



Staff Report to the Zoning Administrator

Application Number: **05-0579**

Applicant: Stacey Meyers

Owner: Donald & Sharon Meyers

APN: 062-191-11

Agenda Date: January 20, 2006

Agenda Item #: **5**

Time: After 10:00 a.m.

Project Description: Proposal to amend Coastal and Residential Development Permit 98-0750 to change the location of the approved second dwelling unit.

Location: Project is located on the north side of Smith Grade about 1.5 miles southeast from the intersection with Empire Grade (1510 Smith Grade Road, Bonny Doon).

Supervisory District: 3rd District (District Supervisor: Mardi Wormhoudt)

Permits Required: Coastal Permit, Residential Development Permit, Significant Tree Removal Permit.

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 05-0579, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|--|----|---|
| A. | Project plans | H. | Rural Density Matrix |
| B. | Findings | I. | Mitigated Negative Declaration for Permit 98-0750 (excluding attachments) |
| C. | Conditions | J. | Letter from Project Forester Roy Webster, dated June 30, 1999 |
| D. | Categorical Exemption (CEQA determination) | | |
| E. | Assessor's parcel map | | |
| F. | Zoning map | | |
| G. | Comments & Correspondence | | |

Parcel Information

Parcel Size: Approximately 235 acres
Existing Land Use - Parcel: Residential and vineyard

Existing Land Use - Surrounding: Residential, timber production, parkland
Project Access: Smith Grade
Planning Area: Bonny Doon
Land Use Designation: R-M (Mountain Residential)
Zone District: TP (Timber Production)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: N/A
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: Two trees proposed for removal
Scenic: Smith Grade is a scenic corridor
Drainage: Existing drainage adequate
Archeology: Mapped resource area, assessment did not reveal evidence of resources

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: Private Well
Sewage Disposal: Private Septic System
Fire District: California Department of Forestry and Fire Protection
Drainage District: N/A

History

A two-unit dwelling group was approved by the Board of Supervisors in conjunction with a Minor Land Division on May 21, 2002. This project was heard by the Board as it proposed a two-lot split of Timber Production zoned land in the coastal zone with one parcel under 180 acres (Parcel B). While the Parcel Map was recorded prior to expiration of permit 98-0750, the property owner was unable to complete the building plans and apply for the building permit for the second single family dwelling before the use permit expired (May 21, 2004). In December of 2004 Permit 04-0186 was approved to provide a time extension to the original use permit. Time extension 04-0186 expired on May 21, 2005. The subject proposal would allow the construction of a second dwelling unit, to a maximum height of 20 feet, representing an increase of 3 feet over the 17-foot tall dwelling originally approved under Permit 98-0750.

There have been no changes to the zoning regulations or General Plan, which would affect the processing of this application or the approval of the original permit. The original conditions of approval and the modified location of the second dwelling are consistent with the final Findings adopted by the Board of Supervisors on 5/21/02.

Project Setting

The subject parcel is an approximately 235-acre parcel, located on Smith Grade Road in the Bonny Doon Planning Area. The proposed amended development envelope is located on slopes of less than 30% at the southwestern end of the parcel. No additional access road is required for the second dwelling unit, which will be located in roughly the same location currently occupied by an unpermitted caretaker's mobile home. The mobile home will require a permit for occupancy during the construction of the proposed single family home.

No development is proposed within the forested area of the property

Environmental Constraints

The parcel is located within a Water Supply Watershed for Majors Creek and Laguna Creek, which supply water for the City of Santa Cruz. General Plan Policy 5.5.9 requires that all grading, building and timber harvesting in Water Supply Watersheds meet strict standards for erosion control and protection of water quality. In addition, General Plan Policy 5.5.12 requires retention of stormwater runoff from impervious surfaces for all new development through on-site percolation methods, where feasible. Construction of the proposed residence will require minimal grading. Additionally, the Drainage Section of the Department of Public Works has already approved the drainage plan for the proposed dwelling under building application 54379H.

Two sensitive biotic communities are located on the subject parcel. The northwest corner of the parcel is mapped within an area of possible Santa Cruz Cypress. The biotic resources were evaluated by the County Biotic Consultant, who determined that no specimens of this tree were on the property. Individuals of two special status manzanita species were identified at the eastern periphery of the property and close to the property line on the adjacent parcel to the west. However, because of historic disturbance, it was determined that no individuals would be impacted by the proposed development. There are also riparian resources on the subject parcel, however no development or site disturbance is proposed within 500 feet of any riparian corridor.

Portions of the subject parcel are located within a Critical Fire Hazard Area, however the location of the proposed second dwelling unit is outside of this mapped constraint and will create no hazard. Secondary access is not required as the building sites are not located on a dead end road more than one-half miles from the nearest intersection with a through road.

The subject parcel is zoned Timber Production and accordingly the entire parcel is mapped within a Timber Resource designation. A Timber Management Plan was submitted in conjunction with the original development proposal for Permit 98-0750. The plan was reviewed and accepted by the County. The proposed development will occur on the non-timbered portion of the property.

The proposed second dwelling unit is located within a mapped Scenic Resource area associated with Smith Grade Road. The development, as delineated by story poles, is not visible from Smith Grade Road due to site topography, natural screening by existing trees and neutral coloration. Conditions will be placed on the dwelling to require that it not be visible from Smith Grade Road.

The Significant Tree Protection Ordinance applies to all trees on the subject property. Two trees are proposed for removal and will be replaced at a 2-to-1 ratio. Replacement trees shall be shown on the Landscape Plan as a condition of approval.

Rural Density Matrix

As a part of Permit 98-0750, a Rural Density Matrix was completed to determine the allowable residential development on the subject parcel with respect to both the land division and for the two-unit dwelling group on the resultant parcels. In accordance with the development density policies applicable to the original parcel (062-191-02) the maximum density of development for a land division or dwelling group using clustered development would be four parcels or dwelling groups. The land division and dwelling group of three density units, approved under development permit 98-0750, was less than the density of development allowable under the matrix policies. The proposed second dwelling unit achieves clustering with respect to the size of the subject parcels and its timber resources.

Zoning & General Plan Consistency

The subject property is a 235-acre lot, located in the TP (Timber Production) zone district, a designation, which allows residential uses. The proposed two-unit residential dwelling group is a conditionally permitted use within the zone district. The proposed development density on the parcel is approximately one dwelling per 117 gross acres. The two dwellings are located roughly 1,000 feet apart, however the location of the proposed second dwelling is in an area of the parcel that contains very few timber resources. While there are small, isolated stands of redwoods in this area, they are so far removed from the densely forested portion of the property to the east that they do not provide any economical benefit from harvesting. The proposed location of the new house provides security in the more open and accessible portion of the property and for the nearby vineyard. The project forester Roy Webster, submitted a letter in conjunction with Development Permit 98-0750, which stated that the proposal would not significantly impact the timber resources on the parcel (Attachment J).

The subject property has a General Plan Designation of Mountain Residential (R-M). The purpose of this designation is to provide for very low density residential development in areas that are unsuited to more intensive development due to the presence of physical hazards and development constraints, the desire to protect natural resources and the lack of public facilities and services need to support higher densities. The proposed development is consistent with the density range of ten to forty net developable acres and is consistent with the Rural Density Matrix performed for the subject property.

Local Coastal Program Consistency

The proposed two-unit dwelling group is in conformance with the County's certified Local Coastal Program, in that the proposed dwelling 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.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA), the project was reviewed by the County Environmental Coordinator on August 27, 2001. A Mitigated Negative Declaration was issued on October 5, 2001 (Attachment H). This document was certified by the Board of Supervisors on May 21, 2002. This amendment represents a minor alteration in land use and is therefore exempt from further environmental review under CEQA Section 15305.

Conclusion

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

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 05-0579, 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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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 TP (Timber Production), a designation which allows residential uses. The proposed two-unit dwelling group is a conditionally permitted use within the zone district and is consistent with the site's (R-M) Mountain Residential General Plan designation. The dwelling group is less than the density of development allowable under the matrix policies and in County Code Section 13.10.373 for clustered development on TP land within the coastal zone. The western side of the subject property does not contain merchantable stands of timber. Due to the location of the existing development and the timbered portions, clustering in close proximity of 200-300 feet is not necessary to facilitate timber harvesting as the proposed development is located outside of timberlands, landings and logging roads. The development is clustered with respect to the size of the original parcel and the proposed development of the new dwelling, by preserving the majority of the property as a large tract of undeveloped land.

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 proposed two-unit dwelling group 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 proposed two-unit dwelling group is consistent with the design criteria and special use standards and conditions of County Code Section 13.20.130 et seq. in that the project proposes minimal grading, is not located on a prominent ridge, and is visually compatible with the character of the surrounding rural neighborhood. The project does not obstruct any public views to the shoreline. The proposed dwelling will not be visible from Smith Grade Road, due to topography and existing vegetative screening. The design and siting of the proposed residence minimizes impacts on the site, the surrounding neighborhood and the scenic resources as viewed from Smith Grade Road.

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. Public access to the beach is located to the south from Highway One. 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 proposed dwelling 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 TP (Timber Production) 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. The proposed dwelling will incorporate a pitched roof and single story, 20-foot height. The location and design of the building will harmonize with the rural environment of the area and will not be visible from Smith Grade Road, a designated scenic road.

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 two-unit residential dwelling group is located in an area designated for residential uses and the area of proposed development is not encumbered by physical constraints to development. 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 TP (Timber Production) zone district. The dwelling is located in the southwestern corner of the property in the non-timbered portion of the parcel. The distance separating the two dwellings is about 1,000 feet. County Code Section 13.10.373(d) states that dwellings built as part of dwelling group or building sites in a subdivision using parcel size averaging shall be clustered within 200 to 300 feet of each other, where feasible to facilitate timber harvesting and preserve the rural character of the land. The western side of the subject property does not contain merchantable stands of timber. Due to the location of the existing development and the timbered portions of parcel, the 200-300 foot proximity is not necessary to facilitate timber harvesting as the proposed development is located outside of timberlands, landings and logging roads. The proposed residential development meets the intent of the Timber Production zoning regulations, in that the dwellings are located outside of the forested areas, are not located near any timber landings or logging roads and are clustered with the respect to the parcel's overall size.

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 Mountain Residential (R-M) land use designation in the County General Plan. As discussed in the Coastal Zone Findings for this project, all LCP policies have been met in the proposed locations of the project and with the required conditions of this permit. The design of the proposed single-family dwelling, forming the two-unit dwelling group, is consistent with that of the surrounding neighborhood, and is sited and designed to visually compatible and integrated with the character of surrounding neighborhoods. The dwelling will not block any public vistas to the public beach and will blend with the rural environment.

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 TP 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.

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 second single family dwelling is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only 1 peak tripper 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 second dwelling unit is located in a mixed 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. The proposed dwelling will result in a home of modest size and mass, and will be sited and designed to be integrated with the character of the surrounding neighborhood and to be indiscernible from Smith Grade Road, a designated County scenic road.

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 second 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. The primary elements of the site design, rustic styling and subdued earthtone colors, a pitched roof, single story 20-foot height, are compatible with the surrounding development and will not be visible from the road.

