



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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TOM BURNS, **PLANNING DIRECTOR**

March 14, 2007

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

Agenda Date: April 11, 2007

Item #: 8

Time: After 9 AM

APN: 030-041-04

Application: 05-0768

Subject: Application 05-0768

Members of the Commission:

History

Your Commission first considered this application on December 15, 2006. Following the public hearing and discussion, the public hearing was continued to the January 10, 2007 agenda. The item was subsequently continued to the February 14th agenda, and then to the April 11th agenda. The Commission continued the application for several reasons. One of these was to allow a group of neighbors to follow-up on statements made to the Commission that there was a buyer for the remainder parcel who intended to donate the land to the Soquel Union School District to help alleviate the traffic congestion at the Main Street School. The continuance also allowed the Commission to direct staff to provide the following information and materials for the continued hearing:

1. A re-design of Lot 1 to minimize required exceptions while maintaining the design focus.
2. A brief explanation of if and when interior side yard setback findings are needed.
3. Variance Findings for the street side yard setback (to accommodate the new house on lot 1).
4. A review of the landscaping plans regarding the size of trees.
5. Revise Subdivision and Development Permit Findings as necessary, and include findings for the Roadway/Roadside Exception.
6. Review the Conditions of Approval.
7. Inclusion of the driveway analysis in the set of plans.

The Commission also asked staff to include all of the exhibits prepared by the applicant in the packet for the April 11th hearing.

The following is a response to the directions from the Commission.

Size and Location of House on Lot 1

There was concern that the house on Lot 1 was too large (2,220 sf. was proposed) and that the side yard adjacent to the interior roadway should be increased (20 feet is required; 8 feet had been proposed). The house has been redesigned to be 2,000 sf. with a 13 foot side yard setback to the interior roadway (see Exhibit A). Staff believes that the re-design, along with repositioning the house in line with the neighbors on Main Street, has addressed your Commission's concerns regarding Lot 1.

Variance findings have been prepared for the reduction of the width of Lot 1 (60 feet required, about 50 feet proposed). However, as discussed below variance findings for the reduction of the street yard setback for Lot 1 are unnecessary.

Setback Exception

County Code Section 13.10.510(f) allows the Planning Commission to designate alternate building setbacks, as follows:

(f) The Planning Commission may establish building setback lines different from those required by the district standards of this Chapter when such district standards would impose a purposeless hardship on new buildings compared to the setback of existing buildings in the same block or area....

Staff believes that a 20-foot wide street side yard adjacent to a private roadway serving 2 new houses is a purposeless requirement when most of the other residences in the area currently enjoy street side setbacks of 10-feet. As such, the Commission should establish a side setback on Lot 1 that would be similar to that of an existing corner lot in an R-1-6 zone (10-foot minimum).

County Code Section 13.10.323(d) also creates some flexibility for land division projects where interior setbacks need to be different than the zone district standards.

d) Site and Structural Dimensions Exceptions Relating to Parcels.

1. Parcels Created from New Land Divisions.

(i) Within any new land division project, all development standards on all lots or parcels which abut the periphery of the project site are subject to all the restrictions stated in this section unless a variance is obtained. No parcel shall be created smaller than three thousand five hundred (3,500) square feet in area. On individual lots or parcels within any land division project not abutting the periphery of the project site, site and structural dimensions may vary from the General Requirements for the zone district, provided that the approved standards and dimensions for each new lot or parcel are specifically indicated on the approved tentative map.

This section has been used, in the past, to permit the development of attached units (essentially a 0-foot separation) and zero lot line subdivisions (0-foot side yards). The primary requirement is that the setbacks on the periphery of the project site must meet the required site standards to provide adequate separation to adjacent properties and that appropriate Residential Development Permit Findings are made. For the proposed land division, **all** of the setbacks on the periphery of the project meet the required setbacks. The setback indicated for the street side yard to the new driveway is **13-feet**.

These are not considered as exceptions per se; rather they are a different way of meeting the site standards. As stated in the code language, all that has to be done is to show the setbacks on the tentative map and include a discussion of the proposed setback reductions in the findings. The Subdivision and Residential Development Permit Findings have been revised to address the setback reduction. Staff has not, therefore, prepared findings for approval of a variance for the street side yard setback reduction.

Landscaping Plan Issues

The landscape plan (Sheet L-1) has always shown 5 – 24 in. box trees. There are **14** trees total. This would make the percentage of 24" box trees approximately 35%, where the code requires 15%. Staff feels it is unnecessary to require more large size trees than currently shown, as the smaller trees have a better chance of survival and will catch up in size to the larger ones in a short time (per UC research).

In order for the new street to drain to the west to Main Street, the applicant is proposing a retaining wall along the property line with a three feet maximum height. Your Commission was concerned about the appearance of this wall. This wall has about one foot between it and the concrete curb adjacent to the parking alongside the lane. Staff suggests that a condition of approval be added that vines be planted in this section, in close enough proximity to screen the wall in five years.

Findings

The Subdivision and Residential Development Permit Findings have been revised as discussed above. In addition, findings for the Roadway and Roadside Exception have been prepared for your Commission's consideration.

Conditions of Approval

The Conditions of Approval have been reviewed and modified to address the issues discussed above and to insure that the conditions are internally consistent.

Driveway Analysis

Staff has incorporated the two sheets that include the Driveway Analysis and Circulation Analysis into the final sets of plans for the application. These are being distributed with this report as Exhibit **B**.

Remainder Parcel Issues

Your Commission suggested that there be a note placed on the Final Map limiting the use of the remainder parcel to one lot with one residence. Under the existing zoning (PF), residential use is only allowed as an appurtenant use to a Public Facility use. So, at the very least, in addition to a Certificate of Compliance, a General Plan amendment and a rezoning is required before the 'remainder' can be built on.

Staff feels that it is unnecessary to place any limiting language on the Final Map regarding the ultimate outcome of the remainder parcel. As a notice to potential future owners of the property, staff recommended that the Tentative Map include present zoning (PF) on 030-041-33. Staff suggests that a condition of approval be added which repeats this note on the Final Map.

As indicated in the introduction, a neighborhood group stated that there was a person interested in purchasing the remainder from the applicant with the goal of donating the land to the Soquel Union School District to be used for circulation and additional parking. Staff has received no further information regarding this matter from the neighbors.

Conclusion

With the redesign of the size and location of the residence on Lot 1 from the new street and the revisions to the Findings and the Conditions of Approval as discussed above, the issues raised by the Commission have been addressed. Staff therefore recommends that your Commission:

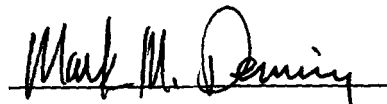
- Certify the Negative Declaration under the California Environmental Quality Act; and
- Approve of Application 05-0768, based on the revised findings and revised conditions.

Sincerely,



Lawrence Kasparowitz
Project Planner
Development Review

Reviewed By:
Mark Deming
Assistant Director



Exhibits: A. Revised Plans for Lot 1
 B. Driveway Analysis Plan and Circulation Analysis Plan

- C. Revised Findings (~~additions shown shaded~~)
- D.** Revised Conditions of Approval (~~additions shown shaded~~)
- E,** New letter from Wayne Morgan, dated 2/27/07
- F. Photos of corner lots supplied by applicant.
- G. Revised reductions of architectural plans
- H. Staff Report to the Planning Commission, dated December 15, 2006
Negative Declaration dated August 15, 2006
Previously submitted letters from neighbors

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 designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single family residences will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structures meet all current setbacks on the periphery of the project site to ensure access to light, air, and open space in the neighborhood. ~~The reduced street side setback of the proposed house on Lot 1 will provide adequate open space and spacing between the new driveway and the proposed house, maintaining a 50 foot setback to the property to the south.~~

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 proposed location of the single family residences and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-I -6 (single family residential - 6,000 sq. ft. min parcel size) zone district in that the primary use of the property will ~~be~~ single family residences that meets **all** current site standards for the zone district (with the exception of the lot frontage for Lot 1, for which the applicant has requested a variance). ~~The proposed single family residences will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structures meet all current setbacks on the periphery of the project site to ensure access to light, air, and open space in the neighborhood. The reduced street side setback of the proposed house on Lot 1 will provide adequate open space and spacing between the new driveway and the proposed house, maintaining a 50 foot setback to the property to the south.~~

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.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Medium Density Residential (R-UMj) land use designation in the County General ~~Plan~~.

The proposed single family residences will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single family residences will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood (with the exception of the lot frontage for Lot 1, for which the applicant has requested a variance).

EXHIBIT C

The proposed single family residences will not be Improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy **8.6.1** (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single family residences will comply with the site standards for the R-1-6 zone district (with **the** exception of the lot frontage for Lot 1, for which the applicant has requested a variance), **lot** coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity. **The reduced** street side setback of the proposed house on Lot 1 will provide adequate open space and spacing between the new driveway and the proposed house, maintaining a 50 foot setback to the property to the south.

A specific plan has not been adopted for this portion 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 proposed single family residences are to be constructed on a lot with an existing residence and **only** two more residences are proposed. The expected level of traffic generated by the proposed project is anticipated to be only two additional peak trips per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

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 the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, the proposed single family residences are consistent with the land use intensity and density 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.

This finding can be made, in that the proposed single family residences will be of an appropriate scale and type of design that will enhance the aesthetic qualities of **the** surrounding properties and will not reduce or visually impact available open space in the surrounding area.

EXHIBIT C

Subdivision Findings

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

The proposed division of land meets all requirements and conditions of **the** County Subdivision Ordinance and the State Map Act in that the project meets all of the **technical** requirements of the Subdivision Ordinance and is consistent with the County General Plan **and** the Zoning Ordinance as set forth in the findings below.

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

The proposed division of land, its design, and its improvements, are consistent with the General Plan. The project creates two single family lots and is located in the Residential Urban Medium Density General Plan designation which allows a density of one dwelling for each 4,000 to 6,000 square feet of net developable parcel area.

The project is consistent with the General Plan in that the full range of **urban** services is available and will be extended to the new parcel created, including municipal water **and** sewer service. The land division is off of an existing street, and no improvements to Main Street **are** needed to provide satisfactory access to the project, with the exception of a new small **street**. The proposed land division is similar to the pattern and density of surrounding development, is near **commercial** shopping facilities and recreational opportunities, and will have adequate and safe vehicular access.

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

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

The proposed division of land complies with the zoning ordinance provisions as to uses of land, lot sizes and dimensions and other applicable regulations in that the use of **the** property will be residential in nature, lot sizes meet the minimum dimensional standards for the R-I -6 Zone District where the project is located, and all setbacks will be consistent with the zoning **standards**. The proposed new dwellings will both comply with the development standards in the **zoning** ordinance as they relate to setbacks, maximum parcel coverage, minimum site width, floor area **ratio** **and** minimum site frontage (with the exception of the street frontage of Lot 1 along Main Street, for which a variance has been requested). The proposed single family residences will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structures meet all **current** setbacks on the periphery of the project site to ensure access to light, air, and open space **in** the neighborhood. The reduced street side setback of the proposed house on Lot 1 will provide **adequate** open space and spacing between the new driveway and the proposed house, maintaining a 50 foot setback to the property **to** the south.

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

The site of the proposed land division is physically suitable for the type and density of development in that no challenging topography affects the site, the existing property is commonly shaped to ensure efficiency in further development of the property, and the proposed parcels offer a traditional arrangement and shape to insure development without the need for variances or site standard exceptions. No environmental constraints exist which would necessitate the area remain undeveloped.

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

The design of the proposed division of land and its improvements will **not** cause environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. No mapped or observed sensitive habitats or threatened species impede development of the site **as** proposed. **An** Initial Study and Negative Declaration was prepared, pursuant to the California Environmental Quality Act and the County Environmental Review Guidelines (see Exhibit D).

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

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

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

The design of the proposed division of land and its improvements will **not** conflict with public easements for access in that no easements are known to encumber the property. Access to all lots will be from existing public roads.

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

The design of the proposed division of land provides to the fullest extent possible, the ability to use passive and natural heating and cooling in that the resulting parcels are oriented in a manner to take advantage of solar opportunities. All of the proposed parcels are conventionally configured and the proposed building envelopes meet the minimum setbacks as required by the zone district for the property and County code (with the exception of the street frontage of **Lot** 1 along Main Street, for which a variance **has** been requested)

9. The proposed development project is consistent with the design standards and guidelines (Section 13.11.070 through 13.11.076) and other applicable requirements of this chapter.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed lot sizes meet the minimum dimensional standards **for** the R-1-6 zone district, and all development standards for the zone district will be met. The new homes are proposed to be two

stories with a design that incorporates some of the Craftsman detailing **found** on other homes in the area. Siding for the new homes is proposed to be horizontal siding, **vertical** siding and stucco. Walls are proposed to be painted in beige tones. Roofing material is proposed **to** be dark colored composition shingles.

To assure that the final construction is in conformance with the information submitted: a condition of approval has been included that requires all construction to be as presented in Exhibit "A". The Planning Commission has incorporated an additional condition of approval that prohibits changes in the placement of windows that face directly towards existing residential development without review and approval.

The proposed project has been designed to complement and harmonize **with** the existing and proposed land uses in the vicinity. It will be compatible with the physical design aspects, land use intensities, dwelling unit densities of the neighborhood. Street trees are required **in** the project conditions.

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape topography, location and surrounding existing structures, the strict application **of** the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made. The narrowing and small width of this parcel at the street, and the accommodation of **an** adequate size roadway to reach lots at the rear of the parcel necessitate a parcel at North Main Street with less than the required width.

2. That the granting of such variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety or welfare or injurious to property or improvements in the vicinity.

This finding can be made. The less than 60 ft. minimum street frontage **of** Parcel 1 is not unusual for the neighborhood. **A** fifty feet street width of Parcel 1 poses no threat to health, safety or welfare.

3. That the granting of such a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and **zone** in which such is situated.

Many of the parcels in this area have fifty feet wide frontages on North Main Street and Bridge Street. Granting a variance from 60 ft. min. street frontage to 50 ft. will not constitute a grant of special privileges to this property.

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.

This finding can be made. There are no standard size (56 ft. right-of-way) streets serving four lots in the surrounding area on developed properties. This size of roadway would not be in character with the village of Soquel.

The use of a Minimum Urban Local Street standard as reference in the Department of Public Works Design Criteria with a right-of-way of 40 feet is appropriate.

Conditions of Approval

Minor Land Division Permit No.: 05-0768

Applicant: John Craycroft

Property Owners: Ben and Lon Dettling

Assessor's Parcel No.: 030-041-04, 33

Property Location and Address: 3330 North Main Street.

Planning Area: Soquel

Exhibit A

Civil drawings prepared by Mid Coast Engineers (four sheets)., dated July 2005, and revised June 23, 2006;

Architectural plans prepared by John Craycroft and Associates (six sheets, dates vary).

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

- I. This permit authorizes the division of one parcel into three lots and a remainder, the construction of two single-family residences, and the removal and placement of the existing residence to a new parcel. Prior to exercising any rights granted **by** this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- 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 three (3) single-family residential lots (and a remainder).
 - C. The minimum lot size shall be 6,000 square feet, net developable land.

D. The following items shall be shown on the Parcel Map:

1. Development envelopes corresponding to the required building setback lines located according to the approved Tentative Map.
2. Show the net area of each lot to nearest square foot.
3. ~~As a notice to potential future owners of the property, the Final Map shall include a~~
~~note on the remainder parcel indicating that the current zoning is PF.~~

E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:

1. Lots shall be connected for sewer service to Santa **Cruz** County Sanitation District.
2. Lots shall be connected for water service to Soquel Creek Water District.
3. **All** future construction on the lots shall conform to the Architectural Floor Plans and Elevations, and the Perspective Drawing as stated or depicted in Exhibits "A" and shall also meet the following additional conditions:
 - a. No changes in the placement of windows that face directly towards existing residential development as shown on the architectural plans, shall be permitted without review and approval by the Planning Commission.
 - b. Exterior finishes shall incorporate wood siding or stucco, as shown on the architectural plans and color sample board.
 - c. Notwithstanding the approved preliminary architectural plans, all future development shall comply with the development standards for the R-1-6 zone district (with the exception of the street side yard for Lot 1 of ten feet). No residence shall exceed 30% lot coverage, or a 50% floor area ratio, or other standards as may be established for the zone district. No fencing shall exceed three feet in height within the required front setback.
4. **A** final Landscape Plan for the entire site specifying the species, their size, and irrigation plans and meet the criteria of the Soquel Creek Water Department.

The following specific landscape requirements apply:

- a. Two, minimum 15 gallon size street trees of a species selected from the RDA Street Tree List, shall be planted and a drip irrigation system shall be installed in the required landscape strip.
- b. Street trees shall be installed according to provisions of the County Design Criteria.

- c Tree protection fencing and arborists recommendations for tree protection shall be shown.
- d Vines shall be planted adjacent to the retaining wall, in close enough proximity to screen the wall in five years.

- 5. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
- 6. Any changes between the approved Tentative Map, including but not limited to the attached exhibits for architectural and landscaping plans, must be submitted for review and approval by the decision-making body. Such proposed changes will be included in a report to the decision making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. 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.

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

- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- B. Meet all requirements of the Santa Cruz County Sanitation District including, without limitation, the following standard conditions:
 - 1. Submit and secure approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.
 - 2. Pay all necessary bonding, deposits, and connection fees.
- C. Engineered improvement plans are required for this land division, and a subdivision agreement backed by financial securities is necessary. Improvements shall occur with the issuance of building permits for the new parcels and shall comply with the following:
 - 1. All improvements shall meet the requirements of the County of Santa Cruz Design Criteria except as modified in these conditions of approval.
 - 2. The applicant shall submit to the Planning Department for review and approval the following:
 - a A soils report for this site. Plans shall comply with all requirements of the soils report. Plan review letters shall be submitted from the geotechnical engineer indicating that the plans have been reviewed and found to be in compliance with the recommendations of the soils report.

EXHIBIT D .

- b. A preliminary grading plan to the Planning Department for review and approval.
 - c. An erosion control plan to the Planning Department for review and approval.
- 3. Engineered drainage plans shall be reviewed and approved by the Department of Public Works. The following will be required:
 - a. All necessary legal easement(s) will be required to be in existence across all neighboring parcels over which the constructed improvements will be built. The Improvement plans are to show these offsite improvements in sufficient detail that there is a clear record, and that they may be constructed.
 - b. A formal agreement for maintenance of these offsite drainage improvements must be created and recorded. The responsible parties for performance of such maintenance and associated costs is to be resolved between the affected landowners in the manner they deem fit.
- 4. All new utilities shall be constructed underground. All facility relocations, upgrades or installations required for utilities service to the project shall be noted on the improvement plans. All preliminary engineering for such utility improvements is the responsibility of the developer.
- D. Engineered improvement plans for all water line extensions required by Soquel Creek Water District shall be submitted for the review and approval of the water agency.
- E. A Homeowners Association, or Common Interest Development association, shall be formed for maintenance of all area under common ownership including sidewalks, driveways, all landscaping, drainage structures, water lines, sewer laterals, fences, silt and grease traps, power washing of the area with pavers and buildings. CC&R's shall be furnished to the Planning Department prior to the recordation of the final map and shall include the following, which are permit conditions:
 - 1. The Homeowners Association shall permanently maintain the area with pavers and all drainage structures, including silt and grease trap.
 - 2. Water Quality: Annual inspection of the silt and grease trap and power washing of the area with pavers shall be performed and reports sent to the Drainage section of the Department of Public Works on an annual basis. Inspections shall be performed prior to October 15 each year. The expense for inspections and report preparation shall be the responsibility of the Homeowners Association.
- F. All requirements of the Central Fire District shall be met.
- G. Park Dedication in-lieu fees shall be paid for three (3) bedrooms for Lot 1 and four (4) bedrooms for Lot 2. Currently this fee is \$1,000 per bedroom, but is subject to change.

- H. Transportation Improvement fees shall be paid for two (2) single-family dwelling units. Currently, this fee is \$2,200 per unit, but is subject to change. An application for a fee credit for any off site improvement installed may be applied for with the DPW.
 - I. Roadside Improvement fees shall be paid for two (2) dwelling units. Currently, this fee is, \$2,200 per unit, but is subject to change.
 - J. Child Care Development fees shall be paid for three (3) bedrooms for Lot 1 and four (4) bedrooms for Lot 2. Currently this fee is \$109 per bedroom, but is subject to change
 - K. An application for a fee credit for any off site improvement installed may be applied for with the DPW.
 - L. Submit one reproducible copy of the Parcel Map to the County Surveyor for distribution and assignment of temporary Assessor's parcel numbers and situs address.
- IV . All subdivision improvements shall be constructed in accordance with the approved improvement plans. The construction of subdivision improvements shall also meet the following conditions:
- A. Prior to any disturbance, the owner/applicant shall organize a pre-construction meeting on the site. The applicant, grading contractor, Department of Public Works inspector and Environmental Planning staff shall participate. During the meeting the applicant shall identify the site(s) to receive the export fill and present valid grading permit(s) for those sites, if any site will receive greater than 100 cubic yards or where fill will be spread greater than two feet thick or on a slope greater than 20% gradient, if applicable.
 - B. 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.
 - C. 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.
 - D. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out other work specifically required by another of these conditions).
 - E. 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.
 - F. Construction of improvements shall comply with the requirements of the geotechnical report prepared by Pacific Crest Engineering, Inc., dated August 8, 2005.

The geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report.

G. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:

1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address and emergency situation.
2. The owner/developer shall designate a disturbance coordinator to respond to citizen complaints and inquiries from area residents during construction. A 24-hour contact number shall be conspicuously posted on the job site, on a sign that shall be a minimum of two feet high and four feet wide. This shall be separate from any other signs on the site, and shall include the language "for construction noise and dust problems call the **24** hour contact number". The name, phone number, and nature of the disturbance shall be recorded by the disturbance coordinator. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within **24** hours of receipt of the complaint or inquiry. Unresolved complaints received by County staff from area residents may result in the inclusion of additional Operational Conditions.
3. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site. Street sweeping on adjacent on nearby streets maybe be required to control the export of excess dust and dirt.
4. Saw cuts within the traveled roadway, which cause temporary depressions in the surfacing prior to repair, shall be leveled with temporary measures and signage shall be posted noting such.
5. **The entire site shall be fenced during construction. A continuous 6-foot high fence shall be constructed and maintained along the common property line between the project and the school project (and as far as necessary to the west) to prevent access to the site from students**

H. All required subdivision improvements shall be installed and inspected prior to final inspection clearance for any new structure on the subdivision lots.

1. The project engineer who prepares the grading plans must certify that the grading was completed in conformance with the approved tentative map and/or the engineered improvement plans.

V. All future construction within the subdivision shall meet the following conditions:

- A. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road.

- VI. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.
- VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including 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: _____

Mark Deming
Assistant Planning Director

Lawrence Kasparowitz
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.

2/27/07

Tom Burns
Planning Director, County of Santa Cruz

RE: Neighborhood recommendations for MLD application # 05-0768

Following the most recent public hearing of Feb. 14, we have six points of comment:

- 1) A primary justification for County staff support for a 50-foot wide lot Variance for proposed Lot 1 was to “stay in keeping with the character of the neighborhood”. **As** such, the applicant was required to position the front of the house on Lot 1 in alignment with the other houses along this row; that is, a 20’ setback from the sidewalk. **As** a further comment to the “neighborhood character” issue, it should be noted that there are no other two-story houses along this row of four other houses, which the new house would visually connect to. That there is an existing two story house on the site is irrelevant; it currently sits on an 86’ wide lot with plenty of separation from the north and south neighbors. This house will be gone and the new one will be situated 7’ away from the house to the north on a much smaller lot than what exists now. A two-story house here, besides being out of character, would totally engulf and overshadow its neighbor to the north. **As** for the other narrow 50’-wide lots along Main St. and Bridge St. that Lot 1 is being compared to (“within a stone’s throw”, as this applicant is fond of saying), all have single story houses of modest size, from 800 sq. ft. to **1400 sq. ft.** If the Lot 1 house is to be in keeping and fit with the rest of the neighborhood, then the new house should also be single story and have a footprint of comparable square footage. This would be consistent with the spirit of the Commissioners motion to “make the house smaller”.
- 2) There is another item that similarly relates to “fitting in with the character of the neighborhood”: that being the continuous stone retaining wall at the sidewalk edge, with its raised-terrace front yards along this row of properties. In order for this new development to stay in harmony with its surroundings, this distinguished and time-honored landscape feature should be removed only where the new roadway will necessarily be located. The Lot 1 site frontage should retain the existing stone wall

development (grading etc.) should be done during the summer months, when school traffic is at its lowest, and also to minimize noise disruption in the classrooms and school environment. All construction equipment and supplies and worker vehicles should be kept on site and not park on the public street or on school property, so as not to add more congestion to an already impacted area. All property boundaries are to be clearly respected and neighbors informed when shared boundary work (grading, trenching, construction etc.) is to be performed; this for the benefit of mutual understanding and consent.

Our neighborhood concerns will be satisfied if these **points** are adequately addressed and enacted.

Sincerely,

Mike & Julie Soros
Don and Lisa Meyers
John and Lisa Galli
Wayne and Lauri Morgan
Ed and Gail Alaimo
Steve Kennedy
Carol McCrae
Linda Jordan
Jon and Lisa Morgan
Vic and Melissa Zahm

Cc: Jan Beautz
Larry Kasparowitz
Rob Bremner

09-0278

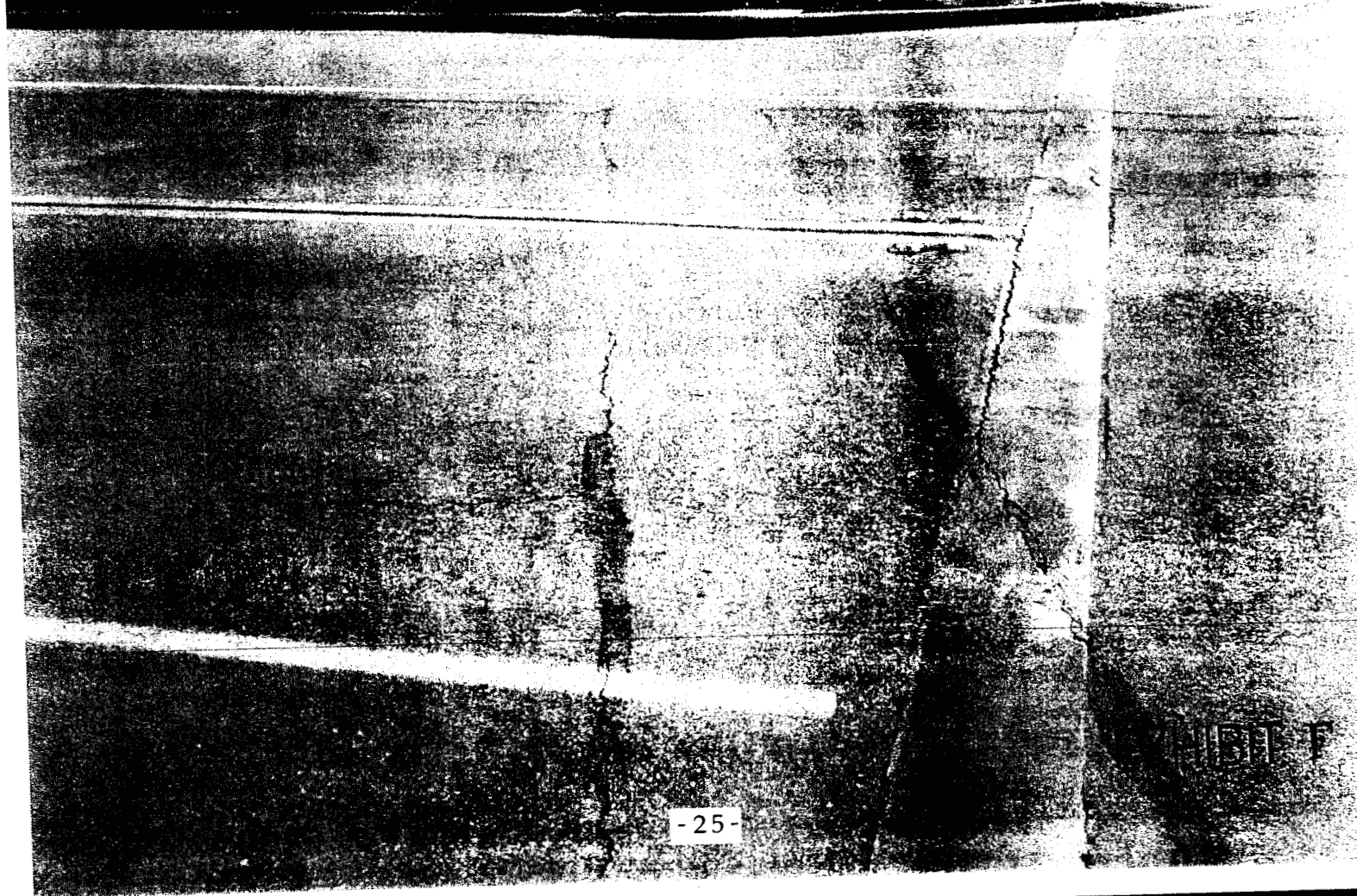
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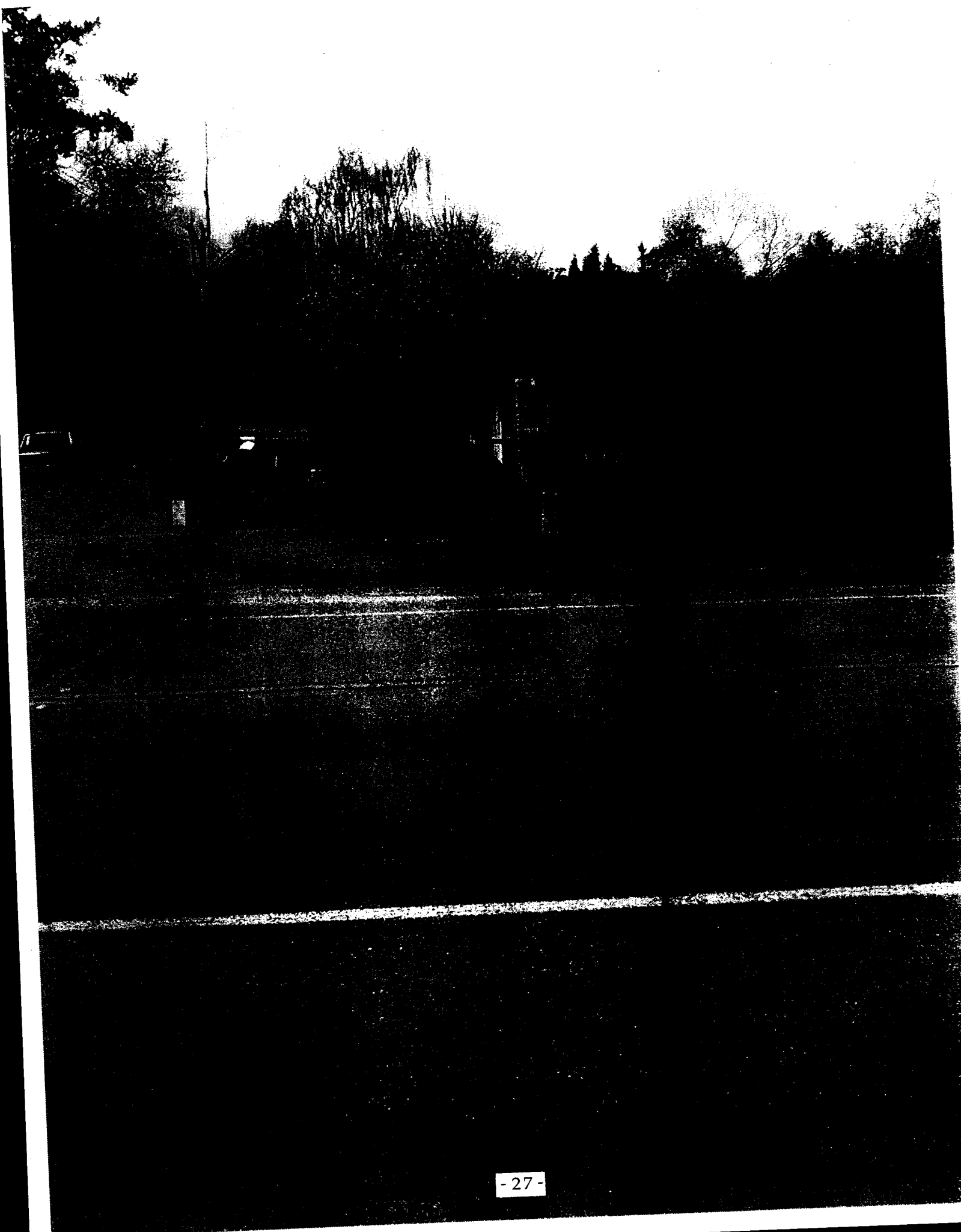
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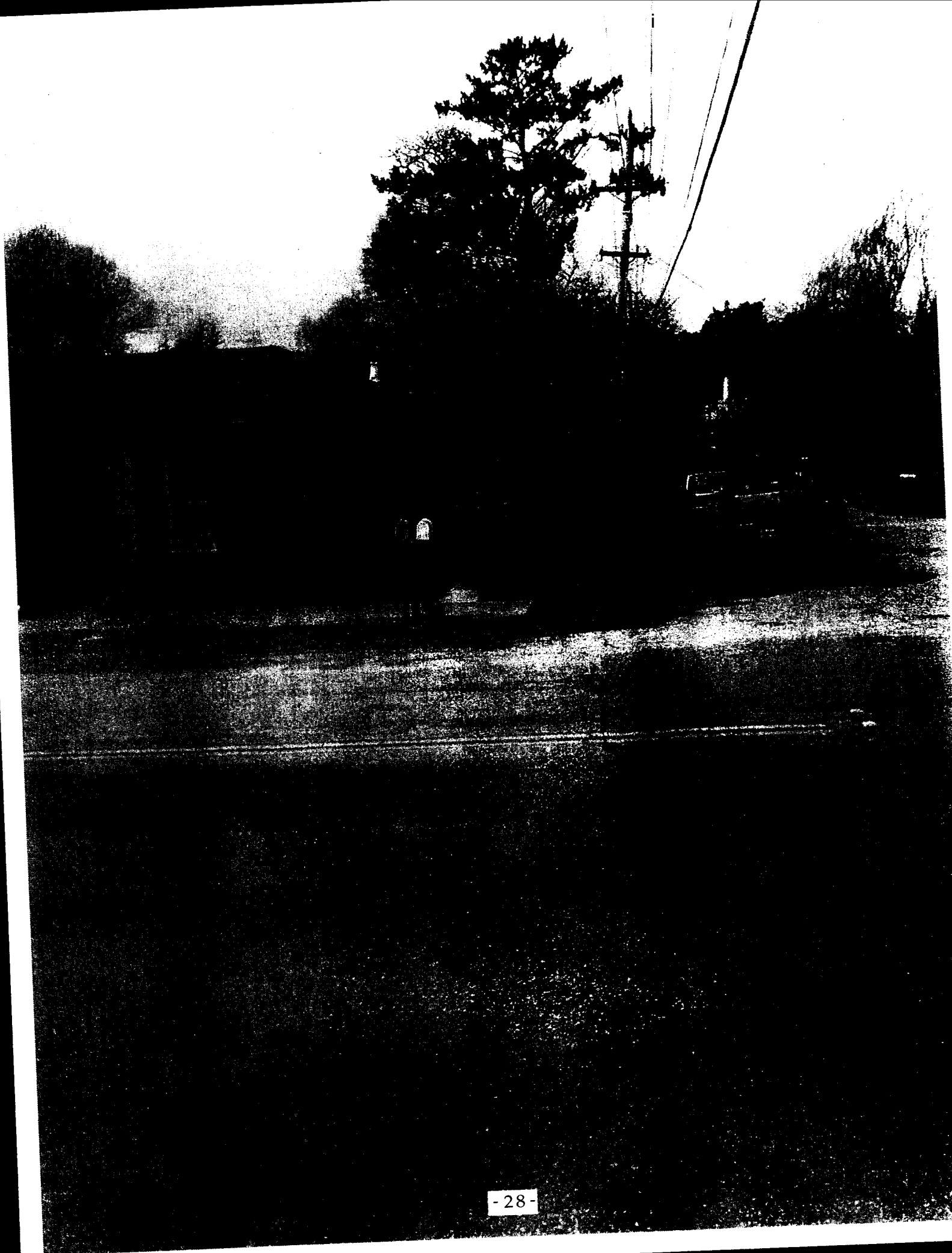


