



Staff Report to the Zoning Administrator

Application Number: **05-0173**

Applicant: John Swift - Hamilton-Swift
Consultants

Agenda Date: June 2, 2006

Owner: Lois Meeker

Agenda Item #: 6

APN: 030-201-03

Time: After 10:00 a.m.

Project Description: Proposal to construct a four unit dwelling group of two, 3-story, detached dwelling units, two 2-story detached units and a fence (trash enclosure) exceeding 3 feet high in the front yard setback.

Location: The project is located on *the* south side of West Walnut Street about 200 feet west of the intersection of West Walnut Street and Daubenbiss Avenue, **Soquel** (440 W. Walnut).

Supervisory District: First District (District Supervisor: Beautz)

Permits Required: Residential Development Permit and Preliminary Grading Approval

Staff Recommendation:

- Approval of Application 05-0173, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | | | |
|----|--|----|--|
| A. | Project plans | F. | Zoning and General Plan Maps |
| B. | Findings | G. | Arborist Report Excerpt (full report is on file with the Planning Dept.) |
| C. | Conditions | H. | Soil Report Recommendations |
| D. | Categorical Exemption (CEQA determination) | I. | Comments & Correspondence |
| E. | Assessor's Parcel Map | | |

Application #: 05-0173
APN: 030-201-03
Owner: Lois Meeker

Parcel Information

Parcel Size: 16,566 square feet
Existing Land Use - Parcel: Vacant urban residential parcel
Existing Land Use - Surrounding: Residential, nearby commercial (Soquel Village)
Project Access: West Walnut Avenue
Planning Area: Soquel
Land Use Designation: R-UM (Urban Medium Density Residential)
Zone District: RM-4 (Multi-family residential - 4,000 square foot minimum per unit)
Coastal Zone: — Inside XX Outside

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Soils Report completed
Fire Hazard: Not a mapped constraint
Slopes: Moderate
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: About 500 cubic yards of grading proposed
Tree Removal: 16 trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Engineered drainage plan – drainage to W. Walnut
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: XX Inside — Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire
Drainage District: Zone 5

History

The applicant filed a development permit application in 03-0551. At the time, **the** County was in the process of developing a Plan Line for West Walnut Avenue. Since the processing was not possible at the time, the application for the Residential Development permit was withdrawn. The project soils report and review, however, **were** completed and are on file under application 03-0551. **The** plan line has been completed and in the course of processing the current application, the improvements nearly completed. The applicant has worked with Public Works and Redevelopment staff to ensure the necessary utilities, curb cuts and storm drain inlets have been incorporated into **the** ongoing improvements.

A lot **line** adjustment was approved under 04-0268 between the subject parcel and 030-201-02. **The** deeds have been prepared and will be recorded once the West Walnut Avenue road improvements

have been completed. The project proposal reflects the final parcel configurations.

Project Setting

The subject parcel is a vacant lot that slopes down to the east and to the north towards West Walnut Avenue. There are 27 trees on the lot, nearly all are fruit species with one Coast live oak and one fir. Approximately 16 of the trees will be removed in order to construct the project, including the fir. Of the significantly sized trees, the oak and avocado trees have been incorporated into the site design.

Zoning & General Plan Consistency

The subject property is a 16,566 square foot lot, located in the RM-4 (Multi-family residential - 4,000 square foot minimum per unit) zone district, a designation that allows multi-family residential uses. Multi-family residential uses are the principal use for this zone district, and the proposed four unit dwelling group is allowed with a Residential Development Permit. The RM-4 zone district implements the R-UM – Residential Urban Medium Density General Plan designation. The purpose of the R-UM General Plan designation is to provide moderate density development in areas within the Urban Services Line (USL). The project is designed at 10.5 units per net developable acre, which falls within the density range of 7.3 to 10.8 units per developable acre identified by the General Plan and zoning designation for the parcel. A multi-family residential development, as proposed, is a consistent and appropriate use within this General Plan designation.

The residential development standards for the project are as follows:

SITE STANDARD	REQUIRED	PROPOSED
FRONT YARD	20 feet minimum	21'8" (dwelling)
SIDE YARDS	5 feet and 8 feet minimum	6 feet and -25 feet
REAR YARD	15 feet minimum	15 feet
SEPARATION BETWEEN STRUCTURES	10 feet minimum	10 feet minimum
LOT COVERAGE	30% maximum	23%
FLOOR AREA RATIO	50% maximum	46%
HEIGHT	28 feet maximum	27 feet 8 inches
OPEN SPACE	300 square feet/unit	400 square feet/unit

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The proposed trash enclosure for the front units (A and B) is located within the front yard setback due to the site's slope, parking and access constraints. The enclosure is essentially a fence but exceeds 3 feet high at 4 feet, 8 inches. Fences are allowed to exceed 3 feet and up to six feet high within the front yard setback with a Residential Development approval. The enclosure fence will be less than 7 feet in length and at 15.25 feet from the property line, will not interfere with vehicular lines of sight. A condition is included that the landscape plan include evergreen shrub species that will achieve a minimum height of 5 feet and screen the enclosure from the street.

The proposed dwelling group is comprised of four, three-bedroom units. Consequently, a total of 12 rooms in the dwelling group meet the County's definition of bedroom set forth in County Code section 13.10.700-B. In accordance with the parking standards set forth under County Code Section 13.10.552, 2.5 spaces are required per unit for a total of 10 spaces. The guest parking requirement (equal to 20% of the required residential spaces) is two separate spaces. The plans show twelve off-street parking spaces meeting County regulations for on-site parking. Improvement fees for parks and childcare are applicable for twelve bedrooms. Impact fees for roads and traffic will be applied for four dwelling units. An affordable housing impact fee is required for one unit.

The proposed project meets the requirements for useable open space set forth for the RM zone district. Specifically, a minimum of 200 square feet of private use area is provided per dwelling unit, or 300 square feet per unit for group use. The useable open space meets the requirements set forth in County Code Section 13.10.323(f) and is screened from adjacent streets, is not located within the required front yard, and does not have a slope exceeding 10%.

Design Review

The subject parcel is located within the Soquel Village area. A specific plan was adopted for this area in 1990. The proposed development is located in area designated for multi-family residential use in the Soquel Village Specific Plan. This area is just outside of the "southwest quadrant" discussed specifically in the plan. The development along West Walnut contains a mixture of single family and multi-family residences of ages ranging from historic (1890's) to the 1950's, 60's 70s and 90's. Single family residences are found along the north side of West Walnut mostly built between 1910 to 1960 with one dwelling built in 1985. The Specific Plan encourages detached multi-family residential development in this area to transition between the single family and multi-family development. The proposed architecture uses steeply pitched roofs, horizontal siding, porches and window treatments that reflect the older architecture in the neighborhood within an updated structure. The proposed four-unit development is built into the site's slopes. Units A and B utilize a two story design at the upper slope supported by retaining walls with a garage below in order to design with the topography and achieve the required parking. These units are designed such that the street façade is two story and the garages face the side yard. The upper units (C and D) will be built on the more level upper slopes and have a two story design.

This residential development is subject to the Design Review ordinance (Chapter 13.11). All trees greater than six inches in diameter are subject to the Design Review ordinance, which encourages tree preservation where feasible. Sixteen trees of various sizes (mostly fruit and citrus trees) are proposed for removal for the development of the site. One of these trees is a large fir. This tree will be adversely affected by the development of the access driveway and parking, thus necessitate removal. Furthermore, due to the small size of the parcel, the retention of the fir could pose a

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potential health hazard from limb drop, to which this species is prone.

Grading has been minimized and the development designed to retain as many trees **as** feasible on this small parcel. Thus, the proposed removal of the existing trees does not conflict with any existing policies or ordinances. The project employs horizontal Hardi-board, articulated roofs and covered porches give an element of a rustic farm-house appearance. The dwellings will be painted a variety of complementary warm earth tone paints and use a composite roof with matching or complementary coloration. The proposed plans and design have been reviewed by the County Urban Designer and have received a positive design review (Exhibit I).

Conclusion

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

Staff Recommendation

- **APPROVAL** of Application Number **05-0173**, based on the attached findings and conditions.
- Certification that the proposal is categorically exempt from further Environmental Review under the California Environmental Quality Act.

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

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

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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 multi-family residential uses and is not encumbered by physical constraints that preclude development. The location of the four unit residential development and the conditions under which they 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 be materially injurious to properties or improvement in the vicinity, as adequate sewer capacity and water can be provided for these housing units and the proposed project complies with all development regulation applicable to the site. The construction of the dwelling units must 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. In order to ensure structural and site stability, a soils report and review have been completed. The final building plans and construction are required to comply with the recommendations for the specific foundation, grading and drainage design criteria contained in the soils report as a Condition of Approval.

The proposed 4 foot, 8 inch fence (trash enclosure) within the front yard setback is less than 7 feet in length and is 15.25 feet from the property line and therefore will not interfere with vehicular lines of sight.

