

Staff Report to the Zoning Administrator

Application Number: 04-0419

Applicant:Susanna EatonAgenda Date:11/05/04Owner:Richard AldersonAgenda Item: # 5APN 046-183-16Time:After 10:00 am.

Project Description: Proposal to construct landscaping improvements at an existing single-family residence to include a 3-foot high retaining wall, arbor, stairs, trellis, fountain, pond, concrete planters, and patio area.

Location: Property located on the east side of Sunset Drive, about 40-feet south from Monte Vista Way, at 93 Sunset Drive in Watsonville.

Supervisoral District: Second District (District Supervisor: Ellen Pirie)

Permits Required: Coastal Development Permit, Variance

Staff Recommendation:

- Approval of Application 04-0419, 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	E.	Assessor's parcel map
B.	Findings	F.	Zoning map, General Plan map
C.	Conditions	G.	Comments & Correspondence
D.	Categorical Exemption (CEQA	Н.	Project photographs
	determination)		

Parcel Information

Parcel Size: 2,700.7 square feet
Existing Land Use - Parcel: Single-family residential

Existing Land Use - Surrounding: Single-family residential, state park Project Access: San Andreas Road to Sunset Drive

Planning Area: San Andreas

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

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

Zone District: R-1-6 (Single-familyResidential/6,000 square foot

minimum parcel)

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

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site

Soils: 107, Baywood loamy sand Fire Hazard: Not a mapped constraint

Slopes: 30 percent slopes

Env. Sen. Habitat: Mapped biotic/no physical evidence on site

Grading: No grading proposed

Tree Removal: No trees proposed to be removed

scenic: Mapped resource

Drainage: Existing drainage adequate
Traffic: No significant impact
Roads: Existing roads adequate

Parks: Existing park facilities adequate

Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ___ Inside ___X Outside

Water Supply: Pajaro Valley Water Management Agency

Sewage Disposal: CSA#12, private septic system Fire District: California Department of Forestry

Drainage District: Non-Zone

History

This application was accepted by the Planning Department on 9/01/04. The project site has an approved Coastal Development Permit #04-0059 to recognize the remodel of the existing single-family dwelling on site. Building Permit application #52512G, to implement the Development Permit, is in process. The building and discretionary permits were obtained to rectify a code compliance violation which will be resolved when a final inspection has been obtained and all code enforcement costs have been paid.

Project Setting

The proposed project is located in the San Andreas Planning Area. The property is located at the **end** of Sunset Drive immediately adjacent to Sunset Beach State Park. Proposed development does not affect public access to the beach which is gained at the park below the residential development.

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Zoning & General Plan Consistency

The subject property is a 2,700 square foot lot, located in the R-1-6 (Single-family Residential/6,000 square foot minimum parcel) zone district, a designation which allows single-family residential uses. The proposed landscaping improvements in the back yard are accessory to the existing residence, which is a principal permitted use within the zone district and the project is consistent with the site's (R-UL) Urban Low Residential General Plan designation.

Local Coastal Program Consistency

The proposed back yard landscaping improvements are in conformance with the County's certified Local Coastal Program, in that they are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The landscaping improvements are designed to enhance privacy and increase the ability of the homeowner to utilize very limited outdoor space on the small 2,700 square foot parcel. Due to the steep slopes separating adjacent parcels, no views are compromised as a result **of** the proposed fountain or arch, which are approximately **8** feet in height. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The project site is located between the shoreline and the first public road but 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. Public coastal access is gained at Sunset State Beach in the immediate project vicinity.

Design Review

The proposed landscaping improvements comply with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Environmental Review

Environmental review has not been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA) as per Class 3 Exemption for small accessory structures.

Conclusion

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

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Staff Recommendation

- APPROVAL of Application Number **04-0419**, **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

Report Prepared By: Joan Van der Hoeven, AICP

Santa Cruz County Planning Department

701 Ocean Street, 4th Floor Santa Cruz CA 95060

Phone Number: (831) 454-5174 E-mail: pln140@ co.santa-cruz.ca.us

1. 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 R-1-6 (Single-family Residential/6,000 square foot minimum parcel), a designation which allows single-family residential uses. The proposed landscaping improvements are accessory to the existing single-family residence on site which is a principal permitted use within the zone district, consistent with the site's (R-UL) Urban Low 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. Public **coastal** access is available at Sunset State Beach in the immediate project vicinity.

