

Staff Report to the Zoning Administrator

Application Number: 131151

Applicant: Ron Powers/ Powers Land

Planning

Owner: George A. Ditz III

APN: 029-096-10

Agenda Date: September 20, 2013

Agenda Item #: 2

Time: After 9:00 a.m.

Project Description: Proposal to demolish an existing one-story garage and carport on a parcel developed with a single-family dwelling, and to construct a new two bedroom 992 square foot single-family dwelling on the second story of a new 992 square foot garage to create a two unit dwelling group on a 14,069 square foot parcel in the R-1-6 zone district. Requires a Residential Development Permit and Soils Report Review (REV 131057).

Location: Property is located on the east side of Encina Drive about 450 feet from the intersection of Encina drive and Maciel Drive at 1930 Encina Drive.

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

Permits Required: Residential Development Permit Technical Reviews: Soils Report Review (REV131057)

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 131151, based on the attached findings and conditions.

Exhibits

A. Categorical Exemption (CEQA

determination)

B. Findings

C. Conditions

D. Project plans

E. Assessor's, Location, Zoning and

General Plan Maps

Parcel Information

Parcel Size:

14,032 square feet (0.32 acres)

Existing Land Use - Parcel:

residential

Existing Land Use - Surrounding:

residential

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

Project Access: Driveway from Encina Drive

Planning Area: Live Oak

Land Use Designation: R-UL (Urban Low Residential)

Zone District: R-1-6 (single-family residential, 6,000 square foot

minimum parcel size)

Coastal Zone: ___ Inside ___ X Outside
Appealable to Calif. Coastal ___ Yes ___ X No

Comm.

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: No trees proposed to be removed

Scenic: Not a mapped resource
Drainage: Existing drainage adequate

Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: X Inside Outside

Water Supply: Santa Cruz City Water Sewage Disposal: County Sanitation

Fire District: Central Fire

Drainage District: Zone 5

History

Assessor's records indicate that the existing two-bedroom house on the subject property was first constructed in 1949. On May 15, 2006, Building Permit 0049871M was approved to allow expansion of the two existing bedrooms and the addition of one new bathroom. In 2008, a boundary agreement was executed and recorded between the property owner and the owners of APN 029-096-09, which borders the southern perimeter of the subject property. The agreement resulted in both parties recording quitclaims to their portions of a 20-foot right-of-way centered across their mutual property line.

Project Setting

The subject parcel is relatively flat and is developed with an existing older single-family residence and a detached garage structure. The site is mapped for the potential presence of several protected species, however, a site visit by County Environmental Planning staff resulted in the determination that none of the listed species were likely to occur within the project area.

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APN: 029-096-10 Owner: George A. Ditz III

Zoning & General Plan Consistency

The subject property is a parcel of approximately 14,032 square feet, located in the R-1-6 (single-family residnetial, 6,000 square foot minimum parcel size) zone district, a designation that allows residential uses. The proposed two residence dwelling group and new garage are principal permitted uses within the zone district, and the zoning is consistent with the site's (R-UL) Urban Low Residential General Plan designation.

Environmental Review

Environmental review of the proposed project pursuant to the requirements of the California Environmental Quality Act (CEQA) has resulted in the determination that the proposed project is exempt per CEQA Section 15303, New Construction. The proposed project is for the construction of a new single-family residence in a residential zone district.

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 131151, 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

Report Prepared By: Alice Daly, AICP

Santa Cruz County Planning Department

701 Ocean Street, 4th Floor Santa Cruz CA 95060

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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: 131151

Assessor Parcel Number: 029-096-10 Project Location: 1930 Encina Drive
Project Description: Proposal to construct a second single-family dwelling over a new garage create a two-unit dwelling group.
Person or Agency Proposing Project: Ron Powers
Contact Phone Number: 831-600-7401
 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. X Categorical Exemption
Specify type: CEQA Section 15303: New Construction or Conversion of Small Structures
F. Reasons why the project is exempt:
One new single-family residence in a residential zone district.
In addition, none of the conditions described in Section 15300.2 apply to this project.
Date: Alice Daly, AICP, Project Planner
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Development Permit Findings

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

This finding can be made because the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

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

This finding can be made, in that the proposed location of the two-residence dwelling group and new garage and the conditions under which they would be operated and maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (single-family residential, 6,000 square foot minimum parcel size) zone district, as the primary use of the property will be the residential use of a two-residence dwelling group that meets all current site standards for the zone district. A dwelling group is a permitted use in the R-1-6 zone district pursuant to County Code section 13.10.322(B).

