



Staff Report to the Zoning Administrator

Application Number: **03-0284**

Applicant: Brett Brenkwitz
Owner: Louis & Mary Young
APN: 044-051-58

Date: 7/16/04
Agenda Item#: 3
Time: After 10:00 a.m.

Project Description: Proposal to construct a single family dwelling, parking structure, retaining walls, and to grade approximately 185 cubic yards of earth (185 yards - cut & 95 yards - fill).

Location: Property located on the north side of Encino Drive, about 1/4 mile south-east of Bonita Drive in Aptos.

Permits Required: Coastal Development Permit, Geologic Hazards Assessment, Geologic Report Review, Soils Report Review

Staff Recommendation:

- Approval of Application **03-0284**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | | | |
|----|--|----|---------------------------|
| A. | Project plans | E. | Assessor's parcel map |
| B. | Findings | F. | Zoning map |
| C. | Conditions | G. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA determination) | | |

Parcel Information

Parcel Size:	6,524 square feet
Existing Land Use - Parcel:	Vacant
Existing Land Use - Surrounding:	Single family residential neighborhood
Project Access:	Encino Drive (off Bonita Drive)
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Density Residential)
Zone District:	R-1-10-SP (Single Family Residential - 10,000 square foot minimum - Salamander Protection Combining

Supervisory District: District)
2 (District Supervisor: Ellen Pirie)
Within Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

Environmental Information

Geologic Hazards: Landslide adjacent to subject property to the south-east
Soils: Report reviewed and accepted
Fire Hazard: Not a mapped constraint
Slopes: **5-25 %** slopes at building site
Env. Sen. Habitat: Santa Cruz Long Toed Salamander – Valencia Lagoon Drainage
Grading: 185 cubic yards (cut) & 90 cubic yards (fill)
Tree Removal: No trees proposed to be removed
Scenic: Mapped scenic resource – Highway One Scenic Corridor
Drainage: Existing drainage adequate
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Inside Urban/Rural Services Line: X Yes No
Water Supply: Soquel Creek Water District
Sewage Disposal: Septic (Over 200' from existing sanitary sewer)
Fire District: Aptos/La Selva Fire Protection District
Drainage District: None

Project Setting

The subject property is located on the north side of Encino Drive in an existing single family residential neighborhood characterized by smaller one to three story houses on fairly steep slopes with extensive tree cover. Adjacent to this parcel, to the south-east, is an existing landslide that has resulted in the closure of Encino Drive beyond the subject property. The project site slopes down from Encino Drive to a relatively level location where the residence is proposed to be constructed.

Zoning & General Plan Consistency

The subject property is a **6,524** square foot lot, located in the R-1-IO-SP (Single Family Residential - 10,000 square foot minimum - Salamander Protection Combining District) zone district, a designation which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district and the project is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

Salamander Protection Combining District

The subject property is located within the Salamander Protection combining district, associated with the habitat of the Santa Cruz Long Toed Salamander. To reduce impacts to the Santa Cruz Long Toed Salamander, site standards which limit disturbance of properties within the combining district are required. In the construction on a parcel within the Salamander Protection combining district, up to 25 percent of the project site may be temporarily disturbed. After construction, only 15 percent of the parcel may remain permanently disturbed, with no more than 10 percent of the project site containing impervious surfaces.

The current proposal clearly complies with the 10 percent coverage maximum for total impervious surface area (which does not include roof eaves, pervious decking or paving stones, or temporary site disturbance).

An additional 5 percent of permanent coverage is allowed for pervious surfaces (which allow moisture, air, and limited light to the earth below). The project complies with the pervious surface requirement, with the exception of an open mesh fire turn around and entry walkway which has not been included in the calculations. Environmental Planning and the California Department of Fish and Game staff have determined that this material should not be included in permanent site disturbance totals, as it will have virtually no impact to the habitat of the Santa Cruz Long Toed Salamander and will allow for easy flow of moisture, air, and light to the surface below. Planning staff support this determination for the development of this site, which is more severely constrained by the requirement of a fire turn around. Such a fire turn around is not typically required of smaller parcels within the SP combining district, but is required of this site due to the location of the subject property adjacent to an existing landslide which has closed Encino Drive without an adequate turn around for fire vehicles.

