



Staff Report to the Zoning Administrator

Application Number: 181079

Applicant: Patrick Flanders

Owner: Murphy

APN: 025-131-20

Site Address: 2615 Soquel Ave, Santa Cruz

Agenda Date: 11/15/19

Agenda Item #: 2

Time: After 9:00 a.m.

Project Description: Proposal to construct a mixed use building with 1,818 square feet of retail space and a 660 square foot residential garage at the first floor and a 1,200 square foot residential unit at the second floor. Project includes construction of a 12 foot high retaining wall and grading of approximately 5,00 cubic yards of material. Requires a Commercial Development Permit and Riparian Exception.

Location: Property located on the north side of Soquel Ave (2615 Soquel Ave) approximately 185 feet west of the intersection with 7th Avenue.

Permits Required: Commercial Development Permit and Riparian Exception

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

Staff Recommendation:

- Consider an Addendum to an Adopted Negative Declaration with mitigations and determine that the proposal is not subject to further Environmental Review under the California Environmental Quality Act.
- Approval of Application 181079, based on the attached findings and conditions.

Project Description & Setting

The subject property is located in northern Live Oak on the northwest corner of the intersection of Soquel Avenue and 7th Avenue. The site is approximately 800 feet south of Highway One.

The subject parcel is partially paved with a large amount of debris left over from the demolition of the former flower shop in accordance with a prior approval (Application 05-0797). Portions of the parcel that remain paved are being used by adjoining parcels and nearby land uses as overflow parking.

The property is part of the Soquel Avenue Commercial corridor, a major east-west transportation artery in the County. Surrounding land uses include Harbor High School to the north and west, an animal hospital to the east and two gas stations to the south.

The project requires approval of a commercial development permit for construction of a mixed use (Commercial/residential) development and a Riparian Exception for grading activities, installation of drainage improvements and restoration activities within the riparian buffer of Arana Gulch.

Project Background

Application 05-0797, for the demolition of an existing flower shop and construction of a new mixed use building was approved on December 5, 2006. The permit authorized a General Plan Amendment, rezoning, Development Permit, Geologic and Soils Report Review, and preliminary grading approval and Riparian Exception for earthwork and drainage improvements in the riparian area. The General Plan Amendment and rezoning have been implemented and the flower shop was demolished. The Commercial Development component requiring construction of the original building was never exercised through issuance of a building or grading permit and went void by limitation.

This is a proposal to construct a similar but revised project that is reduced in scope to include a smaller building, less grading, and removal of fewer trees. The overall concept has not changed in that the current proposal includes a mixed use development consisting of a single commercial use on the lower floor and a single residential unit at the second floor. The proposed design is similar to the original design which incorporates Craftsman-style architecture and native drought tolerant landscaping throughout the project site.

Zoning & General Plan Consistency

The subject property is a 28,000 square foot lot, located in the C-2 (Community Commercial) zone district, a designation which allows commercial uses. The proposed mixed use development is an allowed use within the zone district and the project is consistent with the site's C-C, O-U (Community Commercial, Urban Open Space) General Plan designation.

The location of the proposed structure complies with all applicable site standards including setbacks and height. Sufficient parking would be available for the proposed combination of uses.

Mixed use Development

The project proposes to construct an approximately 1,800 square foot commercial space to accommodate a variety of future uses consistent with the C-2 zone district. Currently, the project proposes a combination of Personal Services and retail however, future commercial uses will be subject to a Change of Use provided the proposed use does not result in an intensification of the use as defined in SCCC 13.10.700-I and sufficient parking is available. Landscaping shall be required to be maintained in perpetuity, and employee, customer, and resident parking shall be clearly marked.

The project proposes to construct an approximately 1,200 square foot residential (rental) unit at the second floor of the proposed structure. The project has been required to incorporate appropriate sound attenuation to ensure the future residents would not be adversely impacted by noise generated by vehicles and other commercial activities in the vicinity.

Design Review

The proposed mixed use development complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as articulated front facades and landscaping to reduce the visual impacts of the proposed development on surrounding land uses and the natural landscape. The project site is currently undeveloped and the proposed development would enhance the aesthetic character of the project area and will be of appropriate scale to the surrounding land uses and not detract from the natural landscape.

Riparian Exception

A portion of the proposed development, including drainage infrastructure and grading activities necessary to ensure stability of the proposed development, will be located within the riparian buffer which requires a Riparian Exception. To ensure that erosion control measures are installed and implemented effectively through all phases of construction and post construction, a detailed erosion control plan, prepared by a Certified Professional in Erosion and Sediment Control (CPESC) is required. The plan shall include provisions for disturbed areas to be planted with ground cover and be maintained to minimize surface erosion. Regular inspections by Environmental Planning staff and a CPESP are included in the project mitigation and conditions to ensure that all erosion control measures remain in place and function as designed. As proposed, findings can be made to support the proposed Riparian Exception.

Environmental Review

Environmental review was required for the original project (Application 05-0797) per the California Environmental Quality Act (CEQA). The project was reviewed by the County's Environmental Coordinator on September 13, 2006. A preliminary determination to issue a Negative Declaration with Mitigations was made on September 15, 2006.

The environmental review process generated mitigation measures that reduced potential impacts from the proposed development. The mandatory public comment period expired on October 18, 2006, with no comments received. On December 5, 2006, the Board of Supervisors Adopted the Negative Declaration with Mitigations and Approved application 05-0797. A Notice of Determination was filed with the Clerk of the Board on December 6, 2006 and all filing fees were paid.

The current proposal results in slight reductions in the scope of the original application. An Addendum to the adopted Initial Study filed December 6, 2006 (Exhibit A) was prepared and focused on potential environmental impacts resulting from the revised project. The project was determined to be within the scope of the original Initial Study and Mitigated Negative Declaration therefore, no further environmental review is required.

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

- Consider an Addendum to an Adopted Mitigated Negative Declaration and determine that the proposal is not subject to further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **181079**, based on the attached findings and conditions.

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

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

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Exhibits

- A. Addendum to Mitigated Negative Declaration (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information



County of Santa Cruz

PLANNING DEPARTMENT

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KATHLEEN MOLLOY, PLANNING DIRECTOR

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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ENVIRONMENTAL REVIEW INITIAL STUDY ADDENDUM

Date: October 29, 2019

Application Number: 181079

Staff Planner: Nathan MacBeth

Project: Proposal to construct a mixed use building with 1,818 square feet of retail space and a 660 square foot residential garage at the first floor and a 1,200 square foot residential unit at the second floor. Project includes construction of a 12 foot high retaining wall and grading of approximately 5,00 cubic yards of material. Requires a Commercial Development Permit, Riparian Exception, Preliminary Grading Review and a Negative Declaration with Mitigation Measures.

APPLICANT: Patrick Flanders

APN(s): 025-131-20

OWNER: Grant and Susan Murphy

SUPERVISORAL DISTRICT: 1st District

PROJECT LOCATION: Property located on the north side of Soquel Ave (2615 Soquel Ave) approximately 185 feet west of the intersection with 7th Avenue.

I. USE OF AN ADDENDUM TO A NEGATIVE DECLARATION

This document is prepared as an Addendum to the Initial Study/ Mitigated Negative Declaration prepared for Application number 05-0797, dated September 13, 2006 which resulted in a preliminary determination to issue a Negative Declaration with Mitigations. The mandatory public comment period expired on October 18, 2006 without any comments affecting the Negative Declaration. The final approval of that project was granted by the Board of Supervisors on December 5, 2006 and the Mitigated Negative Declaration was posted at the Clerk of the Board on December 6, 2006.

The Addendum has been prepared according to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, which provides for the use of this form of environmental documentation when minor technical changes or additions are necessary. Guidelines indicate that an Addendum need not be circulated for public review but can be included in or attached to the adopted Mitigated Negative Declaration. This Addendum addresses a revised project design including landscaping, grading, erosion control etc. The project incorporates previously established mitigations into the project including riparian restoration, reduced stormwater runoff, noise attenuation and fewer trees being removed resulting in no new significant environmental impacts requiring mitigation.

This document evaluates the differences, if any, in potential environmental impacts evaluated in the previous CEQA document. This Addendum is an administrative action to update the existing Initial

EXHIBIT A

Study/Mitigated Negative Declaration which was certified by the Board of Supervisors on December 5, 2006.

California Environmental Quality Act Requirements

The California Environmental Quality Act (CEQA) Guidelines, allow “[a]n addendum to an adopted negative declaration [to] be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.” (14 CCR 15164(b).)

Section 15162, subdivision (a), of the CEQA Guidelines establishes the following circumstances that would require the preparation of a subsequent EIR:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required

under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

II. PROJECT BACKGROUND

Application 05-0797, for the demolition of an existing flower shop and construction of a new mixed use building was approved on December 5, 2006. The permit authorized a General Plan Amendment, rezoning, Development Permit, Geologic and Soils Report Review, and preliminary grading approval and Riparian Exception for earthwork and drainage improvements in the riparian area. The General Plan Amendment and rezoning have been implemented and the flower shop was demolished. The Commercial Development component requiring construction of the original building was never exercised through issuance of a building or grading permit and went void by limitation.

This is a proposal to construct a similar but revised project that is reduced in scope to include a smaller building, less grading, and removal of fewer trees. The overall concept has not changed in that the current proposal includes a mixed use development consisting of a single commercial use on the lower floor and a single residential unit at the second floor. The proposed design is similar to the original design which incorporates Craftsman-style architecture and native drought tolerant landscaping throughout the project site.

Updates to the soils and geology report have been reviewed and accepted by County staff. It has been concluded that site conditions have not substantially changed and the existing mitigations and recommendations will sufficiently address potential environmental impacts.

ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

The subject property is part of the Soquel Avenue commercial corridor, a major east-west transportation artery in the Live Oak Planning area. The project site is approximately 28,107 square feet in size and zoned Neighborhood Commercial (C-2) which is consistent with the General Plan Designation of Neighborhood Commercial (C-N). Parcels in the vicinity are generally consistent also zoned C-2 with the exception of the parcel located immediately to the east which is zoned Service Commercial (C-4).

The southern one third of the site is generally level and developed with a parking area. The northern two thirds of the site slopes steeply (30-70%) down to Arana Gulch, an intermittent stream that outlets to the Pacific Ocean through a small craft harbor, also known as Woods Lagoon. The northern portion of the site contains a mix of Coastal Live Oak and Buckeye trees; with both native and non-native understory shrubs and grasses.

Few changes have occurred with respect to the environmental setting which include the General Plan Amendment of the subject property from Service Commercial (C-S) to Community Commercial (C-C) and rezoning from Service Commercial (C-4) to Community Commercial (C-2) to accommodate

the original mixed use project. The surrounding area has not significantly changed in terms of traffic surrounding land uses which remain primarily commercial in nature.

III. ENVIRONMENTAL EVALUATION

Project Description

This is a proposal to construct a mixed use building with 1,818 square feet of retail space and a 660 square foot residential garage at the first floor and a 1,200 square foot 3-bedroom residential unit at the second floor, construct 100 linear foot 12 foot high retaining wall, and grade approximately 5,000 cubic yards of material. The project requires a Commercial Development permit and Riparian Exception for grading activities, construction of drainage improvements and restorative work within the riparian area located at the north side of the project site.

This Addendum addresses the proposed revisions to application 05-0797, a proposal to include: revised building design, revised landscaping and parking lot, revisions to the downslope work which results in retention of trees located in the riparian corridor, reduced height of the proposed retaining wall at the rear of the proposed structure, and reduced grading volumes. It should be noted that the prior approval included a General Plan Amendment and rezoning that have been implemented therefore no longer part of the project.

Evaluation of Environmental Impacts from Amended Proposal

The adopted initial study (Attachment 1) found that, with Mitigations, the original project would not result in potential significant environmental impacts. Since the adoption of the initial study, CEQA guideline have been updated to require evaluation of potential impacts in the following additional categories: Aesthetics and Visual Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology/Water Supply/Water Quality, Land Use and Planning, Noise, Public Services, Transportation, Utilities and Service Systems. Since the adoption of the Negative Declaration, CEQA guidelines require projects be evaluated in additional categories including: Agriculture and Forestry Resources, Greenhouse Gas Emissions, Mineral Resources, Population and Housing, Recreation, Tribal Cultural Resources, and Wildfire. The analysis below provides an assessment of the net effect of the revisions on the analysis contained within the adopted Initial Study/Mitigated Negative Declaration.

Aesthetics and Visual Resources

The amended proposal to construct a mixed-use development resulting in minor alterations to an approved building design and associated site improvements. The project would not result in new visual impacts in that the project is not located along a County designated scenic road or scenic area. The proposed landscape is consistent with the existing visual setting and site lighting would be kept at a minimum to ensure to adverse impacts to surrounding uses would occur. No negative visual impacts on the visual resources would occur.

Agriculture and Forestry Resources

The project site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. In addition, the project does not contain Farmland of Local Importance. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide or Farmland of Local Importance would be converted to a non-agricultural use. Further, the project site is not under a Williamson Act contract. No impact would occur from project implementation.

Air Quality

The initial study did not identify any significant impacts to air quality resulting from construction of the original proposal. The current project would be of similar size and intensity as the prior approval which was estimated to result in 13 new vehicle trips. The project would not conflict with or obstruct any long-range air quality plans of the Monterey Bay Air Resources District (MBARD). Because general construction activity related emissions (i.e., temporary sources) are accounted for in the emission inventories included in the air quality plans, impacts to air quality plan objectives are less than significant. Therefore, no new significant effects have been identified associated with the minor changes in the project and no new mitigation measures are necessary.

Biological Resources

The biotic considerations of the initial study were that the site supports riparian vegetation along Arana Gulch, though no special status plants were identified. The initial study identified that there is potential for Southern Steelhead to exist in Arana Gulch. Mitigation measures to ensure that impacts to the Southern Steelhead were incorporated into the project plans so that impacts would be less than significant. This included drainage treatment including rain gardens and erosion control, which improve water quality and prevent siltation and minimize impacts to these potential species in the creek. A revised riparian monitoring and maintenance plan is included with the project plans. It is anticipated that impacts would be less than significant.

A Riparian Exception is required for placement of the drainage improvements within the riparian corridor. All conditions of approval for the Riparian Exception will be included in the conditions of approval for the project.

Cultural Resources

The initial study identified that a portion of the site along Arana Gulch is mapped for archaeological resources. No development activities will occur within the portions of the property which are mapped archaeological resource and the site has historically been disturbed and/or developed. Pursuant to County Code Section 16.40.040, if at any time in the preparation for or process of excavating or otherwise disturbing the ground, any human remains of any age, or any artifact or other evidence of a Native American cultural site which reasonably appears to exceed 100 years of age are discovered, the responsible persons shall immediately cease and desist from all further site excavation.

and comply with the notification procedures given in County Code Chapter 16.40.040. Therefore, no significant impacts are anticipated. With the mitigations already incorporated into the project, the potential impacts of the proposed development would be reduced to a less-than-significant level.

