

## Staff Report to the Zoning Administrator

Application Number: 131048

**Applicant:** Don Hays

Owner: Sell APN: 025-201-53

Agenda Date: October 4, 2013

Agenda Item #: 1
Time: After 9:00 a.m.

**Project Description**: Proposal to construct two new detached single family residences and a detached garage on site with an existing single family residence, resulting in a three unit dwelling group on property located in the R-1-6 zone district.

**Location**: Property located on the west side of Mattison Lane approximately 650 feet south of Soquel Drive (2833 Mattison Lane).

Supervisorial District: 1st District (District Supervisor: John Leopold)

Permits Required: Residential Development Permit

#### **Staff Recommendation:**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 131048, based on the attached findings and conditions.

#### **Exhibits**

A. Categorical Exemption (CEQA

determination)

E. Assessor's, Location, Zoning and

General Plan Maps

B. Findings

C. Conditions

D. Project plans

F. Comments & Correspondence

#### **Parcel Information**

Parcel Size:

26,264 square feet

Existing Land Use - Parcel:

Single family residence

Existing Land Use - Surrounding:

Single family residential neighborhood, school/athletic

fields, storage facility

Project Access:

Private driveway from Mattison Lane

Planning Area:

Live Oak

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060 Application #: 131048 Page 2

APN: 025-201-53 Owner: Sell

Land Use Designation:

R-UL (Urban Low Density Residential)

Zone District:

R-1-6 (Single family residential - 6,000 square feet

minimum)

Coastal Zone:

Inside

X Outside

#### **Environmental Information**

Geologic Hazards:

Not mapped/no physical evidence on site

Soils:

N/A

Fire Hazard:

Not a mapped constraint

Slopes:

2-5%

Env. Sen. Habitat:

Not mapped/no physical evidence on site No grading proposed

Grading:

No grading proposed

Tree Removal:

No trees proposed to be removed

Scenic: Drainage:

Not a mapped resource Existing drainage adequate

Archeology:

Not mapped/no physical evidence on site

#### **Services Information**

Urban/Rural Services Line:

X Inside Outside

Water Supply:

City of Santa Cruz

Sewage Disposal:

Santa Cruz County Sanitation District

Fire District:

Central Fire Protection District

Drainage District:

Zone 5 Flood Control District

#### **Project Setting**

The subject property is located on the west side of Mattison Lane, to the north of Highway 1 in the Live Oak planning area. The property is located within a single family residential neighborhood, with detached residences to the north, east, and south. An existing storage facility is located to the immediate south and athletic fields for the Good Shepherd school are located to the west. The subject property is accessed via a private driveway from Mattison Lane and is currently developed with a single family dwelling and detached outbuildings.

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

The subject property is a parcel of approximately 26,264 square feet, located in the R-1-6 (Single family residential - 6,000 square feet minimum) zone district, a designation which allows residential uses. The proposed dwelling group is an allowed use within the zone district and the zoning is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

#### Residential Dwelling Group

This application is a proposal to demolish existing outbuildings and to construct two additional

single family residential units and a detached garage on site with an existing single family dwelling. The construction of multiple dwelling units on a single parcel is defined as a residential dwelling group and requires a Residential Development Permit. A residential dwelling group varies from a minor land division in that the residential units are all to be constructed on one parcel under common ownership and no new residential lots are to be created.

Density requirements apply to residential dwelling groups, with a minimum of 6,000 square feet of net developable land area required in the R-1-6 zone district for each proposed residential unit. In this case, the property is accessed via an access corridor (or flag) to Mattison Lane that is not counted in the net developable area. As a result, the total net developable area of the subject property is 24,044 square feet (26,264 - 2,220 access corridor). A minimum of 18,000 square feet of net developable area is required to construct a three unit residential dwelling group and there is sufficient net developable area to meet this requirement. The proposed dwelling group is also consistent with the R-UL General Plan land use designation which requires new development to conform to a density range between 6,000 and 10,000 square feet of net developable area per dwelling unit (this proposal would result in approximately 8,000 square feet of net developable area per dwelling unit).

Setbacks for the proposed residences are measured from the exterior property boundaries and all of the proposed structures are in compliance with the required yard setbacks for the R-1-6 zone district. The structures also comply with the minimum separation requirement of 10 feet between structures.

#### **Access and Parking**

The subject property is accessed via a 20 foot wide access corridor (or flag) from Mattison Lane. Corridor access lots are allowed in all zone districts with a minimum width of 20 feet. In order to provide a 20 foot wide access driveway and to maintain a 5 foot wide landscape strip on the north side of the driveway, the applicant is proposing additional paving along the adjacent parcel (APN 025-201-54). The adjacent parcel is under common ownership and is also currently accessed from the driveway within the access corridor. To formalize the proposed driveway configuration and access to both parcels, a right of way easement shall be recorded prior to building permit issuance. As this right of way is less than 40 feet in width, this requires review and approval as a component of the Residential Development Permit. Given the proposed design and the existing access to both parcels along the access corridor, the request for a less than 40 foot wide right of way is supported by staff.

Although the driveway provides access to a total of four residential units, the proposed driveway access does not require a roadway exception. Per County Code section 15.10, a road is only for an access serving three or more lots, and the proposed right of way will only continue to serve two residential lots. The fire agency has reviewed and accepted the proposed driveway access.