Grading and Retaining Walls

The preparation of the project site, parking, and turn around areas will require some grading to allow for the construction of a basement and retaining walls. The grading volumes are considered as reasonable for the size of the proposed residence and the existing topography of the subject property.

The proposed retaining walls are located below the grade of the existing roadway and will not exceed height requirements within the required front yard setback. An existing retaining wall located across Encino Drive may be modified as a result of this project, but no visual impact or reduction in vehicular sight distance will result from the proposed modifications.

Basement, Number of Bedrooms, and Parking

The proposed residence includes a basement living room with two levels above. The basement is considered as appropriate due to the limited footprint of the proposed residence, and the walls of this lowest level are sufficiently below grade to qualify as a basement. As a result, the proposed residence is considered as a two story residence with basement below.

The proposed interior layout includes a single bedroom on the upper level, with a separate walk-

in closet located across a hallway area. This arrangement is considered as appropriate due to the narrow size of the proposed residence and the location of the proposed stairway. Modification of the interior of the proposed bedroom, to include closet space, would result in a significant reduction of interior space that would make the bedroom uncomfortable and difficult to furnish and occupy. Planning staff recommends acceptance of the proposed room arrangement. Per the proposed room arrangement, the proposed residence will contain one bedroom. Two off street parking spaces are required to serve a one bedroom residence. These two parking spaces have been provided adjacent to Encino Drive.

Local Coastal Program Consistency

The proposed single family dwelling is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review & Scenic Resources

The proposed single family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project is well articulated with hipped roofs, cantilevered balconies, and varied wall materials. The subject property is located in an area of extensive tree cover that will reduce the visual impact of the proposed development on the Highway One Scenic Corridor, surrounding land uses and the natural landscape.

Conclusion

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

Staff Recommendation

- e **APPROVAL** of Application Number **03-0284**, based on the attached findings and conditions.
- e Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

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

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Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned R-1-10-SP (Single Family Residential - 10,000 square foot minimum - Salamander Protection Combining District), a designation which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section **13.20.130** et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure **2.5** and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the single family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local coastal program.

This finding **can** be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character **of** the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-I-IO-SP (Single Family Residential - 10,000 square foot minimum - Salamander Protection Combining District) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the single family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-10 (Single Family Residential - 10,000 square foot minimum) zone district in that the primary use of the property will be one single family dwelling that meets all current site standards for the R-1-10 zone district.

The proposed project is consistent with County Code Section 16.32.090(c)B.1 (Santa Cruz Long Toed Salamander Habitat) in that the structure will not exceed the allowed site disturbance maximums. The structure's design includes cantilevered decks with ½ inch gaps between boards and open mesh surfaces. The design of the cantilevered decks and open mesh surfaces will allow for allow for air, light, and moisture to be accessible to the ground surface below, and will not create additional impervious coverage or permanent site disturbance as a result. The proposed design complies with the permanent site disturbance restrictions for development within the Salamander Protection combining 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 residential use is consistent with the use and density requirements specified for the Urban Low Density Residential (R-UL) land use designation in the County General Plan.

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

air, and open space in the neighborhood.

The proposed single family dwelling will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single family dwelling will comply with the site standards for the R-1-10 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

The proposed project is consistent with General Plan Policies 5.1.6 (Development within Sensitive Habitats) & 5.1.7 (Site Design and Use Regulations) in that the proposed residence has been reduced in scale from what would be allowed on a typical residential lot to comply with the regulations of the SP combining district. The proposed residence will not have an adverse impact on the Santa Cruz Long Toed Salamander, or its associated habitat as a result of the proposed location and design.

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

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

This finding can be made, in that the proposed single family dwelling is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

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 residential neighborhood containing a variety of architectural styles, and the proposed single family dwelling is consistent with the land use intensity and density of the neighborhood.