Energy and Natural Resources

The project, like all development, would be responsible for an incremental increase in the consumption of energy resources during site grading and construction. All project construction equipment would be required to comply with the California Air Resources Board (CARB) emissions requirements for construction equipment, which includes measures to reduce fuel-consumption, such as imposing limits on idling and requiring older engines and equipment to be retired, replaced, or repowered. In addition, the project would comply with General Plan policy 8.2.2, which requires all new development to be sited and designed to minimize site disturbance and grading. As a result, impacts associated with the small temporary increase in consumption of fuel during construction are expected to be less than significant.

Geology and Soils

The proposed mixed-use development would have no significant impacts related to site geology and soils since the improvements. A geotechnical report update prepared by Pacifica Crest Engineering Inc dated July 14, 2017 determined that the project site has not changed significantly and the findings and recommendations of the original geotechnical investigation report prepared by Baultry Engineering, dated December 2005. Existing mitigation measures and proposed project conditions are sufficient to ensure the project will not result in significant impacts to the environment.

Greenhouse Gas Emissions

The project, like all development, would be responsible for an incremental increase in greenhouse gas (GHG) emissions by usage of fossil fuels during the site grading and construction. In 2013, Santa Cruz County adopted a Climate Action Strategy (CAS) intended to establish specific emission reduction goals and necessary actions to reduce greenhouse gas levels to pre-1990 levels as required under Assembly Bill (AB) 32 legislation. The strategy intends to reduce GHG emissions and energy consumption by implementing measures such as reducing vehicle miles traveled through the County and regional long-range planning efforts and increasing energy efficiency in new and existing buildings and facilities. Implementing the CAS, the MBCP was formed in 2017 to provide carbon-free electricity. All PG&E customers in unincorporated Santa Cruz County were automatically enrolled in the MBCP in 2018. All project construction equipment would be required to comply with the CARB emissions requirements for construction equipment. Further, all new buildings are required to meet the State's CalGreen building code. As a result, impacts associated with the temporary increase in GHG emissions are expected to be less than significant.

Hazards and Hazardous Materials

The proposed mixed use development would not create a significant hazard to the public or the environment as a result of the routine transport, storage, use, or disposal of hazardous materials in that no such materials are a part of the original or amended project. The project site is not included

on the 12/3/2018 list of Hazardous sites in Santa Cruz County compiled pursuant to Government Code Section 65962.5. Therefore, no new significant effects have been identified and no mitigation measures or project revisions are necessary.

Hydrology, Water Supply, and Water Quality

The proposed mixed use development would have no significant effect on hydrology, water supply or water quality. The project site is not located within the FEMA flood plain. Updated will-serve letters have been obtained from the County Sanitation District and City of Santa Cruz Water District. The proposed project will be similar in density and intensity to the original project and would not result in additional water demand or pollutants entering the sanitary system. The proposed run off from the revised project would be negligible. Therefore, no new significant effects have been identified and no mitigation measures or project revisions are necessary.

Land Use and Planning

Project impacts associated with the minor extension to pedestrian trail and riparian restoration are not anticipated to result in significant impacts with regard to the County Code, General Plan, or Specific Plan in that the original project was determined to be consistent. Furthermore, no adopted habitat conservation plan or community conservation plan exists for the subject property. The project would not include any element that would physically divide an established community. No mitigation measures or project revisions were originally required and are not necessary for this revision. Therefore, no impacts are anticipated.

Mineral Resources

The proposed changes would not impact mineral resources or land zoned for mineral extraction as the project is located in an area where no mineral extraction is allowed. Therefore, no new significant effects have been identified and no mitigation measures or project revisions are necessary.

Noise

The previously adopted Initial Study/Mitigated Negative Declaration found that no significant noise impact would result from the project however, baseline acoustical analysis was required as part of the original approval to ensure the occupants of the proposed residential unit would not be adversely impacted by noise from Soquel Avenue. Similarly, the proposed project shall comply with the interior noise limitations established by County Code Section 13.15.090 (Interior noise Standards) as well as the noise limits as outlined in Chapter 9 (Noise Element) of the County of Santa Cruz General Plan which are consistent with the previous environmental document. Therefore, no new significant effects have been identified and no mitigation measures or project revisions are necessary.

Population and Housing

The mixed use development would have no effect on population growth. Therefore, no new significant effects have been identified and no mitigation measures or project revisions are necessary.

Public Services

As described in the Initial Study, the mixed use development and associated site improvements would result in a slight increase in demand for public services. Updated will-serve letters have been obtained from the County Sanitation District and City of Santa Cruz Water District. The proposed project will be similar in density and intensity to the original project and would not result in additional water demand or pollutants entering the sanitary system. Therefore, the proposed changes would not result in any new significant effects.

Recreation

The mixed use development would not substantially increase the use of existing neighborhood and regional parks or other recreational facilities and The project does not propose the expansion or require the construction of additional recreational facilities. No new significant effects have been identified and no mitigation measures or project revisions are necessary.

Transportation/Traffic

The proposed modifications to the project would have no effect on the traffic generated by the project as the proposed modifications do not increase the intensity and density of the original project. No new significant effects have been identified and no mitigation measures or project revisions are necessary.

Tribal Cultural Resources

The project proposes to establish a new mixed-use development and restore the riparian area located north of the project site. Section 21080.3.1(b) of the California Public Resources Code (AB 52) requires a lead agency formally notify a California Native American tribe that is traditionally and culturally affiliated within the geographic area of the discretionary project when formally requested. As of this writing, no California Native American tribes traditionally and culturally affiliated with the Santa Cruz County region have formally requested a consultation with the County of Santa Cruz (as Lead Agency under CEQA) regarding Tribal Cultural Resources. However, no Tribal Cultural Resources are known to occur in or near the project area. Therefore, no impact to the significance of a Tribal Cultural Resource is anticipated from project implementation.

Utilities and Service Systems

The proposed mixed use development would not increase the demand on utilities or service systems in that no additional dwelling units would result from the minor extension of pedestrian path and riparian restoration. Given this, no new significant effects have been identified and no mitigation measures or project revisions are necessary.

Wildfire

The project is not located in a State Responsibility Area, a Very High Fire Hazard Severity Zone, or a County-mapped Critical Fire Hazard Area and will not conflict with emergency response or evacuation plans. Therefore, no impact would occur.

Mandatory Findings of Significance

Analysis of the proposed project *did not identify the potential to* degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

Analysis of the proposed project *did not identify the potential to* have impacts that are individually limited, but cumulatively considerable.

Analysis of the proposed project *did not identify the potential to* have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

IV. CONCLUSION

The minor modification to the approved mixed use project is within the scope of the September 13, 2006 Initial Study and Mitigated Negative Declaration. Therefore, no further environmental review is required.



Matthew Johnston
Environmental Coordinator

October 31, 2019

Date

Negative Declaration with Mitigations

(attachments on file with the Planning Department)

Application Number 181079

EXHIBIT A

Relevant/supporting documents on file with the Planning Department include:

- 1. City of Santa Cruz Water Department, will-serve letter, July 24, 2018**
- 2. County of Santa Cruz Sanitation District, sewer availability review, May 9, 2018**
- 3. Drainage Report prepared by RI Engineering, revised July 6, 2018**
- 4. Geotechnical Report Update prepared by Pacific Crest Engineering Inc, July 14, 2017**

Exhibit A



PLANNING DEPARTMENT

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

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

Application Number: 05-0797

Powers Land Planning, for Henry Nguyen, et al

This a proposal to amend the General Plan land use designation for 3 parcels from Service Commercial (C-S) to Community Commercial (C-C); to rezone the parcels from C-4 to C-2; to combine parcels 025-131-14 and 025-131-16; to demolish an existing 960 square foot flower shop and construct an 1,189 square foot retail shop on the main floor with one 3-bedroom residential unit on the second floor. Residential parking will be accommodated on the basement level. The project also requires approximately 5,000 cubic yards of excavation and 250 cubic yards of fill in order to stabilize the adjacent hillside, which is composed largely of unconsolidated fill. The project is located on the north side of Soquel Avenue, about 150 feet west of the intersection with 7th Avenue (2541 & 2615 Soquel Avenue) in Santa Cruz, California.

APN: 025-131-14, -15 & -16

Robin Bolster-Grant, Staff Planner

Zone District: C-4

ACTION: Negative Declaration with Mitigations

REVIEW PERIOD ENDS: October 18, 2006

This project will be considered at a public hearing by the Planning Commission. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.

Findings:

This project, if conditioned to comply with required mitigation measures or conditions shown below, will not have significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project attached to the original of this notice on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Required Mitigation Measures or Conditions:

☐ None
☒ XX Are Attached

Review Period Ends October 18, 2006

Date Approved By Environmental Coordinator October 23, 2006


KEN HART
Environmental Coordinator
(831) 454-3127



If this project is approved, complete and file this notice with the Clerk of the Board:

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by Board of Supervisors Santa Cruz County
on December 5, 2006. No EIR was prepared under CEQA.

THE PROJECT WAS DETERMINED TO NOT HAVE SIGNIFICANT EFFECT ON THE ENVIRONMENT.

Date completed notice filed with Clerk of the Board: December 6, 2006

CERTIFICATE OF FEE EXEMPTION

0379

De minimis Impact Finding**Project Title/Location (Santa Cruz County):****Application Number: 05-0797****Powers Land Planning, for Henry Nguyen, et al**

This a proposal to amend the General Plan land use designation for 3 parcels from Service Commercial (C-S) to Community Commercial (C-C); to rezone the parcels from C-4 to C-2; to combine parcels 025-131-14 and 025-131-16; to demolish an existing 960 square foot flower shop and construct an 1,189 square foot retail shop on the main floor with one 3-bedroom residential unit on the second floor. Residential parking will be accommodated on the basement level. The project also requires approximately 5,000 cubic yards of excavation and 250 cubic yards of fill in order to stabilize the adjacent hillside, which is composed largely of unconsolidated fill. The project is located on the north side of Soquel Avenue, about 150 feet west of the intersection with 7th Avenue (2541 & 2615 Soquel Avenue) in Santa Cruz, California.

APN: 025-131-14, -15 & -16**Robin Bolster-Grant, Staff Planner****Zone District: C-4****Findings of Exemption (attach as necessary):**

An Initial Study has been prepared for this project by the County Planning Department according to the provisions of CEQA. This analysis shows that the project will not create any potential for adverse environmental effects on wildlife resources.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.



K. Hart

KEN HART
Environmental Coordinator for
Tom Burns, Planning Director
County of Santa Cruz

Date: 10/31/06

NAME: Powers Land Planning for Nguyen, et al
 APPLICATION: 05-0797
 A.P.N: 025-131-14

0380

NEGATIVE DECLARATION MITIGATIONS

- A. In order to ensure that the mitigation measures B - F (below) are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: applicant, grading contractor supervisor, project CPESC and Santa Cruz County Resource Planning staff. The temporary construction fencing demarcating the disturbance envelope, tree protection fencing, staking indicating the drainage pipe and outlet, and silt fencing will be inspected at that time. The receiving site for excavated material shall be identified and, if the site is other than a municipal landfill, a valid grading permit for the receiving site must be shown.
- B. To protect Arana Gulch from degradation due to silt, grease, and other contaminants from paved surfaces, prior to scheduling the public hearing, the applicant shall modify the drainage plan to indicate the method(s) for treatment of all drainage leaving the site, including that which bypasses the detention system in the parking lot.

Sediment and grease traps shall be maintained according to the following monitoring and maintenance procedures:

1. The traps shall be inspected to determine if they need cleaning or repair prior to October 15 each year at a minimum;
 2. A brief annual report shall be prepared by the trap inspector at the conclusion of each October inspection and submitted to the Drainage Section of the Department of Public Works within 5 days of inspection. This monitoring report shall specify any repairs that have been done or that are needed to allow the trap to function adequately.
- C. In order to mitigate impacts to the riparian area to a less than significant level, the applicant shall revise the landscape plan to more completely restore the area after disturbance. The revised plan shall include a minimum of nine Coast Live oaks (in order to maintain a 3:1 replacement ratio) distributed on the upper hillside, multi species, native understory plantings in and around the oak trees and throughout the disturbance area, and a plan for maintenance of the trees and understory until both are established. Any seed mix must specifically be formulated for riparian areas. The revised plan shall be approved by Environmental Planning staff prior to scheduling the public hearing.
- D. To prevent erosion and sedimentation of Arana Gulch:
1. Prior to scheduling the public hearing, the applicant shall submit a revised drainage plan for the review and approval of Department of Public Works Drainage staff. The plan shall demonstrate that the post-development runoff rate will not exceed the pre-development rate, including consideration of drainage that is not captured in the detention system as currently shown on the plans.
 2. Prior to approval of a grading permit, the applicant shall submit an operational sedimentation and erosion control plan, prepared by a CPESC, for review and approval by Planning Grading staff. The plan shall incorporate the elements called for by Environmental Planning staff (Attachment 12), including:

- detention in place prior to October 15, enhanced BMPs, weekly inspection and reporting by the project CPESC.
3. Winter grading (October 15 to April 15) will not be approved.
 4. If earthwork does not begin by July 1 of any year it shall be postponed until the following April 15.
 5. Prior to start of construction, a chain link fence shall be installed marking the grading/disturbance boundary.
 6. Removal of the organic material below the existing building, indicated on sheet C2 of the plans (Bowman and Williams, March, 14, 2006), and installation of the drainage pipe and outlet facility shall be not be done using heavy equipment.
- E. To limit the loss of oak trees to the three indicated on the plans, prior to public hearing the applicant shall revise the plans to indicate any native tree within 15 feet of the disturbance boundary. A consulting arborist shall visit the site and provide recommendations for protecting these trees during earthwork and construction. The information from the arborist shall be reviewed and approved by Environmental Planning staff, and shall be incorporated into the plans.
- F. In order to mitigate potential noise impacts to residents of the building from traffic on Soquel Drive, prior to building permit approval, an analysis shall be performed by an acoustical engineer. The engineer shall determine the necessary mitigation measures that must be built into the structure or surrounding fences/walls in order to reduce the interior noise to a point that meets the General Plan maximum of 50 Leq daytime and 45 Leq nighttime. Plans shall incorporate those measures prior to approval.



