



AGENDA

Meeting of the
Scotts Valley City Council
In-Person and Remote Access
Date: June 21, 2023
Time: 6:00 PM

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference https://us02web.zoom.us/j/83295730901	The agenda was posted on 06-16-2023 at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at https://www.scottsvalley.gov

ELECTED OFFICIALS

Jack Dilles, Mayor
Randy Johnson, Vice Mayor
Donna Lind, Council Member
Derek Timm, Council Member
Allan Timms, Council Member

CITY STAFF MEMBERS

Mali LaGoe, City Manager
Kirsten Powell, City Attorney
Cathie Simonovich, City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS

Notice regarding City Council Meetings:

The City Council meets regularly on the 1st and 3rd Wednesday of each month at 6:00 PM in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066, and via Zoom Webinar remote access.

Agenda and Agenda Packet Materials:

The City Council agenda and the complete agenda packet are available for review by 5:00 PM the Friday before the Wednesday meeting on the Internet at the City's website:

www.scottsvalley.gov and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA.

Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-12 pm and 1-5 pm. In accordance with AB 1344, such documents will be posted on the City's website at www.scottsvalley.gov.

Public Participation:

The meeting will be available on Zoom and livestreamed to the City of Scotts Valley's

YouTube channel: <https://www.youtube.com/channel/UCLNTBScelB4wTfidYHrocWA>
For those wishing to participate via Zoom you can join the following ways:
Zoom Webinar meeting link: <https://us02web.zoom.us/j/83295730901>
Or dial one of these numbers: (669) 900-9128 or (669) 444-9171
Webinar ID: 832 9573 0901

Whether attendance is in-person or remote, you will be given opportunities to provide public comment at the appropriate times throughout the meeting. The time limit is up to 3 minutes for an individual, or 5 minutes for someone who is representing a group of three or more, at the discretion of the Mayor. Please note that this is not a question-and-answer time, but simply a time to provide comments to the Council. At the appropriate times during the meeting for public comment, on items not on the agenda, and on specific agenda items, the Mayor will announce that public comment will be accepted.

How to comment via in-person attendance:

Please proceed to the public comment podium when the Mayor opens the item for public comment.

How to comment via Zoom Webinar:

Use the webinar attendee option to “raise hand” when the Mayor opens the item for public comment. The Clerk will unmute you when it is your turn. If you have joined via Zoom phone call, dial *9 or your phone to “raise your hand”, and the Clerk will unmute you when it is your turn.

CALL TO ORDER 6:00 PM

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

COMMITTEE REPORTS

Council members are appointed to committees which are either City committees or committees dealing with other jurisdictions. This portion of the agenda allows the committee member to present oral or written reports to the Council regarding their committee assignments. It also allows the Council to make comments and give the committee member direction, as required.

CITY MANAGER REPORT

PUBLIC COMMENT TIME

This is the opportunity for individuals to make and/or submit written or oral comments to the Council on any items within the purview of the Council, which are NOT part of the Agenda. No

action on the item may be taken, but the Council may request the matter be placed on a future agenda.

ALTERATIONS TO CONSENT AGENDA

Council can remove or add items to the Consent Agenda.

CONSENT AGENDA

The Consent Agenda is comprised of items which are intended to be non-controversial and are approved without discussion. Persons wishing to speak on any item may request the item be moved to the Regular Agenda by raising their hand to be recognized by the Mayor. An item will only be moved from the Consent Agenda to the Regular Agenda if a City Council Member requests it to be moved and a majority of the Council agrees.

1. Approve City Council minutes of 06-07-2023
2. Approve check register dated 06-08-2023
3. Approve the following Fiscal Year 2023-24 Annual Budget Items:
 - I. Resolution No. 630.43 approving the Fiscal Year (FY) 2023-24 Annual Budget and making related appropriations.
 - II. Resolution No. 1955.25 approving the FY 2023-24 Classification and Salary Schedules.
 - III. Resolution No. 1501.30 approving the continued collection of the Utility Users Tax for FY 2023-24.
 - IV. Resolution No. 1932.4 approving minimum reserve policy for certain funds. (Council Policy No. 04-17)
4. Approve Resolution No. 1007.36 revising prior years Gann Initiative appropriations and setting appropriation limits for FY 2023-24.
5. Ratify the appointment of Steve Simonovich to serve on the Planning Commission, with an effective date of June 21, 2023

PUBLIC HEARINGS (to be heard after 6:30 PM)

1. Consideration of a Time Extension request for a previously approved ten-lot subdivision, and for the construction of ten dwelling units with related site improvements on a 1.4-acre site (Bay Village Planned Development) located on Erba Lane (APNs 022-481-18, & -22).
2. Skypark Open Space Maintenance Assessment District No.1

3. Pinewood Estates Landscape Maintenance Assessment District

ALTERATIONS TO REGULAR AGENDA

Council can remove or add items to the Regular Agenda.

REGULAR AGENDA

Persons wishing to speak on any item may do so by raising their hand to be recognized by the Mayor.

1. Adoption of the Multiple Employer OPEB/Pension 115 Trust Administered by Shuster Advisory Group and Appointing the City Manager as the City's Plan Administrator for the 115 Trust
2. Consideration of a Non-Profit Facility Use Policy
3. Future Council agenda items

CONVENE TO CLOSED SESSION

CLOSED SESSION SUBJECT(S)

1. Conference with legal counsel regarding real property negotiations
Legal Authority: Government Code Section 54956.8
Location: APNS: 022-721-07, 022-721-08, 022-721-09 (Town Center)
Staff Present: City Manager, City Attorney, Administrative Services Director
2. Conference with legal counsel regarding potential litigation
Legal Authority: Government Code Section 54956.9
Number of Cases: 1 case
Staff Present: City Manager, City Attorney

RECONVENE TO OPEN SESSION

REPORT ON ACTION TAKE DURING CLOSED SESSION

ADJOURNMENT

ADA NOTICE

The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a City Council meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the

City Clerk's office at (831) 440-5600 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or, Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.

PROCEDURAL INFORMATION FOR THE PUBLIC

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN APPROVAL OF A RESOLUTION:

1. Move the Resolution number for approval.
2. Second the motion.
3. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN INTRODUCTION/ADOPTION OF AN ORDINANCE:

1. Move the Ordinance number for introduction (or adoption).
2. Move the Ordinance be introduced by title only and waive the reading of the text.
3. Read the Ordinance title.
4. Second the motion.
5. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN PUBLIC COMMENT/PUBLIC HEARINGS:

Unless otherwise determined by the presiding officer of the meeting:

1. Three minutes allowed per individual to speak.
2. Five minutes allowed per individual representing a group of three or more.



The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a City Council meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the City Clerk's office at (831) 440-5602 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000; or, from or to Speech-to-Speech, English & Spanish 1-800-854-7787), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.



MINUTES

Meeting of the
Scotts Valley City Council
Date: June 7, 2023
Time: 6:00 PM

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference https://us02web.zoom.us/j/81664513049	The agenda was posted on 06-02-2023 at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at www.scottsvalley.gov .

CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:03 PM.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

TELECONFERENCE LOCATION

Council Member Timm attended via teleconference.

ROLL CALL

ELECTED OFFICIALS PRESENT: Jack Dilles, Mayor Randy Johnson, Vice Mayor - arrived at 6:35 PM Donna Lind, Council Member Derek Timm, Council Member - via teleconference Allan Timms, Council Member	CITY STAFF MEMBERS PRESENT: Mali LaGoe, City Manager Kirsten Powell, City Attorney Chris Lamm, Public Works Director Stephanie Hill, Administrative Services Director Cathie Simonovich, City Clerk
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COMMITTEE REPORTS

CM Lind participated in several planning meetings for the Scotts Valley July 4th Parade. The parade will be at 1:00 PM and anyone interested in participating or volunteering can visit the City's website for more information (www.scottsvalley.gov).

CM Lind attended the Santa Cruz Metropolitan Transit District (METRO) Board Meeting where they discussed the budget, and specifically they discussed strategies for handling the unfunded pension liability.

CM Lind assisted with the Chambers Business Showcase held at Bruno's, which was a networking event involving the Scotts Valley Chamber, the San Lorenzo Valley Chamber, and Think Local First.

CM Timms attended a meeting of the Santa Cruz County Integrated Waste Management Local Taskforce. This committee is comprised many new members, so they are familiarizing everyone with the functions of the taskforce and are considering doing some tours of the facilities.

Mayor Dilles attended a housing forum hosted by Housing Santa Cruz County and Lookout Santa Cruz.

Mayor Dilles, along with CM Timm, attended a meeting of the pension subcommittee. They heard a presentation and discussion by Shuster Advisory Group and had a subsequent discussion.

Mayor Dilles attended the Be the Difference Volunteer Awards Luncheon. Many individuals and organizations were honored, including 1440 Multiversity.

Mayor Dilles, along with CM Johnson, attended the budget subcommittee meeting where they received a presentation by staff and asked questions about the staff's projections and assumptions.

Mayor Dilles attended a meeting of the Santa Margarita Groundwater Agency where they received updates on dry season streamflow monitoring results for 2022, and also a groundwater sustainability update.

Mayor Dilles, along with CM Timms, attended the Economic Development subcommittee meeting where they had further discussion about local business outreach and, with assistance from City Manager LaGoe, they produced talking points for this purpose.

Mayor Dilles filled in for CM Johnson at the Regional Transportation Commission (RTC) meeting where they received public testimony regarding the Highway 1 auxiliary lanes and bus-on-shoulder improvements from State Park Drive to Freedom Boulevard, and they received a report on the coastal rail trail segment 12. They also heard a staff presentation regarding grant funds for the RTC to assist lower income residents in purchasing e-bikes with vouchers, and implementing a bike sharing program in parts of the county.

CM Timm attended the Pension Subcommittee, and he thanked the staff for bringing in Shuster & Associates as their options for managing the pension 115 trust were

compelling.

CITY MANAGER REPORT

Public Works: In collaboration with the Santa Cruz County Recreation Division, a partnership and subsequent Memorandum of Understanding is in development for the County to operate programs at the Siltanen Pool this summer. Pending approval from the Board of Supervisors this month, the pool could be open for summer programming starting in July.

Recreation Brochure: The new brochures hit mailboxes last week! Brochures are available at all city offices for anyone who needs one.

Engineering: The engineering staff have been participating in meetings with the Federal Emergency Management Agency (FEMA) on the two emergency slides in Scotts Valley. They are proceeding with the design efforts and other necessary work for repairs. This is a slow process, but it is moving forward.

Maintenance Department: The Maintenance staff are transitioning to the summer schedule, which means staff are assigned to weekends to ensure that the public spaces are clean and maintained throughout the heavier-usage summer season.

Future Agenda Item Request Update: - At the 5/17 Council Meeting, CM Lind requested that staff prepare a letter of opposition to Assembly Bill 742 regarding the use of police canines. Luckily, this legislation died last week due to strong opposition from across California.

Administrative Services Department: The Administrative Services Department staff are busy preparing for the closing of the fiscal year while also implementing a new payroll system.

Grand Jury Reports: The Santa Cruz County Grand Jury just released their series of reports that require responses from the City of Scotts Valley. Staff will coordinate these responses and present them to the Council in August.

CruzAware: This is the new countywide emergency alert system that replaced the CodeRed system. The City of Scotts Valley is actively sharing out the information so that people know that they need to take action and sign up for the new system.

Community Development Department and the Housing Element: The Housing Element is currently in the 30-day public comment period, so the Community Development Department staff are busy responding to any comments that are received.

PUBLIC COMMENT TIME

Public comment was received from Cynthia Dzendzel, a resident of Scotts Valley. Ms. Dzendzel introduced herself because she has been communicating with the Council Members and wanted to introduce herself in person.

APPROVE CONSENT AGENDA WITH NO ALTERATIONS

M/S: Lind/Timms

To approve the consent agenda.

Carried 4/0 (AYES: Dilles, Lind, Timm, Timms; ABSENT: Johnson)

CONSENT AGENDA

1. Approve City Council minutes of 05-17-2023
2. Approve check register dated 05-18-2023 and 06-01-2023
3. Second reading and adoption of Ordinance No. 200.1 AB 481 Military Equipment Use policy renewal
4. Bean Creek Road Rehabilitation: Contract Award
5. Public Works Building: Purchase Agreement
6. Acceptance of Sidewalk Easement

PUBLIC HEARINGS (to be heard after 6:30 PM)

Due to timing (Public Hearings must be heard after 6:30 PM), Regular Item #1 was heard before the Public Hearings.

1. Public Hearing: Measure D Five-Year Plan

PWD Lamm presented this item and responded to comments and questions from Council.

Mayor Dilles opened the public hearing at 6:35 PM. Vice Mayor Johnson arrived at 6:35 PM.

Public comment was received from Scotts Valley resident, Les Wright. Mr. Wright requested clarification on how this 5-year plan relates to Item #3 on the regular agenda.

Mayor Dilles closed the public hearing at 6:37 PM.

M/S: Timms/Lind

To adopt Resolution No. 1923.6 approving the five-year program of projects to be funded with Measure D revenues.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

2. Public Hearing: SB1 Projects

PWD Lamm presented this item and responded to comments and questions from Council.

Mayor Dilles opened the public hearing at 6:43 PM, and no one from the public came

forward to comment on the SB1 projects.

Mayor Dilles closed the public hearing at 6:43 PM.

M/S: Lind/Timms

To adopt Resolution No. 1946.5 adopting the list of projects funded by SB1, the Road Repair and Accountability act of 2017.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

APPROVE REGULAR AGENDA WITH NO ALTERATIONS

M/S: Timms/Lind

To approve regular agenda with no alterations.

Carried 4/0 (AYES: Dilles, Lind, Timm, Timms; ABSENT: Johnson)

Due to timing (Public Hearings must be heard after 6:30 PM), Regular Item #1 was heard before the Public Hearings.

REGULAR AGENDA

1. Public Meeting: Skypark Assessment District

PWD Lamm showed a PowerPoint presentation and detailed the history of the assessment district, planned work activities for the upcoming fiscal year, the projected revenues and expenses. PWD Lamm responded to questions and comments from Council.

Public comment was received from Gillian McGlaze, a resident of Skypark. Ms. McGlaze expressed concern over the weed growth on the slope side of the fence. She also inquired about the \$600 item categorized as utilities. She thanked the Council for recognizing that the Linear Park is an extension of Skypark and that the users are not just Skypark residents. She appreciates the City's financial contribution to the upkeep of the Linear Park.

2. Public Meeting: Pinewood Estates Assessment District

PWD Lamm showed a PowerPoint presentation and detailed the history of the assessment district, planned work activities for the upcoming fiscal year, the projected revenues and expenses. PWD Lamm responded to questions from Council.

No one from the public provided comment during this public meeting.

3. Pavement Management Program Update

PWD Lamm introduced consultants Debaroti Ghosh and Mei-Hui Lee from NCE who gave a PowerPoint presentation. PWD Lamm and the consultants responded to questions and comments from Council. The Council recommended further discussion regarding bond revenue and evaluation of the other revenue strategies listed in the presentation.

Public Comment was received from Les Wright, a resident of Scotts Valley. Mr. Wright agreed that this is a great report from NCE and he encouraged Council and Staff not to

wait five years to do it again. He also noted that the road near his residence is in very bad shape and most likely should be rated lower than it is. Finally, he wondered if the costs could be placed on the maintenance curve to reflect how fast the money would need to be spent to get the desired results. This could help a bonding discussion.

4. FY 2023-2024 Proposed Budget and Long-Range Financial Forecasts

City Manager LaGoe and Administrative Services Director Hill presented the proposed budget and a walk-through of the new budget platform, OpenGov. They responded to questions and comments from Council and received the following direction: 1) Wait on the transfer of funds from the CIP, then re-evaluate later in the year; 2) Continue monthly payments on the UAL, rather than doing a lumpsum prepayment; and 3) Maintain in the budget the \$50k for the community grant program.

Public comment was received from Cynthia Dzendzel, a Scotts Valley resident. Ms. Dzendzel thanked Council and Staff for this information, and she commended the Council and Staff for their professionalism.

CONVENE TO CLOSED SESSION

City Attorney Powell reported that the City Council will convene to closed session to discuss the item below and she noted that there will not be anything to report in the public session. The City Council convened to closed session at 9:25 PM.

CLOSED SESSION SUBJECT

1. Conference with legal counsel regarding existing litigation
Legal Authority: Government Code Section 54956.9
Name of Case: Kathryn Grifo, et al, vs. City of Scotts Valley, et al. Santa Cruz Superior Court No. 22CV00874
Staff Present: City Manager, City Attorney

RECONVENE TO OPEN SESSION

The City Council convened to open session at 9:36 PM.

REPORT ON ACTION TAKE DURING CLOSED SESSION

Mayor Dilles indicated that there was no report from closed session.

ADJOURNMENT

The meeting adjourned at 9:36 PM.

Approved: _____

Jack Dilles, Mayor

Attest: _____

Cathie Simonovich, City Clerk

SCOTTS VALLEY ACCOUNTS PAYABLE
06/08/2023 10:38:03 Check Register

CITY OF SCOTTS VALLEY
GL050S-V08.19 COVERPAGE
GL540R

Report Selection:

RUN GROUP... 060823 COMMENT... 06/08/2023 A/P

DATA-JE-ID DATA COMMENT

W-06082023-805 06/08/2023 A/P

Run Instructions:

Jobq	Banner	Copies	Form	Printer	Hold	Space	LPI	Lines	CPI	CP	SP	RT
L		01			Y	S	6	066	10			

BANK	VENDOR	CHECK#	DATE	AMOUNT
BA	GENERAL CHECKING ACCOUNT			
000041	ACC BUSINESS	126958	06/08/23	598.66
005027	ACE PORTABLE SERVICES	126959	06/08/23	750.24
003597	ADAMS ASHBY GROUP, INC	126960	06/08/23	527.50
001405	AFLAC-FLEX ONE	126961	06/08/23	860.51
001219	ALHAMBRA	126962	06/08/23	24.90
000652	ANDERSON PACIFIC ENG INC	126963	06/08/23	37,874.85
000563	APPI	126964	06/08/23	1,676.16
003978	ARTHUR DEAN SANDERS, JR.	126965	06/08/23	4,500.00
001670	AT &T	126966	06/08/23	187.39
000614	BATTERIES + BULBS #314	126967	06/08/23	421.18
003170	BOGARD CONSTRUCTION INC	126968	06/08/23	2,000.00
000021	BOWMAN & WILLIAMS	126969	06/08/23	61,571.16
000437	BRASS KEY LOCKSMITH	126970	06/08/23	314.94
000018	BRINK'S AWARDS & SIGNS	126971	06/08/23	97.23
001566	BUSINESS WITH PLEASURE	126972	06/08/23	134.33
003088	CALIFORNIA COAST UNIFORM	126973	06/08/23	25.94
001015	CALIFORNIA POLICE CHIEF'	126974	06/08/23	772.00
003714	CAPITOLA/CITY OF	126975	06/08/23	9,061.01
000756	CENTRAL HOME SUPPLY	126976	06/08/23	473.05
003974	CHRISTOPHER S CRAIG	126977	06/08/23	197.91
002091	COMCAST	126978	06/08/23	177.82
002091	COMCAST	126979	06/08/23	202.82
003596	COPWARE, INC	126980	06/08/23	115.00
003043	CSG CONSULTANTS, INC	126981	06/08/23	61,477.48
001597	ENVIRONMENTAL INNOVATION	126982	06/08/23	3,795.00
000051	FISHER SCIENTIFIC	126983	06/08/23	3,035.35
.15950	FRED WILSON	126984	06/08/23	389.30
004039	GARNER/SCOTT	126985	06/08/23	50.00
001881	GRAINGER	126986	06/08/23	773.93
004015	GUARDIAN PUBLIC SAFETY	126987	06/08/23	1,450.00
004066	HEATHER A. HARDEE	126988	06/08/23	300.00
004023	HOUSEKEYS, INC.	126989	06/08/23	5,000.00
.15952	IAPE	126990	06/08/23	65.00
004041	INTERWEST CONSULTING GRO	126991	06/08/23	5,100.00
004024	K & D LANDSCAPING, INC.	126992	06/08/23	11,607.88
003292	KIMLEY-HORN & ASSOCIATES	126993	06/08/23	64,954.03
005005	KRUSEE/RANDALL	126994	06/08/23	300.00
001243	LIEBERT CASSIDY WHITMORE	126995	06/08/23	1,618.00
001673	LINCOLN FINANCIAL GROUP	126996	06/08/23	1,383.10
003942	M-GROUP	126997	06/08/23	24,997.50
001815	MC GRATH/TRISH	126998	06/08/23	93.99
000101	PACIFIC GAS & ELECTRIC C	126999	06/08/23	46,300.54
005082	PEREZ/JOSE	127000	06/08/23	190.12
004045	PHILLIP D NEUMAN	127001	06/08/23	43,160.47
000723	PIED PIPER INC./THE	127002	06/08/23	81.50
.15951	PINWHEEL CREATIVE LLC	127003	06/08/23	400.00
005069	QUINN COMPANY	127004	06/08/23	12,602.58
000463	RALEY'S	127005	06/08/23	80.13

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT	
BA	GENERAL CHECKING ACCOUNT				
	003572 REGIONAL GOVERNMENT SERV	127006	06/08/23	3,571.57	
	000196 ROSS RECREATION EQUIPMEN	127007	06/08/23	1,068.93	
	003367 SANTA CRUZ LIVE SCAN, IN	127008	06/08/23	90.00	
	000133 SCOTTS VALLEY SPRINKLER	127009	06/08/23	474.25	
	005038 SECURITY SHORING &	127010	06/08/23	234.00	
	002065 SOTO/ART	127011	06/08/23	23.00	
	003783 STATE WATER RESOURCES CO	127012	06/08/23	125.00	
	006004 THE EPOXY GUY	127013	06/08/23	4,926.50	
	003347 TOWNE FORD	127014	06/08/23	49,665.14	
	001560 TRITON CONSTRUCTION	127015	06/08/23	400.00	
	000151 VISION SERVICE PLAN	127016	06/08/23	1,157.10	
	003145 WAGE WORKS	127017	06/08/23	290.58	
	005053 WENTWORTH/CODY	127018	06/08/23	215.78	
	003947 4X4 AND MORE	127019	06/08/23	2,422.12	
	GENERAL CHECKING ACCOUNT			476,434.47	***

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
REPORT TOTALS:				476,434.47

RECORDS PRINTED - 000177

GL540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
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001	GENERAL	274,207.90
002	RECYCLING/ENVIRONMENTAL	3,795.00
004	RECREATION	932.53
008	TRAFFIC IMPACT MITIGATION	941.20
010	WASTEWATER OPERATIONS	77,800.01
012	WASTEWATER CAPITAL RESERVE	6,579.15
019	AFFORDABLE HOUSING	5,000.00
025	GENERAL TRUST	26,067.20
028	SENIOR CENTER	801.38
035	GREEN BUILDING FUNDING	72.40
050	PINEWOOD EST LNDSCP MAINT DT	10.18
077	SKYPARK MAINT ASSESS DIST	833.99
088	LIBRARY FACILITIES-MEAS "S"	2,000.00
123	COMMUNITY FACILITY CENTER	595.16
150	GENERAL CAPITAL IMPROVEMENTS	25,710.65
162	PLANNING GRANTS PROGRAM	1,422.58
306	SUPPL LAW ENFORCEMENT SRVS	49,665.14
TOTAL ALL FUNDS		476,434.47

BANK RECAP:

BANK	NAME	DISBURSEMENTS
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BA	GENERAL CHECKING ACCOUNT	476,434.47
TOTAL ALL BANKS		476,434.47

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 6/21/2023
TO: Honorable Mayor and City Council
FROM: Stephanie Hill, Administrative Services Director
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Approve the following Fiscal Year 2023-24 Annual Budget Items:**

- I. Resolution No. 630.43 approving the Fiscal Year (FY) 2023-24 Annual Budget and making related appropriations.**
- II. Resolution No. 1955.25 approving the FY 2023-24 Classification and Salary Schedules.**
- III. Resolution No. 1501.30 approving the continued collection of the Utility Users Tax for FY 2023-24.**
- IV. Resolution No. 1932.4 approving minimum reserve policy for certain funds. (Council Policy No. 04-17)**

SUMMARY OF ISSUE

Annual Adoption of the FY 23-24 Budget

The FY 2023-24 Final Proposed Budget support is attached for the City Council's consideration. This budget includes a long-range financial forecast, with detailed analysis on the City's General Fund.

This is the first budget for the City that is being developed and presented through the OpenGov platform. This platform allows residents, elected officials, and other stakeholders to explore the City's budgets online. It provides instant online access to the budget, interactively displays, current and historical revenue and expenses down to the fund, department and object level. This financial transparency platform has been deployed as a resource for stakeholders as part of the City's ongoing initiative to promote and enhance public transparency in local government.

The FY 2023-24 Proposed Budget incorporates analysis on the overall financial health of the City, with great emphasis on the performance and future needs of the General Fund as the City's largest funding source. The FY 2023-24 Proposed Budget incorporates Council priorities, including meeting reserve balance minimums in all funds. Furthermore, these day-to-day operational activities are accomplished while concurrently budgeting a Section 115 Trust set-aside fund of \$2.0 million from the

General Fund to help address long-term liabilities like pension and retiree medical costs.

The long-range financial analysis concludes by highlighting that voter-adopted Measure Z is infusing necessary stability in the budget, while still showing the need for additional revenue sources to continue to meet the expectations of the community.

The total FY23-24 Proposed Budget includes Revenues of \$31.2 million with Expenses of \$43.3 million, inclusive of fund transfers in/out of \$3.8 million, and inclusive of Capital Improvement Projects of \$14.8 million. The Proposed Budget includes a planned use of fund balance in the General Fund of \$5.3 million, with a year-end projected fund balance of \$3.7 million, or 19% of ongoing operational expenses. The Proposed Budget also includes a planned use of fund balance in Special Revenue and General CIP Funds as well as a need to finance up to \$4 million for wastewater capital projects.

The full Online Budget Book can be accessed through the City's website at:
<https://www.scottsvally.gov/184/City-Budget>

Adoption of the FY23-24 Classification and Salary Schedules

As part of the annual budget review process, all salary schedules have been reviewed and updated in accordance with the related employment group agreements. In addition, the City is budgeting for a compensation study to occur in FY23-24. The City has reviewed all job classifications and identified several that are outdated and for which it will not have a future use. None of these job classifications have active employees in these positions. The attached schedule reflects the elimination of these positions and is intended to reflect the ongoing active classification and salary schedules.

Included in the update are two proposed salary schedule updates outside of the regular agreement escalations. These are for the Building Official and the Accounting Assistant. These two classifications have been unused for several years but are planned to be added in FY23/24. As a result, City staff conducted a study of comparable agencies to establish the proposed salary schedule for these two new positions.

The respective agreement representatives were contacted regarding these changes.

Annual Adoption of the Utility Users Tax

Ordinance No. 109.3 (SVMC §3.35.180) requires, concurrent with budget adoption, that the Council also approve the continued collection of the utility users' tax placed upon gas and electric service providers serving Scotts Valley properties. The FY23-24 Proposed Budget assumes the continued collection of the Utility Users' Tax.

Adoption of the Minimum Reserve Policy

Council previously adopted a fund balance minimum reserves policy in FY17-18 to implement minimum reserve targets for the City's various operating and capital funds. In the FY23-24 budget process, the Recreation Enterprise Fund is formally being shifted to fall under the General Fund, thus eliminating the separate reserve designation. The Recreation Fund will continue to be subsidized as needed by the General Fund. The General Fund calculation was updated to factor in treatment of one-time expenses and ongoing transfers in or out. This policy will be amended as needed for future years.

FISCAL IMPACT

The FY23-24 Proposed Budget includes revenues of \$31.2 million and expenditures totaling \$43.3 million; inclusive of fund transfers in/out of \$3.8 million, and inclusive of Capital Improvement Projects of \$14.8 million.

STAFF RECOMMENDATION

It is recommended the City Council adopt the following resolutions:

1. Resolution No. 630.43 approving the FY 2023-24 Annual Budget and making related appropriations.
2. Resolution No. 1955.25 approving the FY 2023-24 Classification and Salary Schedules.
3. Resolution No. 1501.30 approving the continued collection of the Utility Users Tax for FY 2023-24.
4. Resolution No. 1932.4 approving minimum reserve policy for certain funds. (Council Policy No. 04-17)

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1. Resolution Approving FY 2023-24 Annual Budget
2. Exhibit A FY23-24 Budget Summary
3. Resolution Approving Salary Schedule and Classification FY23-24
4. Updated Exhibit B Salary Schedule FY23-24 - 6.20.23
5. Resolution Approving Utility Users Tax Continuation for FY 2023-24
6. Resolution Approving Minimum Reserve Policies for FY 2023-24
7. Exhibit C Council Policy 04-17 Minimum Reserve Policy

RESOLUTION NO. 630.43

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2023-24 AND MAKING APPROPRIATIONS FOR THE AMOUNTS BUDGETED

WHEREAS, the City Manager is responsible for preparing and submitting a City budget for the operation and improvements of the community for City Council approval; and

WHEREAS, the City Council has reviewed and evaluated the proposed budget submitted by the City Manager; and

WHEREAS, the community has had an opportunity to review and make additional suggestions regarding the proposed annual budget to the City Council.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED as follows:

1. The City of Scotts Valley's FY 2023-24 Annual Budget for the fiscal year ending June 30, 2024 is hereby approved as set forth in the attached Exhibit A and incorporated herein.
2. The City Manager is hereby delegated responsibility for the administration of the budget and is authorized to transfer appropriations as necessary between departments, except that any transfers between funds must be approved by the City Council.
3. The City Manager is authorized to establish encumbrances from unexpended budget appropriations for operating and/or capital expenditures from the prior and current fiscal year, and shall not certify any encumbrance nor execute any payment in excess of approved department budget appropriations.
4. The City Manager or designee is hereby authorized to establish an operating reserve to accumulate receipts in excess of the estimated revenues as set forth in the budget document. Said reserve is established for the purpose of funding the budget of subsequent years and the receipts in this reserve are hereby appropriated for said purpose.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 21st day of June 2023 by the following vote:

AYES:

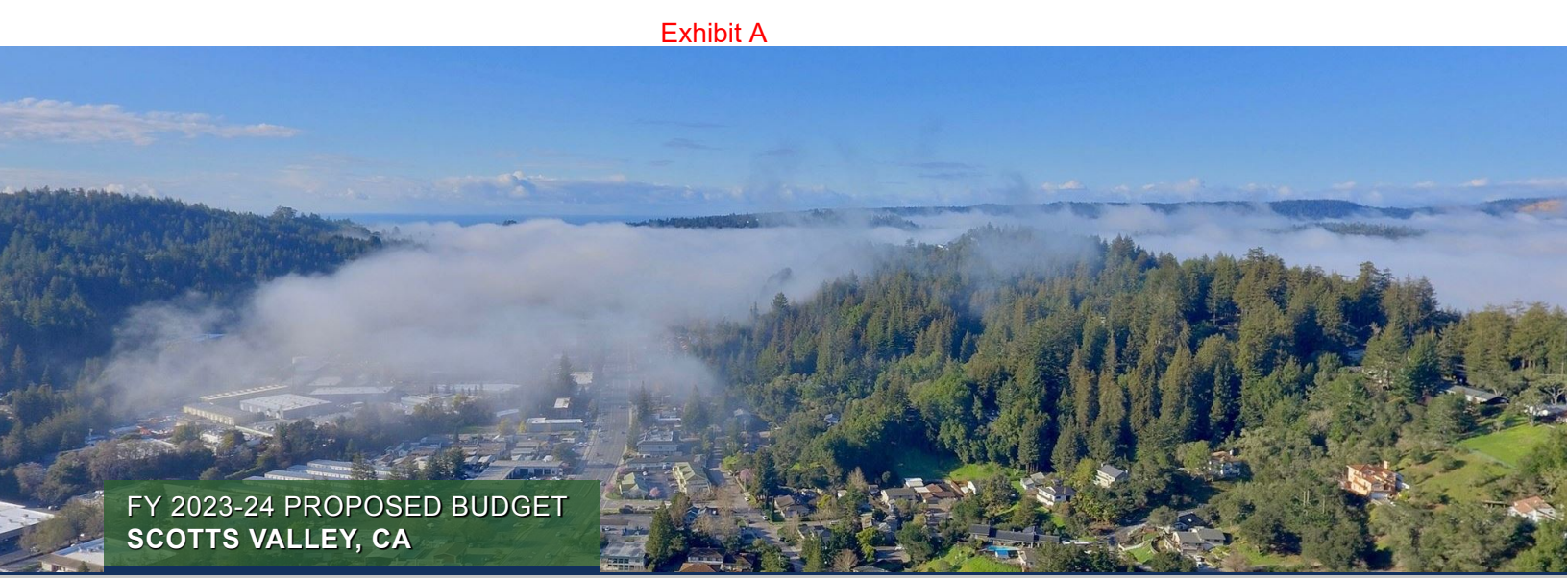
NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk



FY 2023-24 PROPOSED BUDGET SCOTTS VALLEY, CA

PUBLISHED MAY 2023

Mali LaGoe, City Manager

BUDGET HIGHLIGHTS

- Beginning General Fund Balance is \$4.4 better than FY 22/23 budget due to a delay in 115 Pension Trust funding of \$2.5 million and \$1.9 million in unrealized expenditures/cost savings.
- Overall revenue increased 14% over the current fiscal year and operating expenses are up by 13%.
- The Economic Development budget focuses on investments to prepare the Town Center for development.
- The City's CIP focuses on critical wastewater treatment plant infrastructure upgrades totaling \$4.7 million of the total \$14.8 million in programmed expenditures.
- The budget adds 3 new positions for a total staffing count of 69.5 permanent staff.
- Four emergency road repair projects from recent storms are prioritized on Bean Creek Road, Green Hills Road, Granite Creek Road and Scotts Valley Drive.

CITY COUNCIL'S GOALS

1. Identify additional **revenue** sources to support a thriving City.
2. Invest in operational enhancements to improve the **efficiency** of day-to-day operations.
3. **Plan for the future** by completing the General Plan update, Housing Element, and facilitating the future development of the Town Center.
4. Explore new ways to connect and partner with **local businesses** to explore Scotts Valley's brand and competitive advantage.
5. Re-establish **recreation programming** that supports the diverse interests of our community.
6. Prioritize implementation of critical **Wastewater infrastructure** projects.
7. Encourage **civic engagement** and improve transparency by launching the City's new website and OpenGov portal and increase use of digital media to share and receive information with Scotts Valley residents.
8. Invest in improvements to bike and pedestrian **safety**.
9. Support cultural events, art, and projects that **celebrate Scotts Valley**.



City Manager Budget Message

June 1, 2023

Honorable Mayor and Members of the City Council:

With appreciation for the tremendous collective effort dedicated to its development, the FY 2023-24 City of Scotts Valley Preliminary Budget is presented to the City Council for your consideration. The last year has been marked with rebuilding and resilience as we fully emerge from the global pandemic while experiencing ongoing economic aftershocks including three bank failures, historically high interest rates and persistent inflation across the country and region. The tech sector has been impacted the most with over 150,000 layoffs and close ties to Silicon Valley Bank and First Republic Bank. Scotts Valley's proximity to the Silicon Valley and history as a tech incubator has us particularly vulnerable to this uncertainty. In the last few months, Zero Motorcycle laid off 25% of its workforce in Scotts Valley, Salesforce pulled out of its multimillion-dollar contract with 1440 Multiversity and Giro/Bell announced it is closing its Scotts Valley office this fall. These losses will impact our tax base and workforce. On the positive side, we welcomed Ambient Photonics and the relocation of Poly, Inc. to Scotts Valley.

The City also endured a series of atmospheric river events between January and March this year, disrupting business activity, damaging roads and derailing our Public Works department's maintenance routine, as they spent most of three months in emergency response mode. In addition to the roads, the wastewater treatment plant took on an additional million gallons of water a day during the peak storms, maxing its capacity and requiring 24/7 monitoring and swift action to keep the system from failing. Fortunately, Scotts Valley was less impacted than our surrounding communities in the mountains and along the coast where devastating flooding destroyed homes, businesses, and historical landmarks. Still, the recovery efforts will take resources away from our regular maintenance work and our foundational Capital Improvement Plan that needs significant attention.

Despite the challenges and economic uncertainty, our organization has been rebuilding, thanks to the passage of Measure Z in March 2020. In the current year, Measure Z accounted for \$4.6 million of the City's revenue, and allowed us to hire key staff across the City, and especially to shore up the Police Department which is now above 90% staffed. In the Preliminary Budget for FY 2023-24, Measure Z is expected to remain flat.

In addition, our efforts to rebuild the City's infrastructure and organizational capacity have seen wins and setbacks. We made great strides in updating the City's technology this year and although we continue to face pressure from a tight labor market fueled by inflation, a shortage of qualified applicants, and higher salaries in the San Jose market, we have been successful in hiring and retaining several key staff members. In calendar year 2022, we onboarded 19 new employees. However, our staffing situation is anything but stable as we must remain diligent in our efforts be competitive financially as well as culturally and in supporting our employees' professional development. As City Manager, one of my top priorities is investing in our staff in meaningful ways to make the City of Scotts Valley a rewarding place to work and build a career.

We also developed new [mission, vision and values statements](#) this year with input from staff, leadership and the City Council. Posters proudly display these guiding statements at all city facilities as a daily reminder to all staff of our unified goal and culture across all departments.

The Council established the following priorities for the coming fiscal year:

- 1. Identify additional revenue sources to support a thriving City.*
- 2. Invest in operational enhancements to improve the efficiency of day-to-day operations.*
- 3. Plan for the future by completing the General Plan update, Housing Element, and facilitating the future development of the Town Center.*
- 4. Explore new ways to connect and partner with local businesses to explore Scotts Valley's brand and competitive advantage.*
- 5. Re-establish recreation programming that supports the diverse interests of our community.*
- 6. Prioritize implementation of critical Wastewater infrastructure projects.*
- 7. Encourage civic engagement and improve transparency by launching the City's new website and OpenGov portal and increase use of digital media to share and receive information with Scotts Valley residents.*
- 8. Invest in improvements to bike and pedestrian safety.*
- 9. Support cultural events, art, and projects that celebrate Scotts Valley.*

These goals have been used to inform the proposed budget and will be supported by strategies and tactics developed by staff.

Budget Overview

The proposed FY 2023-24 annual budget includes cautious revenue assumptions as the City and the region continue to face high inflation and economic uncertainty. Overall revenue of \$32 million is included with \$14 million of that revenue generated from taxes, including Measure Z. The budget includes \$28 million in operating expenditures and an ambitious \$14.8 million in capital projects for a total budget of \$43 million.

This budget includes a planned use of fund balance (\$5 million of General Fund and \$3 million from designated CIP funds) and depends on securing up to \$4 million in financing for wastewater CIP projects. In all likelihood, we will not complete every project on the CIP or maintain full staffing, resulting in budget savings as we progress through the year.

Highlights from the proposed FY 2023-24 budget are as follows:

- The Economic Development budget focuses on investments to prepare the Town Center for development.
- The City's CIP focuses on critical wastewater treatment plant infrastructure upgrades totaling \$4.7 million per Council directed goals.
- Certain programs and personnel have been restructured and reassigned to new departments to improve organizational efficiency. Three new positions are included in the budget with the addition of a Wastewater Lab Manager, Chief Building Official, and Accounting Assistant. Vacancies will be reviewed and assessed throughout the year for efficiency and necessity before refilling.

- This is the final year for a Proposition 56 Tobacco Prevention Act grant totaling \$189,000 per year for three years that has allowed the funding of a Police School Resources Officer and other program and administrative costs to reduce use of tobacco products amongst school-age children and within the community as a whole.
- \$50,000 in General Fund is allocated to support the City's Community Grant Program, while \$44,000 has been eliminated which previously contributed to the County's Housing for Health program.
- The budget eliminates the separate enterprise fund for Recreation and instead operates it out of the General Fund.
- A \$1.4 million community grant will provide for the replacement of the Vine Hill Childcare facility with a new modular building.
- \$750,000 Congressional community project funding will allow for the replacement of certain playground equipment at Skypark.
- Four emergency road repair projects are prioritized on Bean Creek Road, Green Hills Road, Granite Creek Road and Scotts Valley Drive.

Fiscal Reserves

The City Council establishes target reserve policies for its operating and capital funds. Nonetheless, the General Fund is expected to draw down reserves totaling \$5.25 million in FY 2024 as expenses outpace revenues to provide core services and deliver capital improvement projects leaving a projected ending fund balance of \$3.7 million or 19% of operating expenses.

In order to accomplish all of the Wastewater CIP projects, the budget relies on financing up to \$4 million this year to supplement the Wastewater Capital Fund.

Long Range Planning

The City's long-range forecast predicts a structural budget deficit fueled by rising operating and capital costs. You may recall that in 2021, then City Manager, Tina Friend, included this in her budget message:

Prior to the pandemic, the City's budget had been at risk for years, with inadequate revenues to support basic functions. Over time, waves of reductions led to the tightening of the organization to its current condition of skeletal staffing, tremendous challenges with recruitment and retention, and underinvestment in City operations, equipment and technology.

Her work with the City Council to propose Measure Z stopped the immediate fiscal crisis the City faced, however as we project forward into the next 10 years, the City's financial picture is still unsustainable. The City will need additional revenue sources if it is going to be able to meet the expectations of the community in the areas of street conditions, park amenities, recreation programming, and modernization of our facilities. To help us understand the extent of these needs, Public Works has started several assessments that will continue into the next fiscal year:

- The Parks Master Plan and Recreation Strategic Plan will tell us what park amenities and programs the community wants to see in the coming years.

- A Pavement Condition Assessment will identify the condition of every city-maintained street and what it will cost to improve the City's streets to the pavement index rating goal set by the City Council of 70;
- A Facility Assessment will identify the extent of deferred maintenance in all of our City facilities and estimate repair costs.

With the cumulative information these reports will provide, the City will need to decide where to invest its limited funds and how to raise additional revenue to support a thriving city for generations to come.

In Closing

As I've heard from recruits, residents and Council Members, Scotts Valley is on an upward trajectory. A renewed optimism and commitment to what our small city can become is palpable at community events, in the halls of City Hall and in our day-to-day interactions with residents. Our community has demonstrated its resilience, creativity, and adaptiveness through the pandemic, the CZU fire, atmospheric rivers and economic uncertainty. Now is the time to build upon that momentum to strengthen our community and our organization.

Thank you to the City Council for your ongoing support and commitment to the Scotts Valley community. Thank you to Mayor Dilles and Vice Mayor Johnson, as the budget subcommittee, for your guidance and feedback as we prepared this budget, and a huge thank you to the finance team and executive team for building this budget in a new software platform and for your incredibly hard work to help move our organization forward.



Mali LaGoe
City Manager

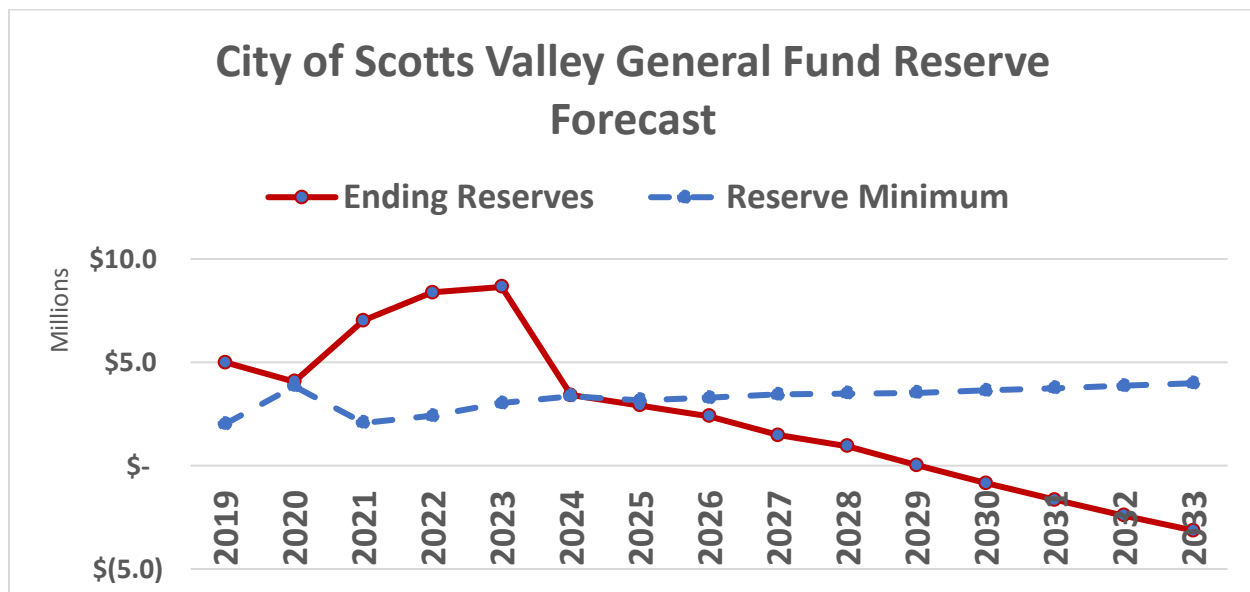


Long-Range Financial Forecast

The City prepares a long-range financial forecast for all funds. These forecasts are not intended to accurately predict the outcome of future financial operations in fine detail. Rather, financial forecasts are used as planning tools to identify future trends and issues that require policy direction relative to capital improvement expenditures funding, providing, and maintaining service levels to the community, and to identify if there are any fiscal challenges that lay ahead that may require revenue enhancements to maintain desired service levels, or expenditure cuts to protect the city's fiscal resources.

The key in preparing any forecast is to start with a reasonably accurate assessment of the current status of fund balance reserves, current revenue projections and trends, developing an expenditure plan that is reflective of current service levels, and incorporating a capital expenditure plan that identifies the priorities for maintaining city infrastructure.

The chart below shows the projected General Fund Available Balance through FY 2032-33. The General Fund is highlighted as part of the long-range financial forecast because the majority of the City's total expenditures are found within the General Fund. This chart includes the most up-to-date budget data, including the activities included in the FY 2023-24 Proposed Budget and references a General Fund reserve minimum at 17%.



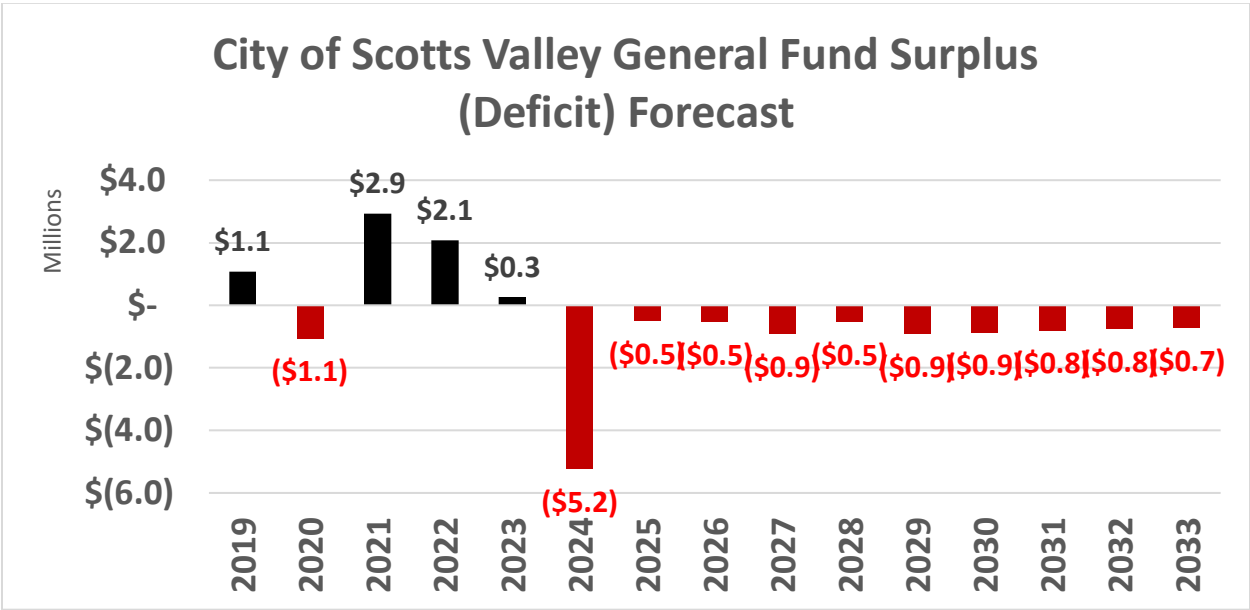
- Chart assumes continuation of Measure Z revenues in future years.

Additionally, the long-range analysis evaluated the annual General Fund surplus or deficit based on numerous financial variables including anticipated projected revenues, increase in costs to provide services, increase in costs to long-term liabilities, and an assumption of limited to no recession impacts. The analysis assumes the voter approved renewal of Measure Z, an important variable to consider when planning for the future stability of the General Fund.

However, based on planned strategic use of the General Fund, FY 2023-24 budget is showing a \$5.2 million deficit, of which \$2 million is to seed fund a Section 115 trust to be used towards



future pension and other post-employment employee benefit liabilities. Other funds are going toward supplementing the recreation division (\$600K) and capital improvement projects.



○ Chart assumes continuation of Measure Z revenues in future years.

The baseline ten-year financial forecast for the General Fund indicates that the City faces a small structural operating deficit at current service and staffing levels even with the approval of Measure Z, the local 1.25% transactions and use (sales) tax measure approved by voters in March 2020. Measure Z is expected to generate over \$4.5 million in FY 2023/24 and will continue to grow until its expiration in FY 2031/32. The expiration of Measure Z and the ongoing deficit will need to be addressed in the coming years.

The City has secured a team of financial consultants to help assess the City’s long-term financial position, including to help the City Council develop debt management strategies to accommodate a comprehensive and contemporary long-range financial plan. Based on that discussion and policy direction from the City Council, the City’s long-range financial forecasts will be updated to reflect those scenarios.

City of Scotts Valley
Summary of Financial Resources and Requirements
FY 2023-2024

Fund	Description	Estimated Beginning Fund Balance 7/1/2023	Estimated Revenues FY24	Transfers In	Estimated Total Funds Available	Proposed Budget Expenditures FY24	Transfers Out	Projected Ending Fund Balance 06/30/2024
General Funds								
1	General Fund	8,643,199	16,684,746		25,327,945	18,852,012	3,137,979	3,337,954
6	Equipment Replacement Reserve	570,998	72,936		643,934	300,000		343,934
	Subtotal General Funds	9,214,197	16,757,682	-	25,971,879	19,152,012	3,137,979	3,681,888
General Capital Improvement Fund								
150	General Capital Improvements	5,356,678	2,853,877		8,210,555	5,864,457		2,346,098
Special Revenue Funds - Development Impact Fees								
7	Drainage Construction Impact Fees	91,899	12,628		104,527	25,000		79,527
8	Traffic Impact Mitigation Fees	1,211,777	191,464		1,403,241	349,396		1,053,845
9	Park & Recreation Facilities Impact Fees	1,634,895	257,344		1,892,239	131,070		1,761,169
21	General Facility Impact Fees	(2,086)	14,919		12,833			12,833
27	Police Facility Building Impact Fees	344,032	41,845		385,877	503,648		(117,771)
51	Mt. Hermon Traffic Mitigation	189,502	5,805		195,307			195,307
86	Library Impact Fees	447,561	32,050		479,611	1,000		478,611
315	Police Development Fees	66,931	2,050		68,981			68,981
	Subtotal Special Revenue Funds - Development Impact Fees	3,984,511	558,105	-	4,542,616	1,010,114	-	3,532,502
Special Revenue Funds - Other								
2	Recycling/Environment	(339,020)	495,000		155,980	100,000		55,980
3	Gas Tax	870,131	488,319		1,358,450	504,102		854,348
4	Recreation	(12,686)	71,122	806,651	865,087	836,044	14,042	15,001
5	SMIP Fees	12,760	4,277		17,037	5,000		12,037
19	Affordable Housing	3,060,125	131,352		3,191,477	171,500		3,019,977
24	Lennar Funds	599,850	104,200		704,050	25,000		679,050
28	Senior Center Operations	(172,485)	29,558	210,598	67,671	60,193	1,964	5,514
31	STP Exchange Projects	990,635	911,158		1,901,793	900,000		1,001,793
33	Tree Replacement	31,477	4,251		35,728			35,728
35	Green Building Funding	648,864	49,383		698,247	6,000		692,247
36	Disability Compliance	16,654	6,026		22,680	6,000		16,680
50	Pinewood Estates Maint. Dist.	94	5,971		6,065	6,000		65
77	Skypark Landscape Maint. Dist.	30,021	42,004		72,025	52,000		20,025
78	Skypark Landscape Maint. Dist. Insurance	555,304	25,810		581,114			581,114
88	Library Improvements (Measure S)	662,974	29,572		692,546			692,546
89	Library - Cty MOE Excess Distribution	362,703	18,158		380,861	1,000		379,861
115	(NEW) Section 115 Set Aside - Pension	-		2,000,000	2,000,000			2,000,000
123	Community Facility Center Operations	333,865	139,372		473,237	34,500	436,273	2,464
155	Measure D Sales Tax for Transportation	384,732	328,758		713,490	1,225,873		(512,383)
178	CalTRANS - Get Everyone Moving Grant	283	-		283			283
268	Prop 68 Parks/Water Bond Act	-			-	178,000		(178,000)
306	Supplemental Law Enforcement Services	338,824	114,144		452,968	182,000		270,968
309	Police Prop 56 Tobacco Prevention	47,900	189,000		236,900	195,000		41,900
312	Police Budget Act 2016	19,976	476		20,452	12,000		8,452
313	Youth Programs	47,000	-		47,000	-		47,000
316	Homeland Security Grant	1,479	720		2,199			2,199
317	EDG Revolving Loan	601,859	-	183,333	785,192	183,333		601,859
	Subtotal Special Revenue Funds - Other	9,093,319	3,188,631	3,200,582	15,482,532	4,683,545	452,279	10,346,708
Debt Service Funds								
26	Pension Obligation Bond	-	-	442,735	442,735	442,735		-
66	COP Debt Service Reserve	994,598	30,554		1,025,152			1,025,152
	Subtotal Debt Service Funds	994,598	30,554	442,735	1,467,887	442,735	-	1,025,152
Wastewater Enterprise Funds								
10	Wastewater Operations	2,049,936	3,670,136		5,720,072	3,301,124	163,059	2,255,889
11	Tertiary Operating	384,232	189,660	110,000	683,892	678,996		4,896
12	Wastewater Capital Reserve	458,034	168,585		626,619	4,390,182		(3,763,563)
14	Wastewater Equipment Replacement	122,738			122,738			122,738
15	TTP District Reserve	3,390	10,655		14,045			14,045
	Subtotal Wastewater Enterprise Funds	3,018,330	4,039,036	110,000	7,167,366	8,370,303	163,059	(1,365,996)
Internal Service Fund								
112	Dental Insurance	4,344	65,752		70,096	70,096		-
	Total All Funds	31,665,977	27,493,637	3,753,317	62,912,931	39,593,262	3,753,317	19,566,352
		31,246,954		Total revenues with transfers		43,346,579		Total expenses with transfers

Five-Year Capital Improvement Project (CIP) Summary
FY 2023-24 through FY 2027-28

CIP #	Priority	Description	Funding Source	Est. Carry Forward from Prior Year	Additional FY 2023- 24 Requests	Full FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	STATUS
Wastewater											
1	A	Wastewater Recovery Master Plan	WWTP-C	\$ 85,973	\$ 50,000	\$ 135,973	\$ -	\$ -	\$ -	\$ -	On Hold
2	A	PLC/SCADA Upgrades	WWTP-C	\$ 562,243	\$ -	\$ 562,243	\$ -	\$ -	\$ -	\$ -	Active - Const.
3	A	Clarifier Superstructure & Walkways	WWTP-C	\$ 150,000	\$ -	\$ 150,000	\$ 300,000	\$ -	\$ -	\$ -	Not Started
5	A	Upgrade Tertiary Treatment Pumps	TTF	\$ 340,000	\$ 70,000	\$ 410,000	\$ -	\$ -	\$ -	\$ -	Active - Purchase
6	A	Aeration Basin System Upgrade	WWTP-C	\$ 1,000,000	\$ 250,000	\$ 1,250,000	\$ -	\$ -	\$ -	\$ -	Active - Design
7	B	Stormwater LID	WWTP-C	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000	\$ -	NA
9	A	Sewer Vactor Truck	WWTP-C	\$ 450,000	\$ -	\$ 450,000	\$ -	\$ -	\$ -	\$ -	Active - Purchase
10	A	Effluent Pump Replacement	WWTP-C	\$ 31,213	\$ 110,000	\$ 141,213	\$ 100,000	\$ -	\$ -	\$ 200,000	Active - Purchase
11	B	Wastewater Offices Facility Improvements	WWTP-C	\$ -	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -	\$ -	Not Started
12	B	Facility Truck	WWTP-C	\$ -		\$ -	\$ 55,000	\$ -	\$ -	\$ -	NA
13	A	Collection System Lift Stations	WWTP-C	\$ 175,000		\$ 175,000	\$ 360,000	\$ 510,000	\$ 300,000	\$ 300,000	Not Started
14	A	Collection System Pipeline Upgrades	WWTP-C	\$ 200,000	\$ 230,000	\$ 430,000	\$ 260,000	\$ 490,000	\$ 330,000	\$ 360,000	Not Started
15	A	Collection System Inspection & Monitoring	WWTP-C	\$ 100,000	\$ 100,000	\$ 200,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	Active - RFP
52	A	Belt Press Conveyor Replacement	WWTP-C	\$ 255,754	\$ -	\$ 255,754	\$ -	\$ -	\$ -	\$ -	Active - Design
23-01	B	New Technology - Identified in Wastewater Rate Study	WWTP-C	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,500,000	\$ 2,500,000	NA
24-01	A	Flow Equalization Stucture Pipeline Repairs	WWTP-C	\$ -	\$ 50,000	\$ 50,000	\$ 200,000	\$ -	\$ -	\$ -	Not Started
24-02	A	Generator Transfer Switch and UPS upgrades	WWTP-C	\$ -	\$ 150,000	\$ 150,000	\$ -	\$ -	\$ -	\$ -	Not Started
24-03	A	IPS Wash Compactor	WWTP-C	\$ -	\$ 240,000	\$ 240,000	\$ -	\$ -	\$ -	\$ -	Not Started
Wastewater TOTAL				\$ 3,350,182	\$ 1,350,000	\$ 4,700,182	\$ 1,375,000	\$ 1,250,000	\$ 3,380,000	\$ 3,360,000	
Transportation											
16	A	Annual Street Maintenance/Resurfacing	GT/SB1/Meas D	\$ 275,000	\$ 150,000	\$ 425,000	\$ 650,000	\$ 650,000	\$ 850,000	\$ 950,000	Not Started
18	A	Bean Creek Road Pavement Rehab - Phase 1	Meas D/RSTPX	\$ 950,873	\$ -	\$ 950,873	\$ -	\$ -	\$ -	\$ -	Active - Bid
19	B	Mt. Hermon Road Cooridor Improvements	TDIF	\$ 349,396	\$ -	\$ 349,396	\$ -	\$ -	\$ -	\$ -	Active - Study
20	B	Janis Way Digout, Overlay, Sidewalk, Bike Lanes	Measure D	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,000	Not Started
21	A	Scotts Valley Drive - Surface Seal	Measure D/SB1	\$ 75,000	\$ 500,000	\$ 575,000	\$ -	\$ -	\$ -	\$ -	Active - Bid
22	A	Glenwood Drive - Preventative Maintenance	Measure D	\$ -	\$ 100,000	\$ 100,000		\$ -	\$ -	\$ -	NA
23	A	Mount Hermon Road - Preventative Maintenance	Measure D	\$ -	\$ -	\$ -		\$ 200,000	\$ -	\$ -	NA
24	A	Bean Creek Road Pavement Rehab - Phase 2	Measure D	\$ -	\$ -	\$ -	\$ -	\$ 300,000	\$ -	\$ -	NA
25	A	Lockwood Lane Street Improvements	Measure D	\$ -	\$ -	\$ -	\$ -		\$ 100,000	\$ -	NA
53	A	Annual Citywide Street Striping ¹	CIP	\$ 66,619	\$ 100,000	\$ 166,619	\$ -	\$ 100,000	\$ -	\$ 100,000	Active - Const.
54	A	Granite Creek Paving ¹	RSTPX/SB-1	\$ 579,102		\$ 579,102	\$ -	\$ -	\$ -	\$ -	Active - Design
23-02	A	Utility Undergrounding (Scotts Valley Dr. and Granite Creek	Rule 20A (PG&E)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,261,345	\$ -	NA
24-04	A	Green Hills Road - Storm Repair	FHWA	\$ -	\$ 500,000	\$ 500,000	\$ -	\$ -	\$ -	\$ -	Active - Design
24-05	A	Bean Creek Raod - Storm Repair	FHWA	\$ -	\$ 500,000	\$ 500,000	\$ -	\$ -	\$ -	\$ -	Active - Design
Transportation TOTAL				\$ 2,295,990	\$ 1,850,000	\$ 4,145,990	\$ 650,000	\$ 1,250,000	\$ 2,211,345	\$ 1,300,000	
Storm Drains											
27	A	Storm Drain Trash Capture System	CIP	\$ -	\$ -	\$ -	\$ 343,800	\$ 125,000	\$ 125,000	\$ -	On Hold
28	B	Storm Drain Master Plan Update	SD DIF	\$ -	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ -	Not Started

Five-Year Capital Improvement Project (CIP) Summary
FY 2023-24 through FY 2027-28

CIP #	Priority	Description	Funding Source	Est. Carry Forward from Prior Year	Additional FY 2023- 24 Requests	Full FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	STATUS
29	B	Pinecone Drive Draining Improvements	CIP	\$ 50,000	\$ -	\$ 50,000	\$ 150,000	\$ -	\$ -	\$ -	Active - Design
30	B	Sunridge Drive Stormwater Repair	CIP	\$ 361,465	\$ -	\$ 361,465	\$ -	\$ -	\$ -	\$ -	Active - Bid
24-06	B	Scotts Valley Drive - Culvert Repair	CIP	\$ -	\$ 150,000	\$ 150,000	\$ -	\$ -	\$ -	\$ -	Active - Design
24-07	B	Granite Creek - Culvert Repair	CIP	\$ -	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -	\$ -	Not Started
Storm Drains TOTAL				\$ 411,465	\$ 250,000	\$ 661,465	\$ 593,800	\$ 125,000	\$ 125,000	\$ -	
Parks											
31	A	Parks ADA Improvements - Phase 1	Lennar	\$ -	\$ -	\$ -	\$ 116,300	\$ -	\$ -	\$ -	Not Started
32	A	Parks ADA Improvements - Phase 2	Lennar	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 105,000	\$ -	Not Started
33	A	Senior Center ADA Improvements - Phase 2	CIP	\$ 74,000	\$ -	\$ 74,000	\$ -	\$ -	\$ -	\$ -	Not Started
36	B	Parks System Master Plan	Parks DIF	\$ 106,070	\$ -	\$ 106,070	\$ -	\$ -	\$ -	\$ -	Active - Study
37	A	Skypark Play Structure Equipment - Tot Lot	P68, CIP	\$ 287,911	\$ -	\$ 287,911		\$ -	\$ -	\$ -	Active - Const.
38	C	Hocus Pocus Park Play Structure Equipment	Parks DIF	\$ -	\$ -	\$ -	\$ -	\$ 520,000	\$ -	\$ -	NA
39	A	Vine Hill Childcare Facility	HUD	\$ 1,400,000	\$ -	\$ 1,400,000	\$ -	\$ -	\$ -	\$ -	Not Started
40	C	Skypark Tennis Area Improvements	Parks DIF, Lennar	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	Not Started
55	A	Siltanen Park Irrigation System Replacement	CIP	\$ 226,713	\$ -	\$ 226,713	\$ -	\$ -	\$ -	\$ -	Active - Bid
23-03	B	Hocus Pocus - Electrical and Lighting Repairs	CIP	\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -	\$ -	\$ -	NA
23-04	B	Hocus Pocus - Basketball Court Resurfacing	CIP	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ -	\$ -	NA
23-05	B	Skatepark - Fence Replacement	CIP	\$ -	\$ 55,000	\$ 55,000	\$ -		\$ -	\$ -	NA
23-06	B	MacDorsa Park - Irrigation System Replacement	CIP	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 80,000	\$ -	NA
23-07	B	MacDorsa Park - Play Structure Replacement	CIP	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000	\$ -	NA
23-08	B	Skypark - Painting (Bldgs, gazebos, BBQ)	CIP	\$ -	\$ 55,000	\$ 55,000	\$ -	\$ -	\$ -	\$ -	NA
23-09	B	Siltanen Park - Bleacher Upgrades / Replacements	CIP	\$ -	\$ -	\$ -		\$ 50,000	\$ -	\$ -	NA
23-10	B	Siltanen Park - Softball Fencing and Netting Replacement	CIP	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ -	\$ -	NA
24-08	B	Skypark Play Structure Replacement	HUD	\$ -	\$ -	\$ -	\$ 757,000	\$ -	\$ -		Not Started
Parks TOTAL				\$ 2,144,694	\$ 185,000	\$ 2,329,694	\$ 973,300	\$ 570,000	\$ 260,000	\$ -	
General Facilities											
42	A	HVAC Replacement at City Hall	CIP	\$ -	\$ -	\$ -	\$ -	\$ 251,191	\$ -	\$ -	On Hold
43	A	City Facility ADA Improvements - Phase 1	CIP	\$ 73,400	\$ -	\$ 73,400	\$ -	\$ -	\$ -	\$ -	Active - Design
44	A	City Facility ADA Improvements - Phase 2	CIP	\$ -	\$ -	\$ -	\$ 150,000	\$ -	\$ -	\$ -	NA
46	A	Public Works Facility Improvements	CIP	\$ 1,142,949	\$ 250,000	\$ 1,392,949	\$ -	\$ -	\$ -	\$ -	Active - Design
47	C	Public Works Quonset Hut Replacement	CIP	\$ -	\$ -	\$ -	\$ 350,000	\$ -	\$ -	\$ -	NA
48	C	Public Works Equipment Storage Building Replacement	CIP	\$ -	\$ -	\$ -		\$ 200,000	\$ -	\$ -	NA
49	A	Police Department Locker Room	Police Build.DIF	\$ 233,648	\$ -	\$ 233,648	\$ -	\$ -	\$ -	\$ -	Active - Design
50	C	Police Department Armory	Police Build.DIF	\$ -	\$ -	\$ -	\$ 70,000	\$ -	\$ -	\$ -	Not Started
58	A	Police Department Fitness Facility Upgrades	CIP	\$ -	\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ -	Not Started
59	A	Universal Power Supply	PDIF	\$ 49,975	\$ -	\$ 49,975	\$ -	\$ -	\$ -	\$ -	Not Started
23-11	A	City Hall Roof Replacement	CIP	\$ 75,000	\$ -	\$ 75,000	\$ 200,000	\$ -	\$ -	\$ -	Active - Design
23-12	A	City Facilities Condition Assessment	CIP	\$ 75,000	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	Active - RFP
23-13	A	City Hall / Police Department Generator Replacement	CIP	\$ -	\$ -	\$ -	\$ 175,000	\$ -	\$ -	\$ -	NA

Five-Year Capital Improvement Project (CIP) Summary
FY 2023-24 through FY 2027-28

CIP #	Priority	Description	Funding Source	Est. Carry Forward from Prior Year	Additional FY 2023-24 Requests	Full FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	STATUS
24-09	B	Community Center/Senior Center - Generator Installation	CIP	\$ -	\$ 175,000	\$ 175,000	\$ -	\$ -	\$ -	\$ -	NA
24-10	B	City Facility Security Upgrades	CIP	\$ -	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -	\$ -	NA
General Facilities TOTAL				\$ 1,649,972	\$ 525,000	\$ 2,174,972	\$ 975,000	\$ 451,191	\$ -	\$ -	
Equipment											
24-XX	A	(2) Patrol Vehicles	Police 306	\$ -	\$ 110,000	\$ 110,000	\$ -	\$ -	\$ -	\$ -	
24-XX	A	Dispatch Center Upgrade	Police B. DIF/Grant	\$ -	\$ 270,000	\$ 270,000	\$ -	\$ -	\$ -	\$ -	
Equipment TOTAL				\$ -	\$ 380,000	\$ 380,000	\$ -	\$ -	\$ -	\$ -	
Information Technology											
23-15	A	Computerized Maintenance Mgmt Software	CIP	\$ 249,400	\$ -	\$ 249,400	\$ -	\$ -	\$ -	\$ -	Active -RFP
24-11	A	Server Replacements	CIP	\$ -	\$ 200,000	\$ 200,000	\$ 200,000	\$ -	\$ -	\$ -	Not Started
Information Technology TOTAL				\$ 249,400	\$ 200,000	\$ 449,400	\$ 200,000	\$ -	\$ -	\$ -	
GRAND TOTAL				\$ 10,101,704	\$ 4,740,000	\$ 14,841,704	\$ 4,767,100	\$ 3,646,191	\$ 5,976,345	\$ 4,660,000	

NOTES:

¹ Addresses some projects listed in the Active Transportation Plan

UNFUNDED AND/OR FUTURE PROJECTS & PROJECT STUDIES:

AI Shugart Park Phase 1, 2, and 3 Constructuion (2009)
Active Transportation Plan Projects (2021)
Storm Water Master Plan (2019)
Sanitary Sewer Management Plan Projects (2021)
Sanitary Sewer Options Study (2022)
Parks Master Plan (2024)
Facility Condition Assessment (2023)
Pavement Management Program (2023)

Fund	Funding Source ²	FY23-24 Summary
150	CIP ³	\$ 5,864,457
155	Measure D	\$ 1,225,873
31	RSTPX	\$ 900,000
3	SB-1/Gas Tax	\$ 504,102
306	Police SLES	\$ 110,000
8	Traffic DIF	\$ 349,396
6	Equip. Reserve	\$ 300,000
27	Police Build. DIF ⁴	\$ 503,648
315	Police DIF	\$ 49,975
268	Prop 68	\$ 178,000
9	Parks DIF	\$ 131,070
24	Lennar	\$ 25,000
11	TTF	\$ 410,000
12	WWTP-C	\$ 4,290,182
	TOTAL	\$ 14,841,704

Notes:

2 Some have multiple funding sources and were broken out on estimates.

3 CIP has \$2.4M in funding from grants that are expected to be reimbursed and are factored into anticipated revenue.

4 Dispatch Center will have grant funding, unknown amount at this time.

City of Scotts Valley
Schedule of Fund Balance Transfers
FY 2023 - 2024

			Fund #	Transfers In															
				4		115		10		12		11		26		28		317	
				Recreatio n		Section 115 Set Aside		Wastewater Operations		Wastewater Capital Reserve		TTP Operating		Pension Obligatio n Bond		Senior Center		EDG Revolving Loan	
Fund #	Fund Title																		
Transfers out	1	General Fund	E	582,940	D	2,000,000						A	371,706		B	183,333		3,137,979	
	4	Recreation Fund										A	14,042					14,042	
	10	Wastewater Operations							C	110,000	A	53,059						163,059	
	14	Wastewater Equipment Replacement																-	
	28	Senior Center Operations									A	1,964						1,964	
	123	Community Facility Center Operations	E	223,711							A	1,964	E	210,598				436,273	
	Totals				806,651		2,000,000		-		-	110,000		442,735		210,598		183,333	3,753,317

Notes:

- A - Transfer from operating department budgets to fund allocation of costs associated with Pension Obligation Bond debt service and administrative costs
- B - Transfer General Fund reserves to EDG Revolving Loan to advance fund CDBG loan over a three year period (ending FY23-24)
- C - Transfer to Tertiary Treatment Plant Fund from Wastewater Operations Fund to fund City's costs to operate the Tertiary Treatment Plant
- D - Transfer funds into the Section 115 trust for Pension use
- E - Transfers to Recreation and Senior Center operations to subsidizes losses as a result of the COVID-19 pandemic recession impacts on operations

RESOLUTION NO. 1955.25

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
APPROVING THE SALARY SCHEDULE AND CLASSIFICATIONS FOR
FISCAL YEAR 2023-24**

WHEREAS, City staff continues to analyze the organization's evolving needs; and

WHEREAS, staff have updated the salary schedules to be reflective of salary escalations per the respective agreements; and

WHEREAS, staff have identified classifications that are no longer pertinent to the current Fiscal Year and in the future; and

WHEREAS, an amendment to the salary schedule for these classifications is in the best interest of the City to recruit and retain top-tier talent; and

WHEREAS, City Council approval is needed to amend a Salary Schedule.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Scotts Valley that the Salary Schedule for Fiscal Year 2023-24 is hereby approved as attached as Exhibit B.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a meeting held on the 21st day of June 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _

Jack Dilles,
Mayor

Attest: _____

Cathie Simonovich,
City Clerk

Exhibit B

CITY OF SCOTTS VALLEY - SALARY SCHEDULE - 07/01/2023 - 06/30/2024

Position	Bargaining Unit	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
ACCOUNTANT I	SEIU	\$4,810	\$5,051	\$5,303	\$5,569	\$5,847	\$6,139	\$6,446
ACCOUNTANT II	Mid-Mgmt	\$5,853	\$6,146	\$6,453	\$6,776	\$7,115	\$7,471	\$7,844
ACCOUNTING ASSISTANT	SEIU	\$4,047	\$4,248	\$4,461	\$4,684	\$4,918	\$5,164	\$5,422
ADMINISTRATIVE ANALYST I	SEIU	\$5,942	\$6,259	\$6,572	\$6,900	\$7,146	\$7,608	\$7,988
ADMINISTRATIVE ANALYST II	SEIU	\$6,777	\$7,115	\$7,470	\$7,845	\$8,237	\$8,649	\$9,081
ADMINISTRATIVE ASSISTANT I	SEIU	\$4,047	\$4,248	\$4,461	\$4,684	\$4,918	\$5,164	\$5,422
ADMINISTRATIVE ASSISTANT II	SEIU	\$4,244	\$4,456	\$4,679	\$4,912	\$5,158	\$5,416	\$5,686
ADMINISTRATIVE ASSISTANT III	SEIU	\$4,566	\$4,794	\$5,035	\$5,287	\$5,551	\$5,829	\$6,121
ADMINISTRATIVE SECRETARY /ANALYST	SEIU	\$4,793	\$5,033	\$5,285	\$5,549	\$5,826	\$6,118	\$6,424
ADMINISTRATIVE SECRETARY/ANALYST	Mgmt & Conf	\$4,793	\$5,033	\$5,285	\$5,549	\$5,826	\$6,118	\$6,424
ADMINISTRATIVE SERVICES DIRECTOR	Mgmt & Conf	\$11,849	\$12,441	\$13,063	\$13,717	\$14,403	\$15,123	\$15,879
ADMINISTRATIVE SERVICES DIRECTOR/DEPUTY CITY MANAGER	Mgmt & Conf	\$12,442	\$13,064	\$13,717	\$14,403	\$15,123	\$15,879	\$16,673
ASSISTANT CIVIL ENGINEER	SEIU	\$6,055	\$6,358	\$6,676	\$7,010	\$7,360	\$7,728	\$8,115
ASSISTANT PLANNER	SEIU	\$5,887	\$6,181	\$6,489	\$6,812	\$7,152	\$7,509	\$7,883
ASSISTANT TO THE CITY MANAGER	Mgmt & Conf	\$8,440	\$8,862	\$9,305	\$9,770	\$10,258	\$10,771	\$11,310
ASSOCIATE CIVIL ENGINEER	Mid-Mgmt	\$8,670	\$9,104	\$9,560	\$10,037	\$10,538	\$11,066	\$11,619
ASSOCIATE PLANNER	SEIU	\$6,926	\$7,272	\$7,634	\$8,015	\$8,415	\$8,834	\$9,274
BUILDING INSPECTOR	SEIU	\$5,074	\$5,328	\$5,594	\$5,874	\$6,168	\$6,477	\$6,801
BUILDING OFFICIAL	Mid-Mgmt	\$9,538	\$10,015	\$10,516	\$11,043	\$11,595	\$12,174	\$12,783
BUILDING PERMIT TECHNICIAN	SEIU	\$4,047	\$4,248	\$4,461	\$4,684	\$4,918	\$5,164	\$5,422
CITY CLERK	Mgmt & Conf	\$8,440	\$8,862	\$9,305	\$9,770	\$10,258	\$10,771	\$11,310
CITY ENGINEER	Mid-Mgmt	\$8,491	\$8,915	\$9,361	\$9,829	\$10,320	\$10,836	\$11,378
CITY MANAGER	Mgmt & Conf	\$16,844	\$17,657	\$18,540	\$19,467	\$20,440	\$21,462	\$22,535
CIVIL ENGINEER	Mid-Mgmt	\$7,366	\$7,735	\$8,121	\$8,527	\$8,954	\$9,401	\$9,872
CODE ENFORCEMENT OFFICER	SEIU	\$4,676	\$4,909	\$5,155	\$5,413	\$5,684	\$5,968	\$6,267
COMMUNITY DEVELOPMENT DIRECTOR	Mgmt & Conf	\$11,849	\$12,441	\$13,064	\$13,717	\$14,403	\$15,122	\$15,879
COMMUNITY DEVELOPMENT DIRECTOR/DEPUTY CITY MANAGER	Mgmt & Conf	\$12,442	\$13,064	\$13,717	\$14,403	\$15,123	\$15,879	\$16,673
COUNCIL MEMBER	Mgmt & Conf	\$489	\$489	\$489	\$489	\$489	\$489	\$489
DEPUTY CITY CLERK	Mgmt & Conf	\$5,853	\$6,146	\$6,454	\$6,734	\$7,116	\$7,471	\$7,845
EDC-I	PBU	\$4,760	\$4,997	\$5,248	\$5,510	\$5,786	\$6,075	\$6,379
EDC-II	PBU	\$5,274	\$5,539	\$5,815	\$6,107	\$6,412	\$6,733	\$7,070
EDC-III	PBU	\$5,381	\$5,650	\$5,933	\$6,231	\$6,541	\$6,867	\$7,210
ENGINEERING ASSOCIATE	SEIU	\$5,378	\$5,647	\$5,930	\$6,226	\$6,537	\$6,864	\$7,206
ENGINEERING TECHNICIAN	SEIU	\$4,592	\$4,822	\$5,063	\$5,316	\$5,582	\$5,861	\$6,154
MAINTENANCE TECHNICIAN	SEIU	\$4,310	\$4,525	\$4,752	\$4,989	\$5,239	\$5,500	\$5,776
FINANCE MANAGER	Mid-Mgmt	\$8,670	\$9,104	\$9,559	\$10,037	\$10,539	\$11,066	\$11,619
HUMAN RESOURCES MANAGER	Mid-Mgmt	\$8,670	\$9,104	\$9,559	\$10,037	\$10,539	\$11,066	\$11,619
LABORER	SEIU	\$3,274	\$3,437	\$3,609	\$3,789	\$3,979	\$4,178	\$4,387

CITY OF SCOTTS VALLEY - SALARY SCHEDULE - 07/01/2023 - 06/30/2024

Position	Bargaining Unit	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
MAINTENANCE DIVISION MANAGER	Mid-Mgmt	\$8,116	\$8,522	\$8,948	\$9,396	\$9,865	\$10,358	\$10,877
MAINTENANCE SUPERVISOR	SEIU	\$5,008	\$5,258	\$5,521	\$5,798	\$6,088	\$6,392	\$6,712
MAINTENANCE WORKER I	SEIU	\$3,439	\$3,612	\$3,792	\$3,982	\$4,182	\$4,391	\$4,611
MAINTENANCE WORKER II	SEIU	\$3,873	\$4,067	\$4,269	\$4,483	\$4,707	\$4,942	\$5,189
MAINTENANCE WORKER III	SEIU	\$4,387	\$4,606	\$4,836	\$5,078	\$5,332	\$5,599	\$5,879
OFFICE ASSISTANT	SEIU	\$3,026	\$3,178	\$3,337	\$3,503	\$3,679	\$3,862	\$4,055
POLICE CAPTAIN	Mgmt & Conf	\$12,080	\$12,684	\$13,317	\$13,984	\$14,683	\$15,417	\$16,188
POLICE CHIEF	Mgmt & Conf	\$14,815	\$15,556	\$16,334	\$17,151	\$18,008	\$18,908	\$19,854
POLICE LIEUTENANT	PSA	\$10,333	\$10,850	\$11,392	\$11,962	\$12,559	\$13,187	\$13,847
POLICE OFFICER	PBU	\$6,931	\$7,278	\$7,641	\$8,024	\$8,424	\$8,845	\$9,287
POLICE OFFICER TRAINEE	PBU	\$6,931	\$7,278	\$7,641	\$8,024	\$8,424	\$8,845	\$9,287
POLICE SERGEANT	PSA	\$8,467	\$8,890	\$9,334	\$9,801	\$10,292	\$10,806	\$11,346
PRINICPAL PLANNER	Mid-Mgmt	\$8,030	\$8,431	\$8,853	\$9,296	\$9,760	\$10,248	\$10,761
PROJECT MANAGER	Mid-Mgmt	\$7,370	\$7,738	\$8,123	\$8,530	\$8,958	\$9,406	\$9,876
PUBLIC WORKS DIRECTOR	Mgmt & Conf	\$11,284	\$11,848	\$12,441	\$13,063	\$13,716	\$14,402	\$15,122
PUBLIC WORKS DIRECTOR/CITY ENG	Mgmt & Conf	\$11,849	\$12,441	\$13,063	\$13,716	\$14,402	\$15,122	\$15,878
PUBLIC WORKS DIRECTOR/CITY ENGINEER/DEPUTY CITY MANAGER	Mgmt & Conf	\$12,442	\$13,064	\$13,717	\$14,403	\$15,123	\$15,879	\$16,673
PUBLIC WORKS INSPECTOR	SEIU	\$5,052	\$5,305	\$5,570	\$5,849	\$6,142	\$6,449	\$6,772
RECREATION COORDINATOR	SEIU	\$3,762	\$3,950	\$4,147	\$4,354	\$4,572	\$4,800	\$5,040
RECREATION DIVISION MANAGER	Mid-Mgmt	\$8,116	\$8,522	\$8,948	\$9,395	\$9,865	\$10,358	\$10,876
RECREATION LEADER	SEIU	\$2,428	\$2,550	\$2,677	\$2,811	\$2,952	\$3,099	\$3,255
SENIOR ACCOUNTANT	Mid-Mgmt	\$6,777	\$7,115	\$7,471	\$7,845	\$8,237	\$8,649	\$9,081
SENIOR BUILDING INSPECTOR	SEIU	\$5,651	\$5,934	\$6,231	\$6,543	\$6,870	\$7,213	\$7,574
SENIOR BUILDING PERMIT TECHNICIAN	SEIU	\$4,426	\$4,648	\$4,880	\$5,124	\$5,381	\$5,650	\$5,932
SENIOR CENTER COORDINATOR	SEIU	\$2,601	\$2,731	\$2,868	\$3,012	\$3,162	\$3,320	\$3,486
SENIOR CIVIL ENGINEER	Mid-Mgmt	\$10,537	\$11,064	\$11,618	\$12,198	\$12,809	\$13,448	\$14,121
SR MANAGEMENT ANALYST	Mid-Mgmt	\$6,776	\$7,115	\$7,471	\$7,845	\$8,237	\$8,649	\$9,081
SENIOR PLANNER	Mid-Mgmt	\$8,440	\$8,862	\$9,105	\$9,770	\$10,259	\$10,771	\$11,310
SENIOR PUBLIC WORKS INSPECTOR	SEIU	\$5,769	\$6,057	\$6,361	\$6,679	\$7,013	\$7,363	\$7,731
SENIOR RECREATION LEADER	SEIU	\$2,909	\$3,054	\$3,208	\$3,368	\$3,537	\$3,714	\$3,900
SENIOR WASTEWATER LAB ANALYST	SEIU	\$5,053	\$5,307	\$5,572	\$5,851	\$6,144	\$6,451	\$6,774
SENIOR WASTEWATER PLANT OPERATOR	SEIU	\$6,284	\$6,598	\$6,927	\$7,273	\$7,636	\$8,018	\$8,419
SERVICES SUPERVISOR	PSA	\$6,345	\$6,663	\$6,996	\$7,346	\$7,713	\$8,096	\$8,503
WASTEWATER DIVISION MANAGER	Mid-Mgmt	\$10,537	\$11,064	\$11,618	\$12,198	\$12,809	\$13,448	\$14,121
WASTEWATER LAB/ ENVIRO COMPLIANCE MGR	Mid-Mgmt	\$7,057	\$7,410	\$7,781	\$8,170	\$8,578	\$9,007	\$9,458
WASTEWATER PLANT OPERATOR I	SEIU	\$4,978	\$5,228	\$5,489	\$5,764	\$6,052	\$6,355	\$6,673
WASTEWATER PLANT OPERATOR II	SEIU	\$5,471	\$5,745	\$6,031	\$6,333	\$6,649	\$6,982	\$7,331
WASTEWATER PLANT OPERATOR IN TRAINING	SEIU	\$4,344	\$4,561	\$4,789	\$5,028	\$5,280	\$5,544	\$5,821

RESOLUTION NO. 1501.30

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
APPROVING THE CONTINUED COLLECTION OF THE UTILITY USERS' TAX
FOR THE FISCAL YEAR 2023-24**

WHEREAS, the City Council adopted Ordinance 109.3 in July 1992 imposing a utility users' tax subject to voter approval (Measure R); and

WHEREAS, Measure R was approved by the voters on November 5, 2002; and

WHEREAS, the utility users' tax is solely for the purpose of providing revenue for the usual current expenditures of the City; and

WHEREAS, Ordinance 109.3 requires that the City Council review this tax on an annual basis at the same time as it reviews its proposed annual budget; and

WHEREAS, the proposed FY 2023-24 Annual Budget requires the continuation of the collection of the utilities users' tax.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council hereby approves the continued collection of the utility users' tax through June 30, 2024.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 21st day of June, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

RESOLUTION NO. 1932.4

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A MINIMUM RESERVE POLICY FOR THE GENERAL FUND, GENERAL CAPITAL IMPROVEMENT FUND, RECREATION ENTERPRISE FUND AND WASTEWATER ENTERPRISE FUNDS FOR FY 2023-24

WHEREAS, the terms “fund balances” and “reserves” describe the net position of governmental and/or proprietary funds that measure the financial resources available within a fund; and

WHEREAS, maintaining adequate levels of reserves that help mitigate current and future financial risks due to revenue shortfalls and/or unanticipated capital or operating expenditures represent a best practice used by governmental agencies; and

WHEREAS, the City Council desires to establish a formal policy on the level of unassigned fund balance/reserves that should be maintained in the City’s General Fund, General Capital Improvement Fund, and Wastewater Enterprise Funds; and

WHEREAS, the level of fund balances/reserves to be maintained represent a targeted minimum reserve level that will be used for fiscal planning purposes that would trigger action on the part of the City Council and staff to implement remedies to maintain the fiscal health of the City.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that a minimum reserve policy is hereby established for the General Fund, General Capital Improvement Fund, and Wastewater Enterprise Funds for FY 2023-24 and future years, unless amended, as shown in Exhibit C and summarized below:

- **General Fund** – a targeted minimum reserve equal to 17% (or, approximately two months) of annual operating expenditures, less known one-time expenditures, plus estimated ongoing transfers in or out to other funds
- **General Capital Improvement Fund** – a targeted minimum reserve equal to \$500,000 for emergency capital infrastructure replacement needs not funded by other sources
- **Wastewater Enterprise Funds** – a targeted minimum operating reserve equal to 50% (or, approximately six months) of annual operating expenses, plus \$1,000,000 in capital reserves for emergency capital infrastructure replacement.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 21st day of June 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk



CITY OF SCOTTS VALLEY COUNCIL POLICY MANUAL

TITLE: MINIMUM RESERVE POLICY	POLICY NUMBER: 04-17
EFFECTIVE DATE: 6/30/2017	PAGES: 1
REVISED DATES: 6/20/2018; 6/16/2021; 6/21/2023	
APPROVED BY: Jack Dilles, Mayor	

POLICY

This policy establishes a minimum reserve policy for the General Fund, General Capital Improvement Fund, and Wastewater Enterprise Funds for future years unless amended.

SCOPE

- The terms “fund balances” and “reserves” describe the net position of governmental and/or proprietary funds that measure the financial resources available within a fund; and,
- Maintaining adequate levels of reserves that help mitigate current and future financial risks due to revenue shortfalls and/or unanticipated capital or operating expenditures represent a best practice used by governmental agencies; and,
- The City Council desires to establish a formal policy on the level of unassigned fund balance/reserves that should be maintained in the City’s General Fund, General Capital Improvement Fund, Recreation Enterprise Fund and Wastewater Enterprise Funds; and,
- Level of fund balances/reserves to be maintained represent a targeted minimum reserve level that will be used for fiscal planning purposes that would trigger action on the part of the City Council and staff to implement remedies to maintain the fiscal health of the City.

OBJECTIVES

A minimum reserve policy is hereby established for the General Fund, General Capital Improvement Fund, and Wastewater Enterprise Funds for future years, unless amended as follows:

- **General Fund** – a targeted minimum reserve equal to 17% (or, approximately two months) of annual operating expenditures, less known one-time expenditures, plus estimated ongoing transfers in or out to other funds.
- **General Capital Improvement Fund** – a targeted minimum reserve equal to \$500,000 for emergency capital infrastructure replacement needs not funded by other sources.
- **Wastewater Enterprise Funds** – a targeted minimum operating reserve equal to 50% (or, approximately six months) of annual operating expenses, plus \$1,000,000 in capital reserves for emergency capital infrastructure replacement.

APPROVED AS TO FORM:

Kirsten Powell, City Attorney

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 6/21/2023
TO: Honorable Mayor and City Council
FROM: Selina Andrews, Finance Manager
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Approve Resolution No. 1007.36 revising prior years Gann Initiative appropriations and setting appropriation limits for FY 2023-24.**

SUMMARY OF ISSUE

On November 6, 1979, California voters approved Proposition 4, commonly known as the Gann Initiative, establishing Article XIIIB of the California State Constitution. This proposition mandated an appropriation (spending) limit on the amount of tax proceeds that the State and most local government jurisdictions may appropriate within a fiscal year. Charges for services, fees, grants, loans, donations, and other non-tax proceeds are excluded from the spending limitation.

The Initiative was later modified by two propositions: Proposition 98 in 1988 and Proposition 111 in 1990. Proposition 98 established the return of tax revenues exceeding appropriation limit levels to the State or citizens through a process of refunds, rebates, or other means. Proposition 111 allowed more flexibility in the appropriation calculation factors. Significant changes imposed by Proposition 111 include the following:

- The provision of a choice in methodologies for determining the annual inflation factor between 1) growth in California per capita income or 2) growth in non-residential assessed valuation due to new construction within the city.
- The provision of a choice in methodologies for determining the annual population growth factor between 1) city population growth or 2) county population growth.
- Regulations allowing the exclusion of “qualified capital outlay” expenditures from the calculation of the limit.
- Provision of a process for avoiding tax refunds if a city falls sufficiently below the limit in the next fiscal year. The revised language provides two years, beyond the second year, to refund any remaining excess during which jurisdictions can seek to obtain a successful override vote.

Per the City’s auditor recommendation, the FY 2020-21 Appropriations Limit is being revised resulting in subsequent years also requiring revision. Staff will continue to research prior years to identify if further adjustments are warranted.

For FY 2023-24 it is recommended to elect the per capita income index as the inflation factor and elect the County population growth index as the population factor.

FISCAL IMPACT

There is no identified fiscal impact from this action.

STAFF RECOMMENDATION

Adopt a resolution taking the following actions with respect to the City’s FY 2020-21, 2021-22, 2022-23, and 2023-24 Appropriations Limits:

- 1. Revise the FY 2020-21 through FY 2022-23 Gann Appropriation Limits as follows:

Fiscal Year	Original	Revised
2020-21	\$207,939,687	\$207,949,511
2021-22	\$220,044,816	\$220,634,546
2022-23	\$236,658,200	\$237,292,454

- 2. Elect the per capita income index as the inflation factor for FY 2023-2024;
- 3. Elect the County population growth index as the population factor for FY 2023-2024; and
- 4. Establish the FY 2023-2024 Appropriation Limit at \$245,126,911 in compliance with Article XIII B of the State of California Constitution.

The calculation of the FY 2023-24 Gann Appropriation Limit is as follows:

County Population Factor	Per Capita Income Factor	Appropriation Factor	FY 2022-23 Appropriation Limit	FY 2023-24 Appropriation Limit
0.989	x 1.044	= 1.033	x \$237,292,454	= \$245,126,911

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- 1. Resolution - FY 2023-24 Gann Appropriations Limit
- 2. State Population Letter - 2023
- 3. Santa Cruz County Non-Residential Transactions

RESOLUTION NO. 1007.36

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SCOTTS VALLEY REVISING APPROPRIATION LIMITS FOR FISCAL
YEARS 2020-21, 2021-22, 2022-23 AND MAKING CERTAIN FINDINGS AND
DETERMINATIONS IN COMPLIANCE WITH SECTION XIII B OF THE
CALIFORNIA CONSTITUTION (GANN INITIATIVE) AND SETTING
THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023-24**

BE IT RESOLVED by the City Council of the City of Scotts Valley that in compliance with Section XIII B of the Constitution of the State of California, the following is hereby found and determined:

1. The revised appropriations limit for fiscal year 2021/2022 is \$207,949,511; and
2. The revised appropriations limit for fiscal year 2021/2022 is \$220,634,546; and
3. The revised appropriations limit for fiscal year 2022/2023 was \$237,292,454; and
4. The change in population in the County of Santa Cruz in 2022, according to the State of California was -1.09%, and was selected as a factor; and
3. That during fiscal year 2022/23, according to the State, the percentage change in per capita personal income in California was 4.44%, and was selected as a factor; and
4. That the appropriations limit under the Gann Initiative for FY 2023/2024 is \$245,126,911; and
5. That the change in cost of living is selected to be the change in per capita personal income.
6. That the documentation for establishing the appropriations limit for 2023/2024 was prepared by the Administrative Services Department and presented to the City Council on June 20, 2023.
7. That more than 15 days have elapsed since documentation used in this determination was made available to the public.

The foregoing resolution was adopted by the City Council of the City of Scotts Valley at a regularly scheduled meeting held on the 21st day of June, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2023, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2023-24. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2023-24 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2023.**

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

JOE SPEPHENSHAW
Director
By:

Erika Li
Chief Deputy Director

Attachment

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2023-24 appropriation limit is:

Per Capita Personal Income	
Fiscal Year (FY)	Percentage change over prior year
2023-24	4.44

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2023-24 appropriation limit.

2023-24:

Per Capita Cost of Living Change = 4.44 percent
Population Change = -0.35 percent

Per Capita Cost of Living converted to a ratio: $\frac{4.44 + 100}{100} = 1.0444$

Population converted to a ratio: $\frac{-0.35 + 100}{100} = 0.9965$

Calculation of factor for FY 2023-24: $1.0444 \times 0.9965 = 1.0407$

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2022 to January 1, 2023 and Total Population, January 1, 2023

County City	<u>Percent Change</u>	<u>--- Population Minus Exclusions ---</u>		<u>Total Population</u>
	2022-2023	1-1-22	1-1-23	1-1-2023
Santa Cruz				
Capitola	-1.31	9,753	9,625	9,625
Santa Cruz	-0.36	63,454	63,224	63,224
Scotts Valley	-1.26	12,010	11,859	11,859
Watsonville	-1.22	50,490	49,876	49,876
Unincorporated	-1.36	129,163	127,411	127,467
County Total	-1.09	264,870	261,995	262,051

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

SANTA CRUZ COUNTY NONRESIDENTIAL CONSTRUCTION TRANSACTIONS

DISTRIBUTED AMOUNTS BY GLKey

Includes all new construction to be completed in 2022

GLKey	Fund Description	Non Residential		Previous Roll Assessed Value	Change in Assessed Value	Non Residential Growth %
		Growth from Construction	Current Roll Assessed Vallue			
131220	S C COUNTY GENERAL	23,836,678	55,510,152,704	50,444,263,768	5,065,888,936	0.4705%
131414	LOS GATOS HIGH	82,184	1,671,558,375	1,573,777,062	97,781,313	0.0840%
131444	WEST VALLEY COM COLL TR GENL Total	38,638	1,621,679,720	1,525,806,564	95,873,156	0.0403%
131610	CAPITOLA CITY TR	144,988	2,996,846,337	2,735,653,131	261,193,206	0.0555%
131622	SANTA CRUZ CITY TR	15,612,527	12,097,002,308	10,873,802,074	1,223,200,234	1.2764%
131627	SANTA CRUZ PARKING #1	-	493,294,297	442,951,779	50,342,518	0.0000%
131630	SCOTTS VALLEY CITY TR	111,462	3,416,274,402	3,099,061,367	317,213,035	0.0351%
131648	WATSONVILLE CITY - TRUST	-	5,052,543,458	4,610,334,305	442,209,153	0.0000%
131855	COUNTY LIBRARY	495,181	41,162,323,737	37,506,170,179	3,656,153,558	0.0135%
134910	REC & PARKS - CO SERV AREA #11	32,055	29,331,656,399	26,667,318,645	2,664,337,754	0.0012%
135461	SC FLOOD CONT & WTR CONS ZONE 4	221,804	55,507,943,736	50,442,120,319	5,065,823,417	0.0044%
135462	SC FLOOD CONT & WAT CONS DISTGEN	189,037	55,510,152,704	50,444,263,768	5,065,888,936	0.0037%
304100	COUNTY FIRE	328,299	4,716,286,169	4,422,861,791	293,424,378	0.1119%
622115	CO HWY SAFETY SERVICE AREA #9	63,748	32,058,980,214	29,127,657,320	2,931,322,894	0.0022%
622120	CO HWY SAFETY SERV AREA #9-A	31,261	14,866,518,146	13,564,213,717	1,302,304,429	0.0024%
622125	CO HWY SAFETY SVC AREA #9-ZN B	206	4,496,124,022	4,037,090,269	459,033,753	0.0000%
622245	PAJARO STORM DRAIN MAINT DIST	97,702	8,405,210,928	7,658,908,184	746,302,744	0.0131%
622350	SC FLOOD CONT & WTR CONS ZONE 5	17,160	10,873,035,998	9,838,137,774	1,034,898,224	0.0017%
640101	BONNY DOON SCH DIS GENL	47,070	740,174,131	719,456,439	20,717,692	0.2272%
640301	LIVE OAK SCH DIST GENL	45,720	4,803,427,410	4,337,086,463	466,340,947	0.0098%
640401	MOUNTAIN SCHOOL	134,121	340,667,390	324,697,126	15,970,264	0.8398%
640501	PACIFIC SCHOOL	751,875	151,766,662	139,316,608	12,450,054	6.0391%
640701	SCOTTS VAL SCH DIST GENL	815,799	5,236,261,323	4,746,488,084	489,773,239	0.1666%
640801	SOQUEL SCH DIST GENL	879,280	6,948,401,944	6,298,908,769	649,493,175	0.1354%
641101	SLV UNIF SCH DIST GENL	377,753	4,578,246,862	4,256,213,617	322,033,245	0.1173%
641210	COUNTY SCHOOL SERVICE	2,702,909	53,838,594,330	48,915,628,720	4,922,965,610	0.0549%
641401	S C HI SCH DIST GENL	13,451,114	26,013,957,529	23,563,903,017	2,450,054,512	0.5490%
641501	S C SCH DIST GENL	19,099,567	12,653,751,610	11,385,653,072	1,268,098,538	1.5062%
642001	PAJ VAL UNIF SCH DIST GENL	2,274,583	17,985,241,899	16,325,721,945	1,659,519,954	0.1371%
642501	642501 CABRILLO COMM COL DIST GENERAL	6,266,634	53,888,472,985	48,963,189,394	4,925,283,591	0.1272%
680600	BEN LOMOND FIRE PROT DIST	42,037	923,647,766	839,021,899	84,625,867	0.0497%
680810	BOULDER CREEK FIRE PROT DIST	35,199	1,737,037,866	1,653,932,303	83,105,563	0.0424%
680900	BLDR CREEK REC & PARK DIST	8,324	1,732,211,793	1,650,487,418	81,724,375	0.0102%
681410	CENTRAL WATER DIST GEN	467	692,130,831	632,317,823	59,813,008	0.0008%
681800	FELTON FIRE PROT DIST	-	1,110,047,591	1,010,706,716	99,340,875	0.0000%
682500	CENTRAL FPD OF SANTA CRUZ COUNTY	599,684	20,786,316,086	19,553,713,288	1,232,602,798	0.0487%
683100	PAJARO VALLEY FIRE PROTECTION DIST G	214,094	1,951,835,979	1,783,357,966	168,478,013	0.1271%
683310	PAJARO VALLEY PUB CEM DIST	12,019	9,617,295,095	8,763,565,706	853,729,389	0.0014%
684000	S C PORT DIST TR GENL	775,949	20,983,492,557	18,893,373,580	2,090,118,977	0.0371%
684700	SAN LOR VAL CO WAT DIST TR GEN	21,490	3,769,490,389	3,467,143,311	302,347,078	0.0071%
684810	S C CO RESOURCE CONS DIST	2,779	34,949,023,761	31,862,242,396	3,086,781,365	0.0001%
685001	SCOTTS VAL WATER DIST TR GEN	72,664	3,150,143,855	2,682,487,124	467,656,731	0.0155%
685010	SCOTTS VALLEY FIRE PROT DIST	341,001	5,479,401,155	4,965,098,807	514,302,348	0.0663%
689510	ZAYANTE FIRE PROT DIST	887	669,268,839	600,127,977	69,140,862	0.0013%
131410/42	LAKESIDE SCHOOL	15,753	441,714,929	416,383,105	25,331,824	0.0622%
131412/34	LOMA PRIETA SCHOOL	110,674	1,229,843,446	1,157,393,957	72,449,489	0.1528%

GLKey	Fund Description	Non Residential Growth from Construction	Current Roll Assessed Vallue	Previous Roll Assessed Value	Change in Assessed Value	Non Residential Growth %
131424/26 /28/30/32/ 36/40	SANTA CLARA - COE	15,217	1,671,558,375	1,573,777,062	97,781,313	0.0156%
Total		90,417,593	637,861,008,042	580,495,785,708		

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 6/21/2023
TO: Honorable Mayor and City Council
FROM: Cathie Simonovich, City Clerk
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Ratify the appointment of Steve Simonovich to serve on the Planning Commission, with an effective date of June 21, 2023**

SUMMARY OF ISSUE

As vacancies occur, or due to an election or re-election of a Council Member, a member of the Council may nominate a new individual to serve on a City Commission, Committee, or Board. All appointments must be approved by the City Council.

A vacancy exists on the Planning Commission due to the resignation of Steven Horlock, and Council Member Johnson has nominated Steve Simonovich to serve on the Planning Commission. Upon Council approval, Mr. Simonovich will fill the vacancy.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

It is recommended that the City Council ratify the appointment of Steve Simonovich to serve on the Planning Commission, with an effective date of June 21, 2023.

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1. S.Simonovich application for Planning Commission 6-7-23_Redacted



City of Scotts Valley

Application for Appointment to Serve on a City Advisory Body

Advisory Body you are applying for:

- | | | |
|---|---|---|
| ☒ Planning Commission | ☐ Arts Commission | ☐ Senior Center Board |
| ☐ Parks & Recreation Commission | ☐ Board of Appeals | ☐ Code Enforcement Appeals Board |
| ☐ ADA Accessibility Committee | ☐ Parks & Recreation Advocates | ☐ Mobile Home Park Rent Review |

Contact Information

Name	Steve Simonovich		
Street Address	[REDACTED]		
City / ST/ ZIP Code	Scotts Valley, CA 95066		
Phone – Primary	[REDACTED]	☒ Cell	☐ Work ☐ Home
Phone – Secondary	[REDACTED]	☐ Cell	☒ Work ☐ Home
E-Mail Address	[REDACTED]		

Background Information*

Years residing in Scotts Valley	25 years
Employer	Santa Cruz Pasta Factory
Occupation/Profession	business owner
Education	bachelors UC Davis, Economics & International relations

**If you are appointed to a city commission or board, you may be required to file a Statement of Economic Interests (FPPC Form 700). The Form 700 is a State-mandated public document disclosing certain business, property and investment holdings which might conflict with the member's decisions. The City Clerk's Office will supply the Form 700 upon appointment.*

Summarize your interests, education, and/or experience as they relate to this position.

As a long time resident of Scotts Valley and a business owner, I understand the need for an organized system for building and maintaining a community. I have a personal relationship with this community and am motivated to direct growth in a direction that is most beneficial to residents and business. I am very interested in being a part of the future of our city as it pertains to affordable housing.

Explain how you believe you can contribute toward the effectiveness of this position.

I am requesting to be considered for the planning commission because of a love of our community. For 25 years I have been a member of this community. I feel it is my duty to give back in a way that will help Scotts Valley thrive. I look forward to the challenge of educating myself on the details that are needed to be an effective member of the planning commission.

Summarize your participation in civic or community activities.

Multiple coaching positions in little league baseball

Founder and director of Santa Cruz Mountains Cycling Team(2008-2017), a SV based team of middle school and high school mountain bike team.

Santa Cruz Pasta factory - While based in Scotts Valley(2007-2017) our mission was to financially support our public educational system. We did this through multiple fund raisers; donating a % of sales for our "meal is in the bag" program, as well as fund raisers for the Falcon club and many other school organizations.

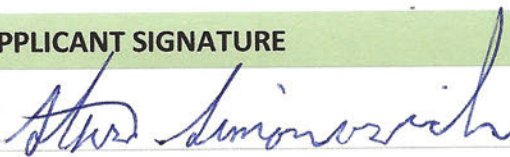
How did you hear about this vacancy?

☐ City Website ☐ Other Website ☒ Word of Mouth ☐ Other (Specify):

APPLICANT SIGNATURE

DATE

X



6/7/23

Return application:

For more information, contact:

OFFICE USE ONLY – DATE RECEIVED

By email to:

cityhall@scottsvalley.org

In person or by mail to:

City Clerk's Office
1 Civic Center Drive
Scotts Valley, CA 95066

City Clerk's Office
(831)440-5600

cityhall@scottsvalley.org
www.scottsvalley.org

- Note:** 1) Applications are retained for one year. You will be contacted if a vacancy occurs within that time.
2) A separate application must be submitted for each advisory body to which you seek appointment.
3) You may attach additional pages or material (such as a resume) to the application if desired.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 6/21/2023
TO: Honorable Mayor and City Council
FROM: Sarah Wikle, Senior Planner
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Consideration of a Time Extension request for a previously approved ten-lot subdivision, and for the construction of ten dwelling units with related site improvements on a 1.4-acre site (Bay Village Planned Development) located on Erba Lane (APNs 022-481-18, & -22).**

SUMMARY OF ISSUE

On June 16, 2021, the City Council introduced Ordinance No. 16-ZC-230 and adopted Resolution Nos. 1997, 1997.1 and 1997.2, approving a Planned Development Zoning District Overlay (PD19-001), Mitigated Negative Declaration (ND20-001), Land Division (LD19-001), and Planned Development and Design Review Permits (DR19-005) to allow for a ten-lot subdivision, construction of ten dwelling units, and site improvements on 1.4 acre site on Erba Lane.

As outlined in the Scotts Valley Municipal Code (SVMC) and the Subdivision Map Act, tentative parcel maps and entitlements (such as a Design Review Permit and Planned Development Permit) shall become null and void after two years. An applicant can submit a time extension request to the Planning Director prior to the two-year expiration date.

On April 20, 2023, Charlie Eadie (applicant) on behalf of SV Housing LLC (property owner) submitted a time extension application request for the Bay Village Planned Development project. The applicant has requested a one-year time extension be granted by the City Council to allow for additional time to prepare the site for development given current market conditions.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 1997.3, approving the one-year time extension request for a Planned Development and Design Review

Permits (DR19-005), Land Division (LD19-001), and a Mitigated Negative Declaration (ND20-001) for a previously approved ten-lot subdivision, construction of ten dwelling units and related site improvements for a 1.4-acre site on Erba Lane (APNs 022-481-18, & 22).

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RESOLUTION NO. 1997.3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A TIME EXTENSION REQUEST FOR A PLANNED DEVELOPMENT WITH DESIGN REVIEW (DR19-005), LAND DIVISION (LD19-001) AND MITIGATED NEGATIVE DECLARATION (ND20-001) FOR THE “BAY VILLAGE PLANNED DEVELOPMENT” WITH A GENERAL PLAN LAND USE DESIGNATION OF HIGH DENSITY RESIDENTIAL (R-H) AND HIGH DENSITY RESIDENTIAL (R-H)/PLANNED DEVELOPMENT (PD) ZONING DISTRICT FOR A TEN LOT SUBDIVISION AND CONSTRUCTION OF TEN DWELLING UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS, ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNs 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant, for Larry Abitbol, SV Housing LLC, owner, for a Time Extension application (“Application”) for a ten-lot subdivision and construction of ten dwelling units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04 acre parcel located at Erba Lane (the “Project”); and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Project and after consideration of public testimony, the staff report and evidence submitted to support the Project, the Planning Commission recommended approval of the Project to the City Council; and

WHEREAS, a public hearing on the Project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the Project by adoption of Resolution No 1997 on June 16, 2021; and

WHEREAS, the City Council approved the Planned Development Zoning for the Project by adoption of Ordinance No. 16-ZC-230 on June 16, 2021; and

WHEREAS, the City Council approved the Land Division for the Project by adoption of Resolution No 1997.1 on June 16, 2021; and

WHEREAS, the City Council approved the Design Review Permit and Planned Development Permit for the Project by adoption of Resolution No 1997.2 on June 16, 2021; and

WHEREAS, to enable the project to be constructed the applicant has requested a time extension.

NOW, THEREFORE, BE IT RESOLVED that, after careful consideration of the Application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves a one year time extension for Planned Development Permit and Design Review Permit (DR19-005), Land Division (LD19-001), and Mitigated Negative Declaration (ND20-001) for the Bay Village Planned Development for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04 acre site located at Erba Lane (no situs), subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 21st day of June 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Jack Dilles, Mayor

ATTEST:

Cathie Simonovich, City Clerk

Exhibit A

Legal

1. The developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.

Planning Department

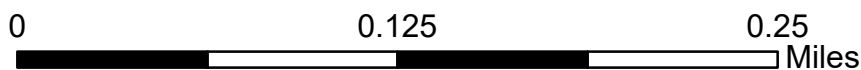
3. City Council Resolution Nos. 1997, 1997.1 and 1997.2, approving Planned Development Permit and Design Review Permit (DR19-005), Land Division (LD19-001), and Mitigated Negative Declaration (ND20-001) for a ten-lot subdivision, construction of ten dwelling units and related site work (Bay Village Planned Development) and all applicable conditions of approval shall remain in effect unless amended by this Resolution.