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 four detached dwelling units and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RM-4 (Multi-family residential - 4,000 square foot minimum per unit) zone district. Specifically, the primary use of the property will be four detached dwelling units that meet all current site standards for the zone district. The project meets the site standard requirements for multi-family residential development on a RM-4 parcel. Units A and B are proposed to have partially underground garages below the dwellings. At the garages' entrance the structures will be a full 3-stories. 3-story multi-family structures are allowed in the RM zone district with a Residential Development permit. The structures have been designed to be less than the 28-foot maximum height at 27 feet, 8 inches at the highest point. The design responds to the site constraints of a moderately steep slope at these building sites and balances the needs of minimizing grading, providing the required on-site parking and driveway access in light of these constraints. Fences exceeding 3 feet but less than 6 feet are conditionally allowed within the front yard setback. The proposed location of the 4 foot, 8 inch high fence (trash enclosure) and the conditions under which it would be operated or maintained will be consistent with the purpose of the RM-4 zone district in that the primary use of the property will be multi-family residential, and a fence/trash enclosure is a normal ancillary use in the zone district.

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 multi-family 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 four detached dwelling units 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) to ensure that the structures will not adversely shade adjacent properties, and will not block access to light, air, and open space in the neighborhood.

The proposed dwelling group is 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 four detached dwelling units will comply with the site standards for the RM-4 zone district (including setbacks, 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 purpose of the R-UM General Plan designation is to provide moderate density development in areas within the Urban Services Line (IJSL). The project is designed at 10.5 units per net developable acre, which falls within the density range of 7.3 to 10.8 units per developable acre identified by the General Plan and zoning designation for the parcel. A multi-family residential development, as proposed, is a consistent and appropriate use within this General Plan designation.

The subject parcel is located within the Soquel Village area. A specific plan was adopted for this area in 1990. The proposed development is located in area designated for multi-family residential use in the Soquel Village Specific Plan. This area is just outside of the "southwest quadrant" discussed specifically in the plan. The development along West Walnut contains a mixture of single family and multi-family residences of ages ranging from historic (1890's) to the 1950's, 60's 70s and 90's. Single family residences are found along the north side of West Walnut mostly built between 1910 to 1960 with one dwelling built in 1985. The Specific Plan encourages detached multi-family residential development in this area to transition between the single family and multi-family development. The proposed architecture uses steeply pitched roofs, horizontal siding, porches and window treatments that reflect the older architecture in the neighborhood within an updated structure. The proposed four-unit development is built into the site's slopes. Units A and B utilize a two story design at the upper slope supported by retaining walls with a garage below in order to design with the topography and achieve the required parking. These units are designed such that the street façade is two story and the garages face the side yard. The upper units (C and D) will be built on the more level upper slopes and have a two story design.

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 four unit dwelling group is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is

anticipated to be only 4 peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area. The site is accessed from a County maintained public road. Adequate off-street parking provided on the site, in that twelve (12) spaces are required for the four 3 bedroom units and two guest spaces. The site has adequate sewer and water service available.

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, with a number of older homes. The majority of dwellings are single family or detached multi-family development. The proposed four detached residential development is consistent with the land use intensity and density of the neighborhood. The four unit dwelling group will complement and harmonize with the existing and proposed land uses in the vicinity. The units are designed to complement each other, but are not identical in appearance. The surrounding residential units utilize wood siding with cape cod, farm house or cottage elements. The proposed development will result in four residential structures of a similar size and mass to other newer homes in the neighborhood, and will be sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood along West Walnut Avenue. A condition is included that the landscape plan shall include evergreen shrub species that will achieve a minimum height of 5 feet to screen the proposed front trash enclosure from the street.

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 four detached dwelling units 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. The proposed four-unit dwelling group is consistent with the Design Standards and Guidelines of the County Code in that the proposed dwellings comply with the required development standards. The project as proposed and conditioned will provide adequate landscaping to soften the street view and minimize visual impacts. All trees greater than six inches in diameter are subject to the Design Review ordinance, which encourages tree preservation where feasible. Sixteen trees of various sizes (mostly fruit and citrus) are proposed for removal for the development of the site. The two largest trees (Coast live oak and avocado) in addition to nine other fruit trees will be retained and incorporated into the site landscaping. As discussed in Finding #3, the project has been designed to be consistent with the Soquel Village plan and the design incorporates elements of some of the historic architecture nearby.

Grading has been minimized and the development designed to retain as many trees as feasible on this small parcel. Thus, the proposed removal of the existing trees does not conflict with any existing policies or ordinances. The project employs horizontal Hardi-board, articulated roofs and covered porches give an element of a rustic farm-house appearance. The dwellings will be painted a variety of complementary warm earth tone paints and use a composite roof with matching or complementary coloration.

Conditions of Approval

Exhibit A: Project Plans prepared by Boone/Low last revised 9/21/05 and 9/23/05
Grading and Drainage Plans by Bowman and Williams Engineers last revised 9/20/05
Landscape Plan by Gregory Lewis dated 10/10/05

- I. This permit authorizes the construction of a four unit dwelling group of detached dwelling units, a 4 foot, 8 inch high fence (trash enclosure) within the front yard setback and associated site improvements. 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.
 - B. Record the deed(s) of conveyance in accordance with the Lot Line Adjustment approved under permit 04-0268. **These deeds must be recorded on or prior to August 18,2006, unless a time extension to the Lot Line Adjustment Permit is obtained.**
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - D. Obtain a Grading Permit from the Santa Cmz County Building Official.
 - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
- A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cmz (Office of the County Recorder).
 - B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 - 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 - 2. Floor plans identifying each room, its dimensions and square footage.
 - 3. Final grading, drainage, and erosion control plans.

- a. Final erosion control plans shall include, but are not limited to, locations and construction details for all proposed erosion and sediment control devices.
 - b. Final grading plans shall show all trees to be preserved and shall specify all tree protection measures specified in the project Arborist's report.
 - c. Final plans shall note that earthwork between October 15 and April 15 is prohibited.
4. A site plan showing the location of all site improvements, including, but not limited to, points of ingress and egress, parking areas, sewer laterals and on and off site drainage improvements. A standard driveway and conform is required
 5. For any structure proposed to be within 2 feet of the maximum height limit for the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site, which clearly depict the total height of the proposed structure.
 6. Details showing compliance with Central fire department requirements
 7. A final landscape plan. This plan shall include the location, size, and species of all existing and proposed trees and plants, and shall be consistent with the landscaping plan in Exhibit A. The landscaping and irrigation plan shall conform with the following criteria:
 - a. All landscaping shall be provided with an adequate, permanent and nearby source of water, which shall be applied by an installed irrigation system, and, where feasible, by a drip irrigation system.
 - b. Street trees shall be included on the final landscape plan. All street trees shall be a minimum 24-inch box sizes and selected from the following species specified by the Redevelopment Agency for West Walnut Avenue (*Quercus virginiana*, *Pistacia chinensis* or *Chitalpa taskentensis* 'Pink Dawn'. The locations, sizes and species shall be specified on the plans.
 - c. The landscape plan shall include shrubs that will achieve a minimum height of 5 feet to be planted around the front trash enclosure to screen the enclosure from the street. The shrubs shall be fast

growing, evergreen species. The species, sizes and locations of these plants shall be shown on the final landscape plan.

- d. 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 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.
 - e. 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 fescue. Turf areas should not be used in areas less than 8 feet in width.
8. The final plans shall be consistent with the recommendations of the accepted arborist report by Maureen Hamb, dated June 27, 2005. The final plans shall reference the project arborist report and include the arborist's name and contact number. A plan review letter from the project arborist is required, stating that the grading, improvements and landscape plans are consistent with the report recommendations and the preservation of the *oak*, avocado and other fruit trees (11 total).
 9. No fencing shall exceed three feet in height within the required front yard setbacks with the exception of the trash enclosure, which shall not exceed 4 feet-8 inches in height. Fencing shall not exceed six feet in height within the required interior side or rear yard setbacks.
 10. Provide required off-street parking for 12 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way, with the exception that one compact guest spot is allowed. Parking must be clearly designated on the plot plan.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - D. Meet all requirements of and pay Zone **5** drainage fees to the County Department of Public Works, Drainage in the comments dated March 26, 2006. Drainage fees will be assessed on the net increase in impervious area.
 - E. Pay all applicable sewer connection fees to the Santa Cruz County Sanitation District. Final plans shall meet the requirements of the SCC Sanitation District.
 - F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District dated March 29, 2005.