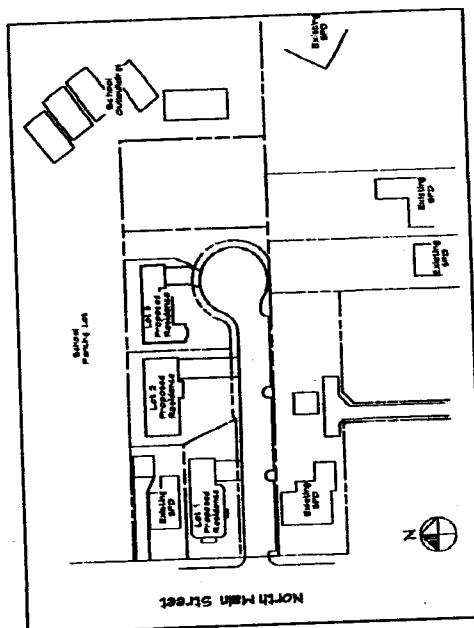
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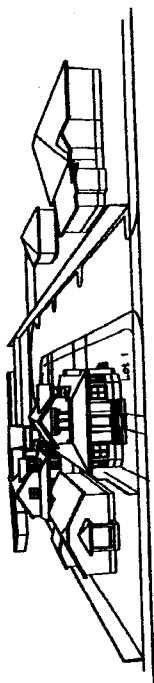




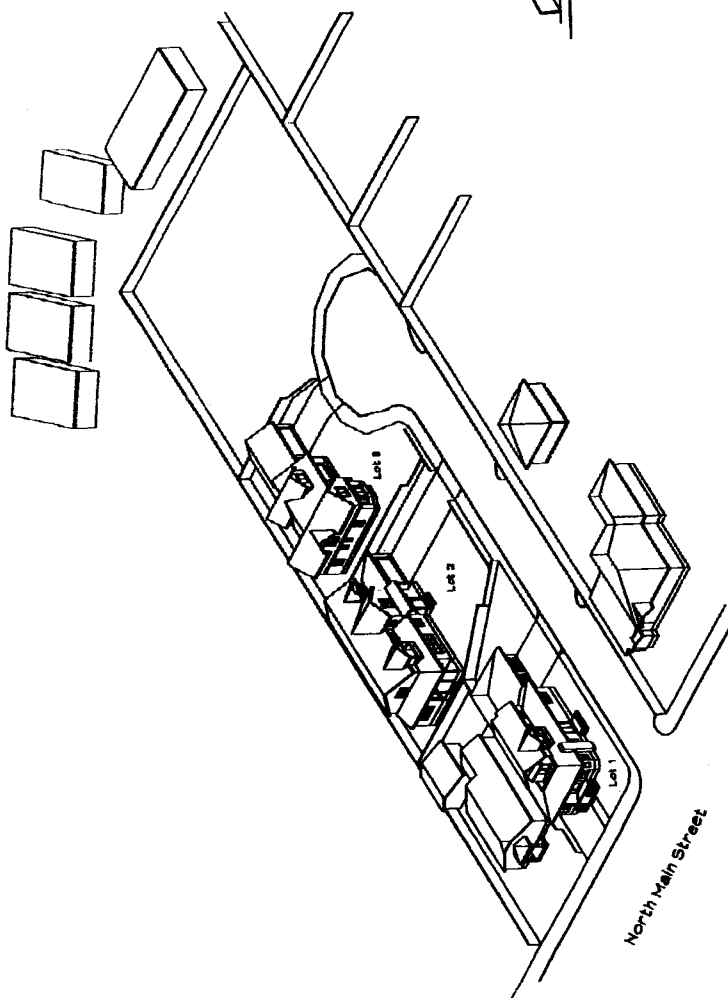




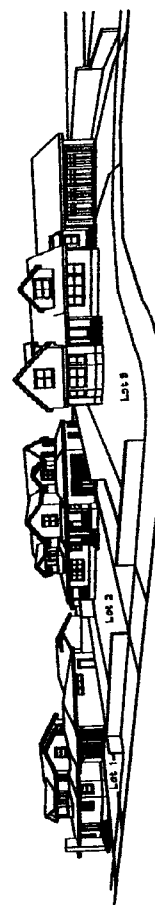
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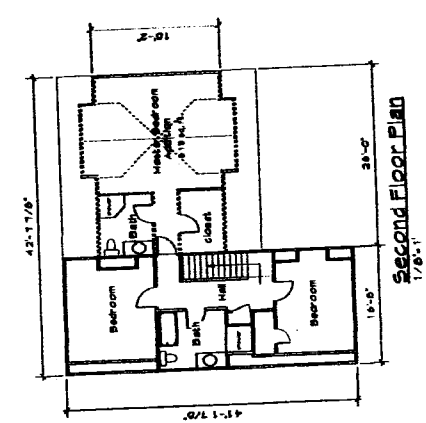
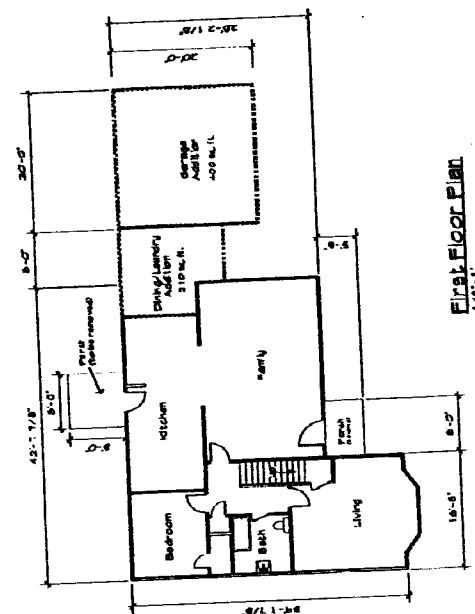
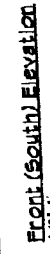
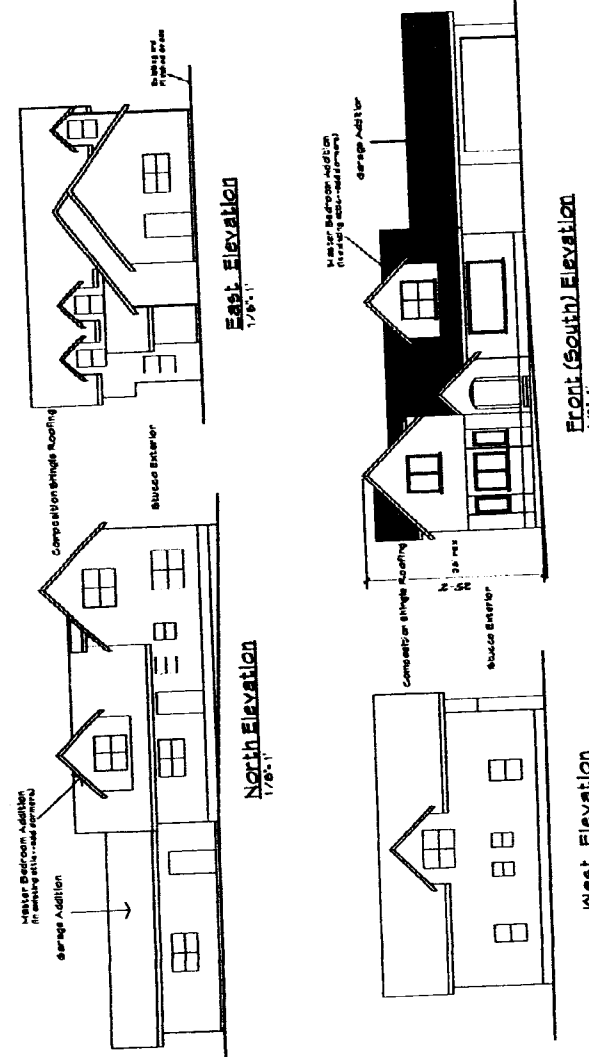
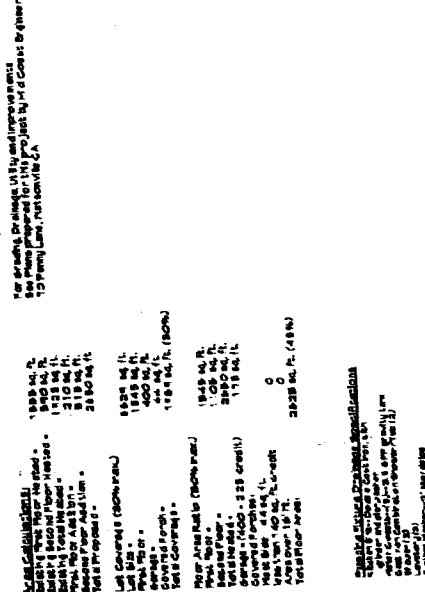
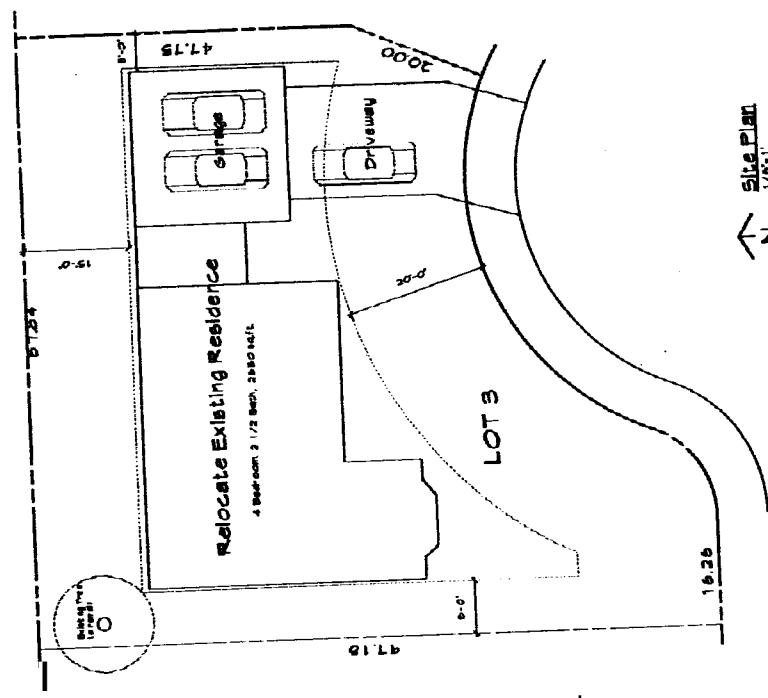
View from Main Street

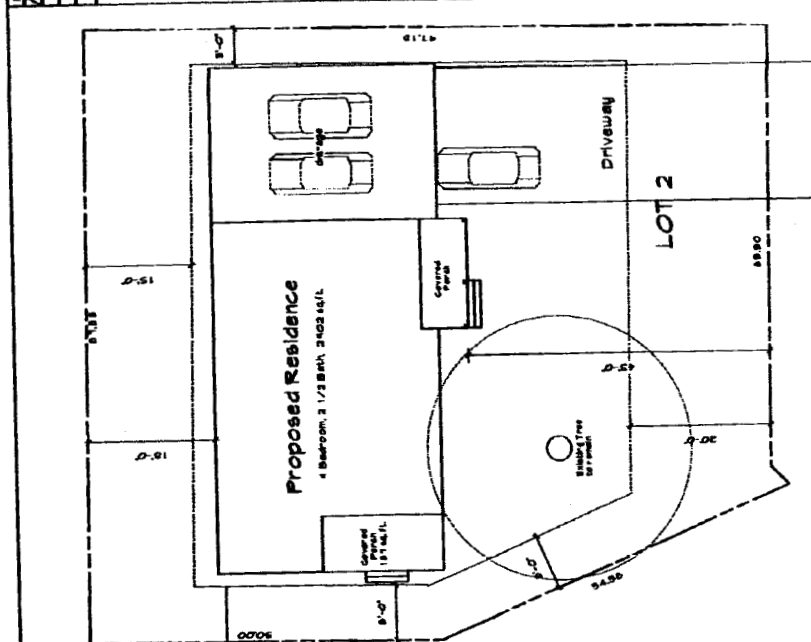


Isometric view from Southwest



View From Southport

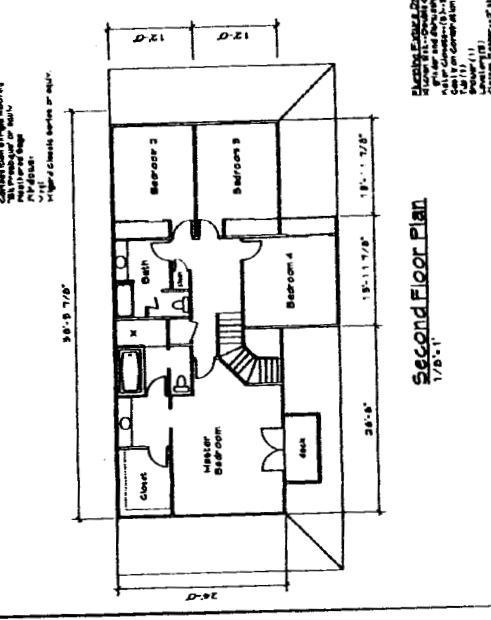
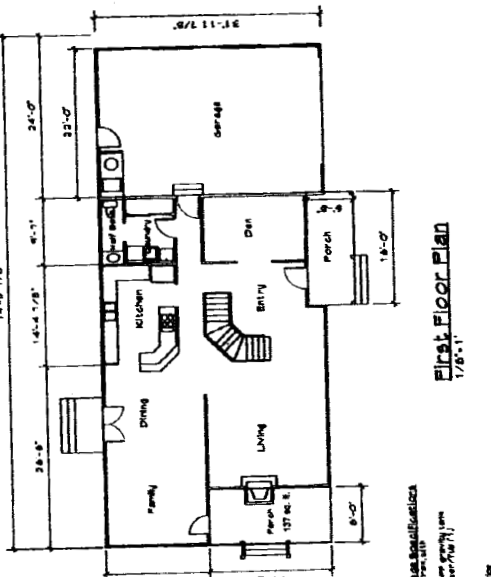
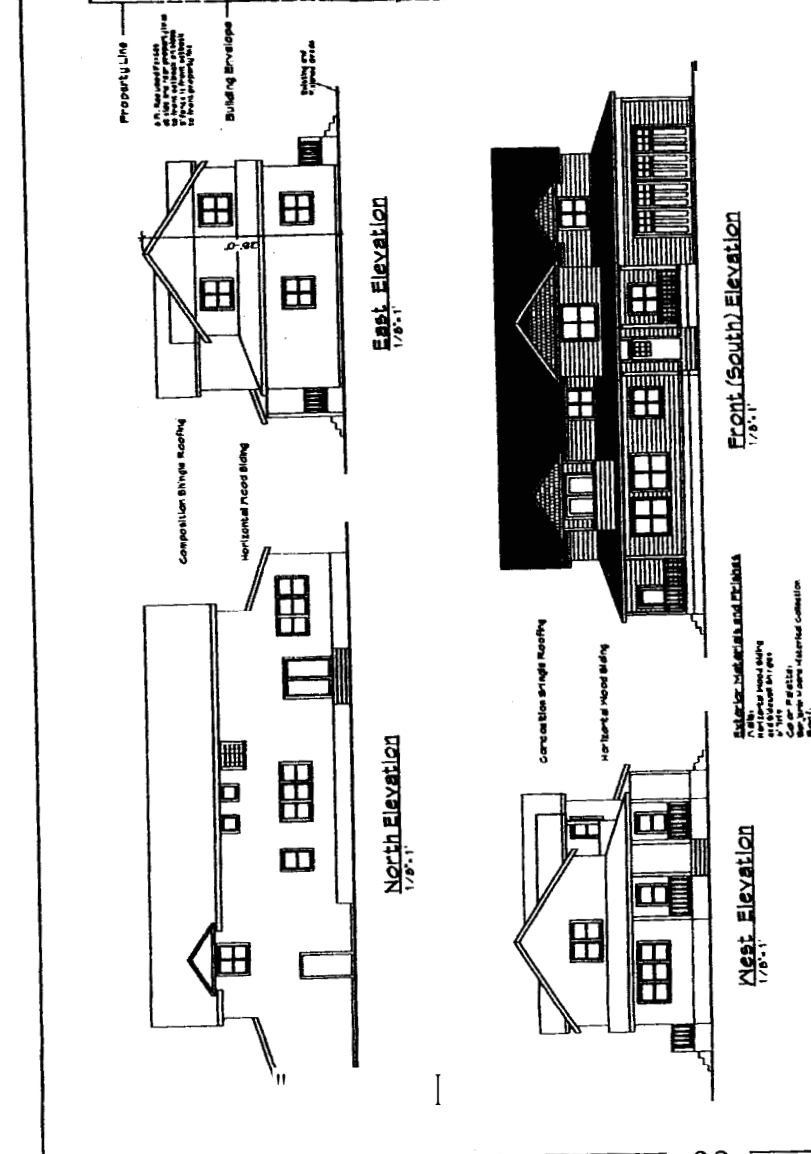


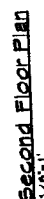


Site Plan
1/8"=1'

For setting, Driveway, Utility and other materials
See separate sheet for details.
10 Perry Lane, Menlo Park, CA

Area Calculations	1440 sq. ft.	1440 sq. ft.
First Floor Area	1440 sq. ft.	1440 sq. ft.
Second Floor Area	1440 sq. ft.	1440 sq. ft.
Total Area	2880 sq. ft.	2880 sq. ft.
Lot Coverage (80% max)	7920 sq. ft.	7920 sq. ft.
Lot Area	1440 sq. ft.	1440 sq. ft.
First Floor	1440 sq. ft.	1440 sq. ft.
Second Floor	1440 sq. ft.	1440 sq. ft.
Total Coverage	2880 sq. ft.	2880 sq. ft.
Area Ratio (80% max)	1440 sq. ft.	1440 sq. ft.
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COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

January 18, 2007

Agenda Date: February 14, 2006

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

Item #: 7
Time: After 9 AM
APN: 030-041-04

Subject: Application 05-0768

Members of the Commission:

History -

This item came before the Commission on December 15, 2006. The Commission asked that the report and drawings be corrected to be internally consistent. Staff has also been discussing other information that will be required with the applicant, which will require changes to the drawings and the staff report.

Staff requested a continuance on this item until February 14, 2007.

Lot Legality Issue -

The original staff report and the drawings, which the applicant submitted, showed two parcels for this Minor Land Division. The parcel at the rear of the property **030-041-33** is depicted on the assessor's maps as a separate parcel with a separate APN. Assessor's parcels numbers are not guarantees or evidence of a separate parcel. Staff determined that the site as described in the Grant Deed (see Exhibit C) is one legal parcel with two APN's. For the purposes of this application, the rear of the lot will be considered one remainder.

Revised drawings -

The drawings that were previously submitted were not internally consistent, nor was the staff report consistent with the drawings. The current drawings show all lot sizes on the civil drawings and all house sizes on the architectural drawings. The Site Development Standards Table below has been revised to reflect the lot and house sizes shown in the drawings.

Application #: 05-0768
 APN: 030-041-04, 33
 Owner: Ben and Lori Dettling

	R-1-6 standards	Lot 1	Lot 2	Lot 3
Site Area	6,000 sq. ft. min.	6,018 sq. ft.	7,047 sq. ft.	6,708 sq. ft.
Lot Width	60 ft. min.	49.73' (see variance discussion below)	63.30'	90' +
Front yard setback:	20 feet min.	20'-0" (No. Main Street)	43' ±	20-3'''±
Side yard setback:	5 feet / 8 feet (if less than 60 ft. wide then 5ft. and 5ft.)	5'-0"	5'-0"/ 10'-0"	5'-0"/ 8'-0"
Street side yard:	20 feet	8'-0" (Benjamin Parrish Lane) (see driveway discussion below)	N/A	N/A
Rear yard setback:	15 ft. min.	24'-5"	18'-0"	16'-0"
Building area:		2,895 sq. ft.	3,397 sq. ft.	2,825 sq. ft.
Lot Coverage:	40 % maximum	27 %	29.6 %	30 %
Building Height:	28 feet maximum	28'-0"	28'-0"	25'-2"
Floor Area Ratio (F.A.R.):	0.5:1 maximum (50 %)	48 %	42 %	43 %
Parking	3 spaces for four bedrooms	three in garage two uncovered	two in garage one uncovered	two in garage one uncovered

Driveway Access from Main Street -

Another issue, which was discussed at the hearing, was the problem of having both a driveway to Lot 1 access from Main Street and the new street, Benjamin Parrish Lane also access from Main Street. In order to both limit the access on to Main Street and for compatibility of the new house on Lot 1 with the neighboring residence to the north, staff asked the applicant to redesign the house and siting on Lot 1. The revised drawings indicate the changes requested. In order to accommodate the bay window facing Benjamin Parrish Lane, the applicant is requesting an 8 feet setback rather than the ten feet previously requested. Staff supports this change in order to enliven the elevation facing the lane.

Application #: 05-0768
APN: 030-041-04, 33
Owner: Ben and Lori Dettling

Split Zoning Issue -

It is not clear how or when APN 030-041-33 was designated as a different zoning (PF-Public Facility) from the front of the parcel, which is zoned R-1-6. The property owner will either have to wait for the County to correct the zoning or apply for a rezoning of this remainder area. The rezoning is not a high priority task for the Planning Department at this time.

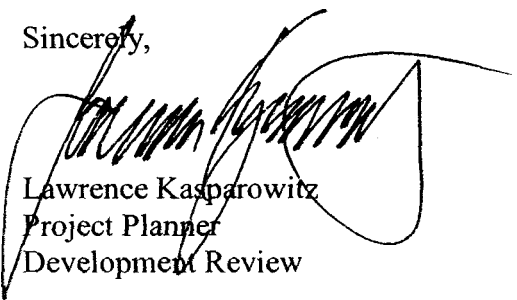
Conclusion:

With the clarification regarding the remainder area to the rear and the redesign to provide access to Lot 1 from the new street, the issues raised by the Commission have been addressed.

Staff therefore recommends that your Commission

- Certify the Negative Declaration under the California Environmental Quality Act; and
- Approve of Application 05-0768, based on the revised findings and revised conditions.

Sincerely,



Lawrence Kasparowitz
Project Planner
Development Review

Reviewed By:



Mark Deming
Assistant Director

Exhibits:

- A. Revised Project Plans
- B. Revised Findings (additions shown shaded)
- C. Grant Deed
- D. Staff Report to the Planning Commission, dated December 15, 2006
- E. Negative Declaration dated August 15, 2006
- F. Previously submitted letters from neighbors
- G. New letter from Wayne Morgan, dated 1/19/07
- H. Reduced Plans

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 designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single family residences will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood (with the exception of the setback of Lot 1 along Benjamin Parrish Lane. For which a variance has been requested).

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 proposed location of the single family residences and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (single family residential - 6,000 sq. ft. min parcel size) zone district in that the primary use of the property will be single family residences that meets all current site standards for the zone district (with the exception of the lot frontage for Lot 1, for which the applicant has requested a variance).

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.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Medium Density Residential (R-UM) land use designation in the County General Plan.

The proposed single family residences will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single family residences will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood (with the exception of the setback of Lot 1 along Benjamin Parrish Lane. For which a variance has been requested).

The proposed single family residences will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a

Application #: 05-0768
APN: 030-041-04, 33
Owner: Ben and Lori Dettling

Relationship Between Structure and Parcel Sizes), in that the proposed single family residences will comply with the site standards for the R-1-6 zone district (including setbacks - with the exception of the setback of Lot 1 along Benjamin Panish Lane. For which a variance has been requested), lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion 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 proposed single family residences are to be constructed on a lot with an existing residence and only two more residences are proposed. The expected level of traffic generated by the proposed project is anticipated to be only two additional peak trips per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

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 the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, the proposed single family residences is consistent with the land use intensity and density of the neighborhood, and with the revised condition of approval which would move front of the residence on Lot 1 parallel to the front of the adjacent neighbor to the north, the development would be more consistency with single family residences in 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.

This finding can be made, in that the proposed single family residences will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Subdivision Findings

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

The proposed division of land meets all requirements and conditions of the County Subdivision Ordinance and the State Map Act in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan and the Zoning Ordinance as set forth in the findings below.

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

The proposed division of land, its design, and its improvements, are consistent with the General Plan. The project creates two single family lots and is located in the Residential Urban Medium Density General Plan designation which allows a density of one dwelling for each 4,000 to 6,000 square feet of net developable parcel area.

The project is consistent with the General Plan in that the full range of urban services is available and will be extended to the new created, municipal water and sewer service. The land division is off of an existing street, and no improvements to Main Street are needed to provide satisfactory access to the project, with the exception of a new small street and driveways. The proposed land division is similar to the pattern and density of the project, is near commercial shopping facilities and the project will have adequate and safe vehicular access.

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

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

The proposed division of land complies with the zoning ordinance provisions as to uses of land, lot sizes and dimensions and other applicable regulations in that the use of the property will be residential in nature, lot sizes meet the minimum dimensional standards for the R-1-6 Zone District where the project is located, and all setbacks will be consistent with the zoning standards. The proposed new dwellings will both comply with the development standards in the zoning ordinance as they relate to setbacks, maximum parcel coverage, minimum site width, floor area ratio and minimum site frontage (with the exception of the setback of Lot 1 along Benjamin Parrish Lane and the street front width of Lot 1, for which a variance has been requested).

EXHIBIT B

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

The site of the proposed land division is physically suitable for the type and density of development in that no challenging topography affects the site, the existing property is commonly shaped to ensure efficiency in further development of the property, and the proposed parcels offer a traditional arrangement and shape to insure development without the need for variances or site standard exceptions. No environmental constraints exist which would necessitate the area remain undeveloped.

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

The design of the proposed division of land and its improvements will not cause environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. No mapped or observed sensitive habitats or threatened species impede development of the site as proposed. An Initial Study and Negative Declaration was prepared, pursuant to the California Environmental Quality Act and the County Environmental Review Guidelines (see Exhibit D).

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

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

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

The design of the proposed division of land and its improvements will not conflict with public easements for access in that no easements are known to encumber the property. Access to all lots will be from existing public roads.

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

The design of the proposed division of land provides to the fullest extent possible, the ability to use passive and natural heating and cooling in that the resulting parcels are oriented in a manner to take advantage of solar opportunities. All of the proposed parcels are conventionally configured and the proposed building envelopes meet the minimum setbacks as required by the zone district for the property and County code (with the exception of the setback of Lot 1 along Benjamin Parrish Lane and the street front width of Lot 1, for which a variance has been requested)

9. The proposed development project is consistent with the design standards and guidelines (Section **13.11.070** through **13.11.076**) and other applicable requirements of this chapter.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed lot sizes meet the minimum dimensional standards for the R-1-6 zone district, and all development standards for the zone district will be ~~met~~. The new homes are proposed to be two stories with a design that incorporates some of the Craftsman detailing found on other homes in the area. Siding for the new homes is proposed to be horizontal siding, vertical siding and stucco. Walls are proposed to be painted in beige tones. Roofing material is proposed to be dark colored composition shingles.

To assure that the final construction is in conformance with the information submitted, a condition of approval has been included that requires all construction **to** be as presented in Exhibit "A". The Planning Commission has incorporated an additional condition of approval that prohibits changes in the placement of windows that face directly towards existing residential development without review and approval.

The proposed project has been designed to complement and harmonize with the existing and proposed land uses in the vicinity. It will be compatible with the **physical** design aspects, land use intensities, dwelling unit densities of the neighborhood and **with the revised condition of approval which would move the front of the residence on Lot 1 parallel to the front of the adjacent neighbor to the north, the development would be more consistency with single family residences in the neighborhood.** Street trees are required in the project conditions.

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape topography, location and surrounding existing structures, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made. The small width of this parcel at the street, and the accommodation of an adequate size roadway to reach lots at the rear of the parcel necessitates a parcel at North Main Street with less than the required width.

2. That the granting of such variance will be in harmony with ~~the~~ general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety or welfare or injurious to property or improvements in ~~the~~ vicinity.

This finding can be made. The less than 60 ft. minimum street frontage ~~of~~ Parcel 1 is not unusual for the neighborhood. A fifty feet street width of Parcel 1 poses no threat ~~to~~ health, safety or welfare.

3. That the granting of such a variance will not constitute a grant ~~of~~ special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

The majority of the parcels in this area have fifty feet wide frontages on North Main Street and granting a variance from 60 ft. min. street frontage to 50 ft. will not constitute a grant of special privileges to this property.

2005-0065631

RECORDING REQUESTED BY
Santa Cruz Title Company
MAIL TAX STATEMENTS TO
AND WHEN RECORDED MAIL
Kem Akol, et al

RECORDED AT THE REQUEST OF
SANTA CRUZ TITLE COMPANY

Escrow or Loan No. 09539328-CSR

Recorded / REC FEE 19.00
Official Records / TAX 1320.00
County of / SURVEY MONUMENT 10.00
Santa Cruz
WRY E HAZELTON
Recorder

00:00PM 20-Sep-2005 RKP Page 1 of 5



SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 030-041-04 and 33

GRANT DEED

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 1,320.00

- ☒ computed on full value of properly conveyed, or
☐ computed on full value less value of liens and encumbrances remaining at time of sale.
☒ Unincorporated area: ☐ City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

Julia Mae Burgess, An Unmarried Woman and Marilyn Yvonne Murphy, an Unmarried Woman in equal shares, as to an undivided 1/2 interest; and Julia Mae Burgess Trustee and Marilyn Yvonne Murphy, as Trustees of Trust A of the Louis and Iva Mae Ross Revocable Trust dated 11/8/89, as to an undivided 1/2 interest; and Brandis A. Moran, wife of the grantee herein.

hereby GRANT(S) to See Exhibit "B" attached hereto and made a part hereof for the grantees

the following described real property in the County of Santa Cruz, State of California:

See Exhibit A attached hereto and made a part hereof.

Brandis A. Moran joins in the execution of this deed to relinquish any and all possible community property interest, present or future, and vest title in Daniel Moran, a married man as his sole and separate property.

Dated: September 1, 2005

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

} SS.

On 9-1-05 before me, the undersigned, a

Notary Public, personally appeared

Brandis A. Moran *

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

WITNESS my hand and official seal.

Signature C. Rich

MAIL TAX STATEMENT AS DIRECTED ABOVE

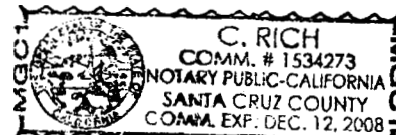


EXHIBIT "B"

Grantees :

Ben Dettling and Lori Dettling, husband and wife **as community** property with right of survivorship as to an undivided 25% interest; Kemal **Akol** and Kelly **Akol**, husband and wife as joint tenants, as to an undivided 50% interest; and Daniel Moran, **a** married man as his sole and separate property as to an undivided 25% interest; all **as** tenants in common.

Exhibit A

SITUATE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWEST CORNER OF LAND FORMERLY ~~OF~~ ANNA J. WYMAN, AND SOUTHWEST BOUNDARY LINE OF B. F. PARRISH; THENCE EAST ALONG SAID LINE **399.96** FEET; THENCE SOUTH ON THE EAST LINE OF LAND FORMERLY OF ANNA J. WYMAN **136.62** FEET; THENCE DUE WEST **399.96** FEET; THENCE NORTH ON THE EAST SIDE OF ~~MAIN~~ STREET **136.62** FEET TO ~~THE~~ PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PARCEL OF LAND CONVEYED BY W. O. RUSHTON, ET UX, TO ROY BOUFUUAGUE, ET UX, DATED MARCH **4,1936** AND RECORDED MARCH **6,1936** IN VOLUME **300** ~~OF~~ OFFICIAL RECORDS AT PAGE **386**, SANTA CRUZ COUNTY RECORDS.

APN: 030-041-~~04~~
030-041-33

"GRANTEES HEREBY EXPRESSLY DECLARE AND ACCEPT THE TRANSFER OF THE HEREIN DESCRIBED PROPERTY AS COMMUNITY PROPERTY WITH **RIGHT OF SURVIVORSHIP**."

Dated: 9-1-05 *Ben Detting*

Dated 9-1-05 *Loni Detting*

STATE OF CALIFORNIA
COUNTY OF *San Diego*

} ss:

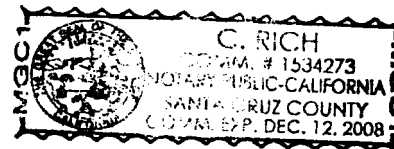
On 9-1-05 before me, the undersigned a Notary Public, personally appeared *Ben Detting & Loni Detting* personally known to me (or proven to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *C. Rich*
Name (Typed or Printed)



Notary Public in and for said County and State



STATE OF CALIFORNIA
COUNTY OF

} ss:

On _____ before me, the undersigned a Notary Public, personally appeared

personally known to me (or proven to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____
Name (Typed or Printed)

Notary Public in and for said County and State

STATE OF CALIFORNIA
COUNTY OF Santa Cruz } SS.

On 9-7-39 before me, the undersigned a Notary Public,
personally appeared Jula Mae Burgess & Marilyn Yvonne
Murphy

personally known to me (or proven to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument. **WITNESS** my hand and official seal.

Signature

C. Rich

C. Rich

Name (Typed or Printed)

Notary Public in and for said County and State





Staff Report to the Planning Commission

Application Number: **05-0768**

Applicant: John Craycroft
Owner: Ben and Lori Dettling
APN: 030-041-04

Agenda Date: December 15, 2006
Agenda Item #: 10
Time: After 9:00 a.m.

Project Description:

Proposal to:

- a. divide APN 030-041-04 into three residential parcels and a remainder parcel,
- b. create one parcel less than 60 feet wide,
- c. approve a setback exception per County Code Section 13.10.510(f) to 10 feet on Parcel 1,
- d. move the existing dwelling on proposed Parcel 1 to proposed Parcel 3,
- e. to construct a 30 foot wide access road within a 36.5 to 40 foot wide right-of-way, and
- f. grade approximately 1,800 cu. yds. of earth.

Location: 3330 North Main Street, Soquel

Supervisory District: First District (District Supervisor: Janet K. Beautz)

Permits Required: Minor Land Division, Residential Development Permits, Variance, Setback Exception, Preliminary Grading Approval and a Roadway and Roadside Exception.

Staff Recommendation:

- Certification of the Negative Declaration under the California Environmental Quality Act.
- Approval of Application 05-0768, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|---------------|----|-----------------------------|
| A. | Project plans | D. | Initial Study with Negative |
| B. | Findings | | Declaration recommendation |
| C. | Conditions | E. | Urban Designers memo |

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

Parcel Information

Parcel Size: 1.13 acres
Existing Land Use - Parcel: Single family residential
Existing Land Use - Surrounding: Single family residential
Project Access: North Main Street
Planning Area: Soquel
Land Use Designation: R-UM (Urban Medium Density Residential)
Zone District: R-1-6 (single family residential - 6,000 sq. ft. min parcel size)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire ~~Hazard~~: Not a mapped constraint
Slopes: N/A
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: A drainage plan has been submitted and accepted
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 6

Project Setting

The subject parcel fronts North Main Street, which is a publicly maintained street. The parcel is very gently sloping, with slopes less than 5%.

The current use of the subject parcel is residential, which is a conforming use given the parcel's R-1-6 zoning and R-UM General Plan designation. Surrounding development consists of residential uses, developed to a similar density as that requested by this proposal and the Main Street School.

EXHIBIT D

Project Description

The subject parcel is a gently sloped lot with an existing single family dwelling fronting North Main Street. Several non-habitable accessory structures have recently been removed from the property. The parcel has a relatively narrow frontage at North Main Street and widens at the northern end where the property abuts the Main Street Elementary School.

The original application included a second smaller lot abutting the subject parcel's eastern property line (APN 030-041-33) as a 5-lot land division. This second parcel was formerly owned by the school district and has a Public Facilities zoning and General Plan land use designation. Before this second parcel can be divided, the owners must obtain a certificate of compliance, a General Plan amendment and rezoning to a residential land use designation. Consequently, APN 030-041-33 is not included in this proposed development. Nevertheless, this proposed minor land division does create a remainder lot, which can be used to provide (the only) access for APN 030-041-33 should it be divided in the future.

The applicant proposes to divide the subject parcel (APN 030-041-04) into three residential parcels and a remainder lot at the eastern end of the project site. The applicant proposes to move the existing dwelling from the area that will become the access road and Lot 1 to Lot 3, and construct two new single-family dwellings on Lots 1 and 2. The applicant proposes to construct a 30-foot wide access road within a 36.5-foot to 40-foot wide right-of-way, which requires Roadway and Roadside exceptions to the County Design Criteria. In addition, Parcel 1 will be less than 60 feet wide, which requires a Variance and will have a ten feet street-side setback, which requires a Setback Exception per County Code Section 13.10.510(f).

The improvements associated with this project includes site grading, paving improvements for the new access with a sidewalk on the north side of the new road and drainage improvements for the site to connect into the existing storm drain system on North Main Street. Front yard landscaping and street trees will be installed as part of the overall project. The site grading is comprised of approximately 1,030 cubic yards of cut for the proposed roadway, with about 440 cubic yards of cut and 350 cubic yards of fill for preparing the residential parcels. The excavated materials will total 1,470 cubic yards of which 1,120 cubic yards will be removed from the site.

There are two large avocado trees on the site of which one shall be removed due to its compromised health and close proximity to a non-habitable accessory structure scheduled for demolition. The larger, healthier tree will be retained.

Zoning & General Plan Consistency

The subject property is a 1.13 acre lot, located in the R-1-6 (single family residential - 6,000 sq. ft. min parcel size) zone district, a designation that allows residential uses. The proposed Minor Land Division with single family residences is a principal permitted use within the zone district and the project is consistent with the site's (R-UM) Urban Medium Density Residential General Plan designation (see discussion below).