Name and Signature of Property Owner

Date

Project Site

Erba Lane / APN 022-481-18 & -22



 Project Site

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: June 16, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Paula Bradley, Consulting Planner

APPROVED: Tina Friend, City Manager

SUBJECT: **PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL FOR A PLANNED DEVELOPMENT ZONING PERMIT, LAND DIVISION, DESIGN REVIEW APPLICATION AND ENVIRONMENTAL REVIEW IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR A TEN-LOT SUBDIVISION FOR THE CONSTRUCTION OF TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS, ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS), APN'S 022-481-18 AND 022-481-22**

SUMMARY OF ISSUE

The project proposes to create a ten-lot subdivision for the construction of ten residential units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements. The site is zoned R-H High Density Residential General Plan and Zoning District, is 1.04-acres in size, and is currently developed as a surface parking lot, located on Erba Lane. The project requires a Planned District Zoning/Permit Design Review, Land Division and Environmental Review for the proposed residential development.

The site gently slopes to the southeast towards Scotts Valley Drive where a new private access road will be located and where most of the site grading and infrastructure will occur. Existing land uses on adjacent parcels includes single and multi-family housing, office, and a quasi-public use (fire station across the street). The eastern property line is oak riparian woodland with an intermittent creek/drainage channel, and across the creek is MacDorsa Park, owned by the City of Scotts Valley.

Along Erba Lane, the project frontage includes a five-foot sidewalk, ten on-street public parking spaces, and a six-foot landscaped planting strip. The landscaping strip is designed to provide a tree-lined residential street and screening for the new single-family dwellings. The project will construct a new 24-foot wide private road, accessed from Erba Lane, providing access to seven of the units (Lots 4 through 10).

PLANNED DEVELOPMENT / LAND DIVISION

The project is requesting a Planned Development to establish specialized development standards that reflect exceptions from the proposed R-H Residential zoning regulations to accommodate the proposed residential development. Exceptions to the development standards requested through the Planned Development process for: 1) reduced lot sizes; 2) reduced lot width and lot depth; 4) reduced front, side, and rear yard setbacks. In addition, the proposed retaining walls topped with wood fences are higher than three-feet in portions of the front yard setbacks and exceed six-feet in height in portions of the side and rear yards and are subject to Design Review.

PLANNING COMMISSION REVIEW

The project was reviewed by the Planning Commission on May 13, 2021 and recommended for approval. A complete analysis of the project's General Plan and zoning compliance is contained in the Planning Commission staff report for the May 13th hearing (see attachment). The Commission discussed project specific details including the reduced setbacks and lot sizes for some of the lots as allowed by the Planned Development district. To avoid development in the oak riparian woodland along the creek area and MacDorsa Park, as determined by the project biologist, the applicant is requesting exceptions to the development standards for: 1) reduced lot sizes; 2) lot width; and 3) lot depth along with reduced front side and rear setbacks for some of the lots. The ten-lot subdivision, as designed, with ten new two-story single-family homes, with on-site parking, is consistent with other single and multi-family homes in the surrounding area. The project meets or exceeds the single-family parking requirements by providing a two-car garage for each unit and a 20-foot deep driveway for two additional vehicles. No parking would be allowed in the access road and ten off-site public parking spaces will be created on Erba Lane.

Public Art: General Plan Land Use Policy LP-13.2 states that public art is to be incorporated into residential projects. In compliance with this requirement, the applicant is proposing a 4 x 10-foot mural to be located on a retaining wall along Erba Lane adjacent to Lot 10. The proposal is still in the conceptual phase and design concepts will be available for review at the City Council meeting. Currently the project is conditioned to require Community Development Director review and approval of the final design. It is recommended that the City Council review the design concepts and provide direction.

Park Access: Currently MacDorsa Park is accessible from Erba Lane through the project site and from the office building parking lot across the creek/drainage area. There are natural paths and an existing access leading towards the Police Department. Due to security concerns with the additional residents, the Police Department requested that this pathway be relocated. The City discussed the need for public access to the park with the applicant, and that it would be better located via the proposed new private road. A public access easement for pedestrians over the proposed new private road is included as a condition of project approval. There is no plan in place to provide access at this time, the easement will allow for access at a future date and such access will require additional review and approval by the City.

AFFORDABLE HOUSING

Title 14 of the City's Municipal Code governs the affordable housing requirements for new residential projects. Pursuant to Title 14, the project is required to designate at least 15% of the units as affordable. Therefore, of the proposed ten units, the project is required to provide one unit and pay in-lieu fees of 0.5 of a unit.

Affordability is maintained for a period of 45 years for ownership units and 55 years for rental units. The income-levels of the units require review and recommendation by the City Council Affordable Housing Committee.

On June 10, 2021, the Affordable Housing Committee, composed of Mayor Derek Timm and Council Member Jack Dilles, met with the applicant and City staff to discuss the affordable housing requirement. One member of the public was also present.

After discussion between the Committee members and the applicant, the Affordable Housing Committee agreed on the following recommendation to the City Council.

There shall be two options available to the applicant and the City:

Option #1 would require one low-income unit and one moderate-income unit to be provided. These two units would be three bedroom rental units. There would be no in-lieu fee required because the applicant would be providing two units rather than the one required unit.

Option #2 would require the provision of one three-bedroom low-income unit. The in-lieu fee would be used to subsidize the difference between the affordable sales price of a moderate-income unit and the affordable sales price of a low-income unit. The subsidy amount shall be subtracted from the total in-lieu fee required and the remaining balance shall be paid by the applicant as the project's in-lieu fee contribution.

The decision as to which option to pursue shall be scheduled at a later date but, in no case, later than the date of recordation of final or parcel maps for the development.

PUBLIC COMMENT

A public notice was posted on site and mailed to surrounding property owners within 300 feet pursuant to State law. The Planning Commission received written comments prior to the public hearing and during the meeting one neighboring property owner expressed concerns. The concerns included increased traffic, a narrower street, pedestrian safety, the loss of the parking and use of the site by the fire department and construction noise and debris. Public comments letters received after the publication of the Planning Commission staff report are attached. No additional public comments have been received.

FISCAL IMPACT

No significant fiscal impacts to the City as a result of the proposed development have been identified.

STAFF RECOMMENDATION

The Planning Commission recommends approval of the Mitigated Negative Declaration, approval of the Planned Development, Land Division and Design Review as listed below:

1. Adopt Resolution No. 1997 to approve the Mitigated Negative Declaration and the MMRP with three Mitigation Measures
2. Introduce for first reading Ordinance 16-ZC-230 to approve the Planned Development District;
3. Adopt a Resolution No. 1997.1 to approve the Land Division and,
4. Adopt Resolution No. 1997.2 to approve the Planned Development Permit and the Design Review.

ATTACHMENTS

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All documents are available at City Hall and electronically at:
<http://www.scottsvally.org/212/Planning-Department>

RESOLUTION NO. 1997

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE MITIGATED NEGATIVE DECLARATION FOR A TEN-LOT SUBDIVISION IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNS 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received applications filed by Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, for the “Bay Village Planned Development” consisting of a ten lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04-acre site located at Erba Lane (no situs); and, (collectively referred to as “Application”); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, (referred to as “applicant”) has presented substantial evidence which supports the application; and

WHEREAS, the Application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021 to consider the application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated June 16, 2021:

1. ***An initial study has been prepared by the City of Scotts Valley to evaluate the potential for adverse environmental impacts.*** City consultant conducted an Initial Study for the project and prepared a Mitigated Negative Declaration and determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment, plant or wildlife resources with the implementation of identified standard conditions of approval.
2. ***The Mitigated Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA).*** The Mitigated Negative Declaration was completed in compliance with CEQA, was published and distributed to the applicable agencies, and was made available for public review for a 30-day period from March 30, 2021 to April 30, 2021.
3. ***The environmental determination represents the independent judgment of the City.*** The Mitigated Negative Declaration was prepared by City consultant. All reports and supporting information have been reviewed and approved by the applicable City Department Heads.
4. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** Copies of the Mitigated Negative Declaration and the referenced technical and/or environmental studies that were submitted for the project have been made available to the public on the City's website.
5. ***Based on the Initial Study and when considering the record as a whole, there is no evidence before the City of Scotts Valley, including the information in the Mitigated Negative Declaration and comments of appropriate reviewing agencies, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which it depends.*** A Biological Assessment was prepared for the project site (Biotic Resources Group, May 31, 2019), and an Addendum to the Biological Assessment was prepared based on the revised site plan which represents the proposed project (Biotic Resources Group, May 31, 2020). Similarly, a Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared based on the revised site plan (Kurt Fouts, March 27, 2020 and Appendix C dated 4/29/20). With the implementation of the City's standard conditions of approval and the implementation of three

biological mitigation measures (MM BIO-1, MM BIO-2, and MM BIO-3) impacts associated with vegetation, riparian woodland, wildlife, nesting birds, and other biological resources would be reduced to a less than significant level. Therefore, the project will not result in any adverse impacts to fish and wildlife habitat or other resources.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves the Mitigated Negative Declaration for the for the “Bay Village Planned Development” for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04-acre site located at Erba Lane (no situs) / APNs 22-481-18 and 22, subject to the Project Plans and the Mitigation Monitoring Reporting Program (Exhibit A) which are attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Derek Timm, Mayor

ATTEST:

Tracy A. Ferrara, City Clerk

**Exhibit A - Mitigation Monitoring and Reporting Plan
Bay Village Planned Development ND20-001**

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Biological Resources			
Biological Resources: Oak Riparian Woodland	Mitigation Measure BIO-1: Oak Riparian Woodland - Project Construction. The project applicant shall demonstrate to the satisfaction of the City compliance with the following: 1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area. 1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including: ▪ Conduct construction activities within 20 feet of the riparian woodland during the dry season; ▪ Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek. ▪ Stabilize disturbed soils to minimize erosion and sediment input to the creek; ▪ Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments; ▪ Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction; ▪ Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.	Project applicant and qualified biologist	Prior to project construction activities on the site

**Exhibit A - Mitigation Monitoring and Reporting Plan
Bay Village Planned Development ND20-001**

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Biological Resources			
Biological Resources: Oak Riparian Woodland	Mitigation Measure BIO-2: <i>Oak Riparian Woodland Post-Construction:</i> The project applicant shall demonstrate to the satisfaction of the City compliance with the following: 2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland. 2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (Vinca sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (Phytophthora sp.) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (http://cemarin.ucdavis.edu).	Project applicant and qualified biologist	Prior to project construction activities on the site

**Exhibit A - Mitigation Monitoring and Reporting Plan
Bay Village Planned Development ND20-001**

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Biological Resources			
Biological Resources: Impacts to special status wildlife and nesting birds	Mitigation Measure BIO-3: <i>Special status wildlife and nesting birds</i>: The project applicant shall demonstrate to the satisfaction of the City compliance with the following: 3.1 The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW. 3.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledged the nest(s).	Project applicant and qualified biologist	Prior to project construction activities on the site

ORDINANCE NO. 16-ZC-230

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A PLANNED DEVELOPMENT DISTRICT OVERLAY (PD19-001) FOR THE “BAY VILLAGE PLANNED DEVELOPMENT” FOR A TEN-LOT SUBDIVISION IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS ON A 1.04-ACRE SITE AT ERBA LANE (NO SITUS) / APNS 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, for Planned Development No. PD19-001 for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements (collectively referred to as “Application”); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, (referred to as “applicant”) has presented substantial evidence which supports the Application; and

WHEREAS, the Application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021 to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No. 1997

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated June 16, 2021:

1. ***That the Planned Development Zoning District Overlay and Permit (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the project proposes two new single-family dwellings within lands designated R-H, High Density Residential on the City's General Plan map. The project is consistent within the General Plan density range of 9 to 15 units per acre, and results with a density of 9.6 units per acre. The project includes the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages. Common Lot A is for a private road which provides access to seven of the residential units (lots seven to ten) and stormwater infrastructure. The homes are of a conventional design that is consistent with the character of the neighborhood. Further, the project improves and upgrades a previously undeveloped and underutilized site providing housing opportunities for ten families.
2. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and that of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning district. The resulting R-H/PD zone allows specific development standards to address to accommodate unique circumstances related to lot size and shape, intensity, coverage, and appearance of structures. After the biologist determined the riparian woodland boundary location, the project was redesigned from a twelve-lot subdivision with 12 new single-family dwellings, as ten lot subdivision to avoid development in the riparian area. This created a physical constraint resulting in very irregularly shaped lots and reduced front, side, and rear yard setbacks and requested exceptions to the development standards as allowed in a PD district.
3. ***That the PD conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H base zoning district. The project design meets the requirement of this finding in that approval of the Planned Development and Design Permit will allow the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages and private yards. The Planned Development zoning allows exceptions to the development standards to accommodate the proposed lot configuration with reduced lot sizes, width and depths, reduced front, side, and rear setbacks. Each new home will have private yard space, two covered garage parking space and two uncovered parking spaces.

4. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with a front porch with a gable roof and wood timber details. The roof forms include gables with shingles or lap siding under the gables and wood brackets. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The proposed colors will be unique for each home and include shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The stone veneer are two natural stone brown/gray/ buff colors. The garage doors will be metal insulated doors with sections and divided lights at the top with a wood trellis' over the garage doors. The two-story homes are approximately 28 to 30-feet in height feet similar to other nearby homes in the neighborhood. As designed consistent with the General Plan Action OSA-387. The PD allows exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architectural details, materials, mass, and colors of the proposed residential units are high quality and are consistent with newer single-family dwellings, compatible with the surrounding area. The architecture, quality exterior materials/ finishes/colors, and landscaping will create an aesthetically harmonious project.
5. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Mitigated Negative Declaration MND20-001 and determined that there would be no potentially significant adverse environmental impacts and the project will not degrade the quality of the environment with the implementation of identified standard conditions of approval and three Mitigation and Monitoring measures.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Planned Development District (PD19-001) for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04-acre site located at Erba Lane (no situs) / APNs 22-481-18 AND 22, pursuant to the Planned Development Zone Map (Exhibit A) which is incorporated herein by this reference.

This ordinance was introduced on the 16th day of June 2021, and was passed and adopted by the City Council of the City of Scotts Valley on the 4th of August, 2021, by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Derek Timm, Mayor

ATTEST:

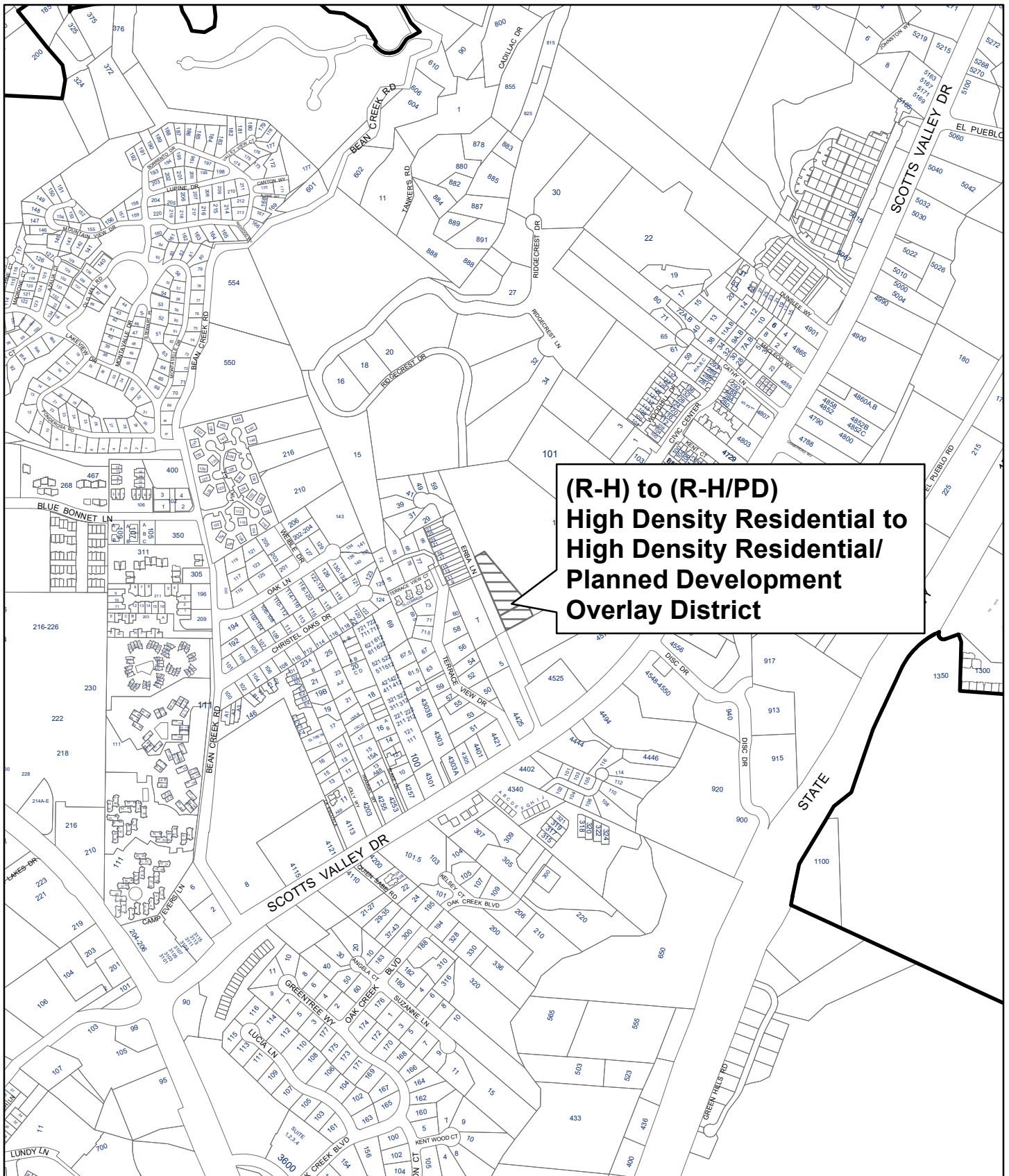
Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

Kristen Powell, City Attorney

Erba Lane - Bay Village Planned Development
APN 022-481-18 and 22

Exhibit A



RESOLUTION NO. 1997.1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A LAND DIVISION (LD19-001) FOR THE “BAY VILLAGE PLANNED DEVELOPMENT” IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNS 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, for a Land Division (LD19-001) for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements of a 1.04 acre site located at Erba Lane (no situs) (collectively referred to as “Application”); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, (referred to as “applicant”) has presented substantial evidence which supports the Application; and

WHEREAS, the Application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No. 1997; and

WHEREAS, the City Council approved the Planned Development Overlay for the project by Adoption of Ordinance No. 16-ZC-230.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following Land Division findings, as further clarified in the staff report dated June 16, 2021:

1. ***That the location of the uses is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.*** The project meets the requirements of this finding in that the project provides ten new single-family dwellings in the R-H, High Density Residential Zoning District. The homes utilize conventional materials and design details that integrate into the surrounding residential neighborhood.
2. ***That the proposed tentative map/land division, together with the provisions for its design and improvement, is consistent with the General Plan.*** The project meets the requirements of this finding in that the ten-lot residential development on the 1.04-acre site is consistent with the General Plan High Density Residential density range. The subdivision design and the related property improvements create ten new single-family dwellings with attached two-car garages, private yard spaces for each new home and establishes an homeowner's association to share in the maintenance of common driveways landscaping and the oak riparian woodland area, retaining walls and stormwater infrastructure. The project as proposed and conditioned is consistent with goals and objectives of the General Plan.
3. ***That the project site is physically suitable for the density of the land division.*** The project meets the requirement of this finding in that the 1.04-acre site is sufficient in size to accommodate the ten-lot subdivision and related improvements including two-car garages and private yard areas for each unit. The ten-lot subdivision is consistent with both the General Plan and Zoning density ranges. Public services are available, and utilities are of adequate capacity to accommodate the project.
4. ***That the design of the land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*** The project meets the requirements of this finding in that the MND determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment or impact fish wildlife or habitat with the implementation of identified standard conditions of approval.
5. ***That the design of the land division or the type of improvements is not likely to cause serious public health problems.*** The project will not generate hazardous emissions nor be a storage facility for hazardous/ combustible materials. During project grading and construction, to reduce dust generation to minimal levels and to prevent sedimentation and discharge of contaminants off- site, standard conditions of approval require the grading and construction contractors to implement best management practices (BMPs). The MND evaluated that the project is not expected to cause serious public health problems.

6. ***That the design of the land division will not conflict with easements acquired by the public at large (for access through or use of property within the land division).*** The project meets the requirement of this finding in that there are no conflicts with easements known to affect the project site. A common lot provides a private access road and utilities and maintenance easement benefitting the ten lots. A road easement and maintenance agreement are required for access to seven of the homes the from a new 24" wide private road. A public access easement is required on the new private road to MacDorsa Park from Erba Lane for pedestrians. There is no plan in place to provide access at this time, the easement will allow for access at a future date and such access will require additional review and approval by the City. The Public Works Department has reviewed the project and recommended approval subject to conditions.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Land Division, LD19-001, for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements of a 1.04 acre site located at Erba Lane (no situs), subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Derek Timm, Mayor

ATTEST:

Tracy A. Ferrara, City Clerk

Exhibit A

Legal

1. The developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.
3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Mitigated Negative Declaration, Planned Development Overlay and Permit, Land Division, and Design Review for a ten-lot subdivision, to construct ten single-family dwellings and related site improvements on a 1.04-acre site located at Erba Lane. The two-story, single-family dwellings and site improvements shall be constructed substantially as shown in the plans prepared by David B. Zulim, received 9/10/20 and 12/17/20 and Gregory Lewis, Landscape Designer, dated September 8, 2020, and as described in writing on the project's technical reports, which are on file in the Planning Department.
5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.
6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of

environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. Prior to removal of trees or a grading permit issuance submit a mitigation and monitoring compliance fee deposit for ten hours of staff time at the current hourly rate. Any unused deposit fee will be refunded prior to final inspection.
8. To ensure that the Mitigation and Monitoring measures are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

9. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.
 - a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.
 - b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

- c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.
 - d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.
10. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.
11. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

Paleontological Resources

12. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
13. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
14. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
15. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
16. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist

- during monitoring and any recovery activities, including assisting with recovery efforts if necessary.
17. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.
 18. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.
 19. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 12-24, below.
 20. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
 21. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
 22. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
 23. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
 24. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

25. All fence and retaining wall design details shall be included on plans submitted for building permit and subject to Planning Department review and approval, prior to issuance of a building permits

Trees

Standard

26. All recommendations in the Arborist Report Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 27, 2020) are incorporated as conditions of project approval. This report includes an exhibit (grading plan) showing replacement tree locations.
27. Tree removal shall not occur until a grading or building permit has been issued for the project.
28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.
29. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
30. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits
31. The project arborist shall routinely inspect the development site through the term of the project.
32. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.
33. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.
34. The project developer shall place a surety bond in an amount equal to the value

of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

Project Specific

35. The arborists recommendations for tree preservation shall be printed on the demolition, grading and construction drawings including: "1) After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company shall meet to review the extent of pruning required to achieve clearance from grading operations; 2) Plant 4 15-gallon cost live oak replacement trees as mitigation for the removal of four coast live oak trees, T39 and T40, in the locations recommend on the grading exhibit; 3) If either T35 or T38 requires removal plant two 15-gallon coast live oak for each tree removed, in the location identified on the attached grading exhibit. Once final plan sets are complete, a tree protection plan, containing tree protection specifications will be required. T
36. The arborist shall monitor and observe hand grading and trenching near the protected trees.
37. If any protection is removed, the arborist shall verify that the fencing and other tree protection measures were correctly reinstalled. The arborist report included a sign to show the tree protection zone, this sign(s) should remain posted in a visible location during construction.
38. Provide a copy of a contract for services for the Community Development Department Director review and approval prior to issuance of a demolition or grading permit.

Landscaping

Standard

39. The landscaping improvements shall be permanently maintained and irrigated.
40. The materials and locations of the landscape retaining walls shall be approved by the Community Development Director prior to issuance of grading or building permit.
41. Landscaping shall comply with State of California Government Code Section

65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

Project Specific

42. The arborists recommended tree replacement locations shown on the exhibit dated 4/29/20, (grading plan) attached to the arborist report, dated 3/27/20, shall be included in the final landscape drawings to be approved by the Community Development Department Director.
43. A final landscape and irrigation plan shall be submitted and shall include the name, number, size, and location for all planting materials, trees and ground covers and tree replacement locations shall be approved by the Community Development Director prior to issuance of grading or building permits.
44. Landscape plans submitted to the City shall include a minimum of four replacement trees. If additional trees are required to be removed or are damaged due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper's warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Lighting

45. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's

46. CC&R's for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The CC&R's shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

Joint Maintenance Agreement

47. Applicant shall provide a Joint Landscape Maintenance Agreement for review and approval by the Community Development Director and Public Works Director for the maintenance of off-site landscaping prior to approval of the Final Map.
48. The curbs along the private ace road and the emergency vehicle turnaround shall be painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards. This condition shall be included in the CCRs.

Affordable Housing

49. Pursuant to Section 14 of the Scotts Valley Municipal Code the project shall comply with all applicable affordable housing requirements including the dedication of units and payment of in-lieu fees.

Public Access Easement

50. To provide for public access to MacDorsa Park from Erba Lane a public access easement is required over Lot A private access road. The City Attorney shall review and approve the public access easement prior to approval of the final map and it shall be recorded concurrently
51. If a future owner would like to make improvements in their rear yard resulting in a greater lot coverage than 55%, this can be allowed with the review and approval of the Director of the Community Development Department.

Public Art

52. The proposed public art will be a custom Bay Photo design mural located on the face of the retaining wall of Lot 10 and Erba Lane. It will be approximately ten feet wide by four feet high and made of metal. The Community Development Director will review and approve the final design.
53. **Mitigation Measure BIO-1: Oak Riparian Woodland - Project Construction.** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:
 - 1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the

construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area.

1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including:

- Conduct construction activities within 20 feet of the riparian woodland during the dry season;
- Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
- Stabilize disturbed soils to minimize erosion and sediment input to the creek;
- Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
- Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction;
- Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseed, repair of silt fencing) if sedimentation or erosion is noted.

54. **Mitigation Measure BIO-2: Oak Riparian Woodland Post-Construction:** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.

- 2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (*Vinca* sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (*Phytophthora* sp.) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (<http://cemarin.ucdavis.edu>).
55. **Mitigation Measure BIO-3: Special status wildlife and nesting birds:** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:
- 3.1 The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.
- 3.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledged the nest(s).

Building Department

Standard

The developer shall obtain any required grading and/or building permit(s) and pay applicable fees

56. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.
57. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.
58. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.
59. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.
60. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.
61. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.
62. Structural calculations shall be submitted and wet-signed by the Engineer of record.
63. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.
64. A soils report by a qualified professional engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

65. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.
66. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.
67. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.
68. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.
69. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

Grading

70. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.
71. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.
72. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
73. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.
74. Air Quality
The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

- a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
- b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
- c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
- d. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
- e. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
- f. No grading activities shall occur during days of high wind velocity.
- g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
- h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.
- i. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Hazardous Materials and Hydrology

75. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
76. Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or into Scotts Valley Drive.
77. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

City Public Works Department- Engineering Division

78. A final subdivision or parcel map in conformance with the California Government A final subdivision or parcel map in conformance with the California Government Code, Section 66410 ET seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.
79. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)
80. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
81. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
82. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
83. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.

84. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
85. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.
86. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.

87. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

88. Impervious area must be shown on coversheet.
89. Dedication of land for Park and Recreational Purposes:
Applicant shall comply with be aware of Muni Code Chapter 16.35 – Dedication of land for Park and Recreation Purposes. Applicant can find the Code of Ordinance on the City of Scotts Valley Website, under Municipal Code.
90. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This undergrounding of utilities to remove utility poles comes in addition to the state

required under grounding of transmission for the project and any new service connections.

91. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording.
92. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic file.
93. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.
94. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.
95. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

96. The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

54. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District
55. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

*Bay Village Planned Development
Erba Lane (no situs)
APNs 022-481-18 & 22
June 16, 2021*

*City Council Resolution No.1997.1
Exhibit A - Conditions of Approval
PD19-001, DR19-005
Page 17 of 17*

Name and Signature of Property Owner

Date

RESOLUTION NO. 1997.2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING PLANNED DEVELOPMENT PERMIT (PD19-001) AND DESIGN REVIEW (DR19-005) FOR THE “BAY VILLAGE PLANNED DEVELOPMENT” IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR A TEN LOT SUBDIVISION FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS, ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNs 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant, for Larry Abitbol, SV Housing LLC, owner, for Planned Development No. PD19-001 and Design Review No. DR19-005 for a ten-lot subdivision for of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04 acre parcel located at Erba Lane (no situs) (collectively referred to as “Application”); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant, for Larry Abitbol, SV Housing LLC, owner, (referred to as “applicant”) has presented substantial evidence which supports the Application; and

WHEREAS, the Application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No 1997; and

WHEREAS, the City Council approved the Planned Development Zoning for the project by adoption of Ordinance No. 16-ZC-230; and

WHEREAS, the City Council approved the Land Division for the project by adoption of Resolution No 1997.1.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following Planned Development Permit findings, as further clarified in the staff report dated June 16, 2021:

1. *The planned development permit, as issued, furthers the policies of the general plan.* The allowable residential density range in High Density Residential General Plan areas is 9 to 15 units per acre. The proposed four-lot single-family residential development on a 0.42-acre site results in a density of nine units per acre consistent with the High Density Residential density range and the existing R-H, High Density Residential density range. Therefore, the proposed four-lot residential development is consistent with the land use permitted in the General Plan and will provide a residential density compatible with those permitted on adjacent sites.

2. *The planned development permit, as issued, conforms in all respects to the planned development zoning of the property.* The “PD” will be an overlay zone to the proposed R-H base zoning districts. The project design meets the requirement of this finding in that approval of the Planned Development and Permit will allow four new single-family homes to be developed utilizing a zero lot line subdivision design on a sloped site, such that each new home will have private yard space and covered garage parking.

3. *That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.* The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional stucco siding, cedar trim accents walls, composition shingle roofing, and window and door trim. The two-story design are approximately 27-feet in height feet, and steps down with the site’s slope reducing site grading, consistent with the General Plan Action OSA-387. The PD will allow exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architecture, quality exterior materials/ finishes/colors, and landscaping will create a visually harmonious project.

4. *The environmental impacts of the project have been reviewed and considered.* The project meets the requirements of this finding in that the Project’s Initial Study and Mitigated Negative Declaration EA18-001 establishes and incorporates mitigation measures that reduce potentially significant impacts to less than significant levels. As proposed and through mitigation measures adopted for the proposed development the long and short-term environmental effects associated with this project will be less than significant.

SECTION 2: The City Council of the City of Scotts Valley does hereby make the following Design Review findings, as further clarified in the staff report dated June 16, 2021:

1. *The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood is appropriate.* The project meets the requirement of this finding in that the proposed single-family homes will be sited appropriately in relation to the existing neighborhood and location at the terminus of the private street. The building pads are designed to step down with the existing slope of the site. The duet-style homes have been sited such that each pair of homes meets the required building side and rear setbacks from adjacent neighbors and are requesting reduced setbacks along the interior, zero side yards that separate each of the duet homes. As proposed the single-family homes are suited to the property, setting, and zoning context.

2. *The materials, colors, proportion, mass and detail of all structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials. Colors shall be appropriate within the context of use and should blend with surrounding structures.* The project meets the requirements of this finding in that the proposed single-family homes, are two-story in height and utilize conventional stucco siding, cedar accent walls, and composition roof shingles, similar to other nearby homes in the neighborhood. The color scheme incorporates natural color tones of light grey and sage green. The variety of quality materials, exterior treatments, finishing details and exterior colors are appropriate and consistent with the City's design review criteria.

3. *The landscaping is in keeping with the character and design of the proposed development. Existing trees shall be preserved whenever possible.* The project, with tree and landscape revisions as depicted and described in the applicant schematic revisions dated September 17, 2018, would meet the requirements of this finding in that the project will provide new landscaping including perimeter trees and shrubs, ground cover, and planted bioretention swales. Retaining walls including foreground landscaping. Terraced landscape wall contain planting selections that cascade down to soften the appearance of the walls. A condition of approval requires that fully developed landscape plans be developed in consultation with the project arborist be prepared and submitted for staff review prior to the City Council hearing.

4. *The size, location, and arrangement of on-site parking and paved areas shall be appropriate.* The project meets the requirements of this finding in that each proposed single-family homes has a two-car garage. Each of the four driveways that serve the homes provides a minimum of one additional uncovered parking space consistent with the City's single-family parking standard.

5. *For ingress, egress and internal traffic circulation, all of the above factors shall be related to the setting or established character of the neighborhood or surrounding area.* The project meets the requirement of this finding in that vehicle access to the site and homes is through a shared, common, parcel. The project's vehicle access and circulation plan, at the end of a private lane, has been designed to accommodate an on-site emergency vehicle "hammer-head" turn-around to accommodate City Fire Department emergency vehicles.

6. For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief. The project does include retaining walls over three feet in height in front yard areas, and a series of terraced retaining walls at the rear of the site over eight feet in height. The front retaining walls allow the development to step down the slope following the natural grade of the site. Landscape plans have developed including foreground plantings to screen and soften the appearance of the front facing retaining walls. Terraced walls at the rear include cascading plant selections that flow over the edges to add visual interest and soften the appearance of the walls. To ensure that the concrete retaining walls do not appear overly bright, a condition of approval has been added that requires the concrete mix include "lampblack" pigment. As proposed, with landscape treatment, and as conditioned to add lampblack pigment to the concrete mix, the retaining walls will appropriately integrate into the site design.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves PD Permit No. PD19-001 and Design Review No. DR19-005 for the Bay Village Planned Development for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04 acre site located at Erba Lane (no situs), subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Derek Timm, Mayor

ATTEST:

Tracy A. Ferrara, City Clerk

Exhibit A

Legal

1. The developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.
3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Mitigated Negative Declaration, Planned Development Overlay and Permit, Land Division, and Design Review for a ten-lot subdivision, to construct ten single-family dwellings and related site improvements on a 1.04-acre site located at Erba Lane. The two-story, single-family dwellings and site improvements shall be constructed substantially as shown in the plans prepared by David B. Zulim, received 9/10/20 and 12/17/20 and Gregory Lewis, Landscape Designer, dated September 8, 2020, and as described in writing on the project's technical reports, which are on file in the Planning Department.
5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.
6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of

environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. Prior to removal of trees or a grading permit issuance submit a mitigation and monitoring compliance fee deposit for ten hours of staff time at the current hourly rate. Any unused deposit fee will be refunded prior to final inspection.
8. To ensure that the Mitigation and Monitoring measures are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

9. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.
 - a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.
 - b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

- c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.
 - d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.
10. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.
11. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

Paleontological Resources

12. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
13. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
14. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
15. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
16. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist

- during monitoring and any recovery activities, including assisting with recovery efforts if necessary.
17. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.
 18. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.
 19. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 12-24, below.
 20. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
 21. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
 22. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
 23. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
 24. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

25. All fence and retaining wall design details shall be included on plans submitted for building permit and subject to Planning Department review and approval, prior to issuance of a building permits

Trees

Standard

26. All recommendations in the Arborist Report Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 27, 2020) are incorporated as conditions of project approval. This report includes an exhibit (grading plan) showing replacement tree locations.
27. Tree removal shall not occur until a grading or building permit has been issued for the project.
28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.
29. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
30. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits
31. The project arborist shall routinely inspect the development site through the term of the project.
32. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.
33. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.
34. The project developer shall place a surety bond in an amount equal to the value

of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

Project Specific

35. The arborists recommendations for tree preservation shall be printed on the demolition, grading and construction drawings including: "1) After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company shall meet to review the extent of pruning required to achieve clearance from grading operations; 2) Plant 4 15-gallon cost live oak replacement trees as mitigation for the removal of four coast live oak trees, T39 and T40, in the locations recommend on the grading exhibit; 3) If either T35 or T38 requires removal plant two 15-gallon coast live oak for each tree removed, in the location identified on the attached grading exhibit. Once final plan sets are complete, a tree protection plan, containing tree protection specifications will be required. T
36. The arborist shall monitor and observe hand grading and trenching near the protected trees.
37. If any protection is removed, the arborist shall verify that the fencing and other tree protection measures were correctly reinstalled. The arborist report included a sign to show the tree protection zone, this sign(s) should remain posted in a visible location during construction.
38. Provide a copy of a contract for services for the Community Development Department Director review and approval prior to issuance of a demolition or grading permit.

Landscaping

Standard

39. The landscaping improvements shall be permanently maintained and irrigated.
40. The materials and locations of the landscape retaining walls shall be approved by the Community Development Director prior to issuance of grading or building permit.
41. Landscaping shall comply with State of California Government Code Section

65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

Project Specific

42. The arborists recommended tree replacement locations shown on the exhibit dated 4/29/20, (grading plan) attached to the arborist report, dated 3/27/20, shall be included in the final landscape drawings to be approved by the Community Development Department Director.
43. A final landscape and irrigation plan shall be submitted and shall include the name, number, size, and location for all planting materials, trees and ground covers and tree replacement locations shall be approved by the Community Development Director prior to issuance of grading or building permits.
44. Landscape plans submitted to the City shall include a minimum of four replacement trees. If additional trees are required to be removed or are damaged due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper's warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Lighting

45. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's

46. CC&R's for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The CC&R's shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

Joint Maintenance Agreement

47. Applicant shall provide a Joint Landscape Maintenance Agreement for review and approval by the Community Development Director and Public Works Director for the maintenance of off-site landscaping prior to approval of the Final Map.
48. The curbs along the private ace road and the emergency vehicle turnaround shall be painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards. This condition shall be included in the CCRs.

Affordable Housing

49. Pursuant to Section 14 of the Scotts Valley Municipal Code the project shall comply with all applicable affordable housing requirements including the dedication of units and payment of in-lieu fees.

Public Access Easement

50. To provide for public access to MacDorsa Park from Erba Lane a public access easement is required over Lot A private access road. The City Attorney shall review and approve the public access easement prior to approval of the final map and it shall be recorded concurrently
51. If a future owner would like to make improvements in their rear yard resulting in a greater lot coverage than 55%, this can be allowed with the review and approval of the Director of the Community Development Department.

Public Art

52. The proposed public art will be a custom Bay Photo designed mural located on the face of the retaining wall of Lot 10 and Erba Lane. It will be approximately ten feet wide by four feet high and made of metal. The Community Development Director will review and approve the final design.
53. **Mitigation Measure BIO-1: Oak Riparian Woodland - Project Construction.** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:
 - 1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the

construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area.

1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including:

- Conduct construction activities within 20 feet of the riparian woodland during the dry season;
- Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
- Stabilize disturbed soils to minimize erosion and sediment input to the creek;
- Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
- Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction;
- Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseed, repair of silt fencing) if sedimentation or erosion is noted.

54. **Mitigation Measure BIO-2: Oak Riparian Woodland Post-Construction:** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.

- 2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (*Vinca* sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (*Phytophthora* sp.) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (<http://cemarin.ucdavis.edu>).
55. **Mitigation Measure BIO-3: Special status wildlife and nesting birds:** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:
- 3.1 The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.
 - 3.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledged the nest(s).

Building Department

Standard

The developer shall obtain any required grading and/or building permit(s) and pay applicable fees

56. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.
57. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.
58. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.
59. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.
60. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.
61. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.
62. Structural calculations shall be submitted and wet-signed by the Engineer of record.
63. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.
64. A soils report by a qualified professional engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

65. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.
66. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.
67. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.
68. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.
69. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

Grading

70. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.
71. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.
72. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
73. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.
74. Air Quality
The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

- a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
- b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
- c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
- d. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
- e. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
- f. No grading activities shall occur during days of high wind velocity.
- g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
- h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.
- i. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Hazardous Materials and Hydrology

75. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
76. Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or into Scotts Valley Drive.
77. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

City Public Works Department- Engineering Division

78. A final subdivision or parcel map in conformance with the California Government A final subdivision or parcel map in conformance with the California Government Code, Section 66410 ET seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.
79. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)
80. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.
81. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
82. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
83. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.

84. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
85. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.
86. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.

87. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

88. Impervious area must be shown on coversheet.
89. Dedication of land for Park and Recreational Purposes:
Applicant shall comply with be aware of Muni Code Chapter 16.35 – Dedication of land for Park and Recreation Purposes. Applicant can find the Code of Ordinance on the City of Scotts Valley Website, under Municipal Code.
90. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This undergrounding of utilities to remove utility poles comes in addition to the state

required under grounding of transmission for the project and any new service connections.

91. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording.
92. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic file.
93. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.
94. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.
95. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

96. The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

54. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District
55. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

*Bay Village Planned Development
Erba Lane (no situs)
APNs 022-481-18 & 22
June 16, 2021*

*City Council Resolution No.1997.1
Exhibit A - Conditions of Approval
PD19-001, DR19-005
Page 17 of 17*

Name and Signature of Property Owner

Date



Minutes

Scotts Valley Planning Commission Meeting was Remote Access Only

Date: May 13, 2021

Time: 6:00 PM

CITY OF SCOTTS VALLEY 1 Civic Center Drive Scotts Valley, CA 95066 831-440-5630	MEETING LOCATION City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	POSTING: The agenda was posted on May 7, 2021, at City Hall and on the Internet at www.scottsvally.org .
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Appointed Officials	City Staff Members
Rosanna Herrera, Chair Lori Gentile, Vice Chair David Hodgkin, Commissioner Steven Horlock, Commissioner Chuck Maffia, Commissioner Eric Taylor, Cultural Resource Commissioner	Taylor Bateman, Community Development Director Brenda Stevens, Associate Planner Jonathan Kwan, Contract Planner Paula Bradley, Contract Planner Steve Tolar, Consultant

CALL TO ORDER: 6:06 pm

ROLL CALL: Present: Gentile, Herrera, Hodgkin, Horlock and Maffia

PUBLIC COMMENT: John Swift addressed the Planning Commission regarding storage facilities in the Commercial Service Zoning District.

ALTERATIONS TO CONSENT AGENDA: None

CONSENT AGENDA:

A. Action Meeting Minutes from the February 18, 2021 meeting.

M/S: Hodgkin / Gentile

To approve the minutes from the February 18, 2021 meeting.

Carried: 5-0-0

Ayes: Gentile, Herrera, Hodgkin, Horlock and Maffia.

Noes: None

ALTERATIONS TO PUBLIC HEARING AGENDA: None.

PUBLIC HEARING AGENDA:

1. **Title:** Capital Improvement Program for FY2021/2026 Consistency Report with the City's General Plan
Address: City-wide
Applicant: City of Scotts Valley
Property Owner: City of Scotts Valley
Project Description: State law requires cities to adopt a Capital Improvement Program (CIP) to implement the cities' General Plan. The CIP is a list of the proposed public works projects. The City's Public Works Department develops the CIP as a 5-year program and updates the program each year. By law, the Planning Commission must review the CIP for consistency with the General Plan.
Staff: Steve Tolar, Consultant, stolar@managementpartners.com
M/S: Horlock / Maffia
To approve Resolution No. 1757 for FY2021/2026 Consistency Report with the City's General Plan.
Carried: 5-0-0
Ayes: Gentile, Herrera, Hodgins, Horlock and Maffia.
Noes: None

2. **Title:** Bay Village Planned Development
Address: Erba Lane (no situs) / APNs 022-481-18 and 22
Planning Permit Application: CR20-001
Applicant: Charlie Eadie, Eadie Consultants
Property Owner: Larry Abitbol
Project Description: Consideration of a Cultural Resource Alteration Application for the proposed construction of 10 single-family dwellings, including two duplex/duets.
Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com
M/S: Taylor / Maffia
To approve Resolution No. 1758 for CR20-001 for the Bay Village Planned Development.
Carried: 6-0-0
Ayes: Gentile, Herrera, Hodgins, Horlock, Maffia and Taylor
Noes: None

3. **Title:** Target Remodel
Address: 270 Mount Hermon Road / APN 022-231-17
Planning Permit Application: PD21-022, DR21-002
Applicant: Brian Leung, Kimley-Horn and Associates
Property Owner: Kevin Pratt, Scotts Valley Phase II, LP
Project Description: Consideration of a Planned Development and Design Review for a proposed Target store located at the existing 57,780 square foot building at the Scotts Valley Square Shopping Center. The project includes exterior modifications to the building design, parking lot modifications for ADA compliance and the Target Drive Up program and new signage.

Staff: Jonathan Kwan, Contract Planner, jonathank@csgengr.com

M/S: Horlock / Maffia

To approve Resolution No. 1759 for PD21-022 and DR21-022 for the Target Remodel.

Carried: 5-0-0

Ayes: Gentile, Herrera, Hodgins, Horlock and Maffia.

Noes: None

4. **Title:** Bay Village Planned Development

Address: Erba Lane (no situs) / APNs 022-481-18 and 22

Planning Permit Applications: PD19-001, LD19-001, DR19-005, EA19-003,

Applicant: Charlie Eadie, Eadie Consultants

Property Owner: Larry Abitbol

Project Description: Consideration of a Planned Development, Land Division, Design Review and Environmental Assessment for the Bay Village Planned Development to subdivide a 1.04-acre site into 10 lots for the construction of 10 units (six detached single-family dwellings and two attached duet/duplexes) and related site improvements, in the High Density Residential General Plan and Zoning District located at Erba Lane (not situs).

Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com

M/S: Hodgins / Horlock

To approve Resolution No. PD19-001, LD19-001, DR19-005 and EA19-003 for the Bay Village Planned Development.

Carried: 5-0-0

Ayes: Gentile, Herrera, Hodgins, Horlock and Maffia.

Noes: None

5. **Title:** 4303-B Scotts Valley Drive Planned Development

Address: 4303-B Scotts Valley Drive

Planning Permit Applications: PD-19-004, MLD19-002, DR19-014, EA-19-010

Applicant / Property Owner: Rick Hochler, Hochler and Ross Family Trust

Project Description: Consideration of a Planned Development, Minor Land Division, Design Review and Environmental Assessment, for a three-lot subdivision and a common parcel on a 0.43-acre site in the High Density Residential General Plan and Zoning District. Two new single-family dwellings and a new attached two-car garage for an existing single family dwelling is proposed.

Staff: Paula Bradley, Contract Planner, pbradley@mbakerintl.com

M/S: Gentile / Horlock

To approve Resolution No. PD19-004, MLD19-002, DR19-014 and EA19-010 for the 4303-B Scotts Valley Drive Planned Development.

Carried: 5-0-0

Ayes: Gentile, Herrera, Hodgins, Horlock and Maffia.

Noes: None

ALTERATIONS TO REGULAR AGENDA

(Commission can remove or add items to the Regular Agenda.)

REGULAR AGENDA

(Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

None.

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS: None.

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY: None.

DIRECTOR UPDATES: None.

ADJOURNMENT: 9:34 pm

City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT

Date: May 13, 2021

**Applicant /
Property Owner:** Charlie Eadie, Eadie Consultants / Larry Abitbol, SV Housing LLC

Applications: Planned Development Permit PD19-001, Land Division LD19-001,
Design Review DR19-005, Environmental Assessment EA19-003,
Environmental Review ND20-001

Location: Erba Lane (no situs) / APNs 22-481-18 and 22

General Plan / Zoning: High Density Residential / R-H, Residential High Density

Environmental Status: Mitigated Negative Declaration

Request: Consideration of a Planned Development, Land Division, Design Review, Environmental Review for the Bay Village planned development to subdivide a 1.04-acre site into ten lots for the construction ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements, in the High Density Residential General Plan and Zoning District located at Erba Lane (no situs)

Staff Planner: Paula Bradley, Contract Planner, (831) 345-5482
pbradley@mbakerintl.com

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the proposed project based on findings and conditions contained in the attached Resolution and Exhibit A.

SITE AND PROJECT DESCRIPTION

The project site consists of two existing lots that will be subdivided into ten lots and two common lots. The subject parcels are currently vacant and used as a partially paved parking lot. The proposed new lots would range in size from 2,750 to 3,691 square feet (sf), with an undeveloped common area for the riparian woodland area (Lot B – 10,681 sf) and an access road for seven of the units (Lot A – 3,557 sf). The project includes the construction of ten two-story, single-family homes including four duplex/duets, all with attached two-car garages. The project includes nine 3-bedroom, 2.5 to three-bathroom homes, which range in size (including garages) from 2,252 sf to 2,637 sf, and one 2,770 sf 4-bedroom unit with three bathrooms. The site gently slopes to the southeast towards Scotts Valley Drive where new private access road will be located and where most of the site grading and infrastructure will occur.

Existing land uses on adjacent parcels includes single and multi-family housing, office, and quasi-public use (fire station across the street). The eastern property line is described as an oak riparian woodland by the project biologist with an intermittent creek/drainage channel, and across the creek is MacDorsa Park, owned by the City of Scotts Valley. The creek is dry most of the year and ends where it is undergrounded by a storm drainpipe at the south eastern edge of the park. All public utilities necessary to serve the proposed development are available to the site.

Retaining walls will be constructed along the property lines in the southeast, south, northwest corners and between most of the lots to create level building pads on the sloped site. To delineate the existing oak riparian woodland habitat that extends along the eastern boundary of the project site, a split rail fence will be constructed along the boundary.

Fronting Erba Lane, the project includes a five-foot sidewalk and six-foot landscaped planting strip. The landscaping strip is designed to provide a green buffer as a tree-lined residential street and since the homes have a reduced front setback limiting the landscaping area. The project will construct a new 24-foot wide private road, accessed from Erba Lane, providing access to seven of the residential units (Lots 4 through 10). Ten on-street public parking spaces will be constructed along with the new sidewalk along Erba Lane.

PROPOSED ENTITLEMENTS

The project requires the following planning permits:

1. Planned Development Zoning – The proposed project is requesting to establish specialized planned development zoning standards that are exceptions from lot size, shape, and lot coverage standards of the R-H zoning regulations.
2. Subdivision – The project proposes to subdivide an existing 1.04-acre site into ten-lots and two common lots, one that provides shared vehicle access to seven of the residential units and one to preserve the riparian woodland area, and includes utilities and the required on-site stormwater retention facilities that serve the subdivision.

3. Design Review – Architectural and site plan review is required for all structures, alterations to structures and signage in the R-H zoning district pursuant to Municipal Code (R-H) Section 17.10.050. Design review is also required for the retaining walls and fences over three-foot height in the front yard setback and over six-foot height on the sides or rear yard setbacks.

Each of these requested entitlements and the proposed development's compliance with General Plan and Zoning standards are discussed below.

DISCUSSION AND ANALYSIS

The project is requesting approval of a Planned Development Zoning, Subdivision, Design Review, and Environmental Review. The following section provides an analysis of the relevant general plan and zoning standards, requested development entitlements and environmental conditions associated with the proposed project.

BACKGROUND

In 2006 and 2015 General Plan Amendments and Zone Changes from Public/Quasi Public (PQ/P) to High Density Residential (HD-R) were approved for the two City-owned parcels. The purpose of the General Plan Amendments and Zone Changes was, consistent with the land use policies, to encourage the redesignation of non-residential parcels for residential use to meet housing needs and at higher densities along transportation corridor to encourage residential development. The subject site is adjacent to High Density Residential zoning and use and is next to a public park.

The project is situated in the R-H, High Density Residential Zoning District. The table below describes the projects compliance with the R-H, zoning standards and the requested development exceptions.

Zoning Compliance Table – 22 Blake Lane				
R-H, High-Density Residential				
	Standard	Proposed	Compliance	Comment
Density	3,000 sf/unit max (15 units max); 9-15 units/ ac	10 units; 9.6 units/acre	Yes	
Lot Area	6,000 sf	Lot sizes vary from 2,750 to 3,691 sf	No	PD needed
Lot Width	60'	Lots vary from 35.2' to 94' (Lot 1)	No	PD needed
Lot Depth	60'	Lots vary from 54.67' to 90.95'	Partial	PD needed
Setbacks - Front	20'	Lots vary from 1.5' (Lots 1 and 6) to 20' (excluding front porches)	Partial	PD needed
- Side	10% of lot width, 5' min	Lots vary from 3'4" (Lot 6), all others are 5'	Partial	PD needed
- Rear	20% of lot depth, 15' min	Lot 6 is 3'4", others vary from 4' to 18'	Partial	PD needed
Height	35' maximum	28' to 35'	Yes	
Site Coverage	55% maximum	33.6 % overall, average lot 40%	Yes	PD needed

Parking	2-car garage + 1 uncovered	2-car garage + 2 uncovered	Yes	
Retaining Walls	Design Review for retaining walls/fences in front and rear >3 and 6-ft	Walls topped by wood fence vary from 8' – 11'ft height front, and 6.5' – 11' height side and rear, terraced	No	Subject to Design Review

The applicant is requesting exceptions to the development standards through the Planned Development process for: 1) reduced lot sizes; 2) reduced lot width and lot depth; 4) reduced front, side, and rear yard setbacks. In addition, the proposed retaining walls topped with wood fences are higher than three-feet in portions of the front yard setbacks and exceed six-feet in height in portions of the side and rear yards and are subject to Design Review.

The requested exceptions and analysis are discussed in the sections below:

PLANNED DEVELOPMENT / MINOR LAND DIVISION: The Zoning Code requires every Planned Development District to be combined with an alternative base zoning district. In this case, the alternative base zone requested for this development is the High-Density Residential District (R-H). The project is requesting a Planned Development to establish specialized development standards that reflect exceptions from the proposed R-H Residential zoning regulations to accommodate the proposed residential development.

The table below provides lot sizes and site coverage proposed with the proposed subdivision.

Lot Size and Coverage Table					
	Lot Area	Dwelling Size (including garage)	Lot Width	Lot Depth	Site Coverage (not including impervious area)
Lot 1	3,441	2,768	94'	13.07 and 54.67	40%
Lot 2	3,080	2,637	56'	54.67'	42%
Lot 3	3,116	2,637	56'	54.67'	42%
Lot 4	3,691	2,252	45.83'	90.95'	35%
Lot 5	3,235	2,252	38'	76.63'	40%
Lot 6	2,772	2,303	58.89'	76.63'	35%
Lot 7	3,329	2,438	38.95'	78.36'	36%
Lot 8	2,750	2,438	35.25'	78'	44%
Lot 9	2,750	2,546	35.25'	78'	44%
Lot 10	3,037	2,546	35.2'	78'	42%
Common Lot Parcel A	3,562	0	24' private road	142.71'	0
Common Lot Parcel B	10,483	0	Irregularly shaped	Irregularly shaped	0

According to the General Plan, the purpose of Planned Development Zoning is to provide the means to tailor zoning regulations and to apply specific standards for the development of a particular site. This process enables the City Council to consider the unique characteristics of a site and its surroundings to better implement the citywide objectives, goals, and policies of the General Plan and to provide site-specific development standards. Anytime Planned Development zoning is utilized, the standards established for the zoning district, which

reflects the General Plan designation are tailored as part of a planned development. Tailored zoning regulations include, but are not limited to, lot size and shape, intensity, coverage, and appearance of structures.

The applicant originally proposed a twelve-lot subdivision with 12 new single-family homes, with development in the riparian woodland area. After the biologist determined the riparian woodland boundary, the project was redesigned as ten lots to avoid development in this area. This created a physical constraint resulting in irregularly shaped lots and reduced front, side, and rear yard setbacks.

To avoid development in the oak riparian woodland, the applicant is requesting exceptions to the development standards through the Planned Development process for: 1) reduced lot sizes; 2) lot width; and 3) lot depth; The ten-lot subdivision, as designed, with ten new two-story single-family homes, with on-site parking is consistent with other single and multi-family homes in the surrounding area.

Front, Side and Rear Yard Setbacks: The applicant is requesting exceptions to the development standards through the Planned Development process for reduced front, side and rear yard setbacks. The zoning code standard for the front yard setback is 20-feet from the building to road right-of-way. Front yard setbacks vary from 1.5' to the front porch for Lots 1 and 6, and 6' to 20' excluding the front porches. Required side setbacks are 5' minimum and proposed are 3'4" for Lot 6, all others are 5'. Rear yard setbacks vary from 3'4" (Lot 6) to 18' where a minimum of 15' is required'. Reduced front, side and rear yard setbacks within a planned unit development is a standard practice as a way to achieve appropriate residential densities and can be allowed through the Planned Development process.

Lot Size and Site Coverage: Site coverage is defined as the percentage of site area that may be covered by impervious surfaces, including all structures, open or enclosed or projections of structures. As shown in the tables above, the maximum allowable site coverage in the R-H zoning district is 55-percent. Project plans indicate an overall site coverage of 33.6-percent, which is below the maximum site coverage. The common Lot A, private roadway includes permeable paving which is not included in the site coverage. The proposed new lots range in size from 2,750 to 3,691 square feet (sf), where the R-H zoning standard is 6,000 square feet with an undeveloped common area for the riparian woodland setback (Lot B – 10,681 sf) and a shared access road (Lot A – 3,557 sf).

The new lots lot coverage does not meet the maximum lot coverage requirements, and it is anticipated that future individual owner's yard improvements could result in additional impervious area over 55%. Staff recommends that greater lot coverage in the rear yards be allowed. The 10,483 square foot riparian area could be considered an offset for a greater percentage of impervious area for the individual lots. A condition of approval has been added to allow for additional future lot coverage at the discretion of the Community Development Director.

On-Site Parking and Driveway Design: The project meets or exceeds the single-family parking requirements by providing a two-car garage for each unit and a 20-foot deep driveway for two additional vehicles. No parking would be allowed in the access road and ten off-site public parking spaces will be created on Erba Lane. City standards limit the amount of

paved area in front yards, allowing for landscaping to provide visual relief. However, in this case, common Lot A provides a private shared road for vehicle access serving seven of the proposed homes limiting landscape area. The front half of Lot A common parcel would have pervious pavers and contains subsurface on-site stormwater retention infrastructure.

DESIGN REVIEW: The Design Review process requires architectural and site plan review for all structures by the Planning Commission. The Design Review process is established to carry out the objectives of the City's General Plan and related zoning regulations and to ensure that permits for construction will be carried out in a manner which is not detrimental to the surrounding uses and is consistent with the overall planning goals of the city.

Building architecture and site design: The development proposes ten new, two story homes 28' 6" feet to 34'2" feet in height. The new homes incorporate horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with a front porch with a gable roof and wood timber details. The roof forms include gables and shingles or lap siding under the gables with wood brackets. Second floor balconies include brown iron railings. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles, and the roof will accommodate future solar panels. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The colors will be unique for each home and proposed colors are shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The stone veneer is two natural stone brown/gray/ buff colors. The garage doors will be metal insulated doors with have sections and divided lights at the top with a wood trellis' over the garage doors. The architectural details, materials, mass, and colors of the proposed residential units are high quality and are consistent with newer single-family homes, compatible with the surrounding area.

Retaining Walls and Fences: The project site slopes towards Scotts Valley Drive to the southeast. To accommodate the site grades and create level building pads the project requires retaining walls be constructed along the property lines in the southeast, south, northwest corner and between most of the lots. The tan color concrete block retaining walls will be topped with solid plank redwood privacy fences. Along Erba Lane on the front left half of Lot 1, a retaining wall would be below grade and topped by a six-foot in height redwood fence. Also, along the Erba Lane side of Lot 10 would be an above grade retaining wall varying in height from up to 5'-8" topped by a 42" to six-foot in height redwood fence. The rear property line of Lots 7 to 10 would have a retaining wall vary from 5'-8" to 6'-6" height topped by a six-foot redwood fence.

As previously stated, retaining walls over three-feet in height in front yards and six-feet in the side and rear yards are subject to design review.

Park Access

Currently MacDorsa Park is accessible from Erba Lane through the project site and from the office building parking lot across the creek/drainage area. There are natural paths and an existing access leading towards the Police Department. Due to security concerns with the additional residents, the Police Department requested that this pathway be relocated. The

City discussed the need for public access to the park with the applicant, and that it would be better located via the proposed new private road. A public access easement for pedestrians over the proposed new private road is included as a condition of project approval. There is no plan in place to provide access at this time, the easement will allow for access at a future date and such access will require additional review and approval by the City.

Protected Trees and Riparian Woodland Resources: The applicant submitted an arborists report, dated 11/30/2017 and a Summary Arborist's Report, Revisions to Preliminary Tree Inventory & Assessment, dated 3/27/2020, which evaluates 14 oak trees on the project site. Twenty-six oak trees are rooted on the City owned property and creek area and grow somewhat horizontally so the dripline is on the subject property. After the biologist determined the riparian woodland boundary location, the project was redesigned as a ten-lot subdivision to avoid development in the riparian area and to preserve the oak trees. Two trees are proposed to be removed, although a total of six trees (closest to Lot 6) may be impacted by construction. With the implementation of the standard tree protection conditions and the and Mitigation Measures, the trees will be protected and preserved. Replacement trees are required at a 2:1 ratio, 15-gallon or 24-inch box trees. The landscaping includes a total of 22, 15-gallon size trees. The landscape planting strip along Erba Lane will include 11 street trees to create a tree lined street.

To protect the oak riparian woodland habitat that extends along the eastern boundary of the project site, a 3'-6" in height split rail wood fence will be constructed designating the riparian boundary (Lot B). This oak riparian woodland area will remain undeveloped and structures including solid fences, recreational or other equipment, and storage are prohibited. The CC&Rs will include the required prohibitions and HOA landscape maintenance of this area. The retaining walls between lots one to five taper into the riparian boundary. Retaining walls and side yards for Lot 6 and 7 encroach into the riparian woodland area and the 25' creek top of bank, and the biologist determined that this would be a minor encroachment and would not cause an impact to the riparian area. The biologist and arborist reviewed the revised plan and concluded that with the implementation of the mitigation measures and standard tree preservation measures this would not result in an impact to the area. The oak trees in the riparian area grow semi-horizontally and may require pruning and hand grading to avoid construction impacts to the trees. The arborist noted that the eastern side of Lot 7 could accommodate replacement trees. A mitigation measure includes preconstruction surveys for nesting birds and dusky-footed woodrat nests.

Landscaping: The project proposes to incorporate irrigated landscaped front yards. Lots 4, 5 7 to 10 will have artificial turf with trees, shrubs, and ground cover. Twenty-two 15-gallon trees including four replacement trees and eleven street trees in the landscape planter strip are included. A condition of approval and mitigation measures require that future landowners/tenants not use invasive nonnative plant species for landscaping, and this will also be required in the CC&Rs.

Public art: Proposed public art will be a custom Bay Photo design mural located on the face of the retaining wall of Lot 6 and Erba Lane. It will be approximately ten feet wide by four feet high. A condition of approval will require the review and approval of the final design by the Community Development Director.

Lighting: The project proposes two bollard lights at the entry of the private driveway and exterior lighting fixtures are dark sky friendly and shielded. These are proposed for the front porches, the sides of the garage doors, and the rear and side yards. Recessed lighting proposed for the front porch ceiling or under the balconies. A mitigation measure requires that lighting be directed away from the riparian area so that it is not illuminated and no night lighting. A standard condition of approval will require that all exterior lighting be downward shining and shielded.

Cultural Resources: The project site is in a designated moderate and high sensitivity for cultural resources. An Extended Phase I Archaeological Assessment dated 3/04/2020 was completed for the project and concluded that there were no intact prehistoric or historic era archaeological deposits. and that standard conditions of approval for archaeological and paleontological resources will ensure there will be no potential impacts. The report also recommended in addition to archaeological monitoring, Native American monitoring during all ground disturbing activity which is also required as a condition of approval.

ENVIRONMENTAL DETERMINATION

A Mitigated Negative Declaration (MND) was prepared for the proposed development consistent with the requirements of the California Environment Quality Act. Project related environmental impacts were identified and includes mitigation measures that reduce the potential impacts to less than significant. With the implementation of two biological mitigation measures there will be no impacts to vegetation, wildlife or riparian woodland or any other biological resources. The project would not degrade the quality of the environment or contribute to cumulative impacts to environmental resources. The MND was circulated for 30 days as required, from March 30, 2021 through April 30, 2021.

PUBLIC NOTICE & COMMENT

A public notice was posted on site and mailed to surrounding property owners within 300 feet pursuant to State law. As of the date of this staff report two comments emails have been received on the proposed development and are attached. The concerns included increased traffic, a narrower street, pedestrian safety, and the loss of the parking and use of the site by the fire department and construction noise. Two letters were received from neighbors concerning increased traffic and a narrower street, pedestrian safety, loss of parking, loss of the use the vacant lot for the Fire Department and fire department access and circulation, and construction noise and debris.

FINDINGS AND CONCLUSION

Staff finds that the project's architectural and site plans respond appropriately to the site and surrounding area and recommends that the Planning Commission forward an affirmative recommendation to the City Council on the proposed four lot residential subdivision, Planned Development District and Permit, and Design Review subject to findings and conditions contained in the attached Resolution and Conditions of approval.

ATTACHMENTS

Resolution and Conditions of Approval (Action Item) 10

1. Location Map..... 11

2. Project Plans 12

3. Draft Initial Study (3/22/2021) and Attached Reports29

 a. Biological Assessment, by Biotic Resources Group, 5/31/2019

 b. Addendum to Biological Assessment, by Biotic Resources Group, 5/31/19

 c. Arborists Report Tree Appraisal & Inventory, by Kurt Fouts, 11/30/2017

 d. Summary Arborist’s Report Revisions to Preliminary Tree Inventory &
 Assessment, by Kurt Fouts, 3/27/2020

 e. Appendix C - Tree Appraisal & Inventory, by Kurt Fouts, 4/29/2020

 f. Extended Phase I Archaeological Assessment, by Albion, 3/04/2020

4. Public Comments 364

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF A MITIGATED NEGATIVE DECLARATION (ND20-001), LAND DIVISION (LD19-001), PLANNED DEVELOPMENT OVERLAY AND PERMIT (PD19-001), DESIGN REVIEW (DR19-005), FOR THE BAY VILLAGE PLANNED DEVELOPMENT CONSISTING OF A TEN-LOT SUBDIVISION AND TWO COMMON LOTS ON A 1.04-ACRE SITE IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR 10-SINGLE FAMILY DWELLINGS (SIX DETACHED AND FOUR ATTACHED DUETS/DUPLEXES) AND RELATED SITE IMPROVEMENTS, SUBJECT TO CONDITIONS OF APPROVAL, LOCATED AT ERBA LANE // APN 022-481-18 AND 22

WHEREAS, the City of Scotts Valley has received an application and technical reports from Charlie Eadie, Eadie Consultants, applicant, and Larry Abitbol, SV Housing LLC, property owner, to subdivide a 1.04-acre site into ten lots and two common lots to construct ten units (six detached single-family dwellings and four attached duet/ duplexes) and related site improvements, in the high density residential general plan and zoning district, located at Erba Lane (no situs), as shown on project plans on file with the Planning Department / APN 022-481-18 and 22; and

WHEREAS, the applicant has presented substantial evidence which supports the application; and

WHEREAS, the application is a “project” pursuant to the California Environmental Quality Act (“CEQA”), which requires environmental review; and

WHEREAS, the City conducted an Initial Study and prepared a Mitigated Negative Declaration (IS/MND), in accordance with the State CEQA Guidelines and requirements. The IS/MND was duly noticed, published, and distributed for a 30-day public review period from March 30, 2021 through April 30, 2021 (5:00 p.m.), and was made available for public review, on the City’s website; and

WHEREAS, the Planning Commission held duly published and noticed public hearings on May 13, 2021, to review and consider the proposed development and the requested planning permits (entitlements), hear public testimony, and provide comments and recommendations to the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Scotts Valley (“Commission”), that the Commission hereby recommends to the City Council:

SECTION 1: That the IS/MND has been completed in compliance with the requirements of CEQA and that the Planning Commission has reviewed and considered the information within the IS/MND.

SECTION 2: That the IS/MND represents the independent judgment and analysis of the City.

SECTION 3: That the City Council certify the MND based on the following findings pursuant to CEQA and the CEQA Guidelines Section 15074:

1. ***An initial study has been prepared by the City of Scotts Valley to evaluate the potential for adverse environmental impacts.*** City consultant conducted an Initial Study for the project and prepared a Mitigated Negative Declaration and determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment, plant or wildlife resources with the implementation of identified standard conditions of approval.
2. ***The Mitigated Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA).*** The Mitigated Negative Declaration was completed in compliance with CEQA, was published and distributed to the applicable agencies, and was made available for public review for a 30-day period from March 30, 2021 to April 30, 2021.
3. ***The environmental determination represents the independent judgment of the City.*** The Mitigated Negative Declaration was prepared by City consultant. All reports and supporting information have been reviewed and approved by the applicable City Department Heads.
4. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** Copies of the Mitigated Negative Declaration and the referenced technical and/or environmental studies that were submitted for the project have been made available to the public on the City's website.
5. ***Based on the Initial Study and when considering the record as a whole, there is no evidence before the City of Scotts Valley, including the information in the Mitigated Negative Declaration and comments of appropriate reviewing agencies, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which it depends.*** A Biological Assessment was prepared for the project site (Biotic Resources Group, May 31, 2019), and an Addendum to the Biological Assessment was prepared based on the revised site plan which represents the proposed project (Biotic Resources Group, May 31, 2020). Similarly, a Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared based on the revised site plan (Kurt Fouts, March 27, 2020 and Appendix C dated 4/29/20). With the implementation of the City's standard conditions of approval and the implementation of three biological mitigation measures (MM BIO-1, MM BIO-2, and BIO-3) impacts associated with vegetation, riparian woodland, wildlife, nesting birds, and other biological resources would be reduced to a less than significant level. Therefore, the project will not result in any adverse impacts to fish and

wildlife habitat or other resources.

SECTION 4: Approve the Planned Development District Overlay and Permit based on the following findings, subject to Conditions of Approval (Exhibit A) attached hereto and incorporated herein:

6. ***That the Planned Development Zoning District Overlay and Permit (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the project proposes two new single-family dwellings within lands designated R-H, High Density Residential on the City's General Plan map. The project is consistent within the General Plan density range of 9 to 15 units per acre, and results with a density of 9.6 units per acre. The project includes the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages. Common Lot A is for a private road which provides access to seven of the residential units (lots seven to ten) and stormwater infrastructure. The homes are of a conventional design that is consistent with the character of the neighborhood. Further, the project improves and upgrades a previously undeveloped and underutilized site providing housing opportunities for ten families.
7. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and that of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning district. The resulting R-H/PD zone allows specific development standards to address to accommodate unique circumstances related to lot size and shape, intensity, coverage, and appearance of structures. After the biologist determined the riparian woodland boundary location, the project was redesigned from a twelve-lot subdivision with 12 new single-family dwellings, as ten lot subdivision to avoid development in the riparian area. This created a physical constraint resulting in very irregularly shaped lots and reduced front, side, and rear yard setbacks and requested exceptions to the development standards as allowed in a PD district.
8. ***That the PD conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H base zoning district. The project design meets the requirement of this finding in that approval of the Planned Development and Design Permit will allow the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages and private yards. The Planned Development zoning allows exceptions to the development standards to accommodate the proposed lot configuration with reduced lot sizes, width and depths, reduced front, side, and rear setbacks. Each new home will have private yard space, two covered garage parking space and two uncovered parking spaces.
9. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with a front porch with a gable roof and wood timber details. The

forms include gables with shingles or lap siding under the gables and wood brackets. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The proposed colors will be unique for each home and include shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The stone veneer are two natural stone brown/gray/ buff colors. The garage doors will be metal insulated doors with sections and divided lights at the top with a wood trellis' over the garage doors. The two-story homes are approximately 28 to 30-feet in height feet similar to other nearby homes in the neighborhood. As designed consistent with the General Plan Action OSA-387. The PD allows exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architectural details, materials, mass, and colors of the proposed residential units are high quality and are consistent with newer single-family dwellings, compatible with the surrounding area. The architecture, quality exterior materials/ finishes/colors, and landscaping will create an aesthetically harmonious project.

- 10. *The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Mitigated Negative Declaration MND20-001 and determined that there would be no potentially significant adverse environmental impacts and the project will not degrade the quality of the environment with the implementation of identified standard conditions of approval and three Mitigation and Monitoring measures.

SECTION 5: Approve the Land Division based on the following findings, and as shown on the plans submitted, subject to Conditions of Approval (Exhibit B) attached hereto and incorporated herein:

- 11. *That the location of the uses is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.*** The project meets the requirements of this finding in that the project provides ten new single-family dwellings in the R-H, High Density Residential Zoning District. The homes utilize conventional materials and design details that integrate into the surrounding residential neighborhood.
- 12. *That the proposed tentative map/land division, together with the provisions for its design and improvement, is consistent with the General Plan.*** The project meets the requirements of this finding in that the ten-lot residential development on the 1.04-acre site is consistent with the General Plan High Density Residential density range. The subdivision design and the related property improvements create ten new single-family dwellings with attached two-car garages, private yard spaces for each new home and establishes an homeowner's association to share in the maintenance of common driveways landscaping and the oak riparian woodland area, retaining walls and stormwater infrastructure. The project as proposed and conditioned is consistent with goals and objectives of the General Plan.

13. ***That the project site is physically suitable for the density of the land division.*** The project meets the requirement of this finding in that the 1.04-acre site is sufficient in size to accommodate the ten-lot subdivision and related improvements including two-car garages and private yard areas for each unit. The ten-lot subdivision is consistent with both the General Plan and Zoning density ranges. Public services are available, and utilities are of adequate capacity to accommodate the project.
14. ***That the design of the land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*** The project meets the requirements of this finding in that the MND determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment or impact fish wildlife or habitat with the implementation of identified standard conditions of approval
15. ***That the design of the land division or the type of improvements is not likely to cause serious public health problems.*** The project will not generate hazardous emissions nor be a storage facility for hazardous/ combustible materials. During project grading and construction, to reduce dust generation to minimal levels and to prevent sedimentation and discharge of contaminants off-site, standard conditions of approval require the grading and construction contractors to implement best management practices (BMPs). The MND evaluated that the project is not expected to cause serious public health problems.
16. ***That the design of the land division will not conflict with easements acquired by the public at large (for access through or use of property within the land division).*** The project meets the requirement of this finding in that there are no conflicts with easements known to affect the project site. A common lot provides a private access road and utilities and maintenance easement benefitting the ten lots. A road easement and maintenance agreement are required for access to seven of the homes the from a new 24" wide private road. A public access easement is required on the new private road to MacDorsa Park from Erba Lane for pedestrians. There is no plan in place to provide access at this time, the easement will allow for access at a future date and such access will require additional review and approval by the City. The Public Works Department has reviewed the project and recommended approval subject to conditions.

SECTION 6: Approve Design Review based on the following findings, subject to Conditions of Approval (Exhibit A) attached hereto and incorporated herein:

17. ***The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood is appropriate.*** The project meets the requirements of this finding in that the proposed single-family dwellings will be sited appropriately in relation to the existing neighborhood and fronting on Erba lane and on a private road. The site gently slopes towards Scotts Valley Drive and retaining walls are required for level building pads. After the biologist determined the riparian woodland boundary, the project was redesigned to avoid development in the riparian area. Avoiding development in the riparian area created a physical constraint resulting in very irregularly shaped lots and reduced front, side, and rear yard setbacks. The physical constraints of the site require exceptions from the

development standards as allowed in a PD district, which are common on infill developments in the area such as the private access road and requirements for on-site stormwater retention. As proposed the single-family dwellings are suited to the property, setting, and zoning context.

18. ***The materials, colors, proportion, mass, and detail of all structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of materials. Colors shall be appropriate within the context of use and should blend with surrounding structures.*** The project is consistent with this finding in that the buildings incorporate conventional horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with natural stone brown/gray/ buff colors, and a front porch with a gable roof and wood timber details. The roof forms include gable, hip, and shed roof forms with shingles or lap siding under the gables and wood bracket details. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The proposed colors will be unique for each home and include shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The two-story homes are approximately 28 to 30-feet in height feet similar to other nearby homes in the neighborhood. The variety of quality materials, exterior treatments, finish details and exterior colors are appropriate and consistent with the City's design review criteria.
19. ***Landscaping and irrigation plans shall be required on the site. Landscaping shall be in keeping with the character or design of the building. Existing trees shall be preserved wherever possible.*** The project, with tree and landscape design and plantings as depicted and described in the plans dated September 8, 2020 would meet the requirements of this finding in that the project will provide new landscaping including replacement trees, shrubs, and ground cover. Two protected oak trees are proposed to be removed and four additional trees may be impacted by construction. With the implementation of standard conditions of approval and mitigation measures the remaining trees will be preserved. Replacement trees are required at a 2:1 ratio and 22 trees are proposed including 11 street trees on the landscape plan. Preliminary landscaping and irrigation details have been reviewed. A condition of approval requires that final landscape and irrigation plans be submitted for staff review and approval by the Community Development Director.
20. ***The size, location and arrangement of on-site parking and paved areas shall be appropriate.*** The project meets the requirements of this finding in that each proposed single-family home has an attached two-car garage and exceeds the single-family parking requirements by providing a two-uncovered parking spaces on a 20-foot deep driveway. No parking would be allowed in the private road and ten off-site public parking spaces will be created on Erba Lane. Common Lot A provides a shared road for vehicle access serving seven of the proposed homes. The front half of Lot A common parcel incorporates pervious pavers and contains sub-surface on-site stormwater retention infrastructure.
21. ***For ingress, egress, and internal traffic circulation, all the above factors shall be related to the setting or established character of the neighborhood.***

or surrounding area. The project meets the requirement of this finding in that vehicle access to the site from Erba Lane and access to seven of the homes driveways is through a shared, common, private road (Lot A).

22. For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief.

The project site slopes towards Scotts Valley Drive to the southeast. To accommodate the site grades and create level building pads the project requires extensive retaining walls to be constructed along the property lines in the southeast, south, northwest corner and between most of the lots. The tan color concrete block retaining walls will be topped with solid plank redwood privacy fences. Along Erba Lane on the front left half of Lot 1, a retaining wall would be below grade and topped by a six-foot in height redwood fence. Also, along the Erba Lane side of Lot 10 would be an above grade retaining wall varying in height from up to 5'-8" topped by a 42" to six-foot in height redwood fence. The rear property line of Lots 7 to 10 would have a retaining wall vary from 5'-8" to 6'-6" in height topped by a six-foot redwood fence.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the Planning Commission of the City of Scotts Valley recommends City Council certify a Mitigated Negative Declaration MND20-001, approve a Planned Development Overlay and Permit PD10-001, a Land Division LD19-001, Design Review DR19-005, for the Bay Village planned development to subdivide a 1.04-acre site into ten lots and two common lots to construct ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements, located at Erba Lane (no situs) / APN 022-481-18 and 22 subject to Conditions of Approval (Exhibit A), and project development plans which are attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the Planning Commission of the City of Scotts Valley at a meeting held on the 13th day of May 2021, by a vote of as follows:

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved: _____

Planning Commission Chair

Attest: _____

Taylor Bateman

Community Development Director

Exhibit A

Legal

1. The developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.
3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Mitigated Negative Declaration, Planned Development Overlay and Permit, Land Division, and Design Review for a ten-lot subdivision, for ten single-family dwellings and a detached two-car garage for the existing single family dwelling to be consistent with the parking requirements and related site improvements on a 1.04-acre site located at Erba Lane. The two-story, single-family dwellings and site improvements shall be constructed substantially as shown in the plans prepared by David B. Zulim, received 9/10/20 and 12/17/20 and Gregory Lewis, Landscape Designer, dated September 8, 2020, and as described in writing on the project's technical reports, which are on file in the Planning Department.
5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.
6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.
7. Prior to removal of trees or a grading permit issuance submit a mitigation and monitoring compliance fee deposit for ten hours of staff time at the current hourly rate. Any unused deposit fee will be refunded prior to final inspection.

8. To ensure that the Mitigation and Monitoring measures are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

9. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.
 - a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.
 - b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.
 - c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.
 - d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.
10. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.
11. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the

appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

Paleontological Resources

12. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
13. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
14. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
15. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
16. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.
17. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.
18. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.
19. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 19-23, below.
20. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
21. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
22. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
23. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
24. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

25. All fence and retaining wall design details shall be included on plans submitted for building permit and subject to Planning Department review and approval, prior to issuance of a building permits

Trees

Standard

26. All recommendations in the Arborist Report Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 27, 2020) are incorporated as conditions of project approval. This report includes an exhibit (grading plan) showing replacement tree locations._
27. Tree removal shall not occur until a grading or building permit has been issued for the project.
28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.
29. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
30. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits
31. The project arborist shall routinely inspect the development site through the term of the project.
32. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.
33. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.
34. The project developer shall place a surety bond in an amount equal to the value of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be

drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

Project Specific

35. The arborists recommendations for tree preservation shall be printed on the demolition, grading and construction drawings including: "1) After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company shall meet to review the extent of pruning required to achieve clearance from grading operations; 2) Plant 4 15-gallon cost live oak replacement trees as mitigation for the removal of four coast live oak trees, T39 and T40, in the locations recommend on the grading exhibit; 3) If either T35 or T38 requires removal plant two 15-gallon coast live oak for each tree removed, in the location identified on the attached grading exhibit. Once final plan sets are complete, a tree protection plan, containing tree protection specifications will be required. T
36. The arborist shall monitor and observe hand grading and trenching near the protected trees.
37. If any protection is removed, the arborist shall verify that the fencing and other tree protection measures were correctly reinstalled. The arborist report included a sign to show the tree protection zone, this sign(s) should remain posted in a visible location during construction.
38. Provide a copy of a contract for services for the Community Development Department Director review and approval prior to issuance of a demolition or grading permit.

Landscaping

Standard

39. The landscaping improvements shall be permanently maintained and irrigated.
40. The materials and locations of the landscape retaining walls shall be approved by the Community Development Director prior to issuance of grading or building permit.
41. Landscaping shall comply with State of California Government Code Section 65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

Project Specific

42. The arborists recommended tree replacement locations shown on the exhibit dated 4/29/20, (grading plan) attached to the arborist report, dated 3/27/20, shall be included in the final landscape drawings to be approved by the Community Development Department Director.
43. A final landscape and irrigation plan shall be submitted and shall include the name, number, size, and location for all planting materials, trees and ground covers and tree replacement locations shall be approved by the Community Development Director prior to issuance of grading or building permits.

44. Landscape plans submitted to the City shall include a minimum of four replacement trees. If additional trees are required to be removed or are damaged due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper's warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Lighting

45. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's

46. CC&R's for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The CC&R's shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

Joint Maintenance Agreement

47. Applicant shall provide a Joint Landscape Maintenance Agreement for review and approval by the Community Development Director and Public Works Director for the maintenance of off-site landscaping prior to approval of the Final Map.
48. The curbs along the private ace road and the emergency vehicle turnaround shall be painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards. This condition shall be included in the CCRs.

Affordable Housing

49. Pursuant to Section 14 of the Scotts Valley Municipal Code the project shall comply with all applicable affordable housing requirements including the dedication of units and payment of in-lieu fees.

Public Access Easement

50. To provide for public access to MacDorsa Park from Erba Lane a public access easement is required over Lot A private access road. The City Attorney shall review and approve the public access easement prior to approval of the final map and it shall be recorded concurrently

51. If a future owner would like to make improvements in their rear yard resulting in a greater lot coverage than 55%, this can be allowed with the review and approval of the Director of the Community Development Department.

Public Art

52. The proposed public art will be a custom Bay Photo design mural located on the face of the retaining wall of Lot 6 and Erba Lane. It will be approximately ten feet wide by four feet high. The Community Development Director will review and approve the final design.

Building Department

Standard

The developer shall obtain any required grading and/or building permit(s) and pay applicable fees

53. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.
54. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.
55. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.
56. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.
57. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.
58. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.
59. Structural calculations shall be submitted and wet-signed by the Engineer of record.
60. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.
61. A soils report by a qualified professional engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.

62. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.
63. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.
64. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.
65. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.
66. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

Grading

67. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.
68. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.
69. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
70. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

71. Air Quality

The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

- a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
- b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
- c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.

- d. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
- e. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
- f. No grading activities shall occur during days of high wind velocity.
- g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
- h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.
- i. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Hazardous Materials and Hydrology

- 72. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
- 73. Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or into Scotts Valley Drive.
- 74. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

City Public Works Department- Engineering Division

- 75. A final subdivision or parcel map in conformance with the California Government Code, Section 66410 ET seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.
- 76. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)
- 77. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading

drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

78. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
79. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
80. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.
81. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
82. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.
83. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.
84. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

85. Impervious area must be shown on coversheet.
86. Dedication of land for Park and Recreational Purposes:

Applicant shall comply with be aware of Muni Code Chapter 16.35 – Dedication of land for Park and Recreation Purposes. Applicant can find the Code of Ordinance on the City of Scotts Valley Website, under Municipal Code.

87. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state required under grounding of transmission for the project and any new service connections.
88. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording.
89. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic file.
90. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.
91. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.
92. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

54. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District
55. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

Name and Signature of Property Owner

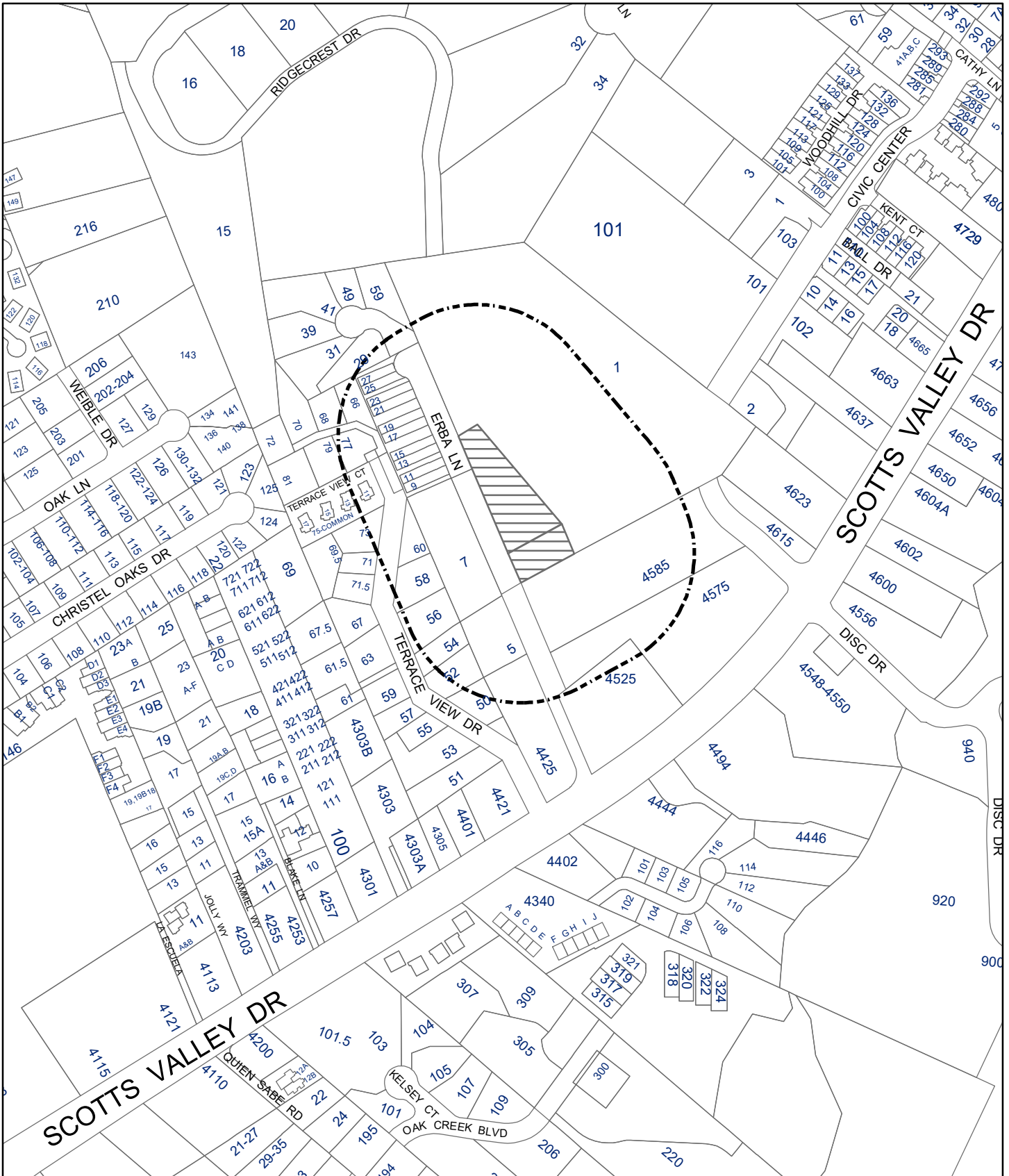
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Page 147 of 585

Project Location

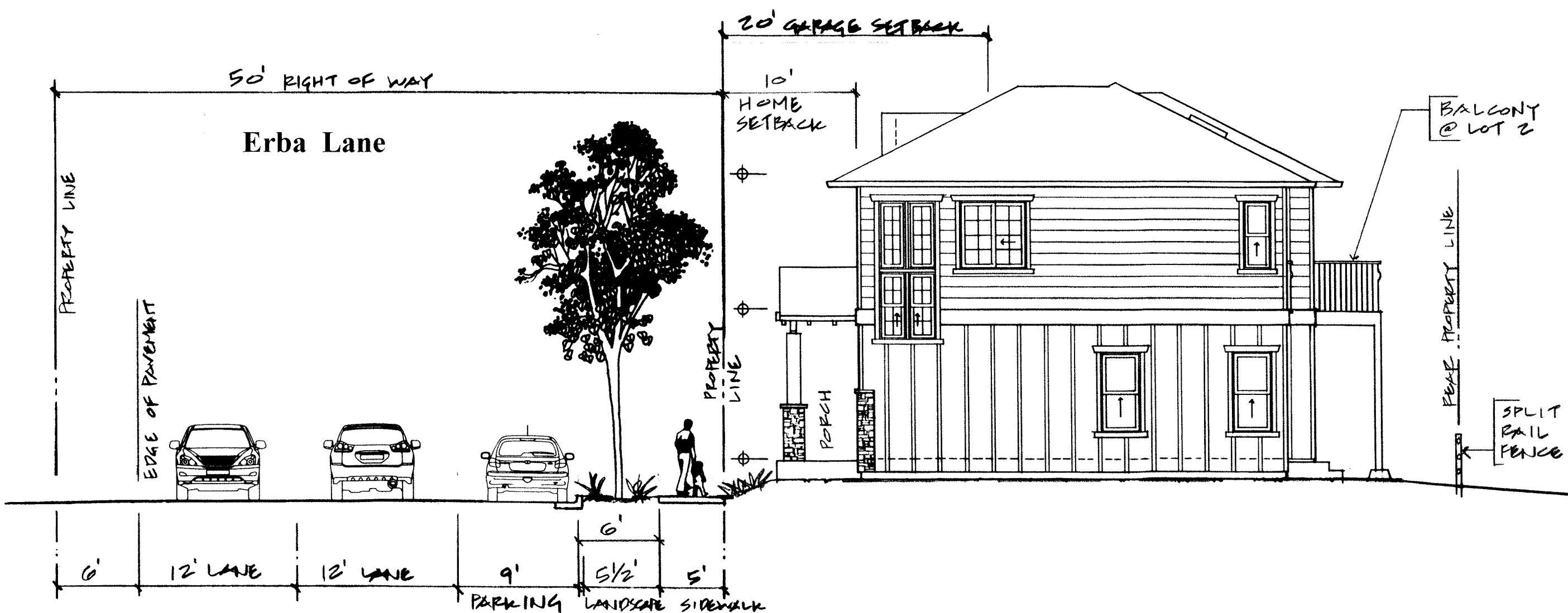
Erba Lane Bay Village / APN 022-491-18 & 22



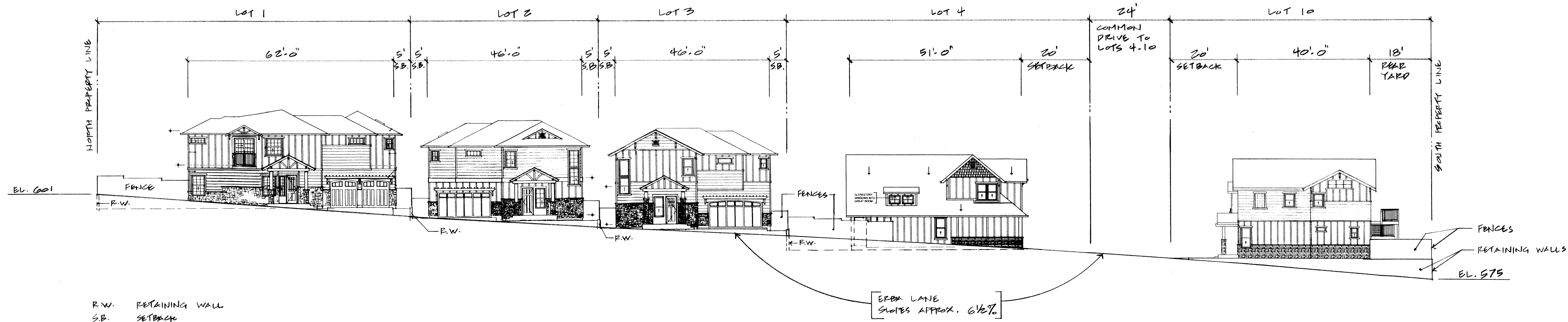
 Project Site



BAY VILLAGE



X Street Section @ Lot 2
1/8" = 1' - 0"



Street View of Homes from Erba Lane
1/16" = 1' - 0"

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REVISIONS	BY
#1	8/24/20

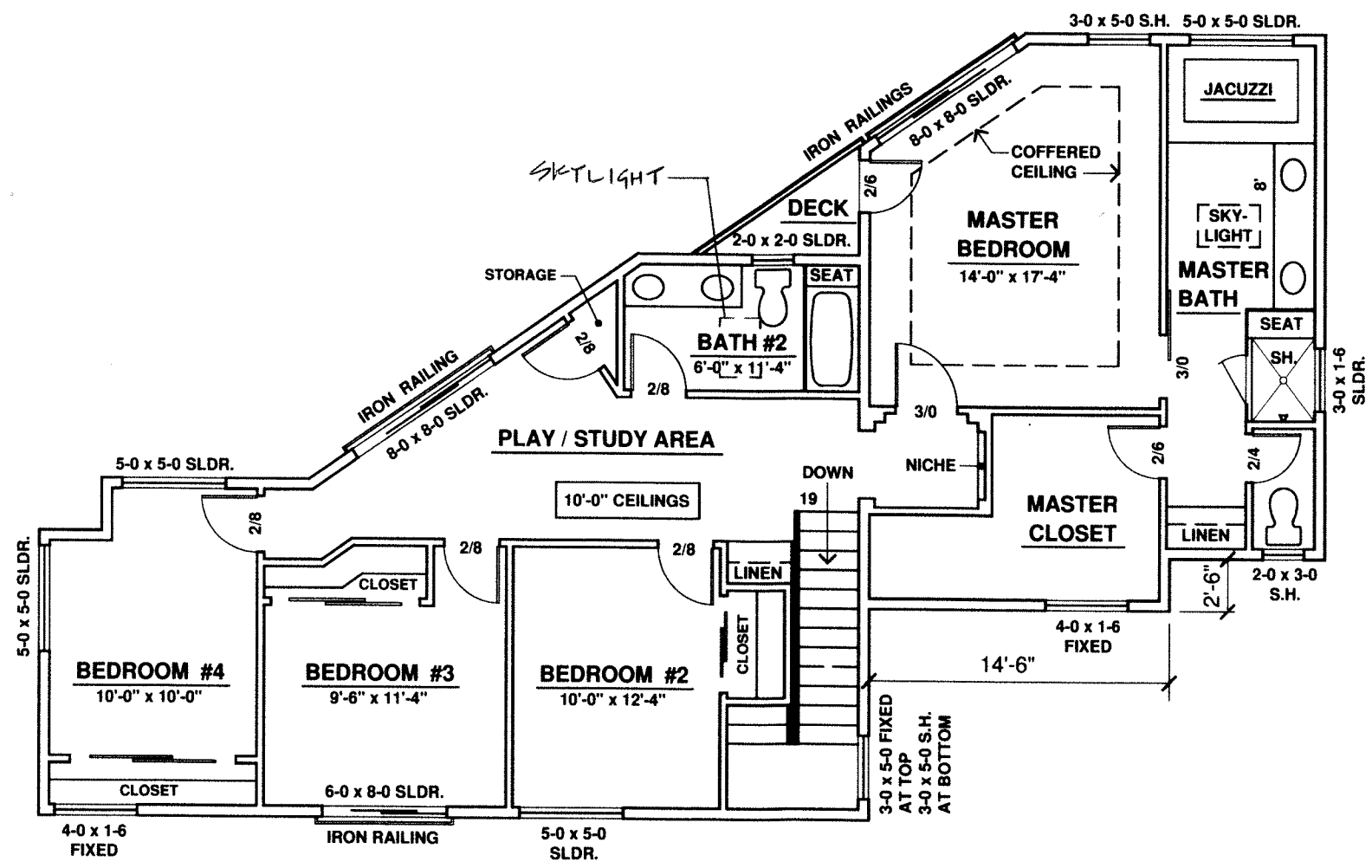
DAVID B. ZULIM INC.
150 FELVER ST. SUITE
SANTA CRUZ, CALIFORNIA 95060
831-425-8769

DAVID ZULIM
REGISTERED
ENGINEER
PLANNING
P.E. 31027 CALIFORNIA

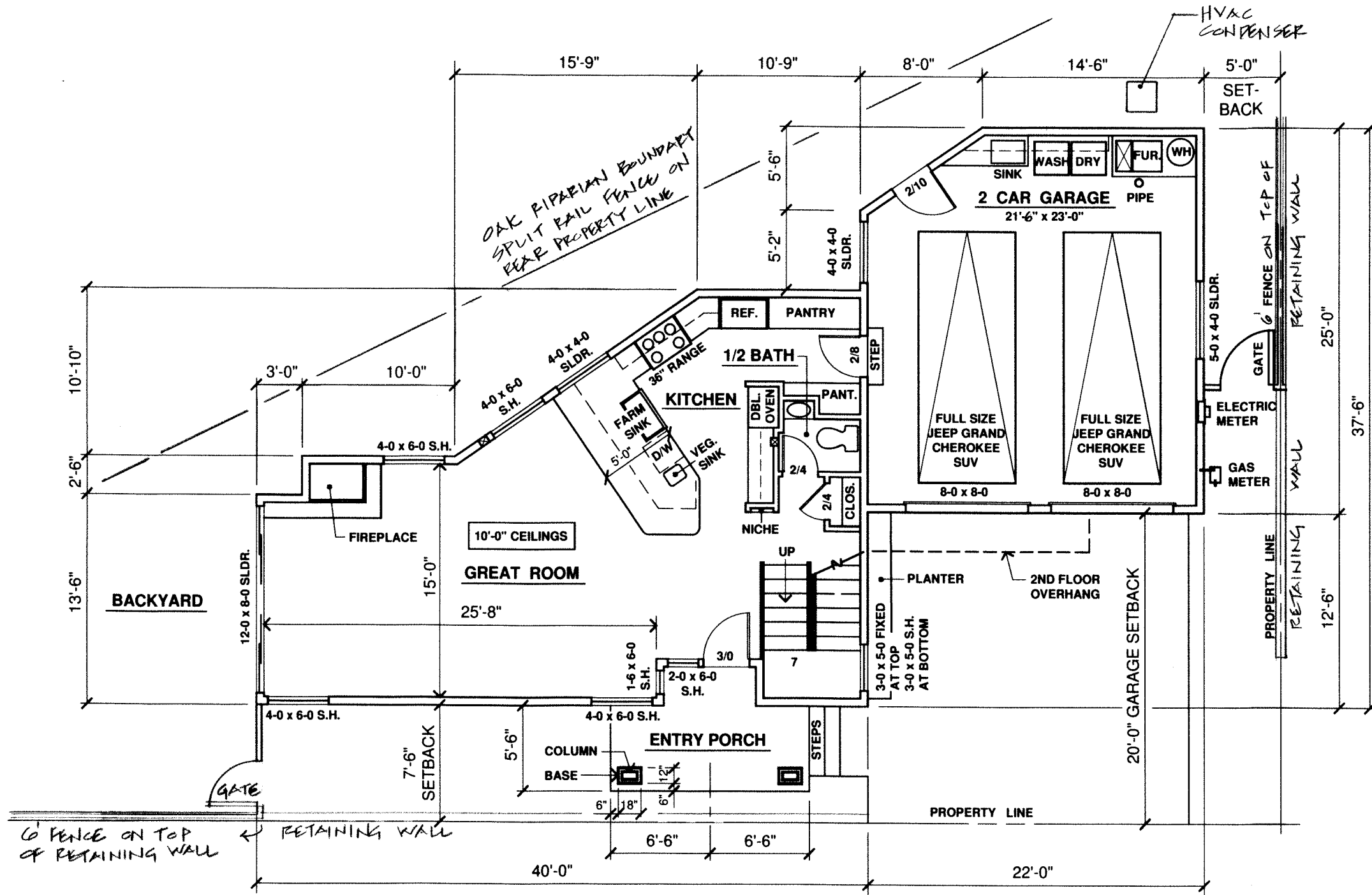
Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

Neighborhood Site Plan, Street View, Street Section
Bay Village
Erba Lane, Scotts Valley, California

Date 3/31/20
Scale Noted
Drawn DZ
Job 632-20A
Sheet
A2
Of Sheets
091

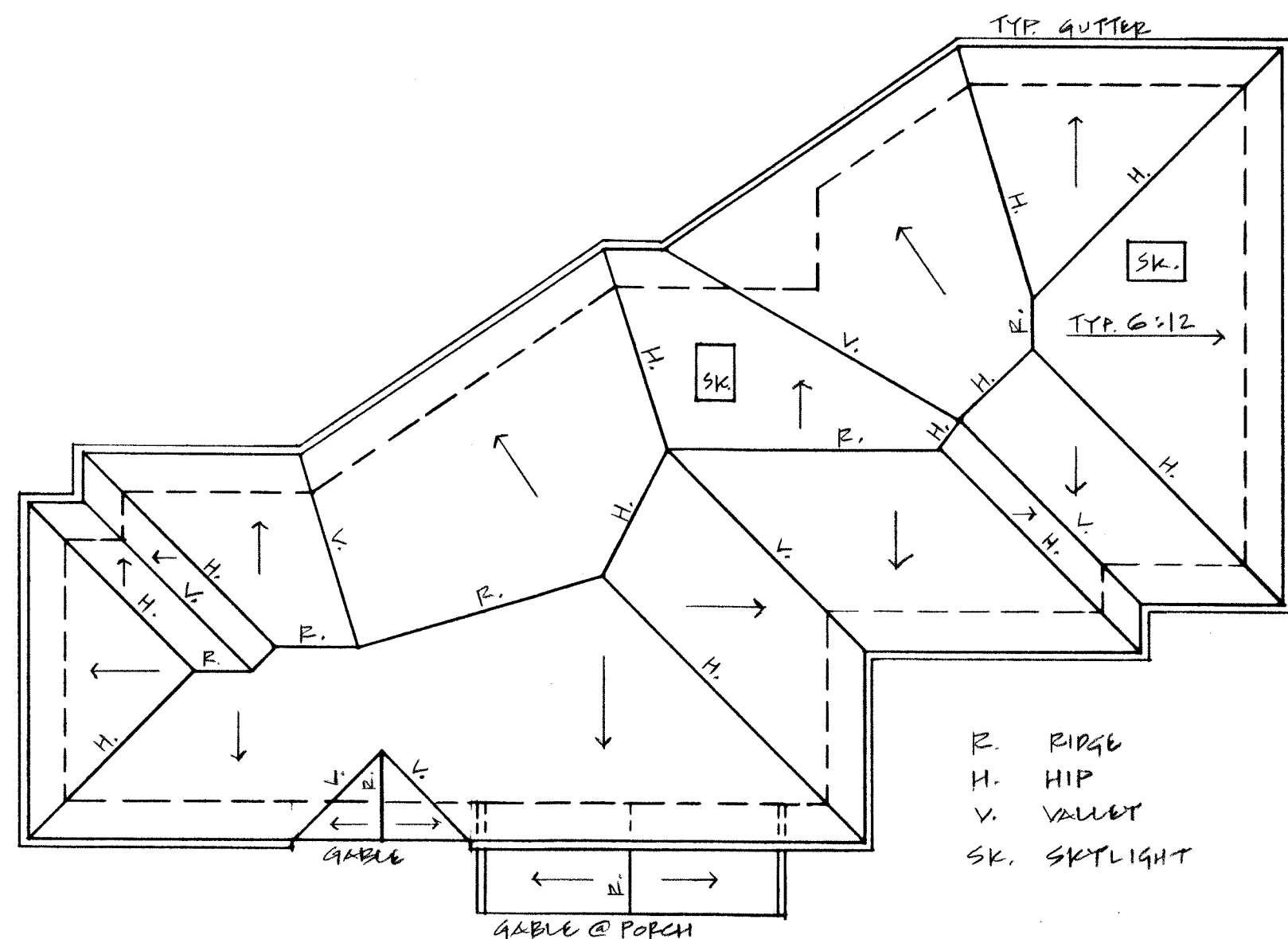


LOT 1
SECOND FLOOR PLAN
ALL ROOM SIZES APPROXIMATE
1/8" = 1' - 0"



LOT 1
GROUND FLOOR PLAN
ALL ROOM SIZES APPROXIMATE
1/8" = 1' - 0"

SQUARE FOOTAGE	
SECOND FLOOR	= 1,411 S.F.
GROUND FLOOR	= 825 S.F.
HOME S.F.	= 2,236 S.F.
DECK S.F.	= 20 S.F.
GARAGE S.F.	= 532 S.F.