- G. Meet all requirements of the Soquel Creek Water District and provide a copy of a current "Will Serve" letter.
 - H. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - I. Submit **3** copies of a letter of plan review and approval by the project Geotechnical Engineer. The letter shall reference the dates and sheets of the plans reviewed and shall state that the plans conform to the recommendations contained in the project soils report.
 - J. Pay the current fees for Parks and Child Care mitigation for 12 bedroom(s). Presently, these fees are, respectively, \$600 and \$36 per bedroom.
 - K. Pay the current fees for Roadside and Transportation improvements for four multi-family dwelling units. Presently, these fees are, respectively, \$1,456 and \$1,456 per unit.
 - L. Pay the Small Project Affordable Housing In Lieu fee for each new dwelling unit over two units. The current fee is \$10,000 per unit (\$20,000 total).
 - M. 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.
 - N. Complete and record a Declaration of Restriction to maintain a non-habitable accessory structure (garages). **You** may not alter **the** wording **of** this declaration. Follow the instructions to record the document. **A** copy of the recorded document shall be submitted to the Planning Department.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. Earthwork between October **15** and April 15 is prohibited on this site.
 - B. All site improvements shown on the final approved Building Permit plans shall be installed.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The project must comply with all recommendations of the approved soils reports.
 - 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.

IV. Operational Conditions

- A. Modifications to the architectural elements including but not limited to exterior finishes, window placement, roof pitch and exterior elevations are prohibited, unless an amendment to this permit is obtained.
- B. All landscaping shall be permanently maintained, including all existing trees, which were retained on site, and street trees.
- C. Plantings are prohibited within the critical root zone of the existing *oak* tree.
- D. If the *oak* or avocado tree dies or is removed, it shall be replaced by a minimum of one 36-inch box live *oak* tree.
- E. All drainage improvements shall be permanently maintained. All runoff from impervious surfaces shall be collected in an enclosed drainage system to the street or other approved runoff collection system.
- F. In the event that future County inspections of the subject property disclose noncompliance 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 permit revocation.

V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires two years from the effective date unless you obtain the required permits and commence construction.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Cathleen Carr
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 Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

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: 05-0173
Assessor Parcel Number: 030-201-03
Project Location: 4440 West Walnut

Project Description: Proposal to construct a four unit residential dwelling group.

Person or Agency Proposing Project: John Swift - Hamilton-Swift Consultants

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).

Specify type:

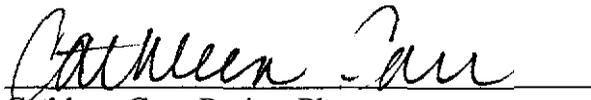
E. **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Four units on one urban infill multi-family zoned parcel

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


Cathleen Carr, Project Planner

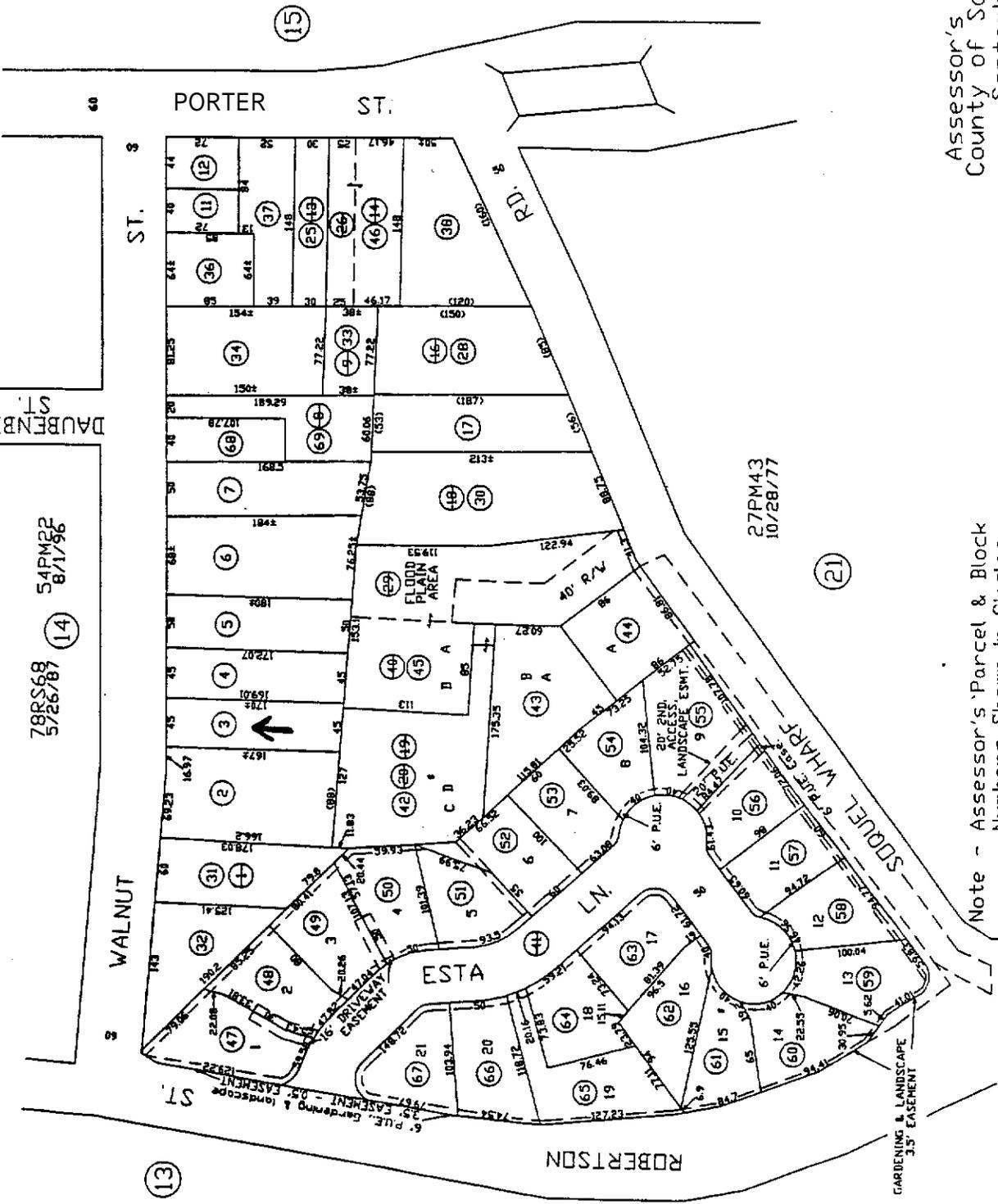
Date: 5/18/04

FOR TAX PURPOSES ONLY
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POR. RANCHO ARROYO DEL RODEO
 SEC. 10, T.11S., R.1W., M.D.B. & M.

Tax Area Code
 96-101

30-



78RS68
 5/26/87 (14) 54PM22
 8/1/96

DAUBENISS ST.

WALNUT ST.

PORTER ST.

ROBERTSON ST.

FLOOD PLAIN AREA

LANDSCAPE ESMT.

27PM43
 10/28/77

GARDENING & LANDSCAPE
 3.5' EASEMENT

L. VILLAGE ESTATES
 TR. NO. 1235
 79MB51 7/7/88
 94MB61 6/11/89, AMENDED
 CERTIFICATE OF
 CORRECTION 4464 DR.
 441 (2/27/89)

