



Staff Report to the Planning Commission

Application Number: **131291**

Applicant: Hamilton-Swift & Associates
Owner: MGA Properties
APN: 030-241-20 & -22

Agenda Date: April 23, 2014
Agenda Item #: 7
Time: After 9:00 a.m.

Project Description: Proposal to transfer approximately 5,400 square feet from APN 030-241-20 to APN 030-241-22, and to divide the resulting APN 030-241-20 into four lots with a remainder parcel.

Location: Property located on the east side of Capitola Avenue, approximately 200 feet south of Soquel Drive in the Soquel planning area. (2850 Capitola Avenue)

Supervisory District: 1st District (District Supervisor: John Leopold)

Permits Required: Lot Line Adjustment, Minor Land Division, Roadside Exception

Technical Reviews: Soils Report Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act. (Class 15 - Minor Land Divisions)
- Approval of Application 131291, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	44,984 square feet (after boundary adjustment)
Existing Land Use - Parcel:	Two detached residences and vacant
Existing Land Use - Surrounding:	Single family residential neighborhood, PG&E substation
Project Access:	Capitola Avenue

Planning Area:	Soquel
Land Use Designation:	R-UL (Urban Low Density Residential)
Zone District:	R-1-6 (Single family residential - 6,000 square feet minimum)
Coastal Zone:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	Report reviewed and accepted
Fire Hazard:	Not a mapped constraint
Slopes:	2-5%
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	450 cubic yards (balanced cut and fill)
Tree Removal:	4 trees (over 6" diameter) proposed for removal
Scenic:	Not a mapped resource
Drainage:	Drainage plan reviewed and accepted
Archeology:	Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Zone 5 Flood Control District

Project Setting

The subject property is located on the east side of Capitola Avenue, approximately 200 feet south of the intersection with Soquel Drive in the Soquel planning area. The subject property is relatively level and is currently developed with two separate buildings, a larger vacant residence located near the center of the property and a smaller residence located adjacent to Capitola Avenue in the southwest corner of the property. A number of mature oaks are located along the western and northern edges of the parcel and the property is otherwise vacant and open with grasses and dirt/gravel areas. A PG&E substation is located to the northwest, the Soquel Creek Water District office and facilities buildings are located to the east, and the surrounding residential neighborhood is developed with single family dwellings.

Lot Line Adjustment

A lot line adjustment is proposed to transfer approximately 5,396 square feet from the subject property (APN 030-241-20) to the adjacent parcel (APN 030-241-22). After the boundary adjustment is completed, a minor land division is proposed to subdivide the subject property. Both parcels are over the minimum parcel size for the R-1-6 (Single family residential - 6,000 square feet minimum) zone district. The proposed lot line adjustment conforms to all applicable requirements and the minimum parcel size for the R-1-6 zone district.

Minor Land Division

This application includes a proposal to divide an approximately 44,984 square foot property (after the boundary adjustment) into four parcels and a remainder lot. The vacant residence at the center of the property is proposed to be removed and the existing residence fronting on Capitola Avenue would be retained on the remainder parcel.

The subject property is located in the R-1-6 (Single family residential - 6,000 square feet minimum) zone district. The division of the parcel into four separate single family residential parcels, and a remainder lot, requires a minimum of 6,000 square feet of net developable land per parcel. The right of way for the proposed access roadway is deducted from the net developable land area. Each proposed parcel contains sufficient net developable land area to comply with the minimum parcel size of the R-1-6 (Single family residential - 6,000 square feet minimum) zone district.

The subject property is designated as Urban Low Density Residential (R-UL) in the General Plan. The Urban Low Density Residential (R-UL) General Plan designation requires new development to be within a density range of 6,000 square feet to 10,000 square feet of net developable land per residential unit. The proposed land division complies with the required General Plan density range.

Site Access

The four proposed single family residential parcels would be accessed from a new private cul-de-sac from the north side of Capitola Avenue. The existing residence that is proposed to be retained on a remainder parcel would continue to be accessed directly from Capitola Avenue. The proposed cul-de-sac complies with the County Design Criteria for new local streets, with the exception of the requirement for a sidewalk along the north side of the proposed access road. The elimination of the sidewalk requires a Roadside Exception. A sidewalk is not necessary in this location, since the adjacent parcel is a utility substation, and the elimination of the sidewalk allows for additional mature oak trees to be retained. A Roadside Exception is considered as appropriate due to the number of residences served, the preservation of existing mature vegetation, and the existing conditions within the surrounding neighborhood.

Site Improvements & Utilities

Site grading would be required for the access road to serve the proposed development and for rough grading of the building envelopes. Grading volumes would be approximately 450 cubic yards (cut and fill balanced on-site). The grading has been minimized through eliminating the unnecessary sidewalk on the north side of the proposed access road and by using the cut material from the roadway excavation to level the building envelopes.

The property is located within the Urban Services Line and all utilities are available to serve the proposed development. Will serve letters have been provided from the both the Soquel Creek Water District and the Santa Cruz County Sanitation District.

Design Review

The proposed minor land division complies with the requirements of the County Design Review Ordinance, in that design guidelines have been provided for the construction of four new residences. The design guidelines require the future residences to incorporate architectural design features such as pitched roofs, varied materials, and articulated front facades to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. Adequate parking for the future residences would be provided on each parcel.

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.

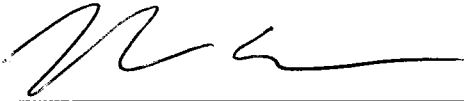
Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act. (Class 15 - Minor Land Divisions)
- **APPROVAL** of Application Number **131291**, 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: _____


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Report Reviewed By: _____


Ken Hart
Principal Planner
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CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 131291

Assessor Parcel Number: 030-241-20 & -22

Project Location: 2850 Capitola Avenue

Project Description: Proposal to adjust boundary with an adjacent parcel and to divide subject property into 4 lots plus a remainder.

Person or Agency Proposing Project: Hamilton-Swift & Associates

Contact Phone Number: 831-459-9992

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

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

F. Reasons why the project is exempt:

Minor land division within the Urban Services Line and all urban services available

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

Randall Adams, Project Planner

Date: _____

Lot Line Adjustment Findings

1. The lot line adjustment will not result in a greater number of parcels than originally existed.

This finding can be made, in that there were two parcels prior to the adjustment and there will be two parcels subsequent to the adjustment.

2. The lot line adjustment conforms with the county zoning ordinance (including, without limitation, County Code section 13.10.673), and the county building ordinance (including, without limitation, County Code section 12.01.070).

This finding can be made, in that no additional building sites will be created, none of the parcels have a General Plan designation of 'Agriculture' or 'Agricultural Resource', none of the parcels are zoned 'TP' or have a designated Timber Resource as shown on the General Plan maps, and the proposal complies with the minimum parcel size of the R-1-6 (Single family residential - 6,000 square feet minimum) zone district and the General Plan designation of the parcels (R-UL - Urban Low Density Residential) per 13.10.673(e).

3. No affected parcel may be reduced or further reduced below the minimum parcel size required by the zoning designation, absent the grant of a variance pursuant to County Code section 13.10.230.

This finding can be made, in that none of the residential parcels included in the proposal will be reduced below the minimum parcel size required by the zone district as a result of this lot line adjustment.

Subdivision Findings

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

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

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

This finding can be made, in that the proposed division of land, its design, and its improvements, will be consistent with the General Plan. The project creates four single family residential parcels and a remainder parcel. The property is located in the Urban Low Density Residential (R-UL) General Plan designation which allows a density of one parcel for each 6,000 to 10,000 square feet of net developable parcel area. The proposed project is consistent with the General Plan, in that each residential parcel will contain a minimum of 6,000 square feet of net developable area.

The project is consistent with the General Plan in that the full range of urban services is available, including public water and sewer service. Parcels will be accessed by a new private roadway and Capitola Avenue. The proposed access road will require an exception to the County Design Criteria due to a small variation in roadside improvements from those included in the County Design Criteria. The proposed roadway design provides adequate and safe vehicular and pedestrian access.

The subdivision, as conditioned, will be consistent with the General Plan regarding infill development, in that the proposed residential development will be consistent with the pattern of surrounding development, and the design guidelines require that structures be consistent with the character of similar developments in the surrounding area.

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

This finding can be made, in that the use of the property will be residential in nature, unit densities meet the minimum standards for the R-1-6 (Single family residential - 6,000 square feet minimum) zone district where the project is located, and the project will be consistent with the required site standards of the R-1-6 zone district.

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

This finding can be made, in that no challenging topography affects the building site, technical reports prepared for the property conclude that the site is suitable for residential development, and the proposed building envelopes are properly configured to allow development in compliance with the required site standards. No environmental resources would be adversely

impacted by the proposed development.

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

This finding can be made, in that no mapped or observed sensitive habitats or threatened species will be adversely impacted through the development of the site.

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

This finding can be made, in that municipal water and sewer services are available to serve all proposed parcels.

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

This finding can be made, in that no such easements are known to affect the project site.

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

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

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

This finding can be made, in that the design guidelines require the future residences to incorporate architectural design features such as pitched roofs, varied materials, and articulated front facades to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The surrounding neighborhood contains single family residential development. The design and layout of the proposed land division is compatible with the surrounding pattern of development.

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, in that full local street improvements would not be consistent with the pattern of development in the neighborhood or the improvements on the existing roadway that accesses the project site (Capitola Avenue). The proposed roadway varies from the County Design Criteria in terms of width and improvements with a 67.5 foot wide right of way, 24 foot wide pavement section, 6 foot wide parking on both sides, a sidewalk on one side, and landscaping on both sides of the roadway. The County Design Criteria standard for a local street is a 56 feet wide right of way with parking, sidewalks, and landscaping on both sides of the roadway. A Roadside Exception is required for the proposed roadway due to the lack of a sidewalk on the north side. A sidewalk is not necessary in this location, as the adjacent parcel contains a PG&E substation. A wider landscape strip that allows the preservation of additional mature oak trees is proposed in place of the sidewalk. A Roadside Exception is considered as appropriate due to the number of residences served and the existing conditions within the surrounding neighborhood.