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: Powers Land Planning, for Henry Nguyen, et al

APPLICATION NO.: 05-0797

APN: 025-131-14, -15 & -16

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

- ☒ XX Negative Declaration
(Your project will not have a significant impact on the environment.)
- ☒ XX Mitigations will be attached to the Negative Declaration.
- ☐ No mitigations will be attached.
- ☐ Environmental Impact Report
(Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

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

Review Period Ends: **October 18, 2006**

Robin Bolster-Grant
Staff Planner

Phone: 454-5357

Date: September 13, 2006

NAME: Powers Land Planning for Nguyen, et al
APPLICATION: 05-0797
A.P.N: 025-131-14

NEGATIVE DECLARATION MITIGATIONS

- A. In order to ensure that the mitigation measures B - F (below) are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: applicant, grading contractor supervisor, project CPESC and Santa Cruz County Resource Planning staff. The temporary construction fencing demarcating the disturbance envelope, tree protection fencing, staking indicating the drainage pipe and outlet, and silt fencing will be inspected at that time. The receiving site for excavated material shall be identified and, if the site is other than a municipal landfill, a valid grading permit for the receiving site must be shown.
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Sediment and grease traps shall be maintained according to the following monitoring and maintenance procedures:

1. The traps shall be inspected to determine if they need cleaning or repair prior to October 15 each year at a minimum;
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1. Prior to scheduling the public hearing, the applicant shall submit a revised drainage plan for the review and approval of Department of Public Works Drainage staff. The plan shall demonstrate that the post-development runoff rate will not exceed the pre-development rate, including consideration of drainage that is not captured in the detention system as currently shown on the plans.
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- E. To limit the loss of oak trees to the three indicated on the plans, prior to public hearing the applicant shall revise the plans to indicate any native tree within 15 feet of the disturbance boundary. A consulting arborist shall visit the site and provide recommendations for protecting these trees during earthwork and construction. The information from the arborist shall be reviewed and approved by Environmental Planning staff, and shall be incorporated into the plans.
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Environmental Review Initial Study

Application Number: 05-0797

Date: September 14, 2006
Staff Planner: Robin Bolster-Grant

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: Powers Land Planning

APN: 025-131-14, 15, 16

OWNER: Henry Nguyen, et al

SUPERVISORAL DISTRICT: 3rd

LOCATION: The project is located on the north side of Soquel Avenue, about 150 feet west of the intersection with 7th Avenue (2615 Soquel Avenue).

SUMMARY PROJECT DESCRIPTION: This is a proposal to amend the General Plan land use designation for 3 parcels from Service Commercial (C-S) to Community Commercial (C-C); to rezone the parcels from C-4 to C-2; to combine parcels 025-131-14 and 025-131-16; to demolish an existing 960 square foot flower shop and construct an 1,189 square foot retail shop on the main floor with one 3-bedroom residential unit on the second floor. Residential parking will be accommodated on the basement level. The project also requires approximately 5,000 cubic yards of excavation and 250 cubic yards of fill in order to stabilize the adjacent hillside, which is composed largely of unconsolidated fill.

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

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

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

EXHIBIT D 4

EXHIBIT A

DISCRETIONARY APPROVAL(S) BEING CONSIDERED

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

NON-LOCAL APPROVALS

Other agencies that must issue permits or authorizations:

Department of Fish & Game

ENVIRONMENTAL REVIEW ACTION

On the basis of this Initial Study and supporting documents:

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

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

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


Paia Levine

Sept 15, 06
Date

For: Ken Hart
Environmental Coordinator

II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS

Parcel(s) Size: 65,034 square feet

Existing Land Use: Retail Flower shop, parking lot and office building

Vegetation: The area in the vicinity of the proposed project is vegetated with a mix of Coast live oaks, Laurel, and native and non-native understory shrubs and grasses.

Slope in area affected by project: .05 acres 0 - 30% .95 acres 31 - 100%

Nearby Watercourse: Arana Gulch

Distance To: Northwest edge of property

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Groundwater Supply: No Mapped Resource

Water Supply Watershed: No Mapped Resource

Groundwater Recharge: No Mapped Resource

Timber or Mineral: No Mapped Resource

Agricultural Resource: No Mapped resource

Biologically Sensitive Habitat: None mapped or visible during site reconnaissance

Fire Hazard: Mapped Critical Fire Area

Floodplain: Mapped Floodplain/Floodway, however site visit and surveyed topography verify that project not located in flood hazard areas.

Erosion: Moderate to Highly Erodable

Landslide: None Mapped

Liquefaction: Low potential

Fault Zone: None Mapped

Scenic Corridor: None Mapped

Historic: No Mapped resource

Archaeology: Portion of each parcel mapped with resources, however proposed development occurs outside of mapped portion in previously disturbed area.

Noise Constraint: Mitigations will be required to protect residential use

Electric Power Lines: No hazard

Solar Access: Available

Solar Orientation: Available

Hazardous Materials: Low potential

SERVICES

Fire Protection: Central Fire District

School District: Live Oak Elementary
Santa Cruz High School

Sewage Disposal: Santa Cruz County Sanitation District

Drainage District: Zone 5

Project Access: Soquel Ave.

Water Supply: City of Santa Cruz

PLANNING POLICIES

Zone District: C-4 (Commercial Service) Special Designation: None
General Plan: C-S (Service Commercial)
Urban Services Line: X Inside Outside
Coastal Zone: Inside X Outside

PROJECT SETTING AND BACKGROUND:

Application 05-0797 is a proposal to demolish an existing flower shop and construct a new mixed use development with retail use on the lower floor and a 3-bedroom residential unit on the second floor. The project requires a General Plan Amendment, a rezoning, a Commercial Development Permit, Preliminary Grading Approval, a Geologic and Soils Report Review, and a Riparian Exception for earthwork and drainage improvements in the riparian area. The project site is located in Live Oak on three parcels, which total approximately 1.5 acres. All three parcels are currently zoned C-4 (Commercial Service) with a General Plan designation of Commercial Service. No development is proposed for parcel 025-131-15, which is currently developed with an office building and parking lot and is included in this application for rezoning and General Plan Amendment only. All three parcels have about 500 feet of combined Soquel Avenue frontage. The project site is within the unincorporated portion of Santa Cruz County.

The southern one third of the site is generally level and currently developed with an existing office building, parking area, and retail flower shop. The northern two thirds of the site slopes steeply (30-70%) down to Arana Gulch, an intermittent stream that outlets to the Pacific Ocean through the small craft harbor, also known as Woods Lagoon. The northern portion of the site contains a mix of Coast live oak and Buckeye trees; with both native and non-native understory shrubs and grasses.

The property is part of the Soquel Avenue commercial corridor, a major east-west transportation artery in the County. The parcels on both sides (east and west) of the property are also zoned C-4, while the property to the north is zoned PF (Public Facility). Properties across Soquel Avenue to the south are zoned C-2 (Community Commercial).

Existing land use in the area is not consistent with the above stated zone district, as the majority of the C-4 properties are underdeveloped with modest and/or dated structures. Parcels on both sides of the subject property are developed with relatively small buildings containing small businesses. Two gas stations occupy the properties to the south across Soquel Avenue. Both gas stations are relatively new. The property to the north contains Harbor High School, which is owned by the Santa Cruz School District.

DETAILED PROJECT DESCRIPTION:

This project consists of constructing a 1,189 square foot, two-story commercial structure, with a 3-bedroom residential unit on the second floor and a basement for residential parking. The project includes one access driveway from Soquel Avenue to serve the existing 7-space parking lot serving the flower shop. Improvements along the site's Soquel Avenue frontage will consist of a driveway apron. Curb, gutter and sidewalk currently exist. A bus shelter is also proposed within the right-of-way.

Site development includes removing 3 oak trees (10" and 15" in diameter) and one 17" Eucalyptus tree. All other oak and buckeye trees will be preserved along the Arana Gulch corridor at the northern portion of the property. Six new 5-gallon oaks will be planted along the retaining wall adjacent to the riparian corridor, while five 24" box southern live oaks will be planted at the Soquel frontage.

The preliminary grading plans indicate that overexcavation and recompaction of approximately 5,000 cubic yards will be required in preparation for construction. The stated grading figures include the removal of a significant amount of unconsolidated fill, as is recommended by the required geotechnical report (Attachment 7). The unconsolidated material is non-engineered fill, and is not suitable for bearing loads. The material will be either recompacted in lifts to engineered specifications or will be exported to a County-approved site. A significant portion of the estimated 5,000 cubic yard total is expected to be exported.

The project drainage improvements include an 8-inch storm drain to convey runoff from the improved area to a riprap outlet structure within the Arana Gulch riparian corridor. Additionally, two 30-foot detention pipes will be located under the upper parking lot. A stormwater treatment system is to be installed to remove hydrocarbons, heavy metals, and contaminated sediments from the runoff that enters the detention system. The system will consist of a silt and grease trap or Stormceptor in the parking area. Prio to public hearing, the Drainage Section of the Department of Public Works will work with drainage engineering consultants and project geotechnical engineer to assure that the detention system effectively maintains the pre-development runoff rate.

The parcel contains an existing asphalt driveway that will be retained. In order to comply with standards for driveways serving commercial development, the existing driveway will need to be widened to 20 feet. Grading for the access road, driveway and extension of the existing parking lot will involve approximately 1,350 cubic yards of cut and 50 cubic yards of fill. A new retaining wall will be constructed along the northern edge of the parking lot adjacent to the Arana Gulch.

EXHIBIT D

EXHIBIT A

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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III. ENVIRONMENTAL REVIEW CHECKLIST

A. Geology and Soils

Does the project have the potential to:

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

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

_____	_____	_____X_____	_____
-------	-------	-------------	-------

- B. Seismic ground shaking?

_____	_____	_____X_____	_____
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- C. Seismic-related ground failure, including liquefaction?

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

D. Landslides?

All of Santa Cruz County is subject to some hazard from earthquakes. The project site is not located within any state or county mapped fault zone. Bauldry Engineering completed a Geotechnical Investigation for the proposed project, dated December 9, 2005 (Attachment 7). The report concluded that the potential for liquefaction is low, based on the nature of the subsurface, the estimated ground accelerations, and the location of the groundwater (encountered at depths of 6 to 7). The report also states that structures built in accordance with the latest edition of the Uniform Building Code for Seismic Zone 4 have an increased potential of experiencing only minor damage, which should be repairable.

The project will likely be subject to some seismic shaking during the life of the structure. The structure shall be designed in accordance with the uniform Building Code as well as any additional requirements dictated by the soils engineer such that the hazard presented by seismic shaking is mitigated to a less than significant level.

Some portions of the site contain non-engineered fill to depths of up to 22 feet along the slope at the back of the upper level parking lot. Because of the poor quality of fill, potential for settlement, and the steep slopes along the northwestern side of the property, there is a potential for both seismically induced and aseismic landsliding to occur. Therefore overexcavation and recompaction or removal of all unconsolidated fill will be performed for the site. The geotechnical engineer recommends a soldier pier retaining wall to protect the parking lot and driveway serving the residential parking area in the basement.

Additionally, shoring must be used to prevent ground loss and damage to the adjacent property to the east during the removal of fill and rubble-laden material. Finally, the geotechnical engineer recommends that unretained site improvements be set back a minimum of 15 feet from existing slopes and where structures will be located less than 15 feet, they must be founded on piers embedded into competent bedrock.

All recommendations made in the geotechnical report will be incorporated into Conditions of Approval for the Development Permit. Additionally, the County Civil Engineer will be present to observe most phases of the grading activities to ensure that all recommendations are implemented.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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2. Subject people or improvements to damage from soil instability as a result of on- or off-site landslide, lateral spreading, to subsidence, liquefaction, or structural collapse?

X

See A.1 above. As discussed previously, the site may be subject to seismic or aseismic landsliding, however, if sliding were to occur, there are no off-site structures or improvements that would be impacted. The foundation design for the proposed structure must take into account the potential for subsidence of any non-compacted fill. The foundations must be designed to be anchored on the underlying Purisima Formation bedrock or on engineered fill. A soldier pier retaining wall may be used to protect the parking lot or structures located within 20 feet from the break in slope. Following these recommendations will result in less than significant impacts to people or improvements.

The Geotechnical Investigation has been reviewed and accepted by the County Civil Engineer.

3. Develop land with a slope exceeding 30%?

X

There are slopes that exceed 30% on the property. However, no improvements are proposed on slopes in excess of 30% and no drainage will be directed to slopes in excess of 30%. A retaining wall is proposed to replace the existing wall adjacent to the parking lot.

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

X

The Geotechnical Investigation for the property (Attachment 7) determined that the near surface soils consist mostly of loose non-engineered fill comprised of silty sand and sandy silt. Given the soils characteristics, steep slope and degree of proposed excavation, there is a significant potential for erosion of topsoil on the site. Additionally, the Arana Gulch Watershed could be impacted by sedimentation if erosion is not adequately controlled. To ensure erosion control remains effective throughout all phases of construction and post construction, a detailed erosion control plan, prepared by a Certified Professional in Erosion and Sediment Control (CPESC) will be required as a project condition.

The plan will include provisions for disturbed areas to be planted with ground cover and to be maintained to minimize surface erosion. An additional condition of project approval will require regular inspections by Environmental Planning staff before, during, and after construction to ensure that all erosion control measures remain in

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

X

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

X

7. Result in coastal cliff erosion?

X

- 37 -

EXHIBIT D

EXHIBIT A

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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B. Hydrology, Water Supply and Water Quality

Does the project have the potential to:

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

X

According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map (FIRM), dated April 15, 1986, a portion of the project site lies within a 100-year flood hazard area (see Attachment 5). The floodplain of Arana Gulch is at the northern, lower portion of the site about 35 vertical feet below the building site. Bowman & Williams, consulting civil engineers, determine the 100-year elevation to be 43.25 feet above mean sea level based on FEMA FIRM data. No portion of the proposed building will be placed within the flood hazard areas. Reference the Flood Insurance Rate Map (Panel 355) in Attachment 5 and the project plans.

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

X

See B.1 above. No earthwork or development is proposed in the flood hazard area.

3. Be inundated by a seiche or tsunami?

X

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

X

The project will obtain water from the City of Santa Cruz Water Department and will not rely on private well water. Although the project will incrementally increase water demand, the City of Santa Cruz has indicated that adequate supplies are available to serve the project (Attachment 13). The project is not located in a mapped groundwater recharge area, however at the behest of the Department of Public Works, the proposal includes a detention system below the upper parking lot.

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

X

No commercial or industrial activities are proposed that would generate a significant amount of contaminants to a public or private water supply. The parking and driveway associated with the project will incrementally contribute urban pollutants to the environment; however, the contribution will be minimal given the size of the driveway and parking area. Potential siltation from the proposed project will be mitigated through implementation of erosion control measures. The rezoning from C-4 to C-2 precludes a number of potential uses on the site, such as automobile repair and service shops, contractor's storage yards, and building materials yards. The reduced intensity of such allowable uses will protect the water supply from potential contaminants that would otherwise be allowable under the C-4 zone district. Further, there are no allowable uses under the proposed C-2 district which would have the potential to degrade the water supply that are not currently allowable under the existing C-4 zone district.