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

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Low Residential (R-UL) land use designation in the County General Plan.

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

The proposed two-residence dwelling group and new garage will be properly proportioned to the parcel size and compatible with 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 two-residence dwelling group will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in structures that are consistent with a design and scale that could be approved on similarly sized lots 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 two-residence dwelling group is to be constructed on an existing developed lot with one existing single-family residence. The expected level of traffic generated by the proposed project is anticipated to be only one additional peak trip per day (1 peak trip per dwelling unit); such an increase will not adversely impact existing roads or 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 two-residence dwelling group is located in a mixed neighborhood containing a variety of architectural styles, and as proposed it is consistent with the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed two-residence dwelling group will be of an appropriate scale and design that will be compatible with the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit D: Project Plans, 5 pages by The Final Draft, dated 2/1/13, 3 pages by Robert L. DeWitt & Associates (no date), and 1 sheet by Bowman & Williams, Consulting Civil Engineers, dated 1/14/13.

- I. This permit authorizes the demolition of an existing one-story garage and carport and construction of a new two bedroom 992 square foot single-family dwelling on the second story of a new 992 square foot garage to create a two unit dwelling group. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - D. Obtain a Grading Permit, if required, from the Santa Cruz County Building Official.
 - E. Obtain an Encroachment Permit from the Department of Public Works for any off-site work performed in the County road right-of-way.
 - F. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes not properly labeled will not be authorized by any Building Permit issued for the proposed development. The final plans shall include the following additional information:
 - 1. The applicant shall supply a color and material board in $8 \frac{1}{2}$ " x 11"

format for Planning Department review and approval.

- 2. Grading, drainage, and erosion control plans.
- 3. Details showing compliance with fire department requirements.
- B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - 1. Quantify the amount of upslope runoff being received onsite from Encina Drive and upslope properties. Provide a tributary drainage area map and calculations demonstrating that the proposed swales have adequate capacity.
 - 2. Provide downstream assessment, describing and showing in detail on the plans the off-site drainage path downstream of the proposed rip rap outlet pad across private parcels, to the inlet along Maciel Avenue. Indicate any and all drainage problems found along the length of this flow path, and propose any needed improvements. The property owner shall secure easements for construction and maintenance of any proposed offsite work.
 - 3. Plans shall show how the driveway will conform to the existing roadside drainage facilities. Road drainage shall not be blocked by the proposed driveway. Provide a typical cross section detail of the existing roadside drainage swale and details demonstrating how drainage will be accommodated across/under the proposed driveway.
 - 4. If the parcel being developed receives existing runoff from an adjacent drainage area, the recordation of a drainage easement, maintenance agreement, deed restriction, or other document recorded on the parcel deed shall be required. The recorded document shall acknowledge that the parcel will continue to receive upstream runoff, that the property owner is responsible for maintenance of the drainage pathway through the parcel, and that the County and Flood Control Districts are not responsible for the upstream runoff or for maintenance of the drainage pathway, per part 3 section G #3 of the design criteria.
 - 5. For fee calculations, tabulation of new impervious and semi-impervious (gravel, base rock, paver blocks, pervious pavement) areas resulting from the proposed project shall be provided. This shall be clearly shown on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed please provide documentation such as assessor's records.

survey records, aerial photos or other official records that will help establish and determine the dates they were built. A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing (50% for gravel, base rock, paver blocks, pervious pavement) to offset costs and encourage more extensive use of these materials.

- 6. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: To clear the Hold, one of these options has to be exercised:
 - The civil engineer shall inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what was inspected and all the relevant design features. Notes of "general conformance to plans" are not sufficient.
 - As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
 - The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements shall provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone number. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer, to the County Public Works Department for review to process the clearance of the drainage Hold.
- D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District. Fire notes and requirements shall be on the Building Permit velums as appropriate.
 - 1. The fire flow requirement for the subject property is 1000 gallons per minute for 120 minutes. Note on the plans the required and available fire flow. The available fire flow information can be obtained from the water company.

- 2. Show on the plans a public fire hydrant, type and location, meeting the minimum required fire flow for the building, within 600 feet of any portion of the building if the building is equipped with an automatic fire sprinkler system, or 400 feet if the building is not equipped with an automatic fire sprinkler system.
- 3. Show on the plans where smoke detectors are to be installed according to the following locations and approved by this agency as a minimum requirement:
- 4. Show additional smoke detectors in the following locations:
 - One detector adjacent to each sleeping area (hall, foyer, balcony, or etc).
 - · One detector in each sleeping room.
 - One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder.
 - There must be at least one smoke detector on each floor level regardless of area usage.
 - There must be a minimum of one smoke detector in every basement area.
- 5. Show the location of the CO detector outside each sleeping room and on each level at a minimum of the residence
- 6. Note on the plans where address numbers will be posted and maintained.