#### **Design Review**

The proposed dwellings comply with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as pitched

APN: 025-201-53 Owner: Sell

roofs, front porches, and varied siding materials to reduce the visual impact of the proposed development on surrounding land uses. The design of the proposed dwellings is compatible with the existing dwelling on the subject property and the surrounding residential neighborhood.

#### 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 131048, 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: <a href="https://www.co.santa-cruz.ca.us">www.co.santa-cruz.ca.us</a>

Report Prepared By: Randall Adams

Santa Cruz County Planning Department

701 Ocean Street, 4th Floor Santa Cruz CA 95060

Phone Number: (831) 454-3218

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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: 131048

Asse	essor Parcel Number: 025-201-53
Proj	ect Location: 2833 Mattison Lane, Santa Cruz
Proj	ject Description: Construct two new detached single family dwellings on site with an existing dwelling.
Pers	son or Agency Proposing Project: Don Hays
Con	tact Phone Number: (831) 425-5818
	The proposed activity is not a project under CEQA Guidelines Section 15378.  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).
E	X Categorical Exemption
Spec	cify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)
F.	Reasons why the project is exempt:
Con	struction of a residential dwelling group in an area designated for residential uses.
In ac	ldition, none of the conditions described in Section 15300.2 apply to this project.
	Date:
Ran	dall Adams, Project Planner

#### **Development Permit Findings**

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

This finding can be made, in that the project is located in an area designated for residential uses 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. The proposed dwellings will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structures meet all current setbacks that ensure access to these amenities.

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 dwellings and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (Single family residential - 6,000 square feet minimum) zone district. The primary use of the property will continue to be for detached single family dwellings that comply with the 6,000 square foot minimum density required in the zone district. The proposed structures meet all current site standards for the R-1-6 zone district.

The property is currently accessed via a 20 foot access corridor, which is allowed in all zone districts per County Code section 13.10.520(B). The application includes a request to create a less than 40 foot wide right of way (per County Code section 13.10.521) to allow access to the subject property and the adjacent parcel (APN 025-201-54). This access configuration currently exists and the proposed development will formalize the existing access and install paving and drainage improvements. The proposed right of way will be 25 feet in width and will provide adequate access to the adjacent parcel and the three residential units on the subject property.

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

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

The proposed dwellings will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meet 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 dwellings will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed dwellings will be properly proportioned to the parcel size and the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed dwellings 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 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 dwellings will be constructed on a parcel with an existing single family dwelling. The expected level of additional traffic generated by the proposed project is anticipated to be only two new peak trips 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 structures are located in a mixed neighborhood containing a variety of architectural styles, and the proposed dwellings 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 dwellings will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

#### **Conditions of Approval**

Exhibit D: Project Plans "Sell Residence/Residential Dwelling Group", prepared by Redwood Engineering and Roper Engineering, revised 4/17/13.

- I. This permit authorizes the construction of two additional single family dwellings and a detached garage on site with an existing single family dwelling, resulting in a three unit residential dwelling group accessed by a less than 40 foot wide right of way, as depicted on the approved Exhibit "D" for this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a 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 from the Santa Cruz County Building Official, if required.
  - E. Obtain an Encroachment Permit from the Department of Public Works for all offsite 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 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. One elevation shall indicate materials and colors as they were approved by

this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review and approval.

- 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, as indicated in the discretionary application comments dated 8/8/13. Drainage fees will be assessed on the net increase in impervious area.
- D. Obtain sanitary sewer service approval for this project from the Santa Cruz County Sanitation District.
- E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- F. Pay the current fees for Parks and Child Care mitigation for 8 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- G. Pay the current fees for Roadside and Transportation improvements for 2 unit(s). Currently, these fees are, respectively, \$3,000 and \$3,000 per unit.
- H. Provide required off-street parking for 9 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.
- I. 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.
- J. Provide evidence that an easement for reciprocal access across APN 025-201-53 & APN 025-201-54, as indicated on the approved Exhibit "D", has been recorded for shared driveway access to the subject property and the adjacent parcel.
- 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. 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.

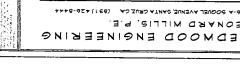
Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures 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.

Wanda William Deputy Zoning Adm			Adams Planner	
Expiration Date:	· ·			
Effective Date:	·	·		
Approval Date:				

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.

PROCESS ASSESSED



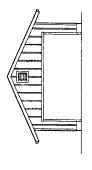




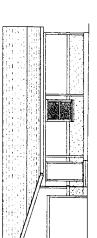
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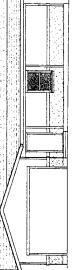
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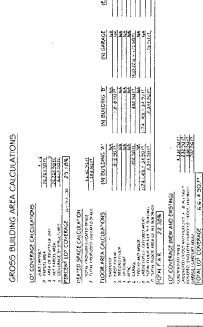