County Code Section 15.10.050(f)(1) allows for exceptions to roadside improvements when those improvements would not be appropriate due to the character of existing or proposed development.

Conditions of Approval

Lot Line Adjustment and Land Division 131291

Applicant: Hamilton-Swift & Associates

Property Owner: MGA Properties

Assessor's Parcel Number(s): 030-241-20 & -22

Property Address and Location: Property located on the east side of Capitola Avenue, approximately 200 feet south of Soquel Drive in the Soquel planning area. (2850 Capitola Avenue)

Planning Area: Soquel

Exhibit(s):

D. Tentative Map - prepared by Ifland Engineers, dated 1/12/14.

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

- I. Prior to exercising any rights granted by this Approval, the owner shall:
- A. Sign, date and return one copy of the Approval to indicate acceptance and agreement with the conditions thereof.
- II. Prior to submittal of the Parcel Map and final improvement plans for the land division, the applicant shall complete the Lot Line Adjustment with the adjacent parcel (APN 030-241-22). The Lot Line Adjustment shall be subject to the following requirements:
- A. No Parcel Map is required for the Lot Line Adjustment. File deed(s) of conveyance (which must result in parcel configurations that match the approved Exhibit "D" for the Lot Line Adjustment portion of this permit) with the County Recorder to exercise this approval. Parcels or portions of parcels to be combined must be in identical ownership. Please note that this approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property.
 - B. The deed(s) of conveyance must contain the following statement after the description of the property(ies) or portion(s) of property to be transferred:
 - C. "The purpose of the deed is to adjust the boundary between Assessor's Parcel Number APN 030-241-20 and Assessor's Parcel Number APN 030-241-22 as approved by the County of Santa Cruz under Application 131291. This deed and approval of the related Lot Line Adjustment Number 131291 shall be deemed to permanently reconfigure the affected underlying parcels. Any configuration of such underlying parcels that existed prior to recordation of this deed shall no longer be valid and shall not be used for transfer, conveyance, sale, or any other purpose. This conveyance may not create a separate parcel, and is null and void unless the boundary is adjusted as stated."

- D. Return a conformed copy of the deed(s) to the Planning Department.
- III. A Parcel Map for the 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 four (4) single family residential units, and a private right of way for access, utilities, and landscaping.
- C. The minimum aggregate parcel area shall be 6,000 square feet of net developable land per unit.
- D. The following items shall be shown on the Parcel Map:
1. Building envelopes, common area and/or building setback lines located according to the approved Tentative Map. The building envelopes for the perimeter of the project shall meet the minimum setbacks for the R-1-6 zone district of 20 feet for front yards, 20 feet for street side yards, 5 and 8 feet for side yards, and 15 feet for rear yards.
 2. Show the net area of each lot to nearest square foot.
 3. All easements and dedications to be recorded prior to recordation of the Parcel Map.
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
1. Obtain a Demolition Permit from the Santa Cruz County Building Official, for the existing residence to be demolished prior to application for a Building Permit on any parcel created by this land division.
 2. New parcel numbers for all of the parcels must be assigned by the Assessors Office prior to application for a Building Permit on any parcel created by this land division.

3. Lots shall be connected for water service to Soquel Creek Water District. All regulations and conditions of the water district shall be met. Proof of water service availability is required prior to issuance of a building permit on any parcel.
4. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the sanitation district shall be met. Proof of sewer service availability is required prior to issuance of a building permit on any parcel.
5. All future construction on the lots shall conform to the design guidelines approved for this land division and shall also meet the following additional conditions:
 - a. Notwithstanding the approved preliminary architectural plans, all future development shall comply with the development standards for the R-1-6 zone district. Development on each parcel shall not exceed a 40% lot coverage, or a 50% floor area ratio, or other standard as may be established for the zone district.
6. All future development on the lots shall comply with the requirements of the approved geotechnical report(s) for this project.
7. All requirements of the Environmental Planning Section of the Planning Department shall be met, including the following:
 - a. The applicant shall provide 2 copies of the soils report with the building permit application.
 - b. Plans shall reference the soils report and include a statement that the project shall conform to the report's recommendations.
 - c. Tree protection fencing shall be shown on the site plan as recommended by the project arborist.
 - d. The applicant shall submit a site specific stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual. The Manual may be found on our website at sccoplanning.com by navigating to Environmental / Erosion and Stormwater Pollution Control / Construction Site Stormwater BMP Manual.
 - e. The applicant shall submit a site specific drainage plan that complies with the requirements set forth in 2010 California Building Code (CBC) Section 1803.3 and the recommendations of the soils engineer.

- f. The applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form.
8. 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.
9. Prior to any building permit issuance or ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Department of Public Works and the Planning Department. Earthwork between October 15 and April 15 requires a separate winter grading approval from Environmental Planning that may or may not be granted. The erosion control plans shall identify the type of erosion control practices to be used and shall include the following:
 - a. Silt and grease traps shall be installed according to the approved improvement plans.
 - b. An effective sediment barrier placed along the perimeter of the disturbance area and maintenance of the barrier.
 - c. Spoils management that prevents loose material from clearing, excavation, and other activities from entering any drainage channel.
10. Any changes from the approved Exhibit "D", including but not limited to the Tentative Map or Preliminary Improvement Plans, must be submitted for review and approval by the Planning Department. Changes may be forwarded to the decision making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. Any changes that are on the final plans which do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review.

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

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

- B. Meet all drainage requirements of the Department of Public Works, Stormwater Management Services section including, without limitation, the following conditions:
1. Please note on the recorded map and improvement plans that when parcels A, B, C, and D are developed each lot will be required to construct a retention system. The required retention volume for each of the sites has been calculated by the project engineer and can be found in the drainage study for this MLD.
 2. For fee calculations please provide tabulation of new impervious and semi impervious (gravel, base rock, paver blocks, pervious pavement) areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed please provide documentation such as assessor's records, survey records, aerial photos or other official records that will help establish and determine the dates they were built.
 3. A drainage fee will be assessed on the net increase in impervious area. The fees are currently \$1.14 per square foot, and are subject to increase based on the fee amount applicable at the time of permit issuance. Reduced fees (50%) are assessed for semi pervious surfacing (such as gravel, base rock, paver blocks, porous pavement, etc.) to offset costs and encourage more extensive use of these materials.
 4. Please note on the plans that the proposed 5 foot drainage easement on parcel B and the remainder parcel is private.
- C. Meet all requirements of the Environmental Planning section of the Planning Department including, without limitation, the following conditions:
1. The applicant shall provide a tree protection plan showing the precise location of the tree protection fencing as recommended by the project arborist.
 2. The applicant shall provide a plan review letter from the project arborist approving the final revised grading, utility, and tree protection plans.
- D. 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 connections fees, and furnish a copy of any CC&R's to the district.

- E. A Homeowners Association (HOA) shall be formed, or a shared maintenance agreement shall be established, for maintenance of all areas under common ownership including, sidewalks, roadways, all landscaping, drainage structures, water lines, sewer laterals, fences, silt and grease traps and buildings. CC&R's and/or the shared maintenance agreement shall include the following, which are permit conditions:
1. All landscaping within the private right of way (Valente Court) shall be permanently maintained by the HOA or shared maintenance association.
 2. All drainage structures, including the proposed detention system, porous asphalt concrete, proposed swale in the private drainage easement, and silt and grease traps, shall be permanently maintained by the HOA or shared maintenance association.
 3. Annual inspection of the silt and grease traps and drainage structures 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 HOA or shared maintenance association.
 - a. A brief annual report shall be prepared by the trap inspector at the conclusion of each October inspection and submitted to the Drainage section of the Department of Public Works within 5 days of the inspection. This monitoring report shall specify any repairs that have been done or that are needed to allow the trap to function adequately.
- F. 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.
- G. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries. Backflow prevention devices must be located in the least visually obtrusive location.
- H. All requirements of the Central Fire Protection District shall be met.
- I. Park dedication in-lieu fees shall be paid for three (3) new dwelling units (with a credit of one unit for the existing residence to be demolished). These fees are

currently \$1,000 per bedroom, but are subject to change.

- J. Child Care Development fees shall be paid for 8 bedrooms (which assumes four 3 bedroom dwelling units, and includes a credit for 4 bedrooms from the existing residence to be demolished). These fees are currently \$109 per bedroom, but are subject to change.
- K. Transportation improvement fees shall be paid for three (3) new dwelling units (with a credit of one unit for the existing residence to be demolished). These fees are currently \$3,000 per unit, but are subject to change.
- L. Roadside improvement fees shall be paid for three (3) new dwelling units (with a credit of one unit for the existing residence to be demolished). These fees are currently \$3,000 per unit, but are subject to change.
- M. Pay the small projects fee for the third new dwelling unit (which includes a credit of one unit for the existing residence to be demolished) to meet the Affordable Housing Requirements specified by Chapter 17.10 of the County Code. This fee is currently \$15,000 per applicable unit, but is subject to change.
- N. Submit and secure approval of engineered improvement plans from the Department of Public Works and the Planning Department for all roads, curbs and gutters, storm drains, erosion control, and other improvements required by the Subdivision Ordinance, noted on the attached tentative map and/or specified in these conditions of approval. A subdivision agreement backed by financial securities (equal to 150% of engineer's estimate of the cost of improvements), per Sections 14.01.510 and 511 of the Subdivision Ordinance, shall be executed to guarantee completion of this work. Improvement plans shall meet the following requirements:
 - 1. All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified in these conditions of approval. Plans shall also comply with applicable provisions of the State Building Code regarding accessibility.
 - a. The proposed access road (Valente Court) shall be constructed per the approved improvement plans for this permit, except as modified by these conditions. A Roadside Exception is approved to vary from County standards with respect to the width of the right of way, sidewalks, and landscaping.
 - i. Eliminate the existing driveway located on Capitola Avenue at parcel 'A' by replacing the existing driveway approach with standard curb, gutter and sidewalk.
 - ii. Provide a modified type "C" ADA ramp at the termination of sidewalks on the north side of Valente Court.