Site clearing, grading, and excavation will be limited to the dry season to minimize the potential for erosion and downstream sedimentation during the construction phase of the project. See also A-4 above.

A silt and grease trap, and a plan for maintenance, will be required to reduce this impact to a less than significant level.

6. Degrade septic system functioning?

X

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

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

X

Currently the site is developed with a retail flower shop and is connected to the public storm drain system. The proposed project will not alter the existing overall drainage pattern of the site, in that runoff will continue to be directed toward Arana Gulch. Department of Public Works Drainage Section staff has reviewed and approved the proposed drainage plan with respect to feasibility. The drainage system will be designed such that the post-development runoff rates will not exceed the existing rates, thereby reducing potential flooding and erosion off site to a less than significant impact.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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8. Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems, or create additional source(s) of polluted runoff?

X

Drainage Calculations prepared by Bowman & Williams dated March 9, 2006 (Attachment 9), have been reviewed for potential drainage impacts and accepted by the Department of Public Works (DPW) Drainage Section staff. The calculations show that total storage requirement for the site is 185 cubic feet. The runoff rate from the property will be controlled by a detention system that uses two 30-foot long 24" diameter HDPE pipes and has a maximum capacity of 190 cubic feet. DPW staff has determined that existing storm water facilities are adequate to handle the increase in drainage associated with the project. Refer to response B-5 for discussion of urban contaminants and/or other polluting runoff.

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

X

See B.8 above. Water runoff rate will be restricted to pre-development storm rates by an on-site detention system. Storage will be regulated with a weir box to ensure that predevelopment rates for a 10-year storm is released from the system. The driveway leading to the residential parking garage will bypass the project detention system. To ensure the release of predevelopment runoff rates from the site, the estimated flow from the driveway area is subtracted from the rates use to size the weir box. From the weir box, the outflow discharges through the driveway retaining wall to a riprap outlet located approximately 112 feet from the bank of Arana Gulch. All final drainage plans must be reviewed and accepted by the Drainage Section of the Department of Public Works prior to issuance of any building permits, as a condition of discretionary approval.

10. Otherwise substantially degrade water supply or quality?

X

See B.5 above. Erosion control measures to protect the riparian area and a silt and grease trap for parking lot runoff will be installed during construction. With these measures any negative impact on water quality is reduced to a less than significant level.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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C. Biological Resources

Does the project have the potential to:

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

X

According to the California Natural Diversity Data Base (CNDDDB), maintained by the California Department of Fish and Game, there is the potential for Southern Steelhead to exist in Arana Gulch. The drainage pipe and dissipater are within the corridor but not within the bankful flow or floodplain. All grading activities are confined to the dry season. Erosion Control Best Management Practices will be implemented and monitored by Environmental Planning staff, mitigating any potential significant impacts to riparian species. See also A.4 above.

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

X

The project involves the placement of a drainpipe and dissipater, and construction of a retaining wall within the riparian area. The installation of these facilities will include earthwork. The applicant shall be required to verify that the new facilities will be placed to minimize the disturbance to the riparian area. Specifically, the pipe must be laid by hand to avoid any removal of trees and understory shrubs and grasses and construction fencing placed around adjacent trees. A condition of project approval will require the presence of an arborist during the construction of drainage improvements to ensure the protection of trees in the vicinity. Prior to public hearing, Planning staff will verify that the location of the pipe will minimize disturbance. With the review of the final location of the new facilities by Planning staff, the impact to the riparian area will be less than significant. A Riparian Exception is required for the placement of the drainage improvements within the corridor. All conditions of approval for the Riparian Exception will be included in the conditions of approval for the development permit.

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

X

See C.1 and C.2 above. There is no intrusion into the riparian corridor that will limit the movement of wildlife.

4. Produce nighttime lighting that will illuminate animal habitats?

X

The development area is adjacent to a riparian corridor, which could be adversely affected by a new or additional source of light that is not adequately deflected or minimized. The following conditions will be added to the project, such that any potential impact will be reduced to a less than significant level: all site lighting shall be directed onto the site and away from adjacent properties, all lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building, and all light fixtures shall be energy-efficient. Light standards are limited to a maximum height of 15 feet.

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

X

See C.1 and C.2 above. In addition, three existing oak trees will be removed because of the required excavation of poor soils and construction of the replacement retaining wall. As shown in the landscape plan prepared by Gregory Lewis, 5 6-gallon replacement oaks will be planted to the north of the new retaining wall. Additionally, 5 southern live oak trees will be planted along the Soquel Avenue frontage.

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

X

See C.1 for a discussion of sensitive habitat protection. A Riparian Exception is included as a part of this project. Findings for the Riparian Exception can be made.

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

There are no conservation plans or biotic conservation easements in effect or planned in the project vicinity. X

D. Energy and Natural Resources

Does the project have the potential to:

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

X

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

X

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

X

The additional square footage and addition of a residential unit will entail a minimal increase in water and/or energy use.

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

X

The project does not entail the extraction or substantial consumption of minerals, energy resources, or other natural resources.

E. Visual Resources and Aesthetics

Does the project have the potential to:

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

X

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

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

X

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

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

X

The existing visual setting is in an urbanized commercial area. The proposed project is designed and landscaped so as to improve and enhance this setting. The project has been reviewed and accepted by the County Urban Designer.

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

X

Site lighting will be mounted on the building at a maximum height of 15 feet and shall be shielded to minimize the impact on the neighboring area. The project is conditioned such that no exterior lights will face the riparian area.

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

X

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

F. Cultural Resources

Does the project have the potential to:

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

X

The existing structure(s) on the property is not designated as a historic resource on any federal, State or local inventory.

EXHIBIT D

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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2. Cause an adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 15064.5?

X

While portions of the subject parcels are identified as containing archaeological resources, the proposed development will occur outside of the mapped areas in locations that have been historically disturbed and/or developed. Pursuant to County Code Section 16.40.040, if at any time in the preparation for or process of excavating or otherwise disturbing the ground, any human remains of any age, or any artifact or other evidence of a Native American cultural site which reasonably appears to exceed 100 years of age are discovered, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in County Code Chapter 16.40.040.

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

X

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

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

X

G. Hazards and Hazardous Materials

Does the project have the potential to:

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

X

The site will be occupied by a future retail use that will not generate or store on-site waste.

EXHIBIT D

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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The rezoning from C-4 to C-2 precludes a number of potential uses on the site, such as automobile repair and service shops, contractor's storage yards, and building materials yards. The reduced intensity of such allowable uses will significantly preclude the use, storage, or transportation of hazardous materials being present, which might otherwise be allowable under the C-4 zone district. Further, there are no allowable uses under the proposed C-2 district, which would have the potential include hazardous materials that are not currently allowable under the existing C-4 zone district.

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

X

The project site is not included on the 7/15/05 list of hazardous sites in Santa Cruz County compiled pursuant to the specified code.

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

X

4. Expose people to electro-magnetic fields associated with electrical transmission lines?

X

5. Create a potential fire hazard?

X

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

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

X

H. Transportation/Traffic

EXHIBIT D 4

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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Does the project have the potential to:

1. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

X

The project will create a small incremental increase in traffic on nearby roads and intersections. However, given the small number of new trips created by the additional residential unit (approximately 10 new trips per day), this increase is less than significant. Further, the increase will not cause the Level of Service at any nearby intersection to drop below Level of Service D.

The project is required to pay standard development fees intended to mitigate the impact of new development on County-maintained roads. These Roadside and Transportation Improvement fees are calculated with an estimate of the increase in trip-ends generated by the project.

The rezoning from C-4 to C-2 precludes a number of potential uses on the site, such as automobile repair and service shops, contractor's storage yards, and building materials yards, that would potentially generate a greater number of new trips than those uses allowed under the proposed C-2 zoning district. Additionally, parking demands associated with currently allowable uses would potentially exceed current capacity. Further, there are no allowable uses under the proposed C-2 district, which would have the potential to generate a greater number of trips than those currently allowed under the C-4 zone district.

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

X

The project meets the code requirements for the required number of parking spaces and therefore new parking demand will be accommodated on site. The new residential use will create a need for three additional parking spaces. A basement level parking garage will be constructed to provide parking for the residential use.

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

X

The proposed project will comply with current road requirements to prevent potential hazards to motorists, bicyclists, and/or pedestrians. The driveway curb cut will be completed per Public Works Design Criteria standards and the site plan has been

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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reconfigured to provide a wheelchair accessible parking space to meet Public Works standards.

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

X

See response H-1 above. The project will generate approximately 10 new daily trips. When these trips are added to the network, Soquel Avenue is expected to continue to operate at a LOS B or better, similar to existing conditions.

I. Noise

Does the project have the potential to:

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

X

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

Under the existing C-4 zone district, allowable uses include automobile repair shops, and storage of heavy machinery, which would potentially generate a large increase above the ambient noise level. The proposed rezoning to C-2 will limit the degree of noise impact by limiting allowable uses onsite to smaller retail or service establishments with much less potential for creating significant noise impacts.

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

X

Per County policy, average hourly noise levels shall not exceed the General Plan threshold of 50 Leq during the day and 45 Leq during the nighttime. Impulsive noise levels shall not exceed 65 db during the day or 60 db at night. Traffic noise along Soquel Avenue can exceed these standards. However project conditions will include an analysis of the building plans by an acoustic engineer, while the building will be required to meet interior noise standards, such as the use of double-paned glass.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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3. Generate a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

X

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

J. Air Quality

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

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

X

The North Central Coast Air Basin does not meet State standards for ozone and particulate matter (PM10). Therefore, the regional pollutants of concern that would be emitted by the project are ozone precursors (Volatile Organic Compounds [VOCs] and nitrogen oxides [NOx]), and dust.

Given that only 13 new trips will be generated by the project there is no indication that new emissions of VOCs or NOx will exceed Monterey Bay Unified Air Pollution Control District (MBUAPCD) thresholds for these pollutants and therefore there will not be a significant contribution to an existing air quality violation.

Project construction may result in a short-term, localized decrease in air quality due to generation of dust. However, standard dust control best management practices, such as periodic watering, will be implemented during construction to reduce impacts to a less than significant level.

2. Conflict with or obstruct implementation of an adopted air quality plan?

X

The project will not conflict with or obstruct implementation of the regional air quality plan. See J-1 above.

3. Expose sensitive receptors to substantial pollutant concentrations?
See J.1 and J.2 above.

X

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

X

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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The proposed project does not include restaurants or other activities, which could emit potentially objectionable odors.

While the existing C-4 zone district allows such uses as automobile repair and building supply stores, which have the potential to create objectionable odors, the proposed C-2 zone district allows smaller scale, less impactful uses, which will be less likely to generate objectionable odors. Additionally, there are no allowable uses under the proposed C-2 district which would have the potential to generate odors that are not currently allowable under the existing C-4 zone district.

K. Public Services and Utilities

Does the project have the potential to:

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

a. Fire protection?

_____	_____	_____X_____	_____
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b. Police protection?

_____	_____	_____X_____	_____
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c. Schools?

_____	_____	_____X_____	_____
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d. Parks or other recreational activities?

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

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

EXHIBIT D

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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2. Result in the need for construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

X

Drainage analysis of the project (Bowman & Williams, March 9, 2006) concluded that the Arana Creek spillway and culvert under La Fonda Avenue are constricted and overtopped in larger flood events; therefore on-site detention has been designed to restrict the flow of runoff leaving the site. Department of Public Works Drainage staff have reviewed the drainage information and have determined that downstream storm facilities are adequate to handle the increase in drainage associated with the project.

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

X

The project will connect to an existing municipal water supply. The City of Santa Cruz Water District has determined that adequate supplies are available to serve the project (Attachment 13).

Municipal sewer service is available to serve the project, as reflected in the attached letter from the Santa Cruz County Sanitation District (Attachment 14). The project will not necessitate expansion of wastewater treatment facilities.

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

X

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

5. Create a situation in which water supplies are inadequate to serve the project or provide fire protection?

X

The water mains serving the project site provide adequate flows and pressure for fire suppression. Additionally, the Central Fire Protection District has reviewed and approved the project plans, assuring conformity with fire protection standards that include minimum requirements for water supply for fire protection.

EXHIBIT D

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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6. Result in inadequate access for fire protection?

		X	
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See K.5 above.

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

	X		
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According to Bowman & Williams, civil engineering consultants, excess soils material of up to 2,500 cubic yards will be removed and disposed of as part of this development. The need to export material is largely driven by the poor, mixed quality of fill, debris and other deleterious material and is thus not able to be reduced in volume by a significant degree. Any fill that cannot be accommodated at a permitted private site will be hauled to the Buena Vista or Marina landfill for disposal.

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

			X
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L. Land Use, Population, and Housing

Does the project have the potential to:

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

	X		
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The proposed project was reviewed for conformance with the County of Santa Cruz General Plan. The policy areas that are germane to this project are noted below:

Land Use Element – *The proposed retail and residential unit are uses allowed in the Community Commercial (C-C) land use designation, and not in the more intensive uses allowed in the existing Community Service (C-S) land use designation. The existing office use is similarly located on a parcel designated as C-S and is nonconforming. Consequently, the applicant has applied for a General Plan Amendment to change the land designation to C-C, which more accurately reflects the existing and proposed land uses on the subject parcels. Changing the General Plan*

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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land use designation will bring the existing commercial and office uses into conformance with a less-intensive land use designation. Allowing less intensive land uses will also provide a greater degree of protection to the adjacent riparian resources. Because the General Plan amendment will lead to less intensive uses, there will be no resulting significant environmental impact. Additionally, because the site's location adjacent to a riparian corridor, it is unlikely that most uses associated with the C-S General Plan designation would be approved on these sites. Therefore the loss of two C-S designated parcels does not result in an physical impact.

Community Design Element – The development of two of the subject lots will be an improvement to the area. Soquel Drive is an arterial street that has historically lacked cohesion in terms of street frontage and attractive design elements. The current proposal is consistent with recent developments to the adjacent lots to the east and south, in that it provides landscaping and aesthetically pleasing design features on a site previously lacking these amenities.

Conservation and Open Space – Policy 5.2.2 provides for the protection of Riparian Corridors and Wetlands. The proposed development includes a component to restore the adjacent riparian corridor through the removal of invasive exotic plant species and the removal of fill which has historically been responsible for a large degree of erosion and sedimentation.