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

This finding can be made, in that the proposed 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 back yard 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 located between the shoreline and the first public road, however, public access to the coast is available at Sunset State Beach in the immediate project vicinity. Consequently, the landscaping improvements 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 landscaping improvements are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, single-family residential uses are allowed uses in the R-1-6 (Single-

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family Residential/6,000 **square** foot minimum parcel) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the **area** contain single- family dwelling and the proposed back yard landscaping improvements are consistent with the surrounding residential environment. Size and architectural styles vary widely in the area, and the proposed landscaping improvements including arches, fountains and planters is not inconsistent with the existing style of neighborhood landscaping improvements.

Development Permit Findings

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

This finding can be made, in that the project is located in an **area** designated for single-family residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed landscaping improvements will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the proposed structures are located below adjacent development due to the slope of the parcel to ensure access to light, air, and open space in the neighborhood.

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

This finding can be made, in that the proposed location of the landscaping improvements and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (Single-family Residential/6,000 square foot minimum parcel) zone district, subject to the concurrent approval of the variance, in that the primary use of the property remains single-family residential that meets all current site standards for the zone district with the exception of side and rear setbacks.

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

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

The proposed landscaping improvements will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and subject to the concurrent variance approval, meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the

landscaping improvements will not adversely shade adjacent properties.

The proposed landscaping improvements will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed retaining wall, fountain, arbor, trellis, planters and patio area will comply with the site standards for the R-1-6 zone district, subject to the concurrent processing of the variance and will result in an outdoor environment consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed landscaping improvements is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed landscaping improvements are consistent with the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed landscaping improvements will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

VARIANCE FINDINGS:

1. THAT BECAUSE OF SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY, INCLUDING SIZE, SHAPE, TOPOGRAPHY, LOCATION, AND SURROUNDING EXISTING STRUCTURES, THE STRICT APPLICATION OF THE ZONING ORDINANCE DEPRIVES SUCH PROPERTY OF PRIVILEGES ENJOYED BY OTHER PROPERTY IN THE VICINITY AND UNDER IDENTICAL ZONING CLASSIFICATION.

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The special circumstances applicable to the property are the small size of the parcel (2,700 square feet) and the sloping topography of the rear of the lot. The property is zoned R-1-6 and the subject lot is less than 80 percent of the minimum 6,000 square foot parcel size, so it is subject to the R-1-3.5-R-1-4.9 site and structural dimensions chart of County Code Section 13.10.323. The following site standards are applicable: a 15-foot front and rear setback,5-foot side setbacks, and 40 percent lot coverage. This Variance proposal seeks to reduce the required 15-foot minimum rear setback and 5 foot minimum side setback to zero feet, to be set at the perimeter of the subject property. The proposed arbor, trellis, planters, fish pond and fountain would be set against retaining walls that are located on the property line. The subject 2,700 square foot lot is non-conforming in area in that County Code Section 13.10.323(d)1(A) requires a minimum 3,500 square foot area. Due to the small size of the lot, its location at the end of Sunset Drive and limited useable outdoor space, granting of a variance is within reason.

The proposed landscaping enhancements do not significantly impact the originally approved scale and massing **of** the residence as the improvements are located in the backyard, set well below adjacent properties due to the sloping topography, and not impacting access to light and air or adversely affecting privacy.

2. THAT THE GRANTING OF A VARIANCE IS IN HARMONY WITH THE GENERAL INTENT AND PURPOSE OF ZONING OBJECTIVES AND WILL NOT BE MATERIALLY DETRIMENTAL TO PUBLIC HEALTH, SAFETY, OR WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE VICINITY.

The granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity in that on-site parking is provided and vehicular sight distance lines are not compromised as the improvements are located in the rear yard. The landscaping enhancements do not vary in design or scale from the residences in the immediate vicinity and the improvements do not alter the exterior design or massing of the original construction. The landscaping proposed shall not negatively impact the adjacent State park lands.

