on the site during construction. The size and location of the unit shall conform to all yard setbacks contained in the PUD and shall be shown on the plot plan. Compliance with Section 13.10.683 or any successor ordinance is required. A building permit is required for the installation of the construction trailer.

#### **VIII) Mitigation Monitoring Program**

- A) The mitigation measures listed in Section IX of this PUD have been incorporated in the conditions of this approval 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 mitigations is hereby adopted as a condition of approval. The purpose of this monitoring is to ensure compliance with the environmental mitigations during implementation and operation. Failure to comply with the conditions contained within the PUD, including the terms of the adopted mitigation monitoring program, may result in the revocation of the PUD pursuant to section 18.10.462 of the Santa Cruz County Code.

#### **IX) Mitigation Measures**

*Continued on the following pages.*

**IX) Mitigation Measures**

*Continued*

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
<b>A) Agricultural Resources</b>					
Phase 1, APN 048-221-09	<b>Impact 3.2-2:</b> The proposed project would place urban land uses adjacent to agricultural uses, which may impair agricultural production and result in land use compatibility conflicts.	<b>MM 3.2-2a:</b> Consistent with Policy 5.13.23 (Agricultural Buffers Required) in the <i>Santa Cruz County General Plan</i> project applicants shall demonstrate adequate land use separation in conjunction with Design Review applications, consistent with the PUD subject to review and approval by the County of Santa Cruz Planning Department. Final site plans shall include an interim 200-foot agricultural buffer located within the Phase 2 development area. The buffer distance shall be measured from the edge of the parcel to the nearest residential property line. Other than fencing, regional drainage facilities, and underground utilities, only landscape and related non-accessible open space components are allowed within the first 150 feet of the buffer. Within the remaining 50 feet of buffer, adjacent to the proposed development area, uses such as public streets and roads, regional and local storm-drainage improvements, and other underground utilities; and pedestrian and bicycle trails are allowed. Upon termination of the adjacent Commercial Agriculture use the interim 200-foot agricultural buffer within the Phase 2 development area shall terminate.	Project Applicant	County of Santa Cruz	Project Design
048-211-25 and 048-221-09		<b>MM 3.2-2c.</b> Consistent with Policy 5.13.31 (Agricultural Notification Recordation for Land Divisions) in the <i>Santa Cruz County General Plan</i> , project applicants within the PUD area shall file a Right-to-Farm Notification Statement to run with the Title as disclosure and notice in deeds at the time of transfer or sale of all properties within the PUD area. The statement shall inform any future property owners of the continuation of agricultural activities, including agricultural processing, in the area and shall disclose the potential effects of agricultural activities on adjacent land uses to future residents.	Project Applicant	County of Santa Cruz	Project Design
<b>B) Air Quality</b>					
048-211-25 and 048-221-09	<b>Impact 3.3-1:</b> The proposed project would result in short-term air quality impacts associated with construction activities, including grading.	<b>MM 3.3-1a:</b> Project applicants limit areas of active disturbance to no more than 2.2 acres per day for initial site preparation activities that involve extensive earth moving activities (grubbing, excavation, rough grading), or 8.1 acres per day for activities that involve minimal earth moving (e.g. finish grading) during all phases of construction activities within the PUD area in accordance with the Monterey	Project Applicant	County of Santa Cruz	Construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
	operation of construction equipment, and demolition of existing structures at the PUD area.	<p>Bay Unified Air Pollution Control District CEQA Guidelines. If the proposed project requires that grading and excavation exceed those acreages, project applicants shall implement the following fugitive dust measures during grading and excavation and incorporate these measures on all grading plans for future development within the PUD area subject to review and approval by the County of Santa Cruz Planning Department:</p> <ul style="list-style-type: none"> <li>• Water all active construction areas at least twice daily;</li> <li>• Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;</li> <li>• Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;</li> <li>• Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;</li> <li>• Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;</li> <li>• Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);</li> <li>• Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);</li> <li>• Limit traffic speeds on unpaved roads to 15 mph;</li> <li>• Install appropriate best management practices or other erosion control measures to prevent silt runoff to public roadways;</li> <li>• Replant vegetation in disturbed areas as quickly as possible;</li> <li>• Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;</li> <li>• Limit the area subject to excavation, grading and other construction activity at any one time;</li> <li>• Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints (the person shall respond to complaints and take corrective action within 48 hours); and</li> <li>• Ensure that the phone number of MBUAPCD is visible to the public for compliance with Rule 402 (Nuisance).</li> </ul>			

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-211-25	<b>Impact 3.3-2:</b> The proposed project may result in the demolition of residential homes and associated structures within the PUD area, which may contain asbestos and/or lead.	Mitigation measures <b>MM 3.7-3a</b> and <b>MM 3.7-3b</b> in Section 3.7, Hazards and Hazardous Materials would require that each structure is inspected by a qualified environmental specialist for the presence of asbestos containing materials (ACMs) and lead based paints (LBPs). If ACMs and LBPs are found during the investigations, a remediation program shall be developed to ensure that these materials are removed and disposed of by a licensed contractor in accordance with all federal, state and local laws and regulations.	Project Applicant	County of Santa Cruz	Demolition and Construction
048-211-25 and 048-221-09	<b>Impact 3.3-3:</b> The proposed project would result in long-term stationary and vehicular emissions, which would exceed the MBUAPCD thresholds.	<p><b>MM 3.3-3:</b> Fireplaces proposed for future residential development within the PUD area shall be gas-fired and meet U.S. Environmental Protection Agency (EPA) certification requirements. The use of wood-burning fireplaces shall be prohibited. This measure shall be demonstrated on all proposed tentative maps and improvement plans prior to approval of building permits within the PUD area. In addition, project applicants within the PUD area shall consider implementation of MBUAPCD-recommended mitigation. The County of Santa Cruz Planning Department shall review proposed tentative maps and improvement plans to identify emission reduction measures that are incorporated into the plans and staff may recommend additional measures as practical and feasible including the following:</p> <ul style="list-style-type: none"> <li>• Incorporate energy-efficient appliances into residential uses.</li> <li>• Orient buildings to minimize heating and cooling needs;</li> <li>• Provide shade trees to reduce cooling needs;</li> <li>• Include energy-efficient lighting systems;</li> <li>• Include solar water heaters or centralized water heating systems; and</li> <li>• Increase insulation beyond Title 24 requirements to minimize heating and cooling needs.</li> </ul>	Project Applicant	County of Santa Cruz	Project Design
<b>C) Biological Resources</b>					
048-211-25 and 048-221-09	<b>Impact 3.4-1:</b> A population of federally Threatened and California Endangered Santa Cruz tarplant (Holocarpha macradenia) is located entirely within the PG&E parcel in the westernmost	<b>MM 3.4-1:</b> Subject to review and approval by the County of Santa Cruz Planning Department project applicants shall ensure that all construction and staging activities occur outside of APN 048-211-24 (PG&E parcel) containing Santa Cruz tarplant during all phases of the proposed project. Prior to construction activities, project applicants shall install temporary construction fencing and informative signs around the perimeter of APN 048-211-24 as construction occurs in the vicinity of this parcel. The location and integrity of the fence shall	Project Applicant	County of Santa Cruz	Construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
	portion of the PUD area on Assessors Parcel Number 048-211-24. No development is proposed for this portion of the PUD area; however the proposed residential development may result in indirect impacts to the population.	be verified in the field by County or City prior to grading and periodically checked throughout the construction period. Following construction, project applicants within the PUD area shall install permanent fencing around of perimeter of APN 048-211-24.			
048-211-25 and 048-221-09	<b>Impact 3.4-2:</b> The California red-legged frog (CRLF) is federally-listed as 'Threatened' and considered a CDFG 'Species of Special Concern.' Although presence is unlikely, potential habitat for CRLF is present within the PUD area and the PUD area is located within dispersal distance of known CRLF localities. Project activities such as vegetation removal, grading, excavating, and vehicle and equipment travel may result in "take" of CRLF.	<b>MM 3.4-2a:</b> At the recommendation of the USFWS, project applicants shall conduct CRLF protocol level surveys within the PUD area prior to issuance of the building permit. Surveys shall be conducted in accordance with the USFWS recommendations by an approved biologist and shall include a set of eight field surveys that shall be conducted between February and September in order to examine the site during the CRLF breeding, non-breeding, and dispersal seasons. If CRLF are observed in the PUD area during protocol surveys, preconstruction surveys, inspections, or subsequent construction activities during all phases of the proposed project, project applicants shall cease all work within the PUD area. Capturing, handling, moving, or harassing CRLF is considered a violation of the ESA. If CRLF are observed, the applicant shall initiate consultation with the USFWS and CDFG to determine the appropriate permitting action; a section 7 consultation and development of a Biological Opinion or a section 10a consultation and development of an HCP may be required. Project conditions may be developed in consultation with USFWS and CDFG to avoid "take" of CRLF that may occur within the PUD area during construction activities. Project activities shall not resume until final federal approval of the proposed project is received. <b>MM 3.4-2b:</b> Project applicants shall have a USFWS-approved biologist conduct CRLF preconstruction surveys a minimum of 48 hours prior to initiation of project activities. Pre-construction surveys shall consist of two days and two nights, spaced a week apart, with notification to the USFWS.	Applicant	County of Santa Cruz	Prior to Issuance of a Building Permit
048-211-25 and 048-221-09	<b>Impact 3.4-3:</b> The WPT is a CDFG 'Species of Special Concern.' WPT is known to occur within the PUD area. Project activities may result in direct impacts to WPT	<b>MM 3.4-3a:</b> Prior to the first construction activities in Phase I of the PUD area, a qualified herpetologist shall conduct three consecutive days of pond turtle trapping within the freshwater marsh to evaluate the existing turtle population and to determine its viability. If it is determined that a viable western pond turtle population is present, a Western Pond Turtle Habitat Enhancement Plan shall be prepared as described in MM 3.4-3b. If it is determined that no pond turtles are	First Project Applicant	County of Santa Cruz	Prior to Issuance of a Building Permit, Construction, and Post-construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
	utilizing portions of the PUD area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA.	<p>present, or that the existing population is no longer viable, all captured western pond turtles shall be permanently relocated under the direction of the qualified herpetologist in consultation with the CDFG.</p> <p><b>MM 3.4-3b:</b> If it is determined that a viable western pond turtle population is present, a Habitat Enhancement Plan shall be prepared for the western pond turtle by a qualified herpetologist, wetland ecologist, hydrologist, and landscape architect. The plan shall provide specific habitat enhancement strategies intended to improve breeding, basking, aestivating, and reduced predation potential. The plan shall also specify the location of the temporary holding area and care requirements for captured pond turtles. The habitat enhancement plan may include the following improvements:</p> <ul style="list-style-type: none"> <li>(a) Removal of non-native species;</li> <li>(b) Removal of the earthen berm dividing the freshwater marsh from the seasonal wetland to create additional freshwater marsh habitat;</li> <li>(c) Eradication of bullfrogs from the pond to reduce predation and competition;</li> <li>(d) Placement of logs (living downed willows) and rocks at strategic locations to improve basking opportunities that are protected from predators;</li> <li>(e) Development of a wetland and upland planting plan;</li> <li>(f) Revegetation of the wetland buffer with native riparian and upland species to provide greater opportunity for breeding and aestivation;</li> <li>(g) Development of hydrologic requirements for freshwater marsh and western pond turtle;</li> <li>(h) Development of a monitoring program and;</li> <li>(i) Development of success criteria for habitat enhancement.</li> </ul> <p>The Habitat Enhancement Plan shall be provided to the County of Santa Cruz Planning Department for review and approval in consultation with the CDFG prior to issuance of the building permit.</p> <p><b>MM 3.4-3c:</b> If the existing pond turtle population is determined to be viable as a result of data collection during trapping, all captured western pond turtles shall be temporarily relocated to a holding area until construction of the first project in the PUD area and habitat enhancement has been completed. Temporary relocation may be needed for up to two years. Upon completion of the construction and</p>			construction



Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		<p>implementation of the Habitat Enhancement Plan, all relocated pond turtles shall be returned to the enhanced freshwater marsh within the PUD area outside of the breeding season when the turtles are active. All turtle relocations efforts shall be coordinated with the CDFG.</p> <p><b>MM 3.4-3d:</b> Prior to all construction, exclusionary fencing shall be established around the perimeter of the 50-foot wetland buffer area around the freshwater marsh and seasonal wetland to prevent any potentially uncaptured western pond turtles from entering construction areas. The fencing shall be marked by highly visible signage indicating that human activity is prohibited within these areas. A qualified biologist shall be present during placement of the exclusionary fencing to ensure that no pond turtles are impacted. The establishment of pond turtle exclusion fencing shall only occur between the months of September and March outside of the breeding season.</p> <p><b>MM 3.4-3e:</b> All captured pond turtles shall be tagged and fully documented at the time of capture (e.g., number, sex, age, carapace length, weight, overall condition, etc.). All non-native turtles that are captured shall also be documented and not returned to the wild. Trapping requirements, the holding location and required care during the holding period shall be coordinated with the CDFG and included in the Habitat Enhancement Plan.</p> <p><b>MM 3.4-3f:</b> A "Species Sensitivity Training" program will be established for western pond turtle during all phases of the proposed project. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel will attend the sensitivity training that will provide instruction on western pond turtle identification, status and detailed protocol of the actions that should be taken in the event that a western pond turtle is encountered onsite during construction activities.</p> <p><b>MM 3.4-3g:</b> Implementation of the Habitat Enhancement Plan shall occur during the first construction to take place on the PUD area. During all later construction in the PUD area, exclusion fencing shall be placed around the eastern perimeter of the wetland buffer to preclude turtles from entering the construction area. In addition, brightly colored temporary construction fencing shall also be placed along the eastern perimeter to keep out construction personnel and equipment.</p> <p><b>MM 3.4-2h:</b> To avoid harming WPT that may have evaded trapping (MM 3.4-3c), project applicants shall implement the following measures during all construction periods:</p> <ul style="list-style-type: none"> <li>Where trenching occurs, provide an escape ramp at each end of the open trench to avoid entrapment. The ramp may be constructed of dirt</li> </ul>			



Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		<p>fill, wood planking, or other suitable material that is placed at an angle of 30 degrees or less. Backfill open segments of trench as soon as possible to avoid entrapment.</p> <ul style="list-style-type: none"> <li>At the beginning of each day, check under all parked equipment for WPT before use. If any WPT are observed under equipment or within the work area, do not disturb or handle it. Cease project activities and contact the CDFG and the City or County for further guidance.</li> <li>During project activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.</li> <li>All fueling and maintenance of vehicles and other equipment and staging areas shall not occur within or near wetland and/or riparian habitats or water bodies. A plan to allow a prompt and effective response to accidental spills shall be developed. All workers shall be informed of the importance of preventing spills and of the appropriate measures to be taken should a spill occur. The agencies should be contacted regarding spills if the approved biologist anticipates that impacts to WPT may occur as a result of the spill.</li> <li>Smoking shall only be permitted in areas clear of vegetation and away from hazardous materials. Dispose of cigarette butts in an appropriate area away from the PUD area.</li> </ul> <p><b>MM 3.4-3i:</b> Before and during all clearing of vegetation, or initial ground disturbing activities, a qualified biologist shall conduct a preconstruction survey for the WPT.</p> <p><b>MM 3.4-3j:</b> Access into the freshwater marsh habitat and associated wetland buffer by humans and/or their pets shall be discouraged. Permanent signage shall be placed at the perimeter of the wetland buffer area on both APN 048-211-25 and APN 048-221-09 clearly stating that people and their pets should not enter the wetland area or associated buffer due to the presence of sensitive habitat.</p> <p><b>MM 3.4-3k:</b> Monitoring of the revegetation areas in the PUD area shall be conducted for a period of three years by the first project applicant, or until success criteria have been met, vegetation is established, and exotic species are controlled.</p> <p><b>MM 3.4-3l:</b> Upon return to the enhanced freshwater marsh habitat, all relocated pond turtles shall be monitored annually for a period of three years by the first project applicant to determine the overall success of the mitigation. Annual</p>			

Atkinson PUD  
4/24/2009

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		monitoring reports shall be prepared and provided to the County of Santa Cruz Planning Department, and the CDFG.			
048-211-25 and 048-221-09	<b>Impact 3.4-4:</b> The PUD area provides potential wintering habitat for the ferruginous hawk (a 'Bird of Conservation Concern'), nesting and wintering habitat for the white tailed kite (a 'Fully Protected species'), and nesting habitat for the yellow warbler (a CDFG 'Species of Special Concern'), as well as other common raptor and bird species. The federal Migratory Bird Treaty Act (MBTA) and CDFG Codes prohibit the destruction or possession of individual birds, birds of prey, eggs or active nests without federal and/or state authorization. Project activities may disrupt avian species, including special-status bird species that may utilize habitats within the PUD area.	<b>MM 3.4-4a:</b> Future development within the PUD area shall retain mature trees to the extent possible and replace removed trees with in-kind species and vegetation structure within the PUD area. Tree replacement shall be indicated on landscape plans subject to review and approval by the County of Santa Cruz Planning Department. <b>MM 3.4-4b:</b> If a project applicant cannot avoid construction activities outside of the breeding season (February through August) and cannot clear vegetation prior to the breeding season, a qualified wildlife biologist shall conduct avian nest surveys prior to construction activities that may disturb nests (e.g. vegetation clearing, tree removal, grading, large equipment operation, or demolition) within the PUD area during all phases of the proposed project. These surveys shall include special-status birds, and all birds (and their nests) protected under the MBTA, and shall encompass the PUD area and a 200-foot-wide buffer, to examine nearby tree stands and structures. If an active nest is found, it will be necessary to consult with the appropriate resource agencies (CDFG, USFWS) to determine appropriate construction buffers or other avoidance measures. If nesting or wintering special-status birds are not found, no further action would be necessary. <b>MM 3.4-4c:</b> If the project applicant cannot avoid construction activities during the breeding season (February through August) and cannot clear vegetation prior to the breeding season, a qualified biologist shall conduct a specific yellow warbler nest survey in the riparian and scrub habitats of the PUD area during all phases of the proposed project during this period. If active nests are found within the PUD area, a minimum 250-foot construction buffer shall be established during the peak of the warblers breeding season (April through July), or until the young have fledged. A qualified biologist shall monitor the activity of any warbler nests to determine when construction activities may re-commence within the established buffer area.	Project Applicant	County of Santa Cruz	Project Design and Construction
048-211-25 and 048-221-09	<b>Impact 3.4-5:</b> The PUD area provides potential habitat for several special-status bat species. If special-status bat species roost within the PUD area, construction-related	<b>MM 3.4-5a:</b> Prior to initiation of project activities including, but not limited to, vegetation, snag, and tree removal and demolition of structures on APNs 048-211-25 and 048-221-09 or loud construction-related noise within the work area, the County of Santa Cruz Planning Department shall require that project applicants within the PUD area implement the following measures: <ul style="list-style-type: none"> <li>• Conduct a pre-construction survey for bats over a minimum of four</li> </ul>	Project Applicant	County of Santa Cruz	Construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
	activities could result in the direct loss of active roosts.	<p>visits at least 15 days prior to the beginning of tree/vegetation removal, building demolition and other project activities, to determine if the area is being actively utilized by bats for spring/summer maternity colonies (April to September). Surveys shall also include determining if any trees or buildings marked for removal have characteristics that make them suitable bat roosting habitat (e.g., hollows, broken limbs, crevices, etc.). For any trees/snags that could provide roosting space for bats, thoroughly evaluate the trees/snags to determine if a colony is present prior to trimming or cutting. Visual inspection, trapping, and acoustic surveys may be utilized as initial techniques. Special permits from CDFG are required if trapping is conducted. Removal of any native riparian tree shall be preceded by a thorough visual inspection of foliage to reduce the risk of displacing or harming foliage roosting bats. If no roosting bats are observed, no further mitigation would be required.</p> <ul style="list-style-type: none"> <li>• If a tree or structure is determined not to be an active roost site, it may be immediately trimmed or removed. If the tree or structure is not trimmed or removed within four days of the survey, repeat night survey efforts.</li> <li>• Removal of occupied trees/snags or structures shall be mitigated for by the creation of a snag or other artificial roost structure within suitable habitat located in the PUD area. With the input from a professional bat specialist and coordination with CDFG, design alternative roost structure(s) that provide suitable habitat for evicted or displaced bats. Depending on the species, artificial roost structures may not be appropriate. Coordinate with CDFG for acceptable mitigation alternatives.</li> <li>• Protect maternity colonies that have pre-volant young (not yet able to fly). If active bat roosts are observed during the maternity roosting season, avoid disturbing the roost until after all juvenile bats are able to fly from the roost. The project biologist must confirm there are no pre-volant young present before a colony is displaced. It is assumed that after September 1 colonies have no pre-volant young.</li> <li>• Coordinate with CDFG and a biologist that is permitted to handle special-status bats to develop appropriate exclusion methods if necessary. Project activities involving potential disturbances to roosting bats shall correspond with the time frame stated in the California Fish and Game Commission regulations. The CFGC stipulates bats may be</li> </ul>			

