



## **Staff Report to the Zoning Administrator**

**Application Number: 181078**

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**Applicant:** Frank Kruzic, Matson Britton Architects

**Owner:** Burns

**APNs:** 041-191-46, 041-191-49, 041-191-50 (Old APNs 041-191-44 & 45) and 041-191-51 (Old APNs 041-191-47 & 48)

**Site Address:** No situs

**Agenda Date:** March 15, 2019

**Agenda Item #:** 4

**Time:** After 9:00 a.m.

**Project Description:** Proposal to adjust the lot lines among four legal parcels as determined by Lot Legality Determination 141028 (APNs, 041-191-46, APN 041-191-49, APN 041-191-50 and APN 041-191-51) to result in four parcels of 13,220 square feet (Lot A), 10,388 square feet (Lot B), 14,609 square feet (Lot C), and 8,139 square feet (Lot D), in the R-1-6 zone district; to construct a 1,412 square foot single-family dwelling, a 639 square foot ADU with a 250 square foot attached garage that has a 246 square foot habitable accessory structure with a half-bathroom at the second floor on Lot A; to construct a 2,325 square foot square foot single-family dwelling with an attached 425 square foot garage and an attached 541 square foot ADU at the second floor on Lot B; to construct an 18 foot wide access road within the right-of-way for North Polo Drive, with a turnaround on Lots C and D, grading of approximately 24 cubic yards of material, and to designate building envelopes on Lots C and D for future development.

Requires a Lot Line Adjustment, Variance approvals to reduce the required front yard setbacks on each of the four parcels from 20 feet to 5 feet, a Residential Development Permit for a Habitable Accessory Structure that exceeds one-story and 17 feet in height and to allow for the addition of bathroom facilities, a Development Permit for use of a less than 40 foot right-of-way for site access, Preliminary Grading Approval; and a Riparian Exception. This application also includes a Combined Soils and Geologic Report Review (REV181056), a Biotic Report Review (REV181057 and an Archaeologic Report Review (REV181058).

**Location:** Parcels located on the north side of North Polo Drive, between 1,095 and 1,465 feet northeast of the intersection with Polo Drive in Aptos.

**Permits Required:** Variances, Residential Development Permits, a Lot Line Adjustment, and a Riparian Exception

**Supervisory District:** Second District (District Supervisor: Zach Friend)

### **Staff Recommendation:**

- Denial of Application 181078, based on the attached findings.

### **Setting & Project Description**

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

## Setting & Project Description

North Polo Drive is a 40-foot wide right of way approximately 1,500 feet in length, that runs along the northern side of The Polo Grounds County Park in Aptos. Currently only about 60 percent of the right-of-way, extending eastwards from the intersection with Polo Drive and South Polo Drive to the southwestern corner of the subject parcels, is developed for road purposes and is County maintained. The remaining 40 percent of the road, including the section that fronts onto the subject parcels, has not been developed and is not County-maintained. North Polo Drive is the only available access for the subject properties. Along the developed portion of North Polo Drive parcels fronting onto the north side of the road are mostly developed with single-family dwellings. To the south of the road, within the Polo Grounds County Park, the land is developed for recreational uses that include soccer fields and baseball diamonds and a pedestrian pathway that runs around the entire perimeter of the park. Where the park is adjacent to homes along North Polo Drive and South Polo Drive, the recreational uses and pathway are set back and buffered from the houses by an area of trees and understory species. Adjacent to the project site North Polo Drive swings southwards and then curves eastwards again so that it runs closer to the center of the park. As a result, the adjacent baseball diamonds are located close to the northern property boundary of the park and the pathway, which runs around the edge of the fenced sports area, is very close to or possibly within the right-of-way for North Polo Drive. Because there is currently no delineation of property boundaries at the subject parcels and the property corners were not staked as requested, staff was unable to determine the exact relationship between the existing facilities and the proposed development.

The subject four parcels are located northward of the centerline of the undeveloped portion of North Polo Drive. Currently the lots are undeveloped and, visually, the southernmost portion of the subject parcels and the 40-foot right-of-way appear to be part of the adjacent Polo Grounds County Park. The northern portion of the parcels, constituting most of the land outside the right-of-way for North Polo Drive, slopes down toward Valencia Creek, the centerline of which delineates the northern property boundaries. Within the Valencia Creek arroyo the land is densely wooded and very steep, with slopes immediately adjacent to the proposed building sites that exceed a 50 percent grade.

As proposed the project includes reconfiguring the four existing parcels, developing an 18-foot wide access road within the southern 20 feet of the right-of-way for North Polo Drive, with a fire turnaround between lots C and D, developing lots A and B that are located closest to the existing developed lots on North Polo Drive, and delineating building envelopes for future development on lots C and D. Proposed construction includes a single-family dwelling, a detached accessory dwelling unit (ADU) and a one-car garage with a habitable room above containing a half bathroom on lot A, and a single-family dwelling, with an attached garage and ADU on lot B. Because of the adjacent steep slopes down to Valencia Creek and as recommended by the project Geologist and Geotechnical Engineer, the proposed building envelopes on each of the four adjusted parcels would be located within the narrow strip of level land between the edge of the arroyo and the property line at the center of North Polo Drive, mostly within the northern half of the 40-foot right-of-way.

To permit the locations of the proposed and future developments, Variances have been requested on each of the four parcels, to allow for a reduction of the required front yard setback from the southern (front) property line, which is located at the centerline of the 40-foot right-of-way for

North Polo Drive, from 20 feet to 5 feet. A Riparian Exception is also required because the proposed building envelopes would be within the required riparian buffer along Valencia Creek, which extends 30 feet from the top of the arroyo. In addition, the application includes a Residential Development Permit to allow for the addition of bathroom facilities in a Habitable Accessory Structure and to allow for a habitable accessory structure that exceeds one-story and 17 feet in height. A further Development Permit is required to permit the use of a right-of-way that is less than 40 feet in width for site access. This request is based upon the implied abandonment of the northern 20 feet of North Polo Drive where it crosses the subject properties and use of only the remaining portion of the right-of-way for access. The project also requires a Lot Line Adjustment to reconfigure the existing property boundaries and Preliminary Grading approval for ground preparation at the proposed access road and building sites.

### **Project Background**

In 1929 an unfiled subdivision map entitled "Polo Fields Subdivision No. 1" identified and divided a large tract of property into parcels that included a portion of the present day Polo Grounds Neighborhood/Community/Regional Park (Lot A), a right-of-way parcel which included North Drive and South Drive, both 40 feet in width, that extend along each side of Lot A (now North Polo Drive and South Polo Drive), an extension to Polo Drive, and a number of residential lots accessed from the above listed rights-of-way. These residential parcels included the original parcels underlying the four subject parcels, located close to the end of North Polo Drive.

On October 19, 1994 the Planning Commission approved the Site Development Master Plan for the Polo Grounds Neighborhood/Community/Regional Park in Aptos and the certified Environmental Impact Report (EIR), subject to Master Development Permit 91-0749. The Master Plan for the park showed the existing baseball fields as well as future planned park facilities, including a basketball court located close to the subject properties and an access road along the extension of North Polo Drive within the section fronting/crossing the subject parcels. The proposed extension of the existing roadway within the 40-foot right of way for North Polo Drive, was required by the conditions of approval to include two 12-foot wide paved travel lanes and one 6 to 8-foot wide parking lane on the park side of the street in order to provide both vehicle and emergency access to the park facilities and parking for park users.

In 2005-6, the owners of the subject properties filed a Quiet Title action against the original owners and developers of the "Polo Grounds Subdivision No. 1". At the subsequent hearing, the Court ordered that, pursuant to language in California Civil Code sections 831, 1112 and 2077 (which provide that an owner bounded by a private road or street is presumed to own, in fee, the underlying land to the center of the right-of-way unless held under another title), the owners of the subject properties owned their property in fee title interest to the center of the 40-foot right-of-way for North Polo Drive. The Court also ruled that the owners of the subject properties were entitled to an easement over the entire 40-foot right-of-way described by the original unfiled subdivisions as North Drive (now North Polo Drive) to access their property. However, the Court's order did not extinguish the 40-foot right-of-way for North Polo Drive where it traverses the subject property. Under State law, every owner of property in a subdivision has an easement, appurtenant to such property, over the entire network of streets set out in the subdivision map, and every other owner's title is subject to those private easements. For the Polo Grounds subdivision, the streets shown on the map include North Drive and South Drive (now North Polo Drive and South Polo Drive), both 40-foot rights-of-way, as well as Polo Drive. Accordingly,

every owner of property within the subdivision holds and easement over the entire width of North Polo Drive. Additionally, the Santa Cruz County Public Financing Authority (PFA) owns Polo Grounds Park and acquired that property in 2002 (prior to the Quiet Title action), by grant deed. This deed includes in the description of the bounds of the Polo Grounds Park property (which sits between North Polo and South Polo Drive) and "Rights of Way for Road Purposes over both of said 40-foot roads (North Drive and South Drive) and over Polo Avenue, as shown upon the map of Subdivision 3 of Aptos Beach Country Club Properties." Neither the PFA nor the owners of other properties in the subdivision were named in the Quiet Title action, which under State law is not effective as to unnamed holders of easements of record (PFA) or claims actually known or reasonably apparent from an inspection of the property at the time of filing (owners of other properties within the subdivision). As such, all of these parties hold unextinguished easements over the entire width of North Polo Drive.

In 2014, application 141028 was submitted to the County of Santa Cruz Planning Department for a Lot Legality Determination and Certificates of Compliance for six separate Assessor's Parcel Numbers, APNs 041-191-44 through 49. As a result, four Unconditional Certificates were recorded for four parcels that were determined to be legal, one for APNs 041-191-44 & 45 (APN 041-191-50), one for APN 041-191-46, one for APNs 041-191-47 & 48 (APN 041-191-51) and one for APN 041-191-49.

In addition to the above, the following have been submitted to the Planning Department for the subject properties: In 1988, 88-0872, a Geologic Hazards Assessment (submitted by the previous owners); In 2012, PA121008, a pre-development consultation to discuss the buildability of the parcels, riparian setbacks and the potential number of buildable lots; In 2013, REV131026, a Geologic Hazards Assessment, and 131056, a parcel legality determination that was abandoned; In 2014, REV141119, a Geological and soils Report Review, and in 2015, 151335, for a grading permit to construct a new access road to serve four vacant parcels which was denied.

The current application, 181078, for reconfiguring and developing the four parcels recognized by Lot Legality Determination 141028, was submitted on April 11, 2018 together with applications REV181056 for a Combined Soils and Geologic Report Review; REV181057 for a Biotic Report Review and REV181058, for an Archaeologic Report Review. Because the submitted plans indicated that building sites were proposed within the 40-foot right-of-way for North Polo Drive, the County requested, by letter dated May 10, 2018, submittal of evidence that the northern 20 feet of the right-of-way adjacent to the subject property had been extinguished, as well as conclusive evidence to show that the entire length of North Polo Drive had not been offered for dedication to the County of Santa Cruz. Information was also requested to illustrate the location and extent of all rights and easements afforded to the Polo Grounds County Park.

In response to these requests for further information regarding the 40-foot right-of-way and other easements, the applicant submitted a letter and supporting documentation prepared by Teresa V. Rein of Rein and Rein, a Professional Law Corporation which concluded "Summary vacation would allow the Applicant's project to proceed" and "the County's private access rights would remain even with summary vacation, because the County would still own a private 20' right of way adjacent to the park and Applicants' ROW." The submitted materials were reviewed by County Counsel, who concluded that no summary vacation had occurred and that "nothing the Applicant presented demonstrates that rights-of-way over the entire 40-foot width of North Polo Drive have been extinguished". Furthermore, the PFA (which, like other owners of properties created by the subdivision, owns rights to North and South Polo Drive) is not an entity

authorized to summarily vacate an easement or right-of-way pursuant to State law (which applies only to a county or city). Therefore, as such, "development may not proceed in that area which would interfere with those rights-of-way".

### **Zoning & General Plan Consistency**

The subject properties are located in the R-1-6 (single-family residential, 6,000 square foot minimum) zone district, a designation which allows residential uses, and the zoning is consistent with the site's R-UL (Urban Low Density Residential) General Plan designation. However, the proposed location of the proposed development is not consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located, in that the proposed single-family dwellings and associated accessory structures are shown on the submitted plans to be constructed almost entirely within the 40-foot right-of-way for North Polo Drive. The proposed structures therefore would not comply with all current site standards for the zone district as set out in County Code section 13.10.323 and findings cannot be made to support the approval of Variances.

County Code section 13.10.521 requires that "A parcel created by the approval of a tentative map or conditional certificate of compliance, may not be used as a building site unless it has its principal frontage on a public street or a private right-of-way at least 40 feet wide, nor may a new vehicular right-of-way be created less than 40 feet in width unless otherwise approved." The original parcels underlying the proposed project were created subject to access by the 40-foot right-of-way for North Drive (currently North Polo Drive) and this right-of-way has not been extinguished. Because the right-of-way provides access to five residential parcels as well as to the County-owned Polo Grounds Neighborhood/Community/Regional Park (a total of six parcels), a reduction of the right-of-way from 40 feet to 20 feet would be inconsistent with the both the County Design Criteria as required under County Code chapter 15.10 for the development of new road access and Master Development Permit 91-0749 for the County Park and therefore a development approval to reduce the width of the right-of-way would not be appropriate.

As set out in County Code section 13.10.611 a habitable accessory structure is limited to one-story, with a maximum height of 17 feet, and bathroom facilities are not allowed unless otherwise approved subject to a development permit. In addition, a habitable accessory structure may only be constructed on a parcel that is developed with a single-family dwelling. The proposed Lot A includes a habitable accessory structure, located above a garage, that would have a height of 24 feet 7 inches and include bathroom facilities. The approval of a development permit for the proposed accessory structure and bathroom facilities is inappropriate because the associated single-family dwelling cannot be constructed since the proposed structure would be located, for the most part, within a right-of-way. Therefore, no detailed analysis has been done to determine whether a second-story habitable accessory structure that exceeds 17 feet in height and that includes bathroom facilities, would be appropriate on this parcel.

### **Variances and Riparian Exception**

As noted above, to permit the locations of the proposed and future developments, Variances have been requested on each of the four parcels to allow for a reduction of the required front yard setback from the southern (front) property line from 20 feet to 5 feet. However, the front

property line is located at the centerline of the 40-foot right-of-way for North Polo Drive, As defined in County Code section 13.10.700-Y "Yard, front" means "a yard extending across the full width of the site, the depth of which is the minimum horizontal distance between the front property line or the inside edge of a right-of-way and a line parallel thereto on the site." The location of the required front setback on the subject property is therefore defined by the northern edge of unextinguished right-of-way which crosses the front twenty feet of the property, and not by the property line running along the centerline.

A Variance to allow encroachment into the right-of-way is therefore not supported by County Code, which specifically requires that the extent of the required front yard be measured from the edge of any right-of-way where this is more restrictive than the property line. The granting of a Variance to permit the development of land within a right-of-way would also be a grant of special privilege, in that no other properties in the vicinity and zone in which the project is situated has ever been permitted to develop land within a right-of-way. Furthermore, an encroachment into a right-of-way would violate easement rights of owners of other properties within the subdivision, including the PFA that owns the adjacent park, and be contrary to the public interest and need to retain a 40' right-of-way for park access as identified in the 1994 Master Plan. The reduction of the setback area would also violate the need for open space and recreational development, interfere or block roadway access and establish a use otherwise prohibited by Code. The development of residences in a right-of-way intended for access would therefore result in an unnecessary safety constraint that would impact adjacent properties and create a visual impact that could interfere with recreational enjoyment and privacy of adjacent owners and Park visitors.

A Riparian Exception has also been requested because the proposed building envelopes would be entirely within the required riparian buffer along Valencia Creek, which extends 30 feet from the top of the arroyo. One of the required findings for a Riparian Exception is that "the exception is necessary for the proper design and function of some permitted activity on the property". Therefore, because the proposed dwellings and accessory structures are mostly shown to be constructed within a right-of-way, a location that cannot be permitted, staff determined that a detailed analysis of the impacts of the proposed buildings on the riparian corridor was unwarranted for this project.

### **Lot Line Adjustment**

The submitted plans do not show that the proposed project complies with the General Plan designation of the southern portion of the adjusted parcels (R-UL - Urban Low Density Residential) as required per County Code section 13.10.673(E), because land lying within the northern half of the 40-foot right-of-way for North Polo Drive has not been deducted from the net site area calculation for each of the proposed parcels.