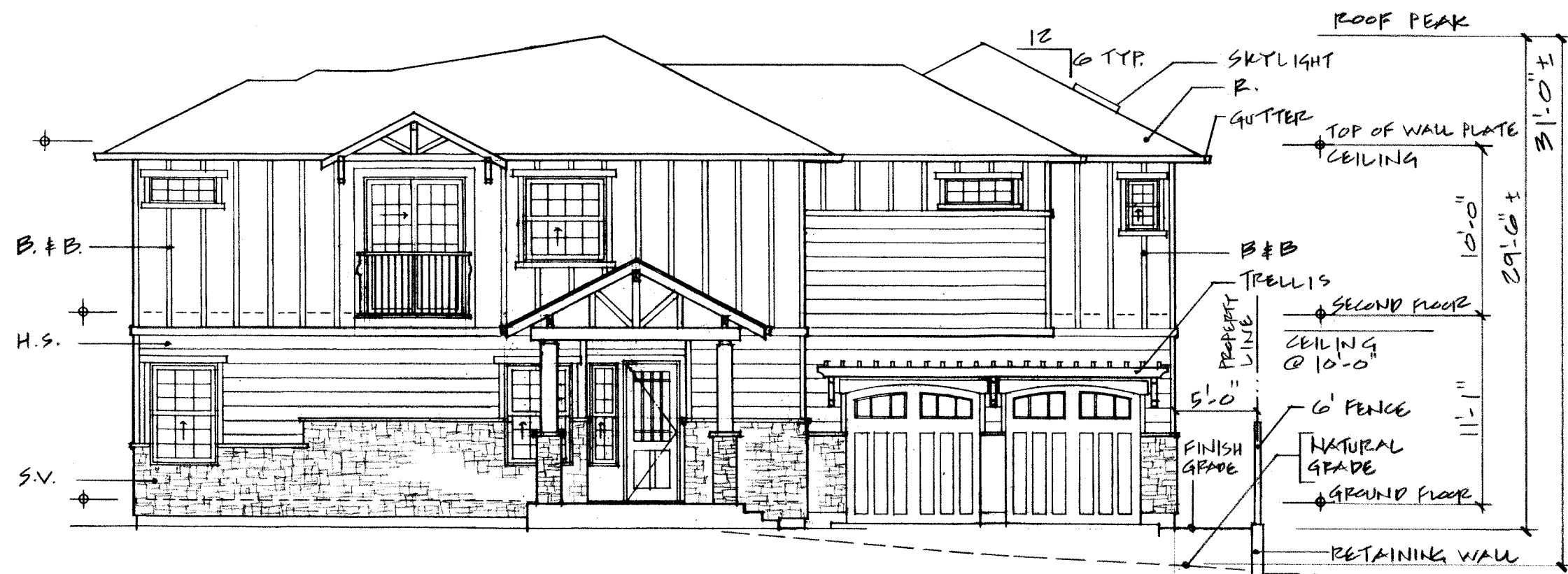


LOT 1 ROOF PLAN
1/8" = 1' - 0"

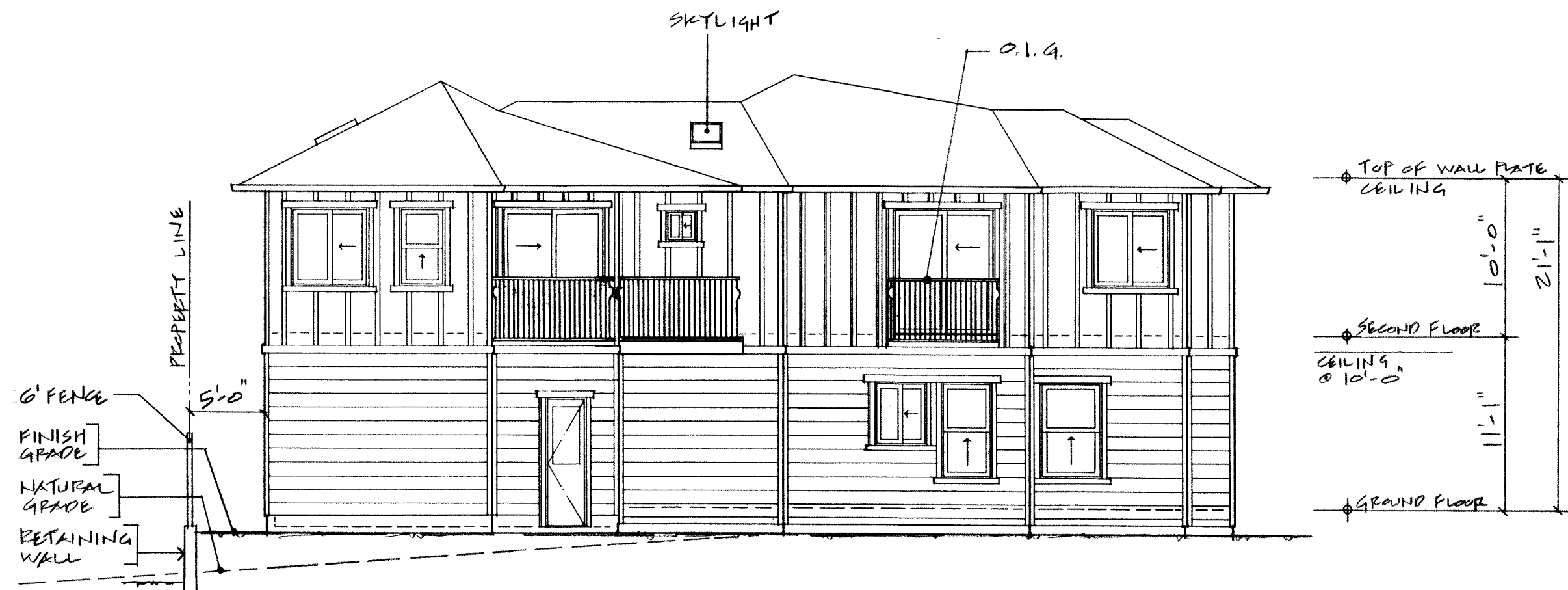
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LOT 1 EXTERIOR ELEVATIONS
1/8" = 1' - 0"

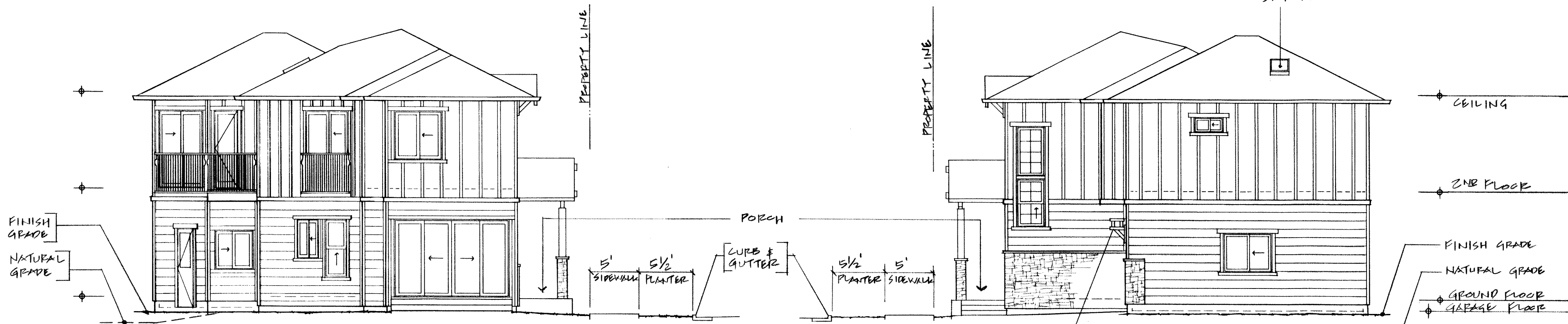
- R. Heavy Tab Composition Shingle Roofing
B & B Board & Batt Siding
H.S. Horizontal Siding
S.V. Stone Veneer
O.I.G. Ornamental Iron Guardrail



LOT 1 FRONT



LOT 1 REAR



LOT 1 LEFT SIDE

LOT 1 RIGHT SIDE

REVISIONS	BY
#1 8/24/20	DL

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8789
DESIGN
PLANNING
DAVID ZULIM
C.E. 9104 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

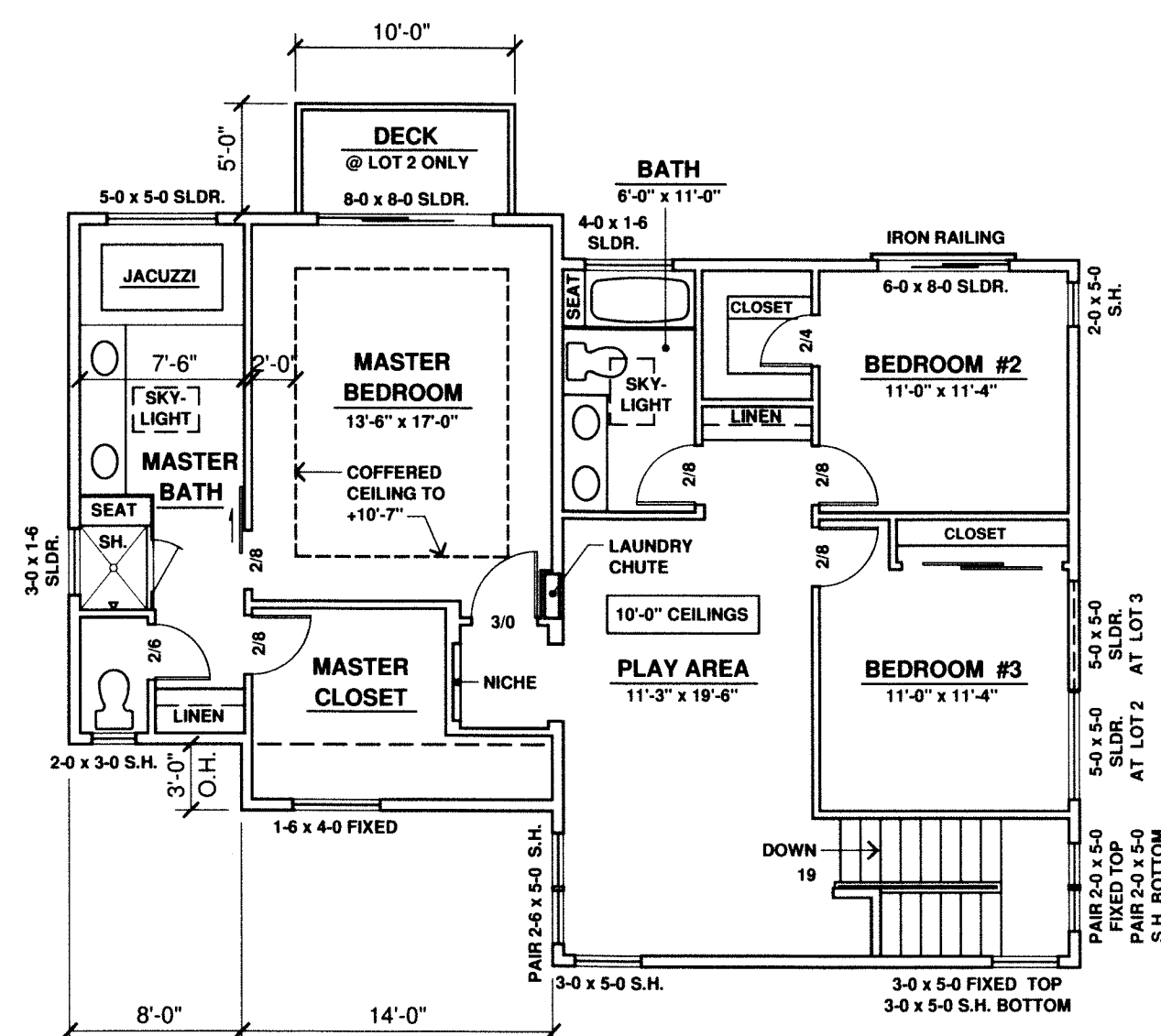
Lot 1
Bay Village
Erba Lane, Scotts Valley, California

Date 8/31/20
Scale 1/8" = 1' - 0"
Drawn DL
Job 632-20A
Sheet
A3
Of Sheets
002

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R.	Heavy Tab Composition Shingle Roofing
B & B	Board & Batt Siding
H.S.	Horizontal Siding
S.V.	Stone Veneer
O.I.G.	Ornamental Iron Guardrail

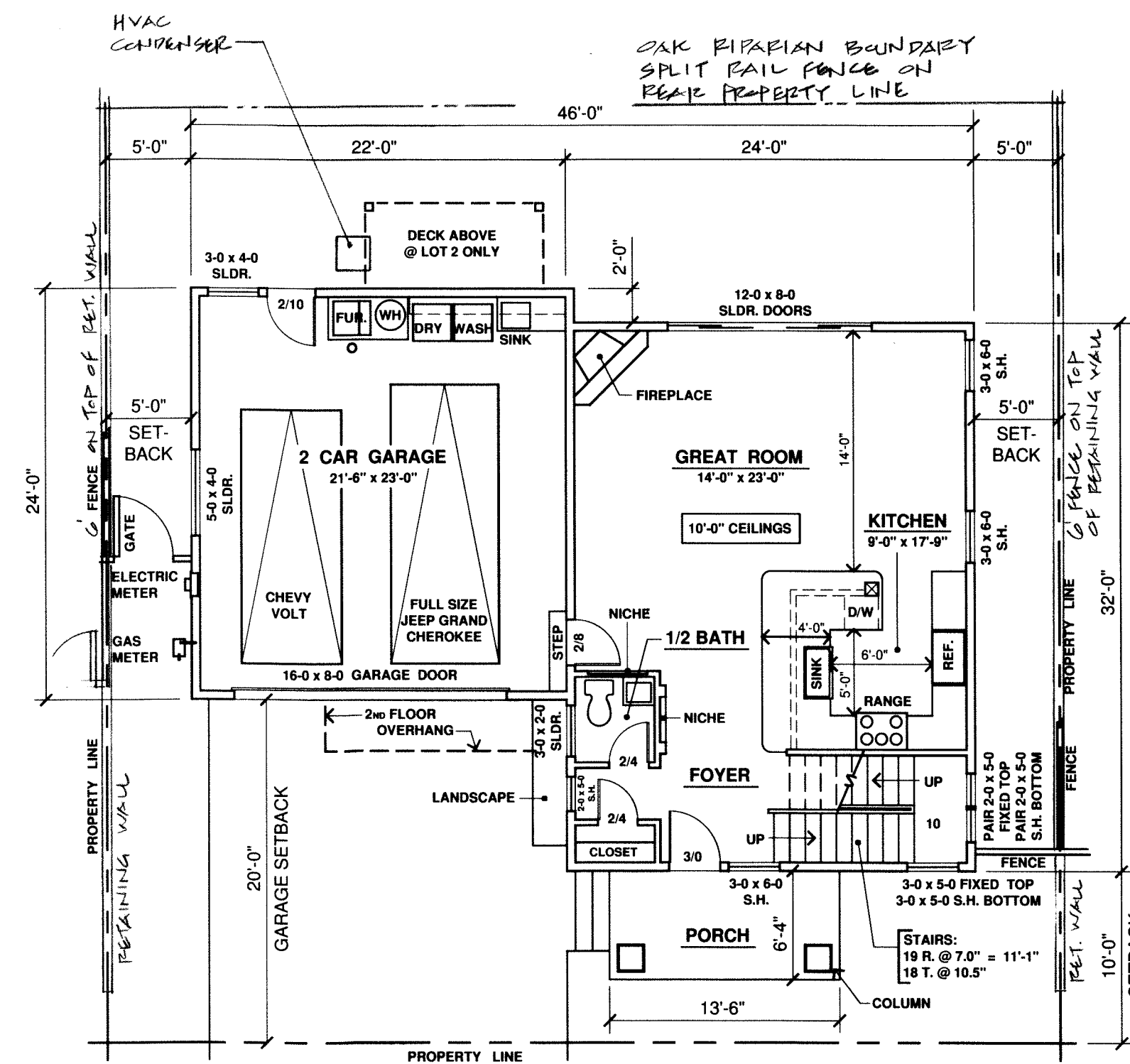
LOT 2 EXTERIOR ELEVATIONS

$$1/8'' = 1' - 0''$$


LOT 2
SECOND FLOOR PLAN

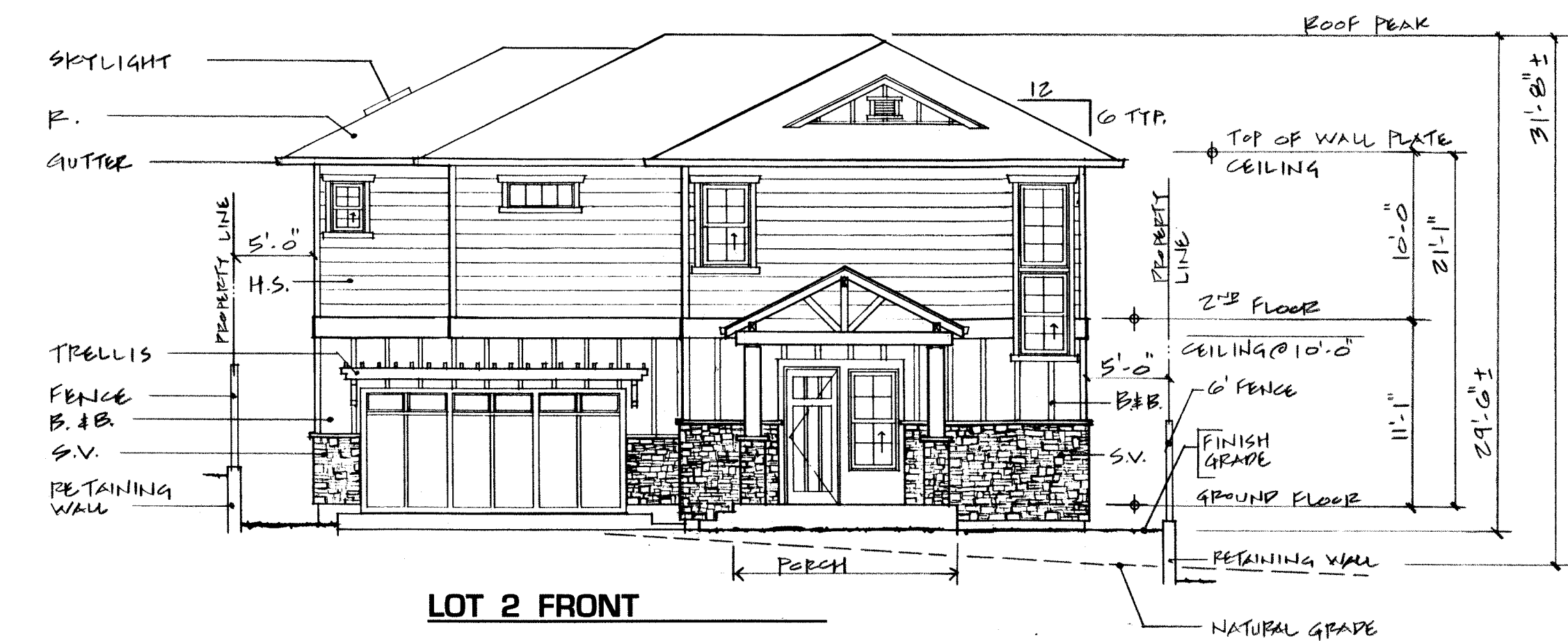
ALL ROOM SIZES APPROXIMATE

1/8" = 1' - 0"

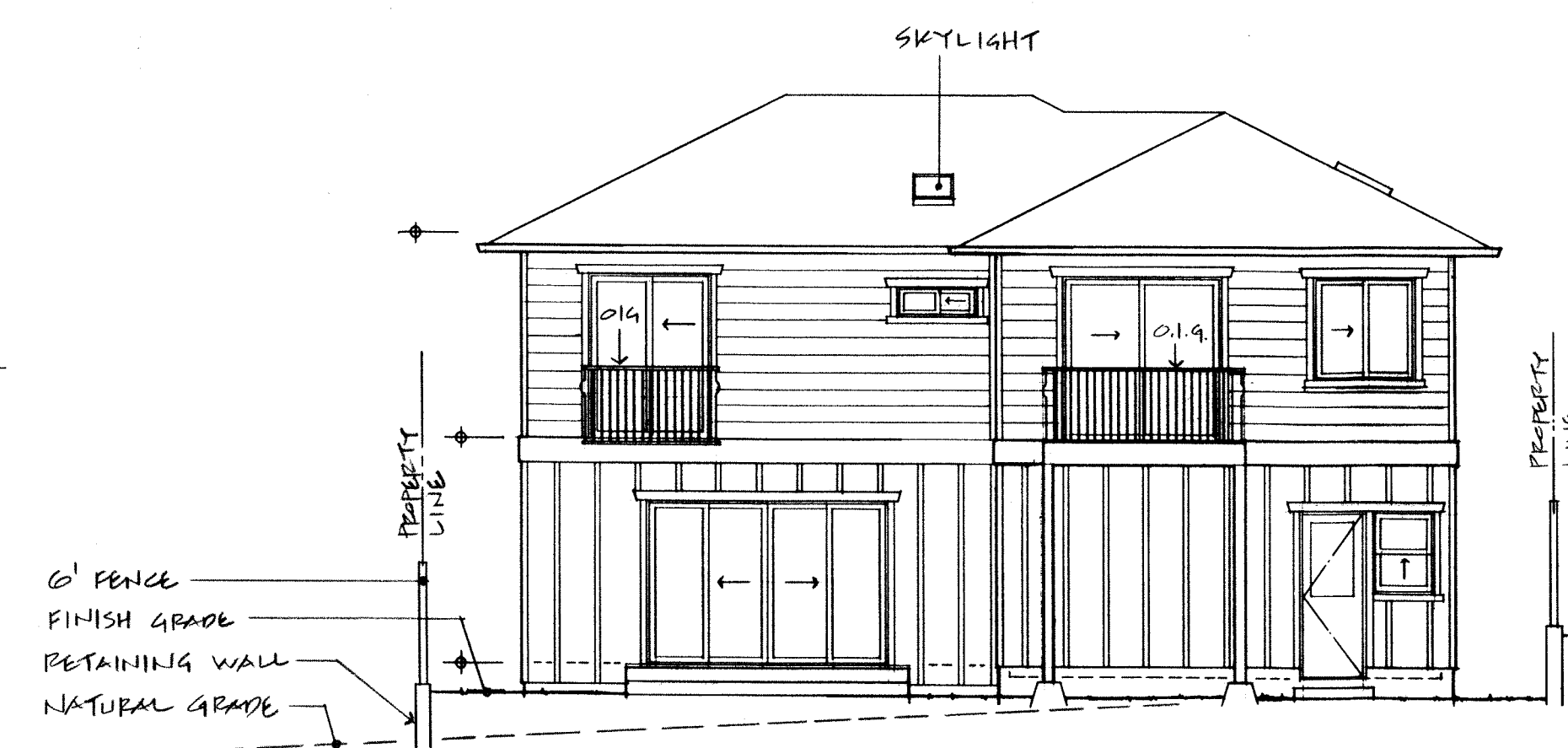


LOT 2
GROUND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE

$$\frac{1}{8}'' = 1' - 0''$$


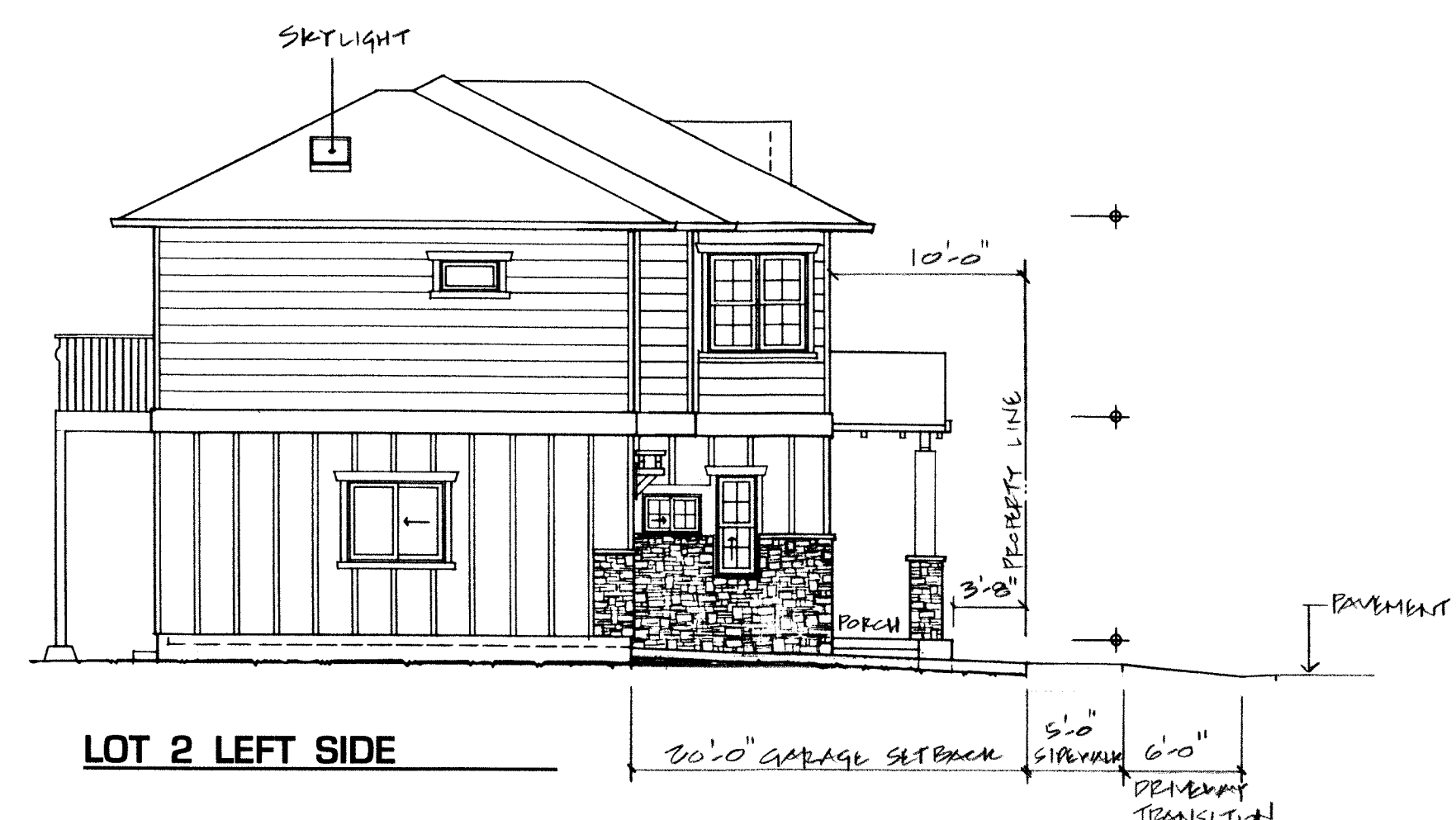
LOT 2 FRONT



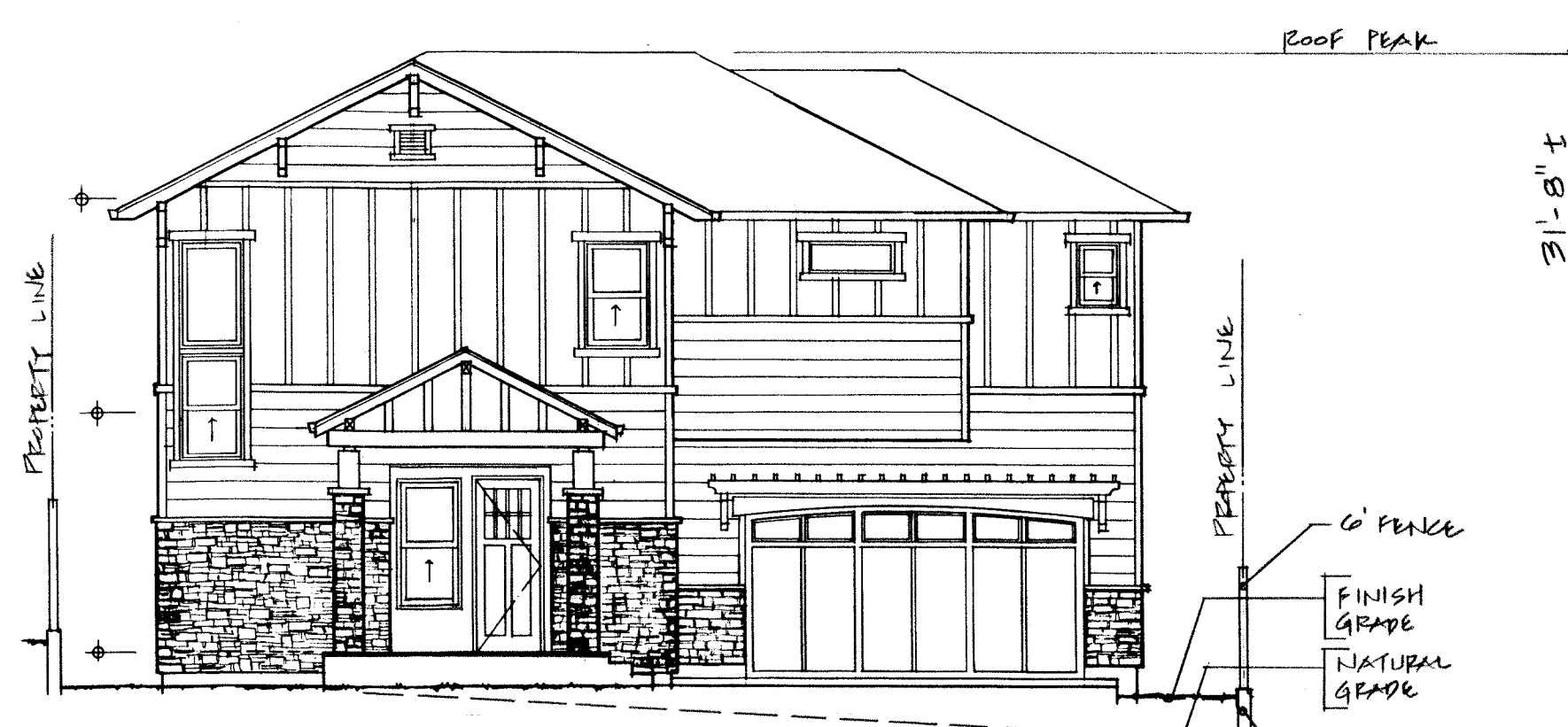
LOT 2 REAR



LOT 2 RIGHT SIDE

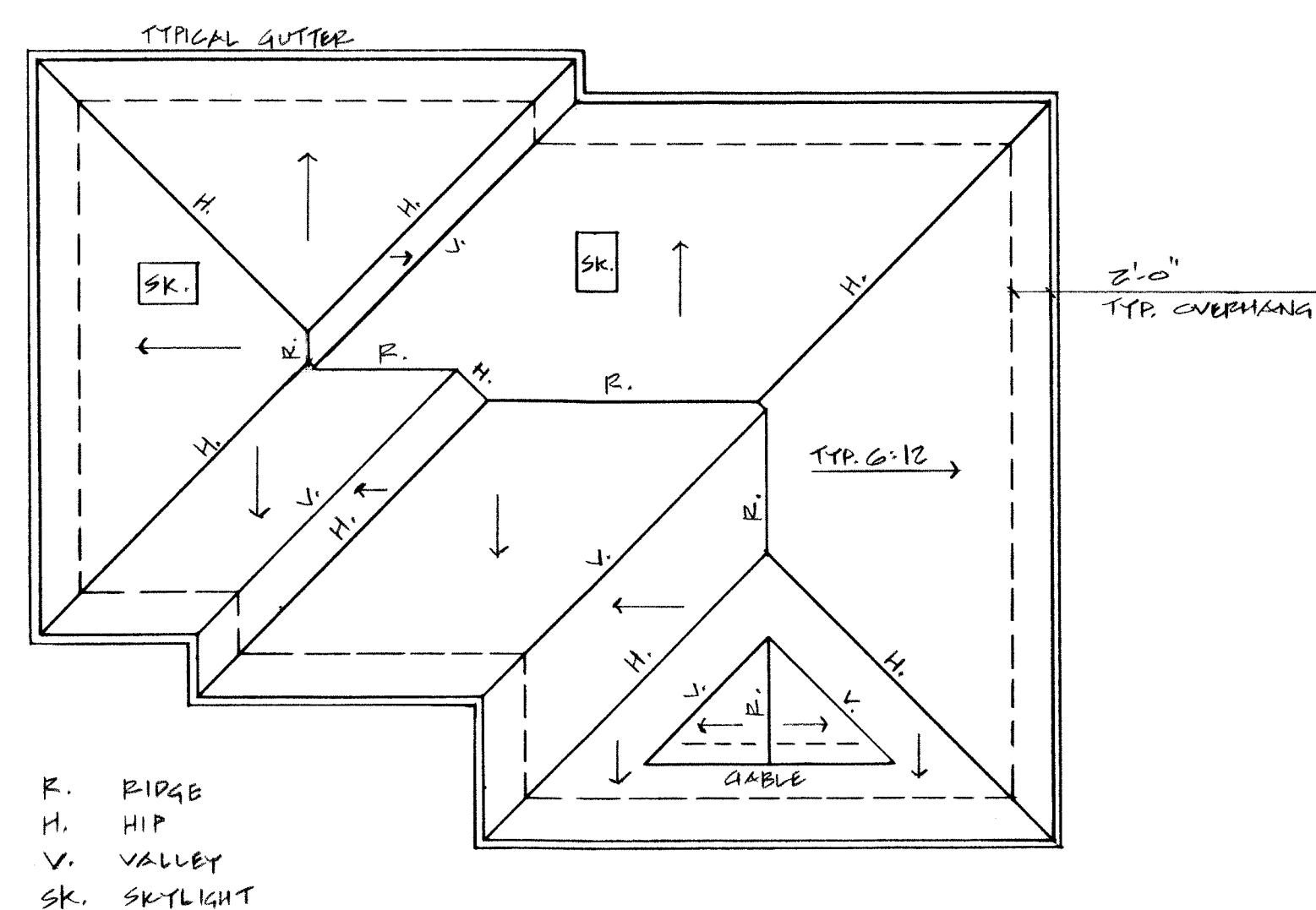


LOT 2 LEFT SIDE



LOT 3 FRONT ELEVATION

Lot 3 is mirror image of 1/8" = 1' - 0"
Lot 2 with siding changes.



LOT 2 ROOF PLAN

$$1/8'' = 1' - 0''$$

REVISIONS	BY
#1 8/24/20	me

DAVID B. ZULIM INC.

150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769

**DESIGN
ENGINEERING
ENVIRONMENTAL**

DAVID ZULIM
C.E. 310427 CALIFORNIA

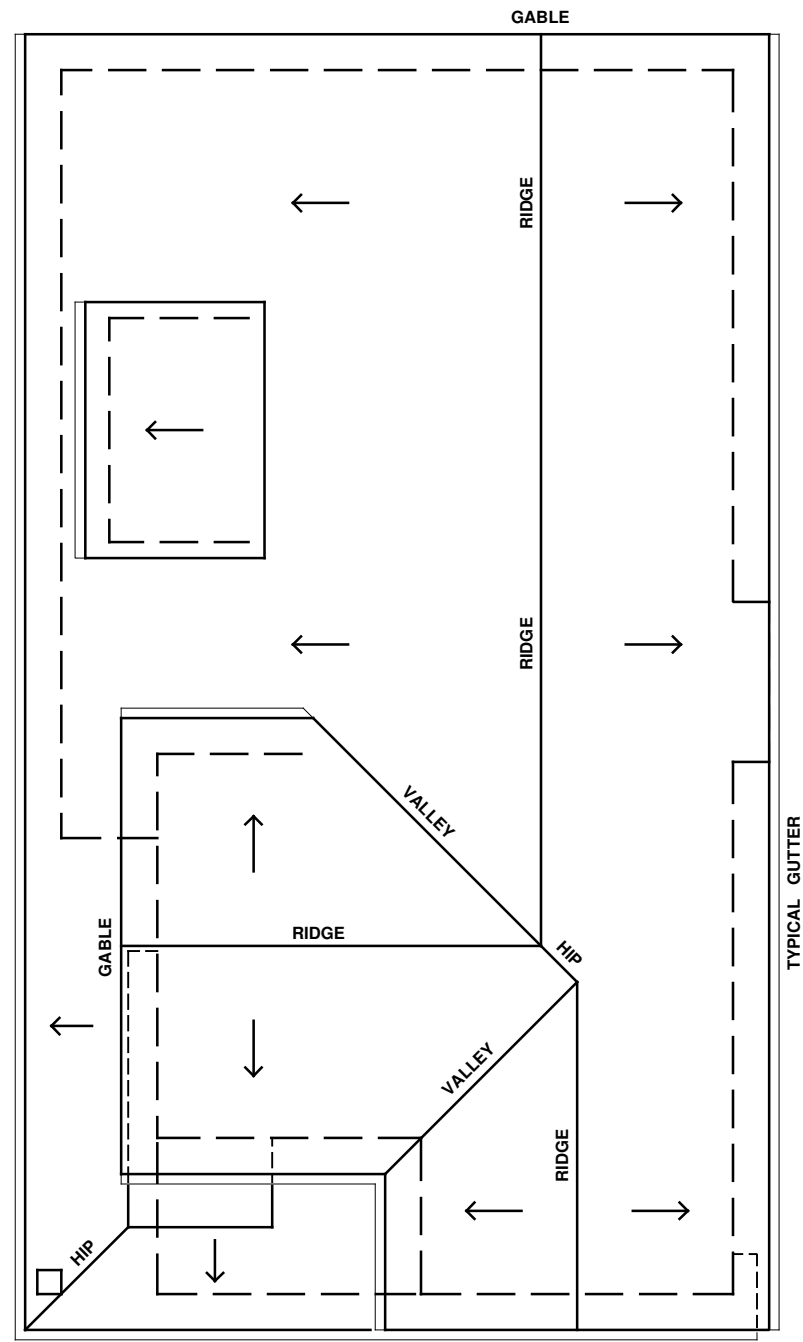
Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, in whole or in part, in connection with the performance of work on this project.

Lots 2 & 3
Bay Village
Erba Lane, Scotts Valley, California

Date	3/31/20
Scale	1/8" = 1'-0"
Drawn	DZ
Job	632.20A
Sheet	

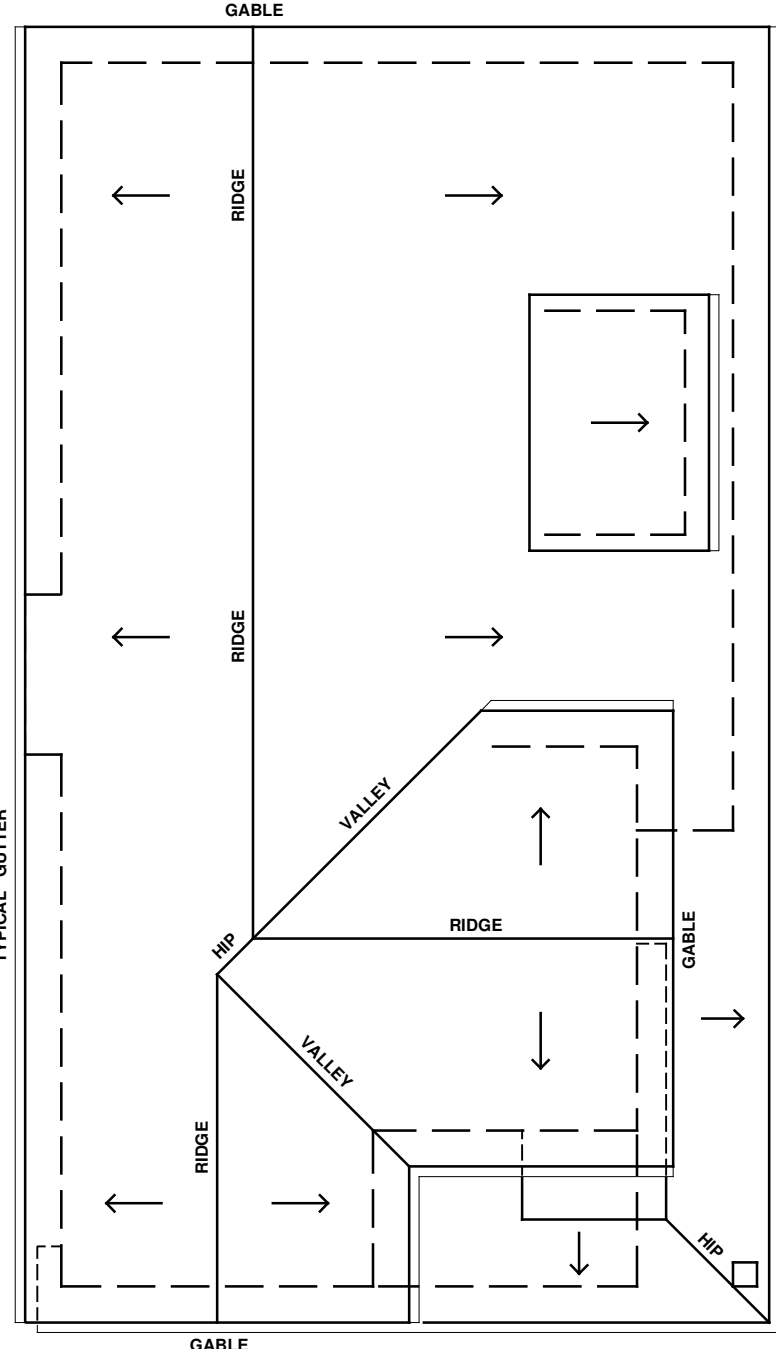
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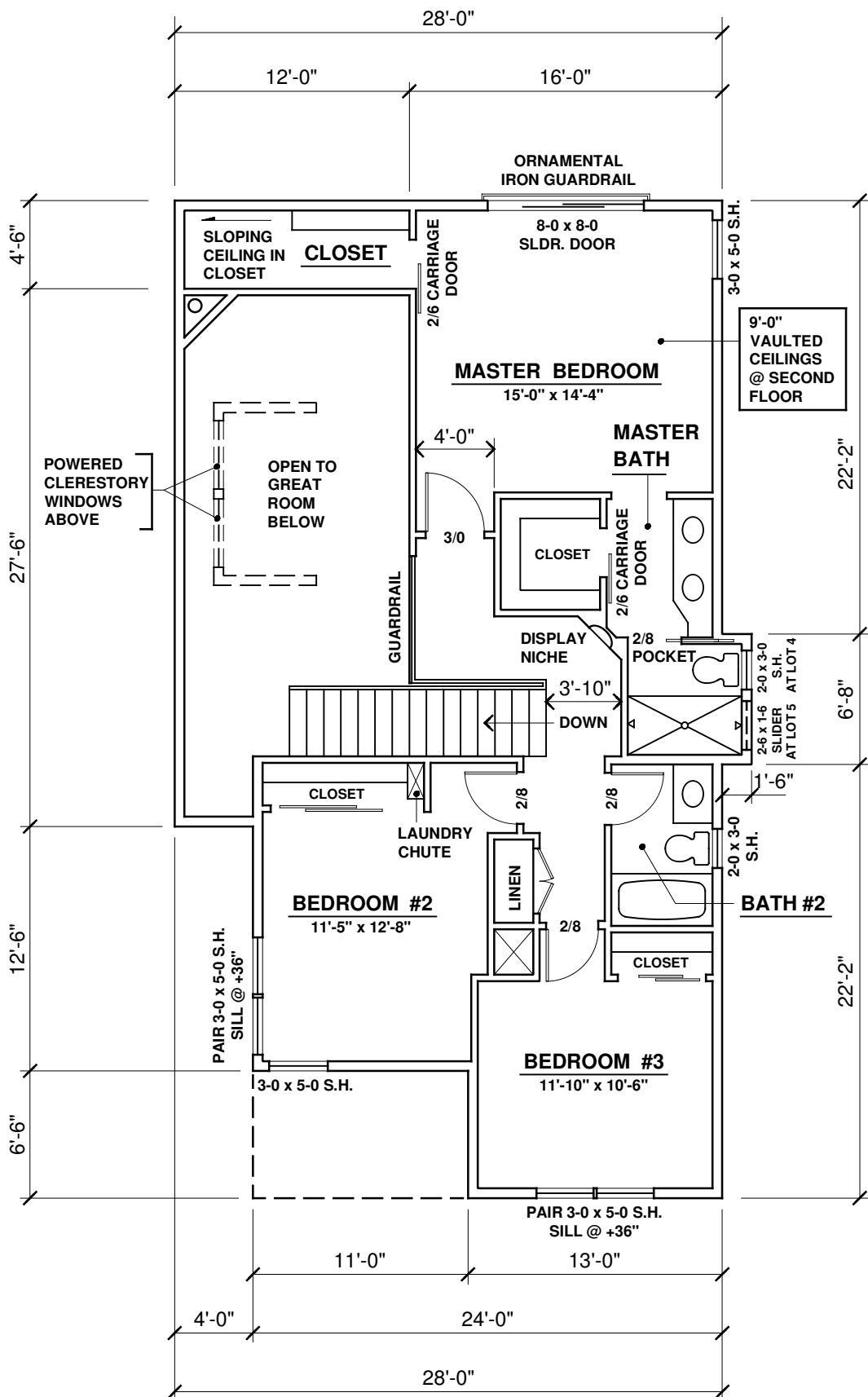
LOT 4
ROOF PLAN

1/8" = 1' - 0"



LOT 5
ROOF PLAN

1/8" = 1' - 0"

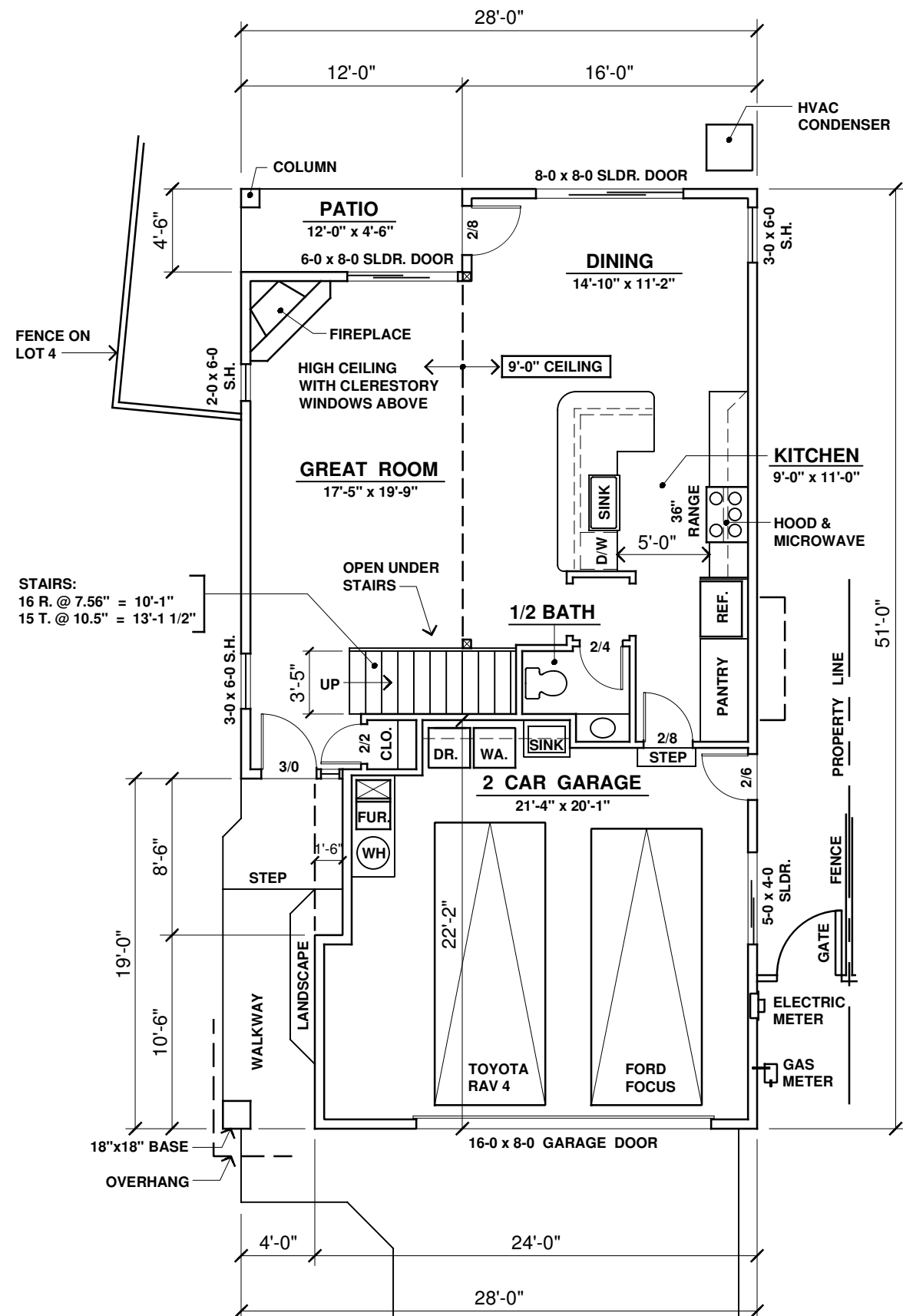


LOT 4
SECOND FLOOR PLAN

ALL ROOM SIZES APPROXIMATE

1/8" = 1' - 0"

LOT 5 IS MIRROR IMAGE FLOOR PLAN



LOT 4
GROUND FLOOR PLAN

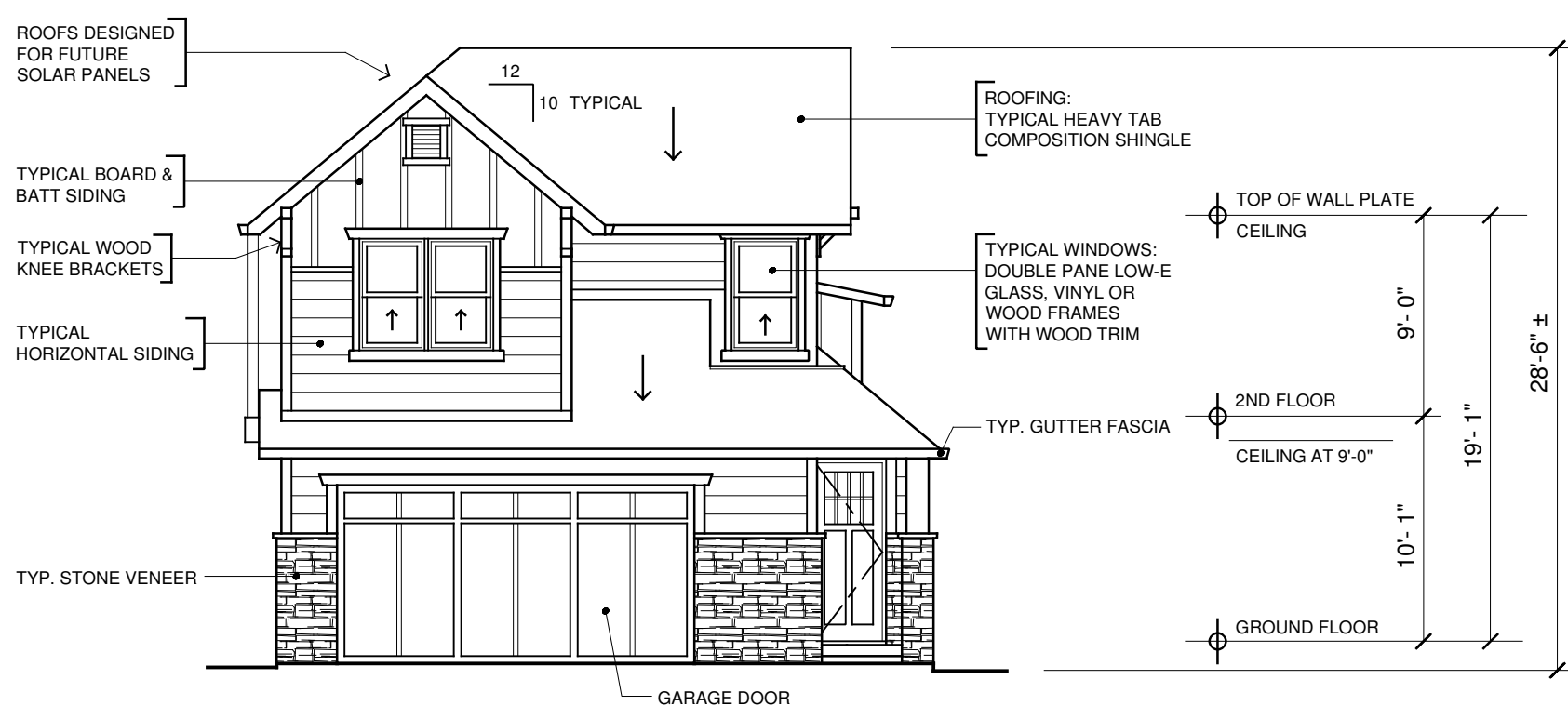
ALL ROOM SIZES APPROXIMATE

1/8" = 1' - 0"

LOT 5 IS MIRROR IMAGE FLOOR PLAN

SQUARE FOOTAGE

SECOND FLOOR	=	967 S.F.
GROUND FLOOR	=	799 S.F.
LIVING S.F.	=	1,766 S.F.
GARAGE S.F.	=	486 S.F.
PATIO S.F.	=	54 S.F.



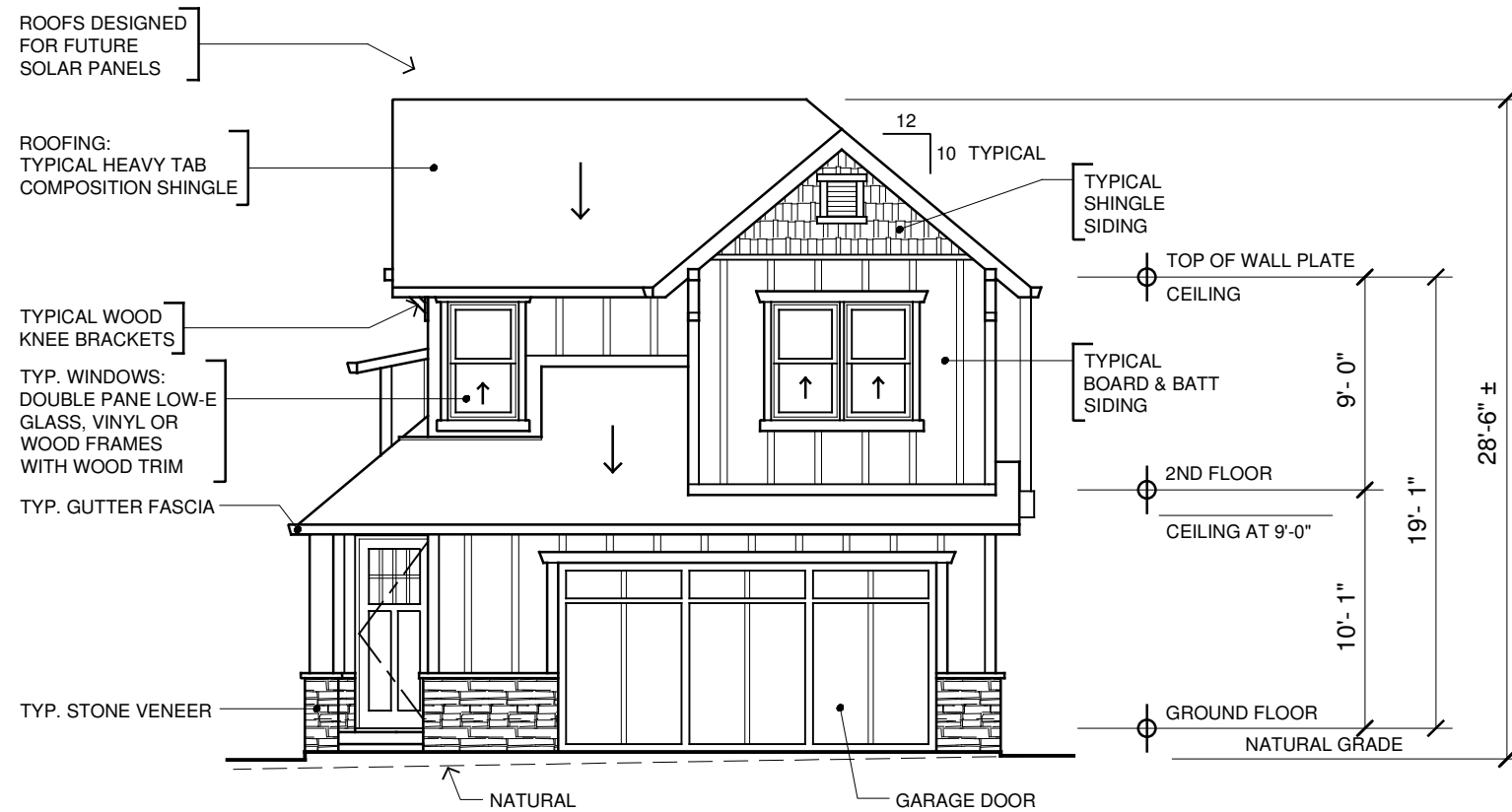
LOT 5
FRONT ELEVATION

LOT 5 IS MIRROR IMAGE OF
LOT 4 WITH SIDING CHANGES.

1/8" = 1' - 0"

LOT 4 EXTERIOR ELEVATIONS

1/8" = 1' - 0"



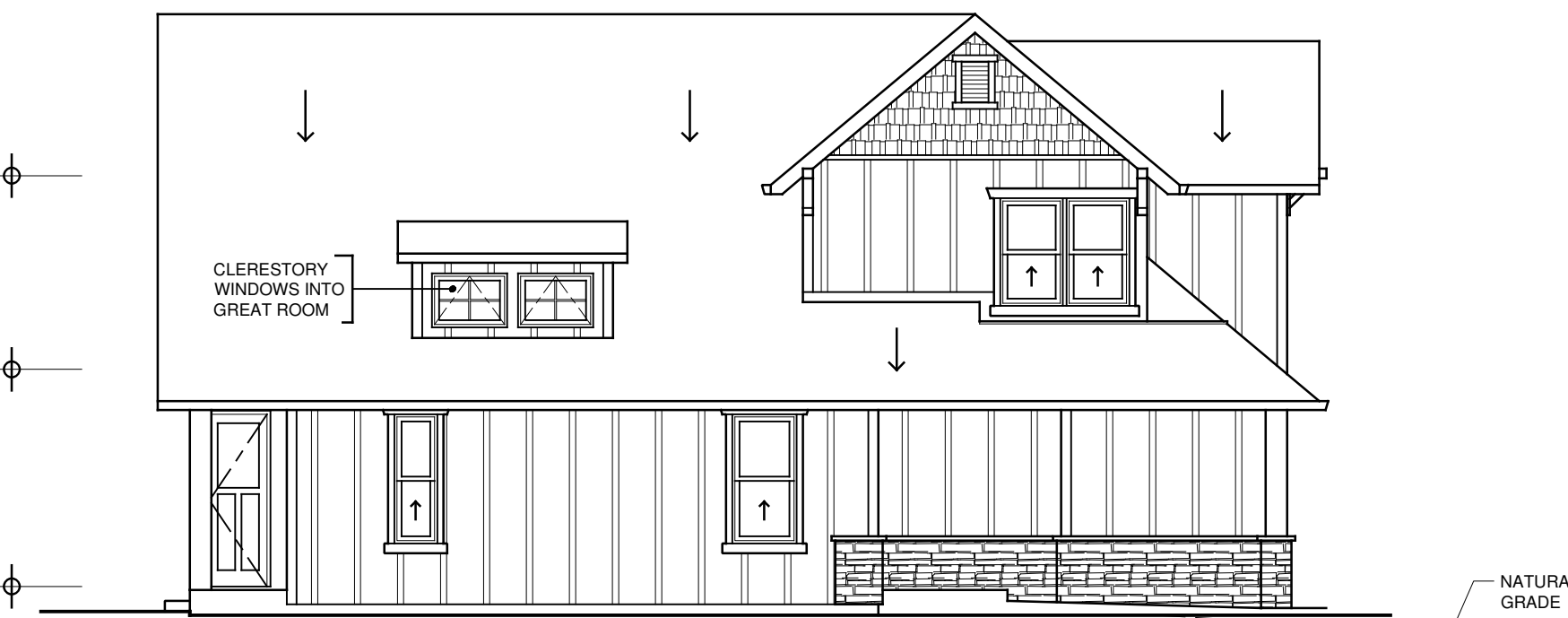
LOT 4
FRONT ELEVATION

1/8" = 1' - 0"



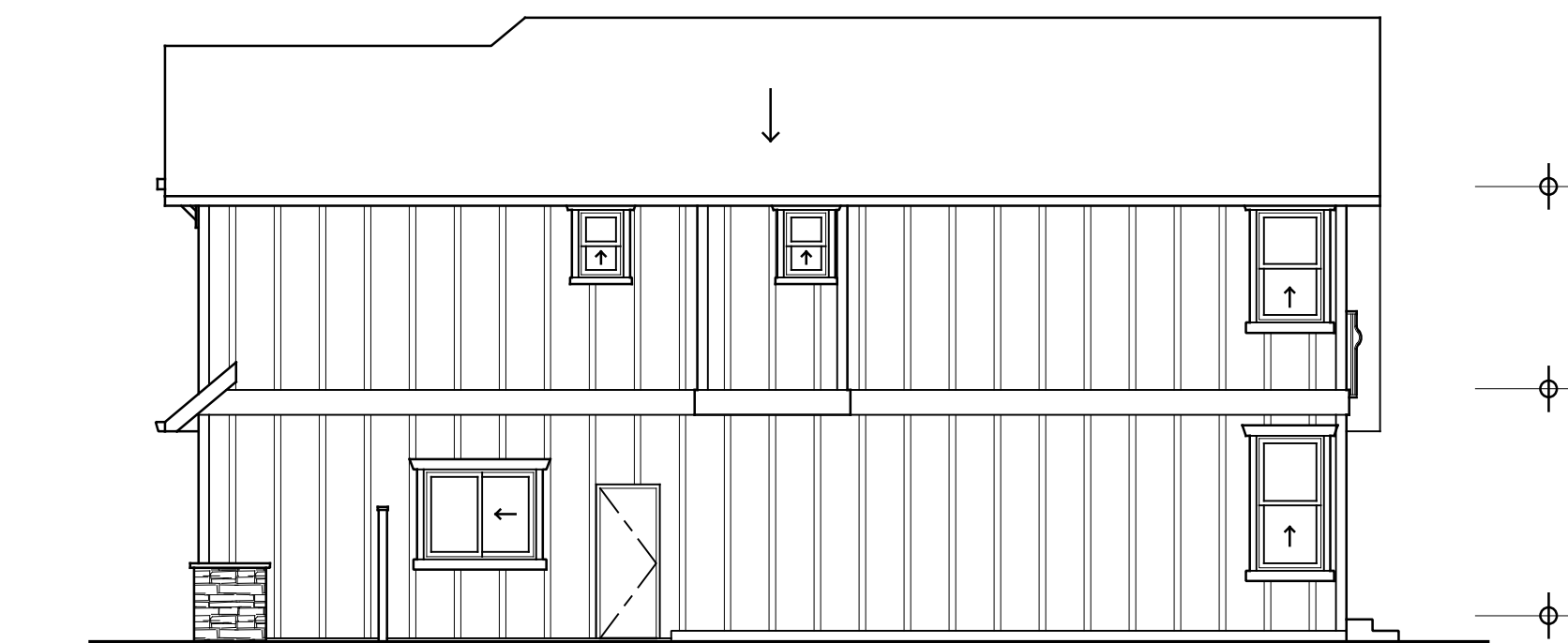
LOT 4
REAR ELEVATION

1/8" = 1' - 0"



LOT 4
LEFT SIDE ELEVATION FACING ERBA LANE

1/8" = 1' - 0"



LOT 4
RIGHT ELEVATION

1/8" = 1' - 0"

THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.

REVISIONS	BY
#1 8/15/20	DZ LC

DAVID B. ZULIM INC.
150 FELKER ST. SUITE F
SANTA CRUZ, CALIFORNIA 95060
831-425-8769
DESIGN
DRAWING
PLANNING
DAVID ZULIM
P.E. 31047 CALIFORNIA

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

Lots 4 & 5
Bay Village
Erba Lane, Scotts Valley, California

Date	3/31/20
Scale	1/8" = 1' - 0"
Drawn	DZ/LC
Job	632-20A
Sheet	A5
Of	Sheets

Construction contractor and his subcontractors agree that in accordance with generally accepted construction practices, construction contractor and his subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not limited to normal working hours, and construction contractor and his subcontractors further agree to defend, indemnify and hold design professional and owner harmless from any and all liability, real or alleged, in connection with the performance of work on this project.

096
$$1/8'' = 1' - 0''$$


ALL ROOM SIZES APPROXIMATE 1/8" = 1' - 0"



ALL ROOM SIZES APPROXIMATE 1/8" = 1' - 0"

SECOND FLOOR	=	1,228 S.F.
GROUND FLOOR	=	716 S.F.
LIVING S.F.	=	1,944 S.F.
GARAGE S.F.	=	494 S.F.
DECK S.F.	=	161 S.F.

SECOND FLOOR	=	1,228 S.F.
GROUND FLOOR	=	716 S.F.
LIVING S.F.	=	1,944 S.F.
GARAGE S.F.	=	494 S.F.
DECK S.F.	=	161 S.F.


$$1/8'' = 1' - 0''$$

THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.

Lots 9 & 10
Bay Village
Erba Lane, Scotts Valley, California

097
Page 157
$$1/8'' = 1' - 0''$$


ALL ROOM SIZES APPROXIMATE 1/8" = 1' - 0"



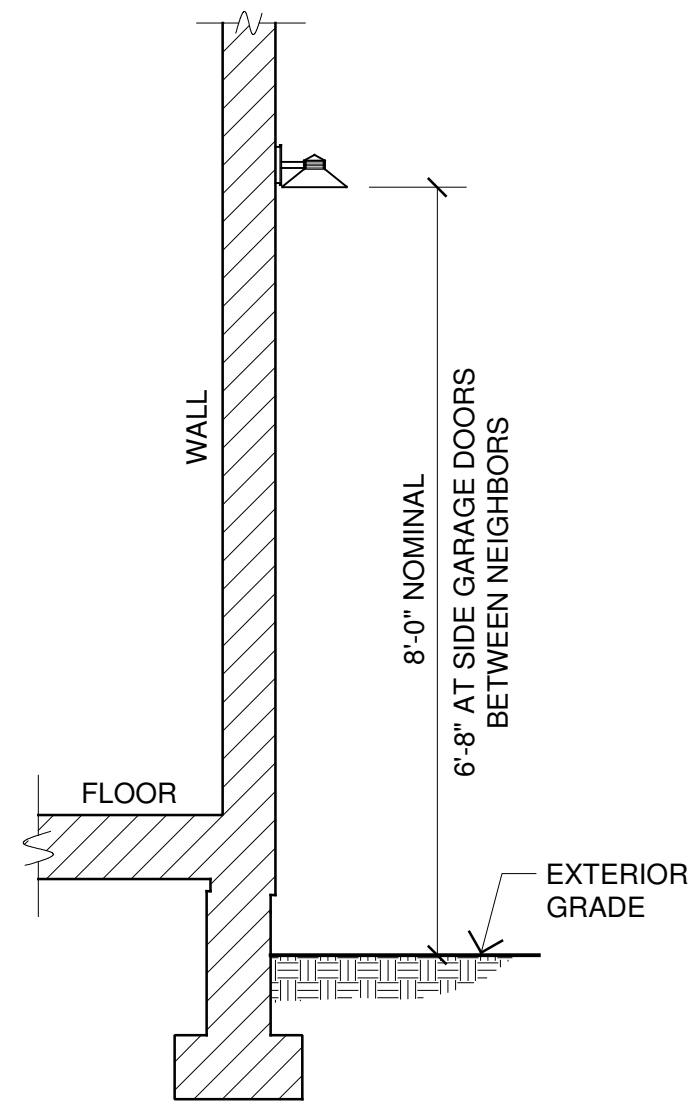
ALL ROOM SIZES APPROXIMATE 1/8" = 1' - 0"

SECOND FLOOR	=	1,228 S.F.
GROUND FLOOR	=	716 S.F.
LIVING S.F.	=	1,944 S.F.
GARAGE S.F.	=	494 S.F.
DECK S.F.	=	161 S.F.

SECOND FLOOR	=	1,282 S.F.
GROUND FLOOR	=	770 S.F.
LIVING S.F.	=	2,052 S.F.
GARAGE S.F.	=	494 S.F.
DECK S.F.	=	161 S.F.


$$1/8'' = 1' - 0''$$

THIS DRAWING EMBODIES IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS WHICH ARE PROPRIETARY TO AND OWNED BY DAVID B. ZULIM, INC. AND WHICH WERE DESIGNED, CREATED, EVOLVED AND DEVELOPED FOR USE SOLELY IN CONNECTION WITH THE SPECIFIED PROJECT. NO TRANSFER OF ANY RIGHTS THERETO IS INTENDED OR EFFECTED BY DELIVERY HEREOF.



$1/2'' = 1' - 0''$



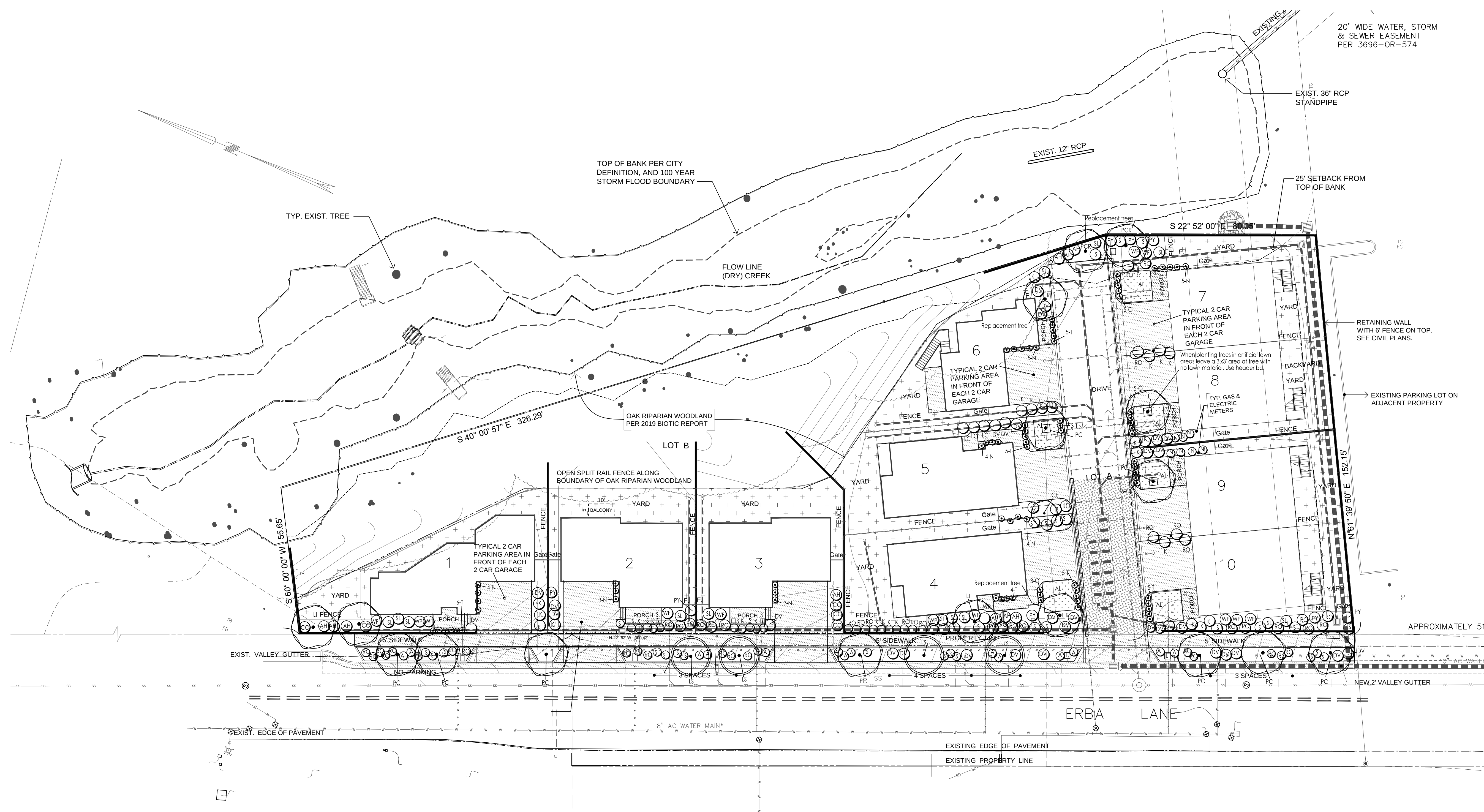
(B) LITHONIA LED LIGHTING BOLLARD
FULLY CUTOFF ILLUMINATION
8" DIAMETER x 42" HIGH
MODEL KBABLED - 16C SYM - 30K - DARK BRONZE

(C) WALL MOUNTED LED LIGHT
WITH GLARE CUTOFF. AND DARK SKY FRIENDLY CERTIFIED
BY INTERNATIONAL DARK-SKY ASSOCIATION.
WAC 3000R OUTDOOR WALL SCIENCE. 3000K
WS-W15709, 8", BRONZE FINISH.
9 WATTS, 315 DELIVERED LUMENS, DIMMABLE.
RATED LIFE = 56,000 HOURS.
HEIGHT - SEE SECTION.

(D) LIGHT ON SECOND FLOOR,
FOR SECOND FLOOR DECKS AND EXTERIOR STAIRS.

(E) RECESSED 6" LED DOWNLIGHT IN CEILING SOFFIT.
HALD #HLBSL 6 INCH, WHITE FINISH.
900 LUMENS, DIMMABLE, 12 WATTS.
3 SELECTABLE COLORS. 3000K, 4000K OR 5000K.
RATED LIFE = 35,000 HOURS.

Date	8/29/20
Scale	1" = 20'
Drawn	DZ/LC
Job	632-20A
Sheet	A9
Of	Sheets



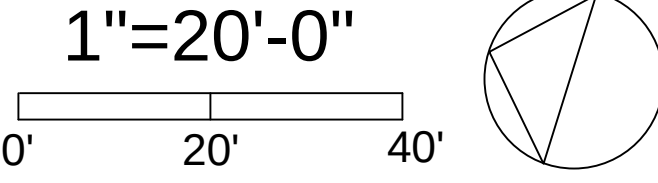
Plant Legend

KEY	QTY	SIZE	BOTANICAL NAME	COMMON NAME
TREES				
LI	4	15 gal	Lagerstroemia i. Tuscarora	Crape Myrtle
LR	2	15 gal	Lagerstroemia i. Tuscarora Replacement Tree	Crape Myrtle
LS	4	15 gal	Laurus Saratoga	Hybrid Laurel
PC	9	15 gal	Pistacia chinensis	Chinese Pistache
PCR	2	15 gal	Pistacia chinensis Replacement Tree	Chinese Pistache
CE	1	15 gal	Cercis occidentalis	Western Redbud
SHRUBS				
N	5		Nandina Gulf Stream	Heavenly Bamboo
RO	5		Rosmarinus Collingwood Ingram	Medium Rosemary
DV	5		Dietes vegeta	Fortnight Lily
LC	5		Loropetalum Razzleberry	
WF	5		Westringia Morning Light or compacta	Compact Westringia
PY	5		Phomium Yellow Wave	Flax
AH	5		Arctostaphylos Howard McMinn	Howard McMinn Manzanita
GROUND COVERS				
K	1		Kniphofia hybrid Bee's Sunset	Red Hot Poker
SL	1		Salvia leucantha	Mexican Sage
R	1		Rosmarinus Huntington Carpet	Prostrate Rosemary
T	1		Teucrium chamaedrys	
S	1		Santolina virens	Green Lavender Cotton
CO	1		Correa Carmine Bells or Ivory Bells	Australian Fuchsia
O	1		Osteospermum fruticosum	African Daisy
A	1		Arctostaphylos Point Reyes	Low Manzanita
AL			Artificial Lawn	

Landscape Notes

- 1) Final building permit drawings to include a detailed irrigation plan that meets the requirements of the Scotts Valley Water Department
- 2) Exact location of plants on site to be adjusted so as to best coordinate with sprinkler head locations, lights, drainage features, and swales
- 3) Don't put plants in bottom of swales
- 4) Don't mulch flow lines of swales such that mulch blocks flow of water
- 5) Use 3 inch deep mulch in all planting areas. Provide owner with different mulch samples and prices including Mahogany colored Wonder Mulch from Vision Recycling, Golden Nugget Bark from Central Home Supply, Premium Redwood Chips from Vision Recycling and nitrilized redwood sawdust.
- 6) Install plants for all plant circles shown on the plan even if they aren't labeled. Call for clarification. For bidding purposes, if no one is available to answer questions, assume that any plant circle scaled less than 8" wide is 5 gal. size and any circle scaled larger is 24" box size
- 7) The plan is schematic. Don't install plants too close to edges of paving or buildings. Be sure plants are not blocking sprinkler spray excessively. Keep valves and quick couplers away from trees.
- 8) The plants will do much better if efforts are made to dig up any compacted soils with slow percolation at least 12" deep. Grade planter areas as necessary for removal of any excess water that puddles in the planters and does not percolate in a reasonable period of time.
- 9) See specs. concerning soil amendments and fertilizer. For bidding purposes until the soil fertility test is done, bid 6 cubic yards of nitrilized redwood sawdust and 16 pounds of 12-12-12 fertilizer filled into the top 6" to 8" of soil after ripping soil to 12" deep, except under existing tree or on steep slopes.
- 10) When there is an option concerning materials get a written choice or signed red line decision on a plan from the owner for the final decision.
- 11) See Tree Location and Protection Plan by project arborist Kurt Fouts (831) 359-3607
- 12) A total of 4-15 gal replacement trees are being installed to replace trees #39 and #40 in the arborist report that are being removed. If additional trees have to be removed each one is to be replaced with 2-15 gal. replacement trees as per the arborist report.

Planting Plan



REVISIONS

BY

Gregory Lewis Landscape Architect

#2176

736 Park Way Santa Cruz, CA 95065 (831) 359-0960

lewislandscape@shuglobal.net

Site Plan

Bay Village

Erba Lane, Scotts Valley, California

Date 9/8/20

Scale 1" = 20'

Drawn GL

Job 632 - 20A

Sheet L1

Of Sheets

099

Page 159 of 585

Hydrozone Summary - Lot 1

	HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
	1 Low water shrub		Drip	548	85%
	2 Low water trees		Drip	100	15%
	TOTAL			648	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	648	100%
TOTAL	648	100%

Irrigated landscape area totals do not include some bark path area at side of garage

Hydrozone Summary - Lot 3

	HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
	1 Low water shrub		Drip	420	94%
	2 Low water trees		Drip	<u>25</u>	<u>6%</u>
	TOTAL			445	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	445	100%
TOTAL	445	100%

Irrigated landscape area totals do not include some bark path area at side of garage

Hydrozone Summary - Lot 5

	HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
	1 Low water shrub		Drip	226	82%
	2 Low water trees		Drip	<u>50</u>	<u>18%</u>
	TOTAL			276	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	<u>276</u>	<u>100%</u>
TOTAL	<u>276</u>	<u>100%</u>

Irrigated Landscape area totals do not include artificial turf area of 119 sf of some bark path area at side of garage

Hydrozone Summary - Lot 7

	HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
	1 Low water shrub		Drip	287	93%
	2 Low water trees		Drip	<u>50</u>	<u>7%</u>
	TOTAL			310	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	310	<u>100%</u>
TOTAL	310	<u>100%</u>

Irrigated Landscape area totals do not include artificial turf area of 144 sf or some bark path area at side of garage

Hydrozone Summary - Lot 9

	HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
	1 Low water shrub		Drip	165	87%
	2 Low water trees		Drip	25	13%
	TOTAL			190	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	190	100%
TOTAL	190	100%

Irrigated Landscape area totals do not include artificial turf area of 119 sf or some bark path area at side of garage

Hydrozone Summary - Lot 2

	HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
	1 Low water shrub		Drip	415	86%
	2 Low water trees		Drip	69	14%
	TOTAL			484	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	484	100%
TOTAL	484	100%

Irrigated landscape area totals does not some bark path area at side of garage

Hydrozone Summary - Lot 4

	HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
	1 Low water shrub		Drip	751	86%
	2 Low water trees		Drip	125	14%
	TOTAL			876	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	616	100%
TOTAL	876	100%

Irrigated Landscape area totals do not include artificial turf area of 144 sf or some bark path area at side of garage

Hydrozone Summary - Lot 6

	HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
	1 Low water shrub		Drip	317	93%
	2 Low water trees		Drip	<u>25</u>	<u>8%</u>
	TOTAL			342	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	342	100%
TOTAL	342	100%

Irrigated Landscape area totals do not include some bark path area at side of garage

Hydrozone Summary - Lot 8

HYDROZONE AREA	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE
1 Low water shrub		Drip	172	87%
2 Low water trees		Drip	25	13%
TOTAL			197	100%

Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	197	100%
TOTAL	197	100%

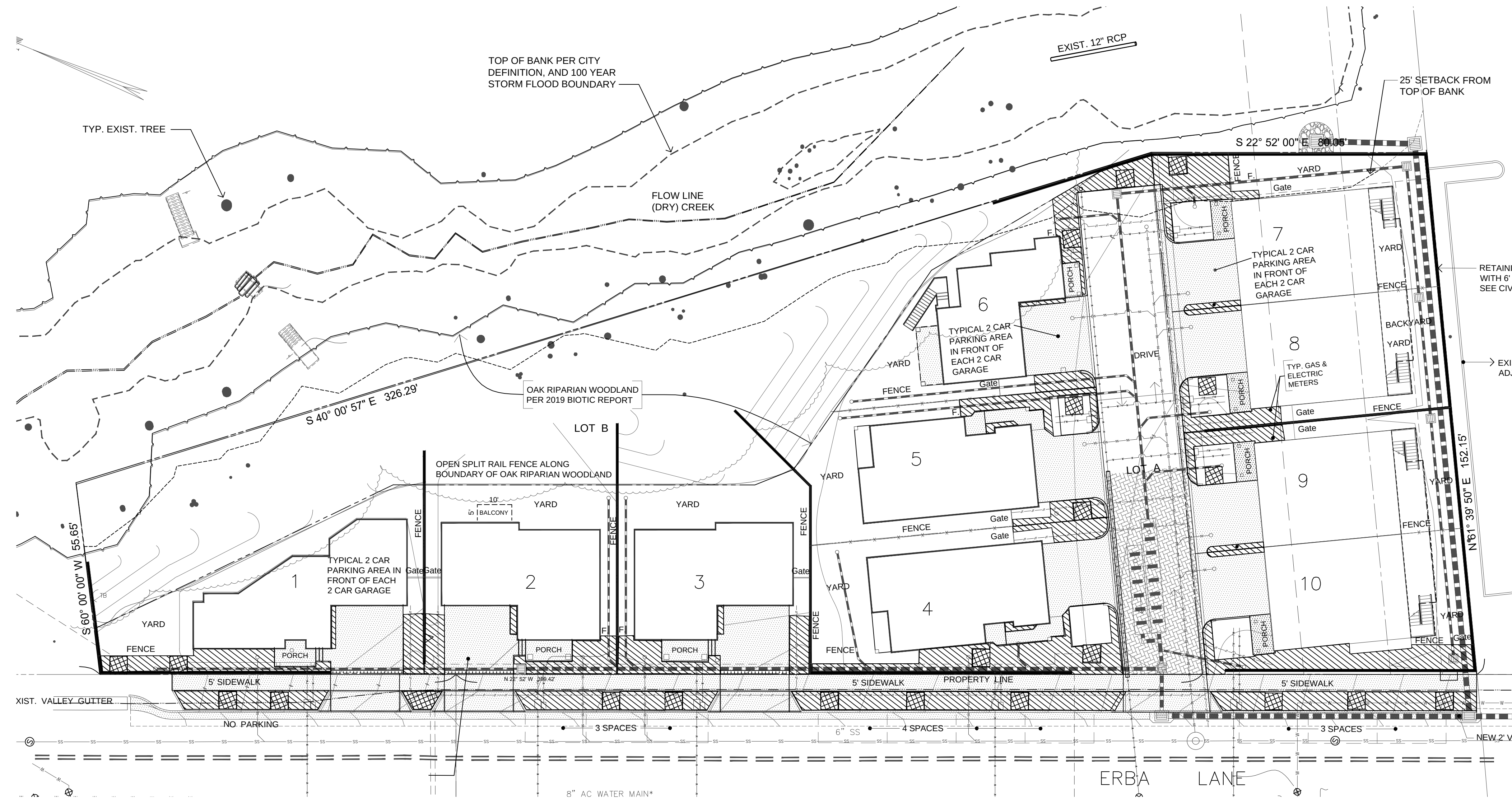
Irrigated Landscape area totals do not include artificial turf area of 119 sf and some bark path area at side of garage

Hydrozone Summary - Lot 10

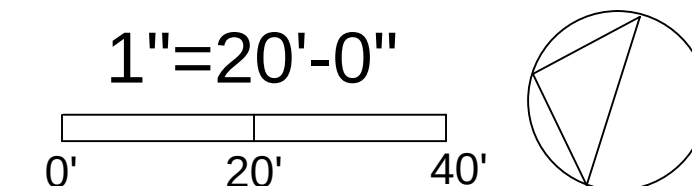
	HYDROZONE	VALVES	IRRIG. METHOD	AREA sq.ft.	% of LANDSCAPE AREA
	1 Low water shrub		Drip	819	92%
	2 Low water trees		Drip	75	8%
	TOTAL			894	100%

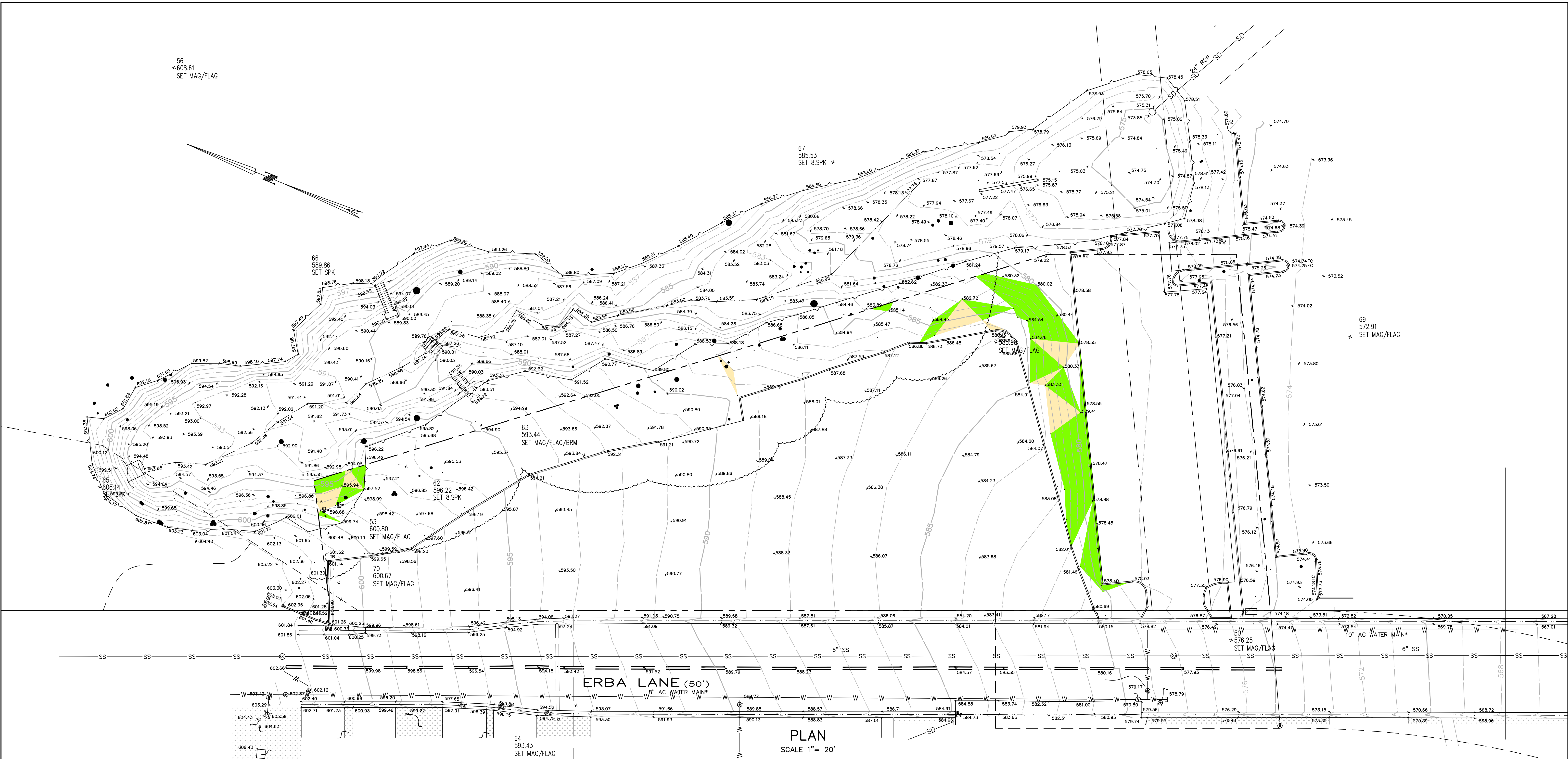
Summary by Hydrozone	Area (Sq.ft.)	% of Landscape Area
High Water Use	0	0%
Moderate Water use	0	0%
Low Water Use	894	100%
TOTAL	894	100%

Irrigated Landscape area totals do not include artificial turf area of 144 sf



Hydrozone Plan





AVERAGE SLOPE CALCULATION

S INDICATES AVERAGE SLOPE IN PERCENT
A INDICATES SITE AREA IN ACRES
I INDICATES CONTOUR INTERVAL
L INDICATES TOTAL LENGTH OF CONTOURS IN FEET

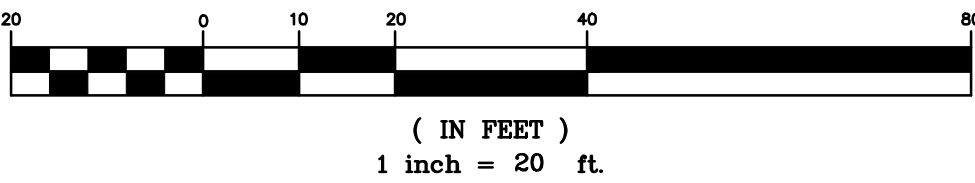
$$S = \frac{0.00229 \times I \times L}{A}$$

$$S = \frac{0.00229 \times 1 \times 3600}{1.038659} = 8 \text{ PERCENT (AVERAGE SLOPE)}$$

SLOPE LEGEND

- APPROXIMATELY 94.4 PERCENT OF THE LOT IS LESS THAN OR EQUAL TO 25 PERCENT SLOPE
- APPROXIMATELY 1.2 PERCENT OF THE LOT IS GREATER THAN OR EQUAL TO 25 PERCENT SLOPE BUT LESS THAN 30 PERCENT SLOPE.
- APPROXIMATELY 4.4 PERCENT OF THE LOT IS GREATER THAN 30 PERCENT SLOPE.

GRAPHIC SCALE



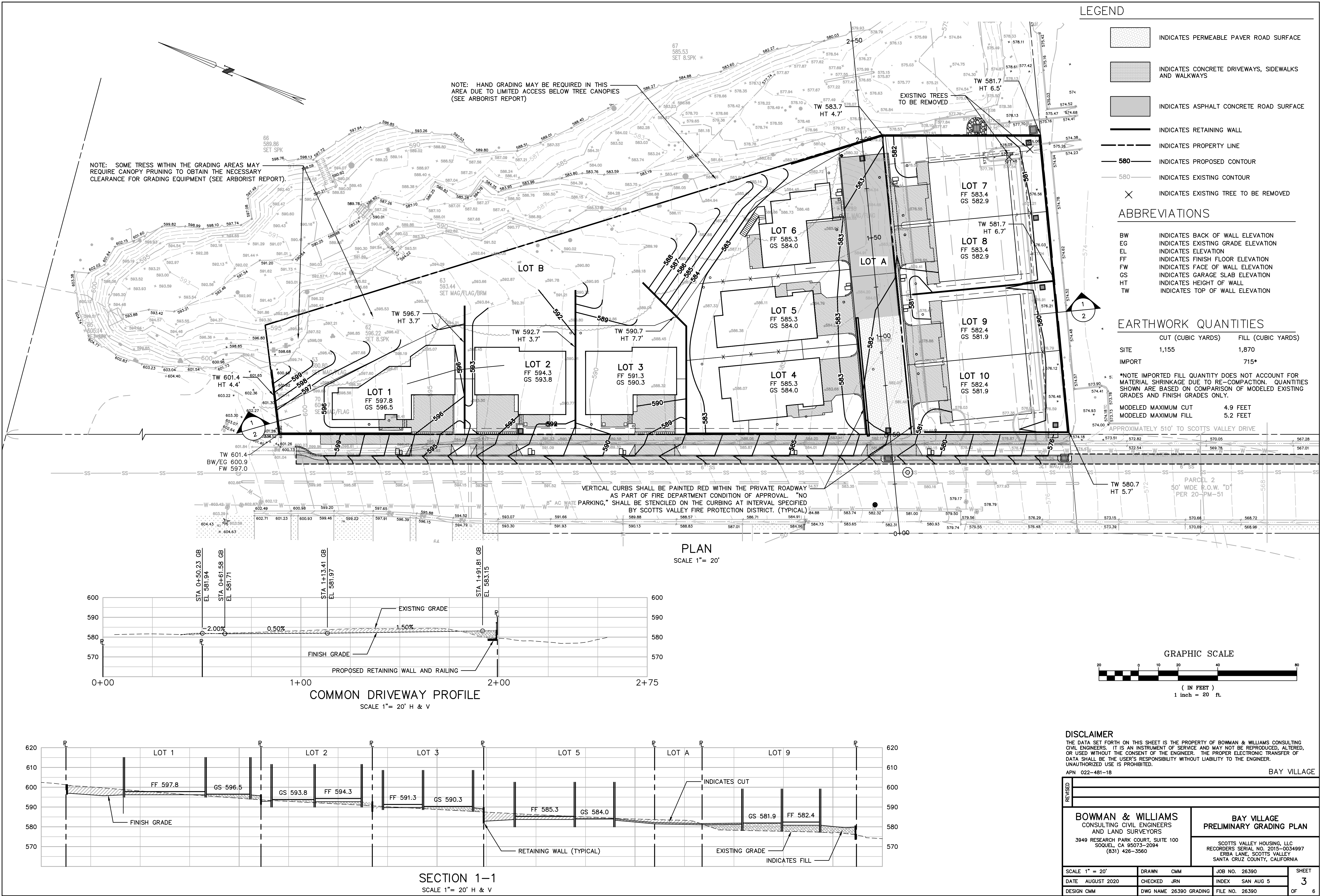
DISCLAIMER

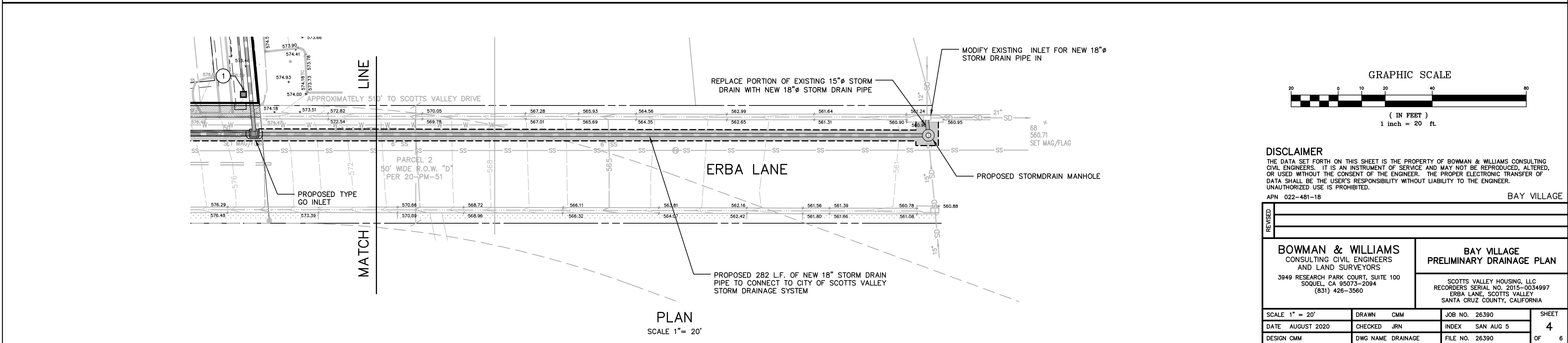
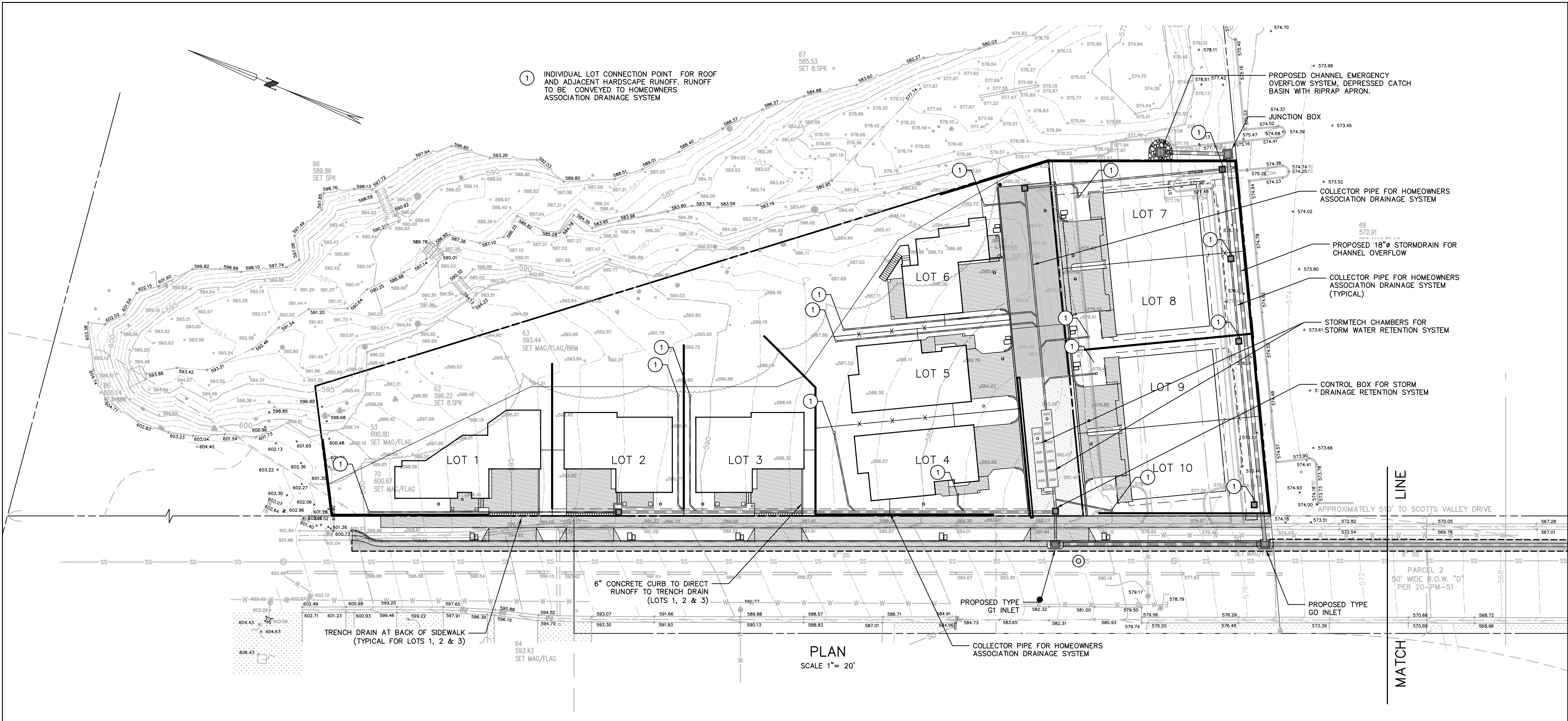
THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED.

APN 022-481-18

BAY VILLAGE

BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 3949 RESEARCH PARK COURT, SUITE 100 SOQUEL, CA 95073-2094 (831) 426-3560		BAY VILLAGE SLOPE MAP SCOTT'S VALLEY HOUSING, LLC RECORDERS SERIAL NO. 2015-0034997 ERBA LANE, SCOTT'S VALLEY SANTA CRUZ COUNTY, CALIFORNIA	
SCALE 1" = 20'	DRAWN CMM	JOB NO. 26390	SHEET 2
DATE AUGUST 2020	CHECKED JRN	INDEX SAN AUG 5	OF 6
DESIGN CMM	DWG NAME SLOPE MAP	FILE NO. 26390	

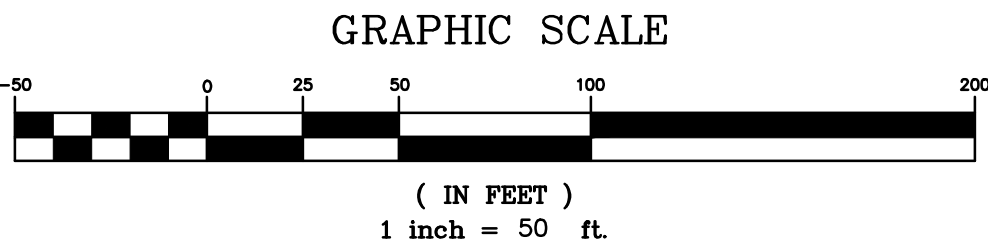






- C-S: SERVICE 45% MAX. BLDG. COVERAGE, 35' HT. LIMIT
- C-P: PROFESSIONAL, 50% MAX. BLDG COVERAGE, 35' HT. LIMIT
- R-H: HIGH DENSITY 3,000 SQ. FT/DU
- R-1-1G: MEDIUM DENSITY 10,000 SQ. FT. MIN. LOT SIZE
- P: PUBLIC/QUASI PUBLIC
- PROJECT SITE, R-H HIGH DENSITY 3,000 SQ. FT./DU

EXISTING STRUCTURES AND LAND USES WITHIN 300' OF PROJECT
SCALE: 1" = 50'-0"



DISCLAIMER

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APN 022-481-18

BAY VILLAGE

REVISED

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS
3949 RESEARCH PARK COURT, SUITE 100
SOQUEL, CA 95073-2094
(831) 426-3560

LAND USE EXHIBIT
SCOTT'S VALLEY HOUSING, LLC
RECORDERS SERIAL NO. 2015-0034997
ERBA LANE, SCOTT'S VALLEY
SANTA CRUZ COUNTY, CALIFORNIA

SCALE 1" = 50'

DRAWN CMM

JOB NO. 26390

SHEET

DATE AUGUST 2020

CHECKED JRN

INDEX SAN AUG 5

6

DESIGN CMM

DWG NAME 26390 TM

FILE NO. 26390

OF 6

BASIS OF BEARINGS

BEARINGS FOR THIS MAP ARE BASED ON THE NORTHERN BOUNDARY OF LOT 1 AS SHOWN ON THAT MAP ENTITLED "PARCEL MAP OF THE RE-SUBDIVISION OF PART OF PARCEL A AS SHOWN ON VOLUME 13 OF PARCEL MAPS AT PAGE 32" FILED IN VOLUME 20 OF PARCEL MAPS AT PAGE 51, SANTA CRUZ COUNTY RECORDS.

NORTH 61°39'50" EAST

BASIS OF ELEVATIONS

ELEVATIONS FOR THIS MAP ARE BASED ON THE CITY OF SCOTTS VALLEY BENCHMARK NO.16, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SCOTTS VALLEY DRIVE AND QUIEN SABE ROAD.

ELEVATION = 560.40 (NO DATUM PROVIDED)

NOTE

BOUNDARY LINES DELINEATED ON THIS MAP ARE BASED ON THE SURVEYOR'S OPINION UTILIZING FOUND PHYSICAL EVIDENCE, RECORDED MAPS AND OTHER APPURTENANT RECORDS AS SHOWN IN THE REFERENCE DOCUMENTS.

THIS TOPOGRAPHIC MAP REPRESENTS THE CONDITIONS OF THE SITE AT THE TIME THE SURVEY FIELD WORK WAS COMPLETED AND SHOWS SURFACE OBJECTS ONLY. SUBSURFACE STRUCTURES, IF ANY, INCLUDING BUT NOT LIMITED TO FOUNDATIONS, PLINGS, UNDERGROUND TANKS AND UNDERGROUND UTILITY LINES MAY NOT BE SHOWN.

REFERENCE DATA

- (100)¹ MEASURED DISTANCE
(100)² DATA PER 2015-0034997
(100)² DATA PER 20-PM-51
(100)³ DATA PER 62-PM-7

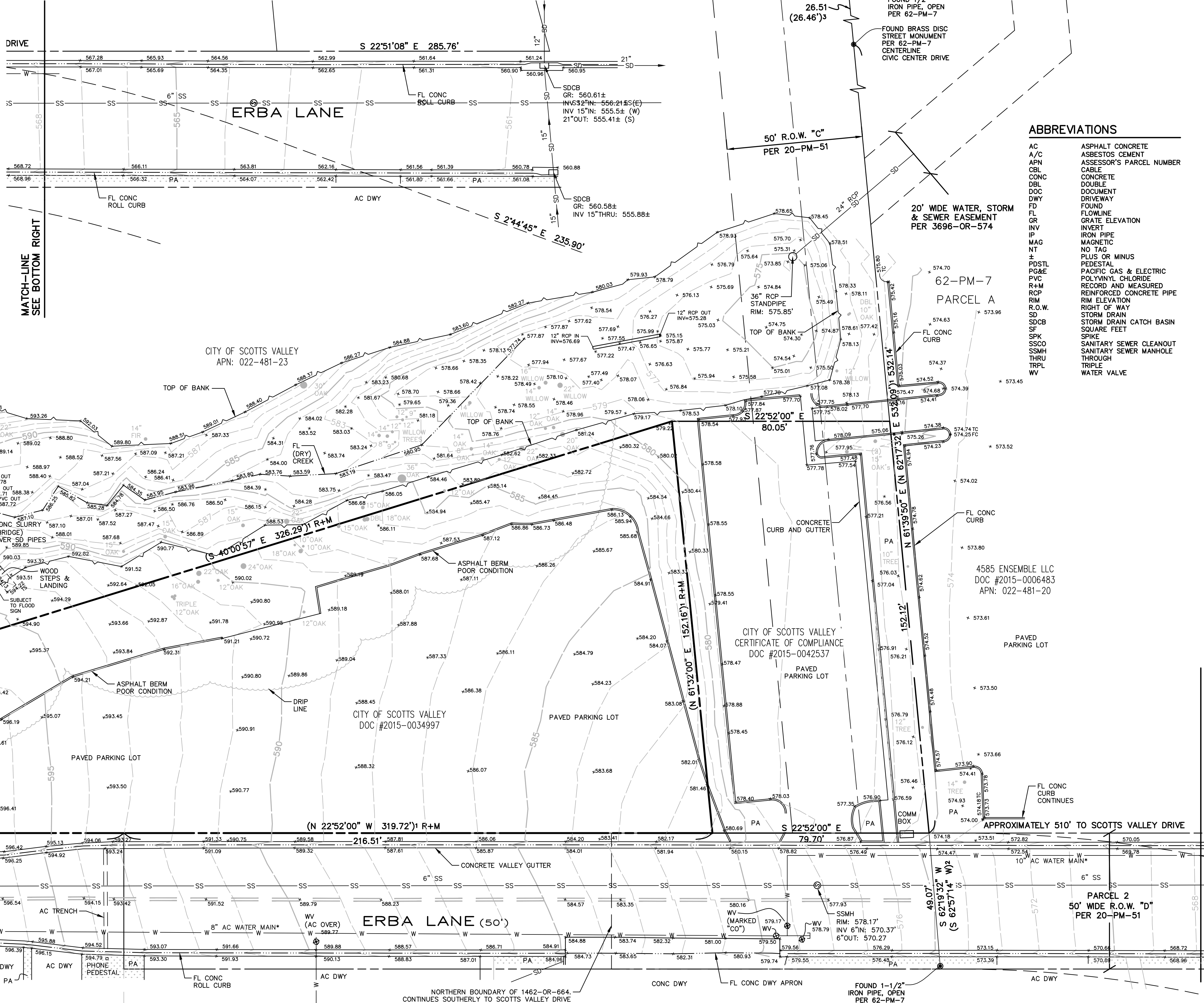
LEGEND

- CONTOUR (MAJOR)
--- CONTOUR (MINOR)
--- DRIP LINE
--- EASEMENT LINE
X FENCE LINE
X FIRE HYDRANT
PLANTING AREA
--- PROPERTY LINE
--- SS SANITARY SEWER LINE
S SANITARY SEWER MANHOLE
+46.21 SIGN
SD SPOT ELEVATION
SD STORM DRAIN LINE
● TREE AS NOTED
TOP OF BANK
X VALVE AS NOTED
W WATER LINE

CONTOUR INTERVAL = 1 FOOT

DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF

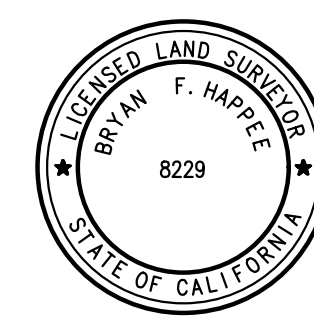
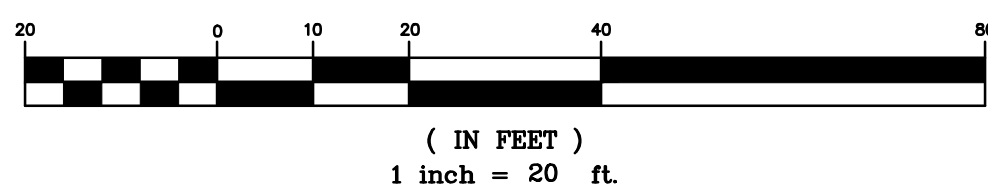
WATER LINES SHOWN WITH AN ASTERISK (*) FROM THE CITY OF SCOTTS VALLEY WATER DEPARTMENT



ABBREVIATIONS

- AC ASPHALT CONCRETE
A/C ASBESTOS CEMENT
APN ASSESSOR'S PARCEL NUMBER
CBL CABLE
CONC CONCRETE
DBL DOUBLE
DOC DOCUMENT
DWY DRIVEWAY
FL FLOWLINE
GR GRATE ELEVATION
INVERT INVERT
IP IRON PIPE
MAG MAGNETIC
NT NO TAG
PLUS OR MINUS
PDSTL PEDESTAL
PG&E PACIFIC GAS & ELECTRIC
PVC POLYVINYL CHLORIDE
R+M RECORD AND MEASURED
RCP REINFORCED CONCRETE PIPE
RIM RIM ELEVATION
R.O.W. RIGHT OF WAY
SD STORM DRAIN
SDCB STORM DRAIN CATCH BASIN
SF SQUARE FEET
SPK SPIKE
SSCO SANITARY SEWER CLEANOUT
SSMH SANITARY SEWER MANHOLE
THRU THROUGH
TRPL TRIPLE
WV WATER VALVE

GRAPHIC SCALE



9-23-16

DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF
CONTOUR INTERVALS = 1 FOOT

REVISED	APRIL 6, 2020 ADD TOPOGRAPHIC SURVEY OF DRAINAGE CHANNEL/ROLLCURB & DRIVEWAYS		
	SEPT. 23, 2016 ADD TOPOGRAPHIC SURVEY OF DRAINAGE CHANNEL		
	AUG. 3, 2016 AFFECTS OF PRELIM. DATED 6-21-16 STEWART TITLE ORDER NO. 01180-202943		
BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS 1011 CEDAR STREET SANTA CRUZ, CA 95060 (831) 426-3560		TOPOGRAPHIC MAP AND BOUNDARY SURVEY	
SCOTTS VALLEY HOUSING, LLC RECORDERS SERIAL NO. 2015-0034997 ERBA LANE, SCOTTS VALLEY SANTA CRUZ COUNTY, CALIFORNIA		SCALE 1" = 20'	1
DATE APRIL 11, 2016	CHECKED BFH	INDEX SAN AUG 5	1
FIELDWORK HB, ZH	DWG NAME 26390TPO	FILE NO. 26390	OF 1

COLOR BOARD FOR:

BAY VILLAGE

ERBA LANE, SCOTTS VALLEY, CALIFORNIA

ROOFING: MEDIUM DARK BROWN HEAVY TAB COMP SHINGLE



ROOF FASCIAS AND GUTTERS, WOOD TRELLISES,
WOOD KNEE BRACES, WINDOW AND DOOR TRIMS,
DECK RAILINGS, BEAMS AND COLUMNS:

MISSION BROWN



WINDOW AND DOOR FRAMES:

OFF-WHITE



LOT NUMBER	WALL COLOR	GARAGE DOOR COLOR	STONE VENEER AT BASE
1	 CURLY WILLOW	 MEADOWLAND	 SARATOGA
2	 BURNT ALMOND	 MEDIEVAL WINE	 YUKON
3	 INCOGNITO	 GLADIATOR GRAY	 SIERRA
4	 RUGGED TAN	 NUT BROWN	 YUKON
5	 LIVINGSTON	 ADVENTURER	 SARATOGA
6	 CURLY WILLOW	 LAGOON MOSS	 YUKON
7	 FRONTIER BROWN	 MOOSE TRAIL	 SARATOGA
8	 CURLY WILLOW	 SANDALWOOD TAN	 SARATOGA
9	 LIVINGSTON	 GLADIATOR GRAY	 SIERRA
10	 ARTISAN CRAFTS	 SPLIT RAIL	 SIERRA



KBA8 LED

LED Specification Bollard

Catalog
Number

Notes

Type

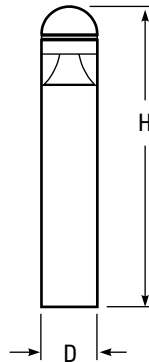
Hit the Tab key or mouse over the page to see all interactive elements.

Specifications

8" Round
(20.3 cm)

Height: 42"
(106.7 cm)

**Weight
(max):** 27 lbs
(12.25 kg)



Introduction

The KBA8 Bollard is a stylish, fully integrated LED solution for walkways. It features a sleek, modern design and is carefully engineered to provide long-lasting, energy-efficient lighting with a variety of optical and control options for customized performance.

With an expected service life of over 20 years of nighttime use and up to 70% in energy savings over comparable 100W metal halide luminaires, the KBA8 Bollard is a reliable, low-maintenance lighting solution that produces sites that are exceptionally illuminated.

Ordering Information

EXAMPLE: KBA8 LED 16C 700 40K SYM MVOLT DDBXD

KBA8 LED																																					
Series	LEDs	Drive current		Color temperature		Distribution		Voltage	Control options	Other options	Finish <i>(required)</i>																										
KBA8 LED	Asymmetric 12C 12 LEDs ¹	350	350 mA	30K	3000 K	ASY	Asym- metric ¹	MVOLT ⁵	Shipped installed	Shipped installed	DWHXD	White	Striping ⁹																								
		450	450 mA ^{3,4}	40K	4000 K						DNAXD	Natural aluminum	SDDB	Dark bronze																							
		530	530 mA	50K	5000 K	SYM	Sym- metric ²	208 ⁵	PE Photoelectric cell, button type	SF Single fuse (120, 277, 347V) ^{4,7}	DDBXD	Dark bronze	SDWH	White																							
	Symmetric 16C 16 LEDs ²	700	700 mA	AMBPC	Amber phosphor converted						240 ⁵	DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately)	DF Double fuse (208, 240V) ^{4,7}	DBLXD	Black	SDBL	Black																				
		AMBLW	Amber limited wavelength ^{3,4}								277 ⁵			H24 24" overall height	H30 30" overall height	H36 36" overall height	DBLTXD	Textured dark bronze	SDTG	Tennis green																	
																					ELCW	Emergency battery backup ⁶	FG Ground-fault festoon outlet	L/AB Without anchor bolts (3 bolt base)	L/AB4 4 bolt retrofit base without anchor bolts ⁸	DNATXD	Textured natural aluminum	SDBUA	Dark blue								
																														SDYLB	Yellow						
																																DWHGXD	Textured white				

Accessories

Ordered and shipped separately.