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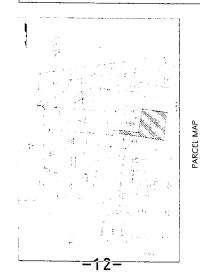
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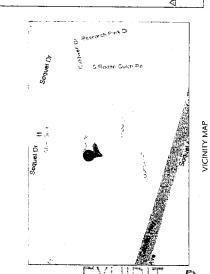
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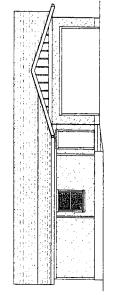
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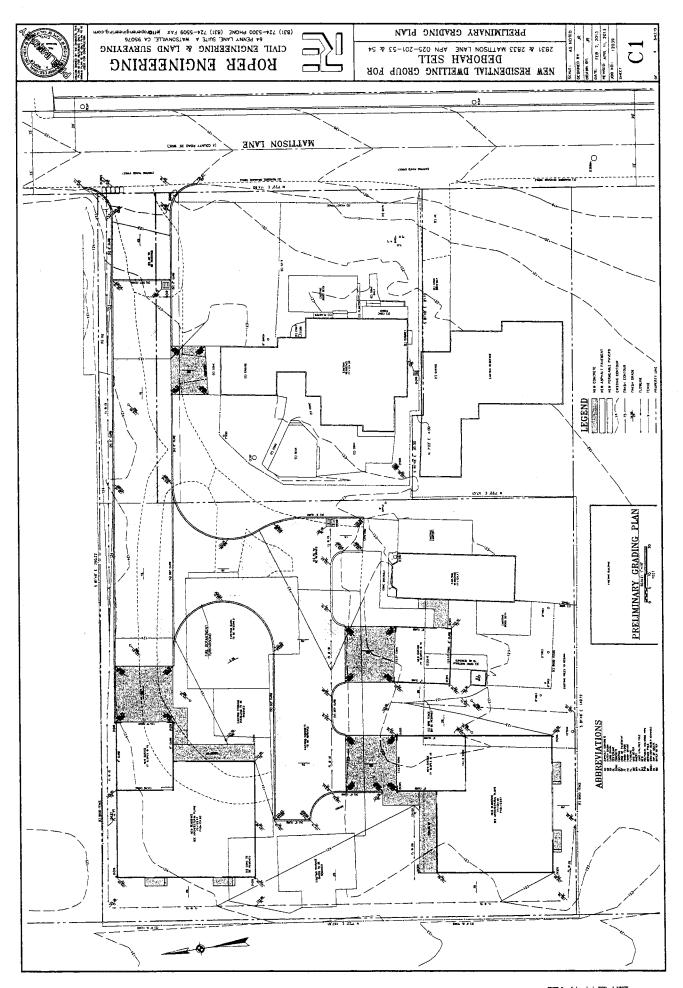
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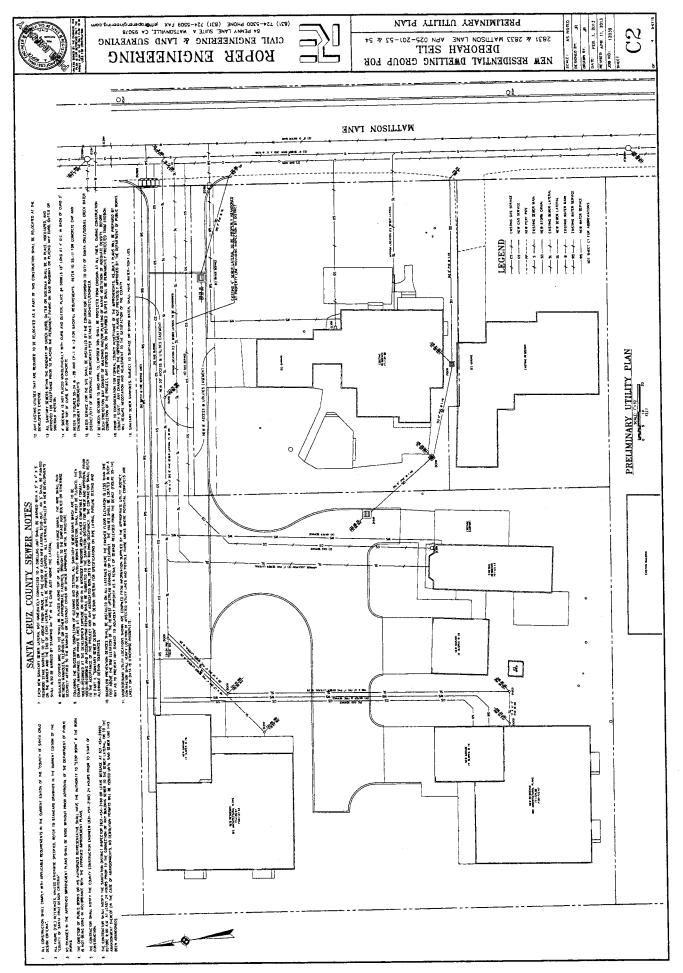
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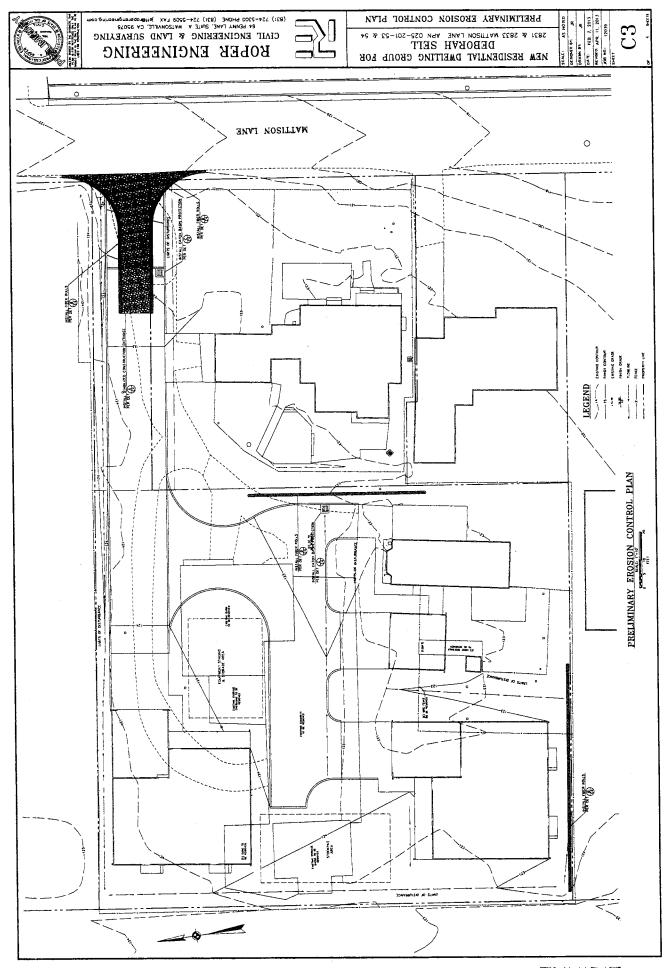
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DATE: FEB 7, 2013 FEWSID: APR. 11, 2013 JOB HO: 12019

