



## Staff Report to the Planning Commission

Application Number: **131334**

**Applicant:** Dee Murray  
**Owner:** Garrison & Nathe  
**APN:** 029-096-09

**Agenda Date:** May 14, 2014  
**Agenda Item #:** 7  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to divide a parcel located in the R-1-6 zone district into two parcels of about 7,428 and 6,139 square feet and install curb and gutter in front of the subject parcel and a stop sign for southbound traffic on Encina Drive.

**Location:** Property located on the north side of Encina Drive at its intersection with Willa Way (1916 Encina Dr.)

**Supervisory District:** First District (District Supervisor: John Leopold)

**Permits Required:** Minor Land Division and Roadway/Roadside Exception

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 131334, based on the attached findings and conditions.

### Exhibits

- |  |                              |
|--|------------------------------|
| A. Categorical Exemption<br>(CEQA determination) | F. General Plan Maps         |
| B. Findings                                      | G. Will Serve Letters        |
| C. Conditions                                    | H. Comments & Correspondence |
| D. Project plans                                 | I. Architectural Guidelines  |
| E. Assessor's, Location, Zoning and              | I. Neighborhood Meeting      |

### Parcel Information

|                                  |   |
|----------------------------------|---|
| Parcel Size:                     | 15,506 square feet  |
| Existing Land Use - Parcel:      | Residential   |
| Existing Land Use - Surrounding: | Residential   |
| Project Access:                  | Encina Drive  |
| Planning Area:                   | Live Oak  |
| Land Use Designation:            | R-UL (Urban Low Residential)  |
| Zone District:                   | R-1-6 (Single-family residential, 6,000 s.f. minimum)                       |
| Coastal Zone:                    | <input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside |
| Appealable to Coastal Comm.      | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No         |

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

## Environmental Information

|                    |   |
|--------------------|---|
| Geologic Hazards:  | Not mapped/no physical evidence on site |
| Soils:             | Watsonville Loam                        |
| Fire Hazard:       | Not a mapped constraint                 |
| Slopes:            | Level parcel (0-5% slope)               |
| Env. Sen. Habitat: | Not mapped/no physical evidence on site |
| Grading:           | No grading proposed                     |
| Tree Removal:      | No trees proposed to be removed         |
| Scenic:            | Not a mapped resource                   |
| Drainage:          | Existing drainage adequate              |
| Archeology:        | Not mapped/no physical evidence on site |

## Services Information

|                            |                                  |
|----------------------------|----------------------------------|
| Urban/Rural Services Line: | <u>X</u> Inside    ___ Outside   |
| Water Supply:              | City of Santa Cruz               |
| Sewage Disposal:           | County of Santa Cruz             |
| Fire District:             | Central Fire Protection District |
| Drainage District:         | Zone 5                           |

## History & Project Setting

The subject parcel is located in the Live Oak Planning area in the neighborhood just north of Capitola Road, between Rodeo Creek Gulch to the east and Chanticleer Avenue to the west. Several subdivisions have occurred in this area, resulting in blocks of newer homes with the older homes, such as the one on the subject parcel, located along the periphery of these subdivisions. According to the Assessor's records, the home on the subject parcel was built in 1957, a date when the County was just beginning to issue permits. A nonconforming greenhouse structure which crosses the property line is located in the northeast corner of the property.

The subject parcel is located on a corner. Encina Drive parallels the southern property line and then turns north and parallels the parcel's western property line. The portion of Encina Drive which runs north/south dead ends about 350 feet north of the subject parcel. In this location, Encina Drive is a private road. The subject parcel currently has an unimproved driveway on the portion of Encina Drive that runs north/south and another driveway along the portion of Encina Drive that runs east/west.

## Zoning & General Plan Consistency

The subject property is a 15,106 square foot lot, located in the R-1-6 (Single-family residential, 6,000 square foot minimum parcel size) zone district, a designation which allows residential uses. An existing 1,539 square foot right-of-way easement along the southern property line will be formally offered as a dedication. The proposed minor land division is consistent with the site's (R-UL) Urban Low Residential General Plan designation which requires 6,000 to 10,000 square feet per unit. This land division would result in two parcels of 7,428 square feet and 6,139 square feet. The larger of the two new parcels, Parcel A, would retain the existing house and Parcel B

would be vacant until a home is constructed on it.

Currently, proposed Parcel B is used as a vehicle and equipment storage yard for a landscaping business. This use is not allowed in a residential zone district without a home occupation permit. The property owner has committed to removing the business vehicles and equipment from the neighborhood pending the approval of the land division. A condition of approval is included requiring this prior to map recordation.

### **Design Review**

The site plan is straightforward with a new property line proposed to divide the subject parcel roughly in half. The existing home will retain its access from the portion of Encina Drive which runs north/south, and the new parcel will be accessed from the portion of Encina Drive which runs east/west. Existing improvements which cross the property line, such as a garage, greenhouse and fencing, will be demolished prior to map recordation.

In terms of architectural style, the surrounding neighborhood is eclectic with architectural styles ranging from simple, one-story homes to larger, two-story neo-traditional homes. The subject parcel is directly across from a relatively new 13-lot subdivision. Given the range of styles in the neighborhood, many architectural styles would be compatible. The project applicant has provided architectural guidelines which require that the mass and bulk of the new home be broken up by varying wall and roof planes. Drought-tolerant landscaping will soften the impact of the new home. A landscape plan for the front yard of the Parcel B house will be required with the building permit application. In addition, prior to map recordation, a condition of approval is included requiring a landscape plan for the 10-foot wide right-of-way dedication area which must include two new street trees.

### **Roadway/Roadside Exception**

Land divisions are required to be served by road improvements that meet the County's Design Criteria unless a Roadway/Roadside Exceptions is granted. The Design Criteria's standard is a 56-foot wide right-of-way with parking, curb/gutter, landscaping and sidewalk on both sides. In this block of Encina Drive, the right-of-way ranges in width from 40 feet to 50 feet with parking, curb/ gutter, landscape strip, and sidewalk improvements on the south where four lots of a 13-lot subdivision are located. Along the north side, there will be a total of three lots taking access from Encina Drive, and the existing improvements are parking, curb, and gutter.