Proof of the availability of water to serve the proposed development has not been provided. Furthermore, no information has been provided that conclusively shows that the parcels could be developed in their existing configuration. The submitted plans indicate only building sites on the adjusted parcels, not on the original parcels, and these are substantially located within an area that has conclusively been shown to be unbuildable because the designated building envelopes are largely within a legally described right-of-way. Therefore, staff is unable to determine that additional building sites would not be created as a result of a lot line adjustment.

## Design Review

Design Review is required for the proposed project as set out in County Code section 13.11.040(J) in that, although single-family homes do not generally trigger this requirement, "design review requirements may be imposed on a project if the Planning Director, or his/her designee, certifies that the nature of the project is significant in respect to the purpose of design review as defined in this chapter." The proposed single-family dwellings and accessory structures have been proposed within an area that currently functions as and appears visually to be a part of the Polo Grounds Neighborhood/Community/Regional Park. Therefore, the requirement for Design Review is clearly supported by County Code section 13.11.010(A)(2), "Purpose of Design Review", which includes "To protect open space for its aesthetic, recreational and environmental values." The proposed homes have been designed to be close to the maximum 28-foot allowed height (27.3 feet and 27.5 feet) and, due to the restricted building area, would extend across the entire width of each parcel. As a result, the structures would appear to be considerably larger than existing homes along North Polo Drive and out of scale with their surroundings. In addition, because North Polo Drive swings in a southerly direction adjacent to the subject parcels and runs closer to the center of the park, there would be no available area, either in front of the homes or on the park side of the proposed access road, for landscaping that could potentially screen or soften the appearance of the proposed homes. Therefore, the structures would most likely be very prominent in public views from the adjacent park.

Design review materials, that would provide staff with additional information regarding the potential visual impacts of the proposed structures, were requested in correspondence from the County dated May 10, 2018. In addition, staking of the property corners and proposed building sites was required so that staff could visually assess the relationship between the proposed structures and the existing landscape. However, none of the requested additional information was provided. Therefore, staff has been unable to more fully analyze the visual impact of the proposed structures or their potential impact on the Polo Grounds County Park. Given the determination that the proposed project would occur mostly within a right-of-way, a location that cannot be permitted, further design analysis to determine whether the project is consistent with the Design Standards and Guidelines set out in County Code sections 13.11.070 through 13.11.076 is not warranted.

Staff does note, however, that existing residential development along North Polo Drive generally consists of small single-family homes, many of which are one story. The average size of houses along North Polo Drive is 1,166 square feet and only 50% of the parcels are also developed with garages, none larger than 450 square feet. The proposed project would result in the development of visually larger two-story structures. On lot A, the lot adjacent to the end of the County maintained road, the proposed dwelling would be 1,412 square feet and the total proposed habitable floor area would be 2,297 square feet, with an additional 406 square feet of garage/carport, and on lot B located east of parcel A, the proposed dwelling would be 2,325 square feet and the total proposed habitable floor area would be 2,866 square feet with an additional 541 square foot garage. Future developments on lots C and D would likely be of a similar size. Therefore, the proposed project would not be in scale with or visually compatible with the adjacent neighborhood.

## **Public Outreach/Public Comment**

The Planning Department was contacted by neighbors of the proposed project and by a previous employee of the County of Santa Cruz regarding the North Polo Drive Sewer Extension Project approved in 2009 by the Board of Supervisors. As part of this project, the Santa Cruz County Sanitation District was directed to form the "North Polo Drive Assessment District", under which existing homeowners along North Polo Drive were required to pay an assessment in the amount of \$15,500 each toward the extension of the public sewer to serve their properties. At that time the subject parcels were listed as "unbuildable" by the County Assessor and therefore the current owners were not specifically included in the Assessment District. However, the approval also required that "Parcels making future connections to the portion of sewer main extended as part of the Assessment District will be required to reimburse the Assessment District for their proportionate fair share of the total cost of the Improvements (in addition to any applicable District connection fees)." Therefore, development of the subject parcels would, if approved, be subject to this requirement.

## **Conclusion**

As proposed, the project is not consistent with all applicable codes and policies of the Zoning Ordinance and General Plan. The submitted plans for application 181078 show structures that are proposed to be constructed almost entirely within the northern 20 feet of the 40-foot right-of-way for North Polo Drive, the rights to which have not been extinguished. Therefore, the proposed project cannot be approved. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

## **Staff Recommendation**

- **DENIAL** of Application Number **181078**, based on the attached findings.

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

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

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Application #: 181078  
APN: 041-191-50, 46, 51 & 49  
Owner: Burns

## **Exhibits**

- A. Project plans
- B. Findings
- C. Assessor's, Location, Zoning and General Plan Maps
- D. Parcel information
- E. Comments & Correspondence

RESIDENCE AND ADU  
NORTH POLO DRIVE TERMINUS  
COUNTY OF SANTA CRUZ

OWNER:	THWIFT AND DANNY BURNS NORMAN BURNS CC, JURY OF SANTA CRUZ
A.P. N:	041-191-44 45, 46, 47, 48 and 49
ZONING:	R-1-b R-1 (PER 2016 CIRC)
OCCUPANCY GROUP:	V-3, SPECIALIZED
CONSTRUCTION TYPE:	
PROJECT DESCRIPTION:	LOT ADJUSTMENTS TO EXISTING LOTS - CREATING FOUR LOTS - TWO LOT 1 & 2, REBANKING VACANT, WHILE ONE LOT WILL COME OUT OF TWO NEW TWO STORY RESIDENTIAL BUILDINGS: ONE JUNGLE FARM 1 STORY RESIDENCE AND ONE ADULT. THE OTHER LOT WILL BE A TWO STORY BUILDING, A SINGLE FAMILY RESIDENCE WITH PARTIAL SECOND FLOOR PORCH.
LOT ADJUSTMENT PENDING APPROVAL:	
REQUIRED VARIANCES: PENDING-2	
REDUCE FRONT SETBACK FROM 40' TO 5'	
EXISTENTIAL DEVELOPMENT PERMIT FOR A HABITABLE ACCESSORY STRUCTURE	
(MAY THAT EXCEED 1 STORY AND 17 FEET)	
ADDITION OF BATHROOM FACILITIES	
REAR PORCH DECK	
UTILITY DISTRICTS:	SEQUEL CREEK WATER DISTRICT SANTA CRUZ COUNTY SANITATION DISTRICT
PUBLIC TRANSPORTATION: SANTA CRUZ METRO	
WITHIN 500 FEET OF PROJECT SITE	

## CODE COMPLIANCE

T-5: RESIDENTIAL CONSTRUCTION CODE WITH TITLE 24 AND THE  
 FOLLOWING CODES:  
 2016 CALIFORNIA RESIDENTIAL CODE (CIRC),  
 2017 CALIFORNIA BUILDINGS CODE (CBC),  
 2018 CALIFORNIA ELECTRICAL CODE (CEC),  
 2018 CALIFORNIA PLUMBING CODE (CPC),  
 2018 CALIFORNIA MECHANICAL CODE (CMC),  
 2016 CALIFORNIA ELECTRICAL CODE (CEC) AND THE  
 2016 CALIFORNIA ENERGY CODE (CEC).

PROJECT CALCULATIONS 46

LOT AREA FOR APN# 041-191-46

NET SITE AREA:  
 10,328 S.F.  
 10,328 S.F. x .40 =  
 4,135 S.F. (40%)

PROPOSED LOT COVERAGE AREA:  
 4,135 S.F. (40%)

THESE PLANS SHALL COMPLY WITH 2016 CALIFORNIA BUILDING CODE AND 2016 CALIFORNIA FIRE CODE AND DISTRICT ZEROLANDING.

2. OCCUPANCY (A.T.Y.) SHALL BE FULLY SPECIFIED.

3. ADJUTANT NUMBERS SHALL BE POINTED AND MAINTAINED AS SHOWN ON THE PLANS. ADJUTANT NUMBERS SHALL BE 12 INCHES IN HEIGHT AND OF A COLOR CONTRASTING TO THEIR BACKGROUND.

4. ROOF COVERING SHALL BE NO LESS THAN CLASS "C" RAISED.

5. ALL CHIMNEYS SHALL BE APPROVED WITH AN APPROVED AIR BRICK OR ON THE TOP OF THE CHIMNEY. WIRE MESH NOT TO EXCEED 1/8" IS ACCEPTABLE.

6. THE JOINT CORPERS OF THE BUILDING PLANS AND PERMITS MUST REMAIN ON THE BUILDING DURING INSPECTIONS.

PROJECT CALCULATIONS 44 & 45	
LOT AREA FOR APN# 041-191-44 & 45	
NET SITE AREA:	15,220 S.F.
13,200 S.F. LOT COVERAGE (14.5% OF NET LOT SIZE)	
13,200 S.F. * .40 =	5,280 S.F. (40%)
PROPOSED LOT COVERAGE AREA:	
997 S.F. ADJ. + 954 S.F. RES	1,953 S.F. (13%)
3,220 S.F. MINIMUM FLOOR AREA RATIO (50% OF LOT SIZE):	
3,220 S.F. * .40 =	4,410 S.F. (50%)
CROSS AREA:	
1ST FLOOR:	415 S.F.
2ND FLOOR:	792 S.F.
3RD FLOOR:	1,473 S.F.
SUB TOTAL:	83 E.
COVERED CARPORT (100 S.F.), 144 S.F. CREDIT; REMAIN:	
COVERED PORCHES: 194 S.F. AND 140 S.F. FOR EACH	0 S.F.
REMAIN: 144 S.F. (25% NOT COUNT)	244 S.F.
DETACHED HABITABLE ACCESSORY STRUCTURE (HABITABLE):	
ADJ. (AT 1ST FLOOR):	639 S.F.
2ND FLOOR:	250 S.F.
3RD FLOOR:	250 S.F.
4TH FLOOR:	250 S.F.
5TH FLOOR:	250 S.F.
6TH FLOOR:	250 S.F.
7TH FLOOR:	250 S.F.
8TH FLOOR:	250 S.F.
9TH FLOOR:	250 S.F.
10TH FLOOR:	250 S.F.
11TH FLOOR:	250 S.F.
12TH FLOOR:	250 S.F.
13TH FLOOR:	250 S.F.
14TH FLOOR:	250 S.F.
15TH FLOOR:	250 S.F.
16TH FLOOR:	250 S.F.
17TH FLOOR:	250 S.F.
18TH FLOOR:	250 S.F.
19TH FLOOR:	250 S.F.
20TH FLOOR:	250 S.F.
21TH FLOOR:	250 S.F.
22TH FLOOR:	250 S.F.
23TH FLOOR:	250 S.F.
24TH FLOOR:	250 S.F.
25TH FLOOR:	250 S.F.
26TH FLOOR:	250 S.F.
27TH FLOOR:	250 S.F.
28TH FLOOR:	250 S.F.
29TH FLOOR:	250 S.F.
30TH FLOOR:	250 S.F.
31TH FLOOR:	250 S.F.
32TH FLOOR:	250 S.F.
33TH FLOOR:	250 S.F.
34TH FLOOR:	250 S.F.
35TH FLOOR:	250 S.F.
36TH FLOOR:	250 S.F.
37TH FLOOR:	250 S.F.
38TH FLOOR:	250 S.F.
39TH FLOOR:	250 S.F.
40TH FLOOR:	250 S.F.
41TH FLOOR:	250 S.F.
42TH FLOOR:	250 S.F.
43TH FLOOR:	250 S.F.
44TH FLOOR:	250 S.F.
45TH FLOOR:	250 S.F.
46TH FLOOR:	250 S.F.
47TH FLOOR:	250 S.F.
48TH FLOOR:	250 S.F.
49TH FLOOR:	250 S.F.
50TH FLOOR:	250 S.F.
51TH FLOOR:	250 S.F.
52TH FLOOR:	250 S.F.
53TH FLOOR:	250 S.F.
54TH FLOOR:	250 S.F.
55TH FLOOR:	250 S.F.
56TH FLOOR:	250 S.F.
57TH FLOOR:	250 S.F.
58TH FLOOR:	250 S.F.
59TH FLOOR:	250 S.F.
60TH FLOOR:	250 S.F.
61TH FLOOR:	250 S.F.
62TH FLOOR:	250 S.F.
63TH FLOOR:	250 S.F.
64TH FLOOR:	250 S.F.
65TH FLOOR:	250 S.F.
66TH FLOOR:	250 S.F.
67TH FLOOR:	250 S.F.
68TH FLOOR:	250 S.F.
69TH FLOOR:	250 S.F.
70TH FLOOR:	250 S.F.
71TH FLOOR:	250 S.F.
72TH FLOOR:	250 S.F.
73TH FLOOR:	250 S.F.
74TH FLOOR:	250 S.F.
75TH FLOOR:	250 S.F.
76TH FLOOR:	250 S.F.
77TH FLOOR:	250 S.F.
78TH FLOOR:	250 S.F.
79TH FLOOR:	250 S.F.
80TH FLOOR:	250 S.F.
81TH FLOOR:	250 S.F.
82TH FLOOR:	250 S.F.
83TH FLOOR:	250 S.F.
84TH FLOOR:	250 S.F.
85TH FLOOR:	250 S.F.
86TH FLOOR:	250 S.F.
87TH FLOOR:	250 S.F.
88TH FLOOR:	250 S.F.
89TH FLOOR:	250 S.F.
90TH FLOOR:	250 S.F.
91TH FLOOR:	250 S.F.
92TH FLOOR:	250 S.F.
93TH FLOOR:	250 S.F.
94TH FLOOR:	250 S.F.
95TH FLOOR:	250 S.F.
96TH FLOOR:	250 S.F.
97TH FLOOR:	250 S.F.
98TH FLOOR:	250 S.F.
99TH FLOOR:	250 S.F.
100TH FLOOR:	250 S.F.

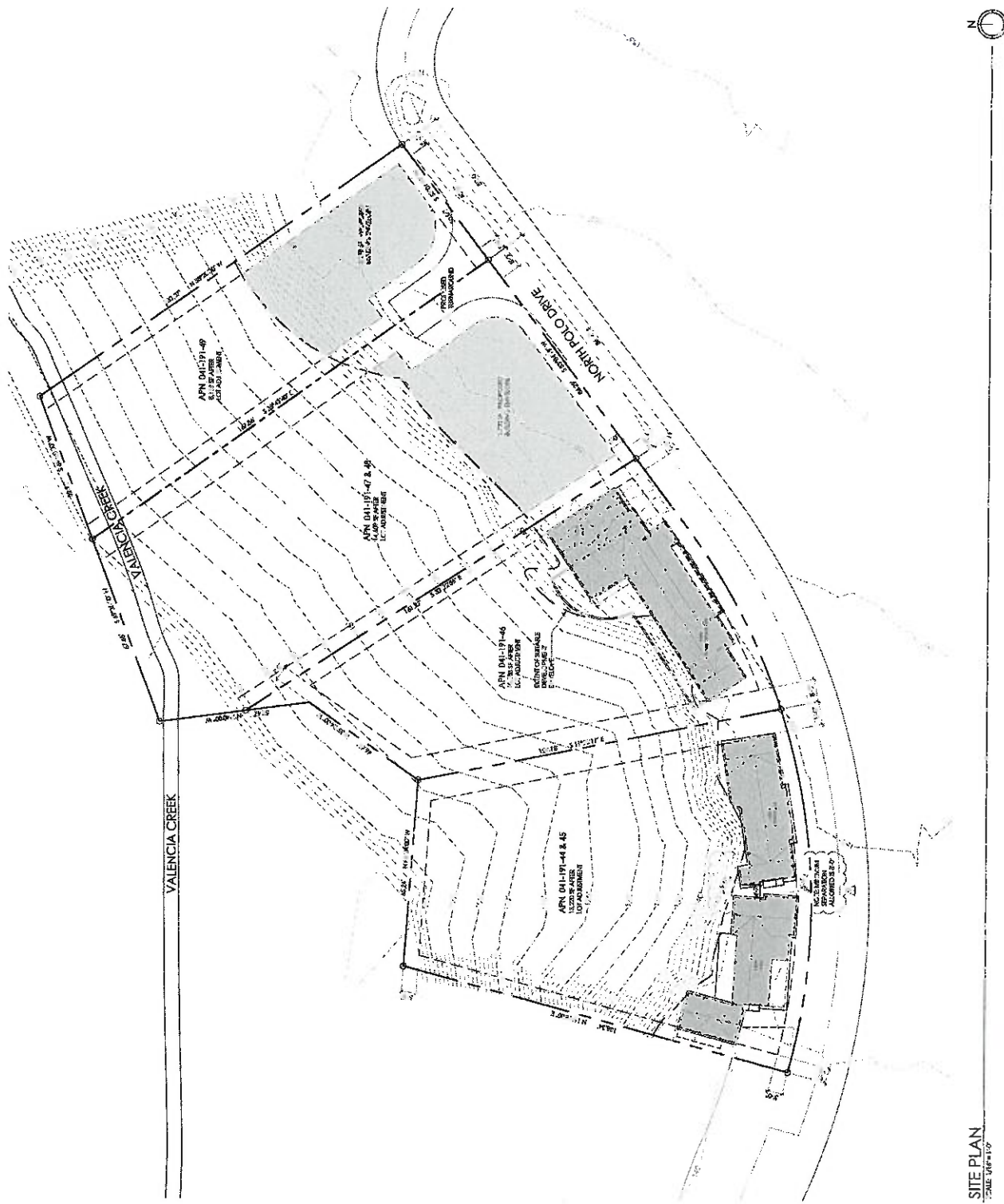
LOT AREA FOR APN# 041-191-47 & 48  
PROPOSED BUILDING ENVELOPE  
NET SITE: 14,609 S.F.  
2,720 S.F.