ASSESSOR'S PARCEL MAP

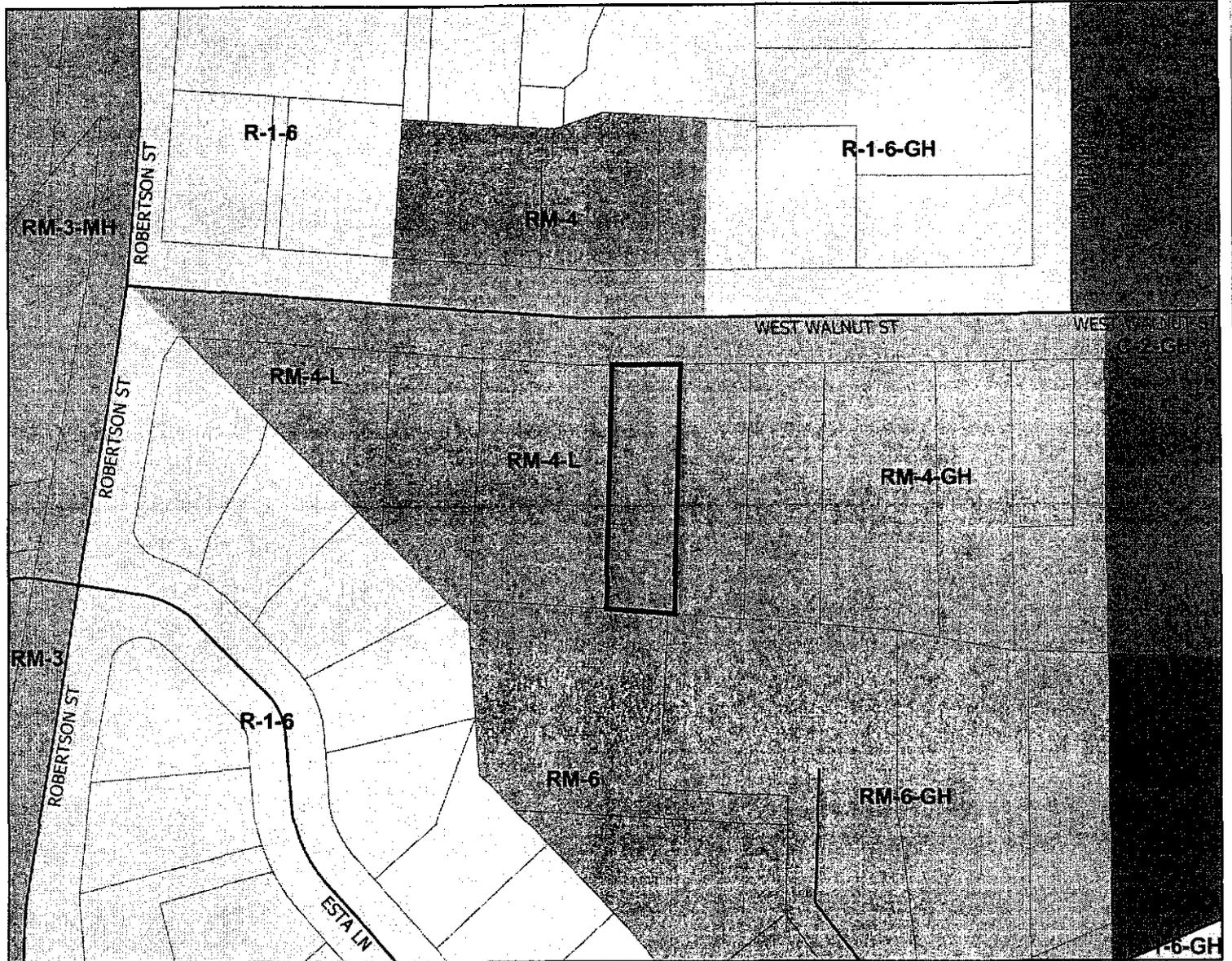
EXHIBIT E

Assessor's Map No. 30-20
 County of Santa Cruz, Cal
 September, 1998

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

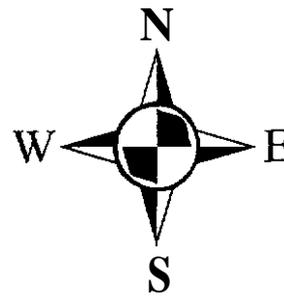


Zoning Map



Legend

-  APN 030-201-03
-  Streets
-  Assessors Parcels
-  COMMERCIAL-COMMUNITY (C-2)
-  PUBLIC FACILITY (PF)
-  RESIDENTIAL-MULTIFAMILY (RM)
-  RESIDENTIAL-SINGLE FAMILY (R-1)



Map Created by
County of Santa Cruz
Planning Department
March 2005

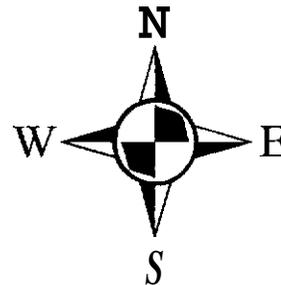


General Plan Designation Map



Legend

-  APN 030-201-03
-  Streets
-  Assessors Parcels
-  Commercial-Community (C-C)
-  Public Facilities (P)
-  Residential - Urban Medium Density (R-UM)
-  Residential - Urban High Density (R-UH)



Map Created by
 County of Santa Cruz
 Planning Department
 March 2005

*Maureen Hamb-WCISA Certified Arborist #2280
Professional Consulting Services*



**TREE RESOURCE EVALUATION
CONSTRUCTION IMPACT ANALYSIS**

**4440 WEST WALNUT, SOQUEL
APN 030-201-03**

PREPARED FOR

**HAMILTON-SWIFT & ASSOCIATES
JOHN SWIFT
1509 SEABRIGHT AVENUE, SUITE A1
SANTA CRUZ, CA 95062**

JUNE 27, 2005

*540 "A" Soquel Avenue
Santa Cruz, CA 95062
email: maureenah@sbcglobal.net*

*Telephone: 831-420-1287
Fax: 831-420-1251
Mobile: 831-234-7735*



Tree #	Species	Diameter @ 24"	Health	Structure	Suitability
1	Citrus	8	fair	fair/poor	fair/poor Growing adjacent to street frontage adjacent to existing parking area/Grade will be altered to accommodate development, tree removal is recommended.
2	Persimmon	7.7&8.1	good	fair	fair/good Growing adjacent to street frontage adjacent to existing parking area/Grade will be altered to accommodate development, tree removal is recommended.
3	Apple	Multi	fair	fair	fair Small fruit tree growing within existing orchard area/Within proposed driveway access", removal is recommended.
4	Apple	10.8	fair/poor	fair	fair/poor Small fruit tree with large area of decay, fungal fruiting body @ base/Within building footprint of cottage "A", removal is recommended.
5	Walnut	12.5	fair/good	fair	fair Mature tree growing in existing orchard/In woods road, removal is recommended.
6	Apple	Multi	fair	fair/good	fair Small fruit tree growing within existing orchard access", removal is recommended.
7	Apple	10	fair/good	fair	fair Small fruit tree growing within existing orchard area/Within footprint of cottage "A", removal is recommended.
8	Apple	6.2	fair	fair	fair Small fruit tree growing within existing orchard "B", removal is recommended. of cottage



Tree #	Species	DBH @ 24"	Health	Structure	Suitability	Comments/Recommendations
8	Pear	4	fair	fair	fair	Small fruit tree growing within existing orchard area/Within footprint of cottage "B", removal is recommended.
10	Pear	4.5	fair	fair	fair	Small fruit tree growing within existing orchard area/Within proposed driveway access, removal is recommended.
11	Apple	8.5	fair	fair	fair	Small fruit tree growing within existing orchard area/Within proposed driveway access, removal is recommended.
12	Avocado	7.3	fair	fair	fair	Small fruit tree growing within existing orchard area/Within proposed driveway access, removal is recommended.
13	Coast Live Oak	14 B & 14	good	fair	fair	Growing in rear corner of property. Two wide, spreading trunks. Stress fractures visible on both stems/Growing adjacent to proposed driveway access, no grade changes within critical root zone (10 feet from trunk). Protect with fencing and straw bale barricades.
14	Citrus	4	poor	poor	poor	Small lemon tree growing adjacent to existing shed. Main stem decayed, canopy is comprised of sucker growth/Growing within footprint of cottage "C", removal recommended.
15	Citrus	Multi	good	fair	fair	Larger wide spreading tree growing at the back fence/Retain and incorporate into the back yard landscape of cottages "C" and "D". Protect with fencing and straw bales, no grade changes within critical root zone.
16	Apricot	7.2	good	fair	fair	Small, healthy tree growing at rear fence/Retain and incorporate into the back yard landscape of cottages "C" and "D". Protect with fencing and straw bales, no grade changes within critical root zone.

Tree #	Species	Diameter @ 24"	Health	Structure	Suitability
18	Apple	5	Dir	Dir	Small tree growing in back yard garden of existing residence. Located within footprint of cottage "C", removal recommended.
19	Plum	9	Dir	fair	Small tree growing in back yard garden of existing residence. Adjacent to cottage "D", recommend incorporation into front yard landscape, protect with fencing, no grade changes within 5 feet of trunk.
20	Apple	7	good	good	Nice young fruit tree growing within back yard garden of existing residence. Incorporate into landscape of front yard cottage "D". Protect with fencing, no grade changes within 5 feet of trunk.
21	Apple	5	Dir	fair	Nice young fruit tree growing within back yard garden of existing residence. Incorporate into landscape of front yard cottage "C". Protect with
22	Apple	8.2	fair	fair	Young tree growing in back yard garden of existing residence. Adjacent to building corner of cottage "C", cannot tolerate impacts, recommend removal.
23	Apple	5.7	good	good	Nice young fruit tree growing within back yard garden of existing residence. Incorporate into landscape between cottage "C" and Protect with fencing, no grade changes within 5 feet of trunk.
24	Apricot	15 @ grade	fair	poor	Growing on side yard of existing residence. Decay in main trunk. No site changes
24	Peach	57	fair	fair	of existing residence. No site changes proposed in this



Tree #	Species	Diameter @ 24"	Health	Structure	Suitability	Comments/Recommendations
25	Plum	7	good	good	good	In front yard of existing house, no site changes proposed adjacent to tree.
26	Fir	14	good	fair/good	good	Growing in front yard of existing residence/New parking and driveway access proposed, extensive grade changes, recommend tree removal.
27	Avocado	4.5	good	good	good	Growing within landscape of existing residence adjacent to proposed development/Retain and incorporate into "common area". Eliminate grade changes within critical root zone, any demolition or site modifications must be