- iii. Install on Valente Court a stop sign, a stop bar (4' from crosswalk), centerline detail (50') and a crosswalk (two 12" lines)
2. Complete drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils, including the following information and plan revisions:
 - a. A concrete band or other distinctive separation is required between the porous and standard asphalt so as to clearly distinguish that the asphalt zones are different and to prevent inadvertent top coating of the pervious pavement. Show and note this on the plans.
 - b. If feasible, the county would prefer the use of alternative surfacing (vegetated or rock lined) for the proposed concrete swale along the southern property line.
 - c. Please provide construction details for the proposed detention system, porous AC, silt and grease trap GO inlets, manholes, under sidewalk drains, and the pipe connection to the existing inlet in Capitola Avenue.
 - d. All catch basins shall be marked with the legend "NO DUMPING DRAINS TO OCEAN. NO TIRE DESECHO CORRE AL MAR."
 - e. For fee calculations please provide tabulation of new impervious and semi impervious (gravel, base rock, paver blocks, pervious pavement) areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed please provide documentation such as assessor's records, survey records, aerial photos or other official records that will help establish and determine the dates they were built.
 - f. Site plans shall specify maintenance requirements such as; what needs to be maintained, how often each drainage improvement needs to be maintained, what to look for indicating maintenance is required, and what the maintenance procedures are for each specific drainage improvement.
3. Details for the installation of required silt and grease traps. Submit a silt and grease trap maintenance agreement to the Department of Public Works.

4. A detailed erosion control plan shall be submitted which includes the following: a clearing and grading schedule that limits grading to the period of April 15 - October 15, clearly marked disturbance envelope, revegetation specifications, silt barrier locations, temporary road surfacing and construction entry stabilization, sediment barriers around drain inlets, etc. This plan shall be integrated with the improvement plans that are approved by the Department of Public Works, and shall be submitted to Environmental Planning staff for review and approval prior to recording of the Parcel Map.
5. In order to ensure that the one hour air quality threshold for the pollutant acrolein is not exceeded during demolition and paving, prior to the issuance of the grading permit, the applicant shall modify the grading plans to include notes incorporating the construction conditions given by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) as follows:
 - i. All pre-1994 diesel equipment shall be retrofitted with EPA certified diesel oxidation catalysts *or* all such equipment shall be fueled with B99 diesel fuel;
 - ii. Applicant shall retain receipts for purchases of catalysts or b99 diesel fuel until completion of the project;
 - iii. Applicant shall allow MBUAPCD to inspect receipts and equipment throughout the project.

Alternatively, the applicant may submit a health risk assessment to the MBUAPCD for review and approval. Any recommendations and requirements of the MBUAPCD will become conditions of constructing the project.

- O. Submit a final Landscape Plan for the entire site for review and approval by the Planning Department. The landscape plan shall specify plant species, size and location, and shall include irrigation plans, which meet the following criteria and must conform to all water conservation requirements of the local water district and the following conservation regulations:
 1. Turf Limitation. Turf area shall not exceed 25 percent of the total landscaped area. Turf area shall be of low to moderate water-using varieties, such as tall or dwarf fescue.
 2. Plant Selection. At least 80 percent of the plant materials selected for non-turf areas (equivalent to 60 percent of the total landscaped area) shall be well-suited to the climate of the region and require minimal water once established (drought tolerant). Native plants are encouraged. Up to 20 percent of the plant materials in non-turf areas (equivalent to 15 percent of

the total landscaped area), need not be drought tolerant, provided they are grouped together and can be irrigated separately.

3. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.
4. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid runoff, over-spray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.
 - a. The irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit applications. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.
 - b. Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be used to maximize the efficiency of water applied to the landscape.
 - c. Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.
 - d. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.
5. Replacement trees:
 - a. The removal of the four oak trees indicated on the tentative map shall be replaced on the project site at a ratio of 3:1, as recommended by the project arborist. The locations of the twelve (12) replacement oaks shall be shown on the landscape plan. The replacement trees shall be a minimum of 15 gallon size at the time of planting.

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

- A. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. Obtain an Encroachment Permit from the Department of Public Works for any work performed in the public right of way. All work shall be consistent with the Department of Public Works Design Criteria unless otherwise specifically excepted by these conditions of approval.
- B. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan that may or may not be granted.
- C. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
- D. Prior to any site disturbance on the subject property, the following conditions shall be met:
 - 1. A preconstruction meeting shall be scheduled 14 days prior to commencement of earthwork. Attendees shall include Environmental Planning staff, the project arborist, the grading contractor, the soils engineer and the civil engineer. Tree protection fencing and perimeter erosion control will be inspected by Environmental Planning staff. In addition, findings of the bat ecologist and the bird survey (if required) will be reviewed.
 - 2. All tree protection fencing and sediment control measures shall be installed as shown on the approved plans.
 - 3. If tree removal will occur during the bird nesting season, February 1 through August 15, a qualified biologist shall conduct nesting bird surveys no more than 2 weeks prior to vegetation removal. If active nests are observed, the biologist shall designate a buffer zone around the nest tree or shrub as follows: 200 feet for nesting raptors and 50 feet for all other bird species. No vegetation removal shall take place within the buffer zone until the biologist has determined that all chicks have fledged and are able to feed on their own.
 - 4. A bat ecologist shall conduct an investigation within 30 days of scheduled barn demolition to determine if the barn is being used by bats. If there is no evidence of bat use, the openings to the barn shall be secured/covered to prevent bats from entering prior to demolition, and demolition may proceed as scheduled. If bat use is detected, barn demolition shall occur

between August 15 and February 1 to avoid bat breeding season, and the bat ecologist shall make recommendations, in coordination with CDFW, for exclusion devices or other methods to avoid harm to individual bats that may be using the barn outside of the breeding season.

- 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. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
 - 1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
 - 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
 - 3. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
 - G. Construction of improvements shall comply with the requirements of the approved geotechnical report(s) for this project. The project geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report(s).
 - H. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lots.
- 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 Parcel Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking at least 90 days prior to the expiration date and in no event later than 3 weeks prior to the expiration date.

Application #: 131291
APN: 030-241-20 & -22
Owner: MGA Properties

cc: County Surveyor

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Ken Hart
Principal Planner

Randall Adams
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.

LOT LINE ADJUSTMENT, TENTATIVE MAP, AND PRELIMINARY IMPROVEMENT PLAN

A.P.N. 030-241-20 & 22

LOCATION:

2850 CAPITOLA AVENUE
SOQUEL, CA 95073

OWNER A.P.N. 030-241-20:

CHRISTEN ERICA RENNEN, TRUSTEE
C/O MGA PROPERTIES, INC.
4062 FABIAN WAY, #11
PALO ALTO, CA 94303

OWNER A.P.N. 030-241-22:

HAMID EZZATYAR, TRUSTEE
101 FIRST ST. STE. #464
LOS ALTOS, CA 94022

INDEX TO SHEETS

SHEET 01 --- TITLE INFORMATION, VICINITY MAP, SHEET INDEX,
BENCH MARK, EARTHWORK QUANTITIES, GENERAL
NOTES, EROSION CONTROL NOTES, AND ABBREVIATIONS

SHEET 02 --- EXISTING SITE

SHEET 03 --- LOT LINE ADJUSTMENT

SHEET 04 --- TENTATIVE MAP

SHEET 05 --- TYPICAL ROADWAY SECTIONS

SHEET 06 --- PRELIMINARY GRADING AND DRAINAGE PLAN

SHEET 07 --- PRELIMINARY DRAINAGE ANALYSIS

SHEET 08 --- PRELIMINARY VALENTE COURT PLAN AND PROFILE

SHEET 09 --- PRELIMINARY UTILITY PLAN

SHEET 10 --- PRELIMINARY EROSION CONTROL PLAN

SHEET 11 --- PRELIMINARY EARTHWORK

NEW ROADWAY CURB, GUTTER, AND SIDEWALK

ROUGH GRADING OF NEW PARCELS (ACCOUNTING FOR ROAD SECTION)

PROJECT TOTAL

TOTAL CUT = 450 CUBIC YARDS

TOTAL FILL = 450 CUBIC YARDS

NET = 0 CUBIC YARDS (BALANCE ON SITE)

PROJECT TOTAL

TOTAL CUT = 450 CUBIC YARDS

TOTAL FILL = 450 CUBIC YARDS

NET = 0 CUBIC YARDS (BALANCE ON SITE)

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TOTAL FILL = 450 CUBIC YARDS

NET = 0 CUBIC YARDS (BALANCE ON SITE)

PROJECT TOTAL

TOTAL CUT = 450 CUBIC YARDS

TOTAL FILL = 450 CUBIC YARDS

NET = 0 CUBIC YARDS (BALANCE ON SITE)