EXHIBIT D

Zoning and General Plan Standards

The proposed division of land complies with the zoning ordinance as the property is intended for residential use. The lot sizes meet the minimum dimensional standards for the R-1-6 Zone District, and the setbacks on the new lots created will be consistent with the minimum zoning ordinance requirements with two exceptions (see below).

A variance is being requested for the parcel width, which would be required when creating a new parcel. The minimum parcel width required by code is sixty feet.

The proposed new dwellings would meet development standards for the zone district. Each home will meet the required setbacks of 20 feet from the front parcel boundary/ edge of any right of way, 15 feet from the rear parcel boundary, and 5 & 8 feet from the side parcel boundaries. Each proposed dwelling covers less than 30% of the total lot area, the proposed floor area ratio is less than 50%, and none of the homes exceeds the maximum 28 feet height limit. The proposed building footprints are shown on the architectural plans included as Exhibit "A", as are the lot coverage and floor area ratio calculations.

SITE DEVELOPMENT STANDARDS TABLE

	R-1-6 standards	Lot 1	Lot 2	Lot 3
Site Area	6,000 sq. ft. min.	6,018 sq. ft.	8,047 sq. ft.	6,708 sq. ft.
Lot Width	60 ft. min.	49.73' (see variance discussion below)	63.30'	90' +
Front yard setback:	20 feet min.	23'± min. (No. Main Street)	21'± min.	21'± min.
Side yard setback:	5 feet / 8 feet	5'-0"	5'-0"/ 10'-0"	5'-0"/ 8'-0"
Street side yard:	20 feet	10'-0" (Benjamin Panish Lane) (see setback exception discussion below)	N/A	N/A
Rear yard setback:	15 ft. min.	15'-0"	185'-0"	16'-0"
Lot Coverage:	30 % maximum	25.8 Yo	29.7 Yo	28.9 Yo
Building Height:				
Floor Area Ratio (F.A.R.):	0.5:1 maximum (50 Yo)	43.1 Yo	50 Yo	49.9 %
Parking	3 spaces for four bedrooms	two in garage one uncovered	two in garage one uncovered	two in garage one uncovered

Density

The site is proposed to be developed at the maximum density possible given the limitations of the site and the zoning designation. A maximum of three lots is all that may be achieved on this site. The proposed three-lot land division is consistent with the site's R-UM (Urban Medium Residential) General Plan designation.

Variance

The portion of the lot that fronts North Main Street is 86.35 ft. wide. The applicant is proposing a 30 feet wide two-way road with parking on one side and a sidewalk on the other. The right-of-way is designed to be **36.62** ft. wide. The remaining parcel (Parcel 1) does not meet the sixty (60) feet minimum site width requirement of the R-1-6 zone district (the width **is** shown as 49.73 ft.).

Staff supports the request for this variance based on the shape of this parcel and the typical lot frontage in the neighborhood. The parcel is approximately **86** feet wide for the front third of the lot and becomes 136 feet wide for the rear two thirds. In order to service the rear lots and provide an adequate width road and parking and sidewalk, the remaining street frontage is approximately fifty feet. Other lots, including the adjacent lot to the north, on this side of North Main Street are also fifty feet wide.

Setback exception

The street side yard setback from a right-of-way in the R-1-6 zone district would normally be twenty (20) feet for creating a new lot. However, staff can support a reduced setback for the following reasons:

- a. If Lot 1 were combined with Lot 2, the project would not meet minimum density and the resulting lot would not be useable, nor would it conform with the other lots which front on North Main Street,
- b. Maintaining the 20 ft. setback from Benjamin Parrish Lane would reduce the useable width of the residence to approximately 25 feet (this would result in a residence that would be out of character with the existing development on this section of North Main Street) and,
- c. The residence on Lot 1 **as** proposed addresses North Main Street as it's main frontage, while giving a corner porch to address the lane.

Section 13.10.510 (Application of Site Standards) allows the Planning Commission to reduce the setback:

(f) *Building Setback Lines.*

The Planning commission may establish building setback lines different from those required by the district standards of this Chapter when such district standards would impose a purposeless hardship on new buildings compared to the setback of existing buildings in the same block or area, or where the topography of the area may call for a building setback line contrary to the requirements of any district under this Chapter. This provision does not supersede any building setback which may be established under other chapters of the County Code, such as for riparian corridors, geologic hazards, sensitive habitats, or agricultural buffers. When building setback lines are established by the Planning Commission, they may be shown on the sectional district maps of such districts or on such other maps as may be designated.

EXHIBIT D

Due to the narrowness of Lot 1 and the neighborhood pattern of enfronting North Main Street, staff is supportive of this request for an exception.

Drainage Issues

A Preliminary Grading and Drainage Plan has been submitted (Exhibit A) that includes drainage improvements to address runoff from the proposed new development. A downstream impact assessment is not being required. Lower reaches of the downstream system have already been evaluated in the County Zone 5 Master Plan, and are shown to have more than standard capacity.

All of the lots will surface drain to piping under the sidewalk and then to the gutter on the new road. The roof water will be piped to a percolation sump on each lot, and the overflow will be directed toward the piping under the sidewalk. There is a silt and grease trap proposed at the last catch basin on the site before the stormwater is released to the street. A maintenance agreement is required and has been made a condition of approval.

To reduce impervious surface, the driveways are proposed to be “turfcrete”, and the parking area on the side of the new road is proposed to be modular pavers over sand with 18” of drain rock below.

Geotechnical Investigation

Pacific Crest Engineering, Inc. has prepared a soils report for this site. Five borings were taken between 21 and 41.5 feet deep. No groundwater was encountered. The soils on this site are “interbedded medium dense to dense silty sands and stiff to very stiff clayey silts, and sandy silts”. There was no indication of any fill materials. It is recommended by the geotechnical engineer that run-off water be directed away from the planned improvements. The report recommends continuous perimeter footings and isolated interior piers. The report was reviewed and accepted by the Environmental Planning Division.

Soquel Village Plan

This lot is within the boundaries of the Soquel Village Plan, however there are no direct or indirect references to this specific parcel.

Remainder Parcel (Parcel X)

Until the status of APN 030-041-33 (the former school parcel) is determined, the applicant proposes to leave a 2,625 sq. ft. remainder parcel at the end of the cul-de-sac. This has been labeled as “not a building site” on the Tentative Map. The intent of this parcel is to provide access from this minor land division to the former school parcel, and to provide enough length along the cul-de-sac to create two parcels that would meet the R-UM density.

Design Review

The proposed single family residences have been reviewed by the Urban Designer and comply with the requirements of the County Design Review Ordinance 13.11, in that the proposed residences

will incorporate site and architectural design features to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Environmental Review

Environmental review has been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). The project was reviewed by the County's Environmental Coordinator on August 21, 2006 and a preliminary determination to issue a Negative Declaration with Mitigations (Exhibit D) was made. The mandatory public comment period expired on September 11, 2006, with no comments received.

The environmental review process focused on the potential impacts of the project in the areas of geology, hydrology, land use and housing. The environmental review process did not generate mitigation measures.

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.

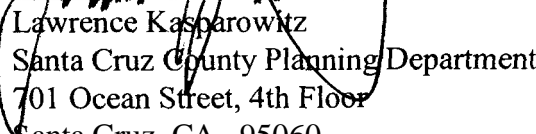
Staff Recommendation

- e Certification of the Negative Declaration under the California Environmental Quality Act.
- e **APPROVAL** of Application Number 05-0768, 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

Report Prepared By:


Lawrence Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
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Report Reviewed By:

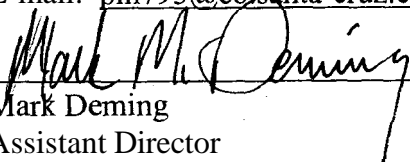

Mark Deming
Assistant Director

EXHIBIT D

Application #: 05-0768
APN: 030-041-04, 33
Owner: Ben and Lori Dettling

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 designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single family residences will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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 proposed location of the single ~~family~~ residences and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (single family residential - 6,000 sq. ft. min parcel size) zone district in that the primary use of the property will ~~be~~ single family residences that meets all current site standards for the zone district (with the exception of the lot frontage for Parcel 1, for which the applicant has requested a variance).

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.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Medium Density Residential (R-UM) land use designation in the County General Plan.

The proposed single family residences will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single family residences will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed single family residences will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single family residences will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage,

EXHIBIT D

Application #: 05-0768
APN: 030-041-04, 33
Owner: Ben and Lori Dettling

floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion 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 proposed single family residences are to be constructed on a lot with an existing residence and only two more residences are proposed. The expected level of traffic generated by the proposed project is anticipated to be only two additional peak trips per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

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 the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single family residences is consistent with the land use intensity and density 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.

This finding can be made, in that the proposed single family residences will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

EXHIBIT D 1

Subdivision Findings

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

The proposed division of land meets all requirements and conditions of ~~the~~ County Subdivision Ordinance and the State Map Act in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan **and** the Zoning Ordinance as set forth in the findings below.

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

The proposed division of land, its design, and its improvements, are consistent with the General Plan. The project creates two single family lots and is located in the Residential Urban Medium Density General Plan designation which allows a density of one dwelling for each 4,000 to 6,000 square feet of net developable parcel area.

The project is consistent with the General Plan in that the full range of ~~urban~~ services is available and will be extended to the new parcel created, including municipal water **and** sewer service. The land division is on an existing street, and no improvements are needed to provide satisfactory access to the project, with the exception of a new driveway to each lot. The proposed land division is similar to the pattern and density of surrounding development, is near commercial shopping facilities and recreational opportunities, and will have adequate and safe vehicular access.

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

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

The proposed division of land complies with the zoning ordinance provisions as to uses of land, lot sizes and dimensions and other applicable regulations in that the use of ~~the~~ property will be residential in nature, lot sizes meet the minimum dimensional standards for the R-1-~~6~~ Zone District where the project is located, and all setbacks will be consistent with the zoning standards. The proposed new dwellings will both comply with the development standards in the zoning ordinance as they relate to setbacks, maximum parcel coverage, minimum site width, floor area ratio and minimum site fi-ontage

Application#: 05-0768
APN: 030-041-04, 33
Owner: Ben and Lori Dettling

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

The site of the proposed land division is physically suitable for the type and density of development in that no challenging topography affects the site, the existing property is commonly shaped to ensure efficiency in further development of the property, and the proposed parcels offer a traditional arrangement and shape to insure development without the need for variances or site standard exceptions. No environmental constraints exist which would necessitate the area remain undeveloped.

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

The design of the proposed division of land and its improvements will not cause environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. No mapped or observed sensitive habitats or threatened species impede development of the site as proposed. An Initial Study and Negative Declaration was prepared, pursuant to the California Environmental Quality Act and the County Environmental Review Guidelines (see Exhibit D).

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

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

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

The design of the proposed division of land and its improvements will not conflict with public easements for access in that no easements are known to encumber the property. Access to all lots will be from existing public roads.

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

The design of the proposed division of land provides to the fullest extent possible, the ability to use passive and natural heating and cooling in that the resulting parcels are oriented in a manner to take advantage of solar opportunities. All of the proposed parcels are conventionally configured and the proposed building envelopes meet the minimum setbacks as required by the zone district for the property and County code.

9. The proposed development project is consistent with the design standards and guidelines (Section 13.11.070 through 13.11.076) and other applicable requirements of this chapter.

The proposed development is consistent with the Design Standards and Guidelines of the County Code

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in that the proposed lot sizes meet the minimum dimensional standards for the R-1-6 zone district, and all development standards for the zone district will be met. The new homes are proposed to be two stories with a design that incorporates some of the Craftsman detailing found on other homes in the area. Siding for the new homes is proposed to be horizontal siding, vertical siding and stucco. Walls are proposed to be painted in beige tones. Roofing material is proposed to be dark colored composition shingles.

To assure that the final construction is in conformance with the information submitted, a condition of approval has been included that requires all construction to be as presented in Exhibit "A". The Planning Commission has incorporated an additional condition of approval that prohibits changes in the placement of windows that face directly towards existing residential development without review and approval.

The proposed project has been designed to complement and harmonize with the existing and proposed land uses in the vicinity. It will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood. Street trees are required in the project conditions.

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Variance Findings

1. That because of special circumstances applicable to the property, including size, shape topography, location and surrounding existing structures, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made. The small width of this parcel at the street, and the accommodation of an adequate size roadway to reach lots at the rear of the parcel necessitates a parcel at North Main Street with less than the required width.

2. That the granting of such variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety or welfare or injurious to property or improvements in the vicinity.

This finding can be made. The less than **60** ft. minimum street frontage of Parcel 1 is not unusual for the neighborhood. A fifty feet street width of Parcel 1 poses no threat to health, safety or welfare.

3. That the granting of such a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

The majority of the parcels in this area have fifty feet wide frontages on North Main Street and granting a variance from 60 ft. min. street frontage to 50 ft. will not constitute a grant of special privileges to this property.

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Conditions of Approval

Minor Land Division Permit No.: 05-0768

Applicant: John Craycroft

Property Owners: Ben and Lori Dettling

Assessor's Parcel No.: 030-041-04, 33

Property Location and Address: 3330 North Main Street.

Planning Area: Soquel

Exhibit A

Civil drawings prepared by Mid Coast Engineers (four sheets), dated July 2005, and revised June 23, 2006;

Architectural plans prepared by John Craycroft and Associates (six sheets, dates vary).

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

- I. This permit authorizes the division of one parcel into three lots and a remainder, the construction of two single-family residences, and the removal and placement of the existing residence to a new parcel. Prior to exercising any rights granted **by** this permit including, without limitation, any construction or site disturbance, the **applicant/owner** shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- 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.

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- B. This land division shall result in no more than three (3) single-family residential lots (and a remainder).
- C. The minimum lot size shall be 6,000 square feet, net developable land.
- D. The following items shall be shown on the Parcel Map:
 - 1. Development envelopes corresponding to the required building setback lines located according to the approved Tentative Map.
 - 2. Show the net area of each lot to nearest square foot.
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
 - 1. Lots shall be connected for sewer service to Santa Cruz County Sanitation District.
 - 2. Lots shall be connected for water service to Soquel Creek Water District.
 - 3. All future construction on the lots shall conform to the Architectural Floor Plans and Elevations, and the Perspective Drawing as stated or depicted in Exhibits "A" and shall also meet the following additional conditions:
 - a. No changes in the placement of windows that face directly towards existing residential development as shown on the architectural plans, shall be permitted without review and approval by the Planning Commission.
 - b. Exterior finishes shall incorporate wood siding or stucco, as shown on the architectural plans and color sample board.
 - c. Notwithstanding the approved preliminary architectural plans, all **future** development shall comply with the development standards for the R-1-6 zone district (with the exception of the street side yard for Lot 1 of ten feet). No residence shall exceed 30% lot coverage, or a 50% floor area ratio, or other standards as may be established for the zone district. No fencing shall exceed three feet in height within the required front setback.
 - 4. A final Landscape Plan for the entire site specifying the species, their size, and irrigation plans and meet the criteria of the Soquel Creek Water Department.

The following specific landscape requirements apply:

- a. Two, minimum 15 gallon size street trees of a species selected from the **RDA** Street Tree List, shall be planted and a drip irrigation system shall

be installed in the required landscape strip.

b Street trees shall be installed according to provisions of the County Design Criteria.

c Tree protection fencing and arborists recommendations for tree protection shall be shown.

5. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.

6. Any changes between the approved Tentative Map, including but not limited to the attached exhibits for architectural and landscaping plans, must be submitted for review and approval by the decision-making body. Such proposed changes will be included in a report to the decision making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. 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.

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

A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.

B. Meet all requirements of the Santa Cruz County Sanitation District including, without limitation, the following standard conditions:

1. Submit and secure approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.

2. Pay all necessary bonding, deposits, and connection fees.

C. Engineered improvement plans are required for this land division, and a subdivision agreement backed by financial securities is necessary. Improvements shall occur with the issuance of building permits for the new parcels and shall comply with the following:

1. All improvements shall meet the requirements of the County of Santa Cruz Design Criteria except as modified in these conditions of approval.

2. The applicant shall submit to the Planning Department for review and approval the following:

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- a **A** soils report for this site. Plans shall comply with all requirements of the soils report. Plan review letters shall be submitted from the geotechnical engineer indicating that the plans have been reviewed and found to be in compliance with the recommendations of the soils report.
 - b **A** preliminary grading plan to the Planning Department for review and approval.
 - c **An** erosion control plan to the Planning Department for review and approval.
- 3. Engineered drainage plans shall be reviewed and approved by the Department of Public Works. The following will be required:
 - a. All necessary legal easement(s) will be required to be in existence across all neighboring parcels over which the constructed improvements will be built. The Improvement plans are to show these offsite improvements in sufficient detail that there is a clear record, and that they may be constructed.
 - b. A formal agreement for maintenance of these offsite drainage improvements must be created and recorded. The responsible parties for performance of such maintenance and associated costs is to be resolved between the affected landowners in the manner they deem fit.
- 4 All new utilities shall be constructed underground. All facility relocations, upgrades or installations required for utilities service to the project shall be noted on the improvement plans. All preliminary engineering for such utility improvements is the responsibility of the developer.
- D. Engineered improvement plans for all water line extensions required by Soquel Creek Water District shall be submitted for the review and approval of the water agency.
- E. **A** Homeowners Association, or Common Interest Development association, shall be formed for maintenance of all area under common ownership including sidewalks, driveways, all landscaping, drainage structures, water lines, sewer laterals, fences, silt and grease traps, power washing of the area with pavers and buildings. CC&R's shall be furnished to the Planning Department prior to the recordation of the final map and shall include the following, which are permit conditions:
 - 1. The Homeowners Association shall permanently maintain the area with pavers and all drainage structures, including silt and grease trap.
 - 2. Water Quality: Annual inspection of the silt and grease trap and power washing of the area with pavers shall be performed and reports sent to the Drainage section of the Department of Public Works on an annual basis. Inspections shall

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be performed prior to October 15 each year. The expense for inspections and report preparation shall be the responsibility of the Homeowners Association.

- F. All requirements of the Central Fire District shall be met.
 - G. Park Dedication in-lieu fees shall be paid for three (3) bedrooms for Lot 1 and four (4) bedrooms for Lot 2. Currently this fee is \$1,000 per bedroom, but is subject to change.
 - H. Transportation Improvement fees shall be paid for two (2) single-family dwelling units. Currently, this fee is \$2,200 per unit, but is subject to change. **An** application for a fee credit for any off site improvement installed may be applied for with the DPW.
 - I. Roadside Improvement fees shall be paid for two (2) dwelling units. Currently, this fee is, \$2,200 per unit, but is subject to change.
 - J. Child Care Development fees shall be paid for three (3) bedrooms for Lot 1 and four (4) bedrooms for Lot 2. Currently this fee is \$1 09 per bedroom, but is subject to change
 - K. An application for a fee credit for any off site improvement installed may be applied for with the DPW.
 - L. Submit one reproducible copy of the Parcel Map to the County Surveyor for distribution and assignment of temporary Assessor's parcel numbers and situs address.
- IV. All subdivision improvements shall be constructed in accordance with the approved improvement plans. The construction of subdivision improvements shall also meet the following conditions:
- A. Prior to any disturbance, the owner/applicant shall organize a pre-construction meeting on the site. The applicant, grading contractor, Department of Public Works inspector and Environmental Planning staff shall participate. During the meeting the applicant shall identify the site(s) to receive the export fill and present valid grading permit(s) for those sites, if any site will receive greater than 100 cubic yards or where fill will be spread greater than two feet thick or on a slope greater than 20% gradient, if applicable.
 - B. 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.
 - C. 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.
 - D. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out other work specifically required by another of these conditions).

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- E. 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.
- F. Construction of improvements shall comply with the requirements of the geotechnical report prepared by Pacific Crest Engineering, Inc., dated August 8, 2005. The geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report.
- G. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
 - 1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation.
 - 2. The owner/developer shall designate a disturbance coordinator to respond to citizen complaints and inquiries from area residents during construction. A 24-hour contact number shall be conspicuously posted on the job site, on a sign that shall be a minimum of two feet high and four feet wide. This shall be separate from any other signs on the site, and shall include the language "for construction noise and dust problems call the 24 hour contact number". The name, phone number, and nature of the disturbance shall be recorded by the disturbance coordinator. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Unresolved complaints received by County staff from area residents may result in the inclusion of additional Operational Conditions.
 - 3. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site. Street sweeping on adjacent on nearby streets may be required to control the export of excess dust and dirt.
 - 4. Saw cuts within the traveled roadway, which cause temporary depressions in the surfacing prior to repair, shall be leveled with temporary measures and signage shall be posted noting such.
- H. All required subdivision improvements shall be installed and inspected prior to final inspection clearance for any new structure on the subdivision lots.

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- I. The project engineer who prepares the grading plans must certify that the grading was completed in conformance with the approved tentative map and/or the engineered improvement plans.
- V. All future construction within the subdivision shall meet the following conditions:
 - A. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road.
- VI. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.
- VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including 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.

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APN: **030-041-04, 33**
Owner: **Ben and Lori Dettling**

- 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: _____

Mark Deming
Assistant Planning Director

Lawrence Kasparowitz
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.



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: Kern Akol & John Craycroft, for Ben & Lori Dettling

APPLICATION NO.: 05-0768

APN: 030-041-04

The Environmental Coordinator has reviewed the Initial Study for your application and made the following preliminary determination:

XX Negative Declaration
(Your project will not have a significant impact on the environment.)

_____ Mitigations will be attached to the Negative Declaration.

XX No mitigations will be attached.

_____ Environmental Impact Report
(Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

As part of the environmental review process required by the California Environmental Quality Act (CEQA), this is your opportunity to respond to the preliminary determination before it is finalized. Please contact Paia Levine, Environmental Coordinator at (831) 454-3178, if you wish to comment on the preliminary determination. Written comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: **September 11, 2006**

Larry Kasparowitz
Staff Planner

Phone: 454-2676

Date: August 15, 2006



Environmental Review Initial Study

Application Number: **05-0768**

Date: August 14, 2006
Staff Planner: Cathleen Carr

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: Kem Akol/John Craycroft **APN:** 030-041-04

OWNER: Dettling, et. al. **SUPERVISORAL DISTRICT:** First

LOCATION: The project is located on the east side of North Main Street adjacent to North Main Elementary School, at 3330 North Main Street, Soquel.

SUMMARY PROJECT DESCRIPTION: Proposal to divide APN 030-041-04 into three residential parcels and a remainder parcel, creating a parcel less than 60 feet wide with a Setback Exception per County Code Section 13.10.510(f) to 8 feet (Parcel 1) and to move the existing dwelling on proposed Parcel 1 to proposed Parcel 3, and construct two new single family dwellings, to construct a 30-foot wide access road within a 36.5-foot to 40-foot wide right-of-way and to grade approximately 1,470 cubic yards of earth. Requires Minor Land Division and Residential Development Permits, a Variance and Setback Exception, Preliminary Grading Approval and a Roadway and Roadside Exception.

ALL OF THE FOLLOWING POTENTIAL ENVIRONMENTAL IMPACTS ARE EVALUATED IN THIS INITIAL STUDY. CATEGORIES THAT ARE MARKED HAVE BEEN ANALYZED IN GREATER DETAIL BASED ON PROJECT SPECIFIC INFORMATION.

<input checked="" type="checkbox"/> Geology/Soils	<input type="checkbox"/> Noise
<input checked="" type="checkbox"/> Hydrology/Water Supply/Water Quality	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Public Services & Utilities
<input type="checkbox"/> Energy & Natural Resources	<input checked="" type="checkbox"/> Land Use, Population & Housing
<input type="checkbox"/> Visual Resources & Aesthetics	<input type="checkbox"/> Cumulative Impacts
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Growth Inducement
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Mandatory Findings of Significance
<input type="checkbox"/> Transportation/Traffic	

DISCRETIONARY APPROVAL(S) BEING CONSIDERED

<input type="checkbox"/> General Plan Amendment	<input checked="" type="checkbox"/> Grading Permit
<input checked="" type="checkbox"/> Land Division	<input type="checkbox"/> Riparian Exception
<input type="checkbox"/> Rezoning	<input checked="" type="checkbox"/> Other: Variance, Roadside/Roadway Exception
<input type="checkbox"/> Development Permit	<input type="checkbox"/>
<input type="checkbox"/> Coastal Development Permit	<input type="checkbox"/>

NON-LOCAL APPROVALS

Other agencies that must issue permits or authorizations:

Regional Water Quality Control Board; Monterey Bay Air Pollution Control District

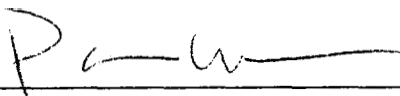
ENVIRONMENTAL REVIEW ACTION

On the basis of this Initial Study and supporting documents:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the attached mitigation measures have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.


Paia Levine

8/15/06
Date

For: Ken Hart
Environmental Coordinator

II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS

Parcel Size: 1.13 acres

Existing Land Use: Single family residence

Vegetation: Overgrown landscaping, weeds, two large avocado trees

Slope in area affected by project: 1.13 acres 0 - 30% 31 - 100%

Nearby Watercourse: Soquel Creek

Distance To: 350 feet

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Groundwater Supply: No

Liquefaction: Low

Water Supply Watershed: No

Fault Zone: No

Groundwater Recharge: No

Scenic Corridor: No

Timber or Mineral: None

Historic: No

Agricultural Resource: None

Archaeology: No

Biologically Sensitive Habitat: None present

Noise Constraint: No

Fire Hazard: No

Electric Power Lines: None

Floodplain: No

Solar Access: varies

Erosion: Minor

Solar Orientation: varies

Landslide: None

Hazardous Materials: None

SERVICES

Fire Protection: Central Fire

Drainage District: Zone 5

School District: Soquel Elem/SC High

Project Access: North Main Street

Sewage Disposal: Santa Cruz County

Water Supply: Soquel Creek Water

Sanitation District

PLANNING POLICIES

Zone District: R-1-6

Special Designation: Soquel Village

General Plan: R-UM

Urban Services Line:

XX Inside

 Outside

Coastal Zone:

 Inside

XX Outside

PROJECT SETTING AND BACKGROUND:

The subject parcel is a gently sloped lot with an existing single family dwelling fronting North Main Street. Several non-habitable accessory structures have recently been removed from the property. The parcel has a relatively narrow frontage at North Main Street and widens at the northern end where the property abuts the North Main Elementary School.

The original application included a second smaller lot abutting the subject parcel's eastern property line (APN 030-041-33) as a 5-lot land division. This second parcel was formerly owned by the school district and has a Public Facilities zoning and General

Plan land use designation. Before this second parcel can be divided, the owners must obtain a certificate of compliance, a General Plan amendment and rezoning to a residential land use designation. Consequently, APN 030-041-33 is not included in this proposed development. Nevertheless, this proposed minor land division does create a remainder lot, which can be used to provide access for APN 030-041-33 should it be divided in the future.

DETAILED PROJECT DESCRIPTION:

The applicant proposes to divide the subject parcel (APN 030-041-04) into three residential parcels and a remainder lot at the eastern end of the project site. The applicant proposes to move the existing dwelling from the area that will become the access road and Lot 1 to Lot 3, and construct two new single family dwellings on Lots 1 and 2. The applicant proposes to construct a 30-foot wide access road within a 36.5-foot to 40-foot wide right-of-way, which requires Roadway and Roadside exceptions to the County Design Criteria. In addition, Parcel 1 will be less than 60 feet wide, which requires a Variance and will have an 8-foot street-side setback, which requires a Setback Exception per County Code Section 13.10.510(f).

The improvements associated with this project includes site grading, paving improvements for the new access with a sidewalk on the north side of the new road and drainage improvements for the site to connect into the existing storm drain system on North Main Street. Front yard landscaping and street trees will be installed as part of the overall project. The site grading is comprised of approximately 1,030 cubic yards of cut for the proposed roadway, with about 440 cubic yards of cut and 350 cubic yards of fill for preparing the residential parcels. The excavated materials will total 1,470 cubic yards of which 1,120 cubic yards will be removed from the site.

There are two large avocado trees on the site of which one shall be removed due to its compromised health and close proximity to a non-habitable accessory structure scheduled for demolition. The larger, healthier tree will be retained.

111. ENVIRONMENTAL REVIEW CHECKLIST

A. Geology and Soils

Does the project have the potential to:

1. Expose people or structures to potential adverse effects, including the risk of material loss, injury, or death involving:

- A. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or as identified by other substantial evidence?

_____	_____	<u> X </u>	_____
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- B. Seismic ground shaking?

_____	_____	<u> X </u>	_____
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- C. Seismic-related ground failure, including liquefaction?

_____	_____	<u> X </u>	_____
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- D. Landslides?

_____	_____	<u> X </u>	_____
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All of Santa Cruz County is subject to some hazard from earthquakes. However, the project site is not located within or adjacent to a county or State mapped fault zone. A geotechnical investigation for the proposed project was performed by Pacific Crest Engineering dated August 2005 (Attachment 6). The report concluded that the liquefaction and seismic shaking hazards are low for this site. The surface soils were found to be competent for standard foundation designs for this area.

2. Subject people or improvements to damage from soil instability as a result of on- or off-site landslide, lateral spreading, to subsidence, liquefaction, or structural collapse?

_____	_____	<u> X </u>	_____
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The report cited above concluded that there is low potential risk from compressive

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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surface soils, lateral spreading or liquefaction. The project will be conditioned to require that the foundation designs must conform to the soil report recommendations and a letter of plan review and approval must be submitted prior to approval of any building permits.

3. Develop land with a slope exceeding 30%? _____ X _____

No slopes exceeding 30% are on the property.

4. Result in soil erosion or the substantial loss of topsoil? _____ X _____

The potential for erosion exists during the construction phase of the project, though the project areas to be disturbed are gently sloped. Standard erosion controls are a required condition of the project. Soquel Creek is in proximity to the project (about 350 feet away on the other side of North Main Street). Prior to approval of the final improvement plans for the land division and grading or building permits, the project must have an approved Erosion Control Plan, which will specify detailed erosion and sedimentation control measures. The plan will include provisions for disturbed areas to be planted with ground cover and to be maintained to minimize surface erosion. Note that the grading largely consist of excavation and export of that material off site. In order to prevent erosion or sedimentation caused by improper deposit of that material there will be project conditions that require the fill to go either to the municipal landfill or a permitted site, and for the receiving site to be identified at the pre-construction meeting prior to start of the project.

5. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code(1994), creating substantial risks to property? _____ X _____

The geotechnical report for the project did not identify any elevated risk associated with expansive soils.

6. Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems? _____ X _____

No septic systems are proposed. The project will connect to the Santa Cruz County Sanitation District, and the applicant will be required to pay standard sewer connection

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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and service fees that fund sanitation improvements within the district as a Condition of Approval for the project. A project has received a will serve letter (Attachment 10).

7. Result in coastal cliff erosion? _____ X

B. Hydrology, Water Supply and Water Quality

Does the project have the potential to:

1. Place development within a 100-year flood hazard area? _____ X

According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated April 15, 1986, no portion of the project site lies within a 100-year flood hazard area.

2. Place development within the floodway resulting in impedance or redirection of flood flows? _____ X

According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated April 15, 1986, no portion of the project site lies within a 100-year flood hazard area.

3. Be inundated by a seiche or tsunami? _____ X

4. Deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit, or a significant contribution to an existing net deficit in available supply, or a significant lowering of the local groundwater table? _____ X

The project will obtain water from the Soquel Creek Water District and will not rely on private well water. Although the project will incrementally increase water demand, the Soquel Creek Water District has indicated that adequate supplies are available to serve the project (Attachment 9). The project is not located in a mapped groundwater recharge area.

Significant <i>Or</i> Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant <i>Or</i> No Impact	<i>Not</i> Applicable
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5. Degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion). _____ X _____

Potential siltation from the proposed project will be mitigated through implementation of erosion control measures. The existing storm drain system along North Main Street will prevent uncontrolled drainage from the site into Soquel Creek, and the site's level to mild slopes will allow for ready erosion and sediment control measures.

6. Degrade septic system functioning? _____ X _____

There is no indication that existing septic systems in the vicinity would be affected by the project.

7. Alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which could result in flooding, erosion, or siltation on or off-site? _____ X _____

The proposed project will slightly modify the site topography by softening a short (2-3 foot) but abrupt elevation change along the frontage of North Main Street and leveling the building sites and roadbed. The overall existing drainage pattern and direction on the site will not change. The site is about 350 feet away from Soquel Creek, the nearest watercourse, and will not alter the existing overall drainage pattern of the vicinity, as storm runoff currently leaves the project site and enters the drainage system along North Main Street. Under the proposed project, site runoff will be captured in an on-site drainage system and conveyed to the existing stormwater system. The Department of Public Works Drainage Section staff has reviewed and approved the proposed drainage plan.

8. Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems, or create additional source(s) of polluted runoff? _____ X _____

Drainage Calculations prepared by Midcoast Engineers, dated 6/23/06, have been reviewed for potential drainage impacts and accepted by the Department of Public Works (DPW) Drainage Section staff. The proposed drainage plan includes mitigation measures capable of holding runoff rates to pre-development levels for the homes, driveways and half the road surface. The remaining road surface and other miscellaneous hard surfacing are allowed to be unmitigated due to credit for existing

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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impervious surface. Silt and grease traps are included in the drainage plan to ensure that runoff from the road surface gets water quality treatment. DPW staff has determined that existing storm water facilities are adequate to handle the increase in drainage associated with the project.

9. Contribute to flood levels or erosion in natural water courses by discharges of newly collected runoff?

_____ X _____

As discussed in B-9 above, most of the new impervious surfaces are mitigated through pervious pavement or other detention. Half of the proposed road surface will generate an incremental increase in post-development runoff, however, all facilities are adequate to handle this small increase in runoff.

10. Otherwise substantially degrade water supply or quality?

_____ X _____

On site water quality treatment will be accomplished through the use of silt and grease traps to minimize the effects of urban pollutants.

C. Biological Resources

Does the project have the potential to:

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

_____ X _____

The property is not located within a mapped habitat area. The property has been developed as a single family residence with multiple outbuildings, lacks suitable habitat, and the generally disturbed nature of the site make it unlikely that any special status plant or animal species occur in the area.

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

_____ X _____

There are no mapped or designated sensitive biotic communities on or adjacent to the project site.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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3. Interfere with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites? _____ X _____

The proposed project does not involve any activities that would interfere with the movements or migrations of fish or wildlife, or impede use of a known wildlife nursery site.

4. Produce nighttime lighting that will illuminate animal habitats? _____ X _____

The subject property is located in an urbanized area and is surrounded by existing residential development and a public elementary school that currently generates nighttime lighting. There are no sensitive animal habitats within or adjacent to the project site.

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

See C-1 above

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

There are three trees of significance on the subject parcel – a 29-inch avocado tree, a 34-inch avocado tree and a 15-inch plum tree. The project has been resigned to preserve the 34-inch avocado and the plum trees. The smaller avocado tree is in poor health. An accessory structure was built over this trees roots and immediately adjacent to its trunk. This structure is proposed for demolition. An arborist has evaluated the trees and project and concurs that the smaller avocado is not a good candidate for preservation (Attachment 7). The landscape plan includes installment of 3-15 gallon natives, Bay and Coast Live Oak, plus assorted fruit trees and large shrubs including *Fremontodendron californica*.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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7. Conflict with the provisions of an adopted Habitat Conservation Plan, Biotic Conservation Easement, or other approved local, regional, or state habitat conservation plan?

_____	_____	_____	<u> X </u>
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D. Energy and Natural Resources

Does the project have the potential to:

1. Affect or be affected by land designated as "Timber Resources" by the General Plan?

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

The project is in the urban area of the County.

2. Affect or be affected by lands currently utilized for agriculture, or designated in the General Plan for agricultural use?

_____	_____		<u> X </u>
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No agricultural uses are proposed for the site or surrounding vicinity.

3. Encourage activities that result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner?

_____	_____	<u> X </u>	_____
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4. Have a substantial effect on the potential use, extraction, or depletion of a natural resource (i.e., minerals or energy resources)?

_____	_____	<u> X </u>	_____
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E. Visual Resources and Aesthetics

Does the project have the potential to:

1. Have an adverse effect on a scenic resource, including visual obstruction of that resource?

_____	_____	<u> X </u>	_____
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The project will not directly impact any public scenic resources, as designated in the County's General Plan (1994), or obstruct any public views of these visual resources.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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2. Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings?

X

The project site is not located along a County designated scenic road or within a designated scenic resource area.

3. Degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridge line?

X

The existing visual setting is an urban residential neighborhood. The proposed land division is designed and landscaped so as to fit into this setting.

4. Create a new source of light or glare which would adversely affect day or nighttime views in the area?

X

The project will create an incremental increase in night lighting. However, this increase will be small, and will be similar in character to the lighting associated with the surrounding existing uses.

5. Destroy, cover, or modify any unique geologic or physical feature?

X

There are no unique geological or physical features on or adjacent to the site that would be destroyed, covered, or modified by the project.

F. Cultural Resources

Does the project have the potential to:

1. Cause an adverse change in the significance of a historical resource as defined in **CEQA** Guidelines 15064.5?

X

The existing structure(s) on the property are not designated as a historic resource on

Significant or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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any federal, State or local inventory.