MRAB U Anchor bolts for KBA8 LED⁸

NOTES

- Only available in the 12C, ASY version.
- Only available in the 16C, SYM version.
- Only available with 450 AMBLW version.
- Not available with ELCW.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options), or photocontrol (PE option).
- Not available with 347V. Not available with fusing. Not available with 450 AMBLW.
- Single fuse (SF) requires 120, 277, or 347 voltage option. Double fuse (DF) requires 208 or 240 voltage option.
- MRAB U not available with L/AB4 option.
- Striping is available only in the colors listed.



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Performance Data

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts.

LEDs	Drive Current (mA)	System Watts	Dist. Type	30K					40K					50K					50K				
				Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
12C	350mA	16	ASY	1,126	1	1	1	70	1,210	1	1	1	76	1,217	1	1	1	76					
	530 mA	22	ASY	1,622	1	1	1	74	1,741	1	1	1	79	1,752	1	1	1	80					
	700mA	30	ASY	2,050	1	1	1	68	2,201	1	1	1	73	2,215	1	1	1	74					
	Amber 450	16	ASY																324	0	1	0	20
16C	350mA	20	SYM	1,527	1	0	0	76	1,640	1	0	0	82	1,650	1	0	0	83					
	530 mA	28	SYM	2,186	1	0	0	78	2,348	1	0	1	84	2,362	1	0	1	84					
	700mA	39	SYM	2,744	1	0	1	70	2,947	1	0	1	76	2,965	2	0	1	76					
	Amber 450	20	SYM																374	0	0	0	19

Note: Available with phosphor-converted amber LED's (nomenclature AMBPC). These LED's produce light with 97+% >530 nm. Output can be calculated by applying a 0.7 factor to 4000 K lumen values and photometric files.

Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a **25°C ambient**, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	1.00	0.98	0.97	0.95

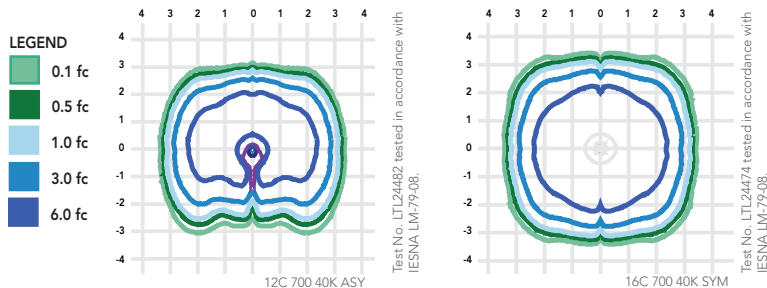
Electrical Load

Light Engines	Drive Current (mA)	System Watts	Current (A)				
			120	208	240	277	347
12C	350	16W	0.158	0.118	0.114	0.109	0.105
	530	22W	0.217	0.146	0.136	0.128	0.118
	700	31W	0.296	0.185	0.168	0.153	0.139
	Amber 450	16W	0.161	0.120	0.115	0.110	0.106
16C	350	20W	0.197	0.137	0.128	0.121	0.114
	530	28W	0.282	0.178	0.162	0.148	0.135
	700	39W	0.385	0.231	0.207	0.185	0.163
	Amber 450	20W	0.199	0.139	0.130	0.123	0.116

Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's [KBA8 Bollard homepage](#).

Isofootcandle plots for the KB LED Bollards. Distances are in units of mounting height (3').



FEATURES & SPECIFICATIONS

INTENDED USE

The rugged construction and clean lines of the KBA bollard is ideal for illuminating building entryways, walking paths, and pedestrian plazas, as well as any other location requiring a low mounting height light source with fully cutoff illumination.

CONSTRUCTION

One-piece 8-inch round extruded aluminum shaft with thick side walls for extreme durability, a high-impact clear acrylic lens and welded top cap. Die-cast aluminum mounting ring allows for easy leveling even in sloped locations and a full 360-degree rotation for precise alignment during installation. Three ½" x 11" anchor bolts with double nuts and washers and 3 ¾" bolt circle template ensure stability. Overall height is 42" standard.

FINISH

Exterior parts are protected by a zinc-infused super durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering for maximum retention of gloss and luster. A tightly controlled multi-stage process ensures a minimum 3-mil thickness for a finish that can withstand the elements without cracking or peeling. Available in both textured and non-textured finishes.

OPTICS

Two fully cutoff optical distributions are available: symmetrical and asymmetrical. IP66 sealed LED light engine provides smoothly graduated illumination without any uplight. Light engines are available in standard 4000 K (>70 CRI) or optional 3000 K

(>80 CRI) or 5000 K (67 CRI). Limited-wavelength amber LEDs are also available.

ELECTRICAL

Light engines consist of high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (L95/100,000 hours at 700mA at 25°C). Class 2 electronic drivers are designed for an expected life of 100,000 hours with < 1% failure rate. Electrical components are mounted on a removable power tray.

LISTINGS

CSA certified to U.S. and Canadian standards. Light engines are IP66 rated. Rated for -40°C minimum ambient. Cold-weather emergency battery backup rated for -20°C minimum ambient.

WARRANTY

5-year limited warranty. Complete warranty terms located at: www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx.

Note: Actual performance may differ as a result of end-user environment and application.

All values are design or typical values, measured under laboratory conditions at 25 °C.

Specifications subject to change without notice.



Mitigated Negative Declaration

Name of Project

Bay Village Planned Development Project

Lead Agency

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

Contact

Paula Bradley, MCP, AICP
Contract Planner
831 345-5482
pbradley@mbakerintl.com

Project Applicant

Charlie Eadie
Eadie Consultants
P O Box 1647
Santa Cruz, CA 95061-1647
831 431-3396
charlie@eadieconsultants.com

Project Location

The project site is on two parcels (APN 22-481-18 and 22) on Erba Lane (no situs – vacant) in the City of Scotts Valley.

Project Description

The proposed Bay Village Planned Development Project (the project) would construct 10 residential units comprised of six single-family homes and two duplex/duets on a 1.04 acre (45,245 square feet (sf)) parcel. The project site consists of two existing lots that would be subdivided into ten lots and two common lots. The residential lots would range in size from 2,750 sf to 3,691 sf, with a common lot area where the riparian woodland area is located (Lot B – 10,681 sf) and a common lot for a new roadway for access to seven of the new residences (Lot A – 3,557 sf).

The project includes nine 3-bedroom homes, which range in size from 1,766 sf to 2,108 sf, and one 2,236 sf 4-bedroom unit. Each unit would include a 2-car garage and a 20-foot deep driveway.

To protect an existing oak riparian woodland habitat that extends along the eastern boundary of the project site, a split rail fence would be constructed outside of the riparian boundary. Retaining walls would be constructed along the property lines in the southeast, south, northwest corner and between most of the lots to create level building pads on the sloped lot. The retaining walls would be topped with wood.

Fronting Erba Lane, the project includes a five-foot sidewalk and six-foot landscaped planting strip. The project would construct a new 24 foot-wide private roadway, extending from Erba Lane, providing access to seven of the residential units (Lots 4 through 10).

Public Review and Comment Period

March 30, 2021 through April 30, 2021

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Scotts Valley at the address listed above or by email to the project planner listed above. All comments received by 5:00 PM on April 30, 2021 will be considered by the City of Scotts Valley.

Findings and Reasons

Apart from biological resources, and the implementation of identified Standard Conditions of Approval, the Initial Study did not identify any potentially significant impacts on the environment. The project would not have the potential to significantly degrade the environment; would have no significant impact on long-term environmental goals; would have no significant cumulative effect upon the environment; and would not cause substantial adverse effects on human beings, either directly or indirectly.

With respect to biological resources, the Initial Study identified potentially significant impacts to sensitive natural communities. Implementation of *MM BIO-1: Oak Riparian Woodland - Project Construction* and *MM BIO-2: Oak Riparian Woodland Post-Construction* would reduce these impacts to less than significant.

The following reasons support these findings:

1. The project is consistent with the adopted goals and policies of the City of Scotts Valley General Plan, and the City of Scotts Valley Municipal Code.
2. City staff independently reviewed the Initial Study, and this mitigated negative declaration reflects the independent judgment of the City of Scotts Valley.

City of Scotts Valley
Bay Village Planned Development Initial Study



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Note: All figures are inserted at the end of the document.

List of Tables

None.

Initial Study

Background & Project Description

Project Title

Bay Village Planned Development

Lead Agency Name and Address

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

Contact Person and Phone Number

Paula Bradley, MCP, AICP
Contract Planner
831 345-5482
pbradley@mbakerintl.com

Project Location

As shown in **Figure 1: Regional Location**, and **Figure 2: Project Vicinity**, the project site is on two parcels (APN 22-481-18 and 22) on Erba Lane in the City of Scotts Valley.

Project Applicant/Sponsor

Charlie Eadie
Eadie Consultants

General Plan Designation

Residential High Density (R-H)

Zoning

Residential High Density (R-H)

Project Description

The proposed Bay Village Panned Development project (the project) would construct 10 residential units comprised of six single-family homes on a 45,245 sf parcel. As shown in **Figure 3: Site Plan**, the project site's two existing lots that would be subdivided into ten lots and two common lots. The lots would range in size from 2,750 to 3,691 square feet (sf), with a common area for the riparian setback (Lot B – 10,681 sf) and a new lane (Lot A – 3,557 sf).

The project includes nine 3-bedroom homes, which range in size from 1,766 sf to 2,108 sf, and one 2,236 sf 4-bedroom unit. Each unit would include a two-car garage and a 20-foot deep driveway. A rendering of the subdivision is shown in **Figure 4: Project Rendering**.

To protect an existing oak riparian woodland habitat that extends along the eastern boundary of the project site, a split rail fence would be constructed outside of the riparian boundary. Retaining walls would be constructed along the property lines in the southeast, south, northwest corner and between most of the lots to create level building pads on the sloped lot. The retaining walls would be topped with wood.

Fronting Erba Lane, the project includes a five-foot sidewalk and six-foot landscaped planting strip. The project would construct a new 24 foot-wide private roadway, extending from Erba Lane, providing access to seven of the residential units (Lots 4 through 10). A street view from Erba Lane is shown in **Figure 5: Street View from Erba Lane**.

As shown in **Figure 6: Grading Plan**, grading for the project would require a cut of 1,155 cubic yards of soil (maximum cut of 4.9 feet), and fill of 1,870 cubic yards (maximum fill of 5.2 feet), for a net import of 715 cubic yards. Consistent with current conditions, stormwater would flow generally north to south across the project site.

Storm drainage from constructed impervious surfaces (e.g. roofs, driveways) would be conveyed via a series of collector storm drain pipes to underground (Stormtech) chambers located on Sam Lane where it would be retained and treated. Stormwater from Erba Lane fronting the project site would be collected via drainage inlets and directed to a newly constructed 18-inch storm drain for channel overflow along the southern boundary of the project site. A channel emergency overflow catch basin with riprap apron would be constructed on the southeast corner of the project site to control storm drain flows that would ultimately flow into the adjacent dry creek located in the existing oak riparian woodland corridor.

Water and sewer services would connect to an existing six-inch sanitary sewer and eight-inch water main located on Erba Lane.

Project-Related Approvals, Agreements and Permits

- Planned Development Permit PD19-004
- Minor Land Division MLD19-002
- Design Review DR19-014
- Environmental Assessment EA19-010
- Environmental Review ND20-001
- Cultural Resources Report Permit CR20-001

Other public agencies whose approval is required

None.

Environmental Setting

Background and Intent

The purpose of the project is to allow for the subdivision of the project site (Lots A and B and Lots 1 through 10) and the construction of 10 residential units as part of a Planned Development.

Project Site and Existing Facilities

The project site is currently vacant with partially paved surface parking. The General Plan designation is Residential High Density (R-H) and the zoning designation is Residential High Density (R-H).

Surrounding the project site is the Scotts Valley Fire Department and single-family residential to the west, Scotts Valley City Hall, and MacDorsa Park to the north and east, and office buildings to the east between the project site and Scotts Valley Drive. The corner of Erba Lane and Scotts Valley Drive is a landscape supply company.

Environmental Checklist

The discussion below analyzes the potential environmental impacts of the project per the criteria as described in Public Resources Code Section 21166 and CEQA Guidelines Section 15162. For convenience, this analysis uses the Appendix G of the CEQA Guidelines as a framework. Different from the standard CEQA checklist included in Appendix G of the CEQA Guidelines are the impact options included in this analysis.

Aesthetics

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
a) Substantially damage scenic resources, including but not limited to trees, rock				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
outcroppings, and historic buildings within a state scenic highway?				
b) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
c) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

Scenic Vista

The project site is currently used as a partially paved parking lot and is surrounded by a combination of commercial, industrial, office, and residential uses. The project site is relatively flat and would not block any scenic vista nor substantially change an important view from a scenic vantage point, and therefore there would be no impact.

Scenic Resources and Visual Character

The project site is not located along a state scenic highway or designated scenic corridor. Although the project would represent a visual change from the existing conditions, it would be consistent with the type of development planned for this area in the General Plan. Additionally, the project is subject to design review, which would provide an opportunity for further evaluation that the project would not adversely impact the visual character of the area. Because there are no scenic resources and the visual character would not be substantially altered, there would be no impact.

Light and Glare

Existing ambient sources of nighttime lighting include neon and fluorescent signs, lighting of building exteriors and architectural accents, illumination through windows, landscape lighting,

street lighting, parking lot lighting, and vehicle headlights. The project would include outdoor lighting on the site typical to a residential development. As shown in **Figure 7: Exterior Lighting Plan**, project plans provide details for exterior lighting for the proposed homes that include: 42-inch tall lighting bollards, wall mounted lights, and recessed 6-inch LED downlights. All fixtures would utilize light-emitting diode (LED) lighting with glare cutoffs and be dark sky-friendly certified by the International Dark-Sky Association.

Site and architectural lighting is subject to the City design review process which would provide an opportunity for further evaluation so that levels of luminance do not adversely affect the adjacent properties. To further minimize lighting effects on the surrounding area, a project-specific conditions would require the project applicant to use no pole lights, and utilize down-directed fixtures on building exteriors with concealed light sources, consistent with City policies and design guidelines for lighting to be at the lowest level and carefully controlled for security, aesthetics, safety, and identification without interfering with nearby land uses. Implementation of these standard conditions of approval would reduce potential off-site light intrusion impacts to a less than significant level.

Findings

The project would not generate affect a scenic vista or scenic resource, would not change the visual character of the project area, and therefore there would be no impact. The project would not result in a substantial change to light and glare and therefore impacts would be less than significant and no mitigation is required.

Agriculture and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Discussion

The property is not located on land that is classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program of the California Resource Agency, and therefore no agricultural impacts would occur as a result of the project.

Findings

As described above, there would be no impact on agricultural resources. Therefore, no mitigation is required.

Air Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?				X

Discussion

Air Quality Plan and Air Quality Standards

The project site is located within the North Central Coast Air Basin (NCCAB), which includes Monterey County, San Benito County, and Santa Cruz County, comprising an area of approximately 5,159 square miles along the central California coast. The Monterey Bay Air Resources District (MBARD) is responsible for local control and monitoring of criteria air pollutants throughout the NCCAB.

MBARD has developed the *2012 Air Quality Management Plan for the Monterey Bay Region* (2012 AQMP). The 2012 AQMP is a transitional plan shifting focus of MBARD's efforts from achieving the 1-hour component of the State ozone AAQS to achieving the 8-hour ozone requirement. The Plan includes an updated air quality trends analysis, which reflects both the 1- and 8-hour standards, as well as an updated emission inventory, which includes the latest information on stationary, area and mobile emission sources.

In March 2017, MBARD adopted the *2012-2015 Triennial Plan Revision*, which assesses and updates elements of the 2012 AQMP, including the air quality trends analysis, emission inventory, and mobile source programs. The 2017 AQMP Revision only addresses attainment of the State ozone standard. In 2012, EPA designated the NCCAB as in attainment of the current national 8-hour ozone standard of 0.075 ppm¹.

The following MBARD rules would limit emissions of air pollutants from construction and operation of residential development pursuant to the project:

- *Rule 400 (Visible Emissions)* – Discharge of visible air pollutant emissions into the atmosphere from any emission source for a period or periods aggregating more than 3 minutes in any 1 hour, as observed using an appropriate test method, is prohibited.
- *Rule 402 (Nuisances)* - No person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause, or have a natural tendency to cause, injury or damage to business or property.
- *Rule 425 (Use of Cutback Asphalt)* – The use of cutback asphalt (asphalt cement that has been blended with petroleum solvents) is restricted.
- *Rule 426 (Architectural Coatings)* – This rule limits the emissions of ROGs from the use of architectural coatings.

The MBARD's 2008 CEQA Air Quality Guidelines provides criteria for determining cumulative impacts and consistency. The CEQA Air Quality Guidelines note that a project which is inconsistent with an Air Quality Plan would have a significant cumulative impact on regional air quality. Any emissions sources that would be generated as part of the project would be subject to the MBARD rules and regulations. The proposed development (the point source) does not include any processes or activities that would emit air pollutants. Therefore, the proposed use does not have the potential for significant impacts that would conflict with the AQMP. Therefore, the project would be consistent with the AQMP for the Monterey Bay Region. Thus, the project would not make a considerable contribution to this existing, cumulatively significant impact. Impacts would be less than significant.

Construction

MBARD CEQA Guidelines state that construction activities (e.g., excavation, grading, on-site vehicles) that emit 82 pounds per day or more of PM₁₀ would have a significant impact on local

¹ On October 1, 2015, U.S. EPA adopted a new 8-hour ozone standard of 0.070 ppm. However, U.S. EPA has not yet reviewed recent NCCAB emissions to determine attainment with the current 0.070 ppm standard. Therefore, this attainment status is based upon U.S. EPA's prior 0.075 ppm standard.

air quality when they are located nearby and upwind of sensitive receptors. Based on this emissions threshold, construction activity occurring on more than 2.2 acres per day may result in significant PM₁₀ emissions (MBARD, 2015). Because development of the project would not result construction activity occurring on more than 2.2 acres per day, impacts would be less than significant.

However, grading activities during construction could cause dust accumulation in the project area. Implementation of the following standard conditions of approval would be required to ensure potential impacts are reduced to a less-than-significant level for all construction activities on the project site.

Furthermore, standard conditions of approval require that development projects reduce dust generation from project grading and construction to minimal levels, the project proponent shall require the grading contractor to implement best management practices (BMPs) for dust control, including watering down exposed earth surfaces each non-rainfall day at intervals that attenuate dust problems. Any dirt tracked on to adjacent roadways shall be removed daily in a manner that does not create substantial airborne dust. The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

- Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
- A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
- In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
- The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
- Roadway(s) along the project frontage shall be mechanically swept at the end of each work day when any dirt or mud has been tracked on the street.
- No grading activities shall occur during days of high wind velocity.
- Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
- Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.

Operational

The project would result in new long-term operational emissions from mobile sources (burning of fossil fuels in cars); energy sources (cooling, heating, and cooking); and area sources (landscape equipment and household products). Mobile source emissions constitute most operational emissions from this type of land use development project. However, emissions associated with buildout of this type of project is not expected to exceed any applicable MBARD thresholds. No stationary sources would be constructed that would be long-term permanent sources of emissions. Therefore, the project would not generate a significant level of operational emissions and impacts would be less than significant.

Sensitive Receptors

Sensitive receptors in the vicinity include residents and patrons of nearby commercial/office establishments, located approximately 30 feet from the property boundaries of the proposed development.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust which is a known toxic air contaminant (TAC). The California Air Resources Board (CARB) has identified diesel exhaust particulate matter as a toxic air contaminant, and assessment of toxic air contaminant cancer risks is typically based upon a 70-year exposure period. Project grading and construction activities that would utilize diesel-powered equipment would expose receptors to possible diesel exhaust for a very limited number of days (approximately 10 days). Because exposure to diesel exhaust would be well below the 70-year exposure period, and given the limited and short-term duration of activities that would use diesel equipment, construction-related diesel emissions are not considered significant. Furthermore, the State is implementing emission standards for different classes of on- and off-road diesel vehicles and equipment that applies to off-road diesel fleets and includes measures such as retrofits. Additionally, Title 13 of the California Code of Regulations (section 2485(c)(1)) prohibits idling of a diesel engine for more than five minutes in any location.

Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations. Potential exposure of sensitive receptors to diesel emissions and associated risks is considered a less-than-significant impact, and no mitigation measures are required. However, standard conditions of approval require that prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

Odors

During construction activities, temporary odors from vehicles exhaust and construction equipment engine would occur. However, construction-related odors would be short-term and would cease upon completion. Therefore, no objectionable odors are anticipated from construction activities associated with the project and there would be no impact.

Land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project does not include any uses that would be associated with objectionable odors. Odor emissions from the project would be limited to odors associated with vehicle and engine exhaust and idling cars. The project does not include any known sources of objectionable odors associated with the long-term operational use and therefore there would be no impact.

Findings

A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. As discussed above, the MBARD thresholds of significance have not been exceeded. Therefore, there would be no significant air quality impacts and no mitigation is required in addition to the City's standard conditions of approval for construction dust control at the time of development.

Biological Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, 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		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?		X		

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological				X
d) Interfere substantially 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 wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion

A Biological Assessment was prepared for the project site in May of 2019 (Biotic Resources Group, May 2019), which was based on a previous site plan consisting of six single-family homes and three duplex homes (total of 12 units) (Erba Lane Housing, Site Plan, David Zulim, Inc. dated 8-3-18). An Addendum to the Biological Assessment was prepared in May 2020 based on a revised site plan which represents the proposed project (Biotic Resources Group, May 2020).

Similarly, a Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, November 2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 2020).

The analysis below is based on the findings of these assessments, as revised.

Environmental Setting

The project area is located along an unnamed creek. The USGS map (Felton quadrangle) does not identify a stream at this location; however, the field inspection documented a defined bed and bank and evidence of seasonal water flow at the site.

As shown in **Figure 8: Vegetation Types** (which shows the previous site plan), two plant communities occur on the project site. Coast live oak riparian woodland grows along the eastern property line and this woodland extends further eastward along the creek corridor on the City of Scotts Valley property. The woodland is closely associated with the creek, with many trees rooted on the slope and along the top-of-bank. Mature trees of coast live oak (*Quercus agrifolia*) dominant the woodland, with their canopies extending outward from top-of-bank. **Figure 9: Oak Riparian Woodland Habitat** illustrates the extent of the oak riparian woodland in relation to the revised site plan (May 12, 2020).



According to the arborists report (Kurt Fouts, November 2017), 14 oak trees grow on the project site; 26 oak trees are rooted on the adjacent City-owned property. Within the woodland, native and non-native plant species are present, including California blackberry (*Rubus ursinus*), poison oak (*Toxicodendron diversilobum*), curly dock (*Rumex crispus*), velvet grass (*Holcus lanatus*), French broom (*Genista monspessulana*), sword fern (*Polystichum munitum*), and young willows. The riparian woodland on the City property also supports willows (*Salix sp.*), which grow along the wetted channel.

In general, oak woodlands provide a high value habitat type for wildlife because acorns are important forage, the natural cavities in the oaks provide nesting opportunities for some birds and mammals, and downed decaying logs and limbs add to structural complexity of a moist microclimate and invertebrate food supply. The value of the oak riparian woodland to wildlife at this site is enhanced by the presence of water in the creek, which provides seasonal water sources for wildlife. Common wildlife expected to occur in this small patch of oak woodland include scrub jay (*Aphelocoma coerulescens*), acorn woodpecker (*Melanerpes formicivorus*), oak titmouse (*Baeolophus inornatus*), chestnut-backed chickadee (*Poecile rufescens*), bushtit

(*Psaltiriparus minimus*), spotted towhee (*Pipilo maculatus*), and western gray squirrel (*Sciurus griseus*).

The second plant community is non-native grasses and forbs dominate the southeast portion of the Erba Lane property, abutting the existing paved area. Evidence of previous fill/base rock materials was observed, suggesting previous disturbances to this area. Plant species are typical of such areas, with wild radish (*Raphanus sativa*), wild oat, Bermuda grass (*Cynodon dactylon*), velvet grass, black mustard (*Brassica nigra*.), English plantain (*Plantago lanceolata*), soft chess (*Bromus hordeaceus*), filaree (*Erodium botrys*), and rose clover (*Trifolium repens*) being common. Native plant species in this area are limited to California poppy (*Eshscholzia californica*) and telegraph weed (*Heterotheca grandiflora*).

The use by wildlife of the grassland area is expected to include common species, such as mourning dove (*Zenaidura macroura*), California towhee (*Pipilo crissalis*), white-crowned sparrow (*Zonotrichia leucophrys*), and house finch (*Carpodacus mexicanus*). Western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis melanoleucus*), and Botta's pocket gopher (*Thomomys bottae*) are also likely to occur in the grass habitat.

Applicable Regulations

California Department of Fish and Wildlife

CDFW classifies and ranks the State's natural communities to assist in the determining the level of rarity and imperilment. Vegetation types are ranked between S1 and S5. For vegetation types with ranks of S1-S3, all associations within the type are considered to be highly imperiled. If a vegetation alliance is ranked as S4 or S5, these alliances are generally considered common enough to not be of concern; however, it does not mean that certain associations contained within them are not rare (CDFW, 2007 and 2010). The oak-willow riparian woodland (CaCode 71.060.47) is ranked S4, yet some associations are of high priority (CDFW, 2010).

City of Scotts Valley Zoning Code

Streams and Drainage Courses

The City of Scotts Valley Zoning Code contains several references to streams and drainage courses. Section 17 requires structures to be located outside a 25-foot creek setback (measured outward from the top-of-bank). This review found the top of bank to be the break in slope from the flat terrace to the creek. Most of the oak trees are rooted at or just below this top-of-bank location, with the tree canopies extending into, and in some cases beyond, this 25-foot setback.

City Zoning Code 15.06 also addresses drainage facilities, requiring disturbances to natural drainageways be kept to a minimum and existing drainage courses shall not be obstructed or obliterated without mitigating measures installed that have been approved by the building official. Grading equipment is not to disturb or cross flowing streams unless absolutely necessary and only with prior approval from the building official. The code also states no construction materials or construction byproducts shall be discarded in any drainageway or

riparian zone. All streams, floodplains, channels, bodies of standing water, or other riparian areas shall be identified and delineated on the development plans and vegetative removal, land disturbances, or other development activities shall be conducted at a time, and in a manner that will provide and maintain an undisturbed vegetative filter strip. The code also states if it is determined that certain development activities in or near the riparian zones would be detrimental, those activities may be prohibited.

Tree Protection

The City of Scotts Valley Zoning Ordinance Section 17.44.080 regulates the removal of protected trees. Section 17.44.080 includes tree protection regulations. Protected trees are defined as:

- Any tree having a main stem or trunk at least 8 inches or greater diameter at breast height (DBH) (25 inches in circumference), located in a hillside residential zone where the slope within 20 feet of where the tree is located exceeds 20 percent;
- Any single-trunk oak tree with a main stem or trunk at least 8 inches DBH (25-inch circumference), or any multi-trunk oak tree with an individual trunk over 4 inches DBH (12 inch circumference);
- Any street tree (defined as any tree within five feet of a public or private street or right of way), regardless of size;
- Any single-trunk tree with a 13-inch or greater DBH (40-inch circumference);
- Any multi-trunk tree with any trunk greater than or equal to 8-inch DBH (25-inch circumference);
- Any tree, regardless of size, required to be planted or preserved as part of a permit approved by the Planning Department, Planning Commission or City Council, or required as a replacement tree for a removed tree; or
- Any Heritage Tree, defined as a tree identified, because of unique quality and/or size, as among the most significant and noteworthy in the city and formally designated by the City Council.

Per SVMC Section 17.44.080(E)(4), tree removal request shall be included as part of the development application, including an arborist's report, and shall be approved by the planning commission or city council. The development review process shall seek to preserve healthy trees, trees that contribute to the overall aesthetic quality of an area, and to preserve significantly sized trees that are important to the overall landscape of an area.

Sensitive Natural Communities

A biological survey of the project site was conducted in May 2019 to determine the presence of special status plant and animal species. No special status plant species were observed and none are expected. The only special status wildlife species that may occur within or immediately adjacent to the project work area is the San Francisco dusky-footed woodrat.

The project was evaluated as to potential direct and indirect impacts to sensitive biological resources. Examples of direct impacts are the removal of oak trees for construction of housing and associated lot development, and pathway construction in the riparian corridor. Examples of indirect impacts include potential disturbance to the oak riparian woodland and wildlife utilization of these areas from increased human uses on the property (e.g., residential uses, landscaping, lighting, pathway uses).

Based on the revised site plan dated May 12, 2020, the revised grading plan preserves most of the oak riparian woodland on the project site. The footprint of the residential buildings are located outside of the dripline of the oak riparian woodland and 25 feet from the “top of bank” of the 100-year storm flood boundary. Two Coast live oaks (T39 and T40), which are located outside of the oak riparian woodland on the southeast corner of Lot 7, would be removed, as discussed below. Additionally, some limited grading would occur within the dripline of oak trees that are to be retained. Some trees would require targeted clearance pruning for grading equipment and hand grading may be required near them to minimize impacts. Two additional protected oaks near lot 6 (T35 and T38) may not be retained.

To reduce construction and post-construction-period impacts to the riparian woodland, the Biological Assessment, as revised, the following mitigation measures would reduce impacts to the oak riparian woodland to a less than significant level.

MM BIO-1: Oak Riparian Woodland -Project Construction

Prior to issuance of the grading permit, the project applicant shall demonstrate to the satisfaction of the City compliance with the following:

- 1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area.
- 1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including:
 - Conduct construction activities within 20 feet of the riparian woodland during the dry season;
 - Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
 - Stabilize disturbed soils to minimize erosion and sediment input to the creek;

- Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
 - Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction;
 - Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.
- 1.3 Occurrences of invasive, non-native plant species (i.e., French broom, bull thistle) should be removed from the riparian woodland prior to project completion.

MM BIO-2: Oak Riparian Woodland Post-Construction

Prior to issuance of the building permit, the project applicant shall demonstrate to the satisfaction of the City compliance with the following:

- 2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.
- 2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (*Vinca sp.*), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (*Phytophthora sp.*) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (<http://cemarin.ucdavis.edu>).

State and Federal Regulated Waterways and Federal Wetlands

Development of the project would occur adjacent to regulated waterway. The project is located near California Department of Fish and Wildlife's (CDFW) and Regional Water Quality Control Board's (RWQCD) regulatory jurisdiction, however, proposed residential development is located outside of the oak riparian woodland dripline. As shown in **Figure 9: Oak Riparian Woodland Habitat**, construction would not require the removal of vegetation in the streambank, nor on

the top of the bank of the dry creek, within regulated areas by the CDFW and RWQCD. Therefore, there would be no impact associated with regulated waterways.

Special Status Species, Wildlife Corridors, and Nursery Sites

The only special status wildlife species that may occur within or immediately adjacent to the project site is the San Francisco dusky-footed woodrat. The woodrats may be present in above-ground stick nests. Additionally, nesting birds may occur in or adjacent to the project work area. No other special status wildlife species occur within the project area.

Because most nesting birds are protected by the Migratory Bird Treaty Act, the project would implement the mitigation measure listed below to avoid potential impacts if any active bird nests are present during vegetation removal. The mitigation measure below would also reduce potential impacts to the woodrats and nesting birds. While none were identified during the May 2019 survey, the project site is suitable habitat for the San Francisco dusky-footed woodrat. Therefore, implementation of the following mitigation measure would reduce impacts associated with special status species and nursery sites to a less than significant level.

MM BIO-4: Protection of Sensitive Animal Species

Prior to issuance of the grading permit, the project applicant shall demonstrate to the satisfaction of the City the following:

1. The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.
2. If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledged the nest(s).

Conflict with Local Polices, HCP or NCCP, or Other Conservation Plan

As shown in **Figure 6: Grading Plan**, which reflects the revised site plan dated 5/12/2020, the revised Grading Plan preserves most of the oak riparian woodland on the property. The footprint of the buildings are located outside of the dripline of the oak riparian woodland and all but two oak trees (T39 and T40, located on the southeast corner of Lot 7) would be retained.

Some grading would occur within the dripline of oak trees that are to be retained. The Revised Arborists Report analyzed the revised grading plan relative to trees and found that up to six trees may be affected by the project. Some trees would still require targeted clearance pruning for grading equipment (T29 and T30) and hand grading may be required near them. Impacts to

two trees (T35 and T38), adjacent to Lot 6 may be greater, and would likely need to be removed. The Revised Arborists Report also indicated that the future growing conditions for most of the oaks would slightly improve, as more soil would be retained allowing for a larger rooting area.

The Revised Arborists Report recommended tree replacement to compensate for the removal and limbing of the identified trees at a 2:1 tree replacement using 15-gallon or 24-inch box size trees and identifies an open area east of Lot 7 be used for the tree replacement plantings. This recommendation is consistent with City regulations, as described above.

Standard conditions of project approval require the project applicant to implement all measures contained within the Revised Arborists Report for the protection of existing trees to remain, including but not limited to the required procedures and sequence, required tree replacement, tree preservation and protection, and appraised value of preserved trees in the report.

A habitat survey report for the endangered Mount Hermon June Beetle and Zayante Band Wing grasshopper was prepared by Entomological Consulting Services, Ltd., dated July 14, 2005. Due to the absence of indigenous sand parkland vegetation and sunlight, barren Zayante sandy soils, and habitat conditions, the report concluded that the project site was not suitable for the Zayante Band Wing grasshopper. Similarly, due to the absence of Ponderosa pines and Zayante sands, habitat conditions are not suitable for the Mount Hermon June Beetle.

Therefore, the proposed project would not conflict with any local policies or applicable HCP's and there would be no impact.

Findings

The project would comply with the City's standard conditions of approval wherein protected tree removals are compensated at a minimum of 2:1 ratio. Additionally, through implementation of **MM BIO-1** and **MM BIO-2**, impacts associated with vegetation, wildlife, riparian woodland, and other biological resources would be reduced to a less than significant level.

Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

Discussion

Cultural Resources

The Scotts Valley 1994 General Plan, Figure OS-2 ("Archeological Sensitivity Zones"), indicates that the project site is located within areas of moderate and high archaeological sensitivity.

An Extended Phase I Archeological Assessment (Albion Environmental, Inc., March 2020) was prepared for the project site in 2020 (Albion Environmental, Inc., March 2020). After reviewing the record search results, Albion conducted an intensive pedestrian survey and limited trenching and auguring of the project area. Visual inspection surface and small-scale subsurface excavations revealed no evidence of intact prehistoric or historic-era archaeological deposits. However, due to the proximity of archeological site SCR-177/H, it was recommended that archeological and Native American monitoring occur during all ground-disturbing activities.

Standard conditions of approval for development require that the project applicant and construction contractor ensure that any cultural resource, including archaeological, paleontological, or human remains are not destroyed if discovered during project grading or other subsurface work.

As part of the standard conditions of approval, the project applicant shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading

permit issuance. The project applicant shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below:

1. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities;
2. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis;
3. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring;
4. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present; and,
5. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The project applicant shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

Standard conditions of approval require that the project applicant and construction contractor ensure that paleontological resources are not destroyed during project grading by implementing following measures:

- 1) Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading;
- 2) Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas;
- 3) Allow for the recovery of any discovered paleontological resources according to a recovery plan/methods specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.);
- 4) If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken; and,
- 5) Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Human Remains

No known human remains are located on the project site. Pursuant to section 7050.5 of the Health and Safety Code, if human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e).

Findings

As discussed above, due to the proximity of archeological site SCR-177/H, archeological and Native American monitoring during all ground-disturbing activities would be required as a standard condition of approval, which would reduce any potential impacts associated with cultural resources to a less than significant level.

Energy

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

Discussion

Energy consumption associated with construction of the project would be temporary and short-term. Project design and operation would comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. Additionally, the project includes other design features including efficient low-energy lighting, and natural ventilation systems.

The project would also be required to be built according to City and State energy efficiency standards. The project would be required to comply with existing regulations, including

applicable measures from the City's General Plan. Vehicle trips and energy consumption would be less carbon intensive as compared to historic levels due to statewide compliance with future low carbon fuel standard amendments and increasingly stringent Renewable Portfolio Standards).

Findings

The project would comply with existing State energy standards and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. There would be no impact to energy.

Geology and Soils

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) 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 based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Discussion

Earthquake Faults, Landslides, and Seismic Ground Shaking

Project construction would subject the buildings and their inhabitants to periodic seismic shaking associated with the San Andreas Fault and other active faults within the Monterey Bay area. As part of any future Planned Development application submitted to the City of Scotts Valley, the project applicant would be required to submit plans that are in compliance with the latest California Building Code (CBC) standards consistent with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code.

Prior to approval of any entitlements, City staff is required to review project plans and verify that the CBC Seismic requirements are printed on the plans. Building Division staff shall verify

that CBC standards are met prior to issuance of Building Permits. Building inspectors shall conduct site inspections to assure that construction occurs consistent with approved plans.

The Scotts Valley 1994 General Plan, Figure S-3 ("Liquefaction Potential") indicates that the project site is not in an area for liquefaction. Figure S-4 ("Landslide Deposits") indicates that the site is in an area containing landslide deposits. Figure S-5 ("Slopes"), indicate that the project site is not located within any mapped geological hazard areas. Per the earthquake hazard zones defined by the Alquist-Priolo map, the risk of earthquake-induced ground rupture occurring across the project site is moderately low.

A geotechnical investigation was prepared by Haro, Kasunich and Associates, Inc. (Haro, Kasunich & Associates, November 2005) determined that given the project site is generally level, the potential for seismically induced landslides are low. As a standard condition of approval, an updated geotechnical report would be required for review and approval by the City prior to issuance of a building permit.

Because compliance with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code is required for all future project, potential impacts associated with earthquake-related ground rupture would be less than significant and no mitigation is required.

Soil Erosion

The project would involve the removal of landscape vegetation and grading activities associated with the construction of buildings, infrastructure, and roads. Grading would largely be limited to the project site, which would limit the amount of exposed soil area that would be subject to erosion. Measures to control erosion would be incorporated into the construction specifications pursuant to the National Pollution Discharge Elimination System (NPDES) requirements for construction. In addition, to comply with the NPDES requirements for construction, projects involving construction on sites that are one acre or more are required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies how the discharger would protect water quality during construction activities. Compliance with the erosion control ordinances and acquisition of the NPDES General Permit for construction activities would ensure that soil erosion impacts associated with development pursuant to the project would be less than significant.

Sewage Disposal

The project would involve disposal of wastewater through the City's existing sanitary sewer system, and there would be no septic systems constructed as part of the project. Therefore, no impacts would occur.

Unique Geological Features and Paleontological Resources

There are no known paleontological resources on the project site. However, development of the project could result in the discovery and disturbance of previously unknown or undiscovered paleontological resources. Should evidence of paleontological resources be

encountered during grading and construction, adherence to City, State, and Federal historic preservation laws, regulations, and codes related to archaeological and paleontological resources would ensure the adequate protection of historic and pre-historic resources. With implementation of existing regulations, the impact would be less than significant.

Findings

Compliance with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code and NPDES requirements would reduce any potential impacts associated with geological and soil resources to a less than significant impact. Therefore, no mitigation is required.

Greenhouse Gas Emissions

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion

Construction

Construction of the project would result in direct emissions of CO₂, N₂O, and CH₄ from the operation of construction equipment and the transport of materials. MBARD does not have a threshold for construction GHG emissions, which would be one-time, short-term emissions and therefore would not significantly contribute to long-term cumulative GHG emissions impacts of the project. In the absence of quantitative significance thresholds in CEQA guidance, this analysis turns to other programs. For example, the CARB Mandatory Reporting program requirements are triggered for sources of GHG emissions exceeding 2,500 MTCO₂e) per year. AB 32 requires California agencies to take actions that reduce GHG emissions by 2020 to the levels of 1990, and then substantially further reduce emissions by 2050. Most individual projects do not generate sufficient GHGs to create a project-specific impact to significantly influence climate change; therefore this impact typically involves an analysis to determine if a

project's GHG emissions are cumulatively considerable (significant cumulative impact). Once construction is complete, the generation of construction-related GHG emissions would cease. The project is not expected to exceed the CARB Mandatory Reporting applicability level of 2,500 MTCO₂e per year. As a result, the short-term emission of GHG during construction would be less than significant

Operational

Operational or long-term emissions would occur over the project's life. GHG emissions would result from direct emissions such as project generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the project, the energy required to convey water to, and wastewater from the project site, the emissions associated with solid waste generated from the project site, and any fugitive refrigerants from air conditioning or refrigerators. The project would meet CalGreen and CBC standards for energy efficiency standards including passive solar design and natural ventilation and natural lighting.

Additionally, the project includes water-efficient landscape, water-reducing features, and low-impact development practices to reduce water use. The project is an example of "smart growth" strategies based on infill, density, and unit types. Energy use of the completed residential units would be less than similar units constructed in previous years because their construction is required to comply with the energy efficiency standards of the California Building Code. All these factors result in a project that would not significantly contribute to a cumulative GHG impact. Thus, impacts would be considered less than significant.

Findings

While some GHGs would be generated as a result of development of the project, its contribution to GHGs would not be cumulatively considerable and there would not be any significant impacts associated with GHGs. Therefore, the project would result in a less than significant impact, and no mitigation is required.

Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine			x	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
transport, use, or disposal of hazardous materials?				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

Discussion

Hazardous Substances

Regarding on-site hazards, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No records of the project site were found pertaining to open cases of LUSTs, toxic releases, or site cleanup requirements. The project site is located adjacent to a known hazardous materials site at 7 Erba Lane (southwest of the project site) due to diesel contamination². Given the distance from the project site and the propensity for diesel to migrate downward and not laterally in sandy soils, impacts from the known hazardous site to the subject parcel and the proposed use are unlikely.

It is likely that oils, lubricants, and similar materials may be used to maintain and/or fuel construction vehicles and machinery during the construction phase of the project. Standard conditions of approval require the project applicant to have the construction contractor implement a best management practice/hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

- Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
- Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or in to Scotts Valley Drive.
- Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

² County of Santa Cruz, Environmental Health Department. Santa Cruz County Environmental Health Service files: Search by Address. Accessed at <https://sccdcs.santacruzcounty.us/ENV/CustomSearch.aspx?SearchName=AllPrograms&repo=EnvironmentalHealth>. Accessed on February 9, 2021.

The project's residential uses may involve use and storage of some materials that are considered hazardous, although these materials are typically limited to everyday use solvents, paints, chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be substantially different from household chemicals and solvents already in use throughout the City. Therefore, impacts associated with hazardous substances would be considered less than significant, and no mitigation is required.

Release of Substances Near Schools

The project is located within one-quarter mile of the Scotts Valley Unified School, approximately 700 feet south of the project site. However, project construction and operation would not involve the emission of hazardous materials, therefore impacts would be considered less than significant and no mitigation is required.

Emergency Response

General Plan Safety Element Figure S-6 "Evacuation Routes" shows Scotts Valley Drive as a primary evacuation route in the City's Emergency Response Plan. Construction of the project would not change the function of Scotts Valley Drive as a primary evacuation route. Therefore, the proposed project would have no impact on emergency response.

Public Airport or Private Airstrip

The project site is not located within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. Therefore, there would be no impact.

Wildland Fire

Refer to the **Wildfire** Section below for further discussion.

Findings

The project site is not on a list of hazardous materials sites, nor would the residential use involve the use of hazardous materials that would require permitting by the Santa County Health Department and therefore impacts would be less than significant. The project would not impact the City's primary evacuation routes, nor is it located within two miles of an airport, and therefore there would be no impacts. No mitigation is required.

Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				X
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i. Result in substantial erosion or siltation on- or off-site?			X	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
iv. Impede or redirect flood flows?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

Discussion

Groundwater Demand

According to the project plans, the project would use approximately 1,485 gallons per day (or two acre-feet of water per year) of water. The Scotts Valley Water District has reviewed the application and has determined that existing water resources would support the proposed development (SVWD Will Serve Letter, dated March 5, 2020). Therefore, there would be no impact.

Groundwater Recharge

The project is located in an area designated on the Scotts Valley General Plan Hydrological Resources Map, Figure OS-5, as a Potential Groundwater Recharge Area. Per the Open Space and Conservation Policy OSA-343 of the Scotts Valley General Plan, all proposed construction in a Potential Groundwater Recharge Area requires a detailed hydrological evaluation to mitigate the loss of recharge.

According to the Preliminary Stormwater Control Plan (Bowman & Williams, September 2018), the existing paved project site contains 32,280 sq. ft. of impervious surface area. Redevelopment would reduce the amount of impervious surface area to 25,924 sq. ft. resulting in a net addition of impervious surface area by 4,345 sq. ft., resulting in an improvement to groundwater recharge as compared to existing conditions. Additionally, the project would incorporate various low impact development design strategies such as the use of permeable pavements, dispersal of runoff of pervious areas, and stormwater control measures that would assist in improving groundwater conditions. Therefore, there would be no impact and no mitigation is required.

Stormwater Runoff

The project applicant prepared a Preliminary Stormwater Control Plan (PSCP) (Bowman & Williams, 9/10/2018) to address potential impacts from stormwater runoff. The PSCP described

project site-specific best management practices (BMPs) to control erosion and sedimentation and maintain water quality in accordance with the current edition of the City of Scotts Valley Stormwater Technical Guide. The BMPs address the construction and maintenance of storm drain inlets, irrigation and use of pesticides, maintenance of hardscapes, and maintenance of underground stormwater facilities.

Furthermore, standard conditions of approval require the developer and construction contractor to implement best management practices to prevent sedimentation and discharge of contaminants off-site during project construction, including hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

- Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
- Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or in to Scotts Valley Drive.
- Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

Implementation of recommendations as described in the PSCP and preparation of a SWPPP for review and approval prior to construction activities would ensure that impacts from stormwater runoff would be less than significant.

Floodplains, Seiche, Tsunami and Mudflow Related Hazards

The property is not located within a floodplain. There is no possibility of a seiche or tsunami occurring that could affect the project. The project is not located on or near a lake or ocean coastline. Therefore, the project would have no impacts.

Findings

Implementation of recommendations as described in the PSCP and preparation of a SWPPP would reduce impacts on hydrology and water resources to a level of less than significant. Therefore, no mitigation is required.

Land Use and Planning

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Discussion

Surrounding the project site is the Scotts Valley Fire Department and single-family residential to the west, Scotts Valley City Hall, and MacDorsa Park to the north and east, and office buildings to the east between the project site and Scotts Valley Drive. The corner of Erba Lane and Scotts Valley Drive is a landscape supply company.

The project site is currently zoned Residential High Density (R-H). Additionally, the project site is designated under the City of Scotts Valley General Plan as Residential High Density (R-H), which allows for 9 to 15 residential units. Therefore, the project would be consistent with the existing zoning and General Plan land use designations.

Findings

The proposed future residential use of the site would be in keeping with surrounding land uses and the development pattern of the neighborhood. The project would have no impact and therefore no mitigation is required.

Mineral Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion

The Scotts Valley 1994 General Plan, Figure OS 4, indicates that there are no significant mineral deposits on the project site. The project is not located in an area known to contain regionally significant mineral resources and would not result in the loss of the availability of a known mineral resource of regional value. Additionally, the project site is not located in an area that has been identified by the City of Scotts Valley as a locally important mineral resource recovery site.

Findings

The project would have no impact and therefore no mitigation is required.

Noise

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
local general plan or noise ordinance, or applicable standards of other agencies?				
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion

Short Term Noise Levels

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g. land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods surrounding the construction site. Project construction would occur adjacent to existing single-family residences on Erba Lane. However, construction activities would occur throughout the project site and would not be concentrated at a single point near sensitive receptors.

Project construction would comply with the City's Municipal Code Section 17.46.160, which states that all construction activity shall be limited to the hours between 8 a.m. and 6 p.m., Monday through Friday, and 9 a.m. through 5 p.m. on Saturday. No construction activity is allowed on Sunday. These permitted hours of construction are included in the code in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment and do not cause a significant disruption. Construction would occur throughout the project site and would not be concentrated or confined in the area directly adjacent to sensory receptors. Therefore, construction noise would be acoustically dispersed throughout the project site and impacts would be less than significant.

Long Term Noise Levels

The Noise Contour Map for the City indicates that the project site is in an area of less than 60dBA. The Noise Element of the Scotts Valley General Plan specifies that "exterior noise levels measured at the property line of proposed new residential developments shall be limited to or below an average annual day-night level of 60 dBA" (NA-454).

Implementation of the project would create new sources of noise in the project vicinity from residential sources, mechanical equipment, and landscape maintenance. These noise sources would be similar to those generated in other residential neighborhoods throughout the City. Such noise would primarily occur during the "daytime" activity hours of 7:00 a.m. to 7:00 p.m. Furthermore, the residences would be required to comply with the noise standards set forth in the City's General Plan and Municipal Code. Per General Plan Policies LP-38, NA-457, NO-441, and NA-444 land uses which include residential uses should not be allowed in areas with excessive noise. Therefore, there would be no impact from long-term noise levels.

Exposure to Groundborne Vibrations

Because the project would not require the use of heavy construction equipment, the residences located approximately 30 feet from the project's construction area would not be exposed to vibrations levels exceeding the FTA's 0.20 in/sec PPV significance threshold vibrations. Therefore, there would be no vibration impacts.

Future project residents may experience occasional groundborne vibrations from nearby traffic on Scotts Valley Drive when large trucks use the roadway. But this vibration is not expected to be frequent nor at high levels. This impact is less than significant.

Airport or Private Airstrip Noise

The project site is not located within any airport noise impact contours and not located within the vicinity of any private air strip, and therefore there would be no impact.

Findings

The project would not expose future residential uses to short-term construction nor long-term operational noise levels in excess of City standards. Noise generated during the construction phase is temporary and would be limited to Monday-Saturday daytime hours per compliance with the City's Municipal Code Section 17.46.160. Therefore, no mitigation is required.

Population and Housing

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Discussion

The project would result in a relatively small increase in population (27 persons³) that is well within the land use buildout capacity projections identified within the City of Scotts Valley General Plan (1994) as well as the Association of Monterey Bay Area Government's 2018 Regional Growth Forecast for the City of Scotts Valley population of 12,418 by 2040. Therefore, there would be no impact.

Findings

There is no potential for a significant impact due to substantial growth either directly or indirectly. Therefore, the project would have a no impact and no mitigation is required.

³ . The average household size for Scotts Valley is 2.67 persons which estimates 27 persons for a project with 10 units

Public Services

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental 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:				
i) Fire protection?				X
ii) Police protection?				X
iii) Schools?				X
iv) Parks?				X
v) Other public facilities?				X

Discussion

Fire Services

The project is located in an existing urban area that is currently served by the Scotts Valley Fire Protection District. The closest fire station is located across the street from the project site. Therefore, there would be no impact.

Police Services

The project would add new residents to the City who would occasionally need police services. This type of additional service would not generate a demand beyond what the police department can accommodate. The Scotts Valley Police department is located west and adjacent to the project site at City Hall. Therefore, there would be no impact.

Schools

The project would add approximately 27 new residents to the City, some of whom would be students attending schools within the Scotts Valley Unified School District. These additional students would not generate a significant demand on the area school system and therefore there would be no impact.

Parks

The project would add approximately 27 new residents to the City who would occasionally utilize City parks and recreational programs; however, this additional use would not generate a demand beyond what the City Parks Department can accommodate and no new additional park facilities would be required. Additionally, as a standard condition of the approval, the project would be required to pay a parks and recreation in-lieu fee as part of their building permit. Therefore, there would be no impact.

Other Public Facilities

The project does not have the potential to affect other public facilities, in excess of that previously considered by the General Plan. Therefore, there would be no impact

Findings

The project would have no impact on public services and therefore no mitigation is required.

Recreation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion

Scotts Valley has a total of seven parks, ranging in size from a half-acre to 7.5 acres. Recreational facilities are also available at local schools, the Scotts Valley Senior Center, and Scotts Valley Community Center. The proposed project would not require the construction of new or expanded recreational facilities and therefore there would be no impact. Additionally, standard conditions require the developer pay an in-lieu park fee.

Finding

No significant impacts to recreation and open space resources are expected. Thus, the thresholds of significance have not been exceeded. Payment of Park Impact fees would mitigate the incremental increase created by the project.

Transportation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				X
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X

Discussion

Conflict with City Policies or Programs, Increase Hazards, Impair Emergency Access

The project would involve the construction of a new 24 foot-wide private roadway that would provide access to six of the residential units. The design of the roadway would be consistent with City standards and subject to design review to ensure there is adequate emergency vehicle access. The frontage along Erba Lane would be improved with a sidewalk, curb and gutter landscaped buffer, and on-street parking; consistent with City standards. Therefore, there would be no impact

Increase Vehicle Miles Travelled

Vehicle Miles Traveled (VMT) is a measure of total vehicular travel that accounts for the number of vehicle trips and the length of those trips. Because the City of Scotts Valley has not formally adopted VMT significance criteria, this CEQA analysis uses guidance per the City of Scotts Valley's VMT Implementation Guidelines (Kimley-Horn and Associates, July 2020).

The VMT Implementation include screening criteria to avoid unnecessary analysis and findings for non-significant transportation impacts. Small projects that generate less than 110 trips per day are exempt from VMT analysis.

Project trip generation was estimated by applying the proposed type of development to the appropriate trip generation rates published in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition (2012)*. The ITE estimated rate for single-family housing is 10.67 average daily trips per household (ITE Code 210). This would result in 106.7 trips per day for the project, which is less than the City's VMT Implementation Guidelines and as such, the project is exempt from further VMT analysis.

Furthermore, because the project would not generate more than 50 peak hour trips, it is exempt from preparing a traffic impact analysis per the City's Guide for the Preparation of Traffic Impact Studies (2003).

Findings

The project would not conflict with City policies or programs regarding the circulation system, including transit, roadway, bicycle and pedestrian facilities. The project would not cause a hazard nor impair emergency access. The project is considered a "small project" per the City VMT Implementation Guidelines and is exempt to further analysis. Therefore there would be no impacts to transportation and no mitigation is required.

Tribal Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				X
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?				X
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?				X
b) Cause a substantial adverse change in the significance of a tribal cultural				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California				

Discussion

Section 21080.3.1(b) of the California Public Resources Code (AB 52) requires a lead agency formally notify a California Native American tribe that is traditionally and culturally affiliated within the geographic area of the discretionary project when formally requested.

As of this writing, no California Native American tribes traditionally and culturally affiliated with the Santa Cruz County region have formally requested a consultation with the City of Scotts Valley (as Lead Agency under CEQA) regarding Tribal Cultural Resources. As a result, no Tribal Cultural Resources are known to occur in or near the project area.

Findings

No California Native American tribes traditionally and culturally affiliated with the Santa Cruz County region have formally requested a consultation with the City of Scotts Valley. Therefore, no impact to the significance of a Tribal Cultural Resource is anticipated and no mitigation is required.

Utilities and Service Systems

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

Discussion

Water Treatment Facilities

The 10 proposed residential units would result in a daily water demand of 1,485 gallons per day or approximately two-acre feet per year (AFY).⁴ Therefore, the proposed residential use would cause only a minimal increase on the demand for water and wastewater service. The Scotts Valley Water District has reviewed the application and has determined that existing water resources would support the proposed development. Thus, impacts are be considered less than significant and no mitigation is required.

Wastewater Treatment Facilities

The Wastewater Department has reviewed the proposed development and has determined that the existing wastewater treatment facilities would support the proposed development. The project would not generate solid waste in excess of that typically generated by 10 residential units. Thus, impacts would be considered less than significant, and no mitigation is required.

Electric Power, Natural Gas, or Telecommunications

The project would require new connections to PG&E for electricity and natural gas. In addition, the project would require new telecommunication connections with the respective service providers. The project site is surrounded by commercial development to the south, and east and single-family residential to the west, which are serviced by various dry utility providers. Because these utilities would be readily extended from existing infrastructure adjacent to the project site, impacts from the project would be less than significant, and no mitigation is required.

Solid Waste

The project would generate approximately 122 pounds of daily solid waste.⁵ The 122 pounds of daily solid waste generated by the project would represent less than one percent of the daily permit capacities of Buena Vista and Monterey Peninsula landfills⁶, respectively. Therefore, both landfills have adequate capacity. Thus, impacts would be considered less than significant, and no mitigation is required.

4 Daily Water Use Factor for High Density Residential is 55 (gallons per capita/day). (27 residents x 55 gallons/day) = 1,485 (gallons/day)

5 Daily Solid Waste Generation Rate for Residential Use is 12.23 pounds per day/unit (CalRecycle, 2019). (10 residential units x 12.23 pounds/day) = 122.3 pounds/day

6 The Buena Vista Sanitary Landfill is permitted to receive 838 tons of solid waste per day (CalRecycle, 2019). The Monterey Peninsula Landfill is permitted to receive 3,500 tons of solid waste per day.

Findings

Existing utilities and service systems are available to serve the project and no new facilities would be required to be constructed. Therefore, the project would have less than significant or no impacts associated to utilities and service systems, and no mitigation is required.

Wildfire

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Discussion

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped the relative wildfire risk in areas of large population by intersecting residential housing density with proximate fire threat according to three risk levels, namely Moderate, High, and Very High. Wildfires are large-scale brush and grass fires in undeveloped areas. The project is within an urbanized area and not within a Very-High Fire Hazard Severity Zone as mapped by CALFIRE. Additionally, the project would incorporate all applicable fire safety code requirements, including fire protection devices in all residential units and appropriate fire-resistant landscaping on the project site, as required by the Scotts Valley Fire District, and therefore there would be no impact.

Findings

The project would not affect emergency response/evacuation plans, would not expose residents or structures to a wildfire risk, and would not exacerbate fire risk. Therefore, the project would have no impact to wildfires, and no mitigation is required.

Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Does the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion

As discussed in the individual sections, the project would not degrade the quality of the environment with the implementation of identified Standard Conditions of Approval and mitigation measures. As discussed in **Biological Resources**, mitigation measures **MM BIO-1: Oak Riparian Woodland -Project Construction** and **MM BIO-2: Oak Riparian Woodland -Post Construction** would reduce impacts to less than significant.

As described in the environmental resource sections of this Initial Study, the project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

The project would result in temporary air quality and noise impacts during construction. With the implementation of the identified Standard Conditions of Approval, and consistency with adopted City policies, construction impacts would be mitigated to a less than significant level. As described above, these impacts would be temporary and the project would not have cumulatively considerable impacts on air quality and noise impacts in the project area.

The project would have a less than significant impact or no impact on the remaining environmental resources and would not contribute to cumulative impacts to these resources. Therefore, the project would not cause a cumulatively considerable impact and no mitigation is required.

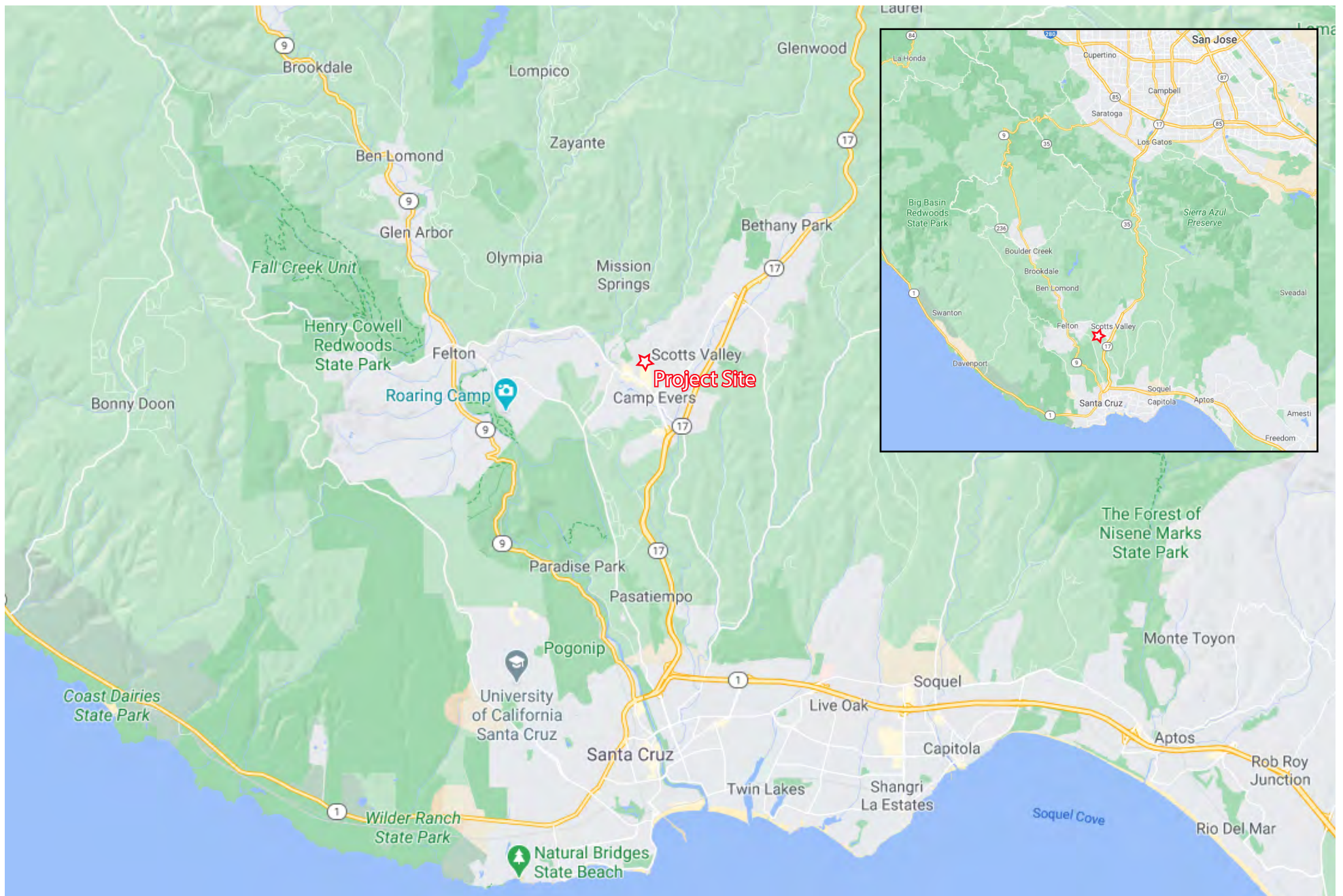
Determination

On the basis of this initial evaluation:

I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the project MAY have a potentially significant or a potentially significant unless mitigated impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.	

 Paula Bradley, MCP, AICP
 Contract Planner

 Date



Source: Google Earth, 2021

Figure 1: Regional Location

Bay Village Planned Development Project



Not to scale



Source: Nearmaps, 2021

Figure 2: Project Vicinity
Bay Village Planned Development Project



Not to scale

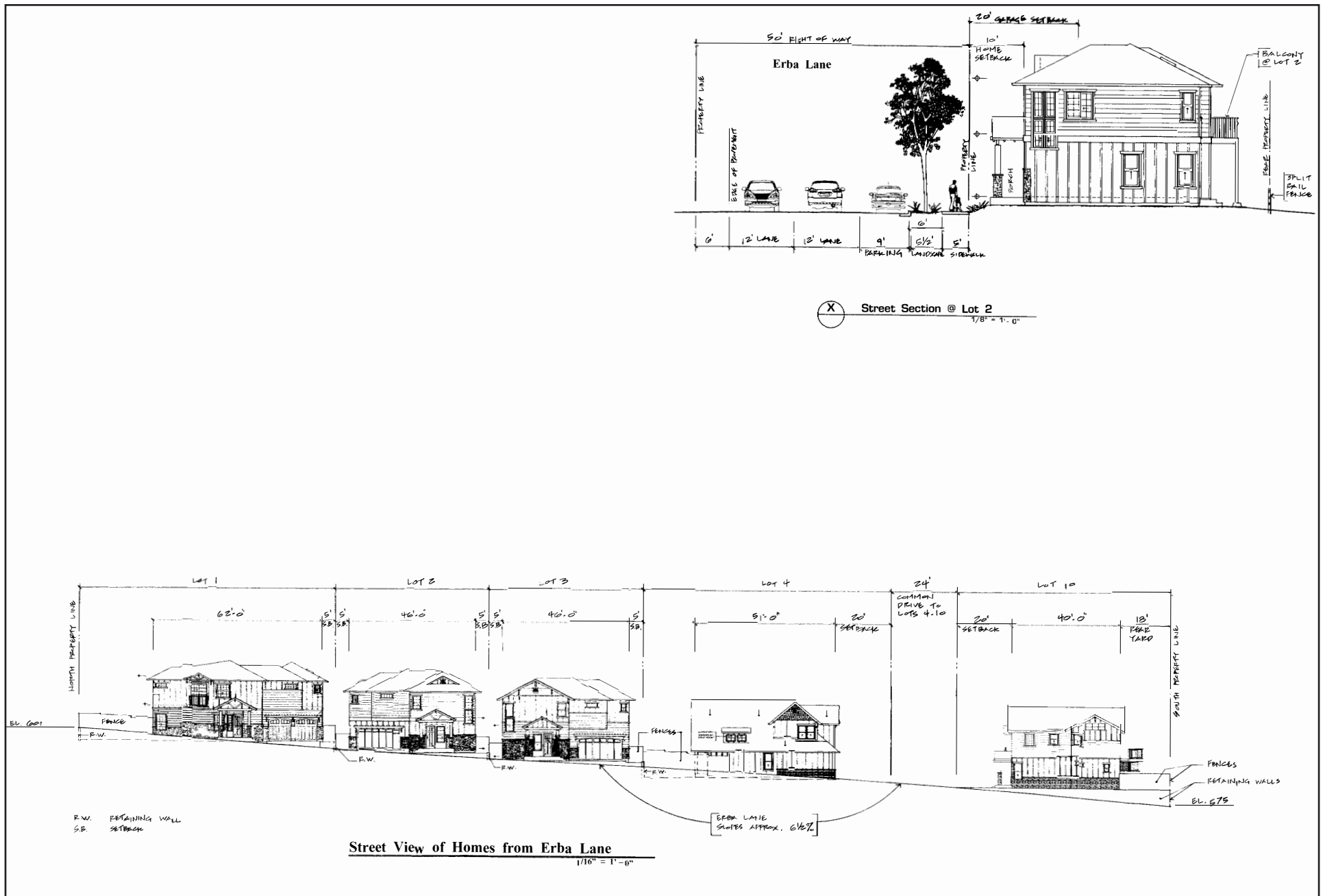


Source: Bowman & Williams, 2020

Figure 4: Proposed Project Rendering
Bay Village Planned Development Project



Not to scale

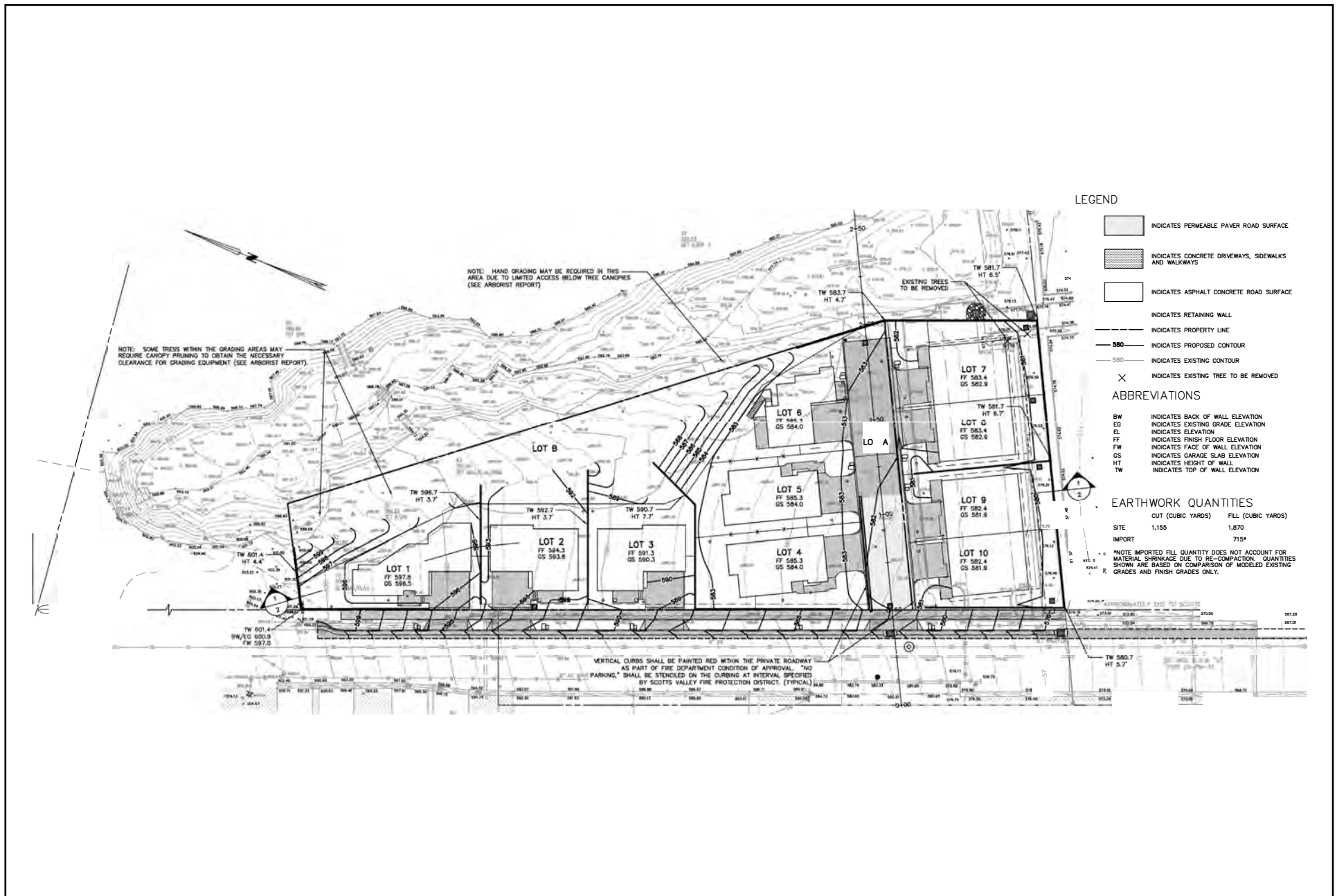


Source: Bowman & Williams, 2020

Figure 5: Proposed Street View
 Bay Village Planned Development Project



Not to scale



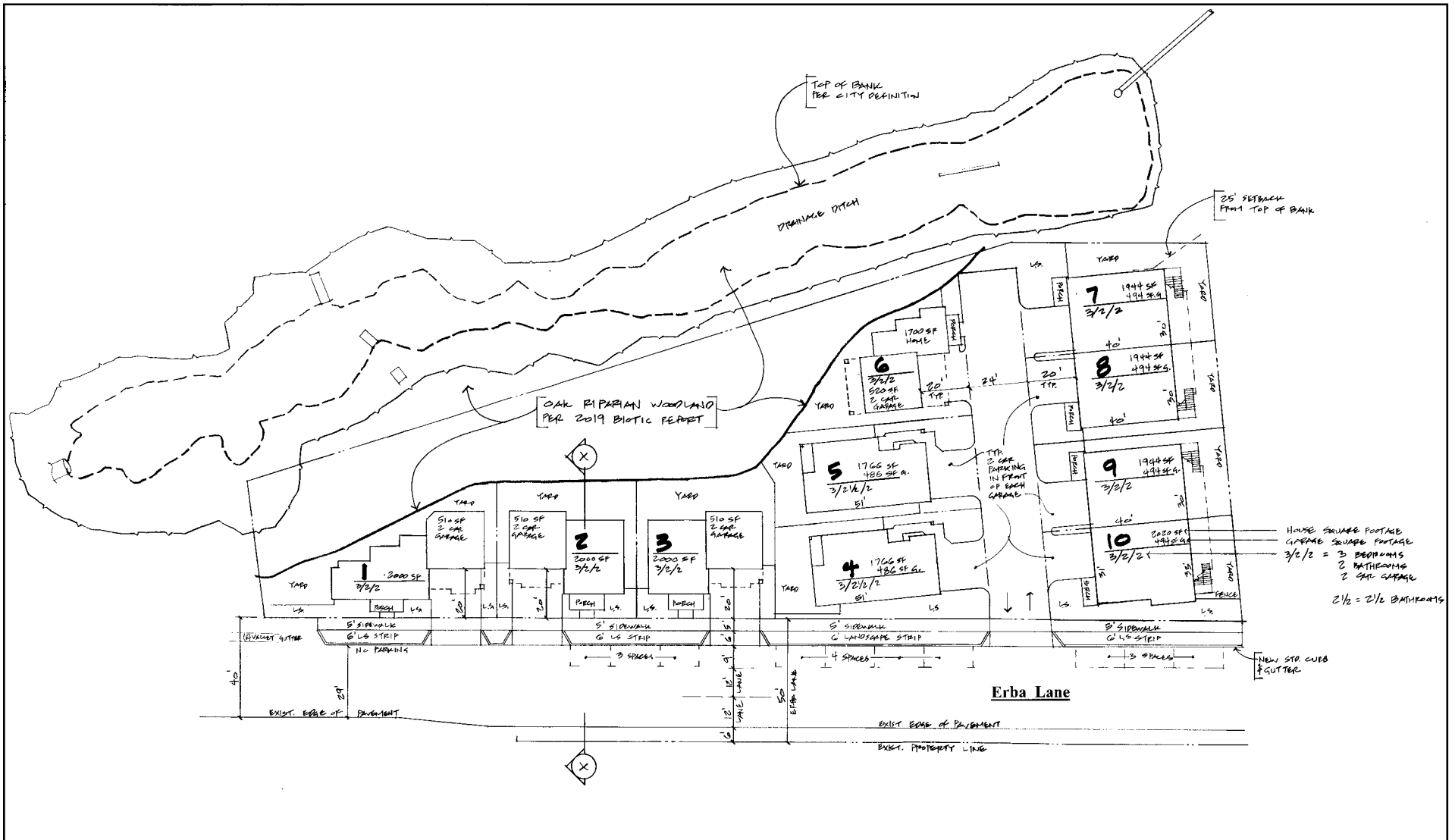
Source: Bowman & Williams, 2020

Figure 7: Grading Plan

Bay Village Planned Development Project



Not to scale



Source: David B. Zulim Inc., 2019

Figure 9: Oak Riparian Woodland Habitat

Bay Village Planned Development Project



Not to scale

Kimley-Horn

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Expect More. Experience Better.

Bay Village Planned Development Initial Study Reports

1. Biological Assessment, by Biotic Resources Group, dated 5/31/2019
2. Addendum to Biological Assessment, by Biotic Resources Group, dated 5/31/19
3. Arborists Report Tree Appraisal & Inventory, by Kurt Fouts, dated 11/30/2017
4. Summary Arborist's Report Revisions to Preliminary Tree Inventory & Assessment, by Kurt Fouts, dated 3/27/2020
5. Appendix C - Tree Appraisal & Inventory, dated 4/29/20)
6. Entomological Report, by Entomological Conservation Resources, dated 7/14/2005, and letter, dated 2/06/2006
7. Extended Phase I Archaeological Assessment, by Albion, dated 3/04/2020
8. Geotechnical Report, by Haro Kasunich, dated 11/2005
9. Preliminary Stormwater Management Report, by Bowman & Williams, dated 9/10/2018

ERBA LANE HOUSING PROJECT

Biological Assessment



Biotic Resources Group

Biotic Assessments ♦ Resource Management ♦ Permitting

ERBA LANE HOUSING PROJECT

Biological Assessment

Prepared for:

SV Housing LLC

Prepared by:

Biotic Resources Group
Kathleen Lyons

May 31, 2019

1.0 INTRODUCTION

This property is located on Erba Lane in the City of Scotts Valley. The site is located on the east side of Erba Lane, north of Scotts Valley Drive (Figure 1). The property encompasses approximately 0.76-acre and abuts an unnamed intermittent creek/drainage channel. The creek is located on an adjacent parcel owned by the City of Scotts Valley; however, some riparian trees and riparian tree canopy extends onto the Erba Lane property. The property is currently undeveloped and the property owner has proposed a planned residential development consisting of 6 single-family homes and 3 duplex homes (total of 12 units) (*Erba Lane Housing*, Site Plan, David Zulim, Inc. dated 8-3-18).

The Biotic Resources Group assessed the biotic resources on the Erba Lane property and the creek area on the adjacent City-owned property in May 2019. This work supplements a previous biotic assessment conducted for the area in August 2005 (*Erba Lane Project*, Biological Assessment, Biotic Resources Group, dated October 2005). The focus of the 2019 assessment was to review and document sensitive biological resources and evaluate the potential impacts of the proposed residential project on such resources.

Specific tasks conducted for this study include:

- Characterize and map the major plant communities on the property;
- Identify sensitive biotic resources, including species of concern, and
- Evaluate the potential effects of the proposed land uses on sensitive botanical resources and recommend measures to avoid or reduce such impacts.

1.1 Intended Use of this Report

The findings presented in this report are intended for the sole use of the SV Housing LLC and the City of Scotts Valley in evaluating proposed residential land uses on the subject parcel. The findings presented by the Biotic Resources Group in this report are for information purposes only; they are not intended to represent the interpretation of any State, Federal or City laws or ordinances pertaining to permitting actions within sensitive habitat or endangered species. The interpretation of such laws and/or ordinances is the responsibility of the applicable governing body.

2.0 ENVIRONMENTAL SETTING

2.1 Methodology

The biological resources of the Erba Lane property and the creek area on the adjacent City-owned property were assessed through literature review and field observations. The site was surveyed on May 27, 2019. The major plant communities within the project area, based on the classification system developed by *California Terrestrial Natural Communities* (California Department of Fish and Game, 2003 and 2007) and *A Manual of California Vegetation* (Sawyer and Keeler-Wolf 1995) and as amended to reflect site conditions, were identified during the field surveys. Modifications to the classification system's nomenclature were made, as necessary, to accurately describe the site's resources. The plant communities were mapped onto the engineer's base map (Figure 2). All plant species observed were recorded and identified to a level sufficient to determine their rarity; all species observed are listed in the narrative section of this report. Plant nomenclature follows *The Jepson Manual* (2012); the *Annotated Checklist of the Vascular Plants of Santa Cruz County, California* (CNPS, 2013) was also reviewed.

The vegetation types were documented and recorded in a field notebook. To assess the potential occurrence of special status biological resources, two electronic databases were accessed to determine recorded occurrences of sensitive plant communities and sensitive species. Information was obtained from the California Native Plant Society's (CNPS) Electronic Inventory (2019), and California Department of Fish & Wildlife (CDFW) RareFind database (CDFW, 2019) for the Felton U.S.G.S. quadrangle and surrounding quadrangles.

This report summarizes the findings of the biological assessment. The potential impacts of the proposed development (i.e., establishment of residential land use on the Erba Lane property) on sensitive resources are discussed below. Measures to reduce significant impacts to biological resources to a level of less-than-significant are recommended, as applicable.

2.2 ENVIRONMENTAL SETTING

2.2.1 Geographic Setting

The Erba Lane property is located on Erba Lane, a public street reached from Scotts Valley Drive. The site is located approximately 0.5 mile east of the intersection of Scotts Valley Drive and Mt. Hermon Road within the City of Scotts Valley (see Figure 1). The property is located near an unnamed creek; the creek centerline is located between 15 and 40 feet from the Erba Lane property line. The creek flows in a northwest to southeast direction, travels under Scotts Valley Drive, then flows into Carbonera Creek. The creek had surface flow at the time of the May 2019 site visit. Carbonera Creek is a perennial waterway which empties into Branciforte Creek and then into the San Lorenzo River before entering Monterey Bay in the City of Santa Cruz. Urban residences, commercial business and public facilities (e.g., fire station, City Hall, police station) are located adjacent to the subject property.

2.2.2 Vegetation and Wildlife Habitats

Two plant communities occur on the Erba Lane property. Coast live oak riparian woodland grows along the eastern property line and this woodland extends further eastward along the creek corridor on the City of Scotts Valley property. Small areas of annual grassland occur outward of the riparian woodland. The western portion of the property is a paved (asphalt) parking area. The distribution of the plant communities on the property is depicted on Figure 2. The distribution of vegetation types in 2019 is similar to conditions documented in 2005.

The majority of property is mapped as Soquel loam, 2 to 9 percent slope (171) (Soil Survey of Santa Cruz County, USDA NRCS Web Soil Survey, 2019). This soil type corresponds to areas shown as grassland and wooded areas in the 1974 soil survey aerial photo. A small area of Zayante coarse sand, 5-30 percent slopes (182) is mapped along the western property line in an area that is currently paved.

Coast Live Oak Riparian Woodland

Coast live oak riparian woodland occurs along the eastern property line. The woodland is closely associated with the creek, with many trees rooted on the slope and along the top-of-bank.

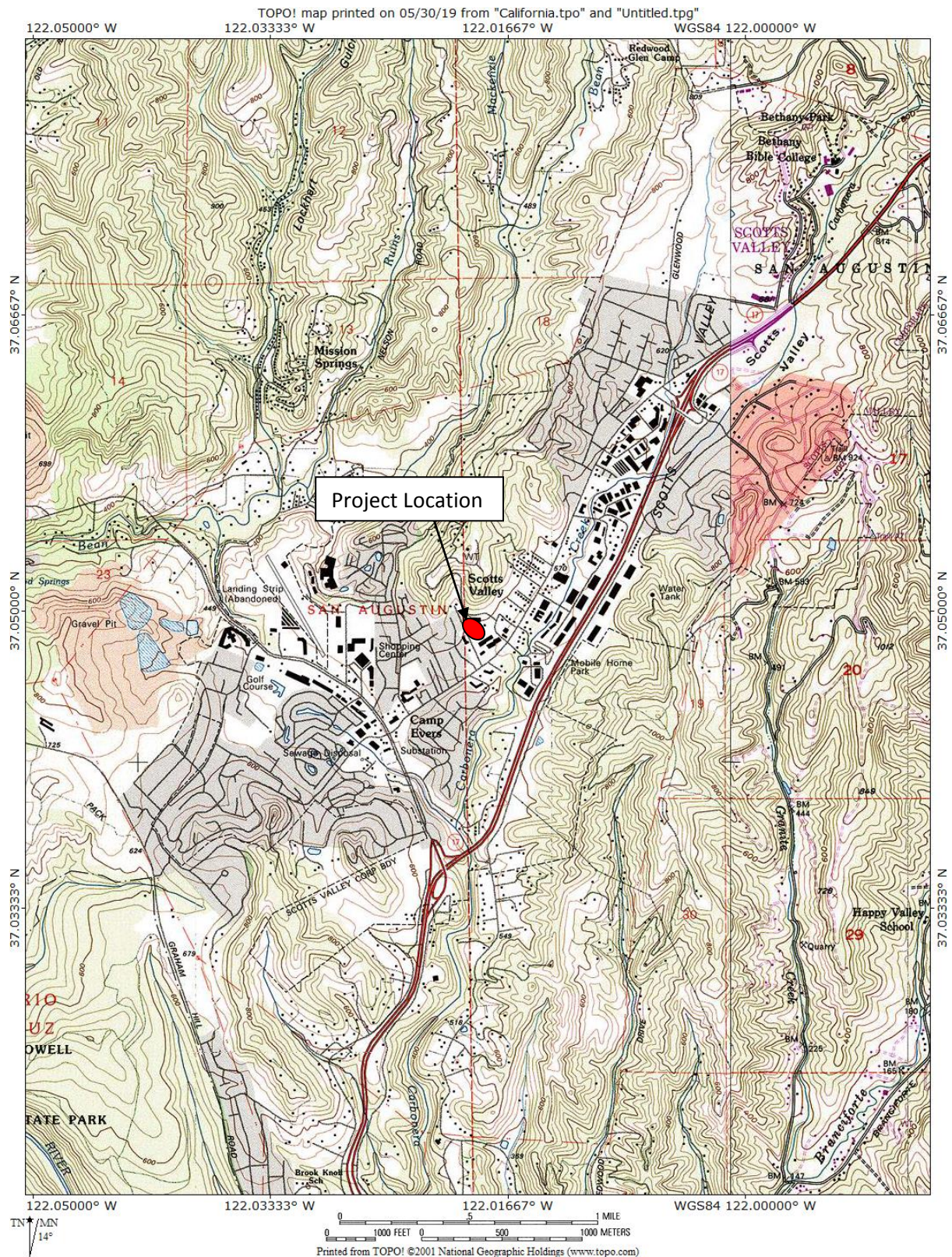


Figure 1: Location of Project on USGS Quadrangle (Felton quadrangle)



Mature trees of coast live oak (*Quercus agrifolia*) dominant the woodland, with their canopies extending outward from top-of-bank. According to the arborists report (Kurt Fouts, November 2017), 14 oak trees grow on the Erba Lane property; 26 oak trees are rooted on the adjacent City-owned property. Figure 3 shows the character of the woodland on the Erba Lane property.



Figure 3: Character of Oak Riparian Woodland on Erba Lane Property

The riparian woodland on the City property also supports willows (*Salix sp.*), which grow along the wetted channel. Within the woodland, native and non-native plant species are present, including California blackberry (*Rubus ursinus*), poison oak (*Toxicodendron diversilobum*), curly dock (*Rumex crispus*), velvet grass (*Holcus lanatus*), French broom (*Genista monspessulana*), sword fern (*Polystichum munitum*), and young willows. Figure 4 shows the character of the woodland on the Erba Lane property.



Figure 4: Character of Oak Riparian Woodland on City-owned Property

Beneath the oak canopy on the Erba Lane property, the understory is comprised of non-native annual grasses and forbs, such as rattlesnake grass (*Briza maxima*), wild oat (*Avena sp.*), dogtail grass (*Cynosurus*

echinatus), wild lettuce (*Sonchus asper*), Mediterranean clover (*Trifolium angustifolium*), and foxtail (*Hordeum leporinum*). Native California blackberry is also present.

In general, oak woodlands provide a high value habitat type for wildlife because acorns are important forage, the natural cavities in the oaks provide nesting opportunities for some birds and mammals, and downed decaying logs and limbs add to structural complexity of a moist microclimate and invertebrate food supply. The value of the oak riparian woodland to wildlife at this site is enhanced by the presence of water in the creek, which provides seasonal water sources for wildlife. Common wildlife expected to occur in this small patch of oak woodland include scrub jay (*Aphelocoma coerulescens*), acorn woodpecker (*Melanerpes formicivorus*), oak titmouse (*Baeolophus inornatus*), chestnut-backed chickadee (*Poecile rufescens*), bushtit (*Psaltiriparus minimus*), spotted towhee (*Pipilo maculatus*), and western gray squirrel (*Sciurus griseus*).

Non-Native Grassland

Non-native grasses and forbs dominate the southeast portion of the Erba Lane property, abutting the existing paved area. Evidence of previous fill/base rock materials was observed, suggesting previous disturbances to this area. Plant species are typical of such areas, with wild radish (*Raphanus sativa*), wild oat, Bermuda grass (*Cynodon dactylon*), velvet grass, black mustard (*Brassica nigra*.), English plantain (*Plantago lanceolata*), soft chess (*Bromus hordeaceus*), filaree (*Erodium botrys*), and rose clover (*Trifolium repens*) being common. Native plant species in this area are limited to California poppy (*Eshscholzia californica*) and telegraph weed (*Heterotheca grandiflora*).

The use by wildlife of the grassland area is expected to include common species, such as mourning dove (*Zenaida macroura*), California towhee (*Pipilo crissalis*), white-crowned sparrow (*Zonotrichia leucophrys*), and house finch (*Carpodacus mexicanus*). Western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis melanoleucus*), and Botta's pocket gopher (*Thomomys bottae*) are also likely to occur in the grass habitat at this site.

2.3 SENSITIVE BIOTIC RESOURCES

2.3.1 Regulated Habitats

The project area is located along an unnamed creek. The USGS map (Felton quadrangle) does not identify a stream at this location; however, the field inspection documented a defined bed and bank and evidence of seasonal water flow at the site.

California Department of Fish and Wildlife (CDFW) is a trustee agency that has jurisdiction under Section 1600 et seq. of the CDFW Code. Under Sections 1600-1603 of the California Fish and Game Code, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream or lake which supports fish or wildlife. CDFW also regulates alterations to ponds and impoundments. CDFW jurisdictional limits typically extend to the top of bank or to the edge of riparian habitat if such habitat extends beyond top of bank (outer drip line), whichever is greater. The proposed project is located within CDFW's regulatory jurisdiction, as a portion of the proposed residential development is located within the dripline of the oak riparian woodland and on the creek bank. Alteration of riparian vegetation on the Erba Lane property and the adjacent City property to accommodate the residential development as well as construction of a new pathway to the creek will occur within CDFW's jurisdiction and may be subject to a Streambed Alteration Agreement with this agency (pending confirmation by this agency).

Water quality in California is governed by the Porter-Cologne Water Quality Control Act and certification authority under Section 401 of the Clean Water Act, as administered by the Regional Water Quality Control Board (RWQCB). The Section 401 water quality certification program allows the State to ensure that activities requiring a Federal permit or license comply with State water quality standards. Water quality certification must be based on a finding that the proposed discharge will comply with water quality standards which are in the regional board's basin plans. The Porter-Cologne Act requires any person discharging waste or proposing to discharge waste in any region that could affect the quality of the waters of the state to file a report of waste discharge. The RWQCB issues a permit or waiver that includes implementing water quality control plans that take into account the beneficial uses to be protected. Waters of the State subject to RWQCB regulation extend to the top of bank (and riparian vegetation if it extends outward from the top-of-bank), as well as isolated water/wetland features and saline waters. Should there be no Section 404 nexus (i.e., isolated feature not subject to USACE jurisdiction), a report of waste discharge (ROWD) is filed with the RWQCB. The RWQCB interprets waste to include fill placed into water bodies. The proposed project is located within RWQCB's regulatory jurisdiction, as a portion of the proposed residential development is located within the dripline of the oak riparian woodland and on the creek bank. Alteration of riparian vegetation on the Erba Lane property and the adjacent City property to accommodate the residential development as well as construction of a new pathway (a portion on City property) to the creek will occur within RWQCB's jurisdiction and may be subject to a water quality certification with this agency (pending confirmation by this agency). The RWQCB also has guidelines for habitat compensation for permanent and temporary impacts to creek and riparian zones and has established tree replacement ratios based on the species and diameter of the tree removed.

The US Army Corps of Engineers (USACE) regulates activities within waters of the United States pursuant to congressional acts: Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (1977, as amended). Section 10 of the Rivers and Harbors Act requires a permit for any work in, over, or under navigable waters of the United States. Navigable waters are defined as those waters subject to the ebb and flow of the tide to the Mean High Water mark (tidal areas) or below the Ordinary High Water mark (OHWM) (freshwater areas). The proposed pathway to the creek may enter the USACE's jurisdiction if pathway/bridge construction occurs below the OHWM of the creek. In May 2019, the OHWM was estimated to be 6 inches above the thalweg. The channel bed averages 2 feet wide.

2.3.2 *Sensitive Habitats*

Sensitive habitats are defined by local, State, or Federal agencies as habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity.

CDFW classifies and ranks the State's natural communities to assist in the determining the level of rarity and imperilment. Vegetation types are ranked between S1 and S5. For vegetation types with ranks of S1-S3, all associations within the type are considered to be highly imperiled. If a vegetation alliance is ranked as S4 or S5, these alliances are generally considered common enough to not be of concern; however, it does not mean that certain associations contained within them are not rare (CDFW, 2007 and 2010). The oak-willow riparian woodland (CaCode 71.060.47) is ranked S4, yet some associations are of high priority (CDFW, 2010).

The City of Scotts Valley Zoning Code contains several references to streams and drainage courses. Section 17 requires structures to be located outside a 25-foot creek setback (measured outward from the top-of-bank). This review found the top of bank to be the break in slope from the flat terrace to the creek. Most of

the oak trees are rooted at or just below this top-of-bank location, with the tree canopies extending into, and in some cases beyond, this 25-foot setback.

City Zoning Code 15.06 also addresses drainage facilities, requiring disturbances to natural drainageways be kept to a minimum and existing drainage courses shall not be obstructed or obliterated without mitigating measures installed that have been approved by the building official. Grading equipment is not to disturb or cross flowing streams unless absolutely necessary and only with prior approval from the building official. The code also states no construction materials or construction byproducts shall be discarded in any drainageway or riparian zone. All streams, floodplains, channels, bodies of standing water, or other riparian areas shall be identified and delineated on the development plans and vegetative removal, land disturbances, or other development activities shall be conducted at a time, and in a manner that will provide and maintain an undisturbed vegetative filter strip. The code also states if it is determined that certain development activities in or near the riparian zones would be detrimental, those activities may be prohibited.

In addition, the City typically requires tree replacement plantings if tree removal is unavoidable. Please refer to the arborist's report on the existing trees and the City's requirements for tree replacement.

In 2001, the California Oak Woodland Conservation Act was passed. This act formally recognizes the role of oak woodlands as wildlife habitat, erosion control, and sustaining water quality. The Act encourages voluntary, long-term private stewardship and conservation of oak woodland by landowners and provides financial incentives, through the Wildlife Conservation Board (WCB), to protect and promote biologically functional oak woodlands (Sierra Foothill Research & Extension Center, 2004). The WCB is authorized to award cost-share incentives to private landowners who enter into long term agreement to implement management practices that benefit oak woodlands. Funds can be used for the purchase of easements, restoration activities or enhancement projects. In a related action, effective January 2005, the State amended CEQA with the addition of Public Resources Code 21083.4. This code requires that counties consider the significance of oak woodland conversions under CEQA and adopt an oak woodland management plan pursuant to the Oak Woodlands Conservation Act that contains measures to minimize impacts to oak woodlands along riparian zones, near wetlands and those that contain snags or other features used by wildlife. If significant impacts are determined under CEQA, mitigation alternatives may include conserving oaks through the use of conservation easements (2:1 ratio, conserved to impacted), restoration of former oak woodland area (2:1 ratio), contribution to the Oak Conservation Fund established under CDFW, or other mitigation measures developed by the county. If a planting program is implemented, replanting shall be at a 3:1 ratio (tree replacement) with requirements for planting maintenance and monitoring for seven years.

2.3.3 *Special Status Plant Species*

Plant species of concern include those listed by either the Federal or State resource agencies as well as those identified as rare by CNPS (List 1B). The search of the CNPS and CNDDDB inventories identified the special status plant species with potential to occur in the project area. No special status plant species have been recorded in the CNDDDB as occurring within the immediate project area. All species evaluated for potential occurrence within the proposed project area as per CNDDDB and CNPS records (Felton quadrangle and surrounding quadrangles) are listed on Table 1.

The May 2019 survey was conducted during the blooming/identification period for many plant species, including the identification period for spineflower species (*Chorizanthe* spp.), Santa Cruz tarplant (*Holocarpha macradenia*), and Scotts Valley polygonum (*Polygonum hickmanii*). Due to the habitat conditions on the site the potential for the occurrence of other special status plant species is considered very

low. This is due to the lack of ponderosa pine forest (on site or in the immediate vicinity), manzanita chaparral, native grassland and/or rocky outcrops. No special status plant species were observed in the project area and none are expected.

Table 1. Special Status Plant Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present/Absent	Rationale
Bent-flowered fiddleneck	<i>Amsinckia lunaris</i>	CNPS List 1B.2	Grassland, scrub	A	Area lacks suitable habitat; not observed.
Santa Cruz manzanita	<i>Arctostaphylos andersonii</i>	CNPS List 1B.2	Broadleaf upland forest, chaparral, coniferous forests; open sites	A	Area lacks suitable habitat; not observed.
Hooker's manzanita	<i>Arctostaphylos hookeri</i> ssp. <i>hookeri</i>	CNPS List 1B.2	Broadleaf upland forest, chaparral, coniferous forests; open sites	A	Area lacks suitable habitat; not observed.
Pajaro manzanita	<i>Arctostaphylos pajaroensis</i>	CNPS List 1B.1	Broadleaf upland forest, chaparral, open sites	A	Area lacks suitable habitat; not observed.
Bonny Doon manzanita	<i>Arctostaphylos silvicola</i>	CNPS List 1B.2	Chaparral, closed cone coniferous forests; restricted to Zayante sands	A	Area lacks suitable habitat; not observed.
Marsh sandwort	<i>Arenaria paludicola</i>	CE FE CNPS List 1B.1	Marshes and swamps	A	Site lacks suitable habitat.
Santa Cruz Mtns. pussypaws	<i>Calyptridium parryi</i> var. <i>hesseae</i>	CNPS List 1B.1	Zayante Sandhills chaparral and pine forest	A	Area lacks suitable habitat; not observed.
Swamp harebell	<i>Campanula californica</i>	CNPS List 1B.2	Bogs and marshes	A	Creek lacks suitable habitat.
Deceiving sedge	<i>Carex saliniformis</i>	CNPS List 1B.2	Mesic sites in coastal prairie	A	Site lacks suitable habitat.
Congdon's tarplant	<i>Centromadia parryi</i> ssp. <i>congdonii</i>	CNPS List 1B.1	Grassland, moist areas	A	Area lacks suitable habitat; not observed.
Ben Lomond spineflower	<i>Chorizanthe pungens</i> var. <i>hartwegiana</i>	FE CNPS List 1B.1	Ponderosa pine and maritime chaparral within Zayante sands	A	Area lacks suitable habitat; not observed.
Monterey spineflower	<i>Chorizanthe pungens</i> var. <i>pungens</i>	FT CNPS List 1B.2	Oak woodland, chaparral, scrub; sandy substrate	A	Area lacks suitable habitat; not observed.
Scotts Valley spineflower	<i>Chorizanthe robusta</i> var. <i>hartwegii</i>	FE CNPS List 1B.1	Grasslands with mudstone and sandstone outcrops	A	Area lacks suitable habitat; not observed.

Table 1. Special Status Plant Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present/Absent	Rationale
Robust spineflower	<i>Chorizanthe robusta</i> var. <i>robusta</i>	FE CNPS List 1B.1	Coastal dunes, grassland, and scrub with loose sandy soils	A	Area lacks suitable habitat; not observed.
Mt. Hamilton thistle	<i>Cirsium fontinale</i> var. <i>campylon</i>	CNPS List 1B.1	Serpentine seeps, moist grassland	A	Area lacks suitable habitat; not observed.
San Francisco collinsia	<i>Collinsia multicolor</i>	CNPS List 1B.2	Moist shady woodland	A	Site lacks suitable microhabitat.
Tear drop moss	<i>Dacryophyllum falcifolium</i>	CNPS List 1B.3	Redwood forest on limestone outcrops	A	Site lacks suitable microhabitat; no suitable outcrop conditions in area
Santa Clara dudleya	<i>Dudleya abramsii</i> ssp. <i>setchellii</i>	FE CNPS List 1B.1	Serpentine outcrops	A	Area lacks suitable habitat; not observed.
Ben Lomond buckwheat	<i>Eriogonum nudum</i> var. <i>decurrens</i>	CNPS List 1B.1	Ponderosa pine woodland, sandhills	A	Area lacks suitable habitat; not observed.
Sand loving wallflower	<i>Erysimum ammophilum</i>	CNPS List 1B.2	Openings in chaparral, sand dunes; sand substrate	A	Area lacks suitable habitat; not observed.
Santa Cruz wallflower	<i>Erysimum teretifolium</i>	FE CE CNPS List 1B.1	Openings in chaparral, ponderosa pine forest; Zayante sands	A	Area lacks suitable habitat; not observed.
Minute pocket moss	<i>Fissidens pauperculus</i>	CNPS List 1B.2	Redwood forest on limestone outcrops	A	Site lacks suitable microhabitat; no suitable outcrops.
Fragrant fritillary	<i>Fritillaria liliacea</i>	CNPS List 1B.2	Ultramafic talus in chaparral and foothill woodland	A	Area lacks suitable habitat; not observed.
Monterey gilia	<i>Gilia tenuiflora</i> ssp. <i>arenaria</i>	FE CT CNPS List 1B.2	Openings in chaparral, sand dunes; sand substrate	A	Area lacks suitable habitat; not observed.
Santa Cruz cypress	<i>Hesperocyparis abramsiana</i> var. <i>abramsiana</i>	FE CE CNPS List 1B.2	Coniferous forest and chaparral on sandstone and granitic derived soils	A	Area lacks suitable habitat; not observed.
Loma Prieta hoita	<i>Hoita strobilina</i>	CNPS List 1B.1	Chaparral, cismontane woodland, riparian woodland with serpentine soils and mesic	A	Area lacks suitable habitat; not observed.

Table 1. Special Status Plant Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present/Absent	Rationale
			conditions		
Santa Cruz tarplant	<i>Holocarpha macradenia</i>	FT CE CNPS List 1B.1	Coastal prairie and grasslands with sandy soil types	A	Area lacks suitable habitat; not observed.
Kellogg's horkelia	<i>Horkelia cuneata ssp. sericea</i>	CNPS List 1B.1	Openings on old dunes and coastal sandhills	A	Area lacks suitable habitat; not observed.
Point Reyes horkelia	<i>Horkelia marinensis</i>	CNPS List 1B.2	Coastal dunes, prairies, scrub	A	Area lacks suitable habitat; not observed.
Smooth lessingia	<i>Lessingia micradenia var. glabrata</i>	CNPS List 1B.2	Serpentine soils in chaparral and grasslands	A	Area lacks suitable habitat; not observed.
Indian Valley bush-mallow	<i>Malacothamnus aboriginum</i>	CNPS List 1B.2	Riparian scrub, chaparral, woodland	A	Area lacks suitable habitat; not observed.
Arcuate bush-mallow	<i>Malacothamnus arcuatus</i>	CNPS List 1B.2	Serpentine chaparral	A	Area lacks suitable habitat; not observed.
Halls bush-mallow	<i>Malacothamnus hallii</i>	CNPS List 1B.2	Riparian scrub, chaparral, woodland	A	Area lacks suitable habitat; not observed.
Marsh microseris	<i>Microseris paludosa</i>	CNPS List 1B.2	Coastal grassy habitats (mesic)	A	No suitable habitat on site.
Northern curly-leaved monardella	<i>Monardella sinuate ssp. nigrescens</i>	CNPS List 1B.2	Openings in chaparral, ponderosa pine forest; Zayante sands	A	Area lacks suitable habitat; not observed.
Woodland woollythreads	<i>Monolopia gracilens</i>	CNPS List 1B.2	Openings in redwood and mixed evergreen forests	A	Area lacks suitable habitat; not observed.
Dudley's lousewort	<i>Pedicularis dudleyi</i>	CR CNPS List 1B.2	Redwood forest, moist areas near streams	A	Area lacks suitable habitat; not observed.
Santa Cruz Mountains beardtongue	<i>Penstemon rattanii var. kleei</i>	CNPS List 1B.2	Sandy shale slopes in chaparral, coniferous forests	A	Area lacks suitable habitat; not observed.
White-rayed pentachaeta	<i>Pentachaeta bellidiflora</i>	FE CE CNPS List 1B.1	Valley and foothill grassland, open dry rocky slopes, often on serpentine bedrock	A	Area lacks suitable habitat; not observed.
White-flowered rein	<i>Piperia candida</i>	CNPS List 1B.2	North coast coniferous forest,	A	Area lacks suitable habitat; not observed.

Table 1. Special Status Plant Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present/Absent	Rationale
orchid			lower montane coniferous forest, broadleaved upland forest, on serpentine, mossy banks, rock outcrops		
Choris' popcorn-flower	<i>Plagiobothrys chorisianus</i> var. <i>chorisianus</i>	CNPS List 1B.2	Chaparral, coastal scrub, coastal prairie (mesic areas)	A	Area lacks suitable habitat; not observed.
San Francisco popcorn-flower	<i>Plagiobothrys diffusus</i>	CE CNPS List 1B.1	Grassland, coastal prairie (mesic areas)	A	Area lacks suitable habitat; not observed.
Hairless popcorn-flower	<i>Plagiobothrys glaber</i>	CNPS List 1A	Grassland, coastal prairie (mesic areas)	A	Area lacks suitable habitat; not observed.
Scotts Valley polygonum	<i>Polygonum hickmanii</i>	FE CE CNPS List 1B.1	Grassland with sandstone or mudstone outcrops	A	Area lacks suitable habitat; not observed.
Pine rose	<i>Rosa pinetorum</i>	CNPS List 1B.2	Closed cone (pine) coniferous forest	A	Area lacks suitable habitat; not observed.
San Francisco campion	<i>Silene verecunda</i> ssp. <i>verecunda</i>	CNPS List 1B.2	Sand hills and rocky soils in coastal prairie and scrub	A	Area lacks suitable habitat; not observed.
Metcalf Canyon jewelflower	<i>Streptanthus albidus</i> ssp. <i>albidus</i>	FE CNPS List 1B.2	Serpentine soils in chaparral and grasslands	A	Area lacks suitable habitat; not observed.
Most beautiful jewelflower	<i>Streptanthus albidus</i> ssp. <i>peramerosus</i>	CNPS List 1B.2	Serpentine soils in chaparral and grasslands	A	Area lacks suitable habitat; not observed.
Santa Cruz clover	<i>Trifolium buckwestiorum</i>	CNPS List 1B.1	Moist grasslands	A	Area lacks suitable habitat; not observed.

Absent [A]

- No habitat present and no further work needed.

Habitat Present [HP]

- Habitat is, or may be present. The species may be present.

Present [P]

- Species is present

Critical Habitat [CH]

- Project footprint is located within a designated critical habitat unit, but does not necessarily mean that appropriate habitat is present.

Status:

-Federal Endangered (FE); Federal Threatened (FT); Federal Proposed (FP, FPE, FPT); Federal Candidate (FC), Federal Species of Concern (FSC); California State Endangered (CE); California State Threatened (CT); California Native Plant Society (CNPS)

2.3.3 Special Status Wildlife Species

Special status wildlife species include those listed by either the Federal or State resource agencies as well

as those identified as State species of special concern. In addition, all raptor nests are protected by Fish and Game Code, and migratory birds are protected by the Migratory Bird Treaty Act. One special status wildlife species may occur on site: San Francisco dusky-footed woodrat. Table 2 below lists special status wildlife species that are known from the general vicinity of Scotts Valley, and a brief explanation of why they are not expected to occur on site. In 2005 the property was evaluated by Dr. Richard Arnold for Mt. Hermon June beetle and Zayante band-winged grasshopper, and that study found that suitable habitat for these insects was absent on the property. Site conditions remain the same in 2019.

Table 2. Special Status Wildlife Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019.

SPECIES	STATUS ¹	HABITAT	POTENTIAL OCCURRENCE ON SITE
Invertebrates			
Ohlone tiger beetle <i>Cicindela ohlone</i>	FE	Coastal terrace prairie with sparse vegetation and openings, Watsonville loam soils	None, no suitable habitat on site.
Mt. Hermon June beetle <i>Polyphylla barbata</i>	FE	Chaparral and ponderosa pine with Zayante sandy soils	None, no suitable habitat on site.
Zayante band-winged grasshopper <i>Trimerotropis infantilis</i>	FE	Openings in sand hills parkland habitat with Zayante sandy soils	None, no suitable habitat on site.
Smith's blue butterfly <i>Euphilotes enoptes smithi</i>	FE	Coastal dunes and coastal sage scrub with buckwheat plants	None, no suitable habitat on site.
Fish			
Coho salmon <i>Oncorhynchus kisutch</i>	FE, SE	Perennial creeks and rivers with gravels for spawning	No suitable habitat in project area.
Steelhead <i>Oncorhynchus mykiss</i>	FT	Perennial creeks and rivers with gravels for spawning	No suitable habitat in project area.
Amphibians			
Santa Cruz black salamander <i>Aenides flavipunctatus niger</i>	CSC	Mesic forests of fog belt; terrestrial, lives under logs, rocks, etc.	None, no suitable habitat on site.
California giant salamander <i>Dicamptodon ensatus</i>	CSC	Wet coastal forests near streams and seeps; breed in streams	None, small creek not suitable habitat.
California red-legged frog <i>Rana draytonii</i>	FT, CSC	Riparian, marshes, estuaries and ponds with still water at least into June.	None, small creek not suitable habitat.
Foothill yellow-legged frog <i>Rana boylei</i>	CSC	Creeks and rivers with cobble substrate	None, small creek not suitable habitat.
Reptiles			
Western pond turtle <i>Emys marmorata</i>	CSC	Creeks and ponds with water of sufficient depth for escape cover, and structure for basking; grasslands or bare areas for nesting.	None, no suitable habitat on site.
Birds			
Osprey <i>Pandion haliaetus</i>	None	Nests in tall trees adjacent to reservoirs and rivers	None, no suitable habitat on site.
White-tailed kite <i>Elanus leucurus</i>	FP	Nests in tall riparian trees adjacent to open lands for foraging	None, no suitable habitat on site.
Mammals			
Pallid bat <i>Antrozous pallidus</i>	CSC	Roosts in caves, hollow trees, mines, buildings, bridges, rock	No suitable tree hollows in oaks on site were observed

Table 2. Special Status Wildlife Species and Their Predicted Occurrence Within the Erba Lane Housing Project Area, May 2019.

SPECIES	STATUS ¹	HABITAT	POTENTIAL OCCURRENCE ON SITE
		outcroppings	
Santa Cruz kangaroo rat <i>Dipodomys venustus</i>	None	Manzanita chaparral with sandy soils	None. No suitable habitat on site.
San Francisco dusky-footed woodrat <i>Neotoma fuscipes annectens</i>	CSC	Woodlands including oaks, willow riparian, Eucalyptus	None observed within project area; yet possible in riparian woodland
American badger <i>Taxidea taxus</i>	CSC	Grasslands with friable soils	None, no suitable habitat on site.

¹ Key to status: FE=Federally listed as endangered species; FT=Federally listed as threatened species; SE=State listed endangered; FP=Fully protected species by State; CSC=California species of special concern

3.0 IMPACT AND MITIGATION DISCUSSION

3.1 IMPACT CRITERIA

The thresholds of significance presented in the CEQA Guidelines, updated December 2018, were used to evaluate project impacts and to determine if implementation of the proposed Project would pose significant impacts to botanical resources. For this analysis, significant impacts are those that substantially affect, either directly or through habitat modifications:

- A species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- Riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS;
- State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially 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 wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- Conflict with the provisions of an adopted Habitat Conservation plan, Natural Community Conservation plan, or other approved local, regional, or state habitat conservation plan.

3.2 ENVIRONMENTAL IMPACTS OF THE PROJECT

The proposed residential development was evaluated as to potential direct and indirect impacts to sensitive biological resources. Examples of direct impacts are the removal of oak trees for construction of housing and associated lot development, and pathway construction in the riparian corridor. Examples of indirect impacts include potential disturbance to the oak riparian woodland and wildlife utilization of these areas from increased human uses on the property (e.g., residential uses, landscaping, lighting, pathway uses).

Measures are recommended to reduce impacts to biological resources from the proposed residential development, including measures to compensate for impacts to sensitive habitats (i.e., oak riparian woodland) and to reduce the potential spread of invasive, non-native plant species into sensitive habitat.

