



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
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TOM BURNS, PLANNING DIRECTOR

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July 20, 2004

**AGENDA DATE: July 28, 2004**

Planning Commission  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

**SUBJECT: STUDY SESSION TO CONSIDER REVISIONS TO THE FORMAT OF  
THE STAFF REPORT TO THE PLANNING COMMISSION**

Members of the Commission:

Attached is a proposed new format for the staff report to your Commission. This new format was developed by the Project Review planners in order to provide your commission with a standardized layout that could be used for different types of projects, but would still convey the information needed to evaluate the proposal. The proposed format was developed to achieve three main objectives, consistency, versatility and ease of use.

### **Consistency**

The proposed format includes a consistent font and formatting throughout the document. All reports to your Commission would have a similar appearance, with consistent formatting and layout throughout the document. The overall font and the format for headings have been chosen to enhance "readability" and to eliminate distracting formatting.

### **Versatility**

Although it is not readily apparent in the finished document, the proposed format has been revised to take advantage of technological advances in word processing. Individual sections have been arranged in a table format, where appropriate, so that removing or inserting items or sections is easier for the planner, and does not affect the formatting of the rest of the document. For example, the section labeled "Environmental Information" is a useful section when the proposal is exempt from environmental review, but is redundant when an initial study is included as an exhibit. In the proposed format, it is relatively easy to remove the table containing the environmental information and replace it with language that refers the reader to the initial study.

### **Ease of Use**

One of the primary objectives was to produce a staff report that was more "user friendly" both for Commission members and the general public. The proposed format includes some of the most important general information on the first page: the date and time of the hearing, the

project location, the description of the proposal, the staff recommendation, and a list of exhibits that contain additional information. More site specific information is included beginning at the bottom of the first page and on the second page. The body of the staff report, containing the analysis, follows. Topics in the analysis are arranged in a consistent manner for all projects, with additional project specific topics following those generally applicable, such as history, setting, and general plan and zoning consistency.

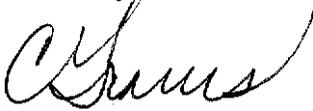
### **Conclusion**

The proposed staff report format will help standardize the reports to your Commission and will present information in a way that is easier to read and to understand.

### **Recommendation**

It is recommended that your Commission provide staff with any suggestions you may have regarding the proposed staff report format, and accept and file this report.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cathy Graves".

Cathy Graves  
Principal Planner  
Development Review



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# Staff Report to the Planning Commission

Application Number: **03-0192**

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**Applicant:** Stephen Graves & Associates  
**Owner:** Evelyn Luce & Blyth Carlson  
**APN:** 054-101-20

**Date:** 6/9/04  
**Agenda Item #:**  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to divide a 6856 square foot parcel into two townhouse lots of approximately 956 square feet each, with the remaining parcel area as common area. The parcel is currently developed with a duplex, which will be converted into two townhouse units. This is a conversion of rental units to ownership units, only. No new units will be created.

**Location:** Property located on the west side of Bar Harbor Court (120 and 122 Bar Harbor Court) at approximately 70 feet south from Seascap Boulevard.

**Permits Required:** Minor Land Division, Coastal Development Permit & Residential Development Permit

**Staff Recommendation:**

- Approval of Application 03-0192, based on the attached findings and conditions.
- Certification that the proposal **is** exempt from further Environmental Review under the California Environmental Quality Act.