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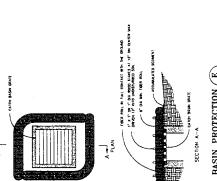
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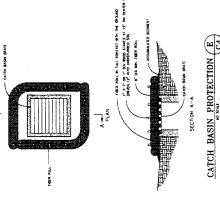


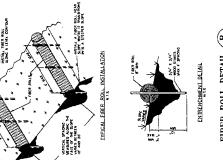
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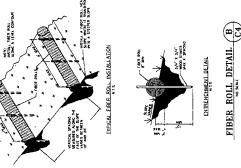


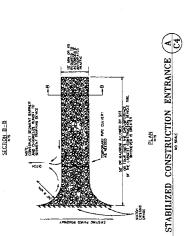












# STORM WATER POLLUTION CONTROL NOTES

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## SITE HOUSEKEEPING REQUIREMENTS

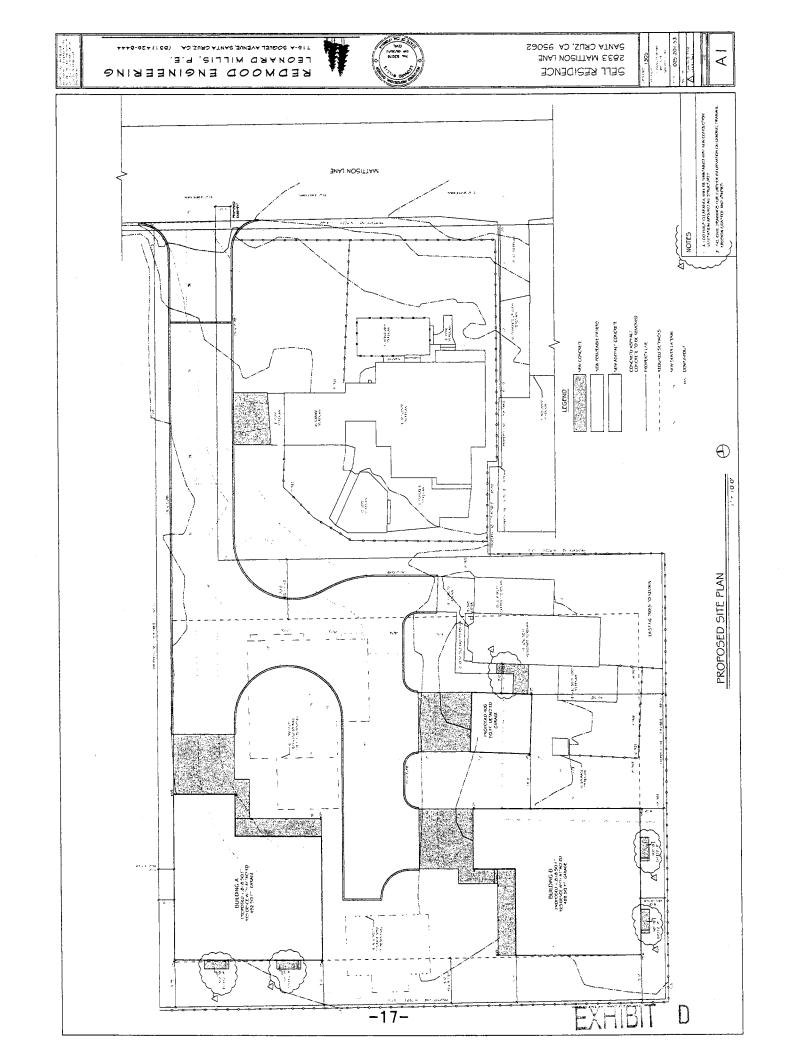
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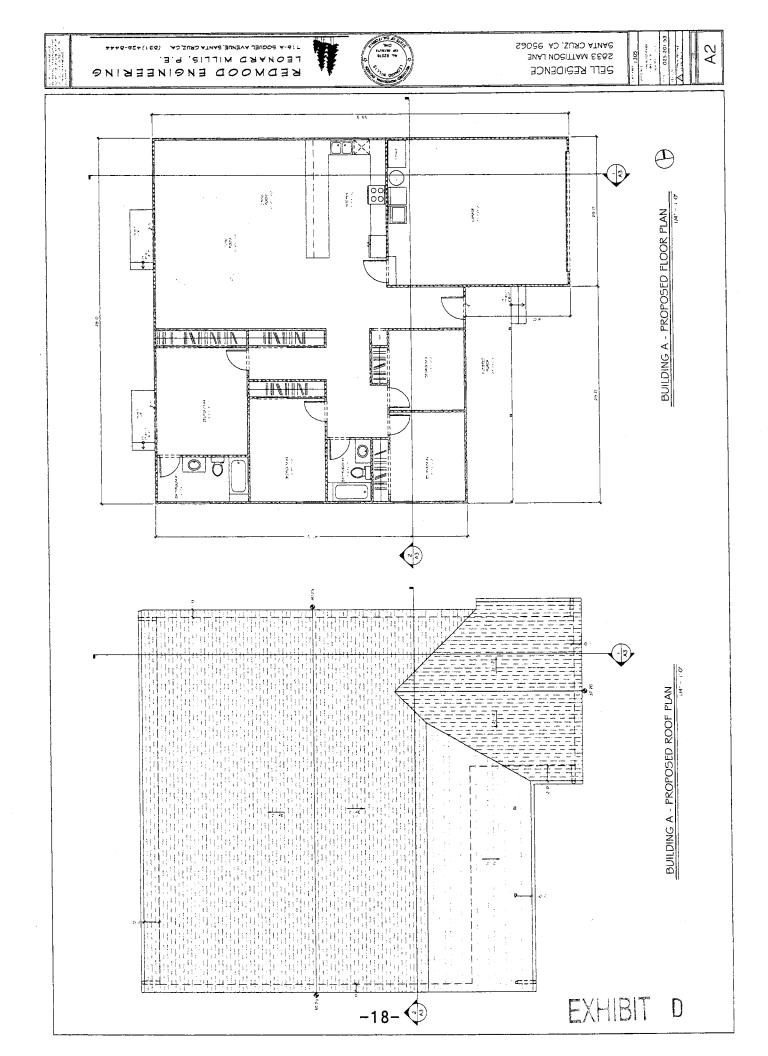
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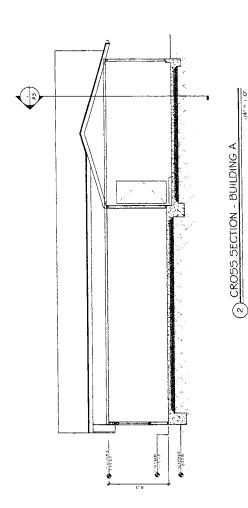
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EXHIBIT D