The proposed project identifies construction of 12 homes, with vehicular access from Erba Lane. A new pathway is proposed from Erba Lane to the creek and to the City property on the east side of the creek. An open split rail fence is proposed at the rear of the homes, abutting the creek. These proposed construction activities will occur within the dripline of the riparian woodland, requiring removal of 22 oak trees within the riparian woodland. Pathway construction will also require vegetation removal within the riparian woodland. If a creek crossing is needed, the crossing may be placed will occur within the limits of the OHWM of the creek. The Site Plan does not depict any new stormwater features (drainage outlets) into the creek.

The Arborist Report identifies the removal of all 14 oak trees on the Era Lane property and the removal of 8 oak trees on the City property. Removal of these trees will remove approximately 13,000 square feet of riparian woodland tree canopy.

3.2.1 Special Status Species (federal and non-federal)

The only special status wildlife species that may occur within or immediately adjacent to the project work area is the San Francisco dusky-footed woodrat. The woodrats may be present in above-ground stick nests. Nesting birds may also be present. Measures are given below to avoid impacts to woodrats and nesting birds. No other special status wildlife species occur within the project area.

3.2.2 Sensitive Natural Communities

The project is located along an unnamed creek, which supports oak riparian woodland, a sensitive habitat. On the Erba Lane property, the proposed project would remove all of the oak trees (14 oaks) from the woodland. Mature oaks are also present on the City property, wherein 8 oak trees are proposed for removal. Woody understory vegetation is also present on the City property; some of this vegetation would be disturbed during tree removal. Pathway construction will also affect riparian woodland. Table 3 outlines the temporary and permanent impacts from project actions, including impacts to sensitive habitats (riparian corridor).

3.2.3 State and Federal Regulated Waterways and Federal Wetlands

Residential development will occur in regulated waterways, as work will require the removal of vegetation on the streambank and along the top of bank of the creek, within regulated areas by CDFW and RWQCB, pending confirmation by regulating agencies. Pathway work may occur within the flow line (below OHWM) of the intermittent creek within regulated areas by USACE, CDFW and RWQCB. Table 3 outlines the components of the project and where permanent and temporary impacts will occur in the streambed (below OHWM) and within the riparian zone (above OHWM). Pathway work may affect federally designated wetlands, depending upon site design.

3.2.4 Wildlife Corridors and Nursery Sites

The proposed residential project will remove 22 mature (greater than 4-inch diameter) oak trees, that encompass approximately 13,000 square feet of woodland canopy. Nesting birds may occur in or adjacent to the project work area. Because most nesting birds are protected by the Migratory Bird Treaty Act, measures are listed below to avoid potential impacts if any active bird nests are present during vegetation removal.

3.2.5 Conflict with Local Policies

The project will be located within the riparian corridor of a creek, an area regulated by the City of Scotts Valley Zoning Codes. Work within the corridor and the City's creek setback areas will require

approval from the City. The proposed project may conflict with City Zoning code in that development will be allowed within a riparian woodland, pending confirmation by the City.

3.2.6 Conflict with HCP or NCCP, or Other Conservation Plan

The project has a small area of Zayante sands soil, as per the soil survey; however, the area is covered in pavement. The property is not located in an area subject to the Interim Programmatic HCP for the Zayante sandhills (Mt. Hermon June Beetle and Ben Lomond Spineflower) The property is located east of the Scotts Valley West Parcels, as outlined in the IPHCP.

3.2 RECOMMENDED MEASURES

The following measures are recommended to avoid or mitigate potentially significant impacts to vegetation and wildlife, to a less-than significant level:

Recommendation BIO-1. The following measures are recommended to reduce impacts to the riparian woodland to a less-than significant level.

- 1.1 To preserve the value of the oak riparian woodland habitat for biological resources, the project design should be revised such that development activities on the Erba Lane property are located outside the dripline of the riparian trees. There should be a minimum setback of 25-feet from the retained riparian woodland dripline and residential development. The setback area should be landscaped with plant materials that are native to the local riparian woodland. Structures, including grading and rear/backyard spaces and fences should be located outside of the riparian woodland dripline and 25-foot setback area.
- 1.2 If the project cannot be redesigned to avoid direct impacts to the riparian woodland and riparian trees are proposed to be removed for the project, the applicant shall confer with State regulatory agencies regarding permit requirements. In addition, the applicant should confer with the City on the establishment of a setback areas between the retained woodland and the proposed development. There should be a minimum setback of 25-feet from the retained riparian woodland dripline and residential development. The setback area should be landscaped with plant materials that are native to the local riparian woodland. To compensate for direct impacts to the woodland, a riparian woodland mitigation program should be developed and implemented, wherein permanent impacts are compensated at a minimum 2:1 ratio (i.e., two square feet replanted for each square foot removed) and temporary impacts are replaced at a 1:1 ratio. Based on the current site plan, approximately 13,000 square feet (0.31 acre) of riparian woodland vegetation will be permanently impacted to accommodate the proposed project. To meet the 2:1 compensation ration, an area of 0.62 acre would be needed for mitigation. Within the mitigation area revegetation of riparian woodland would be implemented, including tree replacement. Tree replacement ratios shall follow guidelines developed by the City or by the RWQCB, whichever is greater.

Recommendation BIO-2. The following measures are recommended to reduce construction-period impacts to the riparian woodland to a less-than significant level.

- 2.1 The outer edge of the riparian setback area should be demarcated by the placement of 6-foot high plastic construction fencing (during the construction period) and a permanent 6-foot high fence (after construction). The fence could have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing shall be maintained in a functional

- manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities should occur within the protected riparian area.
- 2.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including
- Conduct construction activities within 20 feet of the riparian woodland during the dry season;
 - Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
 - Stabilize disturbed soils to minimize erosion and sediment input to the creek;
 - Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
 - Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction;
 - Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.
- 2.3 Occurrences of invasive, non-native plant species (i.e., French broom, bull thistle) should be removed from the riparian woodland prior to project completion.

Recommendation BIO-3. The following measures are recommended to reduce post-construction-period impacts to the riparian woodland to a less-than significant level.

- 3.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.
- 3.2 Future landowners/tenants shall not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see *Exotic Pest Plants of Greatest Ecological Concern in California*, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (*Vinca* sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (*Phytophthora* sp.) is detected on the property, the homeowners shall implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners shall be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (<http://cemarin.ucdavis.edu>).

Recommendation BIO-4. The following measures are recommended to reduce impacts to special status wildlife and nesting birds to a less-than significant level.

- 4.1 The landowner shall hire a qualified biologist to search for woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.

- 4.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledged the nest(s).

Table 3. Summary of Permanent and Temporary Impacts of Erba Lane Housing Project

Resource Type	Impact	Permanent Impact (approx.)	Temporary Impact
Intermittent Stream Channel (below OHWM)	Pathway Improvements in stream channel (City Property)	Possible, yet no specific design plan reviewed	Possible, yet no specific design plan reviewed
Total Impacts to Stream Channel		Possible, yet no specific design plan reviewed	Possible, yet no specific design plan reviewed
Riparian Zone (above OHWM)	Pathway Improvements on creek bank (City Property)	500 square feet 50 linear feet	Possible, yet no specific design plan reviewed
	Removal of Riparian Woodland (22 oak trees) (Erba Lane Property and City Property)	13,000 square feet	Possible, yet no specific design plan reviewed
Total Impacts to Riparian Zone		13,500 square ft. (0.31 acre) 260 linear feet	Possible, yet no specific design plan reviewed

4.0 LITERATURE CITED AND REFERENCES

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Biotic Resources Group

Biotic Assessments ♦ Resource Management ♦ Permitting

RECEIVED
JUN 03 2020
CITY OF SCOTTS VALLEY

April 17, 2020

Charles Eadie
Eadie Consultants
P.O. Box 1647
Santa Cruz, CA 95061

**RE: Erba Lane Housing Project, SV Housing LLC
Addendum to Biological Assessment, dated May 31, 2019**

Dear Charlie,

The Biotic Resources Group has prepared this letter addendum to a Biological Assessment, dated May 31, 2019 for the Erba Lane Housing Project. The addendum addresses a revised Grading Plan, as prepared by Bowman & Williams, dated March 13, 2020, and a Summary Arborists Report, Revisions to Preliminary Tree Inventory and Assessment, as prepared by Kurt Fouts, Arborist Consultant, dated March 27, 2020.

REVIEW OF REVISED GRADING PLAN AND ARBORIST REPORT

The May 2019 Biological Assessment recommended that the oak riparian woodland habitat be preserved and the site plan be revised such that development be located outside the riparian woodland canopy. In addition, if impacts were to be incurred to the riparian woodland, compensatory mitigation be implemented to replace the lost tree canopy.

The revised Grading Plan preserves most of the oak riparian woodland on the property. The footprint of the buildings is now located outside of the dripline of the oak riparian woodland and most trees previously slated for removal will now be retained. However; some grading will occur within the dripline of oak trees that are to be retained. Kurt Fouts analyzed the revised grading plan relative to trees and found that up to 6 trees may be affected by the project. Some trees will still require targeted clearance pruning for grading equipment (T29 and T30) and hand grading may be required near them. Impacts to two trees (T35 and T38), adjacent to proposed Lot 6 will be increased. Based on field staking prior to construction, these trees may or may not be retained. One oak (T40), previously recommended to be retained, will be removed to accommodate the revised grading. Mr. Fouts indicated that the future growing conditions for most of the oaks will slightly improve, as more soil will be retained allowing for a larger rooting area. The Summary Arborists Report, Revisions to Preliminary Tree Inventory and Assessment recommends tree replacement to compensate for the removal and limbing of the identified trees. He recommends installation of a 2:1 tree replacement using 15-gallon or 24-inch box size trees and identifies an open area east of Lot 7 be used for the tree replacement plantings.

FINDINGS

The revised Grading Plan and Summary Arborists Report, Revisions to Preliminary Tree Inventory and Assessment, conform to Recommendation 1, relative to the oak riparian woodland, from the May 31, 2019 Biological Assessment.

Please give me a call if you have any questions on these findings.

Sincerely,



Kathleen Lyons, Plant Ecologist

ARBORIST REPORT-
Preliminary Tree Inventory & Assessment for:

Erba Lane Housing – Scotts Valley

ERBA LANE -- APN 022-081-34 &35

November 30th,2017



Prepared for:
Larry Abitol
Scotts Valley Housing LLC
505 Ironwood Drive
Soquel, CA 95



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Appendix A – Tree Assessment Chart

Appendix B – Criteria for Tree Assessment Chart

Attachments:

- Tree Protection Plan – Sheet T1
- Subject Tree Images
- Tree Inventory Aerial Image
- Tree Protection Fencing Example
- Tree Protection Signage Example
- Assumptions and Limiting Conditions

INTRODUCTION and OVERVIEW

Scotts Valley Properties LLC is proposing to develop a property currently utilized as a parking lot. The property is located along Erba Lane in Scotts Valley. As an element of the development, the developers requested certified arborist services for a preliminary tree inventory and assessment. The purpose of this report is to inventory and evaluate the health and structural condition of the trees and assess their suitability for preservation.

A **"tree resource evaluation"**, sometimes called a "tree inventory", or "tree survey report" is the first step in documenting the existing trees on a proposed development or building project site. This survey is used to aid in planning and project review, for the identification and location of existing trees on the site during the design of the project, placement of structures, driveways, utilities, and landscape components.

It also is used to identify trees of designated size and species that are protected under the municipal or county code that is applicable for the site location.

Suitability for preservation of individual trees is included in this evaluation, with the criteria for retention based on an evaluation of the health, structural condition and the specific development features impacting each tree.

Preliminary development parameters such as grading, paving, retaining walls, building construction footprint, and the proposed distance each of these elements are to be located from individual trees is evaluated.

Tree protection zones based on tree species, size and condition are prescribed for those trees recommended for retention.

When final plan sets have been completed, protective fencing and tree protection treatments will be prescribed by the arborist consultant. Tree replacement numbers will be calculated when a final tree removal count is established.

ASSIGNMENT/SCOPE OF SERVICES

Kurt Fouts an independent certified arborist, has been contracted by Mr. Larry Abitol, to inventory and evaluate the condition of the existing trees on the proposed development site, including trees located on adjacent parcels with canopies that overhang the project site. Additionally, to make recommendations to retain or remove each tree, based on tree condition and anticipated construction impacts. The inventory is oriented to trees that are protected under the City of Scotts Valley Municipal Code – Section 17.44.080 *Tree Protection Regulations* & Section 17.44.080(7) “*Protected Tree*”.

To complete this assignment, the following services were performed:

- **Plan Review:** Reviewed provided plans including: Preliminary Design for Erba Lane Housing by: David Zulim Inc., dated 7/11/17 & 100 Year Flood Boundary Exhibit by: Boman & Williams, dated, 11/18/17
- **Ordinance Review:** Reviewed the City of Scotts Valley Municipal Code – Section 17.44.080 *Tree Protection Regulations* & Section 17.44.080(7) “*Protected Tree*” (*applicable sections*).
- **Tree Preservation Evaluation:** Site visit by the arborist for orientation and tree inspection. Visually examining each tree and measuring as necessary to confirm City of Scotts Valley, ‘protected’ tree status. Measuring and evaluating each tree for health and structural condition. Assessing each tree for suitability for preservation.
- **Mapping:** Trees were numbered and tagged with embossed metal tags in the field. Each numbered tree was plotted, and specific preservation or removal information was included on the attached Tree Location and Protection Plan sheet. Base map for Protection Plan sheet is: Preliminary Design for Erba Lane Housing by: David Zulim Inc., dated 7/11/17. Accuracy of trees plotted is limited to plans provided.

Unless expressed otherwise, the information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection. The inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees in questions may not arise in the future.

SUMMARY OF FINDINGS

- Twelve new single family, two-story homes are proposed for the site where a parking lot currently exists.
- The subject trees consist of existing trees within the vicinity of the proposed development and included within the Site Plan.
- The subject trees total forty (40) individuals consisting of one species.
- All the subject trees are “protected” size trees according to the City of Scotts Valley Municipal Code.
- More than half of the subject trees are located on the adjacent City of Scotts Valley property.
- Three trees have trunks close to the property line and may be located on either, (1) the proposed site parcel, (2) City of Scotts Valley parcel or (3) located on both parcels.
- I have found that 22 (22) protected size trees will require removal due to poor condition or because of anticipated construction impacts from the proposed development.
- I have found that 17 (17) protected size trees will be preserved for the proposed development.
- I have found that 1 (1) protected size tree will require a field evaluation during the construction phase of the project to determine if removal is required or alternatively, if the tree can be retained.
- All protected size trees as designated by the City of Scotts Valley Municipal Code require approval from the Community Development Director, if they are proposed for removal.

RESOURCES

All information within this report is based on preliminary site plans as of the date of this report. Resources are as follows:

- Preliminary Design for Erba Lane Housing by: David Zulim Inc., dated 7/11/17.
- 100 Year Flood Boundary Exhibit by: Boman & Williams, dated, 11/18/17
- Site visits to access tree condition on 11/15/17 & 11/18/17.
- Site visit with David Zulim, project designer and Dean Bustichi project builder on 11/28/17. Using the preliminary design plan sheet, distance from individual subject trees to proposed new home locations was measured in the field, to help determine the anticipated construction impacts to each tree.

SUBJECT TREE REMOVALS

TOTAL SUBJECT TREE REMOVALS: 22 Trees

TREE REMOVAL FOR PROPOSED DEVELOPMENT:

'PROTECTED' SIZE TREES: Total = 22

22 Coast Live Oak (*Quercus agrifolia*) Trees T1, T5, T6, T7, T9, T11, T12, T14, T15, T17, T18, T19, T20, T22, T23, T24, T29, T30, T32, T33, T36, & T39.

- Three (3) Protected size trees (Coast Live Oaks, T5, T18 & T39), will require removal due to impacts from the proposed homes according to the proposed site plan, dated 7/11/17.
- Nineteen (19) Protected size trees (Coast Live Oaks, T1, T6, T7, T9, T11, T12, T14, T15, T17, T19, T20, T22, T23, T24, T29, T30, T32, T33, & T36), will require removal due to poor condition.
- One (1) Protected size tree (Coast Live Oak, T27), will require a field decision during the construction phase, to determine if required clearance pruning can be accomplished without significantly impacting the structure of the tree.
- Seventeen (17) Protected size trees (Coast Live Oaks, T2, T3, T4, T8, T10, T13, T16, T21, T25, T26, T28, T31, T34, T35, T37, T38, & T40), can be preserved. Some will require pre-construction treatments to promote long-term health.

SPECIES LIST

TOTAL SUBJECT TREES: 40 Trees

All subject trees are protected.

All subject trees are Coast Live Oak (*Quercus agrifolia*) #'s T1 – T40.

PROTECTED TREES IN THE CITY OF SCOTTS VALLEY

Protected Tree List*

A	Any size tree located within five (5) feet of a public right-of-way or street.
B	Any single-trunk <u>oak tree</u> greater than or equal to eight (8) inch diameter (25-inch circumference). **
C	Any multi-trunk <u>oak tree</u> with any trunk greater than or equal to four (4) inches diameter (12-inch circumference). **
D	Any tree greater than or equal to eight (8) inch diameter (25-inch circumference) ** if located within 20 feet of a moderate slope (greater than 20% slope).
E	Any single-trunk tree greater than or equal to 13-inch diameter (40-inch circumference). **
F	Any multi-trunk tree with any trunk greater than or equal to eight (8) inch diameter (25-inch circumference). **
G	Any tree, regardless of size, required as part of a permit approved by the Planning Department, Planning Commission or City Council, or required as a replacement tree for a removed tree.
H	Any <u>Heritage Tree</u> , as specified in Municipal Code Section 17.44.080 and Exhibit A. A list and map of Heritage Trees are available at the Planning Department. Fees for removal of Heritage Trees are higher than other protected tree removals and applications must be approved at a public hearing before the Planning Commission.
	* <u>Note:</u> No tree removal permit is required to remove: • Monterey Pine trees that are infected with pitch canker; <i>proof of infection is required</i>; • Blue Gum Eucalyptus or Acacia trees; • Bay Laurel trees <i>if</i> they are growing under the drip-line of an established oak tree; or, • Fruit trees. ** T r e e measurement shall be taken 4½ feet (54 inches) above the ground.

TREE EVALUATION AND RECORDING METHODS

Site evaluations were made on November 15 & 18, 2017. *The assessments included all protected trees, located within the dripline of the project limits.* The trees were tagged with numbered metal tags. The health and structural condition of each tree was assessed and recorded. Based on the trees health and structural condition, each trees suitability for preservation was rated and recorded.

An additional site evaluation was made on 11/28/17. This site evaluation included David Zulim, project designer and Dean Bustichi project builder. Using the preliminary design plan sheet, the distance from individual subject trees to proposed new home locations was measured in the field, to help determine the anticipated construction impacts to each tree.

The recorded data is included in the *Tree Assessment Chart, Appendix A*, of this report. Tree numbers were plotted on the attached *Tree Location Map*. **To correlate the data in the Tree Assessment Chart to the tree's location on the site, refer to the Tree Location Map & Protection Plan, Sheet T-1.**

Descriptions for tree assessment methodology used in the Tree Assessment Chart are included in the Appendix B, of this report.

Forty trees were evaluated, representing one species, Coast Live Oak (*Quercus agrifolia*). All trees evaluated are "protected" under City of Scotts Valley ordinance.

SUMMARY TREE AND SITE DESCRIPTION

The proposed development site of approximately $\frac{3}{4}$ of an acre, is currently utilized as a parking lot. The gently sloped property, follows the grade of the adjacent Erba Lane and is predominately paved. On the northeast edge of the parcel, the soil is unpaved and contains an oak grove abutting a dry creek. The oak grove location parallels the dry creek as it runs west to east. This oak grove contains 38 of the 40 trees evaluated in this report.



Proposed development site looking east, with coast live oaks at edge of property.

Slightly more than half of the oak trees assessed, are located on the adjacent parcel, owned by the City of Scotts Valley. Since the canopies of these trees overhang the project site, they were also evaluated.

Three trees appear to straddle the property line between the subject property and City of Scotts Valley. If any are in fact, located on the property line, then these trees are owned by both parties.

Crowded growing conditions has created uneven canopy growth in many of the trees. The thirty- eight trees located in the grove appear to be naturally occurring natives. Two nursery grown oak trees, are planted in a landscape parking island at the southeast end of the property.

Most of the trees have trunks with lean, and the structural growth habit and canopy are oriented to the southwest, as they have grown to maximize light intake. These trees have unbalanced canopies, contributing to a south or west weight bias. (Images #1,2, & 3).

Alternatively, several of the trees on the eastern end of the grove lean or grow to the *southeast*, to maximize light.

To remain stable, trees with lean and unbalanced canopies form reaction wood (stronger wood), which helps to support the additional mechanical stress.

Some trees in the grove have a more upright growth pattern creating good structure (Image #4).

The strong southwest growth habit (towards the new homes), of most trees, and the siting of the homes necessitates that clearance pruning will be required for many of the trees.

Slightly more than half of the trees are recommended for removal. Removal recommendations are based on the relative risk and /or suitability to continue to thrive for the long term in the development planned.

Of the 22 trees recommended for removal, many have severely compromised structures with limited canopy formation. These trees have a nearly horizontal trunk growth pattern, little to no secondary branching and a small canopy at the end of the trunk (Image #5). Trees T11,17,19,22,23,29,30,32 & 33 have poor structure meeting the above description and are recommended for removal.

A significant site development decision is for no machine grading to occur in the back yards of the homes, between the homes and trees. This will greatly reduce the impact to existing tree roots.

TREE PROTECTION ZONES

Data has been entered in the *Tree Assessment Chart – Appendix A*, which indicates the Tree Protection Zone for each tree.

To prevent inadvertent encroachment by heavy machinery, fencing should be installed either at the edge of the Tree Protection Zone (TPZ), the crown drip line (whichever is further from the trunk), or at the edge of the construction zone, if the construction zone protrudes into the TPZ. The Project Arborist, should approve the location of the fencing. All fencing should be in place prior to any site grading.

Once the TPZ is delineated and fenced (prior to site work and equipment/materials move in), any construction activities or landscape construction, are only to be permitted within the TPZ if allowed for and specified by the project arborist. **The fenced TPZ areas are considered "non-intrusion zones" and should not be altered or breached.**

Tree Protection Zone fencing locations are documented on the attached map: (Tree Location Map & Protection Plan).

TREE PROTECTION GUIDELINES AND RESTRICTIONS

The following restrictions and guidelines apply to the designated tree protection zones:

- (1) Before the start of site work, equipment or materials move in, clearing, excavation, construction, or other work on the site, every tree to be retained shall be securely fenced- off as delineated in approved plans. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the development.
- 2) If the proposed development, including any site work, will encroach upon the tree protection zone, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.
- (3) Underground trenching shall avoid the major support and absorbing tree roots of protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist may be required. Trenches shall be consolidated to service as many units as possible. Boring/tunneling under roots should be considered as an alternative to trenching.
- (4) Concrete or asphalt paving shall not be placed over the root zones of protected trees, unless otherwise permitted by the project arborist.
- (5) Artificial irrigation shall not occur within the root zone of native oaks, unless deemed appropriate on a temporary basis by the project arborist to improve tree vigor or mitigate root loss.
- (6) Compaction of the soil within the tree protection zone shall be avoided.
- (7) Any excavation, cutting, or filling of the existing ground surface within the tree protection zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed to minimize their impact on protected trees.

(8) Burning or use of equipment with an open flame near or within the tree protection zone shall be avoided. All brush, earth, and other debris shall be removed in a manner that prevents injury to the tree.

(9) Oil, gas, chemicals, paints, cement, stucco or other substances that may be harmful to trees shall not be stored or dumped within the tree protection zone of any protected tree, or at any other location on the site from which such substances might enter the tree protection zone of a protected tree.

(10) Construction materials shall not be stored within the tree protection zone of a protected tree.

PROJECT ARBORIST DUTIES & INSPECTION SCHEDULE

Supervision of site: Prior to equipment and materials move in, site work, demolition and landscape construction:

- (1) The project arborist shall meet with the tree removal company to verify trees to be removed.
- (2) The project arborist shall meet with the tree pruning company and supervise the clearance pruning performed on each tree so designated.

Inspection of site: Prior to equipment and materials move in, site work, demolition, landscape construction and tree removal: The project arborist will meet with the general contractor, architect / engineer, and owner or their representative to review tree preservation measures, designate tree removals, delineate the location of tree protection fencing, specify equipment access routes and materials storage areas, review the existing condition of trees and provide any necessary recommendations.

Inspection of site: After installation of TPZ fencing: Inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance or excavation areas within root zones of protected trees. Assess any changes in the health of trees since last inspection.

Inspection of site: During excavation or any activities that could affect trees: Inspect site during any activity within the Tree Protection Zones of preserved trees and any recommendations implemented. Assess any changes in the health of trees since last inspection.

Final Inspection of Site: Inspection of site following completion of construction. Inspect for tree health and make any necessary recommendations.

TREE WORK STANDARDS AND QUALIFICATIONS

All tree work, removal, pruning, planting, shall be performed using industry standards of workmanship as established in the Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI A 300 series), and safety (ANSI Z133.1).

Contractor licensing and insurance coverage shall be verified.

During tree removal and clearance, sections of the Tree Protection Fencing may need to be temporarily dismantled to complete removal and pruning specifications. After each section is completed, the fencing is to be re-installed.

Trees requiring removal are listed in the attached *Tree Assessment Chart – Appendix A*

Trees to be removed shall be cut into smaller manageable pieces consistent with safe arboricultural practices, and carefully removed so as not to damage any surrounding trees or structures. The trees shall be cut down as close to grade as possible. Tree removal is to be performed by a qualified contractor with valid City Business/State Licenses and General Liability and Workman's compensation insurance.

TREE REPLACEMENT RECOMMENDATIONS

The removal of trees can be offset by replacement planting.

The number and species of replacement trees or shrubs shall be determined by the City of Scotts Valley Community Development Director. Typical replacement ratios are one 15-gallon tree planted for every tree removed. They should be placed in areas where ample light for establishment can be found and where they do not present safety concerns.

Below is a summary of total trees removed, retained and proposed for replanting.

Total Protected Trees Removed:	22
Total Protected Trees Retained:	17
Total Protected Trees Removal or Retain T.B.D.	1
Total Trees To be Replanted:	22

The proposed replanting ratio is one tree replanted for every tree removed. There is ample space to plant 22 new, small to medium sized trees on the proposed 12 residential lots.

DEVELOPMENT SITE TREE HEALTH CARE MEASURES

RECOMMENDED TO PROVIDE OPTIMUM GROWING CONDITIONS, PHYSIOLOGICAL INVIGORATION AND STAMINA, FOR PROTECTION AND RECOVERY FROM CONSTRUCTION IMPACT.

Establish and maintain TPZ fencing, trunk and scaffold limb barriers for protection from mechanical damage, and other tree protection requirements as specified in the arborist report.

Project arborist to specify site-specific soil surface coverings (wood chip mulch or other) for prevention of soil compaction and loss of root aeration capacity.

Soil, water and drainage management is to follow the ISA BMP for "Managing Trees During Construction" and the ANSI Standard A300(Part 2)- 2011 Soil Management (a. Modification, b. 'Fertilization, c. Drainage.)

Fertilizer / soil amendment product(s), amounts and method of application to be specified by certified arborist.

ADDITIONAL TREE PROTECTION SPECIFICATIONS REQUIRED

This is a preliminary tree resource evaluation only.

When final architectural and civil plans are completed, and decisions are made by the Scotts Valley planning department and the developer about which trees are to be retained and protected, then further tree protection measures can be specified.

Respectfully submitted,

Kurt Fouts

Kurt Fouts ISA Certified Arborist WE-0681A



Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Suitability for Preservation Ratings:

Good: Trees in good health and structural condition with potential for longevity on the site

Fair: Trees in fair health and/or with structural defects that may be reduced with treatment procedures

Poor: Trees in poor health and/or with poor structure that cannot be effectively abated with treatment

Retention or Removal Code:

R.T.: Retain Tree

R.I.: Remove Due to Construction Impacts

I.M. Impacts Can Be Mitigated With Pre-Construction Treatments

R.C. Remove Due to Condition

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T1	coast live oak (Quercus agrifolia)	28"	Yes	40'X30'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Fallen tree. Root plate partially uprooted (See image #1). Tree still vital and producing green foliar canopy. Co-dominant trunks at 9' above grade. Lower trunk is horizontal and straddles intermittent stream. Recommend removal. Or retain for habitat. Tree is a low hazard. Tagged and marked with blue flagging tape.
T2	coast live oak	10", 7"	Yes	18'X22'	Fair	Fair	Fair	13'	Low (Canopy loss - ground clearance pruning)	R.T.	On City of Scotts Valley property. Co-dominant trunks at 1' above grade. Suppressed canopy growth by taller adjacent trees. Strong horizontal growth to southwest creates an unbalanced canopy. Low canopy clearance (5' above grade), will require clearance pruning, if tree is retained. Minor trunk decay at 1' above grade from previous limb failure.
T3	coast live oak	22"	Yes	45'X20'	Fair	Fair	Fair	22'	Low (Canopy loss- bldg. clearance pruning & root pruning - pathway installation.	R.T. I.M.	Trunk has 10 degree lean. Unbalanced canopy. Growth towards southwest. Moderate beetle infestation in trunk to 10' above grade. Exit holes in bark and large amount of frass around base of trunk indicates moderate borer activity. If tree is retained, consultation with Plant Health Care specialist recommend as pest treatments may be indicated.
T4	coast live oak	34"	Yes	55'X40'	Good	Good	Good	26'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	On City of Scotts Valley property. Mature, well structured tree, with minimal decay. Some epicormic growth on lateral limbs. Very good specimen.
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Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T5	coast live oak (<i>Quercus agrifolia</i>)	17", 17", 14"	Yes	35'X22'	Fair	Fair	Fair	20'	High (Canopy loss - bldg. clearance pruning & root loss- foundation installation).	R.I.	Co-dominant trunks (3), at 1' above grade. Strong horizontal growth to southwest creates an unbalanced canopy. Canopy growth moderately thin. Low canopy clearance (4' above grade), on southwest side. Cannot be effectively clearance pruned without significant tree structure damage.
T6	coast live oak	10"	Yes	20'X15'	Poor	Poor	Poor	N/A	N/A	R.C.	Missing bark and significant amounts of decay at lower trunk area. Minor borer infestation.
T7	coast live oak	15"	Yes	20'X20'	Fair	Poor	Poor	N/A	N/A	R.C.	Co-dominant trunks at 17' above grade. Trunk has 15 degree lean to southwest. Suppressed canopy growth, from larger adjacent trees. Upper trunk has extreme bend with growth to southwest, creating an unbalanced canopy. Lack of secondary branching structure.
T8	coast live oak	44"	Yes	48'X40'	Fair	Fair	Fair	28'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	On City of Scotts Valley property. Co-dominant trunks at 8' above grade. Trunk has 30 degree lean to south. Strong scaffold (main branches), growth to southwest, creating an unbalanced canopy. Tree has good vigor but some deadwood and decay from poor pruning cuts. If tree is retained, cabling of two main trunks is recommended as risk reduction treatment.
T9	coast live oak	12"	Yes	21'X25'	Fair	Poor	Poor	12'	N/A	R.C.	On City of Scotts Valley property. Trunk has 5 degree lean to west. 16" cavity at 18" above grade. Suppressed canopy growth from adjacent trees. Thin canopy with small branch and twig dieback over 50 percent of canopy. Remove or retain for habitat.
T10	coast live oak	27"	Yes	42'X40'	Fair	Fair	Fair	20'	Low (Canopy loss - bldg. clearance pruning)	R.T. I.M.	On City of Scotts Valley property. Trunk has 40 degree lean to west. Structural limbs show strong weight bias to southwest, creating an unbalanced canopy. Moderate Western Sycamore Borer (<i>Synanthedon resplendens</i>), activity in lower trunk area.
T11	coast live oak	10"	Yes	15'X35'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Tree consists of one horizontal trunk, varying between 40-90 degrees (no secondary branching), with an 8'X8' canopy at end. Trunk rests on and is partially supported by tree #T10.
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Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T12	coast live oak (<i>Quercus agrifolia</i>)	15",13",12"	Yes	50'X18'	Fair/Poor	Poor	Poor	21'	N/A	R.C.	Co-dominant trunks (three) at 2 & 3' above grade, with included bark. All trunks with strong growth habit and weight bias to southwest, creating an unbalanced canopy. Minor deadwood and decay present at previous limb failures. Dieback and decay of some branches up to 2" in diameter.
T13	coast live oak	16"	Yes	20'X30'	Fair	Fair	Fair	12'	None	R.T.	On City of Scotts Valley property. Narrow canopy. Very upright growth, but stable structure.
T14	coast live oak	8"	Yes	20'X10'	Poor	Fair	Poor	8'	N/A	R.C.	On City of Scotts Valley property. Co-dominant trunks at 6' above grade, with included bark. Dieback and decay on several branches up to 2" in diameter. Twig dieback over 35 percent of canopy
T15	coast live oak	17"	Yes	33'X30'	Fair	Poor	Poor	N/A	N/A	R.C.	Trunk has 10 degree lean to southwest. Co-dominant trunks at 12' above grade. Dieback of lower canopy limbs , up to 2" in diameter, with epicormic growth.
T16	coast live oak	28"	Yes	50'X40'	Fair	Fair	Fair	21'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	Trunk has 10 degree lean to southwest. Co-dominant trunks at 12' above grade. Dieback of lower canopy limbs , up to 2" in diameter, with epicormic growth.
T17	coast live oak	15"	Yes	15'X30'	Fair	Poor	Poor	N/A	N/A	R.C.	Tree consists of one horizontal trunk, varying between 40-90 degrees (no secondary branching), with an 8'X8' canopy at end.
T18	coast live oak	27"	Yes	38'X38'	Fair	Fair-poor	Fair	21'	High (Canopy loss - bldg. clearance pruning)	R.I.	Co-dominant trunks (three) at 2' above grade, with included bark. & 3' above grade, with included bark. All trunks with strong growth habit and weight bias to south, creating an unbalanced canopy. 5"X5" cavity in one trunk at 10' above grade. One 6" diameter limb is fractured at 12' above grade. End of branch hits ground. Cannot be effectively clearance pruned without significant tree structure damage.
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Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T19	coast live oak (<i>Quercus agrifolia</i>)	14"	Yes	15'X35'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Extreme horizontal trunk growth to southwest. Cavity and decay at trunk base. Trunk is partially supported by tree T18.
T20	coast live oak	13"	Yes	17'X18'	Fair	Poor	Poor	N/A	N/A	R.C.	Co-dominant trunks, with included bark, at 5' above grade. Strong growth and weight bias to southwest, creating an unbalanced canopy. Moderate failure risk.
T21	coast live oak	22"	Yes	60'X30'	Good	Fair	Fair	17'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	On City of Scotts Valley property. Trunk leans 10 degrees to south. Mature specimen with good branching structure.
T22	coast live oak	8"	Yes	10'X30'	Poor	Poor	Poor	N/A	N/A	R.C.	Tree consists of one horizontal trunk (no secondary branching), with an 5'X5' canopy at end.
T23	coast live oak	19"	Yes	33'X35'	Fair	Poor	Poor	N/A	N/A	R.C.	Trunk grows at a 45 degree angle. No secondary branching structure. Canopy growth limited to a very end of trunk
T24	coast live oak	10"	Yes	25'x30'	Poor	Poor	Poor	N/A	N/A	R.C.	Lower trunk has a 20 degree lean. Upper trunk has strong horizontal growth and weight bias to south, creating an unbalanced canopy. Limited secondary branching and canopy development. Dieback of small branches and twigs up to 2" in diameter over 35 percent of canopy.
T25	coast live oak	14"	Yes	45'X35'	Fair	Fair	Fair	11'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	May be located (partially) on City of Scotts Valley property. Trunk has 15 degree lean to southwest. Co-dominant trunks with included bark, at 13' above grade. Cabling of two main trunks for risk reduction recommended.
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Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T26	coast live oak (<i>Quercus agrifolia</i>)	21"	Yes	35'X30'	Fair	Fair-Poor	Fair	21'	Low (Canopy loss - minimal bldg. clearance pruning)	R.T.	On City of Scotts Valley property. Strong horizontal growth and weight bias to southwest.
T27	coast live oak	22"	Yes	20'X30'	Fair	Fair	Fair	17'	Moderate-High (Canopy loss - bldg. clearance pruning).	R.T. or R.I.	May be located (partially) on City of Scotts Valley property. Strong horizontal growth and weight bias to southwest. Requires field decision during construction phase, to determine if amount of canopy/branch structure loss due to bldg. clearance pruning will significantly damage tree structure.
T28	coast live oak	32"	Yes	48'X42'	Fair	Fair	Fair	24'	Moderate (Canopy loss - bldg. clearance pruning, Root loss - foundation excavation).	R.T. I.M.	On City of Scotts Valley property. Large, mature and broad canopied specimen. Co-dominant trunks with included bark, at 8' above grade. Weight bias to southwest. Normal amounts of new growth indicates good vigor, but epicormic growth (stress indicator), present over 80 percent of main scaffolds. Needs maintenance pruning. Cabling of main scaffolds recommended for risk reduction. Requires removal of two 12" diameter limbs.
T29	coast live oak	14"	Yes	12'X8'	Fair	Poor	Poor	N/A	N/A	R.C.	May be located (partially) on City of Scotts Valley property. Tree consists of one horizontal trunk (no secondary branching), with an 8'X 8' canopy at end.
T30	coast live oak	13"	Yes	15'X12'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Tree consists of one horizontal trunk (no secondary branching), with an 12' X 12' canopy at end.
T31	coast live oak	9"	Yes	16'X10'	Fair	Fair	Fair	10'	None	R.T.	On City of Scotts Valley property. Suppressed growth habit from larger adjacent trees. Poor wound wood formation, with deadwood and decay on pruning cut at 4' above grade. Indicates lack of energy reserves or poor pruning cut.
T32	coast live oak	10"	Yes	25'X10'	Poor	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. No secondary branching. Live foliage limited to 10' X 10' canopy at end of trunk.
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Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T33	coast live oak (<i>Quercus agrifolia</i>)	13"	Yes	10'X7'	Fair	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Trunk leans 45 degrees to south. No secondary branching structure. Canopy growth limited to end of trunk.
T34	coast live oak	11"	Yes	40'X20'	Fair	Fair	Fair	10'	None	R.T.	On City of Scotts Valley property. Limited secondary branching on bottom two-thirds of trunk.
T35	coast live oak	30"	Yes	48'X30'	Good	Fair	Fair	23'	Low (Canopy loss - bldg. clearance pruning)	R.T. I.M.	On City of Scotts Valley property. Trunk leans 45 degrees to southwest. Co-dominant trunks with included bark at 14' above grade. Strong growth and weight bias to southwest, creating an unbalanced canopy. Further examination and assessment by climbing, of attachment point of two main trunks is recommended. Cabling of two main trunks for risk reduction is recommended. Removal of several 3-5" diameter limbs for building clearance is required.
T36	coast live oak	8", 7"	Yes	20'X18'	Poor	Poor	Poor	N/A	N/A	R.C.	On City of Scotts Valley property. Co-dominant trunks at 2' above grade. Suppressed growth from larger adjacent trees. 15" X10" cavity at trunk base with deadwood and decay. Remove or retain for habitat, low risk.
T37	coast live oak	12"	Yes	20'X20'	Good	Fair	Fair	10'	None	R.T.	On City of Scotts Valley property. Trunk leans 15 degrees to south. Strong growth and weight bias to southeast.
T38	coast live oak	20"	Yes	30'X30'	Fair	Fair	Fair	15'	Low (Canopy loss - bldg. clearance pruning)	R.T. I.M.	On City of Scotts Valley property. Trunk leans 45 degrees to southwest. Co-dominant trunks with included bark at 15' above grade. Strong growth and weight bias to southwest creating an unbalanced canopy. Flagging (dieback and retention of dead leaves at branch ends), over 15 percent of canopy, caused by various fungal species, not significant. Co-dominant trunks with included bark at 14' above grade. Strong growth and weight bias to southwest, creating an unbalanced canopy. Further examination and assessment by climbing, of attachment point of two main trunks is recommended. Removal of one 9" diameter limb for building clearance is required.
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 scharborgrounds@yahoo.com							Page 6 of 7				11/16/2017

Erba Lane Housing Project - Scotts Valley

Tree Assessment Chart - Appendix A

Tree #	Species	Trunk Diameter @ 4.5' above grade	Protected Tree	Crown Height & Spread	Health Rating	Structural Rating	Suitability for Preservation (Based Upon Condition)	Tree Protection Zone (in feet)	Construction Impacts (Rating & Description)	Retention or Removal Code	Comments
T39	coast live oak	14"	Yes	18'X18'	Good	Good	Good	11'	High (Canopy loss - bldg. clearance pruning & root loss- foundation installation.	R.I.	Planted in parking landscape island at northeast corner of property.
T40	coast live oak (<i>Quercus agrifolia</i>)	14"	Yes	18'x18'	Good	Good	Good	11'	Low (Root loss - deck piers installation, canopy loss - deck clearance pruning).	R.T. I.M.	Planted in parking landscape island at northeast corner of property.
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 scharborgrounds@yahoo.com							Page 7 of 7				11/16/2017

APPENDIX B – CRITERIA FOR TREE ASSESSMENT CHART

Following is an explanation of the data used in the tree evaluations. The data is incorporated in the *Tree Assessment Chart, Appendix A*.

Trunk Diameter and Number of Trunks:

Trunk diameter as measured at 4.5 feet above grade. The number of trunks refers to a single or multiple trunked tree. Multiple trunks are measured at 4.5 feet above grade.

Health Ratings:

Good: A healthy, vigorous tree, reasonably free of signs and symptoms of disease

Fair: Moderate vigor, moderate twig and small branch dieback, crown may be thinning and leaf color may be poor

Poor: Tree in severe decline, dieback of scaffold branches and/or trunk, most of foliage from epicormics

Structure Ratings:

Good: No significant structural defects. Growth habit and form typical of the species

Fair: Moderate structural defects that might be mitigated with regular care

Poor: Extensive structural defects that cannot be abated.

Suitability for Preservation Ratings:

Rating factors:

Tree Health: Healthy vigorous trees are more tolerant of construction impacts such as root loss, grading and soil compaction, then are less vigorous specimens.

Structural integrity: Preserved trees should be structurally sound and absent of defects or have defects that can be effectively reduced, especially near structures or high use areas.

Tree Age: Over mature trees have a reduced ability to tolerate construction impacts, generate new tissue and adjust to an altered environment. Young to maturing specimens are better able to respond to change.

Species response: There is a wide variation in the tolerance of individual tree species to construction impacts.

Rating Scale:

Good: Trees in good health and structural condition with potential for longevity on the site

Fair: Trees in fair health and/or with structural defects that may be reduced with treatment procedures.

Poor: Trees in poor health and/or with poor structure that cannot be effectively abated with treatment. Trees can be expected to decline or fail regardless of construction impacts or management

Construction Impacts:

Rating Scale:

High: Development elements proposed that are located within the Tree Protection Zone that would severely impact the health and/or stability of the tree. These elements cannot be mitigated without design changes.

Moderate: Development elements proposed that are located within the Tree Protection Zone that will impact the health and/or stability of the tree and can be mitigated with tree protection treatments.

Low: Development elements proposed that are located within or near the Tree Protection Zone that will impact the health of the tree and can be mitigated with tree protection treatments

None: Development elements will have no impact on the health and stability of the Tree.

Tree Protection Zone (TPZ):

Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, particularly during construction or development.

Sheet T1

11/30/2017

Tree Location & Number

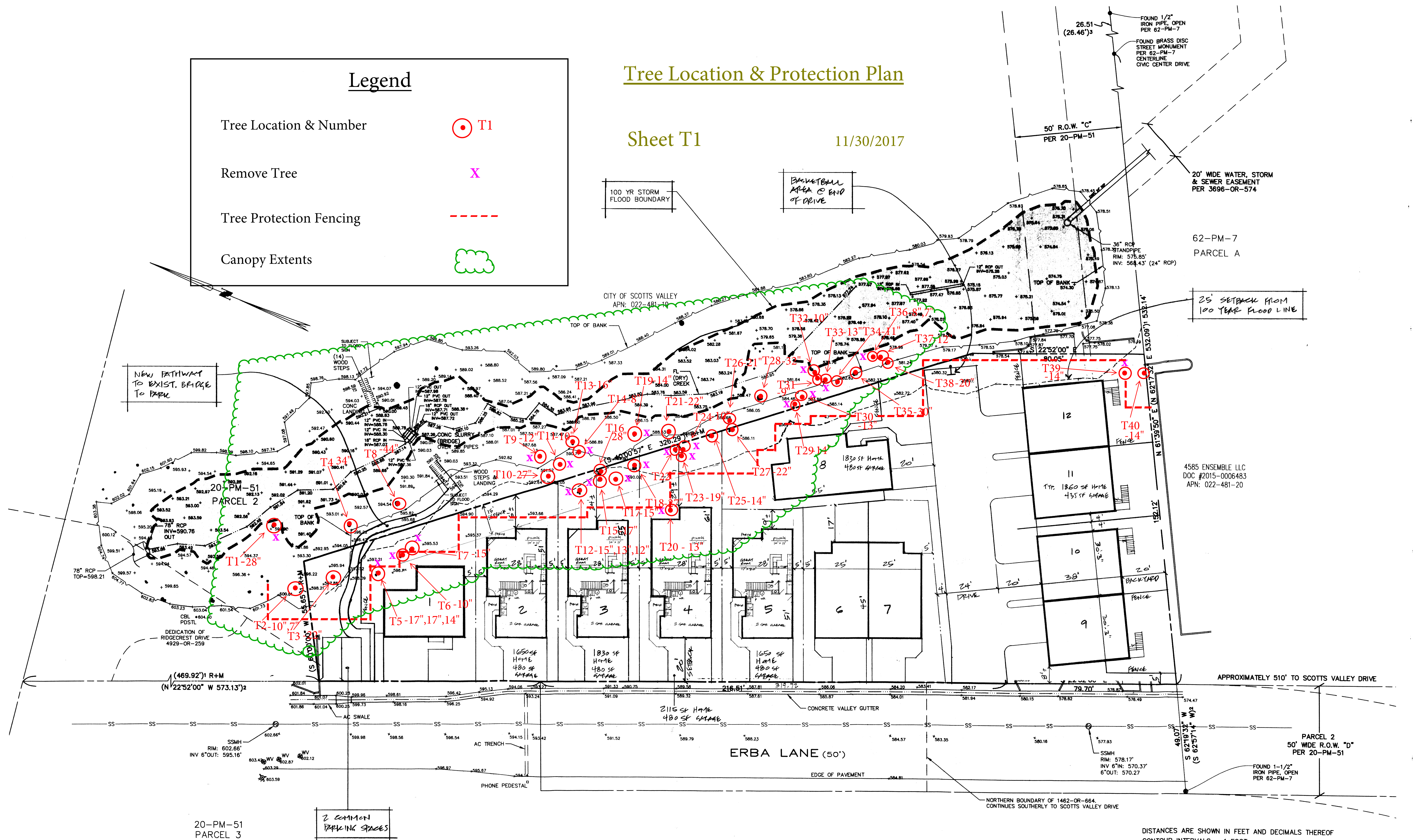
$\odot$ T1

Remove Tree

X

Tree Protection Fencing

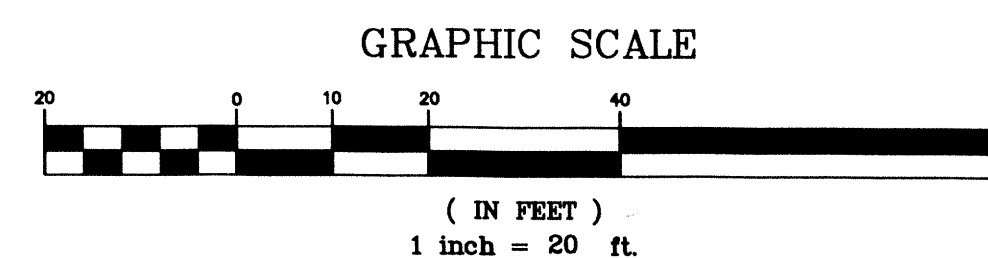
Canopy Extents



DAVID B. ZULIM INC.

DESIGN ENGINEERING PLANNING 150 FELKER ST. SUITE "F" · SANTA CRUZ, CA 95060 · Telephone 831-425-8769
Job #: 632-17A Date: 7-11-17

Base Map Provided by Boman & Williams :
Consulting Civil Engineers



Kurt Fouts
Arborist Consultant

826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF
CONTOUR INTERVALS = 1 FOOT

REUSED					
	SEPT. 23, 2016 ADD TOPOGRAPHIC SURVEY OF DRAINAGE CHANNEL				
	AUG. 3, 2016 AFFECTS OF PRELIM. DESIGN 6-21-16 STEWART TITLE ORDER NO. 01180-202943				
BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS 1011 CEDAR STREET SANTA CRUZ, CA 95060 (831) 426-3560			100 YEAR FLOOD BOUNDARY EXHIBIT		
			SCOTTS VALLEY HOUSING, LLC RECORDERS SERIAL NO. 2015-0034997 ERBA LANE, SCOTTS VALLEY SANTA CRUZ COUNTY, CALIFORNIA		
SCALE 1" = 20'	DRAWN ML		JOB NO. 26390		SHEET 1
DATE NOVEMBER 18, 2016	CHECKED JRN		INDEX SAN AUG 5		
FIELDWORK ML	DWG NAME 26390		FILE NO. 26390		
			OF		



Image #1 – Many of the trees have a strong trunk lean.



Image #2 – Strong trunk leans and un-balanced canopies (circled), typical of grove.



Image #3 – Tree T5, trunk lean and unbalanced canopy. Tree T5 is recommended for removal.



Image #4 – Tree T4 – Upright and stable structure.



Image #5 – Tree T29. Many trees in the grove have horizontal trunk growth and minimal canopy formation similar to T29. Tree T29 is recommended for removal.

Erba Lane Housing - Tree Inventory

Scotts Valley, CA
12/1/17



Legend

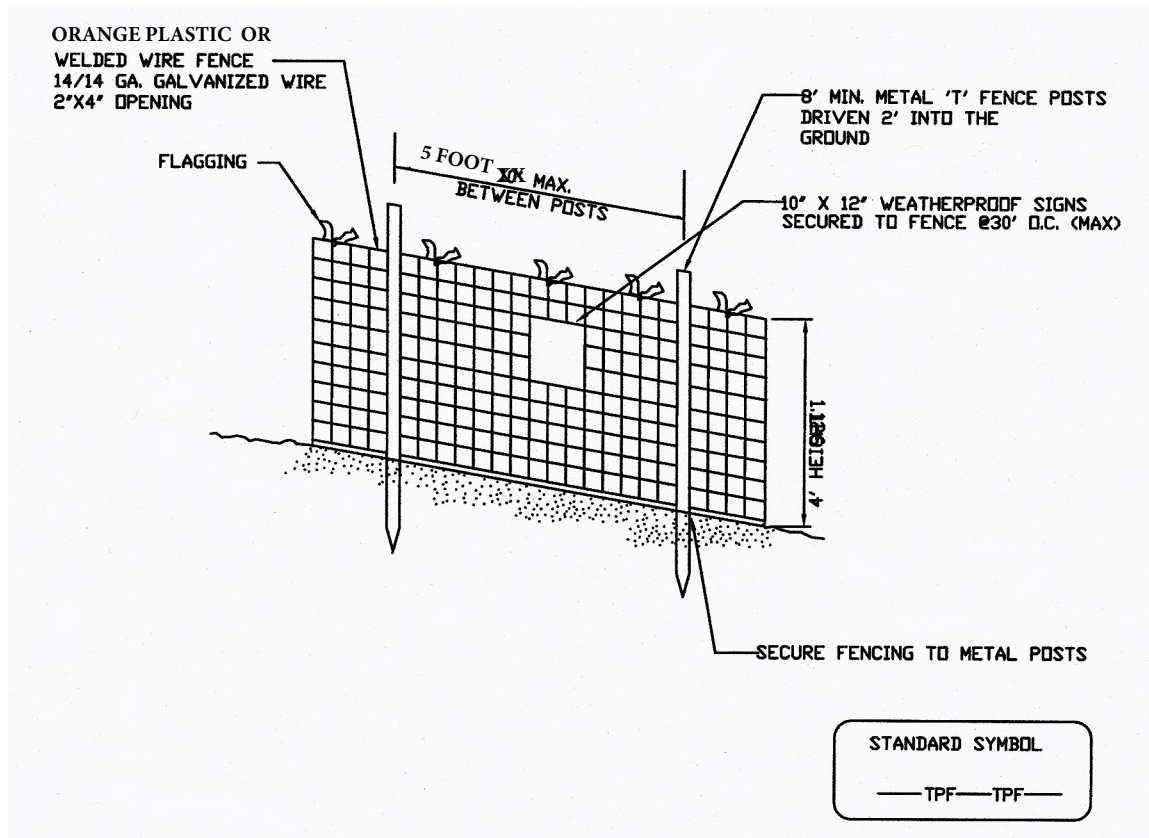
- Erba Ln
- Remove or Retain T.B.D.
- Remove Tree
- Retain Tree

 **Kurt Fouts**
Arborist Consultant

826 Monterey Avenue
Capitola, CA 95010
831-359-3607
kurtfouts1@outlook.com

Tree Protection Fence Detail

Not to scale



NOTES

1. Practice may be combined with sediment control fencing.
2. Location and limits of fencing should be coordinated in field with arborist.
3. Boundaries of protection area should be staked prior to installing protective device.
4. Root damage should be avoided.
5. Protection signage is required.
6. Fencing shall be maintained throughout construction.



Kurt Fouts
Arborist Consultant

826 Monterey Avenue
Capitola, CA 95010
831-359-3607
scharborgrounds@yahoo.com

Warning

Tree Protection Zone

Keep Out

NOTICE: PROTECTIVE FENCING IS REQUIRED ON THIS JOB SITE.
REMOVAL OR DAMAGE OF THIS FENCING MAY RESULT IN A FINE

This sign must be prominently displayed. Fencing may not be moved or removed without permission of the Project Arborist.

During demolition and construction, all reasonable steps necessary to prevent damage, or the destruction of protected trees is required. Failure to comply with all precautions may result in a STOP WORK order being issue by the regulating agency.

No Entry without Project Arborist Authorization
Kurt Fouts –Arborist Consultant- 831 – 359 -3607

ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided by the appraiser/consultant is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as the quality of any title.
2. The appraiser/consultant can neither guarantee nor be responsible for accuracy of information provided by others.
3. The appraiser/consultant shall not be required to give testimony or to attend court by reason of this appraisal unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire appraisal/evaluation.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person(s) to whom it is addressed without written consent of this appraiser/consultant.
6. This report and the values expressed herein represent the opinion of the appraiser/consultant, and the appraiser/consultant's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches. Diagrams. Graphs. Photos. Etc., in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraisal/evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. We cannot take responsibility for any defects which could only have been discovered by climbing. A full root collar inspection, consisting of excavating around the tree to uncover the root collar and major buttress roots, was not performed, unless otherwise stated. We cannot take responsibility for any root defects which could only have been discovered by such an inspection.

CONSULTING ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education. Knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like medicine, cannot be guaranteed.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.



SUMMARY ARBORIST REPORT-
Revisions to Preliminary Tree Inventory & Assessment for:

Erba Lane Housing – Scotts Valley

ERBA LANE -- APN 022-081-34 &35

3/27/2020

Prepared for:

Larry Abitol

Scotts Valley Housing LLC

505 Ironwood Drive

Soquel, CA 95

Prepared by:



ISA Certified Arborist WE0681A

Revisions

A revised grading exhibit (see attached Grading Exhibit by Bowman & Williams, dated 3/13/2020), has been completed for the housing project at Erba Lane. The impacts to the existing trees have been reevaluated based on the revised exhibit and site plan.

A biotic assessment has been completed and the recommendation is to retain all coast live oaks within the riparian area.

All coast live oaks are to be retained regardless of condition, unless impacts will significantly affect the trees condition. Note that trees recommended for removal due to condition in the Tree Assessment Chart, arborist report dated 11/30/2020, will be retained.

As noted in the arborist report, some trees will require targeted clearance pruning. The degree of pruning required will be reduced based on the new grading exhibit and will primarily involve attaining clearance for grading equipment. Two trees T29 and T30 with horizontal trunks and limited canopies may require hand grading instead of mechanical grading near them, as clearance pruning may not be feasible.

Except for two trees adjacent to the new Lot 6, the revised construction impacts to the trees in the riparian area, will be slightly reduced. Most of the homes will be built further from the trees than in the initial site plan, and therefore less of the trees rooting area will be lost. Canopy losses will also be reduced as less clearance pruning from the new homes will be necessary, which allows the trees to retain more stored energy.

Two coast live oak trees, T5 and T18 that were recommended for removal, are now recommended for retention, due to reduced impacts, including reduced root loss and canopy loss.

One tree T27, coast live oak, who's status (remove or retain), was to be determined after field staking for grading, is now recommend for retention, as it is further from the grading limits.

Two coast live oak trees, T35 and T38, that were recommended for *retention*, will have increased impacts. However, if mitigation measures are implemented and depending on field staking locations, it may be possible to retain one or both trees.

One coast live oak tree T40, previously recommend for retention will require removal due to revised construction impacts. The tree is located in a parking lot island, outside of the riparian area.

Future growing conditions for most of the coast live oaks will also slightly improve, as more soil area will be retained allowing for a larger rooting area. An increased soil area also means more water will be available to the trees.

The anticipated impacts to the above trees T5,T18,T27,T35, T38 & T40 have been updated in the Tree Assessment Chart, Appendix A, and are included in the revised report.

Tree Replacement

Two protected trees T39 and T40, located in a parking island and outside the riparian area will require removal. If after field staking, it is determined that either tree T35 and/or tree T38 require removal, replacement trees as mitigation will be required. The City of Scotts Valley recommends a minimum ratio of two trees are to be replanted (15 gallon or 24-inch box size), for every "protected" tree removed. Therefore, between four and eight replacement trees will be required. Recommended replacement locations are included on the attached grading exhibit.

Recommendations

1. After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company should meet to review the extent of pruning required to achieve clearance from grading equipment operations.
2. Plant four 15-gallon, coast live oak replacement trees as mitigation for the removal of coast live oak trees, T39 and T40, in the locations recommend on the attached grading exhibit.
3. If either tree T35 or T38 requires removal, plant two 15-gallon coast live oak, for each tree removed, in the locations identified on the attached grading exhibit.

Once final plan sets are completed, a tree protection plan, containing tree protection specifications, will be required.

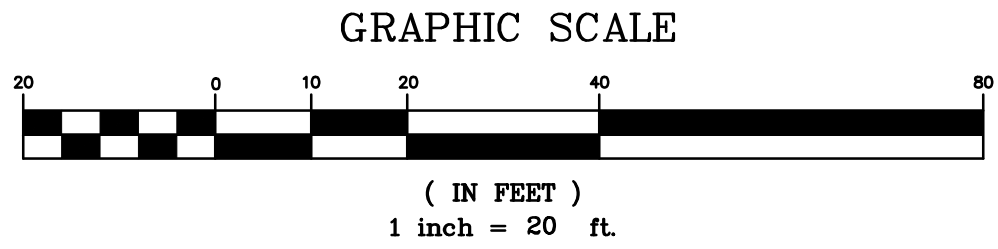
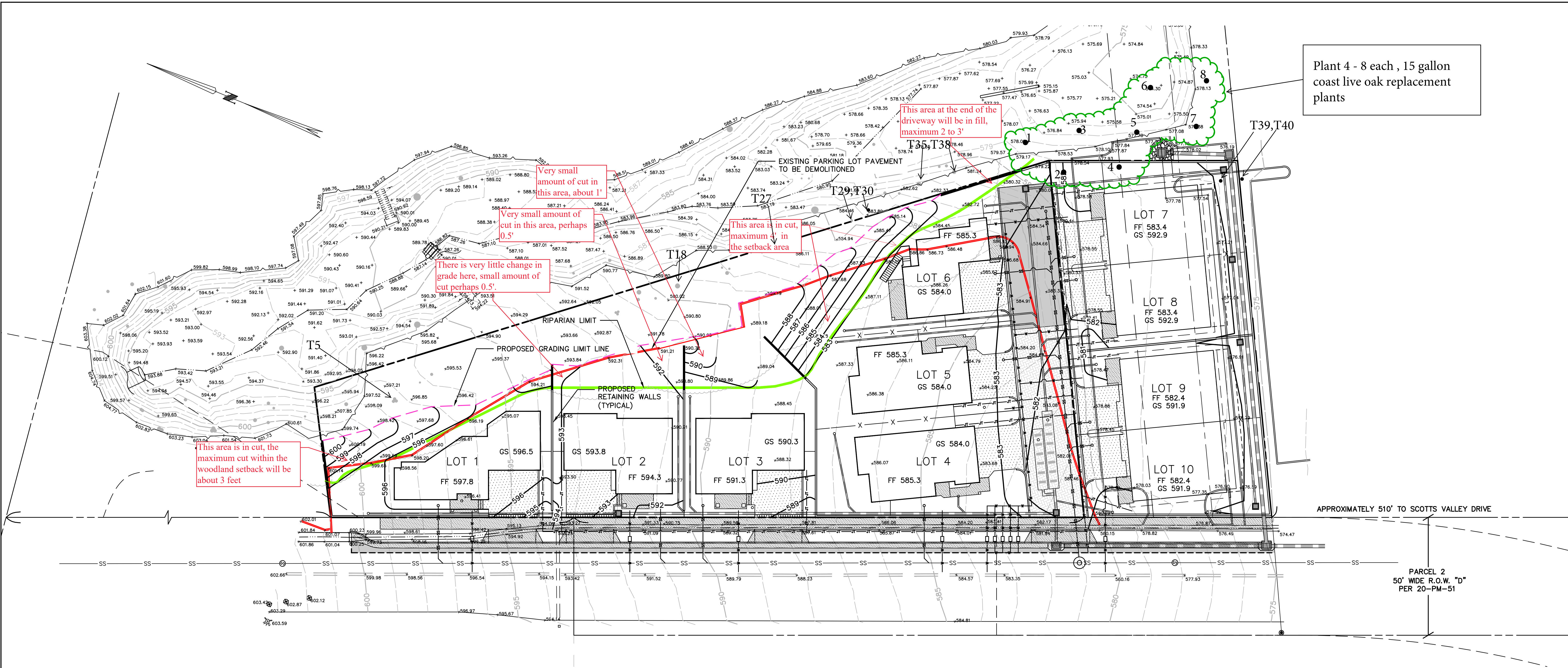
Any questions regarding these revisions can be directed to my office.

Respectfully submitted,

Kurt Fouts

Kurt Fouts ISA Certified Arborist WE-0681A





DISCLAIMER THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE REPRODUCED, ALTERED, OR USED WITHOUT THE CONSENT OF THE ENGINEER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE ENGINEER. UNAUTHORIZED USE IS PROHIBITED. APN 022-481-18			
BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 3949 RESEARCH PARK COURT, SUITE 100 SOQUEL, CA 95073-2094 (831) 426-3560		GRADING EXHIBIT SCOTTS VALLEY HOUSING, LLC RECORDERS SERIAL NO. 2015-0034997 ERBA LANE, SCOTTS VALLEY SANTA CRUZ COUNTY, CALIFORNIA	
SCALE 1" = 20'	DRAWN CMM	JOB NO. 26390	SHEET 1
DATE MARCH 13, 2020	CHECKED JRN	INDEX SAN AUG 5	OF 1
DESIGN CMM	DWG NAME GRADING EX	FILE NO. 26390	

Appendix C
Erba Lane Housing Project – Scotts Valley

4/29/2020

Tree Appraisal and Valuation

The City of Scotts Valley requires valuation of all protected trees on or adjacent to a construction project. The value of twenty-four, (24) trees located within 20 feet of the project grading limits has been appraised. References included, 1) *Guide for Plant Appraisal 9th Edition*, 2) *Species Classification and Group Assignment*, (Wester Chapter Edition).

The total appraised value is \$152,427 The criteria and results for appraisal are included in the attached spreadsheet, *Appendix C, Appraised Value of "Protected" Trees – Trunk Formula Method*.

Appendix C
Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T2	coast live oak (<i>Quercus agrifolia</i>)	10",7"	\$8,114	90%	66%	75%	85%	75%	\$3,760
T3	coast live oak	22"	\$19,343	90%	63%	75%	85%	75%	\$8,600
T5	coast live oak	17",17"	\$24,389	90%	66%	75%	85%	75%	\$11,300
T6	coast live oak	10"	\$5,600	90%	50%	75%	85%	75%	\$1,990
T7	coast live oak	15"	\$10,115	90%	63%	75%	85%	75%	\$4,470
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 kurtfouts1@outlook.com				Sheet 1 of 5			4/29/2020		

Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T12	coast live oak	15",13"	\$17,797	90%	56%	75%	85%	75%	\$7,000
T15	coast live oak	17"	\$12,388	90%	63%	75%	85%	75%	\$5,500
T16	coast live oak	28"	\$30,026	90%	75%	75%	85%	75%	\$15,800
T17	coast live oak	15"	\$10,115	90%	31%	75%	85%	75%	\$2,200
T18	coast live oak	27"	\$28,071	90%	66%	75%	85%	75%	\$13,000
T22	coast live oak	8"	\$4,341	90%	31%	75%	85%	75%	\$940
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 kurtfouts1@outlook.com				Sheet 2 of 5			4/29/2020		

Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T23	coast live oak	19"	\$14,933	90%	38%	75%	85%	75%	\$3,980
T24	coast live oak	10"	\$5,660	90%	56%	75%	85%	75%	\$2,225
T25	coast live oak	14"	\$9,069	90%	75%	75%	85%	75%	\$4,780
T26	coast live oak	21"	\$17,797	90%	69%	75%	85%	75%	\$8,600
T28	coast live oak	32"	\$38,618	90%	75%	75%	85%	75%	\$20,332
T29	coast live oak	14"	\$9,069	90%	31%	75%	85%	75%	\$1,970
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 kurtfouts1@outlook.com				Sheet 3 of 5			4/29/2020		

Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T30	coast live oak	13"	\$8,114	90%	31%	75%	85%	75%	\$1,770
T31	coast live oak	9"	\$4,978	90%	75%	75%	85%	75%	\$2,620
T32	coast live oak	10"	\$5,660	90%	31%	75%	85%	75%	\$1,230
T33	coast live oak	13"	\$8,114	90%	44%	75%	85%	75%	\$2,500
T34	coast live oak	11"	\$6,387	90%	75%	75%	85%	75%	\$3,360
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 kurtfouts1@outlook.com				Sheet 4 of 5			4/29/2020		

Erba Lane Housing Project - Scotts Valley

Appraised Value of "Protected" Trees - Trunk Formula Method

Tree #	Species	Trunk Diameter @ 4.5'	Basic Tree Cost	Species	Condition	Site	Contribution	Placement	Appraised Value
T35	coast live oak	30"	\$34,208	90%	78%	75%	85%	50%	\$16,800
T38	coast live oak	20"	\$16,343	90%	75%	75%	85%	50%	\$7,700
				Total Value of Appraised Trees					\$152,427
 826 Monterey Avenue Capitola, CA 95010 831-359-3607 kurtfouts1@outlook.com				Sheet 5 of 5			4/29/2020		

Richard A. Arnold, Ph.D.
President

Entomological Consulting Services, Ltd.

104 Mountain View Court, Pleasant Hill, CA 94523-2188 • (925) 825-3784 • FAX (925) 827-1809
bugdctr@comcast.net • www.ecsltd.com

26 February 2006

Taylor Bateman
Community Development
City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

RECEIVED
MAR 02 2006
CITY OF SCOTTS VALLEY

RE: Surplus Parcel on Erba Lane in Scotts Valley, CA
Correction to 14 July 2005 Entomological Report

Dear Taylor:

It has come to my attention that the acreage figure that I used in the
aforementioned report, 0.25 acres, for the surplus parcel, should have been 0.75 acres.
Please attach this letter to the original report to reflect this correction to my original
report.

Thank you.

Sincerely,



Richard A. Arnold, Ph.D.
President

Entomological Consulting Services, Ltd.

104 Mountain View Court, Pleasant Hill, CA 94523-2188 • (925) 825-3784 • FAX (925) 827-1809
bugdctr@comcast.net • www.ecsltd.com

14 July 2005

Laura Kuhn, Community Development Director
City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

RE: Surplus Parcel on Erba Lane in Scotts Valley, CA
Habitat Assessment Report for the Endangered
Mount Hermon June Beetle & Zayante Band Winged Grasshopper

Dear Laura:

This letter reports on the findings of my habitat assessment survey for the endangered Mount Hermon June beetle (MHJB) and Zayante Band Wing grasshopper (ZBWG) at the above-noted parcel. I can briefly summarize the findings of my habitat assessment by stating that the neither the MHJB nor the ZBWG is likely to occur at this property because habitat conditions there are unsuitable to support either insect. The remainder of this letter provides pertinent background information on the MHJB and ZBWG, describes my survey methods and findings in greater detail, and offers recommendations for project planning.

Background Information.

The MHJB is known scientifically as *Polyphylla barbata* (Coleoptera: Scarabaeidae) and was described in 1938 from specimens collected on Mount Hermon in Santa Cruz County. Of the 28 species of *Polyphylla* that occur in North America, the MHJB has one of the most restricted geographic ranges. It is found in association with Zayante sandy soils in the Felton-Scotts Valley-Mt. Hermon-Ben Lomond area of Santa Cruz County, CA, and is known only from these Zayante sandhills. Due to the beetle's limited geographic range, plus the historical and anticipated loss of habitat within its limited range, the U.S. Fish & Wildlife Service (USFWS) recognized the MHJB as an endangered species in 1997, pursuant to provisions of the federal Endangered Species Act of 1973 (FESA).

The Zayante sandhills support several indigenous plants communities that are preferred by the MHJB, including Silverleaf Manzanita Chaparral with Ponderosa pine, Sand Chaparral, mixed Silverleaf Manzanita Chaparral, Ponderosa Pine Forest, dense sand parkland, and open sand parkland. These plant communities often intergrade to become a mosaic mixture of Ponderosa pine, chaparral, and sparsely-vegetated areas of grasses, forbs and subshrubs.

Within the Zayante sandhills MHJB has been found at about 70 locations. A common feature of all known MHJB locations is the presence of Ponderosa pine, and for this reason it is a likely food plant of the MHJB larvae, which are subterranean and feed on roots. Additional information on the MHJB can be found in the final ruling to recognize it as an endangered species (USFWS 1997) and its recovery plan (USFWS 1998).

The ZBWG is known scientifically as *Trimerotropis infantilis* (Orthoptera: Acrididae: Oedopodinae) and was described in 1984 from specimens collected near Mount Hermon in Santa Cruz County. It is found in association with Zayante sandy soils in the Mount Hermon-Felton-Scotts Valley-Ben Lomond area of Santa Cruz County, CA. Historically it has been found at about 20 locations in the Zayante sandhills. Due to the grasshopper's limited geographic range, plus the historical and anticipated loss of habitat within its limited range, the USFWS recognized the ZBWG as an endangered species in 1997, pursuant to provisions of FESA.

Within the sand parkland plant community that is indigenous to the Zayante sand hills, the ZBWG is restricted to areas of barren or sparsely-vegetated loose sands that are sunlit. Adults are usually active from about late-July through late October. There is a single generation per year. Additional information on the ZBWG can be found in the final ruling to recognize it as an endangered species (USFWS 1997) and its recovery plan (USFWS 1998).

Project Site Description.

The city's surplus parcel on Erba Lane measures approximately 0.25 acres in size. It is currently used as a parking lot and where recyclable materials may be dropped off by citizens of Scotts Valley. Figure 1 is a photograph that illustrates existing site conditions. A series of Coast Live Oak trees grow along the rear (eastern) border of the site, with an understory of grasses and herbs. Most of the site is covered by asphalt paving. Topography at the property slopes from northwest to southeast. Bowman and Estrada (1980) indicate that the soils at this property are Soquel loam and Zayante sands.

Survey Methods and Results.

I visited the property on June 21st. I walked throughout the site to view existing conditions. Zayante soils may be present, but if so, must be covered by the asphalt, as I did not find any Zayante soils. No indigenous plant communities of the Zayante sandhills were evident. Similarly, no Ponderosa pine trees were noted growing on-site or on immediately surrounding properties, but a few Ponderosas were observed growing elsewhere in the neighborhood at distances greater than 150 feet from this property. In loose sandy soils, roots of Ponderosa pines are known to extend as far as 150 feet from the trunk (Oliver and Ryker 1990).

Conclusions and Recommendations.

Due to the absence of indigenous sand parkland vegetation and sunlit, barren Zayante sandy soils, habitat conditions at this property are not suitable for the ZBWG and I would not expect this endangered grasshopper to occur there. Since no impacts to the

ZBWG or its habitat are anticipated, the City should not need to mitigate for the ZBWG. I have previously performed several presence-absence surveys for the ZBWG at various properties located in the greater Scotts Valley area. The closest known location for the ZBWG is at the Mount Hermon Cross.

Similarly, due to the absence of Ponderosa pines and Zayante sands, habitat conditions are not suitable for the MHJB and I would not expect this endangered beetle to occur at the City's property. Since no impacts to the MHJB or its habitat are anticipated, the City should not need to mitigate for the MHJB. I have previously performed several presence-absence surveys for the MHJB at various properties located in the greater Scotts Valley area. The closest known locations for the MHJB are from the upper terminus of Blake Lane.

I conclude that the City should not need an incidental take permit for compliance with the Endangered Species Act; however, I suggest that you contact Mr. Roger Root of the USFWS's Ventura office (805-644-1766) to confirm this.

References Cited.

Bowman, R.H. and D.C. Estrada. 1980. Soil survey of Santa Cruz County, California. U.S. Dept. of Agriculture and Soil Conservation Service in cooperation with the University of California, Agricultural Experiment Station Publications. 148 pp. & maps.

Oliver, W.H. and R.A. Ryker. 1990. *Pinus ponderosa* Dougl. ex Laws. Ponderosa Pine. Pp. 413-424. IN, Burns, R.M. and B.H. Honkala, Tech. Coords., Silvics of North America: Part 1. Conifers. Agriculture Handbook #654. U.S. Dept. of Agriculture, Forest Service. Washington, D.C. vol. 1, 675 pp.

U.S. Fish & Wildlife Service. 1997. Endangered and threatened wildlife and plants: determination of endangered status for two insects from the Santa Cruz Mountains of California. Federal Register 62:3616-3628.

U.S. Fish & Wildlife Service. 1998. Recovery plan for two insects and four plants from the Santa Cruz Mountains. Portland, OR. 63 pp.

Please feel free to contact me if you have questions about my survey findings or need any further assistance.

Sincerely,



Richard A. Arnold, Ph.D.
President

Attachment: figure

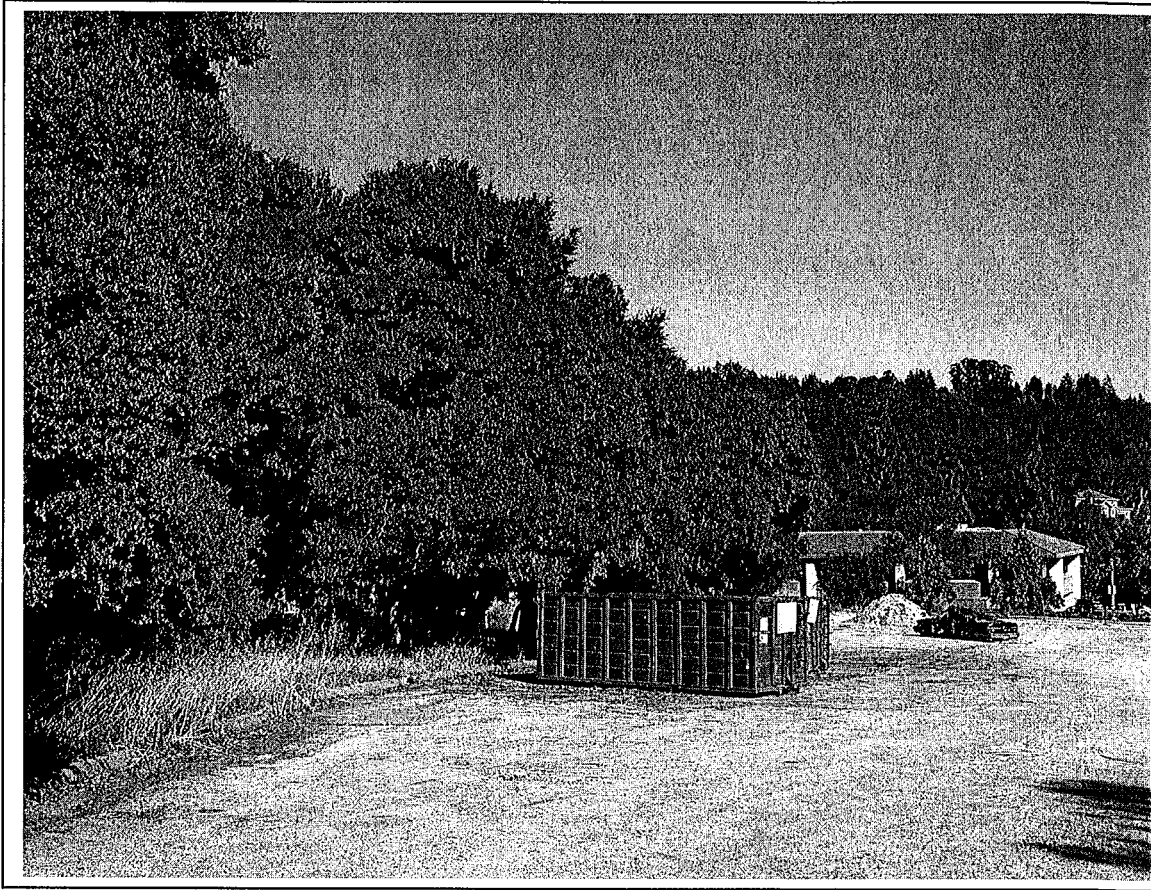


Figure 1. Habitat conditions at the City of Scotts Valley's Erba Lane property.

Entomological Consulting Services, Ltd.

104 Mountain View Court, Pleasant Hill, CA 94523-2188 • (925) 825-3784 • FAX (925) 827-1809
bugdctr@comcast.net • www.ecsltd.com

14 July 2005

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

RECEIVED
JUL 18 2005

Attn: Laura Kuhn, Community Development Director

Re: Surplus Parcel on Erba Lane. in Scotts Valley, CA
Habitat Assessment for the Endangered Mount Hermon June Beetle
and Zayante Band Winged Grasshopper

Bill for entomological consulting services regarding the aforementioned endangered insects. Services are for the period of June 21 – July 14, 2005, and included:

- a) conducted a habitat assessment survey of the site for the aforementioned insects; and
- b) prepared a written report that describes my survey methods, findings, and recommendations.

Labor:

R.A. Arnold – 2.0 hrs. @ \$150/hr.

\$300.00

Total Amount Due

\$300.00

Please make your check payable to Entomological Consulting Services, Ltd., a California corporation whose FEIN is 68-0242981. Thank you.

Sincerely,



Richard A. Arnold, Ph.D.
President

Extended Phase I Archaeological Assessment for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Prepared for SV Housing, LLC



ALBION
MARCH 2020

Extended Phase I Archaeological Assessment for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

MARCH 2020
J2019-056.01
Image Credit: Larry Abitbol

Prepared for

Larry Abitbol
SV Housing, LLC
5005 Ironwood Drive
Soquel, California 95073

Prepared by

Sarah Nicchitta, M.A.
Stella D'Oro, M.A., RPA
John Ellison, B.A.

Albion Environmental, Inc.
1414 Soquel Avenue, Suite 205
Santa Cruz, California 95062

Executive Summary

In October 2019, SV Housing, LLC contracted with Albion Environmental, Inc. (Albion), to conduct a cultural resources assessment of an approximately 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) on Erba Lane in the RH High-Density Residential Zone for residential land use in Scotts Valley, California. The property owner plans to create of twelve lots and two common lots for six single-family homes and three duplex units (Project). Albion's investigation included a background records search at the California Historical Resources Information System Northwest Information Center at Sonoma State University (NWIC), a field investigation entailing pedestrian survey, limited subsurface investigation of the parcel, and Native American outreach. The study was designed to adequately address treatment of cultural resources under current guidelines outlined by Assembly Bill 52 and California Environmental Quality Act (CEQA).

A search of records at NWIC indicated that five archaeological studies have been conducted within the Project Area and 20 studies were conducted within a $\frac{1}{8}$ -mile radius of the Project Area. One archaeological resource has been previously identified within the Project Area and two resources have been recorded within a $\frac{1}{4}$ -mile radius of the Project Area.

After reviewing the record search results, Albion conducted an intensive pedestrian survey and limited trenching and augering of the Project Area. Visual inspection of the Project Area surface and small-scale subsurface excavations revealed no evidence of intact prehistoric or historic-era archaeological deposits.

Soils encountered were redeposited fill over five native soil strata with no evidence of culturally produced stratigraphy. Seven mechanically excavated trenches and three hand-excavated augers were used to expose subsurface soils. Thirteen Trench Samples (TS) and three augers recovered 3.7018 m³ of soil for inspection. The sample included 1.3828 m³ of fill soils characterized by differing soil types mixed with modern materials such as concrete and pavement. The remaining 2.319 m³ appeared as intact native soil. The sampled soils produced cultural material, consisting of 9 pieces of flaked stone and two groundstone implements. At least two flaked stone pieces were recovered from the redeposited fill suggesting at least some mechanical disturbance of native soil occurred on the parcel. The two groundstone implements and the additional seven flaked stone debitage pieces recovered from native soils, are likely in-situ. However, the sparse nature of the deposit (3.9 artifact per m³), paucity of artifact types, and no chronological markers or organic cultural materials for radiocarbon dating limits the ability for any archaeological interpretations. This limited and narrow assemblage, which cannot be placed within the regional dating scheme, does not allow for significant data potential and is therefore not significant under CEQA guidelines.

Albion's investigation at APNs 022-481-18 and 22 on Erba Lane in Scotts Valley indicates that potentially significant cultural materials are not located in the Project Area. Due to the proximity of archaeological site SCR-177/H, we recommend archaeological and Native American monitoring during all future ground-disturbing activity.

Two tribal representatives provided comments about the Project and shared the importance of the cultural resources within the Project area, as well as their concern for any impacts to these resources (Confidential Appendix B).

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- A Records Search Results
- B Confidential Native American Outreach Documentation

Introduction

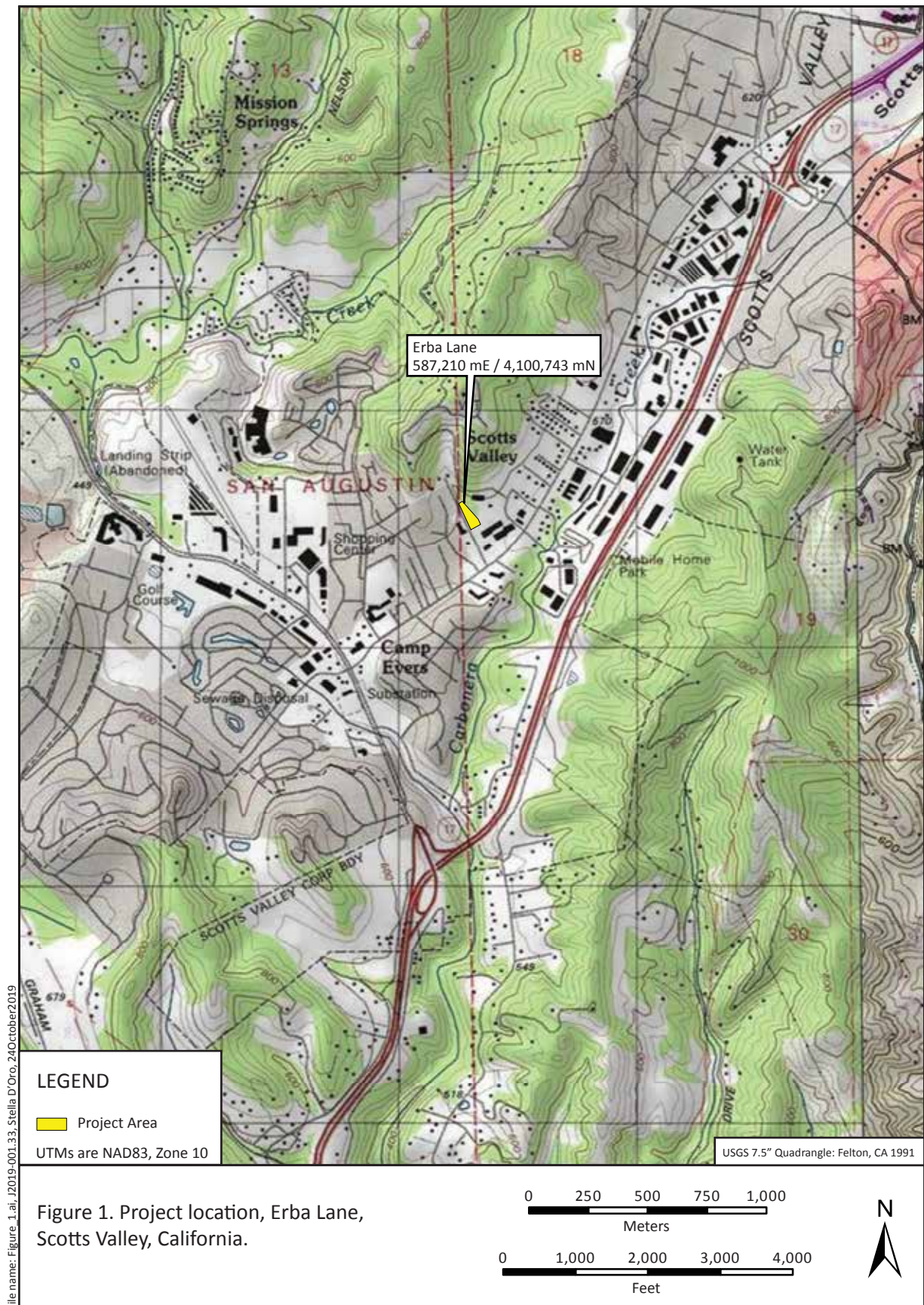
1

This report documents the results of a cultural resource assessment of an approximately 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) on Erba Lane in the RH High-Density Residential Zone for residential land use in Scotts Valley, California. The property owner plans to create of twelve lots and two common lots for six single-family homes and three duplex units (Project).

Since the property is in an area designated as “archaeologically sensitive” the City of Scotts Valley, Albion was contracted to conduct a cultural resource assessment. The investigation comprised four tasks: 1) a review of records from the Northwest Information Center of the Historical Resources Information System at Sonoma State University (NWIC); 2) a surface survey of the parcel; 3) limited subsurface excavation; and 4) Native American outreach.

The study was designed to adequately address treatment of cultural resources under current guidelines outlined by Assembly Bill 52 and California Environmental Quality Act (CEQA). This included: 1) identification of significant resources; 2) determination of significant impacts to resources; and 3) development of any necessary mitigation measures. All work was conducted in accordance with guidelines and regulations set forth in the CEQA.

The records search was requested by Albion Senior Archaeologist Stella D’Oro in October 2019 (NWIC File No.: 19-0713). The subsequent pedestrian survey and subsurface testing was conducted January 13-15, 2020 with a crew led by John Ellison. Mr. Ellison earned an BA in Anthropology and has worked in California archaeology for fourteen years. Kanyon Consulting monitors (Kanyon Sayers-Roods and Scott Territo representing the Indian Canyon Mutsun Band of Costanoan were present during all surveying and subsurface testing. The field work was supervised by Ms. D’Oro who holds an MA in Applied Anthropology and has been working in California archaeology for fifteen years.



File name: Figure 1.ai, J2019-001.33, Stella D'Oro, 24 October 2019

Project Location and Description

2

The subject parcels are located on the northeast side of Erba Lane approximately 70 ft (22 m) southeast of the intersection of Erba Lane and Ridgecrest Lane and approximately 495 ft (150 m) northwest of the intersection of Erba Lane and Scotts Valley Drive in Scotts Valley, California (Figure 1). The parcel ranges from approximately 578 feet above sea level (ASL) in the east to 600 ft ASL in the west. An unnamed drainage borders the Project Area on its eastern side; Carbonera Creek is approximately 902 ft (275 m) southeast of the Project Area.

The Project applicant plans to create of twelve lots and two common lots for six single-family homes and three duplex units (Project). Impacts include the following (Figure 2):

- Retaining wall: depth depends on the type of wall. A soldier pile wall with pier would be up to 10–12 ft depth with an 18 in. diameter hole. A cantilever wall with wide footing would be approximately 4 ft deep.
- Collector pipe for drainage system will be approximately 3 ft deep
- Storm drain chambers will be approximately 6.5 ft deep
- Overflow for storm drain retention system will be 3–4 ft deep
- Sewer laterals will be 4 ft deep
- The entire Project Area will be graded to a depth of 4 ft below the existing grade

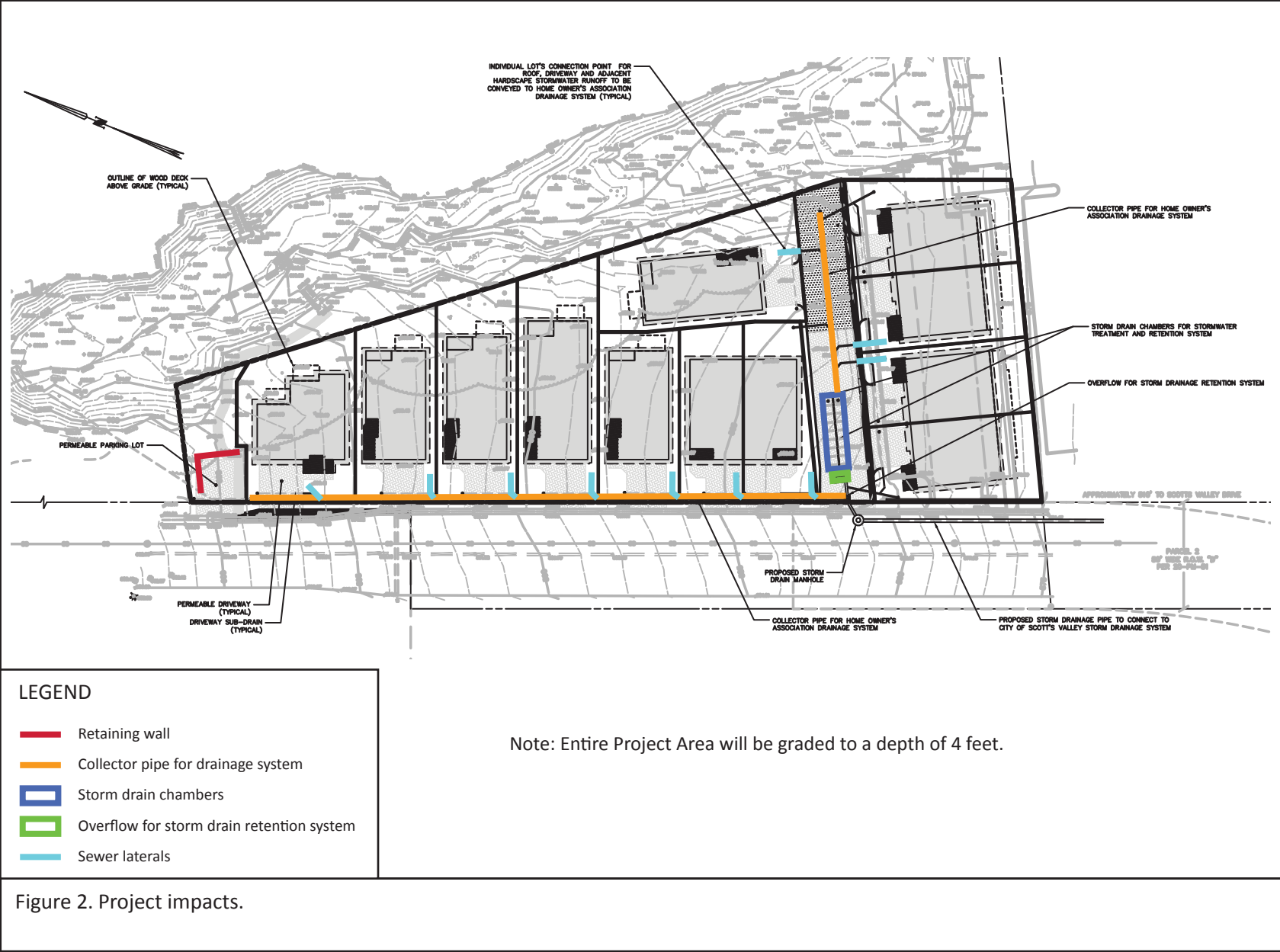


Figure 2. Project impacts.

Sources Consulted

3

In order to determine if cultural resources are recorded within or near the Project Area, Albion consulted the following sources as part of the NWIC records search:

CALIFORNIA INVENTORY OF HISTORIC RESOURCES

The California Inventory of Historic Places is managed by the State of California Department of Parks and Recreation lists no historic resources within a 1/4-mile of the Project Area.

HISTORIC PROPERTY DATA FILE FOR SANTA CRUZ COUNTY

The Historic Property Data File for Santa Cruz County is managed by the State Office of Historic Preservation (including the California Register of Historical Resources (CRHR) and the National Register of Historical Places (NRHP), California Historical Landmarks, and California Points of Historical Interest) indicates two historic properties are located within a 1/4-mile radius of the Project.

One property was determined ineligible for the National Register by consensus through the Section 106 process. It has not been evaluated for CRHR or Local Listing:

- Highway 17

One property is listed in the National Register by the Keeper and is also listed in the California Register:

- 1 Civic Center Drive (The Hiram D. Scott House) built in 1853

ARCHAEOLOGICAL STUDIES

WITHIN THE PROJECT AREA

A search of records at NWIC indicates five archaeological studies have been conducted within the Project Area (Appendix A). They are listed in Table 1 below.

Table 1. Studies Conducted Within the Project Area.

Survey Number	Date	Title	Author
S-3913	Aug-77	Cultural Resource Inventory of the Scotts Valley Wastewater Project Service Area	William Roop, Leo Barker, and Charlene Detlefs
S-4080	Mar-80	Archeological Evaluation of the Scotts Valley City Hall Project	Robert Cartier
S-8313	1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Robert Cartier, Charlene Detlefs, and Glory Laffey
S-10186	Aug-88	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-10214	Sep-88	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Robert Cartier

WITHIN 1/8-MILE OF THE PROJECT AREA

Twenty studies were conducted within a 1/8-mile radius of the Project Area (Appendix A). They are listed in Table 2 below.

Table 2. Studies Conducted Within 1/8-Mile Project Area.

Survey Number	Date	Title	Author
S-005758	Oct-82	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Robert Cartier
S-006016	May-83	Cultural Resource Evaluation of the Lands of Overbow on Scotts Valley Drive in the City of Scotts Valley, Santa Cruz County, California	Robert Cartier
S-006527	Dec-83	Cultural Resource Evaluation of the Civic Center Plaza Project off Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-006819	May-84	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	James C. Bard, Raymond J. Dezzani, Mary R. Davy, Rebecca L. Anastasio, and Donna M. Garaventa
S-009377	Jul-87	Archeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Robert Cartier

Survey Number	Date	Title	Author
S-009717	Jan-88	Cultural Resource Evaluation of Scotts Valley Water District Headquarter's Building in the City of Scotts Valley, County of Santa Clara	Robert Cartier
S-010522	Oct-88	Cultural Resource Evaluation of the Ridgecrest Project on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-010854	May-89	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-013326	Aug-91	Cultural Resource Evaluation of 4301 Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz	Robert Cartier
S-015134	No month 1993	The Scotts Valley Site: CA-SCR-177	Robert Cartier, Rob Edwards, Gerrit Fenenga, Terry Jones, Alan Leventhal, Charlotte Simpson-Smith, Vasiliki Vassil, and Glen Wilson
S-016354	Apr-90	Evaluation of Potential Historic Structures in the City of Scotts Valley	Glory Anne Laffey, Marion Pokriots, Charlene Detlefs, Leslie Hurst, and Edith Smith
S-018378	Apr-96	Data Recovery Report for the Tuscany Hills Project in the City of Scotts Valley	Robert Cartier and Lynne Eckert
S-018971	Oct-96	Cultural Resource Evaluation for the Pacific Bell West Bay Project, Located at 4860 Scotts Valley Drive in the City of Scotts Valley, Santa Cruz County	Robert Cartier and Lynne Eckert
S-020176	Feb-98	Cultural Resource Evaluation of the Scotts Valley Drive Reconstruction Project in the City of Scotts Valley, California, in Fulfillment of CEQA Requirements	Robert Cartier
S-020294	Apr-98	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Gary S. Breschini and Mary Doane
S-022624	Nov-99	Archaeological Recovery at SCR-249 for the Scotts Valley Drive Reconstruction Project in the City of Scotts Valley	Robert Cartier, Alex Wesson, Victoria Bobo, and B. Vasiliki Vassil

Survey Number	Date	Title	Author
S-022631	Oct-99	Cultural Resource Evaluation of Approximately 2.5 Acres of Land off Scotts Valley Drive in the City of Scotts Valley	Robert Cartier
S-027837	Oct-03	Archaeological Evaluation Program for the Kelly Court Project in the City of Scotts Valley	Robert Cartier
S-031024	Nov-05	Archaeological Monitoring at 141 Oak Lane, Scotts Valley, California (letter report)	Hannah Hicok

ARCHAEOLOGICAL SITES

WITHIN THE PROJECT AREA

NWIC reports one archaeological resource within the Project Area, CA-SCR-177/H (Appendix A).

CA-SCR-177/H

Archaeological resource CA-SCR-177/H includes both historic and precolonial components. Both components are discussed below.

Historic Component

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

Precolonial Component

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The

Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

WITHIN ¼-MILE OF THE PROJECT AREA

Two resources have been recorded within a ¼-mile radius of the Project Area. Both are precolonial archaeological sites and described below.

P-44-000039 is a granite outcropping of four bedrock mortars. The property owner has collected many artifacts near the outcropping including pestles, a projectile point, and flakes made of basalt, chert, and quartzite (Buckman and Stafford 1974). The resource is located 1,202 ft (366 m) southeast of the Project Area.

P-44-000251 is a diffuse lithic scatter with a large amount of fire-affected rock, quartzite, Monterey Banded chert, obsidian, basalt, and chalcedony. Prior radiocarbon dating yielded a date of 12,965 BP, making the site one of the earliest in the region (Archaeological Resource Management 2003). The resource is located 541 ft (165 m) southeast of the Project Area.

HISTORIC MAPS

Albion also conducted an online search of historical maps and aerials and found information pertinent to the Project Area from the following:

- 1864 GLO plat map
- 1866 Rancho San Augustin *diseño*
- 1881 plat map
- 1889 plat map
- 1906 plat map

- 1929 plat map
- 1940 aerial photograph

Native American Outreach

4

Albion initiated Native American outreach to solicit information about potential Tribal resources in or near the Project Area and the treatment of those resources. Resources of interest might include archaeological deposits, traditionally important plants, or locales that have been or are currently used for Tribal activities.

As part of this outreach process, Albion contacted the California Native American Heritage Commission in December 2019 for information from the Commission's Sacred Lands File and a list of stakeholders (Appendix B). The Commission found no information in their files and forwarded the names of six tribal representatives. Albion contacted each of these by letter, describing the project and asking for information or comments. Albion followed the letters with emails and phone calls to every tribal stakeholder listed on the NAHC list. Two tribal representatives provided a response and shared the importance of the cultural resources within the Project area, as well as their concern for any impacts to these resources.

No additional comments or concerns have been received as of March 4, 2020. Additional details can be found in confidential Appendix B.

Background

5

NATURAL ENVIRONMENT

The parcel ranges from approximately 578 ft ASL in the east to 600 ft ASL in the west. An unnamed drainage borders the Project Area on its eastern side; Carbonera Creek is approximately 902 ft (275 m) southeast of the Project Area.

The soils in the area are characterized as Soquel loam (USDA 2019). The Soquel loam series consists of deep, moderately well drained soils that formed in alluvium derived from sedimentary rocks. Soquel soils are in narrow valleys and on alluvial fans and plains and have slopes of 0 to 15 percent. The A horizon is very dark gray, very dark grayish brown, dark gray, dark grayish brown, dark brown, or grayish brown. It is heavy sandy loam, loam, silt loam, clay loam, or silty clay loam and extends from the surface to approximately 21 inches deep. Some pedons have a horizon designated as a B horizon with color of light yellowish brown or very pale brown. Texture is heavy sandy loam, loam, silt loam, clay loam, or silty clay loam. The C horizon is dark brown, dark grayish brown, dark yellowish brown, brown or yellowish brown. It is loam, silt loam, or silty clay loam. In some pedons are narrow lenses of sandy loam, loamy sand, or sand with 0 to 25 percent pebbles by volume

CULTURAL ENVIRONMENT

Prehistory of the southern San Francisco Bay area is complex due to the dramatic increase in human populations from middle to late Holocene times (Milliken et al. 2007). Cultural chronology is quite variable spatially but is generally framed within a tripartite sequence that is commonly used in central California— Early, Middle, and Late (Hylkema 2002; Milliken et al. 2007). These temporal periods are preceded by early to middle Holocene occupation, often characterized as the Millingstone era (Hylkema 2002; Milliken et al. 2007).

The Millingstone Period (9000–5500 years Before Present (Ingram et al.)) is characterized by small groups who travelled widely and practiced broad spectrum foraging of easily acquired plant and animal resources. Artifacts common to this time period are handstones and millingstones. Flaked stone implements, such as projectile points, are much less common than grinding and battering tools (Fitzgerald 2000). Common foods are thought to have included a variety of small seeds, shellfish, and small mammals.

The Early Period ranges from approximately 5500 to 2500 B.P. and encompasses an era where people are thought to still have practiced wide ranging residential mobility but placed a greater emphasis on hunting larger game. Large pinnipeds, such as northern fur seal, are common to coastal archaeological sites during this time. Several styles of large projectile points correspond to this general time frame, which also marks the initial use of mortar and pestle technology.

The Middle Period dates from 2500–1000 B.P. and appears to represent a time when people were somewhat more residentially stable and practiced more logistical (short term) mobility (Milliken et al. 2007:106). By this time, people apparently went on extended resource acquisition forays for the purpose of bringing subsistence or trade items back to residential base camps. Large, terrestrial mammals were hunted more often during this time and grinding implements become more common (Milliken et al. 2007:107).

The Late Period begins at 1000 B.P. and extends to ca. 1550 B.P. (Hylkema 2002:33), or perhaps more recently. The Late Period is characterized by increased sociopolitical complexity and settlement centralization. Large village sites in the northern Santa Clara Valley are often found in the valley center along perennial streams (Bergthold 1982; Milliken et al. 2007). There is continued prevalence of mortar and pestle technology, thought to signify a greater reliance on acorn than in earlier times. Other labor-intensive foods were also used with greater frequency during this latest time period (Hylkema 2002). For example, sea otter and harbor seal were exploited more heavily. These animals are thought to be more labor-intensive to capture compared to other pinnipeds and large mammals, which were more commonly hunted in earlier time. Bow and arrow technology is also believed to have been adopted by aboriginal hunters during this latest prehistoric interval (Milliken et al. 2007:117).

ETHNOGRAPHIC BACKGROUND

The Project Area was inhabited by Ohlone, or Costanoan populations (Levy 1978; Milliken et al. 2007). When first encountered by Spanish explorers, aboriginal inhabitants of the Bay Area and vicinity were referred to as *Costaños* (Levy 1978). The people came to be known as Costanoans (cf. Levy 1978), although now, the descendants of those earlier inhabitants prefer to be referred to as Ohlone (Bean 1994). Both terms refer to the language group spoken by the people, rather than any sort of political group. The Ohlone inhabited the San Francisco Peninsula, the East Bay to the Delta, and south past Santa Clara Valley to the coast of the Monterey Bay.

At Spanish contact, aboriginal groups residing in the southern Bay Area were organized under a tribelet system where villages, thought to number around 50, were autonomous political units (Levy 1978). The Ohlone exploited all of the regional habitats including bay marshes, valley grasslands, mountainous uplands and open coastal environs. Resources exploited included elk, pronghorn, deer, sea mammals, salmon, trout, shellfish, ducks, geese, acorns, seeds, grasses, and roots (Baumhoff 1963).

HISTORICAL CONTEXT

MISSION PERIOD

The Santa Cruz Mission

In Santa Cruz, the Mission period (1776-1834) saw the disruption of traditional Ohlone culture and lifeways. *La Misión de la Exaltación de la Santa Cruz* was founded in 1791. As the Ohlone were gradually brought into the mission system and placed under the protection and tutelage of the Mission fathers, they lost much of their erstwhile autonomous existence and traditional lifeways. Compounding the difficulties and disruption to traditional life, the Mission fathers inducted

members of distant and distinct tribes into the Mission neophyte population. In Santa Cruz, Costanoan peoples were joined by Northern Valley Yokuts, conscripted from the San Joaquin Valley, as the local Indian workforce succumbed to diseases and hardships ubiquitous to the Spanish and Mexican missions.

A second early European community established during the Mission era in the vicinity of present-day Santa Cruz was *Villa de Branciforte*. The Villa was established in 1797 and was one of the three original Spanish communities established in *Alta California*. The community comprised both active and retired Spanish soldiers, as well as civilians, with the intention of occupying the land and hence deterring incursions from other nationalities such as Russians and the British. The main thoroughfare for the community was Branciforte Avenue.

MEXICAN PERIOD

In 1834, under the new Mexican government, secularization of the mission lands began in earnest. Most of the former mission land was divided among loyal Mexican subjects, though some indigenous individuals were given land as well. Most of the indigenous population, however, scattered away from the mission centers. The few individuals that were given rancherias were ill-equipped to maintain or work their land, and many Ohlone who chose to remain in their ancestral territory were obliged to become squatters. Some were given jobs as manual laborers or domestic servants on Mexican, or later American, cattle ranches.

The Ohlone underwent a period of near cultural anonymity from the mid-19th century to the relatively recent past. During this time Ohlone often presented themselves as other than Indian to the outside world, in large part to the discrimination suffered during and after the mission period. Present day Ohlone descendants often remark that they were unaware of their heritage, or that their elders and relatives had not encouraged an interest in Ohlone heritage.

AMERICAN PERIOD

In the 1840s, Santa Cruz County's population increased substantially. The Spanish and Mexican governments contributed to this growth by granting large tracts of former mission lands to private citizens. In 1833, the Mexican governor, Jose Figueroa, granted Jose Antonio Bolcoff, a Russian immigrant who had assumed Mexican citizenship, a portion of land that encompassed Scotts Valley. Bolcoff raised cattle, horses, sheep and developed crops such as wheat and barley on his property, which was known as Rancho San Augustin. The Rancho changed ownership three times over the next 30 years. Bolcoff's American brother-in-law, Joseph Ladd Majors purchased the Rancho in 1841. During his ownership, Majors established a gristmill that provided wheat to residents from Monterey to the Santa Clara Valley. During the Mexican War (1846-1848), Majors sided with the Americans and used his rancho as a stockade/fortress for American and British residents seeking refuge from local Mexican authorities. Following Majors residency, Hiram Scott, a young Maine seaman, purchased the estate for the sum of \$20,000, in 1850. Homesteading the area, Mr. Scott soon sent for additional family members to join him. Before long the Scott family became the predominate inhabitants in the area, thus the town was named Scotts Valley (Detleffs 1980; Laffey and Pokriots 1991).

HISTORY OF THE PROJECT AREA

A Bureau of Land Management General Land Office (GLO) map from 1864 shows the project parcel lies in the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 18 in Township 11 south, Range 1 west (Figure 3). Public records indicate the entire section was patented to John A. Bachelder on February 5, 1875. As of 1985, there were still members of the Bachelder family living on Granite Creek Road (Clark 1986).

A plat map from 1881 indicates that the project parcel was on an 85.258-acre parcel of land owned by Eireich Lassen. The County (Figure 4). By 1906, a plat map shows Russell still owned the property and the street configuration Road represented on the map may refer to the present-day Scotts Valley Drive.

According to a plat map from 1889 Lassen continued to own the property on which the project parcel is located (Figure 5).

A 1906 plat map shows the Lassen parcel had been reduced to 79 acres and was owned by A & O Smith (Figure 6).

A plat map from 1929 shows the A & O Smith parcel had been reduced to 35.558 acres and was owned by Sophie C. Frank (Figure 7).

An aerial photograph from 1940 shows that the project parcel was undeveloped (Figure 8).