The Department of Public Works, Road Engineering section supports this exception primarily because the right-of-way is existing (i.e. it is not a new right-of-way), adequate parking is available, and full roadside improvements are available on the south side. In addition, the other two lots on the north side of Encina are fully developed making it unlikely that the full roadside improvements will ever be constructed on the north side of Encina.

In addition, because the existing dwelling on the subject parcel currently has a second driveway cut along the portion of Encina Drive that runs east/west, and that driveway cut will be removed when the driveway cut for Parcel B is constructed, there will be no net change in the number of driveways using this block of Encina for access.

### **Off-site Improvements**

The property owners propose to extend the curb and cutter from the north side of Encina Drive around the corner to the east side of Encina Drive for the length of the subject parcel. At the request of the Department of Public Works, Road Engineering, the property owners also propose to install a stop sign for traffic headed south on Encina Drive at its intersection with Willa Way, a county-maintained road.

### **Neighborhood Meeting**

A neighborhood meeting, as required by County Code, was held on Saturday, November 23, 2013 to introduce the neighborhood to the project and solicit input from neighbors. One neighbor attended this meeting. According to the applicant, this neighbor had no objection to the proposal. The results of the meeting are summarized by the applicant in Exhibit H.

### **CEQA**

The project is categorically exempt from further review under the California Environmental Quality Act (CEQA). Because this land division is in a relatively flat urban area where all services are available, it is eligible for the Class 15 Minor Land Divisions (Section 15315) Categorical Exemption.

### **Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

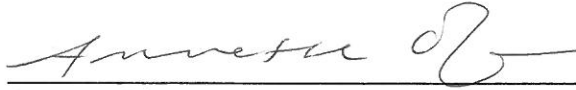
### **Staff Recommendation**

- Certify that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVE** of Application Number **131334**, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**


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

Report Prepared By:



Annette Olson  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3134  
E-mail: [annette.olson@co.santa-cruz.ca.us](mailto:annette.olson@co.santa-cruz.ca.us)

Report Reviewed By:



Ken Hart  
Principal Planner  
Development Review  
Santa Cruz County Planning Department

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

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

Application Number: 131334

Assessor Parcel Number: 029-096-09

Project Location: 1916 Encina Dr., Santa Cruz

**Project Description: Proposal to divide an existing residential lot into two residential lots within the Urban Services Line.**

**Person or Agency Proposing Project: Dee Murray**

**Contact Phone Number: 831-475-5334**

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

Specify type: Class 15 - Minor Land Divisions (Section 15315)

**F. Reasons why the project is exempt:**

Minor land division of a level parcel within the Urban Services Line where the project complies with the General Plan and Zoning ordinance and all urban services are available.

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

  
Annette Olson, Project Planner

Date: 4/24/14

## Subdivision Findings

1. That the proposed subdivision meets all requirements or conditions of the Subdivision Ordinance and the State Subdivision Map Act.

This finding can be made, in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan and the Zoning Ordinance as set forth in the findings below.

2. That the proposed subdivision, its design, and its improvements, are consistent with the General Plan, and the area General Plan or Specific Plan, if any.

This finding can be made, in that this project which creates two parcels of 7,041.9 and 6,138.7 square feet is located in the Residential, Urban Low density General Plan land use designation which authorizes a density of development of one dwelling unit per 6,000-10,000 square feet of net developable area.

The project is consistent with the General Plan in that the full range of urban services is available to the site including municipal water, sewer service, and nearby recreational opportunities. The land division is located on a private street that provides satisfactory access. The proposed land division is similar to the pattern and density of surrounding residential development, near neighborhood and community shopping facilities and opportunities, and enjoys adequate and safe vehicular and pedestrian access from public streets.

The land division is consistent with the General Plan regarding infill development in that the proposed residential development is harmonious with the pattern of surrounding development, the architectural guidelines, and will result in a home on Parcel B which will be compatible with the residential character of the neighborhood.

Further, the land division is not located in a hazardous or environmentally sensitive area and protects natural resources by expanding in an area designated for residential development at the proposed density.

3. That the proposed subdivision complies with Zoning Ordinance provisions as to uses of land, lot sizes and dimensions and any other applicable regulations.

This finding can be made, in that the use of the property will be residential in nature, lot sizes meet the minimum dimensional standard for the R-1-6 (Single-family residential, 6,000 square foot minimum parcel size) zone district where the project is located and all yard setbacks will be consistent with zoning standards. Further, the project, as conditioned, is consistent with the requirements of Chapter 13.11 of the County Code: Site, Architectural and Landscape Design Review ordinance.

4. That the site of the proposed subdivision is physically suitable for the type and density of development.

This finding can be made, in that no challenging topography affects the site, the existing property is commonly shaped to ensure efficiency for further development of the property, and the

proposed parcels offer a traditional arrangement and shape to ensure development without the need for site standard exceptions or variances. No environmental constraints exist which necessitate that the area remain fully undeveloped.

5. That the design of the proposed subdivision or type of improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

This finding can be made, in that no mapped or observed sensitive habitats or threatened species impede development of the site and the project is categorically exempt the California Environmental Quality Act and the County Environmental Review Guidelines.

6. That the proposed subdivision or type of improvements will not cause serious public health problems.

This finding can be made, in that in that municipal water and sewer are available to serve the proposed development.

7. That the design of the proposed subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision.

This finding can be made, in that no easements are known to encumber the property and frontage improvements will provide a benefit to public safety and neighborhood drainage. An undeveloped right-of-way previously paralleled the subject parcel's northern property line. That right-of-way was eliminated via a quit claim as recorded in document 2009-0006484 and the southern half was incorporated into the subject parcel. In addition, the right-of-way easement along the southern frontage of the property is offered as a part of this application. No other easement is known to encumber the property.

8. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

This finding can be made, in that the resulting parcels are oriented to the fullest extent possible in a manner to take advantage of solar opportunities.