Significant Tree Removal Findings

Per the Significant Tree Protection Ordinance (County Code 16.34.060) one or more of the following findings must be made in order to grant approval for the removal of a significant tree:

1. That the significant tree is dead or is likely to promote the spread of insects or disease.
2. That the removal is necessary to protect health, safety, and welfare.
3. That the removal of a non-native tree is part of a plan approved by the county to restore native vegetation and landscaping to an area.
4. That removal will not involve a risk of adverse environmental impacts such as degrading scenic resources.

The removal of two redwood trees from the proposed building site will not be visible from surrounding properties or from Smith Grade Road, a scenic road and will thus not degrade scenic resources. The removal of the two trees in this area will be mitigated through the planting of four replacement trees between the proposed dwelling and Smith Grade Road.

5. That removal is necessary for active or passive solar facilities, and that mitigation of visual impacts will be provided.
6. That removal is necessary in conjunction with another permit to allow the property owner an economic use of the property consistent with the land use designation of the local coastal program land use plan.

Construction of a dwelling within the area approved by Permit 98-0750 requires that two redwood trees be removed. To not allow the removal of these trees would significantly impact the ability to create an economic use of the parcel.

7. That removal is part of a project involving selective harvesting for the purpose of enhancing the visual qualities of the landscape or for opening up the display of important views from public places.
8. That removal is necessary for new or existing agricultural purposes consistent with other county policies and that mitigation of visual impacts will be provided.

Conditions of Approval

Exhibit A: Architectural Plans (3 Sheets) prepared by Frauke Zajak, dated December 19, 2005

- I. This permit authorizes the construction of a single family dwelling, where a single family dwelling exists, constituting a two-unit dwelling group. 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 Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
- 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. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. Exterior elevations identifying 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. Detailed grading, drainage, and erosion control plans.
 3. Final plans shall show the height of the proposed dwelling. The dwelling shall not exceed twenty (20) feet in height.

4. For any structure proposed to be within 2 feet of the maximum height limit for the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure.
 5. A final landscape plan. The plan shall include the location, size, and species of all existing and proposed trees and plants within the setback areas of the dwellings. The landscape plan shall include a row of native trees to be planted between the residence and Smith Grade Road as replacement trees for those trees proposed for removal. The landscape plan shall be reviewed and approved by the Planning Department.
 6. Any new electrical power, telephone, and cable television service connections shall be installed underground.
 7. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal.
- D. Meet all requirements of and pay drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- F. Meet all requirements and pay any applicable plan check fee of the California Department of Forestry Fire Protection District.
- G. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer. Submit a plan review from the project soils engineer, which states that the building, grading and drainage plans are in conformance with the recommendations made in the soils report.
- H. Pay the current fees for Parks and Child Care mitigation for 3 bedroom(s). Currently, these fees are, respectively, \$578 and \$109 per bedroom.

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- I. Provide required off-street parking for 3 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.
 - J. 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. 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 soils reports. Submit an observation letter from the soils engineer, which states that all recommendations contained in the approved soils report have been met.
 - 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.
- IV. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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

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

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Robin Bolster-Grant
Project Planner

Application #: 05-0579
APN: 062-191-11
Owner Donald & Sharon Meyers

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 05-0579

Assessor Parcel Number: 062-191-11

Project Location: 1510 Smith Grade

Project Description: Amendment to Coastal, Residential Development and Minor Land Division Permit 98-0750 to change proposed location of second dwelling unit.

Person or Agency Proposing Project: Stacey Meyers

Contact Phone Number: (831) 466-0173

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

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 5 - Minor Alterations in Land Use Limitations (Section 15305)

F. Reasons why the project is exempt:

Change of location for approved second dwelling in areas with average slopes of less than 20% resulting in no changes in land use or density

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

Robin Bolster-Grant, Project Planner

Date: _____

Originally Redrawn 10/18/99 kb
 7/10/01 mmm (changed page refs.)
 11/5/04 mmm (S8FM4, Sp. 1-11 & 12)
 2/10/05 mmm (added st. name)

FOR TAX PURPOSES ONLY

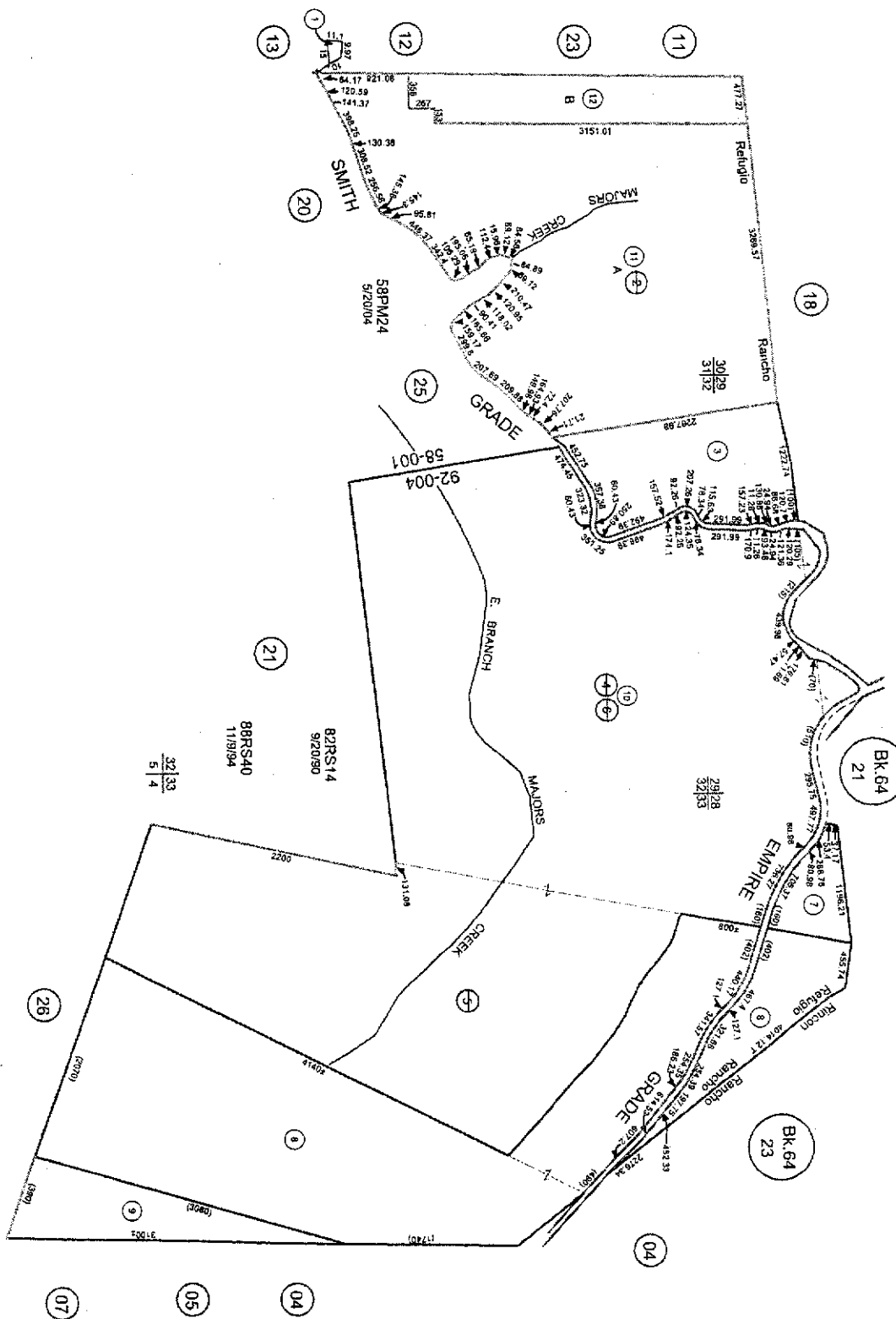
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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POR. REFUGIO RANCHO
 SECS. 28, 29, 30, 31, 32, 33, T.10S., & SEC. 4, T.11S., R.2W., M.D.B. & M.

Tax Area Code
 58-001 92-004

62-19

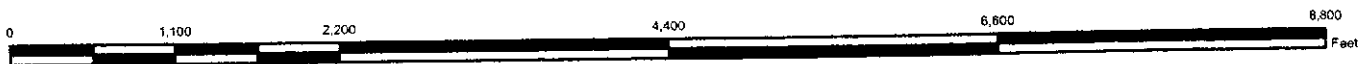
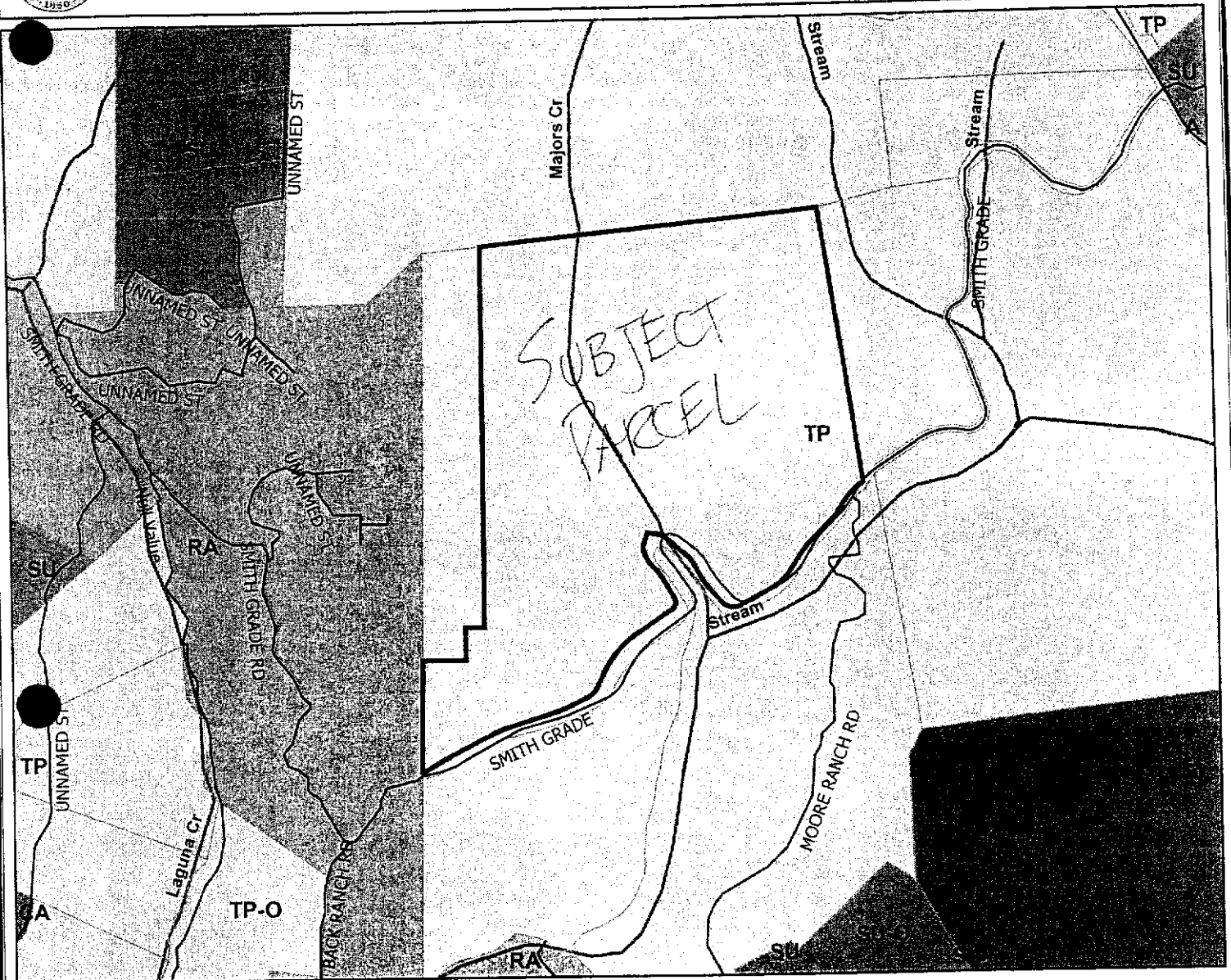
Numbers shown in Circles.