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

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

Conditions of Approval

Exhibit A: Project Plans entitled, "Walker Residence", 6 sheets, prepared by Franks Brenkwitz & Associates, dated 7/10/03 with revisions through 5/16/04.

- I. This permit authorizes the construction of a single family dwelling, retaining walls, a parking platform, and grading of approximately 185 cubic yards of earth, per the approved Exhibit "A" for **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.
 - 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.
 - E. Obtain final water service approvals from the Soquel Creek Water District.
 - F. Obtain final septic approvals from the County Department of Environmental Health Services.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 2. Grading, drainage, and erosion control plans. Grading, drainage, and erosion control plans. A note must be included on the project plans that states the following: "No grading, site clearing, or site disturbance shall occur on the project site between October 15" and April 15" of any year, including any necessary grading for building footings, the parking pad, or utility trenches, even if such grading does not require a Grading Permit from the County of Santa Cruz Planning Department."

3. A landscape plan that clearly shows all specimens, sizes, and quantities that are proposed to be planted to revegetate the site after construction has been completed. All specimens must be selected from native species that are common to the habitat of the Santa **Cruz** Long Toed Salamander, and that are adapted to the soils and climatic conditions that exist on the site.
 4. Architectural plans shall include all necessary construction details to clearly show compliance with the all required geologic and soils reports and update letters, including the recommended foundation designs.
 5. Submit a development plan for Planning Department staff review and approval consistent with the Salamander Protection district standards limiting site disturbance. The plan shall limit all construction activity (**house**, utility trenching, storage of construction materials, etc.) to a maximum of 25 percent of the site at any one time.
 6. Details showing compliance with fire department requirements. Including structural details for the proposed open mesh turn around.
- C. Provide proof of water service from Soquel Creek Water District for construction of a new house on this vacant parcel.
- D. Meet all requirements of and pay all drainage fees to the County Department of Public Works, Drainage.
- E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- F. Submit 3 copies of a plan review and acceptance letter prepared and stamped by a licensed Geologist.
- G. Submit 3 copies of a plan review and acceptance letter prepared and stamped by a licensed Geotechnical Engineer.
- H.** Pay the current fees for Parks and Child Care mitigation for 1 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- I. Pay the current fees for Roadside and Transportation improvements for 1 unit(s). Currently, these fees are, respectively, \$2,000 and \$2,000 per unit.
- J. Provide required off-street parking for 2 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- K. 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.

- L. A Declaration of Restrictions form for the Salamander Protection (SP) Zone must be filled out and signed by the property owner then recorded on the subject property deed. This document shall clearly indicate the area of conservation easement onsite. The easement shall serve as a conservation and scenic easement for light, air and view and shall include all of the remainder of the site that is not shown as disturbed under this development approval (the portion of the parcel that is not covered by the single family dwelling, the parking and deck areas, and the drainage and utility improvements).
- III. During construction and prior to final Building Permit inspection, the following conditions must be met:
- A. No grading, site clearing, or site disturbance shall occur on the project site between October 15th and April 15th of any year, including any necessary grading for building footings, the parking pad, or utility trenches, even if such grading does not require a Grading Permit from the County of Santa Cruz Planning Department.
- IV. 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. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved geologic and soils reports.
 - D. Pursuant to Sections **16.40.040** and **16.42.100** of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections **16.40.040** and **16.42.100**, shall be observed.
- V. Operational Conditions
- A. All vegetation, approved in the landscape plan, must be maintained in healthy

condition with any removal and/or replacement to require the review and approval of Planning Department staff. The existing native vegetation and mature trees shall not be disturbed or removed without the review and approval of Planning Department staff. No type of vegetation, other than species indigenous to the Santa Cruz Long Toed Salamander Habitat of Santa Cruz County, shall be planted on the subject property, with the exception of **annual rye** grass when planted for erosion control purposes. Neither indigenous ground cover nor native wildlife shall be unnecessarily disturbed.