LOT AREA FOR APN# 041-191-49  
PROPOSED BUILDING ENVELOPE

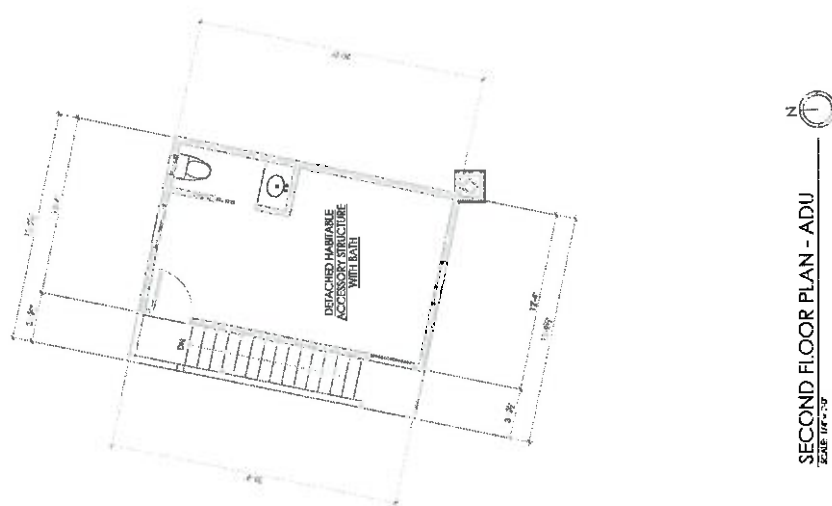
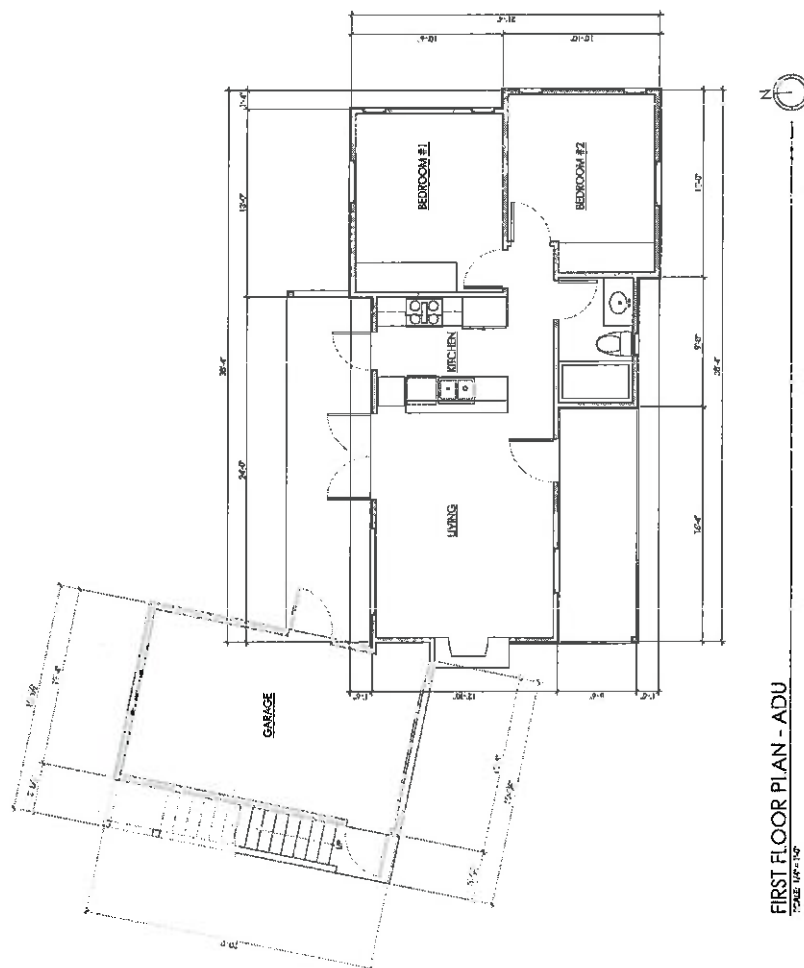
ARCHITECTURAL DRAWINGS

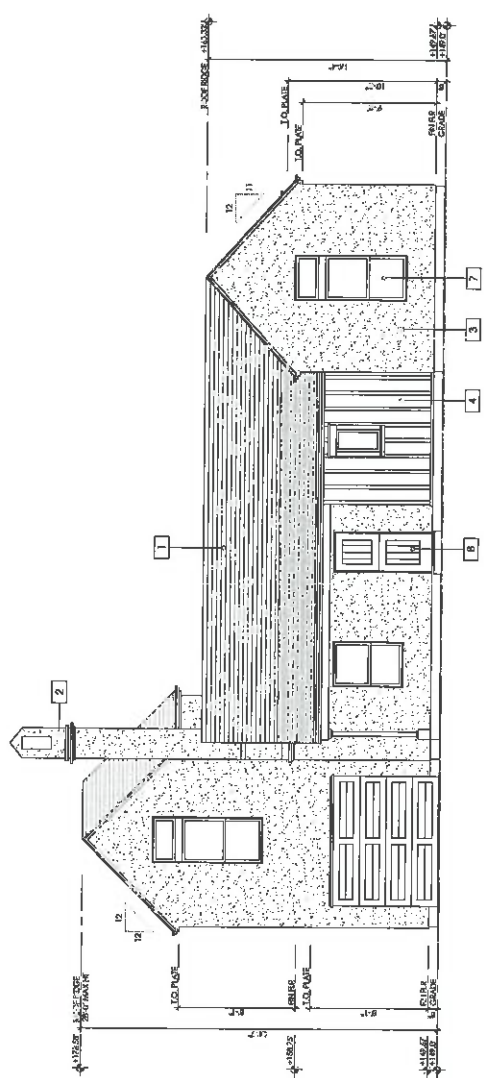
LOI AREA FOR APN# 041-191-44 & 45  
NET THE AREA.

[illegible]

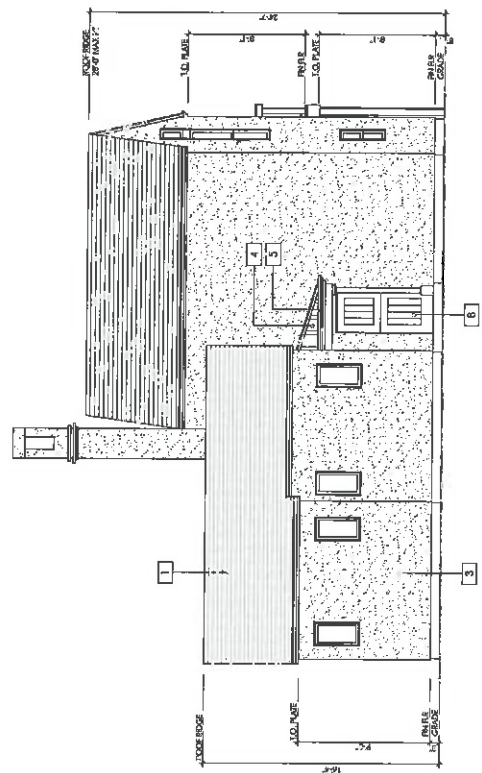


**SITE PLAN**  
SCALE: 1" = 10'



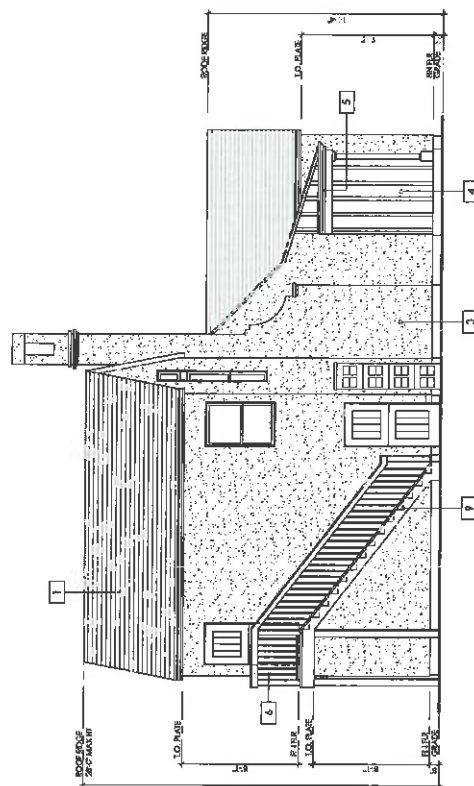


SOUTH ELEVATION - ADU  
SCALE 1/8" = 1'-0"



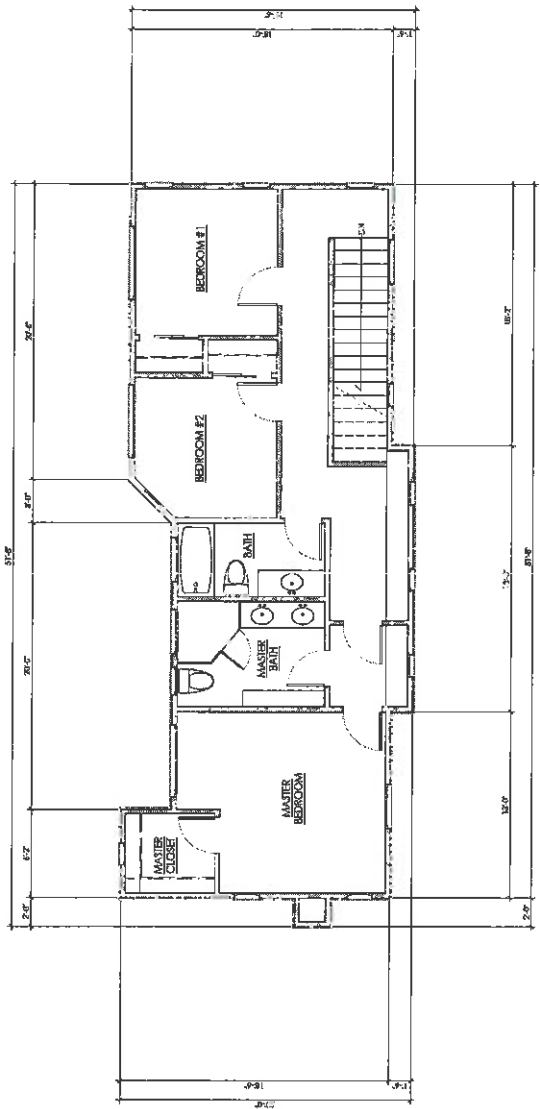
EAST ELEVATION - ADU  
SCALE 1/8" = 1'-0"

ELEVATION NOTES	
1	COMPOSITE SHINGLE ROOF
2	STUCCO CHIMNEY WITH WOOD SHINGLES
3	STUCCO FINISH - HAND BROWN
4	WOOD SHINGLES - HAND BROWN
5	WOOD SHINGLES - HAND BROWN
6	WOOD SHINGLES - HAND BROWN
7	WOOD SHINGLES - HAND BROWN
8	WOOD SHINGLES - HAND BROWN
9	WOOD SHINGLES - HAND BROWN

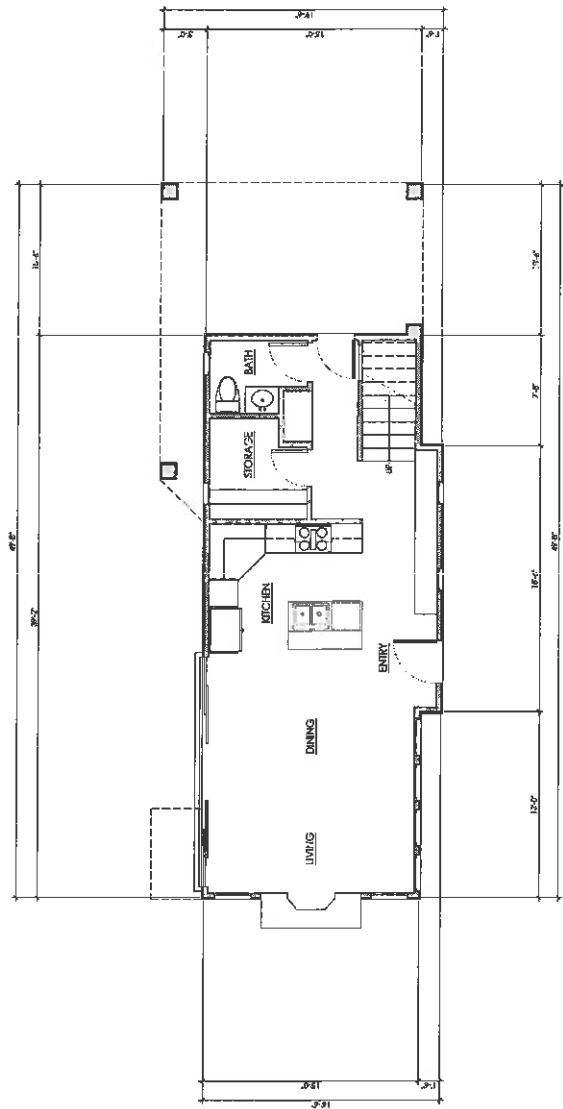


WEST ELEVATION - ADU

ELEVATION NOTES	
1	COMPOSITE SHINGLE ROOF
2	2"X6" @ 16" OC WITH WOOD SHIP
3	STAINLESS STEEL - HARD ANODIZED
4	BRACKET & 1/2" X 12"
5	CATHERINE - 1/2" X 12"
6	WOOD GUARD AND BALUSTRADE
7	WOOD WOODWORK
8	WOOD DOOR - 12"
9	WOOD STAIRS



RESIDENCE SECOND FLOOR PLAN  
SCALE 1/8" = 1'-0"

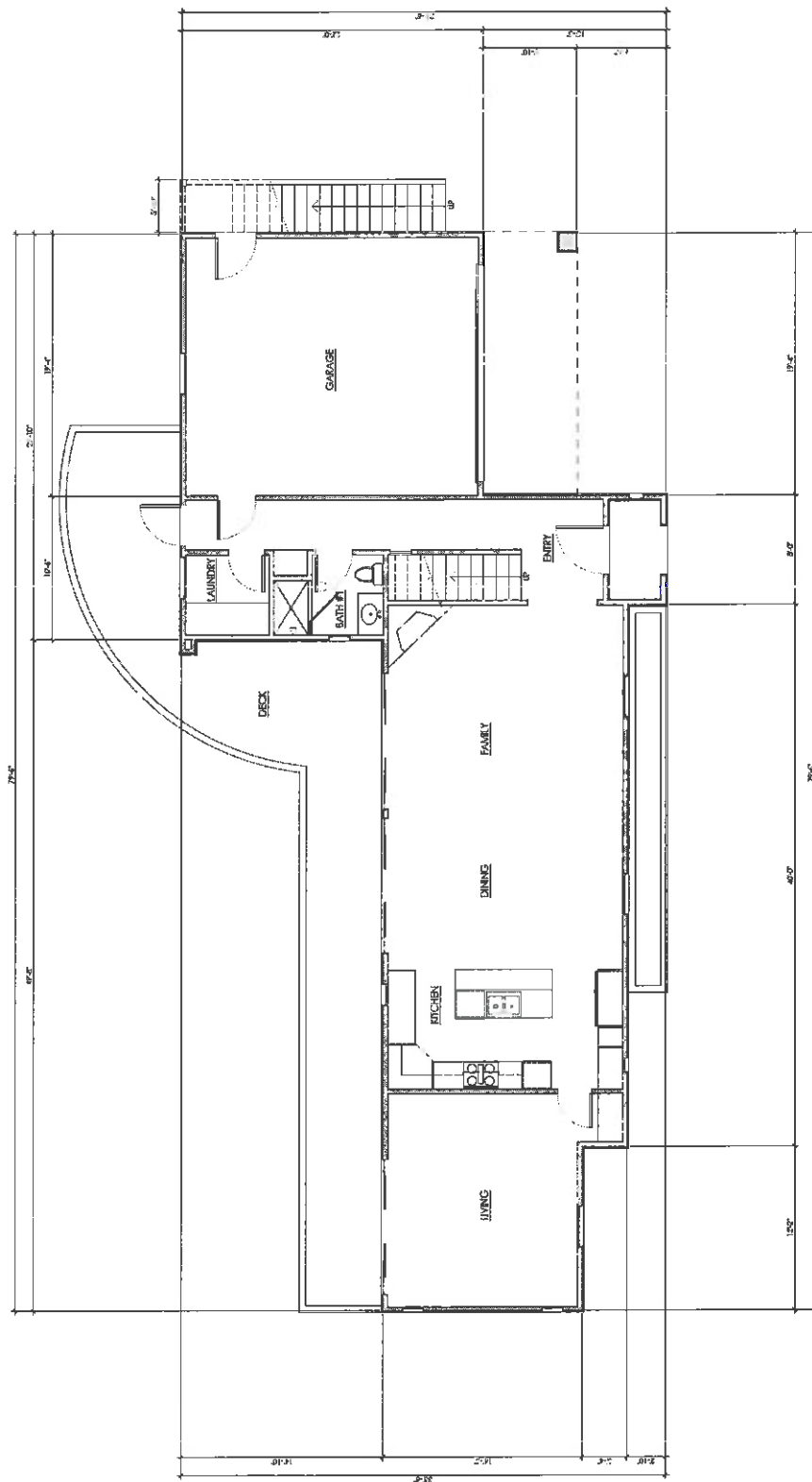


RESIDENCE FIRST FLOOR PLAN  
SCALE 1/8" = 1'-0"