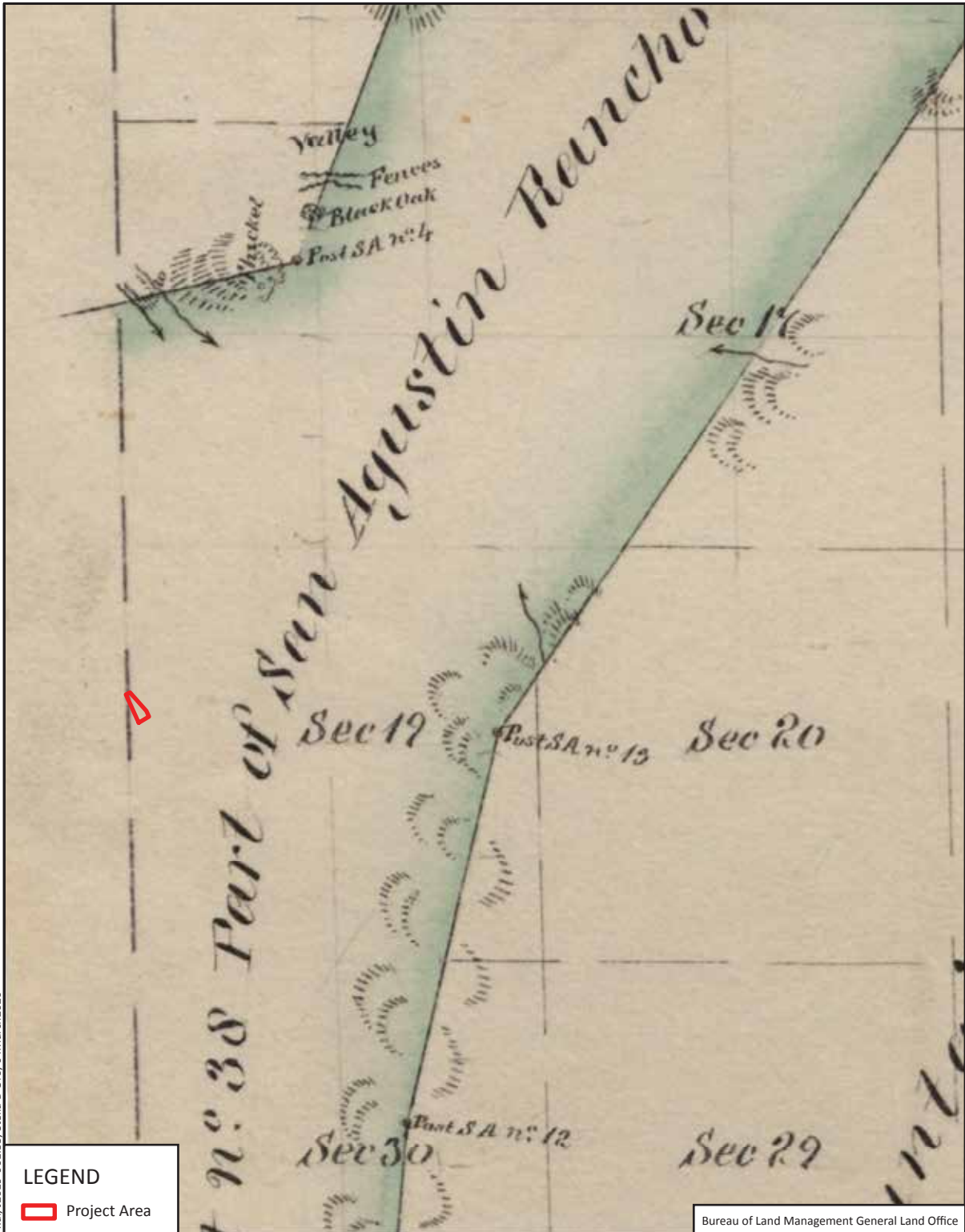
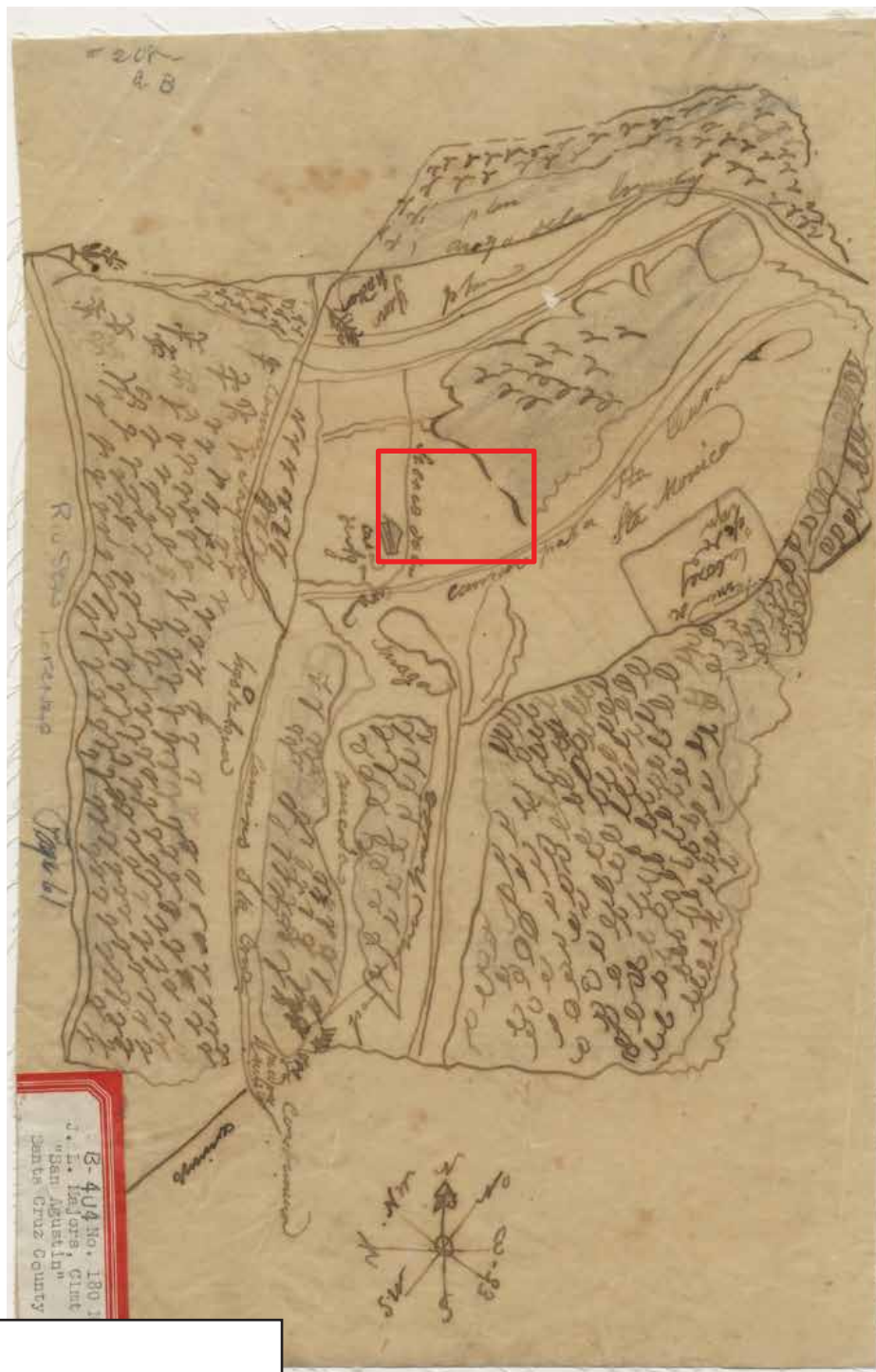


Figure 3. Detail of an 1864 GLO map with the Project Area.

File name: Figure 4 Rancho.ai, 12019-056.01, Stella D'Oro, 04March2020



LEGEND

Approximate location of Project Area

UC Berkeley, Bancroft Library

Figure 4. Diseño del Rancho San Augustin from 1866 with the approximate location of the Project Area.

NOT TO SCALE



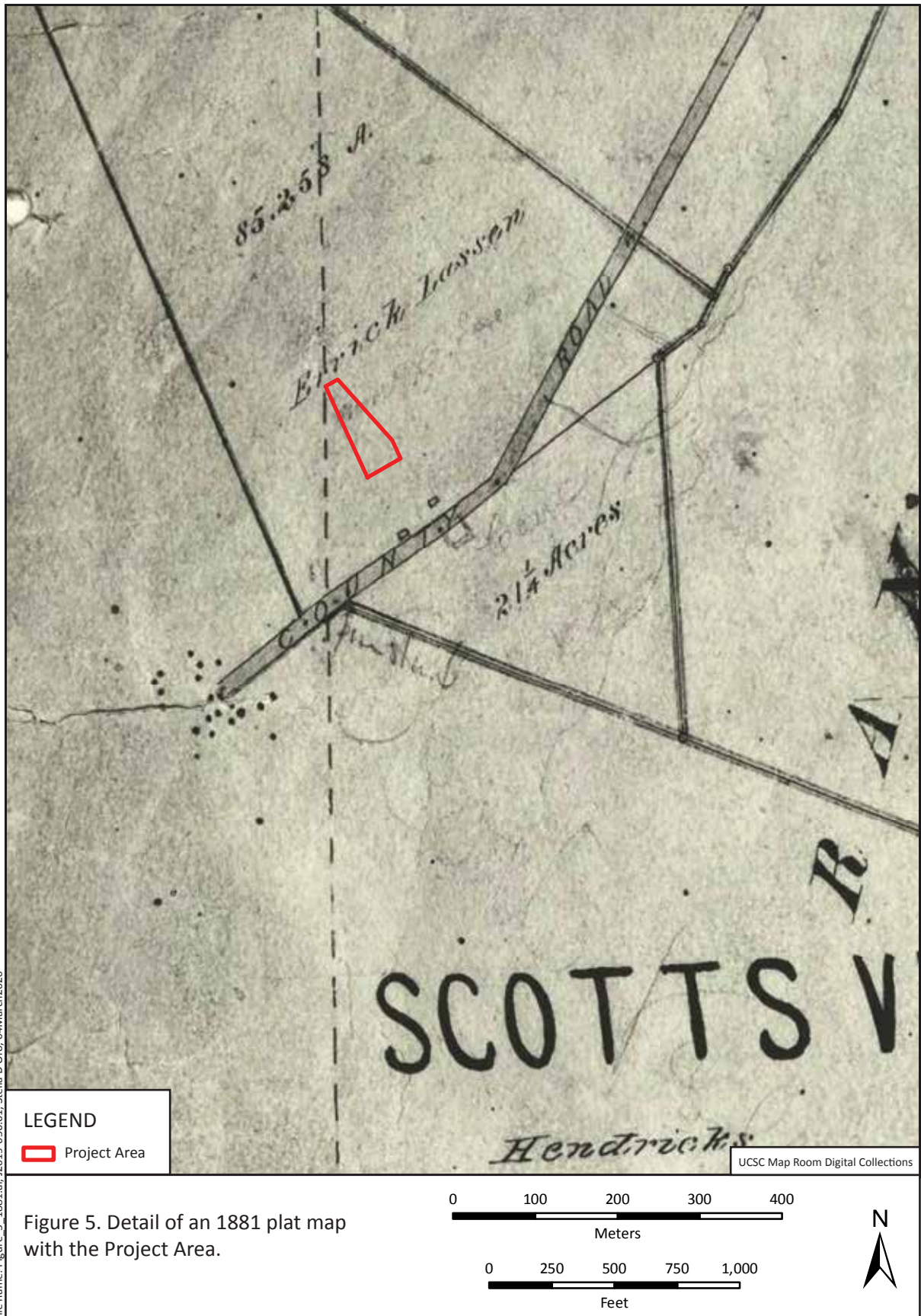
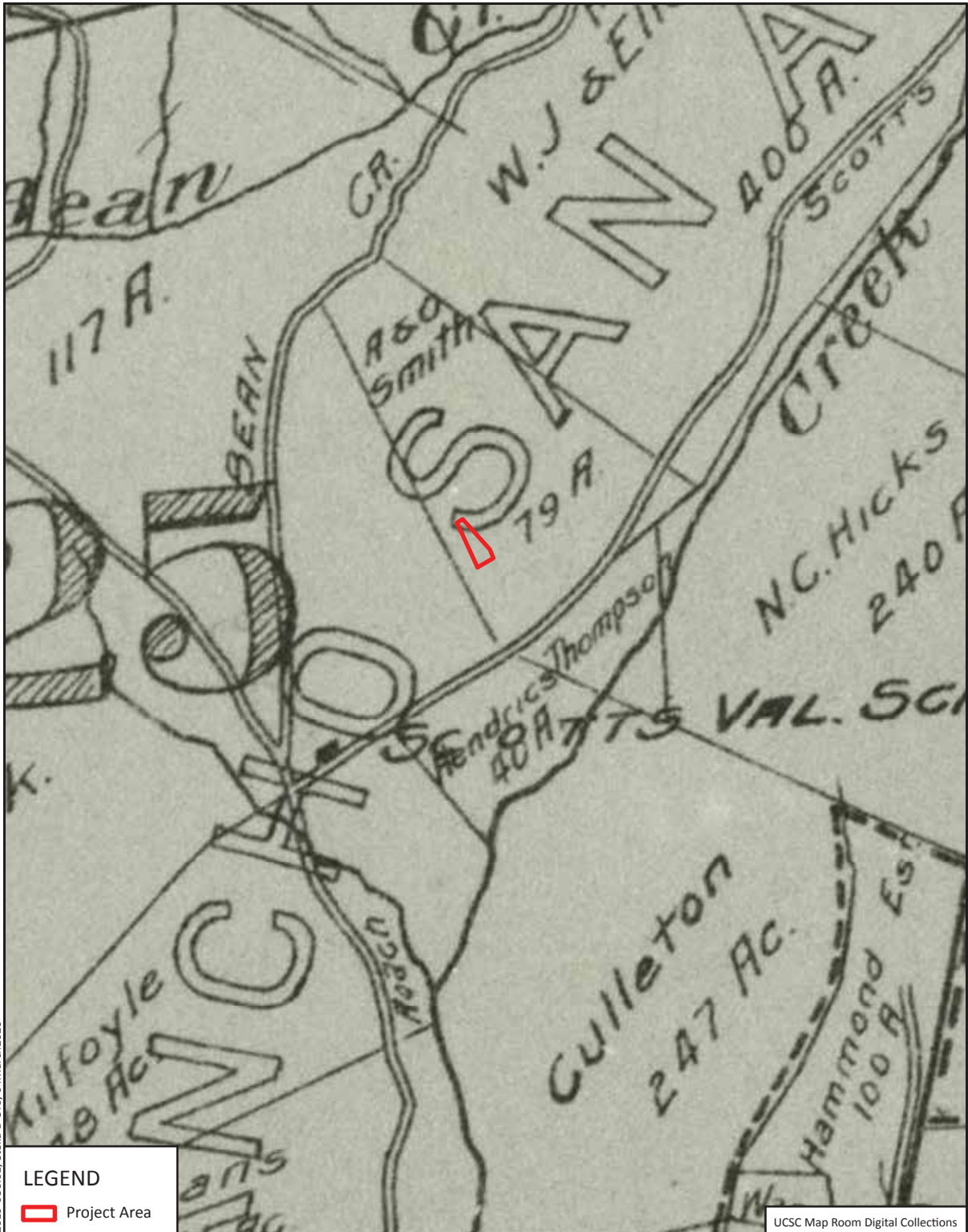


Figure 5. Detail of an 1881 plat map with the Project Area.



File name: Figure 6_1889.ai, 12019-056.01, Stella D'Oro, 04March2020



LEGEND

Project Area

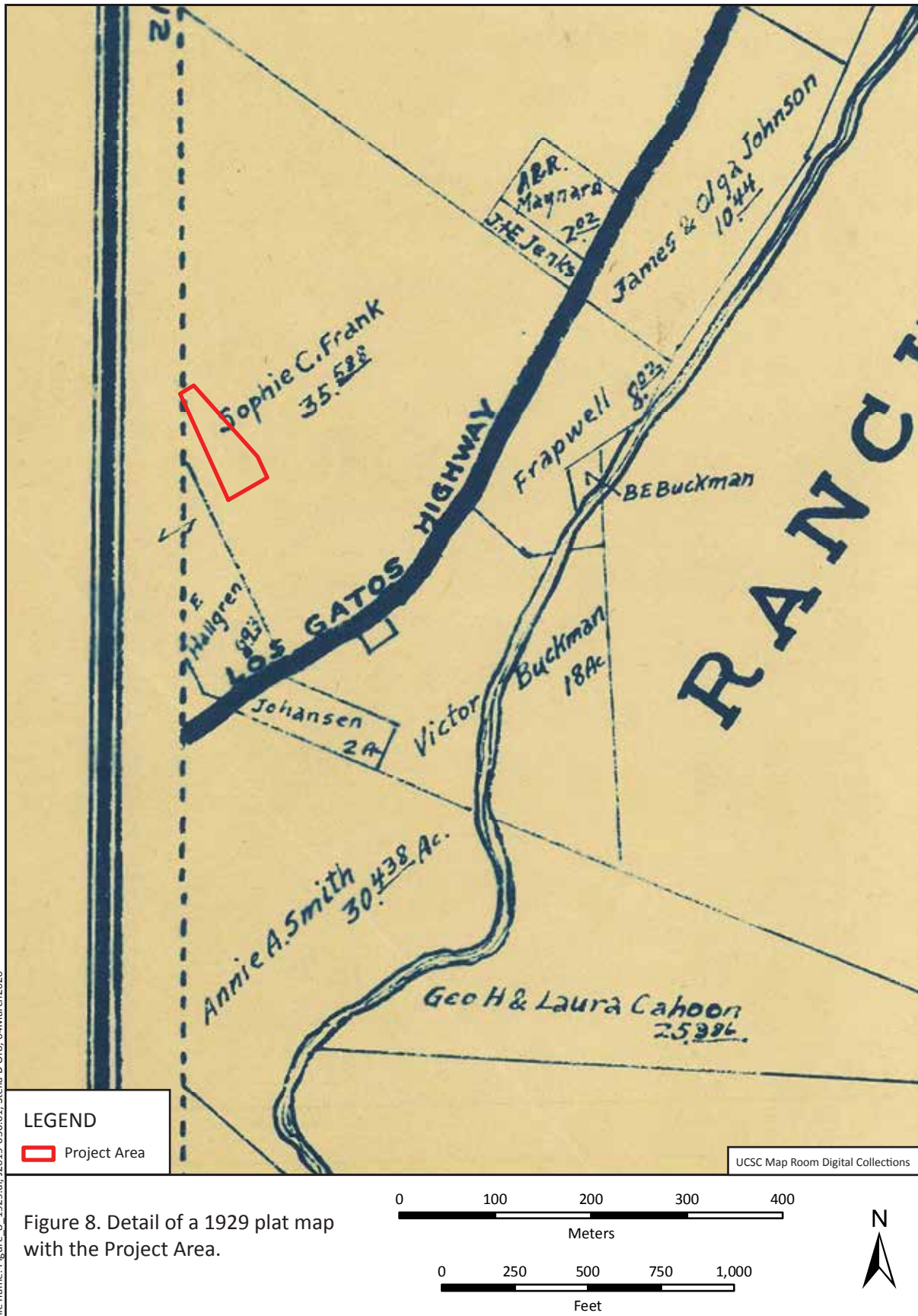
Figure 7. Detail of a 1906 plat map with the Project Area.

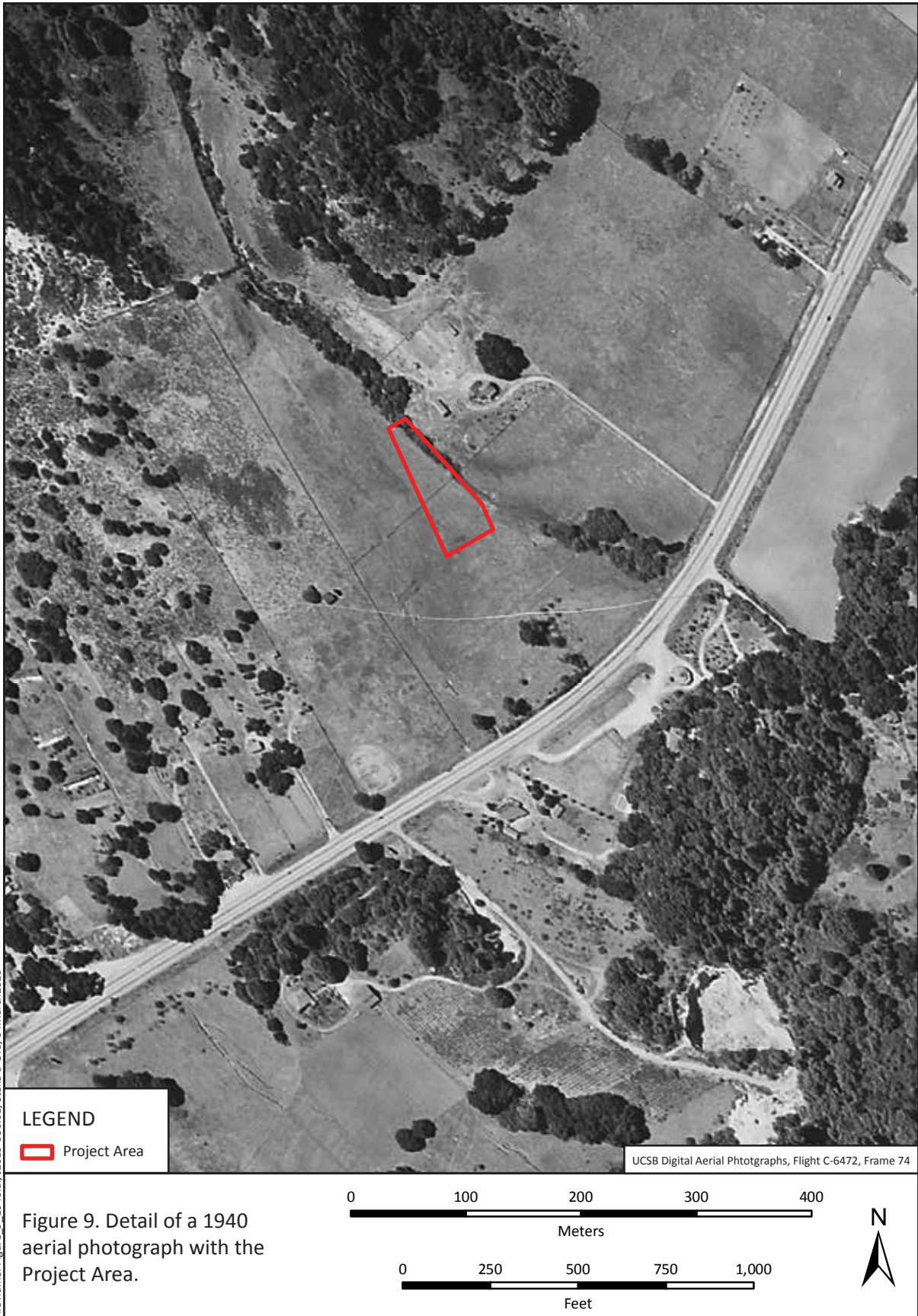
0 250 500 750 1,000
Meters

0 500 1,000 1,500 2,000
Feet



File name: Figure 7_1906.ai, 12019-056.01, Stella D'Oro, 04March2020





File name: Figure 9_1940.ai, 12019-056.01, Stella D'Oro, 04March2020

Field Methods and Results

6

January 13–15, 2020, Albion archaeologists John Ellison, Brittney Biasi, Christina Spellman, and Alyssa Gelinas conducted surface and subsurface archaeological investigations at APNs 022-481-18 and 22 on Erba Lane in Scotts Valley, California. John Ellison, Amanda Hill, Brittney Biasi, Christina Spellman, and Matthew Manigault returned for further subsurface sampling on February 20, 2020.

PEDESTRIAN SURVEY

Staff Archaeologist John Ellison closely inspected the exposed natural surface for any artifacts, cultural materials, ecofacts, anthrosols, or any other indication of archaeological resources. Visibility of ground surface throughout the lot was poor due to pavement covering 80–90% of the parcel. The western edge of property allowed for visual inspection of the surface, though high grasses complicated surface visibility (Figure 10). Archaeologists identified no cultural materials during the pedestrian survey.

TRENCHES

The crew oversaw mechanical excavation of seven trenches and screened soils from thirteen Trench Samples (TS) for subsurface soils testing. Trenches were excavated in areas where planned Project elements will impact native soils (Figure 11). The archaeologists directed the Project-provided operator for the excavation of the exploratory trenches. The mechanical trench excavations involved the use of a backhoe equipped with a standard 2-ft (61 cm) wide, flat-bladed bucket in order to determine the presence or absence of buried archaeological deposits. Most trenches (Trench 2, 3, 4, and 7) measured 2 x 10 ft, excavated in approximately 1-ft increments to varying depths (4–9 ft) reflecting each area's project element. Trench 1 measured 2 x 50 ft, ranging in depths 5–6.5 ft. Trench 5 measured 2 x 20 ft, to 6.5 ft and Trench 6 was 2 x 20 ft, to 4 ft.

Staff archaeologists Christina Spellman, Brittney Biasi, and John Ellison inspected each trench to identify strata and to record the soil profile and descriptions. Albion staff recorded soil profiles from inside the trenches to a depth of 5 ft. After initial profile recordation, three areas were excavated to greater depths. The archaeologists could no longer enter the trenches due to OSHA safety guidelines. For every vertical foot excavated, archaeologist screened a minimum of .053 m³ (14 gallons) of matrix through 6 mm (1/4 inch) or 3mm (1/8 inch) mesh to identify cultural materials. Appropriate field forms documented excavation results including strata, description of soils, identified artifacts, disturbances, and any other pertinent information. The trenches were backfilled upon completion. Archaeologists identified five natural strata (Strata I-V) and several modern fill events. Soil descriptions for each stratum are presented in Table 3.



Photograph 1. Overview of the Project Area (facing south southeast).



Photograph 2. Trench 4 backfilled (facing southeast).



Photograph 3. Overview augered areas (facing south).



Photograph 4. Overview of augered areas (facing north).



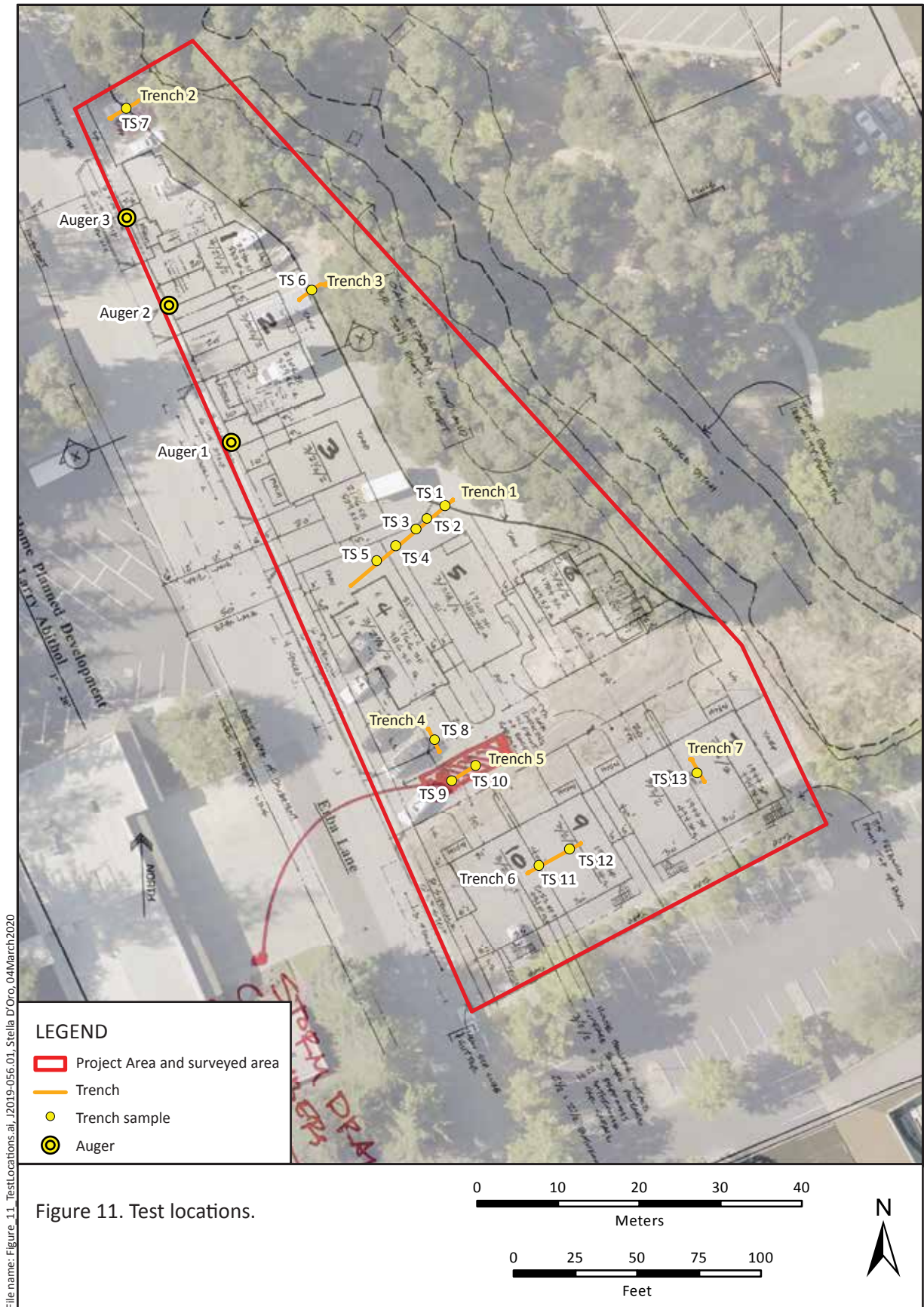
Photograph 5. Crew dry screening soils (facing east).



Photograph 6. Trench 2 backfilled after collapse (facing north).

Figure 10. Photos from the field.

File name: Figure 10_Photos.ai; J2019-001.33, Stella D'Oro, 04March2020



File name: Figure 11_TestLocations.ai, 12019-056.01, Stella D'Oro, 04 March 2020

Table 3. Trench Soils and Artifacts.

Stratum	Soil Type	Munsell Color	Artifacts	Soil (m ³)	Artifacts (m ³)
Modern Fill	-	-	2- debitage	1.3828	1.4
I	Sandy Loam	10 YR 3/1-3/2	1- groundstone	0.2240	4.5
II	Sandy Clay Loam	10 YR 2/1	3- debitage/ 1- groundstone	0.9082	4.4
III	Clay Loam	10 YR 2/1-3/1	-	0.3758	-
IV	Sand	10 YR 4/3	3- debitage	0.7580	3.9
V	Sandy Clay	10 YR 2/1	1- debitage	0.0530	18.8
Subtotal Fill Soils	-	-	2-debitage	1.3828	-
Subtotal Native Soils	-	-	7-debitage/ 2-groundstone	2.319	3.9
Total	-	-	11	3.7018	3.0

TRENCH 1

Trench 1 was originally placed in an area thought to be impacted to a depth of 6.5 ft by elements of a storm drain line. However, the storm drain is further to the south and Trench 5 explored this project element. This trench measured approximately 2 ft wide, 5–6.5 ft deep, and 50 ft in length. For horizontal control, Trench 1 was divided into 10-ft sections. Sections were labelled Trench Sample (TS) 1-5, from east to west. The TSs were excavated in 1-ft increments with 0.053 M³ (14 gallons) set aside to screen through 6 mm (1/4 inch) or 3mm (1/8 inch) mesh.

TRENCH SAMPLE 1

The eastern most TS within Trench 1 was excavated to a 6.5-ft depth and selected for soils profile recordation. TS 1 held all four natural strata (Strata I-IV) and several modern fill events. All soils from TS 1 were processed through 3mm (1/8 inch) mesh. A total of 0.344 m³ soil was sampled from just below surface to 6.5 ft. The results of TS 1 are presented in Table 4. Two flaked stone debitage artifacts were recovered from a modern fill stratum, less than 1-ft below surface. Modern material (safety glass) was identified to a depth of 4 ft below surface.

Table 4. Test Results of Trench Sample 1.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	2	+	+	0.0530	3mm
1–2	Modern Fill	-	-	+	+	0.0530	3mm
2–3	I	-	-	+	+	0.0530	3mm
3–4	II	-	-	-	+	0.0530	3mm
4–5	III	-	-	-	-	0.0530	3mm
5–6.5	IV	-	-	-	-	0.0790	3mm
Total	-	-	2	+	+	0.3440	-

TRENCH SAMPLE 2

The modern fill soils from TS 2 were not screened (0–2 ft below surface). Additionally, the native soils contained more clay than previously recorded; therefore, the sample was divided to accelerate the soils sample processing within the fieldwork timeline. Archaeologists screened 75% of the sample through 6 mm ($\frac{1}{4}$ inch) mesh and 25% through 3mm ($\frac{1}{8}$ inch) mesh. Three native soil strata, Strata I, II, and III, were identified in TS 2. The results of TS 2 are presented in Table 5. The sample yielded one debitage flake from Strata II, 3–4 ft below surface. Modern materials were recovered as deep as 4 ft below surface.

Table 5. Test Results of Trench Sample 2.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	I	-	-	-	+	0.0530	3mm (25%), 6mm (75%)
3–4	II	-	1	-	+	0.0530	3mm (25%), 6mm (75%)
4–5	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	1	-	+	0.2650	-

TRENCH SAMPLE 3

TS 3 continued the same process as TS 2. Only two native soil strata, Strata II and III, were identified in TS 3. The results of TS 3 are presented in Table 6. One debitage flake was recorded from Strata II, 2–3 ft below surface. Modern materials were recovered as deep as 4 ft below surface. Archaeologists selected the south wall of TS 3 for soils profile recordation.

Table 6. Test Results of Trench Sample 3.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	-	1	+	+	0.0530	3mm (25%), 6mm (75%)
3–4	II	-	-	-	+	0.0530	3mm (25%), 6mm (75%)
4–5	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	1	+	+	0.2650	-

TRENCH SAMPLE 4

TS 4 continued the same process as TS 2. Three native soil strata, Strata II, III, and IV, were identified in TS 4. The results of TS 4 are presented in Table 7. No artifacts or modern materials were recovered from TS 4.

Table 7. Test Results of Trench Sample 4.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	-	-	+	-	0.0530	3mm (25%), 6mm (75%)
3–4	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
4–5	IV	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	-	+	-	0.2650	-

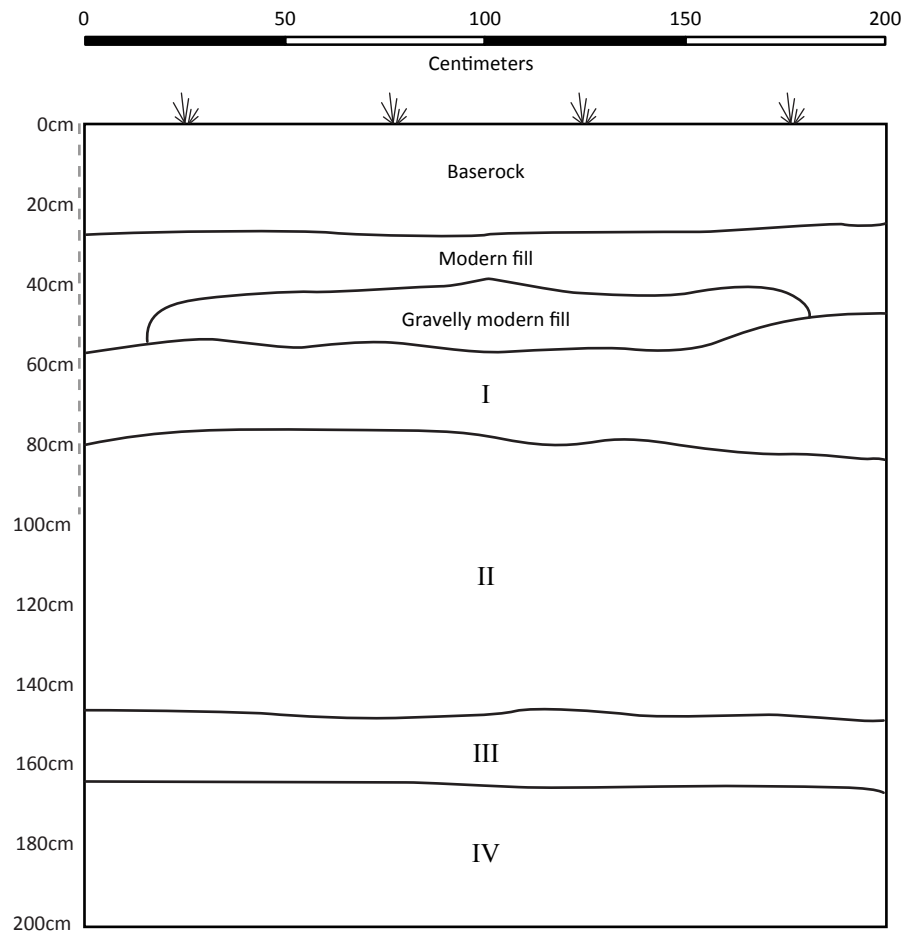
TRENCH SAMPLE 5

The western most TS within Trench 1 was excavated to a 6.5-ft depth and selected for soils profile recordation (Figure 12). TS 5 held all four natural strata (Strata I-IV) and several modern fill events. TS 5 continued the same method as TS 2. The results of TS 5 are presented in Table 8. No artifacts were recovered from TS 5 and modern material (safety glass) was identified in the sample 5-6.5 ft below surface.

Table 8. Test Results of Trench Sample 5.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	I	-	-	+	-	0.0530	3mm (25%), 6mm (75%)
3–4	II	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
4–5	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
5–6.5	IV	-	-	-	+	0.0790	3mm (25%), 6mm (75%)
Total	-	-	-	-	-	0.3440	-

File name: Figure 12 Trench 1.ai, J2019-056.01, Stella D'Oro, 04March2020



LEGEND

⚡ Top of grade



Figure 12. Trench 1 south wall profile views.

TRENCH 2

Trench 2, TS 7 was placed in an area with a proposed impact to a depth of 10 ft by installation of a retaining wall in the northern area of parcel. This trench measured 2 ft wide, 10 ft in length. Excavation was halted at approximately 9 ft below surface due to a collapse. Trench samples were collected to a depth of 8 ft below surface Figure 13 depicts the stratigraphy of Trench 2.

TRENCH SAMPLE 7

The soils remained consistent, Stratum IV sand from just below modern fill to 9 ft deep. All soils were processed through 3mm ($\frac{1}{8}$ inch) mesh. The results of TS 7 are presented in Table 9. Three specimens of flaked stone debitage were recovered from the 1 to 2-ft and 2 to 3-ft levels. Modern glass was present in the 5–6-ft level of TS 7. The north wall profile was recorded to 2 meters in depth. Further profile recordation could not take place due to the collapse of the trench walls.

Table 9. Test Results of Trench Sample 7.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	IV	-	2	-	-	0.0530	3mm
2–3	IV	-	1	-	-	0.0530	3mm
3–4	IV	-	-	-	-	0.0530	3mm
4–5	IV	-	-	-	-	0.0530	3mm
5–6	IV	-	-	-	+	0.0530	3mm
6–7	IV	-	-	-	-	0.0530	3mm
7–8	IV	-	-	-	-	0.0530	3mm
Total	-	-	3	-	+	0.4240	-

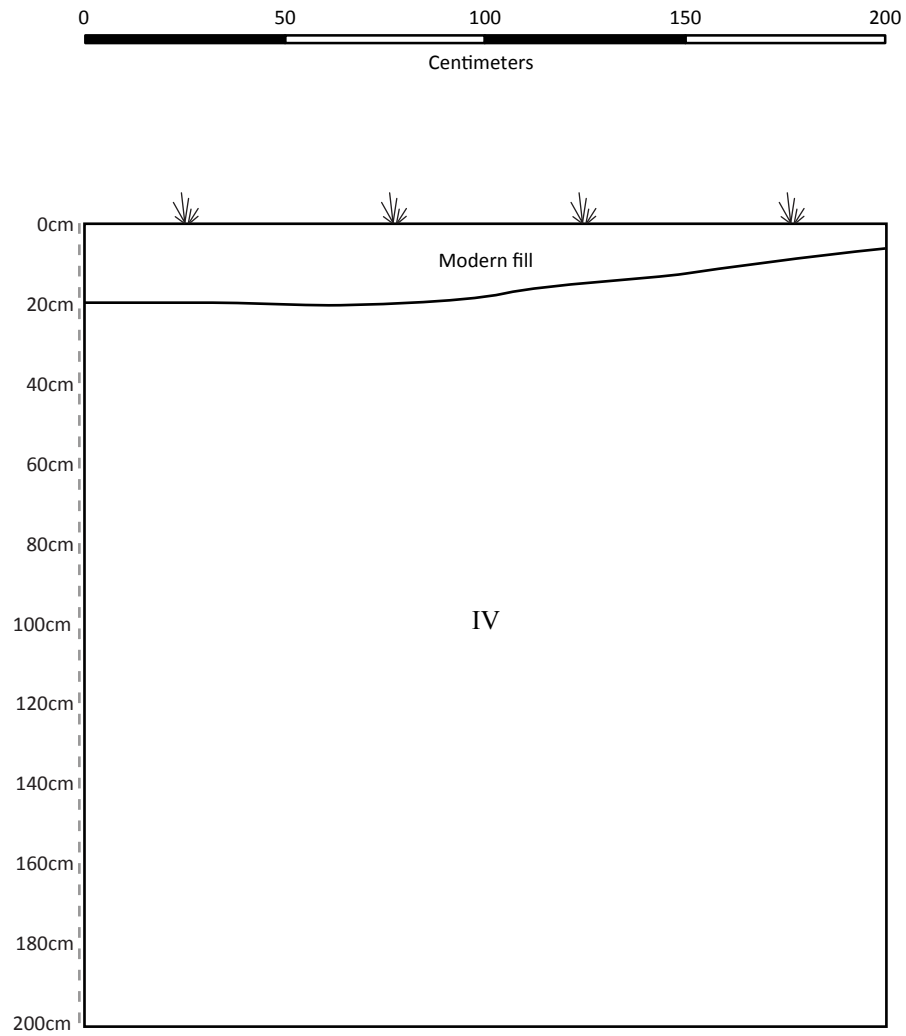
TRENCH 3

Trench 3 was placed in an area with a proposed impact of 4 ft deep, by initial grading and re-compaction of the parcel. This trench measured 2 ft wide, 10 ft in length, and 4 ft deep. Figure 14 depicts the stratigraphy of Trench 3.

TRENCH SAMPLE 6

A large hand stone was identified at the interface of modern fill and Stratum I, though incorporated into the Stratum I, 1 to 2-ft level sample. TS 6 continued the same process as TS 2. The results of TS 6 are presented in Table 10. Only two native soil strata, Strata I and III, were identified in TS 6. Modern materials were recovered as deep as 2 ft below surface. Archaeologists selected the north wall of TS 6 for soils profile recordation.

File name: Figure 13 Trench 2.ai, J2019-056.01, Stella D'Oro, 04March2020

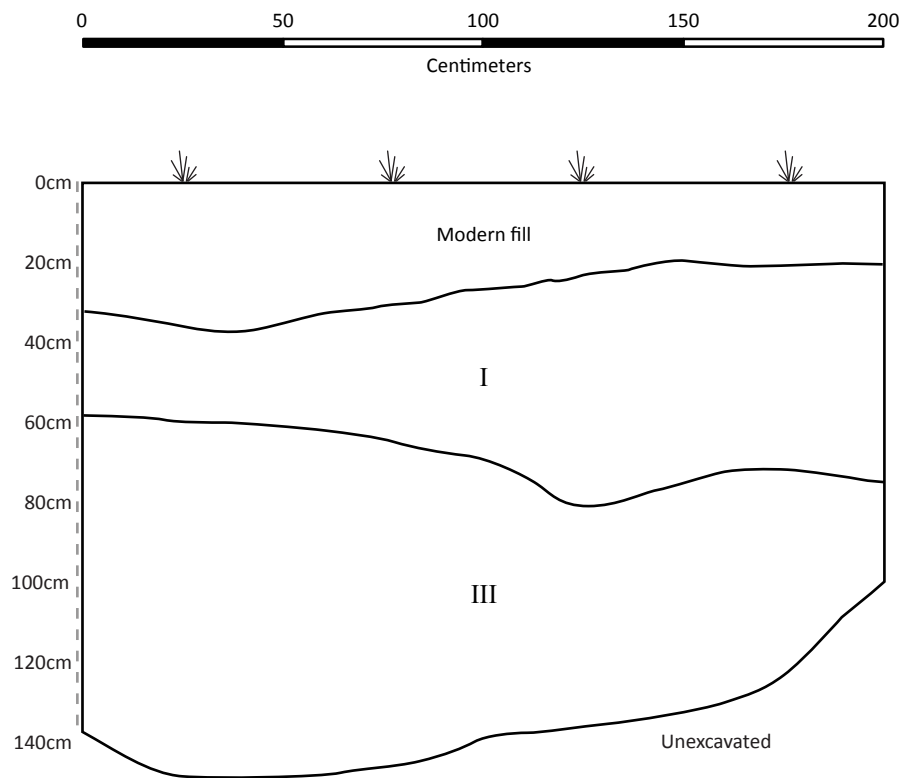


LEGEND

↓ Top of grade

Figure 13. Trench 2 north wall profile.

File name: Figure 14 Trench 3.ai, J2019-056.01, Stella D'Oro, 04March2020



LEGEND

↓ Top of grade

Figure 14. Trench 3 north wall profile views.

Table 10. Test Results of Trench Sample 6.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	I	1	-	-	+	0.0530	3mm (25%), 6mm (75%)
2–3	III	-	-	+	-	0.0530	3mm (25%), 6mm (75%)
3–4	III	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	1	-	+	+	0.2120	-

TRENCH 4

Trench 4 was placed in an area with a proposed impact of 4 ft deep, by initial grading and re-compaction of the parcel. This trench measured 2 ft wide, 10 ft in length, and 4 ft deep.

TRENCH SAMPLE 8

Most levels within the TS 8 trench were modern fill strata (Figure 15). The only level containing native soils was the 3–4 ft level, identified as Stratum II. TS 8 continued the same process as TS 2. The results of TS 8 are presented in Table 11. No artifacts or modern materials were recovered from TS 8.

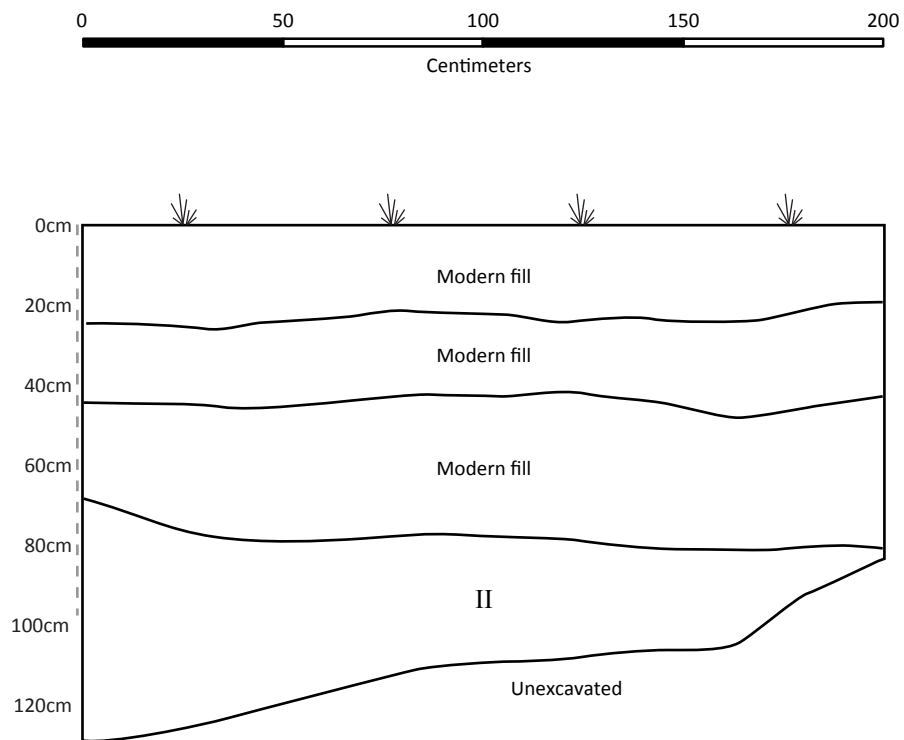
Table 11. Test Results of Trench Sample 8.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	Modern Fill	-	-	-	-	0.0530	-
3–4	II	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	-	-	-	0.2120	-

TRENCH 5

Trench 1 was placed in an area to be impacted to a depth of 6.5 ft by elements of a storm drain line. This trench measured approximately 2 ft wide, 6.5 ft deep, and 20 ft in length. For horizontal control, Trench 5 was divided into two 10-ft sections labelled TS 9 and TS 10. The TSs were excavated in 1-ft increments with 0.053 m³ (14 gallons) set aside to screen through 6 mm (1/4 inch) mesh.

File name: Figure 15 Trench 4.ai, J2019-056.01, Stella D'Oro, 04March2020



LEGEND

↓ Top of grade

Figure 15. Trench 4 east wall profile views.

TRENCH SAMPLE 9

Trench Sample 9 was excavated to a 6.5-ft depth and selected for soils profile recordation (Figure 16). TS 1 held two natural strata (Strata II and IV) and several modern fill events. All soils from TS 9 were processed through 6mm (1/4 inch) mesh. A total of 0.344 m³ soil was sampled from just below surface to 6.5 ft. The results of TS 9 are presented in Table 12. Modern material was identified to a depth of 4 ft below surface.

Table 12. Test Results of Trench Sample 9.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	-	-	-	+	0.0530	6mm
3–4	II	-	-	-	+	0.0530	6mm
4–5	II	-	-	-	-	0.0530	6mm
5–6.5	IV	-	-	-	-	0.0790	6mm
Total	-	-	-	-	+	0.3440	-

TRENCH SAMPLE 10

Similar to TS 9 just to the west, soils recovered from TS 10 included modern above Strata II and IV (Figure 16). All soils from TS 10 were processed through 6mm (1/4 inch) mesh. A total of 0.344 m³ soil was sampled from just below surface to 6.5 ft. The results of TS 10 are presented in Table 13. Modern material was identified to a depth of 4 ft below surface.

Table 13. Test Results of Trench Sample 10.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	Modern Fill	-	-	-	-	0.0530	-
3–4	II	-	-	-	+	0.0530	6mm
4–5	II	-	-	-	-	0.0530	6mm
5–6.5	IV	-	-	-	-	0.0790	6mm
Total	-	-	-	-	+	0.3440	-

File name: Figure 16 Trench 4.ai, J2019-056.01, Stella D'Oro, 04March2020

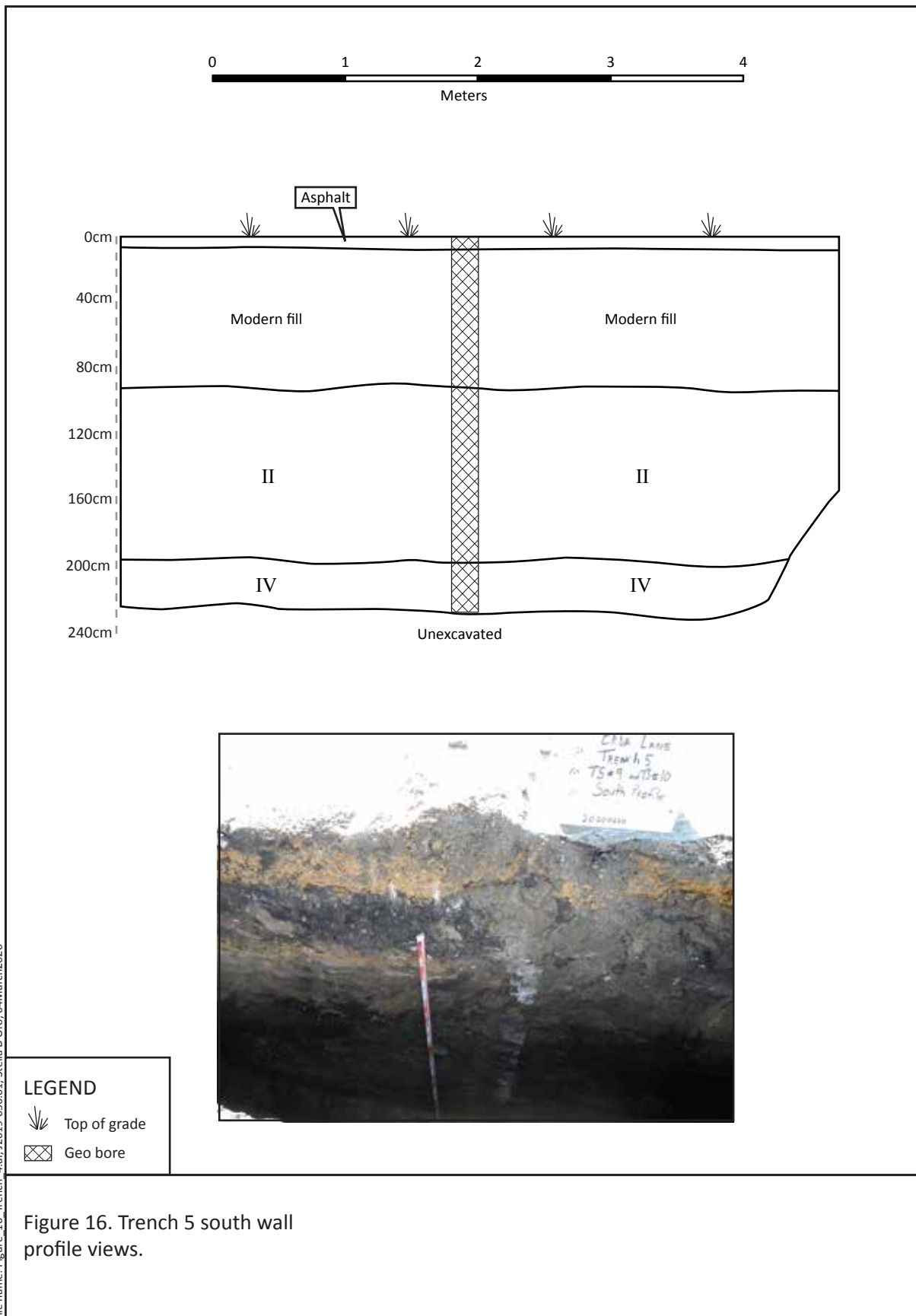


Figure 16. Trench 5 south wall profile views.

TRENCH 6

Trench 6 was placed in an area with a proposed impact of 4 ft deep, by initial grading and re-compaction of the parcel. This trench measured 2 ft wide, 20 ft in length, and 4 ft deep. Trench 6 was divided into two 10-ft sections labelled TS 11 and TS 12. Each TS was excavated in 1-ft increments with 0.053 M3 (14 gallons) set aside to screen. Archaeologists screened 75% of the sample through 6 mm (1/4 inch) mesh and 25% through 3mm (1/8 inch) mesh.

TRENCH SAMPLE 11

Stratum II was the only natural soil identified in TS 11 (Figure 17). The results of TS 11 are presented in Table 14. Artifacts recovered include a handstone alongside clear modern glass in the 2–3 ft below surface level.

Table 14. Test Results of Trench Sample 11.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	1	-	-	+	0.0530	3mm (25%), 6mm (75%)
3–4	II	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	1	-	-	+	0.2120	-

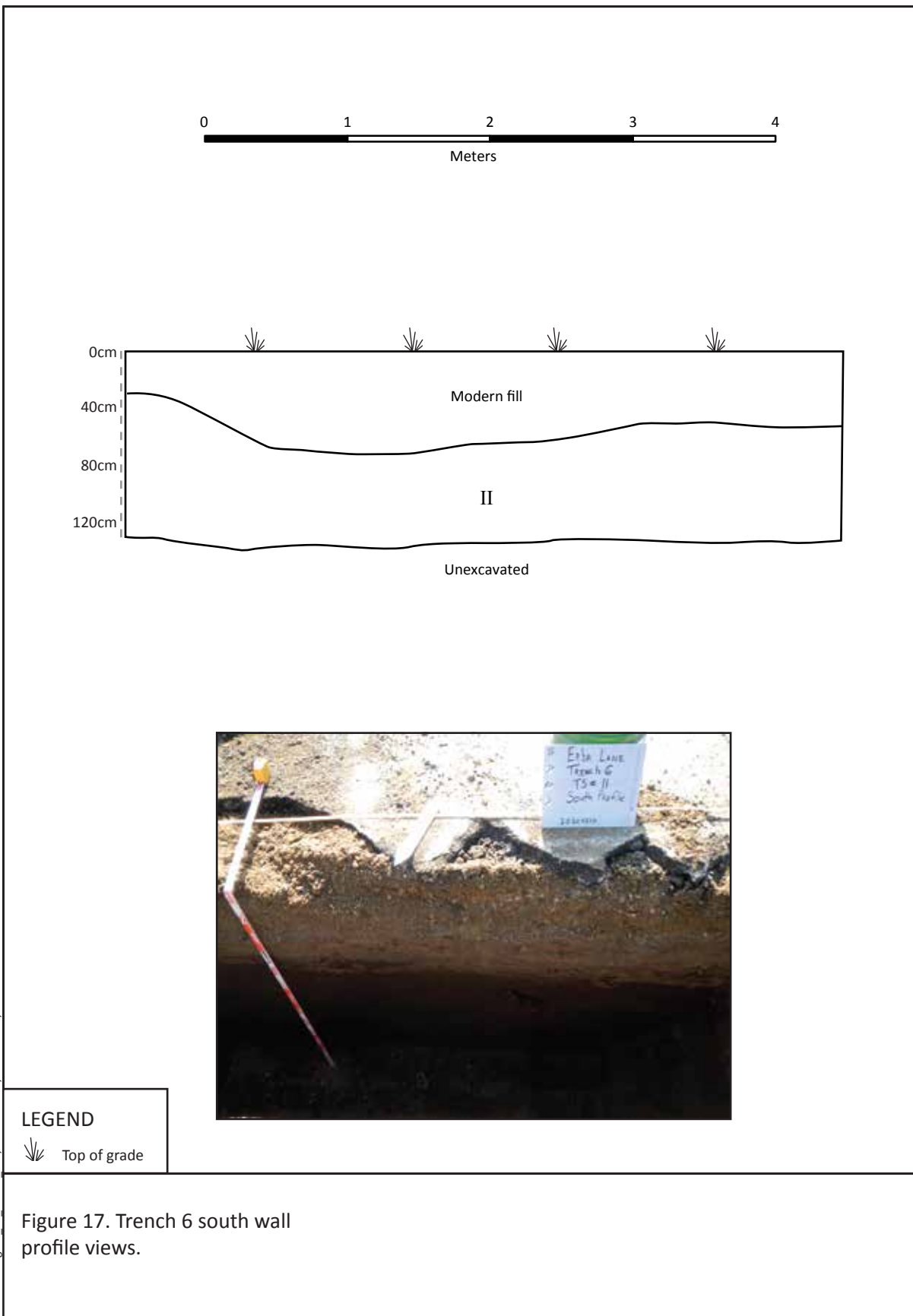
TRENCH SAMPLE 12

The soils remain consistent with adjacent TS (Figure 17), Stratum II was the only natural soil identified in TS 12. The results of TS 12 are presented in Table 15. Artifacts recovered include a one Monterey chert debitage flake and a mix of modern ceramic, glass and metal fragments.

Table 15. Test Results of Trench Sample 12.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	-	1	-	+	0.0530	3mm (25%), 6mm (75%)
3–4	II	-	-	-	+	0.0530	3mm (25%), 6mm (75%)
Total	-	-	1	-	+	0.2120	-

File name: Figure 17 Trench 6.ai, J2019-056.01, Stella D'Oro, 04March2020



TRENCH 7

Trench 6 was placed in an area with a proposed impact of 4 ft deep, by initial grading and re-compaction of the parcel. This trench measured 2 ft wide, 10 ft in length, and 4 ft deep.

TRENCH SAMPLE 13

The southeastern most TS was excavated to a 4-ft depth and selected for soils profile recordation. The results of TS 13 are presented in Table 16. A new stratum was present (Strata V) in TS 13 from which the only artifact (igneous rock debitage) was recovered (Figure 18). Stratum V is marsh-like with very soft sandy clay, wet with organic materials present.

Table 16. Test Results of Trench Sample 13.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	Modern Fill	-	-	-	-	0.0530	-
1–2	Modern Fill	-	-	-	-	0.0530	-
2–3	II	-	-	-	-	0.0530	3mm (25%), 6mm (75%)
3–4	V	-	1	-	-	0.0530	3mm (25%), 6mm (75%)
Total	-	-	1	-	+	0.2120	-

AUGERS

Three augers explored the soils in the location of the proposed collector drain, along the west boundary of the parcel. The augers measured 10-cm in diameter, reached a depth of 6.5 ft, and all soils collected in 1-ft intervals were screened through 3mm (1/8 inch) mesh.

AUGER 1

Auger 1 was located just to the northwest of Trench 1 and southwest of Trench 3. The results of Auger 1 are presented in Table 17. Auger 1 produced no artifacts or modern materials.

File name: Figure_18_Trench_7.ai, 12019-056.01, Stella D'Oro, 04March2020

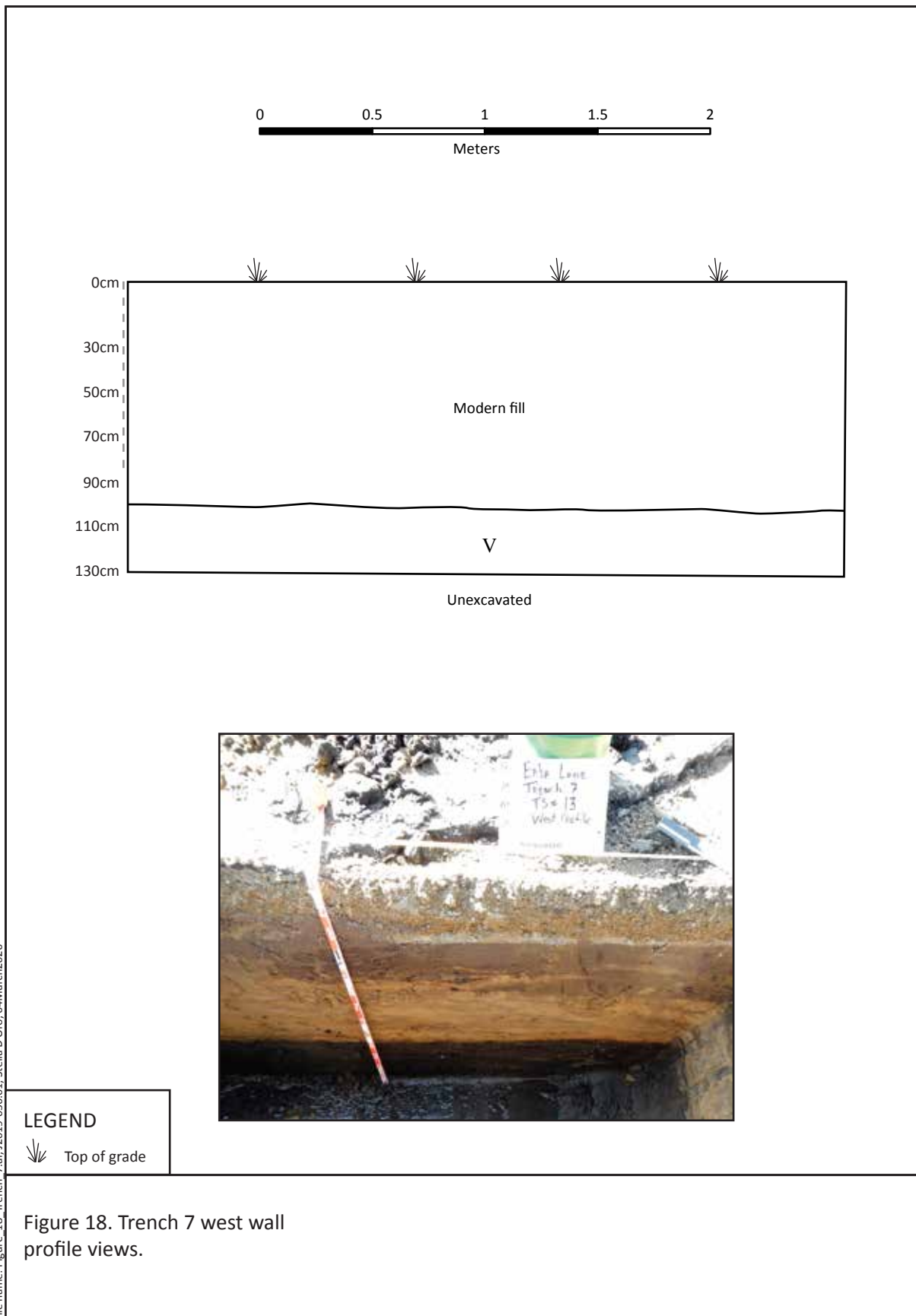


Table 17. Test Results of Auger 1.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0–1	I	-	-	-	-	0.0024	3mm
1–2	I	-	-	-	-	0.0024	3mm
2–3	II	-	-	-	-	0.0024	3mm
3–4	II	-	-	-	-	0.0024	3mm
4–5	II	-	-	-	-	0.0024	3mm
5–6.5	IV	-	-	-	-	0.0036	3mm
Total	-	-	-	-	-	0.0156	-

AUGER 2

Auger 2 was located just to the northwest of Trench 3. The soils identified reflect the nearby TS 6 soils, with the addition of Stratum IV soil below. The results of Auger 2 are presented in Table 18. Auger 2 produced no artifacts or modern materials.

Table 18. Test Results of Auger 2.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0-1	Modern Fill	-	-	-	-	0.0024	-
1–2	I	-	-	-	-	0.0024	3mm
2–3	III	-	-	-	-	0.0024	3mm
3–4	III	-	-	-	-	0.0024	3mm
4–5	IV	-	-	-	-	0.0024	3mm
5–6.5	IV	-	-	-	-	0.0036	3mm
Total	-	-	-	-	-	0.0156	-

AUGER 3

Auger 3 was located just to the southwest of Trench 2. The results of Auger 2 are presented in Table 19. Auger 3 produced no artifacts or modern materials.

Table 19. Test Results of Auger 3.

Depth (ft)	Stratum	Ground-stone	Flaked Stone	Charcoal	Modern Material	Soil (m ³)	Screen
0-1	Modern Fill	-	-	-	-	0.0024	-
1-2	I	-	-	-	-	0.0024	3mm
2-3	I	-	-	-	-	0.0024	3mm
3-4	IV	-	-	-	-	0.0024	3mm
4-5	IV	-	-	-	-	0.0024	3mm
5-6.5	IV	-	-	-	-	0.0036	3mm
Total	-	-	-	-	-	0.0156	-

In sum, the field effort identified modern fill present across the entire parcel, a series of intact native soils, and very few artifacts from only two artifact classes. Fill soils range from 1-3 ft, with the thickest layer in the central area of the parcel. Loamy soils (Strata I-III) developed above a sandy stratum (Strata IV) in the parcels central and southern areas. The north area was entirely composed of the Strata IV sand, and in the far southwest loamy soil (Stratum II) developed over a marshy sandy-clay (Stratum V). Artifacts are vertically distributed rather evenly across Strata I, II, and IV ranging from 3.9-4.5 artifact per cubic meter. Stratum V density appears inflated due to a single artifact recovered from the small volume sampled, although remaining a sparse 18.8 artifacts/m³. No artifacts were recovered from Stratum III. Horizontally, cultural materials were present in eight TSs and distributed evenly with four artifacts in the north, four artifacts in the central area, and three artifacts in the south. However, only two artifacts were identified in the seven TSs and three Augers located greater than 20m west of the riparian corridor. No chronologically sensitive artifacts, organic artifacts, or charcoal attributable to a cultural event were recovered from the screened sample or identified in trench walls.

Conclusions and Recommendations



Visual inspection of the Project Area surface and subsurface excavations revealed no evidence of intact prehistoric or historic-era archaeological deposits.

Soils encountered were redeposited fill over five native soil strata with no evidence of culturally produced stratigraphy. Seven mechanically excavated trenches and three hand-excavated augers were used to expose subsurface soils. Thirteen Trench Samples (TS) and three augers recovered 3.7018 m³ of soil for inspection. The sample included 1.3828 m³ of fill soils characterized by differing soil types mixed with modern materials such as concrete and pavement. The remaining 2.319 m³ appeared as intact native soil. The sampled soils produced cultural material, consisting of 9 pieces of flaked stone and two groundstone implements. At least two flaked stone pieces were recovered from the redeposited fill suggesting at least some mechanical disturbance of native soil occurred on the parcel. The two groundstone implements and the additional seven flaked stone debitage pieces recovered from native soils, are likely in-situ. However, the sparse nature of the deposit (3.9 artifact per m³), paucity of artifact types, and no chronological markers or organic cultural materials for radiocarbon dating limits the ability for any archaeological interpretations. This limited and narrow assemblage, which cannot be placed within the regional dating scheme, does not allow for significant data potential, and is therefore not significant under CEQA guidelines.

Albion's investigation at APNs 022-481-18 and 22 on Erba Lane in Scotts Valley indicates that potentially significant cultural materials are NOT located in the Project Area. Due to the proximity of archaeological site SCR-177/H, we recommend archaeological and Native American monitoring during all ground-disturbing activity.

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Appendix A

Results of Records Search



11/8/2019

NWIC File No.: 19-0713

Stella D'Oro
Albion Environmental, Inc.
1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

re: Erba Lane

The Northwest Information Center received your record search request for the project area referenced above, located on the Felton USGS 7.5' quad. The following reflects the results of the records search for the project area and a 0.25 mile radius:

Resources within project area:	P-44-000179 (copied supplemental records).
Resources within 0.25 mile radius:	P-44-000251 & 000039 (copied supplemental records).
Reports within project area:	S-4080, 3913, 8313, 10214, & 10186 (copied S-4080, 10214, & 10186).
Reports within 1/8th mile radius:	See enclosed database printout & maps.

Resource Database Printout (list):

Resource Database Printout (details):

Resource Digital Database Records:

Report Database Printout (list):

Report Database Printout (details):

Report Digital Database Records:

Resource Record Copies:

Report Copies:

OHP Historic Properties Directory:

Archaeological Determinations of Eligibility:

CA Inventory of Historic Resources (1976):

Caltrans Bridge Survey:

Ethnographic Information:

Historical Literature:

Historical Maps:

Local Inventories:

GLO and/or Rancho Plat Maps:

Shipwreck Inventory:

☐ enclosed	☒ not requested	☐ nothing listed
☒ enclosed	☐ not requested	☐ nothing listed
☐ enclosed	☒ not requested	☐ nothing listed
☐ enclosed	☒ not requested	☐ nothing listed
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***Notes:**

****** Current versions of these resources are available on-line:

Caltrans Bridge Survey: <http://www.dot.ca.gov/hq/structur/strmaint/historic.htm>

Soil Survey: <http://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/?stateId=CA>

Shipwreck Inventory: <http://www.slc.ca.gov/Info/Shipwrecks.html>

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System (CHRIS).

Sincerely,

Lisa C. Hagel
Researcher

Appendix B

Confidential Native American Outreach Documentation

Communication Log for Native American Consultation: Erba Lane Development, Scotts Valley, CA

Stella sent NAHC Request 12/3/2019

NAHC responded 12/9/2019

Letters sent to Tribes 12/10/2019

Name	Tribe	Date	Action	Response
Valentin Lopez	Amah Mutsun Tribal Band		Mailed certified letter	No response.
		1/6/2020	Emailed letter and attachments.	Responded 1/11/2020, "This request is very different, we'll get back to you soon."
		1/13/2020	Telephoned	The Project Area is within the Amah Mutsun territory and they strongly request their tribe to monitor construction of the development. The tribe works closely with archaeologists at UC Berkeley, including Kent Lightfoot, and they are very interested in the site. When I told him Kanyon Sayers was currently monitoring testing, he insisted that she shouldn't be monitoring since it's not her territory. Mr. Lopez said that if human remains are found, they do not allow radiocarbon or DNA testing. He requested that I call him when testing is complete to tell him what we retrieved. He also recommends referencing their website at www.amahmutsun.org , which gives an overview of the studies they have been involved with.
Irenne Zwierlein	Amah Mutsun Tribal Band of San Juan Bautista	12/10/2019	Mailed certified letter	No response.
		1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned	Irenne recommends the educating the construction crew regarding cultural resources in case anything is found.
Patrick Orozco	Costanoan-Ohlone Rumsen-Mutsun Tribe	12/10/2019	Mailed certified letter	No response.

Name	Tribe	Date	Action	Response
Ann Marie Sayers	Indian Canyon Mutsun Band of Costanoan	1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned	Left a message.
		12/10/2019	Mailed certified letter	The letter was returned 1/21/2020
Monica Arellano	Muwekma Ohlone Tribe of the SF Bay Area	1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned.	Left message.
		12/10/2019	Mailed certified letter	No response.
Charlene Nijmeh	Muwekma Ohlone Tribe of the SF Bay Area	1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned.	Tried to leave a message but the mailbox is full.
		12/10/2019	Mailed certified letter	No response.
		1/6/2020	Emailed letter and attachments.	No response.
		1/13/2020	Telephoned.	Charlene texted me after I left a message. I texted her back asking for comments about the project.

NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone: (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>



December 9, 2019

Stella D'Oro
Albion Environmental, Inc.

VIA Email to: SDoro@albionenvironmental.com; pbradley@mbakerintl.com

RE: Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, Erba Road Development, Scotts Valley, Santa Cruz County.

Dear Ms. D'Oro:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties or projects.

Government Codes §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

Public Resources Codes §21080.3.1 and §21080.3.2 requires public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to tribal cultural resources as defined, for California Environmental Quality Act (CEQA) projects.

The law does not preclude local governments and agencies from initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

Best practice for the AB52 process and in accordance with Public Resources Code §21080.3.1(d), is to do the following:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The NAHC also recommends, but does not require that lead agencies include in their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential affect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE, such as known archaeological sites;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The result of the Sacred Lands File (SFL) check conducted through the Native American Heritage Commission was negative.
4. Any ethnographic studies conducted for any area including all or part of the APE; and
5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event, that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,



Nancy Gonzalez-Lopez

Staff Services Analyst

Attachment

Native American Heritage Commission
Tribal Consultation List
Santa Cruz County
12/9/2019

Amah Mutsun Tribal Band

Valentin Lopez, Chairperson
P.O. Box 5272
Galt, CA, 95632
Phone: (916) 743 - 5833
vlopez@amahmutsun.org

Costanoan
Northern Valley
Yokut

Amah Mutsun Tribal Band of Mission San Juan Bautista

Irenne Zwierlein, Chairperson
789 Canada Road
Woodside, CA, 94062
Phone: (650) 851 - 7489
Fax: (650) 332-1526
amahmutsuntribal@gmail.com

Costanoan

Costanoan Ohlone Rumsen-Mutsun Tribe

Patrick Orozco, Chairman
644 Peartree Drive
Watsonville, CA, 95076
Phone: (831) 728 - 8471
yanapvoic97@gmail.com

Costanoan

Indian Canyon Mutsun Band of Costanoan

Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister, CA, 95024
Phone: (831) 637 - 4238
ams@indiancanyon.org

Costanoan

Muwekma Ohlone Indian Tribe of the SF Bay Area

Monica Arellano,
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546
Phone: (408) 205 - 9714
marellano@muwekma.org

Costanoan

Muwekma Ohlone Indian Tribe of the SF Bay Area

Charlene Nijmeh, Chairperson
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546
Phone: (408) 464 - 2892
cnijmeh@muwekma.org

Costanoan

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65352.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed Erba Road Development, Scotts Valley, Santa Cruz County.

December 10, 2019

Ms. Monica Arellano
20885 Redwood Road, Suite 232
Castro Valley, California 94546

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Ms. Arellano:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Assembly Bill 52 regulations. The regulations state that all tribes have 30 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $\frac{1}{8}$ -mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $\frac{1}{4}$ -mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

HISTORIC COMPONENT

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

(831) 469-9128 Santa Cruz
(805) 592-2222 San Luis Obispo

albionenvironmental.com

PRECOLONIAL COMPONENT

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

A host of small archaeological projects have identified archaeological materials as far south as the Bank of America lot at the corner of Erba Lane and Scotts Valley Drive (Table 1). At this point, the archaeological site boundaries are limited to the City of Scotts Valley City Hall lot, the adjacent park, and the lot of the current Project. The actual boundaries of the archaeological site are currently unknown.

Table 1. Archaeological Reports Associated with CA-SCR-177/H.

Year	Title	Author
1980	Archeological Evaluation of the Scotts Valley City Hall Project	Archaeological Resource Management
1980	Central California Obsidian Source Data and C-14 Dates	Archaeological Consulting
1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1980	Presentation of Descriptive and Scientific Data on CA-SCR-33 and CA-SCR-177	Archaeological Resource Management
1981	Possible Procedures and Estimated Cost for an Archaeological Data Recovery and Research Program at CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1982	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Archaeological Resource Management
1983	Archaeological Mitigation Plan for Phase 1 Construction at Archaeological Site CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1983	A Cultural Resources Predictability Study for the Land Management Agencies of the City of Scotts Valley, California	none listed
1984	Archaeology of Concern, by Committee and With Consensus, CA-SCR-177	Santa Cruz Archaeological Society
1984	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	Basin Research Associates, Inc.
1984	The Scotts Valley Site (CA-SCR-177)	Archaeological Resource Management
1986	Cultural Resource Evaluation of a Parcel on Erba Lane in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1987	Archaeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1989	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1993	The Scotts Valley Site: CA-SCR-177	Archaeological Resource Management, The Santa Cruz Archaeological Society
1998	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Espey, Huston & Associates, Inc.; Dames & Moore Archaeological Consulting
2003	Archaeological Monitoring Report for the Project Parcel APN 022 121 05 in the City of Scotts Valley, County of Santa Cruz, California	none listed

Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

Attachment 1. Location Map
Attachment 2. Summary of Reports
Attachment 3. Site Records

REFERENCES CITED

Cartier, R

1980 *Archaeological Evaluation of the Scotts Valley City Hall Project*. On file at the Northwest Information Center, Rohnert Park, California.

Cartier, R.

1993 *The Scotts Valley Site: CA-SCR-177*. A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.

Cooper, J.

1979 *Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H)*. On file at the Northwest Information Center, Rohnert Park, California.

Jones, Terry L., and Kathryn A. Klar (editors)

2007 *California Prehistory: Colonization, Culture, and Complexity*. AltaMira Press, Plymouth, United Kingdom.

December 10, 2019

Mr. Valentin Lopez
P.O. Box 5272
Galt, California 95632

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Mr. Lopez:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Assembly Bill 52 regulations. The regulations state that all tribes have 30 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $\frac{1}{8}$ -mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $\frac{1}{4}$ -mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

HISTORIC COMPONENT

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

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PRECOLONIAL COMPONENT

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

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More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

A host of small archaeological projects have identified archaeological materials as far south as the Bank of America lot at the corner of Erba Lane and Scotts Valley Drive (Table 1). At this point, the archaeological site boundaries are limited to the City of Scotts Valley City Hall lot, the adjacent park, and the lot of the current Project. The actual boundaries of the archaeological site are currently unknown.

Table 1. Archaeological Reports Associated with CA-SCR-177/H.

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Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

Attachment 1. Location Map
Attachment 2. Summary of Reports
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Jones, Terry L., and Kathryn A. Klar (editors)

2007 *California Prehistory: Colonization, Culture, and Complexity.* AltaMira Press, Plymouth, United Kingdom.

December 10, 2019

Charlene Nijmeh
20885 Redwood Road, Suite 232
Castro Valley, California 94546

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Charlene Nijmeh:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Assembly Bill 52 regulations. The regulations state that all tribes have 30 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $\frac{1}{8}$ -mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $\frac{1}{4}$ -mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

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Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

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Jones, Terry L., and Kathryn A. Klar (editors)

2007 *California Prehistory: Colonization, Culture, and Complexity.* AltaMira Press, Plymouth, United Kingdom.

December 10, 2019

Mr. Patrick Orozco
644 Peartree Drive
Watsonville, California 95076

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Mr. Orozco:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

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2007 *California Prehistory: Colonization, Culture, and Complexity*. AltaMira Press, Plymouth, United Kingdom.

December 10, 2019

Ms. Ann Marie Sayers
P.O. Box 28
Hollister, California 95024

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Ms. Sayers:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

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1980	Presentation of Descriptive and Scientific Data on CA-SCR-33 and CA-SCR-177	Archaeological Resource Management
1981	Possible Procedures and Estimated Cost for an Archaeological Data Recovery and Research Program at CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1982	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Archaeological Resource Management
1983	Archaeological Mitigation Plan for Phase 1 Construction at Archaeological Site CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1983	A Cultural Resources Predictability Study for the Land Management Agencies of the City of Scotts Valley, California	none listed
1984	Archaeology of Concern, by Committee and With Consensus, CA-SCR-177	Santa Cruz Archaeological Society
1984	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	Basin Research Associates, Inc.
1984	The Scotts Valley Site (CA-SCR-177)	Archaeological Resource Management
1986	Cultural Resource Evaluation of a Parcel on Erba Lane in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1987	Archaeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1989	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1993	The Scotts Valley Site: CA-SCR-177	Archaeological Resource Management, The Santa Cruz Archaeological Society
1998	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Espey, Huston & Associates, Inc.; Dames & Moore Archaeological Consulting
2003	Archaeological Monitoring Report for the Project Parcel APN 022 121 05 in the City of Scotts Valley, County of Santa Cruz, California	none listed

Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

Attachment 1. Location Map
Attachment 2. Summary of Reports
Attachment 3. Site Records

REFERENCES CITED

Cartier, R

1980 *Archaeological Evaluation of the Scotts Valley City Hall Project*. On file at the Northwest Information Center, Rohnert Park, California.

Cartier, R.

1993 *The Scotts Valley Site: CA-SCR-177*. A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.

Cooper, J.

1979 *Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H)*. On file at the Northwest Information Center, Rohnert Park, California.

Jones, Terry L., and Kathryn A. Klar (editors)

2007 *California Prehistory: Colonization, Culture, and Complexity*. AltaMira Press, Plymouth, United Kingdom.

December 10, 2019

Ms. Irenne Zwierlein
789 Canada Road
Woodside, California 94062

RE: Native American Consultation for the Erba Lane Development Project, Scotts Valley, Santa Cruz County, California

Dear Ms. Zwierlein:

Albion Environmental, Inc (Albion), on behalf of the City of Scotts Valley, seeks your consultation for the Erba Lane Development Project (Project). The proposed work is to develop a 1.04-acre site consisting of two parcels (APNs 022-481-18 and 22) for residential land-use (Attachment 1). The Project involves the creation of twelve lots and two common lots for six single-family homes and three duplex units.

As the proposed Project requires an amendment to the existing General Plan of Scotts Valley and a California Environmental Quality Act (CEQA) review, Native American outreach must be conducted under Senate Bill (SB) 18 regulations. The regulations state that all tribes have 45 days to comment.

Results of a record search conducted at the Northwest Information Center reveals five studies have been conducted within the Project APE and nineteen studies have been conducted within a $\frac{1}{8}$ -mile of the Project APE. One cultural resource has been recorded within the Project APE and two cultural resources have been recorded within a $\frac{1}{4}$ -mile radius of the APE. A summary of the studies and cultural resources are included in Attachments 2 and 3.

Archaeological resource CA-SCR-177/H located within the Project Area includes both historic and precolonial components. Both components are discussed below.

HISTORIC COMPONENT

CA-SCR-177/H includes the location of the Scott House, which was constructed as a residence for Hiram Scott and his family in 1858. The house is significant for its architecture (Greek Revival) and historical importance to the region. Mr. Scott was one of the original settlers in the area and is the person after whom Scotts Valley is named. The house is listed in the National Register of Historic Places. The boundaries of CA-SCR-177/H include the house and its parcel despite the fact that it was moved to its present location in 1936 due to the construction of Highway 17. The original location of the Scott House is not included within the current boundaries of CA-SCR-177/H.

1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

(831) 469-9128 Santa Cruz
(805) 592-2222 San Luis Obispo

albionenvironmental.com

PRECOLONIAL COMPONENT

The precolonial component of CA-SCR-177/H was originally recorded as a lithic scatter (Cooper 1979). In 1980, Dr. Robert Cartier conducted an archaeological evaluation for the proposed construction of a City Hall for Scotts Valley (Cartier 1980). Radiocarbon assays from the initial study returned dates of 7,000-10,000 years before present (BP), very early for this region and for California as a whole.

Past actions to the site resulted in lawsuits that were settled out of court in October 1982 (Cartier 1993). The settlement required the City of Scotts Valley to fund two large data recovery efforts in 1983 and 1987. The data recovery sampled over 400 cubic meters of cultural soils along the northeast portion of the CA-SCR-177, and over 40 cubic meters from the southcentral area.

Very few sites dating from before 10,000 BP have been investigated; some researchers have suggested that earliest Californians established residences along estuaries and bay shores. The Scotts Valley site (CA-SCR-177) is one of the few inland sites in the region with such early dates. Cartier's (1993:271-273) report on the data recovery suggests the earliest cultural stratum of CA-SCR-177 dates to at least 10,500 BP. Since the soils are too acidic for bone or shell preservation, dates were extrapolated from radiocarbon dating charcoal in column samples, obsidian hydration, and diagnostic artifacts including an eccentric crescent, small leaf-shaped and medium lanceolate projectile points, knives, and hammer stones.

More recently, Jones et. al (Jones and Klar 2007) suggests that there are numerous issues compromising interpretations of the site's stratigraphic integrity and dating. The excavation unit used for radiocarbon dating during the 1987 data recovery produced dates from every millennium from 13,000 BP to present, although not in stratigraphic order. In 1987, radiocarbon studies required large amounts of charcoal. It was a common practice to use column samples, which included many pieces of charcoal producing an average date likely from many burn events. Additionally, the charcoal may or may not be cultural in origin as natural forest fires are common in the region. Currently, much smaller carbon (bone, shell, charcoal) samples are necessary to return accurate dates. Carbon samples are ideally taken from known cultural phenomena, such as transported shell, cut/cooked faunal bone, or discrete archaeological features such as hearths or human burials. Jones et al (2007:135) acknowledges the radiocarbon dates from two intact hearth features place the earliest well dated occupation of the site into the Millingstone Period at 8,000 BP, still of remarkable antiquity.

A host of small archaeological projects have identified archaeological materials as far south as the Bank of America lot at the corner of Erba Lane and Scotts Valley Drive (Table 1). At this point, the archaeological site boundaries are limited to the City of Scotts Valley City Hall lot, the adjacent park, and the lot of the current Project. The actual boundaries of the archaeological site are currently unknown.

Table 1. Archaeological Reports Associated with CA-SCR-177/H.

Year	Title	Author
1980	Archeological Evaluation of the Scotts Valley City Hall Project	Archaeological Resource Management
1980	Central California Obsidian Source Data and C-14 Dates	Archaeological Consulting
1980	Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1980	Presentation of Descriptive and Scientific Data on CA-SCR-33 and CA-SCR-177	Archaeological Resource Management
1981	Possible Procedures and Estimated Cost for an Archaeological Data Recovery and Research Program at CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1982	Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California	Archaeological Resource Management
1983	Archaeological Mitigation Plan for Phase 1 Construction at Archaeological Site CA-SCR-177, Scotts Valley, Santa Cruz County, California	Archaeological Consulting
1983	A Cultural Resources Predictability Study for the Land Management Agencies of the City of Scotts Valley, California	none listed
1984	Archaeology of Concern, by Committee and With Consensus, CA-SCR-177	Santa Cruz Archaeological Society
1984	Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California	Basin Research Associates, Inc.
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1988	Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1988	Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1989	Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz	Archaeological Resource Management
1993	The Scotts Valley Site: CA-SCR-177	Archaeological Resource Management, The Santa Cruz Archaeological Society
1998	Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California	Espey, Huston & Associates, Inc.; Dames & Moore Archaeological Consulting
2003	Archaeological Monitoring Report for the Project Parcel APN 022 121 05 in the City of Scotts Valley, County of Santa Cruz, California	none listed

Thank you for considering this consultation request. Please contact me at your earliest convenience to discuss this Project. I may be reached by email at sdoro@albionenvironmental.com or telephone, 831.345.7504. I will be contacting you again by email and by telephone prior to the end of the 30-day commenting period to be sure you have received notice about the Project.

Sincerely,



Stella D'Oro, MA, RPA
Senior Archaeologist

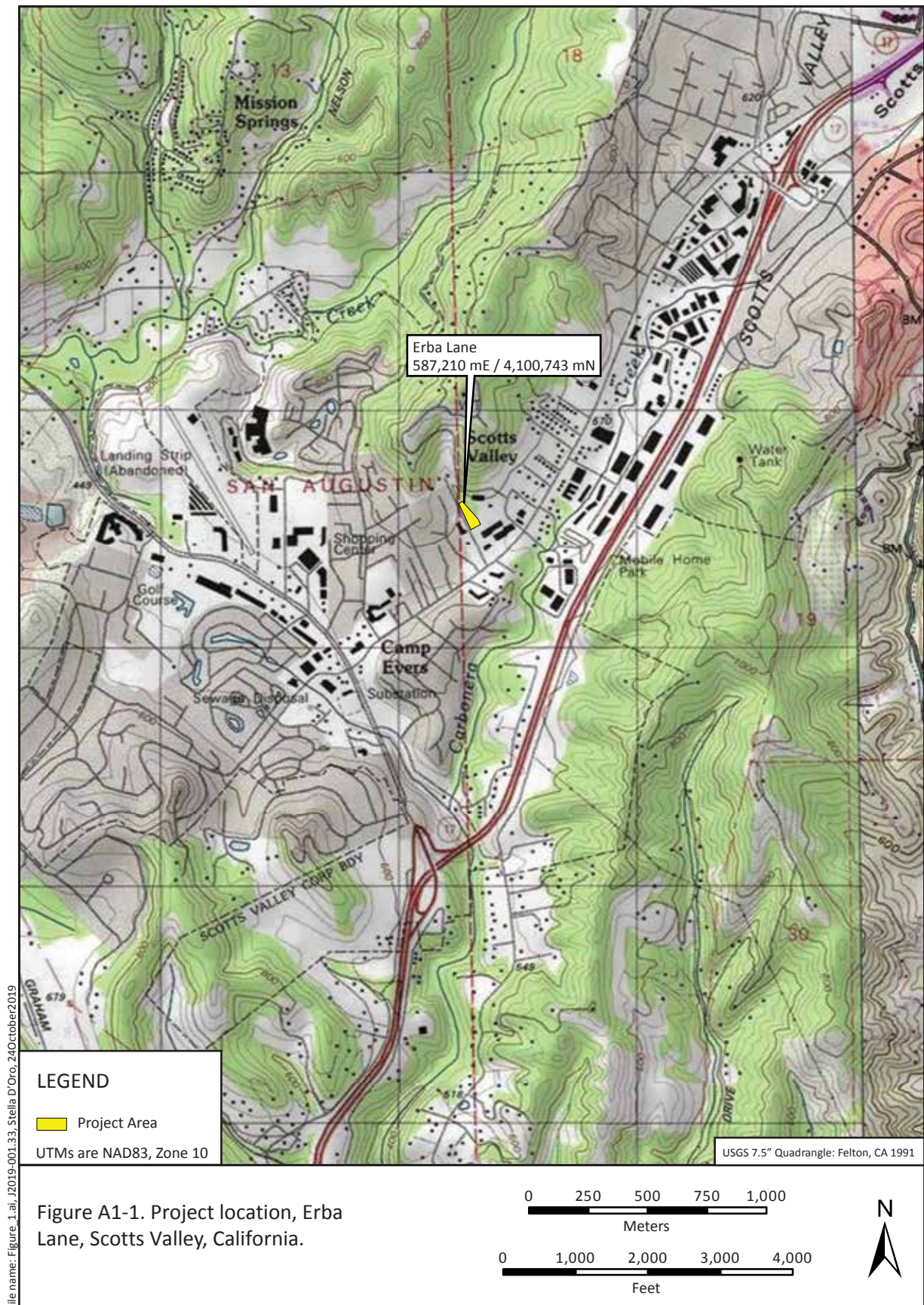
Attachment 1. Location Map
Attachment 2. Summary of Reports
Attachment 3. Site Records

REFERENCES CITED

- Cartier, R
1980 *Archaeological Evaluation of the Scotts Valley City Hall Project. On file at the Northwest Information Center, Rohnert Park, California.*
- Cartier, R.
1993 *The Scotts Valley Site: CA-SCR-177.* A monograph published by the Santa Cruz Archaeological Society, Santa Cruz, CA. In conjunction with Archaeological Resource Management, Robert Cartier, Principal.
- Cooper, J.
1979 *Cabrillo College Archaeological Site Survey Record for P-44-000179 (CA-SCR-177/H).* On file at the Northwest Information Center, Rohnert Park, California.
- Jones, Terry L., and Kathryn A. Klar (editors)
2007 *California Prehistory: Colonization, Culture, and Complexity.* AltaMira Press, Plymouth, United Kingdom.

Attachment 1

Location Map



File name: Figure 1.ai, J2019-001.33, Stella D'Oro, 24 October 2019

Attachment 2

Summary of Reports

Report Detail: S-003913

Identifiers

Report No.: S-003913

Other IDs:	Type	Name
	Voided	E-167 SCR

Cross-refs:

Citation information

Author(s): William Roop, Leo Barker, and Charlene Detlefs

Year: 1977 (Aug)

Title: Cultural Resource Inventory of the Scotts Valley Wastewater Project Service Area

Affiliation: Archaeological Resource Service

No. pages:

No. maps:

Attributes: Archaeological, Architectural/historical, Field study

Inventory size: c 2000 ac

Disclosure: Not for publication

Collections: No

Sub-design.: a

Author(s): Leo Barker and Charlene Detlefs

Year: 1977 (Aug)

Title: Historical Synopsis and Site Inventory of Scotts Valley

Affiliation:

Report type(s): Architectural/historical, Field study, Other research

Inventory size:

No. pages: 34

Disclosure: Not for publication

Collections: No

PDF Pages: 22-57

General notes

C-1156 (a historic stage stop), 5 unrecorded prehistoric sites, and 16 unrecorded historic resources are within the project area (see pdf pp. 8 through 11).

Associated resources

Primary No.	Trinomial	Name
P-44-000039	CA-SCR-000033	P-5
P-44-000083	CA-SCR-000078	Part of old Cowell Estate
P-44-000092	CA-SCR-000088/H	J.J. Graham Peat Bog
P-44-000179	CA-SCR-000177/H	Hiram Scott House
P-44-000237	CA-SCR-000235	SV-1
P-44-000240	CA-SCR-000238	SV-5
P-44-000348		AC-143

No. resources: 7

Has informals: Yes

Location information

County(ies): Santa Cruz

USGS quad(s): Felton, Laurel

Address:

PLSS:

Report Detail: S-003913

Database record metadata

<i>Date</i>	<i>User</i>	
<i>Entered:</i> 4/7/2005	nwic-main	
<i>Last modified:</i> 3/26/2018	hagell	
<i>IC actions:</i> <i>Date</i>	<i>User</i>	<i>Action taken</i>
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/3/2014	mikulic	Inserted report feature and associated informal resource features into the NWIC GIS database.
8/6/2015	riner	the identified additional citation for the 'Historical Synopsis and Site Inventory of Scotts Valley' has no identified date of publication
1/17/2017	hagell	edited attributes
1/26/2017	hagell	edited additional citation title
8/15/2017	raelyn	Set month for 'a'; Report verified, awaiting verification of 1 resource.

Record status: Verified

Report Detail: S-004080

Identifiers

Report No.: S-004080

Other IDs: Type	Name
Voided	E-334 SCR

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1980 (Mar)

Title: Archeological Evaluation of the Scotts Valley City Hall Project

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size:

Disclosure: Not for publication

Collections: No

General notes

Associated resources

Primary No.	Trinomial	Name
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address	City	Assessor's parcel no.	Zip code
McDorsa Drive	Scotts Valley		

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 11/8/2019	hagell	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/5/2019	moored	Added collections and location info.
Record status: Verified		

Report Detail: S-005758

Identifiers

Report No.: S-005758

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1982 (Oct)

Title: Subsurface Testing Evaluation of the Parking Lot at the Scotts Valley City Hall, Scotts Valley, County of Santa Cruz, California

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Architectural/historical, Evaluation, Excavation, Field study

Inventory size:

Disclosure: Not for publication

Collections: No

General notes

Associated resources

	Primary No.	Trinomial	Name
	P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address:

PLSS:

Database record metadata

	Date	User	Action taken
Entered:	4/7/2005	nwic-main	
Last modified:	11/8/2019	hagell	
IC actions:	Date	User	Action taken
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	6/3/2015	watsonr	Added 'excavation' report value.
	11/5/2019	moored	Added collections and month.

Record status: Verified

Report Detail: S-006016

Identifiers

Report No.: S-006016

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1983 (May)

Title: Cultural Resource Evaluation of the Lands of Overbow on Scotts Valley Drive in the City of Scotts Valley, Santa Cruz County, California.

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size: c 2.26 ac

Disclosure: Not for publication

Collections: No

General notes

Associated resources

No. resources: 0

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

Scotts Valley Drive

City

Scotts Valley

Assessor's parcel no.

Zip code

PLSS:

Database record metadata

Date

User

Entered: 4/7/2005

nwic-main

Last modified: 11/8/2019

hagell

IC actions: Date

User

Action taken

4/7/2005

jay

Appended records from NWICmain bibliographic database.

11/5/2019

moored

Added collections, month, and location info.

Record status: Verified

Report Detail: S-006527

Identifiers

Report No.: S-006527

Other IDs:	Type	Name
	Voided	S-6533

Cross-refs: See also S-006533

Citation information

Author(s): Robert Cartier

Year: 1983 (Dec)

Title: Cultural Resource Evaluation of the Civic Center Plaza Project off Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size: c 5.5 ac.

Disclosure: Not for publication

Collections: No

Sub-design.: a

Author(s): Robert Cartier

Year: 1984 (Jan)

Title: Subsurface Testing Program of the Civic Centre Plaza Project off Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz

Affiliation: Archeological Resource Management

Report type(s): Archaeological, Excavation, Field study

Inventory size:

No. pages:

Disclosure: Not for publication

Collections: No

PDF Pages: 8-15

General notes

Associated resources

No. resources: 0

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address:

PLSS:

Database record metadata

	Date	User	
Entered:	4/7/2005	nwic-main	
Last modified:	11/8/2019	hagell	
IC actions:	Date	User	Action taken
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	Added additional citation 'a'
Record status:	Verified		

Report Detail: S-006819

Identifiers

Report No.: S-006819

Other IDs:

Cross-refs:

Citation information

Author(s): James C. Bard, Raymond J. Dezzani, Mary R. Davy, Rebecca L. Anastasio, and Donna M. Garaventa

Year: 1984 (May)

Title: Limited Archaeological Testing at CA-SCR-177, Scotts Valley Office Plaza, Scotts Valley, California

Affiliation: Basin Research Associates, Inc.

No. pages:

No. maps:

Attributes: Archaeological, Excavation

Inventory size:

Disclosure: Not for publication

Collections: Yes

Sub-design.: a

Author(s): Charlene Detlefs

Year: 1983 (Jul)

Title: Historical Background of the Scott House Site on Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz, California

Affiliation: Archaeological Resource Management

Report type(s): Archaeological, Architectural/historical, Other research

Inventory size:

No. pages:

Disclosure: Not for publication

Collections: No

PDF Pages: 106-139

Sub-design.: b

Author(s): Donald G. Sullivan

Year: 1984

Title: Results of Pollen Analysis on Soil Samples from Unit #1, CA-SCr-177

Affiliation: University of California, Berkeley

Report type(s): Archaeological, Other research

Inventory size:

No. pages:

Disclosure: Not for publication

Collections: No

PDF Pages: 140-142

General notes

Associated resources

	Primary No.	Trinomial	Name
	P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address:

PLSS:

Report Detail: S-006819

Database record metadata

<i>Date</i>	<i>User</i>	
<i>Entered:</i> 4/7/2005	nwic-main	
<i>Last modified:</i> 11/8/2019	hagell	
<i>IC actions: Date</i>	<i>User</i>	<i>Action taken</i>
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added additional citation 'a' (Detlefs, 1983) and 'b' (Sullivan, 1984). PDF verified.
11/7/2019	akmenkalnsj	Added 'archaeological' to addl citation 'a' (Detlefs 1983); collections=yes; verified
<i>Record status:</i> Verified		

Report Detail: S-008313

Identifiers

Report No.: S-008313

Other IDs:	Type	Name
	Voided	E-375 SCR

Cross-refs:

Citation information

Author(s): Robert Cartier, Charlene Detlefs, and Glory Laffey

Year: 1980

Title: Cultural Resource Evaluation of the Scotts Valley Redevelopment Area in the City of Scotts Valley, County of Santa Cruz

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Architectural/historical, Field study

Inventory size: 925 ac

Disclosure: Not for publication

Collections: No

General notes

The report contains descriptions and mapped locations of unrecorded historic resources.

Associated resources

Primary No.	Trinomial	Name
P-44-000039	CA-SCR-000033	P-5
P-44-000179	CA-SCR-000177/H	Hiram Scott House
P-44-000237	CA-SCR-000235	SV-1
P-44-000238	CA-SCR-000236	SV-2
P-44-000239	CA-SCR-000237	SV-3
P-44-000240	CA-SCR-000238	SV-5
P-44-000241	CA-SCR-000239	SV-4

No. resources: 7

Has informals: Yes

Location information

County(ies): Santa Cruz

USGS quad(s): Felton, Laurel

Address:

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 11/8/2019	hagell	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/4/2014	mikulikc	Updated database, populated informal resources and notes fields.
1/26/2017	hagell	edited notes
8/15/2017	raelync	No publication month provided.

Record status: Verified

Report Detail: S-009377

Identifiers

Report No.: S-009377

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1987 (Jul)

Title: Archeological Testing at the Civic Center Cooperative Parking Lot in the City of Scotts Valley, County of Santa Cruz

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Excavation

Inventory size:

Disclosure: Not for publication

Collections: Yes

General notes

Associated resources

Primary No.	Trinomial	Name
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address:

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 11/8/2019	hagell	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added month, collections, and attributes.
11/7/2019	akmenkalnsj	Collections=yes; verified
Record status: Verified		

Report Detail: S-009717

Identifiers

Report No.: S-009717

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1988 (Jan)

Title: Cultural Resource Evaluation of Scotts Valley Water District Headquarter's Building in the City of Scotts Valley, County of Santa Clara

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size:

Disclosure: Not for publication

Collections: No

General notes

The report title mistakenly states that the study area is located in Santa Clara County; the report is actually located in Santa Cruz County (JA 11/7/2019).

Associated resources

No. resources: 0

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

Scotts Valley Drive

City

Scotts Valley

Assessor's parcel no.

22-081-32

22-081-33

22-081-92

Zip code

PLSS:

Database record metadata

Date

User

Entered: 4/7/2005

nwic-main

Last modified: 11/8/2019

hagell

IC actions: Date

User

Action taken

4/7/2005

jay

Appended records from NWICmain bibliographic database.

11/6/2019

moored

Added month, collections, and location info.

11/7/2019

akmenkalnsj

Added general note stating mistake in title; verified

Record status: Verified

Report Detail: S-010186

Identifiers

Report No.: S-010186

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1988 (Aug)

Title: Archaeological Testing at the Cask-Pacific Parcel on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Excavation

Inventory size:

Disclosure: Not for publication

Collections: Yes

General notes

Associated resources

	Primary No.	Trinomial	Name
	P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address	City	Assessor's parcel no.	Zip code
	Scotts Valley		

PLSS:

Database record metadata

Date	User	
Entered: 4/7/2005	nwic-main	
Last modified: 11/8/2019	hagell	

IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added collections and month.
11/7/2019	akmenkalnsj	Collections=yes; verified

Record status: Verified

Report Detail: S-010214

Identifiers

Report No.: S-010214

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1988 (Sep)

Title: Cultural Resource Evaluation of Landscaping of Scott House Park in the City of Scotts Valley, County of Santa Cruz

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size:

Disclosure: Not for publication

Collections: No

General notes

Associated resources

Primary No.	Trinomial	Name
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

City

Scotts Valley

Assessor's parcel no.

Zip code

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 11/8/2019	hagell	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added collections and month.
11/7/2019	akmenkalnsj	Verified
Record status: Verified		

Report Detail: S-010522

Identifiers

Report No.: S-010522

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1988 (Oct)

Title: Cultural Resource Evaluation of the Ridgecrest Project on Civic Center Drive in the City of Scotts Valley, County of Santa Cruz

Affiliation: Archeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size:

Disclosure: Not for publication

Collections: No

General notes

Historic fence line remnants were discovered. (DM, 11/7/19)

Associated resources

No. resources: 0

Has informals: Yes

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

City

Assessor's parcel no.

Zip code

Scotts Valley

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 11/8/2019	hagell	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added collections and month.
11/7/2019	akmenkalnsj	Verified
Record status: Verified		

Report Detail: S-010854

Identifiers

Report No.: S-010854

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1989 (May)

Title: Salvage Mitigation Excavation Report for the Scott House Park in the City of Scotts Valley, County of Santa Cruz

Affiliation: Archaeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Excavation

Inventory size:

Disclosure: Not for publication

Collections: Yes

General notes

Associated resources

Primary No.	Trinomial	Name
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

City

Scotts Valley

Assessor's parcel no.

Zip code

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 11/7/2019	akmenkalnsj	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added collections, author, and location info.
11/7/2019	akmenkalnsj	Collections=yes; verified

Record status: Verified

Report Detail: S-013326

Identifiers

Report No.: S-013326

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1991 (Aug)

Title: Cultural Resource Evaluation of 4301 Scotts Valley Drive in the City of Scotts Valley, County of Santa Cruz

Affiliation: Archaeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size: c 1 ac

Disclosure: Not for publication

Collections: No

General notes

Associated resources

No. resources: 0

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

4301 Scotts Valley Drive

City

Scotts Valley

Assessor's parcel no.

Zip code

PLSS:

Database record metadata

Date

User

Entered: 4/7/2005

nwic-main

Last modified: 8/6/2015

rinerg

IC actions: Date

User

Action taken

4/7/2005

jay

Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-015134

Identifiers

Report No.: S-015134

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier, Rob Edwards, Gerrit Fenenga, Terry Jones, Alan Leventhal, Charlotte Simpson-Smith, Vasiliki Vassil, and Glen Wilson

Year: 1993

Title: The Scotts Valley Site: CA-SCR-177

Affiliation: Archaeological Resource Management; The Santa Cruz Archaeological Society

No. pages:

No. maps:

Attributes: Archaeological, Excavation

Inventory size:

Disclosure: Not for publication

Collections: Yes

General notes

Associated resources

	Primary No.	Trinomial	Name
	P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address:

PLSS:

Database record metadata

	Date	User	
Entered:	4/7/2005	nwic-main	
Last modified:	11/8/2019	hagell	

IC actions:	Date	User	Action taken
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	11/6/2019	moored	No month submitted, added collections.
	11/7/2019	akmenkalnsj	Collections=yes; verified

Record status: Verified

Report Detail: S-016354

Identifiers

Report No.: S-016354

Other IDs:

Cross-refs:

Citation information

Author(s): Glory Anne Laffey, Marion Pokriots, Charlene Detlefs, Leslie Hurst, and Edith Smith

Year: 1990 (Apr)

Title: Evaluation of Potential Historic Structures in the City of Scotts Valley

Affiliation: Archives & Architecture

No. pages:

No. maps:

Attributes: Architectural/historical, Evaluation, Field study, Management/planning

Inventory size:

Disclosure: Not for publication

Collections: No

General notes

This report contains information on numerous historic-era buildings and structures.

Associated resources

No. resources: 0

Has informals: Yes

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address:

PLSS:

Database record metadata

	<i>Date</i>	<i>User</i>	
<i>Entered:</i>	4/7/2005	nwic-main	
<i>Last modified:</i>	1/26/2017	hagell	
<i>IC actions:</i>	<i>Date</i>	<i>User</i>	<i>Action taken</i>
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	1/26/2017	hagell	edited notes
<i>Record status:</i>	Verified		

Report Detail: S-018378

Identifiers

Report No.: S-018378

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier and Lynne Eckert

Year: 1996 (Apr)

Title: Data Recovery Report for the Tuscany Hills Project in the City of Scotts Valley

Affiliation: Archaeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Excavation

Inventory size:

Disclosure: Not for publication

Collections: Yes

General notes

Associated resources

Primary No.	Trinomial	Name
P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address:

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 11/7/2019	akmenkalnsj	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added missing first 5 pages to the PDF.
11/7/2019	akmenkalnsj	Collections=yes; verified
Record status: Verified		

Report Detail: S-018971

Identifiers

Report No.: S-018971

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier and Lynne Eckert

Year: 1996 (Oct)

Title: Cultural Resource Evaluation for the Pacific Bell West Bay Project, Located at 4860 Scotts Valley Drive in the City of Scotts Valley, Santa Cruz County

Affiliation: Archaeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size:

Disclosure: Not for publication

Collections: No

General notes

Stone tool artifacts and stone tool manufacturing debris were discovered. (DM, 11/7/19)

Associated resources

No. resources: 0

Has informals: Yes

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

4860 Scotts Valley Drive

City

Scotts Valley

Assessor's parcel no.

Zip code

PLSS:

Database record metadata

Date

User

Entered: 4/7/2005

nwic-main

Last modified: 11/7/2019

akmenkalnsj

IC actions: Date

User

Action taken

4/7/2005

jay

Appended records from NWICmain bibliographic database.

11/6/2019

moored

Added collections, month, and location info.

11/7/2019

akmenkalnsj

Verified

Record status: Verified

Report Detail: S-020176

Identifiers

Report No.: S-020176

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1998 (Feb)

Title: Cultural Resource Evaluation of the Scotts Valley Drive Reconstruction Project in the City of Scotts Valley, California, in Fulfillment of CEQA Requirements

Affiliation: Archaeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size: c 55 ac

Disclosure: Not for publication

Collections: No

General notes

Associated resources

	Primary No.	Trinomial	Name
	P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address:

PLSS:

Database record metadata

	Date	User	
Entered:	4/7/2005	nwic-main	
Last modified:	6/9/2015	grahams	
IC actions:	Date	User	Action taken
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
Record status:	Verified		

Report Detail: S-020294

Identifiers

Report No.: S-020294

Other IDs:

Cross-refs:

Citation information

Author(s): Gary S. Breschini and Mary Doane

Year: 1998 (Apr)

Title: Final Report on Archaeological Mitigation at CA-SCR-177 for Construction on APN 022-082-037 at 101 Civic Center Drive, Scotts Valley, Santa Cruz, California

Affiliation: Archaeological Consulting

No. pages:

No. maps:

Attributes: Archaeological, Excavation

Inventory size:

Disclosure: Not for publication

Collections: Yes

Sub-design.: a

Author(s): Gary S. Breschini and Mary Doane

Year: 1997 (Nov)

Title: Preliminary Archaeological Mitigation Plan for Assessor's Parcel Number 022-082-37, 101 Civic Center Drive, Scotts Valley, Santa Cruz County, California

Affiliation: Archaeological Consulting

Report type(s): Archaeological, Management/planning, Other research

Inventory size:

No. pages:

Disclosure: Not for publication

Collections: No

PDF Pages: 22-29

Sub-design.: b

Author(s): David G. DeVries

Year: 1997 (Nov)

Title: Soil Observations Northeast of CA-SCR-177, Scott's Valley, Santa Cruz County, California

Affiliation: Mesa Technical

Report type(s): Archaeological, Other research

Inventory size:

No. pages:

Disclosure: Not for publication

Collections: No

PDF Pages: 50-74

General notes

The report contains a copy of S-10186.

Associated resources

Primary No.	Trinomial	Name
P-44-000179	CA-SCR-000177/H	Hiram Scott House

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

City

Assessor's parcel no.

Zip code

Report Detail: S-020294

PLSS:

Database record metadata

Date		User	
Entered: 4/7/2005		nwic-main	
Last modified: 11/8/2019		hagell	
IC actions: Date		User	Action taken
4/7/2005		jay	Appended records from NWICmain bibliographic database.
11/6/2019		moored	Added additional citation 'a' (Breschini, Doane, 1997) and 'b' (DeVries, 1997)
11/7/2019		akmenkalnsj	Collections=yes; verified
Record status: Verified			

Report Detail: S-022624

Identifiers

Report No.: S-022624

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier, Alex Wesson, Victoria Bobo, and B. Vasiliki Vassil

Year: 1999 (Nov)

Title: Archaeological Recovery at SCR-249 for the Scotts Valley Drive Reconstruction Project in the City of Scotts Valley

Affiliation: Archaeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Excavation

Inventory size:

Disclosure: Not for publication

Collections: Yes

General notes

Associated resources

Primary No.	Trinomial	Name
P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

City

Scotts Valley

Assessor's parcel no.