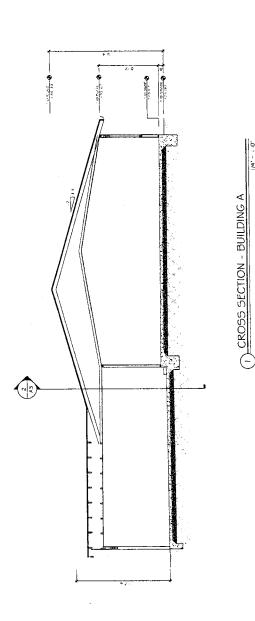
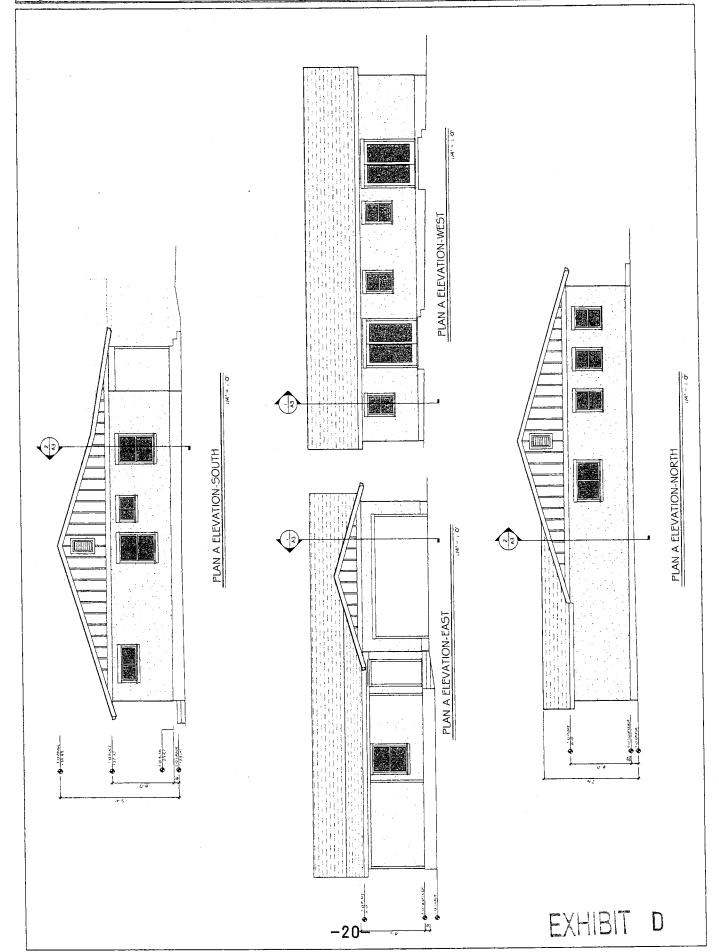
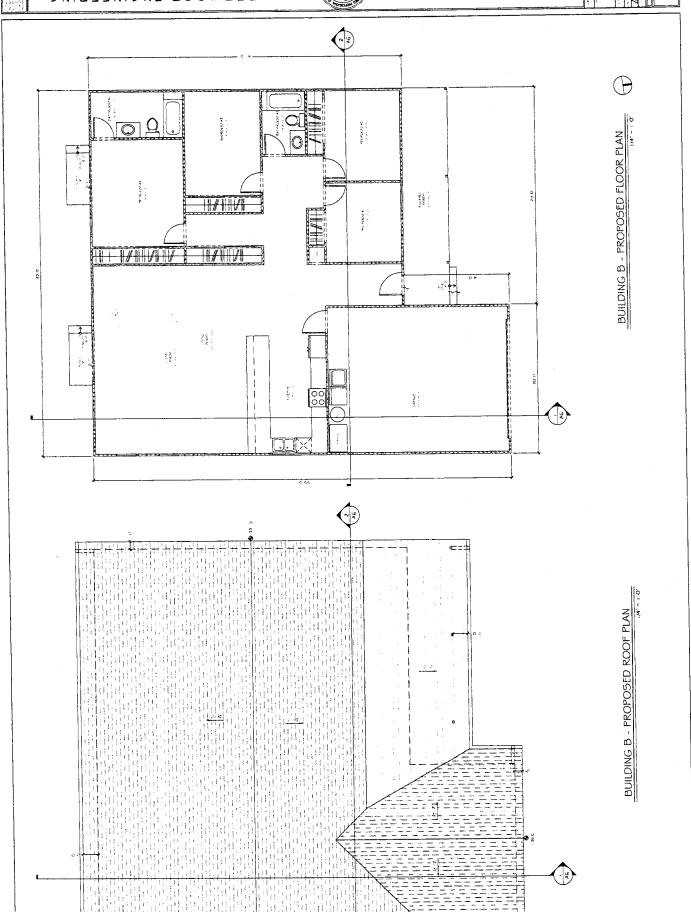


EXHIBIT D



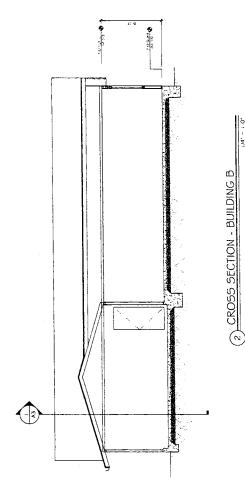