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

This finding can be made, in that the proposed site plan and submitted architectural guidelines will result in a development which is consistent with the Design Standards and Guidelines. In particular, the site design is consistent with County Code 13.11.072, in that this infill project will be compatible with the surrounding urban lots. The access will be a standard driveway off of an existing private roadway. The resulting building design will be consistent with County Code 13.11.073, in that its mass and bulk will be regulated by the 1:5 (50%) ratio allowed for floor area ratio and 40% lot coverage, as well as the requirement in the architectural guidelines that the wall and roof planes be varied to reduce the apparent mass and bulk. The new home will also be

Application #: 131334  
APN: 029-096-09  
Owner: Bryan R. Garrison

required to meet the setbacks for the R-1-6 zone district which will result in a home with the same street face setback as most of the homes in the area, and the new home's spacing from other homes will be consistent with the zone district standards. A landscape plan for the front yard of Parcel B will be required with the building permit for the new home. That landscape plan will be required to be consistent with County Code 13.11.075.

## **Roadway/Roadside Exception Findings**

1. The improvements are not appropriate due to the character of development in the area and the lack of such improvements on surrounding developed property.

The County Design Criteria requires Urban Local Street with Parking to have 56 feet of width with sidewalks, landscaping and parking on both sides of the street. In this case, Parcel B will take access from the portion of Encina Drive which runs east/west. In this location, Encina Drive ranges from 40 to 50 feet in width with curb, gutter and parking on the north side and parking, gutter, curb, landscape strip and sidewalk on the south side. This block of Encina Drive is private. Other streets in the area, such as Maciel Avenue, also lack the width and improvements required by the County Design Criteria.

The subject parcel is located on the north side of Encina Drive where there are two other properties. Because both of these parcels are fully developed, it is unlikely that additional road width can be acquired. In addition, it is unlikely that roadside improvements will be voluntarily constructed on the two other parcels located on the north side of Encina Drive. Therefore, requiring the property owners of the subject parcel to construct roadside improvements which will not improve overall pedestrian connectivity is of limited value. Full roadside improvements exist on the south side of Encina Drive. Landscaping and two street trees are required in the 10-foot wide dedication area in front of Parcels A and B which will enhance the streetscape.

The Encina Drive improvements, while not meeting the County's Design Criteria standard, will continue to function adequately for the seven lots served by this section of Encina. No change in the number of lots served by this block of Encina Drive will occur since the existing house on the subject parcel currently has a driveway which will be demolished before the driveway for Parcel B is constructed.

The portion of Encina Drive that runs north/south also does not meet the County's Design Criteria for an Urban Local Street with Parking. The road is about 37 feet where it meets Willa Way and then narrows to 30 feet beyond the subject parcel. The property owner proposes to install curb and gutter along the frontage of the subject parcel and formalize the existing driveway. The proposed land division will not result in any significant change to the north/south portion of Encina Drive in that the existing home will be located on Parcel A and there is an existing driveway providing access from the portion of Encina which runs north/south. Parcel B's new driveway will be located along the east/west portion of Encina Drive. Given that the rest of Encina Drive (north/south) lacks standard improvements, it would be out of character to require the project to provide the full improvements.

## Conditions of Approval

### Minor Land Division 131334

Applicant: Dee Murray

Property Owner: Garrison and Nathe

Assessor's Parcel Number: 029-096-09

Property Address and Location: 1916 Encina Drive

Planning Area: Live Oak

---

#### Exhibits:

- A: Tentative Map, one sheet, by Bryan Happee of Bowman and Williams Consulting Civil Engineers, revised to 4/19/14; and Off-site Improvement Plan, one sheet, by Bryan Happee of Bowman and Williams Consulting Civil Engineers, revised to 1/23/14
- 

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

- I. Prior to exercising any rights granted by this Approval, the owner shall:
- A. Sign, date and return one copy of the Approval to indicate acceptance and agreement with the conditions thereof, and
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the tentative map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:
- A. The Parcel Map shall be in general conformance with the approved Tentative Map and shall conform to the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
- B. This land division shall result in no more than two (2) single-family residential parcels.
- C. The minimum lot size shall be 6,000 square feet net developable land per unit.
- D. The following items shall be shown on the Parcel Map:
1. Building setback lines located according to the approved Tentative Map. The

building envelopes for the new parcels shall meet the minimum setbacks of the R-1-6 zone district and the 20-foot setback from garage door.

2. Show the net area of each lot to the nearest square foot.
  3. Show all easements.
  4. Show the offer of right-of-way dedication for the 1,5105.6 square feet of right-of-way located adjacent to the southern property lines.
  5. Correct the "Lot Area" table to reflect net areas of Parcel A and B as 7,428 and 6,139 square feet respectively.
  6. The driveway constructed to serve the existing dwelling (located on Encina north/south) must accommodate three vehicles. Only two vehicles may be parked in tandem. Parking spaces must be 8.5 feet x 18 feet.
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
1. New parcel numbers for both parcels must be assigned by the Assessor's Office prior to applying for a building permit for the dwelling on Parcel B.
  2. Lots shall be connected for water service to City of Santa Cruz Water District.
  3. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the Sanitation District shall be met.
  4. All future construction on the lots shall conform to the Architectural Guidelines and R-1-6 zone district site standards, including 40% lot coverage, 50% floor area ratio and/or any other standard as may be established for the zone district.
  5. Submit a landscape plan for the front yard of Parcel B with the building permit application
  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 the school district in which the project is located. In the case of Live Oak School District, the applicant/developer is advised that the development is located in a Mello-Roos Community Facilities District with additional fees.
  7. Prior to any building permit issuance or ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Department of Public Works and the Planning Department. Earthwork between October 15 and April 15 requires a separate winter grading approval from Environmental Planning that may or may not be granted. The erosion control plans shall identify the type of erosion control practices to be used and shall include the following:
  8. Any changes from the approved Exhibit "A" must be submitted for review and approval by the Planning Department. Changes may be forwarded to the

decision-making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. Any changes that are on the final plans which do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review