**Exhibits**

- |    |  |    |                                    |
|----|--|----|------------------------------------|
| A. | Project plans                              | F. | Zoningmap                          |
| B. | Findings                                   | G. | General Plan map                   |
| C. | Conditions                                 | H. | Reduced (8.5" x 11") Project Plans |
| D. | Categorical Exemption (CEQA determination) | I. | Comments & Correspondence          |
| E. | Assessor's parcel map                      |    |                                    |

**Parcel Information**

Parcel Size:	6,856 square feet
Existing Land Use - Parcel:	Residential duplex
Existing Land Use - Surrounding:	Single <b>and</b> multi-family residential neighborhood
Project Access:	Bar Harbor Court
Planning Area:	Aptos

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Land Use Designation: R-UH (Urban High Density Residential)  
Zone District: RM-3 (Multi Family Residential - 3000 square foot minimum)  
Supervisorial District: 2 (District Supervisor: Ellen Pine)  
Within Coastal Zone:  Inside  Outside  
Appealable to Calif. Coastal Comm.  Yes  No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: N/A – Existing Structure  
Fire Hazard: Not a mapped constraint  
Slopes: 2-5% slopes  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Traffic: No new units/no existing traffic problems  
Roads: Existing roads adequate  
Parks: Existing park facilities adequate  
Archeology: Not mapped/no physical evidence on site

### Services Information

Inside Urban/Rural Services Line:  Yes  No  
Water Supply: Soquel Creek Water District  
Sewage Disposal: Santa Cruz County Sanitation District  
Fire District: Aptos/La Selva Fire Protection District  
Drainage District: Zone 6 Flood Control District

### History

XX

### Project Setting

XX

### Parcel Size & Developable Area

The subject property is one single parcel of 6,856 square feet that is developed with a duplex. The division of the parcel into two separate townhouse parcels requires a minimum of 3,000 square feet of net developable land per unit. The proposed land division will comply with the minimum parcel size of the RM-3 (Multi-Family Residential – 3,000 square foot minimum) zone district.

Each existing duplex unit is currently accessed via a 20 foot wide vehicular access easement. This easement is shared between the subject property and the adjacent development, with 10 feet of the width of the easement located on the subject property. This easement reduces the net developable area of the subject property and has been reduced in overall length during the course of this review to provide a minimum of 3,000 square feet of net developable land per townhouse unit.

### **General Plan Consistency**

The subject property is designated as Urban High Density Residential (R-UH) in the General Plan. The Urban High Density Residential (R-UH) General Plan designation requires a range of 2,500 to 4,000 square feet per dwelling unit. The existing and proposed development is within the required density range at 3,003 square feet per dwelling unit.

### **Local Coastal Program Consistency**

The proposed land division is in conformance with the County's certified Local Coastal Program in that the structure is existing and is visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

### **Utilities**

Water, sewer, and electrical utilities are available to the subject property. The existing water and sewer mains will be capable of handling the additional volume necessary to serve the proposed parcel.

### **Residential Design & Neighborhood Compatibility**

The duplex that is proposed to be converted to two separate townhouse units currently exists and no modifications are proposed. The surrounding neighborhood contains single family and multi-family residential development, with many duplexes and townhouse developments in the immediate area. The current and proposed architectural style is compatible with the architecture in the neighborhood and the surrounding pattern of development.

### **Environmental Review**

Environmental Review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for this exemption due to the fact that the proposed parcels are located within the Urban Services line, will be served by an existing driveway to an existing roadway, and the existing duplex is currently served by water and sewer utilities. No extenuating circumstances or special site conditions that would require further review under CEQA are evident in the proposed project.

## Conclusion

The proposed division of the existing duplex lot into two townhouse parcels will be compatible with surrounding development patterns and will not adversely impact scenic or environmental resources.

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

## Staff Recommendation

- APPROVAL of Application Number **03-0192**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

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

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Report Reviewed By: Cathy Graves  
Principal Planner  
Development Review

## Subdivision Findings

1. That the proposed subdivision meets all requirements or conditions of the Subdivision Ordinance and the State Subdivision Map Act.

The proposed division of land meets all requirements and conditions of the County Subdivision Ordinance and the State Map Act in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan and the Zoning Ordinance as set forth in the findings below.