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

X

As discussed in L-1 above, the subject parcels' zoning and General Plan land use designation is not consistent with the existing and proposed land uses. The proposed mixed use development is not allowed in the C-4 zone district. Rezoning the parcels to C-2 will result in allowable uses that have a lesser degree of potential impact than those that would be allowed under the current C-4 zone district. "Downzoning" the parcels will provide a greater measure of protection for the adjacent riparian corridor. Therefore, there will be no significant environmental impacts resulting from the parcel rezoning.

3. Physically divide an established community?

X

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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The project will not include any element that will physically divide an established community.

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

X

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

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

X

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

M. Non-Local Approvals

Does the project require approval of federal, state, or regional agencies?

Yes X

No

California Department of Fish & Game

N. Mandatory Findings of Significance

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

Yes

No X

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

Yes

No X

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

Yes

No X

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

Yes

No X

TECHNICAL REVIEW CHECKLIST

	<u>REQUIRED</u>	<u>COMPLETED*</u>	<u>N/A</u>
Agricultural Policy Advisory Commission (APAC) Review			
Archaeological Review			
Biotic Report/Assessment			
Geologic Hazards Assessment (GHA)		12/05	
Geologic Report			
Geotechnical (Soils) Report	X	12/05	
Riparian Pre-Site			
Septic Lot Check			
Other:			
Drainage Calculations	X	03/06	

Attachments:

For all construction projects:

1. Location Map
2. Assessors Parcel Map
3. Map of Zoning Districts
4. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for Santa Cruz County, Community Panel Number 060353 0355B, dated April 15, 1996.
5. Project Plans
6. General Plan Designation map
7. Geotechnical Investigation (Conclusions and Recommendations) prepared by Bauldry Engineering, dated December 9, 2005
8. Geotechnical Review Letter prepared by Kent Edler, dated April 12, 2006
9. Drainage calculations prepared by Bowman & Williams, dated March 9, 2006
10. Design Review by County Urban Designer, dated December 27, 2005
11. Letter from RDA, dated January 11, 2006
12. Discretionary Application Comments, miscellaneous dates, printed August 21, 2006
13. Letter from City of Santa Cruz Water District, dated January 12, 2006
14. Memo from Department of Public Works, Sanitation, dated January 3, 2006

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 commercial uses and is an appropriate location for mixed use development due to the proximity to other retail uses and transportation corridors. The project has been designed to mitigate any potential impacts to environmental and physical constraints of the subject parcel. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources.

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 mixed use development and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the C-2 (Community Commercial) zone district as the primary use of the property will be one structure comprised of a mixed of commercial and residential development that meets all current site standards for 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 mixed use development is consistent with the use and density requirements specified for the C-C, O-U (Community Commercial, Urban Open Space) land use designation in the County General Plan.

The proposed development is consistent with General Plan Policy 8.5.2 (Commercial Compatibility with Other Uses) in that the project is compatible with the surrounding commercial development with respect to building design and landscaping. The proposed structure is consistent with the range of architectural styles found in the vicinity and the proposed landscaping includes the planting of additional trees and planting areas along Soquel Avenue resulting in a much needed improvement to the underutilized commercial site. The proposed development will be consistent with County Design Review guidelines.

The project is consistent with the General Plan Policy 5.2.2 (Riparian Corridors and Wetlands) in that a portion of the proposed development will be located within the prescribed riparian buffer setback. A certified erosion control plan and frequent inspections of erosion control measures shall be required throughout the construction phase to ensure no adverse impacts to the riparian habitat will occur as a result of project implementation. Additionally, the project proposes to restore the riparian corridor through removal of manmade debris and revegetation of the slope using native riparian plants.

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

4. That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed mixed use development is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day (1 peak trip per dwelling unit), in addition to 76 daily trips for the commercial use. Department of Public Works Road Engineering has reviewed the project and determined that a traffic study will not be required due to the limited number of daily trips the proposed development will generate. The project has been conditioned to require payment of TIA fees based on the number of daily trips. Will serve letters have been obtained from the local water purveyor and sanitation district indicating that sufficient services are available to serve to the proposed development. Consequently, the project will not overload existing utilities or intersections in the vicinity.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed mixed use development is consistent with the land use intensity and density of the neighborhood. The project will result in an upgrade to an under utilized commercial site.

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.

The proposed development is consistent with the Design Standards and Guidelines of the County code in that the proposed commercial/residential building will be of appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding area and will not reduce or visually impact available open space in the vicinity. As proposed, the project complies with the requirements of the County Design Review Ordinance. Specifically, the proposed project will incorporate site and architectural design features such as articulated front facades and landscaping to reduce potential adverse visual impacts of the proposed development on the surrounding area. The project has been designed to retain mature vegetation and the proposed color and material will be complimentary to the site.

Riparian Exception Findings

1. That there are special circumstances or conditions affecting the property.

This finding can be made in that the subject property is approximately 28,000 square feet in size. The parcel can be described as two distinct areas; one area is relatively flat in terms of topography and the second area steeply slopes toward Arana Gulch, an urban arroyo. The riparian protections at the site are defined by the limits of the arroyo, delineated as the edge of the 100-year floodplain, a 40-foot buffer from the edge of the arroyo and an additional 10-foot setback. Approximately 8,500 square feet of the subject parcel is located outside of the required setback to the riparian area, thus some of the proposed development, including drainage infrastructure and grading activities necessary to ensure stability of the proposed development will be located within the riparian buffer as depicted on Exhibit D.

2. That the exception is necessary for the proper design and function of some permitted or existing activity on the property.

This finding can be made in that there is a permitted use of the parcel as a commercial property. As stated above, the parcel is constrained by the steep slopes of the urban arroyo, the 40-foot riparian buffer and additional 10-foot construction setback, limiting the area of development. Conformance with the setback is not feasible at the site as the drainage facilities must be sited in a location to appropriately dissipate the energy from runoff and prevent erosion.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the project is located.

This finding can be made in that a stormwater pollution control plan, as well as a detailed erosion control plan (including best management practices) is included in the development proposal, thus preventing sediment and debris from entering Arana Gulch during construction. Winter grading will not be permitted at the site, and all grading activities shall commence prior to July First. Weekly inspection reports prepared by a Certified Professional in Erosion and Sediment Control (CPESC) shall be submitted to Environmental Planning between October 15 and April 15. Following completion of the grading activities and installation of the drainage infrastructure the riparian area will be restored and landscaped to include a diversity of native plants and shrubs.

4. That the granting of the exception, in the coastal zone, will not reduce or adversely impact the riparian corridor, and there is no feasible less environmentally damaging alternative.

This finding can be made in that the project is not located within the coastal zone and incorporates a restoration of the riparian area located on the subject property. Restoration (removal of non-native vegetation and manmade debris) will result in enhancements to the riparian area. No adverse impacts to coastal resources will occur as a result of the project. Further, the project Engineer has indicated that no alternatives to the proposed design are feasible and/or environmentally superior.

Application #: 181079

APN: 025-131-20

Owner: Murphy

5. That the granting of the exception is in accordance with the purpose of this chapter, and with the objectives of the General Plan and elements thereof, and the Local Coastal Program land use plan.

This finding can be made in that the project has been designed to ensure consistency with GP Policy 5.1.6 (Development within Sensitive Habitats) through restoration of the existing oak and shrub habitat located down slope of the proposed mixed use development.

Conditions of Approval

- Exhibit D: Project plans, 14 sheets
Sheets SP1 and A1-A7, prepared by Flanders Bay Company, revised 11/5/18.
Sheets SU-1, prepared by Hanagan Land Surveying Inc, dated 7/14/17
Sheet C-1 through C-4, prepared by R.I. Engineering, Revised 1/17/19
- I. This permit authorizes the construction of a mixed use development with a salon (personal services) and retail as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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. Obtain a Building Permit from the Santa Cruz County Building Official.
 - 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - D. 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 final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
 - 2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color

and material sheet in 8 1/2" x 11" format for Planning Department review and approval.

3. Final plans shall show pavement arrows on driveways to indicate one-way direction of travel.
 4. Clearly represent all proposed grading, including any overexcavation and recompaction as recommended by the geotechnical engineer.
 5. Drainage plan that complies with the requirements set forth in 2016 California Building Code (CBC) Section 1804.4 and the recommendations of the soils engineer.
 6. Stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual, available here:
<http://www.sccoplanning.com/Portals/2/County/Planning/env/ConstructionStormwaterBMPManual-Oct%20312011version.pdf>
 7. 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. Maximum height is 35 feet.
 8. Details showing compliance with fire department requirements.
 9. Building permit application plans shall reference the soils report and update(s), include contact information for the geotechnical engineer, and include a statement that the project shall conform to the recommendations of the geotechnical engineer.
 10. The final landscape plan shall include more native plants/shrubs along the bench below the retaining wall, in between the oak trees, as well as in the area to be disturbed by the installation of the energy dissipater structure, and the area to be cleared of debris below the proposed structure. Use of a native seed mix (approved by Environmental Planning) to reseed the graded areas below the wall is required.
- B. Provide a Sign Plan which clearly shows the location and size of all signage. Signage shall consist of no more than two signs (one business sign and one pedestrian-oriented sign).
1. Total square footage of signage shall not exceed 34 square feet.

2. Sign lighting shall be indirectly illuminated.
 3. Signs located on a wall of on a roof fascia shall be designed as an integral part of the building design. Building signs shall be located on or below the upper line of the roof fascia.
 4. Freestanding sign which is detached from the building shall be of a design consistent with the architectural character of the building and shall be designed as an integral part of the landscape area. Freestanding signs shall not exceed 7 feet in height. Signs and supports shall be setback a minimum of five feet from the edge of the right of way or roadway.
- C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area. This project may be eligible for fee credits for pre-existing impervious areas if documentation is presented.
- D. Meet all requirements of the City of Santa Cruz Water District. Proof of water service availability is required prior to application for a Building Permit.
- E. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit.
- F. Meet all requirements of the Environmental Planning section of the Planning Department.
- G. Meet all requirements and pay any applicable plan check fee of the Fire Protection District.
- H. Submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form. An electronic copy of this form may be found on our website: www.sccoplanning.com, under "Environmental", "Geology & Soils", "Assistance & Forms", "Soils Engineer Plan Review Form.
- I. Pay the current fees for Parks and Child Care mitigation for 2 bedroom(s) and approximately 1,800 square feet of commercial space. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom. Fees for the Commercial space (personal Service) are \$0.23 per square foot.
- J. Pay current fees for the Live Oak Transportation Improvement Area (TIA) at a rate of \$600 per daily trip generated by the proposed use.
- K. Pay the current Affordable Housing Impact Fees (AHIF) for both commercial and

residential development. Currently, the AHIF are \$3 per square foot for commercial retail or \$2 per square foot for residential and are subject to change.

- L. Pay the current Affordable Housing Impact Fee. The fees are based on new square footage and the current fee for non-residential construction is \$3 per square foot.
 - M. Provide required off-street parking for 15 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Accessible and residential parking must be clearly designated on the plot plan.
 - N. 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.
- 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. Prior to starting work, a preconstruction meeting is required. Required attendees include the general contractor, the grading contractor, the soils engineer, the CPESC, and County Environmental Planning staff.
 - B. Grading activities must commence by July 1. If grading does not start by July 1, the start of grading must wait until the following April 15. No winter grading will be permitted for the site.
 - C. Between Oct. 15 and April 15, weekly erosion control inspections must be done by a Certified Professional in Erosion and Sediment Control (CPESC). Copies of the weekly inspections reports must be e-mailed to Environmental Planning staff each week. Weekly reports will not be required after the retaining wall is completed and the parking lot is paved.
 - D. A detention facility (either a temporary system or the permanent detention system) must be installed prior to October 15. The detention system must be maintained continuously during the winter season.
 - E. Installation of the drainage pipe and outlet facility shall be done using light (hand held) equipment.
 - F. All site improvements shown on the final approved Building Permit plans shall be installed.
 - G. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - H. The project must comply with all recommendations of the approved soils reports.
 - I. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time

during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

A. Master Occupancy Program: Personal Services and Retail

Given the location of the project with respect to existing residential and commercial uses, all uses within the C-2 zone district shall be allowed on the project site when consistent with the approved parking availability on the project site:

1. An Initial Occupancy Permit shall be required prior to initial occupancy of the commercial space.
2. All change of use requests consistent with the above list of uses shall be processed at Level 1.
3. The change of use to any use not indicated in the above list shall require a minimum of a Level 3 review to allow a thorough review of potential impacts. Higher levels of review, per the use chart for the C-2 zone district may be required.
4. Outdoor storage is permitted.
5. Amplified music and or offensive noise shall be prohibited.
6. Advertising is limited to the approved sign plan. No other signage, banners, posters, flags, balloons or other forms of decoration are allowed.
7. Home occupations within the residential unit shall be limited to those uses not requiring a level 5 use approval. Use of the residential garage as a home occupation is prohibited.

- B. 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.

- II. 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.

III. Mitigation Monitoring Program

The mitigation measures listed under this heading have been incorporated in the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the above mitigation is hereby adopted as a condition of approval for this project. This program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval, including the terms of the adopted monitoring program, may result in permit revocation pursuant to section 18.10.462 of the Santa Cruz County Code.

IV. Mitigation measures

- A. See attached pages.