TREE LOCATION & PROTECTION PLAN
 4440 WEST WALNUT

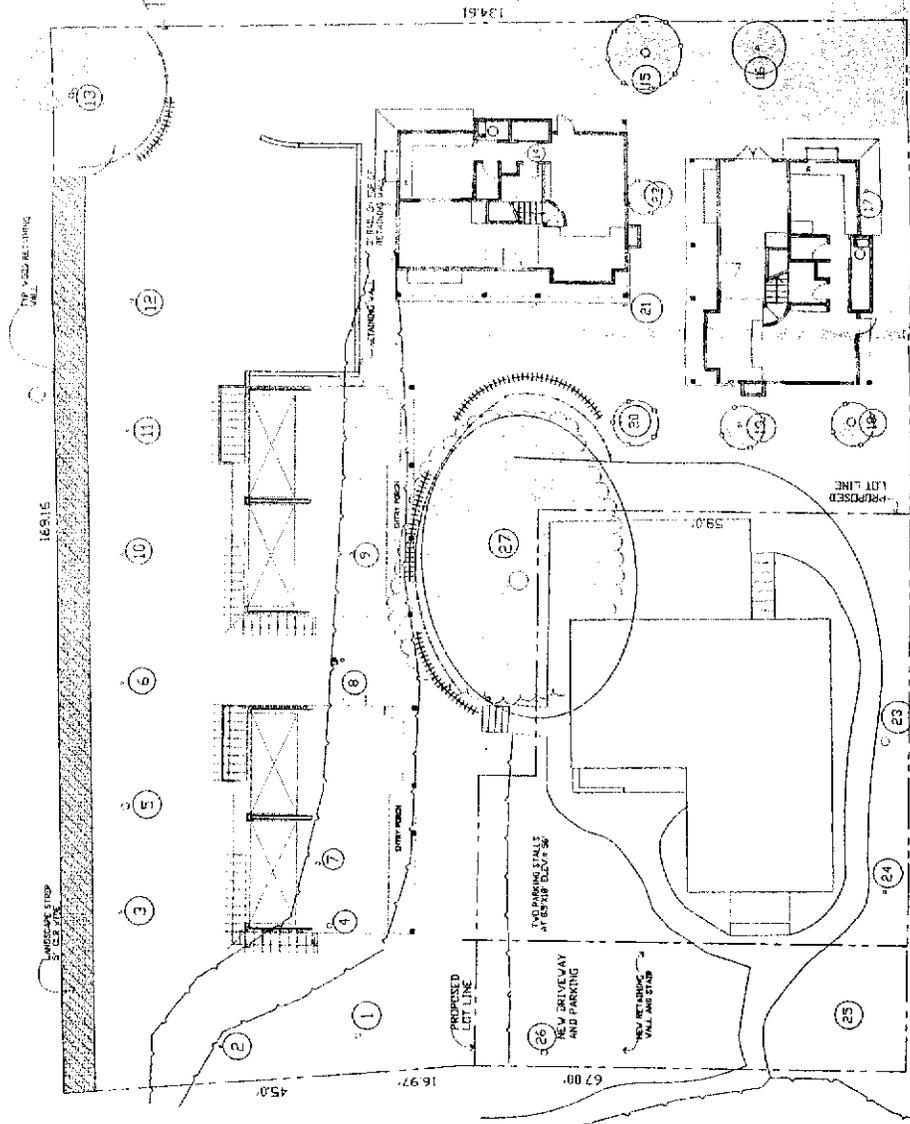
RETAINED TREE

● REMOVED TREE

— PROTECTION FENCING

— STRAW BALE BARRICADE

EXCLUSION ZONE - NO SITE DISTURBANCE



WEST WALNUT STREET

**Maureen Hamb-WCISA Certified Arborist #2280
Professional Consulting Services**



October 18, 2005

Hamilton Swift Land Use Consultants
Attention: John Swift
1509 Seabright Avenue
Santa Cruz, CA 95062

Regarding: **Blackie's Orchard/4440 West Walnut**

As requested, I have reviewed the following plans for the proposed development at 4440 West Walnut in Soquel:

- **Architectural plans** drawn by Boone/Low Architects dated 9/21/05
- **Landscape plans** drawn by Greg Lewis dated 10/05/05
- **Grading and drainage plans** prepared by Bowman and Williams dated 9/20/05

The updated plans have incorporated recommendations made in my report (Trees Resource Evaluation/Construction Impact Analysis dated June 27, 2005).

Grades have been adjusted adjacent to tree #13, a coast live oak. This modification allows the paved surface to be placed on or near natural grade, eliminating severe grade changes or excavation that can damage both absorbing and structural roots.

Grading adjacent to tree #27, the large avocado will be performed using manual labor within 15 feet of the trunk. The existing asphalt driveway must be demolished using the specifications outlined in my initial report.

The landscape plan incorporates the tree species recommended in my initial report and is consistent with the landscape theme unique to the site.

Three small fruit trees that had been selected for preservation in the original plan will require removal due to the severity of the impacts. Trees #18, #19 and #22 are in conflict with the development and have been added to the tree removal list.

Please call my office with any questions regarding the trees on this project site.

Respectfully,

Hamb-WCISA Certified Arborist #2280

540 "A" Soquel Avenue
Santa Cruz, CA 95062
email: maureenah@sbcglobal.net

Telephone: 831-420-1287
Fax: 831-420-1251
Mobile: 831-234-7735



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060-4000
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, DIRECTOR

January 12, 2004

Hamilton Swift Land Use and Development Consultant
1509 Seabright Avenue, Suite AI
Santa Cruz, CA, 95062

SUBJECT: Review of Geotechnical Investigation by Haro, Kasunich & Associates
Dated: May 21, 2003, Project No. **SC8221**
APN: 030-201-02, -03, Application No.: 03-0551
Owner: Meeker Gary Lowell & Lois Marie Claire Trustees

Dear Applicant:

Thank you for submitting the soil report for the parcel referenced above. The report was reviewed for conformance with County Guidelines for Soils/Geotechnical Reports and also for completeness regarding site-specific hazards and accompanying technical reports (e.g. geologic, hydrologic, etc.). The purpose of this letter is to inform you that the Planning Department has accepted the report and the following recommendations become permit conditions:

1. All report recommendations must be followed
2. An engineered foundation plan is required. This plan must incorporate the design recommendations of the soils engineering report.
3. Final plans shall show the drainage system as detailed in the soils engineering report
4. Final plans shall reference the approved soils engineering report and state that all development shall conform to the report recommendations.
5. Prior to building permit issuance, the soil engineer must submit a brief building, grading and drainage plan review letter to Environmental Planning stating that the plans and foundation design are in general compliance with the report recommendations. If, upon plan review, the engineer requires revisions or additions, the applicant shall submit to Environmental Planning two copies of revised plans and a final plan review letter stating that the plans, as revised, conform to the report recommendations.
6. The soil engineer must inspect all foundation excavations and a letter of inspection must be submitted to Environmental Planning and your building inspector prior to placement of concrete.
7. For all projects, the soil engineer must submit a final letter report to Environmental Planning and your building inspector regarding compliance with all technical recommendations of the soil report prior to final inspection. For all projects with engineered fills, the soil engineer must submit a final grading report (reference August

1997 County Guidelines for Soils/Geotechnical Reports) to Environmental Planning and your building inspector regarding the compliance with all technical recommendations of the soil report prior to final inspection.

The soil report acceptance is only limited to the technical adequacy of the report. Other issues, like planning, building, septic or sewer approval, etc., may still require resolution.

The Planning Department will check final development plans to verify project consistency with report recommendations and permit conditions prior to building permit issuance. If not already done, please submit two copies of the approved soil report at the time of building permit application for attachment to your building plans.

Please call 454-3168 if we can be of any assistance.

Sincerely,



Kent Edler
Associate Civil Engineer

Cc: John Schlagheck, Project Planner
Robin Bolster, Resource Planner
Robert Hussey, Applicant
Owner

Project No. SC8221
21 May 2003

MR. ROB HUSSEY
825 South Barrington Avenue
Los Angeles, California 90049

Subject: Geotechnical Investigation

Reference: Four Single Family Residences and Detached Garages/Carports
4440 West Walnut Street, Soquel
APN 030-201-02 & 03
Santa Cruz County, California

Dear Mr. Hussey:

In accordance with your authorization, we have performed a geotechnical investigation for the proposed development at the referenced site in Santa Cruz County, California.

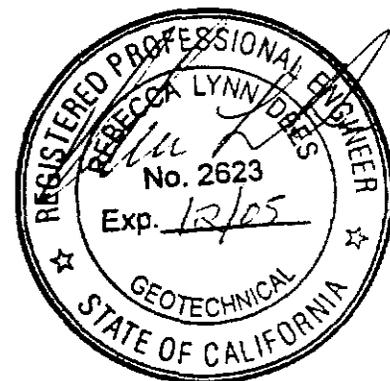
The accompanying report presents our conclusions and recommendations, as well as the results of the geotechnical investigation on which they are based.

If you have any questions concerning the data or conclusions presented in this report, please call our office.