Assessor's Map No. 62-19
 County of Santa Cruz, Calif.
 Oct. 1999

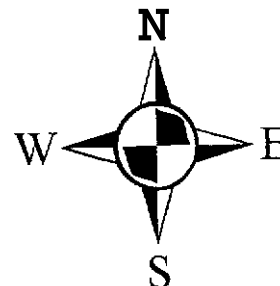


Zoning Map



Legend

- APN 062-191-11
- Streets
- Assessors Parcels
- PERENNIAL STREAM
- TIMBER PRODUCTION (TP)
- AGRICULTURE COMMERCIAL (CA)
- AGRICULTURE RESIDENTIAL (RA)
- SPECIAL USE (SU)



Map Created by
County of Santa Cruz
Planning Department
September 2005

EXHIBIT F

SR 3252 2603 04-416

EHS #

Application Fee: Paid ☐ Waived ☒ None ☐

ENVIRONMENTAL HEALTH CLEARANCE TO APPLY FOR BUILDING PERMIT FOR RURAL PROPERTIES

THIS IS NOT A PERMIT

TO BE COMPLETED BY APPLICANT:

Date 12/8/04 Assessor's Parcel Number 062-191-02 (will change to 1112) Construction Site Location Smith G.R. Bonny Dean
Applicant's Name Darrell Jessen Owner's Name Don & Sharon Meyers Applicant's Phone Number 476-9386
Mailing Address 1500 Smith G.R. Bonny Dean Ca. 4506

PROPOSED PROJECT

- | | ENVIRONMENTAL HEALTH REQUIREMENTS (SEE BELOW) |
|---|---|
| <input checked="" type="checkbox"/> New Residence | 1,(2),5 |
| <input type="checkbox"/> Affordable Second Dwelling | 3,(4),5 |
| <input type="checkbox"/> Accessory Habitable Structure/Guest House (No Kitchen) | 3,(4),5 |
| <input type="checkbox"/> Replacement of Structure | 3,(4),5 |
| <input type="checkbox"/> Reconstruction of Destroyed Residence; Date Destroyed _____
(Provide documentation of catastrophe) | 3,(4),5 |
| <input type="checkbox"/> Remodel Increasing Number of Bedrooms and/or an addition of
more than 500 sq. ft. of floor area. Proposed Total Bedrooms _____ | 3,(4),5 |
| <input type="checkbox"/> Remodel with a one-time addition of 500 square feet or less with no bedroom increase | 3,5 |
| <input type="checkbox"/> Other _____ | |
| <input type="checkbox"/> Simple foundation replacement with no change in footprint, wiring, plumbing, roofing, interior remodeling with no increase in bedrooms, and/or exterior remodeling with no change in footprint | |

Applicant's Signature [Signature]

TO BE COMPLETED BY ENVIRONMENTAL HEALTH STAFF: ADDITIONAL FEE REQUIRED \$ _____

ENVIRONMENTAL HEALTH REQUIREMENTS

MAXIMUM NUMBER OF BEDROOMS ALLOWED 3

- | | Permit # | Approved: | Denied: |
|---|---------------|-------------|---------|
| <input checked="" type="checkbox"/> 1 Individual Sewage Disposal Permit — New | <u>99-679</u> | <u>(ES)</u> | |
| <input type="checkbox"/> 2a Individual Water System Permit | | | |
| <input type="checkbox"/> 2b Connection to Existing Water System: _____ | | | |
| <input type="checkbox"/> 3 Evaluation of Existing Septic System | | | |
| <input type="checkbox"/> 4 Individual Sewage Disposal Permit-Repair/Upgrade | | | |
| <input type="checkbox"/> 5 No construction over septic system or in expansion area. | | | |

ADDITIONAL CONDITION OR REMARKS: Molt home on site to be removed and replaced by a new SFD - Available Assessors records indicate existing dwelling on site since 1956.

This Clearance is granted subject to the conditions specified above and in approved Environmental Health permits. Building plans submitted with the building permit application must be in compliance with those conditions and with the above project description. Applications not in compliance will be denied by Environmental Health.

- ☒ Clearance to Apply for Building Permit Approved - Application Review and Clearance Valid Until 12/8/06
☐ Environmental Health Requirements Cannot Be Met - Clearance Denied (Date)
☐ Environmental Health Clearance not required per Section 7.38.080B(6).

Compliance with Environmental Health requirements not yet determined-owner applies for Bldg. Permit at own risk

By Rachel Sanchez 19
Environmental Health Staff

Date: 12/8/04

EXHIBIT 6

APPLICATION FOR WELL PERMIT

☐ NEW ☐ REPLACEMENT ☒ SUPPLEMENTAL ☐ DESTRUCTION ☐ OTHER _____ ☐ MONITORING WELL

X 062-191-02-11 X 240 ACRES 05-123 3799 4669
 (ASSESSOR'S PARCEL NUMBER) (PARCEL SIZE) (PERMIT #) (ENVISION #) PROGRAM ELEMENT
 X SITE ADDRESS 1510 Smith Grade Road, Bonny Doon, CA 95060
 X OWNER Danilo & Sharon Mayers ADDRESS 1510 Smith Grade Road, Bonny Doon, CA 95060
 DRILLING CONTRACTOR Earth Floor Drilling LICENSE # 800269 PHONE 425-3288
 DIRECTIONS TO SITE Call Aaron at earthfloor for directions & gate combo

DESIGN SPECIFICATIONS:

CASH REGISTER VALIDATION

INTENDED USEDOMESTIC: ☒#Homes Served 8WATER SYSTEM WELL: ☐

Name of Water System _____

IRRIGATION: ☐COMMERCIAL/INDUSTRIAL: ☐MONITORING: ☐GROWTR: ☐ VADOSE: ☐OTHER: ☐ (SPECIFY) _____WITHIN WATER DISTRICT SERVICE AREA NO YES NAME: _____ (FORM HSA-579-REQUIRED)CONSTRUCTION DEPTH (FT.) ±300 DIAMETER (IN.) 5 inch DEPTH OF SEAL (FT.) 50 ft WIDTH OF SEAL (IN.) 2 inch**EXISTING WELLS ON PROPERTY:**1. OTHER WELLS ON PROPERTY: NUMBER: 1 TYPES: DOMESTIC ☒ IRRIGATION ☐ COMMERCIAL USE ☐ OTHER ☐2. CONDITION OF OTHER WELLS ON PROPERTY: IN USE ☒ TO BE DESTROYED ☐

3. IF NEW WELL REPLACES AN EXISTING WELL INDICATE INTENTIONS FOR USE OF REPLACED WELL

☒ TO SUPPLEMENT NEW WELL ☐ TO BE DESTROYED ☐ OTHER ☐

WELL DESTRUCTION: DEPTH OF WELL _____ DEPTH OF SEAL: _____ NUMBER OF WATER FORMATIONS PENETRATED _____
 CLEANING OF WELL REQUIRED YES: ☐ NO: ☐ SEALING MATERIAL: _____

PLOT PLAN: ATTACH 2 COPIES OF PLOT PLAN (SEE REVERSE FOR REQUIREMENTS)

I HEREBY AGREE TO COMPLY WITH ALL LAWS AND REGULATIONS OF THE COUNTY OF SANTA CRUZ AND STATE OF CALIFORNIA PERTAINING TO WELL CONSTRUCTION, AND DECLARE UNDER PENALTY OF PERJURY THE INFORMATION SUBMITTED ON THIS APPLICATION IS TRUE AND CORRECT. I WILL CONTACT THE ENVIRONMENTAL HEALTH SERVICE WHEN I COMMENCE THE WORK. WITHIN 15 DAYS AFTER COMPLETION OF WORK I WILL FURNISH THE ENVIRONMENTAL HEALTH SERVICE A REPORT OF THE WORK PERFORMED AND NOTIFY THEM BEFORE PUTTING THE WELL INTO USE. I UNDERSTAND THAT THIS PERMIT EXPIRES ONE YEAR FROM DATE OF ISSUANCE. I UNDERSTAND APPROVAL OF THE WELL PERMIT DOES NOT INDICATE WHETHER THIS PROPERTY IS SUITABLE FOR AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM OR THAT A PERMIT TO INSTALL SUCH SYSTEM WILL BE GRANTED.

WORKER'S COMPENSATION CERTIFICATE

A CURRENTLY EFFECTIVE CERTIFICATION OF WORKER COMPENSATION INSURANCE IS ON FILE WITH THIS OFFICE.