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-211-25 and 048-221-09	<b>Impact 3.4-6:</b> The San Francisco dusky-footed woodrat is a CDFG 'Species of Concern.' Project activities may result in destruction of potential woodrat habitat and harm to the potential San Francisco dusky-footed woodrat population in the PUD area.	excluded from occupied roosts in two time periods; between September 1 and October 15 and between February 15 and April 15 (CFGC 2006). If bats are found roosting within these time frames, it may be necessary to passively exclude them from trees or structures scheduled for removal. If necessary, prior to initiating project activities, passive exclusion methods shall be installed for a minimum of two weeks and monitored by a qualified biologist within the appropriate time frames above. At a minimum, monitoring efforts shall include conducting acoustic and evening emergence surveys.	Project Applicant	County of Santa Cruz	Construction
048-211-25 and 048-221-09	<b>Impact 3.4-7:</b> Construction activities may result in increased erosion, runoff, accumulation of water, and introduction of harmful materials to wetland habitats within the PUD area.	<b>MM 3.4-6:</b> The County of Santa Cruz Planning Department shall require that project applicants have a qualified biologist examine the PUD area for San Francisco dusky footed woodrats before and during any and all initial vegetation, woody debris, and/or tree removal, or other initial ground disturbing activities. If a woodrat nest/house structure is encountered in the area of disturbance, avoid disturbing the structure or evicting the individuals. Project applicants shall coordinate with CDFG to establish protective buffer widths around the structures and install exclusion zones around each structure before initiating tree/vegetation removal and ground disturbing activities. If a woodrat is incidentally encountered in the work area and does not voluntarily move out of the area, a biological monitor, with the appropriate CDFG permits, shall be on call during project activities to relocate the animal out of the construction area to the nearest safe location (as approved and authorized by CDFG). Woodrats shall not be handled without prior agency authorization from CDFG. If project activities cannot avoid any existing, underground, or unidentified woodrat nest structure in the work area, notify and coordinate with CDFG to develop appropriate avoidance and/or alternative habitat creation and recovery strategies.	Project Applicant	County of Santa Cruz	Construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
<b>D) Cultural Resources</b>					
048-211-25 and 048-221-09	<p><b>Impact 3.5-1:</b> The PUD area does not contain any recorded or anticipated resources of archeological, cultural, or pre-historic significance. However, site preparation and grading could disrupt undiscovered archeological and cultural resources of importance under CEQA and/or eligible for listing on the California Register.</p>	<p><b>MM 3.5-1a:</b> Project applicants on both parcels and in each Phase of development of the PUD area shall comply with Sections 16.40.040 and 16.42.100 of the Santa Cruz County Code (Native American Cultural Sites Ordinance), which includes regulations for the protection, enhancement, and perpetuation of Native American cultural sites. If human remains or any artifact or other evidence of a Native American cultural site are found during ground disturbance or excavation, the project applicant(s) shall cease and desist from further excavations and disturbance within 200 feet of the discovery; stake around the discovery in accordance with the requirements in the ordinance; and notify the Sheriff-Coroner if the discovery contains human remains or the Santa Cruz County Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100 shall be observed.</p> <p><b>MM 3.5-1c:</b> If human remains of Native American origin are discovered during ground-disturbing activities, project applicant(s) shall comply with state laws relating to the dispositions of Native American burials, which falls within the jurisdiction of the California Native American Heritage Commission (NAHC) (Public Resources Code, Section 5097.98). If human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the PUD area or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <ul style="list-style-type: none"> <li>• The Santa Cruz County Sheriff-Coroner has been informed and has determined that no investigation of the cause of death is required, and</li> <li>• If the remains are of Native American origin, <ul style="list-style-type: none"> <li>◦ The descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave good as provided in the Public Resources Code, Section 5097.98, or</li> <li>◦ The California NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the NAHC.</li> </ul> </li> </ul>	Project Applicant	County of Santa Cruz	Construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
<b>E) Geology and Soils</b>					
048-211-25 and 048-221-09	<b>Impact 3.6-1:</b> The PUD area would experience strong ground shaking during a major earthquake on any of the nearby faults, resulting in the exposure of people and/or structures to potentially substantial adverse effects, including the risk of loss, injury, or death.	<b>MM 3.6-1:</b> All future development within the PUD area shall be designed in accordance with the requirements of the of the California Building Code (CBC) in effect at the time of Building Permit applications. Project applicants within the PUD area shall consult with a qualified engineer to prepare a design level geotechnical report in accordance with the CBC and the recommendations contained with the Feasibility Level Geotechnical Investigation and Engineering Report, prepared by Pacific Crest Engineering in March 2009. Recommendations included in the Feasibility Geotechnical Investigation and Engineering Geology Report include: site grading, cut and fill slopes, erosion control, utility trenches, surface drainage, pavement design, and soil corrosivity. Prior to final inspection, project applicants shall provide certification from a qualified professional that all development has been constructed in accordance with all geologic and geotechnical reports.	Project Applicant	County of Santa Cruz	Building Permit Application
048-211-25 and 048-221-09	<b>Impact 3.6-2:</b> The potential for liquefaction to occur along the southern embankment of Corralitos Creek, the central area, and near pond in the western portion of the site is high and consequently the potential for lateral spreading is high, which could result in potential structural damage and associated human safety hazards.	<b>MM 3.6-2:</b> Project applicants shall consult with a qualified engineer to perform a quantitative evaluation of liquefaction and liquefaction-induced lateral spreading in conjunction with a design level geotechnical report for future development within the PUD area. The evaluation shall be in accordance with the recommendations contained with the Feasibility Level Geotechnical Investigation and Engineering Geology Report prepared by Pacific Crest Engineering in March 2009. The design level geotechnical report shall also specify foundations and structural elements that are designed to resist forces and potential ground settlement generated by liquefaction and lateral spreading and shall incorporate the following into the final site plans, unless the additional analysis indicates it is not necessary: <ul style="list-style-type: none"> <li>• Development shall be set-back a minimum of 50 feet from the delineated wetland boundary for the pond located in the western portion of the PUD area. The 50 foot set back should apply to the 100-year flood plain elevation or ordinary high water mark of the pond, and</li> <li>• Development shall be constructed upon a structural mat foundation system; likely consisting of a 12-inch thick concrete slab, with one or two layers of reinforcing steel placed within the mat.</li> </ul>	Project Applicant	County of Santa Cruz	Project Design



Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-211-25 and 048-221-09	<b>Impact 3.6-4:</b> The proposed project is partially located on soils with slight to moderate erosion hazard and would result in substantial soil erosion or the loss of topsoil in these areas if disturbed during short-term construction activities.	Compliance with the respective erosion control ordinances and acquisition of the NPDES General Permit for construction activities as required by <b>MM 3.8-2 in Section 3.8: Hydrology and Water Quality</b> would ensure that potential soil erosion impacts associated with the proposed project would be less than significant.	Project Applicant	County of Santa Cruz	Construction
048-211-25 and 048-221-09	<b>Impact 3.6-5:</b> The proposed project includes approximately 22 acres of expansive soils of low strength, which could create substantial risk to life or property on these portions of the PUD area.	Implementation of mitigation measure <b>MM 3.6-1</b> , which would require that future development be designed in accordance with the recommendations contained within a design-level geotechnical report, would reduce this impact to a less than significant level. No additional mitigation measures are necessary.	Project Applicant	County of Santa Cruz	Project Design
<b>F) Hazards and Hazardous Materials</b>					
048-211-25	<b>Impact 3.7-3:</b> The proposed project may result in the demolition of four residential homes and associated structures at the project site, which may contain asbestos and/or lead.	<p><b>MM 3.7-3a:</b> Pursuant to Cal OSHA regulations, project applicants shall have each structure within the PUD area on APN 048-211-25 inspected by a qualified environmental specialist for the presence of ACMs and LBP's prior to obtaining a demolition permit from the County of Santa Cruz Planning Department. If ACMs and LBPs are found during the investigations, project applicants within the PUD area shall develop a remediation program to ensure that these materials are removed and disposed of by a licensed contractor in accordance with all federal, state and local laws and regulations, subject to approval by the MBUAPCD, and the Santa Cruz County Environmental Health Department, as applicable. Any hazardous materials that are removed from the structures shall be disposed of at an approved landfill facility in accordance with federal, state and local laws and regulations.</p> <p><b>MM 3.7-3b:</b> Project applicants within the PUD area shall have the interior of all on-site structures on APN 048-211-25 visually inspected by a qualified environmental specialist to determine the presence of hazardous materials prior to obtaining a demolition permit from the County of Santa Cruz Planning Department. Should any hazardous materials be encountered within any of the structures, the material shall be tested and properly disposed of in accordance with federal, state, and local regulatory requirements. Any stained soils or surfaces</p>	Project Applicant	County of Santa Cruz	Demolition and Construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		underneath the removed materials shall be sampled. Subsequent testing shall indicate the appropriate level of remediation necessary and a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.			
048-211-25	<b>Impact 3.7-6:</b> Implementation of the proposed project may expose people or property to hazardous materials associated with the abandonment of septic systems within the PUD area.	<b>MM 3.7-6:</b> Subject to review by the County of Santa Cruz Environmental Health Department, the project applicant shall map the specific location of all septic tanks located on APN 048-211-25 on a survey within the Phase 1 development area. Once located, the septic tanks shall be removed and properly disposed of at an approved landfill facility. Once the tanks are removed, a visual inspection of the areas beneath and around the removed tanks shall be performed. Any stained soils observed underneath the septic tanks shall be sampled. Results of the sampling (if necessary) shall indicate the level of remediation efforts that may be required. In the event that subsequent testing indicates the presence of any hazardous materials beyond acceptable thresholds, a work plan shall be prepared subject to review and approval by the County of Santa Cruz Environmental Health Department in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.	Project Applicant	County of Santa Cruz	Project Design and Pre-construction
048-221-09	<b>Impact 3.7-7:</b> Implementation of the proposed project may expose people or property to hazardous materials associated with groundwater contamination due to abandonment of agricultural water wells within the PUD area.	<b>MM 3.7-7:</b> The County of Santa Cruz Planning Department shall ensure that project applicants properly close and abandon all groundwater wells within both phases of the proposed project pursuant to applicable federal, state, and local regulations prior to grading activities. Soils located within the vicinity of the water wells shall be inspected. If any stained soils are observed surrounding the water wells shall be sampled and in the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.	Project Applicant	County of Santa Cruz	Project Design and Pre-construction



Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-211-25 and 048-221-09	<b>Impact 3.7-8:</b> An off-site property located at 1488 Freedom Boulevard approximately 0.16 miles from the PUD area released petroleum hydrocarbons into the soil and groundwater. Should the contamination migrate towards the PUD area it may contaminate the groundwater.	<b>MM 3.7-8a:</b> The project applicants shall hire a qualified hazardous materials consultant with Phase I and/or Phase II experience to review files for the off-site property located at 1488 Freedom Boulevard prior to construction activities during all phases of the proposed project. Should files indicate that the property located at 1488 Freedom Boulevard may have impacted the PUD area, Phase II testing shall occur to confirm or deny the presence of contaminated groundwater prior to construction activities. If unanticipated contaminated groundwater is found during construction activities, the project applicants shall ensure that proper safety/handling procedures are followed involving contaminated groundwater within the PUD area during all phases of the proposed project subject to review and approval by the County of Santa Cruz. <b>MM 3.7-8b:</b> If unknown wastes of suspect materials are discovered during construction activities associated with each phase of the proposed project, the project applicants shall immediately stop work in the vicinity of the suspected contaminant; remove workers and the public from the area; notify the County of Santa Cruz Planning Department; secure the area as directed by the Project Engineer; and notify the Hazardous Waste/Materials Coordinator. In the event that testing indicates the presence of hazardous materials beyond acceptable thresholds, a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.	Project Applicant	County of Santa Cruz	Project Design, Pre-construction, and Construction
048-221-09	<b>Impact 3.7-9:</b> The PUD area has historically been used for agricultural purposes for several decades and may contain pesticide residues on the soil. Pesticide residues within the PUD area may pose a significant long-term chronic health threat to human health and the environment for proposed residential uses within the PUD area.	<b>MM 3.7-9:</b> Prior to issuance of a grading permit for future development within the PUD area on APN 048-221-09 during Phase 1 and Phase 2 of the proposed project, the project applicants shall retain a qualified hazardous materials professional to conduct a Phase II Soil Investigation in order to adequately test the surface soil and subsurface soil for pesticide residues in accordance with the Department of Toxic Substances and Control (DTSC) and CalEPA Guidance Manual Interim Guidance for Sampling Agricultural Fields for School Sites, Second Revision (DTSC and CalEPA 2004) to provide a uniform approach for evaluating former agricultural properties where pesticides have been applied. The soil sampling and testing program shall be subject to review and approval by the City of Watsonville and County of Santa Cruz. Soil sampling and testing shall include, but not be limited to the following in accordance with the DTSC and CalEPA guidance documents: sampling the freshwater marsh in the western portion of the PUD area adjacent to the former agricultural areas of the PUD area; sampling each area of a parcel which historically produced different agricultural crops; sampling of one surface soil sample from zero to six inches and one subsurface sample from two to three feet with the minimum number of samples based	Project Applicant	County of Santa Cruz	Prior to issuance of a Building Permit

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		on the size of the parcel; and analytical testing for these samples for pesticide residues, including but not limited to include DDT and it's derivatives DDD and DDE, toxaphene, dieldrin, and aldrin.  In the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations. All subsequent testing and remediation activities are subject to review and approval by the County of Santa Cruz Environmental Health Department prior to issuance of a grading permit.			
048-211-25	<b>Impact 3.7-10:</b> The PUD area is located in the airport approach zone for the Watsonville Municipal Airport. In addition, a portion of Assessors Parcel Number 048-211-25 is located within the Zone 6 (Traffic Pattern Zone) Safety Compatibility Zones for the Watsonville Municipal Airport.	<b>MM 3.7-10:</b> Project applicants within all phases of the PUD area shall file an overflight easement with the City of Watsonville to run with the title of the property as disclosure and notice in deeds at the time of transfer or sale of all properties within the PUD area. The disclosure shall inform future property owners that their property is located in an airport approach zone and that the City of Watsonville has the right to regulate or prohibit light emissions, either direct or indirect which may interfere with pilot vision; regulate or prohibit release into the air any substances that would impair the visibility or otherwise interfere with the operation of aircraft including steam, dust, and smoke; and regulate or prohibit electrical emissions which would interfere with aircraft communication systems or navigational equipment. The easement shall run with the land until such time the Watsonville Municipal Airport is no longer in use.	Project Applicant	County of Santa Cruz	Time of Property Transfer or Sale
<b>G) Hydrology and Water Quality</b>					
048-211-25 and 048-221-09	<b>Impact 3.8-1:</b> Development of the proposed project would alter existing drainage patterns, increase impervious surfaces and increase surface water runoff, thus contributing to localized drainage, flooding and erosion problems within and/or in the vicinity of the PUD area.	<b>MM 3.8-1a:</b> Future development within Phase 1 of the PUD area shall identify, with Tentative Map or Building Permit submittals, a detailed final drainage plan designed to control the rate and volume of stormwater runoff to pre-development conditions for a variety of storm event recurrence up to the 10-year storm consistent with the conceptual stormwater plan in the PUD and consistent with the County of Santa Cruz performance standards or equivalent methods. The final drainage control plans shall include: detailed hydrologic modeling, existing facilities, soil and topographic data; erosion control and best management practices; descriptions of proposed flood control facilities; Low Impact Development (LID) techniques; compliance with waste discharge requirements; phasing and implementation; identification of the entity that is responsible for facility design and construction; Clean Water Program compliance, and facility maintenance to ensure for long-term vegetation maintenance and access. As part of the final drainage plan, the culvert connecting the freshwater marsh to the	Project Applicant	County of Santa Cruz	Project Design and Construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		<p>temporary detention basin shall be designed to reduce the potential for flooding of existing and future development by passing the 100-year peak spill rate and controlling the surcharge elevation in the freshwater marsh/seasonal wetland. All drainage improvements shall be subject to review and approval by the County of Santa Cruz Public Works Director and shall be consistent with the conceptual drainage plans in the proposed Specific Plan and PUD. Prior to final inspection, the project applicant(s) shall provide the County of Santa Cruz with certification from a registered Civil Engineer or licensed contractor that the stormwater detention facilities have been constructed in accordance with approved plans.</p> <p><b>MM 3.8-1b:</b> Future development within the Phase 2 development area on APN 048-221-09 shall identify, with Tentative Map or Building Permit submittals, a detailed final drainage plan designed to control the rate and volume of stormwater runoff to pre-development conditions for a variety of storm event recurrences up to the 25-year storm consistent with the conceptual stormwater plan in the proposed Specific Plan and PUD and the City of Watsonville Stormwater Management Plan performance standards, or equivalent measures. The final drainage control plans shall include: detailed hydrologic modeling that takes into account the soil and topographic data; erosion control and best management practices; descriptions of proposed flood control facilities; Low Impact Development (LID) techniques; compliance with waste discharge requirements; phasing and implementation; identification of the entity that is responsible for facility design and construction; Clean Water Program compliance; and facility maintenance to ensure for long-term vegetation maintenance and access. All drainage improvements shall be subject to review and approval by the Public Works Director. Prior to final inspection, the project applicant (s) shall provide the County Planning Department with certification from a registered Civil Engineer or licensed contractor that the stormwater detention facilities have been constructed in accordance with approved plans.</p>			
048-211-25 and 048-221-09	<p><b>Impact 3.8-2:</b> Soil disturbance associated with site preparation, grading and construction activities resulting from the proposed project may cause soil erosion and sedimentation, and/or the release of other pollutants into adjacent waterways, including Corralitos Creek.</p>	<p><b>MM 3.8-2:</b> In order to comply with the National Pollution Discharge Elimination System (NPDES), requirements for construction of site storm water discharges, project applicants shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) if construction exceeds one acre or more within the PUD area. The SWPPP shall specify how the discharger will protect water quality during construction activities subject to review and approval by the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department. These measures shall include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• design and construction of cut and fill slopes in a manner that will minimize erosion;</li> </ul>	Project Applicant	County of Santa Cruz	Project Design and Construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		<ul style="list-style-type: none"> <li>• protection of exposed slope areas;</li> <li>• control of surface water flows over exposed soils;</li> <li>• use of wetting or sealing agents or sedimentation ponds;</li> <li>• limiting soil excavation in high winds;</li> <li>• construction of beams and runoff diversion ditches; and</li> <li>• use of sediment traps, such as weed-free straw bales and/or straw waddles.</li> <li>• In addition, project applicants shall implement the following measures during construction activities within the PUD area:</li> <li>• Stabilize and revegetate all areas of disturbed soil with appropriate native species. Monitor revegetation success and take remedial measures as necessary;</li> <li>• When hay or straw is used in erosion control, ensure that it is weed free;</li> <li>• If possible, conduct work during low- or no-flow periods. Consult weather forecasts from the National Weather Service at least 72 hours prior to performing work that may result in sediment runoff; and</li> <li>• Inspect and clean all equipment of soil containing noxious or invasive weeds or fungus before arriving on site. If any imported fill material is necessary to bring to the site, present evidence certifying the material is void of any noxious or invasive species or pollutants.</li> </ul>			
048-211-25 and 048-221-09	<b>Impact 3.8-3:</b> The proposed project would generate urban non-point contaminants, which may be carried in stormwater runoff from paved surfaces to downstream water bodies.	Implementation of mitigation measures <b>MM 3.8-1a</b> and <b>MM 3.8-1b</b> would require that future development prepare a detailed final drainage plan designed to control the rate and volume of stormwater runoff to pre-development conditions for a variety of storm event recurrences up to the 10-year storm event for the Phase 1 development area and the 25-year storm event for Phase 2 development area consistent with the requirements of the PUD.	Project Applicant	County of Santa Cruz	Project Design and Construction
048-211-25 and 048-221-09	<b>Impact 3.8-4:</b> Implementation of the proposed project would increase impervious surfaces and increase surface water runoff, which may contribute to localized flooding in the vicinity of the PUD area.	As required by mitigation measures <b>MM 3.8-1a</b> and <b>MM 3.8-1b</b> , the proposed project is anticipated to contain stormwater runoff within the PUD area, would not increase stormwater runoff over existing conditions and therefore would not result in flooding within the PUD area or in the vicinity of the PUD area.	Project Applicant	County of Santa Cruz	Project Design and Construction