Very truly yours,

HARO, KASUNICH & ASSOCIATES, INC.

Rebecca L. Dees
C. E. 57210
G.E. 2623



RLD/dk

Copies: 5 to Addressee

28

EXHIBIT H

11. After the earthwork operations have been completed and the geotechnical engineer has finished his observation of the work, no further earthwork operations shall be performed without the direct observation and approval of the geotechnical engineer.

Foundations

12. Foundations for the proposed residences may consist of deepened spread footings or piers embedded into firm native soil or shallow spread footings embedded into compacted engineered fill.

Spread Footings

13. Deepened spread footings should penetrate the soft soil encountered in the top 2.5 feet and bear upon firm native soil. If deeper pockets of soft soil are encountered at the base of the footing excavations, the footings should be deepened until firm native soil is encountered.

14. As an alternative to deepened footings, all of the 2.5 feet of soft surface soil within 3 feet of the proposed foundation, can be removed and replaced as compacted engineered fill. Shallow spread footings may then be embedded into the engineered fill.

15. The base of footings should be located at least 12 inches below the lowest adjacent grade for one-story structures and at least 18 inches below the lowest adjacent grade for two-story structures. Actual footing depths should be determined by your designer.

16. The foundation trenches should be kept moist and thoroughly cleaned of loose materials prior to pouring concrete.

17. Footings located adjacent to other footings or utility trenches should have their bearing surfaces founded below an imaginary 1½:1 plane projected upward from the bottom edge of the adjacent footings or utility trenches.

18. Foundations designed in accordance with the above may be designed for an allowable soil bearing pressure of 1,600 psf for dead plus live loads in firm native soil and an allowable soil bearing pressure of 2,200 psf for dead plus live loads in compacted engineered fill. These values may be increased by one-third to include short-term seismic and wind loads.

19. Post-construction total and differential settlement of foundations, designed in accordance with our recommendations, are anticipated to be less than 1 and ½ inch respectively.

20. Lateral load resistance for structures supported on spread footings may be developed in friction between the foundation bottom and the supporting subgrade. A friction coefficient of 0.40 is considered applicable.

21. Footings should be reinforced in accordance with applicable UBC and/or ACI standards.

22. The footing excavations should be thoroughly cleaned and observed by the geotechnical engineer prior to placing forms and steel, to verify subsurface soil conditions are consistent with the anticipated soil conditions and the footings are in accordance with our recommendations.

Pier and Grade Beam Foundation

23. Drilled piers may be used to support the proposed residences. Piers should penetrate the upper 2.5 feet of soil and be embedded at least 5 feet into firm native soil.

24. Piers designed in accordance with the above may be designed for an allowable skin friction of 450 psf plus a 1/3 increase for short term wind and seismic loads. The top 3 feet of soil should be neglected when computing skin friction.

25. For passive lateral resistance an equivalent fluid weight (EFW) of 350 pcf, times 1.5 pier diameters, may be used below a depth of 3 feet. The top 3 feet of should be neglected in passive design.

26. The soil engineer should observe the pier excavations prior to placing steel reinforcement to verify subsurface soil conditions are consistent with the anticipated soil conditions. Prior to placing concrete, foundation excavations should be thoroughly cleaned and observed by the soil engineer.

Retaining Wall Lateral Pressures

27. Retaining walls should be designed to resist both lateral earth pressures and any additional surcharge loads. Unrestrained walls up to 6 feet high should be designed to resist an active equivalent fluid pressure of 45 pcf for level backfills, and 65 pcf for sloping backfills inclined up to 2:1 (horizontal to vertical). Restrained walls should be designed to resist uniformly applied wall pressure of $36 H$ psf, where H is the height of the wall, for level backslopes and $52 H$ for sloping backslopes inclined to 2:1. The walls should also be designed to resist any surcharge loads imposed on the backfill behind the walls.

28. The above lateral pressures assume that the walls are fully drained to prevent hydrostatic pressure behind the walls. Drainage materials behind the wall should consist of Class 1, Type A permeable material (Caltrans Specification 68-1.025) or an approved

equivalent. The drainage material should be at least 12 inches thick. The drains should extend from the base of the walls to within 12 inches of the top of the backfill. A perforated pipe should be placed (holes down) about 4 inches above the bottom of the wall and be tied to a suitable drain outlet. Wall backdrains should be plugged at the surface with clayey material to prevent infiltration of surface runoff into the backdrains

29. Footings should be designed in accordance with the foundation section of this report.

Concrete Slabs-on-Grade

30. The upper 6 inches of subgrade below driveway slabs should be compacted to at least 95 percent relative compaction. The upper 6 inches of subgrade surface below interior concrete slabs-on-grade, not supporting load bearing walls or columns, should be moisture conditioned to 4 to 6 percent over optimum moisture content and compacted to at least 88 percent relative compaction. The subgrade surface below exterior concrete slabs-on-grade, (patios, walkways and other flatwork) should be moisture conditioned to 4 to 6 percent over optimum moisture content and compacted in a good workmanship manner to provide a firm, uniform surface for slab support.

31. A professional, experienced with moisture transmission and moisture retarders, should be consulted if moisture transmission through concrete slabs-on-grade would be

undesirable. At a minimum, interior slabs-on-grade should be protected from moisture transmission using the current standard of practice. The current standard of practice is to place a 4 inch blanket of free-draining gravel covered with a continuous plastic membrane below slabs. The plastic membrane is covered with 2 inches of lightly moistened sand to protect it during construction.

32. Reinforcing should be provided in accordance with the anticipated use and loading of the slab. The reinforcement for exterior slabs should not be tied to the building foundations. These exterior slabs can be expected to suffer some cracking and movement. However, thickened exterior edges, a well-prepared subgrade including premoistening prior to pouring concrete, adequately spaced expansion joints, and good workmanship should minimize cracking and movement.

Surface and Subsurface Drainage

33. Surface drainage should include provisions for positive gradients so that surface runoff is not permitted to pond adjacent to foundations and pavements. Surface drainage should be directed away from the building foundations. A minimum slope gradient of 2 percent is recommended around structures.

34. Roof gutters should be placed around eaves. Discharge from the roof gutters should be conveyed away from foundations and pavements and discharged in a controlled manner.

35. The migration of water or spread of extensive root systems below foundations, slabs, or pavements may cause undesirable differential movements and subsequent damage to these structures. Landscaping should be planned accordingly.

Plan Review, Construction Observation and Testing

36. Our firm should be provided the opportunity for a general review of the final project plans prior to construction so that our geotechnical recommendations may be properly interpreted and implemented. If our firm is not accorded the opportunity of making the recommended review, we can assume no responsibility for misinterpretation of our recommendations.

37. We recommend that our office review the project plans prior to submittal to public agencies, to expedite project review. The recommendations presented in this report require our review of final plans and specifications prior to construction and upon our observation and, where necessary, testing of the earthwork and foundation excavations. Observation of grading and foundation excavations allows anticipated soil conditions to be correlated to those actually encountered in the field during construction.

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Cathleen Carr
Application No. : 05-0173
APN: 030-201-03

Date: May 18, 2006
Time: 12:00:09
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON APRIL 4, 2005 BY ROBIN M BOLSTER =====

1) Please submit a copy of the soils report prepared for this site for reference. A review of the report was completed in conjunction with application 03-0551

2) The preliminary grading plan needs to be revised to include EW cross sections from property line to property line, cross sections through the driveways, cross sections through proposed retaining walls, and proposed limits of grading.

3) In accordance with Section 16.20.160, Cottage 'D' needs to be set back 5 feet from the toe of the adjacent slope.

4) Please revise the landscape plan to show both the existing and proposed trees including location, size, and species.

5) An arborist's report must be submitted to evaluate the potential impacts of the project on the large avocado tree in the center of the property.

===== UPDATED ON OCTOBER 26, 2005 BY KENT M EDLER =====

Previous completeness comments 1-3 date 04/04/05 have been addressed. Comments 4-5 being reviewed by the resource planner.

----- UPDATED ON OCTOBER 31, 2005 BY ANDREA M KOCH =====

10/31/05

1) There are a few trees proposed for removal that the arborist recommends be retained. These are trees 18, 19, and 22. According to the arborist, these trees can be retained with minor modifications to proposed grading. Please show on the Planting Plan and the Grading Plan retention of these trees, in addition to the trees already proposed for retention.

2) On the Grading Plan, show tree protection measures recommended by the arborist for trees to be retained. The plan should correspond with the Tree Location and Protection Plan included in the arborist's report. The arborist suggests tree protection fencing and sometimes straw bales as tree protection measures.