GENERAL NOTES

- All construction shall comply with applicable requirements of the current edition of the Santa Cruz County Design Criteria and the Soquel Creek Water District Standard Details & Specifications.
- All figure (Fig.) references, unless otherwise specified, refer to Standard Drawings in the current edition of the Santa Cruz County Design Criteria.
- All grading shall comply with the recommendations of the Geotechnical Investigation prepared for the site by Poltek Engineering, Inc., Project No. 1142, dated March 17, 2009.
- All utilities shall be installed underground.
- The Contractor shall obtain an encroachment permit from the Santa Cruz Co. Department of Public Works for any utility trench work in the County right of way not specifically shown on these plans.
- Water service for the site shall be installed by the contractor according to the Soquel Creek Water District standard specifications and requirements.
- Existing underground utility locations shown are compiled from information supplied by the Santa Cruz County Department of Public Works and the Santa Cruz County Department of Public Works. The Contractor shall verify location of affected utility facilities in the vicinity of the work area prior to the commencement of the work, and shall take appropriate measures to protect utilities during the construction operations.
- Contractor shall request location of underground utilities by contacting USA ALERT (1-800-842-2444) and appropriate utility agencies prior to commencement of the construction.
- No land clearing, grading or excavating shall take place between October 15 & April 15 of each year. The Contractor shall be responsible for the Planning Department. During construction, disturbed areas shall be protected by mulching and/or planting of native vegetation of adequate density. Before completion of the project, any exposed soil on disturbed areas shall be permanently protected from erosion.
- To minimize noise, dust, and vibration impacts on surrounding properties during construction, the Contractor shall take the following measures during all construction work:
 - Limit all construction to the hours between 8:00 A.M. and 5:00 P.M. weekdays, unless the Planning Department approves an extension of this time restriction in an emergency situation.
 - Each day it does not rain, wet all exposed soil frequently enough to prevent significant dust emissions. Do not leave soil unprotected during heavy rain.
 - Sewer calls within the traveled roadway which cause temporary depressions in the surface shall be repaired prior to the start of the next day's construction. Temporary measures and signage shall be posted during such.

1. Stockpile disturbed topsoil and redistribute around the finished site as seed base.

2. Distribute only those areas under construction. Do not leave soil unprotected during heavy rain.

3. Re-seed all disturbed areas with permanent landscaping or seed mix as follows:

Blondo Bronte: 1/2 # per 1000 S.F.
Rose Clover: 1/2 # per 1000 S.F.
Annual Ryegrass: 1/4 # per 1000 S.F.

4. Fertilize seedlings with 16-20-0 ammonium phosphate w/ sulphur.

5. Between October 15 and April 15, exposed soil shall be protected at all times. During construction such protection may consist of mulching and/or planting of native vegetation of adequate density. Before completion of the project, any exposed soil on disturbed slopes shall be permanently protected from erosion.

EROSION CONTROL NOTES

1. Stockpile disturbed topsoil and redistribute around the finished site as seed base.

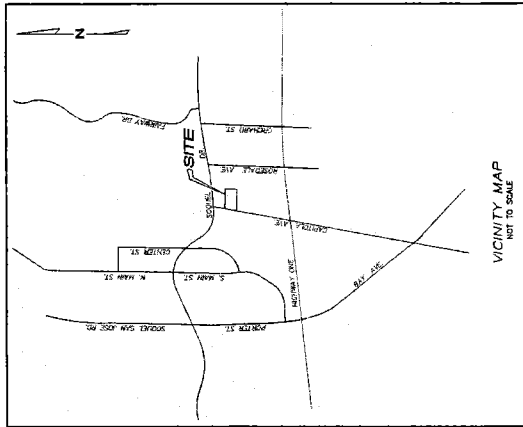
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VICINITY MAP
NOT TO SCALE

COVER SHEET
Kerner M.L.D.
2850 Capitola Avenue, Santa Cruz County, CA

APN: 030-241-20 & 22
DATE: 08/18/11
SHEET: 1

13046



For Plan Check Only
APPROVED: [Signature]
DATE: 08/18/11

2850 SOQUEL AVE, SUITE 101
SAN JOSE, CA 95128
TEL: (408) 444-1111
WWW.KERNERENGINEERS.COM



CIVIL ENGINEERING • LAND PLANNING • STRUCTURAL DESIGN



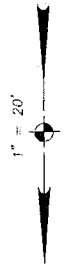
For Plan Check Only
DATE: 12/15/10
BY: [Signature]

LAND ENGINEERS
15400 S. GATEWAY AVE. SUITE 101
SAN ANTONIO, CA 78246
TEL: (214) 481-1743
WWW.LANDENGINEERS.COM

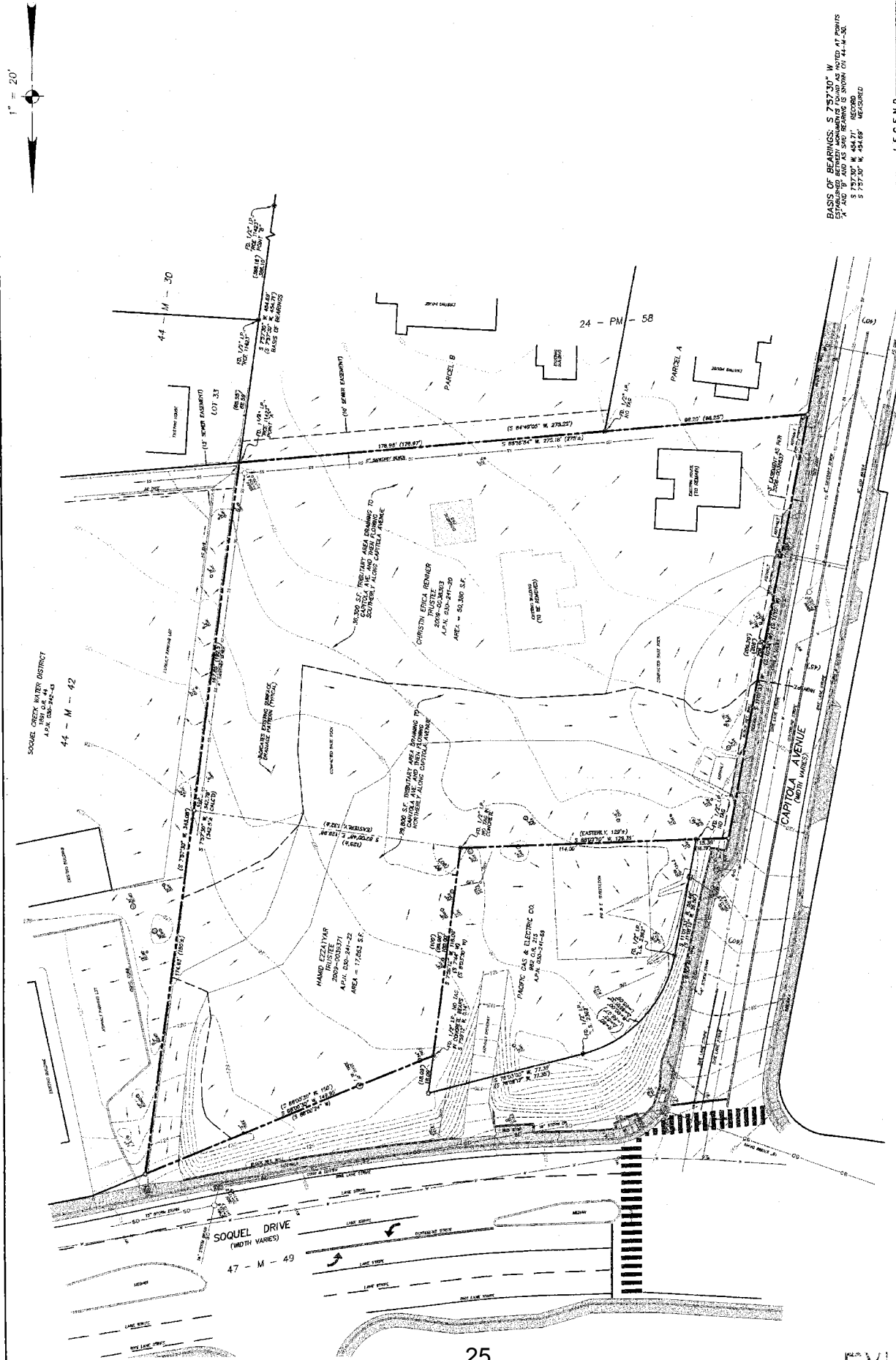
IFLAND ENGINEERS
CIVIL ENGINEERING • LAND PLANNING • SURVEYING
2850 Capitola Avenue, Santa Cruz County, CA
Renner M.D.
APNs: 030-241-20 & 22

2850 Capitola Avenue, Santa Cruz County, CA
Renner M.D.
APNs: 030-241-20 & 22

DATE: 12/15/10
BY: [Signature]
SHEET: 22
13046



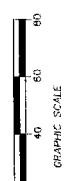
1" = 20'