9. Pay Zone 5 Drainage fees based on the amount of impervious and semi-pervious surfaces.
  10. Submit a drainage plan meeting all the requirements of the Department of Public Works, Drainage, showing the following information:
    - a. Based on the size of the building envelope shown on the plans, the development of Parcel B will be a medium project (between 500 and 5,000 square feet of impervious area). When Parcel B is developed the project will be required to utilize Best Management Practices to treat development runoff onsite. Such measures include semi-pervious pavements, runoff surface spreading, discharging roof and driveway runoff into landscaping, etc.
    - b. Please provide construction details for all proposed drainage improvements to facilitate proper construction by the contractor.
    - c. For fee calculations, please provide tabulation of new impervious and semi-impervious areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed, please provide documentation such as Assessor's records, survey records, aerial photos or other official records that will help establish and determine the dates they were built. A drainage fee will be assessed on the net increase in impervious area. Currently, that fee is \$1.14 per square foot of impervious surface and half that cost per square foot of semi-pervious surface area.
  11. Submit an engineered sewer plan addressing all issues identified by District staff (in the Discretionary Application comments dated 12/19/2013) and meeting the County Design Criteria standards.
- F. A final Landscape Plan, for the 10-foot wide dedication area along the portion of Encina Drive that runs east/west, specifying the species, their size, and irrigation plans and meet the following criteria and must conform to all water conservation requirement of the City of Santa Cruz water conservation regulations:
1. No turf is allowed for this area.
  2. Plant Selection. At least 80 percent of the plant materials selected shall be well-suited to the climate of the region and require minimal water once established (drought tolerant). Native plants are encouraged. Up to 20 percent of the plant materials in non-turf areas (equivalent to 15 percent of the total landscaped area), need not be drought tolerant, provided they are grouped together and can

be irrigated separately.

3. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.
4. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid runoff, over-spray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.
  - a. The irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit applications. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.
  - b. Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be used to maximize the efficiency of water applied to the landscape.
  - c. Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.
  - d. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.
  - e. One street tree, to be approved by Planning staff, must be provide in front of Parcels A and B (for a total of two street trees). These trees must match or complement the existing street trees on the south side of Encina Drive.

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

- A. All improvements crossing the new property line and northern property line shall be demolished as shown on the tentative map. This includes the greenhouse in the northeast corner of the parcel, the garage and the driveway cut along the portion of Encina Drive which runs west/east.
- B. All business vehicles and equipment shall be removed from the subject parcel and neighborhood. No on-street parking of business vehicles is allowed except for one vehicle if it is also used as the personal vehicle for a resident of the subject parcel.

- C. Show the Roadway/Roadside Exception. The Exception should show a section of the Urban Local Street with Parking crossed out and the proposed street section shown.
- D. Submit and secure approval of the off-site improvement plans from the Department of Public Works and the Planning Department. A subdivision agreement backed by financial securities (equal to 150% of the engineer's estimate of the cost of improvements), per Sections 14.01.510 and 511 of the Subdivision Ordinance, shall be executed to guarantee completion of this work.
  - 1. All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria. Plans shall also comply with applicable provisions of the Americans with Disabilities Act and/or Title 24 of the State Building Code.
- E. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- F. All requirements of the Central Fire District shall be met.
- G. Park dedication in-lieu fees shall be paid for three bedrooms. These fees are currently 1,000 per bedroom, but are subject to change.
- H. Child Care Development fees shall be paid for three bedrooms. These fees are currently \$109 per bedroom, but are subject to change.
- I. Transportation improvement fees shall be paid for one dwelling unit. These fees are currently \$3,000 per unit, but are subject to change.
- J. Roadside improvement fees shall be paid for one dwelling unit. These fees are currently \$3,000 per unit, but are subject to change.

IV. All future construction within the property shall meet the following conditions:

- A. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries.
- B. The six-foot tall fence along the southern property line of Parcel B shall be removed before the building permit for the new dwelling on Parcel B is finalled.
- C. Parcel B's new driveway shall comply with Corner Sight Distance Triangle required in County Code 13.10.525.
- D. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where

required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. Obtain an Encroachment Permit from the Department of Public Works for any work performed in the public right of way. All work shall be consistent with the Department of Public Works Design Criteria unless otherwise specifically excepted by these conditions of approval.

- E. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan that may or may not be granted.
- F. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
- G. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- H. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction of the new home on Parcel B, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
  - 1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation.
  - 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
- I. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

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

---

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

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

**cc: County Surveyor**

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Ken Hart  
Principal Planner