 Note on plans that address numbers shall be a minimum of four (4) inches in height and of a color contrasting to their background.
- 7. Note on the plans that the roof coverings to be no less than Class "B" rated roof.
- 8. Note on the plans that a 100-foot clearance will be maintained with non-combustible vegetation around all structures.
- 9. Submit a check in the amount of \$115.00 for this particular plan check, made payable to Central Fire Protection District. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due.
- E. Meet all requirements and pay all applicable fees of the City of Santa Cruz Water Department, including completion of the installation of any water mains, service connections fire hydrants or other facilities required under Water Department rules and regulations, at the developer's expense. The City of Santa Cruz Landscape Water Conservation requirements shall also be met.
- F. Meet all requirements of the Santa Cruz County Sanitation District.
 - 1. Show the proposed location of on-site sewer lateral(s), clean-out(s) and connection(s) to the existing public sewer on the plot plan of the Building

Permit application.

- 2. Show all existing and proposed plumbing fixtures on floor plans.
- 3. Existing lateral(s) must be properly abandoned (including inspection by the District) <u>prior</u> to issuance of a demolition permit or disconnection of the existing structure. An abandonment permit must be obtained from the District.
- G. Submit 2 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - 1. Plans submitted for the building permit application shall reference the report and include a statement that the project shall conform to the report's recommendations.
 - 2. Plans submitted for the building permit application shall include a grading plan that shows the depth and lateral extents of engineered fill beneath foundations and slabs-on-grade, and includes a note stating minimum relative compaction requirements as recommended in the soils report.
 - 3. Plans submitted for the building application shall include a stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual. The Manual may be found at: http://www.dpw.co.santa-cruz.ca.us/Storm_Water/pdf/2011-11Construction-Site-BMP-Manual.pdf. The erosion control plan submitted for the development permit may be modified to meet these requirements.
 - 4. After building permit plans are prepared that are acceptable to all reviewing agencies, the applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form must reference the final plan set by last revision date. Any updates to report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form. An electronic copy of this form may be found on our website: www.sccoplanning.com, under "Environmental", "Geology & Soils", "Assistance & Forms", "Soils Engineer Plan Review Form".
- H. Pay the current fees for Parks and Child Care mitigation for 2 bedrooms. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- I. Pay the current fees for Roadside and Transportation improvements for one new single-family dwelling. Currently, these fees are, respectively, \$3,000 and \$3,000 per single-family dwelling.
- J. Provide required off-street parking for 6 cars. Parking spaces must be 8.5 feet

wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.

- K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner shall 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. Prior to building permit final, the following shall be provided to the Resource Planner:
 - 1. Compaction tests for all engineered fill showing that compaction requirements have been met;
 - 2. A signed and stamped Soils Engineer Final Inspection Form; and
 - 3. A signed and stamped Final Grading Inspection Form.
 - D. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

- A. 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, it 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

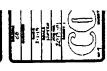
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

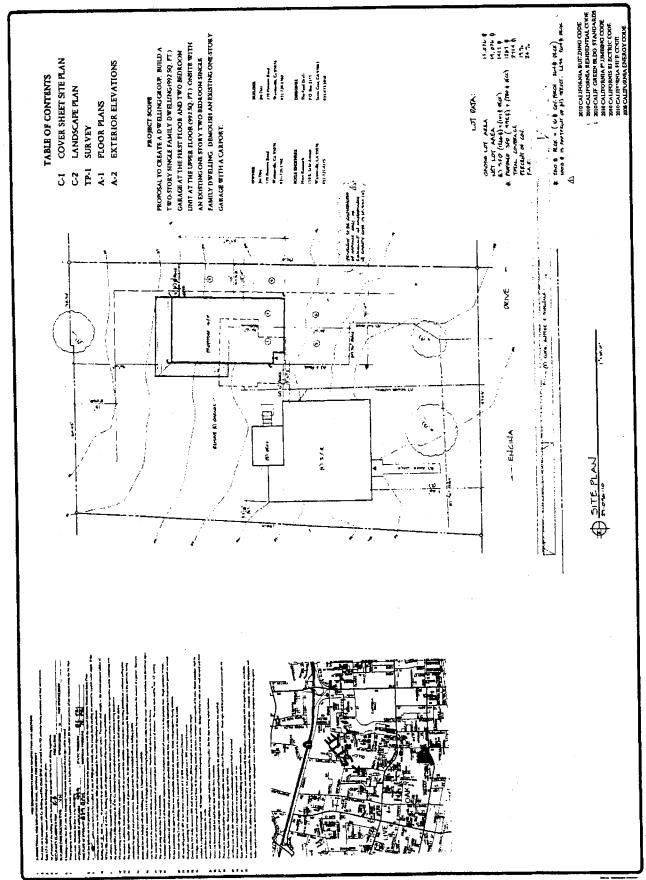
Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures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