2. Cause an adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 15064.5?

X

No archeological resources have been identified in the project area. Pursuant to County Code Section 16.40.040, if at any time in the preparation for or process of excavating or otherwise disturbing the ground, any human remains of any age, or any artifact or other evidence of a Native American cultural site which reasonably appears to exceed 100 years of age are discovered, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in County Code Chapter 16.40.040.

3. Disturb any human remains, including those interred outside of formal cemeteries?

X

Pursuant to Section 16.40.040 of the Santa Cruz County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this project, human remains are discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the sheriff-coroner and the Planning Director. If the coroner determines that the remains are not of recent origin, a full archeological report shall be prepared and representatives of the local Native California Indian group shall be contacted. Disturbance shall not resume until the significance of the archeological resource is determined and appropriate mitigations to preserve the resource on the site are established.

4. Directly or indirectly destroy a unique paleontological resource or site?

X

G. Hazards and Hazardous Materials

Does the project have the potential to:

1. Create a significant hazard to the public or the environment as a result of the routine transport, storage, use, or disposal of hazardous materials, not including gasoline or other motor fuels?

X

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
_____	_____	_____	_____

2. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

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

The project site is not listed in any list of hazardous sites in Santa Cruz County compiled pursuant to the specified code.

3. Create a safety hazard for people residing or working in the project area as a result of dangers from aircraft using a public or private airport located within two miles of the project site?

_____	_____	_____	<u>X</u>
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4. Expose people to electro-magnetic fields associated with electrical transmission lines?

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

5. Create a potential fire hazard?

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

The project design incorporates all applicable fire safety code requirements and will include fire protection devices as required by the local fire agency.

6. Release bio-engineered organisms or chemicals into the air outside of project buildings?

_____	_____	_____	<u>X</u>
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H. Transportation/Traffic

Does the project have the potential to:

1. Cause an increase in traffic that is substantial in relation to the existing

_____	<u>X</u>	_____
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Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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traffic load and capacity of the street system (i.e., substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

The project will create an incremental increase in traffic on nearby roads and intersections. However, given the small number of new trips created by the project (2 PM peak trips per day for the new land division), this increase is less than significant. Further, the increase will not cause the Level of Service at any nearby intersection to drop below Level of Service D.

2. Cause an increase in parking demand which cannot be accommodated by existing parking facilities?

_____ X _____

The project meets the code requirements for the required number of parking spaces and therefore new parking demand will be accommodated on site.

3. Increase hazards to motorists, bicyclists, or pedestrians?

_____ X _____

The proposed project will comply with current road requirements to prevent potential hazards to motorists, bicyclists, and/or pedestrians. Full curbs and sidewalks will be constructed where none currently exist on all of the new parcels' frontages, thereby facilitating pedestrian access in the area.

4. Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the county congestion management agency for designated intersections, roads or highways?

_____ X _____

See response H-1 above.

I. Noise

Does the project have the potential to:

1. Generate a permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

_____ X _____

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
_____	_____	_____	_____

The project will create an incremental increase in the existing noise environment. However, this increase will be small, and will be similar in character to noise generated by the surrounding existing uses.

2. Expose people to noise levels in excess of standards established in the General Plan, or applicable standards of other agencies?

_____ X _____

There are no sources of noise in the immediate area that are expected to generate noise levels that would exceed the General Plan threshold of 50 Leq during the day and 45 Leq during the nighttime at this site.

3. Generate a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

_____ X _____

Noise generated during construction will increase the ambient noise levels for adjoining areas. Construction will be temporary, however, and given the limited duration of this impact it is considered to be less than significant.

J. Air Quality

Does the project have the potential to:
(Where available, the significance criteria established by the MBUAPCD may be relied upon to make the following determinations).

1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

_____ X _____

The North Central Coast Air Basin does not meet State standards for ozone and particulate matter (PM₁₀). Therefore, the regional pollutants of concern that would be emitted **by** the project are ozone precursors (Volatile Organic Compounds [VOCs] and nitrogen oxides [NO_x]), and dust. Given the modest amount of new traffic that will be generated by the project there is no indication that new emissions of VOCs or NO_x will exceed Monterey Bay Unified Air Pollution Control District (MBUAPCD) thresholds for these pollutants and therefore there will not be a significant contribution to an existing air quality violation. Project construction may result in a short-term, localized decrease in air quality due to generation of dust. However, standard dust control best management practices, such as periodic watering and covering **all** trucks transporting dirt or topsoil materials will be required during construction to reduce impacts to a less than significant level.

Significant or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant or No Impact	Not Applicable
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2. Conflict with or obstruct implementation of an adopted air quality plan?

_____	_____	X	_____
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The project will not conflict with or obstruct implementation of **the** regional air quality plan. See J-I above.

3. Expose sensitive receptors to substantial pollutant concentrations?

_____	_____	X	_____
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See J-1 and Section G.

4. Create objectionable odors affecting a substantial number of people?

_____	_____	_____	X
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K. Public Services and Utilities

Does the project have the potential to:

- Result in the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

- a. Fire protection?

_____	_____	X	_____
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- b. Police protection?

_____	_____	X	_____
-------	-------	---	-------

- c. Schools?

_____	_____	X	_____
-------	-------	---	-------

- d. Parks or other recreational

_____	_____	X	_____
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Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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activities? _____

- e. Other public facilities; including the maintenance of roads? _____

X

While the project represents an incremental contribution to the need for services, the increase will be minimal. Moreover, the project meets all of the standards and requirements identified by the Central Fire agency, and school, park, and transportation fees to be paid by the applicant will be used to offset the incremental increase in demand for school and recreational facilities and public roads.

2. Result in the need for construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? _____

X

Drainage analysis of the project concluded that the existing facilities are adequate for the proposed site runoff. Department of Public Works Drainage staff have reviewed the drainage information and have determined that downstream storm facilities are adequate to handle the drainage associated with the project (Attachment 8).

3. Result in the need for construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? _____

X

The project will connect to an existing municipal water supply. Soquel Creek Water District has determined that adequate supplies are available to Serve the project (Attachment 9).

Municipal sewer service is available to serve the project, as reflected in the attached letter from the Santa Cruz County Sanitation District (Attachment 10).

4. Cause a violation of wastewater treatment standards of the Regional Water Quality Control Board? _____

X

The project's wastewater flows will not violate any wastewater treatment standards.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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5. Create a situation in which water supplies are inadequate to serve the project or provide fire protection?

_____ X _____

The water mains serving the project site provide adequate flows and pressure for fire suppression. Additionally, the local fire agency or California Department of Forestry, as appropriate, has reviewed and approved the project plans, assuring conformity with fire protection standards that include minimum requirements for water supply for fire protection.

6. Result in inadequate access for fire protection?

_____ X _____

The project's road access meets County standards and has been approved by the Central Fire.

7. Make a significant contribution to a cumulative reduction of landfill capacity or ability to properly dispose of refuse?

_____ X _____

The project will make an incremental contribution to the reduced capacity of regional landfills. However, this contribution will be relatively small and will be of similar magnitude to that created by existing land uses around the project.

8. Result in a breach of federal, state, and local statutes and regulations related to solid waste management?

_____ X _____

L. Land Use, Population, and Housing

Does the project have the potential to:

1. Conflict with any policy of the County adopted for the purpose of avoiding or mitigating an environmental effect?

_____ X _____

The proposed project does not conflict with any policies adopted for the purpose of avoiding or mitigating an environmental effect. The project meets all of the County General Plan policies for urban residential infill development and meets the General

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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Plan residential density requirements.

2. Conflict with any County Code regulation adopted for the purpose of avoiding or mitigating an environmental effect?

_____ X _____

The proposed project does not conflict with any regulations adopted for the purpose of avoiding or mitigating an environmental effect. The project meets the Zoning regulations and site development standards with the exception of the site frontage and street-side yard setback for which a Variance and a Site Standard Exception are sought. Special circumstances exist to warrant reducing the required frontage from 60 feet to 50 feet including the original parcel's geometry, access points, road width requirements, the pattern of neighborhood development and meeting the required minimum density set forth in the General Plan for a division of land on this parcel.

3. Physically divide an established community?

_____ X _____

The project will not include any element that will physically divide an established community.

4. Have a potentially significant growth inducing effect, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

_____ X _____

The proposed project is designed at the density and intensity of development allowed by the General Plan and zoning designations for the parcel. Additionally, the project does not involve extensions of utilities (e.g., water, sewer, or new road systems) into areas previously not served. Consequently, it is not expected to have a significant growth-inducing effect.

5. Displace substantial numbers of people, or amount of existing housing, necessitating the construction of replacement housing elsewhere?

_____ X _____

The proposed project will entail a net gain in housing units.

M. Non-Local Approvals

Does the project require approval of federal, state, or regional agencies?
Regional Water Quality Control Board NPDES permit.

Yes X No

N. Mandatory Findings of Significance

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant, animal, or natural community, or eliminate important examples of the major periods of California history or prehistory?

Yes No X

2. Does the project have the potential to achieve short term, to the disadvantage of long term environmental goals? (A short term impact on the environment is one which occurs in a relatively brief, definitive period of time while long term impacts endure well into the future)

Yes No X

3. Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, and the effects of reasonably foreseeable future projects which have entered the Environmental Review stage)?

Yes No X

4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Yes No X

TECHNICAL REVIEW CHECKLIST

	<u>REQUIRED</u>	<u>COMPLETED*</u>	<u>N/A</u>
Agricultural Policy Advisory Commission (APAC) Review	_____	_____	<u>X</u>
Archaeological Review	_____	_____	<u>X</u>
Biotic Report/Assessment	_____	_____	<u>X</u>
Geologic Hazards Assessment (GHA)	_____	_____	<u>X</u>
Geologic Report	_____	_____	<u>X</u>
Geotechnical (Soils) Report	_____	YES	_____
Riparian Pre-Site	_____	_____	<u>X</u>
Septic Lot Check	_____	_____	<u>X</u>
Other: Arborist Review	_____	YES	_____
	_____	_____	_____

Attachments:

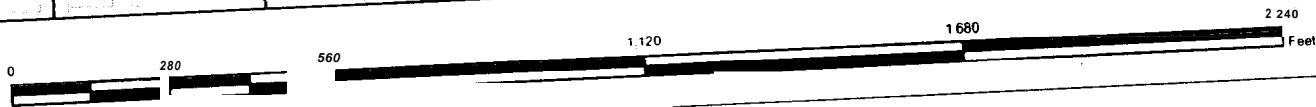
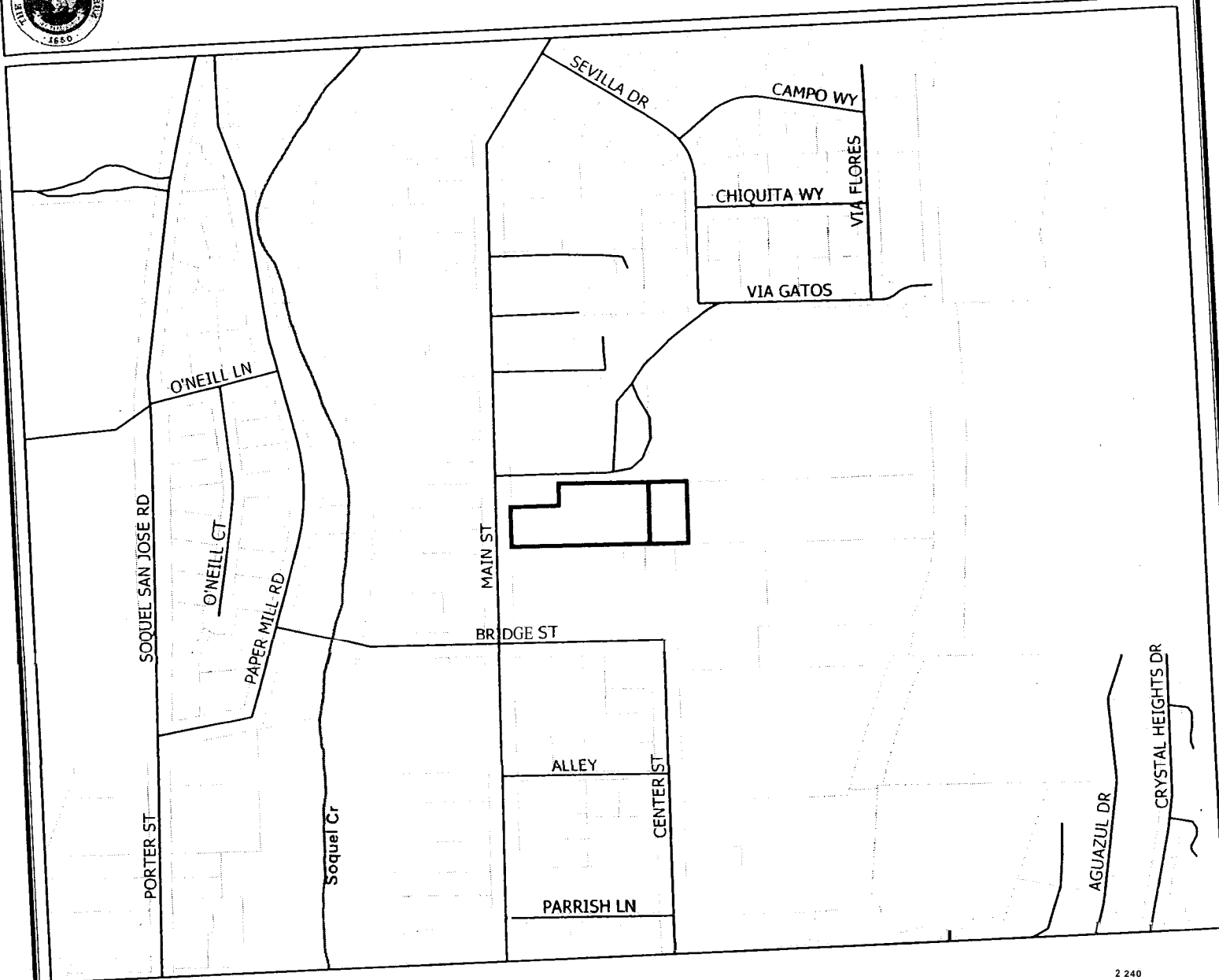
For *all* construction projects:

1. Vicinity Map
2. Map of Zoning Districts
3. Map of General Plan Designations
4. Project Plans (Tentative Map & Preliminary Improvement and Drainage Plans prepared by Midcoast Engineers, revised 06/26/06; Landscape Plan prepared by John Craycroft, last revised 6/26/06)
5. Geotechnical Review Letter prepared by Kent Edler, dated 12/05/05
6. Geotechnical Investigation (Conclusions and Recommendations) prepared by Pacific Crest Engineering dated August 2005
7. Arborist Letter dated 2/17/2006
8. Discretionary Application Comments, various dates printed on August 4, 2006
9. Letter from Soquel Creek Water District, dated March 30, 2005
10. Letter from Santa Cruz County Sanitation District, dated February 9, 2006





EXHIBIT E

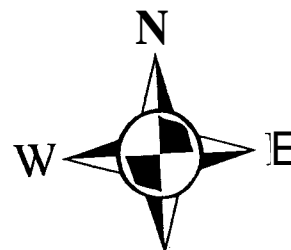


Location Map



Legend

-  APN 030-041-04, -33
-  Streets
-  PERENNIAL STREAM
-  Assessors Parcels

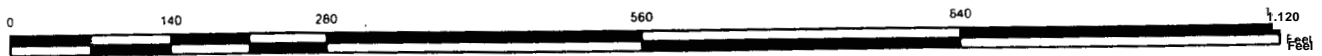
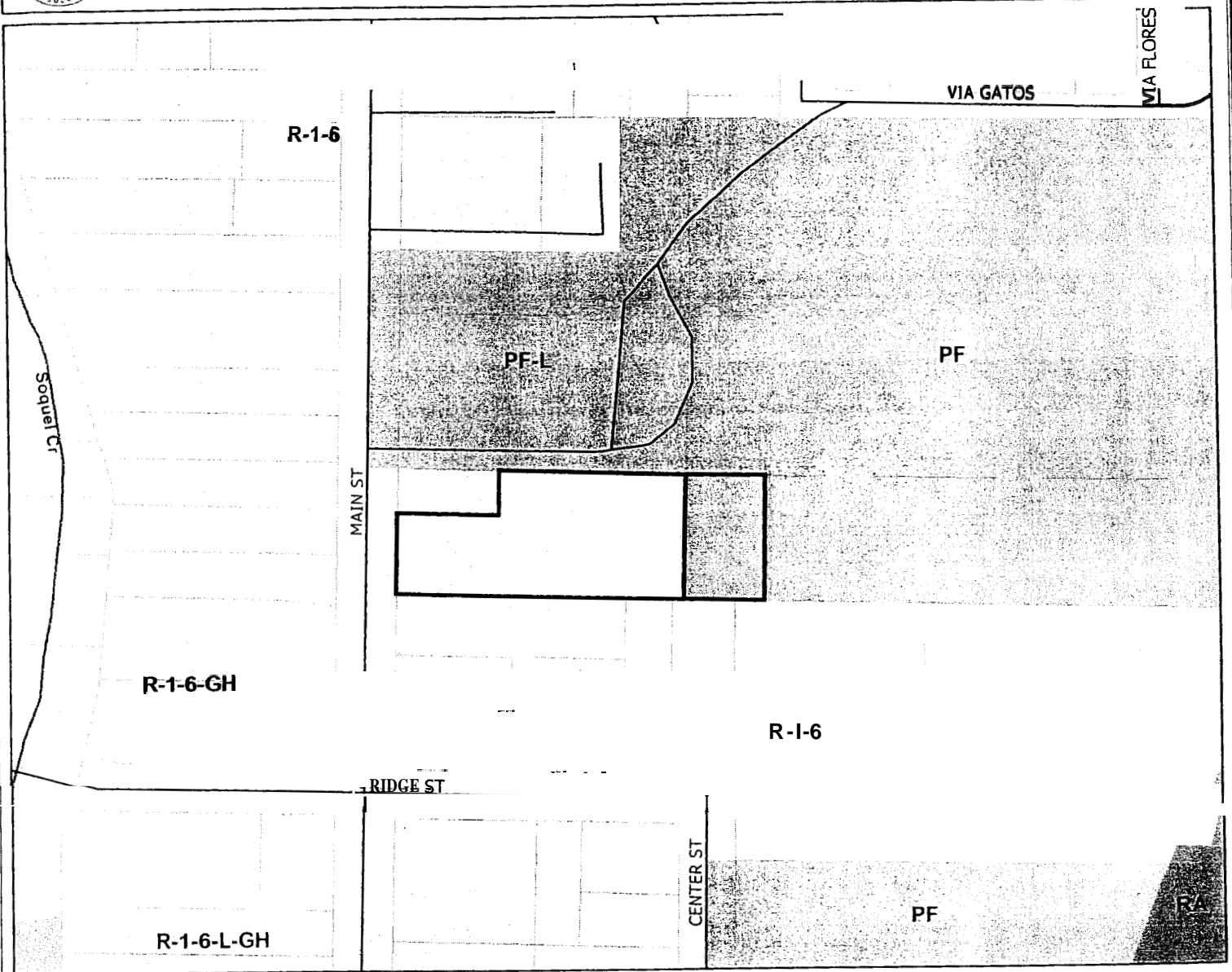


Environmental Review Initial Study
ATTACHMENT 1
APPLICATION 05-0768
Map Created by
County of Santa Cruz
Planning Department
December 2005







EXHIBIT I

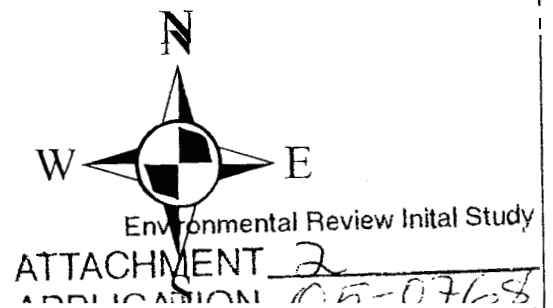


Zoning Map



Legend

-  APN 030-041-04, -33
-  Streets
-  PERENNIAL STREAM
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  PUBLIC FACILITY (PF)
-  PARK (PR)

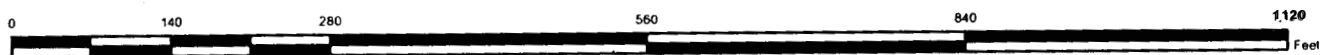
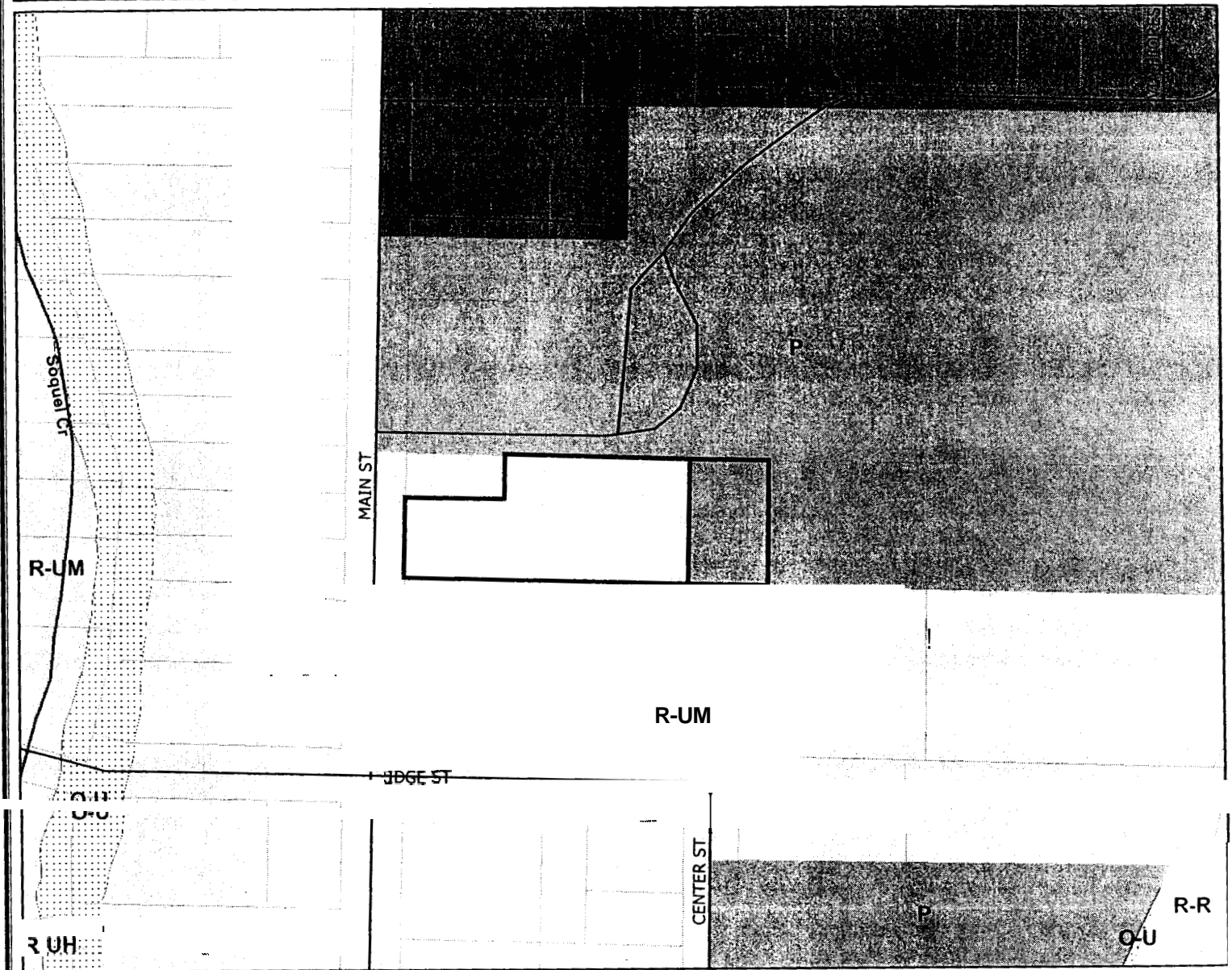


Map Created by
County of Santa Cruz
Planning Department
December 2005

EXHIBIT E



General Plan Designation Map



Legend

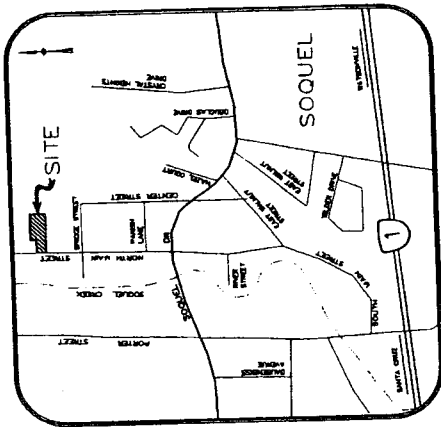
- APN 030-041-04. -33
- Streets
- PERENNIAL STREAM
- Residential - Urban Medium Density (R-UM)
- Public Facilities (P)
- Residential - Urban Low Density (R-UL)
- Urban Open Space (O-U)
- Residential-Rural (R-R)



Environmental Review Initial Study
ATTACHMENT 3
APPLICATION 05-0768

Map Created by
County of Santa Cruz
Planning Department
December 2005

EXHIBIT E



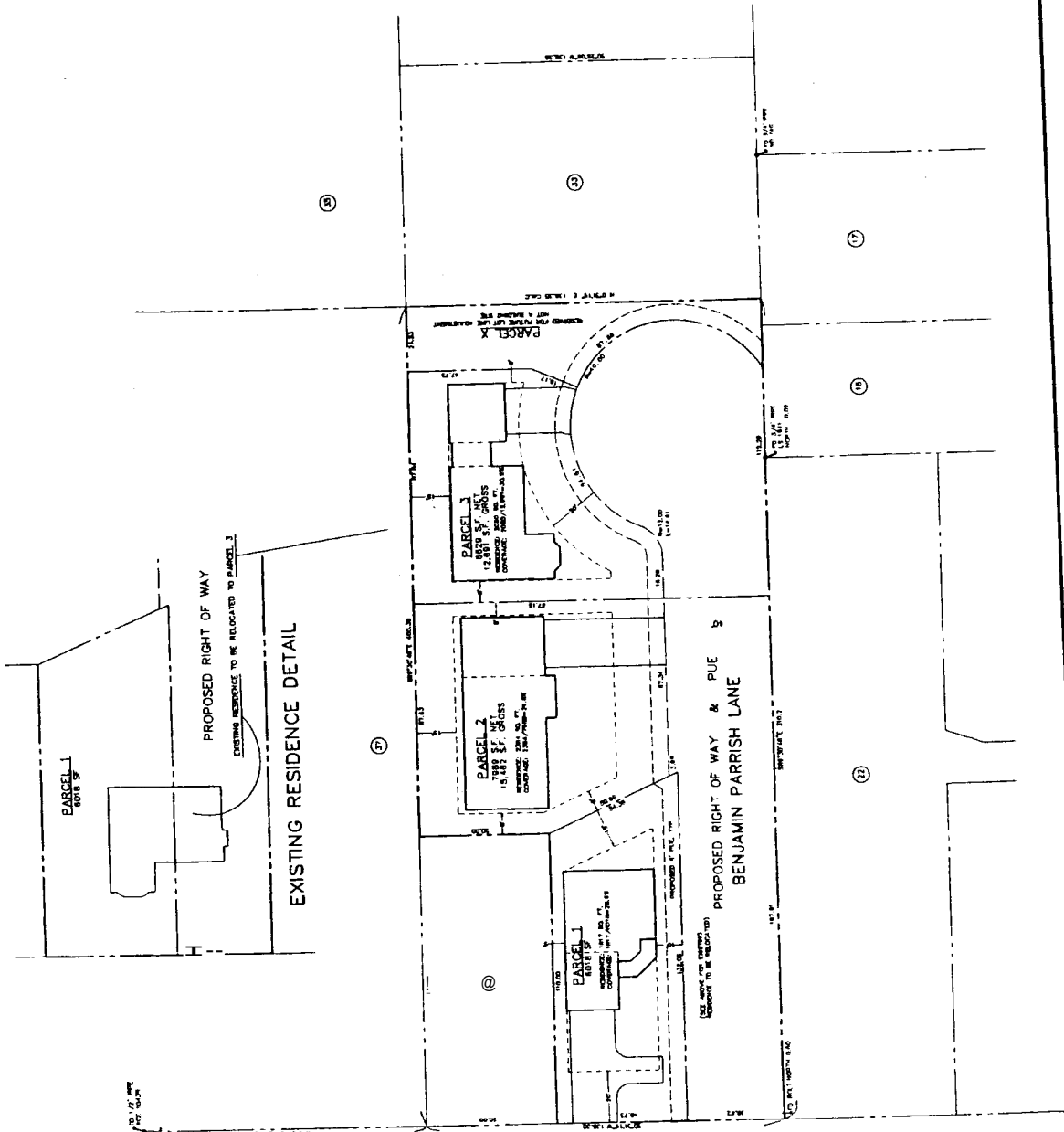
VICINITY MAP
SCALE 1" = 100'

NOTES:

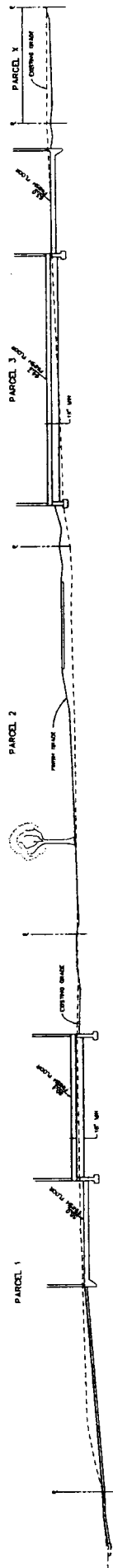
1. CHECK
2. SEE MAP FOR DETAILED AND SUD MAPS
3. RECONSTRUCT
4. SEE MAP FOR DETAILED AND SUD MAPS
5. SEE MAP FOR DETAILED AND SUD MAPS
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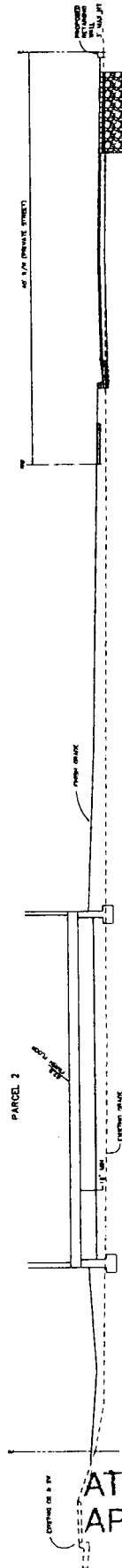
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KEN AKOL AND BEN DETLING
APR 030-041-04
MID COAST ENGINEERS
CIVIL ENGINEERS AND LAND SURVEYORS
1000 S. HIGHWAY 101, SUITE 100
SAN JOSE, CA 95128
DATE: 10/1/04
SCALE: 1" = 100'



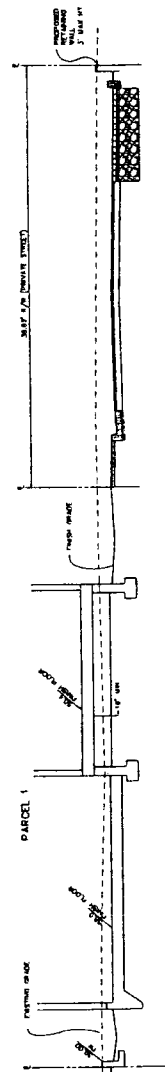
Environmental Review Initial Study
ATTACHMENT 4, 1 of 4
APPLICATION 05-0768



SECTION C-C
SCALE 1"=10'



SECTION B-B
SCALE 1"=10'



SECTION A-A
SCALE 1"=10'

GRADING QUANTITIES			
PARCELS	FT	FT	FT
1	10.00	1.00	0
2	10.00	1.00	0
3	10.00	1.00	0
TOTAL	30.00	3.00	0
ADDITIONAL	1.00	1.00	0
TOTAL	31.00	4.00	0



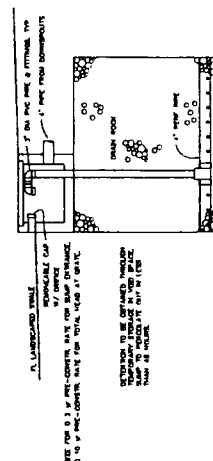
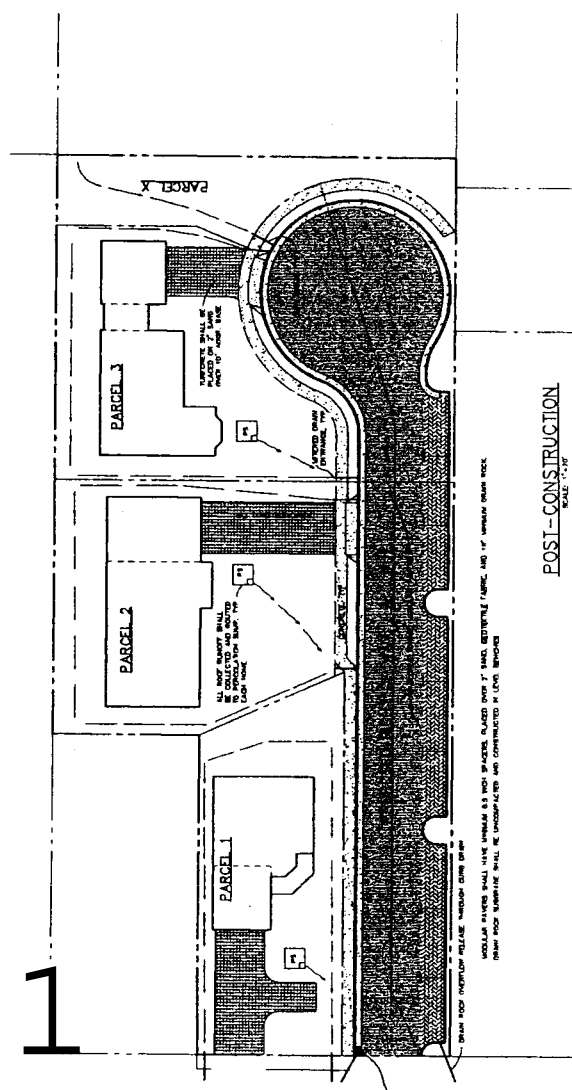
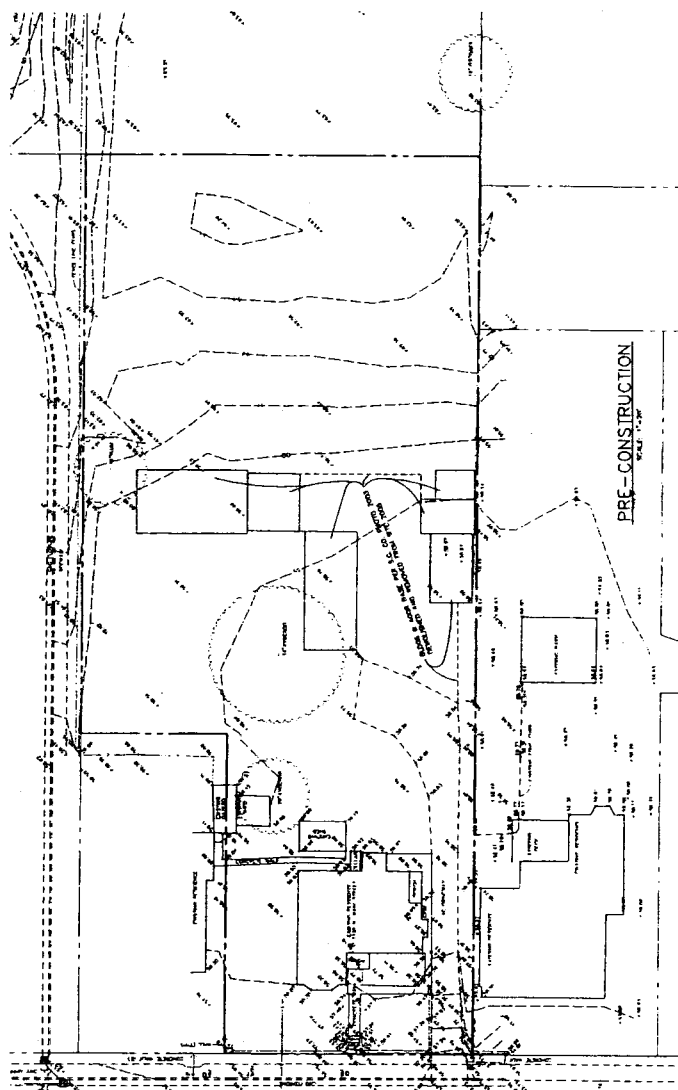
TENTATIVE MAP FOR
KEM AKOL AND BEN DETTLING

APR 03-04-04

MID COAST ENGINEERS
CIVIL ENGINEERS AND LAND SURVEYORS
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DATE SHEET 3 OF 3

Environmental Review Initial Study
ATTACHMENT 4, 3 of 4
APPLICATION 05-0768



PERCOLATION SUMP SCHEMATIC DETAIL



REV	1"=30'	APR 030-041-04	MID COAST ENGINEERS	CIVIL ENGINEERS AND LAND SURVEYORS 1000 N. 4TH ST., SUITE 100, OAKVILLE, CT 06075 (401) 791-1500
DATE	DEC. 2000	FILE		
PROJECT		NO.	8-13-00	
DESCRIPTION		00071		

DRAINAGE STUDY

Environmental Review Initial Study

ATTACHMENT 4, 4 of 4

APPLICATION 05-0768

GEOTECHNICAL INVESTIGATION
FOR
3330 NORTH MAIN STREET
SOQUEL, CALIFORNIA

FOR
BEN DETTLING
APTOS, CALIFORNIA

BY
PACIFIC CREST ENGINEERING INC.
CONSULTING GEOTECHNICAL ENGINEERS
0559-SZ61-B53
AUGUST 2005
www.4pacific-crest.com

Environmental Review Initial Study
ATTACHMENT 5-1048
APPLICATION 05-0768

Geotechnical Group
444 Airport Blvd, Suite 106
Watsonville, CA 95076
Phone: 831-722-9446
Fax: 831-722-9158

Chemical Process Group
195 Aviation Way, Suite 203
Watsonville, CA 95076
Phone: 831-763-6191
Fax: 831-763-6195

August 8, 2005

Project No. 0559-SZ61-B53

Mr. Ben Dettling
140 Via Del Mar
Aptos, CA 95003

Subject: Geotechnical Investigation
3330 North Main Street
Soquel, California

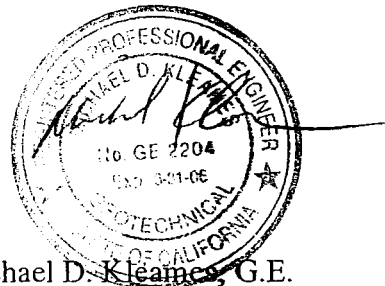
Dear Mr. Dettling,

In accordance with your authorization, we have performed a geotechnical investigation for your New Residences and Lot Division project located on North Main Street in Soquel, California.