Zip code

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 11/7/2019	akmenkalnsj	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/7/2019	akmenkalnsj	Collections=yes; removed Laurel quad; verified
Record status: Verified		

Report Detail: S-022631

Identifiers

Report No.: S-022631

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 1999 (Oct)

Title: Cultural Resource Evaluation of Approximately 2.5 Acres of Land off Scotts Valley Drive in the City of Scotts Valley

Affiliation: Archaeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Field study

Inventory size:

Disclosure: Not for publication

Collections: No

General notes

Associated resources

Primary No.	Trinomial	Name
P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address	City	Assessor's parcel no.	Zip code
4444 Scotts Valley Drive	Scotts Valley		

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 11/8/2019	hagell	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
11/6/2019	moored	Added collections.
11/7/2019	akmenkalnsj	Verified
Record status: Verified		

Report Detail: S-027837

Identifiers

Report No.: S-027837

Other IDs:

Cross-refs:

Citation information

Author(s): Robert Cartier

Year: 2003 (Oct)

Title: Archaeological Evaluation Program for the Kelly Court Project in the City of Scotts Valley

Affiliation: Archaeological Resource Management

No. pages:

No. maps:

Attributes: Archaeological, Excavation

Inventory size:

Disclosure: Not for publication

Collections: Yes

General notes

Associated resources

Primary No.	Trinomial	Name
P-44-000251	CA-SCR-000249	9-2-1

No. resources: 1

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address	City	Assessor's parcel no.	Zip code
4404 Scotts Valley Drive	Scotts Valley		

PLSS:

Database record metadata

Date	User	Action taken
Entered: 4/7/2005	nwic-main	
Last modified: 4/17/2017	moored	
IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
Record status: Verified		

Report Detail: S-031024

Identifiers

Report No.: S-031024

Other IDs:

Cross-refs:

Citation information

Author(s): Hannah Hicok

Year: 2005 (Nov)

Title: Archaeological Monitoring at 141 Oak Lane, Scotts Valley, California (letter report)

Affiliation: Albion Environmental, Inc.

No. pages:

No. maps:

Attributes: Archaeological, Monitoring

Inventory size: c 0.25 ac

Disclosure: Not for publication

Collections: No

General notes

Associated resources

No. resources: 0

Has informals: No

Location information

County(ies): Santa Cruz

USGS quad(s): Felton

Address: Address

141 Oak Lane

City

Scotts Valley

Assessor's parcel no.

022-181-55

Zip code

PLSS:

Database record metadata

Date

User

Entered: 1/31/2006

kellyn

Last modified: 6/9/2015

grahams

IC actions:

Record status: Verified

GEOTECHNICAL INVESTIGATION
Medium to High Density Residential Development
Erba Lane
Scotts Valley, California

Prepared For
Ken Anderson
City of Scotts Valley
Scotts Valley, California

Prepared By
HARO, KASUNICH AND ASSOCIATES, INC.
Geotechnical & Coastal Engineers
Project No. SC8998
November 2005

Project No. SC8998
22 November 2005

MR. KEN ANDERSON
City Of Scotts Valley Public Works
One Civic Center Drive
Scotts Valley, California 95066

Subject: **Geotechnical Investigation – Feasibility Study**
Medium to High Density Residential Development
Erba Lane
Scotts Valley, California

Dear Mr. Anderson:

In accordance with your authorization, we have performed a Geotechnical Investigation for the referenced project in the City of Scotts Valley in Santa Cruz County, California.

The results of our investigation indicate there are no adverse geotechnical hazards that would preclude the development of this project. Primary geotechnical concerns at the site include strong seismic shaking, adequate bearing support for foundations, and appropriate control of surface runoff. Due to variations in density and consistency across the property between the native soils and areas of loose fill, a conventional spread footing foundation system supported on redensified compacted soil is recommended for this project.

The accompanying report presents our conclusions and recommendations, as well as the results of the geotechnical investigation on which they are based.

If you have any questions concerning the data or conclusions presented in this report, please call our office.

Very truly yours,

HARO, KASUNICH AND ASSOCIATES, INC.

Moses E. Cuprill
Staff Engineer

John E. Kasunich
G/E. 455

MEC/dk
Copies: 5 to Addressee

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GEOTECHNICAL INVESTIGATION
Medium to High Density Residential Development
Erba Lane
Scotts Valley, California

Introduction

This report summarizes the findings, conclusions and recommendations from our site-specific geotechnical investigation for the proposed multi-residential development of a lot located on the north side of Erba Lane 500 feet west of Scotts Valley Drive.

At the time of this report, building and grading plans had not yet been developed. Therefore, some of the recommendations presented in this report are general in nature. Our firm should be provided the opportunity for a geotechnical review of the project plans prior to construction, so that our recommendations may be properly interpreted and implemented, and to determine if this preliminary report is adequate and complete for the final planned grading and construction. It is not intended that the geotechnical engineer approve or disapprove the plans, but to provide an opportunity to update the preliminary report and include additions or qualifications as necessary.

Purpose and Scope

The purpose of our investigation was to explore the subsurface conditions at the site, in order to assess the subsoil characteristics, evaluate the soil-structure interaction from a static (dead plus live) loading condition and develop geotechnical recommendations pertaining to earthwork and foundation design. It is presumed the latest UBC (1997) edition design considerations, specifically the seismic factors and coefficients from Chapter 16, Volume 2, will be followed in the design of the residential-type structures.

The specific scope of our services was as follows:

1. Site reconnaissance and review of available data in our files regarding the site and region.
2. Field exploration, consisting of logging and interval sampling of six (6) exploratory borings drilled to depths of 11 to 31 feet. The soil samples obtained were sealed and returned to the laboratory for testing.
3. Field and laboratory testing of selective samples obtained. Moisture content, particle size distribution, and dry density tests of selected samples were performed to evaluate the consistency of the in-situ soils. Laboratory direct shear tests were performed at selective intervals to evaluate the strength properties of the soils.

4. Engineering analysis and evaluation of the resulting data, in order to determine geotechnical feasibility of development and develop geotechnical design criteria for general site grading, building foundations, concrete slab-on-grade, retaining walls, and general site drainage.
5. Preparation of a geotechnical investigation report, presenting the results of our investigation.

Site and Project Description

The subject property is located on the north side of Erba Lane 500 feet west of Scotts Valley Drive in Santa Cruz County, California (see Vicinity Map, Figure No. 1). The property is bounded by business development to the south, Erba Lane to the west, residential development to the north, and an intermittent drainage swale to the east. The property is generally level with a 5% slope to the south. It currently serves as a parking lot with a chip seal coat on the surface. Two large waste bins are currently placed in the parking lot for local yard waste disposal. Fill placed under the chip seal on the south end of the lot creates a berm to the adjacent paved parking lot.

Based on our discussions with the City of Scotts Valley, the lot will be sold for development of multi-family structures. We presume the structures will be two-story, of wood frame and/or masonry construction, combined with some concrete slab-on-grade floors. Actual

loads are not known at this time but are expected to be typical of such construction. We have presumed that proposed construction will include driveway access, patios and sidewalks, and attendant utilities and landscaping. Minor grading is expected.

Field Exploration

Our investigation included a site reconnaissance by the project engineer, and on 1 September 2005 subsurface conditions were explored by drilling six (6) exploratory borings to depths of 11 to 31 feet. The borings were drilled with 6-inch diameter, continuous flight auger equipment mounted on a truck. The approximate locations of the borings are shown on the Boring Site Plan, Figure No. 2.

Representative soil samples were obtained from the exploratory borings at selected depths, or at major strata changes. These samples were recovered using a 3.0 inch O.D. Modified California Sampler (L), or by a Standard Terzaghi Sampler (T). The soils encountered in the borings were continuously logged in the field and visually described in accordance with the Unified Soil Classification System (ASTM D2488). The Logs of Test Borings are included in the Appendix of this report. The logs depict subsurface conditions at the approximate locations shown on the Boring Site Plan; subsurface conditions at other locations may differ from those encountered at the explored locations. Stratification lines shown on the logs represent the approximate boundaries between soil types; actual transitions may be gradual.

The penetration blow counts noted on the boring logs were obtained by driving a sampler into the soil with a 140-pound hammer dropping through a 30-inch fall. The sampler was driven up to 18 inches into the soil and the number of blows counted for each 6-inch penetration interval. The numbers indicated on the logs are the total number of blows that were recorded for the second and third 6-inch intervals, or the blows that were required to drive the penetration depth shown if high resistance was encountered.

Laboratory Testing

Soil samples obtained from the borings at selected depths were taken to our laboratory for further examination and laboratory testing. The laboratory testing program was directed toward determining pertinent engineering properties of the potential foundation zone soils.

The soils were classified based on visual observation during drilling and laboratory test results. Sieve analyses on select samples were conducted and are recorded on the boring logs. The particle size distribution from a sieve analysis helps clarify the identity of the soil class. Natural moisture contents and dry densities were determined on selected samples and are recorded on the boring logs at the appropriate depths. Since water has a significant influence on soil, the natural moisture content provides a rough indicator of the soil's compressibility, strength, and potential expansion characteristics. A compaction test of the near surface, fill soils on the east side of the site was done to compare insitu densities of the fill sampled during our investigation.

The strength parameters of the underlying earth materials were determined from laboratory direct shear and field penetration resistance of the in-situ soils.

Subsurface Conditions

In general, the native earth materials underlying this site to the depths explored consist of silty sand with traces of gravel clasts. The silty sand is loose near the ground surface but becomes medium dense to dense with depth.

Fill composed of orange and brown silty sand with $\frac{3}{4}$ inch granite (possibly baserock) was encountered at the surface in each of the borings. Deeper fill (to 5 feet) was encountered on the northeast side of the parking lot. The fill appears to be a graded wedge since the depth of fill increased from north to south. Stockpiled fill has been placed around the south and south-east perimeters of the site to form a small berm. The deeper fill consisted of very loose silty sand and drain rock encountered in Boring No. 1, on the eastern end of the property.

In general, it is our opinion that the native materials underlying this site possess adequate engineering characteristics for support of the proposed improvements, provided our recommendations are incorporated into the design and construction of the project. The fill materials are unsuitable for structural support in their present condition and should be

removed from proposed improvement areas or redensified as engineered fill in accordance with the recommendations of this report.

Groundwater

Groundwater was encountered at a depth of 13 feet below existing grade in Boring Number 3. It should be noted that ground water levels will fluctuate due to variations in rainfall or other factors not evident during our investigation.

Seismic Considerations

The following is a general discussion of seismic considerations affecting the project area. Detailed studies of seismicity, faulting and other geologic hazards are beyond the scope of this study.

Seismic Shaking

The primary seismic hazard associated with the proposed development appears to be the potential for strong ground shaking. Experience following the 17 October 1989 Loma Prieta earthquake indicates that the quality of construction is a primary factor affecting the amounts of earthquake damage sustained by wood framed structures. Most of the structural damage from the Loma Prieta earthquake was sustained in buildings where the foundations were not adequately embedded into firm materials, where the wood-frame was

not well braced for lateral shear and/or where the wood-frame was not securely tied to the building foundations.

Conversely, where wood-frame structures were supported on foundations embedded into firm material, well braced for lateral shear and securely tied to the foundation, structural damage was generally minor, even in areas quite close to the epicenter where structures sustained very strong to severe ground shaking. Based on these considerations, the risk of substantial structural damage from earthquakes appears relatively low for well-built structures which incorporate lateral shear bracing and modern building code requirements into their design and construction.

It is highly probable that a major earthquake will occur in northern California during the next 50 years. During a major earthquake epicentered nearby, there is a potential for severe ground shaking at this site. Structures designed in accordance with the most current UBC should react well to seismic shaking.

UBC Design Criteria

Based on the information gathered from our borings we have classified the site soil conditions as Soil Type S_D as defined in Table 16-J of the 1997 UBC. The following table indicates the 1997 UBC seismic coefficients appropriate for this site. These are minimum

values; the project designer or structural designer may utilize more conservative values at his or her discretion.

FAULT NAME	DISTANCE TO SITE	R.I. (yr)	Mmax (Mw)	SLIP RATE (mm/yr)	UBC FAULT TYPE	Na	Nv	Ca	Cv
San Andreas	12km 7.5 Miles	210	7.9	24.0	A	1.0	1.1	.44	.70
Zayante	6 km 3.7 Miles	8821	6.8	0.10	B	1.0	1.2	.44	.77
San Gregorio	19.6 km 12.2 Miles	400	7.3	5.00	A	1.0	1.0	.44	.64

- Note: the Monterey Bay/Tularcitos is the critical fault at this site location.

Seismic Hazards

The seismic setting of the site is one in which it is reasonable to assume that the site will experience significant seismic shaking during the lifetime of the project. Active or potentially active faults which may significantly affect the site include the San Andreas (7.5 miles to the northeast), the Zayante (3.7 miles to the northeast), and the San Gregorio (19.6 miles to the southwest). The San Andreas and the San Gregorio faults are classified as Type A faults and the Zayante Fault is classified as a Type B fault.

Seismic hazards which may affect areas of Santa Cruz County are surface ground rupture, seismic shaking, liquefaction and lateral spreading, and seismically induced slope instabilities.

Surface ground rupture occurs in active fault zones. Since the nearest known active or potentially active fault is located 3.7 miles from the site, the potential for surface ground rupture at this site is considered to be low.

Ground shaking will be felt on the site. Structures founded on thick soft soil deposits will experience more destructive shaking, with higher amplitude and lower frequency, than structures founded on bedrock. Generally, shaking will be more intense closer to earthquake epicenters. Thick soft soil deposits large distances from earthquake epicenters, however, may result in seismic accelerations significantly greater than expected in bedrock. Structures built in accordance with the latest edition of the Uniform Building Code for Seismic Zone 4 should experience damage which is repairable. The seismic design of the project should be based on the 1997 Uniform Building Code as it has incorporated the most recent seismic design parameters.

Liquefaction and Lateral Spreading

The site is mapped in areas with a moderate potential for liquefaction (Maps showing Geology and Liquefaction Potential of Quaternary Deposits in Santa Cruz County, California, Dupre (1975). Liquefaction tends to occur in saturated soils composed of loose sand and non-cohesive silts, with low densities and restricted permeability's. An analysis of this site, including soil types, depth to free groundwater, and estimated ground accelerations, indicates that the liquefaction potential is low.

Landsliding

An evaluation of the potential for seismically induced landsliding was outside of our scope of services. Loose and/or saturated soil above the bedrock may be induced to move through the addition of seismic forces where moderate to steep slopes exist. The reference property is generally level with a 5 percent slope to the southeast. The level slope gradient of the site indicates the potential for seismically induced landsliding is low.

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

Based on the results of our investigation the reference property is feasible for development from a geotechnical standpoint, provided our recommendations are closely followed during the design and construction phases of the project. It is feasible to lower (but never eliminate) the level of risk to "ordinary" (as defined in the Scale of Acceptable Risks in Appendix C), by taking into consideration the risks and implementing mitigating measures.

The results of our investigation indicate there are no adverse geotechnical hazards that would preclude the development of this site. Primary geotechnical concerns at the site include strong seismic shaking, adequate bearing support for foundations, and appropriate control of surface runoff.

The project site is located within a seismically active area. Structures designed and constructed in accordance with the most current UBC and the recommendations of this report should react well to seismic shaking.

Due to variations in density and consistency across the property between the native soils and the areas of loose fill spread footings should be supported upon a uniform zone of engineered fill. The fill depth should extend a minimum of two feet below the bottom of the

footings, or 4 feet from existing grades, whichever is greater. The redensification zone should include the entire building footprint and an additional five feet (5') horizontally from all perimeter footing elements.

An engineered drainage plan to handle surface runoff should be developed for this site. Surface and subsurface site drainage should be adequately controlled during and after construction.

The following recommendations should be used as guidelines for preparing project plans and specifications, and assume that **Haro, Kasunich & Associates** will be commissioned to review project grading and foundation plans before construction and to observe, test and advise during earthwork and foundation construction. This additional opportunity to examine the site will allow us to compare subsurface conditions exposed during construction with those inferred from this investigation. Unusual or unforeseen soil conditions may require supplemental evaluation by the geotechnical engineer.

General Site Grading

1. The geotechnical engineer should be notified **at least four (4) working days prior to any grading or foundation excavating** so the work in the field can be coordinated with the grading contractor and arrangements for testing and observation can be made. The recommendations of this report are based on the assumption that the geotechnical

engineer will perform the required testing and observation during grading and construction. It is the owner's responsibility to make the necessary arrangements for these required services.

2. Where referenced in this report, Percent Relative Compaction and Optimum Moisture Content shall be based on ASTM Test Designation D1557.
3. Areas to be graded or to receive proposed improvements should be cleared of all obstructions and fill materials. Existing depressions or voids created during site clearing should be backfilled with engineered fill. Any surface or subsurface obstructions, or questionable material encountered during grading, should be brought immediately to our attention for proper exposure, removal and processing as directed.
4. Cleared areas should then be stripped of organic-laden topsoil. Stripping depth is anticipated to be from 2 to 4 inches, although the actual depth of stripping should be determined in the field by the geotechnical engineer. Strippings should be wasted off-site or stockpiled for use in landscaped areas if desired.
5. Following clearing and stripping of the building area, the existing fill underlying the site should be completely removed until firm, native soil is encountered. In addition, the subgrade below proposed building footprints and/or exterior improvements should be

subexcavated to a minimum depth of 2 feet below bottom of footing elevation, or 4 feet below existing grades, whichever is greater. Below exterior slabs or pavements, the subexcavation depth may be reduced to 12 inches below proposed soil subgrade, provided any existing fill underlying these areas has been removed and redensified as recommended herein.

6. Although not anticipated, if the existing fill at the site extends below a depth of six feet (6'), additional subexcavation will be necessary to ensure that the existing fill is removed entirely. Subexcavation areas should extend a minimum of 5 feet beyond the proposed structures, and 3 feet beyond pavements or exterior slabs.
7. Following subexcavation, the base of the excavation should be scarified, moisture conditioned (or allowed to dry as necessary) to produce a moisture content about 2 to 4 percent above the laboratory optimum value and uniformly compacted to at least 90 percent relative compaction. The site may then be brought to design grades with engineered fill.
8. Engineered fill should be placed in thin lifts not exceeding 8 inches in loose thickness, water conditioned to a moisture content about 2 to 4 percent above optimum, and compacted to at least 90 percent relative compaction. The upper 8 inches of pavement subgrade should be compacted to at least 95 percent relative compaction.

Aggregate base below pavements should likewise be compacted to at least 95 percent relative compaction

9. If grading is performed during or shortly after the rainy season, the grading contractor may encounter compaction difficulty with wet soils of high silt content. If compaction cannot be achieved after mixing and/or adjusting the soil moisture content, it may be necessary to use imported fill or gravel and stabilize the bottom of the excavation with stabilization fabric.

10. Provided they can be adequately moisture conditioned (or dried back) prior to use, the on-site soils (fill and native) appear generally suitable for use as engineered fill. Materials used for engineered fill which must be imported should be free of organic and deleterious material, contain no rocks or clods over 4 inches in dimension, and should contain no more than 15 percent by weight of rocks larger than 2 inches. Imported fill should also be granular, have a Plasticity Index of less than 18, and should have sufficient binder to allow excavations to stand without caving. Prior to delivery to the site, a representative sample of proposed import should be sent to our laboratory for evaluation.

11. We estimate shrinkage factors of about 20 percent for the on-site materials when used in engineered fills.

Cut and Fill Slopes

12. Temporary excavations should be properly shored and braced during construction to prevent sloughing and caving at sidewalls. The contractor should be aware of all CAL OSHA and local safety requirements and codes dealing with excavations and trenches.
13. Permanent cut slopes should be inclined no steeper than 2:1 (horizontal to vertical). The top of all cut slopes should be rounded off to reduce soil sloughing. If seepage is observed, the geotechnical engineer should provide additional recommendations. Cut slopes with these recommended gradients may require periodic maintenance to remove minor soil sloughing.
14. Compacted fill slopes should be constructed at a slope inclination not steeper than 2:1 horizontal to vertical. Fill slopes with these recommended gradients may require periodic maintenance to remove minor soil sloughing. All fills must be adequately benched into competent material, and keys for stability will be required at the toe of the fill embankment. The toe key should be at least 8 feet wide and should extend at least 2 feet into competent soil or bedrock. The bottom of the toe key should be sloped downward at about 2 percent toward the back of the key.
15. There should be a minimum of 10 feet horizontal separation between the bottom of all footing elements and the top of a fill slope or the base of a cut slope.

16. In order to maintain stable slopes at the recommended gradients, it is important that seepage forces and accompanying hydrostatic pressure be relieved by adequate drainage. Adequate backdrains in keyways and benches should be provided. The locations of backdrains and outlets will be determined by the geotechnical engineer in the field during grading.

17. Following grading, exposed soil should be planted as soon as possible with erosion-resistant vegetation.

18. After the earthwork operations have been completed and the geotechnical engineer has finished his observation of the work, no further earthwork operations shall be performed without the direct observation and approval of the geotechnical engineer.

Utility Trenches

19. Trenches must be properly shored and braced during construction or laid back at an appropriate angle to prevent sloughing and caving at sidewalls. The project plans and specifications should direct the attention of the contractor to all CAL OSHA and local safety requirements and codes dealing with excavations and trenches.

20. Utility trenches that are parallel to the sides of buildings should be placed so that they do not extend below an imaginary line sloping down and away at a 2:1 (horizontal to

vertical) slope from the bottom outside edge of all footings. The structural design professional should coordinate this requirement with the utility layout plans for the project

21. Trenches should be backfilled with granular-type material and uniformly compacted by mechanical means to the relative compaction as required by city specifications, but not less than 95 percent under paved areas and 90 percent elsewhere. The relative compaction will be based on the maximum dry density obtained from a laboratory compaction curve run in accordance with ASTM Procedure #D1557.

22. We strongly recommend placing a three-foot (3') concrete plug in each trench where it passes under the exterior foundations. Care should be taken not to damage utility lines.

23. Trenches should be capped with $1.5 \pm$ feet of relatively impermeable soil.

Conventional Footing Recommendations

24. Provided the building area is prepared in accordance with our recommendations, the proposed residences may be supported by continuous, conventional spread footings bearing uniformly on engineered fill as outlined above. A foundation system resting partially on engineered fill and partially on native soil is not recommended.

25. Interior load-bearing walls should be supported on continuous, reinforced concrete foundations that are structurally connected at each end to the continuous perimeter foundations.
26. A minimum footing embedment depth of 15 inches is recommended, as measured from lowest adjacent grade. The foundation trenches should be kept moist and be thoroughly cleaned of all slough or loose materials prior to pouring concrete. In addition, all footings located adjacent to other footings or utility trenches should have their bearing surfaces founded below an imaginary 2:1 plane projected upward from the bottom edge of the adjacent footings or utility trenches.
27. Foundations designed in accordance with the above may be designed for an allowable soil bearing pressure of 2,000 psf for dead plus live loads. This value may be increased by one-third to include short-term seismic and wind loads.
28. Lateral load resistance for structures supported on spread footings may be developed in friction between the foundation bottom and the supporting subgrade. A friction coefficient of 0.38 is considered applicable.

29. All footings should be reinforced in accordance with applicable UBC and/or ACI standards, however, we recommend the continuous footings contain a minimum steel reinforcement of four (4) #4 bars; i.e., two near the top and two near the bottom of the footing.

30. All footing excavations should be thoroughly cleaned and observed by the geotechnical engineer prior to placing forms and steel. Observation of foundation excavations allows anticipated soil conditions to be correlated to those inferred from our investigation and to verify that the footings are in accordance with our recommendations

Retaining Wall Lateral Pressures

31. Retaining walls should be designed to resist both lateral earth pressures and any additional surcharge loads. For design of retaining walls up to 8 feet high, the following design criteria may be used:

- A. Active earth pressure on fully drained walls allowed to yield is that exerted by an equivalent fluid weighing 35 pcf for a level backslope gradient; and 50 pcf for a 2:1 (horizontal to vertical) backslope gradient. **This assumes a fully drained condition.**
- B. Where walls are restrained from moving at the top, as in the case for basement walls, design for a uniform rectangular distribution equivalent to 25H psf per foot of wall height for a level backslope, and 35H psf per foot of

wall height for a 2:1 backslope (where H is the height of the wall).

- C. Use a coefficient of friction between base of foundation and native soil of 0.38.
- D. In addition, the walls should be designed for any adjacent live or dead loads which will exert a force on the wall (garage and/or auto traffic).
- E. Retaining walls used as interior living space should be thoroughly waterproofed.

32. For seismic design of interior structural retaining walls, a dynamic surcharge load equal to $10H$ psf, where H is the height of the wall, should be added to the above active lateral earth pressures.

33. Fully drained walls should be backfilled with drainage materials consisting of Class 1, Type A permeable material complying with Section 68-1.025 of Caltrans Standard Specifications, latest edition.

34. The drainage material should be at least 12 inches thick. The drains should extend from the base of the walls to within 12 inches of the top of the backfill. A perforated, rigid pipe should be placed (holes down) about 4 inches above the bottom of the wall and be tied to a suitable drain outlet. Wall backdrains should be capped at the surface with clayey material to prevent infiltration of surface runoff into the backdrains. A layer of filter fabric

(Mirafi 140N or equivalent) should separate the subdrain material from the overlying soil cap.

Concrete Slabs-on-Grade

35. Building floor slabs and exterior slabs should be constructed on properly water conditioned and compacted soil subgrades. Soil subgrades should be prepared and compacted as recommended in the section entitled "General Site Grading". Soil moisture should be consistently maintained at 2 to 3 percent over optimum until the slab is poured. If the subgrade is allowed to dry out, it should be adequately pre-moistened for at least 48 hours prior to pouring concrete.

36. Slab reinforcing should be provided in accordance with the anticipated use and loading of the slab, however we recommend a minimum reinforcement of #3 bars spaced 16 inches on-center in both directions. The steel reinforcement should be held firmly in the vertical center of the slab during placement and finishing of the concrete with pre-cast concrete dobies.

37. Where floor dampness must be minimized or where floor coverings will be installed, concrete slabs-on-grade should be constructed on a capillary break layer at least 4 inches thick, covered with a membrane vapor retarder. Capillary break material should be free-draining, clean gravel or rock, such as 3/4-inch gravel. The gravel should be washed

to remove fines and dust prior to placement on the slab subgrade. The vapor retarder should be a high quality membrane at least 10 mil in thickness. A layer of sand about 2 inches thick should be placed between the vapor retarder and the floor slab to protect the membrane and to aid in curing concrete. The sand should be lightly moistened prior to placing concrete.

38. Exterior concrete slabs-on-grade should be founded on firm, well-compacted ground as delineated above. Reinforcing should be provided in accordance with the anticipated use and loading of the slab. The reinforcement should not be tied to the building foundations. These exterior slabs can be expected to suffer some cracking and movement. However, thickened exterior edges, a well-prepared subgrade including pre-moistening prior to pouring concrete, adequately spaced expansion joints, and good workmanship should minimize cracking and movement.

Surface Drainage

39. An engineered drainage plan to handle surface runoff should be developed for this site. Site drainage should be adequately controlled both during and after construction.

40. The site should be graded to promote positive runoff towards an approved discharge point offsite.

41. All exposed soil should be landscaped and permanently protected against erosion as soon as possible after grading.
42. We recommend that full gutters be used along all roof down eaves to collect storm runoff water and channel it through closed rigid conduits to a suitable discharge point away from all structural improvements.
43. Surface runoff should **not** be allowed to flow onto graded or natural slopes. Consideration should be given to catch basins, berms, concrete v-ditches, or drainage swales at the top of all slopes to intercept runoff and direct it to a suitable discharge point.
44. Surface drainage should include provisions for positive gradients so that surface runoff is not permitted to pond adjacent to foundations and on pavements. Surface drainage should be directed away from the building foundations, on a minimum gradient of 2 percent for a distance of at least 3 feet to an adequate discharge point. Concentrations of surface water runoff should be handled by providing necessary structures, such as paved ditches, catch basins, etc.

45. Irrigation activities at the site should be done in a controlled and reasonable manner. Planter areas should not be sited adjacent to walls; otherwise, measures should be implemented to contain irrigation water and prevent it from seeping into walls and under foundations.

46. The migration of water or spread of extensive root systems below foundations, slabs, or pavements may cause undesirable differential movements and subsequent damage to these structures. Landscaping should be planned accordingly.

47. Drainage patterns approved at the time of fine grading should be maintained throughout the life of proposed structures.

Pavement Design

48. R-Value test results of finished subgrade soil at this site have not been performed. To have selected pavement sections perform to their greatest efficiency, it is very important that the following items be considered:

- a. Scarify and moisture condition the top eight inches (8") of subgrade and compact to a minimum relative compaction of 95 percent, at a moisture content which is about 4 percent above laboratory optimum value.
- b. Provide sufficient gradient to prevent ponding of water.

- c. Use only quality materials of the type and thickness (minimum) specified. All baserock ($R=78$ minimum) must meet CALTRANS Standard Specifications for Class 2 Untreated Aggregate Base (Section 26). All subbase ($R=50$ minimum) must meet CALTRANS Standard Specifications for Class 2 Untreated Aggregate Subbase, (Section 25).
- d. Compact the baserock and subbase uniformly to a minimum relative compaction of 95 percent.
- e. Place the asphaltic concrete only during periods of fair weather when the free air temperature is within prescribed limits.
- f. Maintenance should be undertaken on a routine basis.

Plan Review, Construction Observation and Testing

49. Our firm should be provided the opportunity for a general review of the project plans prior to construction so that our geotechnical recommendations may be properly interpreted and implemented. The purpose is to determine if this preliminary report is adequate and complete for the final planned grading and construction. It is not intended that the geotechnical engineer approve or disapprove the plans, but to provide an opportunity to update the preliminary report and include additions or qualifications as necessary. If our firm is not accorded the opportunity of making the recommended review, we can assume no responsibility for misinterpretation of our recommendations.

50. We recommend that our office review the project plans prior to submittal to public agencies, to expedite project review. The recommendations presented in this report require our review of final plans and specifications prior to construction and upon our observation and, where necessary, testing of the earthwork and foundation excavations. Observation of grading and foundation excavations allows anticipated soil conditions to be correlated to those actually encountered in the field during construction.

LIMITATIONS AND UNIFORMITY OF CONDITIONS

1. The conclusions and recommendations noted in this report are based on probability and in no way imply that the proposed improvements will not possibly be subjected to ground failure or seismic shaking so intense they will be severely damaged or destroyed.
2. This report is issued with the understanding that it is the duty and responsibility of the owner or his representative or agent to ensure that the recommendations contained in this report are brought to the attention of the architects and engineers and contractors for the project, incorporated into the plans and specifications, and that the necessary steps are taken to see that the contractor and subcontractors carry out such recommendations in the field.
3. The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice in the Santa Cruz County area. No other warranty, expressed or implied, is made.
4. If any unexpected variations in soil conditions, or if adverse soil conditions are encountered during construction, or if the proposed construction will differ from that planned at the present time, Haro, Kasunich and Associates should be notified so that supplemental recommendations can be given.
5. The findings of this report are valid as of the present date. However, changes in the conditions of a property can occur with the passage of time, whether they are due to natural processes or to the works of man, on this or adjacent properties. In addition, changes in applicable or appropriate standards occur whether they result from legislation or the broadening of knowledge. Accordingly, the findings of this report may be invalidated, wholly or partially, by changes outside our control. Therefore, this report should not be relied upon after a period of three years without being reviewed by a geotechnical engineer.

APPENDIX A

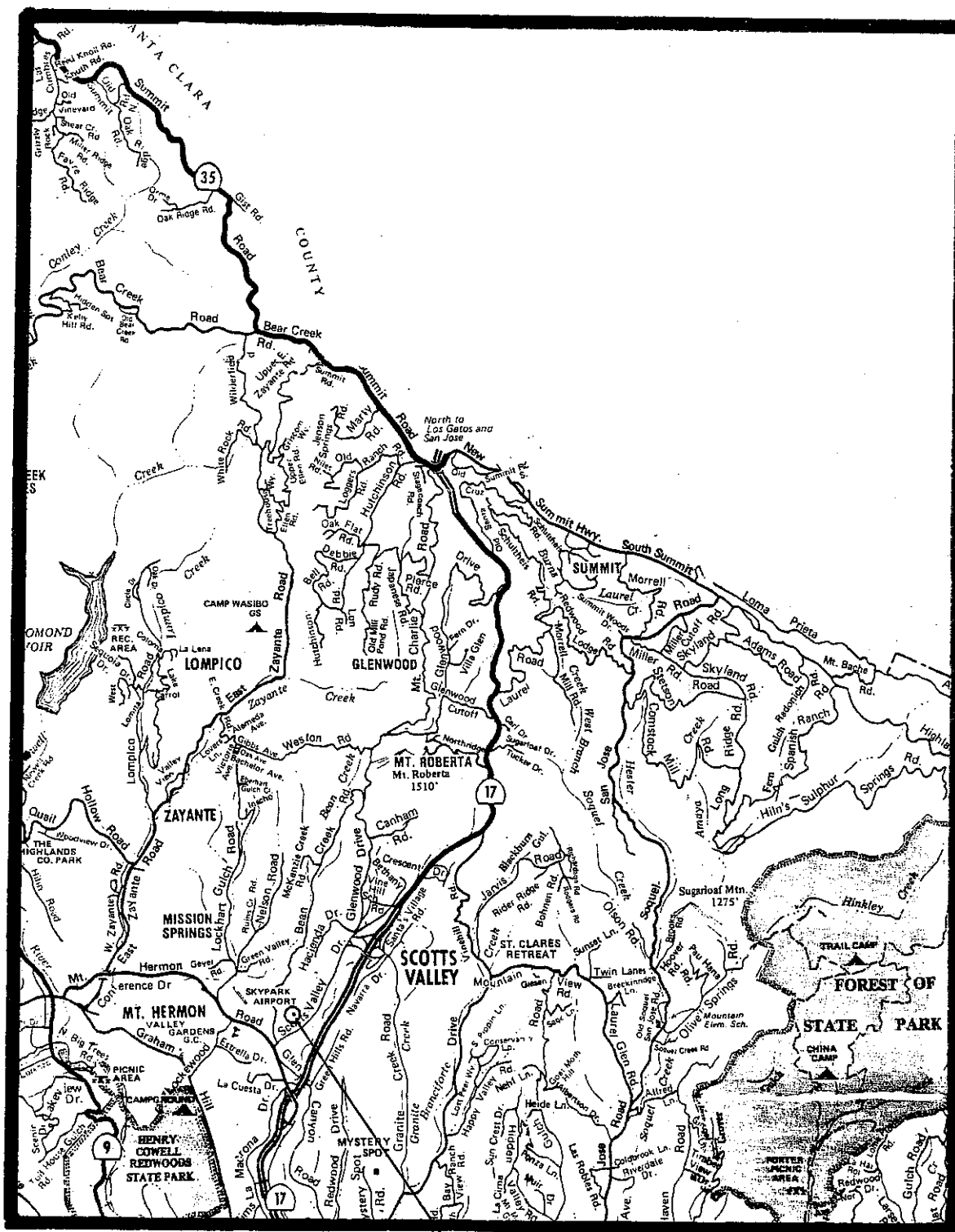
Vicinity Map

Boring Site Plan

Key to Logs

Logs of Test Borings

Laboratory Test Results



Site Location

PROJECT NO. SC 8998

DATE 11/22/05

SCALE NTS

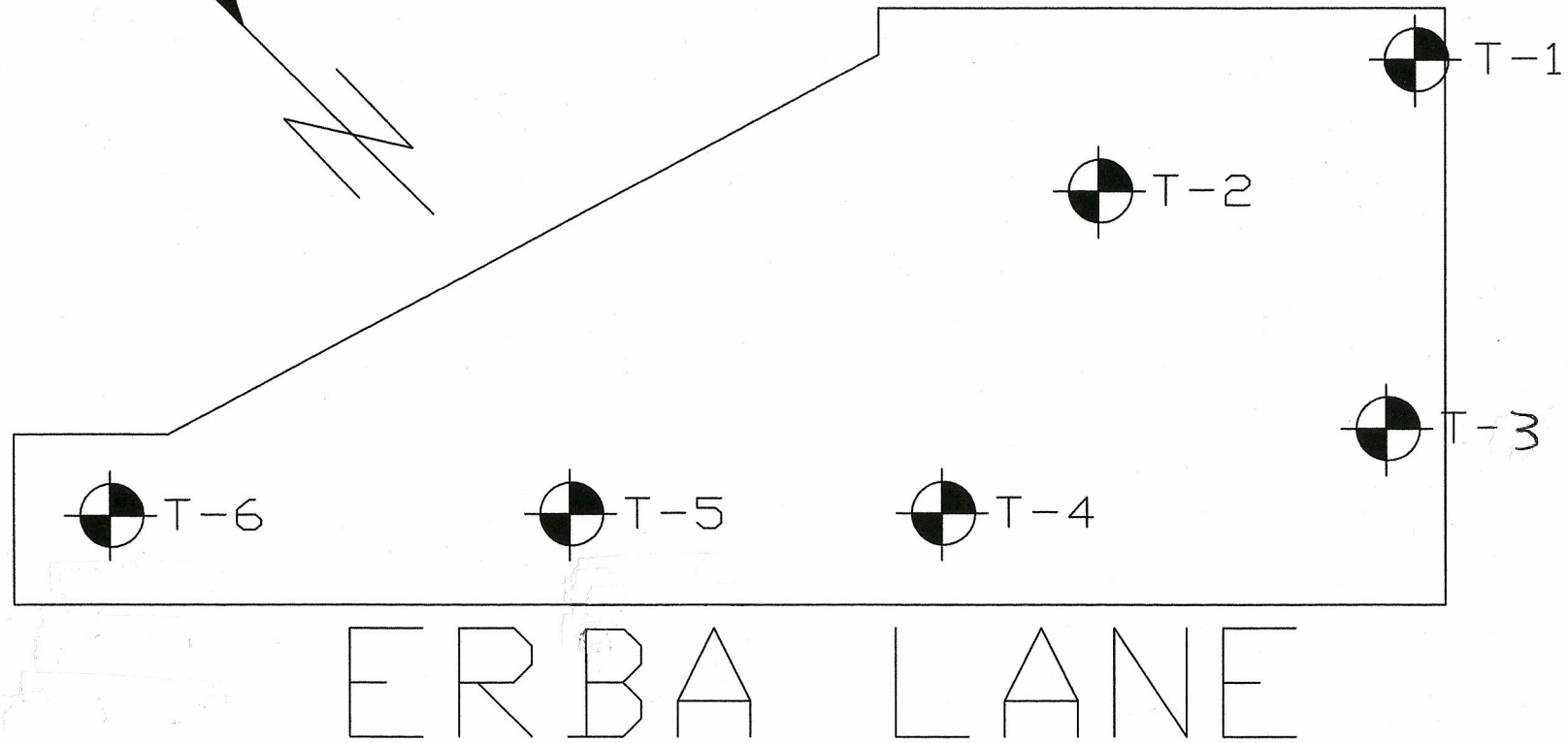
DRAWN BY TL

Site Vicinity Map
Erba Lane
Scotts Valley, Santa Cruz County, California

HARO, KASUNICH & ASSOCIATES

FIGURE NO.

CITY PARK



ERBA LANE

NOTES:

⊙ T-1 DENOTES FIELD EXPLORATORY BORING

LOCATIONS OF FIELD EXPLORATORY BORINGS
ERBA LANE
SCOTTS VALLEY, SANTA CRUZ COUNTY, CALIFORNIA

SCALE: 1"=40'

DRAWN BY: MC

DATE: NOVEMBER 2005

REVISED:

JOB NO. SC8998

HARD, KASUNICH & ASSOCIATES, INC.
GEOTECHNICAL AND COASTAL ENGINEERS
116 E. LAKE AVENUE, WATSONVILLE, CA 95076
(831) 722-4175

FIGURE NO. 2

SHEET NO. 395
OF 1

PRIMARY DIVISIONS			GROUP SYMBOL	SECONDARY DIVISIONS
COARSE GRAINED SOILS MORE THAN HALF OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVELS MORE THAN HALF OF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE	CLEAN GRAVELS (LESS THAN 5% FINES)	 GW	Well graded gravels, gravel-sand mixtures, little or no fines.
		GRAVEL WITH FINES	 GP	Poorly graded gravels or gravel-sand mixtures, little or no fines.
			 GM	Silty gravels, gravel-sand-silt mixtures, non-plastic fines
			 GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines.
	SANDS MORE THAN HALF OF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE	CLEAN SANDS (LESS THAN 5% FINES)	 SW	Well graded sands, gravelly sands, little or no fines.
		SANDS WITH FINES	 SP	Poorly graded sands or gravelly sands, little or no fines.
			 SM	Silty sands, sand-silt mixtures, non-plastic fines.
			 SC	Clayey sands, sand-clay mixtures, plastic fines.
FINE GRAINED SOILS MORE THAN HALF OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS LIQUID LIMIT IS LESS THAN 50%		 ML	Inorganic silts and very fine sands, rock flour, silty or clayey fine sands or clayey silts with slight plasticity.
	SILTS AND CLAYS LIQUID LIMIT IS GREATER THAN 50%		 CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays.
			 OL	Organic silts and organic silty clays of low plasticity.
			 MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts
			 CH	Inorganic clays of high plasticity, fat clays.
			OH	Organic clays of medium to high plasticity, organic silts.
HIGHLY ORGANIC SOILS			PT	Peat and other highly organic soils.

GRAIN SIZES

U.S. STANDARD SERIES SIEVE

CLEAR SQUARE SIEVE OPENINGS

200

40

10

4

3/4"

3"

12"

SILTS AND CLAYS	SAND			GRAVEL		COBBLES	BOULDERS
	FINE	MEDIUM	COARSE	FINE	COARSE		

RELATIVE DENSITY

SANDS AND GRAVELS	BLOWS/FT*
VERY LOOSE	0 - 4
LOOSE	4-10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	OVER 50

CONSISTENCY

SILTS AND CLAYS	STRENGTH**	BLOWS/FT*
VERY SOFT	0 - 1/4	0 - 2
SOFT	1/4 - 1/2	2 - 4
FIRM	1/2 - 1	4 - 8
STIFF	1 - 2	8 - 16
VERY STIFF	2 - 4	16 - 32
HARD	OVER 4	OVER 32

*Number of blows of 140 pound hammer falling 30 inches to drive a 2 inch O.D. (1 3/8 inch I.D.) split spoon (ASTM D-1586)

**Unconfined compressive strength in tons/ft² as determined by laboratory testing or approximated by the standard penetration test (ASTM D-1586), pocket penetrometer, torvane, or visual observation

HARO, KASUNICH & ASSOCIATES

KEY TO LOGS

FIGURE No.

LOGGED BY MC DATE DRILLED September 1, 2005 BORING DIAMETER 6" BORING NO. B-1

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 30 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			Fill	SM					
1-1 (L)			Dark brown Silty SAND, loose to medium dense, damp		18			5.9	
1-2 (L)					9		98	8.6	
			Loose						
5					12				
1-3 (L)			Native	SM			111	7.5	Passing #200 Sieve = 17.3%
			Dark brown fine grain Sandy SILT, loose, dense, moist				106	6.1	
10					38		104	15.6	
1-4 (L)			Dark brown Silty Clayey SAND with 1/16 to 1/8 inch clasts, medium dense, moist						
15					54		124	10.8	
1-5 (L)			Grey brown medium coarse Silty SAND, medium dense to dense, moist	SM					
20					26			11.4	
1-6 (T)			Some clay binder slight increase in moisture						
25			Consistant drilling						
30					50/6"			7.8	
1-7 (T)			Light brown medium - coarse grain Sand, (Sandstone), moist, very dense						
			Boring terminated at 31.5 feet						
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK

FIGURE NO. 1

LOGGED BY MC DATE DRILLED September 1, 2005 BORING DIAMETER 6" BORING NO. B-2

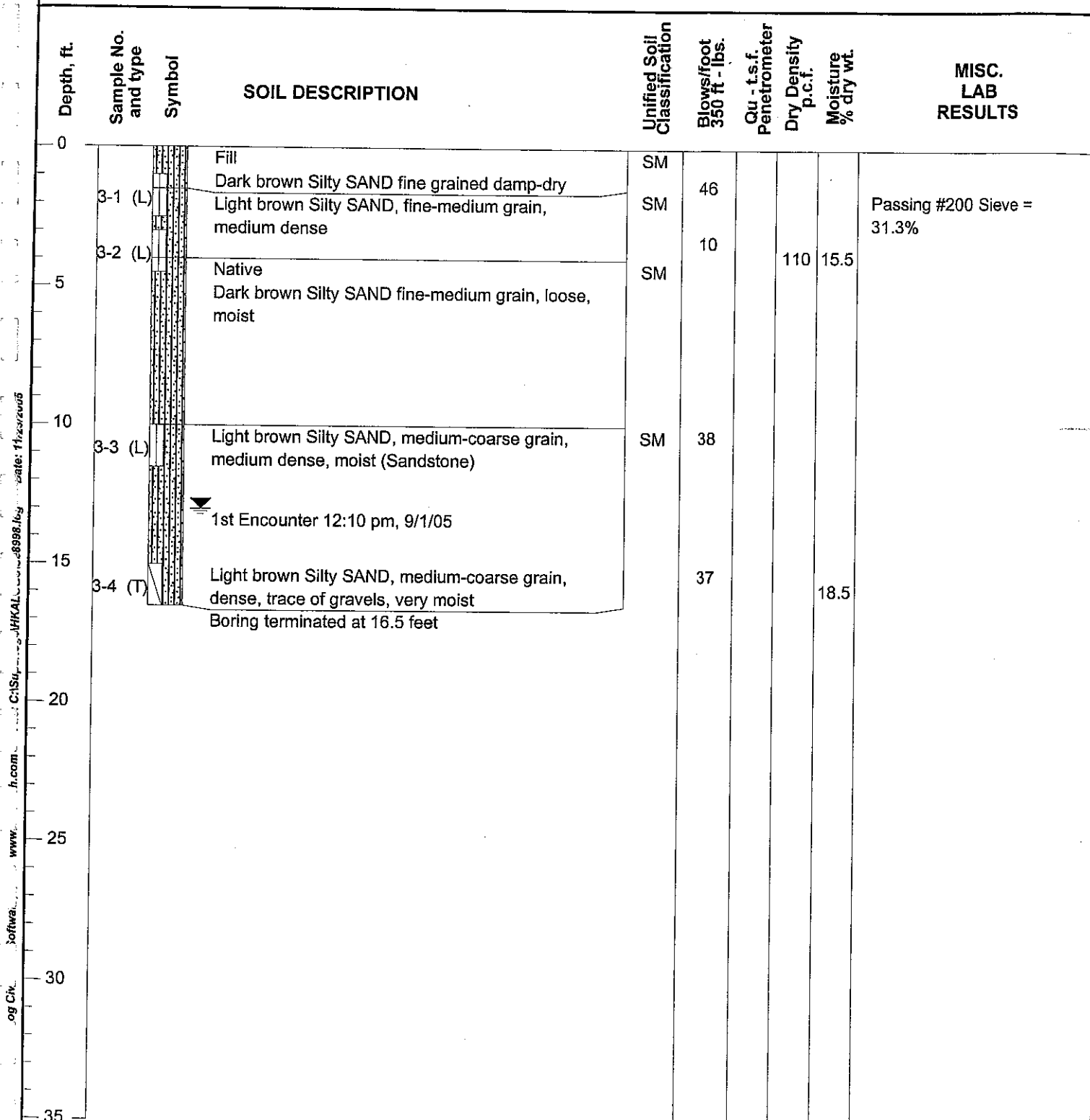
Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			Fill	SM					
2-1 (L)			Light brown Silty SAND, medium dense, dry-damp	SM	27			5.2	
			Native	SM					
2-2 (L)			Light brown Silty SAND, fine-medium grain, medium dense, damp		66		113	15.6	
2-3 (L)			Light brown Silty SAND, fine-medium grain with trace of gravel/mudstone, very dense, damp		50/6"		110	5.7	
2-4 (L)			Light brown Silty SAND medium-coarse grain with trace of gravel, medium dense, damp	SM	56		118	9.0	
2-5 (T)			Light brown, orange coarse grain SAND with Silt, medium dense, moist		22			10.4	
			Grey, medium-coarse Silty SAND, some small layer of fine grain sand, very dense, moist						
2-6 (T)					71			11.0	
Boring terminated at 26.5 feet									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK

FIGURE NO. 2

LOGGED BY MC DATE DRILLED September 1, 2005 BORING DIAMETER 6" BORING NO. B-3



HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK

FIGURE NO. 3



Erba Lane
Santa Cruz County, California

PROJECT NO. SC8998

LOGGED BY MC DATE DRILLED September 1, 2005 BORING DIAMETER 6" BORING NO. B-4

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - ts.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			Fill, orange Silty SAND fine - medium grain with 3/4" Granite "baserock"	SM					
4-1 (L)			Native, dark brown Silty SAND, fine - medium grain, loose, dry-damp	SM	17			7.6	
5									
4-2 (L)			Light brown Silty SAND, medium coarse grain, loose, damp-moist	SM	13		110	10.5	Passing #200 Sieve = 19.8%
10									
4-3 (T)			Light brown Silty SAND, fine - medium grain medium dense, damp-moist		14			13.3	
15									
4-4 (T)			Light brown Silty SAND, medium-coarse grain dense - very dense, moist		62			13.7	
			Boring terminated at 16.5 feet						
20									
25									
30									
35									

HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK

FIGURE NO. 4



Erba Lane
Santa Cruz County, California

PROJECT NO. SC8998

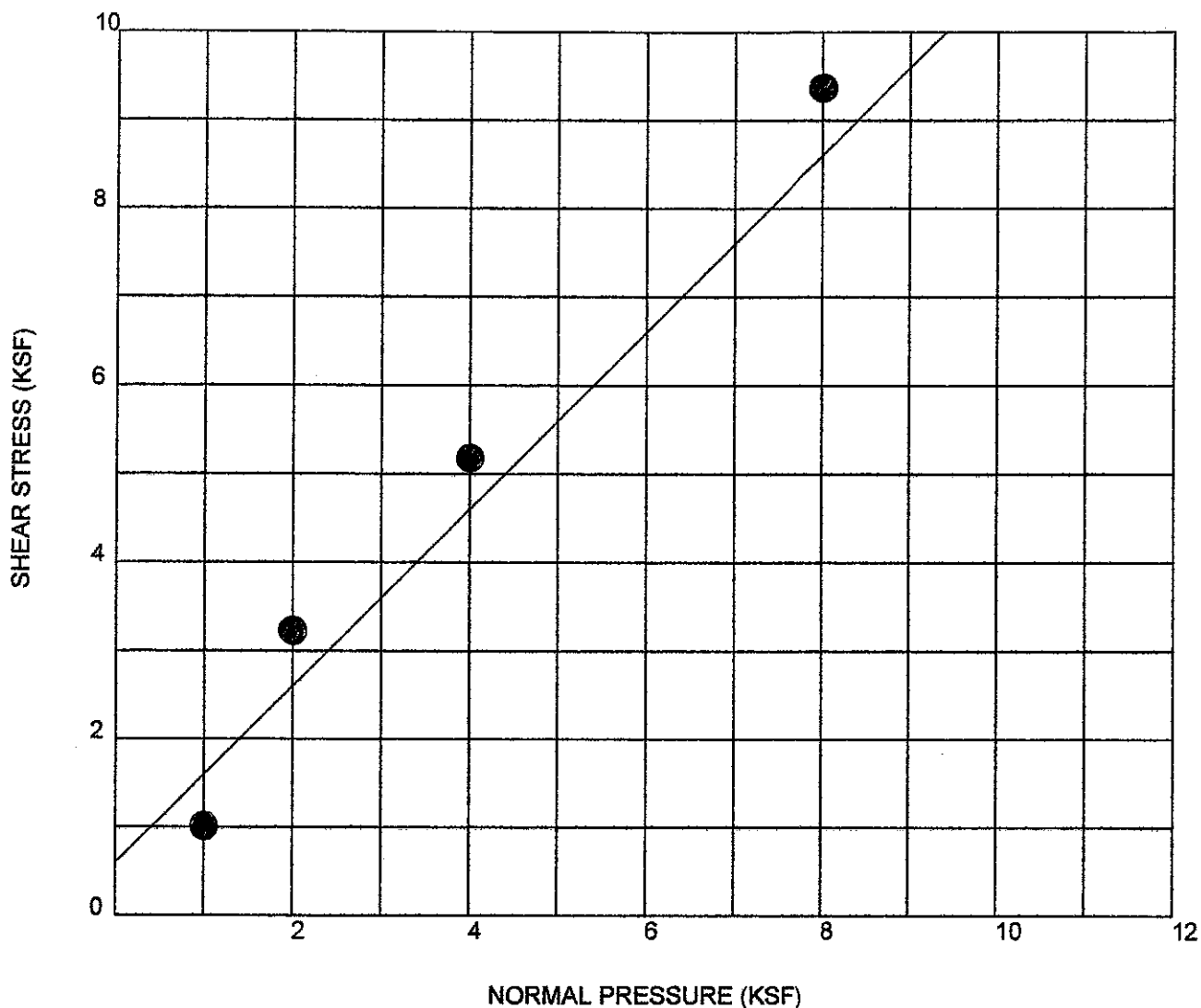
LOGGED BY MC DATE DRILLED September 1, 2005 BORING DIAMETER 6" BORING NO. B-6

Depth, ft.	Sample No. and type	Symbol	SOIL DESCRIPTION	Unified Soil Classification	Blows/foot 350 ft - lbs.	Qu - t.s.f. Penetrometer	Dry Density p.c.f.	Moisture % dry wt.	MISC. LAB RESULTS
0			Fill, orange Silty SAND fine-medium grain with 3/4 inch Granite gravels	SM					
6-1 (L)			Native, Light brown Silty SAND fine - medium grain, medium dense, damp	SM	34		107	7.7	Direct Shear: C = 1000 psf, phi = 34 degrees
6-2 (L)			Light brown Silty SAND medium - coarse grain, medium dense, damp	SM	27		107	3.8	
6-3 (L)			Light brown Silty SAND medium - fine grain loose, dry-damp	SM	14		116	3.1	
6-4 (T)			Light brown Silty SAND, medium - fine grain, medium dense, damp - moist		15			19.8	
6-5 (T)			Light brown Silty SAND medium - coarse grain, medium dense - dense, damp - moist	SM	29			14.5	
			Boring terminated at 21.5 feet						
35									

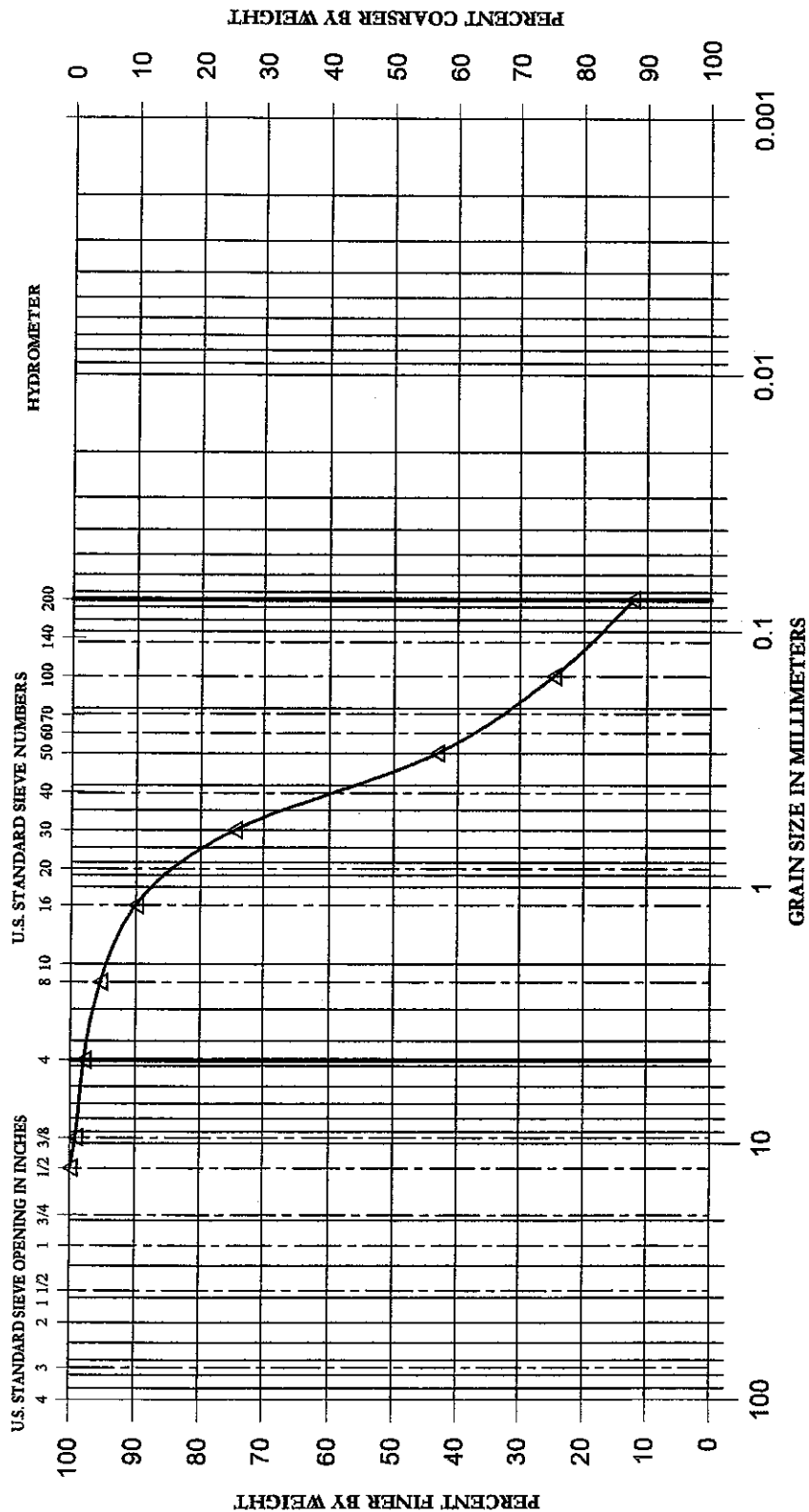
HARO, KASUNICH AND ASSOCIATES, INC.

BY: DK

FIGURE NO. 6



SAMPLE DATA		TEST DATA				
DESCRIPTION: Dark brown Silty SAND with small gravels		TEST NUMBER	1	2	3	4
BORING NO.: B-5 RING SAMPLES NO.: 5-1-2		NORMAL PRESSURE (KSF)	1.0	2.0	4.0	8.0
DEPTH OF SAMPLE: 18" BG ELEVATION (FT): 0.0		SHEAR STRENGTH (KSF)	0.997	3.213	5.171	9.358
IN-SITU DIRECT SHEAR TEST RESULTS		MOISTURE SOAKED (%)				
APPARENT COHESION (C): 300 psf		MOISTURE RECEIVED (%)	8.3	6.7	7.0	9.2
APPARENT ANGLE OF INTERNAL FRICTION (ϕ): 45		MOISTURE CHANGE (%)				
		FINAL DRY DENSITY (PCF)	89.7	101.2	101.7	95.5
Project No.: SC8998		Erba Lane Santa Cruz County, California				
Date: 23 September 2005						
HARO, KASUNICH & ASSOCIATES			Figure No.			



GRAVEL		SAND		SILT AND CLAY	
COARSE	FINE	COARSE	FINE		

GRAVEL CONTENT: 2.0%
 SAND CONTENT: 85.7%
 FINES CONTENT: 12.3%

Boring No. 1, Sample 1-3-2

Soil Description: Dark to light brown Silty SAND



116 East Lake Avenue, Watsonville, California 95076
 (831) 722-4175 ~ Fax (831) 722-3202

HKA Project No: SC8998

Date: November 2005

Scale: N/A

GRAIN SIZE DISTRIBUTION

Erba Lane
 Santa Cruz County, California

Drawn By: Ag

Figure No.

Compaction Test

Project: Erba Lane			Project #			
Descriptn: Dk Brn Si/Sa Fine/Med Grain			Date: September 8, 2005			
Import Orange Si/Sa Med Grain W/3/4" Granite			Tested By:		JR	
Type:	4" mold	Curve:	1	Sample Wt.		2400 gr.
Moisture		0	+2	+4	+6	0
Wt. Mold+Comp. Soil		4041.1	4101.9	4215.9	4199.7	0.0
Wt. of Mold	2127.0	2127.0	2127.0	2127.0	2127.0	0.0
Vol. Factor:	0.066	0.066	0.066	0.066	0.066	0.000
Tare No.:		182	451	108	400	
Wet Wt.+Tare:		851.8	894.7	944.1	821.7	
Dry Wt.+Tare:		818.2	842.5	877.7	751.2	
Wt. Comp. Soil		1914.1	1974.9	2088.9	2072.7	0.0
Tare Wt.		72.1	73.6	76.2	72.4	
Net Dry Wt.		746.1	768.9	801.5	678.8	0.0
Wt. of Water		33.6	52.2	66.4	70.5	0.0
Wet Density		126.3	130.3	137.9	136.8	0.0
Water Content		0.045	0.068	0.083	0.104	#DIV/0!
Water Content %		4.5%	6.8%	8.3%	10.4%	#DIV/0!
Dry Density		120.9	122.1	127.3	123.9	#DIV/0!

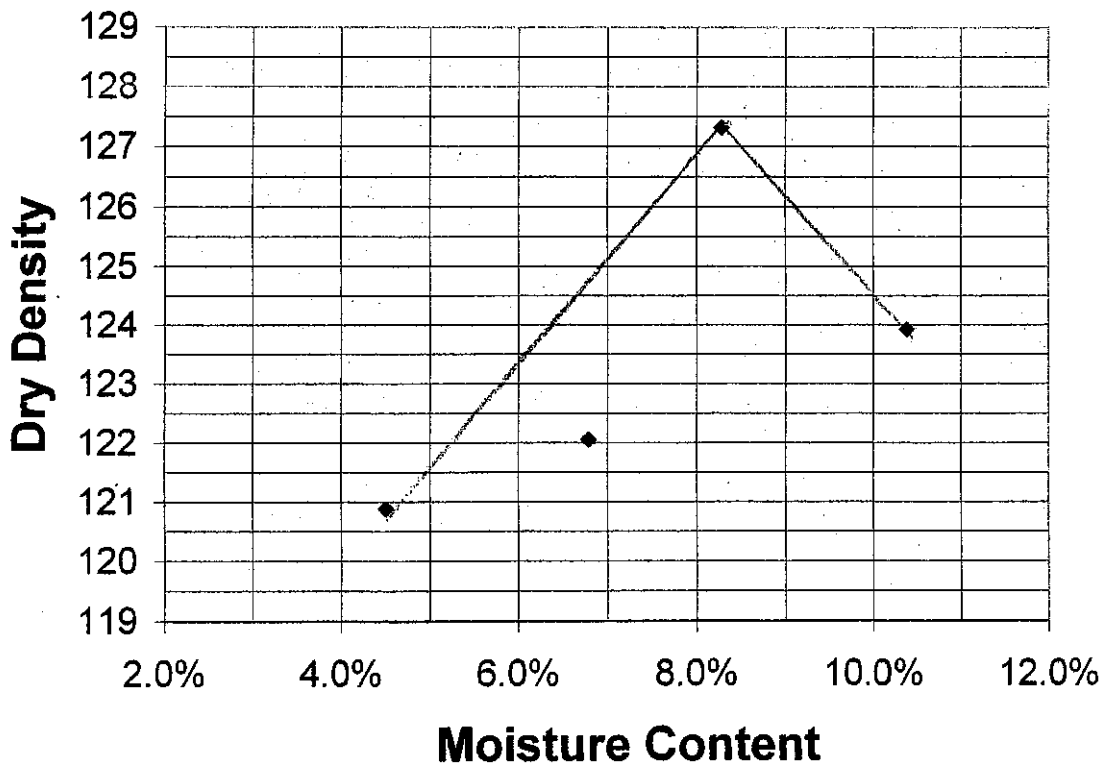
Laboratory

Max D.D.
127.3
Opt Moist.
8.3%

Corrected

Max D.D.
127
Opt Moist.
8.0%

MC

Maximum Compaction



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3949 RESEARCH PARK COURT, SUITE 100 • SOQUEL, CA 95073-2049

PHONE (831) 426-3560 FAX (831) 426-9182 www.bowmanandwilliams.com

PRELIMINARY STORM WATER CONTROL PLAN

For

**Scotts Valley Housing, LLC
Erba Lane
Scotts Valley, California**

Prepared for Scotts Valley Housing, LLC

Date: September 10, 2018

Job No. 26390

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Attachments

Stormwater Control Plan Exhibit
Stormwater Control Measures Sizing Calculator (submit Excel file)

Appendices

I. Project Data

Project Name: Scotts Valley Housing, LLC

Application Submittal Date:

Project Location: Erba Lane easterly parking lot south of Ridgecrest Lane

Assessor's Parcel Number: APN 022-481-18

Project Description: Replace existing parking lots along Erba Lane with 12 Residential Homes.

Total Project Site Area (acres): 1.0386

Total New Impervious Surface Area (Sq.Ft.): 4,345

Total Replaced Impervious Surface Area (Sq.Ft.): 21,579

Total Pre-Project Impervious Surface Area (Sq.Ft.): 32,280

Total Post-Project Impervious Surface Area (Sq.Ft.): 25,924

Net Impervious Area (Sq.Ft.): 19,568

Watershed Management Zone(s): 1

Design Storm Frequency and Depth: 95th Percentile and 2.6 inches

Urban Sustainability Area: N/A

Project Tier: 4

II. Setting

II.A. Project Location and Description: The site is the existing parking that fronts the easterly right of way of Erba Lane and south of Ridgecrest Lane. It has been re-zoned for High Density residential housing and to be subdivided into 14 lots. The subdivision will be made up of 12 residential lots and 2 common area lots. The common area lots will consist of 2 parking stalls at the northerly end of the site just south of Ridgecrest Lane and a new access road on the southerly portion of the site that services 5 of the 12 residential lots. The residential units will be setback 25 feet from the 100-year storm flood boundary of existing intermittent drainage swale to the east the site.

II.B. Existing Site Features and Conditions: The site is trapezoidal in shape, it's longest length 320 feet +/- which runs north and south and is approximately 1.0387 more or less acres in size. The westerly two-thirds of the site consist of two existing asphalt concrete parking lots. The two parking lots are not conjoined but are accessible from Erba Lane and separated by a small slope bank with an approximately grade of 3 to 1. The easterly portion of the site gradually slopes towards the existing intermittent drainage swale. The site is made up of a fill wedge varying in depth starting from the south and increase to approximate 5 feet of fill depth at the northern limits of the site. The Geotechnical investigation has deemed the fill material unsuitable for structural support at its current condition and has called for it to be removed and recompacted. According to the USDA Web Soil Survey the southwesterly portion of the site adjacent to Erba Lane is Zayante Coarse Sand with a Ksat of 5.95 to 19.98 inches per hour and remainder of the site adjacent to the drainage swale is Soquel Loam with a Ksat of 0.20 to 0.57 inches per hour.

II.C. Opportunities and Constraints for Stormwater Control: The proposed road that services the proposed sub-division will be comprised of permeable pavers section and asphalt concrete section. The permeable paver section of the road, adjacent to Erba Lane will contain a retention storage basin beneath it. The retention basin resides where the Zayante Coarse Sand is shown on-site according to the USDA soils survey and thus providing moderate percolation rates for the proposed site BMP. Stormwater overflow runoff from the proposed drainage system will be conveyed to the existing public storm drainage system by installing a new manhole, curb inlet and 18" storm drainage line running south approximately 425 linear feet in Erba Lane to the existing storm drainage system.

III. Low Impact Development Design Strategies

III.A. Optimization of Site Layout:

III.B. Use of Permeable Pavements: Permeable pavers will be used to mitigate driveway runoff at each residential lot, common area parking lot and portion of the road serving lots 8 through 12. The driveways and common area parking lot stormwater runoff will be captured in individual perforated sub-drain pipes which will be connected to 12" collector pipe running north and south and parallel to Erba Lane. The common road servicing the interior lots will have a permeable pavement section adjacent to Erba Lane and downstream of the asphalt concrete pavement section portion of roadway. Stormwater runoff from the upstream paved section of roadway will surface flow and infiltrate into the permeable section downstream.

III.C. Dispersal of Runoff of Pervious Areas: All hardscape stormwater runoff will be directed directly to the retention system below the access (Sams Lane) road. The decomposed granite pathway from the northern parking lot to the intermittent drainage swale will have some stormwater runoff being directed overland to the existing swale. The majority of the lots stormwater runoff bordering the existing drainage swale will be routed to

the on-site retention system. The intent is to avoid dispersion of site drainage to the existing drainage swale to the west.

III.D. Stormwater Control Measures: The post development impervious surface will be less than the pre-development thus post development peak flows discharge from the site for the 10 year 24 hour event. Hence no peak management will be required for the project. With permeable pavers and storm chambers beneath the common service road our goal is to retain the 95th percentile storm event. Individual lots' roofs, driveways, and hardscape stormwater runoff will be conveyed via storm drain pipe network to the sized retention storage basin beneath the road.

IV. Documentation of Drainage Design

IV.A. Description of Drainage Management Area: This site has one drainage management area for entire sub-division:

IV.A.1. Drainage Management Area Tabulation

DMA#1

Impervious Surfaces	22,206 Square Feet / 0.5098 Acres
Permeable Surfaces	6,147 Square Feet / 0.1423 Acres

IV.A.2. Drainage Management Area Descriptions:

DMA#1 Totaling 25,924* Square Feet, drains to site retention storage area beneath common roadway servicing lots 8 through 12.

*Table 4-6 Correction Factor for Use in Calculating Equivalent Impervious Surface Area (EISA) per Scotts Valley Stormwater Technical Guide, EISA for permeable pavement is 0.60.

IV.B. Tabulation and Size Calculations

PRE-DEVELOPMENT AREA			POST DEVELOPMENT AREA			
SITE IMPERVIOUS SURFACES			SITE IMPERVIOUS SURFACES		SITE PERMEABLE SURFACES	
EXISTING			NEW	REPLACED	NEW	REPLACED
SQ. FT.			SQ. FT.	SQ. FT.	SQ. FT.	SQ. FT.
	32,280		3,604	18,173	1,105	5,520
					EQUIVALENT IMPERVIOUS SURFACE FACTOR	
					0.6	0.6
					EQUIVALENT IMPERVIOUS SURFACE ADJUSTED	
					663	3,312
			NEW AND REPLACE CREDIT ADJUSTMENTS FOR RETENTION*			
			1	0.5	1	0.5
			ADJUSTED POST DEVELOPMENT IMPERVIOUS AREAS			
			3,604	9,087	663	1,656
TOTAL ADJUSTED POST DEVELOPMENT IMPERVIOUS SURFACES FOR RETENTION CALCULATIONS						
TOTAL ADJUSTED IMPERVIOUS SURFACE AREA					15,010	SQ. FT.
95TH PERCENTILE RAIN EVENT					2.6	INCHES / 24 HRS
RETENTION STORAGE VOLUME REQUIRED					3,252	CUBIC FEET
*REPLACED IMPERVIOUS SQUARE FOOTAGE MAY BE MULTIPLIED BY 0.5 BEFORE ENTERING INTO BMP SIZING CALCULATION						

RETENTION VOLUME NEEDED					3252 CUBIC FEET
PERMEABLE PAVER AREA			1957 FEET		
ADS STORMTECH CHAMBER					
	CHAMBER MC-3500				
	FOOT PRINT		703	SQUARE FEET	
	CHAMBER COVERAGE		24	"	
	CHAMBER ROCK COVERAGE		21	"	
	CALCULATED VOLUME		2454	CUBIC FEET	
	ROW 1		5	CHAMBERS	
	ROW 2		5	CHAMBERS	
	DRAIN ROCK VOID RATIO		0.4		
PERMEABLE PAVER SECTION					
	80 mm PAVERS				
	2 " MIN THICKNESS OF 3/8" DRAIN ROCK				
	19 " MIN THICKNESS OF 3/4" DRAIN ROCK				
	40 PERCENT VOID RATIO				
	21 " TOTAL DRAIN ROCK THICKNESS (TO MATCH STORMTECH ROCK COVERAGE)				
PERMEABLE PAVER SECTION STORAGE VOLUME					878 CUBIC FEET
	1.75 MINIMUM DEPTH IN FEET OF DRAIN ROCK BENEATH PAVER SECTION				
	0.4 DRAIN ROCK VOID RATIO				
	1254 PAVER AREA OUTSIDE OF STORMTECH CHAMBER FOOT PRINT				
	(STORMTECH CHAMBER VOLUME CALCULATIONS INCLUDE PAVER AREA ABOVE)				
TOTAL STORAGE VOLUME CALCULATED					3332 CUBIC FEET
	STORAGE VOLUME NET GAIN				80 CUBIC FEET

V. Source Control Measures

V.A. Site activities and potential sources of pollutants

The proposed project will be a single family home development. Potential sources of pollutants will be runoff from activities such as car washing, fertilizers, pesticides etc...

V.B. Table 4, Sources and Source Control Table

Table 5

Potential Source of Pollutants	Permanent Source Control BMP's	Operational Source Control BMP's
On-site storm drain inlets	Mark all inlets with the words "No Dumping! Flows to Bay"	Maintain and periodically replace inlet markings Provide stormwater pollution prevention information to new site owners & lessees Include the following in lease agreements: "Tenant shall not allow anyone to discharge anything to storm drains or to store or deposit materials so as to create a potential discharge to storm drains." See applicable operational BMPs in Fact Sheet SC-41, "Building and Grounds Maintenance," in the CASQA Stormwater Quality Handbooks at www.cabmphandbooks.com
Need for future indoor & structural pest control	Note building design features that discourage entry of pests.	Provide Integrated Pest Management information to owners, lessees, and operators.
Landscape/ Outdoor Pesticide Use/Building and Grounds Maintenance	State that final landscape plans will accomplish all of the following: 1. Preserve existing native trees, shrubs, and ground cover to the maximum extent possible.	Maintain landscaping using minimum or no pesticides. See applicable operational BMPs in Fact Sheet SC-41, "Building and Grounds

	2. Design landscaping to minimize irrigation and runoff, to promote surface infiltration where appropriate, and to minimize the use of fertilizers and pesticides that can contribute to stormwater pollution 3. Where landscaped areas are used to retain or detain stormwater, specify plants that are tolerant of saturated soil conditions. 4. Consider using pest-resistant plants, especially adjacent to hardscape. 5. To insure successful establishment, select plants appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency, and plant interactions.	Maintenance,” in the CASQA Stormwater Quality Handbooks at www.cabmphandbooks.com Provide IPM information to new owners, lessees and operators.
Roofing, gutters, and trim.	Avoid roofing, gutters, and trim made of copper or other unprotected metals that may leach into runoff.	
Plazas, sidewalks, and parking lots.		Sweep plazas, sidewalks, and parking lots regularly to prevent accumulation of litter and debris. Collect debris from pressure washing to prevent entry into the storm drain system. Collect washwater containing any cleaning agent or degreaser and discharge to the sanitary sewer not to a storm drain.

V.C. Features, Materials and Methods of Construction of Source Control BMP's

Permanent source control BMP's will consist mainly of marking storm drain inlets with “No Dumping! Drains to Bay”. Stencils or metal placards will be used to mark all site catch basins.

VI. Stormwater Facility Maintenance

VI.A. Owner and Responsibility for Maintenance in Perpetuity

The project will require the formation of a Homeowners Association for maintaining the driveway and drainage. The Homeowners Association CC&R's will have specific language as to maintenance of the stormwater treatment facilities.

The applicant accepts responsibility for the operation and maintenance of stormwater treatment and flow-control facilities for the life of the project. Any future change or alteration, or the failure to maintain any feature described herein can result in penalties including but not limited to fines, property liens, and other actions for enforcement of a civil judgment.

VI.B. Summary of Maintenance Requirements for Each Stormwater Facility

- VI.B.1.** Periodic Vacuuming and sweeping of permeable pavers. Inspection of joints and replenish joint aggregate material to lip of paver.
- VI.B.2.** Inspect storm drain outlet control structure and clear orifice, riser pipe, connection pipes and control structure of accumulated debris by hand or light equipment. Orifice shall be inspected after major storm events and control structure to be inspected and clean prior to October 15th of each year and after major rain events.
- VI.B.3.** Stormtech Stormwater detention chambers to be inspected every six months for the first year. For subsequent years, inspect sediment level through inspection port. When sediment level nears 3 inches in thickness the inspected chambers are to be cleaned by Jet Vac truck.

VII. Construction Checklist

Table 6

Stormwater Control Plan Page #	BMP Description	See Plan Sheet #s
X,	Use of Pervious Pavement	CX.X
X,	Use of Stormtech Chambers	CX.X

VIII. Certification

The preliminary design of stormwater treatment facilities and other stormwater pollution control measures in this plan are in accordance with the current edition of the City of Scotts Valley Stormwater Technical Guide and have been prepared under the guidance of a Civil Engineer.

Attachment A

(City of Scotts Valley Appendix C, Maintenance Agreement Template)

Upon recording return to:

City of Scotts Valley
Public Work Department
One Civic Center Drive, Scotts Valley 95066

(Space above this line for Recorder's use)

**City of Scotts Valley
Storm Water
Maintenance Agreement Regarding Maintenance of
Structural or Treatment Control
Best Management Practices (BMPs)**

For: Address: _____

I, _____, being the owner of the real property, APN No. _____, which is located at _____, Scotts Valley, California, consents and agrees to inspect and maintain any and all structural or treatment control Best Management Practices (BMPs) as outlined in the approved project Storm Water Operation and Maintenance Plan on the subject property. The structural or treatment control BMPs on the subject property include(s): _____

I agree to send a letter that provides proof of inspection and maintenance to the City of Scotts Valley Department of Public Works prior to December 1 of each year. Proof of inspection and maintenance shall include a log of inspection and maintenance dates for the past year, and receipts if conducted by a hired service. The log should also indicate any significant observations or repairs made. ***The proof of inspection and maintenance should be sent to: Storm Water Maintenance, Department of Public Works, City of Scotts Valley, 701 Lundy Lane, Scotts Valley, CA 95066.***

You are required herein to pay an annual service charge of \$_____ to cover the City's cost of inspection, oversight, and reporting requirements to the Regional Water Quality Control Board. The annual service charge is subject to change based on annual inflation adjustments.

As part of this agreement you agree to allow City staff to enter the subject property to inspect the stormwater facility. In the event that you fail to provide satisfactory inspection and maintenance reporting by December 1 and/or the stormwater facility on the subject property is not functioning satisfactorily, you will be charged for re-inspection.

In the event that the property is sold, transferred, or leased, the obligations hereby imposed on the property owner shall be assumed by subsequent property owners and lessees. To this end, property owner, in any deed transferring an ownership interest in the property or in any lease agreement for the property, shall include a term by which the subsequent property owner or lessee acknowledges his or her understanding of the obligations imposed by this agreement and expressly agrees to accept the assume responsibility for complying with all said obligations imposed by this agreement.

In addition, I will provide printed information to the new property owner or lessee regarding proper BMP inspection and maintenance frequency and methods. The information shall accompany the first deed transfer. This information shall include the following:

1. a description of any and all storm water structural or treatment control BMPs;
2. a map of the property indicating the BMP locations; and
3. a description of how inspections and necessary maintenance can be performed.

The transfer of this information shall also be required with any subsequent sale of property.

Failure to comply with the provisions of the Maintenance Agreement may result in enforcement actions including assessment of civil penalties as allowed by the City's Municipal Code, Chapter 12.14.060 Storm Water Conveyance Systems.

I have read the above agreement and understand it.

This agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, and assigns of owner.

Owner name: _____

Owner signature _____

Date this _____ day of _____, _____

Owners address: _____

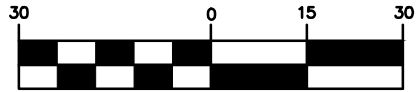
Phone: _____

Email: _____

(Note: All signatures on this form must be notarized.)

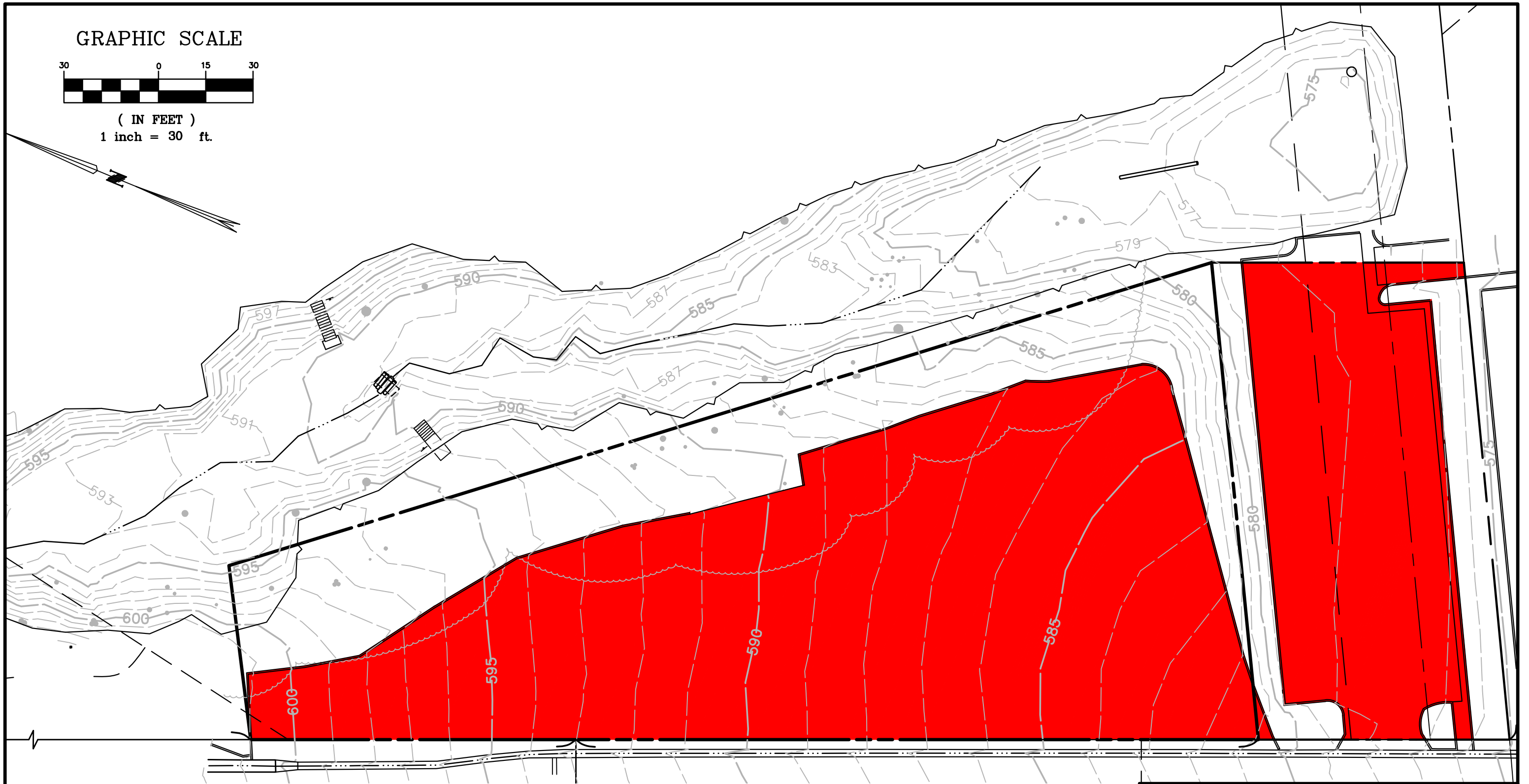
Attachment B
(Pre-Development Impervious & Pervious Surfaces)

GRAPHIC SCALE



(IN FEET)

1 inch = 30 ft.



LEGEND

-  PERVIOUS SURFACES
-  IMPERVIOUS SURFACES

SITE DRAINAGE SURFACES

PERVIOUS	12,964 SF
IMPERVIOUS	32,280 SF
TOTAL	45,244 SF

BOWMAN & WILLIAMS

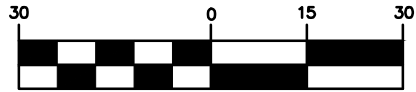
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS

3949 RESEARCH PARK CT., STE. 100, SOQUEL, CA 95073
(831) 426-3560

SCALE 1" = 30'	JOB NO. 26390
DATE SEPTEMBER 10, 2018	DWG NAME 26390 PRE-DEV
DRAWN CMM	FILE NO. 26390

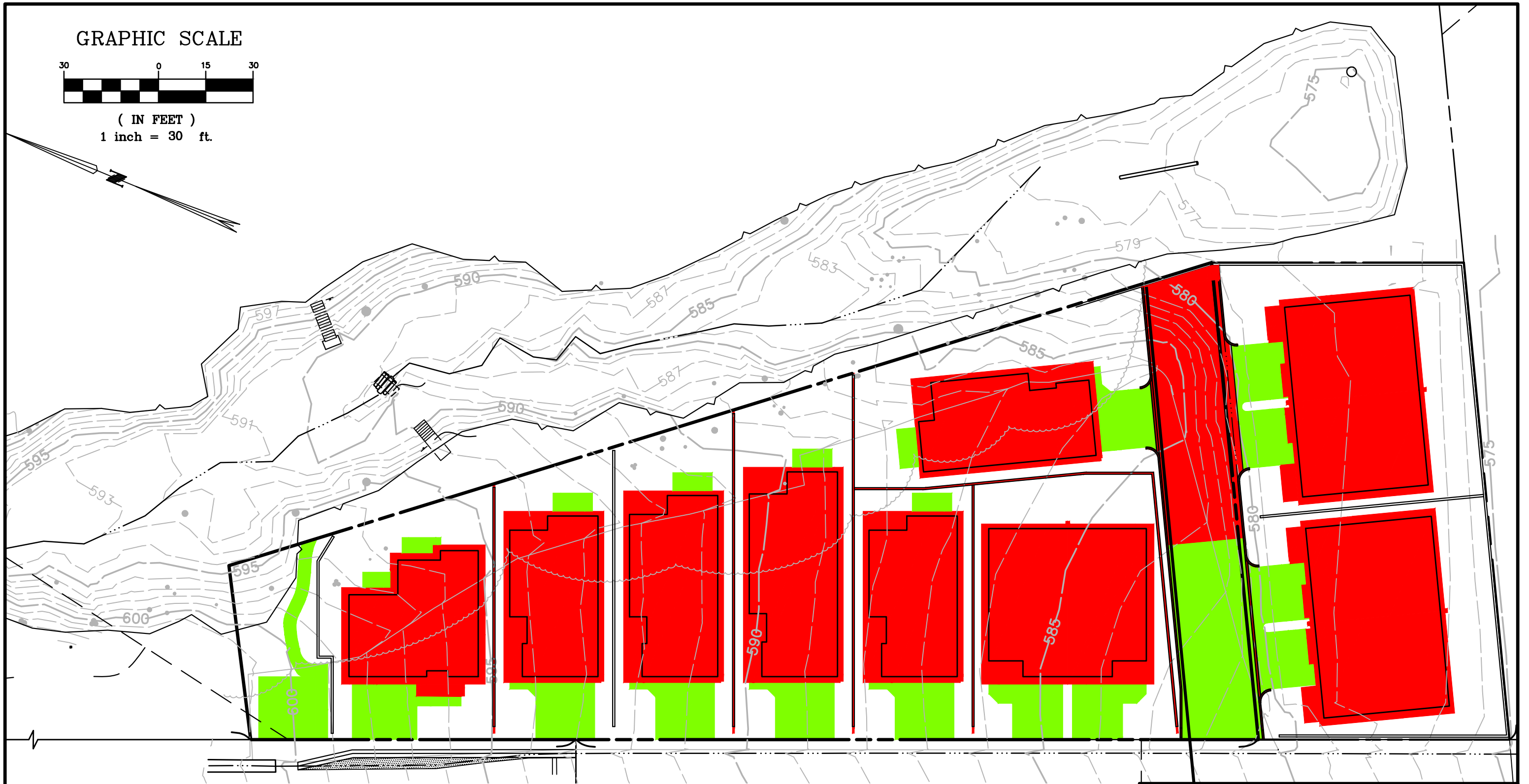
Attachment C
(Post-Development Impervious & Pervious Surfaces)

GRAPHIC SCALE



(IN FEET)

1 inch = 30 ft.



LEGEND

	PERVIOUS SURFACES
	SEMI-IMPERVIOUS SURFACES
	IMPERVIOUS SURFACES

SITE DRAINAGE SURFACES

PERVIOUS	15,948 SF
SEMI-IMPERVIOUS	6,661 SF
IMPERVIOUS	22,635 SF
TOTAL	45,244 SF

BOWMAN & WILLIAMS

CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS

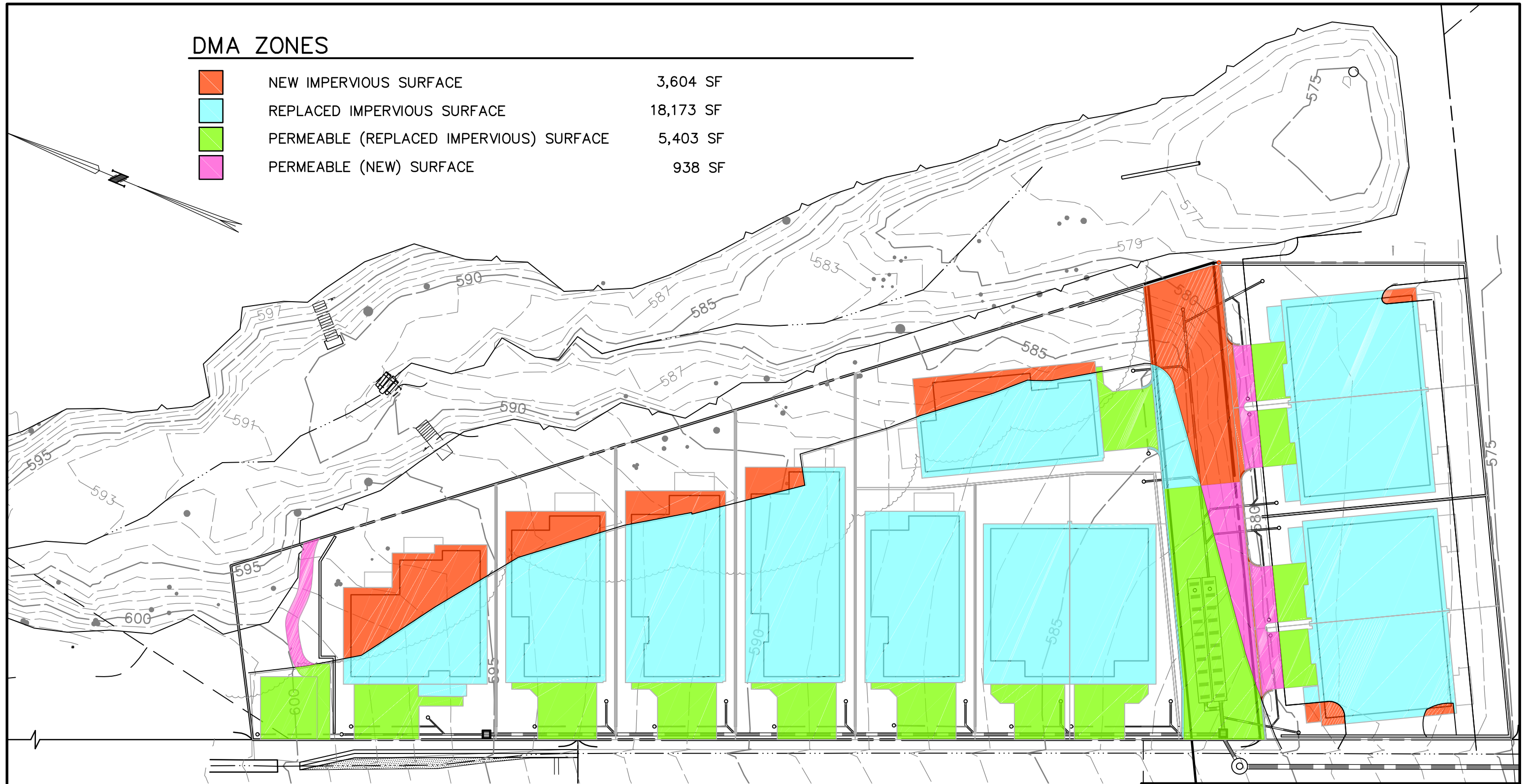
3949 RESEARCH PARK CT., STE. 100, SOQUEL, CA 95073
(831) 426-3560

SCALE 1" = 30'	JOB NO. 26390
DATE SEPTEMBER 10, 2018	DWG NAME 26390 POST-DEV
DRAWN CMM	FILE NO. 26390

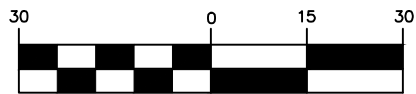
Attachment D
(Drainage Management Areas)

DMA ZONES

	NEW IMPERVIOUS SURFACE	3,604 SF
	REPLACED IMPERVIOUS SURFACE	18,173 SF
	PERMEABLE (REPLACED IMPERVIOUS) SURFACE	5,403 SF
	PERMEABLE (NEW) SURFACE	938 SF



GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
AND LAND SURVEYORS

3949 RESEARCH PARK CT., STE. 100, SOQUEL, CA 95073
(831) 426-3560

SCALE 1" = 30'	JOB NO. 26390
DATE SEPTEMBER 10, 2018	DWG NAME 26390 DMA EXH
DRAWN CMM	FILE NO. 26390

April 16, 2021

City of Scotts Valley
Planning Department
One Civic Center Drive
Scotts Valley, CA 95066

RE: Bay Village Planned Development – Planning Permit Application Nos.: PD19-004, LD19-002, DR19-014, EA19-010, CR20-001, ND20-001

Dear Ms. Bradley,

We are writing to OBJECT to the application referenced above for a 10 unit planned community on Erba Lane across from the SV Fire Department Headquarters.

My husband and I raised our family at 49 Erba Lane and spent 30 years living on the street, finally selling in October 2020. We continue to visit our friends who reside on the street often.

Erba Lane is and has been for many years a very busy street with numerous businesses at the lower end, the active fire station headquarters in the middle, Mac Dorsa Park across the street and 20+ houses and townhome at the upper end of the street. In addition, there are over 15 homes on Ridgecrest Dr. which adds additional traffic on to Erba Lane. Adding ten more housing units and the associated traffic, parking and people will have a tremendous and detrimental impact on the safety of the street and all who use it.

Erba Lane is a relatively narrow street and the further up it a driver goes, the less street space there is to park. For a number of years, I asked the City of SV to maintain and trim the trees and brush that grows out of the creek and blocks street parking. Very little was done in all the years we lived on the street to manage the growth. This makes parking along the creek side of the street extremely challenging. Vehicles typically have to park one to two feet off the curb and into the street since the brush growth prevents parking close to the curb. Adding more cars to the street will only increase the demand for street parking and will further clog the street.

With the increase in street parking in the upper section of Erba Lane comes a decrease in visibility for drivers coming down Ridgecrest Drive making the intersection of the two streets extremely dangerous. On numerous occasions residences of Erba have come close to being broadsided by drivers failing to stop at the bottom of Ridgecrest. Instead drivers coming from Ridgecrest merge onto Erba with no thought to look for cars, bicycles and pedestrians coming down the street. An increase in traffic on Erba will make this intersection even more dangerous.

The loss of this parking area will also have a negative impact on the neighborhood when there are events and parties held at Mac Dorsa Park. The lot where the housing is proposed is used for Mac Dorsa and fire station parking overflow. If this lot is taken away and new residences added, there will be an even greater increase in demand for street parking.

Erba Lane has a large number of pedestrians on it daily. From the businesses located at the bottom of the street, many employees take their breaks and walk up the Erba hill or continue up Ridgecrest. There is currently no sidewalk on Erba Lane. Adding more traffic from the new housing will make it even more dangerous for pedestrians. There are also a number of families that live on Erba and their children walk to SVMS. They will also encounter more traffic and less room to walk safely on the shoulder of the street.

It is our strong opinion that adding more housing in such a small area on an already busy street is an extremely poor idea. These houses will have a negative impact on the fire station, local businesses, the community's ability to access Mac Dorsa Park and most impactfully will have an extremely negative affect on the residences of Erba Lane.

We ask you to deny the building permit for these homes.

Thank you for your consideration,

Sue Rains

Kevin and Sue Rains
106 Bluebonnet Lane #8
Scotts Valley, CA 95066
408-313-1007

EXTERNAL: Bay Village Planned Development: Planning Permits PD19-004, LD19-002, DR19-04, EA19-010, CR20-001, ND20-001

Natasha Katznelson <nashakat@comcast.net>

Fri 4/23/2021 4:01 PM

To:Bradley, Paula <pbradley@mbakerintl.com>

Paula Bradley, Contract Planner
City of Scotts Valley
Community Development Department
One Civic Center Drive, Scotts Valley, CA 95066

I'm writing in regard to the planned development for Erba Lane known as Bay Village.

My name is Natasha Katznelson.
I live at 29 Erba Lane

Please accept the following comments for the planned project.
As a resident of the neighborhood I am concerned about the following issues

1) The narrowing of Erba Lane

With the planned addition of a 5 foot wide sidewalk, a 6 foot wide landscaping strip, and 9ft wide on-street parking, effectively narrowing the street by 15-20 feet, I am concerned that the street would become overly narrow in front of the Fire Department and for the length of the development.

In current conditions two cars can pass in opposite directions comfortably if there are no pedestrians. When there are pedestrians present (children walking to and from school for example) it feels congested.

This becomes an issue of safety not only for pedestrians but also in the case of a sudden or unexpected evacuation.

The narrowing will also affect the ability of firetrucks to easily depart the fire station.

I believe the narrowing will lead to congestion and more dangerous conditions, especially with the return of normal traffic patterns.

Lower Erba is already busy is traffic from B of A and the rockery.

It is also a popular pick up/drop off point for the middle school.

The addition of 27 new residents will only add to the congestion.

2) Decreased utility of the Fire Station

The site is currently used by the fire department for a multitude of purposes.

First and foremost it is used as a training site not only for SV staff but for other departments as well.

The site is used to host potential recruits, disaster relief training, critical rescue trainings (jaws of life), etc.

It is also used as staff parking.

3) Increased traffic and decreased parking

The top of Erba Lane is a cul de sac and usually only sees non resident traffic when someone overshoots the turn for Ridgecrest.

My concern is that there will be an increase of traffic as the number of residences increase.

Although the parking for each lot in the development is generous (4 spaces total) many people opt to use their garage for storage rather than parking.

This will lead to a potential increase in new resident parking (or guests) on upper Erba which in turn would increase the flow of traffic through the cul de sac.

There is already limited parking daily and is even more problematic during holidays or other social occasions.

Upper Erba is narrow and only allows one side of the street parking- opposite the existing dwellings.

The natural flow of traffic is to exit by driving around the cul de sac.

Our property is situated on the curve with very tall privacy hedges which creates a blind spot exactly where most drivers tend to accelerate.

It can be challenging to exit our driveway safely with residents who are familiar with the neighborhood.

4) Construction noise and debris.

Although this is addressed in the environmental impact report as not much of a concern- the construction noise is not thought to be louder than 60 decibels (?).

Our family is very sensitive to sounds and there is definitely a background noise generated by construction.

I could not find a projected timeline for the completion of the project.

After a year+ of constraint and stress of pandemic living another 6-12 months of dealing with the noise and congestion of construction on our street feels unbearable.

I also could not find any information about the mitigation of construction debris.

The last time we lived near a construction zone we had to replace the tires on both our cars due to sharp objects from the construction.

Thank you for your time.

Sincerely,

Natasha Katznelson



Amy Skillicorn <amyz91@gmail.com>

Fri 5/7/2021 5:50 AM

To: Bradley, Paula



Dear Paula Bradley,

I live in Scotts Valley currently. Many people have had to relocate due to lack of affordable housing in the area and are still searching for housing and a new development would be very beneficial for business looking for further employees. This home project would help with commute time. The project has a very nice design and utilizes the land very well. I can see many benefits for the community and lots of happy employers upon approval. We appreciate all the hard work you do and we urge for this project to be fulfilled for sack of growing our beloved community.

Thank you for your time and consideration.

Best regards,
Amy Skillicorn

[Reply](#) | [Forward](#)

EXTERNAL: Erba Lane Project



Sarah Bergeron <sarabe2@mac.com>

Thu 5/6/2021 5:19 PM

To: Bradley, Paula



Dear Ms Bradley,

I am a Scotts Valley resident and Bay Photo employee. I am in favor of this project. I've experienced firsthand how difficult it is to find housing in this area and see my co-workers struggle with this daily. More and more often the decision is to move further away to find more affordable housing therefore our community has lost some great, hard-working members due to housing woes. Larry has helped me with my housing situation and I see his care for both his employees and this community reflected in the beauty of this project.

This project seems like a very practical way to integrate more housing and a would be a great benefit to the community with minimal impact.

Thank you for your hard work, I urge that you approve this project.

Regards,

Sarah Bergeron

[Reply](#) | [Forward](#)

EXTERNAL: Erba Lane Housing Project



Matt Morras <morras@gmail.com>

Fri 5/7/2021 8:36 AM

To: Bradley, Paula



Dear Ms. Bradley, I'm writing to you today to lend my support to the proposed housing project on Erba Lane.

I am a lifelong resident of Santa Cruz County, currently living in Ben Lomond and have been working full time in Scotts Valley for the past 8+ years. During that time, I've unfortunately seen first hand, valuable contributing members of our community forced out of the area due to the lack of available housing.

This project provides a much needed opportunity for our community members to secure housing and contribute right back to our local economy.

I have reviewed this project and I'm incredibly impressed by the overall design of the homes and thoughtfulness for the layout at that location.

I strongly encourage the approval of this project, as it is greatly needed here in Scotts Valley.

Thank you for your consideration.

Best regards,
Matt Morras

[Reply](#) | [Forward](#)

EXTERNAL: Erba Lane Housing Project



George Rentschler <georgerent@msn.com>

Fri 5/7/2021 10:45 AM

To: Bradley, Paula



Dear Ms. Bradley, I work in Scotts Valley very close to this proposed development.

I am writing to express my support for this project. As a business manager, I can tell you that the need for housing continues to be critical for local workers.

Companies and other organizations in our area are experiencing a severe labor shortage, and one of the reasons for that is the lack of sufficient housing in this area.

This development offers the chance to help fill this void while having minimal impact on the neighborhood. This is demonstrated by the environmental review, which concluded there are no negative impacts.

What a win win for the City of Scotts Valley!

I thank you and the Planning Commission for their work, and hope we can see a rapid approval of this project.

Regards,

George Rentschler

[Reply](#) | [Forward](#)



Aimee Ellis <aimeeenellis@gmail.com>

Tue 5/11/2021 8:10 AM

To: Bradley, Paula



Dear Ms. Bradley,

I am writing in support of the proposed Bay Village housing development at Erba Lane in Scotts Valley. This project is of personal interest for my family and I, as we are potential buyers of a home in this proposed community. I work for Bay Photo Lab and my husband works for Anderson Pacific Engineering Construction, both with locations within walking distance of this proposed community.

We currently rent, but we have been attempting for over a year to buy a house in Scotts Valley or the Santa Cruz Mountains without success. While we are able to obtain financing through the use of a VA loan due to my husband's service disability, we have found sellers in the area unwilling to consider our offers due to the fierce competition and seller hesitations concerning VA loans. With the fires last summer destroying numerous homes in the surrounding areas, the existing housing shortage has only gotten worse. New housing developments, such as this one, are quickly becoming essential infrastructure for the area.

After reviewing the proposed plans, it is clear that any of the proposed homes would be an ideal place for my family and I to live. Having both grown up in the area with parents in construction, it was always notable that Scotts Valley took a planned and rational approach to the needs of its residents and the demands for growth. It is refreshing to see that the City has continued this practice of responsible growth through the consistent approval of well planned developments, such as this one. I thank you for your time and consideration.

Sincerely,

Aimee Ellis

[Reply](#) | [Forward](#)

Dear City Council & Planning Commission:

I am writing to ask for your support in favor of the housing development proposal of Bay Village on Erba Lane by Mr Larry Abitbol.

As the president of Bay Photo, Mr Larry Abitbol brought his company and 350+ employees to Scotts Valley in an effort to bring economic vitality to our local community. During this time, Mr Abitbol has shown considerable generosity and goodwill toward his employees in finding housing opportunities for his staff.

As a young professional in Santa Cruz County, and for Bay Photo, for almost 20 years now, it has proven challenging to find quality housing opportunities. As rental and home values have increased, wildfires have destroyed and displaced residents, and a pandemic has damaged the livelihood of community members, Bay Photo and Scotts Valley have lost essential revenue due to a lack of housing opportunities and high cost of living. I, personally, would not be in a favorable position to live here without the support of Mr Larry Abitbol and am grateful to have found a great company and generous employer to work for.

We hope to find your support in this proposed development that will provide much needed housing opportunities for the working professionals contributing economic vitality to our local community.

Sincerely,
Justin Downard
Production Manager
Bay Photo Lab
831-421-2934

May 12, 2021

Paula Bradley, Planner

City of Scotts Valley

Community Development Department

One Civic Center Drive, Scotts Valley CA 95066

RE: 10 SFR on Erba Lane

To Whom it may concern,

I am writing with a voice of support for the proposed development of 10 SFR on Erba Lane.

As a long time commercial real estate broker active in Scotts Valley and Santa Cruz, I am often on the front line of companies looking to move and expand their business into town. The question of housing availability for employees is always a concern. This 10 unit infill project will help. This appears to be a classic "infill" project that is compatible with the neighborhood and will enhance the immediate surroundings. It is always good to have housing stock like this project near City Hall and the City Park.

Scotts Valley holds this nice balance of being a bedroom community for Silicon Valley, but at the same time its housing stock bolsters the local business communities. This development will be good for employees who work in Scotts Valley and want to live here as well.

I support this development because it will be good for people who work in Scotts Valley.

Sincerely,

Randy Parker



dfwdropsin@gmail.com
Fri 5/7/2021 12:08 PM
To: Bradley, Paula



2 attachments (10 MB) Download all Save all to OneDrive - Michael Baker International

Dear Ms. Bradley, I am a Scotts Valley property owner. I am in favor of this project. Housing is sorely needed in the entire county. This is a great-looking project, it looks like a lot of care was taken in its design.

This project would be of great benefit to the community with minimal impact. Thank you for your hard work, I urge that you approve this project.

Sincerely:
David Webb

Yes, I approve.

Thank you for letting me know.

Received, thank you.

Are the suggestions above helpful? Yes No

[Reply](#) | [Forward](#)

ORDINANCE NO. 16-ZC-230

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A PLANNED DEVELOPMENT DISTRICT OVERLAY (PD19-001) FOR THE “BAY VILLAGE PLANNED DEVELOPMENT” FOR A TEN-LOT SUBDIVISION IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS ON A 1.04-ACRE SITE AT ERBA LANE (NO SITUS) / APNS 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, for Planned Development No. PD19-001 for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements (collectively referred to as “Application”); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, (referred to as “applicant”) has presented substantial evidence which supports the Application; and

WHEREAS, the Application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021 to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No. 1997

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated June 16, 2021:

1. ***That the Planned Development Zoning District Overlay and Permit (PD) further the policies of the General Plan.*** The project meets the requirement of this finding in that the project proposes ten new single-family dwellings within lands designated R-H, High Density Residential on the City's General Plan map. The project is consistent within the General Plan density range of 9 to 15 units per acre, and results with a density of 9.6 units per acre. The project includes the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages. Common Lot A is for a private road which provides access to seven of the residential units (lots seven to ten) and stormwater infrastructure. The homes are of a conventional design that is consistent with the character of the neighborhood. Further, the project improves and upgrades a previously undeveloped and underutilized site providing housing opportunities for ten families.

2. ***The proposed Planned Development District Overlays (PD) are consistent with the underlying land use designations and zoning districts and that of the City of Scotts Valley General Plan.*** The project meets the requirements of this finding because the PD district overlay will be combined with the base zoning district. The resulting R-H/PD zone allows specific development standards to address to accommodate unique circumstances related to lot size and shape, intensity, coverage, and appearance of structures. After the biologist determined the riparian woodland boundary location, the project was redesigned from a twelve-lot subdivision with 12 new single-family dwellings, as ten lot subdivision to avoid development in the riparian area. This created a physical constraint resulting in very irregularly shaped lots and reduced front, side, and rear yard setbacks and requested exceptions to the development standards as allowed in a PD district.

3. ***That the PD conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H base zoning district. The project design meets the requirement of this finding in that approval of the Planned Development and Design Permit will allow the construction of ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages and private yards. The Planned Development zoning allows exceptions to the development standards to accommodate the proposed lot configuration with reduced lot sizes, width and depths, reduced front, side, and rear setbacks. Each new home will have private yard space, two covered garage parking space and two uncovered parking spaces.

4. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with a front porch with a gable roof and wood timber details. The roof forms include gables with shingles or lap siding under the gables and wood brackets. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The proposed colors will be unique for each home and include shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The stone veneer are two natural stone brown/gray/ buff colors. The garage doors will be metal insulated doors with sections and divided lights at the top with a wood trellis' over the garage doors. The two-story homes are approximately 28 to 30-feet in height feet similar to other nearby homes in the neighborhood. As designed consistent with the General Plan Action OSA-387. The PD allows exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architectural details, materials, mass, and colors of the proposed residential units are high quality and are consistent with newer single-family dwellings, compatible with the surrounding area. The architecture, quality exterior materials/ finishes/colors, and landscaping will create an aesthetically harmonious project.

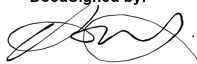
5. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Mitigated Negative Declaration MND20-001 and determined that there would be no potentially significant adverse environmental impacts and the project will not degrade the quality of the environment with the implementation of identified standard conditions of approval and three Mitigation and Monitoring measures.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Planned Development District (PD19-001) for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04-acre site located at Erba Lane (no situs) / APNs 22-481-18 AND 22, pursuant to the Planned Development Zone Map (Exhibit A) which is incorporated herein by this reference.