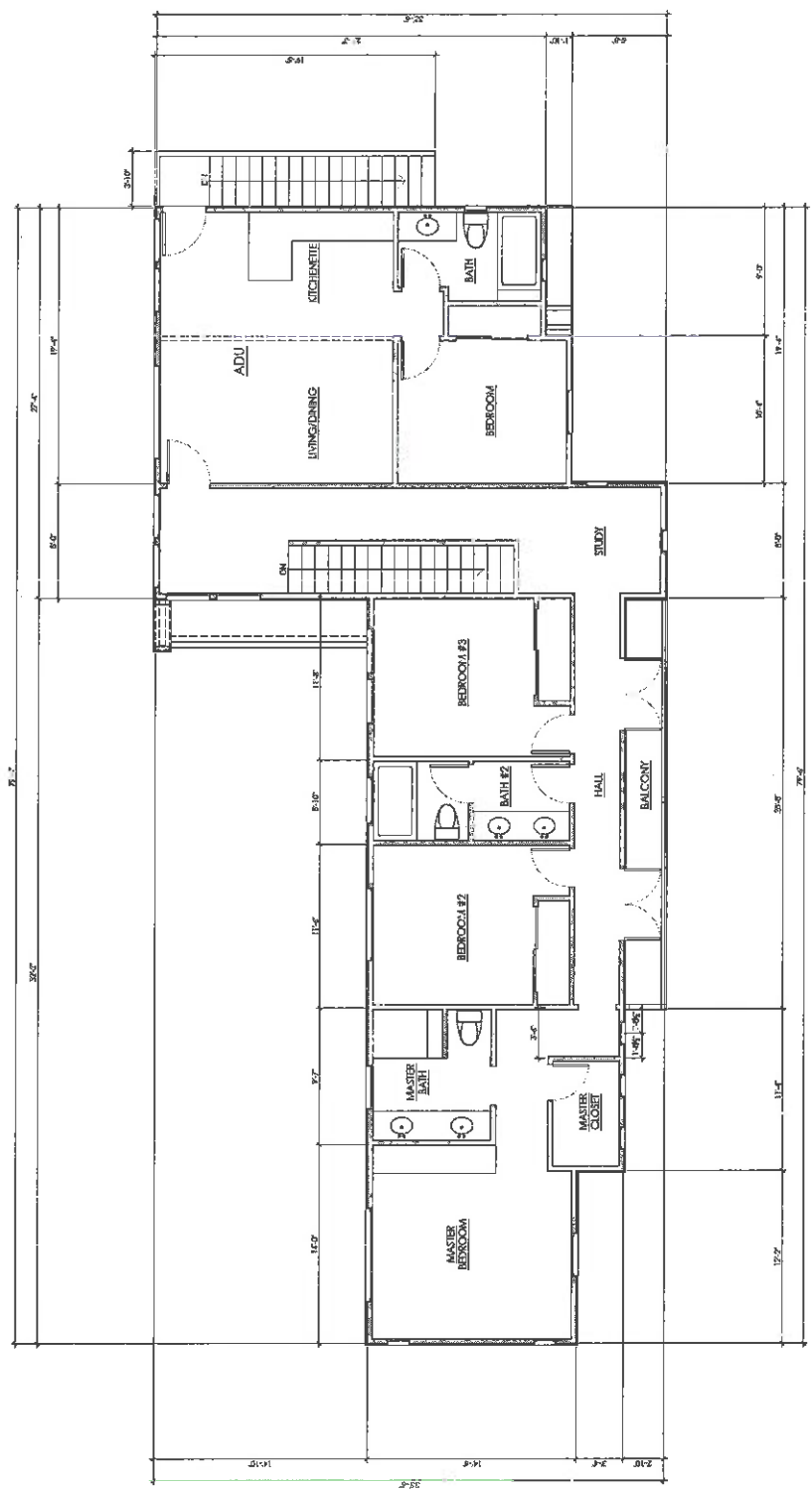






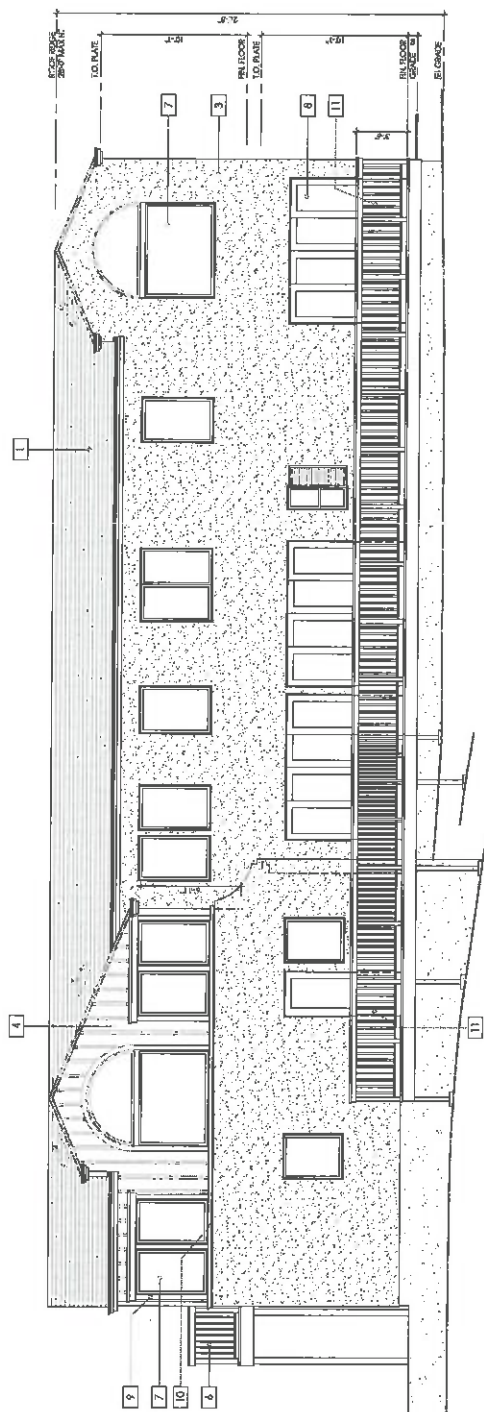


**FIRST FLOOR PLAN - MAIN RESIDENCE WITH ATTACHED ADU**  
SCALE 1/4" = 1'-0"

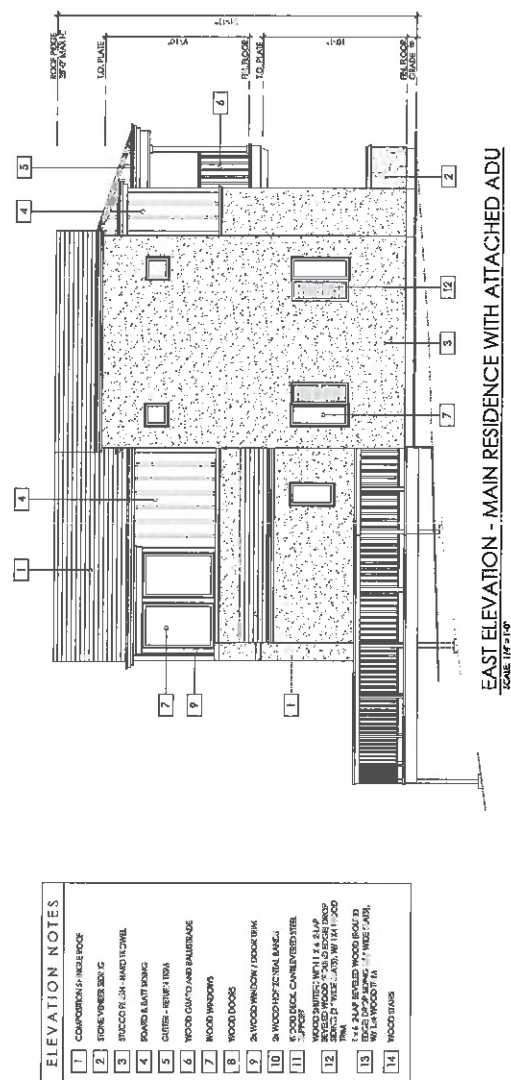


SECOND FLOOR PLAN - MAIN RESIDENCE WITH ATTACHED ADU  
SCALE 1/8"=1'-0"





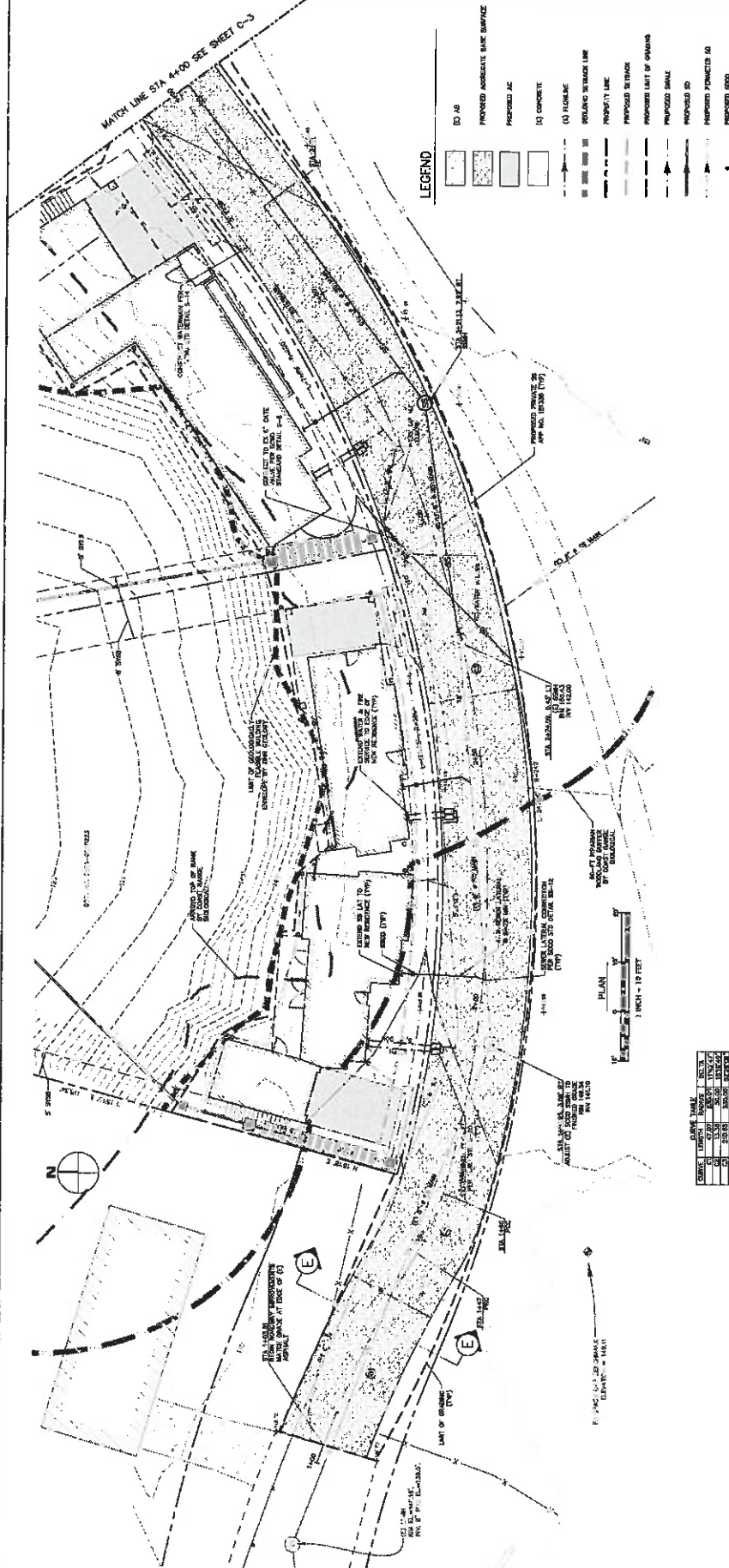
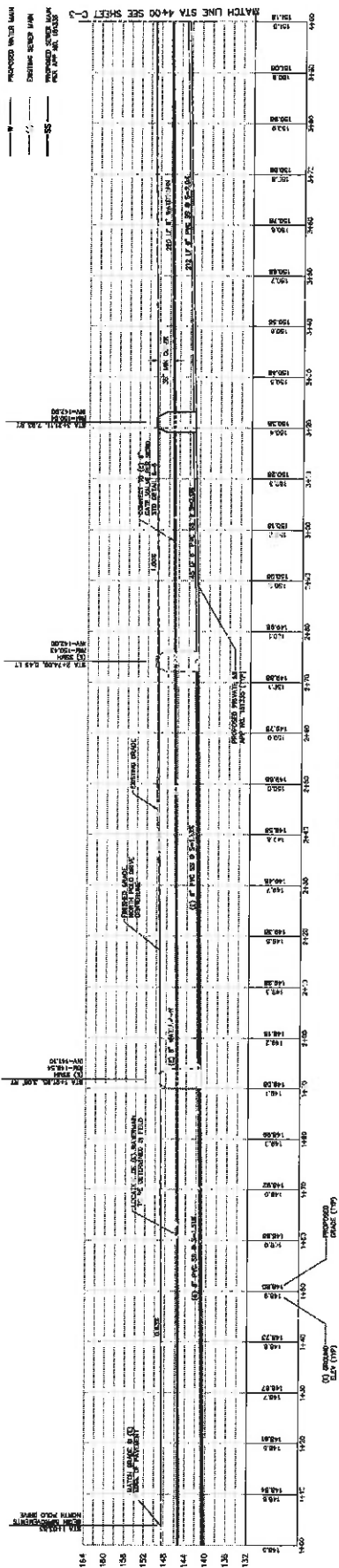
**SOUTH ELEVATION - MAIN RESIDENCE WITH ATTACHED ADU**  
SCALE 1/4" = 1'-0"