\_\_\_\_\_  
Annette Olson  
Project Planner

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



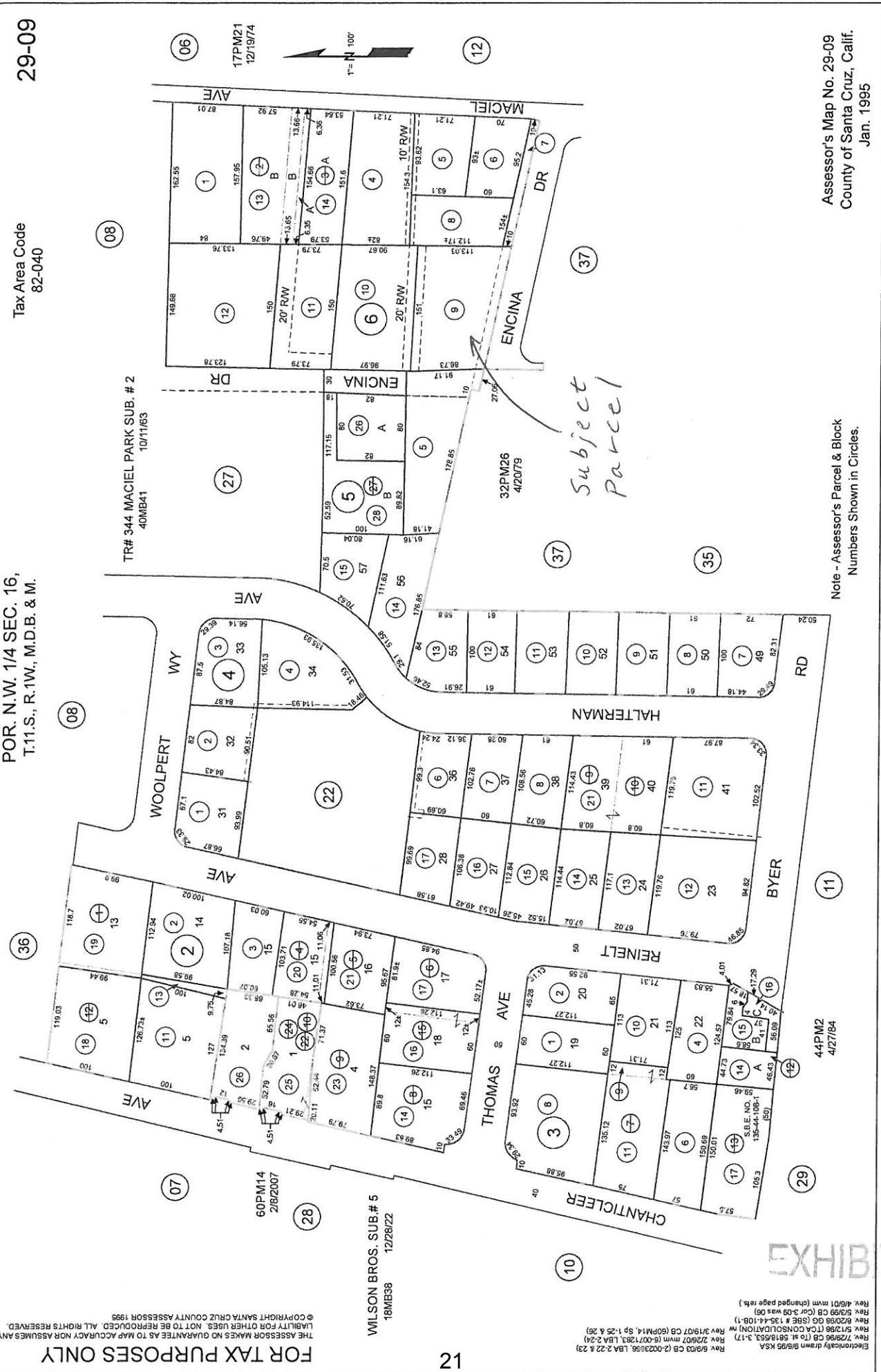


POR. N.W. 1/4 SEC. 16,  
T.11.S., R.1W., M.D.B. & M.

Tax Area Code  
82-040

29-09

FOR TAX PURPOSES ONLY



Assessor's Map No. 29-09  
County of Santa Cruz, Calif.  
Jan. 1995

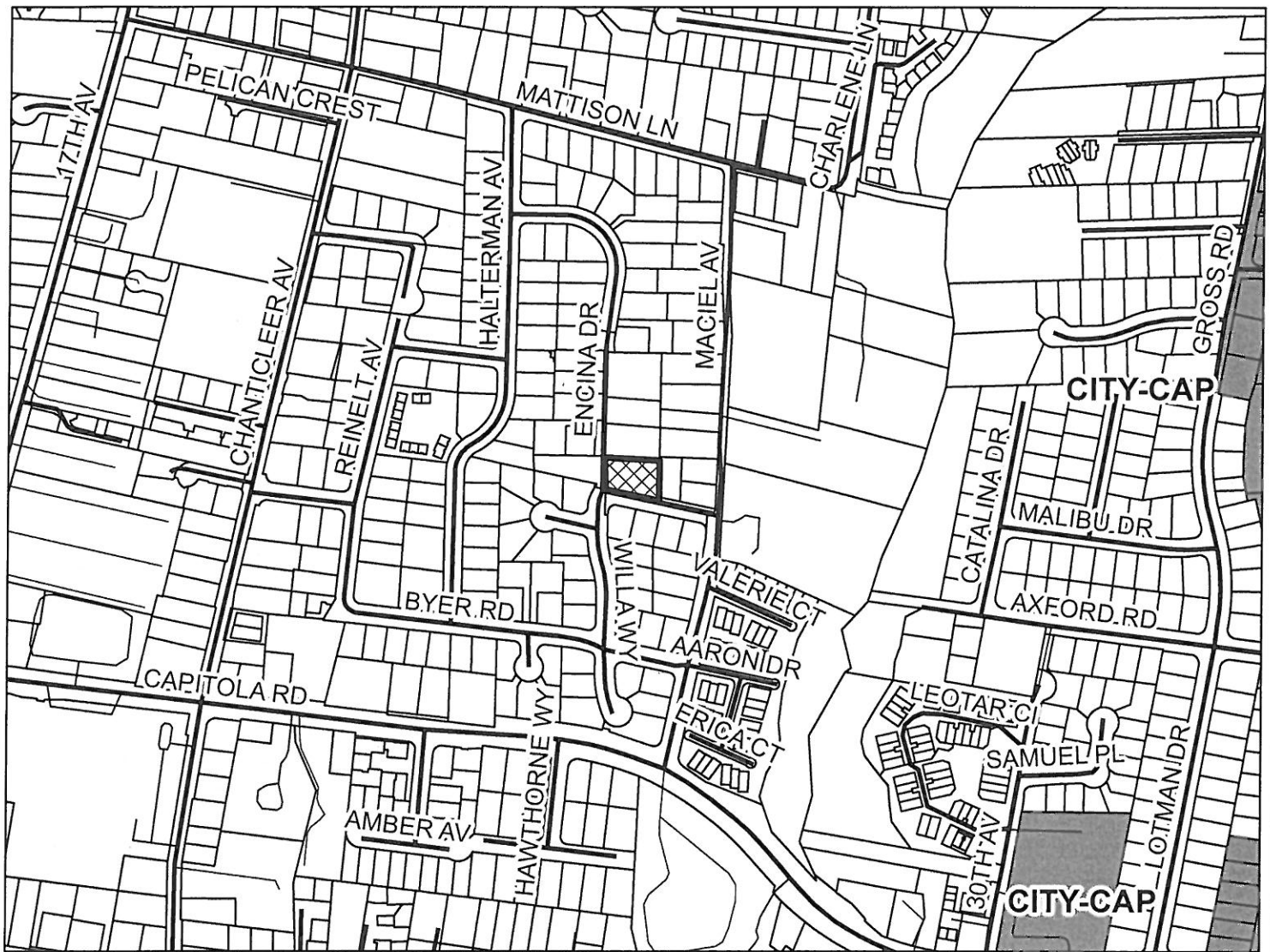
Note - Assessor's Parcel & Block  
Numbers Shown in Circles.