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
<b>H) Land Use and Planning</b>					
048-211-25 and 048-221-09	<b>Impact 3.9-3:</b> Development of the proposed project could create land use compatibility conflicts with surrounding uses.	Mitigation measures <b>MM 3.2-1</b> and <b>MM 3.2-2</b> in <b>Section 3.2, Agricultural Resources</b> require incorporation of a 200-foot buffer on the eastern portion of the PUD area adjacent to existing agricultural uses within an interim agricultural buffer area, coterminous with the Phase 2 Development Area. In addition the mitigation measures ensure that future residents are notified of potential agricultural/urban conflicts.	Project Applicant	County of Santa Cruz	Project Design
<b>I) Noise</b>					
048-211-25 and 048-221-09	<b>Impact 3.10-1:</b> The proposed project could result in construction-related noise that would exceed applicable noise standards at nearby noise sensitive land uses.	<p><b>MM 3.10-1:</b> To minimize impacts associated with short-term construction noise, the County of Santa Cruz Planning Department shall ensure that all project applicants incorporate the following noise control measures into construction contracts for future development within Phases 1 and 2 of the proposed project in accordance with Policy 6.9.7 <i>County of Santa Cruz General Plan</i>:</p> <ul style="list-style-type: none"> <li>Limit construction that involves motorized equipment to Monday through Friday from 7:30 am to 4:30 pm to avoid the times of day and the days of the week when noise effects would cause the greatest annoyance to residents and to those using the area for recreation;</li> <li>Allow exceptions to the specified construction hours only for construction emergencies and when approved by the County of Santa Cruz Planning Department; and</li> <li>Post a sign that is clearly visible to adjacent land uses that provides the phone number for the public to call to register complaints about construction-related noise problems. A single disturbance coordinator shall be assigned to log in and respond to all calls. All verified problems shall be resolved within 24 hours of registering the complaint.</li> </ul>	All Project Applicants	County of Santa Cruz	Construction
<b>J) Public Services, Utilities, and Recreation</b>					
048-211-25 and 048-221-09	<b>Impact 3.12-1:</b> The proposed project would generate approximately 1,679 people, which would subsequently	<b>MM 3.12-1:</b> To fund a potential gap in funding for municipal services, the City of Watsonville and the County of Santa Cruz shall work cooperatively to define and implement the appropriate funding mechanism(s) (e.g. a payment-in-lieu of taxes [PILOT] agreement, establishment of a community facilities district [CFDI], a	County of Santa Cruz	County of Santa Cruz	Prior to issuance of Building Permit

Atkinson PUD  
4/24/2009

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
	increase the demand for fire protection services within the PUD area. Future development within the PUD area would be required to pay applicable fire impact fees at the time of issuance of the building permits.	Mello Roos, etc.) to ensure that the proposed project pays its fair share to support municipal services.			
048-211-25 and 048-221-09	<b>Impact 3.12-2:</b> The proposed project would generate approximately 1,679 people, which would increase demand for law enforcement services. Future development within the PUD area would be required to pay applicable police impact fees at the time of issuance of the building permits.	Implementation of mitigation measure <b>MM 3.12-1</b> would ensure that funding of additional law enforcement services would be handled through a funding mechanism between the City and the County to ensure that the proposed project pays its "fair share" of funding in order to provide three additional sworn officers and one civilian staff member at the City of Watsonville Police Department in order to serve the PUD area under project buildout.	County of Santa Cruz	County of Santa Cruz	Prior to Issuance of a Building Permit
048-211-25 and 048-221-09	<b>Impact 3.12-4:</b> The proposed project would increase a demand for parks in the area that is currently considered underserved. However, the proposed project would provide an additional 3.5 acre park adjacent to Crestview Park, and payment of applicable fees for parks and recreational uses.	Implementation of mitigation measure <b>MM 3.12-1</b> would be handled through a funding mechanism between the City and the County to ensure that the proposed project pays its "fair share" of funding in order to meet acceptable thresholds, including the projects "fair share" of funding parks and recreation facilities with buildout of the proposed project.	County of Santa Cruz	County of Santa Cruz	Prior to Issuance of a Building Permit
048-211-25 and 048-221-09	<b>Impact 3.12-5:</b> The proposed project would generate approximately 1,679 people, which would increase demand for library services. The proposed project would result in an increase in expenditures	Implementation of mitigation measure <b>MM 3.12-1</b> would be handled through a funding mechanism between the City and the County to ensure that the proposed project pays its "fair share" of funding for library facilities with buildout of the proposed project.	County of Santa Cruz	County of Santa Cruz	Prior to Issuance of a Building Permit



Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
	as a result of increased service level demands.				
048-211-25 and 048-221-09	<b>Impact 3.12-8:</b> Implementation of the proposed project would result in construction of on-site water infrastructure in order to serve the proposed project.	Future development within the PUD area would be required to pay applicable development impact fees at the time of issuance of the building permits. The County and the City will enter into an agreement to fund any infrastructure costs for the proposed project not covered by City or County impact fees and taxes. Funding of additional services would be handled through levies on future development in order to meet acceptable thresholds as required by mitigation measure MM 3.12-1.	County of Santa Cruz	County of Santa Cruz	Prior to Issuance of a Building Permit
048-211-25 and 048-221-09	<b>Impact 3.12-9:</b> The proposed project would require expansion of stormwater facilities on-site, the construction of which could cause significant environmental effects. Future development within the PUD area would be required to pay applicable impact fees at the time of issuance of the building permits.	Implementation of mitigation measure MM 3.12-1 would ensure that funding of additional services would be handled through levies paid by future development in order to meet acceptable thresholds, including the projects "fair share" of funding for stormwater infrastructure with buildout of the proposed project.	County of Santa Cruz	County of Santa Cruz	Prior to Issuance of a Building Permit
<b>K) Transportation and Circulation</b>					
048-211-25 and 048-221-09	<b>Impact 3.13-5:</b> The proposed project would result in an increase in traffic at the East Lake Avenue (Highway 152)/Holohan Road intersection that would increase the volume to capacity ratio by more than one percent at an intersection that is currently operating at an unacceptable level of service (LOS E or F).	<b>MM 3.13-5:</b> Prior to occupancy of the proposed project, project applicants within the PUD area shall pay their proportional fair share towards improving the eastbound approach on Holohan Road at the East Lake Avenue (Highway 152)/Holohan Road intersection to include a dedicated eastbound left-turn lane, a shared eastbound left-turn lane, a shared eastbound left-turn/through lane and a dedicated right-turn lane. The estimated cost of this improvement is \$1.5 million dollars. To fund this improvement, project applicants shall pay the Pajaro Valley project area traffic impact fee to the County of Santa Cruz towards construction of this planned improvement in the County's Capital Improvement Program (CIP).	Project Applicant	County of Santa Cruz	Prior to Occupancy of Project.

Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-211-25 and 048-221-09	<b>Impact 3.13-6:</b> The proposed project would result in an increase in traffic at the Highway 1 NB Ramps/Harkins Slough Road intersection that would increase the volume to capacity ratio by more than one percent, at an intersection that is currently operating at an unacceptable level of service (LOS E or F).	<b>MM 3.13-6:</b> Prior to occupancy of the proposed project, project applicants within the PUD area shall pay their proportional fair share towards installation of a traffic signal at the Highway 1 NB Ramps/Harkins Slough Road and the Highway 1 SB Ramps/Harkins Slough Road intersections. This signal shall be coordinated/interconnected with the intersection of Harkins Slough Road/Green Valley Road due to the close spacing of these intersections and the potential overflow of queues and the new signal at the southbound ramp terminal. The estimated cost of this improvement is approximately \$520,000 dollars. The proposed project shall pay a fair share contribution to the estimated improvement cost. The fair share contribution is calculated as the project portion of all future traffic that would be added to the intersection for both peak hours. To fund this improvement, project applicants shall pay applicable traffic impact fees towards construction of this improvement prior to occupancy of the proposed project. The City of Watsonville shall coordinate with Caltrans on improvements to this intersection.	Project Applicant	County of Santa Cruz	Prior to Occupancy of Project
048-211-25 and 048-221-09	<b>Impact 3.13-7:</b> The proposed project would increase the volume/capacity ratio by more than one percent during both the AM and PM peak hours at the Airport Boulevard/Freedom Boulevard intersection, which is currently operating at unacceptable levels of service (LOS E or F).	<b>MM 3.13-7:</b> Prior to occupancy of the proposed project, project applicants within the PUD area shall pay their proportional fair share towards installation of a second through and right-turn lane on the Airport Boulevard approach from Highway 1 and a second left-turn lane on Freedom Boulevard at the Airport Boulevard/Freedom Boulevard intersection. The receiving leg on Airport Boulevard shall be widened in order to accommodate the additional through-lanes. The estimated cost of these improvements is approximately \$1,047,000 dollars. The project would pay a fair share contribution to the estimated improvement cost. The fair share contribution is calculated as the project portion of all future traffic that would be added to the intersection for both peak hours. To fund this improvement, project applicants shall pay applicable traffic impact fees towards construction of this improvement prior to occupancy of the proposed project.	Project Applicant	County of Santa Cruz	Prior to Occupancy of Project
048-211-25 and 048-221-09	<b>Impact 3.13-8:</b> The proposed project would result in an increase in traffic at the Highway 1 NB Ramps/Larkin Valley Road intersection that would increase the volume to capacity ratio by more than one percent, which is currently operating at an unacceptable level of service.	<b>MM 3.13-8:</b> Prior to occupancy of the proposed project, project applicants within the PUD area shall pay their proportional fair share towards installation of two roundabouts (one at the northbound hook ramp terminal and one at the Airport Boulevard/Larkin Valley intersection) at the Highway 1 NB Ramps/Larkin Valley Road Intersection. Since the ramp terminal and the intersection of Airport Boulevard/Larkin Valley Road are closely spaced, improvements shall take both intersection operations into consideration when constructing the proposed improvements. The estimated cost of these improvements is \$1,260,000 dollars. The project would pay a fair share contribution to the estimated improvement cost. The fair share contribution is calculated as the project portion of all future traffic that would be added to the intersection for both peak hours. To fund this	Project Applicant	County of Santa Cruz	Prior to Occupancy of Project