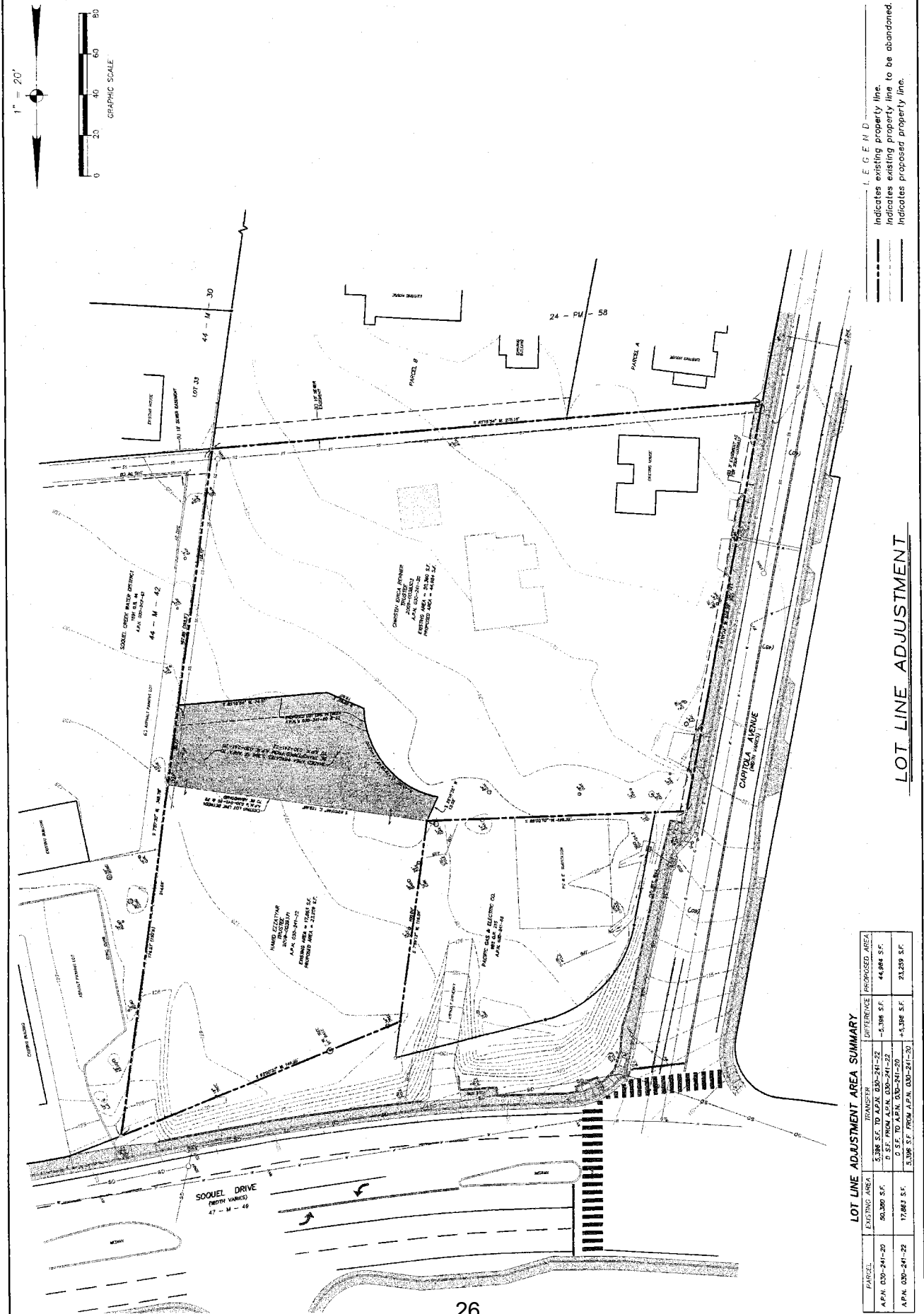


BASIS OF BEARINGS: S 75°10' W
ESTABLISHED BY MONUMENT FOUND AS NOTED AT POINTS
AND AS SHOWN BEARING IS SHOWN ON 44-M-30
S 75°10' W 44.15' MEASURED
S 75°10' W 44.15' MEASURED

LEGEND
• Indicates survey monument found as noted herein.
○ Indicates nothing found or set.
() Indicates record data based on deeds or maps shown.

EXISTING SITE SURVEY



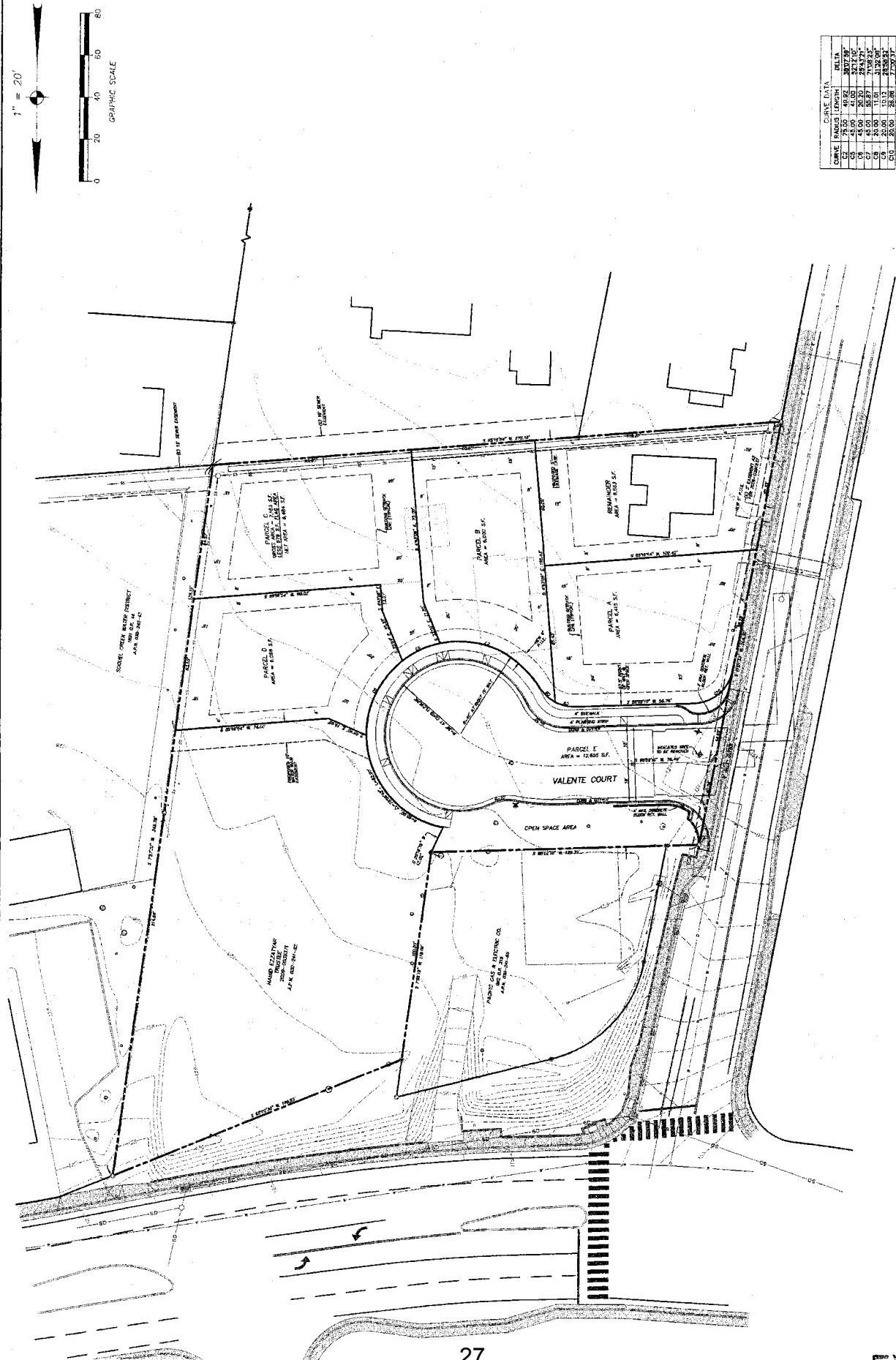


LOT LINE ADJUSTMENT AREA SUMMARY

PARCEL	EXISTING AREA	TRANSFER	DIFFERENCE	PROPOSED AREA
APN 030-241-20	50,300 S.F.	5,398 S.F. TO APN 030-241-22	-5,398 S.F.	44,902 S.F.
APN 030-241-22	17,882 S.F.	5,398 S.F. FROM APN 030-241-20	+5,398 S.F.	23,280 S.F.



CURVE DATA		
STATION	CHORD BEARS	ARC LENGTH
1+00.00	100.00	100.00
1+10.00	100.00	100.00
1+20.00	100.00	100.00
1+30.00	100.00	100.00
1+40.00	100.00	100.00
1+50.00	100.00	100.00
1+60.00	100.00	100.00
1+70.00	100.00	100.00
1+80.00	100.00	100.00
1+90.00	100.00	100.00
2+00.00	100.00	100.00
2+10.00	100.00	100.00
2+20.00	100.00	100.00
2+30.00	100.00	100.00
2+40.00	100.00	100.00
2+50.00	100.00	100.00
2+60.00	100.00	100.00
2+70.00	100.00	100.00
2+80.00	100.00	100.00
2+90.00	100.00	100.00
3+00.00	100.00	100.00



TENTATIVE MAP

TYPICAL ROADWAY SECTIONS

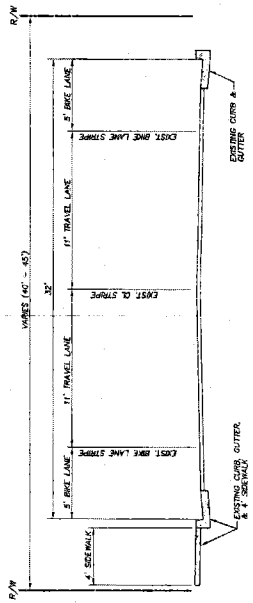
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APNs: 030-241-20 & 22
 SHEET

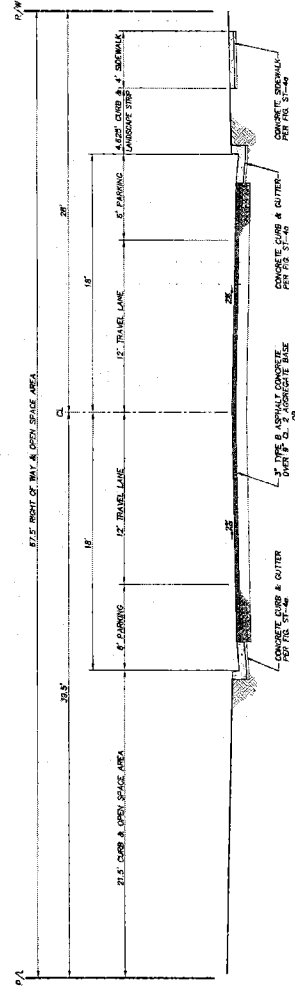
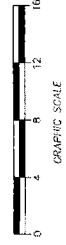
Typical Roadway Sections
 Renner M.D.
 2850 Capitola Avenue, Santa Cruz County, CA