3) On the Planting Plan, number trees to correspond with the numbering in the arborist's report. On the submitted Planting Plan, there are two trees labeled number 9 and two trees labeled number 16. ===== UPDATED ON OCTOBER 31, 2005 BY ANDREA M KOCH =====

===== UPDATED ON OCTOBER 31, 2005 BY ANDREA M KOCH =====

===== UPDATED ON NOVEMBER 2, 2005 BY ANDREA M KOCH =====

===== UPDATED ON NOVEMBER 2, 2005 BY ANDREA M KOCH =====

===== UPDATED ON NOVEMBER 2, 2005 BY ANDREA M KOCH =====

Environmental Planning Miscellaneous Comments

===== REVIEW ON APRIL 4, 2005 BY ROBIN M BOLSTER =====

EXHIBIT 1

Discretionary Comments -Continued

Project Planner: Cathleen Carr
Application No. : 05-0173
APN: 030-201-03

Date: May 18, 2006
Time: 12:00:09
Page: 2

Prior to building application approval the following items must be addressed:

- 1) A plan letter must be submitted from the project soils engineer, which states that the final plans are in conformance with the recommendations made in the report prepared for this site.
- 2) The plans must incorporate all protective measures recommended in the arborist's report submitted for this project.
- 3) A plan letter from the project arborist must be submitted, which states that the final plans are in conformance with the recommendations made in the arborist's report prepared for the site.
- 4) The invert of the catch basin adjacent to CottageC appears to be incorrect. Please revise
- 5) A detailed erosion control plan will be required. The plan must include locations and construction details for all proposed erosion/sediment control devices
- 6) Winter grading will not be allowed for this project.

===== UPDATED ON OCTOBER 26, 2005 BY KENT M EDLER =====

Conditions of Approval:

1. A plan review letter from the soils engineer must be submitted prior to building permit issuance.
2. An erosion control plan must be submitted
3. Winter grading will not be approved on this site

further conditions of approval may be forthcoming based upon review by the resource planner.

===== UPDATED ON OCTOBER 31, 2005 BY ANDREA M KOCH =====

===== UPDATED ON NOVEMBER 2, 2005 BY ANDREA M KOCH =====

Housing Completeness Comments

===== REVIEW ON APRIL 6, 2005 BY TOM POHLE =====

NO COMMENT

This project proposes to build 4 new units and retain the existing single family home on this existing parcel. Based on this understanding of the project, County Code 17.10 requires a small project In Lieu fee be paid. For small projects, the first 2 units are exempt from fees, and the fees for the additional units are currently \$10,000 per unit. Based on the 2 additional units proposed for this project, the total fees would currently be \$20,000 for this project. The fee schedule is subject to adjustment from time to time, and should any adjustments be made prior to payment of the required fees, the most current fees are applicable. ===== UP-

XHIBIT 1

Discretionary Comments - Continued

Project Planner: Cathleen Carr
Application No. : 05-0173
APN: 030-201-03

Date: May 18, 2006
Time: 12:00:09
Page: 3

DATED ON APRIL 6, 2005 BY TOM POHLE =====
NO COMMENT

Housing Miscellaneous Comments

===== REVIEW ON APRIL 6, 2005 BY TOM POHLE =====
NO COMMENT
None

Dpw Drainage Completeness Comments

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

===== REVIEW ON APRIL 11, 2005 BY ALYSON B TOM ===== Application with plans dated 3/21/05 and drainage calculations dated December 15, 2003 has been received. Please address the following items:

- 1) All proposed pipes in the County right of way should be 18 inch minimum diameter
- 2) Please add an inlet to the proposed pipe system in Walnut Street to pick up road drainage in this area.
- 3) Provide on site water quality treatment for all road and parking area runoff prior to release from the site.
- 4) Describe the upstream offsite area draining to the site. Describe how this project will accommodate this runoff.
- 5) Include path/patio areas in the proposed impervious area calculations shown on sheet C1 and in the drainage analysis.
- 6) The drainage analysis was reviewed and compared to the analysis completed by the Redevelopment Agency for their Porter Street project (RDA Project No. 18). There were several discrepancies in watershed areas used for the existing system. Should the areas NE of the Walnut/Daubenbiss intersection and W of catch basin #4 be included in the watershed areas? Pipe No.6 is 262 LF rather than 218 LF. Confirm the outlet pipe type - it was analyzed as CMP in the RDA calculations. Will the proposed storm drain system meet the minimum velocity requirements at the design storm?
- 7) Antecedent moisture and return period factors should be used in the 25 year analysis,
- 8) Describe and analyze the diversion path for the runoff from the existing house and new driveway that is proposed to be sent to Walnut Avenue.
- 10) This project is required to maintain existing runoff levels and minimize proposed impervious areas. Describe how this will be accomplished. Hard piping all runoff and directly connected impervious surfaces should be avoided where possible. These facilities do not need to be fully designed until prior to final map recordation/building permit issuance, but reference to these measures should be made on the plans and feasibility should be confirmed prior to discretionary complete-

EXHIBIT I

Discretionary Comments - Continued

Project Planner: Cathleen Carr
Application No. : 05-0173
APN: 030-201-03

Date: May 18, 2006
Time: 12:00:09
Page: 4

ness.

All submittals for this project should be made through the Planning Department. For questions regarding this review Public Works storm water management staff is available from 8-12 Monday through Friday.

----- UPDATED ON OCTOBER 28, 2005 BY ALYSON B TOM ===== Application with plans dated 9/20/05 and drainage calculations dated 9/12/05 has been received. Please address the following items:

- 1) Confirm that the expected 25-year flood water elevation in Soquel Creek equal to or lower than the assumed water surface elevation used in the calculations.
- 2) The 10 minute time of concentration assumed for the site runoff to enter the system is unrealistic. Please use actual time of concentration and associated intensity in the calculations.
- 3) Confirm that path/patio areas have been included in the proposed impervious area calculations shown on sheet C1 and in the drainage analysis.
- 4) For maintenance reasons, please provide a manhole junction at the approximately 14 foot depth in West Walnut Street. The proposed inlet can tie into the manhole as well
- 5) In order to coordinate the storm drain work in West Walnut Street with the RDAs project, the applicant should make a separate encroachment permit application for this work. The application should address comments No. 1-4.
- 6) The proposed water quality treatment unit should be located so that all road and parking area runoff is treated prior to release from the site.
- 7) Is the piping of the downspout runoff from the existing building to the driveway existing? If not, please update the plans to eliminate the hard-piping of runoff directly off site.
- 8) This project is required to maintain existing runoff levels and minimize proposed impervious areas. Describe how this will be accomplished. The proposed plans do not appear to attempt to meet this requirement. Utilizing detention to meet this requirement is only allowed if other measures are not feasible. Are facilities to retain and infiltrate added runoff due to additional impervious areas feasible on this site? If so, please incorporate retention/infiltration measures prior to detention. If not, please submit reasons of infeasibility for review. Consider replacing pipes with vegetated swales, utilizing pervious surfacing for driveways/parking/path/patio areas, directing roof runoff to vegetated areas, out-sloping the driveway to drain to a landscaped area/swale, etc. to help meet this requirement.

All submittals for this project should be made through the Planning Department. For questions regarding this review Public Works storm water management staff is available from 8-12 Monday through Friday.

----- UPDATED ON MARCH 22, 2006 BY ALYSON B TOM ===== Application with revised civil plans dated 3/6/06 has been received and is complete with regards to

EXHIBIT 1

Discretionary Comments - Continued

Project Planner: Cathleen Carr
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stormwater management for the discretionary stage. Please see miscellaneous comments for issues to be addressed prior to building permit issuance.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON APRIL 11, 2005 BY ALYSON B TOM ===== The following items should be addressed prior to building permit issuance/final map recordation.

- 1) Submit a recorded maintenance agreement for the on site water quality treatment device.
- 2) Clearly indicate what surfacing will be used for the proposed paths
- 3) Zone 5 fees will be assessed on the net increase in impervious area due to the project.
- 4) Include signage stating "No Dumping - Drains to Bay" or equivalent adjacent to all proposed inlets. On site signage shall be maintained by the property owner.

5) Provide details for mitigation measures and retaining wall drainage.

===== UPDATED ON MARCH 22, 2006 BY ALYSON B TOM ===== Please address the following in addition to the previous miscellaneous comments prior to building permit/final map issuance:

- 1) Provide details and specifications for the proposed landscaped swales.
- 2) Provide details and specifications for the proposed pervious surfaces
- 3) Provide details for the detention system outlet controls on the plans
- 4) If this project does not require a land division, but only a building permit, Public Works will inspect the drainage related construction. Plans for signature and review by Public Works, and inspection fees will be required prior to permit issuance,

Dpw Road Engineering Completeness Comments

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

===== REVIEW ON NOVEMBER 2, 2005 BY GREG J MARTIN =====

The driveway is recommended to be 24 feet minimum. We have no objection to 20 feet for the driveway provided the minimum backout for parking is 24 feet.

If you have any questions please call Greg Martin at 831-454-2811.