3. THAT THE GRANTING OF SUCH VARIANCES SHALL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGES INCONSISTENT WITH THE LIMITATIONS UPON OTHER PROPERTIES IN THE VICINITY AND ZONE IN WHICH SUCH IS SITUATED.

The granting of a variance to construct landscaping improvements in the back yard of the existing single-family residence include: a 3-foot high retaining wall, 8-foot fountain and arbor, trellis, pond, concrete planters, stairs, and patio area do not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated in that other properties in the vicinity and R-1-6 zone district with similar parcel configurations and topography would be given similar consideration. Construction shall be consistent with the required building permit. Furthermore, no further departures from applicable development standards, e.g. a variance to the required on-site parking which would negatively impact the surrounding neighborhood, is necessary or has been proposed.

Conditions of Approval

Exhibit A: Project Plans, 2 sheets by Statt MacLellan dated 9/01/04

- I. This permit authorizes the construction of landscaping improvements to include a three foot high retaining wall, arbor, stairs, trellis, fountain, pond, concrete planter, and patio area. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
 - 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 - 2. Drainage plans to include description of the existing offsite flow path for any potential excess runoff to either **a** county maintained inlet or culvert, or to a natural channel. Show the pipe routings for the drain inlets shown on the plans.
 - B. Pay any remaining Code Compliance costs, if applicable.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
 - A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

IV. Operational Conditions

A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County

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inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

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

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

Don Busse Deputy Zoning Admir		Joan Van der Hoeven Project Planner
Expiration Date:	11/19/06	
Effective Date:	11/19/04	
Approval Date:	11/05/04	

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

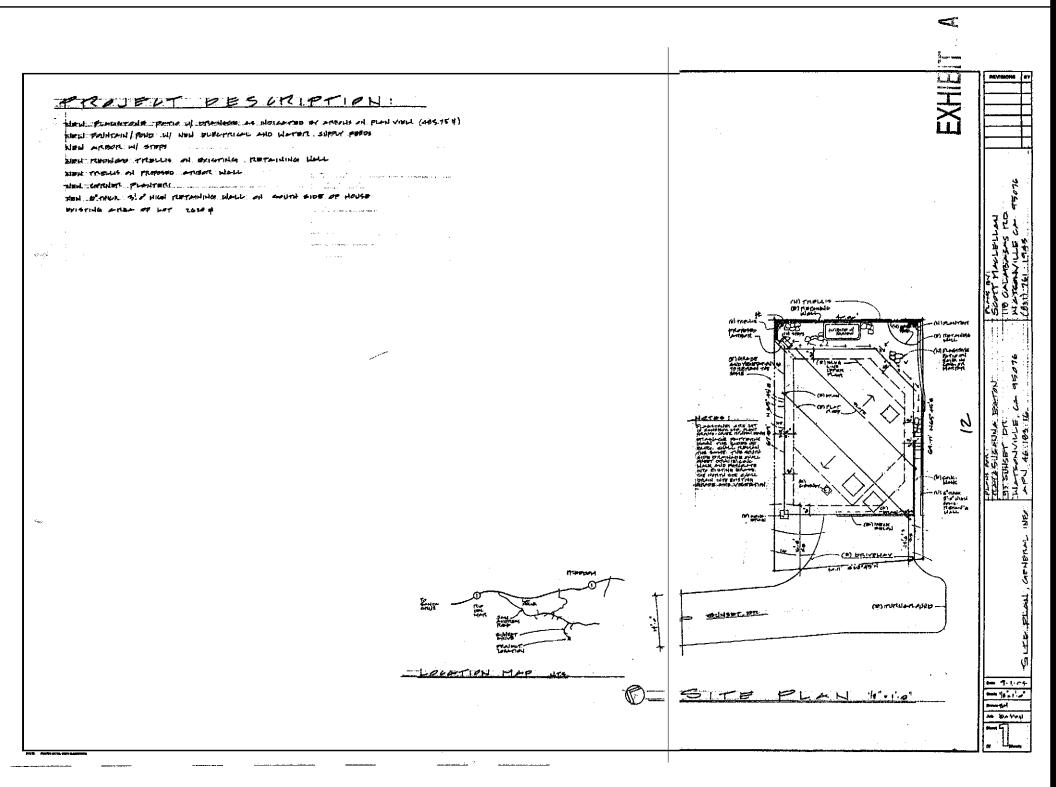
CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