INSURANCE CARRIER State POLICY # see back

I CERTIFY THAT IN THE PERFORMANCE OF THE WORK FOR WHICH THIS PERMIT IS ISSUED I WILL NOT EMPLOY ANY PERSON IN ANY MANNER SO AS TO BECOME SUBJECT TO THE WORKER'S COMPENSATION LAWS OF CALIFORNIA

X PROPERTY OWNER Danilo & Sharon Mayers DRILLING CONTRACTOR Earth Floor Drilling 6/11/05

FOR OFFICE USE ONLY:ENVIRONMENTAL ASSESSMENT REQUIRED YES ☐ NO ☐METER REQUIRED YES ☐ NO ☐ METER INSTALLED _____ DATE _____ READING _____

SITE INSPECTION

APPLICATION APPROVAL

PAQ INSPECTION

RECEIPT OF WELL LOG

FINAL

COMMENTS _____

DATE

6/15/05
6/15/05

EHS SPECIALIST

CW
CW**ANNULAR WELL SEAL WITNESSED:**☐ YES DATE _____☐ NO DEPTH _____

SEAL MATERIAL _____

SACKS CEMENT/YARD _____

1510 Smith Grade

062-191-11

County	Service
C. Wong	
DATE	6/15/05
PERMIT NO	05-123

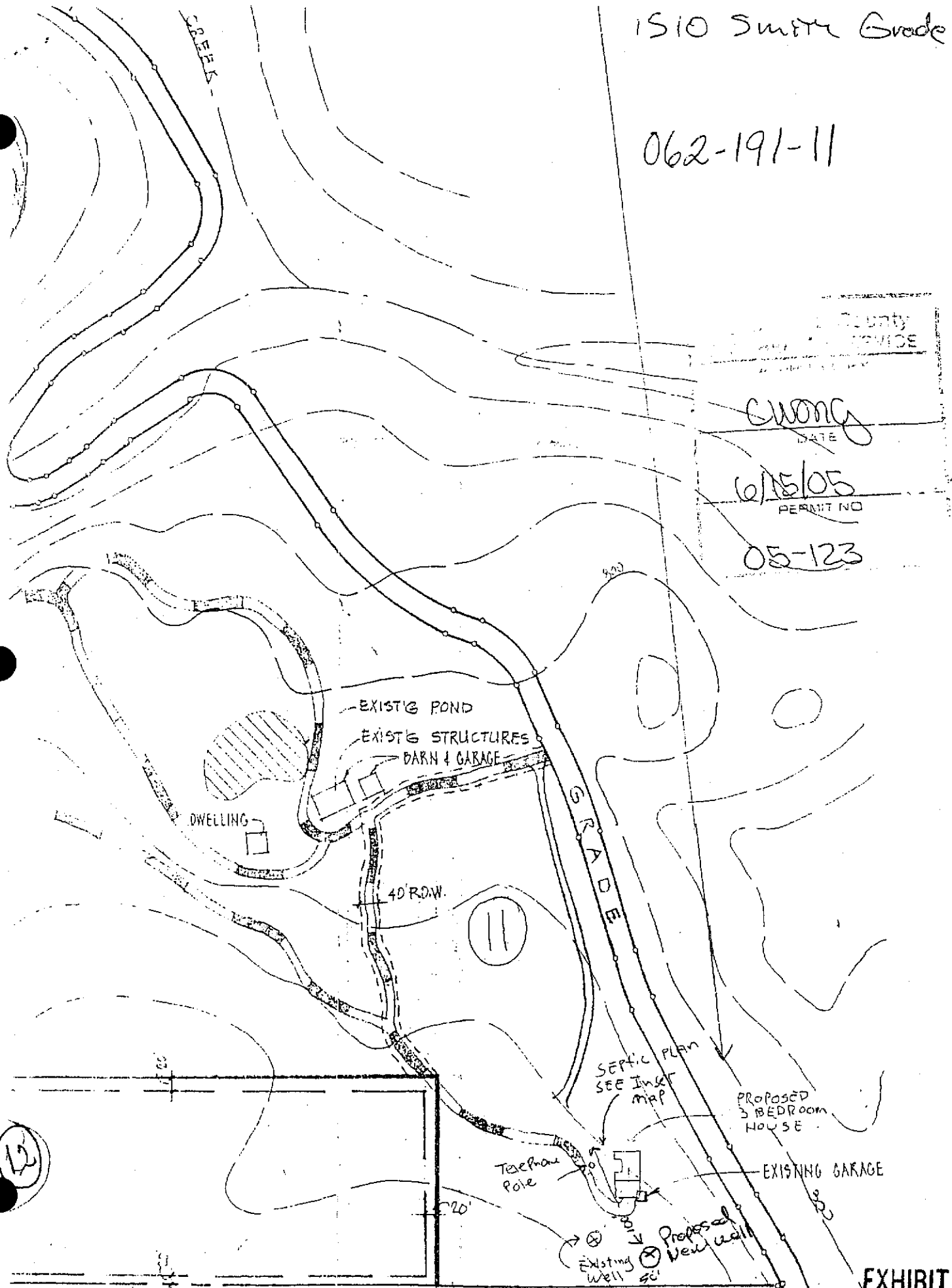


EXHIBIT C

RUNA DENSITY MATRIX WORKSHEET

Application No. 98-0750

This section is to be completed by the Applicant

Assessor's Parcel No. 062-191-02

Name _____

Mailing Address _____

city, State, zip _____

Telephone (____) _____

Access to site

Name of Road

Smith Grace Road

Check which apply

☒ Public, County maintained

☐ Public, not County maintained

☐ Private

☐ Dead-end road and greater than 1/4 mile from a through road (see General Plan Policies 6.5.4 and 6.5.5)

☐ Not paved

☐ Pavement width: 12' to 18' with turnouts at intervals of greater than 500 feet

☐ Pavement width 12' to 18' with turnouts at intervals of less than 500 feet

☐ Pavement width: 18' or greater

☐ Other _____

Water Source:

County or municipal water district

Name _____

☒ Private or mutual well

☐ Spring

Sewage Disposal:

☐ Public or private sanitation district

☐ Package treatment plant or septic maintenance district

☒ Septic system

Total acreage:

280

Number of houses or habitable structures on parcel:

2

Purpose of this application:

☒ Determine the minimum acreage per building site

☒ Determine the maximum number of parcels for a land division

☐ Determine the allowable density of an organized camp or conference center

FOR STAFF USE ONLY

Planning Area: Bonny Doon
 General Plan land use designation: R-M Mountain Residential
 Zoning District: TP Timber Production
 Mapped Environmental Constraints: Biotic, scenic, perennial stream
groundwater recharge, critical
fire, water supply watershed
archaeological
 Resources (timber, agriculture, etc.): timber
 Access: Smith Grade Road
 Fire Response Time (in minutes): _____
 (Source)

Property Characteristics

Source of the following data: ☒ Inhouse ☐ Field investigation
 Parcel size (in acres): 280 acres Source: applicant (e.g., EMIS)
 Acreage per Average Slope Category: 137 56 70 17
 0-15% 16-30% 31-50% 51% & above

Portions of Property Excluded as Undevelopable land (in acres):

1. Slopes in excess of 50% 17 acres
3. Road rights-of-way 0.98 acre
4. Riparian corridors, wooded arroyos, canyons, stream banks, areas of riparian vegetation. 6.1 acre
50 foot wide riparian corridor X 2650 foot length x 2
each side
5. Lakes, streams, marshes, sloughs, wetlands, beaches, and areas within the 100 year flwd plain. pond + 100' setback ~ 3.5 ac
6. Areas of recent or active landslides. 81.75 - 1.5 (>50% slope) - 3.04 (riparian)
= 77.21 ac
7. Land within 50 feet of an active or potentially active fault trace 0
8. Type 1 & 2 prime agricultural land and minor resource areas. 0
9. Total acreage excluded (total of 1 through 8, except overlaps) 104.79
10. Total Developable Acreage (subtract 9. from total acreage) 175.21

**BASIS FOR ANALYSIS;
TO BE COMPLETED BY STAFF**

MATRIX

		Current Point Score	Conditional Point Score
1.	Location <u>R-M</u>	<u>0</u>	<u>2-5</u>
2.	Groundwater Quality <u>IV</u>	<u>8</u>	
3.	Water Resource Protection <u>Groundwater Recharge, water supply watershed</u>	<u>3</u>	
4.	Timber Resources <u>Timber - TP zoned</u>	<u>0</u>	
5.	Biotic Resource <u>mapped @ North end of proposed ot</u>	<u>e-</u>	<u>5-10</u>
6.	Erosion <u>Santa Margarita ave slope 0-15% 5.4</u> <u>Lompico slopes 0-15%, 16-30 & 31-50% Bedrock Monterey ave slope 0-15%</u>		
7.	Seismic Activity <u>not located near a mapped fault zone</u>	<u>10</u>	
8.	Landslide <u>50% = slopes 0-15% 20% = 16-30% slope + 25% is slopes 31-50% 5% = 50%</u>	<u>8.55</u>	
9.	Fire Hazard <u>Bldg outside critical fire < 10 min response</u> <u>12' rd with turnouts</u>	<u>8</u>	<u>10</u>
	SUBTOTAL	<u>42.95</u>	
	SUBTRACT CUMULATIVE CONSTRAINT POINTS	<u>-10</u>	
	GRAND TOTAL	<u>32.95</u>	
	Minimum Average Developable Parcel Size* (from Table _____) Page _____) as determined by the point score:	<u>(30)*</u>	<u>→ 46 ac min gross</u> <u>40 ac. min net</u>
	Number of Potential Building Sites* (developable acreage divided by minimum average parcel size).	<u>4</u>	

*Overriding minimum parcel size restriction, if applicable, take precedence over the preliminary allowed average density in the event of conflict.

P. 24

overriding minimum size restrictions:

- TP in Coastal → 160 ac/du, 40 ac/du clustered + 4/5 Bd approval
- R-M average parcel size 46 ac/du (gross)
- 24' rd + 50' secondary access 40 ac net dev./du

EXHIBIT H

RURAL DENSITY MATRIX WORKSHEET. OVERRIDING MINIMUM ACREAGE POLICIES

PAGE 3

APPLICABLE	NOT APPLICABLE	MAY APPLICABLE
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Parcel is within a State or County designated seismic review zone. The minimum parcel size is 20 acres if building sites are located within the fault zone.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------

Proposed parcels must locate on a non-deadend road or provide secondary fire access. If the building site is located within a 5 Minute Response time from the fire department and within 500 feet of a County maintained Road, the secondary access will not be required. If not possible, development allowed only at lowest density of General Plan designation. Proposed parcels must locate within 20 minute response time from the responsible fire station. If not possible, development allowed only at lowest density of General Plan designation.

Must develop at lowest density - 40ac.net/d.u.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Parcel is in a Critical Fire Hazard area. Proposed building sites must locate outside of Critical Fire Hazard area. If the proposed building site is within a Critical Fire Hazard area and if the parcel is served by a through road or by secondary access development allowed only at lowest density of General Plan designation. If the building site is within the Critical Fire Hazard area and if the parcel is on a dead-end road and cannot develop secondary access, no land division may be approved.

Building site outside Critical Fire

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	-------------------------------------

Parcel is within a Mitigatable Critical Fire Hazard area. If all criteria of Section 6.5.4 of the General Plan can be met, development may be considered at a density the same as for projects outside the Critical Fire Hazard area.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Parcel is within the Coastal Zone. Prohibit land divisions that are more than 1/2 mile from a through road unless secondary access can be provided.

< 1/2 mile

RURAL DENSITY MATRIX WORKSHEET' OVERRIDING MINIMUM ACREAGE POLICIES

PAGE FOUR

APPLICABLE	NOT APPLICABLE	.MAY BE APPLICABLE
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☒
☐
☐

< 1/2 mile

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average size is
46 gross acres

☐
☒
☐

Parcel is within the Coastal Zone and is located in the Bonny Doon or North Coast planning areas. Prohibit land divisions more than 1/2 mile from a publicly maintained road.

Parcel is in the Day Valley area in the Aptos Hills planning area and is designated Suburban Residential. The maximum parcel size is 2 1/2 net developable.

Parcel is in the Bonny Doon planning area and is within the Rural Residential General Plan designation. The minimum parcel size is 5 net developable acres. Cluster development is encouraged.

Parcel is within the Suburban Residential General Plan designation and does not have public water. The minimum Parcel size is 2.5 acres.