ENGINEERS
 IFLAND
 CIVIL ENGINEERING • LAND PLANNING • ARCHITECTURAL DESIGN
 1800 KODAK AVE. SUITE 101
 SAN JOSE, CA 95128
 TEL (408) 491-1142
 FAX (408) 491-1143
 WWW.IFLANDENGINEERS.COM

For Plan Check Only
 CIVIL
 DATE

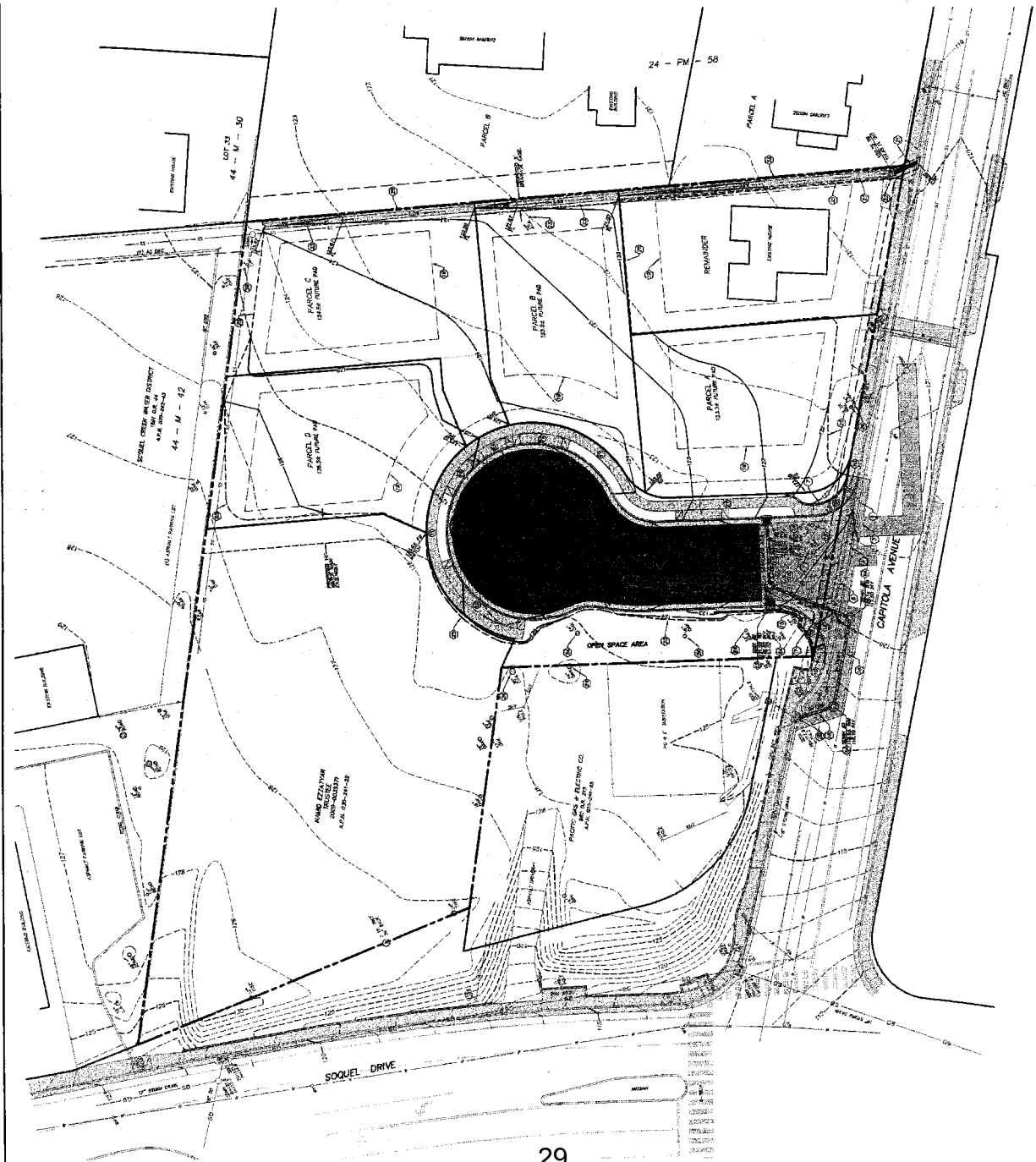


EXISTING CAPITOLA AVENUE TYPICAL SECTION
 1" = 4'

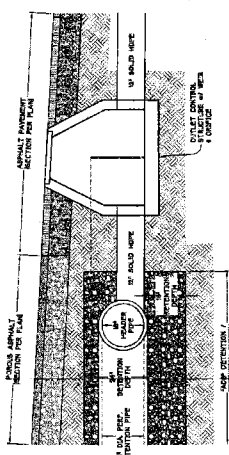


PROPOSED VALENTE COURT TYPICAL SECTION
 1" = 4'

PRELIMINARY GRADING & DRAINAGE PLAN



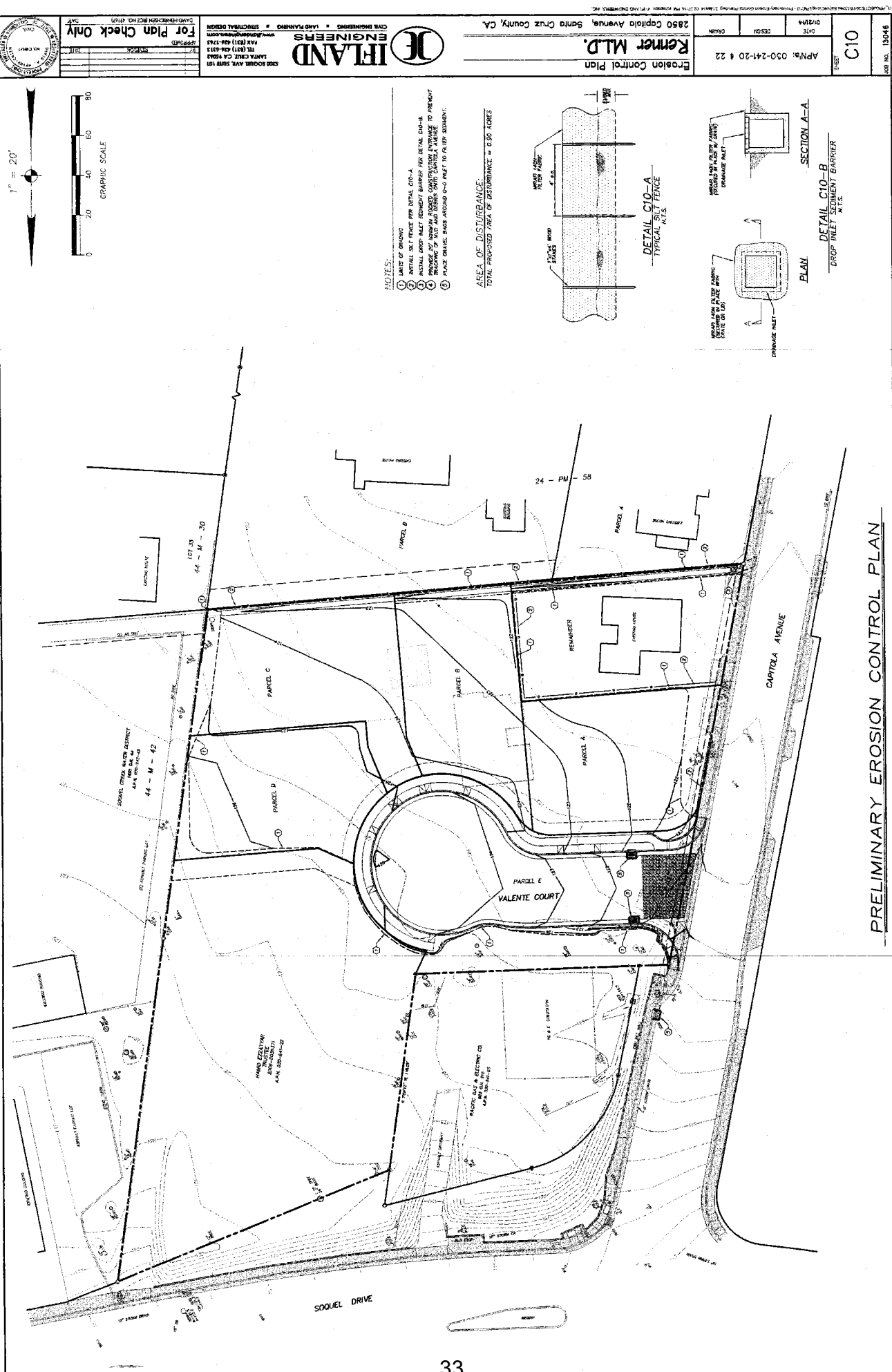
Detention/Retention System Detail



GRADING NOTE:
THE GRADING SHOWN ON THIS SHEET IS BASED ON THE PROPOSED CUT MATERIAL AND THE EXISTING GRADE. THE FINAL GRADE SHALL BE DETERMINED BY THE FIELD ENGINEER. THE PROPOSED GRADING SHALL BE BALANCED TO THE EXISTING GRADE. THE EXISTING GRADE SHALL BE DETERMINED BY THE FIELD ENGINEER. THE PROPOSED GRADING SHALL BE BALANCED TO THE EXISTING GRADE. THE EXISTING GRADE SHALL BE DETERMINED BY THE FIELD ENGINEER.