EXHIBIT

D



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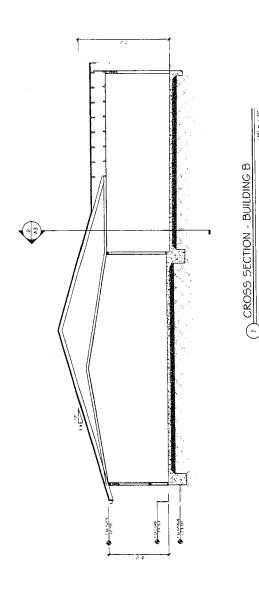
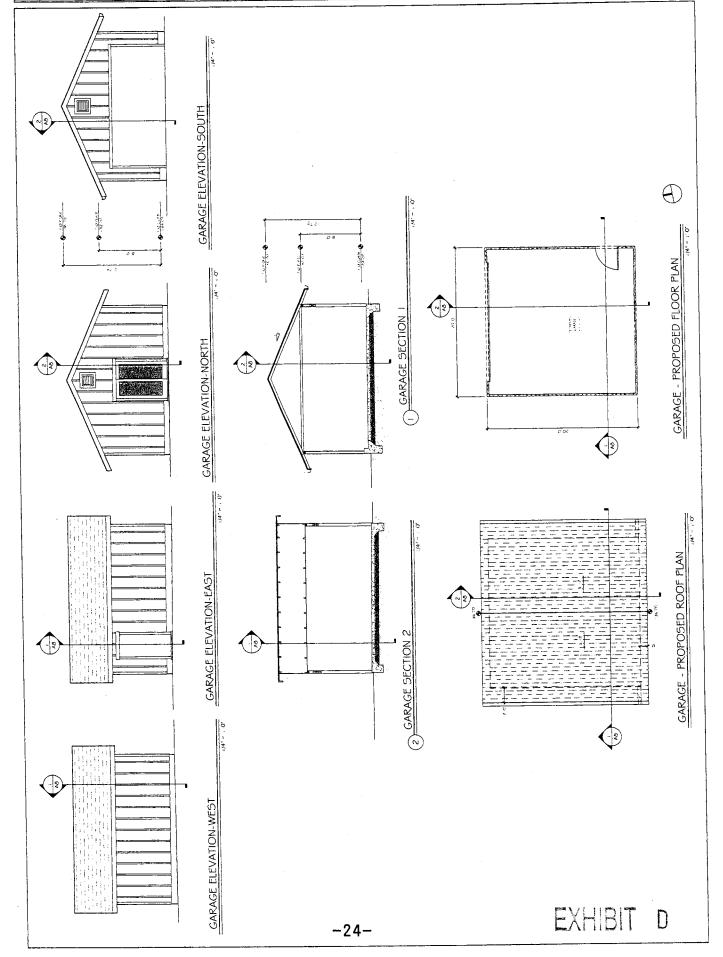