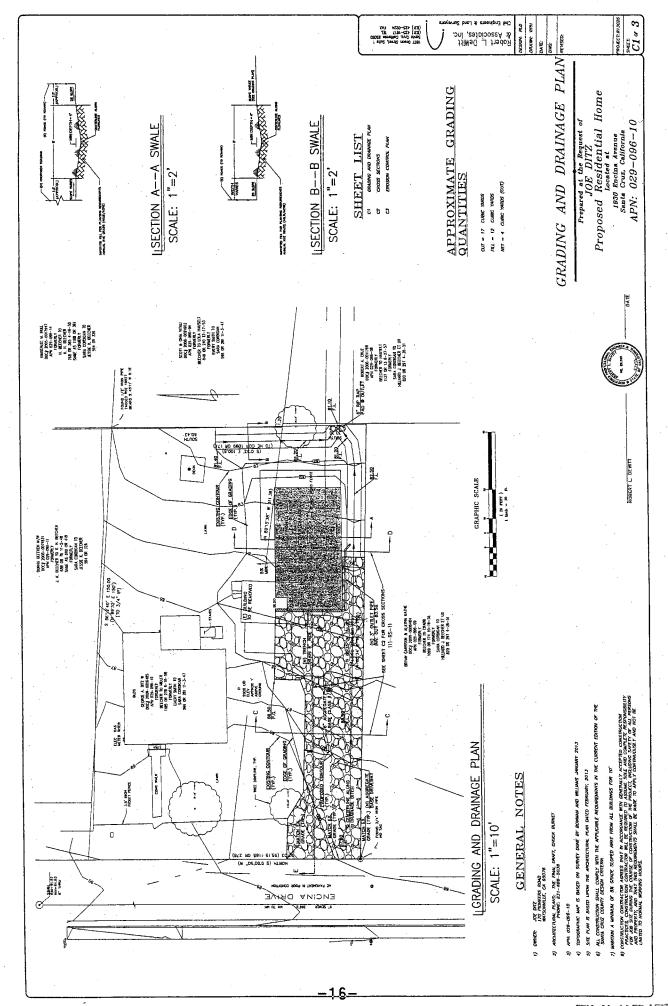
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Alice Daly, AICP	

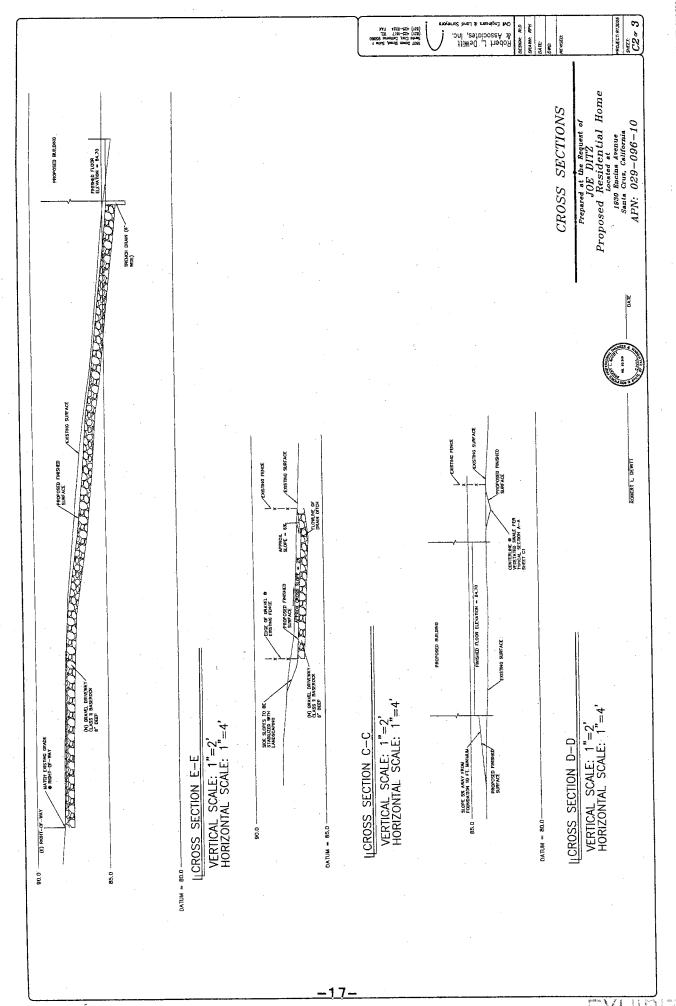
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