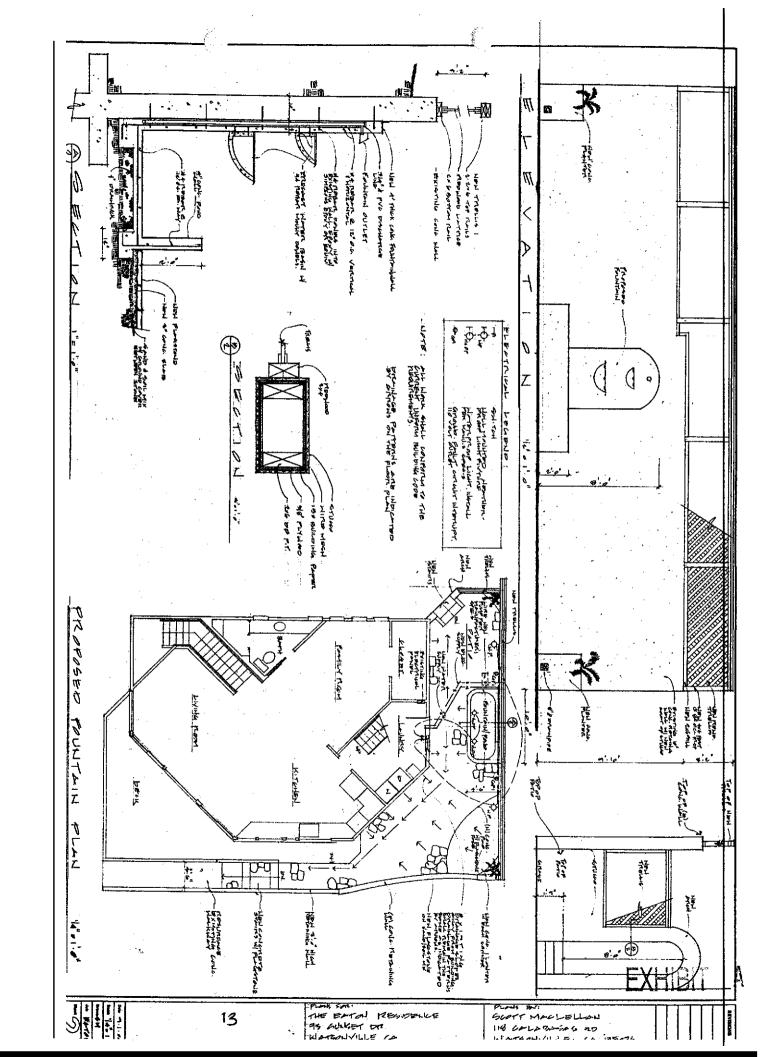
The Santa Cmz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 • 15332 of CEQA for the reason(s) which have been specified in this document.