- B. Only those types of fencing (such as wire or split rail) which are open enough to allow free passage of native wildlife shall be allowed on subject property.
- C. No house additions, additional decking, or other impervious surfaces or permanent site disturbances are allowed on this parcel without an amendment to this permit.
- D. All site disturbances shall not **exceed** 25% (before revegetation) of the total lot size. This includes temporary disturbances. **At** least 75% of a lot must be left undisturbed at any time. This regulation applies at all times, even for activities for which no permit is required. When work is completed, the area disturbed must be revegetated with native plants so that the maximum permanent disturbance of 15% is not exceeded. This includes the installation and maintenance of sewage pump systems, seepage pits, underground utilities, and drainage dissipaters or other facilities, or any other disturbance activities.
- E. The property owner shall permit any persons designated by the Department of Fish and Game **or** its successors in interest full access to the subject parcel necessary for the purpose of studying the Santa Cruz Long Toed Salamander and its habitat, upon reasonable notice of such entry.
- F. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

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

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

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Randall Adams
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 03-0284

Assessor Parcel Number: 044-051-58

Project Location: No situs - Encino Drive

Project Description: Proposal to construct a single family dwelling.

Person or Agency Proposing Project: Brett Brenkwitz

Contact Phone Number: (831) 662-8800

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

Specify type:

E. ☒ **Categorical Exemption**

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

F. Reasons why the project is exempt:

Construction of a single family dwelling in an area designated for residential development.