EAST ELEVATION - MAIN RESIDENCE WITH ATTACHED ADU

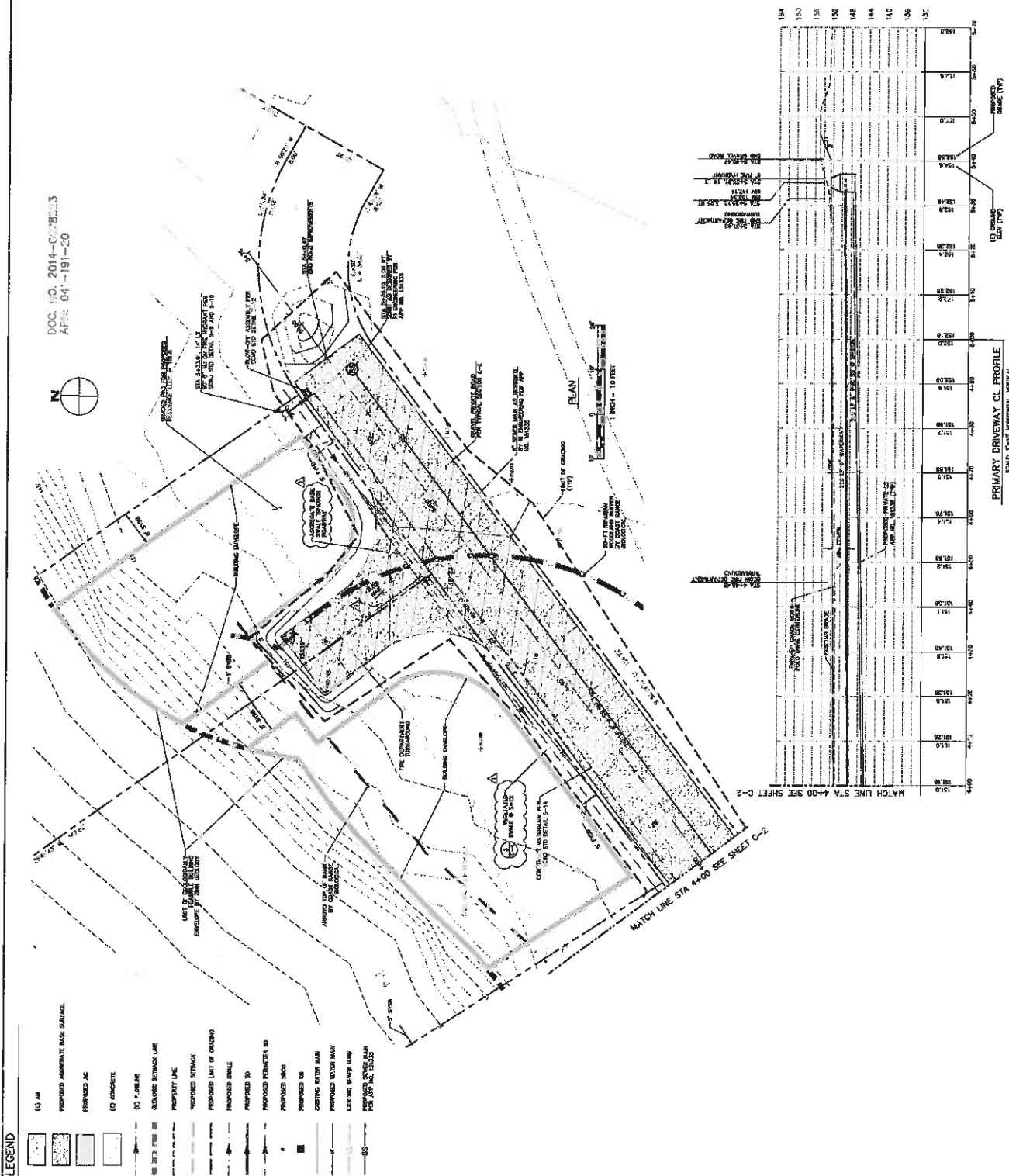


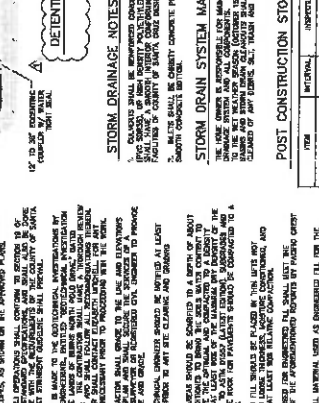
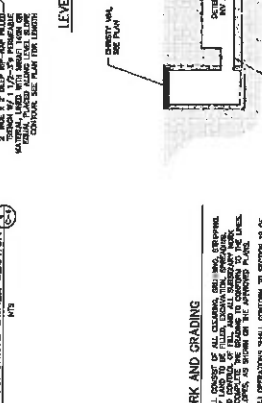
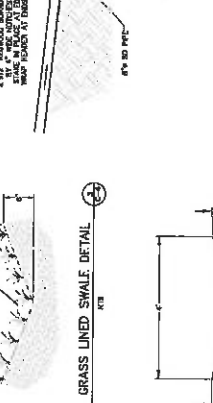
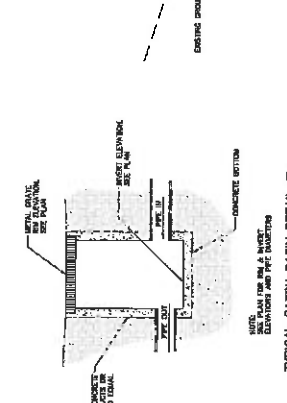
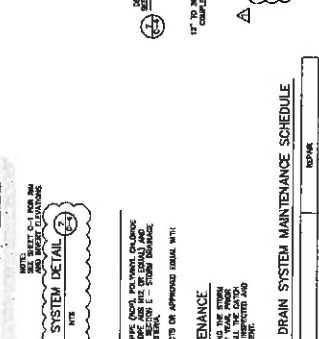
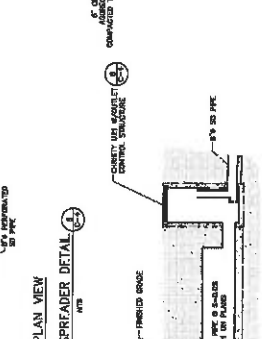
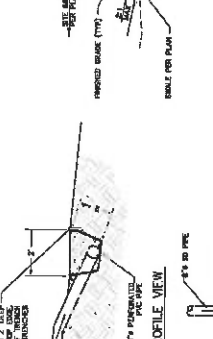
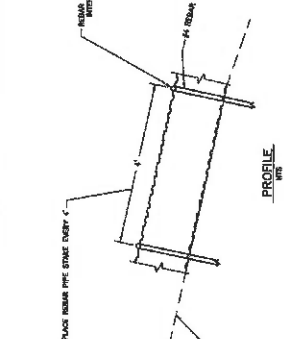
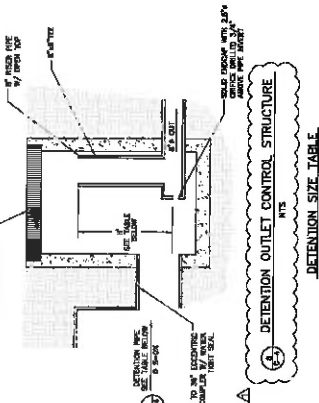
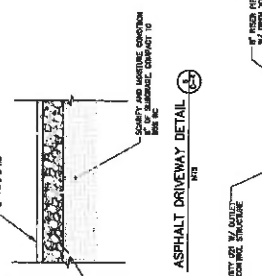
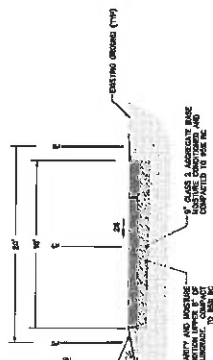
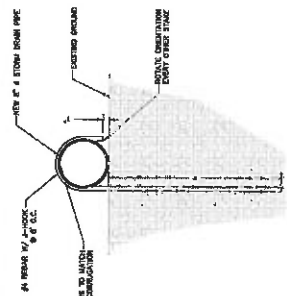
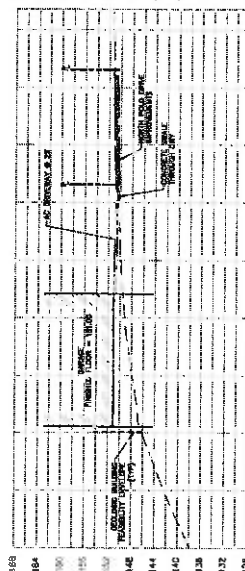
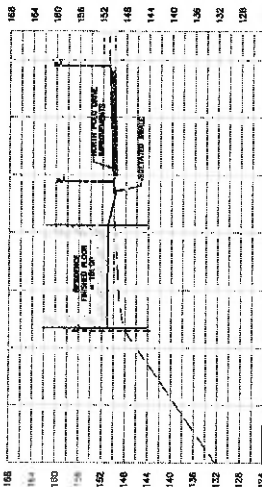
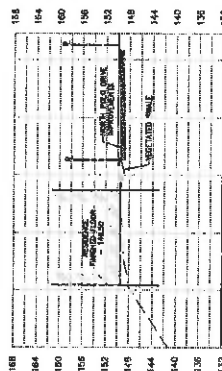
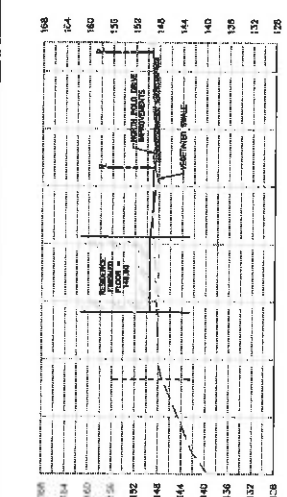






DOC. NO. 2014-000823  
AF#: 041-191-20





DETENTION SIZE TABLE		H DETENTION	
		3'	3'
APN 041-101-42			
APN 041-101-46		1,205'	6'

[illegible]

**STORM DRAINAGE NOTES**

COULD BE REINFORCED WITH POLYMER FIBERS (FIBER POLYMER COMPOSITE) OF HIGH DENSITY POLYETHYLENE (HDPE AND/OR EQUAL) AND SHALL HAVE A SMOOTH INTERIOR CONFORMING TO SECTION 1 - STORM DRAINAGE.

2. BULBS SHALL BE ORIGINALLY CONCRETE PRODUCTS OR APPROXIMATELY EQUAL WITH SMOOTH COARSE-SURF. BOTTOM.

## STORM DRAIN SYSTEM MAINTENANCE

TO THE NET WEATHER SEASON (OCTOBER 15th) ALL THE CATCH  
SEAMS AND STORM DRUM CLEANLTY SHALL BE INSPECTED AND  
CLEANED OF ANY CORRS, SALT, TRASH AND SEDIMENT.

## POST CONSTRUCTION STORM DRAIN SYSTEM MAINT

ITEM	INTERVAL	INSPECTION
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1. RESEARCH	5/17/04-5/26/04	2. RESEARCH
3. RESEARCH	5/27/04-5/31/04	4. RESEARCH
5. RESEARCH	6/1/04-6/5/04	6. RESEARCH
7. RESEARCH	6/6/04-6/10/04	8. RESEARCH
9. RESEARCH	6/11/04-6/15/04	10. RESEARCH
11. RESEARCH	6/16/04-6/20/04	12. RESEARCH
13. RESEARCH	6/21/04-6/25/04	14. RESEARCH
15. RESEARCH	6/26/04-6/30/04	16. RESEARCH
17. RESEARCH	7/1/04-7/5/04	18. RESEARCH
19. RESEARCH	7/6/04-7/10/04	20. RESEARCH
21. RESEARCH	7/11/04-7/15/04	22. RESEARCH
23. RESEARCH	7/16/04-7/20/04	24. RESEARCH
25. RESEARCH	7/21/04-7/25/04	26. RESEARCH
27. RESEARCH	7/26/04-7/30/04	28. RESEARCH
29. RESEARCH	7/31/04-8/4/04	30. RESEARCH
31. RESEARCH	8/5/04-8/9/04	32. RESEARCH
33. RESEARCH	8/10/04-8/14/04	34. RESEARCH
35. RESEARCH	8/15/04-8/19/04	36. RESEARCH
37. RESEARCH	8/20/04-8/24/04	38. RESEARCH
39. RESEARCH	8/25/04-8/29/04	40. RESEARCH
41. RESEARCH	8/30/04-9/3/04	42. RESEARCH
43. RESEARCH	9/4/04-9/8/04	44. RESEARCH
45. RESEARCH	9/9/04-9/13/04	46. RESEARCH
47. RESEARCH	9/14/04-9/18/04	48. RESEARCH
49. RESEARCH	9/19/04-9/23/04	50. RESEARCH
51. RESEARCH	9/24/04-9/28/04	52. RESEARCH
53. RESEARCH	9/29/04-10/3/04	54. RESEARCH
55. RESEARCH	10/4/04-10/8/04	56. RESEARCH
57. RESEARCH	10/9/04-10/13/04	58. RESEARCH
59. RESEARCH	10/14/04-10/18/04	60. RESEARCH
61. RESEARCH	10/19/04-10/23/04	62. RESEARCH
63. RESEARCH	10/24/04-10/28/04	64. RESEARCH
65. RESEARCH	10/29/04-11/2/04	66. RESEARCH
67. RESEARCH	11/3/04-11/7/04	68. RESEARCH
69. RESEARCH	11/8/04-11/12/04	70. RESEARCH
71. RESEARCH	11/13/04-11/17/04	72. RESEARCH
73. RESEARCH	11/18/04-11/22/04	74. RESEARCH
75. RESEARCH	11/23/04-11/27/04	76. RESEARCH
77. RESEARCH	11/28/04-12/2/04	78. RESEARCH
79. RESEARCH	12/3/04-12/7/04	80. RESEARCH
81. RESEARCH	12/8/04-12/12/04	82. RESEARCH
83. RESEARCH	12/13/04-12/17/04	84. RESEARCH
85. RESEARCH	12/18/04-12/22/04	86. RESEARCH
87. RESEARCH	12/23/04-12/27/04	88. RESEARCH
89. RESEARCH	12/28/04-1/1/05	90. RESEARCH
91. RESEARCH	1/2/05-1/6/05	92. RESEARCH
93. RESEARCH	1/7/05-1/11/05	94. RESEARCH
95. RESEARCH	1/12/05-1/16/05	96. RESEARCH
97. RESEARCH	1/17/05-1/21/05	98. RESEARCH
99. RESEARCH	1/22/05-1/26/05	100. RESEARCH
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107. RESEARCH	2/11/05-2/15/05	108. RESEARCH
109. RESEARCH	2/16/05-2/20/05	110. RESEARCH
111. RESEARCH	2/21/05-2/25/05	112. RESEARCH
113. RESEARCH	2/26/05-2/28/05	114. RESEARCH
115. RESEARCH	2/29/05-3/2/05	116. RESEARCH
117. RESEARCH	3/3/05-3/7/05	118. RESEARCH
119. RESEARCH	3/8/05-3/12/05	120. RESEARCH
121. RESEARCH	3/13/05-3/17/05	122. RESEARCH
123. RESEARCH	3/18/05-3/22/05	124. RESEARCH
125. RESEARCH	3/23/05-3/27/05	126. RESEARCH
127. RESEARCH	3/28/05-4/1/05	128. RESEARCH
129. RESEARCH	4/2/05-4/6/05	130. RESEARCH
131. RESEARCH	4/7/05-4/11/05	132. RESEARCH
133. RESEARCH	4/12/05-4/16/05	134. RESEARCH
135. RESEARCH	4/17/05-4/21/05	136. RESEARCH
137. RESEARCH	4/22/05-4/26/05	138. RESEARCH
139. RESEARCH	4/27/05-5/1/05	140. RESEARCH
141. RESEARCH	5/2/05-5/6/05	142. RESEARCH
143. RESEARCH	5/7/05-5/11/05	144. RESEARCH
145. RESEARCH	5/12/05-5/16/05	146. RESEARCH
147. RESEARCH	5/17/05-5/21/05	148. RESEARCH
149. RESEARCH	5/22/05-5/26/05	150. RESEARCH
151. RESEARCH	5/27/05-5/31/05	152. RESEARCH
153. RESEARCH	6/1/05-6/5/05	154. RESEARCH
155. RESEARCH	6/6/05-6/10/05	156. RESEARCH
157. RESEARCH	6/11/05-6/15/05	158. RESEARCH
159. RESEARCH	6/16/05-6/20/05	160. RESEARCH
161. RESEARCH	6/21/05-6/25/05	162. RESEARCH

1. ACQUISITION OF TRASH & GRASS	1. DISPLACEMENT OF GRASS
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全通社 東京本部 池田 勇樹	池田 勇樹	
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C-5

DATE: 10/11/2016

PROJECT: NEW SINGLE FAMILY RESIDENCES

CLIENT: TIFANY BLUMS & PROGETTE KONDLE

LOCATION: 303 POTRERO ST., SUITE 42-202, SANTA CRUZ, CA 95060

PROJECT NO.: 17-102-1

DATE: 10/11/2016

PROJECT: NEW SINGLE FAMILY RESIDENCES

CLIENT: TIFANY BLUMS & PROGETTE KONDLE

LOCATION: 303 POTRERO ST., SUITE 42-202, SANTA CRUZ, CA 95060

PROJECT NO.: 17-102-1

DATE: 10/11/2016

PROJECT: NEW SINGLE FAMILY RESIDENCES

CLIENT: TIFANY BLUMS & PROGETTE KONDLE

LOCATION: 303 POTRERO ST., SUITE 42-202, SANTA CRUZ, CA 95060

PROJECT NO.: 17-102-1

DATE: 10/11/2016

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PROJECT NO.: 17-102-1

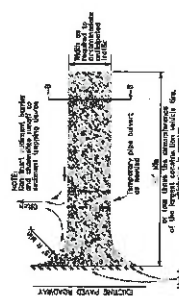
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PROJECT: NEW SINGLE FAMILY RESIDENCES