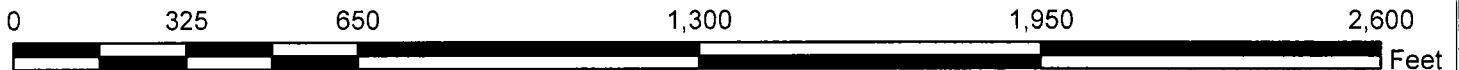
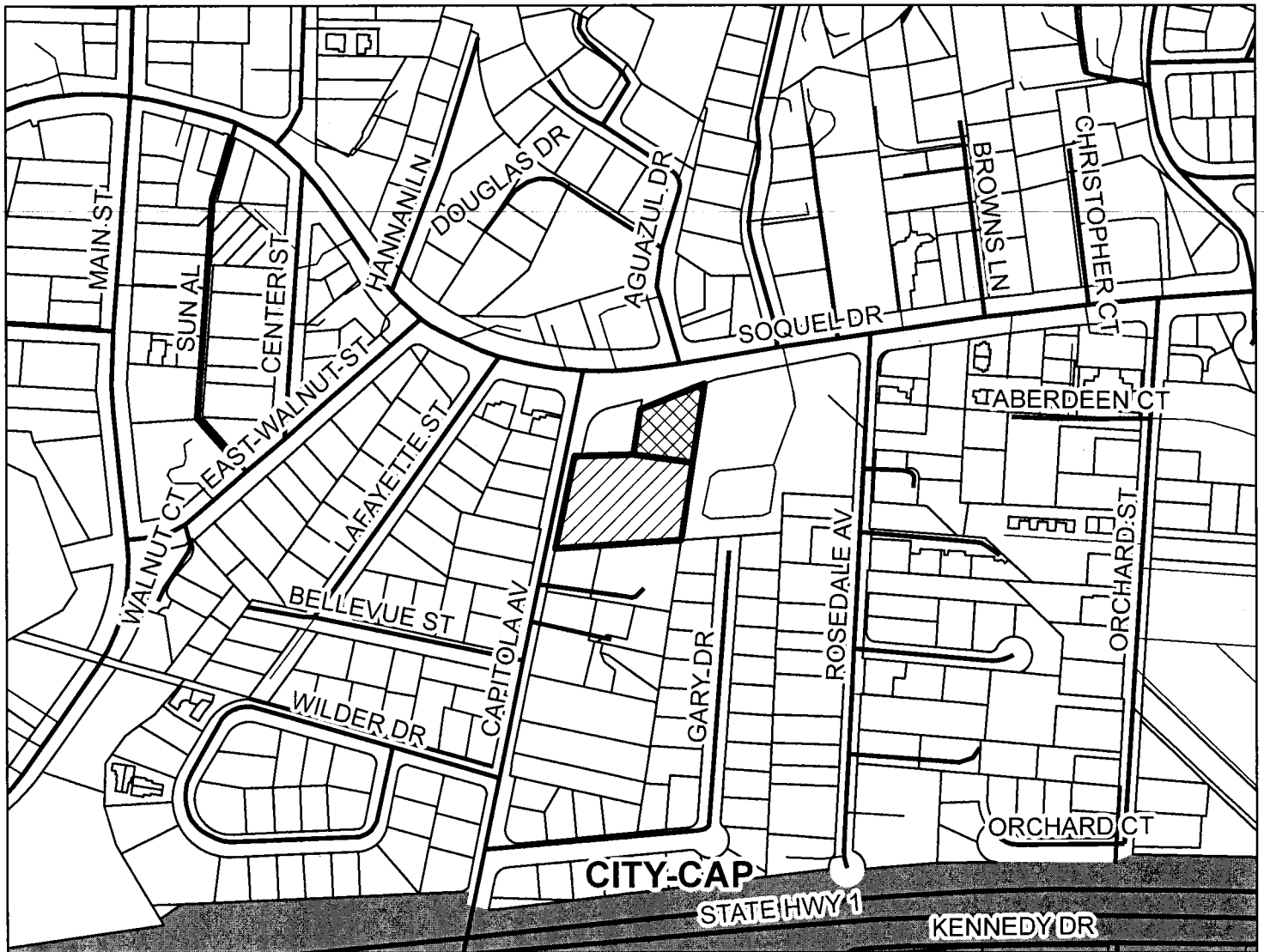
- REFERENCE NOTES:
- 1. ALL CONCRETE SHALL BE 4" MIN. THICK.
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PRELIMINARY EROSION CONTROL PLAN



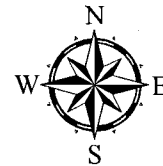


Location Map



LEGEND

-  APN: 030-241-22
-  APN: 030-241-20
-  Assessors Parcels
-  Street
-  State Highway
-  CITY OF CAPITOLA

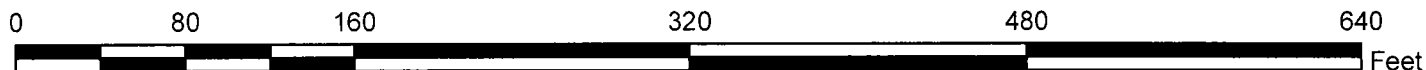


Map Created by
County of Santa Cruz
Planning Department
November 2013

EXHIBIT E

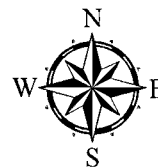


Zoning Map



LEGEND

-  APN: 030-241-22
-  APN: 030-241-20
-  Assessors Parcels
-  Street
-  RESIDENTIAL-SINGLE FAMILY
-  PUBLIC FACILITY

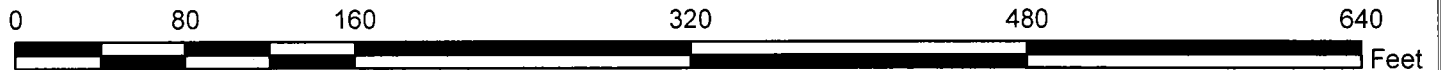


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



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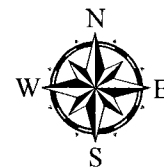


General Plan Designation Map



LEGEND

-  APN: 030-241-22
-  APN: 030-241-20
-  Assessors Parcels
-  Street
-  Residential - Urban Low Density
-  Public Facilities



Map Created by
County of Santa Cruz
Planning Department
November 2013

EXHIBIT E

**Proposed Design & Architectural Guidelines
Proposed 4-lot MLD, plus Remainder
Capitola Avenue, APN 030-241-20**

PURPOSE AND GOALS

These guidelines are adopted to ensure that the residential development of the approved parcels will achieve a high standard of residential site design and architectural excellence. The guidelines provide general direction for the design of the individual parcels and coordination with the surrounding neighborhood, while not prohibiting individuality.

SITE PLANNING GUIDELINES

1. Minimal Grading

All improvements shall be designed to generally conform to the finished grade topography of the sites.

2. Development Envelopes

To provide usable open space on each lot and prevent a bulky "over developed" appearance, the development of the dwellings, garage and any habitable accessory structures shall be limited to the development envelopes delineated on the final parcel map. Development which may occur outside of development envelopes are:

- a. Within the front yard setback- paved driveways, sidewalks and fences are described below.
- b. Within the rear yard- patios, decks, sidewalks, and fences, spas (e.g. hot tubs), and gazebos and non-habitable accessory structures not exceeding 250 sq. feet each. Such structures must comply with County Zoning Ordinance setbacks and other standards.

3. Fencing

Any fencing shall be limited to 6 feet in height within the side and rear yards and 3 feet in height within the front yard, including the portion of the side yard within the 20 foot front yard setback. No chain link fencing may be used along the front, side or rear yards.

4. Driveways

On-site driveways and parking areas shall be paved with concrete or similar natural materials. The use of pervious or semi-pervious materials is encouraged. No driveway shall exceed 20 feet in width.

5. Lighting

Lighting of all driveways shall be the minimum needed for security and safety. All exterior lighting shall be designed so it does not shine directly into adjoining properties.

ARCHITECTURAL GUIDELINES

5. Solar Orientation

Structures shall be designed and oriented to take advantage of natural solar exposure to minimize natural lighting and heating of the dwellings to the extent feasible. Glazing shall be minimized on the north side of the structures, except where the front of the dwelling is the north side. Passive solar design that incorporates adequate mass for heat storage in relation to southern/northern glazing is encouraged.

LANDSCAPE GUIDELINES

1. General

All yard space not covered with driveway, patio, decks or similar features shall be landscaped so there is no bare soil outside of garden areas.

2. Species Type

Except for turf grass used for lawns, other plant materials should be drought tolerant trees, shrubs and ground cover. Native species should be chosen. Invasive exotic species such as acacia, pampas grass, French broom, and Blue Gum eucalyptus shall not be used. All lawns shall be limited to 25% of the yard area.

3. Irrigation

The minimum number of hose bibs at each lot is two. At least one hose bib shall be located in front of or on the front side of the dwelling. At least one hose bib shall be located in the rear yard or on the rear side of the dwelling.



Board of Directors
Dr. Thomas R. LaHue, *President*
Bruce Daniels, *Vice President*
Dr. Don Hoernschmeyer
Dr. Bruce Jaffe
Richard Meyer
Kim Adamson, *General Manager*

October 7, 2013

Steven Elmore
1557 Taylor Lane
Santa Cruz CA 95062

SUBJECT: Conditional Water Service Application for Multi-Family Residential Development and Minor Land Division at 2850 Capitola Avenue, APN 030-241-20

Dear Mr. Elmore:

In response to the subject application, the Board of Directors of the Soquel Creek Water District (SqCWD) at their regular meeting of July 9, 2013 voted to grant you a Conditional Will Serve Letter for the proposed multi-family development and minor land division to be located at 2850 Capitola Avenue so that you may proceed through the appropriate land use planning entity.