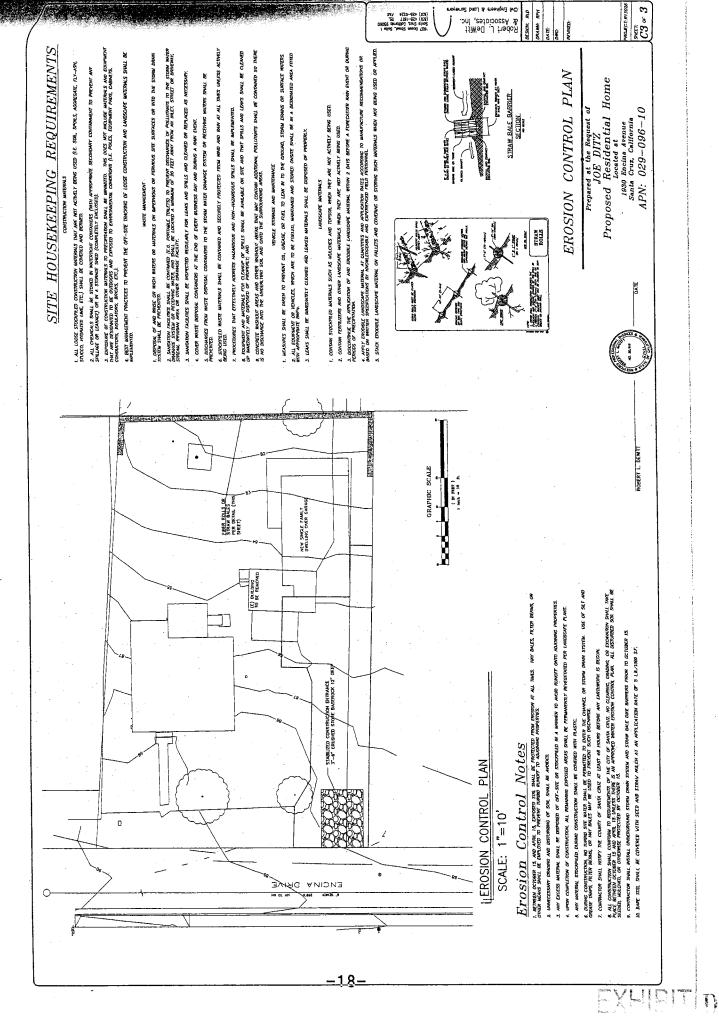
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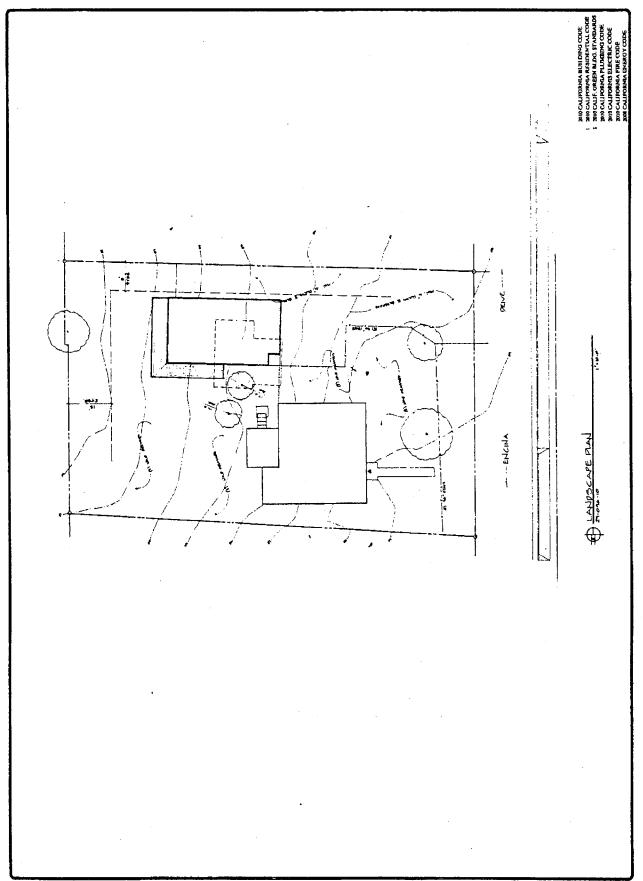