EXHIBIT D

### REDMOOD ENGINEERING



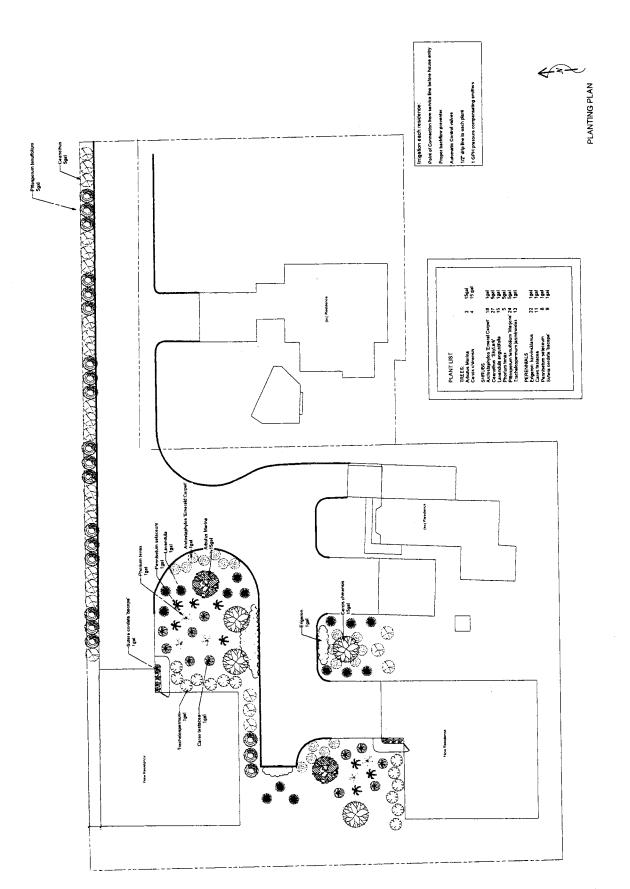


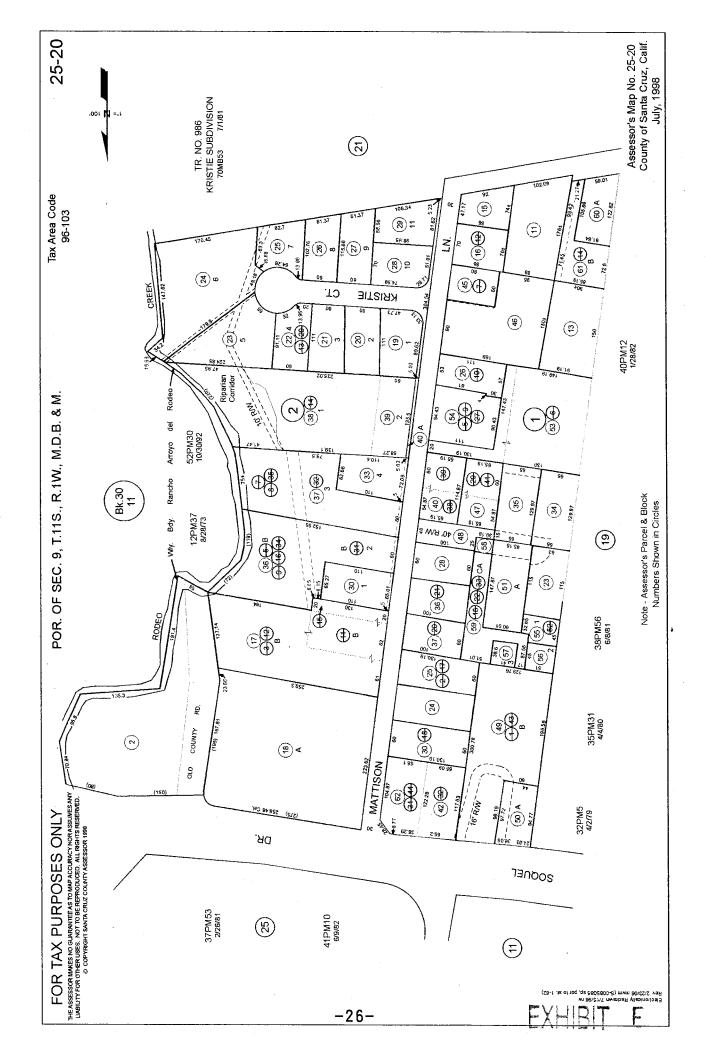
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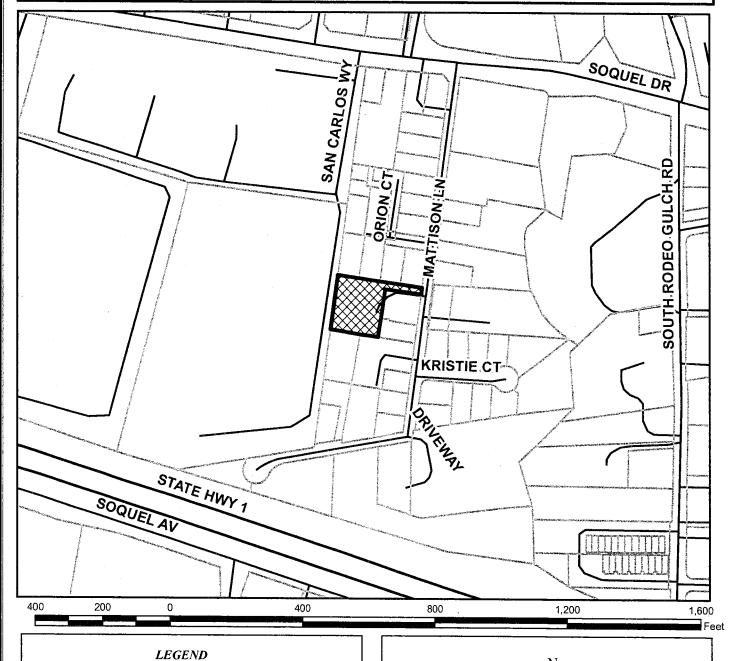
SHEET NO.