After you have received a building permit from the land use planning agency, you will be required to meet all applicable SqCWD requirements defined in the attached Requirements Checklist before your application can be considered for final Board approval. If you meet all of the applicable requirements (*including possible future requirements that arise prior to development approval of your project*), and final Board approval is granted, you will be issued an Unconditional Will Serve Letter, which would secure your water service.

This conditional approval of water service for your project is valid for two years 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 the condition that the developer agrees to meet all of the requirements without cost to the District.

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 and/or new customers. In that case, service may be denied.

10/7/2013

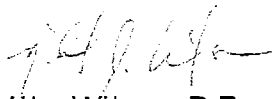
Page 2 of 3

The Board of Directors of the SqCWD also reserves the right to adopt 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 would be in response to concerns about existing conditions that threaten the groundwater basins and the lack of a supplemental supply source that would restore and maintain the aquifers. The subject project would be subject to any applicable conditions of service that the District may adopt prior to granting water service.

As new policies and/or requirements are developed, the information will be made available by the SqCWD.

Sincerely,

SOQUEL CREEK WATER DISTRICT



Mike Wilson, P.E.

Interim Engineering Manager/Chief Engineer

Attachment: Requirements Checklist for APN 030-241-20

Enclosures – Green (for Tier II Single-Family and Multi-Family Residential Development):

1. Overview of the SqCWD Water Use Efficiency Requirements for Tier II Single Family Residential, Multi-Family Residential, Commercial, Industrial & Public Development
2. Indoor Water Use Efficiency Checklist
3. Landscape Project Application Submittal Requirements Package
4. Water Demand Offset Policy Fact Sheet
5. Go Green Program/Water Demand Offset Residential Green Credits Fact Sheet and Application

Requirements Checklist for APN {030-241-20 Elmore}

	Required	Not Required	Not Applicable	Comments
Engineering:				
Record Water Waiver (required if water pressure is not between 40 psi – 80 psi) 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		x		
Variance request for property not having frontage on a water main		x		
New water main to site (required if existing water main not sized to serve new project)		x		
LAFCO annexation		x		
Off-site water main extension	x			Will require easement through site to District yard with water main to avoid dead-end.
On-site water system		x		
Backflow prevention		x		
New water storage tank		x		
Booster pump station		x		
Destroy any wells on the property in accordance with State Bulletin No. 74	x			
Satisfy all conditions imposed by the District to assure necessary water pressure, flow and quality	x			
Meter all units individually with a minimum size of 5/8-inch by 3/4-inch standard domestic water meter	x			
Complete fire service requirements form	x			
Sign Infrastructure Agreement & pay all fees (for planned developments only)	x			
Conservation:				
Complete Indoor Water Use Efficiency Checklist	x			
Complete Landscape Project Application Submittal Requirements Package	x			
Complete Residential Green Credit Application				Recommended
Pay Water Demand Offset fees	x			
General:				
Allow SqCWD Staff to inspect the completed project for compliance with all the applicable project requirements prior to commencing domestic water service	x			
Other requirements that may be added as a result of policy changes:	x			



Santa Cruz County Sanitation District

701 OCEAN STREET, SUITE 410, SANTA CRUZ, CA 95060-4073
(831) 454-2160 FAX (831) 454-2089 TDD: (831) 454-2123

JOHN J PRESLEIGH, DISTRICT ENGINEER

OCTOBER 10, 2013

STEVE ELMORE
1557 TAYLOR LANE
SANTA CRUZ CA 95062

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

APN: 030-241-20 APPLICATION NO.: PRE-APPLICATION (NO PLANS SUBMITTED)

PARCEL ADDRESS: 2850 CAPITOLA AVENUE, SOQUEL, CA

PROJECT DESCRIPTION: 1 EXISTING UNIT - ADDITION OF 4 NEW UNITS (MLD)
TOTAL OF 5 SFD'S

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.

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.

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.

Department of Public Works and District approval shall be obtained for an engineered sewer improvement plan, showing on-site and off-site sewers needed to provide service to each lot or unit proposed, before sewer connection permits can be issued. The improvement plan shall conform to the County's "Design Criteria" and shall also show any roads and easements. Existing and proposed easements shall be shown on any required Final Map. If a Final Map is not required, proof of recordation of existing or proposed easement is required.

STEVE ELMORE
PAGE 2

No downstream capacity problem or other issue is known at this time. However, downstream sewer requirements will again be studied at time of Planning Permit review, at which time the District reserves the right to add or modify downstream sewer requirements.

Yours truly,

JOHN J. PRESLEIGH
District Engineer

By: 
Rachél Lather
Sanitation Engineer

AM/tlp:434

c: Property Owner: Erica Christine Penner
4062 Fabian Way
Palo Alto, CA 94303

SAkey2 (REV. 10/12)

Steven A. Elmore - Architect

1557 Taylor Lane Santa Cruz, Ca. 95062 - 2887

s.elmore@att.net

cell: 831 - 332 - 1366

4 June 2013

NEIGHBORHOOD MEETING NOTES - April 17, 2010

Re: 2850 Capitola Ave Minor Land Division – Neighborhood Meeting Notes
A.P.N. 030 – 241 - 20

Thirteen People attended the meeting.

Every person said they were very, very glad that something was happening on this property especially that would get rid of the shabby boarded up house, and the squatters living in a trailer behind it. (*The squatters are now gone*).

All people there were glad that Single Family houses were being put on the property, and not offices, condos or apartments.

Two people mentioned that they did not want big houses on the property.
(*The house sizes were reduced in size to accommodate this concern & Acknowledge a general trend toward smaller houses*).

Two people mentioned that they did not want the new houses looking down on the existing houses.
(*House second floor plans were modified to have that floor set way back from those Property lines*).

All people were hoping the houses could be done soon.

Sincerely,

Steven A. Elmore

Steven A. Elmore



Thursday, October 24, 2013

Planning Staff
County of Santa Cruz
701 Ocean St.
Santa Cruz, CA. 95060

RE: Application for a Minor Land Division 2850 Capitola Ave. (APN 030-241-20)

Dear Planning Staff,

Herewith is an application for a proposed 4-lot plus remainder Minor Land Division on APN 030-241-20. This application includes the reconfiguring of parcels via a Lot line adjustment between APN 030-241-20 and 030-241-22. The subject property, parcel -20, which is located in the County of Santa Cruz, has an existing land area of 50,380 square feet (1.2-acre). The proposed (post- Lot Line Adjustment) size of parcel -20 is 44,984 square feet.

The proposed Minor Land Division of the newly configured APN 030-241-20 will create 4 new lots, with 1 existing 6,653 SF lot to remain and will retain the existing dwelling. The proposed lots vary in size; 6,415 SF, 6,000 SF, 7,163 SF (gross) and 6,098 SF (see attached Tentative Map). State of California, Government Code Title 7, Division 2, Subdivision Map Act allows applicants of 4-lot divisions to designate a remainder parcels, which can be omitted from the 4-lot threshold for minor divisions.

APN 030-241-20 is zoned R-1-6 requiring 6,000 SF minimum parcel size. The property is designated Urban Low Residential in the County General Plan allowing a density range of 4.4-7.2 units per acre or 6,000-10,000 SF per parcel. The General Plan designations of the parcels in the surrounding neighborhood include: Urban Low, Public Facility, Urban Medium, Urban High, and Office.

The proposed Lot Line Adjustment will reconfigure parcels 030-241-20 & 22, with 5,396 square feet being transferred from parcel -20 to parcel-22. The existing size of parcel -20, is 50,380SF, with a proposed size of 44,984SF. Parcel -22 has an existing size of 17,863SF, with a proposed size of 23,259SF. The purpose for this lot line adjustment is to provide adequate size and expand design abilities for any future development of parcel -22.

This land division is being proposed with a development agreement between the property owners of parcel -20 and -22. The purpose of the development agreement is to provide for a coordinated development of the two properties that allows for efficient and effective access, infrastructure and development. The owners of the adjoining lot -22 do not have intentions of developing their parcel at this time.

INTEGRATED LAND USE AND DEVELOPMENT SERVICES

500 CHESTNUT STREET, SANTA CRUZ, CA 95060 ■ 831/459-9992 ■ FAX 831/459-9998 ■ WWW.HAMILTONSWIFT.COM

However, design considerations have been made to the layout of the roadway and design of the infrastructure to allow for the possible future development of a project such as a three unit land division or a the development of a public facility.

The new road which is to serve the proposed 4 new residences will be 36-feet wide, and has a cul-de-sac with a 36-foot radius. The roadway also includes standard curb and gutters on both sides, a 4-foot planting strip and a 4-foot sidewalk along the southern side of the road.

An arborist report was prepared by Ellen Cooper, Consulting Arborist WCISA #0848 which includes a tree survey, recommends trees to be removed, and recommends minimum setbacks to the trees to remain, and includes a oak tree replacement at a 3:1 ratio. Additionally, there are a number of oak mature oak trees being retained.

The Biological Report, prepared by Biotic Resources Group indicates that the project will not conflict with any sensitive biotic resources.

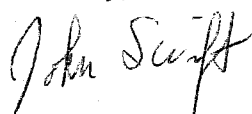
The Preliminary Archaeological Reconnaissance, prepared by Archaeological Consulting found no surface evidence of potentially significant cultural resources.

The Geotechnical Investigation, prepared by Dees & Assoc, Inc. included borings which showed adequate soils for the proposed layout and design of the proposed development.

In summary, the proposed project is consistent with the County's Zoning Ordinance and General Plan, and is in harmony with the existing densities and lot configurations in the surrounding area.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "John Swift".

John Swift
Hamilton-Swift & Assoc., Inc.