EXHIBIT E





Electronically drawn 5/15/95 KSA  
Rev 5/19/97 CB (2-0022556, LBA 2.22 & 23)  
Rev 2/26/97 mm (6-0071283, LBA 2-24)  
Rev 5/17/98 (TCA CONSOLIDATION) W  
Rev 5/17/98 CB (SBE # 135-44-108-1)  
Rev 5/20/98 CB (Cor 3-09 was 06)  
Rev 5/10/01 mm (changed page refs.)



# Location Map



## LEGEND

-  APN: 029-096-09
-  Assessors Parcels
-  Street
-  CITY OF CAPITOLA



Map Created by  
County of Santa Cruz  
Planning Department  
December 2013



# Zoning Map



## LEGEND

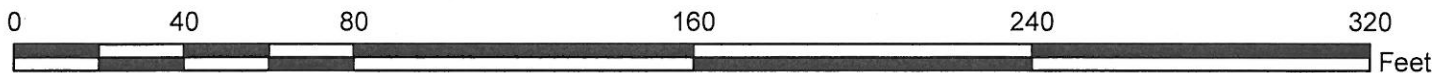
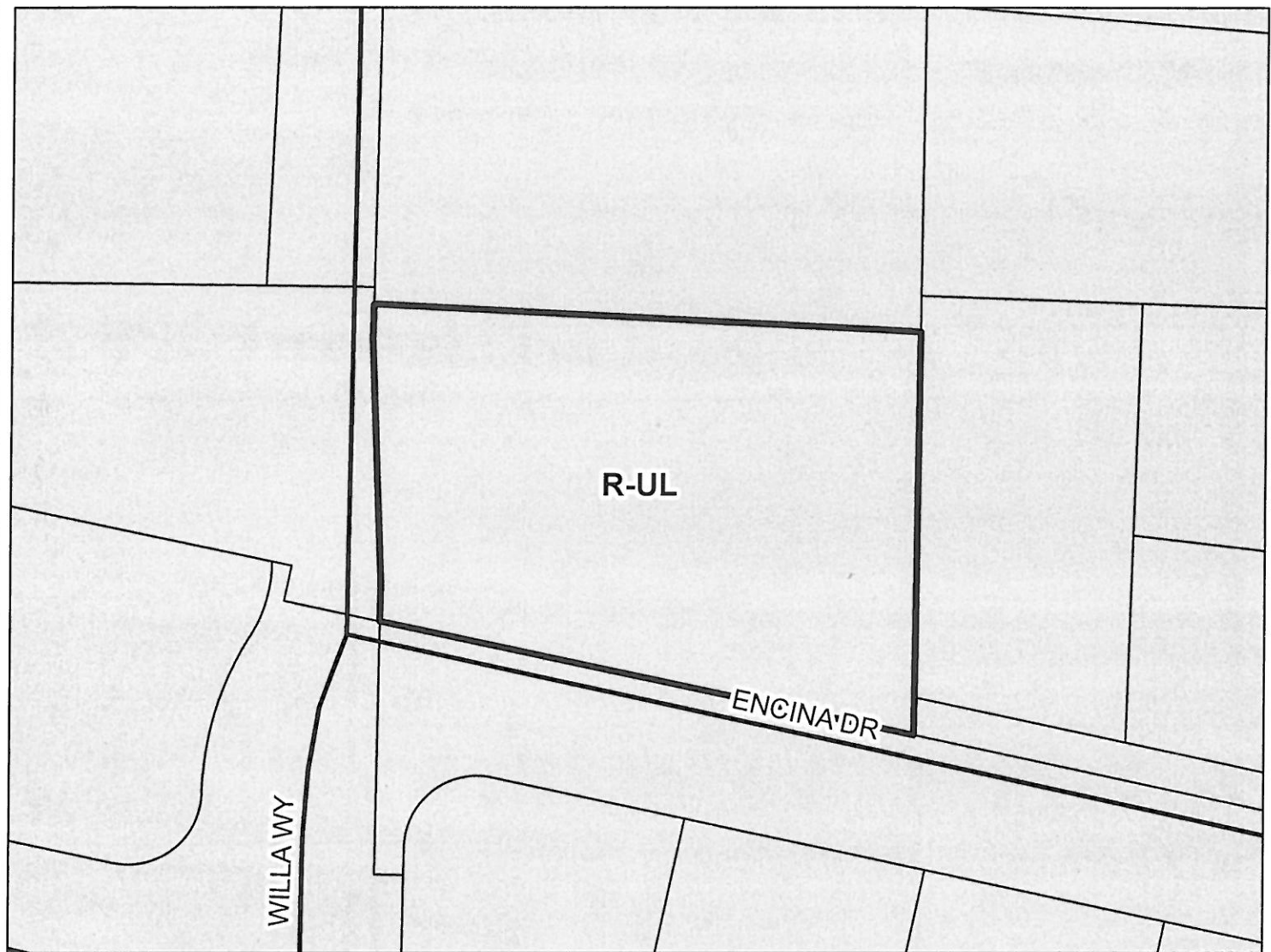
-  APN: 029-096-09
-  Assessors Parcels
-  Street
-  RESIDENTIAL-SINGLE FAMILY