The proposed subdivision is consistent with County Code section 14.02 pertaining to Condominium Conversions, in that the current vacancy rate for the County is above the 3 percent minimum per the records available to the County Planning Department, all required tenant notifications have been properly mailed, and the structure is currently sound and capable of meeting current building regulations for townhouse development.

2. That the proposed subdivision, its design, and its improvements, are consistent with the General Plan, and the area General Plan or specific plan, if any.

The proposed division of land, its design, and its improvements, are consistent with the General Plan. The project creates two multi-family residential townhouse parcels and a common area parcel and is located in the Urban High Density Residential (R-UH) General Plan designation which allows a density of one unit for each 2,500 to 4,000 square feet of net developable parcel area. The proposed project is consistent with the General Plan, in that the two townhouse parcels will share common area open space for a total of 3,000 square feet per each multi-family dwelling unit.

The project is consistent with the General Plan in that the full range of urban services is available to the existing duplex which will be converted to two townhouses, including public water and sewer service. Both units are currently accessed by a shared driveway to Bar Harbor Court, which provides satisfactory access to the project. The proposed subdivision is similar to the pattern and density of surrounding development, is near commercial shopping facilities and recreational opportunities, and will have adequate and safe vehicular and pedestrian access.

The subdivision, as conditioned, will be consistent with the General Plan regarding infill development, in that the proposed single-family development will be consistent with the pattern of the surrounding development, and the design of the proposed homes is consistent with the character of similar developments in the surrounding neighborhood.

3. That the proposed subdivision complies with Zoning Ordinance provisions as to uses of land, lot sizes and dimensions and any other applicable regulations.

The proposed division of land complies with the zoning ordinance provisions as to uses of land, lot sizes and dimensions and other applicable regulations in that the use of the property will be residential in nature, lot sizes meet the minimum dimensional standards for the RM-3 (Multi-Family Residential – 3,000 square feet minimum) zone district where the project is located,

which allows for interior setbacks to be reduced for parcels not abutting the periphery of the project site (per County Code section 13.10.323(d)1(i)). No alteration in the existing setbacks, parcel coverage, or height of the existing duplex are proposed as a part of this project.

4. That the site of the proposed subdivision is physically suitable for the type and density of development.

The site of the proposed land division is physically suitable for the type and density of development in that no challenging topography affects the site and the structure and all site improvements have already been installed.

5. That the design of the proposed subdivision or type of improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

The design of the proposed division of land and its improvements will not cause environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The conversion of the existing duplex to townhouses will not create any adverse environmental impact.

6. That the proposed subdivision or type of improvements will not cause serious public health problems.

The proposed division of land or its improvements will not cause serious public health problems in that municipal water and sewer are available to serve all proposed parcels.

7. That the design of the proposed subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision.

The design of the proposed division of land and its improvements will not conflict with public easements for access in that no easements are known to encumber the developed portion of the property. Access to all lots will be from existing driveways.

- S. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

The design of the proposed division of land provides to the fullest extent possible, the ability to use passive and natural heating and cooling in that the resulting parcels are oriented in a manner to take advantage of solar opportunities. The existing structure will not be modified and will meet the minimum setbacks as required within the zone district.

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

The proposed development is consistent with the Design Standards and Guidelines of the County

Code in that the duplex that is proposed to be converted to two separate townhouse units currently exists and no modifications are proposed. The surrounding neighborhood contains single family and multi-family residential development, with many duplexes and townhouse developments in the immediate area. The current and proposed architectural style is compatible with the architecture in the neighborhood and the surrounding pattern of development.

## Coastal Development Permit Findings

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

This finding can be made, in that the property is **zoned** RM-3 (Multi Family Residential - 3000 square foot minimum), a designation which allows residential uses. The proposed multi-family residential development is a principal permitted use within the zone district, consistent with the site's (R-UH) Urban High Density Residential General Plan designation.