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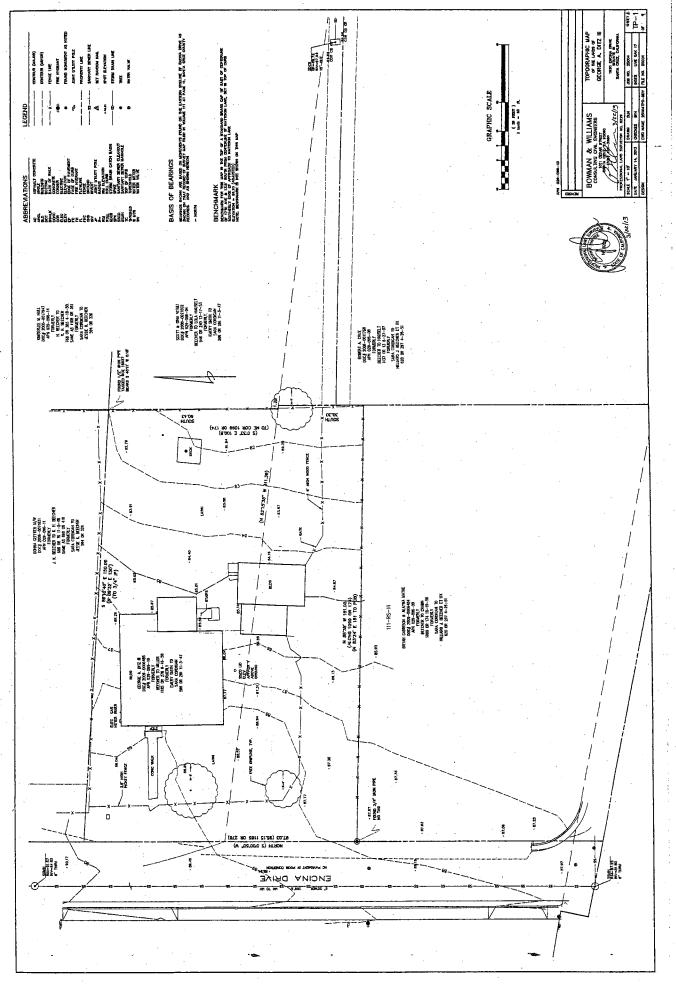
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PITZ RESIDENCE