Phase	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		improvement, project applicants shall pay applicable traffic impact fees towards construction of this improvement. The City of Watsonville shall coordinate with Caltrans and prepare a Project Study Report for improvements to this intersection.			
048-221-09	<b>Impact 3.13-11:</b> The left-turn pocket from Freedom Boulevard onto Crestview Avenue would increase substantially with implementation of the proposed project and create an operational deficiency.	<b>MM 3.13-11a:</b> The first project applicant on APNs 048-221-09, shall design, fund and implement the southbound left-turn pocket from Freedom Boulevard to Crestview Drive by at least 50-feet. This improvement shall be installed prior to occupancy of any portion of these parcels. The first applicant these parcels shall fund and implement this improvement and shall be credited against the projects fair share contribution of traffic impact fees by implementing this improvement.	Project Applicant	County of Santa Cruz	Project Design and Construction
048-211-25		<b>MM 3.13-11b:</b> All project applicants shall contribute their fair share toward the installation of traffic improvements through the collection of TIA fees and/or any other cost sharing agreement.	Project Applicant	County of Santa Cruz	Building Permit Application
048-211-25	<b>Impact 3.13-12:</b> The proposed project would result in an increase in traffic that would be experienced by the neighbors on Brewington Avenue north of Crestview Drive; Gardner Avenue, east of Freedom Boulevard; and Atkinson Lane, east of Freedom Boulevard.	<b>MM 3.13-12a:</b> Prior to occupancy of any project on APNs 048-211-25, project applicants shall develop and implement a traffic calming plan on: Atkinson lane, east of Freedom Boulevard along the streets that are affected by the proposed project. The first applicant on any of these parcels shall fund and implement this improvement and shall be credited against the projects fair share contribution of traffic impact fees for implementation of this improvement.	Project Applicant	County of Santa Cruz	Prior to Occupancy of Project
048-221-09		<b>MM3.13-12b:</b> Prior to occupancy of any project on APNs 048-221-09, project applicants shall develop and implement a traffic calming plan on 1) Brewington Avenue north of Crestview Drive; 2) Gardner Avenue, east of Freedom Boulevard, along the streets that are affected by the proposed project. The first applicant on any of these parcels shall fund and implement this improvement and shall be credited against the projects fair-share contribution of traffic impact fees for implementation of this improvement.	Project Applicant	County of Santa Cruz	Prior to Occupancy of Project

### Planned Unit Development Permit Findings

1. That the proposed location of the uses are in accordance with the objectives of the County Code and the purposes of the district in which the site is located.

This finding can be made in that the proposed RM-2 (Multi-Family Residential, 2,000 square foot lot size) Zone District indicates areas appropriate for residential use that are inside the Urban Services Line and have a full range of urban services, which is the case for this site. Additionally, this site was selected in accordance with County Code Section 13.10.476, the Regional Housing Need "R" Combining Zone District, which requires the 20-unit per acre density, location within the Urban Services Line, and affordability requirements proposed for this site and supported by the PUD. The incentives and concessions contained in Section 13.10.477(b) 3 also apply to this site and include three-story, 37' structure height, adjusted parking requirements, eliminated lot coverage and floor area ratio, and adjusted standards relating to the distribution, size, and amenities provided for affordable housing units built on this site.

The PUD provides the mechanism to ensure that future by-right development on each of these parcels, as required by Section 13.10.478, complies with the development standards included in the EIR conducted for the proposed Rezoning, General Plan Amendment, and Riparian Exception included with this PUD proposal.

2. That the proposed location of the Planned Unit Development and the conditions under which it would be operated or maintained will not be detrimental to the public's health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

This finding can be made in that the proposed project site is adjacent to existing residential properties, and the site is well-suited to development being inside the Urban Services Line and having a generally flat to gently sloping elevation over the entire area. The project will be connected to existing sewer and other utilities. Furthermore, the project has undergone an environmental review that has identified and mitigated any impacts this project might have on the immediate vicinity or on the larger environment as a whole. The County maintains standard permit conditions that regulate construction practices in an effort to minimize construction impacts on neighbors, and all construction will comply with the California Building Code in place at the time of Building Permit issuance.

3. That the proposed Planned Unit Development will comply with each of the applicable provisions of Chapter 18.10 of the County Code.

This finding can be made in that the proposal has been processed with appropriate noticing for each of the public hearings required for a rezoning and General Plan Amendment. Notices for the Public Comment Period during Environmental Review were posted in two locations on the site, as were notices of the Planning Commission Hearing. The EIR was publicized according to the standard practices, and a legal ad was published in local newspapers, advertising the Planning Commission Hearing. Property owners within 300 feet and residents within 100 feet were noticed by mail for the Planning Commission Hearing. The same procedures will be used for noticing the Board of Supervisors Hearing, with mail notices to neighboring owners and residents, along with public notice in the local newspapers.

4. That the standards of dwelling unit density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between off-street loading facilities and landscaped areas will produce a development that is compatible with and integrated into the surrounding built and natural environment consistent with the objectives of the County Code.

The PUD requires that the buildings adjacent to existing homes incorporate step-back heights and maintain a smooth transition in height. Additionally, the PUD requires that new development connect to the existing street grid and maintain a consistent road width and streetscape. The surrounding development in this location is primarily residential, and therefore easily compatible in terms of use. Landscaping requirements will apply to the street frontage, making the road improvements match those existing on adjacent existing roads.

Finally, the Level VII Design Review permit required for any future development ensures that compatibility of design and appropriate integration into the neighborhood will be provided.

5. That the standards of dwelling unit density, site coverage, yard spaces, heights of structures, distances between structures, off-street parking, and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry and will not overload utilities.

This finding can be made based on the traffic study conducted in conjunction with the preparation of the EIR identified mitigation measures necessary to improve local intersections to ensure an acceptable level of service. The PUD requires that future development on the site meet the off-street parking requirements of the Regional Housing Need "-R" Combining Zone District. The parcel will be served by the City of Watsonville Public Works and Utilities Department for water and sewer connections, and the EIR indicates that these services are available with sufficient capacity to accommodate development of the PUD area.

6. That the combination of different dwelling and/or structure types and the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses, structures, and the natural environment in the vicinity.

This finding can be made in that the subject parcel will be developed with attached two- and three-story homes, which will share parking and open space amenities on site and, as the site will be developed exclusively as a residential project, will harmonize with the existing residential uses surrounding the site. While the developed density will be greater than that of adjacent development, sufficient parking on site, and multiple design considerations including the setbacks, height transition, and appropriate connections between uses will help to ensure that any new development looks and feels like an integral piece of the neighborhood.

As the only land use in the development will be residential, and the surrounding neighborhood is residential, the uses will not likely be in conflict. Furthermore, considerations were included for managing parking for the project on site rather than on local roadways, which are already extensively used for parking.

**EXHIBIT C**

7. That the degree of departure from the required development and density standards is roughly proportional to the benefits provided to the neighborhood and/or the community in which the Planned Unit Development is located.

This finding can be made in that this site and PUD provide for an increased amount of affordable housing, while the departures from the standards of the Regional Housing Needs Combining Zone District are related to physical constraints on this site and are necessary for a superior design and a project as appropriate to the existing neighborhood as possible. These departures include a change in the maximum allowable height of buildings to 37 feet, in order to accommodate the slight grade of the site, the conditions related to phasing of development on the site, and all the requirements related to drainage, wetland restoration, and biotic concerns, which address the wetland on the property.

Finally, due to the Level VII design permit required for any future development, the opportunities to ensure a superior site and architectural designs are greatly increased.

8. That the proposed development is consistent with the General Plan/Local Coastal Program Land Use Plan.

This site is one of the six selected to fulfill the County's obligations under the Housing Element of the General Plan. This finding can be made in that the adoption of this PUD directly implements the County General Plan and is consistent with both its intent and letter. The General Plan Land Use Designation will be changed from the Current R-UL (Residential - Urban Low) to R-UH (Residential - Urban High), and the proposed PUD and rezoning will be consistent with the limitations of that Designation in the 20-unit-per-acre density required on the site.

### Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area surrounded by full urban development on three sides, and is located inside the County's Urban Services Line. Any physical constraints to development have been mitigated through the requirements included with the PUD and EIR. Any future construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance in place at the time of construction to ensure the optimum in safety and the conservation of energy and resources.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the use of the property will be residential, unit densities will meet the standards for the RM-2-R (Multi-family Residential – 2,000 square feet minimum – Regional Housing Need site) zone district where the project will be located, and the PUD requires a transitional height area between the project and the adjacent existing residential uses, and mitigations for traffic, drainage, and other impacts on the site.

3. That the proposed use is consistent with all elements of the County General Plan and with any Specific Plan which has been adopted for the area.

The proposed residential PUD is consistent with the proposed General Plan Land Use Designation of R-UH (Residential - Urban High), and implements the Housing Element of the General Plan. The EIR reviewed and evaluated issues associated with all of the elements including Circulation, Conservation and Open Space, General Design, Safety and Noise, and Parks, and found that most impacts could be mitigated to a less than significant level. The Statement of Overriding Consideration addresses the cumulative water supply impacts, which could not be mitigated due to on-going overdraft in the Pajaro Basin. Therefore, the proposal is consistent with the General Plan. There is no Specific Plan in place for this area of the County.

4. That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the site is served by full urban level services, and the level of additional traffic generated by the proposed project has been analyzed in the EIR and will be mitigated to a less-than-significant level through the requirement for impact fees and construction of certain improvements prior to occupancy of the units. Therefore, the proposed increase will not adversely impact existing roads and intersections in the surrounding area.

**EXHIBIT C**

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made in that this site lies within the Urban Services Line, and that the structures built here will be sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Any proposed development will be compatible with the architecture in the neighborhood, as ensured by the Level VII Design Review process.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made in that any future development proposal for this site is required to obtain a Level VII Design Review Permit, which will ensure that all the stipulations of this PUD and all the County's Design Guidelines are implemented on site.

**EXHIBIT C**

### **Riparian Exception Findings**

1. That there are special circumstances or conditions affecting the property;

The special circumstances affecting this property relate to the nature and condition of the freshwater marsh and seasonal wetland. The wetland is a man-made abandoned agricultural pond, located in an area that has been intensively modified through previous agricultural operations. It is an isolated impoundment that is removed from local and regional wildlife corridors, and is not under the Army Corps of Engineers jurisdiction. The wetland is surrounded on three sides by existing urban development and is primarily fed by urban runoff.