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

Randall Adams, Project Planner

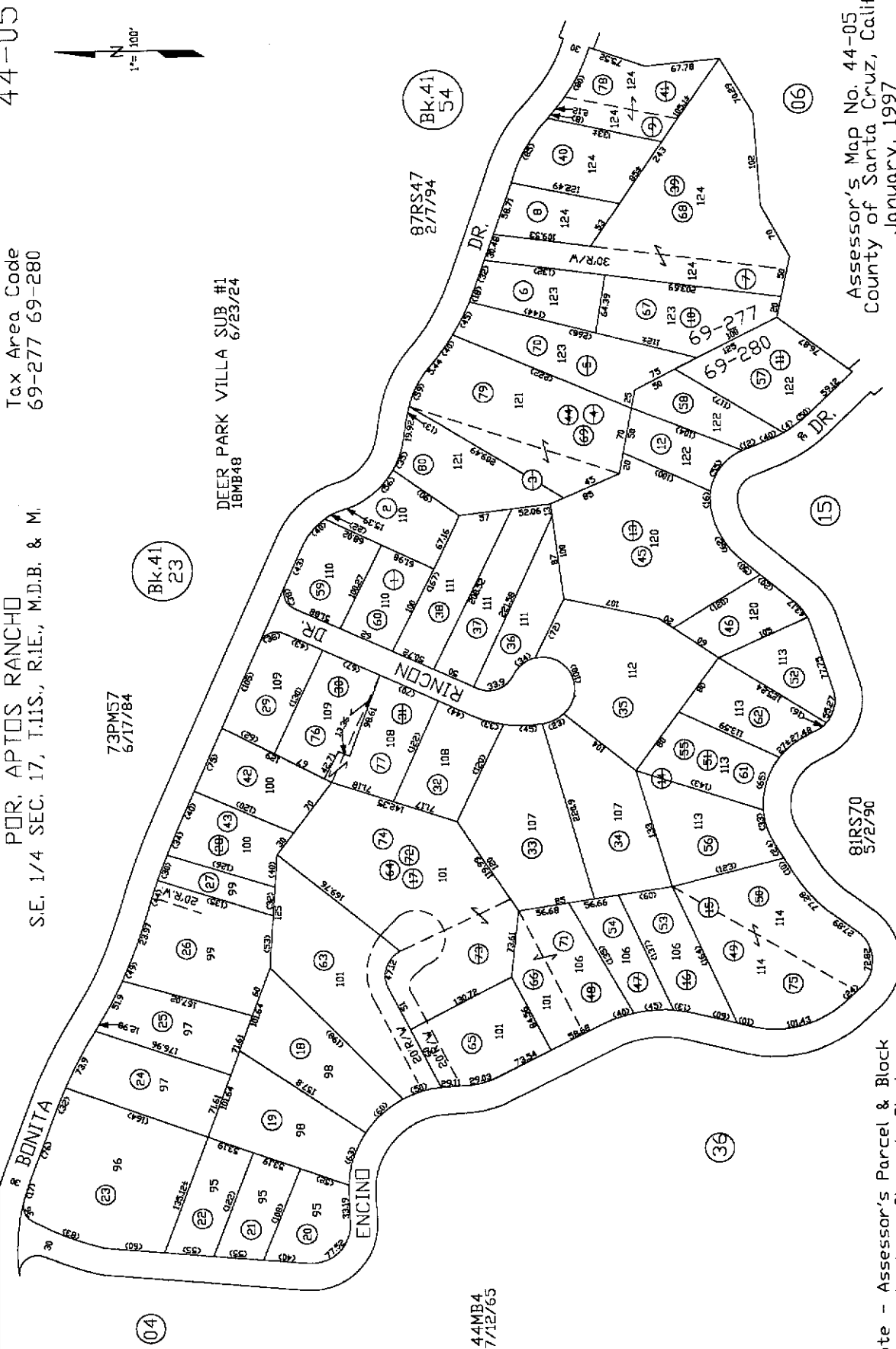
Date: _____

FOR TAX PURPOSES ONLY

THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.

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Electronically Reborn 1/22/97
3/15/98 (TCA CONSOLIDATION)
5/25/01 (MVA Changed page refs)



Note - Assessor's Parcel & Block

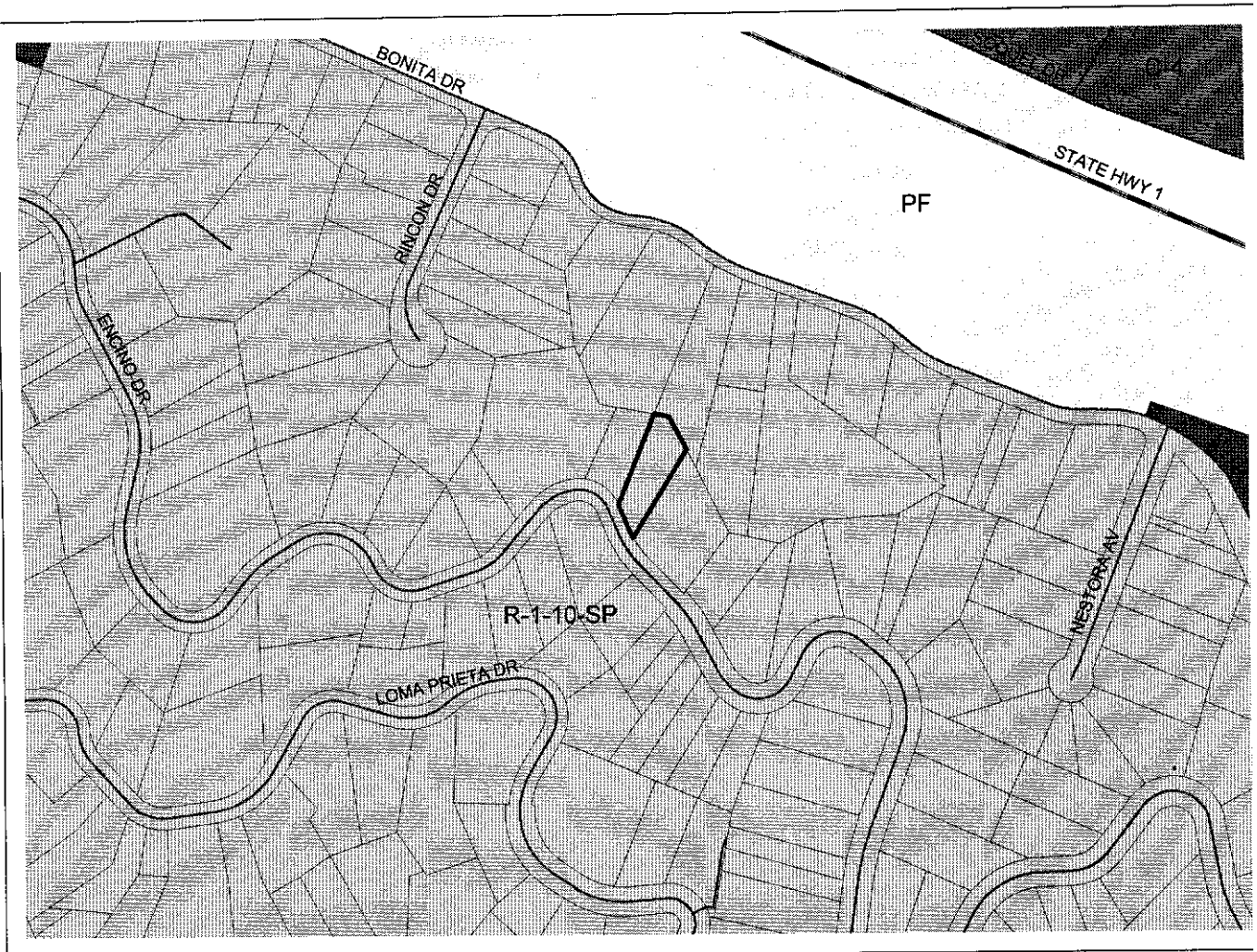
Assessor's Map No. 44-05
County of Santa Cruz, Calif.
January, 1997