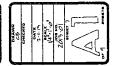


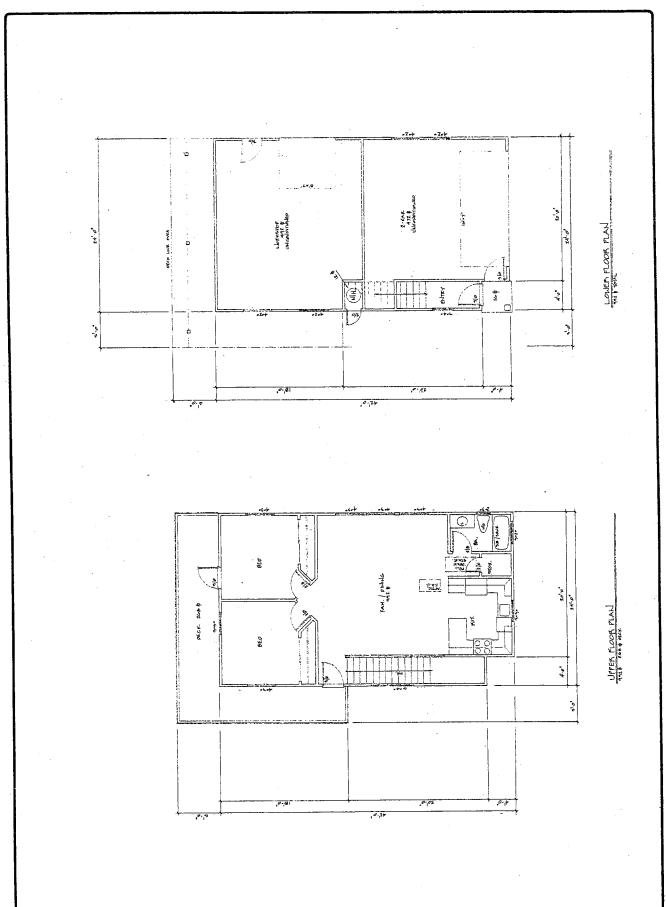
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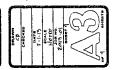
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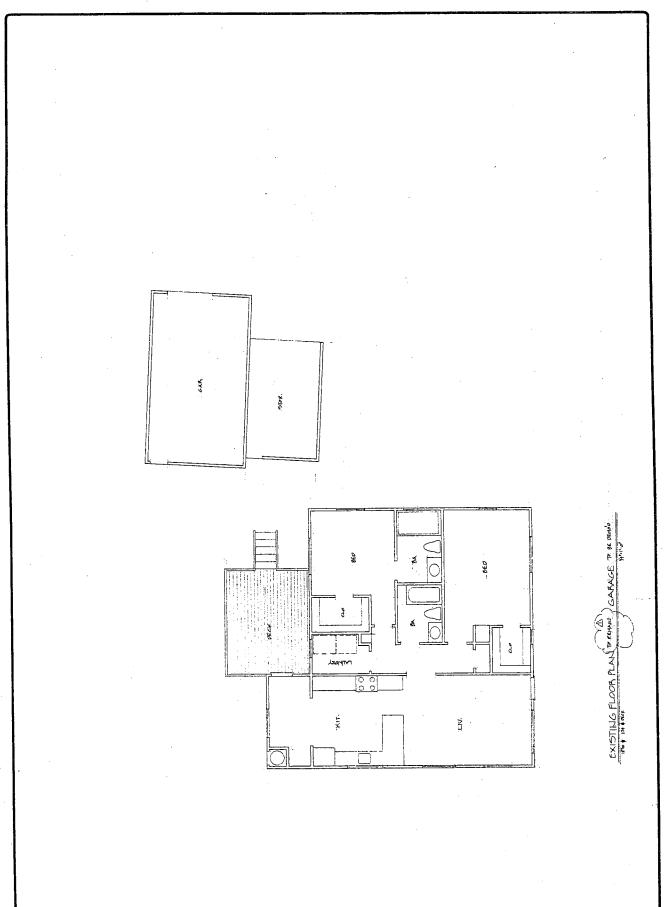
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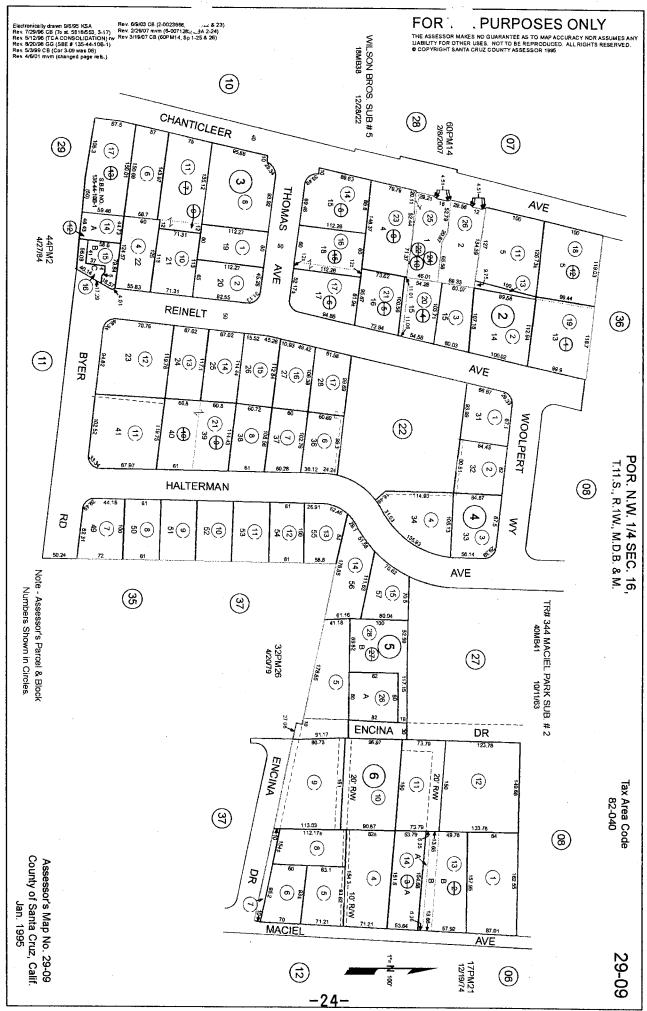
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SAUTA CRUZ, CA 75062