The accompanying report presents our conclusions and recommendations as well as the results of the geotechnical investigation on which they are based. **If** you have any questions concerning the data, conclusions or recommendations presented **in** this report, please call our office.

Very truly yours,

PACIFIC CREST ENGINEERING INC.



Mary M. Zaleski
Staff Geologist

Michael D. Kleames, G.E.
President/Principal Geotechnical Engineer
G.E. 2204
Exp. 3/31/06

Copies: 4 to Mr. Ben Dettling

Environmental Review Initial Study
ATTACHMENT 5, 2048
APPLICATION 05-0768

GEOTECHNICAL INVESTIGATION

PURPOSE AND SCOPE

This report describes the geotechnical investigation and presents results, including recommendations, for your New Residences and Lot Division project located on North Main Street in Soquel, California. Our scope of services for this project has consisted of

1. Discussions with you.
2. Review of the pertinent published material concerning the site including preliminary site plans, geologic and topographic maps, and other available literature.
3. The drilling and logging of 5 test borings.
4. Laboratory analysis of retrieved soil samples.
5. Engineering analysis of the field and laboratory results.
6. Preparation of this report documenting our investigation and presenting recommendations for the design of the project.

LOCATION AND DESCRIPTION

The proposed New Residences and Lot Division project is located at 3330 North Main Street in Soquel, California, located in a residential neighborhood. Please refer to Figure No. I, Regional Site Plan for a map of the area. At the time of our investigation, this address was occupied by one existing residential structure located at the northwest corner of the site, adjacent to Main Street. The exiting house appears to be two stones above-ground and has a full height basement below ground. A paved driveway extends along the south side of the property. Near the terminus of the driveway directly behind the main house, it appears that a barn or garage building has been recently demolished. The remainder of the site was covered with tall grasses. Several small and large trees are scattered around the property. The overall topography of the backyard is very gently sloped to the west.

The proposed project consists of dividing the existing lot into **five** individual lots with a new cul-de-sac roadway extending along the south side of the site. **The** existing residential house will be saved and moved to one of the new lots at the east end **of** the property. The associated basement will be abandoned and backfilled to grade **as** part of this project. Our geotechnical investigation is focused on providing design criteria and recommendations for the design and construction of the new homes and the new cul-de-sac roadway.

Environmental Review Initial Study
ATTACHMENT 5, 3 & 4
APPLICATION 05-0768

SOIL CONDITIONS

Regional Geologic Maps

The surficial geology in the area of the project site is mapped as Older Flood Plain Deposits, (Brabb, 1989). The unit is described as unconsolidated fine grained sand silt and clay. The native soils encountered in the test borings are consistent with this description.

Soil Borings

Our borings encountered interbedded layers of medium dense to dense silty sands and stiff to very stiff clayey silts, and sandy silts. Gravels, ranging in size from 1 to 3 inches were encountered intermittently throughout the borings, most notably at a depth of 14 feet in Boring No. 5. Below the silts and sands, we encountered very dense Purisima bedrock, at a depth of 34 feet. Boring No. 1 was explored to a maximum depth of 26 feet, Boring No. 2 and 4 were terminated at depths of 21½ feet, Boring No. 3 was terminated at a depth of 41½ feet and Boring No. 5 was terminated at a depth of 21 feet.

It is our understanding that a septic tank was once located in the vicinity of Boring No. 4. Our field investigation did not encounter any significantly loose soils, debris or other evidence of man made fill within Boring No. 4. However, if during the construction phase of the project, fill soils and debris are encountered, we recommend the material be completely removed and replaced with engineered fill. Please refer to Item 10 within the Discussions, Conclusions and Recommendations section of this report for more information regarding areas of man-made fills.

Groundwater was not encountered in any test borings to the maximum depth explored of 41½ feet.

REGIONAL SEISMIC SETTING

The seismic setting of the site is one in which it is reasonable to assume that the site will experience significant seismic shaking during the lifetime of the project. Based upon our review of the fault maps for the Santa Cruz area (Greene et al. 1973, Hall et al. 1974), and the Maps of Known Active Fault Near-Source Zones in California and Adjacent Portions of Nevada (CDMG, 1998), active or potentially active faults which **may** significantly affect the site include those listed in the Table No. 1, below.

Environmental Review Initial Study
ATTACHMENT 5, 4, & 3
APPLICATION 05-0768

TABLE No. 1. Faults in the Santa Cruz Area

Fault Name	Distance (miles)	Distance (km.)	Direction	Type*	Slip Rate* (mm/yr)	MG Max.*
San Andreas – 1906 Segment	8	13	Northeast	A	24	7.9
San Gregorio	15	24	Southwest	A	5	7.3
Zayante – Vergeles	5	8	Northeast	B	0.1	6.8
Monterey Bay – Tularcitos	10%	17	Southwest	B	0.5	7.1
Sargent	10½	17	Northeast	B	3	6.8

*Source: CDMG, February, 1998

SEISMIC HAZARDS

Seismic hazards which may affect project sites in the Soquel area include ground shaking, ground surface fault rupture, liquefaction and lateral spreading, and seismically induced slope instabilities.

Ground Shaking

Ground shaking will be felt on the site. Structures founded on thick soft soil deposits are more likely to experience more destructive shaking, with higher amplitude and lower frequency, than structures founded on bedrock. Generally, shaking will be more intense closer to earthquake epicenters. Thick soft soil deposits large distances from earthquake epicenters, however, may result in seismic accelerations significantly greater than expected in bedrock. Structures built in accordance with the latest edition of the Uniform Building Code for Seismic Zone 4 have an increased potential for experiencing relatively minor damage which should be repairable. The seismic design of the project should be based on the 1997 Uniform Building Code as it has incorporated the most recent seismic design parameters. The following values for the seismic design of the project site were derived or taken from the 1997 UBC.

TABLE No. 2. The 1997 UBC Seismic Design Parameters

Seismic Zone	Zone 4
Seismic Zone Factor	$Z = 0.4$
Soil Profile Type	Very Dense Soil and Soft Rock (S_C)
Near Source Factor N_a	$N_a = 1.0$
Seismic coefficient C_a	$C_a = 0.40$
Near Source Factor N_v	$N_v = 1.08$
Seismic coefficient C_v	$C_v = 0.56$

Environmental Review Initial Study
ATTACHMENT 5, 5 of 8
APPLICATION 05-0768

Ground Surface Fault Rupture

Ground surface fault rupture occurs along the surficial trace(s) of active faults during significant seismic events. Pacific Crest Engineering Inc., has not performed a specific investigation for the presence of active faults on the project site. The nearest known active or potentially active fault is mapped approximately 5 miles (approximately 8 km) from the site (Greene et al., 1973, Hall et al. 1974, and CDMG, 1998), the potential for ground surface fault rupture at this site is low.

Liquefaction

Liquefaction tends to occur in loose, saturated fine grained sands or coarse silts. Based upon our review of the regional liquefaction maps (Dupre', 1975; Dupre' and Tinsley, 1980) your site is located in an area classified as having a moderately high to high potential for liquefaction. **However, our site specific investigation of this project site, including the nature of the subsurface soil, the location of the ground water table, and the estimated ground accelerations, leads to the conclusion that the liquefaction potential is low.**

Liquefaction Induced Lateral Spreading

Liquefaction induced lateral spreading occurs when a liquefied soil mass fails toward an open slope face, or fails on an inclined topographic slope. Our analysis of the project site indicates that the potential for liquefaction to occur is low, and consequently the potential for lateral spreading is also low.

Landsliding

Seismically induced landsliding is a hazard with little potential for your site due to the relatively flat to gently sloping topography of the site and surrounding vicinity.

Environmental Review Initial Study
ATTACHMENT 5 6 of 8
APPLICATION 05-0768

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

GENERAL

1. The results of our investigation indicate that from a geotechnical engineering standpoint the property may be developed as proposed provided these recommendations are included in the design and construction.
2. Our laboratory testing indicates that the near surface soils possess low expansive properties.
3. Grading and foundation plans should be reviewed by Pacific Crest Engineering Inc. during their preparation and prior to contract bidding.
4. Pacific Crest Engineering Inc. should be notified at least four (4) working days prior to any site clearing and grading operations on the property in order to observe the stripping and disposal of unsuitable materials, and to coordinate this work with the grading contractor. During this period, a pre-construction conference should be held on the site, with at least you or your representative, the grading contractor, a county representative and one of our engineers present. At this meeting, the project specifications and the testing and inspection responsibilities will be outlined and discussed.
5. Field observation and testing must be provided by a representative of Pacific Crest Engineering Inc., to enable them to form an opinion as to the degree of conformance of the exposed site conditions to those foreseen in this report, regarding the adequacy of the site preparation, the acceptability of fill materials, and the extent to which the earthwork construction and the degree of compaction comply with the specification requirements. Any work related to grading performed without the full knowledge of, and not under the direct observation of Pacific Crest Engineering Inc., the Geotechnical Engineer, will render the recommendations of this report invalid.

SITE PREPARATION

6. The initial preparation of the site will consist of the removal of trees as required, and any debris. Tree removal should include the entire stump and root ball. Septic tanks and leaching lines, if found, must be completely removed. If the existing driveway is to be replaced, we recommend removing all existing asphalt and aggregate base. This debris may not be used as fill elsewhere on the site. The extent of this soil and debris removal will be designated by a representative of Pacific Crest Engineering Inc. in the field. This material must be removed from the site.

Environmental Review Initial Study
ATTACHMENT 5-7 of 8
APPLICATION 25-0768

EROSION CONTROL

24. The surface soils are classified as having a moderate to high potential for erosion. Therefore, the finished ground surface should be planted with ground cover and continually maintained to minimize surface erosion. For specific and detailed recommendations regarding erosion control on and surrounding the project site, you should consult your civil engineer or an erosion control specialist.

FOUNDATIONS - SPREAD FOOTINGS

25. At the time we prepared this report, the grading plans had not been completed and the structure location and foundation details had not been finalized. We request an opportunity to review these items during the design stages to determine if supplemental recommendations will be required.

26. Considering the soil characteristics and site preparation recommendations, it is our opinion that an appropriate foundation system to support the proposed structures will consist of reinforced concrete spread footings bedded into firm native soil or engineered fills of the on-site soils. This system could consist of continuous exterior footings, in conjunction with interior isolated spread footings or additional continuous footings or concrete slabs.

27. Footing widths and depths should be based upon the allowable bearing value but not less than the minimum widths and depths as shown in the table below. The footing excavations must be free of loose material prior to placing concrete. The footing excavations should be thoroughly saturated prior to placing concrete.

Number of Stones	Footing Width	Footing Depth
1	12 inches	18 inches
2	15 inches	24 inches
3	18 inches	24 inches
Multi-story	24 inches	24 inches

Please note: The minimum footing embedment is measured from the lowest adjacent grade and should not include any concrete slab-on-grade, capillary break and sand cushion in the total depth of embedment.

28. Footings constructed to the given criteria may be designed for the following allowable bearing capacities:

- a. 2,000 psf for Dead plus Live Load
- b. a 1/3rd increase for Seismic or Wind Load

Environmental Review Initial Study
ATTACHMENT 5 8 24
APPLICATION 05-5268



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

December 5, 2005

John Craycroft
1244 Happy Valley Road
Santa Cruz, CA, 95065

**Subject: Review of Geotechnical Investigation by Pacific Crest Engineering Inc.
Dated August 8, 2005; Project #: 0559-SZ61-B53
APN 030-041-04,33, Application #: 05-0768**

Dear Applicant:

The purpose of this letter is to inform you that the Planning Department has accepted the subject report and the following items shall be required:

1. **All** construction shall comply with the recommendations of the report.
2. Final plans shall reference the report and include a statement that the project shall conform to the report's recommendations.
3. Prior to building permit issuance a *plan review letter* shall be submitted to Environmental Planning. The author of the report shall write the *plan review letter*. The letter shall state that the project plans conform to the report's recommendations.

After building permit issuance the soils engineer *must remain involved with the project* during construction. Please review the *Notice to Permits Holders* (attached).

Our acceptance of the report is limited to its technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. may require resolution **by** other agencies.

Please submit two copies of the report at the time of building permit application.

Please call the undersigned at (831) 454-3168 if we can be of any further assistance.

Sincerely,

Kent Edler
Civil Engineer

Cc: Cathleen Carr, Project Planner
Andrea Koch, Environmental Planning
Ben Dettling, Owner
Pacific Crest Engineering Inc.

Environmental Review Initial Study
ATTACHMENT 6.1
APPLICATION 05-

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(over)

**NOTICE TO PERMIT HOLDERS WHEN A SOILS REPORT HAS BEEN PREPARED,
REVIEWED AND ACCEPTED FOR THE PROJECT**

After issuance of the building permit, the County requires your soils engineer to be involved during construction. Several letters or reports are required to be submitted to the County at various times during construction. They are as follows:

1. **When a project has engineered fills and / or grading**, a letter from your soils engineer must be submitted to the Environmental Planning section of the Planning Department prior to foundations being excavated. This letter must state that the grading has been completed in conformance with the recommendations of the soils report. Compaction reports or a summary thereof must be submitted.
2. **Prior to placing concrete for foundations**, a letter from the soils engineer must be submitted to the building inspector and to Environmental Planning stating that the soils engineer has observed the foundation excavation and that it meets the recommendations of the soils report.
3. **At the completion of construction**, a *final letter* from your soils engineer is required to be submitted to Environmental Planning that summarizes the observations and the tests the soils engineer has made during construction. The final letter must also state the following: "Based upon our observations and tests, the project has been completed in conformance with our geotechnical recommendations."

If the *final soils letter* identifies any items of work remaining to be completed or that any portions of the project were not observed by the soils engineer, you will be required to complete the remaining items of work and may be required to perform destructive testing in order for your permit to obtain a final inspection.

Environmental Review Initial Study
ATTACHMENT 6-2-#2
APPLICATION 05-0768

ARBORIST REPORT

for

Ben Dettling

location

3330 North Main Street
Soquel, CA 95073

site visit

January 24, 2006
&
February 17, 2006

prepared by

Christine-Sara Bosinger
Certified Arborist WE-4309
Quality Arbor Care
831-423-6441
PO Box 335
Capitola, CA 95010

This evaluation was prepared to the best of our ability at Quality Arbor Care, in accordance with currently accepted standards of the International Society of Arboriculture. No warranty as to the contents of this evaluation is intended and none shall be inferred from statement or opinions expressed. Trees can and do fail without warning.

Environmental Review Initial Study
ATTACHMENT 7-1A-4
APPLICATION 05-0768

INTENT

The intent of this report is to assess the health and structure of 2 *Persea* trees! Avocados. And to give construction specifications in order to minimize stress and damage.

FINDINGS & DISCUSSION

There are two mature Avocado trees located on this property. Tree number 1 is a single standard tree that **stands** approximately 30 feet tall with a diameter at breast height of 40 inches.

While the over all vigor of this trees canopy **seems** to be in fair to good health its structural integrity is hazardous. On all supporting scaffolding branches there are very large pockets of decay from old heading wounds. Also, three of the main standards have been girdled from incorrect cabling.

This **tree** has already lost large limbs and will continue to **lose** them **due** to the amount of **decay**. Also, where the tree has been girdled the risk of these limbs snapping off at the point of the cables is great. As this tree stands now I would deem it a hazard once a home is placed next to this tree as a target for falling limbs, I would deem it an imminent hazard as construction stress will only make **this** tree weaker.

It is my opinion that this tree should be removed prior to any construction.

Tree #2, **also** an avocado, is a multi-standard tree with an averaged diameter at breast height of 30 inches. **It** stands approximately 30 feet tall.

It has a vigorous canopy and an overall health rating of good.

Environmental Review Initial Study
ATTACHMENT 7, 2 of 4
APPLICATION CS-0768

The tree does need to be canopy cleaned, lifted and have some weight taken out of it. This should all be done before construction starts. I would also suggest that a cabling system is placed in this tree to help its over all integrity due to the multiple standards, size and age.

With the suggested tree *care* and the following construction specifications this tree should have little stress throughout construction. Upon completion of construction this tree will be a non-replaceable mature landscape tree.

CONSTRUCTION SPECIFICATIONS

The proposed construction near this tree is for a residence. The most important impact is to minimize the soil compaction and root disturbance throughout construction. Also, the tree should be protected from any type of mechanical injury to its trunk and canopy.

Following are basic precautions that need to be implemented while developing around and near the tree:

1. A 6' chainlink fence with posts sunk into the ground should be erected to encircle the tree. The fence should be far enough out to enclose the area under the drip line of the canopy. These should be in place before any construction and grading is done.
2. Plans call for a sidewalk to be placed about 10 feet from the trunk of the tree. When the ground is prepared for this an arborist should be on site and any roots that are encountered should be cut by hand with a sharp saw and not by a shovel, spade or any type of heavy equipment.
3. No construction debris or dirt should be left under the canopy of the tree.
4. No construction vehicles, such as tractors, tools, such as

Environmental Review Initial Study
ATTACHMENT 7, 3 of 4
APPLICATION 05-0768

concrete mixers, should be left under the canopy of the tree.

5. No type of toxic chemicals or any type of cement should be left anywhere near the tree.
6. There should be no grade changes within 5' from the trunk of these trees.
7. All other pruning is to be done under the supervision of a certified arborist using I.S.A. approved pruning standards and should be done prior to any construction and the placement of the fencing.
8. If any type of equipment damage does occur to either the canopy or the trunk of these trees the consulting arborist needs to be contacted immediately. No one other than the arborist should take any type of corrective procedures for damage that may occur to the tree.

Environmental Review Initial Study
ATTACHMENT 7. 4 of 4
APPLICATION 0708

C O U N T Y O F S A N T A C R U Z
Discretionary Application Comments

Project Planner: Cathleen Carr
Application No.: 05-0768
APN: 030-041-04

Date: August 4, 2006
Time: 13:18:19
Page: 1

Environmental Planning Completeness Comments

===== UPDATED ON DECEMBER 5, 2005 BY KENT M EDLER ===== 1. The grading plans indicate 1800 cy's of off-haul which is excessive for this site. The plans should attempt to more closely balance cut and fill volumes and / or incorporate the use of stepped foundations.

2. Cut and fill volumes must be indicated on the plans. Submit calculations of the volumes.

3. The plans should clearly show the limits of the retaining walls at the south side of the new street and at the north side of lot 1.

4. Show N-S grading x-sections that run from property line to property line through the lots. Also include E-W grading x-sections.

5. Indicate finish pad elevations on the grading plans.

6. The soils report has been accepted.

===== UPDATED ON DECEMBER 21, 2005 BY ANDREA M KOCH ===== 1) Submit an arborist's report addressing protection of the existing trees.

===== UPDATED ON JANUARY 30, 2006 BY KENT M EDLER ===== No further comments regarding grading. Revised plans are acceptable.

===== UPDATED ON JANUARY 31, 2006 BY ANDREA M KOCH ===== Again, please submit an arborist's report addressing protection of the existing trees to be retained.

===== UPDATED ON APRIL 18, 2006 BY KENT M EDLER ===== The revised grading plans are still acceptable. The grading plans can be considered complete. (Plans dated 3-21-06)

===== UPDATED ON APRIL 27, 2006 BY ANDREA M KOCH =====
1) No further comments.

Environmental Planning Miscellaneous Comments

===== REVIEW ON DECEMBER 5, 2005 BY KENT M EDLER ===== 1. A plan review letter from the soils engineer will be required in the building permit stage.

2. An erosion control plan will be required in the building permit stage.

===== UPDATED ON DECEMBER 21, 2005 BY ANDREA M KOCH =====

1) Show proposed drainage devices on the plans.

2) Show tree protection fencing and include the arborist's recommendations for tree protection on the plans. ===== UPDATED ON JANUARY 31, 2006 BY ANDREA M KOCH

=====

===== UPDATED ON APRIL 27, 2006 BY ANDREA M KOCH =====

1) No further comments.

Housing Completeness Comments

Environmental Review Initial Study
ATTACHMENT 3 of 13
APPLICATION 05-0768

Project Planner: Cathleen Carr
 Application No.: 05-0768
 APN: 030-041-04

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===== REVIEW ON DECEMBER 19, 2005 BY TOM POHLE =====

Based on the understanding that the developer is proposing to construct a subdivision of 5 units from 2 existing parcels, 1 of which has an existing unit which will be removed from the site or demolished, per County Code 17.10 this project would have an Affordable Housing Obligation (AHO) of .75 of a unit of affordable housing. Additionally, when more information is available regarding the disposition of the existing unit on the property additional review comments may be provided. Prior to filing a final subdivision map for this project the developer must execute a Measure J Participation Agreement with the County which will include the terms of meeting the project's AHO. ===== UPDATED ON FEBRUARY 10, 2006 BY TOM POHLE =====

This project was previously routed as a 5 unit project created from 2 existing parcels, and is now proposed as a 3 unit project created from 1 parcel, with a remainder parcel. It should be noted that, per County Code 17.10, any future development on any adjoining parcel(s) will take into consideration the current project proposed on 1 parcel and will require the developer to meet the affordable housing requirements equal to the requirement that would have applied had the parcels been proposed for development at the same time.

The reviewer's understanding is that the project as currently proposed, will divide 1 parcel with an existing home on it, into 3 parcels, relocating the existing home on 1 of the parcels. Based on this understanding of the project, the project is creating 2 new parcels and 2 new homes and is exempt from paying any In Lieu fees per County Code.

Housing Miscellaneous Comments

Environmental Review Initial Study
 ATTACHMENT 8, 2 of 13
 APPLICATION 05-0768

===== UPDATED ON DECEMBER 19, 2005 BY TOM POHLE =====

none ===== UPDATED ON FEBRUARY 10, 2006 BY TOM POHLE =====

While the project as currently proposed does not trigger an AHO, staff is concerned that there is potential for this project to become subject to an AHO in 2 ways. In the first way, if "demolition" of the existing house occurs, per County Code 17.10 the project would be treated as a 3 unit project and subject to an In Lieu fee which is currently \$10,000. Staff recommends that the definition of "demolition" as used by the County of Santa Cruz Building Department be applied and as a result if the existing house to be relocated is determined to be "demolished", as defined by the

Project Planner: Cathleen Carr
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Building Department, this project will be subject to a Small Project In Lieu fee

The second way in which this project could become subject to an AHO is if the adjacent parcel, previously proposed as a part of this development will be proposed as a separate project in the future. In such cases, County Code 17.10 requires the AHO to be applied, and the resulting affordable unit(s) to be built and/or fees to be paid as if the current project and the previous one are one.

Based on these staff concerns, staff recommends that, prior to issuance of a building permit for the proposed project the developer be required to provide proof of the recordation of a condition, requiring building an affordable unit(s) and/or paying fees as are then in effect. The proposed condition, reviewed and approved by the County, would be recorded against the title of the parcel previously proposed for development.

===== UPDATED ON FEBRUARY 10, 2006 BY TOM POHLE =====
 ===== UPDATED ON FEBRUARY 10, 2006 BY TOM POHLE =====

Long Range Planning Completeness Comments

LATEST COMMENTS HAVE ~~NOT YET~~ BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 2, 2005 BY GLENDA L HILL =====

1. Proposed right-of-way is less than 40 feet in width thereby requiring a less than 40-foot right-of-way approval and a roadway exception. 2. Proposed house on Lot 1 does not show the required 20-foot street side yard for new corner lots. This requires a Variance request or redesign. 3. Lot 4 does not meet the minimum 40-foot site frontage or 60-foot site width required by the zone district for lots on cul-de-sacs. This requires either a) a redesign; b) Variances; or c) designation of the area that does not meet the minimum requirements as a corridor access (flag). The consequence of designating this area as a corridor access is that the area is deducted from net developable area and the required front yard begins where the parcel meets its minimum 60-foot site width. This would require the proposed house to be relocated or a Front Yard Variance.

Environmental Review Initial Study

Long Range Planning Miscellaneous Comments

ATTACHMENT 8, 3 of 13
 APPLICATION 05-0768

LATEST COMMENTS HAVE ~~NOT YET~~ BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 2, 2005 BY GLENDA L HILL =====
 Lot legality should be resolved as part of this application.

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE ~~NOT YET~~ BEEN SENT TO PLANNER FOR THIS AGENCY

Project Planner: Cathleen Carr
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===== REVIEW ON DECEMBER 15, 2005 BY DAVID W SIMS =====

General Plan policies: <http://www.sccoplanning.com/pdf/generalplan/toc.pdf> 7.23.1
 New Development 7.23.2 Minimizing Impervious Surfaces 7.23.3 On-Site Stormwater
 Detention 7.23.4 Downstream Impact Assessments 7.23.5 Control Surface Runoff

An engineered drainage plan was submitted with the application, and was reviewed for completeness of discretionary development, and compliance with stormwater management controls and County policies listed above. The plan was found to need the following additional information and revisions prior to approving discretionary stage Stormwater Management review.

Item 1) The project will be required to hold runoff rates to predevelopment levels for the County standard 10 year event. Detention will be required/allowed only to the extent that predevelopment runoff rates cannot be maintained through other applied measures, and where drainage problems are not resolved. Indicate on the plans the manner in which building downspouts will be discharged. Proposing downspouts as discharged directly to the storm drain system or street gutter is generally inconsistent with efforts to hold runoff to pre-development rates. Please provide mitigation measures consistent with policies 7.23.1, 7.23.2, and 7.23.3.

Item 2) The project will be required to minimize impervious surfacing. This may be accomplished by minimizing the extents of impervious surfacing and/or substituting porous pavement materials. It is noted that lots 2 and 4 have rather large driveways due to the desired placement and configuration of the homes. The narrow frontage orientation of the parcel necessitates the lengthy extents of the access road. There is also a lot of additional pavement used to provide guest parking. These conditions represent reason to require minimization of impermeable surfacing somewhere within the site to a significant extent. It is not clear whether the cul-de-sac will be private or public. As a private road, its surface could potentially be made permeable.

Item 3) A downstream impact assessment is not being required. Lower reaches of the downstream system have already been evaluated in the County Zone 5 Master Plan, and are shown to have more than standard capacity. Review evaluation of upper reaches of the pipe system not included in this study, does not raise significant capacity concerns. Changes in drainage areas due to surrounding development (elementary school) was previously discussed with the design engineer, and has been determined not to vary substantially enough from the drainage area assumptions in the Master Plan to warrant reassessment. Additional survey work done by the design engineer has also clarified drainage boundaries. However, the uppermost section of the existing stormdrain system is only of 12" diameter, less than the present County minimum of 18" diameter. If it is found necessary for this project to extend or make physical connection to this stormdrain, replacement of the undersized pipe section is also required.

Item 4) A method to protect water quality will be required, which typically includes a maintenance agreement for filtration structures.

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

UPDATED ON FEBRUARY 16, 2006 BY DAVID W
 Environmental Review Initial Study

ATTACHMENT 6, 4 of 13
 APPLICATION 05-0768

Project Planner: Cathleen Carr
 Application No.: 05-0768
 APN: 030-041-04

Date: August 4, 2006
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SIMS =====
 2nd Review:

Prior item 1) Incomplete. The proposed mitigation measures are generally positive and the home sites and driveways are adequately mitigated. However, the street surface will still generate excessive runoff as presently configured and graded, and as suggested by the 35% increase in runoff per calculations. This may be resolvable. It is recommended that the street cross slope be reversed such that the impermeable A.C. drains onto the permeable pavement. The gravel bed under the porous pavement can serve as temporary storage and a water quality filter. Accounting for this storage would likely hold runoff rates to pre-development rates. If it is felt that the underlying soils cannot percolate runoff received, then this gravel bed can be sub-drained and still provide effective runoff rate mitigation.

Another concern is the use of permeable A.C. in conjunction with standard A.C. Standard A.C. requires top-coating as a part of regular maintenance. It is highly likely that the porous A.C. would not be recognized and would also be top-coated. Two options are recommended. Use visually different porous concrete or porous concrete pavers for the road parking areas, or construct the entire road surface out of porous A.C. such that sealing maintenance is eliminated entirely. If the entire road is made porous, the suggestion to reverse the cross-slope is unnecessary. A quick check indicates that if the entire road were calculated with the same C-value as that used for the porous pavement, then post-construction runoff is virtually identical to the pre-development condition.

If neither of the above recommendations are desired, please provide some means to control the runoff from the impermeable road surface.

Prior item 2) Complete. See discussion in item 1 on porous pavement materials.

Prior item 3) Complete.

Prior item 4) Complete.

See miscellaneous items to be completed prior to recording the final map. =====
 UPDATED ON APRIL 27, 2006 BY DAVID W SIMS =====

3rd Review: Application is complete for discretionary stage review.

Prior item 1) Complete. The proposed mitigation measures appear capable of holding runoff rates to pre-development levels with the homes, driveways and half the road surface being mitigated. The remaining road surface and other miscellaneous hard surfacing are allowed to be unmitigated due to credit for prior development. The road surface does get water quality treatment by way of a silt and grease trap.

Prior items 2, 3, 4) Complete.

See prior miscellaneous comments.

Dpw Drainage Miscellaneous Comments

Environmental Review Initial Study
 ATTACHMENT 8, 5 of 13
 APPLICATION 05-0768

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

Project Planner: Cathleen Carr
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===== REVIEW ON DECEMBER 15, 2005 BY DAVID W SIMS =====
 Miscellaneous:

A) A means to route water off each lot other than sheeting over the sidewalks is needed.

B) Site soil mapping indicates that the upper 21" of the soil profile offers the best permeability. Effort should be made to prevent removal of this upper soil layer where it will remain in landscaping, so as to minimize hydrologic disturbance.

C) The ditch at the toe of slope behind lot 5 does not appear adequately defined to intercept flows. Is there significant runoff at the upper end of the ditch? If so, can this be improved? If the ditch/inlet has silted in so badly as to prevent proper function, cleanout should be noted as required concurrent with project construction. If there are existing easements along this ditch length please show them.

Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development or sale must obtain the Construction Activities Storm Water General NPDES Permit from the State Water Resources Control Board. Construction activity includes clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement. For more information see:
<http://www.swrcb.ca.gov/stormwtr/constfaq.html>

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.90 per square foot, and are assessed upon permit issuance. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.

All resubmittals shall be made through the Planning Department. Materials left with Public Works may be returned by mail, with resulting delays.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON FEBRUARY 16, 2006 BY DAVID W SIMS =====

Miscellaneous items to be completed prior to recording the final map and improvement plans:

Prior item A) Complete. Under sidewalk drains should be called out per County standard drawing, Fig. ST-4b.

Prior item B) Elevations (and stationing) are not provided on the cross-sections, so hydrologic disturbance cannot be accurately ascertained.

Prior item C) No easement is shown for the ditch east of the development. Permission from the school district to perform the clean out will be required.

Item D) Please show flow arrows for the road surface plan view

Item E) Construction Section details will be required for the driveways. =====
 UPDATED ON APRIL 27, 2006 BY DAVID W SIMS =====

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NO COMMENT

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON DECEMBER 6, 2005 BY RUTH L ZADESKY =====
No comment, project involves a subdivision or MLD.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON DECEMBER 6, 2005 BY RUTH L ZADESKY =====
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON DECEMBER 20, 2005 BY GREG J MARTIN =====

The proposed development consists of the development of lots 030-041-04 and 030-041-33 off of North Main Street into five lots for single family homes. One lot is proposed to obtain access directly from North Main Street. The remaining four lots are proposed to obtain access to North Main Street via a new private road.

The road and roadside improvements on North Main Street should comply with the approved plan line. The plan line is available at the Surveyor-s Counter at Public Works.

Standard returns with a 20 feet radii are recommended for the intersection of the new private road and North Main Street.

The adjacent property to the south is not fully built out. The development proposal must include consideration of how this property will be built out and how access to each new lot will be provided. It is anticipated that at least one additional lot may be created with access off of the new private road. This would bring the total number of lots with access from the new private road to five lots.

Therefore, the standard recommended for the private road is an Urban Local Street With Parking. This requires two 12 foot travel lanes, 6 feet on each side for parking, and separated sidewalks on each side. The right-of-way requirement for this road section is 56 feet. A cul-de-sac designed to County Standards is recommended.

The proposed road exception is not recommended. Public Works does not recommend rolled curbs. The landscaping strip is only two feet on either side of the road. Any road exception should be specified within the project description.

The driveway to Lot 4 does not appear to meet turn radii requirements. The minimum inside radius for a driveway is 15 feet.

If you have any questions please call Greg Martin at 831-454-2811. ===== UPDATED ON FEBRUARY 14, 2006 BY GREG J MARTIN =====

1. The proposed development has been revised to exclude the development of parcel 030-041-33. The plans must show the potential development of parcel 030-041-33 and parcel 030-041-22 and how access to each new lot will be provided.. The application must exclude parcel 030-041-33 from the project description.

Environmental Review Initial Study

ATTACHMENT 6, 7 of 13
APPLICATION 05-0768

EXHIBIT E

Project Planner: Cathleen Carr
 Application No.: 05-0768
 APN: 030-041-04

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2. The private road appears to have the potential to serve five lots. The standard recommended is an Urban Local Street With Parking. The right-of-way requirement for this road section is 56 feet. This requires two 12 foot travel lanes, 6 feet on each side for parking, and separated sidewalks on each side. A cul-de-sac designed to County Standards is recommended.

3. The proposed project does not appear to comply with the approved plan line for North Main Street. The landscaping strip appears too wide, which will adversely impact the width of the street or sidewalk. The plans should show a cross section of Main Street and a complete plan view to demonstrate it complies with the plan line. The plan line calls for a 66 foot right of way, two 12 foot travel lanes, 12 feet on each side for bike lanes and parking, and separated sidewalks.

4. Each parking space should be numbered. It does not appear that the driveways for Parcel 2 and Parcel 3 are wide enough for parking. The driveways appear to be 16 feet wide and 17 feet is required for two vehicles to park side by side.

If you have any questions please call Greg Martin at 831-454-2811. ===== UPDATED ON APRIL 20, 2006 BY GREG J MARTIN =====
 per Jack Sohriakoff The third submittal is acceptable to Public Works.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON DECEMBER 20, 2005 BY GREG J MARTIN =====
 ===== UPDATED ON FEBRUARY 14, 2006 BY GREG J MARTIN =====
 ===== UPDATED ON APRIL 20, 2006 BY GREG J MARTIN =====

Environmental Health Completeness Comments

LATEST COMMENTS HAVE ~~NOT YET~~ BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 2, 2005 BY JIM G SAFRANEK =====
 NO COMMENT

Environmental Health Miscellaneous Comments

LATEST COMMENTS HAVE ~~NOT YET~~ BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 2, 2005 BY JIM G SAFRANEK ===== Soquel Creek is the stated water purveyor. If the onsite well as shown on the preconstruction site plan is going to be abandoned, an EHS permit to destroy the well will be required prior to build. permit appl. approval

Environmental Review Initial Study
 ATTACHMENT 8, 8 of 13
 APPLICATION 05-0768



**CENTRAL
FIRE PROTECTION DISTRICT**
of Santa Cruz County
Fire Prevention Division

930 17th Avenue, Santa Cruz, CA 95062
phone (831) 479-6843 fax (831) 479-6847

Date: April 18, 2006
To: Ben and Lori Dettling
Applicant: John Craycroft
From: Tom Wiley
Subject: 05-0768
Address: 3330 Main St.
APN: 030-041-04
OCC: 3004104
Permit: 20060127

We have reviewed plans for the above subject project and the District requirements have been met.