Parcel is within the Mountain Residential General Plan Designation. The average parcel size of the surrounding parcels exceeds 40 acres. The average includes all parcels designated Mountain Residential and which are wholly or partially within a 1/2 mile radius from the subject parcel boundary, excluding paper subdivisions and parcels less than one acre. The average parcel size (46 Acres) shall be the minimum parcel size.

Parcel is within *the* Runway Protection (clear or A) zone. No division of land is allowed.

RURAL DENSITY MATRIX WORKSHEET

OVERRIDING MINIMUM ACREAGE POLICIES

PAGE TWO

APPLICABLE	NOT APPLICABLE	MAY BE APPLICABLE
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Parcel is Type 1 Agricultural land. If findings found in 13.10.315(b) are made, the minimum parcel size is 10 arable acres.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------

Parcel is Type 2 Agricultural land. If findings found in 13.10.315(c) are made, the minimum parcel size is 20 arable acres.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------

Parcel is Type 3 Agricultural land. If findings found in 13.10.315(d) are made, the minimum parcel size is 20 arable acres.

<input type="checkbox"/>	<i>d</i>	<input type="checkbox"/>
--------------------------	----------	--------------------------

Parcel is designated Suburban Residential, is outside the Rural Services Line, and is adjacent to Commercial Agricultural land. Allow a maximum density of 2.5 net developable acres unless parcel meets criteria in 5.13.33 of the General Plan.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------

Parcel is within the Timber Production Zone District and is within the Coastal Zone. The smallest parcel allowed without clustering is 160 acres. The highest density allowed with clustering is 40 acres per dwelling unit -

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------

Parcel is within the Timber Production Zone District and is outside the Coastal Zone. The smallest parcels allowed without clustering is 40 acres. The highest density allowed with clustering is 10 acres per dwelling unit.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------

Parcel is within a mapped Timber Resource, not zoned Timber Production, and is greater than 20 acres. If evaluation finds parcel to have Timber Resources equivalent to TP parcels, apply TP density standards as shown above.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Parcel is within a mapped Mineral Resource. The minimum parcel size is 40 acres.

RURAL DENSITY MATRIX WORKSHEET

OVERRIDING MINIMUM ACREAGE POLICIES

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT
701 OCEAN STREET
SANTA CRUZ, CA 95060
(408) 454-2130

Assessor's Parcel No. 062-191-02

Application No. 98-0750

The parcel has been examined to determine if it is subject to any overriding General Plan, or Local Coastal Program Land Use Plan policies, requiring a minimum gross acreage parcel size. SUCH MINIMUM SIZE RESTRICTIONS, IF APPLICABLE, TAKE PRECEDENCE OVER THE PRELIMINARY ALLOWED AVERAGE DENSITY IN THE EVENT OF A CONFLICT.

APPLICABLE	NOT APPLICABLE	MAY BE APPLICABLE	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Parcel is within the Coastal Zone and Water Supply Watershed. The minimum parcel size is 20 acres.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parcel is outside the Coastal Zone and within a Water Supply Watershed. The minimum parcel size is 10 acres, except
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In San Lorenzo River Watershed where the General Plan designation is Suburban Residential.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In San Lorenzo River Watershed for land designated Rural Residential where the average parcel size within 1/4 mile of the subject parcel is less than one acre.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In North Coast and Bonny Doon Water Supply Watersheds extending outside the Coastal Zone, the minimum parcel size of 20 acres.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parcel is within a Least Disturbed Watershed. The minimum parcel size is 40 acres and then only if the division is consistent with open space protection and serves a special purpose beneficial to the public.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parcel is within a proposed reservoir site or adjacent to the high water mark of a proposed or existing water supply reservoir or surface division. No land division is allowed except for water oriented uses.

1. TP zone - Coastal
min. parcel sizes 160 ac gross
40 ac. gross clustered dev. requires 4/5 approval by Board
2. R-M General Plan - average parcel size within 1/2 mile radius is 46 acres gross
3. R-M Access road > 500' and < 1/2 mile
no secondary access only lowest General Plan density allowed - 40 acre net developable

Additional Staff Comments:

Min. gross acres 46 (with 4/5 Bd approval)

Min. net dev. acres 40

a

RURAL DENSITY MATRIX WORKSHEET OVERRIDING MINIMUM ACREAGE POLICIES

PAGE FIVE

APPLICABLE	NOT APPLICABLE	MAY BE APPLICABLE
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Parcel is within a Primary Groundwater Recharge Area. The minimum parcel size is 10 acres, except when located within the Rural Services Line and is served by a sewage disposal system minimum parcel size is 10 acres, except when located within operated by a County Services area or public services district which provides at least secondary treatment with nitrogen removal or which disposes of effluent outside the primary groundwater recharge area.

☐

☒

☐

Parcel is within a Special Forest. If development is proposed within the habitat, no division of land is allowed. If development is proposed outside the habitat, land divisions may be considered only at the lowest end of the General Plan designation. Clustering is required.

☐

☒

☐

Parcel is within a native or Mixed Grassland Habitat. If development is proposed within the habitat, no division of land is allowed. If development is proposed outside the habitat, land divisions may be considered only at the lowest end of the General Plan designation. Clustering is required.

Rdmw/056

CERTIFICATE OF FEE EXEMPTION

De minimis Impact Finding

Project Title/Location (Santa Cruz County):

98-0750 RICH BEALE LAND USE CONSULTANTS FOR
DONALD AND SHARON MEYERS

Project Description:


Proposal to divide a 280 acre parcel into two parcels of 240 acres (Parcel A) and 40 acres (Parcel B) respectively, to construct an agricultural well on Parcel B and to construct a single family dwelling on Parcel A, where a single family dwelling exists. Requires a Coastal Development Permit, a Minor Land Division, a Well Permit, a Residential Development Permit for a two unit dwelling group, and a Preliminary Grading Approval.

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.



KEN HART
Environmental Coordinator
for Alvin D. James, Planning Director
County of Santa Cruz

Date: 10 5 01

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Date. **August 27, 2001**
Staff Planner. Cathleen Carr

ENVIRONMENTAL REVIEW INITIAL STUDY

APPLICANT: Rich Beale Land Use Consultants, attn Betty Cost APN: 062-191-02
OWNER: Donald and Sharon Meyers
Application No: 98-0750 Supervisorial District: 3
Site Address: 1510 Smith Grade Road, Bonny Doon
Location: Property located on the north side of Smith Grade about 1.5 miles southeast from the intersection with Empire Grade, in the Bonny Doon area.

EXISTING SITE CONDITIONS

Parcel Size: 280 acres
Existing Land Use: Timberland, rural residential (2 units), commercial agriculture (vineyard)
Vegetation: Redwood forest, small areas of chaparral, meadows, vineyard and riparian corridor (West Branch Majors Creek)
Slope: 0-15% 140, 16-30% **56**, 31-50% 70, 51+% 14 acres
Nearby Watercourse: West Branch of Majors Creek runs through property
Distance To: Bisects subject property
Rock/Soil Type: Ben Lomond Sandy Loam, Ben Lomond-Felton Complex, Felton Sandy Loam, Lompico-Felton Complex, Zayante Coarse Sand

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Groundwater Supply: Adequate quality, quantity	Liquefaction: Low potential
Water Supply Watershed: Yes	Fault Zone: None mapped
Groundwater Recharge: Portions mapped	Scenic Corridor: Portions within
Timber or Mineral: Timberlands	Historic: None
Agricultural Resource: None mapped	Archaeology: Mapped resource
Biologically Sensitive Habitat: Mapped NW corner	Noise Constraint: None
Fire Hazard: Portions of parcel	Electric Power Lines: None
Floodplain: None mapped	Solar Access: Adequate
Erosion: High to very high potential	Solar Orientation: South
Landslide: Mapped on portion of parcel	Hazardous Materials: None

SERVICES

Fire Protection: Calif. Dept. of Forestry	Drainage District: None
School District: Bonny Doon Elementary	Project Access: Smith Grade Road
Water Supply: Private Well	
Sewage Disposal: Septic	

PLANNING POLICIES

Zone District: TP (Timber Production) Within USL: No, rural
General Plan: R-M (Mountain Residential) Special Designation: None
Coastal Zone: Yes

PROJECT SUMMARY DESCRIPTION: Proposal to divide a 280 acre parcel (APN 062-191-02) into two parcels of 240 acres (Parcel A) and 40 acres (Parcel B) respectively, to construct an agricultural well on Parcel B and to **construct** a single family dwelling on Parcel A, where a single family dwelling exists. Requires a Coastal Development Permit, a Minor Land Division, a Residential Development Permit for a two unit dwelling group, a Well Permit from Environmental Health Services, and a Preliminary Grading Approval to grade approximately 350 cubic yards.

DETAILED PROJECT DESCRIPTION: The applicant proposes dividing 40 acres currently developed with a wine grapevineyard (parcel 5) from an approximately 280 acre Timber Production zoned parcel and to construct an agricultural well to service the new parcel B. The applicant is not specifying a building site nor are any structures proposed on Parcel B at this time. The applicant also proposes to remove the existing, unpermitted caretaker's mobile home on the remaining parcel (Parcel A) and replace it with a new single family dwelling in the same location, thereby creating a two unit dwelling group. Earthwork, comprising about 350 cubic yards of excavation and about 250 cubic yards of fill material, is proposed in order to construct a new access driveway servicing Parcel B and the new dwelling on Parcel A, to abandon a portion of driveway accessing the existing dwelling on Parcel A and to construct a new driveway apron off of Smith Grade Road off of Smith Grade Road for the existing dwelling.

PROJECT SETTING: The subject parcel is an approximately 280 acre Timber Production zoned parcel. The subject parcel is currently developed with a single family dwelling built in 1955, miscellaneous outbuildings, a pond and a caretaker's mobile home installed some time in 1972. No permits are on file for the mobile home. The property encompasses several distinct ecological zones. The eastern portion of the property is predominantly dense, redwood forest. The redwood forest transitions into chaparral at the highest elevations near the north end of the property. The western portion and southwestern corner of the parcel are characterized by rolling meadows interspersed with oaks, madrones and isolated clumps of redwoods. The west branch of Majors Creek, a perennial stream, runs north to south across the property roughly bisecting it. A 40 acre portion (proposed Parcel B) of the subject parcel was leased and developed with a commercial vineyard in 1991. This area located along the western property line was previously a gently sloping meadow with scattered oaks, madrones and redwoods, many of which remain interspersed throughout the vineyard. The proposed land division will allow the vineyard to be owned by the lessee.

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	no Impact
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ENVIRONMENTAL REVIEW CHECKLISTA. 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: — — X —

The proposed building site for the new dwelling unit is located on level to gently sloping portion of the property. No evidence of site instability is evident at the new building site on parcel A or on parcel B in the field, on the County landslide maps or on aerial photographs. The property is not located within any known fault zone.

- 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 —

The area may be subject to seismic shaking from an earthquake on the San Andreas, Butano or San Gregorio faults. The soils in the proposed building site and on parcel B are sandy to sandy loam soils which are not associated with increased potential hazards resulting from seismic shaking. All new construction will at a minimum need to meet current UBC standards which incorporate seismic codes and measures to withstand seismic events expected for this area.