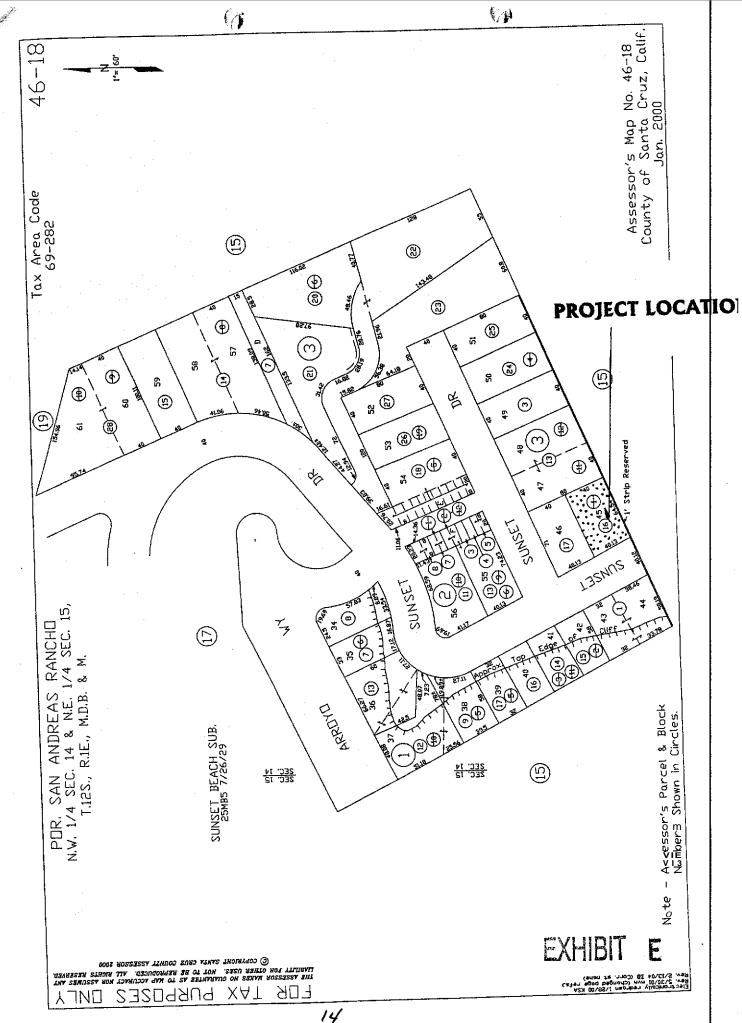
Application Number: 04-0419 Assessor Parcel Number: 046-183-16 Project Location: 93 Sunset Drive, Watsonville CA 95076 Project Description: Proposal to construct landscaping improvements at an existing singlefamily residence Person or Agency Proposing Project: Susanna Eaton Contact Phone Number: 831-722-0202 A. ____ The proposed activity is not a project under CEQA Guidelines **Section** 15378. The proposed activity is not subject to CEQA as specified under CEQA Guidelines B. ____ Section 15060(c). C. ____ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment. Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section D. ____ 15260to 15285). Specifytype: E. _____ **Categorical Exemption** Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303) F. Reasons why the project is exempt: New construction of small structures In addition, none of the conditions described in Section 15300.2 apply to this project.

Date: November 5,2004

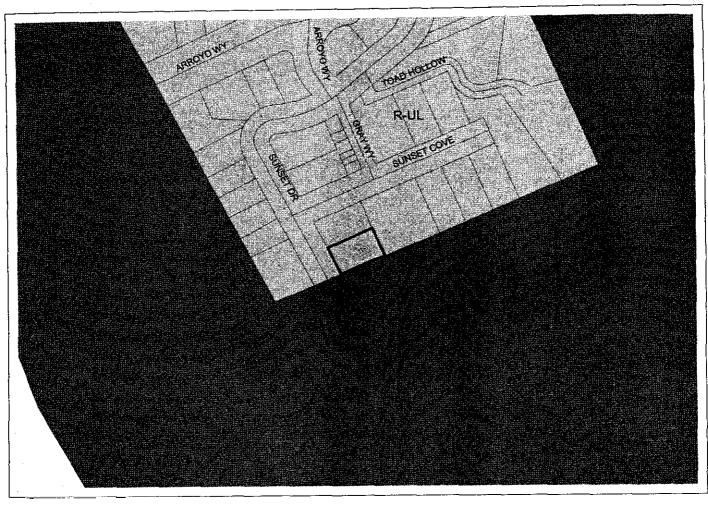
Joan Van der Hoeven, AICP Project Planner