Dpw Road Engineering Miscellaneous Comments

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

EXHIBIT 1

Discretionary Comments - Continued

Project Planner: Cathleen Carr
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===== REVIEW ON NOVEMBER 2, 2005 BY GREG J MARTIN =====

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: November 4, 2005
TO: Cathleen Carr, Planning Department, Project Planner
FROM: Paul Rodrigues, Urban Designer Redevelopment Agency
SUBJECT: Application **05-0173, 2nd Routing**, APN 030-201-03,4440 W. Walnut Street, Soquel

The applicant is proposing to construct four, 3-story, detached dwelling units (2-story with parking below) on one parcel. The project requires a Residential Development Permit and Preliminary Grading Approval to cut about 470 cubic yards of earth and to place about 220 cubic yards of fill. The property is located on the south side of West Walnut Street about 200 feet west of the intersection of West Walnut Street and Daubenbiss Avenue in Soquel.

This application was considered at an Engineering Review Group (ERG) meeting on March 23, 2005 and again on October 19, 2005. The Redevelopment Agency (RDA) previously commented on this application on April 12, 2005 and has the following remaining comments regarding the proposed project.

1. The Redevelopment Agency will be working with residents on this street in a Voluntary Street Tree Program in the near **future**. To be consistent, a new tree should be installed in front of the existing house between the existing stairs and driveway in the right-of-way area and all of the trees proposed within the public right-of-way should be selected from the following list:
 - a. Evergreen Tree: Southern Live *Oak* (*Quercus virginiana*);
 - b. Deciduous Tree with fall color: Chinese Pistache (*Pistacia chinensis*); or,
 - c. Deciduous Tree with flowers: Chitalpa taskentensis 'Pink Dawn' (***NoCommon Name***).These trees should be required to be installed at a 24-inch box size, irrigated and permanently maintained by **the** property owner(s).

2. All improvements and work within the public right-of-way require a Public Works Encroachment Permit.

The items and issues referenced above should **be** evaluated **as** part of this application and/or addressed by conditions of approval. RDA does not need to see **future** routings of this project unless changes are proposed that affect our previous comments. The Redevelopment Agency appreciates this opportunity to comment. *Thank you.*

cc: Greg Martin, DPW Road Engineering
Ralph Norberg, DPW/RDA Engineer
Paul Rodrigues, RDA Urban Designer
Sheryl Bailey, RDA Project Manager
Betsey Lynberg, RDA Administrator

COUNTY OF SANTA CRUZ
Inter-Office Correspondence

DATE: October 28, 2005
TO: Tom Burns, Planning Director
✓ Cathleen Carr, Planner
Brian Turpen, Public Works
FROM: Supervisor Jan Beautz *JB*
RE: ADDITIONAL COMMENTS ON APP. 05-0173, APN 030-201-03,
4440 WEST WALNUT STREET

Please consider the following areas of concern in your evaluation of the above application to construct a four dwelling unit group on an existing parcel.

The applicant has now submitted a revised drainage plan. However, it appears that the catch basin collection points for storm runoff are six feet below the Walnut Street system that they are proposed to tie into. How will these waters run up hill? Has Public works approved this proposed system?

The floor plans indicate small porches and balconies for these cottages. Do cottages A and B provide sufficient private outdoor area to comply with County Code Section 13.10.323(f)? The square footage of the access roadway has been included in development density and F.A.R. calculations for this development proposal. Such an inclusion is only allowed by Code for multi-family rental housing. Additionally, the road standards for individual ownership units cannot be met with the proposed 17 foot wide roadway configuration; a full cul-de-sac within a 50 foot right of way would be required. Will this development be conditioned to record a statement on the deed that prohibits the units from being sold individually due to these issues?

Sheet L-1, landscape plan, states on the plant legend that proposed trees labeled as FR will be fruit trees to be selected by the owner. Thirteen (13) trees are so labeled. These trees are located directly adjacent to the individual cottages. Such a notation may indicate an assumption that resident owners of each cottage will pick the type of fruit tree planted. As previously discussed, this development can

only be used as rental apartment housing. **As** this development will be under the ownership of a single owner or investment group, will the species of all these trees be clearly stated on the landscape plan?

This application proposes to remove 16 trees and an arborist's tree analysis and upgraded landscape plan have been submitted. The tree location map indicates protective fencing in red around several trees to be retained. However, the fencing does not match the green circles for tree locations of #15, #16, #18 and #19 trees. **All** or part of these trees are shown outside the protective fencing on this map. Will this be corrected as necessary?

The tree analysis contains a detailed description of the devastating impacts to the mature trees that can be caused by improper grading, trenching, paving and/or excess water. Particularly trees #13 and #27 are discussed, the mature Coastal Live Oaks and the mature avocado having a 4.5 foot diameter trunk. This analysis specifically states that all grade changes within 15 feet of the Coastal Live Oaks (tree group #13) must be eliminated. The landscape plan does not reflect this requirement by the arborist as it indicates the paved driveway and curb turnaround area will encroach within 5 feet of the trunk of this tree. How will this area be revised to reflect the conditions required by the arborist? The analysis also specifically states that grade changes adjacent to tree #27, the mature avocado, must be eliminated within 15 feet of the trunk and if the existing retaining wall or pavement must be removed, that all work should be done by hand. The landscape plan indicates a proposed long multi-branched paved path within this tree's canopy along with areas of Creeping Red Fescue. Is this contrary to the specific restrictions placed on this tree canopy area by the arborist's report? How will these issues be resolved to preserve and enhance the long term survivability of these trees? While the landscape plan indicates the remainder of the area under these trees' canopies will be covered with wood chips, will all areas within the tree canopies be specifically conditioned to prevent replanting in the future with any species which will alter the water levels in these zones, resulting in potential harm to the trees' root systems as mentioned by the arborist?

JBK:ted

3374A1

INTEROFFICE MEMO

APPLICATION NO. 05-0173 (second routing)

Date: October 19, 2005
 To: Cathleen Carr, Project Planner
 From: Larry Kasparowitz, Urban Designer
 Re: Design Review for an four unit dwelling group at 4440 West Walnut Street, Soquel (Lois Meeker / owner, Hamilton-Swift / applicant)

GENERAL PLAN / ZONING CODE ISSUES

Design Review Authority

13.11.40 Projects requiring design review

(b) Residential development of three (3) or more units

Design Review Standards

13.11.072 Site design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship			NIA
Street design and transit facilities			NIA
Relationship to existing structures	✓		

Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A
Views			
Protection of public viewshed			N/A
Minimize impact on private views			N/A
Accessible to the disabled, pedestrians, bicycles and vehicles	✓		
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		

Scale			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian interest	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		

SANTA CRUZ COUNTY SANITATION DISTRICT
INTER-OFFICE CORRESPONDENCE

DATE: OCTOBER 13,2005 (2nd ROUTING)
TO: PLANNING DEPARTMENT: CATHLEEN CARR
FROM: SANTA CRUZ COUNTY SANITATION DISTRICT
SUBJECT: CONDITIONS OF SERVICE FOR THE FOLLOWING
PROPOSED DEVELOPMENT
APN: 030-201-03 APPLICATION NO.: 05-0173
PARCEL ADDRESS: 4440 WEST WALNUT STREET
PROJECT DESCRIPTION: CONSTRUCT 4 3-STORY DETACHED DWELLING
UNITS (PARKING BELOW).

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 availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until the tentative map approval expires.

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

1. Intermediary cleanouts are required at 100-foot maximum spacing
2. Show elevations of existing manhole rim and invert and end of existing pipe that was constructed as a part of the West Walnut street improvements.
3. Show diameter (6-inch minimum) of existing and proposed pipe, length of existing and proposed pipe, pipe material, slope of pipe (2% minimum), and all special provisions to meet Design Criteria including Fig. SS-11 to accommodate cover (and heavy equipment during construction).
4. Contact District Inspector at 454-2160 to verify that existing building to be demolished is/is not connected to sewer and number of fixture units. If

CATHLEEN CARR

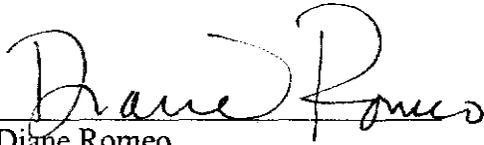
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connected, note on plans to "Abandon existing lateral to building to be demolished and inspected by District."

Show inverttop of pipe elevations of sewer and stoim drain at crossings

The future separate ownership of each structure shall not be allowed with the configuration of the sewer system as proposed as it is not designed for multiple ownership.

Additionally, a comparison of the proposed development and parcels as shown on the plans and the assessor's map book page do not correspond. A land reconfiguration through the Planning Department should be applied for and the plans routed to the District for additional review.



Diane Romeo
Sanitation Engineering

c: Applicant: John Swift
Hamilton-Swift & Assoc.
1509 Seabright Avenue Su AI
Santa Cruz, CA 95062

Property Owner: Lois Meeker
149 Sir Francis Court
Capitola, CA 95010

Other: Rob Hussey
825 South Barrington Avenue
Los Angeles, CA 90049