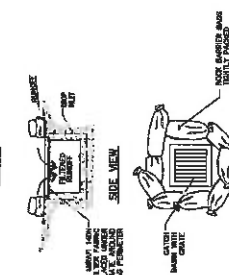
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LOCATION: 303 POTRERO ST., SUITE 42-202, SANTA CRUZ, CA 95060

CONSTRUCTION ENTRANCE DETAIL



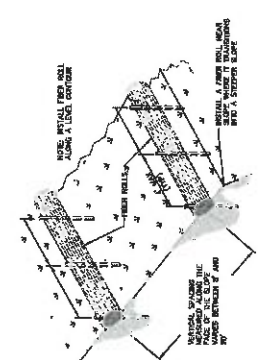
GRAVEL BAG CATCH BASIN PROTECTION



FIBER ROLL DETAIL IN SLOPE AREA



TYPICAL FIBER ROLL INSTALLATION



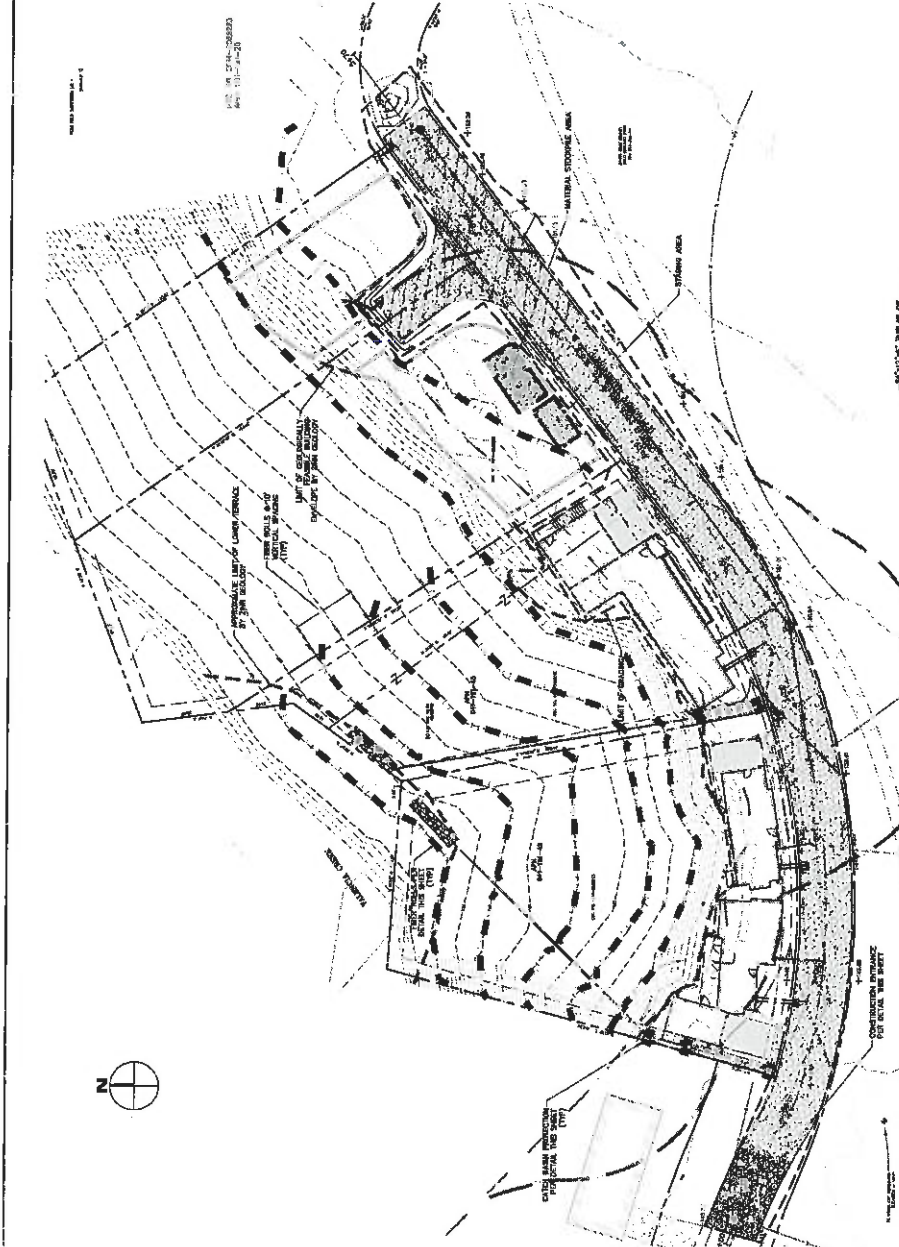
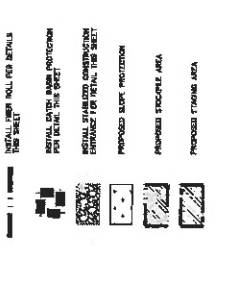
EROSION CONTROL MEASURES

- 1. EROSION CONTROL MEASURES SHALL BE INSTALLED AT ALL TIMES DURING CONSTRUCTION TO PREVENT EROSION OF EXPOSED SOILS.
- 2. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- 3. EROSION CONTROL MEASURES SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
- 4. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

EXPOSED SLOPE MEASURES

- 1. COVER ALL EXPOSED SLOPES.
- 2. EROSION CONTROL MEASURES SHALL BE INSTALLED AT ALL TIMES DURING CONSTRUCTION TO PREVENT EROSION OF EXPOSED SOILS.
- 3. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- 4. EROSION CONTROL MEASURES SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.

EROSION CONTROL LEGEND



1. EROSION CONTROL MEASURES SHALL BE INSTALLED AT ALL TIMES DURING CONSTRUCTION TO PREVENT EROSION OF EXPOSED SOILS.

2. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

3. EROSION CONTROL MEASURES SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.

4. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

5. EROSION CONTROL MEASURES SHALL BE INSTALLED AT ALL TIMES DURING CONSTRUCTION TO PREVENT EROSION OF EXPOSED SOILS.

6. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

7. EROSION CONTROL MEASURES SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.

8. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

9. EROSION CONTROL MEASURES SHALL BE INSTALLED AT ALL TIMES DURING CONSTRUCTION TO PREVENT EROSION OF EXPOSED SOILS.

10. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

11. EROSION CONTROL MEASURES SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.

12. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

13. EROSION CONTROL MEASURES SHALL BE INSTALLED AT ALL TIMES DURING CONSTRUCTION TO PREVENT EROSION OF EXPOSED SOILS.

14. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

15. EROSION CONTROL MEASURES SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.

16. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

17. EROSION CONTROL MEASURES SHALL BE INSTALLED AT ALL TIMES DURING CONSTRUCTION TO PREVENT EROSION OF EXPOSED SOILS.

18. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

19. EROSION CONTROL MEASURES SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.

20. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

TOTAL AREA OF DISTURBANCE = 0.43 ACRES

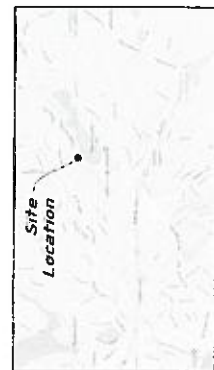
SITE HOUSEKEEPING REQUIREMENTS

- 1. EROSION CONTROL MEASURES SHALL BE INSTALLED AT ALL TIMES DURING CONSTRUCTION TO PREVENT EROSION OF EXPOSED SOILS.
- 2. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- 3. EROSION CONTROL MEASURES SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE PROJECT.
- 4. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:

**Basics of Bearings**  
 The basis of bearings for this map is adjusted ground measurements per unrecorded map 188-1111. The field subdivision No. 1, Santa Cruz County Records.

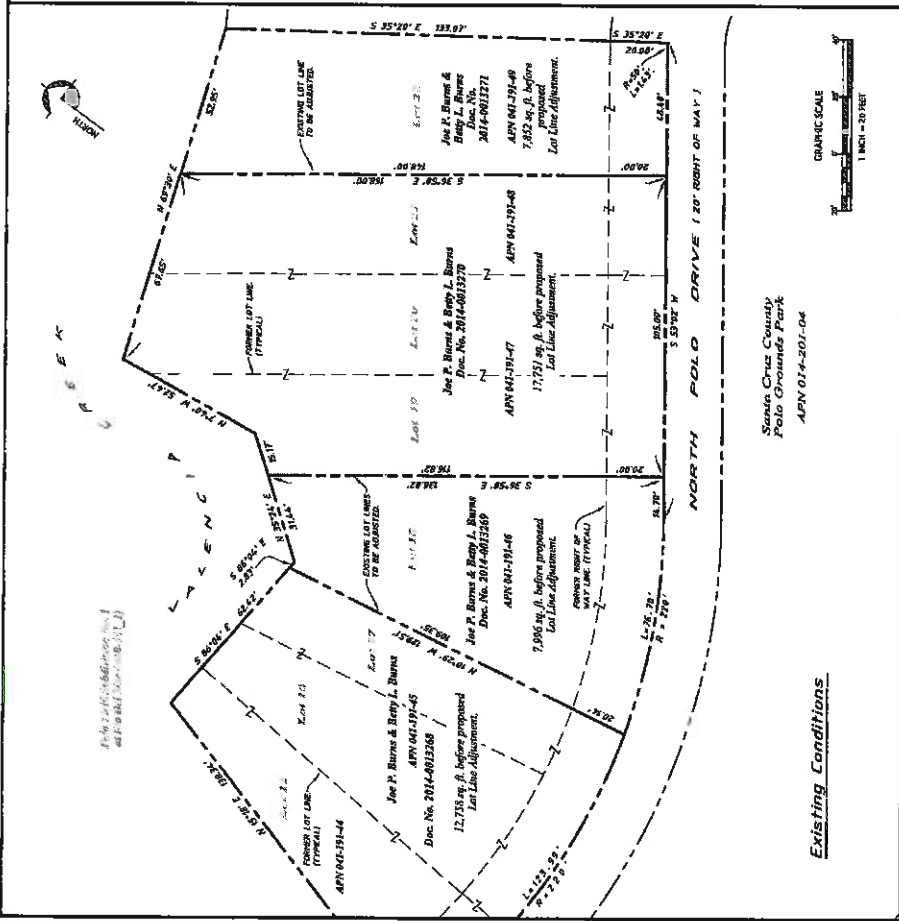
**Table of Areas**

APN	EXISTING AREA	PROPOSED CHANGE IN AREA	PROPOSED AREA
91-09-14 & 15	12,750 sq. ft.	+482 sq. ft.	13,232 sq. ft.
91-09-14-6	7,796 sq. ft.	+205 sq. ft.	8,001 sq. ft.
91-09-17 & 18	15,701 sq. ft.	+343 sq. ft.	16,044 sq. ft.
91-09-19	2,822 sq. ft.	+127 sq. ft.	2,949 sq. ft.



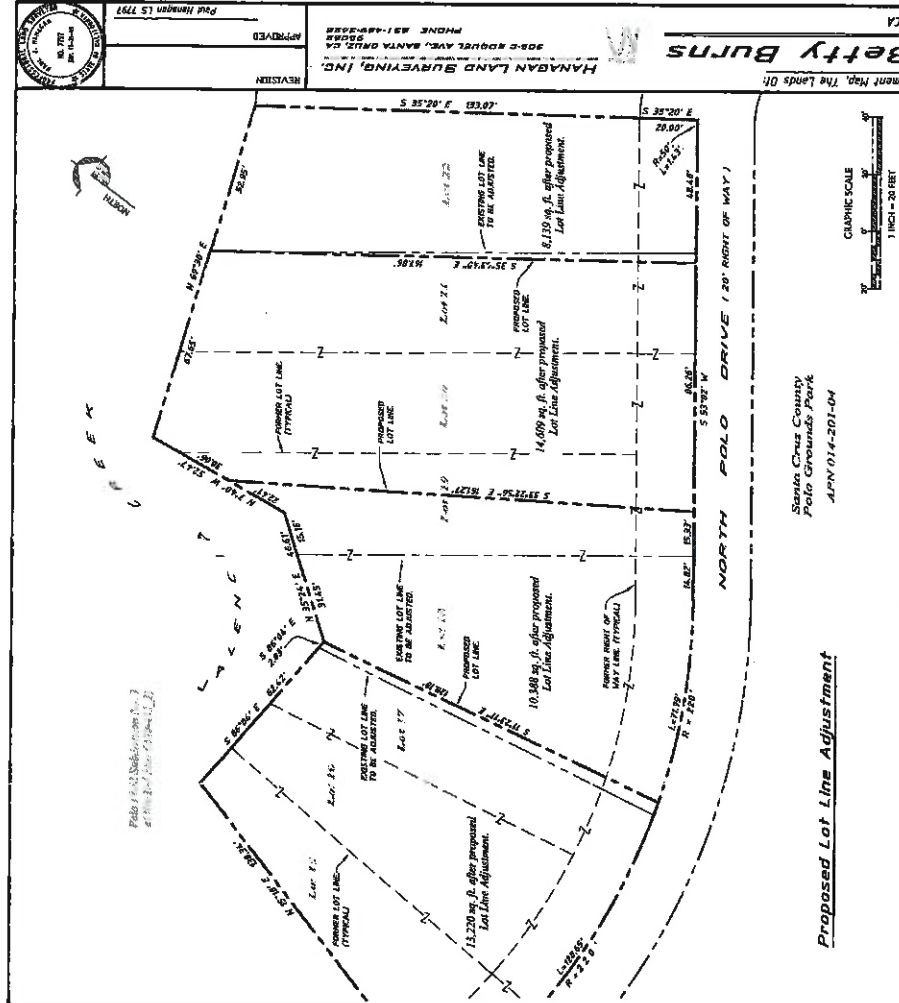
**Location Map**  
 Within Acres, County of Santa Cruz (no scale)

**Existing Conditions**



Santa Cruz County  
 Polo Grounds Park  
 APN 014-201-04

**Proposed Lot Line Adjustment**



Santa Cruz County  
 Polo Grounds Park  
 APN 014-201-04

## **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 cannot be made, in that the project is located within the right-of-way for North Polo Drive. Although this section of the road is a private right-of-way that is not currently County-maintained, the Santa Cruz County Public Finance Authority (PFA) holds title to the Polo Grounds Park, which provides by deed that the PFA holds "Rights of Way for Road purposes" over both North Polo and South Polo Drive, and over Polo Avenue, as shown upon the map of Subdivision 3 of Aptos Beach Country Club Properties. This right is set out in the 1987 deed conveyed from the prior owners of the Park to the PFA's predecessor, the Santa Cruz County Public Improvements Corporation, and from that entity to the PFA (2002). In addition, other owners of properties within the subdivision, by law, also have an easement appurtenant to those properties over the entire network of streets set out in the subdivision map, including the entire 40' width of North Polo Drive.

The proposal to extend North Polo Drive (a County maintained roadway) within only the southern half of the 40-foot private right-of-way does not meet County Design Criteria for a road serving six lots (the subject four parcels, one additional residential parcel at the end of North Polo Drive and the County-owned parcel developed as a public park). Where the parcels are within the urban services line, like the subject parcels, a road serving four or more lots is recommended to meet an urban local street standard by the Department of Public Works, Road Engineering Division. These local street standards require pedestrian access facilities and on street parking shoulders with a minimum right of-way width of 40 feet. Therefore, a reduction in the width of the right-of-way would be detrimental to the public in that pedestrian access along the street and parking would not be provided in an area that is used extensively by the public.

Furthermore, Master Development Permit 91-0749 for the Polo Grounds Neighborhood/Community/Regional Park, which implemented the Site Development Master Plan for the Polo Grounds Neighborhood /Community/Regional Park in Aptos and the certified Environmental Impact Report (EIR), required as a condition of approval that the right-of-way for North Polo Drive, where it extends beyond the existing County maintained road and including the section that fronts onto the subject properties, be improved as an access road with two 12-foot wide paved travel lanes and one 6 to 8-foot wide parking lane on the park side of the street. The road improvements were required in order to provide both vehicle and emergency access to proposed park facilities as well as additional parking for park users. Development of the proposed project would therefore be detrimental to the general public in that it would preclude the future improvements and development of the County Park as approved in the Master Plan and Development Permit.