Tax Area Code
69-277 69-280

POTOS RANCHO
S.E. 1/4 SEC. 17, T.11S., R.1E., M.D.B. & M.

44-05

Zoning Map



500 0 500 Feet

Legend

- APN 044-051-58
- Parcel boundaries
- State highways
- Streets
- PF
- R-1-10
- C-4
- PR



Map created by Santa Cruz County
Planning Department:
July 2003

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

Project Planner: Randal Adams
Application No.: 03-0284
APN: 044-051-58

Date: June 23, 2004
Time: 16:32:29
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Environmental Planning Completeness Comments

===== REVIEW ON AUGUST 11, 2003 BY ROBIN M BOLSTER =====

1) This project will require a Geologic Hazards Assessment (GHA) to determine whether a Geologic Report will be required for the site. Please apply at the zoning counter between 8am and 11am. M - F.

2) This project will require a soils report prepared by a qualified civil engineer. The soils report must address the stability of the slope east and south of the proposed house and parking area

===== UPDATED ON OCTOBER 10, 2003 BY KENT M EDLER ===== Soils report denied pending determination of the GHA.

===== UPDATED ON OCTOBER 10, 2003 BY ROBIN M BOLSTER =====

NO COMMENT

===== UPDATED ON JANUARY 20, 2004 BY ROBIN M BOLSTER =====

This project cannot be considered complete until the Geologic Report has been submitted and formally reviewed by the County Geologist. Please submit two copies of the required Geologic Report as well as the required review fees to the zoning counter. Review fees will be approximately \$400, which represents the difference between the Soils Report Review fee that has already been paid and the Geologic Report Review fee.

Additionally, the soils report cannot be accepted until the Geologic Report has been submitted and reviewed,

The subject geotechnical investigation indicates that the site is unstable if the septic system is constructed without mitigation. The geotechnical report's update dated May 18, 2004 identifies the problem, but doesn't provide post construction which will be required prior to construction. ===== UPDATED ON JUNE 15, 2004 BY JOSEPH L HANNA =====