The following NOTES must be added to notes on velums by the designer/architect in order to satisfy District requirements when submitting for **Application for Building Permit:**

Submit a check in the amount of \$100.00 for this particular plan check, made payable to Central Fire Protection District. A \$35.00 **Late Fee** may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 479-6843 and leave a message, or email me at tomw@centralfd.com. All other questions may be directed to Fire Prevention at (831) 479-6843.

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.

3004104-041806

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ATTACHMENT 3, 9 of 13
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MONTEREY BAY

Unified Air Pollution Control District
serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER
Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

December 20, 2005

Ms. Cathleen Carr, Project Planner
Santa Cruz County Planning Dept.
701 Ocean Avenue
4th Floor
Santa Cruz, CA 95060

Sent by Facsimile to:
(831) 454-2131
and by e-mail to:
pln716@co.santa-cruz.ca.us

SUBJECT: MND FOR DETTLING MINOR SUBDIVISION AND GRADING

Dear Ms. Carr:

The Districts submits the following comments for your consideration:

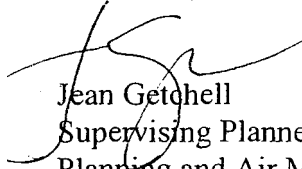
Fugitive Dust during Grading / Excavation

Please note that the District's threshold of significance for fugitive dust is 82 pounds per day, which is associated with 8.1 acres of grading or 2.2 acres of grading and excavation per day, respectively. To mitigate the impacts of grading / excavation, please consider the following mitigation measures:

- Limit excavation to 2.2 acres per day or grading to 8.1 acres per day.
- *Water graded / excavated areas at least twice daily. Frequency should be based on the type of operations, soil and wind exposure.
- *Apply chemical soil stabilizers on roads that are unused for at least four consecutive days.
- ***Apply** non-toxic binders to exposed areas after cut and fill operations, and hydro-seed area.
- *Plant vegetative ground cover in disturbed areas as soon as possible.
- *Haul trucks shall maintain at least 2'0" of freeboard.
- ♦Cover all trucks.

Thank you for the opportunity to comment.

Yours truly,


Jean Getchell
Supervising Planner
Planning and Air Monitoring Division

Environmental Review Initial Study
ATTACHMENT 8, 10 of 13
APPLICATION 05-0768

DISTRICT BOARD MEMBERS

CHAIR
Lou Calcagno
Monterey County

VICE CHAIR
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County

Anna Caballero
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Butch Lindley
Monterey County

Ila Mettee-
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Marina

Reb Monaco
San Benito
County

John Myers
King City

Dennis Norton
Capitola

Ellen Pine
Santa Cruz
County

Jerry Smith
Monterey County

COUNTY OF SANTA CRUZ
Inter-Office Correspondence

DATE: February 10, 2006

TO: Tom Burns, Planning Director
✓ Cathleen Carr, Planner
Tom Bolich, Public Works Director

FROM: Supervisor Jan Beautz JB

RE: ADDITIONAL COMMENTS ON APP. 05-0768, APN 030-041-04,
3330 MAIN STREET MINOR LAND DIVISION

While these revised plans have withdrawn one parcel previously included, development of the remaining parcel remains predominantly similar to the original proposal. Therefore, please refer to my previous comments of December 15, 2005. In addition, please consider the following areas of concern in your evaluation of the above revised Minor Land Division application to divide an existing parcel into three residential parcels and a remainder parcel.

Previously this application also included adjacent APN 030-041-33, zoned PF, to create a five lot development. It appears that this rear lot has been removed from this MLD proposal as it will first require a General Plan amendment to allow residential development of this parcel. However, the proposed configuration for the three remaining lots and cul-de-sac is configured to support the residential development of this rear parcel once proper zoning is approved. Therefore, this proposed roadway should be carefully evaluated for its ability to provide access for all lots and not just the two parcels currently shown. Parcel 1 is proposed to have a separate driveway access connecting directly to Main Street instead of using this interior roadway. Is this appropriate given the Main Street grade change and streetscape or should all lots within this development be accessed via the new roadway?

The applicant is proposing an extremely substandard 22 foot travel width for this new roadway which will eventually serve five lots and possibly more. There are several large, currently underutilized, narrow parcels directly south of this proposed roadway. Due to unusual configurations, these parcels may also rely on this new roadway to develop in the

Environmental Review Initial Study
ATTACHMENT 8, 11 & 13
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EXHIBIT E

future. The decisions made regarding this roadway now may create issues making further development of the surrounding parcels extremely problematic. Could the applicant be required to Master Plan the surrounding neighborhood area for its development potential in relation to this proposed roadway, so that whatever roadway exception is granted will complement this surrounding area?

This revised proposal continues to request the grading of approximately 1,180 cubic feet of earth. A large portion of the excavation is shown in the roadway area. While the grading cross-sections A, B, and C indicate the adjustments in grade for building pads and roadway, no cross-section is provided in the vicinity of the cul-de-sac and sidewalk for the rear portion of the roadway. Will this information be provided? Is the proposed grading appropriate or should this be reconfigured to reduce the volume? How will the proposed lowering of the grade for the roadway affect the adjacent properties to the south?

Sheet 4 of 4, drainage study, indicates that driveways and roadside parking will be surfaced with pervious pavement. However, no additional drainage improvements are proposed. The site plan also lacks drainage arrows indicating storm water flow direction for each parcel. Is the submitted drainage plan adequate or are additional drainage features required? If the pervious pavement surfaces are permitted, how will they be conditioned to ensure that they are properly maintained to ensure proper functioning for the life of the system?

This application requires exceptions to new parcel width and setback standards to create and develop Parcel 1 as currently proposed. This results in a 49 foot parcel frontage when 60 feet is required and a street side yard setback of 8 feet when 20 feet is required. Other developments within the First District have not been granted such significant reductions to Code required development standards. Can the required findings be made to allow these reductions or should this parcel be reconfigured to more closely reflect Code requirements?

JKB:ted

3492A1

Environmental Review Initial Study
ATTACHMENT 8 12 13
APPLICATION 05-0768

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: February 16,2006
TO: Cathleen Carr, Planning Department, Project Planner
FROM: Melissa Allen, Planning Liaison to the Redevelopment Agency
SUBJECT: Application #05-0768, 2nd **Routing**, APN 030-041-04 & 33, **3330** Main Street, Soquel

The applicant is proposing to divide APN 030-041 -04 into three residential parcels and a remainder parcel, to create a parcel less than 60-feet wide and a Setback Exception per County Code Section 13.10.510(f) to 8 feet on Parcel 1 and to move the existing dwelling on proposed Parcel 1 to proposed Parcel 3, **and** construct two new single family dwellings, to construct a 30-foot wide access road within a 36.5-foot to 40-foot wide right-of-way and to grade approximately 1,180 cubic yards of earth. The project requires a Minor Land Division and Residential Development Permit, a Variance and Setback Exception, Preliminary Grading Approval and a Roadway and Roadside Exception. The property is located on the east side of North Main Street adjacent to the North Main Elementary School, at 3330 North Main Street, Soquel. (Updated description)

This application was considered at an Engineering Review Group (ERG) meeting on December 7,2005 and again on February 15, 2006. The Redevelopment Agency (RDA) previously commented on this application on December 19,2005 and has the following additional comments regarding the proposed project. RDA's primary concerns for this project involve the provision of adequate street frontage improvements with street trees, sufficient onsite parking to adequately serve the units, and protection of the large trees onsite. Please see previous **RDA** project comments for Planning consideration: # 1, 2, 3, 4, 5, and 6.

1. See previous comment #2. Street trees (2 minimum) should be installed within the Main Street curb-adjacent landscape strip pursuant to road improvement standards. This is in addition to proposed Lot 1 front yard trees. The street trees should be installed at a 24"-box size and irrigated pursuant to the Street Tree Criteria for new Residential Development. Chinese Pistache trees are recommended as the **Main** Street street-tree.
2. See previous comment #3. Additional information should be provided with regard to the future access and use of the parcel at the rear of the development and the designated "Parcel X" **that** would require access off of the proposed entry drive. It appears that in the future this drive could serve a sufficient number of lots to warrant full street standards. This road should at minimum meet the "Minimum Urban Local Street" exception width with a full width sidewalk and landscape strip along one side of the roadway. **In this case, RDA** recommends that a curb adjacent sidewalk be provided on the north side of the road along the new residential lots and a 5-foot landscape strip with street trees be provided along the site's southern property line. These street trees should be in addition to the trees proposed to be installed and retained in each of the **lot** front yards. If the current design is proceeds, then additional street trees should be provided within the landscape strip along the side of the street in front of the new residences. Street trees should be installed and maintained pursuant to the Street Tree Criteria as noted in #1 above.

The issues referenced above should be evaluated as part of this application and/or addressed by conditions of approval. RDA would like to see future routings of revised plans. RDA appreciates this opportunity to comment. Thank you.

cc: Greg Martin, DPW Road Engineering
Paul Rodrigues, Sheryl Bailey, and Betsey Lynberg, RDA
Jan Beautz, 1st District Supervisor

Environmental Review Initial Study
ATTACHMENT 8, 13, 14, 15
APPLICATION 05-0768

December 7, 2005

Mr. Ben Dettling, Kern Akol & Dan Moran
140 Via Del Mar
Aptos, CA 95003

**SUBJECT: Water Service Application - 3330 Main St, Soquel,
APN 030-041-04 & 33**

Dear Mr. Dettling, Akol & Moran:

In response to the subject application, the Board of Directors of the Soquel Creek Water District at their regular meeting of December 6, 2005, voted to serve the proposed four new units to be constructed behind the existing single-family dwelling subject to such conditions and reservations as may be imposed at the time of entering into a final contract for service. Neither a final contract for service nor a service installation order will be issued until such time as **all** approvals from the appropriate land-use agency and any other required permits from regulatory agencies have been granted and **all** conditions for water service **have** been met to the satisfaction of the District

This present indication to serve is valid for a two-year period from the date of this letter: however, it should not be taken as a guarantee that service will be available to the project in the future or that additional conditions, not otherwise listed in this letter, will not be imposed by the District prior to granting **water** service. Instead, this present indication **to** serve is intended to acknowledge that, under existing conditions, water service would be available on condition **that** the developer agrees to provide the following items without cost to the District:

- 1) Destroys any wells on **the** property in accordance with State Bulletin No. 74;
- 2) Satisfies all conditions imposed by the District to assure necessary water pressure, flow and quality;
- 3) Satisfies all conditions of Resolution No. **03-31** Establishing a Water Demand Offset Policy ~~for~~ New Development, which states that **all** applicants for new water service shall **be** required to offset expected water use of their respective development by a 1.2 to 1 ratio by retrofitting existing developed property within the Soquel Creek Water District service area **so** that any new development has a "zero impact" on the District's groundwater supply. Applicants for new service shall bear those costs associated with the retrofit as deemed appropriate by the District up to a maximum set by the District and pay any associated fees set by the District to reimburse administrative

Environmental Review Initial Study

ATTACHMENT 9, Lot 9
APPLICATION 05-0768
EXHIBIT E

and inspection costs in accordance with District procedures for implementing this program.

Water Demand Offset factors have been applied as we understand your lot and your project, and will be adjusted if your final project differs from what is **proposed**;

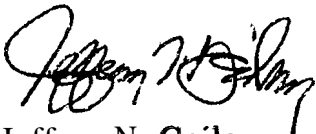
- 4) Satisfies all conditions for water conservation required by the District at the time of application ~~or~~ service. There are three sets of water-efficiency documents as listed below, and the first two are pertinent to development other than a single-family lot and the third bulleted document pertains to single-family lot construction:
 - a) *Water Use Efficiency Requirements for subdivisions, planned unit developments, and projects with designated open spaces and landscaped areas other than single-family dwelling lots;*
 - b) *Overview of Water Use Efficiency Requirements for Development other than Single Family Lots;*
 - c) *Water Use Efficiency Requirements for Single-Family Lots.*
- 5) The appropriate Water Use Efficiency Requirements **for** your project are enclosed with this letter: and are subject to change. **Some** of the items Included, but not limited to, in the Water Use Efficiency Requirement documentation are:
 - a) Plans for a water efficient landscape and irrigation system shall be submitted to District Conservation **Staff** for **approval** ~~or~~ any development other than a single-family lot. Single-family lot construction has a self-verification system that must **be** followed;
 - b) All interior plumbing fixtures shall be low-flow **and** all Applicant-installed water-using appliances (e.g. dishwashers, clothes washers, etc.) that are new shall have the EPA Energy Star label and the clothes washer should have a “water factor” of 8.5 or less (the water factor relates the number of gallons of water used per cubic foot of wash load);
 - c) District Staff shall inspect **the** completed project for compliance with **all** conservation requirements prior **to** commencing domestic water service;
- 6) Completes LAFCO annexation requirements, if applicable;
- 7) All units shall be individually metered with a minimum size of 5/8-inch by %-inch standard domestic water meters;
- 8) A memorandum of the terms of this letter shall be recorded with the County Recorder. of the County of Santa Cruz to insure that **any** future property owners are notified of the conditions set forth herein.

Environmental Review Initial Study
ATTACHMENT 9, 2 of 9
APPLICATION 05-0768
EXHIBIT E

Future conditions which negatively affect the District's ability to serve the proposed development include, but are not limited to, a determination **by** the District that existing and anticipated water supplies are insufficient to continue adequate and reliable service to existing customers while extending new service to your development. In that case, service may be denied.

You are hereby put on notice that, the Board of Directors of the Soquel Creek Water District is considering adopting additional policies to mitigate the impact of new development on the local groundwater basins, **which** are currently the District's only source of **supply**. Such actions are being considered because of concerns about existing conditions that threaten the groundwater basins **and** the lack of a supplemental supply source that would restore and maintain **healthy** aquifers. The Board may adopt additional mandatory mitigation measures to further address the impact **of** development, on existing water supplies, such as the impact of impervious construction on groundwater recharge. Possible new conditions of service that may be considered include designing and installing facilities or fixtures on-site or at a specified location as prescribed and approved by the District, which would restore groundwater recharge potential as determined by the District. The proposed project would be subject to this and **any** other conditions of service that the District may adopt prior to granting water service. As policies are developed, the information will be made available.

Sincerely,
SOQUEL CREEK WATER DISTRICT



Jeffery N. Gailey
Engineering Manager/Chief Engineer

Enclosure: Water Use Efficiency Requirements

Environmental Review Initial Study
ATTACHMENT 9, 3 & 9
APPLICATION 05-0768

SANTA CRUZ COUNTY SANITATION DISTRICT

INTER-OFFICE CORRESPONDENCE

DATE: February 9, 2006

TO: Planning Department, ATTENTION: CATHLEEN CARR

FROM: Santa Cruz County Sanitation District

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

APN: 30-041-04

APPLICATION NO.: 05-0768

PROJECT DESCRIPTION: THREE PARCEL MINOR LAND DIVISION

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

Following completion of the discretionary permit process and prior to obtaining a building permit, the following conditions shall be met during the final plan (Public Works) review process:

1. Department of Public Works and District approval shall be obtained for an engineered sewer improvement plan showing sewers needed to provide service to each lot or unit proposed. This plan shall be approved by the District and the County of Santa Cruz Public Works prior to the issuance of any building permits. This plan shall conform to the County of Santa Cruz Design Criteria. The proposed road right-of-way shall be separately offered for dedication to the District and be shown on the Final Map.

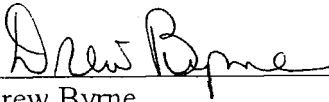
Following completion of the above mentioned engineered sewer plan and Final Map, the following conditions shall be met during the building permit process:

Existing lateral(s) must be properly abandoned (including inspection by District) prior to issuance of demolition permit or relocation or disconnection of structure. **An** abandonment permit for disconnection work must be obtained from the District.

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

Environmental Review Initial Study
ATTACHMENT 12.1 of 2
APPLICATION 05-0768

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



Drew Byrne
Sanitation Engineering

DB:

c: Applicant: John Craycroft
 1244 Happy Valley Road
 Santa Cruz, CA 95065

 Owner: Ben & Lori Dettling
 140 Via Del Mar
 Aptos, CA 95003

Environmental Review Initial Study
ATTACHMENT 10, 2017
APPLICATION 25-0768

11-29-06

Larry.

Enclosed is the paper work we
talked about. The people who
signed would like to be at the meeting
if it would be evening time

Please do what you can to make it so!
This is important to us!

Send a Copy to Jan Beantz

Yours -
A. B.

Michael Lynn Seros

DINO SOSO[✓]@HOTMAIL.COM

(831) 475 3303

- 98 -

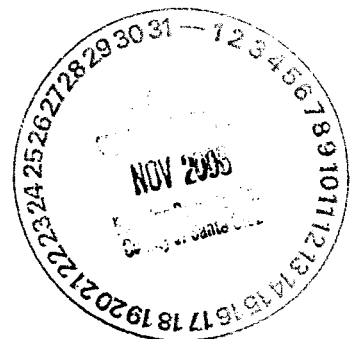


EXHIBIT F

County of Santa Cruz
Planning Commission 4TH Floor

and
Jan Beautz BOARD OF
SUPERVISORS 5TH

701 Ocean St.
Santa Cruz CA. 95060

To whom it may concern:

Regarding the development of the site: 3330
Main St. Soquel, CA; APN: 030-041-04; PLN 795/
Larry Kasparowitz.

Our neighborhood is getting more congested
4 the day. The Soquel High parents and students
use the Bridge St access at the corner of Main &
Bridge St. as a way to Soquel High.

Also the Main Street School with the addi-
tional Capitola School children, their parents
taking the kids to and from school, creating
a bumper to bumper car situation.

According to Larry Kasparowitz this
project is in the works for 2 good size
homes of approximately 2200' & 2900 sq ft.

- with a good possibility of adding 2 more homes giving a total of 5 (That's including the older building and the new 4th homes)
We feel this would greatly impact ^{an} already ~~is~~ crowded area!

We do understand that all property owners have the right to appropriately develop their parcels. Two homes sharing this parcel is in character with the Sequel Neighborhood. Beyond this amount we are opposed.
We whom live in this neighborhood will have to live with your decisions.

Thank you!

Please keep us posted on your progress.

The following names and addresses.
on page 3

APW 030-041-04.
3330 Main St. project

Page 3

<u>Names</u>	<u>addresses</u>	<u>sigal date</u>
<u>Michael & Lynn Soros</u>	<u>3241 CENTERSH.</u>	<u>" 11/17/06</u>
<u>Paul McBrea</u>	<u>3320 MAIN ST</u>	<u>" 11/17/06</u>
<u>Donald B. Meyer</u>	<u>3340 N. MAIN ST.</u>	<u>" 11/17/06</u>
<u>Lisa Mey</u>	<u>3340 N. Main St</u>	<u>" 11/17/06</u>
<u>Angela Russell</u>	<u>3335 N. Main St</u>	<u>" 11/17/06</u>
<u>Terran Maun</u>	<u>4945 BRIDGE ST</u>	<u>" 11-18-06</u>
<u>SP</u>	<u>4965 BRIDGE ST.</u>	<u>" 11-18-06</u>
<u>SP</u>	<u>4967 Bridge ST</u>	<u>" 11-18-06</u>
<u>David Algren</u>	<u>4965 Bridge St</u>	<u>" 11/19/06</u>
<u>R & S Webster</u>	<u>3144 N. Main St.</u>	<u>" 11/20/06</u>
<u>S. Marko-Webster</u>	<u>3144 N. Main ST.</u>	<u>" 11-20-06</u>
<u>Lain J Coa</u>	<u>4900 Bridge St.</u>	<u>" 11-20-06</u>
<u>John Keane</u>	<u>3241 CENTERSH. sigal</u>	<u>" 11/20-06</u>
<u>Brent Brown</u>	<u>3820 N. Main</u>	<u>11/22/06</u>

<u>Names</u>	<u>addresses</u>	<u>date</u>
<u>Val Bauer</u>	<u>8305 N. Main St</u>	<u>11/20/06</u>
<u>Jim Zahn</u>	<u>3375 Main</u>	<u>11/20/06</u>
<u>Melissa Zahn</u>	<u>3375 Main St</u>	<u>11/20/06</u>
<u>Dale Kelly</u>	<u>3425 N. Main St</u>	<u>11-20-06</u>
<u>Dwight Lee</u>	<u>3444 MAIN St.</u>	<u>11-20-06</u>
<u>Joshie Lee</u>	<u>3303 Main St</u>	<u>11-20-06</u>
<u>Lisa Smith</u>	<u>4940 Bridge St</u>	<u>11/21/06</u>
<u>Melie Marsh</u>	<u>4945 Bridge St</u>	<u>11/21/06</u>
<u>Priscilla Kiedinger</u>	<u>4940 Bridge</u>	<u>11/21/06</u>
<u>Eel Selbst</u>	<u>3310 N. MAIN ST</u>	<u>11/24/06</u>
<u>Carolyn Glasgow</u>	<u>3310 W. Main St</u>	<u>11/24/06</u>
<u>Allison Sandlin</u>	<u>3554 N Main St.</u>	<u>11/24/06</u>
<u>Lisa Moreno</u>	<u>3341 N. Main St</u>	<u>11/24/06</u>

<u>Names</u>	<u>addresses</u>	<u>date</u>
<u>Gennifer C. Snellson</u>	<u>3460 N. Main St.</u>	<u>11/26/06</u>
<u>Micci Winner</u>	<u>3430 Main St</u>	<u>11/26/06</u>
<u>Ruby E. Gaud</u>	<u>4801 Bridge St</u>	<u>11/26/06</u>
<u>Conrad Heier</u>	<u>4800 Bridge St</u>	<u>11/26/06</u>
<u>Paula Smith</u>	<u>3231 Main St</u>	<u>11/26/06</u>
<u>Wayne Morgan</u>	<u>3510 Main St</u>	<u>11/29/06</u>
<u>Lynn Morgan</u>	<u>3510 Main St</u>	<u>11/29/06</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>

Entrance to Main Street School

Gable roof of subject property



This is the 2:30–3:00 PM line-up of cars picking up children from Main Street School. School bus service was terminated about five years ago due to budget restraints. This meant many parent car trips, transporting children to and from school. This line-up happens every school day (180 days a year), twice a day, with drop off in the morning and pick up in the afternoon. The congestion lasts about 20-30 minutes per event.

Traffic typically backs up through the Main St./Bridge St. intersection (here) and southward toward Soquel Dr. The power pole in photo is about 60' south of the Subject Property.



During the school "Line-Up", there are three lines **of** cars as evidenced by this photo:

- 1) The first line is the row **of** cars parked at the curb.
- 2) The middle line is the cars **of** parents lined up and waiting to enter Main Street School.
- 3) The third line is the northbound travel lane, where a dark colored SUV is shown passing the school line-up. Northbound cars in the travel lane must "scoot over" the double yellow line in order to make this traffic situation work.

EXHIBIT F

December 8, 2006

To Santa Cruz County Project Planner **Larry** Kasparowitz

RE: Application 05-0768 APN 030-041-04

I am writing ~~with~~ concerns about the proposal for property located at 3330 Main Street Soquel. The 30-foot wide proposed access road concerns me **and** other nearby **neighbors** because it will not be adequate to **facilitate** the amount **of** vehicles for home users **and** their visitors for the proposed homes. It **would** be a plan better served requiring a minimum 40-foot access road instead, to allow for parking on both sides of the access road. This would help **to** keep vehicle users of the proposed project **from parking** on Main **Street** which is already congested from current vehicles including school related **parking** users.

Also please consider a condition of any approval of the front parcel to require that the rear parcel described **as** APN 030-041-33 which is now zoned PF to remain **as** such for its intended use. This parcel being so **close** and **convenient to** Main Street Elementary School should be preserved and developed for school related facilities such **as after** school day drop in day care, existing school expansion or perhaps a facility for the physically challenged.

Please consider my requests for the best of the existing neighborhood **and** for the **future** of the good intentions of Main. Street Elementary School.

Thank you,

T. Rhodes

EXHIBIT F

December 9,2006

**Board of Supervisors
County Government
701 Ocean Street, Room 525
Santa Cruz, CA 95060**

**RE 05-0768
3330 Main Street, Soquel
APN: 030-041-04**

The house on the above APN was built around 1930. I feel we don't have many historical homes in the Soquel . This house should not be moved and should be left in its original location and foundation.

I am also concerned about the noise this project will make during the construction progress. It is right next to the school. I am also concerned about children getting into the construction site and hurting themselves. What type of chemicals will be used to build this home?

Sincerely,

A concerned neighbor and parent of Main Street School

EXHIBIT F

12/21/06

Tom Burns
Director of Planning
Santa Cruz County Planning Department

RE: Issue of legality of proposed MLD at 3330 **Main St.**, Soquel, CA,
Application # 05-0768; Request for Continuance

Dear Mr. Burns,

Pursuant to my Dec. 20* phone conversation with Dave Reetz, First District Administrative Assistant, I wish to address our neighborhood's concern with respect to the legality of the above referenced development application. Glenda Hill, Principal Planner, first raised such concerns after her review of the application, as recorded Dec. 2, 2005 on Page **68** of the Staff Report to the Planning Commission,

"Lot legality should be resolved as part of this application."

There are no further comments by Ms. Hill in the **Staff Report** and a call to her office seeking clarification has not yet been returned. It would seem, however, from the reading of the report that this matter of legality went ignored or unresolved.

This is how we would sum it up: the subject property **is** divided into two tax parcels but comprises only one legal lot of record. The development application attempts to subdivide one of the tax parcels, presupposing its status as a separate legal lot of record, when, in fact, it is only part of the whole.

The two ~~tax~~ parcels at issue are APN 030-041-04 **and** APN 030-041-33. It is Parcel 04 that the developers propose to subdivide and Parcel 33 that is erroneously omitted from consideration. Parcel 04 **is** zoned R-1-6 while Parcel 33 is zoned PF (Public Facility). It is important to note that the subject property is bounded on two sides by Main Street Elementary School.

In the early 1990's, a new school was coming to Soquel and this area of Main St. was rezoned to accommodate it. A "Public Facility" zoning boundary line was drawn; a line that, in some places, followed existing property lines and, in other places, cut through properties where no boundary

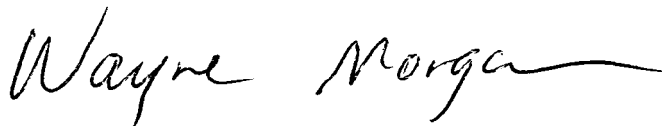
EXHIBIT F

line previously existed. (See Exhibit A, Assessor parcel map, circa **1991**). It will be noted that this latter delineation occurred in the case of the subject property, formerly known as APN **030-041-12**. (It will further be noted that this also happened to a neighboring property, formerly known as APN **030-041-10**.) The rezoning created a property overlaid by two different tax assessment rates. In order to segregate and properly apportion taxation, the Assessor's office created two separate tax parcels on this previously undivided lot with the newly adopted zoning line being the line of demarcation between the new tax parcels, **33** and **04** (see Exhibit B, current Assessor parcel map). Assessor records show that Parcel **33** first came into being on Jan. **22, 1991** (see Exhibit C, Assessor parcel history).

The operative words here are "previously undivided lot". In the case of the subject property, the previous owners were not granted a minor land division in and around **1991**, when, according to Assessor records, Parcel **33** was created. I say this from personal experience, having known the previous owners all of my 58 years. That knowledge aside, it should be noted that Parcel **33** is a landlocked parcel. Had the County of Santa Cruz granted a MLD to subject property in **1991**, Planning Dep't code would have required that the new Parcel **33** be configured as a flag lot or that, at bare minimum, an access easement to Parcel **33** be granted across Parcel **04**. Neither situation seems to be the case.

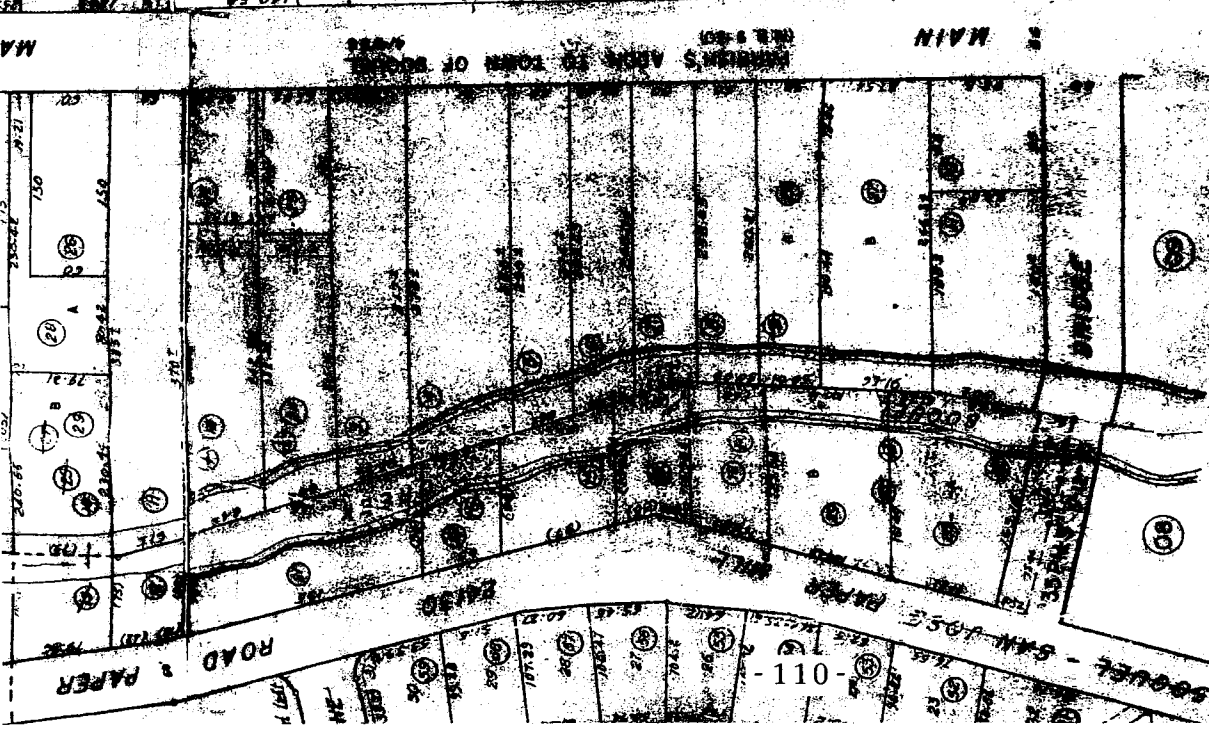
Lastly, in light of these revelations and assuming that the County is in agreement, we ask that the proposed application **05-0768**, currently before the Planning Commission, be continued indefinitely until these issues can be sorted out and a revised plan, including neighborhood input, can be promulgated. Please keep us informed.

Best Regards,

A handwritten signature in black ink that reads "Wayne Morgan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Wayne Morgan
MASTIC (Main Street School Traffic Committee)
Contact phone: **462-2721**

Cc: Jan Beautz, First District Supervisor
Larry Kasparowitz, Project Planner
Steve Kennedy, Soquel Neighbors Alliance



30-03

EXHIBIT F

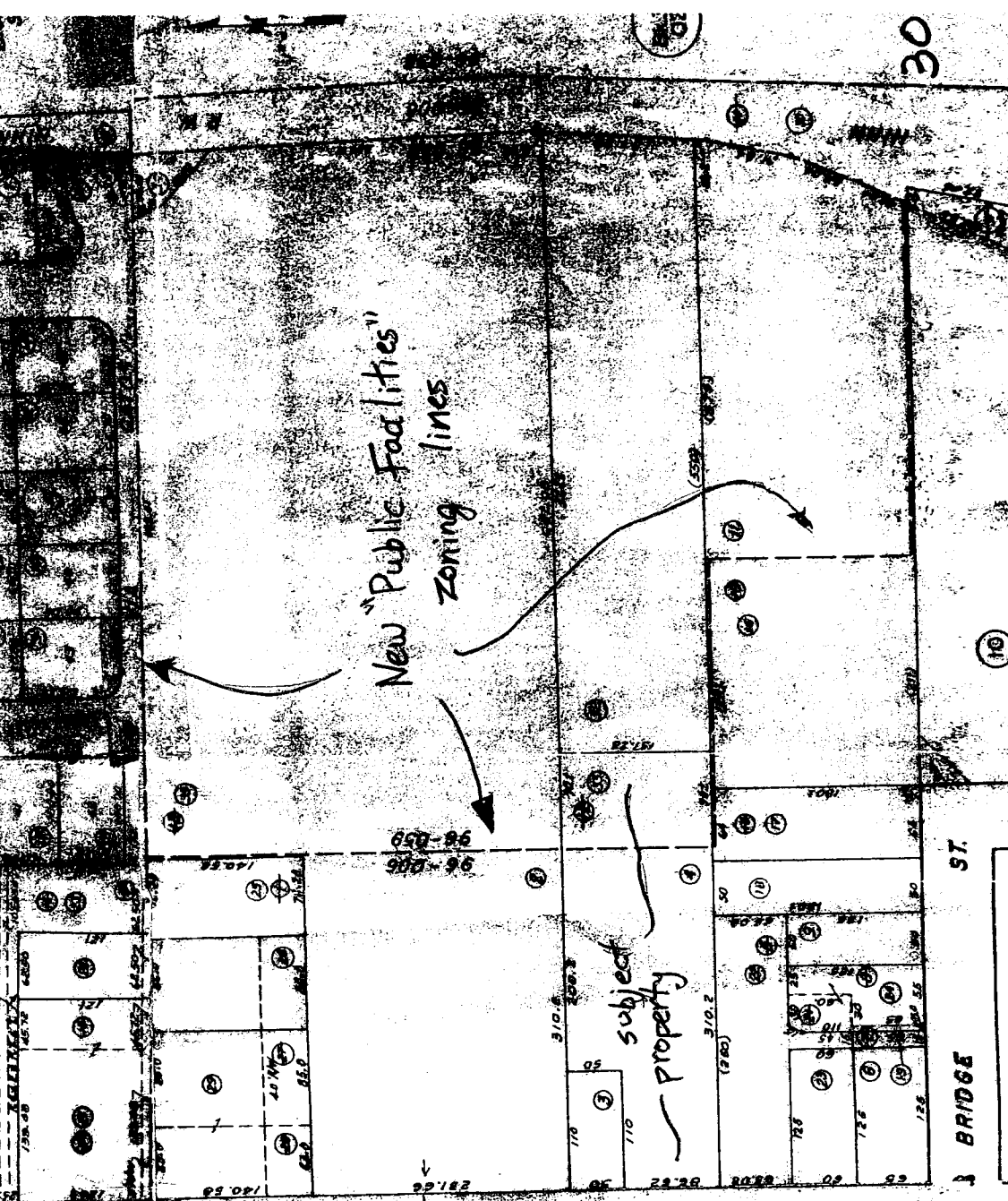
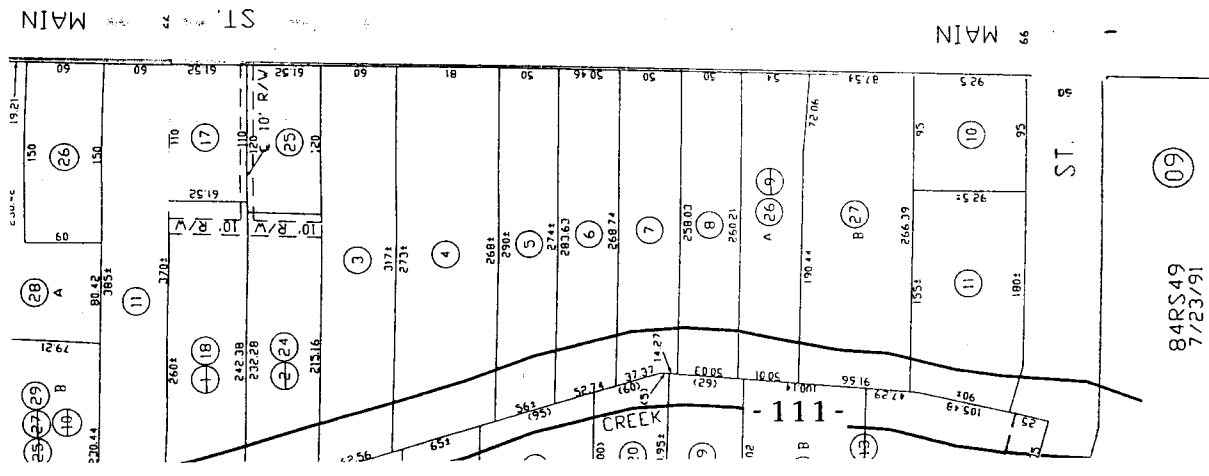
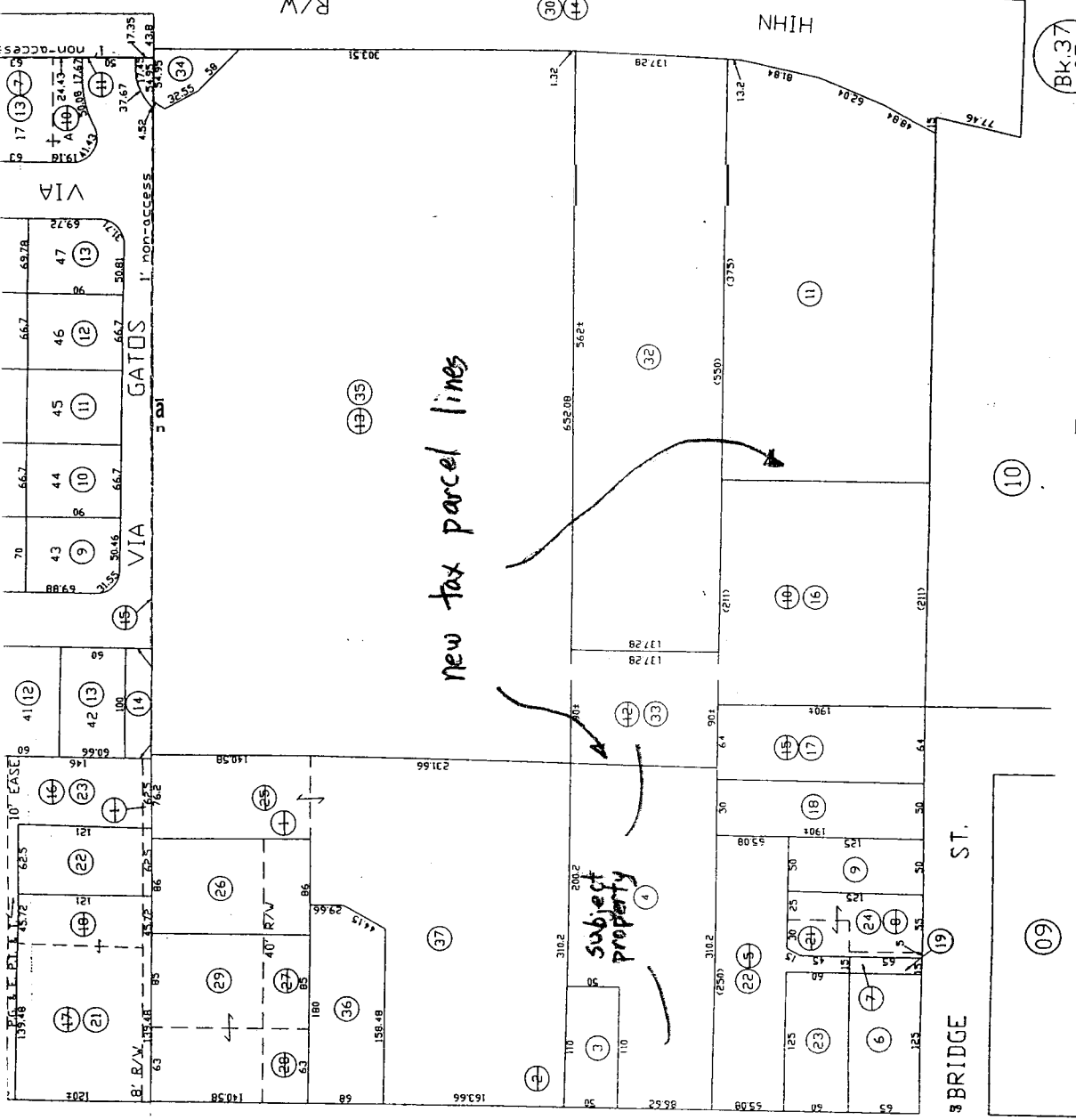


EXHIBIT A

EXHIBIT B

NOTE - Assessor's Map of Block 8
Lot Numbers Shown in Circles

OLD MAP NO. 30-04



Parcel Block & Numbers Shown in Circles.