Application #: 181079
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Owner: Murphy

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 three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Jocelyn Drake
Deputy Zoning Administrator

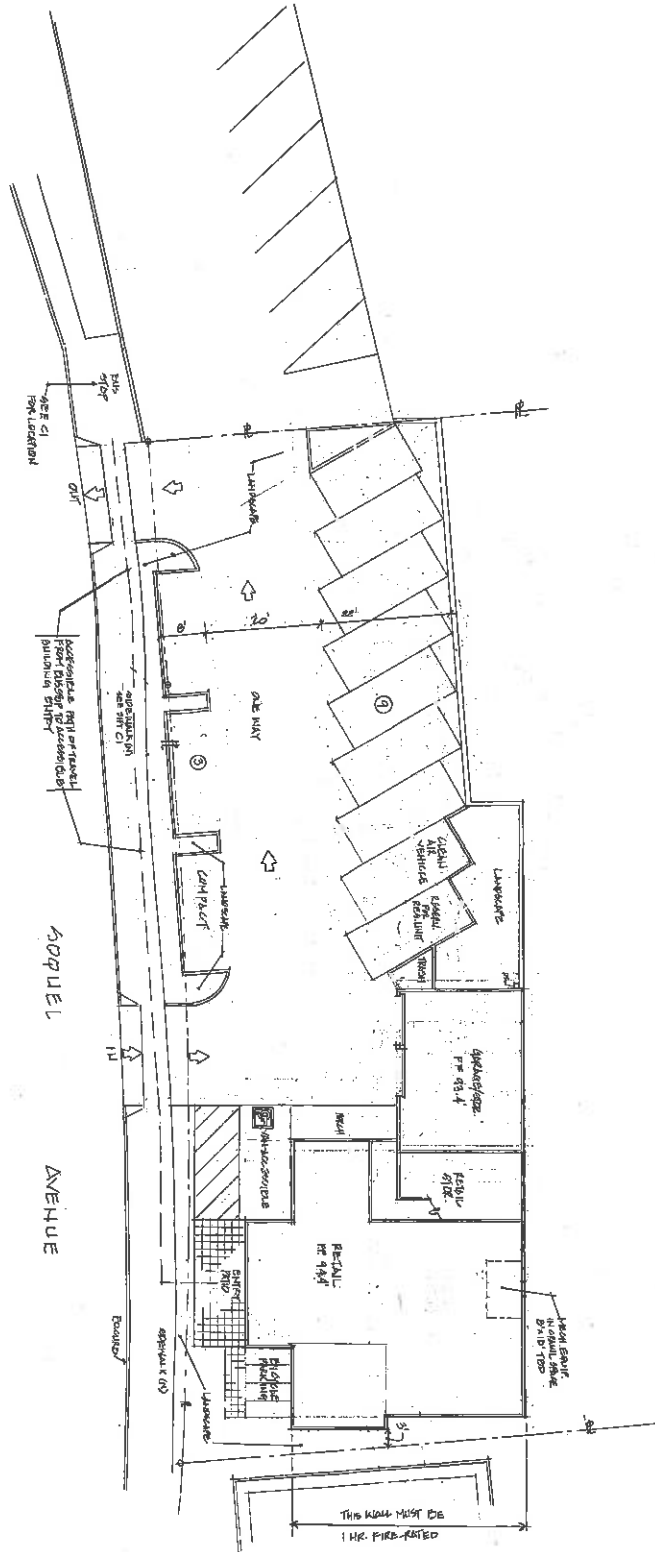
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

NAME: Powers Land Planning for Nguyen, et al
APPLICATION: 05-0797
A.P.N: 025-131-14

NEGATIVE DECLARATION MITIGATIONS

- A. In order to ensure that the mitigation measures B - F (below) are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: applicant, grading contractor supervisor, project CPESC and Santa Cruz County Resource Planning staff. The temporary construction fencing demarcating the disturbance envelope, tree protection fencing, staking indicating the drainage pipe and outlet, and silt fencing will be inspected at that time. The receiving site for excavated material shall be identified and, if the site is other than a municipal landfill, a valid grading permit for the receiving site must be shown.
- B. To protect Arana Gulch from degradation due to silt, grease, and other contaminants from paved surfaces, prior to scheduling the public hearing, the applicant shall modify the drainage plan to indicate the method(s) for treatment of all drainage leaving the site, including that which bypasses the detention system in the parking lot.
- Sediment and grease traps shall be maintained according to the following monitoring and maintenance procedures:
1. The traps shall be inspected to determine if they need cleaning or repair prior to October 15 each year at a minimum;
 2. A brief annual report shall be prepared by the trap inspector at the conclusion of each October inspection and submitted to the Drainage Section of the Department of Public Works within 5 days of inspection. This monitoring report shall specify any repairs that have been done or that are needed to allow the trap to function adequately.
- C. In order to mitigate impacts to the riparian area to a less than significant level, the applicant shall revise the landscape plan to more completely restore the area after disturbance. The revised plan shall include a minimum of nine Coast Live oaks (in order to maintain a 3:1 replacement ratio) distributed on the upper hillside, multi species, native understory plantings in and around the oak trees and throughout the disturbance area, and a plan for maintenance of the trees and understory until both are established. Any seed mix must specifically be formulated for riparian areas. The revised plan shall be approved by Environmental Planning staff prior to scheduling the public hearing.
- D. To prevent erosion and sedimentation of Arana Gulch:
1. Prior to scheduling the public hearing, the applicant shall submit a revised drainage plan for the review and approval of Department of Public Works Drainage staff. The plan shall demonstrate that the post-development runoff rate will not exceed the pre-development rate, including consideration of drainage that is not captured in the detention system as currently shown on the plans.
 2. Prior to approval of a grading permit, the applicant shall submit an operational sedimentation and erosion control plan, prepared by a CPESC, for review and approval by Planning Grading staff. The plan shall incorporate the elements called for by Environmental Planning staff (Attachment 12), including:

- detention in place prior to October 15, enhanced BMPs, weekly inspection and reporting by the project CPESC.
3. Winter grading (October 15 to April 15) will not be approved.
 4. If earthwork does not begin by July 1 of any year it shall be postponed until the following April 15.
 5. Prior to start of construction, a chain link fence shall be installed marking the grading/disturbance boundary.
 6. Removal of the organic material below the existing building, indicated on sheet C2 of the plans (Bowman and Williams, March, 14, 2006), and installation of the drainage pipe and outlet facility shall be not be done using heavy equipment.
- E. To limit the loss of oak trees to the three indicated on the plans, prior to public hearing the applicant shall revise the plans to indicate any native tree within 15 feet of the disturbance boundary. A consulting arborist shall visit the site and provide recommendations for protecting these trees during earthwork and construction. The information from the arborist shall be reviewed and approved by Environmental Planning staff, and shall be incorporated into the plans.
- F. In order to mitigate potential noise impacts to residents of the building from traffic on Soquel Drive, prior to building permit approval, an analysis shall be performed by an acoustical engineer. The engineer shall determine the necessary mitigation measures that must be built into the structure or surrounding fences/walls in order to reduce the interior noise to a point that meets the General Plan maximum of 50 Leq daytime and 45 Leq nighttime. Plans shall incorporate those measures prior to approval.



1 SITE PLAN
1:10'

LEGEND

1	Existing wall to remain
2	Wall to be removed
3	New wall
4	New door
5	New window
6	Existing window
7	Existing door
8	Existing wall
9	Existing roof
10	Existing floor
11	Existing ceiling
12	Existing foundation
13	Existing driveway
14	Existing parking
15	Existing landscape
16	Existing site work
17	Existing site work
18	Existing site work
19	Existing site work
20	Existing site work
21	Existing site work
22	Existing site work
23	Existing site work
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96	Existing site work
97	Existing site work
98	Existing site work
99	Existing site work
100	Existing site work

SHEET NO.
SP1

CHECKED
DRAWN
DATE

DATE
6-28-16
9-20-16
2-20-17
4-15-17
8-15-17

A NEW MIXED-USE BUILDING AT
2615 SOQUEL AVENUE
SANTA CRUZ, CA 95062
for
GSAG, LLC

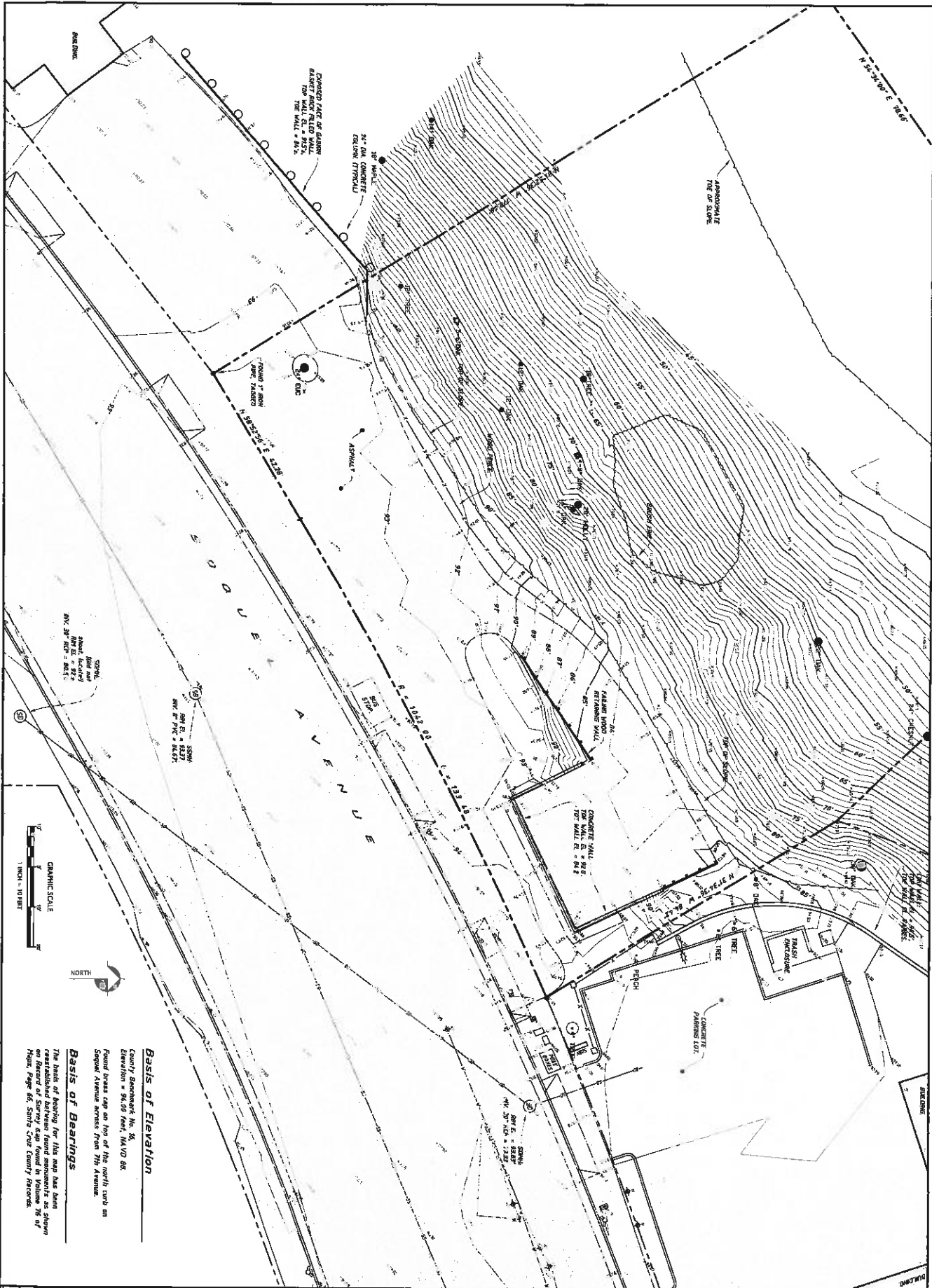
APN 025-131-20
7-5-16
11-5-16

PATRICK J. FLANDERS
ARCHITECT
LICENSED ARCHITECT
CALIFORNIA C28935

FLANDERS BAY COMPANY
12125-C SARATOGA-SUNNYVALE RD
SARATOGA, CA 95070
408 354 0949
www.flandersbayco.com
ARCHITECTURE • REAL ESTATE DEVELOPMENT

THESE PLANS AND SPECIFICATIONS ARE PREPARED BY THE ENGINEER AND SURVEYOR FOR THE PURPOSE OF CONVEYING TO THE PUBLIC THE RESULTS OF HIS SURVEY AND DESIGN. THEY ARE NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND SURVEYOR. THE ENGINEER AND SURVEYOR ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THESE PLANS AND SPECIFICATIONS.

Map of Top. No. 246, Santa Cruz County, 2017.
 Project: 2615 Soquel Avenue, Santa Cruz, CA 95062
 Date: 7-14-2017
 Scale: 1" = 10'

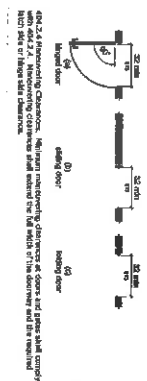


Basis of Elevation
 County Benchmark No. 86
 Elevation = 84.50 feet, NAVD 83
 Found benchmarks are on top of the north curb on
 Soquel Avenue across from the Avenue.

Basis of Bearings
 The basis of bearing for this map has been
 established between found monuments as shown
 on the map. The bearings are shown on the
 Map, Page 66, Santa Cruz County Records.

A.P.N. 025-131-20		Boundary & Topographic Map, The Lands Of:		HANABAN LAND SURVEYING, INC.		REVISION	
2615 Soquel Avenue		2615 Soquel Avenue, Santa Cruz, CA 95062		20810 SOQUEL AVE., SANTA CRUZ, CA 95062 PHONE 831-480-3458		APPROVED	
DATE 7-14-2017		DESIGN		DRAWN P. Hanagan		Paul Hanagan LS 7797	
SCALE 1" = 10'		SHEET		SHEET 1		SHEET 1	

EXHIBIT D



FLANDERS
BAY 
COMPANY

11175-C SARATOGA-SUNNYVALE RD
SARATOGA, CA 95079

408 354 0949

www.flandersbayco.com

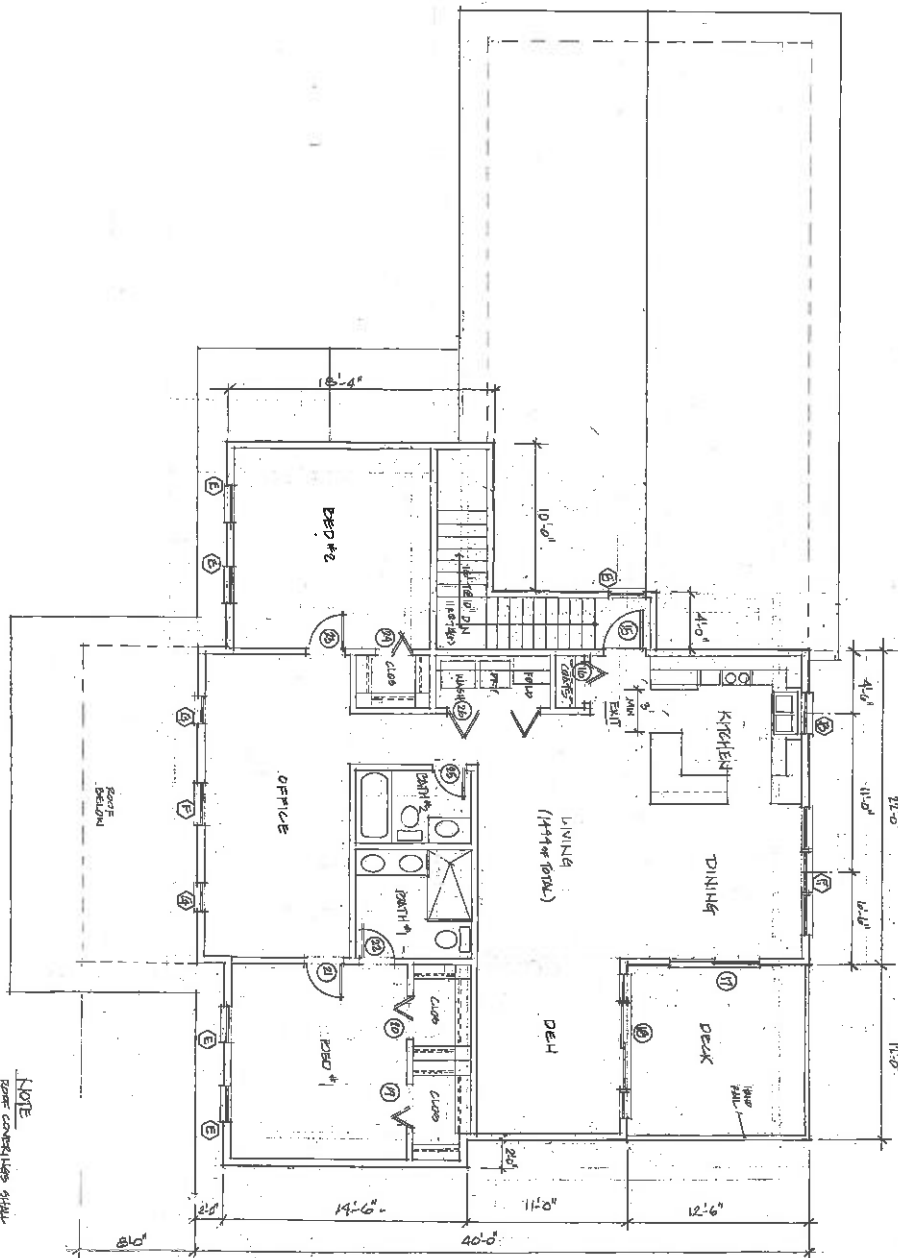
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1992