Map Created by  
County of Santa Cruz  
Planning Department  
December 2013

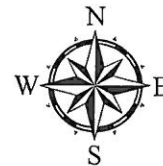


# General Plan Designation Map



## LEGEND

-  APN: 029-096-09
-  Assessors Parcels
-  Street
-  Residential - Urban Low Density



Map Created by  
County of Santa Cruz  
Planning Department  
December 2013



W A T E R   D E P A R T M E N T

212 Locust Street, Suite C, Santa Cruz CA 95060 Phone (831) 420-5210 Fax (831) 420-5201

October 25, 2013

Dee Murray  
2272 Kinsley St.  
Santa Cruz, CA 95062

Re: APN 029-096-09, 1916 Encina Dr., proposed 2 lot MLD, ex SFD & 1 new SFD

Dear Dee Murray:

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

At the present time:

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

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

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

Sincerely,

Linette Almond  
Interim Director



---

## Drainage Review

---

**Routing No: 1 | Review Date: 01/06/2014**

TRAVIS RIEBER (TRIEBER) : Complete

Completeness Comments:

Application Complete? ☒ Yes ☐ No

The tentative map dated July 11, 2013 and off-site improvement plan dated November 5, 2013 have been received and are approved for the planning application stage. Please see the permit conditions below for additional information to be provided at the building application stage.

Policy Considerations and Compliance Issues:

Permit Conditions and Additional Information:

1. Based on the size of the building envelope shown on the plans the development of parcel B will be a medium project (between 500 and 5,000 square feet of impervious area). When parcel B is developed the project will be required to utilize Best Management Practices to treat development runoff onsite. Such measures include semi-pervious pavements, runoff surface spreading, discharging roof and driveway runoff into landscaping, etc.
2. Please provide construction details for all proposed drainage improvements to facilitate proper construction by the contractor.
3. For fee calculations please provide tabulation of new impervious and semi-impervious (gravel, base rock, paver blocks, pervious pavement) areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed please provide documentation such as assessor's records, survey records, aerial photos or other official records that will help establish and determine the dates they were built.

Note: A drainage fee will be assessed on the net increase in impervious area. The fees are currently \$1.14 per square foot, and are subject to increase based on the fee amount applicable at the time of permit issuance. Reduced fees (50%) are assessed for semi-pervious surfacing (such as gravel, base rock, paver blocks, porous pavement, etc.) to offset costs and encourage more extensive use of these materials.

The applicant is encouraged to discuss the above comments with the reviewer, Travis Rieber, to avoid unnecessary additional routings. Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions.



---

## Drainage Review

---

**Routing No: 1 | Review Date: 01/06/2014**

TRAVIS RIEBER (TRIEBER) : Complete

---

## Driveway/Encroachment Review

---

**Routing No: 1 | Review Date: 12/18/2013**

DEBRA LOCATELLI (DLOCATELLI) : Not Required

The parcel is located at an intersection of Encina Drive and Willa Way . The frontages are located on non-county maintained sections of roadway; therefore, no comments.

---

## Project Review

---

**Routing No: 1 | Review Date: 01/10/2014**

ANNETTE OLSON (AOLSON) : Incomplete

See letter in file.

**Routing No: 2 | Review Date: 03/11/2014**

ANNETTE OLSON (AOLSON) : Complete

---

## Road Engineering Review

---

**Routing No: 1 | Review Date: 12/20/2013**

RODOLFO RIVAS (RRIVAS) : Complete

**Permit Conditions and Additional Information:**

1) This project is within the Live Oak Transportation Improvement Area (TIA) and is subject to TIA fees. The current fee rate is \$ 6,000.00 (\$3,000 roadside improvement fees + \$3,000 transportation improvement fees) per new residential lot. TIA fees = \$6,000 (1 new lot x \$6,000 = \$6,000).

Note: The above TIA fees were calculated using current fee rate. The rate in effect at the time of payment of TIA fees will be used to determine TIA fees .

---

## Sanitation Review

---

**Routing No: 1 | Review Date: 12/19/2013**

ANNETTE OLSON (AOLSON) : Complete

Per Rachel Lather, application complete. Items listed below can be addressed at the building permit stage.

Application is Incomplete

No. 1st Review Summary Statement; Appl. No. 131334; APN: 29-096-09:



---

## Sanitation Review

---

**Routing No: 1 | Review Date: 12/19/2013**

ANNETTE OLSON (AOLSON) : Complete

The Santa Cruz County Sanitation District has reviewed your application for development and sanitary sewer service is currently available to serve your project, subject to the requirements listed below. The project is not located within an impacted sewer basin and is conceptually approved. The project sewer design and connection of the project to the Santa Cruz County Sanitation District system will be required to conform to the County Design Criteria (CDC) Part 4, Sanitary Sewer Design, June 2006 edition, and additional information is required to ensure that the project is in conformance with these criteria and Santa Cruz County Sanitation District policies. Please review the comments regarding the project design and provide the additional information needed to satisfy the requirements of the Santa Cruz County Sanitation District.

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

Reference for County Design Criteria:

<http://www.dpw.co.santa-cruz.ca.us/DESIGNCRITERIA.PDF>

### Completeness Items:

A complete engineered sewer plan, addressing all issues required by District staff and meeting County "Design Criteria" standards (unless a variance is allowed), is required. District approval of the proposed discretionary permit is withheld until the plan meets all requirements. The following items need to be shown on the plans:

Show proposed sewer mains/collector laterals (including length of pipe, pipe material, cleanouts located maximum of 100-feet apart along with ground and invert elevations) and slope noted (minimum 1% for public mains and 2% for private collector laterals) and connection to the existing public sewer.

Locate and show the existing sewer lateral. Include a private easement on parcel B if any portion of the existing lateral is located on it.

Include District's "General Notes" on plans. Contact staff for electronic copy.



---

## Sanitation Review

---

**Routing No: 1 | Review Date: 12/19/2013**

ANNETTE OLSON (AOLSON) : Complete

Add f.f. elevation for parcel B for backflow/overflow preventative device requirements. If the device is required per the County Design Criteria, please make note on plan that it is required to be installed.