EXHIBIT F

EXHIBIT F
REVISED
DATE 7/15/92
OLD MAP NO. 30-04

Assessor's Map No. 30-04
County of Santa Cruz, Calif.
Sent 1998

EXHIBIT B

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

14:28:29 Mon Dec 11, 2006

VIAPNS35C

COUNTY OF SANTA CRUZ

VIAPNP050

12/11/06

14:26:51

PARCEL INQUIRY BY APN OF TRANSFERS

APN 030 041 33

VOL PG/

SERIAL NO.	REC. DATE	IND. S.P.	NO. PAR.	D/TP	PCOR	F.V/ VEST.	REAP.CODE/ %INT.
DETTING BEN & LORI H/W OF RS ALL AS TC ETAL							
2005-0065631	9-20-05	1,200,000	002	01	Y	YES	YES-COMPLETED 25.00
BURGESS JULIA MAE U/W ETAL							
5457-728	2-25-94		002	01		N/A	NO
ROSS LOUIS & IVA MAE TRUSTEES							
5198-949	2-03-93		001	02	Y	TR	NO
BEI NORMAN U/M							
5185-379	1-11-93	35,000	001	01	Y	NO	NO
ROSS LOUIS & IVA MAE TRUSTEES							
4784-296	1-22-91		002	01		TR	NO
						N/A	NO

PRESS ENTER TO SEE MORE TRANSFERS FOR THIS APN OR
ENTER NEXT APN, OR FOR THIS APN, PF1=BASE INFO, PF6=ETALS,
PF7=VALUES, PF8=EXEMPT, PF9=COMMENTS, PF10=HISTORY, PF11=PERMITS.

EXHIBIT C

EXHIBIT F

1/2/07

Tom Burns
Director of Planning
Santa Cruz County Planning Dep't

RE: MLD Application # 05-0768; **3330** Main Street, Soquel

We request that the Santa Cruz County Planning Dep't withdraw its Staff Recommendation for "Approval" for the above referenced application, as that project is currently proposed. To proceed "as-is" would, in our view, be putting "the cart before the horse" and would constitute the antithesis of good planning.

Why? First, some background: It appears that the applicants have gone about this awkwardly from the start. They initially proposed residential development on land that was zoned Public Facilities (PF), without first going through the necessary rezoning process. When halted in this attempt, they changed tactics and proposed development on a parcel of land that was not a legal lot of record, knowledge of which was clearly available in County Records (See Exhibit A, Parcel Notebook Inquiry entry of **3/13/98** by DMM). Furthermore, the applicants were duly advised on Dec. 2, 2005 in written comments from Principal Planner Glenda Hill that lot legality was at issue (See Exhibit B, Staff Report to the Planning Commission, Page 68). This advice went ignored, as it would seem. Now the applicants are scrambling for a way out of a quagmire and a great delay of their own making.

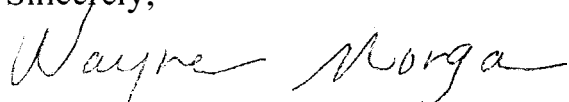
Why do we say that this project, as currently proposed, represents poor planning? First it should be noted that, as a neighborhood and school community, we fully intend to oppose any application to rezone away from the current PF designation that a large (12,000 sq. ft.) portion of the subject property currently enjoys. Why oppose? There is a great and overriding public need for parking and traffic mitigation in the immediate area of this proposed development, adjacent to Main Street School, Soquel*. This PF zoned land, because of its size and location, offers the last and best opportunity to remedy this condition of intense traffic congestion by essentially doubling existing school parking while re-routing off-street traffic. We intend to approach the Soquel Union School District** and the Santa Cruz County Board of Supervisors promoting this solution and the first step in that effort is to retain and make secure the current PF zoning on that portion of subject property. Secondly, the development's current 3-lot design is based around satisfying 5-lot development requirements, which include: a **30'** wide roadway; an additional 18' wide driveway for Lot 1 that accesses from Main St.; a Lot 1 width variance request; a request for setback and roadway exceptions; and 1400 cubic yards of grading. It is critically important to understand, at this point, that the current development design and all specifications are predicated on the assumption that there will be five

houses built on that property someday in the future, which necessarily assumes that the PF land will, most assuredly, be rezoned to allow for residential. Now, let's say that this "3-lot-scaled-for-5-lot" project is approved by County Planning and Proceeds to construction. At the same time that the developers are grading and hammering, they apply for a rezone of the remaining PF land but, lo and behold, are denied by the Board of Supervisors. Instead, we, the neighborhood, prevail in our petition and the current PF zoning is retained. That decision would cap the development on this property to a maximum three lots, not the 5 lots that the project was sized **for**. Now what have we gotten ourselves into?

We, the neighborhood, would end up with the following "as-builts": an oversized roadway that didn't need to be; building lots that are sited and configured inappropriately; grading quantities that are way more excessive than what needed to be; substandard lot and setback dimensions that didn't need to be; a separate Lot 1 driveway that didn't need to be; excessive storm water runoff and potential drainage problems that could have been avoided; the elimination of curbside parking that didn't need to happen***. If the project plays out the way this scenario depicts, the unfortunate consequence would be a poorly planned project that overly and unnecessarily impacts an otherwise quaint, older section of Main Street. Is there a real chance of this happening? Absolutely, and this is why we say to proceed on the current basis is to plan poorly.

The zoning issue with respect to the back portion of this property needs to be addressed and resolved **first** before rushing to approval with any development on this property, Anything short of that would, in our opinion, be "putting the cart before the horse" Let's first find out what we're planning for, then we can properly plan for that. This is a classic example of why we have a Planning Dep't, a Planning Commission and Public Hearings. Please keep us apprised of your thoughts and intentions.

Sincerely,



Wayne Morgan, MASSTIC (Main Street School Traffic Committee)

462-272 1 or dkgeroo@pacbell.net

Cc: Jan Beautz, First District Supervisor

Larry Kasparowitz, Project Planner

Steve Kennedy, Soquel Neighbors Alliance

Lisa Seeger, Friends **of** Main Street

* Main Street traffic problems began when a large section of land owned by the school district was deleted from the original school parking lot design due to the fact that a historic building, the Parrish House, was situated on that parcel, with a

requirement to preserve it. After a multi-year unsuccessful effort to re-locate the building, it was resolved that a 12,000sq. ft. portion of the surrounding land would be sectioned off from the school property and sold **as** private housing. This unavoidable action resulted in a school parking shortage. On top of that, school busing was eliminated, creating the need for private transportation to and from school. Heavy traffic congestion ensued as cars formed a long queue down Main Street to drop-off and pick-up their kids. On top of that, Capitola Elementary School was closed and many of those students were absorbed into the Main Street School campus, yielding even more parent car trips. On top of everything else, numerous Soquel High School parents drop off and pick up at the nearby Main Street/Bridge Street intersection, so that their high school'ers can use the Bridge St. pedestrian bridge over Soquel Creek, thus avoiding Old San Jose Rd. traffic to get to and from Soquel High School.

We have heard from the MLD applicants that they have a letter from the school that says that the school "doesn't want it", "it" referring to the PF zoned portion of subject property. The Minutes from the Soquel Union School District meeting of July 20,2005 do indicate that an item was brought to them by Kem Akol, subject property developer, and that a resolution was passed by the School Board "to support the rezoning of parcel **03004133**". Due to Winter Break, we have been unable, as of this writing, to contact School Superintendent Kathleen Howard for clarification and supporting documentation. However, the justification for this decision seems to have been based on a claim that the property in question was "accidentally rezoned for school use". We would ask for the origin of such a claim and proof that this rezoning was, indeed, done by "accident". Could it be that the School District was "led" into a decision based on an improper rationale? Could it be that the size and significance of the parcel in question was downplayed (which a return email from School Board President Ted Donnelly seems to suggest)? We believe it to be appropriate that the Soquel School Administration and School Board now hear from their community, their constituency, who, up to now, has not been included in the discussion. It is **our** contention that one "letter", possibly misinformed, does not constitute the "end of story"; that public scrutiny and the Public Hearing processes still have relevance.

******* County Transportation Planning has indicated that a **24'** wide roadway would be adequate to serve **3** parcels if enough on-site parking were provided. **A** roadway exception would still be required but could be supported based on similarly approved projects. This would mean that proposed Lot 1 would not need a substandard width variance and there would be no need for an additional **18'** wide driveway curb-cut on Main Street. **A** 3-lot proposal of this design concept would receive our support. It would constitute an appropriate residential development for the site while addressing the greater "public need" to alleviate parking and traffic overload.

09:51:15 Fri Dec 29, 2006

EXHIBIT "A"

12/29/06 PP11
09:49:50

COUNTY OF SANTA CRUZ - ALUS 3.0
PARCEL NOTEBOOK INQUIRY

I-ALPLU110
ALSLU110

PARCEL NO.: 030 041 33

SUBJECT:

PAGE: 1

PARCEL-----SUBJECT-----DATE-----WHO--DESCRIPTION-----

03004133 MISCELL 03/13/98 DMM MISCELLANEOUS

ASSESSOR'S PARCEL NO. 30-041-04 & 33 COMBINED.

03004133 MISCELL 10/12/06 LAK MISCELLANEOUS

THE ACCESS TO THIS PARCEL IS THROUGH BENJAMIN PARRISH LANE. IF THE OWNER REMAINS THE SAME AS MLD 05-0678 (A THREE LOT DIVISION WITH ONE EXISTING HOUSE) AND THIS LOT IS PROPOSED TO BE DIVIDED, THEN THIS MLD MAY BE SUBJECT TO AHO PER 17.10 (SEE TOM POHLE OR DISCRETIONARY COMMENTS FOR 05-0768).

** THE EM) **

CHANGE INQUIRY
PF4-VIEW SUBJECTS

PA2-EXIT

Project Planner: Cathleen Carr
 Application No.: 05-0768
 APN: 030-041-04

Date August 4, 2006
 Time 13 18 19
 Page 3

Building Department. this project will be subject to a Small Project In Lieu fee.

The second way in which this project could become subject to an AHO is if the adjacent parcel, previously proposed as a part of this development will be proposed as a separate project in the future. In such cases, County Code 17.10 requires the AHO to be applied, and the resulting affordable unit(s) to be built and/or fees to be paid as if the current project and the previous one are one.

Based on these staff concerns, staff recommends that, prior to issuance of a building permit for the proposed project the developer be required to provide proof of the recordation of a condition. requiring building an affordable unit(s) and/or paying fees as are then in effect. The proposed condition. reviewed and approved by the County. would be recorded against the title of the parcel previously proposed for development.

===== UPDATED ON FEBRUARY 10, 2006 BY TOM POHLE =====
 ===== UPDATED ON FEBRUARY 10, 2006 BY TOM POHLE =====

Long Range Planning Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO FLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 2, 2005 BY GLENDA L HILL =====

1. Proposed right-of-way is less than 40 feet in width thereby requiring a less than 40-foot right-of-way approval and a roadway exception. 2. Proposed house on Lot 1 does not show the required 20-foot street side yard for new corner lots. This requires a Variance request or redesign. 3. Lot 4 does not meet the minimum 40-foot site frontage or 60-foot site width required by the zone district for lots on cul-de-sacs. This requires either a) a redesign; b) Variances; or c) designation of the area that does not meet the minimum requirements as a corridor access (flag). The consequence of designating this area as a corridor access is that the area is deducted from net developable area and the required front yard begins where the parcel meets its minimum 60-foot site width. This would require the proposed house to be relocated or a Front Yard Variance.

Environmental Review Initial Study

Long Range Planning Miscellaneous Comments

ATTACHMENT 8, 3 of 13
 APPLICATION 05-0768

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 2, 2005 BY GLENDA L HILL =====
 Lot legality should be resolved as part of this application.

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

EXHIBIT F

1/19/07

Jan Beautz
First District Supervisor
County of Santa Cruz

RE: Question of zoning legality on APN 030-04 -33; MLD application
#05-0768

Dear Ms. Beautz,

We have previously corresponded with County Planning and your office regarding the above referenced MLD application, *so*, for background, you can refer to our letters of 12/21/06 and 1/2/07.

It **is** our contention that APN 030-041-33 (Lot 33), located adjacent to Main Street School and currently zoned PF (Public Facilities), would best serve the greater community good by incorporation into the school facility. Doing *so* would provide an elongated ingress traffic route, a safer and more efficient child-to-car transition zone as well as additional parking, while alleviating dangerous traffic congestion on a busy public street.

The Soquel Union Elementary School District (SUESD) addressed the parcel in question at their School Board meeting of July 20, 2005, having been approached by the owner of the said parcel. The Minutes of that meeting and the resultant Resolution are presented in Exhibit A. The key statement therein is that Lot 33 was rezoned to **PF** 'accidentally'. In a Jan. 5, 2007 email from SUESD Superintendent Kathleen Howard (Exhibit B), she states, "The zoning of that piece of land as 'public facilities' was a clerical error at the county at the time the adjacent property was acquired for Main Street School." Ms. Howard restates this contention of a 'clerical error' in a further email of Jan. 18, 2007 (Exhibit C). It should be noted that, at this point, no proof has been forwarded from the School District to substantiate these claims of 'mistake', 'accidental' and 'clerical error at the county'.

Certainly, at the time this rezoning was done, there was a prescribed legal process that the School District (State) and the County of Santa Cruz needed to follow. This would include the proper designation of lands to be rezoned, the proper mapping of such areas, the required Public Noticing, the required Public Hearings;

EXHIBIT G

all leading to the eventual adoption of an Ordinance by the County Board of Supervisors of a General Plan Amendment to rezone. What is being brought into question here is whether or not these legal prescriptions were followed and implemented properly at that time. The School District **has** made a claim, as yet unproven, that there was an error on the County's part. The County Planning Commission and Board of Supervisors will soon be faced with a request by the subject property landowner to rezone away from the current PF and the legality of the original rezoning will most certainly be brought into play. We, a citizens group that is trying to do the right thing, find ourselves trapped between conflicting claims; the County, which says it **"IS"** and the School, which says it **"SHOULDN'T BE"**.

We believe it's time for a meeting of the minds; research the history of both the School's and County's involvement; lay all the cards on the table, face-up. If it is determined that the rezoning was done in a legally prescribed manner, then no fault shall be found and the current zoning will be substantiated. If, however, error is found, then a correction should be implemented. We ask you, Jan, to facilitate such an effort by assigning Senior Planning Dep't staff to historically research and document the rezoning and to provide the legal guidelines that were to have been followed at that time. The School District should be asked to substantiate their aforementioned claims and provide proof. Let's find **out** now how the law interprets; it's going to have to happen sooner or later anyway. Furthermore, it is asked that we, representing the Public interest and involved in the outcome, be included in this effort.

Lastly, we ask that the development proposal #05-0768 currently before the Planning Commission, be continued past its scheduled **Feb. 14** hearing date, in order to allow time to resolve this matter, which is critically relevant to that proposal (**as** explained in our letter of 1/2/07). Please advise us **of** your thoughts and intentions.

Sincerely,

Wayne Morgan, MASTIC (Main Street Traffic Committee)
462-2721 diggerco@pacbell.net

Cc: Tom Burns, Planning Director
Kathleen Howard, SUESD Superintendent
Steve Kennedy, Soquel Neighbors Alliance

SOQUEL UNION ELEMENTARY SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
July 20, 2005

MINUTES

CALL TO ORDER

A Regular Meeting of the Board of Trustees was called to order at the Soquel District Office Board Room, Capitola, at 4:00 p.m. Trustees present: Sandra Wallace, Ted Donnelly, Lou Tuosto, Kevin McGibben and Judy McGooden.

CLOSED SESSION

The Board immediately adjourned to Closed Session at 4:00 p.m. The Board reconvened to Open Session at 7:17 p.m. with the Pledge of Allegiance. The Board voted to expel a student.

ADOPTION OF AGENDA

The Board adopted the agenda as presented. (Wallace/Tuosto, all "aye")

PUBLIC COMMUNICATIONS

There were no public communications.

Items from the Superintendent, Assistant Superintendent of Educational Services and Personnel and Assistant Superintendent of Business Services:

Sherree Brown, Assistant Superintendent, Business Services, remarked that dirt is being moved around on the construction project at New Brighton Middle School. The excess dirt will be utilized at the Santa Cruz Gardens construction project.

Mary Bevemick, Assistant Superintendent, Educational Services & Personnel, attended two negotiation sessions with CSEA (California School Employees Association). Ms. Bevemick stated that the Human Resources department is busy conducting several recruitments, most of which have been very successful.

Kathleen Howard, Superintendent, visited summer school and reported that everything is running smoothly. Superintendent Howard has had contact with members of the community regarding various school issues. She will be making a report on one of them later in the meeting.

Items from CSEA: Cathy Giannini, CSEA President, stated that they are making quite a bit of progress in their negotiation meetings. Ms. Giannini will be serving brunch in the garden for summer school students. She will be attending a fresh fruit and vegetable class in Hayward.

Items from SEA: Joanne Rude, SEA President, is enjoying teaching at summer school. She has applied for the Special Education Cadre Program through the California Teacher's Association. This is a statewide training on the reauthorization of IDEA.

Items from Trustees: Reports on Meetings and Conferences Attended or Visits to Schools and Public Communication:

Trustee Wallace had no items to report.

Trustee McGibben attended Carl Pearson's retirement party. He enjoyed seeing many of his teachers and staff from when he attended Capitola Elementary School. He also attended a lunch hosted by Bob Begun, Treasurer of the City of Capitola. Mr. McGibben was asked to present a public report on unification in our district.

Trustee Donnelly attended a dinner for Secretary of State Bruce McPherson. He also attended Carl's retirement party.

Trustee Tuosto presented information from a recent Bond Oversight Committee he attended at Cabrillo College. He also attended an executive JPA board meeting.

Trustee McGooden attended a joint meeting with Superintendent Howard and Tom Honig, Jeff Tobin and Mr. Miller from the Santa Cruz Sentinel staff. Procedures for reporting out on school issues for the Soquel Union Elementary School District were discussed.

PRESENTATION/INFORMATION ITEMS

6.A. Update on Preschool Program: Kathleen Howard, Superintendent, presented a brief update on the status of a potential preschool in the Soquel Union Elementary School. Superintendent Howard fielded many questions from the Board. There was some discussion as to whether the District would run the preschool or be outsourced to a vendor.

ACTION ITEMS

7.A. Approve Proaosed 2005-06 School Year Calendar/Second Reading: Mary Bevernick, Assistant Superintendent, Educational Services & Personnel, explained the 2005-06 school calendar raised a significant fiscal impact issue. Originally, three staff development days were included in the calendar. After the days were placed on the calendar it became clear that the state might not fund the days as they had in the past. This cast doubt on the district's ability to fund the days. The issue was resolved when the state included funding for the staff development days in a block grant. Further issues regarding when the staff development would occur were resolved and both bargaining units agreed to the calendar. The Board approved this item. (Tuosto/Donnelly, all "aye")

7.B. Approve Board Policy 9260, Board Bvlaws – Legal Protection/First Reading: Kathleen Howard, Superintendent, presented an update on Board Policy 9260. This policy has been revised to reflect changes in laws and regulations that have occurred since the last adoption, which was in 1987. The Board approved this item. (Wallace/Donnelly, all "aye")

7.C. Adopt Resolution to Support the Rezoning of Parcel 03004133/First Reading: Kathleen Howard, Superintendent, reported that when the Soquel Union Elementary School District bought land for the purpose of building Main Street School and had it zoned public facilities use (PF), a small parcel next to our property was accidentally also rezoned for public use. By all research and accounts, this was accidental. There seems to have been no intent to rezone that parcel, no intent for us to purchase that parcel for expansion, and no intent to hold that parcel from development by the owners. Superintendent Howard explained that Mr. Kem J. Akol is in the process of purchasing this parcel and the parcel in front of it bordering North Main Street, 3330 North Main Street. Mr. Akol wishes to develop the parcel and do a minor land division. He has stated that he has no intention of seeking access from the parking lot of Main Street School, but will provide an access road on the property as part of the development through both parcels. At this time Mr. Akol is prevented from developing his property because the smaller parcel is zoned for public facilities. The Board adopted this resolution. Donnelly/McGibben, Wallace, "aye", McGibben, "aye", Donnelly "aye", Tuosto, "aye", McGooden, "aye")

CONSENT AGENDA

9.A. Approve Consent Agenda: The Board approved the consent agenda as presented. (Wallace/McGibben, all "aye") Trustee McGooden commented on what a great asset Gail Levine was to our district. Mr. Levine will be leaving her position as Assistant Principal at New Brighton Middle School to accept a position in another school district

CORRESPONDENCE

Trustee McGooden received auditory communication from Dean Kingston regarding landscaping drainage concerns with the bond construction work at New Brighton Middle School. He was not at tonight's meeting to comment on this.

Trustee McGibben was approached by a retiree regarding the additional one time assessment benefit monies the District is collecting.

Trustee McGooden spoke on the annual CSBA Conference that will be held in December **2005**. She inquired about how the conference will be funded and who would be attending. She also announced that **the** Baldrige in Education event would be held on August 11, 2005.

ADJOURNMENT

Board President Judy McGooden adjourned the meeting at 8:50 p.m.

Kathleen Howard, Superintendent
and Secretary to the Board of Trustees

Judy McGooden, President
Board of Trustees

YAHOO! MAIL

Print - Close Window

Date: Fri, 05 Jan 2007 14:53:07 -0800
From: "Kathleen Howard" <KHoward@suesd.org>
To: diggerco@pacbell.net
CC: "Sherree Brown" <SBrown@suesd.org>, "Ted Donnelly" <TDonnelly@suesd.org>, "Judith McGooden" <jlmoptix@sbcglobal.net>, "Lou Tuosto" <ljtuoosto@aol.com>, "Sandra" <wallacez@pacbell.net>, "Ted Donnelly" <TDonnelly@suesd.org>, "Kevin McGibben" <KMcGibben@suesd.org>, "Kathleen Howard" <KHoward@suesd.org>, "Brenda Payne" <BPayne@suesd.org>
Subject: Main Street School Adjacent Property

Dear Mr. Morgan,

My Assistant Superintendent for Business Services will be contacting you regarding our current traffic study underway. We are aware of the traffic concerns and are working on them.

I would like to correct a misconception in your e-mail, however, so that you do not inadvertently pass on incorrect information. In 2000-01, before the closure of Capitola Elementary, there were 445 students at Main Street School. This year there are 452. Although there was a spike for a year or two after the closure when the population of the school went to 484, the closure of Capitola Elementary did not significantly increase the student population at **the** site. The reason for the closure was declining enrollment in the district.

I am glad that Ted was able to answer your question regarding the 2005 Resolution. The zoning of that piece of land as "public facilities" was a clerical error at the county at the time the adjacent property was acquired for Main Street School. That piece of property **was** not under consideration for purchase by the district at that time and the Board and district has no plans to acquire the property. The 2005 Resolution was passed by the Board of Trustees that year to correct this clerical error. Indeed, even if there should be a good use for the property, acquiring new property at this time is not in the financial picture for the district.

I came to the district in 1993, the year Main Street School opened. It is my understanding from information told to me at that time that the Parrish House was a historical landmark house and could not have been torn down for parking or other uses. The district purchased the property understanding that we would have to either restore the house, which would not be prudent for a school district to attempt, or sell it.

Hope this information helps,

Respectfully,
Kathleen Howard
Superintendent

EXHIBIT G

YAHOO! MAIL

Print - Close Window

Date: Thu, 18 Jan 2007 15:14:05 -0800
From: "Kathleen Howard" <KHoward@suesd.org>
To: diggerco@pacbell.net
CC: "Judith McGooden" <jlmoptix@sbcglobal.net>, "Lou Tuosto" <ljtuoosto@aol.com>, "Sandra" <wallacez@pacbell.net>, "Ted Donnelly" <TDonnelly@suesd.org>, "Kevin McGibben" <KMcGibben@suesd.org>, "Kathleen Howard" <KHoward@suesd.org>
Subject: Follow up

Dear Mr. Morgan,
 I understand that you spoke at the Soquel Village Neighborhood Association meeting. The Board and I hope that your questions have been answered. However, if you have further questions, please feel free to call me.

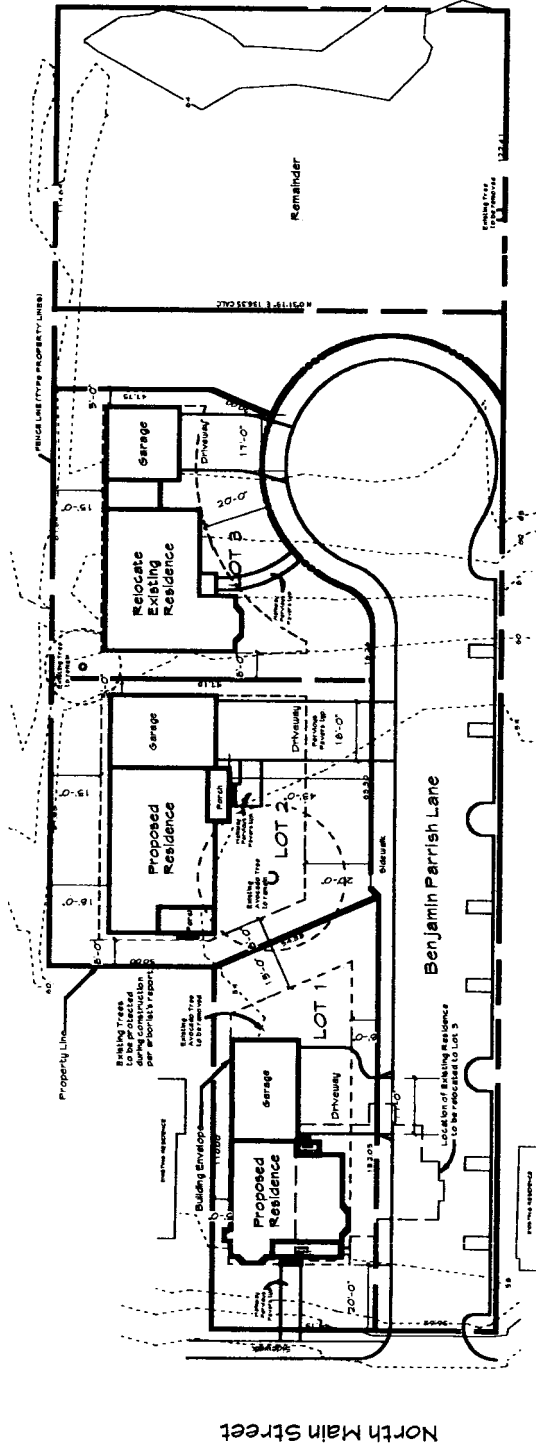
I do want to restate, however, that the designation of the property adjacent to Main Street as public facilities was not part **of** the public process to acquire property for Main Street School. It was entirely a clerical error made at the time other property was acquired. Because this was an error than denied due process to the landowner, there would be no other process to correct this error than for the Board and the district to state for the record that this was an error.

I feel it is necessary to say that it is very important that public agencies not misuse the special rights they have to acquire property for the public good. There is a proper process for acquiring property for public use and for designating land owned by a private citizen as land for public facilities. Landowners and homeowners have the right to this due process. It would not be proper for a public agency to take advantage of a clerical error that was made without other process to prevent a landowner or homeowner from exercising the rights they have as owners of their property.

Respectfully,
 Kathleen Howard

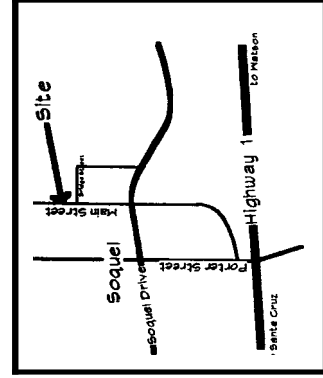
EXHIBIT G

Alternate Plan for Lot 1 with access off of Benjamin Parrish Lane



Preliminary Site Plan (alternate) 1'-20"

Based on the Survey, Grading, Drainage and Improvement Plans
Prepared for this project by MRC Civil Engineers,
10000 North Main Street, Suite 100, San Jose, CA 95131
Refer to these plans for details and specifications.



Vicinity Map N.T.S.

ALL CONSTRUCTION WORKS PERFORMED FOR THIS PROJECT SHALL COMPLY WITH:
--2001 CALIFORNIA BUILDING, MECHANICAL, PLUMBING AND ELECTRICAL CODES
--APPLICABLE LOCAL CODES
--IMPROVEMENT, GRADING AND DRAINAGE PLANS PREPARED FOR THIS PROJECT
--CIVIL ENGINEER'S REPORT TO PENNY LANE, WATSONVILLE, CA 95172-2580
--RECOMMENDATIONS OF THE GEOTECHNICAL REPORT PREPARED FOR THIS PROJECT

JOHN CRAYCROFT AND ASSOCIATES
RESIDENTIAL DESIGN AND PLANNING
1244 HAPPY VALLEY RD., SANTA CRUZ, CA 95128-3048

PRELIMINARY BUILDING PLANS
PROPOSED DEVELOPMENT
3330 NORTH MAIN ST.
SOQUEL, CA

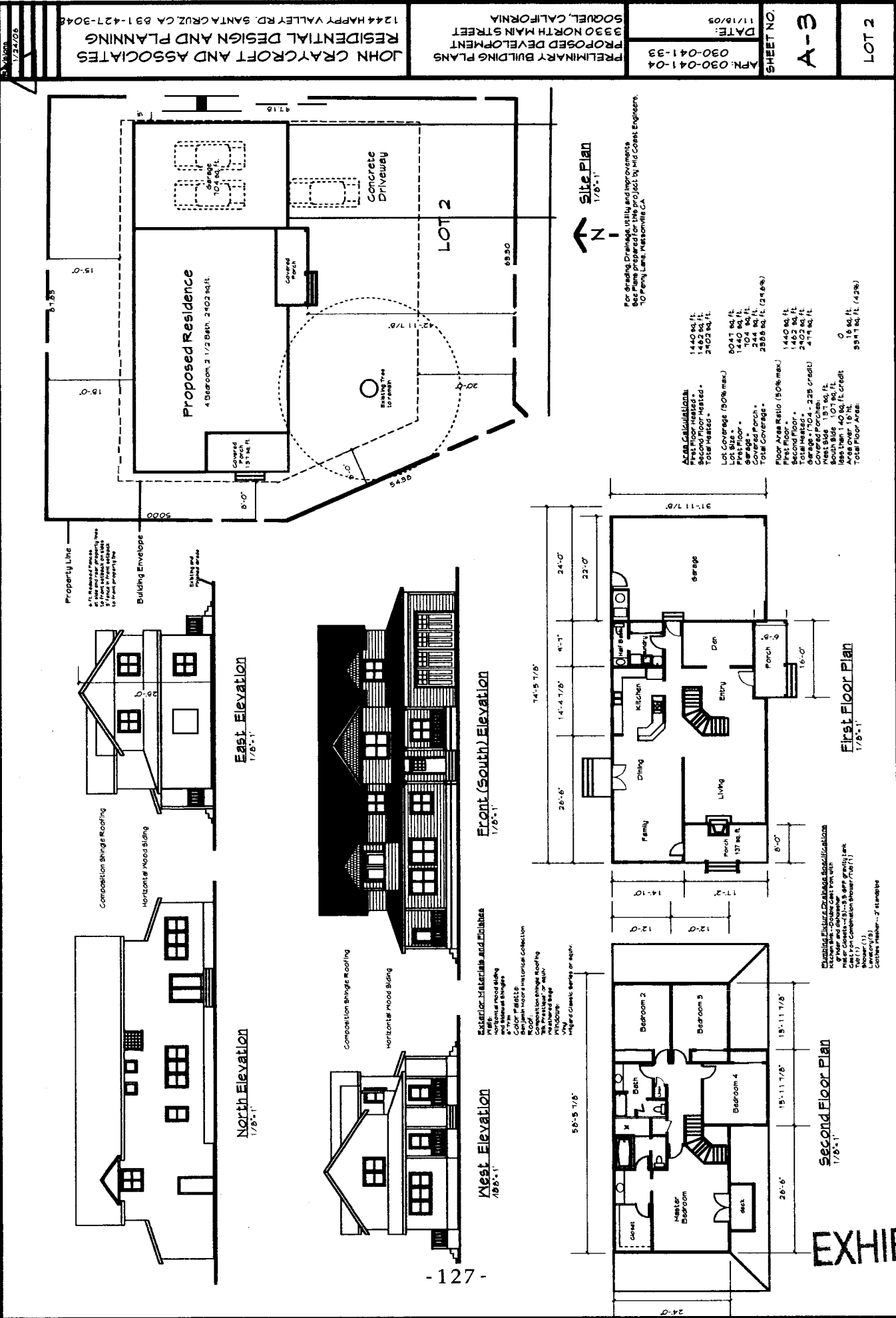
APN: 030-041-04
030-041-33
DATE: 1/23/07

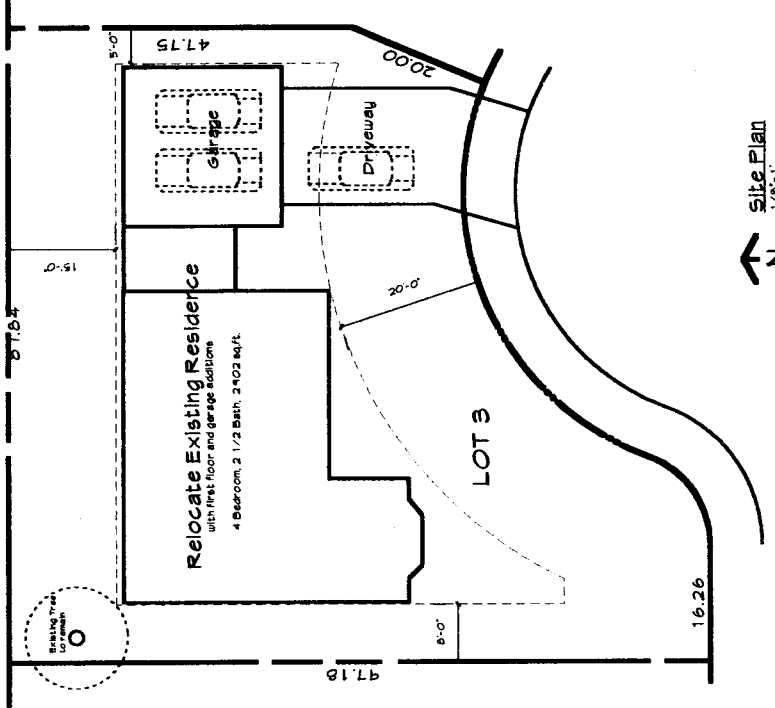
SHEET NO.