**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.**

The proposed location of the proposed project is not consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located, in that the proposed single-family dwellings and associated accessory structures are proposed to be constructed almost entirely within the right-of-way for North Polo Drive.

Furthermore, reduction of the exiting 40-foot right-of-way that provides access to the subject parcels to 20 feet to accommodate the proposed homes/building envelopes would be inconsistent with County Code section 13.10.521, which requires that "A parcel created by the approval of a tentative map or conditional certificate of compliance, may not be used as a building site unless it has its principal frontage on a public street or a private right-of-way at least 40 feet wide, nor may a new vehicular right-of-way be created less than 40 feet in width unless otherwise approved." The original parcels underlying the proposed project were created subject to access by the 40-foot right-of-way for North Drive (currently North Polo Drive) and this right-of-way has not been extinguished. Because the right-of-way provides access to five residential parcels as well as to the County-owned Polo Grounds Neighborhood/Community/Regional Park (a total of six parcels), a reduction of the right-of-way from 40 feet to 20 feet would be inconsistent with the both the County Design Criteria as required under County Code chapter 15.10 for the development of new road access and Master Development Permit 91-0749 for the County Park and therefore a development approval to reduce the width of the right-of-way would not be appropriate and could not be approved.

The proposed structures would not comply with all current site standards for the zone district as set out in County Code section 13.10.323. The proposed Lot A, also includes a habitable accessory structure, located above a garage, that would have a height of 24 feet 7 inches and that includes bathroom facilities. As set out in County Code section 13.10.611 a habitable accessory structure is limited to one-story, with a maximum height of 17 feet, and bathroom facilities are not allowed unless otherwise approved subject to a development permit. In addition, a habitable accessory structure may only be constructed on a parcel that is developed with a single-family dwelling. The approval of a development permit for the proposed accessory structure and bathroom facilities is inappropriate because the associated single-family dwelling cannot be constructed since the proposed structure would be located, for the most part, within a right-of-way.

Furthermore, the proposed project is located entirely within the 30-foot riparian buffer from the top of the arroyo for Valencia Creek. A Riparian Exception has been requested to support the project. However, one of the required findings for a Riparian Exception is that "the exception is necessary for the proper design and function of some permitted activity on the property". Therefore, because the proposed dwellings and accessory structures are mostly shown to be constructed within a right-of-way, a location that cannot be permitted, staff determined that a detailed analysis of the impacts of the proposed buildings on the riparian corridor was unwarranted for this project.

Therefore, this finding cannot be made.

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

The proposed single-family homes and potential future homes would not be properly proportioned to the parcel size and 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 homes would not comply with the required setbacks for the R-1-6 zone district because building sites have been proposed such that they are mostly within the right-of-way for North Polo Drive. In addition, the submitted information does not confirm that the proposed structures would comply with standards for lot coverage and floor area ratio, as land within the 40-foot right-of-way was not deducted from the gross site area, which is used as the basis for calculations of these standards. In addition, the calculations of lot coverage and floor-area-ratio have been calculated based on the parcel as a whole, including all of the steeply sloping land that lies within the arroyo along Valencia Creek. Therefore, because most of the land within the parcel is not readily visible from public viewpoints, the proposed structures would be out of proportion to the visual size of the parcels.

Moreover, existing residential development along North Polo Drive generally consists of small single-family homes, many of which are one story. The average size of houses along North Polo Drive is 1,166 square feet and only 50% of the parcels are also developed with garages, none larger than 450 square feet. The proposed project would result in the development of visually larger two-story structures. On lot A, the lot adjacent to the end of the County maintained road, the proposed dwelling would be 1,412 square feet and the total proposed habitable floor area would be 2,297 square feet with an additional 406 square feet of garage/carport, and on lot B located east of parcel A, the proposed dwelling would be 2,325 square feet and the total proposed habitable floor area would be 2,866 square feet with an additional 541 square foot garage. Future developments on lots C and D would likely be of a similar size. Therefore, the proposed project would not be in scale with the existing neighborhood.

The proposed location of the single-family dwellings and accessory structures, close to the center of the Polo Grounds Neighborhood/Community/Regional Park, would be inconsistent with General Plan Objectives 5.10a (Protection of Visual Resources), 5.10.b (New Development in Visual Resource Areas) and General Plan Policy 5.10.3 (Protection of Public Vistas) in that the proposed location of the dwellings on each of four residential parcels and the proposed access road may not be appropriate in this context. Because these residential units would be immediately adjacent to and directly facing a public County Park, there is a need for appropriate and reasonable screening and buffer space between the public park and residential units. The proposed layout of the proposed developments would preclude the ability to provide such a buffer/screen and therefore the proposed structures, which visually appear to be would be extremely prominent in public views from almost the entire area of the adjacent County Park.

The development of dwellings that would encroach into the right-of-way for North Polo Drive in is not consistent with General Plan Objective 7.1a (Parks and Recreation Opportunities) in that Master Development Permit 91-0749 for the Polo Grounds Neighborhood/Community/Regional Park, which implemented the Site Development Master Plan for the Polo Grounds Neighborhood /Community/Regional Park in Aptos (1989) and the certified EIR (1994), required as a condition of approval that the right-of-way for North Polo Drive, where it extends beyond the existing

County maintained road and including the section that fronts onto the subject properties, be improved as an access road with two 12-foot wide paved travel lanes and one 6 to 8-foot wide parking lane on the park side of the street. The proposed development would render development of the roadway and parking required to facilitate the development of new park facilities as set out in the Master Plan, infeasible and therefore reduce the potential range of recreational facilities that may be made available for public enjoyment of the park.

A specific plan has not been adopted for this portion of the County.

- 4. 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 cannot be made, in that the proposed structures would be located along an extension to North Polo Drive, where the homes are all small single-family homes, many of which are one story. The average size of existing houses along North Polo Drive is 1,166 square feet and only 50% of the parcels are also developed with garages, none larger than 450 square feet. The proposed project would result in the development of visually larger two-story structures. On lot A, the lot adjacent to the end of the County maintained road, the proposed dwelling would be 1,412 square feet and the total proposed habitable floor area would be 2,297 square feet with an additional 406 square feet of garage/carport, and on lot B located east of parcel A, the proposed dwelling would be 2,325 square feet and the total proposed habitable floor area would be 2,866 square feet, with an additional 541 square foot garage. Future developments on lots C and D would likely be of a similar size. Therefore, the proposed project would not be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

- 5. 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.**

Design Review is required for the proposed project as set out in County Code section 13.11.040(J) in that, although single-family homes do not generally trigger this requirement, "design review requirements may be imposed on a project if the Planning Director, or his/her designee, certifies that the nature of the project is significant in respect to the purpose of design review as defined in this chapter." The proposed single-family dwellings and accessory structures have been proposed within an area that currently functions as and appears visually to be a part of the Polo Grounds Neighborhood/Community/Regional Park. Therefore, the requirement for Design Review is clearly supported by County Code section 13.11.010(A)(2), "Purpose of Design Review", which includes "To protect open space for its aesthetic, recreational and environmental values." The proposed homes have been designed to be close to the maximum allowed height (27.3 feet and 27.5 feet) and, due to the restricted building area, would extend across the entire width of each parcel. As a result, the structures would appear to be considerably larger than existing homes along North Polo Drive and out of scale with their surroundings. In addition, because North Polo Drive swings in a southerly direction adjacent to the subject parcels and runs closer to the center of the park, there would be no available area, either in front of the homes or on the park side of the proposed access road, for landscaping that could potentially screen or soften the appearance of the proposed homes. Therefore, the structures would most likely be very prominent in public views from the adjacent park.



Design review materials, that would provide staff with additional information regarding the potential visual impacts of the proposed structures were requested in correspondence from the County dated May 10, 2018. In addition, staking of the property corners and proposed building sites was required so that staff Planning Department and Parks Department staff could visually assess the relationship between the proposed structures and the existing landscape. However, none of the requested additional information was provided. Therefore, staff has been unable to more fully analyze the visual impact of the proposed structures or their potential impact on the Polo Grounds County Park and therefore has not been able to determine whether the project is consistent with the Design Standards and Guidelines set out in County Code sections 13.11.070 through 13.11.076.

Therefore, this finding cannot be made.

## **Variance Findings**

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

This finding cannot be made in that the proposed single-family dwellings and associated accessory structures are proposed to be constructed almost entirely within the right-of-way for North Polo Drive. No other property in the vicinity and under identical zoning enjoys the privilege of construction of structures almost entirely within right-of-way easements, and therefore no Variance is appropriate to allow such a use.

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

This finding cannot be made, in that the project is located within the right-of-way for North Polo Drive. Although this section of the road is a private right-of-way that is not currently County-maintained, Santa Cruz County Public Financing Authority (PFA) holds title to the Polo Grounds Park which provide by deed that the PFA holds "Rights of Way for Road purposes" over both North Polo and South Polo Drive, and over Polo Avenue, as shown upon the map of Subdivision 3 of Aptos Beach Country Club Properties. This right is set out in the 1987 deed conveyed from the prior owners of the Park to the PFA's predecessor, the Santa Cruz County Public Improvements Corporation, and from that entity to the PFA (2002). In addition, other owners of properties within the subdivision, by law, also have an easement appurtenant to those properties over the entire network of streets set out in the subdivision map, including the entire 40' width of North Polo Drive.

Master Development Permit 91-0749 for the Polo Grounds Neighborhood/Community/Regional Park, which implemented the Site Development Master Plan for the Polo Grounds Neighborhood /Community/Regional Park in Aptos (1989) and the certified Environmental Impact Report (EIR) (1994), required as a condition of approval that the right-of-way for North Polo Drive, where it extends beyond the existing County maintained road and including the section that fronts onto the subject properties, be improved as an access road with two 12-foot wide paved travel lanes and one 6 to 8-foot wide parking lane on the park side of the street. The road improvements were required in order to provide both vehicle and emergency access to proposed park facilities as well as additional parking for park users. Development of the proposed project would therefore be detrimental to the general public in that it would preclude the future improvements and development of the County Park as approved in the Master Plan and Development Permit.



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

Nothing the Applicant has presented demonstrates that rights-of-way over the entire 40-foot width of North Polo Drive have been extinguished. As such, development cannot be approved in that area which would interfere with those rights-of-way. The granting of a Variance to permit the development of land within a right-of-way would be a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone and therefore this finding cannot be made.

## **Lot Line Adjustment Findings**

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

This finding could be made, in that there were four parcels prior to the adjustment and there would be four 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).**

None of the parcels have a General Plan designation of 'Agriculture' or 'Agricultural Resource' and none of the parcels are zoned 'TP' or have a designated Timber Resource as shown on the General Plan maps.

As shown on the submitted plans, land lying within the northern half of the 40-foot right-of-way for North Polo Drive was not deducted from the net site area calculation for each of the proposed parcels. Therefore, staff is unable to determine whether the proposal complies with the General Plan designation of the southern portion of the adjusted parcels (R-UL - Urban Low Density Residential) per 13.10.673(E).

The buildability if the existing parcels has not yet been determined in that proof of the availability of water to serve the proposed development has not been provided. Although requested, a will-serve letter from the Soquel Creek Water Department was not submitted. Furthermore, no information has been provided that conclusively shows that the parcels could be developed in their existing configuration. The submitted plans indicate only building sites on the adjusted parcels, not on the original parcels, and these are substantially located within an area that has conclusively been shown to be unbuildable because the designated building envelopes are largely within a legally described right-of-way. Therefore, staff is unable to determine that additional building sites would not be created as a result of a lot line adjustment.

This finding cannot be made.

- 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.**

As shown on the submitted plans, land lying within the northern half of the 40-foot right-of-way for North Polo Drive was not deducted from the net site area calculation for each of the proposed parcels. Therefore, staff is unable to confirm whether the parcels included in the proposed project would be reduced below the minimum parcel size required by the zone district as a result of the proposed lot line adjustment.

Therefore, this finding cannot be made.

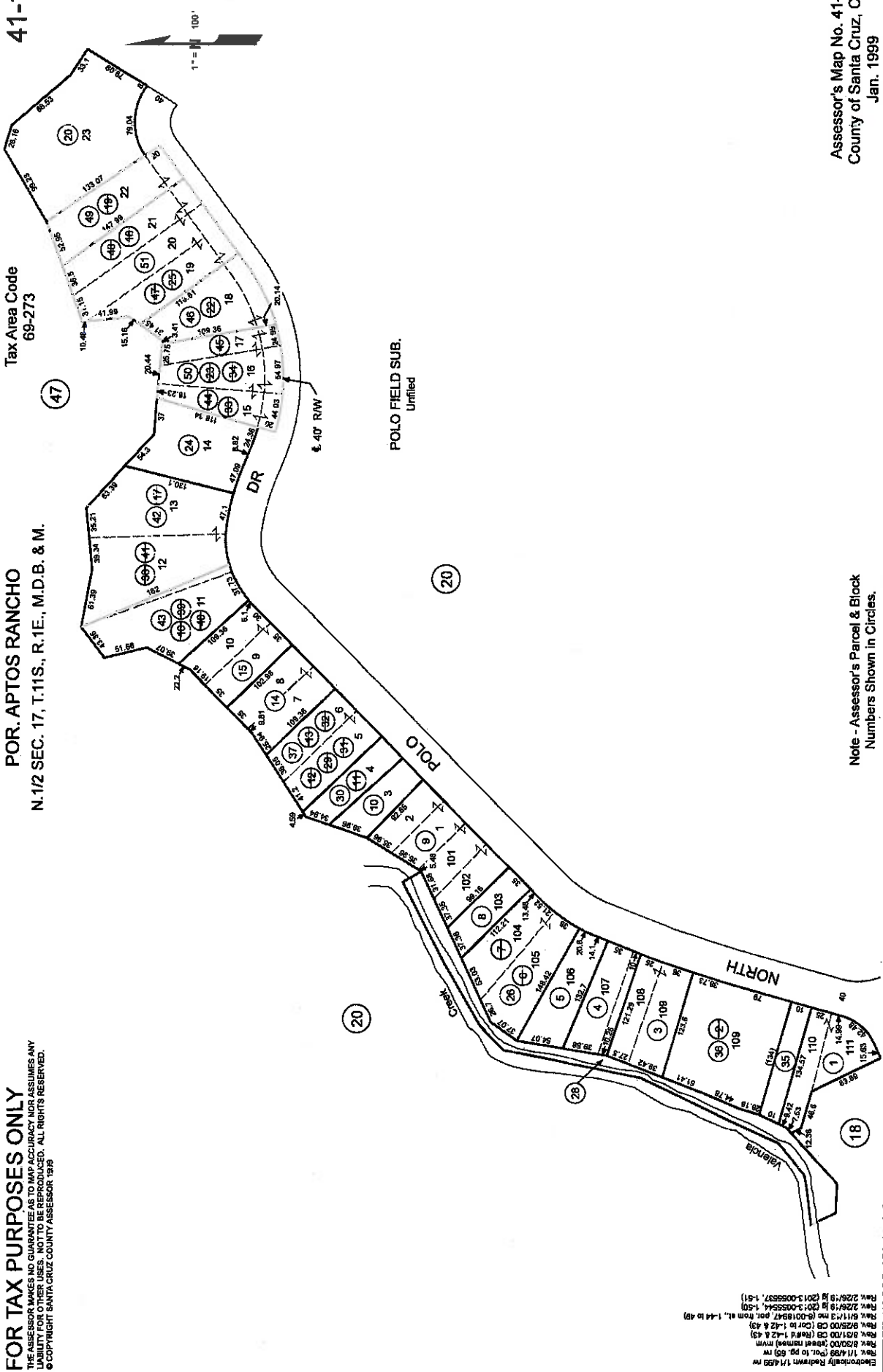
**FOR TAX PURPOSES ONLY**

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**POR. APTOS RANCHO**  
 N.1/2 SEC. 17, T.11S., R.1E., M.D.B. & M.