Location Map





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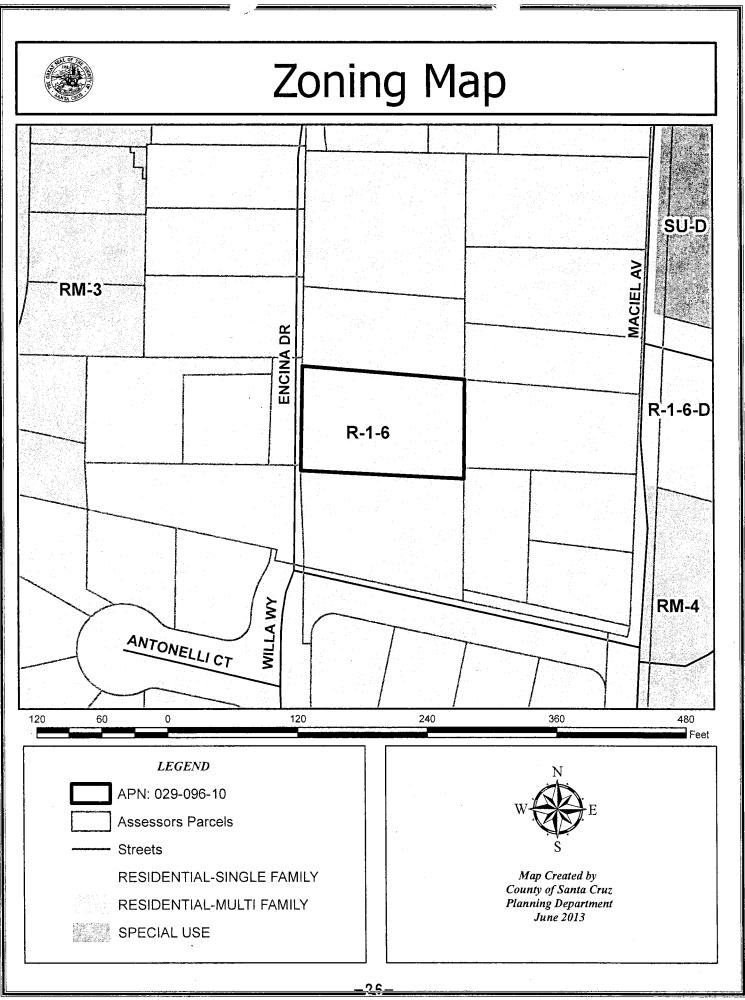
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Assessors Parcels

Streets

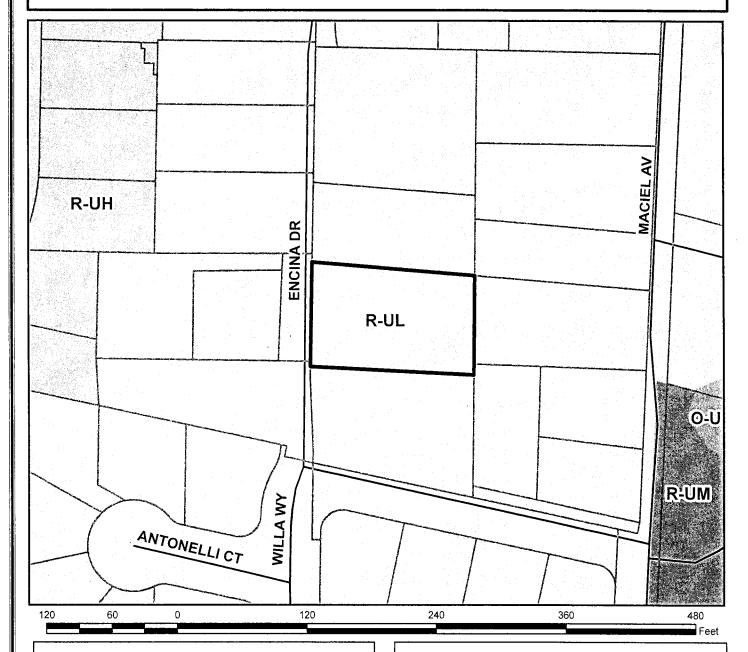


Map Created by County of Santa Cruz Planning Department June 2013





General Plan Designation Map





APN: 029-096-10

Assessors Parcels

---- Streets

Residential - Urban Low Density

Residential - Urban High Density

Urban Open Space

Residential - Urban Medium Density



Map Created by County of Santa Cruz Planning Department June 2013