General Plan Map



250 0 250 500 Feet

Legend



Parcel boundaries

 $^{\wedge}$ / Streets

Parks and Recreation

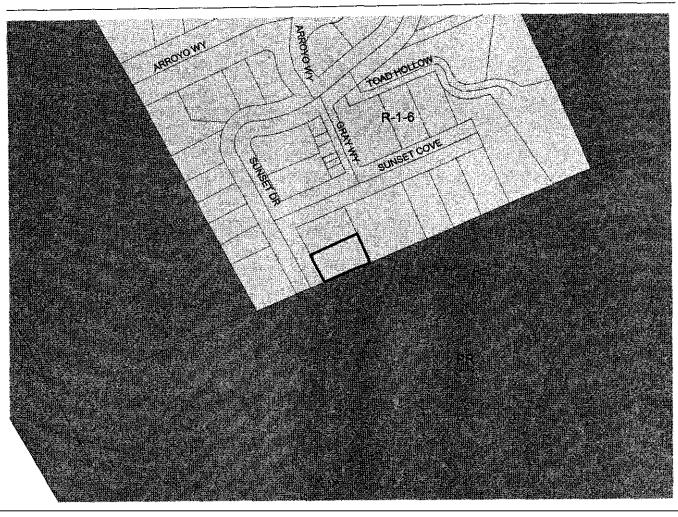
Residential - Urban Low Density



Map created by Santa Cruz County Planning Department: September 2004

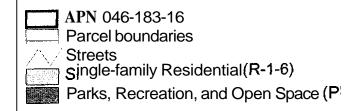
EXHIBIT F

Zoning Map



250 0 250 500 Feet

Legend

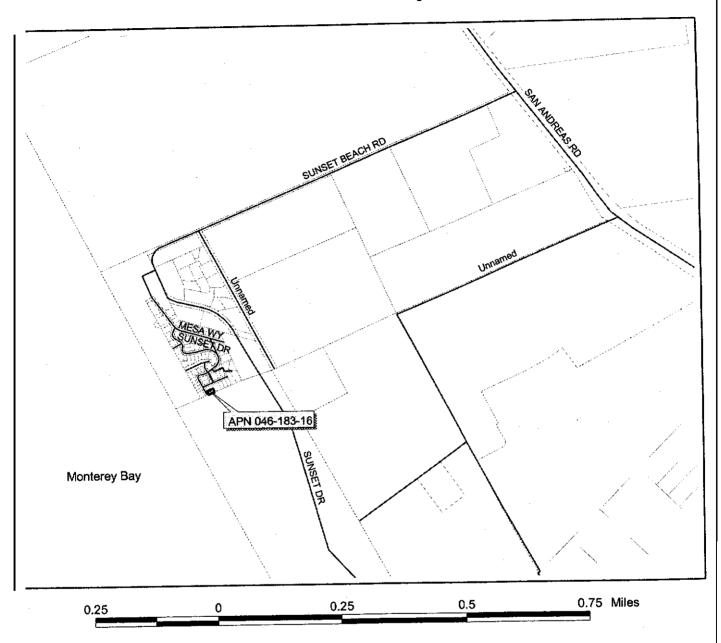




Map created by Santa Cruz County Planning Department: September 2004

EXHIBIT

Location Map



Map created by Santa Cruz County Planning Department: September 2004



EXHIBIT F

SANTA COUNTY 0 F CRUZDISCRETIONARY APPLICATION COMMENTS

Project Planner: Joan Van Der Hoeven Date: October 8, 2004

Application No.: 04-0419

APN: 046-183-16

Time: 15:40:18

Page: 1

Environmental Planning Completeness Comments
====== REVIEW ON SEPTEMBER 27. 2004 BY ROBERT S LOVELAND ======
NO COMMENT
Environmental Planning Miscellaneous Comments
REVIEW ON SEPTEMBER 29, 2004 BY ROBERT S LOVELAND
Dpw Drainage Completeness Comments
LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY
Application is approved. Please see miscellaneous comments for items to be addressed in the building application stage.

Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

====== REVIEW ON SEPTEMBER 23. 2004 BY DAVID W SIMS == General Plan policies: 5.8.4 Drainage Design in Primary Groundwater Recharge Areas 7.23.1 New Development 7.23.2 Minimizing Impervious Surfaces 7.23.5 Control Surface Runoff

The proposed plan was reviewed for completeness of discretionary development and compliance with County policies listed above.

The applicant proposes less than 500 sq.ft. of new impervious surfacing, and there fore qualifies for exemption from groundwater recharge requirements. The semi-pervious flagstone paving over very sandy native soils should address all related County development policies.