===== UPDATED ON JUNE 15, 2004 BY JOSEPH L HANNA =====

The engineering geologist and geotechnical engineer have reviewed the site and have determined that the potential slope instability from the septic system can be minimized by the construction of a pier wall. This improvement has been reviewed and approved by environmental health and is acceptable to the County Geologist. The project should be conditioned that wall shall be designed by a qualified civil engineer and reviewed and approved by the geotechnical engineer and engineering geologist. ===== UPDATED ON JUNE 18, 2004 BY JOSEPH L HANNA =====

Environmental Planning Miscellaneous Comments

===== REVIEW ON AUGUST 12, 2003 BY ROBIN M BOLSTER =====

The following items must be addressed prior to building application approval:

1) Following County acceptance of soils report, please provide a plan review letter that states that the final building, drainage, and grading plans are in conformance

project Planner: Randal1 Adams
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with the recommendations made in the soils report prepared for this project. Specifically, the plan review letter must assess whether the proposed energy dissipator is located far enough down slope to avoid creating an unstable slope.

2) Please provide grading calculations for the fill beneath the parking pad. If the fill is to be keyed, as indicated on the plans, please provide a detailed cross section of the keyway.

3) Please submit copy of recorded Declaration of Restriction regarding Salamander Protection (SP) Zone.

4) Please revise Landscape and Site Plan (A-1) to indicate the number of existing and proposed trees on site and clarify whether any existing trees are proposed for removal.

5) Please provide detailed drainage plans, which include drainage device construction details (to scale or with dimensions) including retaining wall backdrains.

6) Please provide structural calculations for retaining walls and support detail for the proposed open grid turnaround.

===== UPDATED ON AUGUST 15, 2003 BY ROBIN M BOLSTER =====

The open grid design of the proposed turn-around appears to be consistent with the Salamander Protection Ordinance in that it allows sunlight and water to pass unobstructed. The concurrence of California Fish & Game with the proposed design will be required prior to final approval.

===== UPDATED ON DECEMBER 12, 2003 BY ROBIN M BOLSTER =====

After discussing the revised turn-around and parking structure design with Environmental Coordinator Paia Levine and head of Environmental Planning section Ken Hart, it has been determined that the design will provide adequate light and water in order to provide habitat for salamanders. Therefore, the grid design will allow the turnaround/parking area to be considered exempt from the "permanent disturbance" definition and will not be counted toward the 15% permanent disturbance calculation.

Dpw Drainage Completeness Comments

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

===== REVIEW ON AUGUST 12, 2003 BY DAVID W SIMS =====

Approved for discretionary level of review. Please see miscellaneous comments for items to address in the building application.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON AUGUST 12, 2003 BY DAVID W SIMS =====

Proposed efforts to reduce impervious area coverage have kept drainage concerns manageable for this steep site. However, the following is required information to be

Project Planner: Randal Adams
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provided for the building application:

- 1) Show the downslope parcels and the locations of structures on these parcels
- 2) Indicate the flow path beyond the property boundary for runoff that would overflow the proposed retention/percolation pit in an extreme event. Indicate the soil and vegetative condition of this flow path and/or any structural improvements in place.
- 3) Provide a stamped/signed letter of review approval from a geotechnical engineer approving of the design and placement of the runoff retention structure.
- 4) Provide construction details for the retention structure.

While the proposed 5'x5'x5' retention pit is of sufficient size to control runoff at a level for resource issues (i.e. small frequent storms) it is not likely to be capable at fully controlling a larger event, and can be expected to overflow. As designed this overflow would be concentrated upon a narrow location on a steep slope, and may prove to be erosive.

Additionally, site soils are mapped as having the best infiltration capability in the upper soil layers, with more restrictive layers at depth. Please consider a retention structure design that is shallow and lineal along the slope contour. Such design could access these soils better, with overflow runoff spread laterally across the slope, reducing erosion potential.

Dpw Road Engineering Completeness Comments

===== REVIEW ON AUGUST 18, 2003 BY RODOLFO N RIVAS =====
NO COMMENT

Dpw Road Engineering Miscellaneous comments

===== REVIEW ON AUGUST 18, 2003 BY RODOLFO N RIVAS =====
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON SEPTEMBER 16, 2003 BY JIM G SAFRANEK =====

Applicant must obtain a sewage disposal permit for the new development. Applicant will have to have an approved water supply prior approval of the sewage disposal permit. Contact the appropriate Land Use staff. Troy Boone: 454-3069.