- C. Seismic-related ground failure, including liquefaction? — — X —

The project area is located within a very low liquefaction risk area.

- D. Landslides? — — X —

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No impact
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The proposed dwelling on Parcel A and the proposed new parcel E are not located within a mapped landslide or suspected landslide area, and unstable slopes were not observed in the field in these areas. There are mapped landslides (Cooper-Clark, 1975) on the subject property. These landslides areas, however, are located on the steepest slopes of the prime timberland area. No development is proposed in the areas of slope instability.

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.D. above. In addition, an area was excavated at the north end of proposed Parcel B. It appears that the excavation was started for constructing a pond. A soils engineering report was prepared and reviewed (Attachments 4 and 5) evaluating this excavation and future development in this site. The excavated area should not pose a problem for future development, if the construction adheres to all of the soils engineer's recommendations.

3. Develop land with a slope exceeding 30%? -X-

No development is proposed on slopes steeper than 30%. Parcel B does not contain any slopes steeper than 30%. The proposed new dwelling on parcel A and proposed new access roads are also located on slopes significantly less than 30%

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

The soils in the project area are highly erosive. The proposed access roads are located on gentle slopes with short stretches across more moderate slopes (10-15%), and require minimal grading (less than 250 cubic yards). A grading permit will be required to install the proposed access road. Erosion control measures including sediment barriers and temporary and permanent revegetation will minimize potential erosion within the disturbed areas. Earthwork between October 15 and April 15 will only be allowed with a separate winter approval, see E.7.

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

The soils on the subject site are sandy, to sandy loams. These soils do not have sufficient clay content to pose shrink/swell risks.

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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?

—	—	<u>X</u>	—
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A septic system is already in place for the caretaker's mobile home and permits have been obtained. No dwelling or building site is proposed for the new 40 acre agricultural parcel (parcel B) at this time. A septic permit will be required in order to develop this parcel in the future, and an adequate septic site must be provided in order to obtain building permits.

7. Result in Coastal cliff erosion?

—	—	—	<u>X</u>
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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?

—	—	—	<u>X</u>
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2. Place development within the floodway resulting in impedance or redirection of flood flows?

—	—	—	<u>X</u>
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3. Be inundated by a seiche or tsunami?

—	—	—	<u>X</u>
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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?

—	—	<u>X</u>	—
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The project requires the development of a new well to supply the agricultural use on proposed Parcel B. The site is mapped within an area known for adequate water quality and water quantity. There is an old existing well that is currently unused on Parcel B. This well must be shown on the tentative map and abandoned properly per Environmental Health Services rules.

The new well will have minimal if any impact on the groundwater supplies in this area. The new well will supply the vineyard which is currently watered using the existing spring-fed

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pond. The existing well supplies the existing dwelling and the existing, non-permitted caretaker's mobile home. The expected water use for a 40 acre wine vineyard is three to four water applications yearly totaling about 120,000 gallons. The water use associated with a rural single family dwelling is estimated at 105,000 to 180,000 gallons per year for household and landscaping uses. There have been no water shortage problems associated with the existing well servicing the existing residential (2 dwellings) with the agricultural uses being supplied by the nearby pond. The new well will service the existing agricultural use and may at some future time supply, at maximum build out, one new single family dwelling and a 1,200 square foot second unit. There is no evidence that this aquifer has been identified as having supply problems.

The new well will be located at least 1,000 feet from the West Branch of Majors Creek. Due to the significant separation, the well will not adversely affect the creek.

5. Degrade a public or private water supply?
(Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion).

— — X —

The proposed new 40 acre parcel is currently developed as a vineyard. The proposed minor land division will allow the current lessee farming parcel B to own the vineyard outright. Consequently, the minor land division will not result in an immediate change in use for the parcel. Parcel B is located almost entirely within a mapped groundwater recharge area, so there may be some potential for groundwater Contamination from agricultural chemicals. Nevertheless, all agricultural chemicals used on the site must be in accordance with state and federal regulations and permits for herbicides and pesticides. In the future, the land division may result in the addition of one single family dwelling and a 1,200 square foot affordable second unit, if the parcel is developed to maximum capacity. There should not be any degradation to water supply from this possible future use either.

- E. Degrade septic system functioning?

— — — X

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 —

Minor grading is associated with this project in order to abandon a 500 foot long portion of

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an existing access road, and to develop two new access points. An erosion control plan, including interim measures during construction, temporary and permanent revegetation, will be required prior to approval of a grading permit. Grading during the winter season (October 15 to April 15) will require a separate winter grading permit, which would only be granted if conditions such as weather conditions, grading scheduling and timing and adequate winter erosion control plans warrant such an approval.

8. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems, or create additional source(s) of polluted runoff? X

A minimal increase in runoff may be associated with the proposed project. The new dwelling proposed under this project will be required to percolate all runoff from impervious surfaces into percolation pits or similar devices. The access roads may generate some additional runoff, however, most will be contained on site. The soils are well drained with relatively high infiltration rates. Future development on Parcel B will be required to fully recharge all runoff from new impervious surfaces.

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

See 8.8. above

10. Otherwise substantially degrade water supply or quality? X

The proposed project of the two lot land division and two residential dwelling group on the larger parcels will not substantially degrade water supply or quality. See discussions in 6.4. and B. 7. above.

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

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The parcel was evaluated for biotic resources by the County Biotic Consultant. His conclusions are that:

a) The entire proposed Parcel B is in active agriculture (vineyard) except for the perimeter dirt road, the excavated pit in the north end, and many mature trees that have been preserved within the cultivated rows. There are individuals of one special status species, *Arctostaphylos andersonii*, growing on the eastern periphery of the property in the northernmost approximately 100-300 feet of the parcel. There are individual Silver Leaf manzanita (*Arctostaphylos silvicola*) close to the property line on the adjacent parcel to the west as well. The presence of these plants, the soil type (Zayante sand), and the mix of other plant species suggest that more extensive parts of the proposed new parcel were at one time host to these special status plants. However, because of clearing that preceded the establishment of the vineyard there are no individuals left in the area that might be impacted by development of the new parcel in the future. Normal setbacks from property boundaries will preserve the existing individuals. Conditions or restriction that preclude future modifications of the development envelope that would have the effect of decreasing the property line setback on the north, east or west sides should be attached.

b) The Biotic Resources map (Attachment 4) indicates that the rare Santa Cruz Cypress (*Cupressus abramsiana*) might be present. However, no specimens of this tree were identified on the property.

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

— — X —

No development is proposed within 500 feet of the perennial stream (West Branch of Majors Creek). The stream will remain located on parcel A, the large timber parcel. The nearest proposed disturbance is more than 600 feet from the stream channel. Any future development on Parcel B will exceed that distance.

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

4. Produce night time lighting that will illuminate animal habitats?

— — X —

Minimal night time lighting will result from the additional residential use allowed by creating

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a new lot. There are no known sensitive animal habitats within the vicinity of the proposed new dwelling or Parcel B.

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

— — — X

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 diameter or greater)?

— X — —

The Significant Tree Protection Ordinance applies to all trees on the subject property which are located within the designated scenic resource area which are 40 inches dbh (diameter at breast height) or greater or any group of ten or more trees on a single parcel, each over 20 inches dbh are Significant Trees. A number of trees scattered throughout the designated scenic portion of the vineyard (proposed Parcel B) are Significant Trees. All trees over 20 inches dbh must be shown on the final map prior to recordation. A deed restriction will be required on the property deed for Parcel B stating that all Significant Trees shall be retained and that only dying diseased or dead trees shall be removed after the evaluation and recommendation of a certified arborist and issuance of a Significant Tree Removal Permit by the County of Santa Cruz. See the Scenic Resources Map in Attachment 3.

7. Conflict with the provisions of an adopted Habitat Conservation Plan, Biotic Conservation Easement, or other approved local, regional, or state habitat conservation plan?

— — — 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

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The subject parcel is zoned Timber Production (TP), and is, therefore, designated as Timber Resources by the General Plan. The project proposes to divide this TP zoned parcel and to construct a second dwelling on the larger resultant parcel. Although no residential development is proposed at this time for the new 40 acre parcel (Parcel B), it would become an existing lot of record and thus could be developed at a maximum with a residence, an affordable second unit (up to 1,200 square foot size), non-habitable and agricultural accessory structures at some future time. Residential development can have a negative affect on the ability to manage and harvest timber resources when it is inappropriately located. Examples of adverse residential locations are on or within close proximity to timber landings, haul roads, cable corridors or in a area which require significant permanent removal of redwood trees. The proposed 40 acre parcel, however, does not contain any merchantable stands of timber. Moreover, Parcel B is developed almost entirely within a commercial wine grape vineyard. Prior to the establishment of the vineyard, this area was almost entirely meadowlands with isolated oaks, redwoods and madrones. The actual timberlands will remain within the bounds of the larger 240 acre parcel. The second single family residence proposed on the 240 acre parcel will be located near the 40 acre vineyard and in an area which contains no stands of merchantable timber. This proposed dwelling is not located near any future haul road, nor near any timber landing. Given these facts, neither the proposed land division or the additional dwelling will adversely affect the timber resources on the project site. A Timber Management Plan has been prepared for the subject property, and the project Registered Professional Forester has concluded that the project will not adversely affect the ability to grow and harvest timber on the site (Attachments 6).

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

The 40 acre parcel which would be created through this project is presently utilized for commercial agriculture - a wine grape vineyard. The subject property is not designated for agricultural use in the General Plan. Nevertheless, commercial agriculture is a principal permitted use within the Timber Production zone district on lands that do not contain timber. The proposed land division will allow the current lessee to purchase the vineyard acreage, allowing long-term control over this agricultural use. The proposed well will allow for an independent water source for the current agricultural use.

The additional dwelling that is proposed on the larger timber parcel will not adversely affect the agricultural use on the proposed vineyard parcel. The proposed dwelling will be located over 250 feet from the proposed property with the agricultural land. In order to minimize land use conflicts between residential and agricultural uses, the Santa Cruz County agricultural preservation ordinance and land use policies sets forth a 200 foot

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agricultural buffer setback for residential uses from the commercial agricultural land. The project as proposed more than meets this requirement.

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

— — — X

Generally, agricultural uses must be as resource efficient as possible in order to be economically viable. The second residence on proposed Parcel A will result in an increased use of energy, fuel and water resources, but not in an unnecessarily wasteful manner. The new dwelling must meet Title 24 requirements to ensure the new house is energy efficient with respect to heating and cooling.

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

— — — X

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 — —

Portions of both proposed parcels are located within mapped scenic zones (see Attachment 3). The mobile home to be replaced with a new dwelling (on parcel A) is located within this mapped zone. This development, however, is not visible from Smith Grade Road. due to site topography, natural screening by existing trees and neutral coloration. Conditions will be placed on the proposed replacement dwelling to require that it not be visible from Smith Grade Road. Similarly, many portions of Parcel B which are designated as scenic resources are not visible due to site topography and trees. To ensure the public viewshed is protected, conditions will be placed on parcel B requiring that any future structures shall not be visible from any designated scenic road. In addition, the final map must delineate the areas mapped as Scenic Resources and designate that these areas are not a building site. Finally, any future proposal to construct a structure on Parcel B will require a Coastal Development Permit, which will require the proposed structure to be fully evaluated with respect to location and potential visual impacts.