SECOND FLOOR PLAN



NOTE:
DOOR CONVEYERS SHALL
BE INDICATED
CLOSED BY RATED



SHEET NO.
A2

DRAWN BY
CHECKED

DATE:
9-22-16
7-26-18

A NEW MIXED-USE BUILDING AT
2615 SOQUEL AVENUE
SANTA CRUZ, CA 95062
GSAG, LLC

APN 025-131-20
7-31-18
11-5-18

PATRICK J. FLANDERS
ARCHITECT
LICENSED ARCHITECT
C-2005
STATE OF CALIFORNIA
CALIFORNIA 028955

FLANDERS
BAY COMPANY
ARCHITECTURE • REAL ESTATE DEVELOPMENT
12175 C SAKATOGA-SUNNYVALE RD
SARATOGA, CA 95078
408 354 0949
WWW.FLANDERSBAYCO.COM

ROOF PLAN



NOTE
ROOF COMPANY SHALL BE
NO LESS THAN 2400' B' LINED

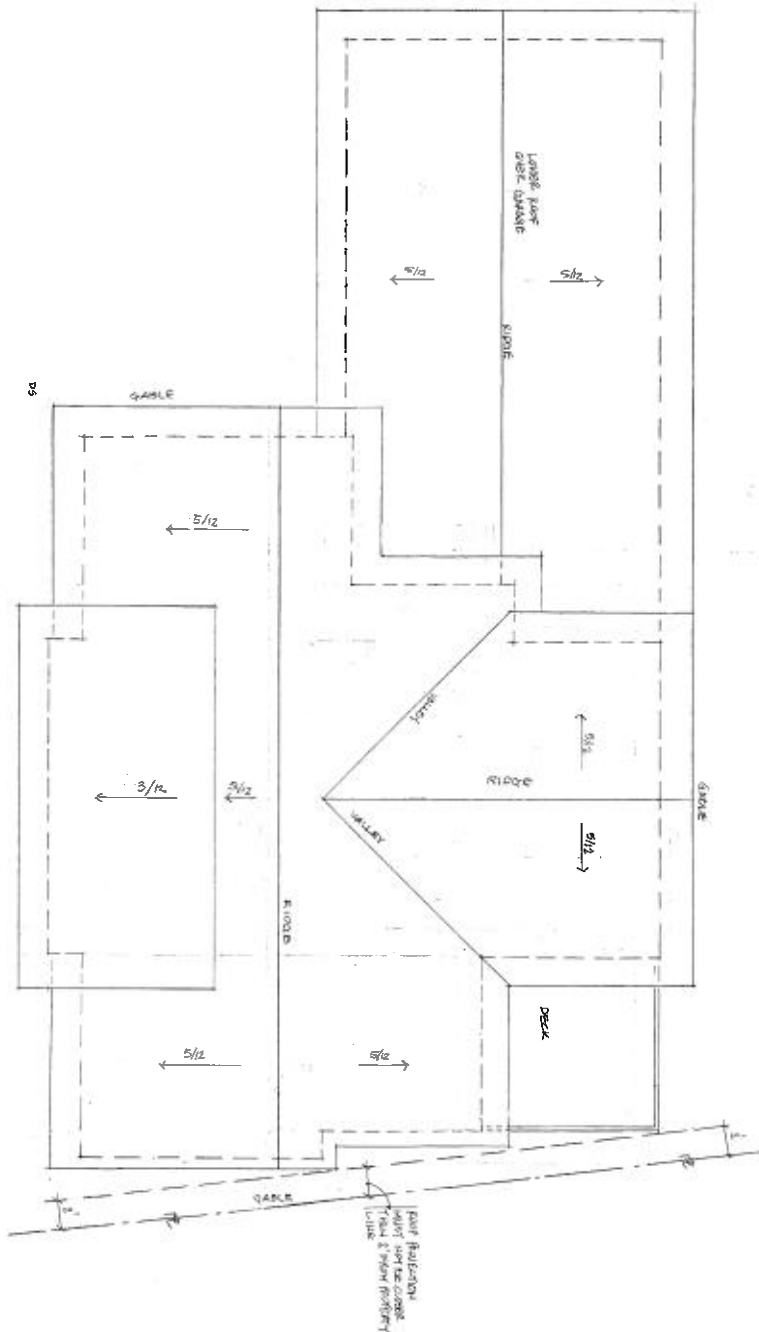


EXHIBIT D

SHEET NO.
A3

DATE
7-21-10
11-5-10
3-28-10

DATE
7-21-10
11-5-10
3-28-10

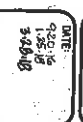
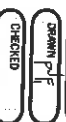
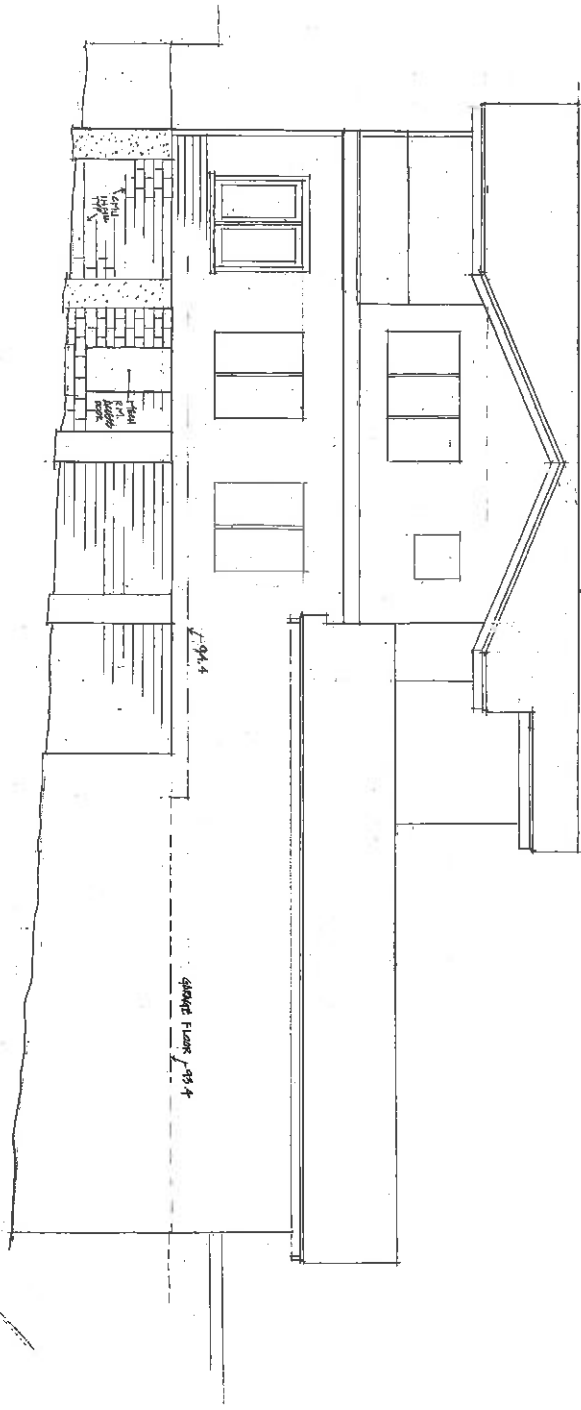
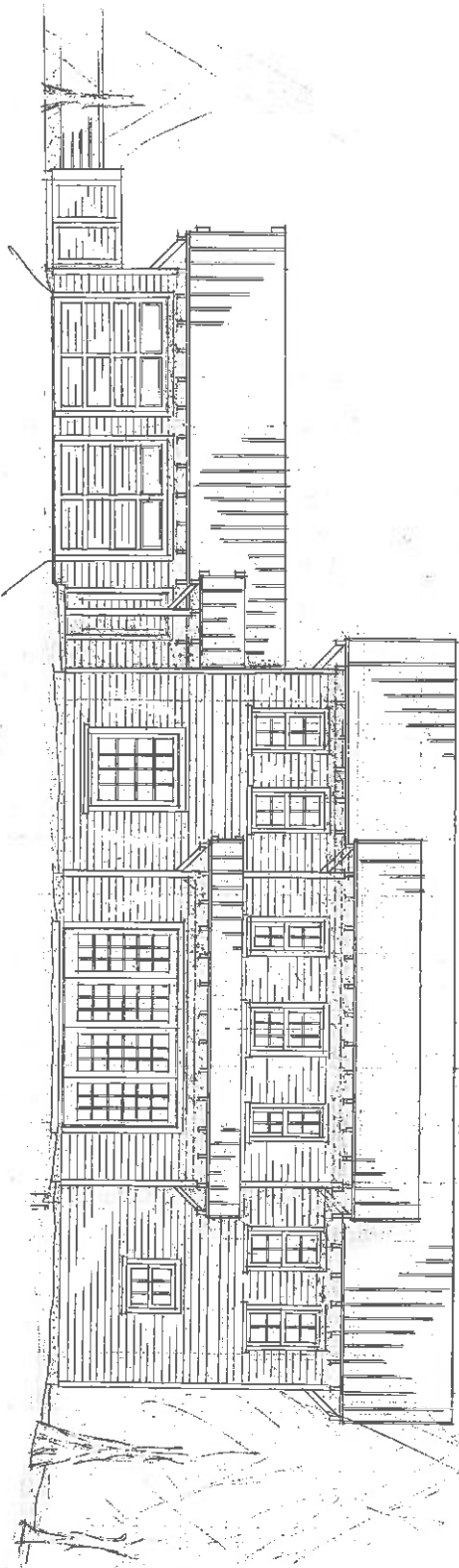
A NEW MIXED-USE BUILDING AT
2615 SOQUEL AVENUE
SANTA CRUZ, CA 95062
GSAG, LLC

APN 025-131-20
7-21-10
11-5-10

PATRICK J. FLANDERS
ARCHITECT
REGISTERED ARCHITECT
NO. 10000
STATE OF CALIFORNIA
CALIFORNIA C28955

FLANDERS
BAY COMPANY
ARCHITECTURE • REAL ESTATE DEVELOPMENT
12115 C SARATOGA-SUNNYVALE RD
SARATOGA, CA 95070
408 354 0949
www.flandersbayco.com

1 SOUTH (GREEN) ELEVATION

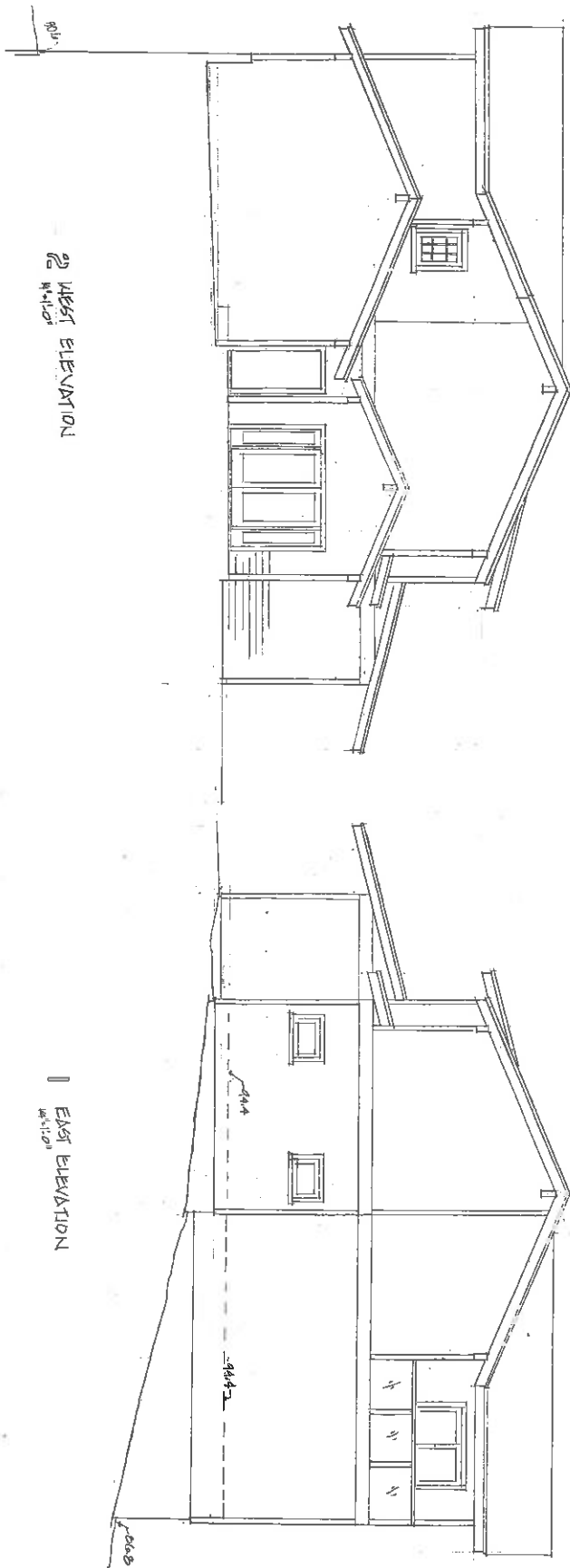


A NEW MIXED-USE BUILDING AT
2615 SOQUEL AVENUE
 SANTA CRUZ, CA 95062
 GSAG, LLC

APN 025-131-20
 7-31-10
 11-5-10



FLANDERS BAY COMPANY
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 1275-C SARATOGA-SUNNYVALE RD
 SARATOGA, CA 95070
 408 354 0949
 www.flandersbayco.com