===== UPDATED ON APRIL 14, 2004 BY JIM G SAFRANEK ===== Application for sewage disposal was submitted and reviewed by EHS. Septic application will need approval by both County Geologist and the RWQCB prior to EHS approval of onsite sewage disposal permit application.

Disc Application approved by EHS.

Environmental Health Miscellaneous Comments

Discretionary Comments - Continued

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===== REVIEW ON SEPTEMBER 16, 2003 BY JIM G SAFRANEK =====
NO COMMENT

Aptos-La Selva Beach Fire b o t Dist Completeness C

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

===== REVIEW ON JULY 31, 2003 BY ERIN K STOW =====

DEPARTMENT NAME: Aptos/La Selva Fire Dept. Plans approved

A 30 foot clearance will be maintained with non-combustible vegetation around all structures or to the property line (whichever is a shorter distance). Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure are exempt.

All Fire Department building requirements and fees will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire b o t Dist Miscellaneous

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

===== REVIEW ON JULY 31, 2003 BY ERIN K STOW =====

NO COMMENT

Randall Adams

From: David Johnston [djohnston@dfg.ca.gov]
Sent: Wednesday, December 31, 2003 1:48 PM
To: Randall Adams; fbandassoc@cs.com
Subject: Encino Drive project

Randall:

This note is to confirm our discussions of the Brenkwitz project on Encino Drive. These comments are based on my review of the project plans by Brett Brenkwitz, dated 9/15/03, sheets A1-A6.

DFG is satisfied with the project plans as reviewed, except for the landscaping. The landscape plan should be revised to use only plant species native to the immediate area. An exception is acceptable for herbaceous plants and shrubs immediately adjacent to the house, as long as they are non invasive species.

Dave Johnston
Calif. Department of Fish and Game
(831)475-9065

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EXHIBIT 6



Board of Directors
Daniel F. Kriege, *President*
John W. Beebe, *Vice President*
Bruce Daniels
Dr. Bruce Jaffe
Dr. Thomas R. LaHue
Laura D. Brown, *General Manager*

October 9, 2003

Brett Brenkwitz
P.O. Box 597
Aptos, California 95003

SUBJECT Water Service Application for Single Family Dwelling to be located
at 627 Encine Drive, Aptos, Ca. 95003, APN 044 051 58

Dear Mr. Brenkwitz:

In response to the subject application, the Board of Directors of the Soquel Creek Water District at their regular meeting of October 7, 2003 voted to serve your proposed development subject to such conditions and reservations as may be imposed at the time of entering into a final contract for service. Neither a final contract for service nor a service installation order will be issued until such time as all approvals from the appropriate land-use agency and any other required permits from regulatory agencies have been granted and all conditions for water service have been met to the satisfaction of the District.

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

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

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EXHIBIT G

- 4) Satisfies all conditions for water conservation required by the District at the time of application for service, including the following:
 - a) Plans for a water efficient landscape and irrigation system shall be submitted to District Conservation Staff for approval;
 - b) All interior plumbing fixtures shall be low-flow and all Applicant-installed water-using appliances (e.g. dishwashers, clothes washers, etc.) shall have the EPA Energy Star label;
 - c) District Staff shall inspect the completed project for compliance with all conservation requirements prior to commencing domestic water service;
- 5) Completes LAFCO annexation requirements, if applicable;
- 6) All units shall be individually metered with a minimum size of 5/8-inch by 3/4-inch standard domestic water meters;
- 7) A memorandum of the terms of this letter shall be recorded with the County Recorder of the County of Santa Cruz to insure that any future property owners are notified of the conditions set forth herein.

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

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

Sincerely,

SOQUEL CREEK WATER DISTRICT



Jeffery N. Gailey

Engineering Manager/Chief Engineer