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2. Substantially damage scenic resources, within a designated scenic corridor or public viewshed area including, but not limited to, trees, rock outcroppings, and historic buildings?

— — X —

While it is highly unlikely the development associated with the proposed project would substantially damage scenic resources, there is the potential for some adverse impacts. However, conditions that prevent development from occurring within a visible area will prevent such impacts. See E.1. above.

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 ridgeline?

— — X —

Minimal grading or disturbance are proposed under this project, therefore topography and relief shall not be adversely affected. An inappropriately located dwelling on Parcel B may have the potential to be visible from a County General Plan designated scenic road. No dwelling, however, is proposed at this time, and any future development will be confined to the area not visible from Smith Grade Road. As discussed in E.1., any future home site will be evaluated under the required Coastal Development Permit application. Conditions which are broadly applicable at this time such as locating future buildings outside of public view, utilization of neutral colors and not locating any building site at the knoll top will be applied as part of the proposed land division permit.

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

— — X —

Residential lighting associated with the proposed new dwelling will not adversely affect views in the area due to natural screening from Smith Grade Road. There are numerous potential building sites on the proposed agricultural parcel which also are not visible from any designated scenic road due to site topography. Construction of a dwelling is not planned on the 40 acre parcel at any time in the near future. Nevertheless, restrictions shall be placed on Parcel B to ensure that any future development is not located within the public viewshed, and corresponding to this, new light sources will be confined to that area as well.

5. Destroy, cover, or modify any unique

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geologic or physical feature?	—	—	—	<u>X</u>

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? | — | — | — | <u>X</u> |
| 2. | Cause an adverse change in the Significance of an archaeological resource pursuant to CEQA Guidelines 15064.5? | — | — | — | <u>X</u> |

The project is located within a mapped archaeologic resource area. An archaeologic site reconnaissance was conducted on 3/13/00; no archaeologic resources were found on the site (Attachment 7).

- | | | | | | |
|----|---|---|---|---|----------|
| 3. | Disturb any human remains, including those interred outside of formal cemeteries? | — | — | — | <u>X</u> |
| 4. | Directly or indirectly destroy a unique paleontological resource or site? | — | — | — | <u>X</u> |

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? | — | — | <u>X</u> | — |
|----|---|---|---|----------|---|

As discussed in Section B.5, Parcel B is developed in a vineyard. Consequently, at times agricultural chemicals, such as pesticides, fungicides or herbicides, may be applied to control pests or competing weeds. The use and application of all agricultural chemicals used on the site must be accordance with State and Federal regulations and permits. The purpose of these regulations is to protect the public and environment and ensure proper

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application, transport, storage and disposal of these chemicals.

- | | | | | |
|--|---|---|---|----------|
| 2. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65952.5 and, as a result, would it create a significant hazard to the public or the environment? | — | — | — | <u>X</u> |
| 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? | — | — | — | — |
| 4. Expose people to electro-magnetic fields associated with electrical transmission lines? | — | — | — | <u>X</u> |
| 5. Create a potential fire hazard? | — | — | — | <u>X</u> |
| 6. Release bioengineered organisms or chemicals into the air outside of project buildings? | — | — | — | <u>X</u> |

H. Transportation/Traffic

Does the project have the potential to:

- | | | | | |
|--|---|---|----------|---|
| 1. Cause an increase in traffic which 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)? | — | — | <u>X</u> | — |
|--|---|---|----------|---|

The project will create *new buildingsite(s)* by creating Parcel B and will allow for a two unit dwelling group on Parcel A. According to the Institute of Traffic Engineers, a single family dwelling generates an average of 10 vehicle trips per day. The addition of 30 vehicular trips on Smith Grade Road and Empire Grade each day will not result in an amount of

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traffic beyond the *carrying* capacity of the roadways used for this *traffic*.

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

— — X —

The project *will* increase the need for *on-site* parking for the proposed and *potential* future *residential* uses. The requirements for on-site parking are determined by *the* number of bedrooms (as defined in Section 13.10.700(b) of the County Code) proposed for the *dwelling*. The developer *must* demonstrate that the number of on-site parking spaces are provided for the proposed *dwelling(s)* prior to building permit approval. Given the size and topography of the subject property, the building *site(s)* *will* be able to accommodate each single family dwelling's parking requirements.

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

— — — X

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

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?
2. Expose people to noise levels in excess of standards established in the General Plan, or applicable standards of other agencies?
3. Generate a temporary or periodic increase in ambient noise levels in the project vicinity above levels

— — — X

— — — X

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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existing without the project?

—	—	<u>X</u>	—
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There may be temporary or periodic increases in ambient noise levels as a result of replacement of the existing mobile home structure, and due to discing or *harvesting* within the existing vineyard. Temporary increase of noise during construction of the proposed single family dwelling. Because *it is* temporary and limited to weekday operations between 7 a.m. and 6 p.m., the noise impacts *are not* significant. *Similar temporary noise* increases will occur if Parcel B is developed with structures in the future.

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? | — | — | — | <u>X</u> |
| 2. Conflict with or obstruct implementation of an adopted air quality plan? | — | — | — | <u>X</u> |
| 3. Expose sensitive receptors to substantial pollutant concentrations? | — | — | — | <u>X</u> |
| 4. Create objectionable odors affecting a substantial number of people? | — | — | — | <u>X</u> |

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: | — | — | <u>X</u> | — |
|---|---|---|----------|---|

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A. Fire protection?	—	—	<u>X</u>	—
B. Police protection?	—	—	<u>X</u>	—
C. Schools?	—	—	<u>X</u>	—
D. Parks or other recreational facilities?	—	—	<u>X</u>	—
E. Other public facilities; including the maintenance of roads?	—	—	<u>X</u>	—

K.1.A. The proposed land division would create a new lot of record (Parcel B) and therefore additional building site(s). In addition, the project proposes a development permit for a two unit dwelling group on Parcel A. This will generate a potential increase for fire protection needs; however, the level of this increase should not be substantial due to the limited development that would occur.

K.1.B. See discussion under item K.1.A. above. This discussion is also applicable to police protection.

K.1.C See discussion under item K.1.A. above. This discussion is also applicable to public schools. In addition, each dwelling constructed on the proposed parcels will be subject to the payment of school impact fees at the time of building permit issuance to help offset the impacts of the incremental increase in public school services generated by the construction and use of a new dwelling unit.

K.1.D. See discussion under item K.1.A. above. This discussion is also applicable to parks. Parks capital improvement fees for the newly created lot must be paid prior to recordation of the final map for this proposed land division to help offset the impacts of the incremental increase in public parks usage and needs generated by the creation of a new building site. These fees are based on a 3 bedroom single family dwelling, if a larger home is proposed, the required fees for the additional bedrooms will be required prior to building permit issuance. The proposed dwelling on Parcel A will be subject to the payment of Parks capital improvement fees at the time of building permit issuance to help offset the impacts of the incremental increase in public parks usage and needs generated by the single family dwelling.

K.1.E. The primary access to the subject property is Smith Grade Road which is publicly maintained. The increased maintenance resulting from the increased use of this road associated with this project is minor. The access right-of-way will be a private road and any maintenance resulting from its use will be the sole responsibility of the private property owners.

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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

Minimal drainage *improvements* are required for the minor road construction *and* abandonment and *the* second dwelling on proposed Parcel A.

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 includes the development of a new well for exclusive use *on* the agricultural parcel (parcel B) and a permit for the septic system which will service the second single family residence *on* Parcel A.

4. Cause a violation of wastewater treatment standards of the Regional Water Quality Control Board? — — — X
5. Create a situation in which water supplies are inadequate to serve the project or provide fire protection? — — — X

Adequate water ~~is~~ available and minimum on-site water storage as required *by* the California *Department of* Forestry (CDF) for fire protection must be provided in order ~~for~~ building permits to be issued.

6. Result in inadequate access for fire protection? — — X —

The proposed access road will meet the fire agency requirements for surfacing, gradient (less than 15%), width (12 feet) and right-of-way size (40 foot width).

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

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a. Result in a breach of federal, state, and local statutes and regulations related to solid waste management?

___ ___ ___ X

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 ___

a) The potential conflicts of the project as proposed with respect to County General Plan policies for protection of visual resources from designated scenic roads are discussed in Sections E.1., E.2. and E.3. With the addition of mitigations that restrict future development to the portions of the property that are not visible from designated scenic roads, the General Plan policies will be met.

a

b) The subject property is zoned Timber Production (TP). County policy set forth in the General Plan for the protection of timber resources in Chapter 5.12. Policy 5.12.4 for Land division and density requires that new timber parcels in the Coastal Zone be at least 160 acres gross, but where development is clustered; new parcels sizes must be an average of 40 gross acres. In addition, for residential development of multiple dwellings, the dwelling density allowed in the Coastal Zone is one dwelling per 160 gross acres without clustering, and one dwelling per 40 gross acres with clustering. The intent of requiring either large parcel sizes and low development densities, or allowing smaller parcel sizes and high development densities with clustering is to preserve the timberlands in as large of tract as possible to maintain economic viability. As discussed in D.1. above, inappropriately located residential development can limit the ability to harvest timberlands and smaller tracts can be uneconomical to harvest, except at times of extremely high timber prices. The project proposes a land division and residential development at densities set forth for clustered development. Specifically, the project proposes creating two parcels, a 40 gross acre parcel (Parcel B) and a 240 gross acre parcel (Parcel A). A two dwelling residential development is proposed on the Parcel A at a density of approximately one dwelling per 117 gross acres. These two dwellings are not clustered in the strictest sense being located roughly 1,000 feet apart. The new dwelling, however, is proposed in a virtually untimbered area of the property. While there are small, isolated groups of redwoods in this area, they are so far removed from the densely forested portion of the property to the east that they are not economical to harvest. The proposed location of the new house provides security in the more open and accessible portion of the property and for the nearby vineyard. As stated by the project forester, this home site will not affect the timber activities on the parcel.

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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The closest boundaries of Parcel B are more than 500 feet from the existing residence. Consequently, any future residence on this parcel will not be in close proximity to the existing development. Parcel B is presently a commercial vineyard. Prior to the vineyard, this area contained meadows with isolated trees, the larger specimens still remaining within the vineyard. Again, this area contained no merchantable stands of timber and the proposed land division will not affect the timberlands and timber harvesting ability of the property. The actual timberlands will remain intact and owned by one property owner. The applicant, therefore, argues that due to the site conditions, the proposal meets the intent of the County policies for timber protection. Land divisions of TP zoned parcels at clustered development densities requires approval by a four-fifths majority of the Board of Supervisors. Thus, the Planning Commission and ultimately the Board of Supervisors will evaluate this project with respect to the County's timberland policies and determine the project's consistency with these policies.