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

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

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

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

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

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

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the RM-3 (Multi Family Residential - 3000 square foot minimum) zone district of the area, as well as the General Plan and Local Coastal Program land

use designation. Developed parcels in the area contain single and multi-family residential dwellings. Size and architectural styles vary widely in the area, and the existing structure is consistent with the surrounding architectural style.

## Conditions of Approval

Coastal Development Permit & Minor Land Division Number: 03-0192

Applicant: Stephen Graves & Associates

Property Owners: Evelyn Luce & Blyth Carlson

Assessor's Parcel Number: 054-101-20

Property Location and Address: 120 & 122 Bar Harbor Court, Aptos

Planning Area: Aptos

Exhibits:

- A. Project Plans including Tentative Parcel Map, prepared by Mid Coast Engineers, dated 3/19/04, and floor plans for the existing duplex, dated 5/14/03.

All correspondence and maps relating to this land division shall carry the land division number noted above.

- I. Prior to exercising any rights granted by this Approval, the owner shall:
  - A. Sign, date and return one copy of the Approval to indicate acceptance and agreement with the conditions thereof, and
  - B. Pay the required fee for processing the Environmental Exemption to the Clerk of the Board. This fee is currently \$25 per exempted project, but is subject to change.
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the tentative map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:
  - A. The Parcel Map shall be in general conformance with the approved tentative map and shall conform with the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
  - B. This land division shall result in no more than two (2) multi-family residential townhouse lots and a common area parcel. A statement shall be added to clearly state that the common area parcel surrounding the two multi-family residential

townhouse lots is not a building site.

- C. The minimum amount of parcel area per dwelling unit shall be 3,000 square feet of net developable land.
  - D. The following items shall be shown on the Parcel Map:
    - 1. Building envelopes and/or building setback lines located according to the approved Tentative Map.
    - 2. The net area of each lot to nearest square foot.
    - 3. Common areas clearly labeled as, "Not a Building Site."
  - E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
    - 1. Water service shall be reviewed by the Soquel Creek Water District. New meters or separate connections shall be installed, if required by the Soquel Creek Water District.
    - 2. Sewer service shall be reviewed by the Santa Cruz County Sanitation District. A shared sewer lateral may be considered by the Santa Cruz County Sanitation District if private maintenance of the shared lateral is proposed.
    - 3. All future construction of the lots shall conform to the Design Guidelines, the Architectural Floor Plans and Elevations, as stated or depicted in Exhibit A and shall also meet the following additional conditions:
      - a. Notwithstanding the approved architectural plans, all future development shall comply with the development standards for the RM-3 zone district. Total development on the subject property shall not exceed 40% lot coverage, or a 50% floor area ratio, or other standards as may be established for the zone district.
- III. Prior to recordation of the Parcel Map, the following requirements shall be met:
- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
  - B. Meet all requirements of the Santa Cruz County Sanitation District as stated in the District's letter dated August 6, 2002, including, without limitation, the following standard conditions:

1. Submit and secure approval of a sewer improvement plan providing sanitary sewer service to each parcel. If a shared sewer lateral is proposed, it must be indicated on the improvement plans.
  2. Pay all necessary bonding, deposits, and connection fees.
- C. All requirements of the Aptos/La Selva Fire Protection District shall be met
- D. Any changes to the approved map and/or improvement plans shall be reviewed and accepted by the Planning Department prior to recordation of the Parcel Map. Further review by the approving body and possible amendment of the development approval may be required.
- IV. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
  2. COUNTY defends the action in good faith.

- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of ~~the~~ development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement that incorporates the provisions of this condition, or this development approval shall become null and void.

**AMENDMENTS TO THIS LAND DIVISION APPROVAL SHALL BE PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE.**

This Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the 14-day appeal period. The Parcel Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking **at least 90 days** prior to the expiration date and in no event later than **3 weeks** prior to the expiration date.

cc: County Surveyor

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Cathy Graves  
Principal Planner

\_\_\_\_\_  
Randall Adams  
Project Planner

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