**Tax Area Code**  
 69-273

**41-19**

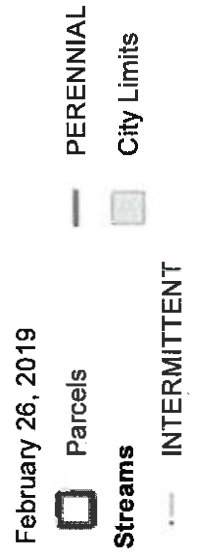
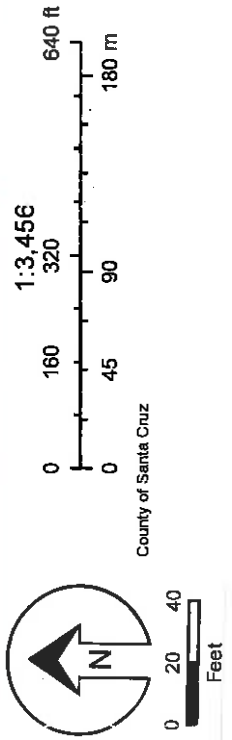


Assessor's Map No. 41-19  
 County of Santa Cruz, Calif.  
 Jan. 1999

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

Electronically Redrawn 1/14/99 by  
 RAK 1/14/99 (90% to 95.65 in  
 RAK 8/20/00 (sheet removed) mvm  
 RAK 8/21/00 CB (Road 1-42 & 43)  
 RAK 8/22/00 CB (Cor to 1-42 & 43)  
 RAK 8/17/00 (2013-001547) 100' from AL, 1-44 to 49)  
 RAK 2/26/19 by (2013-0055344, 1-51)  
 RAK 2/26/19 by (2013-0055337, 1-51)

# PARCEL LOCATION MAP





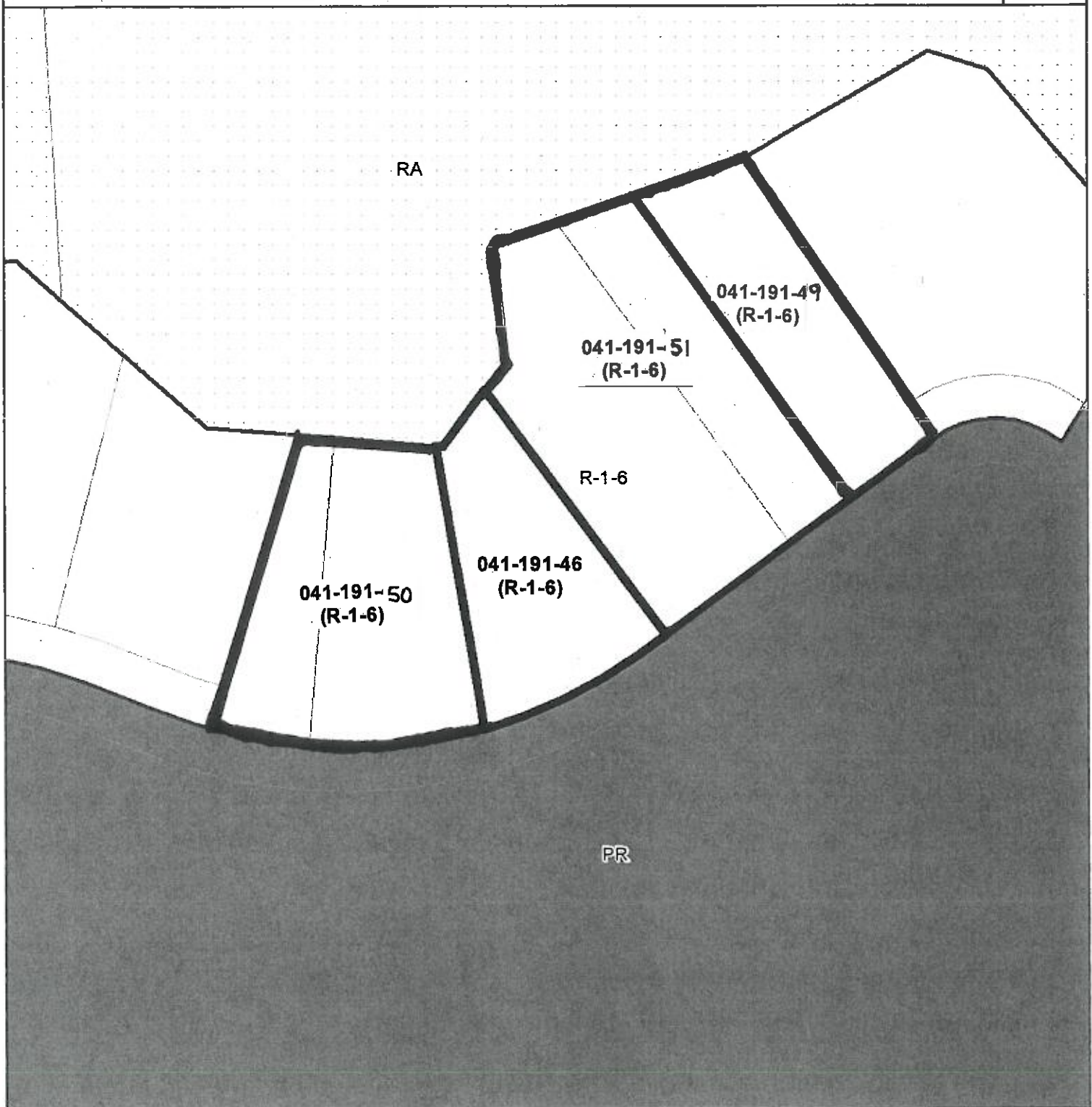





SANTA CRUZ COUNTY PLANNING DEPARTMENT

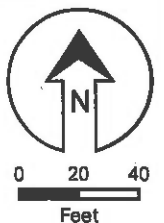
**Parcel Zoning Map**



Mapped  
Area



-  RA Residential Agricultural
-  PR Parks, Recreation, & Open Space
-  R-1 Single-Family Residential

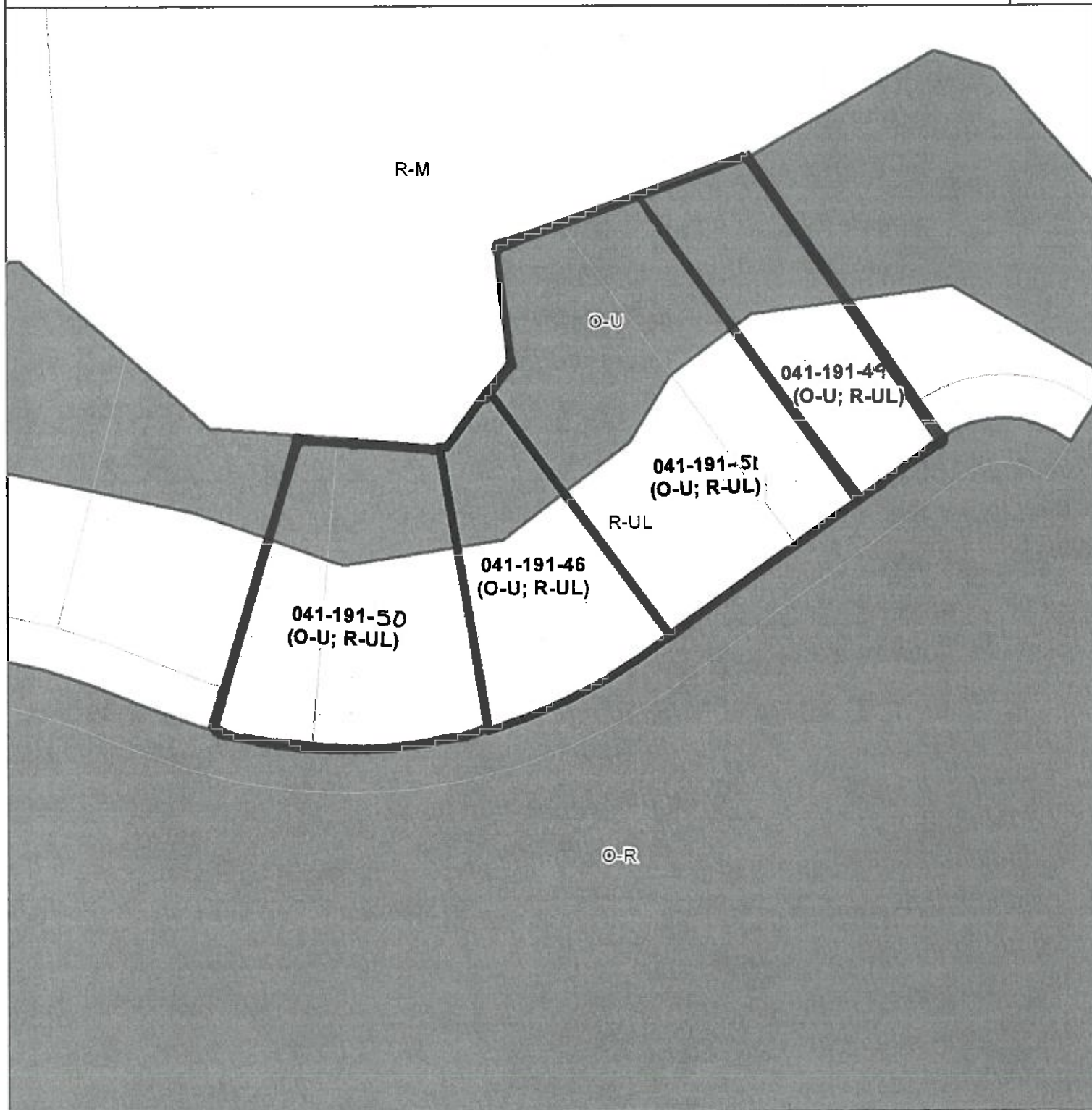




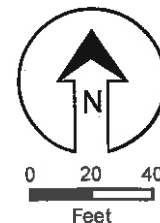
# Parcel General Plan Map



Mapped  
Area



- O-R Parks, Recreation & Open Space
- O-U Urban Open Space
- R-M Residential Mountain
- R-UL Res. Urban Low Density



## Parcel Information

### 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:	Aptos/La Selva Fire Protection District
Drainage District:	Flood zone 6

### Parcel Information

Parcel Sizes:	12,758 sq.ft., 7,996 sq.ft., 17,751 sq.ft. and 7,852 sq.ft
Existing Land Use - Parcel:	Vacant land that functions as part of the Polo Grounds County Park
Existing Land Use - Surrounding:	Polo Grounds Neighborhood/Community/Regional Park to the south and east, residential neighborhood to the west, wooded arroyo/riparian corridor to the north.
Project Access:	North Polo Drive
Planning Area:	Aptos
Land Use Designation:	R-UL / O-U (Urban Low Density Residential / Urban Open Space )
Zone District:	R-1-6 (Single Family Residential - 6,000 square foot minimum)
Coastal Zone:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Technical Reviews:** Combined Soils and Geologic Report Review (REV181056), a Biotic Report Review (REV181057 and an Archaeologic Report Review (REV181058).

### Environmental Information

Geologic Hazards:	Steep, unstable slopes over northern $\frac{3}{4}$ of parcels, see the Geologic Report for the project
Fire Hazard:	Not a mapped constraint
Slopes:	Within right-of-way slopes are 0-15%, outside the right-of-way there are limited areas with slopes of 0-30%, the remaining land is sloped >30% with substantial areas of slopes exceeding 50%.
Env. Sen. Habitat:	See the Biotic Report prepared for the project
Grading:	Approximately 24 cubic yards proposed
Tree Removal:	Oak woodland at the edge of the arroyo along Valencia Creek to be removed and several small trees within the open grassland area adjacent to the end of North Polo Drive
Scenic:	Not a mapped resource but the proposed building sites are prominent in views from throughout the adjacent Polo Grounds County Park.
Archeology:	See the Archaeologic Report for the project.

## Lezanne Jeffs

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**From:** Theresa Locke-Paddon <theresalockepaddon@gmail.com>  
**Sent:** Thursday, December 27, 2018 11:30 AM  
**To:** Lezanne Jeffs  
**Subject:** Re: Polo Drive Sewer Extension future connections

Lezanne Jeffs:

As we spoke today on the phone about North Polo Drive, Aptos, future sewer connections, and the assessment district. See forwarded County document concerning reimbursement to the Assessment District.

Best regards,  
Theresa Locke-Paddon  
831-684-0477  
[theresalockepaddon@gmail.com](mailto:theresalockepaddon@gmail.com)



## Lezanne Jeffs

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**From:** Theresa Locke-Paddon <theresalockepaddon@gmail.com>  
**Sent:** Thursday, December 27, 2018 11:35 AM  
**To:** Lezanne Jeffs  
**Subject:** Fwd: Polo Drive Sewer Extension future connections  
**Attachments:** polo drive sewer extension.pdf

Here it is.  
tip

----- Forwarded message -----

**From:** Theresa Locke-Paddon <theresalockepaddon@gmail.com>  
**Date:** Thu, Dec 27, 2018 at 10:41 AM  
**Subject:** Polo Drive Sewer Extension future connections  
**To:** Theresa Locke-Paddon <theresalockepaddon@gmail.com>

From attachment Page 32 of 53:

Future Connections Extending the sewer main on Polo Avenue and North Polo Drive will provide sufficient capacity to allow for future connections from existing developed parcels as well as vacant parcels on Polo Avenue, South Polo Drive and North Polo Drive not included in the Assessment District. Parcels making future connections to the portion of sewer main extended as part of the Assessment District will be required to reimburse the Assessment District for their proportionate fair share of the total cost of the Improvements (in addition to any applicable District connection fees). The Sanitation District will be contributing Soquel Creek Water District's proportionate share of the Assessment District costs which does not include the ARRA Grant contribution. At such time that Soquel Creek Water District chooses to connect to the sewer system they will be required to repay the district their proportionate share plus accrued interest.

Estimate of Improvement Costs

BOWMAN & WILLIAMS

9

county of santa Cm 0585 Assessment District No. 09-0 1 (North Polo Drive Sewer Extension Project) The total construction cost of the Improvements has been estimated at \$450,276. This estimate includes construction costs, engineering design, construction staking, construction administration and inspection, utility location (potholing) and contingencies. In addition to these costs, the property owners within the Assessment District will be assessed for the other incidental costs to the Assessment District. The total estimated incidental costs are \$60,900, County overhead costs are \$43,449.96. District connection fees are \$24,000. Contributions from the ARRA Grant are \$168,750. The Sanitation District's reimbursement for additional construction required to deepen the new sewer main is \$63,876.12. The Sanitation District's contribution for Soquel Creek Water District's proportionate share of the Assessment District costs is \$98,149.97. As a result, the total amount to be assessed is \$247,849.87.

## Lezanne Jeffs

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**From:** Randy Wardle <wrwardle@hotmail.com>  
**Sent:** Wednesday, March 6, 2019 3:53 PM  
**To:** Lezanne Jeffs  
**Subject:** Proposed housing development at Polo Ground Park in Aptos

To whom it may concern,

I am very dismayed at the proposed development of a road extension and 4 lots with two presently planned houses with ADU's at the Polo Grounds Park in Aptos. I was shocked to hear that some of the property presently encompassing the park is privately owned and planned for development. The land involved is important riparian habitat with trees and creek front used by a variety of wildlife. Red-tailed Hawks and Great-horned Owls and a number of smaller birds nest very near there. Further, there is only a very narrow corridor of land for this development between the already existing ball fields and the cliff dropping down to the creek. Building a road and houses there will destroy the area just beyond the fields. It seems the developers want multiple exception to current building codes in order to squeeze this project into the tiny space available. Asking for a setback from the road of only 5 feet for the structures and exceptions from environmental review seem incongruous with proper construction practices. This proposed development will intrude greatly into the pristine natural setting of the park. I don't believe it is consistent with the surrounding park environment and should be reconsidered in its entirety. I hope you will agree that this land should be left in its natural state and allowed to be added to the already existing Polo Grounds Park.

Sincerely,  
Randy Wardle  
Aptos

**Lezanne Jeffs**

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**From:** Nicki <playern@aol.com>  
**Sent:** Thursday, March 7, 2019 6:01 PM  
**To:** Lezanne Jeffs  
**Subject:** PROPOSED DEVELOPMENT ON NORTH POLO DRIVE

Hi Lezanne:

First of all, I want to thank you for your help in getting the word out to all of us on N Polo Drive. No one would have known about this. I wanted to let you know of my concerns for your report:

1. The size of both of these apartment houses:

Lot A = 2547 square ft. APNS: 46 & 47; Lot B = 3291 square ft plus HAS; 46 & 48 on edge of vulnerable cliff.

Lots C and D for future development. This would encroach on park space.

2. There could be possibility of 8 - 10 additional vehicles on our one lane road. More traffic. No parking on road as it is on Polo.

3. The cliff edge is something all of us on N Polo worry about especially after rain this year. Soil erosion is of great concern to all of us. Trees have come down this year and soil test would need to be done. A portion of the cliff came down not 50 ft from last Lot several years ago.

4. New EIR would need to be done since it was done 25 years ago in 1994 as you said. The wildlife in the area especially the owls would be affected by this construction.

5. Heavy equipment in Polo would ruin our street.

6. Building on the Right of Way is concerning.

Thank you for your attention to this matter.

Nicki Player  
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