Planning Department staff has recommended rezoning Parcel B to Commercial Agriculture (CA) to reflect its existing and intended commercial agricultural use. The rezoning would provide more discretionary control over any future residential development on the parcel, in that residential uses are allowed not principally permitted uses. Moreover, second units (affordable) which do not count towards development density are not allowed in the CA zone district but are allowed on TP zoned parcels. The result is that the TP zoning allows more intensive future development of Parcel B than CA zoning would. Rezoning to CA, however, would require a General Plan Amendment as CA is not an implementing zone district for the Mountain Residential General Plan designation. The rezoning and General Plan amendment would be processed at the same level as the proposed project at the County level (4/5 Board of Supervisors approval). However, additional approvals would be required at the state level, specifically, the California Board of Forestry must approve a proposal to rezone out of the Timber Production zone district and the California Coastal Commission must approve a General Plan Amendment. The applicant does not desire to rezone Parcel B, because commercial agriculture is an principal permitted use in the TP zone district and maintains that the rezoning is unnecessary. Furthermore, rezoning to CA would add an extra layer of permit processing and significantly increase the processing time. This project has not been reviewed by the Agricultural Policy Advisory Commission (APAC). Thus, APAC has not been determined whether or not the property is suitable for rezoning as Commercial Agriculture.

Objective 2.3 of the Santa Cruz County 1984 General Plan establishes land use suitability criteria for determining rural density for land divisions. A Rural Density Matrix was completed to determine the allowable residential development on the subject property both for the land division and for the two dwelling residential group on one of the resultant parcels (Attachment 8). There are three overriding policies for minimum parcel size for this project. First, the Timber Production zoning requires a minimum 40 gross acre parcel size

Significant or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	no Impact
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with clustering as discussed above. Second, in the Mountain Residential General Plan designation minimum gross parcel size is set by the average parcel size within 1/2 mile of the project, if the average parcel size is greater than that set forth by the matrix. The average parcel size is 46 acres. Third, the proposed access road to Parcel B is a dead end road over 500 feet from the County maintained road, therefore development can only occur at the lowest density for the General Plan designation. The lowest density for the Mountain Residential General Plan designation is 40 net developable acres. Parcel B is proposed at 40 acres (net and gross). The minimum gross parcel size must be met through parcel averaging. Thus, six acres of Parcel A will be encumbered through a deed declaration as providing density for Parcel B. This acreage cannot be counted for future land divisions or residential development groups. In accordance with the development density policies applicable to the subject parcel, the maximum density of development for a land division or dwelling group using clustered development would be four parcels or dwelling unit groups. The proposed land division and dwelling group of three density units, is less than the density of development allowable under the matrix policies. The project is clustered with respect to the overall parcel size and the timber resources and using parcel averaging, the project is generally consistent with these General Plan policies.

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

The potential conflicts with respect to County Code regulations set forth in Chapter 13.20 (Coastal Regulations) and Chapter 13.11 (Design Review) for protection of visual resources from designated scenic roads are discussed in Sections E.1., E.2. and E.3. regarding these potential impacts.

The project has the potential to conflict with Chapters 16.32 (Sensitive Habitat) and 16.34 (Significant Trees), these issues are discussed in C.1. and C.4.

3. Physically divide an established community? — — — X

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 project does result in growth in that a lot of record (Parcel 8) and therefore a new building site may be developed in the future, as well as an additional dwelling on Parcel

Significant Or Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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A. No further divisions of land on Parcel B is *allowed* under *the matrix* defermination. *it* may be possible for the creation of one *additional parcel* from the remaining Parcel A. The proposed access road will not be extended through the parcel to any adjoining parcels. Therefore, the proposed land division will not create *any* infrastructure which could be growth inducing.

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

M. Non-Local Approvals

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

Yes X

Which agencies?

If the decision making body decides to rezone Parcel B to Commercial Agriculture to better reflect the use, approval of the rezoning out of Timber Production must be approved by the California State Board of Forestry. In addition, a rezoning to CA also requires a General Plan Amendment to AG (Agriculture) which must be approved by the California Coastal Commission.

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, 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?
2. Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable

Yes

No X

EXHIBIT 1

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

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

Yes —

No XTECHNICAL REVIEW CHECKLIST

	<u>REQUIRED</u>	<u>COMPLETED*</u>	<u>N/A</u>
APAC REVIEW	<u>NO *-</u>	<u> </u>	<u> </u>
ARCHAEOLOGIC REVIEW	<u>YES</u>	<u>7/26/00</u>	<u> </u>
BIOTIC ASSESSMENT	<u>YES</u>	<u>8128101</u>	<u> </u>
GEOLOGIC HAZARD ASSESSMENT	<u> </u>	<u> </u>	<u>✓</u>
GEOLOGIC REPORT	<u> </u>	<u> </u>	<u>✓</u>
RIPARIAN PRE-SITE	<u> </u>	<u> </u>	<u>✓</u>
SEPTIC LOT CHECK	<u>YES</u>	<u>7/03/01</u>	<u> </u>
SOILS REPORT	<u>YES</u>	<u>10198</u>	<u> </u>
OTHER:			
TIMBER MANAGEMENT PLAN	<u>YES</u>	<u>3/92</u>	<u> </u>
FORESTER'S REVIEW	<u>YES</u>	<u>6199</u>	<u> </u>

*Attach summary and recommendation from completed reviews

** APAC Review required for rezoning to CA

List any other technical reports or information sources used in preparation of this initial study:

Soils Report by Steven Raas & Associates, dated October 1998

Timber Management Plan by Louis Sciocchetti and Roy Webster, dated 1988, update on March 1992

ENVIRONMENTAL REVIEW ACTION

On the basis of this initial evaluation:

- ☐ 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 mitigation measures described below have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

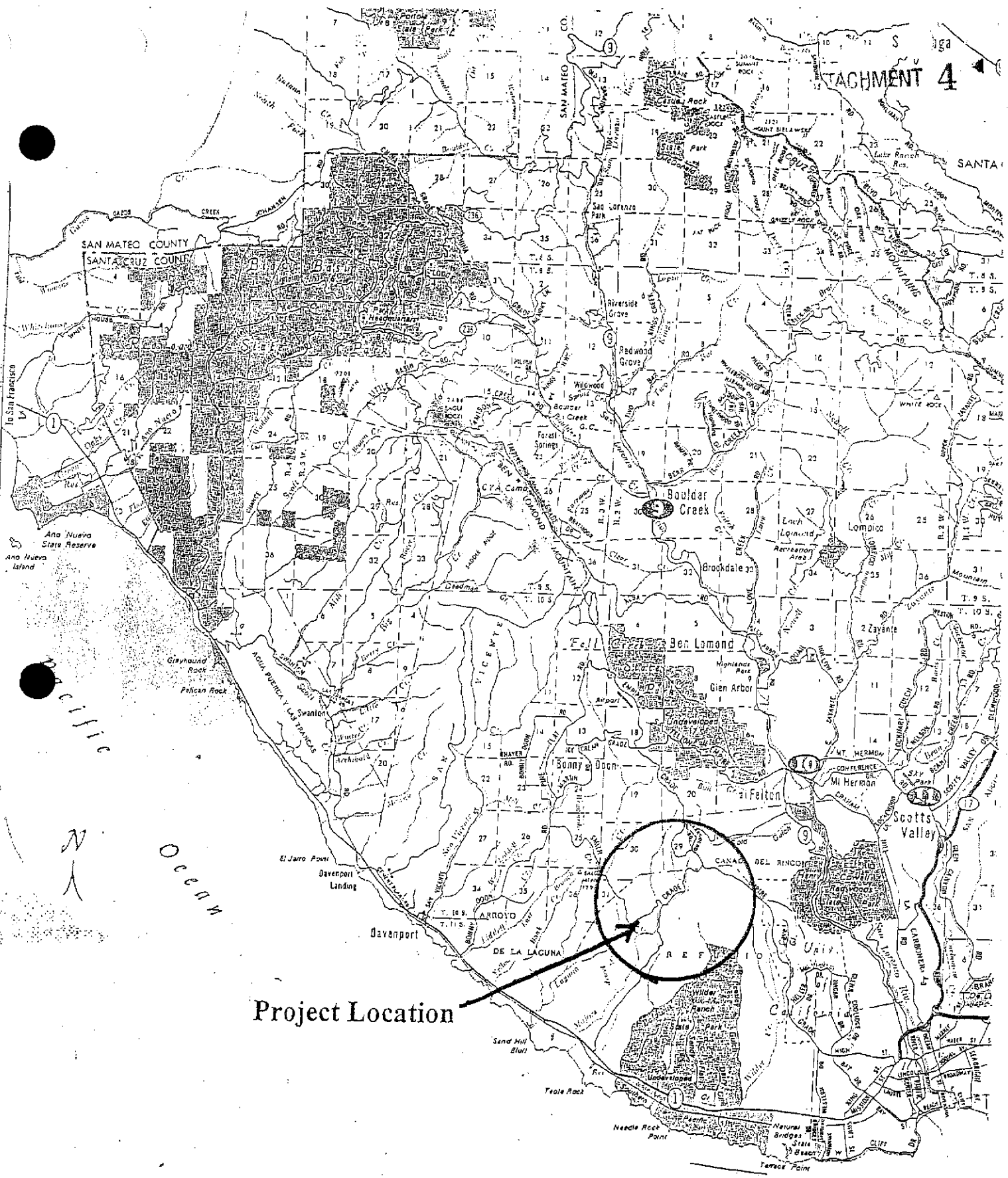
Date

Signature

For: Kew HART
Environmental Coordinator

Attachments:

1. Location Map
2. Site Plan
3. Zoning, General Plan and General Plan Resource and Constraint Maps
4. Conclusion from Soils Report by Steven Raas & Assoc.
5. Soil Report Review Letter dated 11/13/98
6. Timber Management Plan and Forester's Evaluation
7. Archaeological Reconnaissance
8. Rural Density Matrix
9. *Comment Received during review period*



Project Location

Environmental Review Initial Study
ATTACHMENT 1 10/1
APPLICATION 98-0750

LOCATION MAP

Webster and Associates PROFESSIONAL FORESTERS

512 Capitola Avenue, Suite 201 . Capitola, CA 95010 . Phone 831-462-6237 . Fax 831-462-6233

June 30, 1999

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

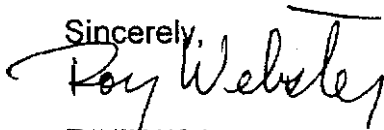
Re: Meyers Application

To Whom It May Concern:

Being the Forester who authored the Timber Management Plan and past Timber Harvesting Plan for the Meyers property, the office of Richard Beale has asked me to address the impact of splitting 40 acres of existing vineyard from the remainder of parcel number 062-191-02, which is zoned Timber Production (TP).

This lot split should have no impact on the feasibility of future timber harvesting to occur on the timbered areas of the property. All roads, landings and skid trails necessary to access the timber are located so that removal of the 40 acres will not impede the operational elements necessary to conduct a harvest.

Sincerely,



Roy Webster

Roy Webster
RPF # 1765

Matthew Sell
RPF # 15
Senior Forester

Joseph Silver
Associate Forester

Travis Wosten
Associate Forester

Karen Palmer
Office Manager