2. That the exception is necessary for the proper design and function of some permitted or existing activity on the property;

The Riparian Exception is necessary to allow for construction of a drainage system that will serve the surrounding parcels and improve water quality over existing conditions, through filtration of all runoff entering the wetland. The reduction in buffer width is required in order to properly align the Brewington Avenue extension on the property, and development of the project site would not be possible without construction of both the drainage and road improvements. Drainage volumes will be kept to predevelopment levels for a range of storms up to the 10-year level during the first phase, and up to the 25-year level with the construction of the Phase 2 area. Installation and operation of these improvements will not interfere with wildlife movement, impact water quality, or cause erosion.

In addition, there is a high potential for liquefaction induced lateral spreading in portions of the planning area considered in the EIR, particularly adjacent to Corralitos Creek. Consequently, development must be set back at least 150 feet from the southern "top of bank." Providing for this geologic set back also necessitates reducing the buffer around the abandoned agricultural pond. According to the geotechnical report prepared for the planning area, development can safely occur if set back 50 feet from this wetland. While this geologic constraint contributes to the need for a reduced pond buffer, it results in a more extensive buffer along Corralitos Creek, which is a more biologically diverse and productive regional wildlife corridor.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the project is located;

The exception will have no impact on downstream property owners, due to the project conditions which require that drainage leaving the site be limited to the 25-year predevelopment level. Other drainage improvements on the property will prevent flooding in the area directly adjacent to the wetland.

4. That the granting of the exception, in the Coastal Zone, will not reduce or adversely impact the riparian corridor, and there is no feasible less environmentally damaging alternative;

The proposed project is located outside of the Coastal Zone.

5. That the granting of the exception is in accordance with the purpose of this chapter, and with the objectives of the General Plan and elements thereof, and the Local Coastal Program Land Use Plan."

The Riparian Exception is consistent with the General Plan in that it allows a safe over-flow path for storm water to be built, and required restoration activities will substantially enhance the wildlife value of the wetland. The buffer reduction allows for the most appropriate site plan on the property, and contributes to the feasibility of wetland enhancement and onsite stormwater treatment. The Riparian Exception conditions will be incorporated into the PUD that is being proposed as part of this project.

**FOR TAX PURPOSES ONLY**

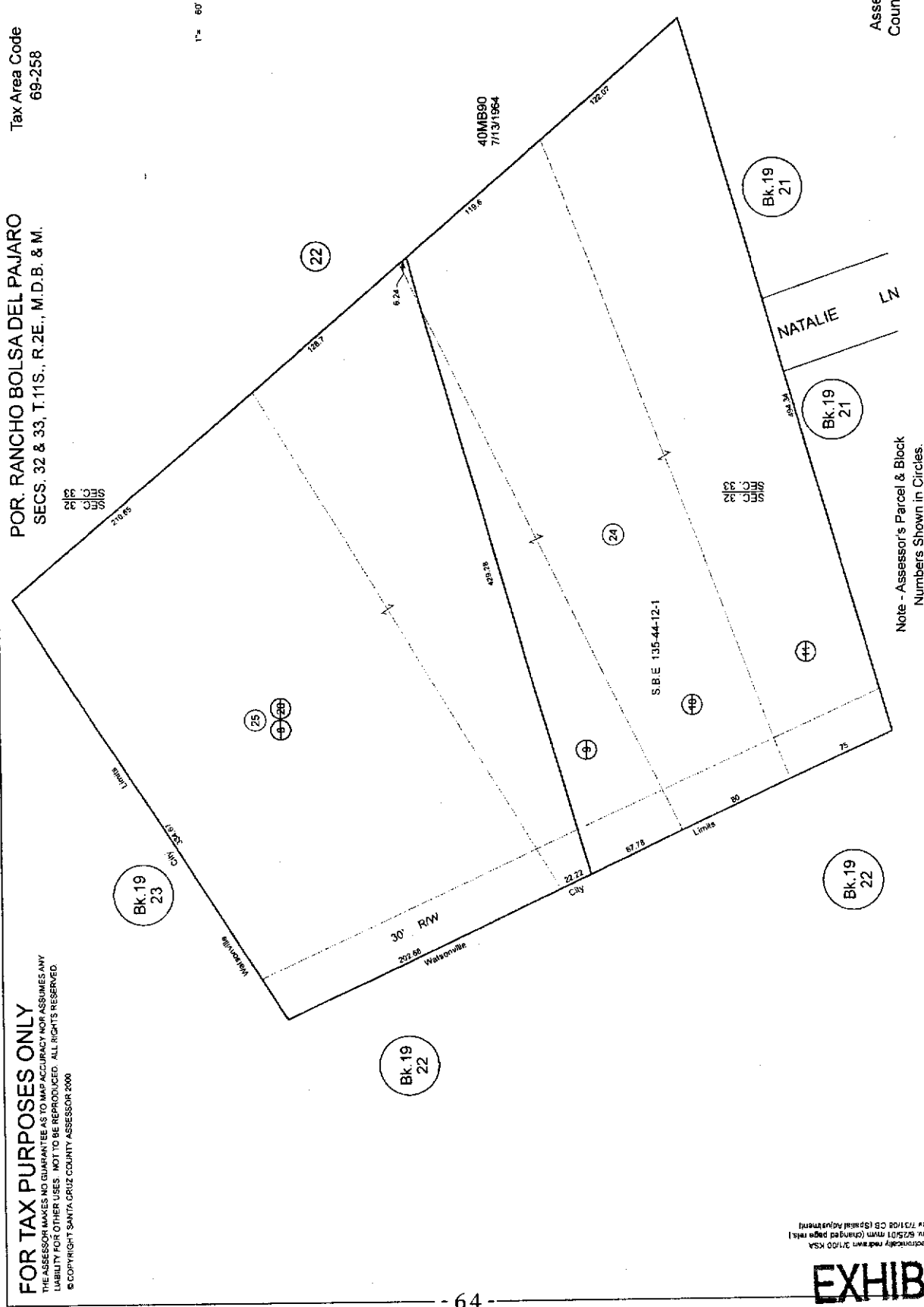
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.

© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2000

**POR. RANCHO BOLSA DEL PAJARO**  
SECS. 32 & 33, T. 11S., R. 2E., M.D.B. & M.

Tax Area Code  
69-258

48-21



Assessor's Map No. 48-21  
County of Santa Cruz, Calif.  
March 2000

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

Electrically reduced from 27x40 KSA  
R# 62501 (m. changed pages 1-2)  
R# 73102 CS (S&B Adjustment)

**EXHIBIT D**

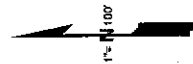


48-22

Tax Area Code  
69-258

POR. RANCHO BOLSA DEL PAJARO  
SECS. 32 & 33, T. 11S., R. 2E., M.D.B. & M.

FOR TAX PURPOSES ONLY  
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 2000



16PM10  
8/7/1974

(23)

958.4

B

1/4 Sec. Corner  
Bdy. Sec. 32 & 33

Bk. 19  
23

SEC. 32  
SEC. 33

Walsworth  
City

SEC. 32  
SEC. 33

860

(21)

BREWINGTON  
AVE

Bk. 19  
19

Bk. 19  
21

(25)

95.3

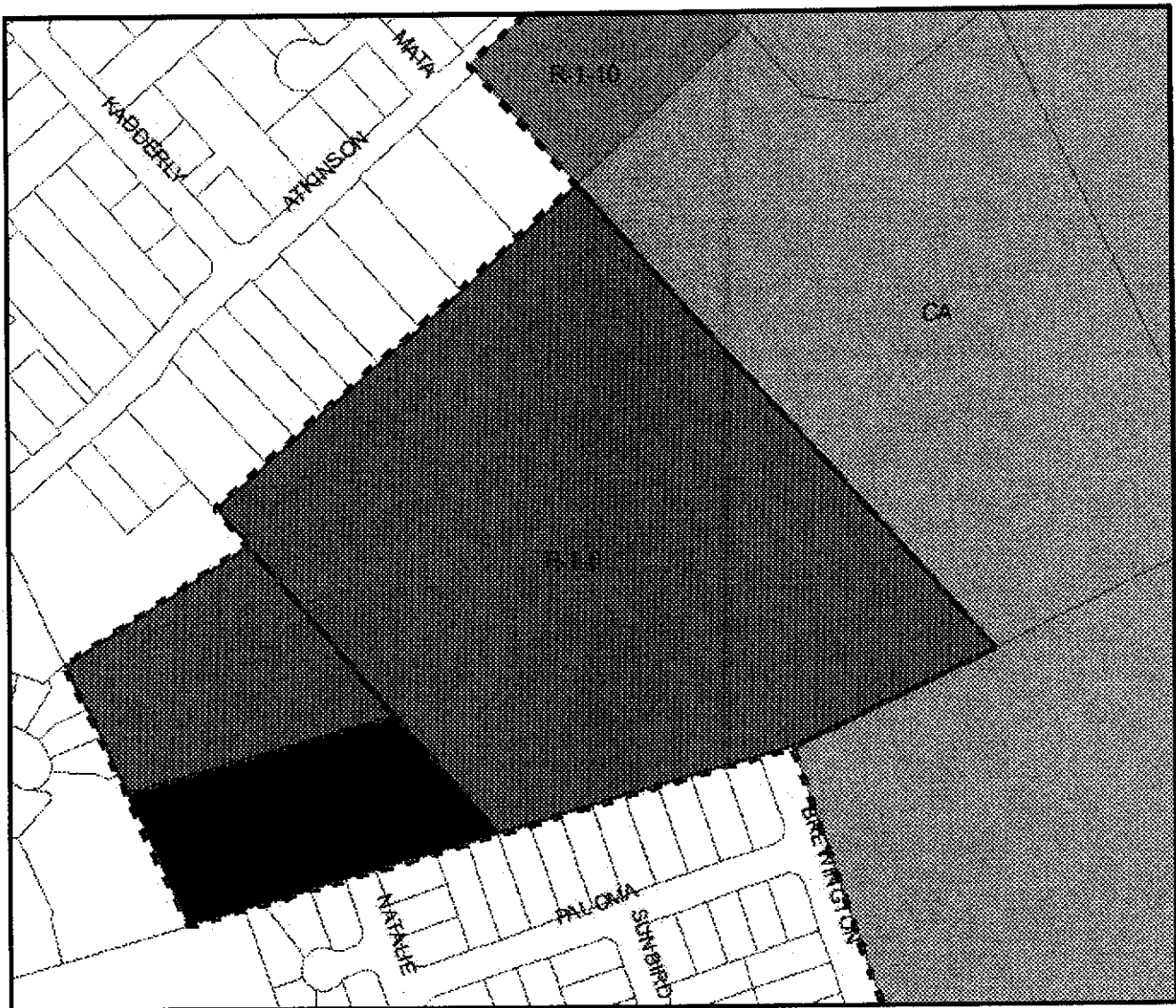
Assessor's Map No. 48-22  
County of Santa Cruz, Calif.  
March 2000