## **Location Map**





State Highways

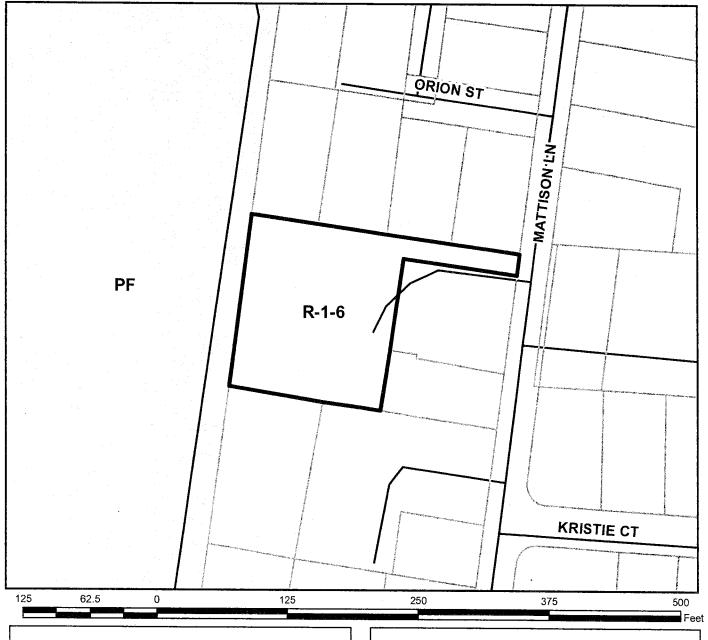


Map Created by County of Santa Cruz Planning Department February 2013

EXHIBIT E



## Zoning Map





APN: 025-201-53

Assessors Parcels

---- Streets

**RESIDENTIAL-SINGLE FAMILY** 

**PUBLIC FACILITY** 

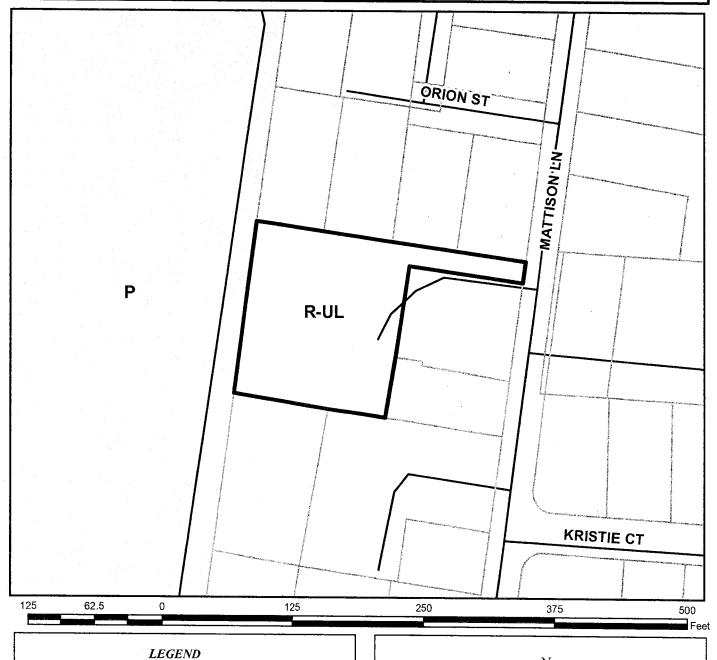


Map Created by County of Santa Cruz Planning Department February 2013

EXHIBIT E



## General Plan Designation Map





Residential - Urban Low Density

Public Facilites



Map Created by County of Santa Cruz Planning Department February 2013

EXHIBIT E