A land division plan review deposit of \$1,000 shall be collected by the Planning Department for review fees.

Because this application is incomplete in addressing County requirements, resulting revisions and additions will necessitate further review comment and possibly different or additional requirements.

All resubmittals shall be made through the Planning Department. Materials left with Public Works will not be processed or returned.

Permit Condition:

Attach an approved (signed by the District) copy of the sewer system plan to the building permit submittal. A condition of the development permit shall be that Public Works has approved and signed the civil drawings for the land division improvement prior to submission for building permits.

Any questions regarding the above criteria should be directed to the Sanitation Engineering division at (831) 454-2160.

## Surveyor Review

---

**Routing No: 1 | Review Date: 01/09/2014**

GREG MARTIN (GMARTIN) : Complete

2/25/14 All Okay

**Compliance:**

1. Existing common improvement that cross over the new boundary which proposed to create the two parcels must be removed. Looking at the drawing from top to bottom this includes a fence, office, garage, internal concrete driveway, and driveway encroachment. Existing utilities should be shown to check whether there are any conflicts with the utilities for this issue as well. A fence is recommended to be constructed between the two properties to clearly delineate the two properties and existing fences modified to connect to the new fence. These "improvements" will require improvement plans which show the removal.

Note: Talked with engineer and no problem doing above.



---

## Surveyor Review

---

**Routing No: 1 | Review Date: 01/09/2014**

GREG MARTIN (GMARTIN) : Complete

2/25/14 Done. Fence recommended not required. All fences on vacant parcel removed.

2. Please dedicate a 6 foot PUE along the frontage of the property along the road.

2/25/14 Done.

**Routing No: 2 | Review Date: 02/26/2014**

GREG MARTIN (GMARTIN) : Complete

Previous comments addressed satisfactorily.

DEE MURRAY  
LAND USE CONSULTANT  
2272 KINSLEY STREET  
SANTA CRUZ, CA. 95062  
(831) 475-5334  
MARCH 10, 2014

Annette Olson  
Project Planner  
County Planning Dept.  
701 Ocean Street  
Santa Cruz, Ca. 95060

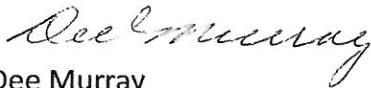
RE: Application No. 131334  
APN: 029-096-09

Dear Annette:

The following are the proposed Architectural Design Guidelines for the above proposed Minor Land Division Application:

The design of the proposed structure will be compatible to the neighborhood with the range of architectural styles and colors. The mass and bulk will be broken up with varied roof and wall plane lines. Landscaping will be drought tolerant plants and trees to soften the impact and blend in with the newly development on the neighborhood.

Very truly yours,



Dee Murray  
Land Use Consultant

DEE MURRAY  
LAND USE CONSULTANT  
2272 KINSLEY STREET  
SANTA CRUZ, CA. 95062  
(831) 475-5334  
DECEMBER 11, 2013

Annette Olson  
Project Planner  
County Planning Dept.  
701 Ocean Street, 4th Floor  
Santa Cruz, Ca. 95060

RE: 1916 Encina Drive  
APN: 029-096-09

Dear Annette,

As a result of our Neighborhood meeting held on November 23, 2013, only one person attended by the name of Lou D'Amico, who resides at 2341 Mattison Lane. After reviewing the tentative map and improvement plans for the two lot land division, he stated that he had no objections.

I am submitting a copy of the letter dated November 6, 2013, which was mailed to the property owners and residents within 300 feet of the property, including Supervisor John Leopold and Planning Director Kathleen Molloy Previsich. I have not received any correspondence as a result of the mailing. I am also submitting a copy of the labels with their names, addresses and assessor's parcel numbers notifying them of the meeting held on November 23, 2013. I am also submitting 10 sets of the tentative map and improvement plans, prepared by Bowman and Williams Consulting Engineers. A copy of the guideline parameters from Barker Associates, Architects, dated Nov. 12, 2013, for a potential development on the newly created empty parcel "A" and parcel "B" with an existing single family dwelling on it is also attached, together with a copy of the Will Serve letter from the Santa Cruz City Water Dept. I contacted the Santa Cruz County Sanitation District requesting a Will Serve letter for the proposed vacant parcel and was informed that one was not required.

If you have any further questions, please feel free to contact me at any time.

Very truly yours,

Dee Murray,  
Land Use Consultant  
cc: Alayna Nathe

DEE MURRAY  
LAND USE CONSULTANT  
2272 KINSLEY STREET  
SANTA CRUZ, CA. 95062  
(831) 475-5334  
NOVEMBER 06, 2013

Dear Neighbor,

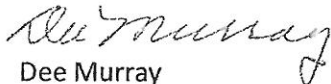
On Saturday November 23. 2013, from 1 PM to 2 PM, we will be conducting a neighborhood meeting at 1916 Encina Drive. The purpose of this meeting is to allow you an opportunity to review plans for a Minor Land Division to create two (2) lots. One lot maintaining 7,428 square feet with an existing single-family dwelling, and the other lot to maintain 6,139 square feet.

After conducting this meeting we will be applying to the County Planning Dept. for a Minor Land Division application to create the two lots as described above.

We look forward to your attendance at this meeting to answer any questions or concerns that you may have. If you have any questions prior to the meeting date, please contact me Dee Murray at (831) 475-5334.

Thank you in advance for your time and consideration. Looking forward to meeting you at the meeting.

Sincerely,



Dee Murray

Land Use Consultant

cc: Planning Director Kathleen Molloy Previsich  
Supervisor John Leopold

11000. 85, 000

# NEIGHBORHOOD MEETING

1916 Laguna Drive, APN: 029-096-09

PLEASE SIGN HERE:

NAME

ADDRESS

Law D'Amico

2341 Mattison Ave

Law D'Amico reviewed the proposed  
minor Land Division plans. He  
said he had no objections to  
the proposal.