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








Electronically redrawn 3/10/00 KSA  
Rev. 6/25/01 mm (changed page refs.)  
Rev. 7/31/00 CB (spatial adjustment)

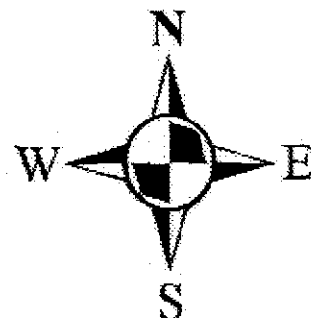
EXHIBIT D

# Existing Zoning Map



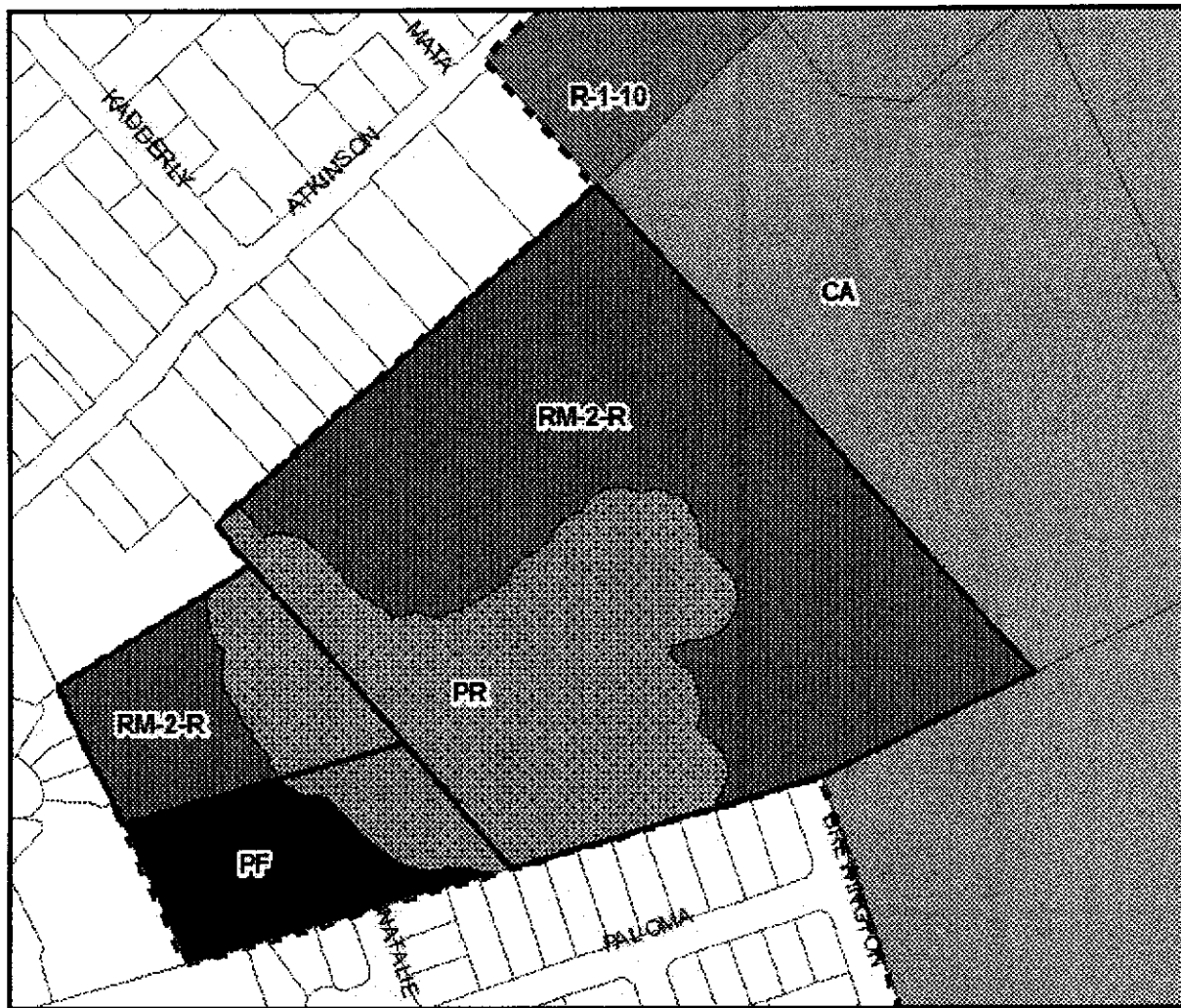
## Legend

-  Assessors Parcels
-  City of Watsonville
- Zoning Designations**
-  CA
-  PF
-  R-1-10
-  R-1-6
-  Streets







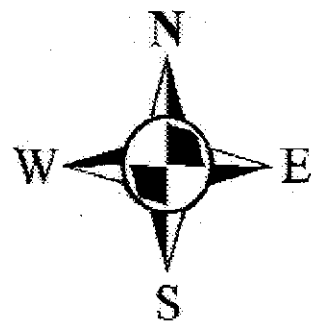
Map Created by  
County of Santa Cruz  
Planning Department  
April 2009

# Proposed Zoning Map



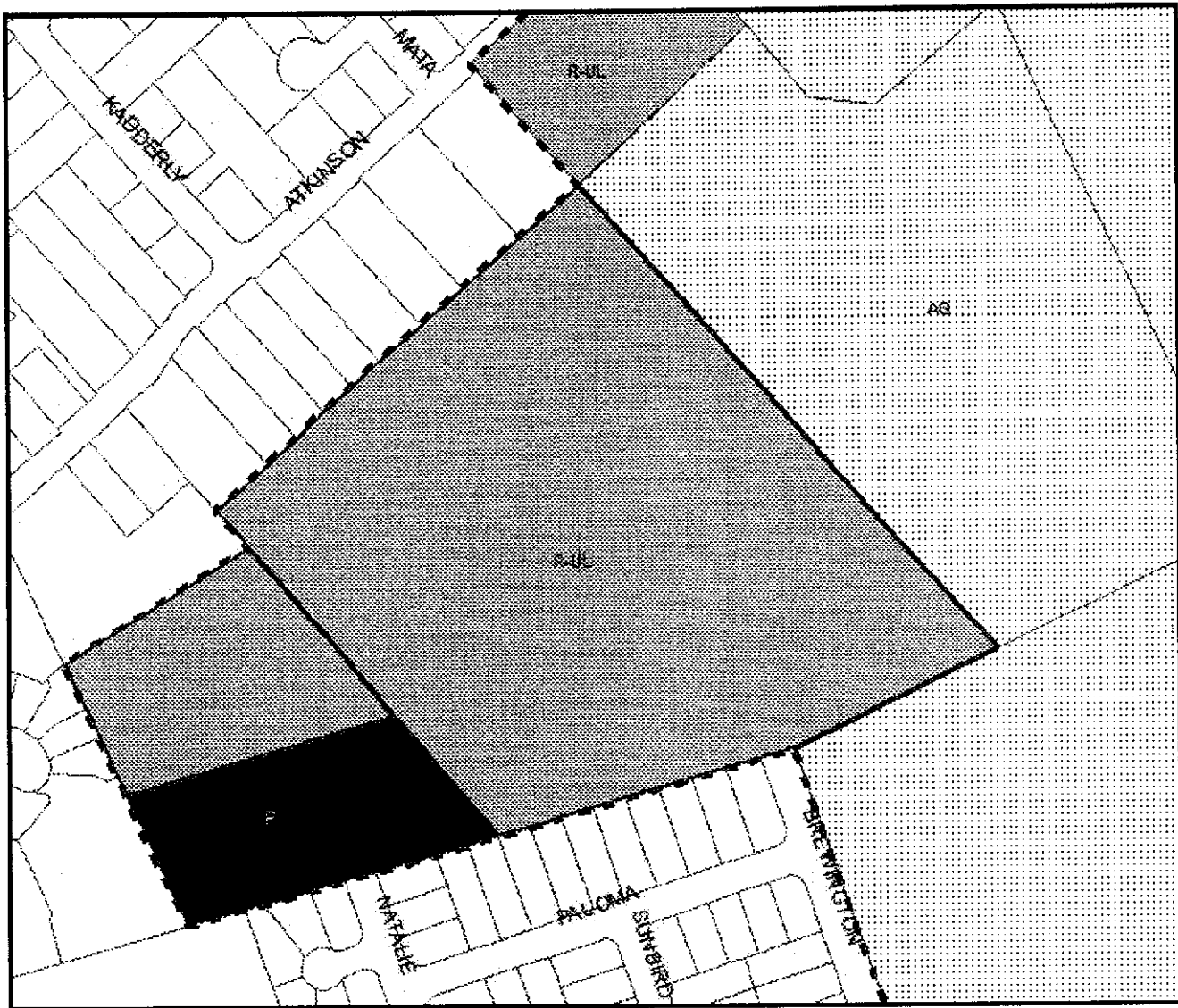
## Legend

-  Assessors Parcels
-  City of Watsonville
-  Streets
-  Atkinson Site









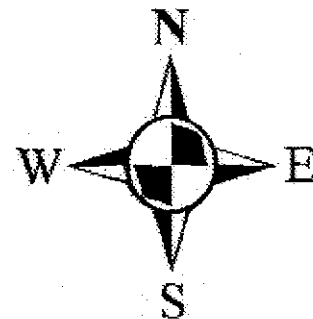
Map Created by  
County of Santa Cruz  
Planning Department  
April 2009

# Existing General Plan Map



## Legend

-  Assessors' Parcels
-  City of Watsonville
-  Streets
- General Plan Designations**
-  R-UL
-  P
-  Agriculture







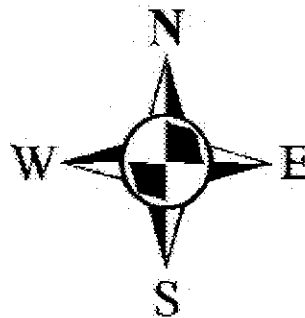
Map Created by  
County of Santa Cruz  
Planning Department  
April 2009

# Proposed General Plan Map



## Legend

-  Assessors Parcels
-  City of Watsonville
-  Atkinson Site
-  Streets



Map Created by  
County of Santa Cruz  
Planning Department  
April 2009