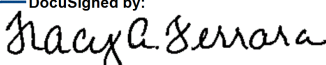
This ordinance was introduced on the 16th day of June 2021, and was passed and adopted by the City Council of the City of Scotts Valley on the 4th of August, 2021, by the following votes:

AYES: DILLES, JOHNSON, LIND, REED, TIMM
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

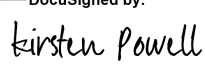
APPROVED:

DocuSigned by:

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Derek Timm, Mayor

ATTEST:

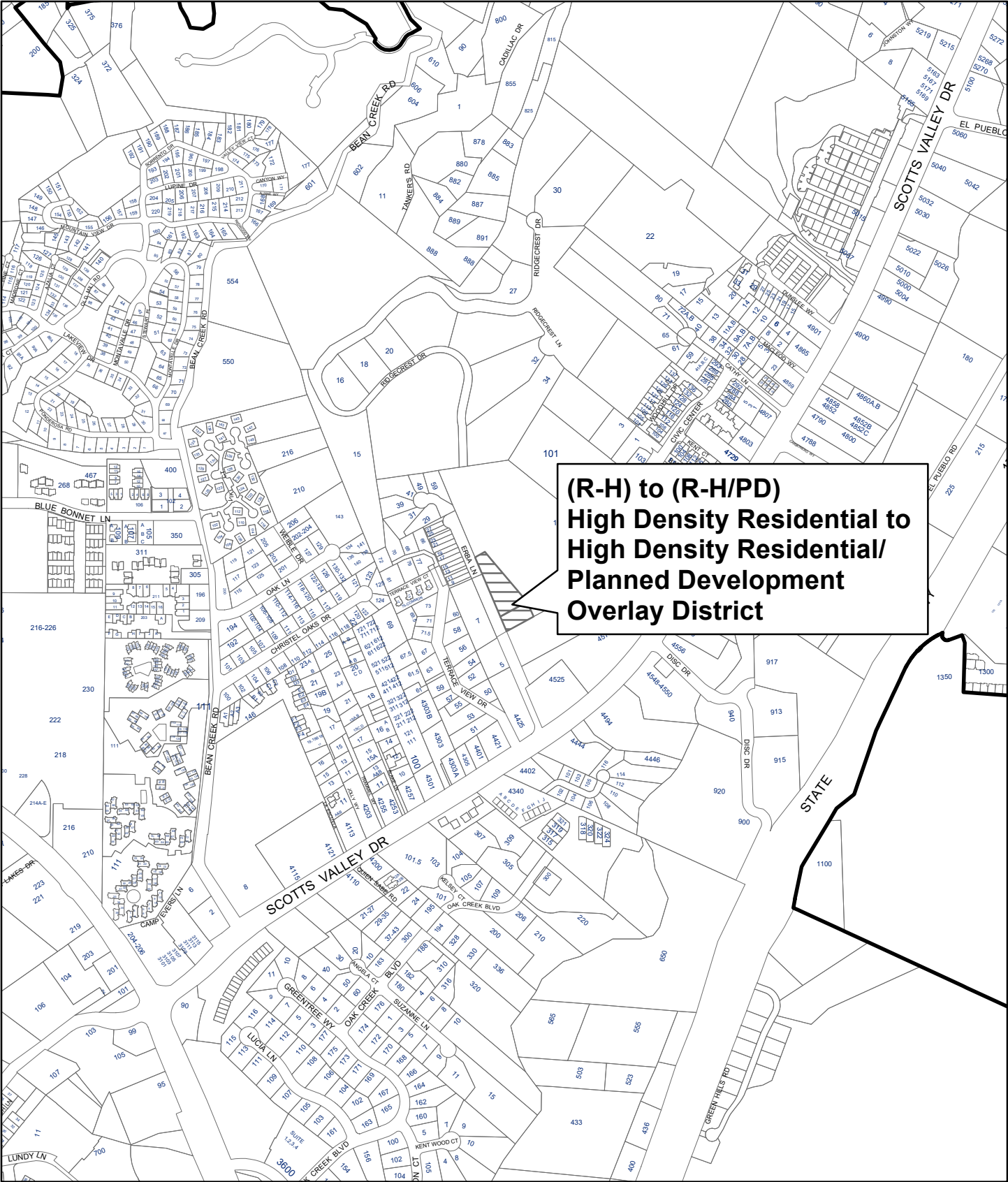
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Tracy A. Ferrara, City Clerk

APPROVED AS TO FORM:

DocuSigned by:

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Kristen Powell, City Attorney

Erba Lane - Bay Village Planned Development
APN 022-481-18 and 22

Exhibit A



(R-H) to (R-H/PD)
High Density Residential to
High Density Residential/
Planned Development
Overlay District



RESOLUTION NO. 1997

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE MITIGATED NEGATIVE DECLARATION FOR A TEN-LOT SUBDIVISION IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNS 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received applications filed by Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, for the “Bay Village Planned Development” consisting of a ten lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04-acre site located at Erba Lane (no situs); and, (collectively referred to as “Application”); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, (referred to as “applicant”) has presented substantial evidence which supports the application; and

WHEREAS, the Application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021 to consider the application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following findings, as further clarified in the staff report dated June 16, 2021:

1. ***An initial study has been prepared by the City of Scotts Valley to evaluate the potential for adverse environmental impacts.*** City consultant conducted an Initial Study for the project and prepared a Mitigated Negative Declaration and determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment, plant or wildlife resources with the implementation of identified standard conditions of approval.
2. ***The Mitigated Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act (CEQA).*** The Mitigated Negative Declaration was completed in compliance with CEQA, was published and distributed to the applicable agencies, and was made available for public review for a 30-day period from March 30, 2021 to April 30, 2021.
3. ***The environmental determination represents the independent judgment of the City.*** The Mitigated Negative Declaration was prepared by City consultant. All reports and supporting information have been reviewed and approved by the applicable City Department Heads.
4. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Department of Planning of the City of Scotts Valley in the custody of the Community Development Director.*** Copies of the Mitigated Negative Declaration and the referenced technical and/or environmental studies that were submitted for the project have been made available to the public on the City's website.
5. ***Based on the Initial Study and when considering the record as a whole, there is no evidence before the City of Scotts Valley, including the information in the Mitigated Negative Declaration and comments of appropriate reviewing agencies, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which it depends.*** A Biological Assessment was prepared for the project site (Biotic Resources Group, May 31, 2019), and an Addendum to the Biological Assessment was prepared based on the revised site plan which represents the proposed project (Biotic Resources Group, May 31, 2020). Similarly, a Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared based on the revised site plan (Kurt Fouts, March 27, 2020 and Appendix C dated 4/29/20). With the implementation of the City's standard conditions of approval and the implementation of three biological mitigation measures (MM BIO-1, MM BIO-2, and MM BIO-3) impacts

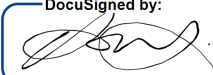
associated with vegetation, riparian woodland, wildlife, nesting birds, and other biological resources would be reduced to a less than significant level. Therefore, the project will not result in any adverse impacts to fish and wildlife habitat or other resources.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves the Mitigated Negative Declaration for the for the "Bay Village Planned Development" for a ten-lot subdivision for the construction of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04-acre site located at Erba Lane (no situs) / APNs 22-481-18 and 22, subject to the Project Plans and the Mitigation Monitoring Reporting Program (Exhibit A) which are attached hereto and incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES: DILLES, JOHNSON, LIND, REED, TIMM
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

APPROVED:

DocuSigned by:

D69A8C00E91448D...
Derek Timm, Mayor

ATTEST:

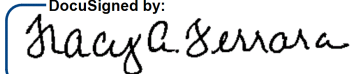
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Tracy A. Ferrara, City Clerk

Exhibit A - Mitigation Monitoring and Reporting Plan Bay Village Planned Development ND20-001

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Biological Resources Biological Resources: Oak Riparian Woodland	Mitigation Measure BIO-1: Oak Riparian Woodland - Project Construction. The project applicant shall demonstrate to the satisfaction of the City compliance with the following: 1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area. 1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including: ▪ Conduct construction activities within 20 feet of the riparian woodland during the dry season; ▪ Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek. ▪ Stabilize disturbed soils to minimize erosion and sediment input to the creek; ▪ Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments; ▪ Conduct erosion control seeding of all disturbed areas as soon as practicable after disturbance following construction; ▪ Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.	Project applicant and qualified biologist	Prior to project construction activities on the site

**Exhibit A - Mitigation Monitoring and Reporting Plan
Bay Village Planned Development ND20-001**

Environmental Impact	Mitigation Measures	Responsible Entity	Timing
Biological Resources: Oak Riparian Woodland	Mitigation Measure BIO-2: Oak Riparian Woodland Post-Construction: The project applicant shall demonstrate to the satisfaction of the City compliance with the following: 2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland. 2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (Vinca sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (Phytophthora sp.) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (http://cemarin.ucdavis.edu).	Project applicant and qualified biologist	Prior to project construction activities on the site

Exhibit A - Mitigation Monitoring and Reporting Plan
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Environmental Impact		Mitigation Measures		Responsible Entity	Timing
Biological Resources Biological Resources: Impacts to special status wildlife and nesting birds		Mitigation Measure BIO-3: <i>Special status wildlife and nesting birds</i>: The project applicant shall demonstrate to the satisfaction of the City compliance with the following: 3.1 The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW. 3.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledged the nest(s).		Project applicant and qualified biologist	Prior to project construction activities on the site

RESOLUTION NO. 1997.1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING A LAND DIVISION (LD19-001) FOR THE “BAY VILLAGE PLANNED DEVELOPMENT” IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNS 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, for a Land Division (LD19-001) for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements of a 1.04 acre site located at Erba Lane (no situs) (collectively referred to as “Application”); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant for Larry Abitbol, SV Housing LLC, owner, (referred to as “applicant”) has presented substantial evidence which supports the Application; and

WHEREAS, the Application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS, the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No. 1997; and

WHEREAS, the City Council approved the Planned Development Overlay for the project by Adoption of Ordinance No. 16-ZC-230.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following Land Division findings, as further clarified in the staff report dated June 16, 2021:

1. ***That the location of the uses is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.*** The project meets the requirements of this finding in that the project provides ten new single-family dwellings in the R-H, High Density Residential Zoning District. The homes utilize conventional materials and design details that integrate into the surrounding residential neighborhood.
2. ***That the proposed tentative map/land division, together with the provisions for its design and improvement, is consistent with the General Plan.*** The project meets the requirements of this finding in that the ten-lot residential development on the 1.04-acre site is consistent with the General Plan High Density Residential density range. The subdivision design and the related property improvements create ten new single-family dwellings with attached two-car garages, private yard spaces for each new home and establishes an homeowner's association to share in the maintenance of common driveways landscaping and the oak riparian woodland area, retaining walls and stormwater infrastructure. The project as proposed and conditioned is consistent with goals and objectives of the General Plan.
3. ***That the project site is physically suitable for the density of the land division.*** The project meets the requirement of this finding in that the 1.04-acre site is sufficient in size to accommodate the ten-lot subdivision and related improvements including two-car garages and private yard areas for each unit. The ten-lot subdivision is consistent with both the General Plan and Zoning density ranges. Public services are available, and utilities are of adequate capacity to accommodate the project.
4. ***That the design of the land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*** The project meets the requirements of this finding in that the MND determined that there were no potentially significant adverse environmental impacts, and the project will not degrade the quality of the environment or impact fish wildlife or habitat with the implementation of three mitigation measures and identified standard conditions of approval.
5. ***That the design of the land division or the type of improvements is not likely to cause serious public health problems.*** The project will not generate hazardous emissions nor be a storage facility for hazardous/ combustible materials. During project grading and construction, to reduce dust generation to minimal levels and to prevent sedimentation and discharge of contaminants off- site, standard conditions of approval require the grading and construction contractors to implement best management practices (BMPs). The MND evaluated that the project is not expected to cause serious public health problems.

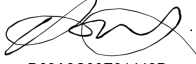
6. ***That the design of the land division will not conflict with easements acquired by the public at large (for access through or use of property within the land division).*** The project meets the requirement of this finding in that there are no conflicts with easements known to affect the project site. A common lot provides a private access road and utilities and maintenance easement benefitting the ten lots. A road easement and maintenance agreement are required for access to seven of the homes the from a new 24" wide private road. A public access easement is required on the new private road to MacDorsa Park from Erba Lane for pedestrians. There is no plan in place to provide access at this time, the easement will allow for access at a future date and such access will require additional review and approval by the City. The Public Works Department has reviewed the project and recommended approval subject to conditions.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves Land Division, LD19-001, for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements of a 1.04 acre site located at Erba Lane (no situs), subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

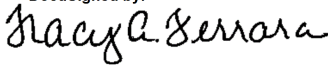
AYES: DILLES, JOHNSON, LIND, REED, TIMM
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE

APPROVED:

DocuSigned by:

 D69A8C00E91448D...

Derek Timm, Mayor

ATTEST:

DocuSigned by:

 554BD60C6488411...

Tracy A. Ferrara, City Clerk

*Bay Village Planned Development
Erba Lane (no situs)
APNs 022-481-18 & 22
June 16, 2021*

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Exhibit A

Legal

1. The developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.
3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Mitigated Negative Declaration, Planned Development Overlay and Permit, Land Division, and Design Review for a ten-lot subdivision, to construct ten single-family dwellings and related site improvements on a 1.04-acre site located at Erba Lane. The two-story, single-family dwellings and site improvements shall be constructed substantially as shown in the plans prepared by David B. Zulim, received 9/10/20 and 12/17/20 and Gregory Lewis, Landscape Designer, dated September 8, 2020, and as described in writing on the project's technical reports, which are on file in the Planning Department.
5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.
6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of

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environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. Prior to removal of trees or a grading permit issuance submit a mitigation and monitoring compliance fee deposit for ten hours of staff time at the current hourly rate. Any unused deposit fee will be refunded prior to final inspection.
8. To ensure that the Mitigation and Monitoring measures are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

9. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.
 - a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.
 - b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

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- c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.
 - d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.
- 10. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.
- 11. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

Paleontological Resources

- 12. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
- 13. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
- 14. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
- 15. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
- 16. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist

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- during monitoring and any recovery activities, including assisting with recovery efforts if necessary.
17. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.
 18. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.
 19. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 12-24, below.
 20. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
 21. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
 22. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
 23. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
 24. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

25. All fence and retaining wall design details shall be included on plans submitted for building permit and subject to Planning Department review and approval, prior to issuance of a building permits

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Trees

Standard

26. All recommendations in the Arborist Report Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 27, 2020) are incorporated as conditions of project approval. This report includes an exhibit (grading plan) showing replacement tree locations.
27. Tree removal shall not occur until a grading or building permit has been issued for the project.
28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.
29. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
30. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits
31. The project arborist shall routinely inspect the development site through the term of the project.
32. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.
33. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.
34. The project developer shall place a surety bond in an amount equal to the value

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of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

Project Specific

35. The arborists recommendations for tree preservation shall be printed on the demolition, grading and construction drawings including: "1) After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company shall meet to review the extent of pruning required to achieve clearance from grading operations; 2) Plant 4 15-gallon cost live oak replacement trees as mitigation for the removal of four coast live oak trees, T39 and T40, in the locations recommend on the grading exhibit; 3) If either T35 or T38 requires removal plant two 15-gallon coast live oak for each tree removed, in the location identified on the attached grading exhibit. Once final plan sets are complete, a tree protection plan, containing tree protection specifications will be required. T
36. The arborist shall monitor and observe hand grading and trenching near the protected trees.
37. If any protection is removed, the arborist shall verify that the fencing and other tree protection measures were correctly reinstalled. The arborist report included a sign to show the tree protection zone, this sign(s) should remain posted in a visible location during construction.
38. Provide a copy of a contract for services for the Community Development Department Director review and approval prior to issuance of a demolition or grading permit.

Landscaping

Standard

39. The landscaping improvements shall be permanently maintained and irrigated.
40. The materials and locations of the landscape retaining walls shall be approved by the Community Development Director prior to issuance of grading or building permit.
41. Landscaping shall comply with State of California Government Code Section

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65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

Project Specific

42. The arborists recommended tree replacement locations shown on the exhibit dated 4/29/20, (grading plan) attached to the arborist report, dated 3/27/20, shall be included in the final landscape drawings to be approved by the Community Development Department Director.
43. A final landscape and irrigation plan shall be submitted and shall include the name, number, size, and location for all planting materials, trees and ground covers and tree replacement locations shall be approved by the Community Development Director prior to issuance of grading or building permits.
44. Landscape plans submitted to the City shall include a minimum of four replacement trees. If additional trees are required to be removed or are damaged due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper's warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Lighting

45. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's

46. CC&R's for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The CC&R's shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

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Joint Maintenance Agreement

47. Applicant shall provide a Joint Landscape Maintenance Agreement for review and approval by the Community Development Director and Public Works Director for the maintenance of off-site landscaping prior to approval of the Final Map.
48. The curbs along the private ace road and the emergency vehicle turnaround shall be painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards. This condition shall be included in the CCRs.

Affordable Housing

49. Before a Final Map is recorded, the developer shall enter into an Affordable Housing Agreement with the City. The Agreement shall include either one of the two following options as mutually agreed upon by the City and the developer. In the event City staff and the developer cannot agree on the option, the City Council shall be the final decision maker on the appropriate option.
Option #1 would require one low-income unit and one-moderate income unit to be provided. These two units would be 3-bedroom rental units. There would be no in-lieu fee required because the applicant will be providing 2 units rather than the 1 required unit.
Option #2 would require the provision of one 3-bedroom low-income unit. The in-lieu fee would be used to subsidize the difference between the affordable sales price of a moderate-income unit and the affordable sales price of a low-income unit. In the event the in-lieu payment is more than the price differential, the excess funds shall be paid to the City as the project's in-lieu fee contribution. In the event the in-lieu payment is less than the price differential, the developer shall be responsible for the shortfall to provide a low-income unit.

Public Access Easement

50. To provide for public access to MacDorsa Park from Erba Lane a public access easement is required over Lot A private access road. The City Attorney shall review and approve the public access easement prior to approval of the final map and it shall be recorded concurrently
51. If a future owner would like to make improvements in their rear yard resulting in a greater lot coverage than 55%, this can be allowed with the review and approval of the Director of the Community Development Department.

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Public Art

52. The proposed public art will be a custom Bay Photo design mural located on the face of the retaining wall of Lot 10 and Erba Lane. It will be approximately ten feet wide by four feet high and made of metal. The Community Development Director will review and approve the final design.

53. **Mitigation Measure BIO-1: Oak Riparian Woodland - Project Construction.** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area.

1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including:

- Conduct construction activities within 20 feet of the riparian woodland during the dry season;
- Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
- Stabilize disturbed soils to minimize erosion and sediment input to the creek;
- Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
- Conduct erosion control seeding of all disturbed areas as soon as

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practicable after disturbance following construction;

- Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.

54. **Mitigation Measure BIO-2: Oak Riparian Woodland Post-Construction:** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

- 2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.
- 2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (Vinca sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (Phytophthora sp.) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (<http://cemar.ucdavis.edu>).

55. **Mitigation Measure BIO-3: Special status wildlife and nesting birds:** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

- 3.1 The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests

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cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.

- 3.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledged the nest(s).

Building Department

Standard

The developer shall obtain any required grading and/or building permit(s) and pay applicable fees

56. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.
57. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.
58. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.
59. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.
60. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.

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61. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.
62. Structural calculations shall be submitted and wet-signed by the Engineer of record.
63. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.
64. A soils report by a qualified professional) engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.
65. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.
66. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.
67. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.
68. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.
69. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

Grading

70. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.

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71. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.
72. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
73. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.
74. Air Quality
 The following BMPs shall be included in the construction contract for the project and be implemented during site grading:
 - a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
 - b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
 - c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
 - d. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
 - e. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
 - f. No grading activities shall occur during days of high wind velocity.
 - g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
 - h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.
 - i. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

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Hazardous Materials and Hydrology

75. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
76. Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or into Scotts Valley Drive.
77. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

City Public Works Department- Engineering Division

78. A final subdivision or parcel map in conformance with the California Government A final subdivision or parcel map in conformance with the California Government Code, Section 66410 ET seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.
79. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)
80. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the

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"City of Scotts Valley Standard Details", latest revision adopted by the City Council.

81. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
82. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
83. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.
84. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
85. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.
86. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.
87. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

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See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

88. Impervious area must be shown on coversheet.
89. Dedication of land for Park and Recreational Purposes:
Applicant shall comply with be aware of Muni Code Chapter 16.35 – Dedication of land for Park and Recreation Purposes. Applicant can find the Code of Ordinance on the City of Scotts Valley Website, under Municipal Code.
90. Applicant shall pay the cost to accomplish the utility design and construction to underground the telephone, electric power, and television cables in each project contained easement, private or public road frontage. This under grounding of utilities to remove utility poles comes in addition to the state required under grounding of transmission for the project and any new service connections.
91. The final map shall be submitted to the City's Public Works Department on an AutoCAD drawing version 2018 LT or earlier electronic version prior to recording.
92. Applicant shall submit electric files for all civil plans for review and As-Builts when project is completed in both paper and electronic file.
93. Applicant shall submit a completed "segregation of assessment" form for each assessment district in which the subdivision participates.
94. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz County Assessor's Office or the Local Agency Formation Commission (LAFCO) to ensure that the subdivided property is within a single tax code.
95. The applicant shall repair any damage caused to the City streets [or the private roadway] by applicant or its contractors, consultants, and/or employees prior to issuance of a certificate of occupancy. A videotape log, DVD format, clearly showing the existing condition of [the applicable street] to the project site shall be presented to the Department of Public Works prior to the start of construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the City prior to issuance of a certificate of occupancy. Damage assessment will be at the sole discretion of the City.

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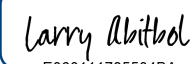
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DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

96. The developer shall comply with SVMC chapter 16.35, dedication of land for parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

54. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District
55. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

DocuSigned by:

E060111785504BA...

8/24/2021

Name and Signature of Property Owner, Larry Abitbol

Date

RESOLUTION NO. 1997.2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING PLANNED DEVELOPMENT PERMIT (PD19-001) AND DESIGN REVIEW (DR19-005) FOR THE “BAY VILLAGE PLANNED DEVELOPMENT” IN THE HIGH DENSITY RESIDENTIAL GENERAL PLAN AND ZONING DISTRICT FOR A TEN LOT SUBDIVISION FOR TEN UNITS (SIX DETACHED SINGLE-FAMILY DWELLINGS AND TWO ATTACHED DUET/ DUPLEXES), AND RELATED SITE IMPROVEMENTS, ON A 1.04-ACRE SITE LOCATED AT ERBA LANE (NO SITUS) / APNs 22-481-18 AND 22.

WHEREAS, the Planning Department of the City of Scotts Valley has received the application filed by Charlie Eadie, Eadie Consultants, applicant, for Larry Abitbol, SV Housing LLC, owner, for Planned Development No. PD19-001 and Design Review No. DR19-005 for a ten-lot subdivision for of ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04 acre parcel located at Erba Lane (no situs) (collectively referred to as “Application”); and,

WHEREAS, Charlie Eadie, Eadie Consultants, applicant, for Larry Abitbol, SV Housing LLC, owner, (referred to as “applicant”) has presented substantial evidence which supports the Application; and

WHEREAS, the Application was reviewed for completeness and is determined to be a “project” as defined by the California Environmental Quality Act (CEQA); and,

WHEREAS, a Mitigated Negative Declaration has been prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA); and

WHEREAS the project is determined to not have a significant impact on the environment based upon the results of the initial study; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2021, to consider the Application and after consideration of public testimony, the staff report and evidence submitted to support the Application, the Planning Commission recommended approval of the Application to the City Council; and

WHEREAS, a public hearing on the proposed project was held by the City Council on June 16, 2021, and such hearing was noticed pursuant to the requirements of the Scotts Valley Municipal Code and State Law; and

WHEREAS, the City Council certified the Mitigated Negative Declaration for the project by adoption of Resolution No 1997; and

WHEREAS, the City Council approved the Planned Development Zoning for the project by adoption of Ordinance No. 16-ZC-230; and

WHEREAS, the City Council approved the Land Division for the project by adoption of Resolution No 1997.1.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

SECTION 1: The City Council of the City of Scotts Valley does hereby make the following Planned Development Permit findings, as further clarified in the staff report dated June 16, 2021:

1. ***The planned development permit, as issued, furthers the policies of the general plan.*** The allowable residential density range in High Density Residential General Plan areas is 9 to 15 units per acre. The project is consistent within the General Plan density range of 9 to 15 units per acre, and results with a density of 9.6 units per acre. The proposed project includes the construction of ten, two-story, single-family dwellings including four duplex/duets, all with attached two-car garages. Common Lot A is for a private road which provides access to seven of the residential units (lots seven to ten) and stormwater infrastructure. The homes are of a conventional design that is consistent with the character of the neighborhood. Further, the project improves and upgrades a previously undeveloped and underutilized site providing housing opportunities for ten families. Therefore, the proposed ten-lot residential development is consistent with the land use permitted in the General Plan and will provide a residential density compatible with those permitted on adjacent sites.
2. ***The planned development permit, as issued, conforms in all respects to the planned development zoning of the property.*** The "PD" will be an overlay zone to the proposed R-H base zoning districts. The Planned Development zoning allows exceptions to the development standards to accommodate the proposed lot configuration with reduced lot sizes, width and depths, reduced front, side, and rear setbacks. The project design meets the requirement of this finding in that approval of the Planned Development and Permit will allow ten two-story, single-family dwellings including four duplex/duets, all with attached two-car garages. Each new home will have private yard space, two covered garage parking space and two uncovered parking spaces
3. ***That the inter-relationship between the orientation, location, mass and scale of building volumes, and elevations of buildings, structures, and other uses on-site are appropriate, compatible, and aesthetically harmonious.*** The project meets the requirements of this finding in that the overall siting and design of the buildings incorporate conventional horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with a front porch with a gable roof and wood timber details. The roof forms include gables

with shingles or lap siding under the gables and wood brackets. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The proposed colors will be unique for each home and include shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The stone veneer are two natural stone brown/gray/ buff colors. The garage doors will be metal insulated doors with sections and divided lights at the top with a wood trellis' over the garage doors. The two-story homes are approximately 28 to 30-feet in height feet similar to other nearby homes in the neighborhood. As designed consistent with the General Plan Action OSA-387. The PD allows exceptions from the underlying R-H zoning standards predominantly related to lot size and configuration of the proposed lots, in order for each home to be on a separate parcel of land, which has private yard spaces. The architectural details, materials, mass, and colors of the proposed residential units are high quality and are consistent with newer single-family dwellings, compatible with the surrounding area. The architecture, quality exterior materials/ finishes/colors, and landscaping will create an aesthetically harmonious project.

4. ***The environmental impacts of the project have been reviewed and considered.*** The project meets the requirements of this finding in that the Project's Initial Study and Mitigated Negative Declaration ND20-001 establishes and incorporates mitigation measures that reduce potentially significant impacts to less than significant levels. As proposed and through mitigation measures adopted for the proposed development the long and short-term environmental effects associated with this project will be less than significant.

SECTION 2: The City Council of the City of Scotts Valley does hereby make the following Design Review findings, as further clarified in the staff report dated June 16, 2021:

1. ***The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood is appropriate.*** The project meets the requirement of this finding in that the proposed single-family homes will be sited appropriately in relation to the existing neighborhood and location and fronting on Erba lane and on a private road. The site gently slopes towards Scotts Valley Drive and retaining walls are required for level building pads. After the biologist determined the riparian woodland boundary, the project was redesigned to avoid development in the riparian area. Avoiding development in the riparian area created a physical constraint resulting in very irregularly shaped lots and reduced front, side, and rear yard setbacks. The physical constraints of the site require exceptions from the development standards as allowed in a PD district, which are common on infill developments in the area such as the private access road and requirements for on-site stormwater retention. As proposed the single-family dwellings are suited to the property, setting, and zoning context.
2. ***The materials, colors, proportion, mass and detail of all structures shall be in good proportion, have simplicity of mass and detail and be compatible in appearance with surrounding structures. There shall be an appropriate use of***

materials. Colors shall be appropriate within the context of use and should blend with surrounding structures. The project meets the requirements of this finding in that the proposed single-family homes, are two-story in height and utilize conventional horizontal siding on one of the stories and board and batt siding on the other. The front elevations include a stone veneer base with natural stone brown/gray/ buff colors, and a front porch with a gable roof and wood timber details. The roof forms include gable, hip, and shed roof forms with shingles or lap siding under the gables and wood bracket details. The roofs are conventional in design with a 6:12 pitch and medium dark brown color composition shingles. The proposed windows are off-white color vinyl or wood frame, single hung with single or double windows with multiple lights and wood trim. The proposed colors will be unique for each home and include shades of medium and light browns and greens and the trim, trellises, deck railings and wood knee braces are a dark brown color. The two-story homes are approximately 28 to 30-feet in height feet similar to other nearby homes in the neighborhood. The variety of quality materials, exterior treatments, finish details and exterior colors are appropriate and consistent with the City's design review criteria.

3. **The landscaping is in keeping with the character and design of the proposed development. Existing trees shall be preserved whenever possible.** The project, with tree and landscape revisions as depicted and described in the applicant schematic revisions dated September 8, 2020 would meet the requirements of this finding in that the project will provide new landscaping including replacement trees, shrubs, and ground cover. Two protected oak trees are proposed to be removed and four additional trees may be impacted by construction. With the implementation of standard conditions of approval and mitigation measures the remaining trees will be preserved. Replacement trees are required at a 2:1 ratio and 22 trees are proposed including 11 street trees on the landscape plan. Preliminary landscaping and irrigation details have been reviewed. A condition of approval requires that final landscape and irrigation plans be submitted for staff review and approval by the Community Development Director.
4. **The size, location, and arrangement of on-site parking and paved areas shall be appropriate.** The project meets the requirements of this finding in that each proposed single-family homes has a two-car garage. and exceeds the single-family parking requirements by providing a two-uncovered parking spaces on a 20-foot deep driveway. No parking would be allowed in the private road and ten off-site public parking spaces will be created on Erba Lane. Common Lot A provides a shared road for vehicle access serving seven of the proposed homes. The front half of Lot A common parcel incorporates pervious pavers and contains sub-surface on-site stormwater retention infrastructure.
5. **For ingress, egress and internal traffic circulation, all of the above factors shall be related to the setting or established character of the neighborhood or surrounding area.** The project meets the requirement of this finding in that vehicle access to the site from Erba Lane and access to seven of the homes driveways is through a shared, common, private road (Lot A).

6. For fences and walls over eight feet tall or fences over three feet tall in front yards when across from Hwy 17, consider height and access to sunlight, setbacks, landscaping and use of materials for articulation and visual relief.

The project site slopes towards Scotts Valley Drive to the southeast. To accommodate the site grades and create level building pads the project requires extensive retaining walls to be constructed along the property lines in the southeast, south, northwest corner and between most of the lots. The tan color concrete block retaining walls will be topped with solid plank redwood privacy fences. Along Erba Lane on the front left half of Lot 1, a retaining wall would be below grade and topped by a six-foot in height redwood fence. Also, along the Erba Lane side of Lot 10 would be an above grade retaining wall varying in height from up to 5'-8" topped by a 42" to six-foot in height redwood fence. The rear property line of Lots 7 to 10 would have a retaining wall vary from 5'-8" to 6'-6" in height topped by a six-foot redwood fence.

NOW THEREFORE, BE IT FURTHER RESOLVED that, after careful consideration of the application and related materials, plans, maps, facts, exhibits, staff report, testimony and other evidence submitted in this matter, and incorporated herein by this reference, the City Council approves PD Permit No. PD19-001 and Design Review No. DR19-005 for the Bay Village Planned Development for a ten-lot subdivision for ten units (six detached single-family dwellings and two attached duet/ duplexes), and related site improvements on a 1.04 acre site located at Erba Lane (no situs), subject to the Conditions of Approval set forth in Exhibit A, which is incorporated herein by this reference.

THE ABOVE AND FOREGOING RESOLUTION was duly and regularly passed by the City Council of the City of Scotts Valley at a meeting held on the 16th day of June 2021, by the following vote:

AYES: DILLES, JOHNSON, LIND, REED, TIMM
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE

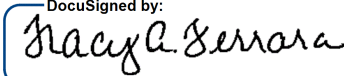
APPROVED:

DocuSigned by:

 D69A8C00E91448D...

Derek Timm, Mayor

ATTEST:

DocuSigned by:

 554BD60C6488411...

Tracy A. Ferrara, City Clerk

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Exhibit A

Legal

1. The developer has agreed to and shall defend, indemnify and hold harmless the City of Scotts Valley, its officers, agents and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void or annul any action of the City in connection with approvals under the California Environmental Quality Act or with respect to approval of the project, which action is brought within the time period(s) prescribed by law. The City shall promptly notify the developer of any such claim, action or proceeding and shall fully cooperate in defense.
2. After City Council action of the project the developer/applicant shall sign the Conditions of Approval agreeing to the Conditions of Approval prior to issuance of any grading/building permits, transfer of title, or within 30 days of approval of these planning permits, whichever occurs first.
3. The developer shall obtain all required demolition, grading, improvement plans, and building permits and pay all required development and impact fees before starting any grading/earth disturbance or construction on the property.

Planning Department

4. The approved planning permits include a Mitigated Negative Declaration, Planned Development Overlay and Permit, Land Division, and Design Review for a ten-lot subdivision, to construct ten single-family dwellings and related site improvements on a 1.04-acre site located at Erba Lane. The two-story, single-family dwellings and site improvements shall be constructed substantially as shown in the plans prepared by David B. Zulim, received 9/10/20 and 12/17/20 and Gregory Lewis, Landscape Designer, dated September 8, 2020, and as described in writing on the project's technical reports, which are on file in the Planning Department.
5. All site improvements shall be in conformance with the plans stamped approved, unless otherwise conditioned in this Exhibit to the satisfaction of the Community Development Director (CDD) and City.
6. Any future changes to the approved plans that the developer and/or other reviewing agencies initiate and/or propose, shall require prior review and approval by the CDD/City and CDD confirmation regarding the level of

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environmental review and planning permits. As determined by the CDD, minor changes may be approved by the CDD while major changes may require review and approval by the Planning Commission and/or City Council, paid by the developer.

7. Prior to removal of trees or a grading permit issuance submit a mitigation and monitoring compliance fee deposit for ten hours of staff time at the current hourly rate. Any unused deposit fee will be refunded prior to final inspection.
8. To ensure that the Mitigation and Monitoring measures are communicated and complied with a preconstruction meeting shall be conducted prior to the start of any construction and the following shall attend: the developer, grading contractor supervisor, project planner, Building Official, Public Works Director, project biologist and arborist, with exception of installing temporary construction fencing demarcating the disturbance area, siltation and tree protection fencing. Temporary construction protective measures and tree protection fencing shall be installed prior to the meeting and inspected at that time by the biologist and arborist. Provide an attendance list to the project planner.

Cultural Resources

Archaeological Resources

9. The developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities and inspections for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.
 - a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities.
 - b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis.

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- c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring.
 - d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present.
10. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150-foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.
 11. If human remains are unexpectedly encountered during project grading the actions required as identified in the previous condition shall be implemented to effectively preserve any human remains until the Santa Cruz County Coroner determines the appropriate course of action concerning the treatment and disposition of the human remains pursuant to the California Health and Safety Code Section 7050.5(b).

Paleontological Resources

12. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
13. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
14. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
15. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
16. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist

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- during monitoring and any recovery activities, including assisting with recovery efforts if necessary.
17. The applicant and construction contractor shall ensure that paleontological resources are not destroyed during project grading.
 18. The developer shall submit a copy of a contract with a qualified/registered paleontologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work.
 19. The qualified/registered paleontologist shall monitor all earthwork activity as described in conditions 12-24, below.
 20. The applicant/contractor shall provide the project paleontologist with a copy of the final grading plans for review prior to any project grading.
 21. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas.
 22. Allow for the recovery of any discovered paleontological resources according to a recovery plan/method specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.).
 23. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken.
 24. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

Fences and Walls

25. All fence and retaining wall design details shall be included on plans submitted for building permit and subject to Planning Department review and approval, prior to issuance of a building permits

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Trees

Standard

26. All recommendations in the Arborist Report Preliminary Tree Inventory & Assessment was prepared for the previous site plan in November 2017 (Kurt Fouts, 11/30/2017). A Preliminary Arborists Report, Preliminary Tree Inventory and Assessment (the Revised Arborists Report) was prepared in March 2020 based on the revised site plan (Kurt Fouts, March 27, 2020) are incorporated as conditions of project approval. This report includes an exhibit (grading plan) showing replacement tree locations.
27. Tree removal shall not occur until a grading or building permit has been issued for the project.
28. The final grading plans and improvement plans shall be reviewed and approved by the project Arborist prior to any grading and if deemed necessary additional tree preservation measures shall be applied to the project.
29. The project arborist shall place a monetary value on trees preserved on development sites and a surety bond in an amount equal to the value of the preserved trees shall be deposited with the city prior to issuance of a grading/building permit for the project. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the applicant upon final inspection of the project.
30. During the pre-construction phase of development, the project arborist shall inspect tree protection fencing and the completion of pre-construction treatments. This inspection shall be completed prior to the issuance of any grading or building permits
31. The project arborist shall routinely inspect the development site through the term of the project.
32. Upon completion of construction activities, the project arborist shall submit written documentation stating that all recommended tree preservation measures have been completed prior to Building Permit final for the project.
33. The cost of the project arborist review and implementation of conditions, site inspection and related work shall be borne by the applicant.
34. The project developer shall place a surety bond in an amount equal to the value

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of the preserved trees as shown in the project Arborist Report. The surety bond shall be deposited with the city prior to issuance of a grading/building permit for the project. The monetary value shall be reviewed and approved by the CDD. If damage occurs to the preserved trees during development and/or construction, funds will be drawn from the deposited amount. Funds remaining in the account will be returned to the developer upon final inspection of the project.

Project Specific

35. The arborists recommendations for tree preservation shall be printed on the demolition, grading and construction drawings including: "1) After grading stakes are placed, the project arborist, the grading equipment operator and the tree service company shall meet to review the extent of pruning required to achieve clearance from grading operations; 2) Plant 4 15-gallon cost live oak replacement trees as mitigation for the removal of four coast live oak trees, T39 and T40, in the locations recommend on the grading exhibit; 3) If either T35 or T38 requires removal plant two 15-gallon coast live oak for each tree removed, in the location identified on the attached grading exhibit. Once final plan sets are complete, a tree protection plan, containing tree protection specifications will be required. T
36. The arborist shall monitor and observe hand grading and trenching near the protected trees.
37. If any protection is removed, the arborist shall verify that the fencing and other tree protection measures were correctly reinstalled. The arborist report included a sign to show the tree protection zone, this sign(s) should remain posted in a visible location during construction.
38. Provide a copy of a contract for services for the Community Development Department Director review and approval prior to issuance of a demolition or grading permit.

Landscaping

Standard

39. The landscaping improvements shall be permanently maintained and irrigated.
40. The materials and locations of the landscape retaining walls shall be approved by the Community Development Director prior to issuance of grading or building permit.
41. Landscaping shall comply with State of California Government Code Section

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65596 Water Conservation in Landscaping and associated Model Water Efficient Landscaping Ordinance for landscaping equal or greater than 2,500 square feet. If not applicable the project is required to be consistent with the City Water Conservation Ordinance.

Project Specific

42. The arborists recommended tree replacement locations shown on the exhibit dated 4/29/20, (grading plan) attached to the arborist report, dated 3/27/20, shall be included in the final landscape drawings to be approved by the Community Development Department Director.
43. A final landscape and irrigation plan shall be submitted and shall include the name, number, size, and location for all planting materials, trees and ground covers and tree replacement locations shall be approved by the Community Development Director prior to issuance of grading or building permits.
44. Landscape plans submitted to the City shall include a minimum of four replacement trees. If additional trees are required to be removed or are damaged due to construction impacts, these trees shall also require replacement at a 2:1 ratio prior to occupancy and as part of the landscaper's warranty. All new tree species shall be selected in consultation with the project arborist, based on the specific tree location, soil type, and water and solar needs.

Lighting

45. All exterior lighting shall be the minimum necessary for security and all lighting shall be down shining with the light source not directly visible from adjacent properties. Where deemed necessary by the Community Development Director light cutoffs/shields shall be installed.

CC&R's

46. CC&R's for the ongoing management and maintenance of the site improvements including perimeter fencing, on-site stormwater facilities, landscaping, driveways, retaining walls, and any other shared facilities, for the project shall be approved by the City and executed by the property owner prior to the approval of the final map. The CC&R's shall be recorded prior to building permit final, or the sale or lease of the first unit or within 30 days of the final map recording, whichever comes first. The property owner shall pay recording costs.

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Joint Maintenance Agreement

47. Applicant shall provide a Joint Landscape Maintenance Agreement for review and approval by the Community Development Director and Public Works Director for the maintenance of off-site landscaping prior to approval of the Final Map.
48. The curbs along the private ace road and the emergency vehicle turnaround shall be painted red indicating no parking except for emergency vehicles and no parking signs installed pursuant to Fire Department standards. This condition shall be included in the CCRs.

Affordable Housing

49. Before a Final Map is recorded, the developer shall enter into an Affordable Housing Agreement with the City. The Agreement shall include either one of the two following options as mutually agreed upon by the City and the developer. In the event City staff and the developer cannot agree on the option, the City Council shall be the final decision maker on the appropriate option.
Option #1 would require one low-income unit and one-moderate income unit to be provided. These two units would be 3-bedroom rental units. There would be no in-lieu fee required because the applicant will be providing 2 units rather than the 1 required unit.
Option #2 would require the provision of one 3-bedroom low-income unit. The in-lieu fee would be used to subsidize the difference between the affordable sales price of a moderate-income unit and the affordable sales price of a low-income unit. In the event the in-lieu payment is more than the price differential, the excess funds shall be paid to the City as the project's in-lieu fee contribution. In the event the in-lieu payment is less than the price differential, the developer shall be responsible for the shortfall to provide a low-income unit.

Public Access Easement

50. To provide for public access to MacDorsa Park from Erba Lane a public access easement is required over Lot A private access road. The City Attorney shall review and approve the public access easement prior to approval of the final map and it shall be recorded concurrently
51. If a future owner would like to make improvements in their rear yard resulting in a greater lot coverage than 55%, this can be allowed with the review and approval of the Director of the Community Development Department.

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Public Art

52. The proposed public art will be a custom Bay Photo design mural located on the face of the retaining wall of Lot 10 and Erba Lane. It will be approximately ten feet wide by four feet high and made of metal. The Community Development Director will review and approve the final design.

53. **Mitigation Measure BIO-1: Oak Riparian Woodland - Project Construction.** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

1.1 The outer edge of the riparian setback area should be demarcated by the placement of six-foot high plastic construction fencing (during the construction period) and a permanent six-foot high fence (after construction). The fence should have an opening to allow access to the existing pathway that crosses the intermittent drainage channel. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees. The construction fencing should be maintained in a functional manner throughout the site construction period and should be inspected periodically by the contractor and City of Scotts Valley personnel for damage and proper functioning. No equipment staging, vehicle parking or other activities shall occur within the protected riparian area.

1.2 To minimize sediments entering the intermittent creek, the project should implement best management practices, including:

- Conduct construction activities within 20 feet of the riparian woodland during the dry season;
- Incorporate measures to filter and entrap pollutants prior to their discharge into the creek or other downstream drainage features that lead to Carbonera Creek.
- Stabilize disturbed soils to minimize erosion and sediment input to the creek;
- Implement erosion control measures to prevent sediment from entering the creek channel, including the use of silt fencing or fiber rolls to trap sediments;
- Conduct erosion control seeding of all disturbed areas as soon as

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practicable after disturbance following construction;

- Monitor the effectiveness of the erosion control measures during the first year's rainy season and implement remedial measures (e.g., reseeding, repair of silt fencing) if sedimentation or erosion is noted.

54. **Mitigation Measure BIO-2: Oak Riparian Woodland Post-Construction:** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

- 2.1 All lighting features shall be directed away from the oak riparian woodland, such that the woodland is not illuminated. Homeowners/tenants shall not be allowed to install night lighting that illuminates the riparian woodland.
- 2.2 Future landowners/tenants should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the property include all plants recognized as exotic pest plants by Cal-IPC (see Exotic Pest Plants of Greatest Ecological Concern in California, www.cal-ipc.org). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (Vinca sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), all pines, cotoneaster, and pyracantha. If evidence of the fungus responsible for Sudden Oak Death (Phytophthora sp.) is detected on the property, the homeowners should implement measures to prevent/control the spread of this fungus both on and off-site. The homeowners should be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the City, the County and the State of California. Preventative and treatment measures should also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force, University of California Cooperative Extension, Sudden Oak Death website (<http://cemar.ucdavis.edu>).

55. **Mitigation Measure BIO-3: Special status wildlife and nesting birds:** Prior to project construction activities on the site, the project applicant and a qualified biologist shall demonstrate to the satisfaction of the City compliance with the following:

- 3.1 The landowner shall hire a qualified biologist to search for San Francisco dusky-footed woodrat nests. If any are found and impacts to the nests

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cannot be avoided, the applicant shall seek written approval from CDFW to implement a trapping and relocation program. Wood rat nests shall not be disturbed without prior written approval from CDFW.

- 3.2 If construction is scheduled to begin between March 1 and August 15 of any given year, the landowner shall hire a qualified biologist to conduct a search for active bird nests in the vicinity of the work site (following CDFW survey protocols). If active bird nests are observed, the work shall be postponed until the biologist determines that all chicks have fledged the nest(s).

Building Department

Standard

The developer shall obtain any required grading and/or building permit(s) and pay applicable fees

56. The developer shall pay all applicable City development impact fees before grading and/or building permit issuance.
57. The developer shall pay school impact fees to the Scotts Valley Unified School District before building permit issuance.
58. All trades of electrical, plumbing, and mechanical will be issued under one building permit for said project (General Contractor permittee). All subcontractors shall provide their contractor's license number and their workers compensation insurance information to the Building Department.
59. All buildings shall be designed to comply with the current California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Energy Code and California Green Building Code, in effect at the time of building permit application.
60. The building permit plans must comply with the current California Plumbing and Green Building Code for water-conserving fixtures and fittings and with the CA Energy Commission Building Energy Efficiency Standards, which includes energy-saving fixtures and appliances to be used throughout the building.
61. All new construction shall comply with the California Green Building Code and the City's current Green Building Guidelines, which requires various low-impact-development and resource efficient techniques, to the satisfaction of the CDD.

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62. Structural calculations shall be submitted and wet-signed by the Engineer of record.
63. A Special Inspection form shall be submitted and the names of Special Inspectors with certifications as required shall be provided.
64. A soils report by a qualified professional) engineer shall be submitted with the application for any building permits. The developer shall submit a plan review letter from the project Geotechnical Engineer confirming that the construction documents comply with the project geotechnical engineer's recommendations.
65. The developer shall comply with the City's standard erosion control measures. The plans submitted for a building permit must include best management practices (e.g. erosion control practices and procedures) during construction, which include complying with Regional Air Quality Control Board emissions for construction equipment.
66. Site drainage erosion control and foundation plans must be reviewed and approved by the soils engineer of record.
67. To ensure that City requirements are met, the developer shall specify to the Building Official the off-site disposal location of any exported soil material at a pre-construction meeting or before grading permit issuance. If the disposal site is located outside the City, the site shall be a legal facility such as a licensed landfill or permitted fill site.
68. Developer shall submit a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval.
69. A completed City of Scotts Valley Construction and Waste Management Plan form shall be submitted with the Building permit application.

Grading

70. The limits of grading shall be clearly marked on the site prior to the issuance of a grading or building permit.
71. If grading in the rainy season (October 15th to April 15th) is necessary all necessary, approvals from the Building Department shall be obtained.

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72. The location of all soil to be exported shall be reviewed and approved by the Building Official prior to issuance of a grading or building permit.
73. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.
74. Air Quality
 The following BMPs shall be included in the construction contract for the project and be implemented during site grading:
 - a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover.
 - b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces.
 - c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession.
 - d. The site entrance shall be base rocked to avoid or minimize tracking mud on roadways by construction vehicles.
 - e. Roadway(s) along the project frontage shall be mechanically swept at the end of each workday when any dirt or mud has been tracked on the street.
 - f. No grading activities shall occur during days of high wind velocity.
 - g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier.
 - h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.
 - i. Prior to issuance of any grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

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Hazardous Materials and Hydrology

75. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus.
76. Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or into Scotts Valley Drive.
77. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

City Public Works Department- Engineering Division

78. A final subdivision or parcel map in conformance with the California Government A final subdivision or parcel map in conformance with the California Government Code, Section 66410 ET seq, and with the City Subdivision Ordinance, and including the conditions of the tentative subdivision map, shall be filed to the satisfaction of the Public Works Director/City Engineer.
79. All required documents, final or parcel map sheets, covenants, developer and city improvement agreements and bonds, shall be provided to the satisfaction of the Public Works Director/City Engineer prior to the recordation of any final map or application for any building permit. (Applicant should be advised that officials of Santa Cruz County, such as the Auditor-Controller, Recorder and Clerk of the Board have requirements, such as payment of taxes and present title guarantee, which precede recordation of the map.)
80. Engineered Improvement Plans shall be submitted for all on-site and off-site work and will be approved by the Public Works Director/City Engineer. On-site and off-site (encroachment) civil engineering permits must be issued by the City prior to commencing any work. Improvement Plans shall include any necessary grading, drainage, masonry retaining walls, driveway, utilities, utility pole relocation, frontage improvement and/or repair of sidewalk, curb and gutter or similar facilities required satisfying tentative map conditions to the satisfaction of the Public Works Director/City Engineer. All improvements shall conform to the design standards contained in text and illustration in the "City of Scotts Valley Standard Details", latest revision adopted by the City Council.

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81. Engineered improvement plans for all work, signed, and prepared under the direction of a registered civil engineer, shall be approved by the Public Works Director/City Engineer prior to commencing work.
82. All work in the public right-of-way will require an encroachment permit application made to the satisfaction of the Public Works Director/City Engineer. The civil on-site work, as plan reviewed by the Public Works Department, will require an on-site civil engineering permit and inspection.
83. All public improvements shall be guaranteed by written Agreement with the city, Faithful Performance Bond, and Labor and Material men's Bond, to the satisfaction of the Public Works Director/City Engineer.
84. All signing and striping shall be approved and completed as required by the Public Works Department, and shall be in conformance with current editions of Transportation and Traffic Engineering Handbook, by the Institute of Transportation Engineers, and the State Department of Transportation "Standard Specifications".
85. The project shall connect to the sanitary sewer system and existing septic systems, if any, shall be properly abandoned.
86. Applicant shall construct storm drain facilities in conformance with data and analysis in the adopted City of Scotts Valley Storm Drain Master Plan, December 1989 and in accordance with the city's SWMP Ordinance No. 184.1.
87. Stormwater Management Plan:
A registered civil engineer shall provide storm (hydrologic and hydraulic) calculations for appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. The design shall follow the criteria contained in the City of Scotts Valley Standard Details and the data and analysis contained in the latest adopted City of Scotts Valley Storm Drainage Master Plan.

Development shall not increase the rate of flow (cubic feet per second) or velocity (feet per second) of site run-off water to any off-site drainage areas beyond the measured or calculated pre-project rate and velocity.

See the Stormwater Technical Guide on the Scotts Valley City website for requirements and formatting under Public Works.

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88. Impervious area must be shown on coversheet.
89. Dedication of land for Park and Recreational Purposes:
Applicant shall comply with be aware of Muni Code Chapter 16.35 –
Dedication of land for Park and Recreation Purposes. Applicant can find the
Code of Ordinance on the City of Scotts Valley Website, under Municipal
Code.
90. Applicant shall pay the cost to accomplish the utility design and construction to
underground the telephone, electric power, and television cables in each
project contained easement, private or public road frontage. This under
grounding of utilities to remove utility poles comes in addition to the state
required under grounding of transmission for the project and any new service
connections.
91. The final map shall be submitted to the City's Public Works Department on an
AutoCAD drawing version 2018 LT or earlier electronic version prior to
recording.
92. Applicant shall submit electric files for all civil plans for review and As-Builts
when project is completed in both paper and electronic file.
93. Applicant shall submit a completed "segregation of assessment" form for each
assessment district in which the subdivision participates.
94. Prior to the filing of the final/parcel map, applicant shall contact the Santa Cruz
County Assessor's Office or the Local Agency Formation Commission
(LAFCO) to ensure that the subdivided property is within a single tax code.
95. The applicant shall repair any damage caused to the City streets [or the
private roadway] by applicant or its contractors, consultants, and/or
employees prior to issuance of a certificate of occupancy. A videotape log,
DVD format, clearly showing the existing condition of [the applicable street] to
the project site shall be presented to the Department of Public Works prior to
the start of construction. Applicant is advised that, absent clear video evidence
to the contrary, road damage must be repaired to the satisfaction of the City
prior to issuance of a certificate of occupancy. Damage assessment will be at
the sole discretion of the City.

DEPARTMENT OF PUBLIC WORKS -PARKS AND RECREATION DIVISION

96. The developer shall comply with SVMC chapter 16.35, dedication of land for

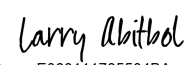
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parks and recreational purposes. Any fees shall be paid prior to issuance of a grading and/or building permit.

FIRE DEPARTMENT

54. This project shall comply with the California Fire Code as amended by the Scotts Valley Fire Protection District
55. The emergency vehicle turnaround shall be clearly marked with red curbs and no parking signs pursuant to Fire Department standards.

DocuSigned by:

E060111785504BA...

8/24/2021

Name and Signature of Property Owner, Larry Abitbol

Date

RESOLUTION NO. 1555-SP-035

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
ORDERING AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS
THEREIN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972**

SKYPARK OPEN SPACE MAINTENANCE DISTRICT

RESOLVED, by the City Council of the City of Scotts Valley, California, that,

WHEREAS, pursuant to Resolution No. 1555-SP-07, ordering formation of territory into an Open Space Maintenance Assessment District and authorizing the levy and collection of assessments, adopted on the 6th day of December 1995 by the City Council pursuant to the Landscaping and Lighting Act of 1972, as amended, the Engineer of Work of said City has filed with the City Clerk the written report called for under said Act and by said Resolution No. 1555-SP-07, which report has been presented by said Engineer of Work to this Council and this Council has preliminarily approved and confirmed said report by its Resolution No. 1555-SP-03, adopted October 18, 1995, and ordered that the same stand as the report for the purpose of all subsequent proceedings pursuant to said Resolution No. 1555-SP-03; and

WHEREAS, June 7, 2023 at the hour of 6:00 o'clock p.m. and June 21, 2023 at the hour of 6:30 o'clock p.m., in the regular meeting place of said Council, Council Chambers, One Civic Center Drive, Scotts Valley, California, was appointed and fixed as the time and place of public hearings to act upon the Engineer's Report and Resolution No. 1555-SP-035; and

WHEREAS, the City Clerk gave notice of said hearings by publication once a week for two weeks in the local newspaper published and circulated in said City, and by mailing or causing to be mailed notice of the adoption of said Resolution and of the filing of said report, postage prepaid, at least ten days before the date set for hearings of said protests, to all persons owning real property to be assessed, whose names and addresses appear on the last equalized assessment roll for County taxes prior thereto or as known to the City Clerk, which notice contained a statement of the time, place and purpose of the hearings and a statement of the total estimated cost of said proposed maintenance and improvements, the amount as shown by said report to be assessed against the particular parcel covered by the notice, together with a statement that any person interested may file a protest in writing as provided in said Act; and

WHEREAS, all written protests and other written communications were read by the Council and are on file with the Clerk and all persons desiring to be heard were fully heard.

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That protests against said maintenance of improvements and levy of assessments were not signed by the owners of a majority or more of the area of the lands within the assessment district assessed for the costs and expenses of said work.
2. That said protests be, and each of them are, hereby overruled.
3. That the owners of one-half (1/2) or more of the area to be assessed for the cost of the project did not, at or prior to the time fixed for said hearings, file written protests against the said proposed maintenance and improvements as a whole, or against said district or the extent thereof to be assessed for the costs and expenses of said maintenance and improvements as a whole, or as to the Engineer's estimate of said costs and expenses, or against the maps and descriptions, or against the diagram or assessment to pay for the costs and expenses thereof.
4. That the district benefitted by said maintenance and improvements are to be assessed to pay the costs and expenses thereof, and the exterior boundaries thereof are more particularly described in said Resolution No. 1555-SP-07 and made a part hereof by reference thereto. That all public streets and highways within said assessment district in use in the performance of a public function as such shall be omitted from said district and from the levy and collection of the special taxes to be hereafter levied and collected to cover the costs and expenses of said maintenance and improvements.
5. That the Engineer's estimate of the itemized and total costs and expenses in connection therewith, contained in said Report, be, and it is hereby, finally adopted and approved as the Engineer's total and detailed estimate of the costs and expenses of said maintenance of improvements.
6. That the public interest and convenience require and said Council does hereby order the maintenance of improvements to be made as described in and in accordance with said Resolution No. 1555-SP-07 on file in the office of the Clerk, reference to which is hereby made for a more particular description of said maintenance of improvements, and also for further particular pursuant to the provisions of said Landscaping and Lighting Act of 1972.
7. That the diagram showing the assessment district referred to and described in said Resolution No. 1555-SP-07, and also the boundaries and dimensions of the respective subdivisions having been given a separate number upon said diagram, as contained in said report, be, and it is hereby, finally approved and confirmed as the diagram of the properties to be assessed to pay the costs and expenses of said maintenance of improvements.

8. That the assessment of the total amount of the costs and expenses of the proposed maintenance of improvements upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by said subdivisions, respectively from said maintenance of improvements, and of the expenses incidental thereto, contained in said report, be, and the same is hereby, finally approved and confirmed as the assessment to pay the costs and expenses of said maintenance of improvements.

9. That said Engineer's Report be, and the same is hereby, finally adopted and approved as a whole.

10. That the Clerk shall forthwith deliver to the Superintendent of Streets said assessment as confirmed by this Council with his/her certificate of such confirmation thereto attached and of the date thereof; and that said Superintendent of Streets shall record said diagram and assessment in his/her office in a suitable book to be kept for that purpose, and append thereto his/her certificate for the date of such recording, and such recordation shall be and constitute the assessment roll herein.

11. Proceedings shall be taken by this Council pursuant to said Act for any fiscal year during which an assessment is to be levied and collected within said district.

12. The Clerk of this City be, and is hereby, authorized and directed to file a certified copy of this resolution with the County Auditor of Santa Cruz County.

I hereby certify that the foregoing resolution was duly and regularly adopted and passed by the City Council of the City of Scotts Valley, California, at a regular meeting thereof held on the 21st day of June, 2023, by the following vote of the members thereof:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved:

Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

**ENGINEER'S REPORT
Fiscal Year 2023-2024**

**SKYPARK OPEN SPACE
MAINTENANCE ASSESSMENT DISTRICT NO. 1
Tract No. 1380**



**CITY OF SCOTTS VALLEY
Santa Cruz County, California**

**Jack Dilles
Mayor**

**Randy Johnson
Vice Mayor**

**Derek Timm
Council Member**

**Donna Lind
Council Member**

**Allan Timms
Council Member**

**Mali LaGoe
City Manager**

**Christopher Lamm RCE 82461
Public Works Director / City Engineer**

Skypark Open Space Maintenance Assessment District No. 1

ASSESSMENT

Fiscal Year 2023-2024

WHEREAS, on October 18, 1995, the City Council of the City of Scotts Valley, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972, adopted its Resolution No. 1555-SP-01, determining to initiate proceedings for the establishment of an assessment district to be known as the "Skypark Open Space Maintenance Assessment District No. 1", more particularly therein described; and

WHEREAS, Resolution No. 1555-SP-25 appointed the City Engineer as Engineer of Work and directed the preparation and filing of an Engineer's Report presenting plans of the improvements to be maintained, a diagram for the assessment district, an estimate of cost for maintenance and servicing thereof, and an assessment of the estimated costs upon all assessable lots or parcels within the assessment district, to which resolutions reference is hereby made for further particulars.

NOW, THEREFORE, I, Christopher Lamm, RCE 82461, Public Works Director/City Engineer of said City of Scotts Valley, hereby make the following assessment to cover the portion of the estimated cost of the maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, to be paid by the assessment district.

The amount to be paid for said maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto; to be paid by the assessment district for the fiscal year 2023-2024 is as follows:

Engineer's Estimate: \$41,750.60

And I do hereby assess and apportion said portion of said total amount of the costs and expenses of said maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, upon the several lots, pieces, or parcels or portions of lots of land liable therefore and benefitted thereby, and hereinafter numbered to correspond with the numbers upon the diagram, upon each, severally and respectively, in proportion to the benefits to be received by such lands respectively, from the maintenance hereto attached and by reference made a part hereof.

As required by said Act, a diagram is recorded in official records of the County of Santa Cruz showing the assessment district and also boundaries and dimensions of the respective lots or parcels of land within said assessment district generally described as the same existed at passage of said Resolution No. 1555-SP-01.

Said assessment is made upon the several lots or parcels of land within said assessment district in proportion to the estimated benefits to be received by said lots or parcels respectively, from the maintenance and servicing of the improvements. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

I hereby place opposite the number of each lot or parcel of land assessed, the amount assessed thereon and the number of the assessment. Each lot or parcel of land is described in the assessment list by reference to its parcel number as shown on the Assessor's Maps of the County of Santa Cruz for the fiscal year 2023-2024 to the right of the parcel numbers and includes all of such parcels.

Date

Christopher Lamm, RCE 82461
Public Works Director / City Engineer

DESCRIPTION OF WORK

Skypark Open Space Maintenance Assessment District No. 1

1. Maintaining and servicing of landscaping, vegetation and open space, including the cost of repair, removal or replacement of all or any part thereof, providing for the life, growth, health and beauty thereof, including cultivation, trimming, spraying, fertilizing or treating for disease or injury, the removal of trimmings, rubbish, debris and other solid waste, and water for the irrigation thereof.
2. Maintaining and servicing of decorative fencing, exercise par course and signage thereon, electronically controlled gates, and other ornamental structures and facilities, including the cost of repair, reconstruction, removal, or replacement of all or any part thereof.
3. Repair or replacement, including the installation and construction thereof, of hardscaping, including damaged curbs, gutters, walls, sidewalks, paving, water, irrigation systems, drainage, lighting, or electric facilities appurtenant to any of the improvements referenced in paragraphs 1 and 2 above, or which are necessary or convenient for the maintenance or servicing of said improvements.
4. The improvements referenced above are all within the boundaries of parcels 14, 15, 16, 17, as shown on Final Map, Tract No. 1355, Skypark, recorded in the official records of Santa Cruz County in the Book of Maps, Volume 89, Page 14, and within the boundaries of parcels A and B as shown on Final Map, Tract No. 1380, California Skypark, recorded in the official records of Santa Cruz County in the Book of Maps, Volume 89, Page 15 (hereinafter referred to as Final Maps).
5. The cost of slope subsidence/stability insurance or a self-insurance fund for any and all slope failures within the boundaries of parcels 14, 15, 16, 17, A and B as shown on the aforesaid Final Maps.
6. The maintenance, repair or replacement of such other facilities as may be appurtenant to the foregoing or which are necessary or convenient for the maintenance or servicing thereof.

SKYPARK OPEN SPACE

MAINTENANCE ASSESSMENT DISTRICT NO. 1

Engineer's Estimate

Fiscal Year 2023-2024

BENEFIT ASSESSMENT

The budget for the costs and expenses of maintaining and operating any and all of said public improvements for fiscal year 2023-2024 is as follows:

MAINTENANCE

1.	Maintenance contract	
a.	Linear Trail Open Space (K&D Landscaping)	\$ 25,587.77
b.	Greenbelt Maintenance (Brightview Landscaping)	\$ 7,340.32
b.	Water Cost - Greenbelts	\$ 19,400.00
c.	Utilities (PG&E)	\$ 600.00
	Subtotal	\$ 52,928.09
	Total maintenance cost (12-month period)	

INSURANCE

1.	Self-Insurance Fund for Park Slope/Bluff Area	\$ 0.00
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INCIDENTALS

1.	City administration (10% Overhead)	\$ 5,292.80
	Total Costs	\$ 58,220.89
	General Fund Contribution	(\$ 16,470.29)

BALANCE TO ASSESSMENT **\$ 41,750.60**

RULES OF SPREADING ASSESSMENTS

1. District is to be assessed for all costs associated with the maintenance and servicing of the landscaping, hardscaping and appurtenant improvements within parcels 14, 15, 16, 17, as shown on Final Map, Tract No. 1355, Skypark, recorded in the official records of Santa Cruz County in the Book of Maps, Volume 89, Page 14, and within the boundaries of parcels A and B as shown on Final Map, Tract No., 1380, California Skypark, recorded in the official records of Santa Cruz County in the Book of Maps, Volume 89, Page 15.
2. Total costs shall be apportioned to all parcels within the district boundaries in accordance with the benefit derived from the landscaping improvements.
3. The benefit derived has been determined to be equal for all parcels.

Certificates

I, Cathie Simonovich, City Clerk of the City of Scotts Valley, hereby certify that the foregoing assessment roll, in the amount set forth, was filed with me on _____.

Cathie Simonovich, City Clerk

I, Christopher Lamm, Public Works Director / City Engineer of the City of Scotts Valley, do hereby certify that the amounts set forth under the Engineer's Estimate on Page 1 of the Assessment, and the individual amounts on the foregoing pages of the Assessment have been computed in accordance with the order of the City Council of said City of Scotts Valley, as expressed by Resolution No. 1555-SP-034, duly adopted by said City Council on June 21, 2023.

Christopher Lamm, RCE 82461
Public Works Director / City Engineer

I, Cathie Simonovich, City Clerk of the City of Scotts Valley, hereby certify that the foregoing assessment, in the amount set forth in the Engineer's Estimate on Page 1 of the Assessment, was approved and confirmed by the City Council of the City of Scotts Valley on _____.

Cathie Simonovich, City Clerk

The Assessment was filed in the office of the County Auditor of the County of Santa Cruz, California, on _____.

Cathie Simonovich, City Clerk

I HEREBY CERTIFY that the enclosed Engineer's Report and Assessment was recorded in my office on _____.

Public Works Director / City Engineer
Scotts Valley, Santa Cruz County, California

By _____
Christopher Lamm

SKYPARK OPEN SPACE MAINTENANCE ASSESSMENT DISTRICT NO. 1

ASSESSMENT ROLL

Ass. No.	Assessor's Parcel No.	Property Owner	Assessment Amount
1001	22-691-01	Mario Guerrero Magno & Marife Arcinas	\$ 219.74
1002	22-691-02	Jyri Virkki	\$ 219.74
1003	22-691-03	Christopher & Dianne Wong	\$ 219.74
1006	22-691-06	Anna Kesler-Diaz	\$ 219.74
1007	22-691-07	Upendra Choudhary	\$ 219.74
1008	22-691-08	Brian D. & Teresa M. Hallin Trustees	\$ 219.74
1009	22-691-09	Soon K. & Young H. Yuh	\$ 219.74
1010	22-691-10	Michael Mark Goodwin	\$ 219.74
1011	22-691-11	Jaime & Emily Rakow	\$ 219.74
1012	22-691-12	Jeremy & Lori Gentile	\$ 219.74
1013	22-691-13	Clarence W. Jr. & Maureen A. Mezzell	\$ 219.74
1014	22-691-14	Robert L Hambelton	\$ 219.74
1015	22-691-15	Gillian McGlaze	\$ 219.74
1016	22-691-16	Matthew D & Spring V Babb	\$ 219.74
1017	22-691-17	Dan Joe Aspromonte Trustee	\$ 219.74
1018	22-691-18	Willie D. & Lisa J. Lu Trustees	\$ 219.74
1004	22-691-20	Jose F. & Heather T. Lomba	\$ 219.74
1005	22-691-21	Christian Life Center First Assembly of	\$ 219.74
1144	22-692-01	Deandre & Karen James	\$ 219.74
1145	22-692-02	Jeanette E. Anderson	\$ 219.74
1146	22-692-03	Jann L. Smart	\$ 219.74
1147	22-692-04	Carl Gyllenhammer	\$ 219.74
1148	22-692-05	Mark McWhinney	\$ 219.74
1149	22-692-06	Hin F. Boen et al	\$ 219.74
1150	22-692-07	Peter K. Thompson	\$ 219.74
1151	22-692-08	Edward J. & Karen E. McNamara	\$ 219.74
1152	22-692-09	Guadalupe & Sarah De Leon	\$ 219.74
1153	22-692-10	Jeffrey Allen Ott	\$ 219.74
1154	22-692-11	Owen Ward	\$ 219.74
1177	22-692-12	Alexandra Michelle-Conway & Michael Lomas	\$ 219.74
1178	22-692-13	Johnny Mon et al	\$ 219.74
1179	22-692-14	Yuriko Yamasaki	\$ 219.74
1180	22-692-15	David R & Melissa Zieper	\$ 219.74
1181	22-692-16	John C. & Kassi L. Van Lanen	\$ 219.74
1182	22-692-17	Sarah E. Christensen	\$ 219.74
1183	22-692-18	Robert Kurt Molholm	\$ 219.74
1184	22-692-19	Henry J. Kondrat et al	\$ 219.74
1185	22-692-20	Tuo Chen	\$ 219.74
1186	22-692-21	David J. Albano	\$ 219.74
1187	22-692-22	Anjna & Kamaljit Mann	\$ 219.74

1188	22-692-23	Charles D Berg	\$ 219.74
1189	22-692-24	Peter Svensson	\$ 219.74
1190	22-692-25	Eric P. & Julie A. Miller	\$ 219.74
1107	22-693-01	Vincent & Samantha Auvray	\$ 219.74
1108	22-693-02	Catherine Hope & Gregory L. Horvath	\$ 219.74
1109	22-693-03	Mary Patricia & David Dorsey	\$ 219.74
1110	22-693-04	Brandon Charles & Nicole Sarah Finstad	\$ 219.74
1137	22-693-05	Shelley Noh	\$ 219.74
1138	22-693-06	Scott & Lisa M. MacGowan	\$ 219.74
1139	22-693-07	Ping Fai Ben Li et al	\$ 219.74
1140	22-693-08	Hubert Hudson Burroughs	\$ 219.74
1141	22-693-09	Sylvia P. Morrison	\$ 219.74
1142	22-693-10	David and Josie Texidor	\$ 219.74
1143	22-693-11	Jeffrey Kennedy & Jennifer Leigh Wade	\$ 219.74
1019	22-701-01	Sheryl Ann McEwan	\$ 219.74
1020	22-701-02	Clark P. & Sarah N. Winn	\$ 219.74
1021	22-701-03	David R. & Cheryl R. Schneider	\$ 219.74
1022	22-701-04	Andrew Seppy Bloom et al	\$ 219.74
1023	22-701-05	Mary Simpson	\$ 219.74
1024	22-701-06	Christopher S. Thomas	\$ 219.74
1025	22-701-07	James V. & Lea K. Reed	\$ 219.74
1026	22-701-08	Andrew Jacob Ringer	\$ 219.74
1027	22-701-09	Kevin & Julie L. Burnett	\$ 219.74
1028	22-701-10	Linda Lloyd Fisher Trustee et al	\$ 219.74
1029	22-701-11	Carolyn A. Nicholson	\$ 219.74
1030	22-701-12	Jason & Sandra Malone	\$ 219.74
1031	22-701-13	Roderick A. & Cheryle M. Brownfield	\$ 219.74
1032	22-701-14	Jessica I. Puccinelli	\$ 219.74
1033	22-701-15	Kendall Q. & Marisela Maria Sullivan	\$ 219.74
1176	22-702-01	Sergey Kataev	\$ 219.74
1175	22-702-02	Francis J. III & Bridget E. Gramkowski	\$ 219.74
1174	22-702-03	Karl R. & Marsha J. Landgraf	\$ 219.74
1173	22-702-04	James S. Szabo et al	\$ 219.74
1172	22-702-05	Roman Efimov	\$ 219.74
1171	22-702-06	Terrence A. & Megan A. O'Toole	\$ 219.74
1170	22-702-07	William Scholtz	\$ 219.74
1169	22-702-08	Janet Elizabeth Barber	\$ 219.74
1168	22-702-09	Justin J. & Sara R. Kiesby	\$ 219.74
1167	22-702-10	Debbie P. Dizon	\$ 219.74
1166	22-702-11	Charles E. Schmuck Trustee	\$ 219.74
1165	22-702-12	Steven & Kathleen F. Gullickson	\$ 219.74
1164	22-702-13	Dale R. Henry et al	\$ 219.74
1163	22-702-14	Brian & Michiyo Johnston	\$ 219.74
1162	22-702-15	Eric & Beth Seib	\$ 219.74
1161	22-702-16	Kimberly M. Clark	\$ 219.74
1160	22-702-17	Amanda Danner	\$ 219.74

1159	22-702-18	Brian P. & Stacey G. Costello Trustees	\$ 219.74
1158	22-702-19	Gayathri Balaji	\$ 219.74
1157	22-702-20	Barry Young	\$ 219.74
1156	22-702-21	James Ray Jr. & Heather Lewis Sebring	\$ 219.74
1155	22-702-22	Nathan & Jodie Fillhardt	\$ 219.74
1134	22-702-26	Robert D. & Jayne E. Scott	\$ 219.74
1133	22-702-27	Mark T. & Helen L. Youmans	\$ 219.74
1132	22-702-28	Maria C. Torchio-Gauthier et al	\$ 219.74
1131	22-702-29	Sadra Emami	\$ 219.74
1115	22-702-30	Stephen R. Morairty	\$ 219.74
1114	22-702-31	The Salvation Army	\$ 219.74
1113	22-702-32	Stephen P. & Kristina N. Dinwiddie	\$ 219.74
1112	22-702-33	Jason P. & Amy M. Ivey	\$ 219.74
1111	22-702-34	Gavin J. & Jane F. Melford Trustees	\$ 219.74
1135	22-702-36	Cesar & Jacqueline DeSantos	\$ 219.74
1136	22-702-37	Douglas G. & Susan Diane Morey	\$ 219.74
1105	22-703-01	Araceli Henley	\$ 219.74
1106	22-703-02	Fazlul & Rokhsana B. Quader	\$ 219.74
1073	22-703-03	John Lau et al	\$ 219.74
1072	22-703-04	James E. & Deborah L. Nieters	\$ 219.74
1129	22-711-01	Craig W. & Kathleen M Adams Trustees	\$ 219.74
1128	22-711-02	Jordan & Jessica Boschen	\$ 219.74
1127	22-711-03	Lisa M Newton	\$ 219.74
1126	22-711-04	Gregory Allen Rexelle	\$ 219.74
1125	22-711-05	Peter C. Lombrozo et al	\$ 219.74
1124	22-711-06	William & Joanne Thompson	\$ 219.74
1123	22-711-07	Philip W. Crowley	\$ 219.74
1122	22-711-08	Tavin B & Kristina M. Lanpheir	\$ 219.74
1121	22-711-09	Thomas M. Carli & Margaret Walsh	\$ 219.74
1120	22-711-10	Jakko M. Kleijnen et al	\$ 219.74
1119	22-711-11	John B. & Susan A. Ledingham	\$ 219.74
1118	22-711-12	Brian J. & Valerie E. Kindell	\$ 219.74
1117	22-711-13	Kaylon M. & John A. Northington	\$ 219.74
1100	22-711-14	Kim & John M. Lariviere	\$ 219.74
1099	22-711-15	Henry R. & Stephanie A. Knight	\$ 219.74
1098	22-711-16	Donald G. II & Tamera L. Melrose	\$ 219.74
1097	22-711-17	Sandra Holland et al	\$ 219.74
1096	22-711-18	Deant A. & Marina P. Earl	\$ 219.74
1095	22-711-19	Craig Moorhead	\$ 219.74
1094	22-711-20	Omeed M. & Traci L. Ghaffarian	\$ 219.74
1093	22-711-21	April N. & Stephen A. Clarke	\$ 219.74
1092	22-711-22	Steven & Kierstin L. Trefethen	\$ 219.74
1091	22-711-23	Gareth & Karen S. Egerton	\$ 219.74
1090	22-711-24	Srinivasan & Hemamalini Sathish	\$ 219.74
1089	22-711-25	Clark & Debra Patteson Trustees	\$ 219.74
1088	22-711-26	Tom Evenson Survivors Trust	\$ 219.74

1087	22-711-27	Mark R. & Marna S. Scarr Trustees	\$ 219.74
1086	22-711-28	Ursula T. Christiansen	\$ 219.74
1085	22-711-29	John D. Gullory & Suzanne Herrera	\$ 219.74
1084	22-711-30	Kim & Michael Cushing	\$ 219.74
1083	22-711-31	James D. Neef et al	\$ 219.74
1082	22-711-32	Alan & Laurie Okamura	\$ 219.74
1081	22-711-33	Sudesh Shetty Kodialbail et al	\$ 219.74
1080	22-711-34	Gerald E. Beyke	\$ 219.74
1079	22-711-35	Matthew & Marina M. Ward	\$ 219.74
1078	22-711-36	Keith & Jennifer Chomentowski	\$ 219.74
1130	22-711-38	Kevin Tien	\$ 219.74
1116	22-711-39	Barry W. Prentiss	\$ 219.74
1101	22-711-40	Richard P. Des Jardin Trustee et al	\$ 219.74
1102	22-711-41	Daniel Marhenke Peterson	\$ 219.74
1103	22-711-42	Kevin J. & Valerie W. Lenahan	\$ 219.74
1104	22-711-43	Susan Hanlock Chapman	\$ 219.74
1074	22-711-44	Larry D. & Rebecca C. Mosley	\$ 219.74
1075	22-711-45	Valerie Trunecek	\$ 219.74
1076	22-711-46	Todd & Michelle Riddle	\$ 219.74
1077	22-711-47	Jenny & Jefferson Delacruz	\$ 219.74
1034	22-712-01	Matthew A. & Gretchen K. Clark	\$ 219.74
1035	22-712-02	Claude H. & Cynthia M. Lopez	\$ 219.74
1036	22-712-03	Christopher W. Bensen & Tara Dalton	\$ 219.74
1037	22-712-04	Jeffrey L. Gee et al	\$ 219.74
1038	22-712-05	Emir & Denise Gurer	\$ 219.74
1039	22-712-06	Goran & Susan Domitrovic	\$ 219.74
1040	22-712-07	Milind Mohan Hirlekar	\$ 219.74
1041	22-712-08	Shaun Shahram & Habibeh Deyhim	\$ 219.74
1042	22-712-09	Robert J. Romero et al	\$ 219.74
1043	22-712-10	Kimberly A Brosseau	\$ 219.74
1044	22-712-11	Rodney W. & Christine E. Stanton	\$ 219.74
1045	22-712-12	Clifford & Lily Dong Trustees	\$ 219.74
1046	22-712-13	Tomas & Tereza Knappek	\$ 219.74
1047	22-712-14	Donald L. & Paula K. Cardoza Trustees	\$ 219.74
1048	22-712-15	Lee & Diane D. Basilotta	\$ 219.74
1049	22-712-16	Alan Van Wambeck Trustee et al	\$ 219.74
1050	22-712-17	Carlos S & Roberta N Camilo Denilson	\$ 219.74
1051	22-712-18	The Salvation Army	\$ 219.74
1052	22-712-19	Andrea Banzi & Amelia Louis e Jensen	\$ 219.74
1053	22-712-20	Mark Alan Newton et al	\$ 219.74
1054	22-712-21	Donald J. Hutchison Trustee	\$ 219.74
1071	22-713-01	Gary D. Thomsen	\$ 219.74
1070	22-713-02	Sheldon N. Rosell	\$ 219.74
1069	22-713-03	Jeffrey S. & Susan Leigh Rosell	\$ 219.74
1068	22-713-04	Daryl & Claire Spitzer	\$ 219.74
1067	22-713-05	Scott M. & Lailah Mueting	\$ 219.74

1066	22-713-06	Elsa Marmolejo	\$ 219.74
1065	22-713-07	Manish N. & Alpa M. Patel	\$ 219.74
1064	22-713-08	Justin R. Rishoff	\$ 219.74
1063	22-713-09	John Roman Mueller	\$ 219.74
1062	22-713-10	Christine & Nicholas Hutton	\$ 219.74
1061	22-713-11	Thomas M. & Barbara R. Evenson	\$ 219.74
1060	22-713-12	Mark & Vicki C. Teixeira	\$ 219.74
1059	22-713-13	William J. Simons	\$ 219.74
1058	22-713-14	Casey G. & Betty Nicole Peterson	\$ 219.74
1057	22-713-15	Wilma M. Caldwell	\$ 219.74
1056	22-713-16	Mallory & Lance Walkup	\$ 219.74
1055	22-713-17	Matthew R. Hakimi Trustee	<u>\$ 219.74</u>

TOTAL ASSESSMENTS

\$ 41,750.60

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 6/21/2023
TO: Honorable Mayor and City Council
FROM: Chris Lamm, Public Works Director
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Pinewood Estates Landscape Maintenance Assessment District**

SUMMARY OF ISSUE

On July 15, 1987, Resolution 1213 was adopted by City Council to form the referenced assessment district pursuant to the Landscape and Lighting Act of 1972. The District improvements, which generally consist of ornamental landscaping, irrigation equipment, signs, fences, and storm detention ponds, were dedicated to the City by the developer of Pinewood Estates subdivision. These improvements were planted/constructed in the right-of-way of Lockwood Lane and in landscaping easements from the subdivision. The district participants are the twenty-five Pinewood Estates homeowners, who are being assessed for the cost of maintaining the improvements.

The District special fund is annually depleted and the owners reassessed each year. Attached is the Engineer's Report establishing the assessments this year at \$240 per unit, the same as last year's, for total revenue of \$6,000.

As required, all 25 owners were notified of the June 7, 2023 public meeting and the June 21, 2023 public hearing via mail. The assessor's role is used to obtain the current name and address of each property owner to be notified of the proceedings. The purpose of the public meeting is to receive public testimony from the affected property owners regarding the assessment. No other action is necessary.

This public hearing is being held to receive additional testimony from property owners, overrule any protests received, if appropriate, approve the FY 2023-24 Annual Engineer's Report, and adopt Resolution No. 1213.37.

FISCAL IMPACT

Costs associated with the maintenance and repair of the assessed area are funded through an assessment district. The established assessment amount is \$240 per unit/parcel, generating approximately \$6,000 annually.

STAFF RECOMMENDATION

It is recommended that the City Council hold a public hearing, overrule any protests received, approve the FY 2023-24 Annual Engineer's Report, and approve Resolution No. 1213.37 ordering and authorizing the levy and collection of assessments therein pursuant to the Landscaping and Lighting Act of 1972 for the Pinewood Estates Landscaping Maintenance District

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2. 2023-24 Pinewood Annual Engineer's Report

RESOLUTION NO. 1213.37

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY ORDERING AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS THEREIN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

PINEWOOD ESTATES LANDSCAPE MAINTENANCE DISTRICT

RESOLVED, by the City Council of the City of Scotts Valley, California, that:

WHEREAS, pursuant to Resolution No. 1192, a Resolution of Public Interest and Convenience to Form a Landscaping Maintenance District and Ordering Preparation of an Engineer's Report adopted on the 4th day of February, 1987, by the City Council pursuant to the Landscaping and Lighting Act of 1972, as amended, the Engineer of Work of said City has filed with the City Clerk the written report called for under said Act and by said Resolution No. 1192, which report has been presented by said Engineer of Work to this Council and this Council has preliminarily approved and confirmed said report by its Resolution No. 1213, adopted July 15, 1987, and ordered that the same stand as the report for the purpose of all subsequent proceedings pursuant to said Resolution No. 1213.

WHEREAS, June 7, 2023 at the hour of 6:00 o'clock p.m. and June 21, 2022 at the hour of 6:30 o'clock p.m., in the regular meeting place of said Council, Council Chambers, One Civic Center Drive, Scotts Valley, California, was appointed and fixed as the time and place of public hearings to act upon the Engineer's Report and Resolution No. 1213.37.

WHEREAS, the City Clerk gave notice of said hearings by publication once a week for two weeks in the local newspaper published and circulated in said City, and by mailing or causing to be mailed notice of the adoption of said Resolution and of the filing of said report, postage prepaid, at least ten days before the date set for hearings of said protests, to all persons owning real property to be assessed, whose names and addresses appear on the last equalized assessment roll for County taxes prior thereto or as known to the City Clerk, which notice contained a statement of the time, place and purpose of the hearings and a statement of the total estimated cost of said proposed maintenance and improvements, the amount as shown by said report to be assessed against the particular parcel covered by the notice, together with a statement that any person interested may file a protest in writing as provided in said Act.

WHEREAS, all written protests and other written communications were read by the Council and are on file with the Clerk and all persons desiring to be heard were fully heard.

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That protests against said maintenance of improvements and levy of assessments were not signed by the owners of a majority or more of the area of the lands within the assessment district assessed for the costs and expenses of said work.

2. That said protests be, and each of them are, hereby overruled.

3. That the owners of one-half (1/2) or more of the area to be assessed for the cost of the project did not, at or prior to the time fixed for said hearings, file written protests against the said proposed maintenance and improvements as a whole, or against said district or the extent thereof to be assessed for the costs and expenses of said maintenance and improvements as a whole, or as to the Engineer's estimate of said costs and expenses, or against the maps and descriptions, or against the diagram or assessment to pay for the costs and expenses thereof.

4. That the district benefitted by said maintenance and improvements are to be assessed to pay the costs and expenses thereof, and the exterior boundaries thereof are more particularly described in said Resolution Nos. 1192 and 1213 and made a part hereof by reference thereto. That all public streets and highways within said assessment district in use in the performance of a public function as such shall be omitted from said district and from the levy and collection of the special taxes to be hereafter levied and collected to cover the costs and expenses of said maintenance and improvements.

5. That the Engineer's estimate of the itemized and total costs and expenses in connection therewith, contained in said Report, be, and it is hereby, finally adopted and approved as the Engineer's total and detailed estimate of the costs and expenses of said maintenance of improvements.

6. That the public interest and convenience require and said Council does hereby order the maintenance of improvements to be made as described in and in accordance with said Resolution Nos. 1192 and 1213 on file in the office of the Clerk, reference to which is hereby made for a more particular description of said maintenance of improvements, and also for further particular pursuant to the provisions of said Landscaping and Lighting Act of 1972.

7. That the diagram showing the assessment district referred to and described in said Resolution No. 1192 and 1213, and also the boundaries and dimensions of the respective subdivisions having been given a separate number upon said diagram, as contained in said report, be, and it is hereby, finally approved and confirmed as the diagram of the properties to be assessed to pay the costs and expenses of said maintenance of improvements.

8. That the assessment of the total amount of the costs and expenses of the proposed maintenance of improvements upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by said subdivisions,

respectively from said maintenance of improvements, and of the expenses incidental thereto, contained in said report, be, and the same is hereby, finally approved and confirmed as the assessment to pay the costs and expenses of said maintenance of improvements.

9. That said Engineer's Report be, and the same is hereby, finally adopted and approved as a whole.

10. That the Clerk shall forthwith deliver to the Superintendent of Streets said assessment as confirmed by this Council with his/her certificate of such confirmation thereto attached and of the date thereof; and that said Superintendent of Streets shall record said diagram and assessment in his/her office in a suitable book to be kept for that purpose, and append thereto his/her certificate for the date of such recording, and such recordation shall be and constitute the assessment roll herein.

11. Proceedings shall be taken by this Council pursuant to said Act for any fiscal year during which an assessment is to be levied and collected within said district.

12. The Clerk of this City be, and is hereby, authorized and directed to file a certified copy of this resolution with the County Auditor of Santa Cruz County.

I hereby certify that the foregoing resolution was duly and regularly adopted and passed by the City Council of the City of Scotts Valley, California, at a regular meeting thereof held on the 21st day of June 2023, by the following vote of the members thereof:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

**ANNUAL ENGINEER'S REPORT
Fiscal Year 2023-2024**

**PINEWOOD ESTATES
LANDSCAPING MAINTENANCE DISTRICT
Tract No. 1121**



**City of Scotts Valley
Santa Cruz County, California**

**Jack Dilles
Mayor**

**Randy Johnson
Vice Mayor**

**Derek Timm
Council Member**

**Donna Lind
Council Member**

**Allan Timms
Council Member**

**Mali LaGoe
City Manager**

**Christopher Lamm, RCE 82461
Public Works Director / City Engineer**

ASSESSMENT

Fiscal Year 2023-2024

WHEREAS, on February 4, 1987, the City Council of the City of Scotts Valley, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972, adopted its Resolution No. 1192, determining to undertake proceedings for the establishment of an assessment district to be known as the "Pinewood Estates Landscaping Maintenance District", more particularly therein described; and

WHEREAS, on July 15, 1987, the City Council of the City of Scotts Valley, California adopted Resolution No. 1213 primarily approving and confirming the written report by the Engineers of Work called for under said Act, and ordered that the same stand as the report for the purpose of all subsequent proceedings had pursuant to said Resolution No. 1213; and

WHEREAS, on August 17, 1988, the City Council of said City of Scotts Valley adopted Resolution No. 1213.1 setting a time and place of hearing protest on levy of assessments pursuant to said Act; and

WHEREAS, on September 7, 1988, the City Council of said City of Scotts Valley adopted Resolution No. 1213.2 ordering and authorizing the levy and collection of assessments therein pursuant to the said Act; and

WHEREAS, the proceedings under said Act require an annual engineers report to be prepared and filed in the same way as the report for the formation of the district for each year in which an assessment is to be levied.

NOW, THEREFORE, I, Christopher Lamm, RCE 82461, Public Works Director/City Engineer of said City of Scotts Valley, hereby make the following assessment to cover the portion of the estimated cost of the maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, to be paid by the assessment district.

The amount to be paid for said maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, to be paid by the assessment district for the fiscal year 2023-2024 is as follows:

Engineer's Estimate:	\$6,764.00
Amount to be Assessed:	\$6,000.00

And I do hereby assess and apportion said portion of said total amount of the costs and expenses of said maintenance and servicing of the proposed improvements, including the costs and expenses incidental thereto, upon the several lots, pieces, or parcels or portions of lots of land liable therefore and benefitted thereby, and hereinafter numbered

to correspond with the numbers upon the diagram, upon each, severally and respectively, in proportion to the benefits to be received by such lands respectively, from the maintenance hereto attached and by reference made a part hereof.

As required by said Act, a diagram is recorded in official records of the County of Santa Cruz showing the assessment district and also the boundaries and dimensions of the respective lots or parcels of land within said assessment district as the same existed at the passage of said Resolution No. 1192.

Said assessment is made upon the several lots or parcels of land within said assessment district in proportion to the estimated benefits to be received by said lots or parcels respectively, from the maintenance and servicing of the improvements. The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular description of said property.

I hereby place opposite the number of each lot or parcel of land assessed, the amount assessed thereon and the number of the assessment. Each lot or parcel of land is described in the assessment list by reference to its parcel number as shown on the Assessor's Maps of the County of Santa Cruz for the fiscal year 2022-2023 to the right of the parcel numbers and includes all of such parcels.

Dated: _____

Christopher Lamm, RCE 82461
Public Works Director / City Engineer

DESCRIPTION OF WORK

1. Maintaining and servicing of landscaping and ornamental vegetation, including the cost of repair, removal or replacement of all or any part thereof, providing for the life, growth, health and beauty thereof, including cultivation, trimming, spraying, fertilizing or treating for disease or injury, the removal of trimmings, rubbish, debris and other solid waste, and water for the irrigation thereof.
2. Maintaining and servicing of decorative fencing, signage and other ornamental structures and facilities, including the cost of repair, reconstruction, removal, or replacement of all or any part thereof.
3. Repair or replacement, including the installation and construction thereof, of hardscaping, including damaged curbs, gutters, walls, sidewalks, paving, water, irrigation systems, drainage, lighting, or electric facilities within the landscape maintenance easement.
4. The maintenance, repair or replacement of such other facilities as may be appurtenant to the foregoing or which are necessary or convenient for the maintenance or servicing thereof.

ESTIMATE OF COSTS

ANNUAL MAINTENANCE COSTS

Fiscal Year 2023-2024

Engineer's Estimate (City Engineer)

Maintenance Expenses

Maintenance and servicing	\$ 4,037.00
Irrigation and power	\$ 1,600.00

Subtotal	\$ 5,637.00
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Incidental Expenses

City administration (20% Overhead)	\$ 1127.00
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Subtotal	\$ 1127.00
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Total Estimated Cost	\$ 6,764.00
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Net Amount to be Assessed	\$ 6,000.00
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RULES OF SPREADING ASSESSMENTS

1. District is to be assessed for all costs associated with the maintenance and servicing of the landscaping, hardscaping and appurtenant improvements within the boundaries of the district.
2. Total costs shall be apportioned to all parcels within the district boundaries in accordance with the benefit derived from the landscaping improvements.
3. Because the landscaping enhances an area serving as a drainage detention system for all parcels within the boundaries of the district, the benefit derived has been determined to be equal for all parcels.

Certificates

I, Cathie Simonovich, City Clerk of the City of Scotts Valley, hereby certify that the foregoing assessment, in the amount set forth, was filed with me on _____.

Cathie Simonovich, City Clerk

I, Christopher Lamm, Public Works Director / City Engineer for the City of Scotts Valley, do hereby certify that the amounts set forth have been re-computed in accordance with the order of the City Council of said City of Scotts Valley, as expressed by Resolution No. 1213.37, duly adopted by said City Council on June 21, 2023.

Christopher Lamm, RCE 82461
Public Works Director / City Engineer

I, Cathie Simonovich, City Clerk of the City of Scotts Valley, hereby certify that the foregoing assessment, in the amount set forth was approved and confirmed by the City Council of the City of Scotts Valley on _____.

Cathie Simonovich, City Clerk

The Assessment was filed in the office of the County Auditor of the County of Santa Cruz, California, on _____.

Cathie Simonovich, City Clerk

I HEREBY CERTIFY that the enclosed Engineer's Report and Assessment was recorded in my office on _____.

Public Works Director/City Engineer
Scotts Valley, Santa Cruz County, California

By: _____
Christopher Lamm

City of Scotts Valley

PINEWOOD ESTATES LANDSCAPING MAINTENANCE DISTRICT

ASSESSMENT ROLL

2023-2024

Assessment Number	Assessor's Parcel No.	Property Owner	Assessment Amount
1	021-172-01	BIAN ZHIXI	\$240
2	021-172-02	MARINO RUSSELL J TRUSTEE	\$240
3	021-172-03	MARTIN GEOFFREY & SUSAN H/W JT	\$240
4	021-172-04	KELLER TERRY A & JULIE TRUSTEES	\$240
5	021-172-05	EDWARDS ANDREA U/W WOLF MARSHALL E & KRISTIA BURGESS	\$240
6	021-172-06	TRUSTEES	\$240
7	021-172-07	HALL EUGENE J & JENNIFER M O CONNOR MICHAEL CHARLES & SARAH WRIGHT	\$240
8	021-172-08	H/W CP R	\$240
9	021-172-09	ROBINSON CARLOS E H/W JT ETAL	\$240
10	021-172-10	ROBERTS TRACY LEE	\$240
11	021-172-11	DUNN JOHN & JANINE H/W CP RS	\$240
12	021-172-12	GONG QI H/W CP RS ETAL	\$240
13	021-172-13	MC CONNELL MELVIN M & MIRIAM C H/W JT	\$240
14	021-172-14	MCMULLEN AMY DEANNE & ROBERT WILLIAM	\$240
15	021-301-01	LINN JOEL M & KARINA H/W CP RS	\$240
16	021-301-02	SION VINICIO & KRISTY CO-TRUSTEES	\$240
17	021-301-03	DAVIDSON MARK S & EVE M	\$240
18	021-301-04	KEITH SETH	\$240
19	021-301-05	LEMMON CYNTHIA M TRUSTEE	\$240
20	021-301-07	SUGGS JOHN B & LINDA L TRUSTEES	\$240
21	021-301-08	NORDSTROM MARK JOHN TRUSTEE ETAL	\$240
22	021-301-09	SPIEGEL JAMES D TRUSTEES ETAL	\$240
23	021-301-10	MCELREA SIMON J S & KRISTIN L	\$240
24	021-301-11	COX CLINT R	\$240
25	021-301-12	ROSS BRANDON J & KATHY C	\$240
TOTAL ASSESSMENTS:			\$ 6,000

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 6/21/2023

TO: Honorable Mayor and City Council

FROM: Mali LaGoe, City Manager

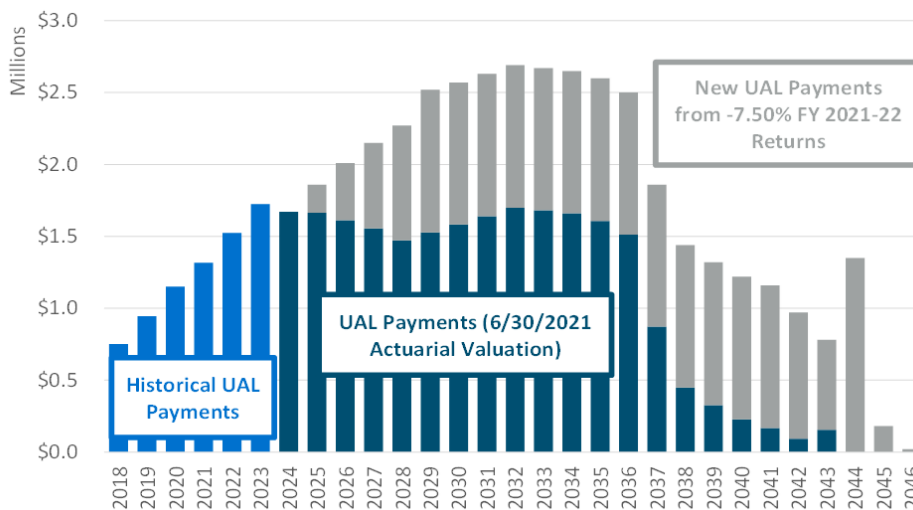
APPROVED: Mali LaGoe, City Manager

SUBJECT: **Adoption of the Multiple Employer OPEB/Pension 115 Trust Administered by Shuster Advisory Group and Appointing the City Manager as the City's Plan Administrator for the 115 Trust**

SUMMARY OF ISSUE

CalPERS Unfunded Accrued Liability:

The City of Scotts Valley (the "City"), like most cities in California, has an unfunded accrued liability ("UAL") associated with its CalPERS pension plans. As of June 30, 2021 (the most recent CalPERS valuation), the City's UAL was \$15.9 million; however, CalPERS reported investment returns of -7.5% for FY 2021-22, which is projected to increase the City's UAL to approximately \$23.6 million. This will be reflected in the City's next CalPERS actuarial valuation report later this summer. The -7.5% investment returns will lead to an increase in the City's annual UAL payment, beginning in FY 2024-25 and ramping up over the next decade. The annual UAL payment has been, and will continue to be, a significant impact on the City's budget. Any investment underperformance by CalPERS in FY 2022-23 will increase the City's future UAL balance and annual payment even more.



City's CalPERS Pension Cost Management Committee:

After the August 17, 2022, City Council meeting, in which the City's Municipal Advisor, NHA Advisors ("NHA"), delivered a comprehensive presentation that focused on

various pension cost management strategies, a CalPERS Pension Cost Management Committee (the “Committee”) was established to continue the pension cost management discussions with NHA and City staff, and to develop a formal pension funding policy. Council Members Dilles and Timm were named to the Committee.

The Committee and City staff had three meetings with NHA over the course of mid-September to early November, during which the Committee and City staff decided on setting up a Section 115 Trust (the “Trust”) as the primary initial pension cost management strategy for the City, given the benefit of budgetary flexibility and increased investment earnings compared to current General Fund reserves. Assets in a 115 Trust are irrevocably committed to the government function specified in the applicable trust agreement. Additionally, monies held in such trusts can be invested in accordance with the rules governing those trusts, which are different from the investment rules for the City’s pooled investments. Investment restrictions that apply to the City (CA Government Code 53601) do not apply to the assets held in an Irrevocable Section 115 Trust, thus allowing for more flexibility in the investment strategy. An initial deposit of \$2.0 million to the Trust was determined to be a feasible and effective amount. During these three meetings, the Committee and City staff also developed a formal pension funding policy.

The City Council adopted the pension funding policy on December 7, 2022, and also approved the recommendation for the Committee and City staff to pursue the next step of working with NHA to evaluate and select a Trust Administrator.

Since the December 7th City Council Meeting:

Together with NHA, the Committee and City staff evaluated multiple Trust administrators, and then interviewed the top two administrators (as ranked by the Committee, City staff, and NHA): Public Agency Retirement Services (“PARS”) and Shuster Advisory Group, LLC (“Shuster”). At the completion of the interview process, it was determined by the Committee, City staff, and NHA that the Multiple Employer OPEB/Pension 115 Trust administered by Shuster was the best program for the City’s goals. Of the administrators considered, Shuster proved to be the administrator with the lowest fees and best investment performance, and an administrator that does not co-mingle client assets with the assets of other agencies. Shuster was also the only administrator with fully customizable investment portfolios (at no additional cost), which the Committee deemed to be a critical factor in its decision. Having complete customizability in the current investment market was determined to be the optimal approach in order for the City to balance meaningful investment returns and risk management.

About Shuster:

Shuster is an independent investment advisory firm and fiduciary. Shuster provides governmental and institutional retirement plan consulting services and private wealth management. Shuster is an SEC-Registered Investment Advisor with over \$5 billion in assets under management, focusing on serving the unique needs of governmental agencies and special districts, serving over 80 cities, agencies, and public entities. Shuster serves as fiduciary to plan investments and provides investment selection,

monitoring, and management. Within the Shuster Section 115 Trust program, Shuster provides the trust administration, consultant and investment advisor functions; Charles Schwab Trust Bank provides trust custodian services; and Alta Trust Company provides directed trustee services.

Documents to be Executed by the City:

To set up the Trust, the City will execute the following agreements:

1. Adoption Agreement for the Multiple Employer OPEB/Pension 115 Trust
2. Administrative Services Agreement
3. Investment Advisor Agreement

Next Steps for the Trust:

After City Council approval of the Trust, the Committee and City staff will work with Shuster to finalize the documents and optimize an investment portfolio for the City's Trust assets (based on the City's risk tolerance and expected time horizon for withdrawals from the Trust). Once this step is completed, the Trust account will be set up and the \$2.0 million initial deposit can be made to the Trust. NHA will remain available to provide advice to City staff and the Committee during these next steps.

FISCAL IMPACT

Per the City's adopted pension funding policy, the Trust will initially be funded with a \$2,000,000 deposit. At this asset level, the total annual fee is \$6,000 (0.30% of \$2,000,000), which is composed of \$1,000 (0.05% of \$2,000,000) for administration, \$1,000 (0.05% of \$2,000,000) for custodian and trustee services, and \$4,000 (0.20% of \$2,000,000) for investment management. Annual fees are paid from Trust assets.

STAFF RECOMMENDATION

It is recommended that the City Council take the following actions:

1. Adopt Resolution No. 2030 approving the adoption of the Multiple Employer OPEB/Pension 115 Trust administered by Shuster Advisory Group, LLC and appointing the City Manager, or his/her successor or his/her designee as the City's Plan Administrator for the Section 115 Trust.
2. Authorize the City Manager to enter into the Adoption Agreement for the Multiple Employer OPEB/Pension 115 Trust.
3. Authorize the City Manager to enter into the Administrative Services Agreement and Investment Advisor Agreement with Shuster Advisory Group, LLC.
4. Authorize the City Manager to transfer \$2,000,000 to the City's 115 Trust upon completion of the Trust establishment documents.

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1. Resolution - Adoption of 115 Trust

RESOLUTION NO. 2030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY APPROVING THE ADOPTION OF THE MULTIPLE EMPLOYER OPEB/PENSION 115 TRUST ADMINISTERED BY SHUSTER ADVISORY GROUP, LLC AND APPOINTING THE CITY MANAGER AS THE CITY'S PLAN ADMINSTRATOR FOR THE 115 TRUST

WHEREAS, the City of Scotts Valley provides pension benefits to eligible employees and retirees as a participant in the California Public Employees Retirement System (CalPERS); and

WHEREAS, the City of Scotts Valley like most cities in California, has an unfunded accrued liability ("UAL") associated with its CalPERS pension plans; and

WHEREAS, the annual UAL payment has been, and will continue to be, a significant impact on the City's budget; and

WHEREAS, the City Council has considered various pension cost management strategies, created a CalPERS Pension Cost Management Subcommittee ("Committee") and hired NHA Advisors ("NHA") to assist in developing a plan to mitigate the City's UAL; and

WHEREAS, upon the recommendation by the Committee, NHA and City staff, the City Council directed the pursuit of participating in a 115 Trust as the primary initial pension cost management strategy for the City given the benefit of budgetary flexibility and increased investment earnings compared to current General Fund reserves; and

WHEREAS, the City is eligible to participate in a tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Internal Revenue Code, as amended, and the Regulations issued thereunder, and is a tax-exempt trust under the relevant statutory provisions of the State of California; and

WHEREAS, the City Council adopted the pension funding policy on December 7, 2022, and also approved the recommendation for the Committee and City staff to pursue the next step of working with NHA to evaluate and select a 115 Trust program; and

WHEREAS, together with NHA, the Committee and City staff evaluated multiple 115 Trust programs and determined the Multiple Employer OPEB/Pension 115 Trust ("the Trust") administered by Shuster Advisory Group, LLC ("Shuster") was the best program for the City's goals; and

WHEREAS, all qualified assets held in the Trust will be irrevocably dedicated to prefunding the City's pension obligations.

NOW ,THEREFORE, BE IT RESOLVED the City Council of the City of Scotts Valley hereby adopts a 115 Trust to be administered by Shuster and appoints the City Manager,

or his/her successor or his/her designee, as the City's Plan Administrator for the Trust.

BE IT FURTHER RESOLVED that the City Council of the City of Scotts Valley hereby authorizes the City Manager to take whatever additional actions are necessary to maintain the City's participation in the Trust, to maintain compliance of any relevant regulation issued or as may be issued and to take whatever additional actions are required to administer the Trust.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a meeting held on the 21st day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 6/21/2023
TO: Honorable Mayor and City Council
FROM: Mali LaGoe, City Manager
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Consideration of a Non-Profit Facility Use Policy**

SUMMARY OF ISSUE

The City of Scotts Valley owns many facilities that are rented to the general public for private and public event use. Rental fees are charged to users in order to fund the maintenance of and wear and tear of use resulting from private renters. Historically, the City has granted a “non-collection of fees” to certain non-profit organizations upon request when a clear public benefit can be demonstrated. These requests were brought to the City Council for consideration as they were received and the City budgeted a negative revenue amount to account for the non-collection of rental fees each year.

In order to clarify the qualifying characteristics and streamline this process, staff request the City Council to adopt a Non-Profit Facility Use Policy as guidance to interested City facility users, City staff and the City Council when determining which events meet the criteria to be eligible for a reduced facility rental fee by demonstrating a nexus to the City Council’s strategic goals and public benefit.

The draft policy defines eligible and ineligible events. Eligible events include free educational, social, cultural, or community gatherings or fundraising events where attendees are primarily Scotts Valley and surrounding area residents, that furthers the City Council’s strategic goals and are hosted by a non-profit organization for public benefit. Ineligible events would include private events, events that benefit organizations outside of Scotts Valley, events not hosted by a non-profit and events unrelated to the City Council’s strategic goals. It also defines a non-profit as an IRS recognized 501(c)3 or 501(c)6 organization that serves Scotts Valley residents and public benefit as an activity that intends to enrich the lives of, or benefits a non-profit organization that serves, Scotts Valley residents.

The draft policy allows qualifying events to use city facilities without requiring the applicable Rental Fee to be paid. Other fees such as cleaning fees, deposits, security fees, etc. would still be applicable. The City Manager would be assigned to review applications under this policy and determine eligibility under the policy. Events found to be disqualified by the City Manager could be requested by the applicant for City Council consideration or the City Manager may choose to agenzize the determination decision at a City Council meeting at her discretion.

FISCAL IMPACT

Historically, the City budgeted for a loss of revenue of \$11,000 per year due to the non-collection of rental fees from non-profit events. The actual fiscal impacts of this policy would be tracked moving forward and could be revisited upon request of the City Council.

STAFF RECOMMENDATION

Approve the attached proposed Non-Profit Organization use of City Facilities Policy as presented or with modifications.

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1. Proposed Non-Profit Facility Use Policy

CITY OF SCOTTS VALLEY POLICY ON NON-PROFIT ORGANIZATION USE OF CITY FACILITIES

The Scotts Valley City Council (hereinafter “City Council”) desires to establish a “Policy on Non-Profit Organization Use of City Facilities” (hereinafter “Policy”). In adopting this Policy, the City Council declares that the City of Scotts Valley values the public benefit of local non-profit organizations while at the same time must manage its fiduciary responsibility to taxpayers and protect City facilities.

PURPOSE

The purpose of this Policy is to allow certain non-profit organizations to use City facilities to benefit Scotts Valley residents at a reduced cost.

BACKGROUND

The City of Scotts Valley owns many facilities that are rented to the general public for private and public event use. Rental fees are charged to users in order to fund the maintenance of and wear and tear of use resulting from private renters.

Historically, the City has granted a “non-collection of fees” to certain non-profit organizations upon request when a clear public benefit can be demonstrated. These requests were brought to the City Council for consideration as they were received and the City budgeted a negative revenue amount to account for the non-collection of rental fees each year.

In order to clarify the qualifying characteristics and streamline this process, this Policy is intended to provide guidance to interested City facility users, City staff and the City Council when determining which events meet the criteria to be eligible for a reduced facility rental fee by demonstrating a nexus to the City Council’s strategic goals and public benefit.

DEFINITIONS

For the purpose of this policy, the following definitions apply:

Non-Profit Organization – an IRS recognized 501(c)3 or 501(c)6 organization that serves Scotts Valley residents.

Public Benefit – an activity that intends to enrich the lives of, or benefits a Non-Profit organization that serves, Scotts Valley residents.

Rental Fee – the Hourly or Daily Rental Fee and Activity Fee identified in the City of Scotts Valley Fee Schedule. The Rental Fee does not include Cleaning Fee, Tear-down tables/chairs, Refundable Damage Deposit, Special Event, Insurance, Admin Fee or other related fees.

Eligible Events – free educational, social, cultural, or community gatherings or Non-Profit Organization fundraising events where attendees are primarily Scotts Valley and surrounding area residents and that further the City Council’s strategic goals and are hosted by a Non-Profit Organization for Public Benefit.

Ineligible Events:

- Any private event or meeting, not open to, or for the benefit of, the public, such as an organization or board meeting
- An event that benefits an organization outside of Scotts Valley
- An event hosted by a private party or organization without Non-Profit status even if it benefits a Non-Profit Organization
- An event unrelated to the City Council's strategic goals

POLICY

It is the policy of the City of Scotts Valley to allow certain Non-Profit Organizations hosting Eligible Events to use City facilities which would otherwise require a Rental Fee to be used, without requiring said Rental Fee.

This Policy only applies to the non-collection of the Rental Fee and Activity Fee. It does not apply to other related fees such as Cleaning Fee, Tear-down tables/chairs, Refundable Damage Deposit, Special Event, Insurance, Admin Fee or other related fees.

Review and approval of Non-Profit use under this Policy is the responsibility of the City Manager or his/her designee. The City Manager or his/her designee shall make a determination on the Non-Profit Facility Use Application within 10 days of receipt and provide the applicant with a written determination.

The applicant has the right to appeal the decision of the City Manager within 5 days of the decision. Such appeal shall be made on a form prepared by the City and shall include any applicable appeal fees. The appeal shall be heard at the next available City Council meeting. Nothing in this Policy prevents the City Manager from taking the Non-Profit Facility Use Application directly to the City Council for consideration. If the determination decision is brought to the City Council, written notice of the decision by the City Council will be provided to the applicant within 2 days following the City Council Meeting. The decision of the City Council shall be final.

REQUIREMENTS

A [Recreation Facility Use Permit Application](#) must be submitted to the Recreation Department just like all events. Facility use is subject to availability and approval by Recreation Staff.

A complete [Non-Profit Facility Use Application](#), including a description of how the event meets the eligibility criteria of this Policy, is required to be submitted to the City Manager at the time the Recreation Facility Use Permit Application is submitted to the Recreation Department. The City Manager reserves the right to request additional documentation from the applicant to determine compliance with this Policy.

All rental rules, regulation and requirements apply including the requirement of event insurance naming the City as additionally insured at the sole expense of the requesting Non-Profit Organization.