2 WEST ELEVATION
44'-0"

1 EAST ELEVATION
44'-0"
40'-0"

EXHIBIT D

SHEET NO.
A5

CHECKED
DRAWN
DATE

DATE
8-28-18

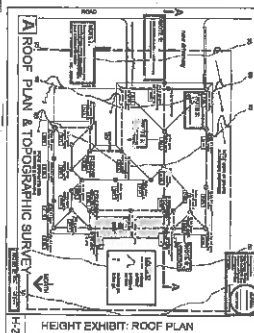
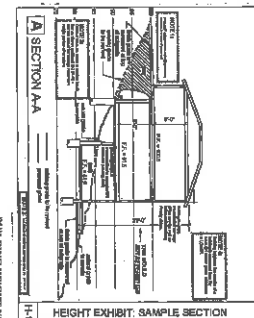
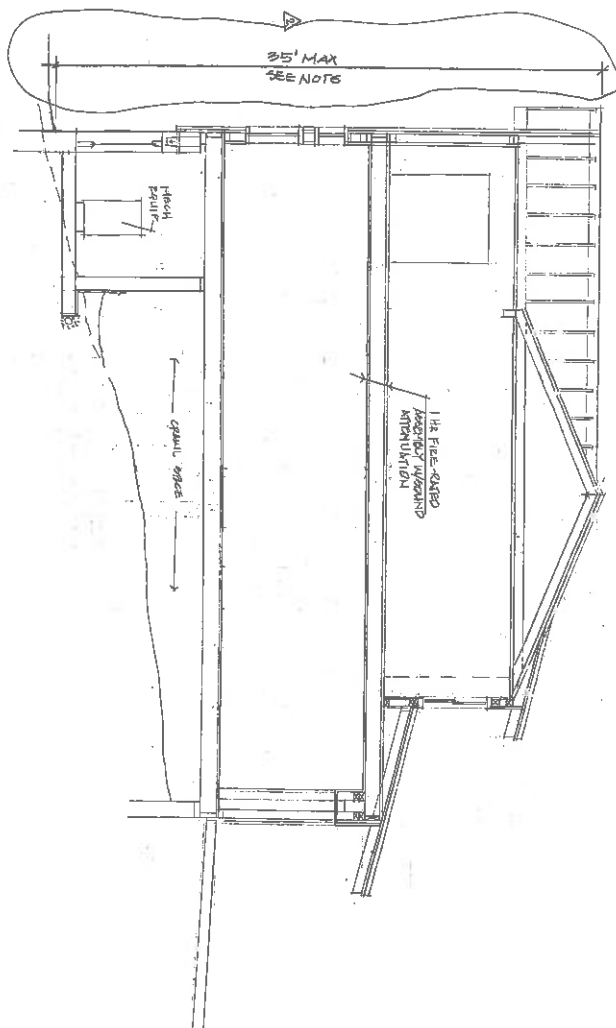
A NEW MIXED-USE BUILDING AT
2615 SOQUEL AVENUE
SANTA CRUZ, CA 95062
GSAG, LLC

APN 025-131-20
7-31-18
11-5-18

PHYTHON J. FLANDERS
ARCHITECT
LICENSED ARCHITECT
SANTA CRUZ, CALIFORNIA
C28399

**FLANDERS
BAY
COMPANY**
ARCHITECTURE • REAL ESTATE DEVELOPMENT
13175-C SARATOGA SUNNYVALE RD
SARATOGA, CA 95070
408 354 0949
www.flandersbayco.com

BUILDING SECTION
1/4"=1'-0"



BUILDING HEIGHT NOTES
The maximum building height is 15'.
Additional documentation shall be provided by the licensed
Surveyor if required as the foundation of Planning Staff.

EXHIBIT D

SHEET NO.
AG

CREATED
DRAWN
DATE

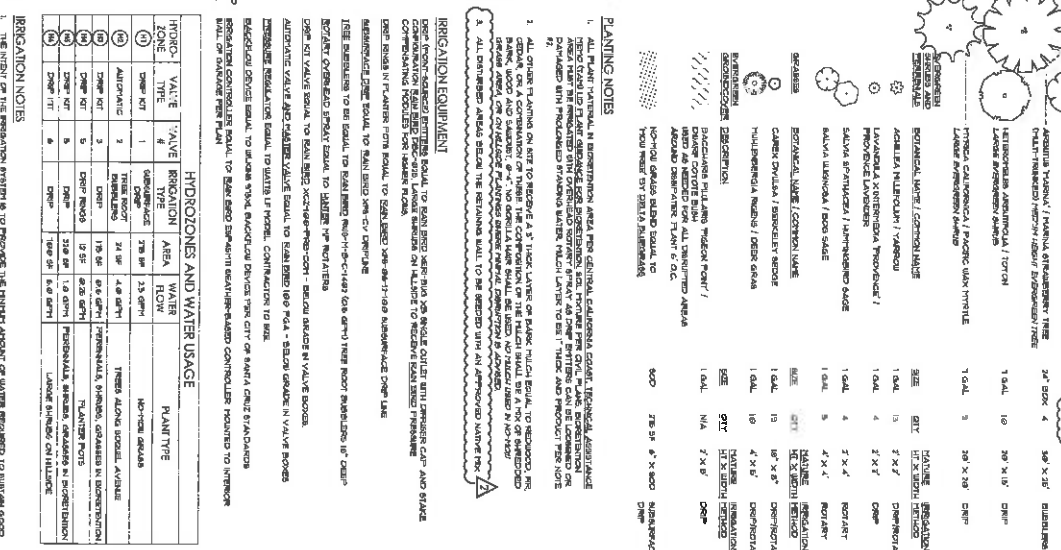
DATE
1-25-16
3/26/16

A NEW MIXED-USE BUILDING AT
2815 SOQUEL AVENUE
SANTA CRUZ, CA 95062
GSAG, LLC

APN 025-131-20
7.31.16
11.5.16

PATRICK J. FLANDERS
ARCHITECT
LICENSED ARCHITECT
STATE OF CALIFORNIA
CALIFORNIA 028395

FLANDERS BAY COMPANY
ARCHITECTURE • REAL ESTATE DEVELOPMENT
1175-C SARATOGA-SUNNYVALE RD.
SARATOGA, CA 95070
408 354 0949
www.flandersbayco.com

[illegible]

1. THE REASON FOR RESERVATION SYSTEMS IS TO PROVIDE THE BEST QUALITY AND/OR AMOUNT OF SERVICE POSSIBLE TO ALL VEHICLES. THE REASON FOR THE RESERVATION SYSTEM IS TO ENSURE THE RESERVATION SYSTEM PROVIDES THE BEST SERVICE POSSIBLE TO ALL VEHICLES. THE REASON FOR THE RESERVATION SYSTEM IS TO ENSURE THE RESERVATION SYSTEM PROVIDES THE BEST SERVICE POSSIBLE TO ALL VEHICLES.
2. PROVIDING THE BEST SERVICE POSSIBLE TO ALL VEHICLES IS THE RESPONSIBILITY OF THE CONDUCTOR. THE BEST SERVICE POSSIBLE TO ALL VEHICLES IS THE RESPONSIBILITY OF THE CONDUCTOR. THE BEST SERVICE POSSIBLE TO ALL VEHICLES IS THE RESPONSIBILITY OF THE CONDUCTOR.
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4. PROVIDING THE BEST SERVICE POSSIBLE TO ALL VEHICLES IS THE RESPONSIBILITY OF THE CONDUCTOR. THE BEST SERVICE POSSIBLE TO ALL VEHICLES IS THE RESPONSIBILITY OF THE CONDUCTOR. THE BEST SERVICE POSSIBLE TO ALL VEHICLES IS THE RESPONSIBILITY OF THE CONDUCTOR.

IMOLA
MAGGIORE BISTRO
Pizzeria • Bar • Restaurant
10000 N. 29th Avenue, Suite 1000
Boulder, CO 80504
(303) 440-9227
www.imolaboulder.com

100 SEVEN TO BE PRINTED AT 2 1/2" X 3 1/2"

SCALE: 1" = 10'-0"

PLAN REVISIONS

07/31/2018 PERMAN RESIDENTIAL

06/17/2018 PERMAN RESIDENTIAL

L1.0



1109 PALISADE STREET

WALLS

STUCCO SHERWIN WILLIAMS

ACACIA HAZE SW 9132

TRIM SHERWIN WILLIAMS

HIGH REFLECTIVE WHITE W7757

ROOF

COMPOSITION SHINGLES OWENS CORNING

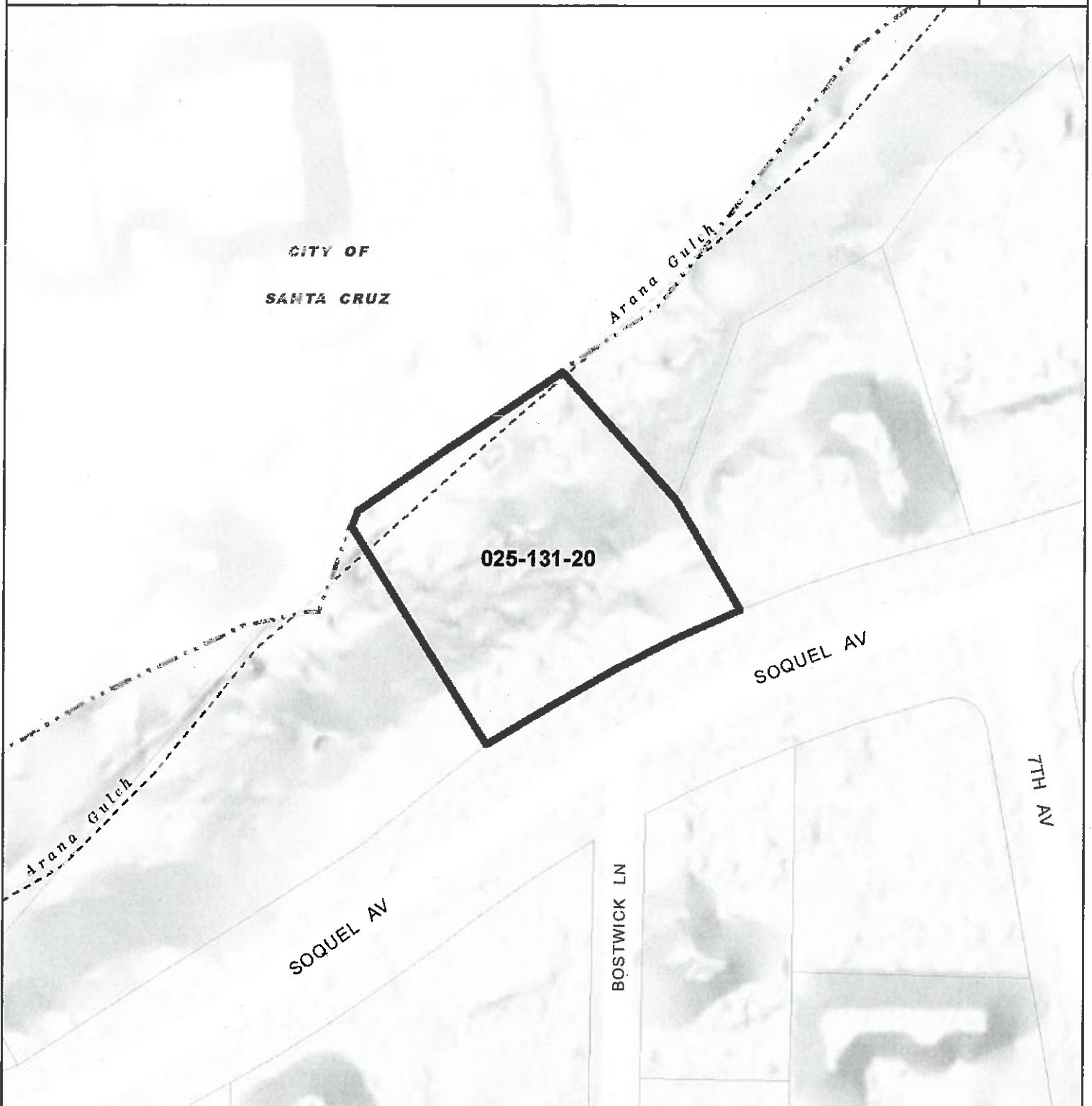
GRAND SEQUOIA OCEAN GRAY



SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map

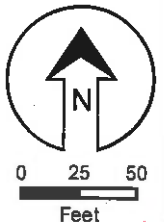
Mapped
Area



Parcel: 02513120

- Study Parcel
- Assessor Parcel Boundary
- City Limits

Map printed: 18 Jun. 2019





SANTA CRUZ COUNTY PLANNING DEPARTMENT
Parcel General Plan Map



Mapped
Area

CITY OF
SANTA CRUZ

025-131-20
(C-C; O-U)

C-S

O-U

C-C

P

-  C-C Commercial Community
-  C-S Commercial Services
-  O-U Urban Open Space
-  P Public Facilities





SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Zoning Map



Mapped
Area

CITY OF
SANTA CRUZ

025-131-20
(C-2)

PF

C-4

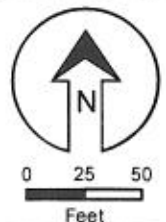
C-2

PF

PF

PF

- C-2 Community Commercial
- C-4 Commercial Services
- PF Public/Community Facilities



Application #: 181079
APN: 025-131-20
Owner: Murphy

Parcel Information

Services Information

Urban/Rural Services Line:	<u>X</u> Inside <u> </u> Outside
Water Supply:	City of Santa Cruz Water District
Sewage Disposal:	County of Santa Cruz Sanitation
Fire District:	Central Fire Protection District
Drainage District:	Flood Control District 5

Parcel Information

Parcel Size:	28,000 square feet
Existing Land Use - Parcel:	Vacant (formerly commercial)
Existing Land Use - Surrounding:	Commercial
Project Access:	Soquel Avenue
Planning Area:	Live Oak
Land Use Designation:	C-C, O-U (Community Commercial, Urban Open Space)
Zone District:	C-2 (Community Commercial)
Coastal Zone:	<u> </u> Inside <u>X</u> Outside
Appealable to Calif. Coastal Comm.	<u> </u> Yes <u>X</u> No

Technical Reviews: Preliminary Grading Review

Environmental Information

An Addendum to an adopted Negative Declaration with Mitigations has been prepared (Exhibit A) that addresses the environmental concerns associated with this application.