A-1a

Site Plan
with alternate
plan for Lot 1





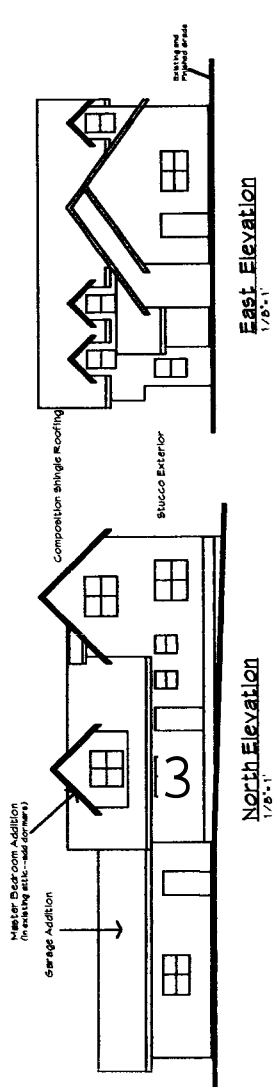


Site Plan

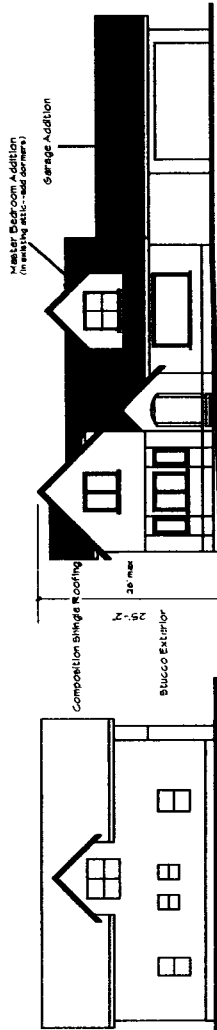
For Grading, Drainage, Utility and Improvements
See Plans prepared for this project by Wild Coast Engineers,
70 Pennell Lane, Watsonville, CA

Area Calculations	
First Floor Area	1395 sq. ft.
Second Floor Area	540 sq. ft.
Existing Second Floor Heated Area	1225 sq. ft.
Existing Third Floor Heated Area	210 sq. ft.
First Floor Addition	210 sq. ft.
Second Floor Addition	2650 sq. ft.
Total Proposed	4705 sq. ft.
Lot Coverage (50% max.)	1345 sq. ft.
First Floor	1345 sq. ft.
Second Floor	400 sq. ft.
Garage	44 sq. ft.
Total Covered	1844 sq. ft. (24.6%)
Floor Area Ratio (50% max.)	
First Floor	1455 sq. ft.
Second Floor	540 sq. ft.
Garage	2650 sq. ft.
Total Proposed	4705 sq. ft.
Garage (400 - 235 credit)	175 sq. ft.
Net Building Area	4430 sq. ft.
Net Building Area Credit	0
Area Over 16%	0
Total Floor Area	2025 sq. ft. (42%)

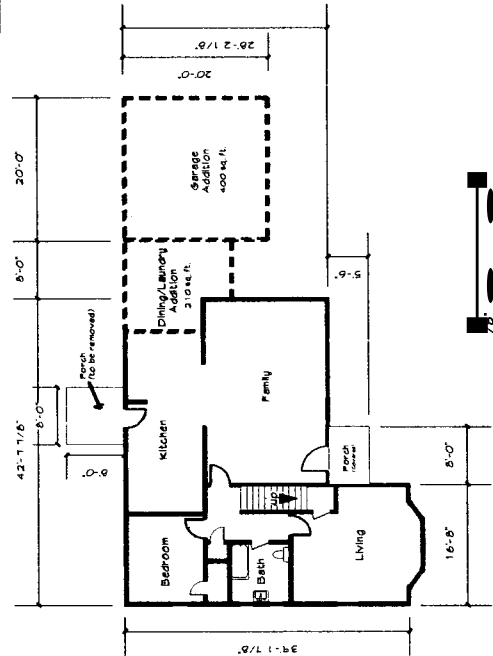
Plumbing Fixture Drainage Specifications
Kitchen Sink--Double Cast Iron with
1/2" and 3/4" Drainage
Master Bedroom--1/2" and 3/4" Drainage
Master Bathroom--1/2" and 3/4" Drainage
Shower--1/2" and 3/4" Drainage
Clothes Washer--1/2" and 3/4" Drainage



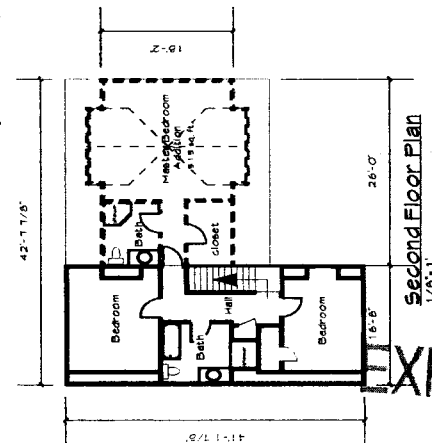
East Elevation
1/8"=1'



Front (South) Elevation
1/8" = 1'

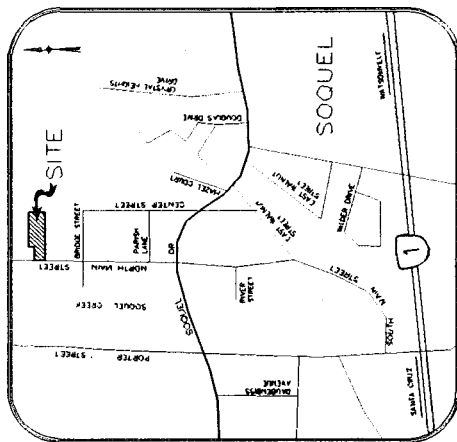


Second Floor Plan
1/8" = 1'

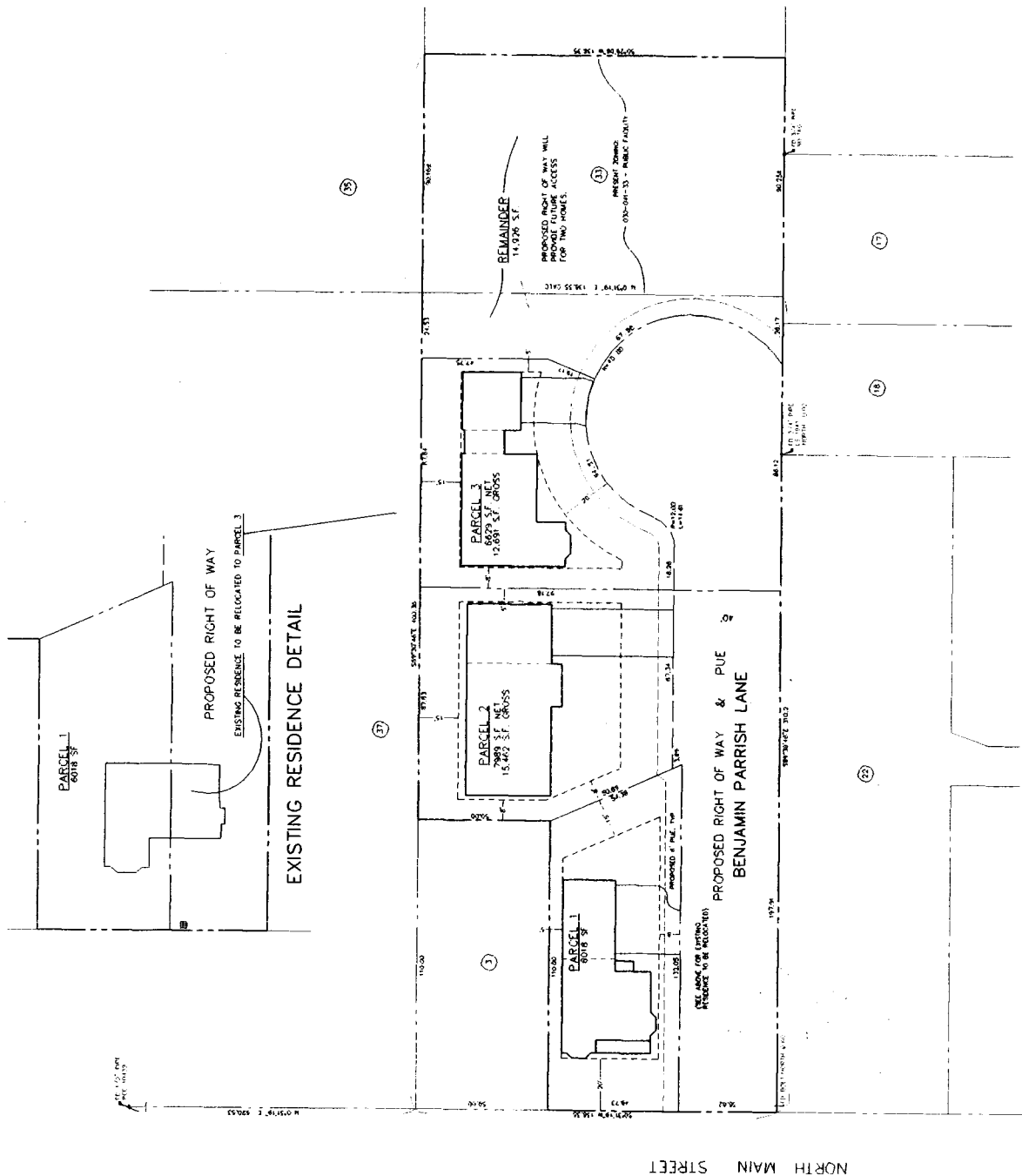


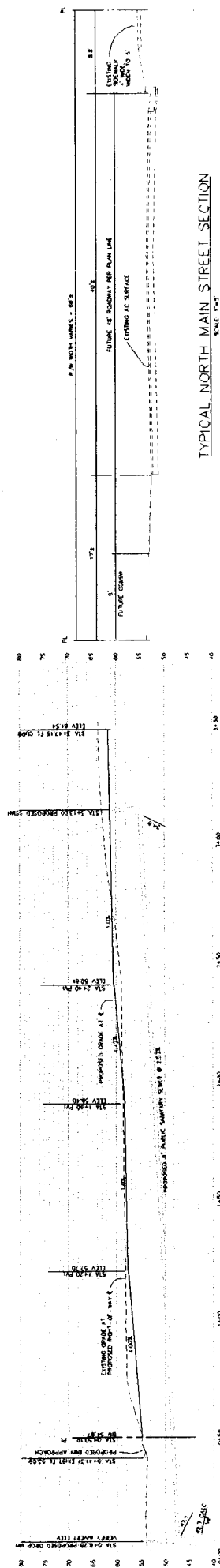
Exterior Materials and Finishes

Math: stone
Color Palette: Benjamin Moore Historical Collection
Roof: Composition Shingle Roofing
"Oil Pressure" or equiv
Weathered Siding
Windows: vinyl
Hinged Glass Series or equiv

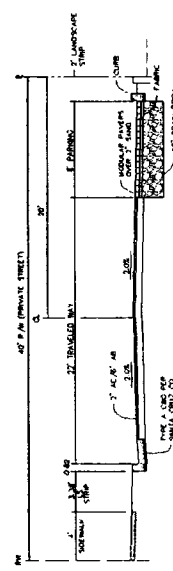
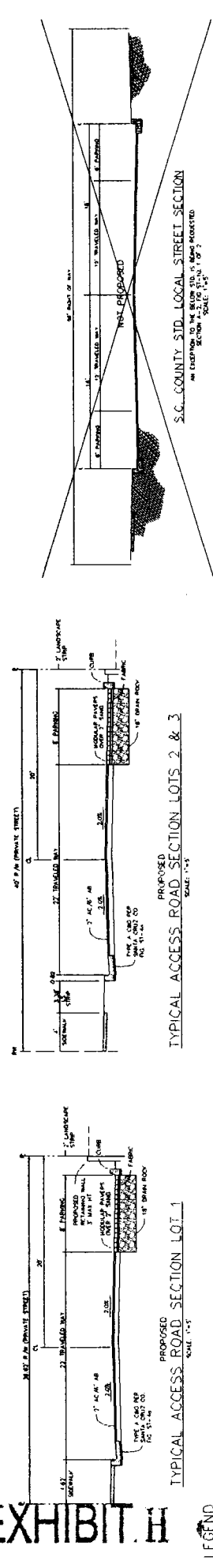
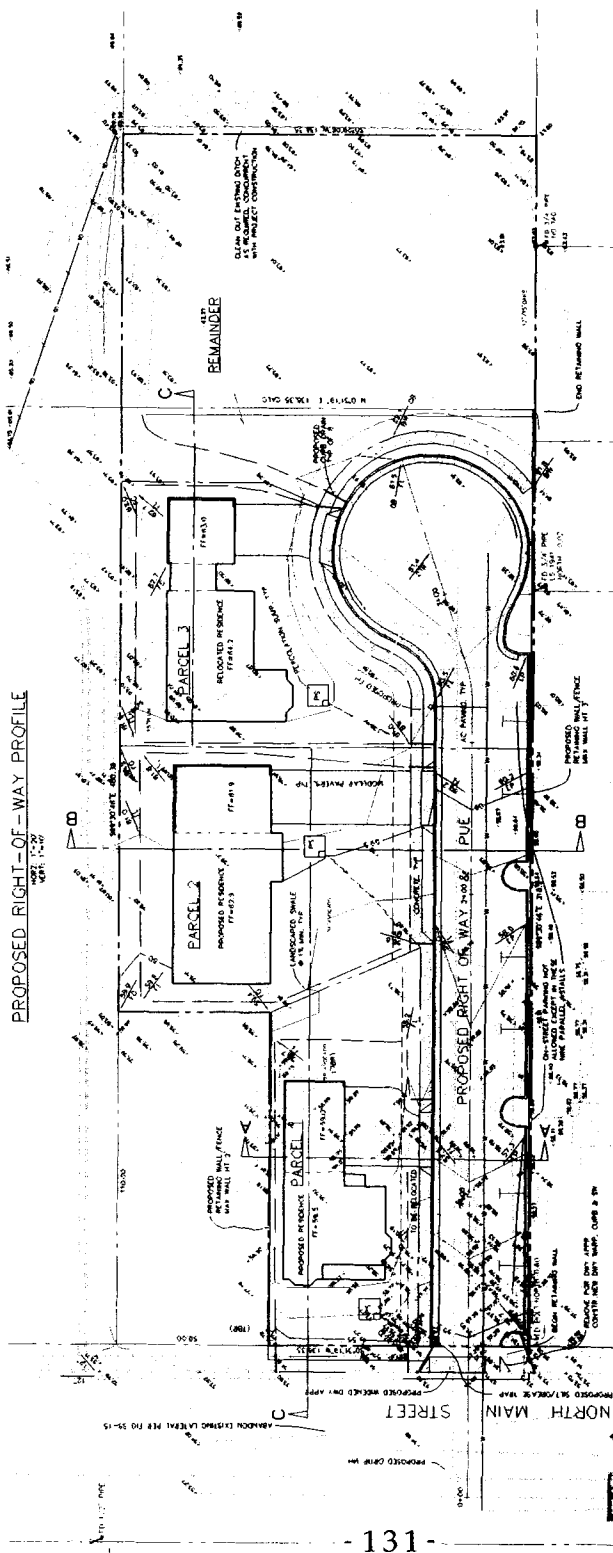


- NOTES:

[illegible]



EROSION CONTROL NOTES

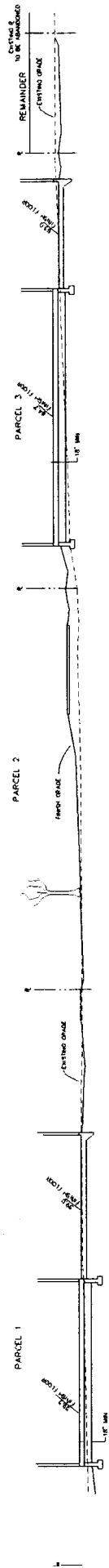


LEGEND

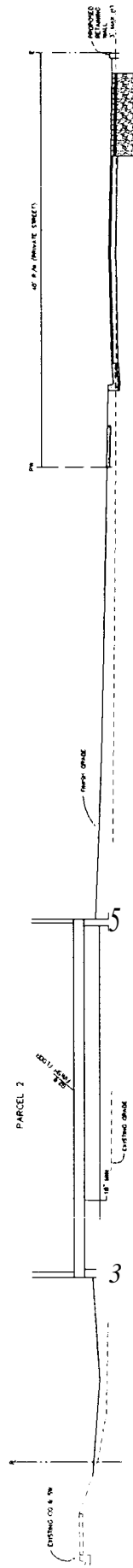
	PROPOSED RUBERCRETE
	PROPOSED MODULAR PAVERS
	PROPOSED ASPHALT CONCRETE
	PROPOSED CONCRETE
	EXISTING CONTOUR
	EXISTING SPOT ELEVATION
	PROPOSED CONTOUR
	PROPOSED FRESH GRADE

[illegible]

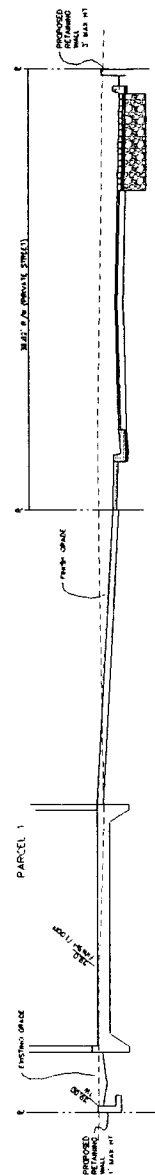
TENTATIVE MAP FOR		KEM AKOL AND BEN DETTLING		APN 030-041-04, 33		MID COAST ENGINEERS	
1"=50'		Date		11-15-07		CIVIL ENGINEERS AND LAND SURVEYORS	
1"=50'		Date		11-15-07		TO PRINT IN: (RT) 74-2006	
1"=50'		Date		11-15-07		11-15-07	



SECTION C-C
SCALE 1"=10'



SECTION B-B
SCALE 1"=5'



SECTION A-A
SCALE 1"=5'

GRADING QUANTITIES			
STATIONS	10+00	11+00	0
CUT	440	140	580
FILL	140	140	280
TOTALS	580	280	860
NOTE	QUANTITIES CALCULATED BY SUBSECTION ANALYSIS OF EXISTING GRADE AND PROPOSED GRADE		



TENTATIVE MAP FOR
KEM AKOL AND BEN DETTING
APN 030-041-04, 33
MID COAST ENGINEERS
CIVIL ENGINEERS AND LAND SURVEYORS
10000
10/1/2000
DATE 10/1/2000
3 of 1

EXHIBIT H

DRAINAGE CALCULATIONS

PRE-CONSTRUCTION

O = OA

COMPOSITE Δ
BUILDINGS 90 x 4157 = 3741
AC PAVEMENT 60 x 2382 = 1429
LANDSCAPING 60 x 1849 = 1109
TOTALS 30797 ± 0.39

C = 14205/36797 = 0.39
I = 10 MIN
P₂ = 1.5
A = 36797 S.F. = 0.84 ACRES
O₂ = OA = (0.39)(2.1084) = 0.83 CFS

NO CONSTRUCTION IS PROPOSED ON THIS PARCEL.
SLOPE OF THIS PARCEL IS 0.00%.

PRE-CONSTRUCTION

SCALE 1"=20'

POST-CONSTRUCTION

O = OA

COMPOSITE Δ
BUILDINGS 90 x 4157 = 3741
AC PAVEMENT 60 x 2382 = 1429
LANDSCAPING 60 x 1849 = 1109
TOTALS 30797 ± 0.39

C = 14205/36797 = 0.39
I = 10 MIN
P₂ = 1.5
A = 36797 S.F. = 0.84 ACRES
O₂ = OA = (0.39)(2.1084) = 0.83 CFS

USE TOP 2" OF PRE-CONSTRUCTION FOR TOTAL HEAD AT GATE.
0 TO 10' PRE-CONSTRUCTION FOR TOTAL HEAD AT GATE.

RETENTION IS BE PROVIDED THROUGH
TUMBLER, TUMBLER IN ADD SPACE
FROM IN HOUSE

PERCOLATION SUMP SCHEMATIC DETAIL



TENTATIVE MAP FOR
KEM AKOL AND BEN DETTING
APN 030-041-04, 33
MID COAST ENGINEERS
CIVIL ENGINEERS AND LAND SURVEYORS
TO PREPARE MAPS & RECORDS
DATE 07/17/2008

DATE 07/17/2008

EXHIBIT H

NORTH MAIN STREET

POST-CONSTRUCTION

SCALE 1"=20'

ADDITIONS TO THE STAFF REPORT FOR THE PLANNING COMMISSION

ITEM 7: 05-0768

LATE CORRESPONDENCE

Mr. Larry Kasparowitz, Project Planner:

I live in the neighborhood of the project at 3330 Main Street, APN: 030-041-04. I reside at 3241 Center Street and I am the property owner here.

I strongly oppose the proposal to divide this above parcel into three parcels as I oppose the setback exception and I strongly oppose having another driveway coming out onto Main Street!

First of all, Soquel is still country not city. This is why we are part of the county and not our own little city! As a longtime resident and owner in Soquel, I want to preserve this area **as** a little more rural!

Since Main Street School was built back in 1993, traffic on Main Street and on Center Street has dramatically changed for the worse. It is very congested here and on all the surrounding streets! Adding to this traffic problem, was the closure of Capitola Elementary School. These Capitola children are now driven to Main Street School on a daily basis as there are no longer any school buses. Then, we have the construction of the neighborhood bridge over the river. Here children and adults can walk to the high school by cutting through our neighborhood. In theory, this is great, BUT now parents taking their children to Soquel High School come to Main Street to drop their children off at this bridge. They are avoiding the Old San Jose Road traffic and creating a big backup problem on Main Street, and Center Street and Bridge Street. Adding more homes than has been allowed on another parcel on Main Street only creates a larger problem. I do not want to see this and I oppose it! Our traffic problem is all day long as adults drive back and forth to all the schools plus their are meetings during the day and even in the evenings. It is already very difficult to navigate through the town of Soquel and extra homes on parcels only create a larger problem.

Every home owner seems to have at least three cars now so three more homes mean at least nine more vehicles plus their guests! Also, let's remember that our county often has water problems: not enough water so why would we add growth to an area that needs an exception to build?

I oppose this variance and set back exception for the owners: **Ben** and Lori Dettling, Kemal and Kelly Akol and Daniel Moran. Applicant: John Craycroft. (3330 Main Street - APN - 030-041-04).

Thank you very much for your attention in this matter and for representing and listening to all of the homeowners in the area! Please vote NO on this project.

Julie Miller-Soros
3241 Center Street
Soquel, CA 95073
(831) 475-2492

2/7/07

Commissioners Bremner, Holbert, Shepherd, Aramburu, Gonzalez
Santa Cruz County Planning Commission
c/o Larry Kasparowitz, Project Planner

RE: Commission meeting of Feb. 14, 2007, Agenda Item #7;
MLD Application #05-0768

Dear Commissioners,

The above referenced application requests a Variance for Lot 1 due to a substandard lot width. The required minimum lot frontage for this R-1-6 zoning is 60 feet. The applicant requests a reduction to 49.73 feet. In addition, the applicant asks for a Roadway and Roadside Exception to reduce the width **from** what normally would be required of a standard Right-of-Way (WW).

While judging this request, we ask that the Commission very carefully consider the far-reaching implications of its outcome. Effectively, the applicant is saying, "the lot is not wide enough to meet the minimums (lot width and WW) to develop the way I want, so let's alter the requirements so I can maximize my project."

This is where it gets interesting: there are at least five other properties on North Main Street (and probably hundreds of properties countywide) that could say the same thing: that they have enough net developable land in the rear of their parcels to subdivide but that the property is not wide enough to put a driveway in that meets County standards and still have enough lot width left over to meet the zoning minimum.

Case in point: the lot next to the subject property to the south; APN 030-041-22. This lot has over 16,000 net developable land, enough to divide and create another separate lot. However, it is only 65 feet wide. Normally, a 12' roadway and a 20' R/W would be required to service this back lot. However, using the same rationale as with the above application, the R/W to the back could be lessened to 15' and the lot width reduced to a sub-standard 50 feet; variance, roadside exception and voila- new lot.

If you want another example, try APN 030-291-6, also in R-1-6 zoning. Again, this lot contains more than 12,000 sq. ft. of net developable land, enough for two lots, but is only 70' wide. However, applying a standard 20' R/W and a variance-approved reduction to a sub-standard 50' lot width, this

parcel, too, could be divided. There are other apples-to-apples examples locally and, many more countywide.

To approve this applicant's Variance request would, in our view, set a precedent that would require similar approval for these properties. If like-properties have been denied in the past or were to be denied in the future, the approval of this applicant's Variance would constitute a "grant of special privilege".

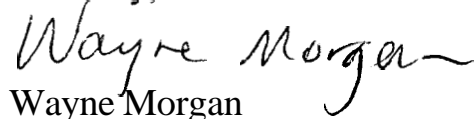
Approval of this Variance would call into question some well-established current zoning regulations and could prove very problematic **for** the Planning Department. It could result in a public outcry **of** "fairness", even legal challenge.

In the parlance **of** the Planning Department, three "findings" must be met in order to approve a Variance. It is our opinion that "Finding" #1 cannot be met; that no adequate rationale in support of this finding **is** presented on Page **9** of the Staff Report. Many properties are rectangular in shape- like this one. Many properties are smaller than ideal- like this one. And this property is no more being deprived of its privileges than any other property of like constraints.

The argument is raised that if a Variance were to be denied and Lot 1 eliminated, then maximum lot size for R-UM density would be exceeded. Our reply: (1) a Variance is a discretionary permit, (2) the Planning Commission, as a discretionary body, has the discretionary authority to approve an appropriate density, and is not under a specified mandate (as explained by Glenda Hill), (3) there is nothing saying we have to build on every square foot of land; that a little open space can be restful to the soul and (4) the applicant's financial considerations are not the responsibility of the Planning Commission nor the public.

In the interest of fairness and with all due respect to the applicant, we believe that the Planning Commission should deny this Variance request.

Sincerely,


Wayne Morgan

MASTIC (Main Street Traffic Committee)

Cc: Jan Beautz, First District Supervisor
Tom Burns, Planning Director

Lawrence Kasparowitz

From: Sandy Marks-Webster [sandyweb33@hotmail.com]
Sent: Monday, February 12, 2007 5:44 PM
To: Lawrence Kasparowitz
Cc: dinosoros@hotmail.com
Subject: 3330 Main Street Project

Mr. Larry Kasparowitz, Project Planner:

We live in the neighborhood of the project at 3330 Main Street, APN: 030-041-04. We live at **3144 N** Main Street and we are the property owners here.

We strongly oppose the proposal to divide this above parcel into three parcels **as** we oppose the setback exception and we strongly oppose having another driveway coming out onto Main Street.

Every year since Main Street School was built in 1993, traffic **has** been increasingly congested on Main Street and on Center Street especially every week day morning when parents drive their children to school and at the end of the school **day**. Exacerbating this traffic problem, was the closure of Capitola Elementary School. These Capitola children are now driven to Main Street School on a daily basis as there are no longer any school buses. You probably are aware that most parents do not allow their children to walk **to** school due to safety concerns these days. Then, we have the construction **of** the neighborhood bridge over Soquel Creek. Here children **and** adults can walk to the high school by cutting through our neighborhood. In theory, this is great, BUT now parents taking their children to **Soquel** High School come to Main Street to drop their children off at this bridge. They are avoiding the Old San Jose Road traffic and creating a **big** backup problem on Main Street, and Center Street and Bridge Street. Just trying to exit my driveway during the morning commute can take **several** minutes as parents who have dropped off their children are rushing home or to work.

Adding more homes than has been allowed on another parcel on Main Street only creates a larger problem. We oppose it. Our traffic problem is all day long as adults drive back and forth to all the schools plus there are meetings during the **day** and even in the evenings. **It** is already very difficult to navigate through the town of Soquel and extra homes on parcels only create a larger problem.

We oppose this variance and set back exception for the owners: Ben and Lori Dettling, Kemal and Kelly Akol and Daniel Moran. Applicant: John Craycroft. (3330 Main Street - APN - 030-041-04).

Thank you very much for your attention in this matter. Please vote NO on this project.

Roy Webster & Sandra Marks-Webster

3144 N Main St

Soquel, CA 95073

Home phone: 831-462-2079

**ADDITIONS TO THE STAFF REPORT
FOR THE PLANNING COMMISSION**

ITEM 7: 05-0768

**MATERIALS SUBMITTED DURING THE PUBLIC
HEARING**

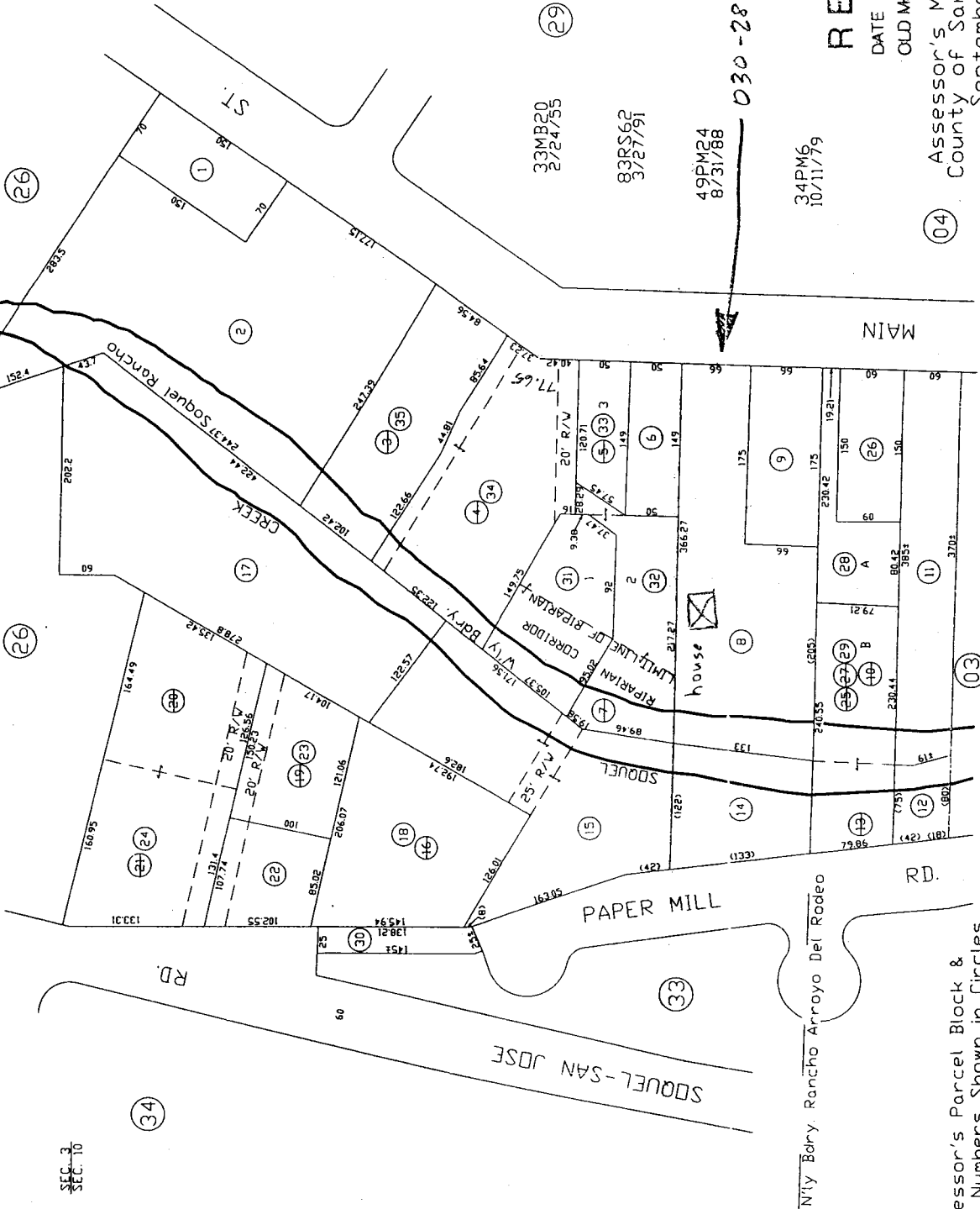
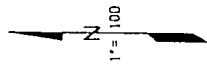
02/14/07

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PUR. ARROYO DEL RUDEU & SUQUEL RANCHOS
 SECS. 3 & 10, T.11S., R.1W., M.D.B. & M.

Tax Area Code
 96-101

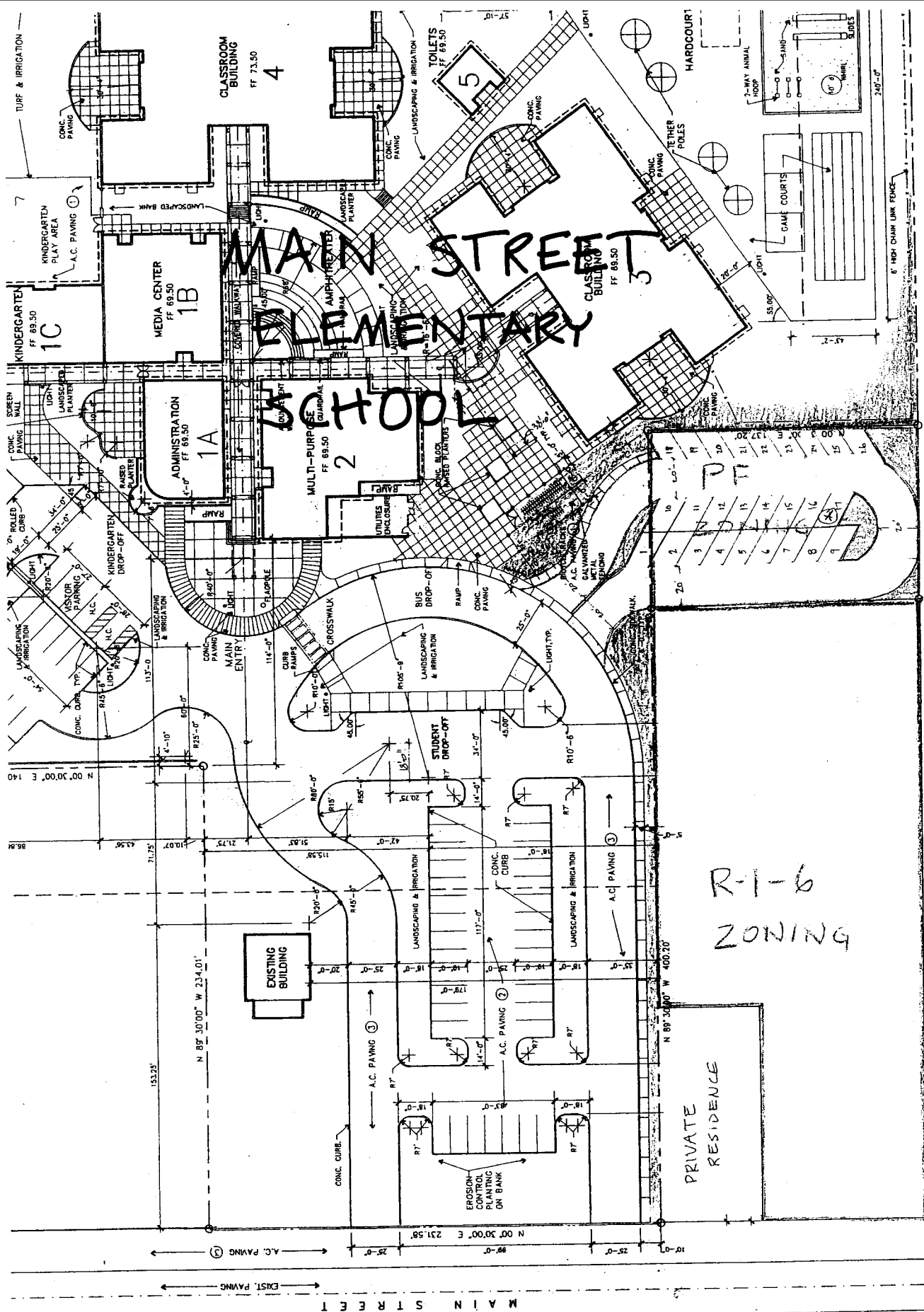
30- 3



REVISED
 DATE 4-10-01
 OLD MAP NO. 30-28

Assessor's Map No. 30-28
 County of Santa Cruz, Calif
 September, 1998

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



⊗ PF Zoned parking design is concept only