For the building application, the applicant should:

- 1) Describe the existing offsite flow path for any potential excess runoff to either a County maintained inlet or culvert, or to a natural channel.
- 2) Show the pipe routings for the drain inlets shown on the plans.
- Correct the dual notation of section A on sheet 2 for the finished grade surface. While it appears flagstone is intended, a note for 3" concrete slab points to the same 10 cation.

Please call the Oept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions.

NEW TRELLIS

hew Fountain

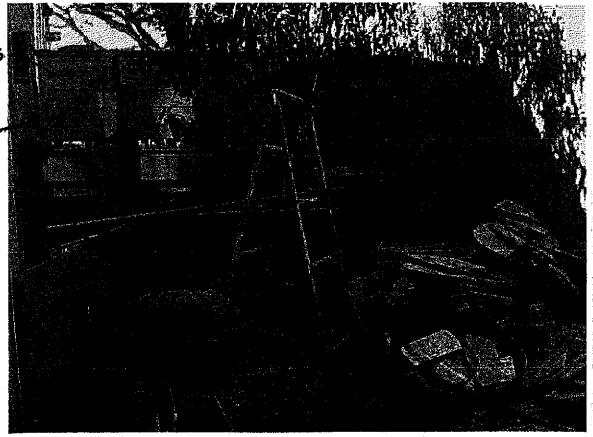
exigting Mall

new Flagstone



NEIGHBOR'S

DOWN TAKEN TAKEN



19

GOLDR SAMPLE BOARD

EXHIBIT

CORNER LOT HEIGHBOR

PROJECT GITE



NEIGHBORHOOD CONTEXT

EXHIBIT

SIZE & SHAPE

Your budget and the physical limitations of your site influence the size and shape of your garden pool, but aesthetics and maintenance should be part of your planning as well. Larger pools require more work

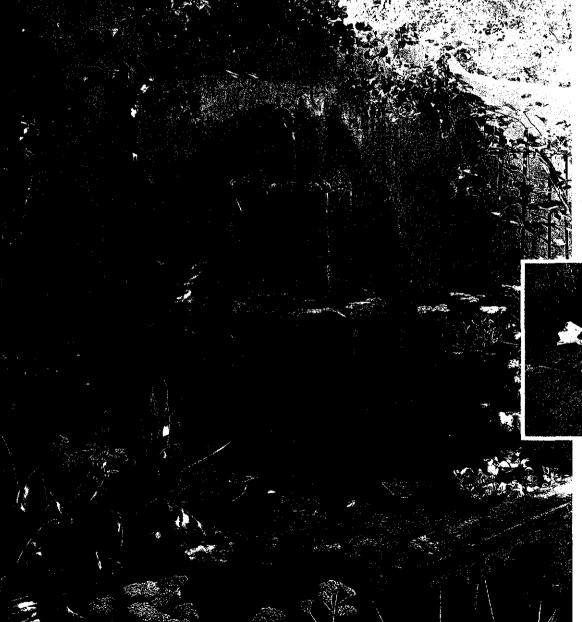
and expense up front, but they may provide more enjoyment and require less upkeep over time. It is easier for a large pool to achieve a balanced ecosystem, which in turn allows **fish** and plants to contribute much of the maintenance themselves.

First-time pool builders tend to make a pool that is too **small**, in part

because they underestimate how much water it takes to fill **even** a modest-sired pool (see pages **26-27** for guidelines on estimating pool capacity). Tiy to look at garden pools that **have** already been installed to get a mental picture of how large a pool your site can accommodate. Take along a tape ineasure so that you

can check the dimensions of the pools you examine.

If your visions are larger than your budget, or time is limited, it is perfectly acceptable to construct a pool in stages. Draw up plans for your ultimate pool, then build the first stage using flexible EPDM liner. When you decide to expand, you can attach additional sections of liner to the existing one (see page 39).



ABOVE: Small cobblestones lead to large rock steps, culminating at a zigzagging wood bridge. The contrast of materials, shapes, and sizes creates an interesting and enjoyable setting.

LEFT: Against a rustic stucco wall, water falls from scalloped bowls into a blue-rimmed pool bedecked with bougainvillea.

2



