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## Staff Report to the Zoning Administrator

Application Number: **04-0234**

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**Applicant:** Chris & Janie Hanson  
**Owner:** Chris & Janie Hanson  
**APN:** 060-391-03

**Agenda Date:** December 3, 2004  
**Agenda Item #:** /  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to recognize the construction of a seven foot tall redwood fence within the front yard setback.

**Location:** Property located on the east side of Pasatiempo Drive (22 Pasatiempo Drive) about 70 feet south from Westwood Road.

**Supervisorial District:** 1 District (District Supervisor: Janet K. Beautz)

**Permits Required:** Residential Development Permit

### Staff Recommendation:

- Approval of Application 04-0234, 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. | Site plan and fence style (2 pages)        | F. | Zoning, General Plan, and Location map |
| B. | Findings                                   | G. | Comments & Correspondence              |
| C. | Conditions                                 | H. | Photographs                            |
| D. | Categorical Exemption (CEQA determination) |    |  |
| E. | Assessor's parcel map (2 pages)            |    |  |

### Parcel Information

Parcel Size:	8,755 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Pasatiempo Drive
Planning Area:	Carbonera
Land Use Designation:	R-UVL (Urban Very Low Density Residential)

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County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

Zone District: R-1-20 (Single-family residential - 20,000 square feet minimum lot size)  
Coastal Zone:  Inside  Outside  
Appealable to Calif. Coastal Comm.  Yes  No

### Environmental Information

Geologic Hazards: Not mapped  
Soils: N/A  
Fire Hazard: Not a mapped constraint  
Slopes: 15% to 30% slope; parcel slopes down towards road  
Env. Sen. Habitat: Not mapped  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Traffic: NIA  
Roads: Existing roads adequate  
Parks: Existing park facilities adequate  
Archeology: Mapped as sensitive area; developed site

### Services Information

Urban/Rural Services Line:  Inside  Outside  
Water Supply: City of Santa Cruz  
Sewage Disposal: Septic System  
Fire District: Scotts Valley Fire Protection District  
Drainage District: None

### Project Setting

The subject property is located on the east side of Pasatiempo Drive in the Carbonera Planning area. The neighborhood consists of single-family dwellings in a semi-private golf club community. A variety of traffic-calming devices are used within the Pasatiempo development to slow vehicle traffic for pedestrian and golf cart crossings. Many instances of reduced sight distance exist due to winding roads and mature vegetation located close to the roadway.

### Analysis

The subject parcel is triangular in shape and slopes down towards Pasatiempo Drive. The existing dwelling is situated towards the rear of the lot, leaving the side yard adjacent to Pasatiempo Drive as the only available open space. Because of the slope down to the road, the side yard is very visible to passing cars. A 7 foot fence has been constructed along the southwestern property line to improve the privacy of the dwelling and safety of the inhabitants.

The subject property is located on a sharp curve on Pasatiempo Drive in an area with a

recommended speed of 15 miles per hour. Due to the sharp turn on Pasatiempo Drive, sight distances from the driveway of the subject parcel do not meet the County standard of 250 feet. Several large trees at the east end of the parcel are located within a few feet of the edge of pavement and obstruct sight of cars exiting the driveway. This situation existed prior to construction of the fence and no changes are proposed to the existing trees.

The western portion of the fence, which is located along the property line approximately 10 feet from the road, further reduces sight distances for drivers. Comments received from the Department of Public Works, Road Engineering, indicate that the reduced sight distance does not affect neighboring properties, but does affect drivers turning left out of the subject parcel's driveway. A condition of approval has been included with this permit to relocate the western corner approximately 5 feet further from the road so that the fence is in line with the existing sight obstruction created by the trees.

The solid redwood design of the fence is compatible with surrounding parcels in the neighborhood which contain structures painted *in* muted, natural colors and fences of similar construction. Low rise landscaping planted between the fence and the road reduces the visual impact of the fence without reducing sight distances. While the landscaping is partially located within the right-of-way, the width of Pasatiempo Drive is not anticipated to increase to the edges of the 50 foot right-of-way.

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

The subject property is a 8,755 square foot lot, located in the R-1-20 (Single-family residential, 20,000 square feet minimum lot size) zone district. The fence is consistent with the purpose of the R-1-20 zone district in that the primary use of the property will continue to be residential and fences are a normal ancillary use in the zone district.

The fence is consistent with the site's (R-UVL) Urban Very Low Density Residential General Plan designation in that it is a residential use. Sight distances that existed prior to construction of the fence will be maintained. All other site standards and setbacks are met for the single-family dwelling.

### **Conclusion**

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

### **Staff Recommendation**

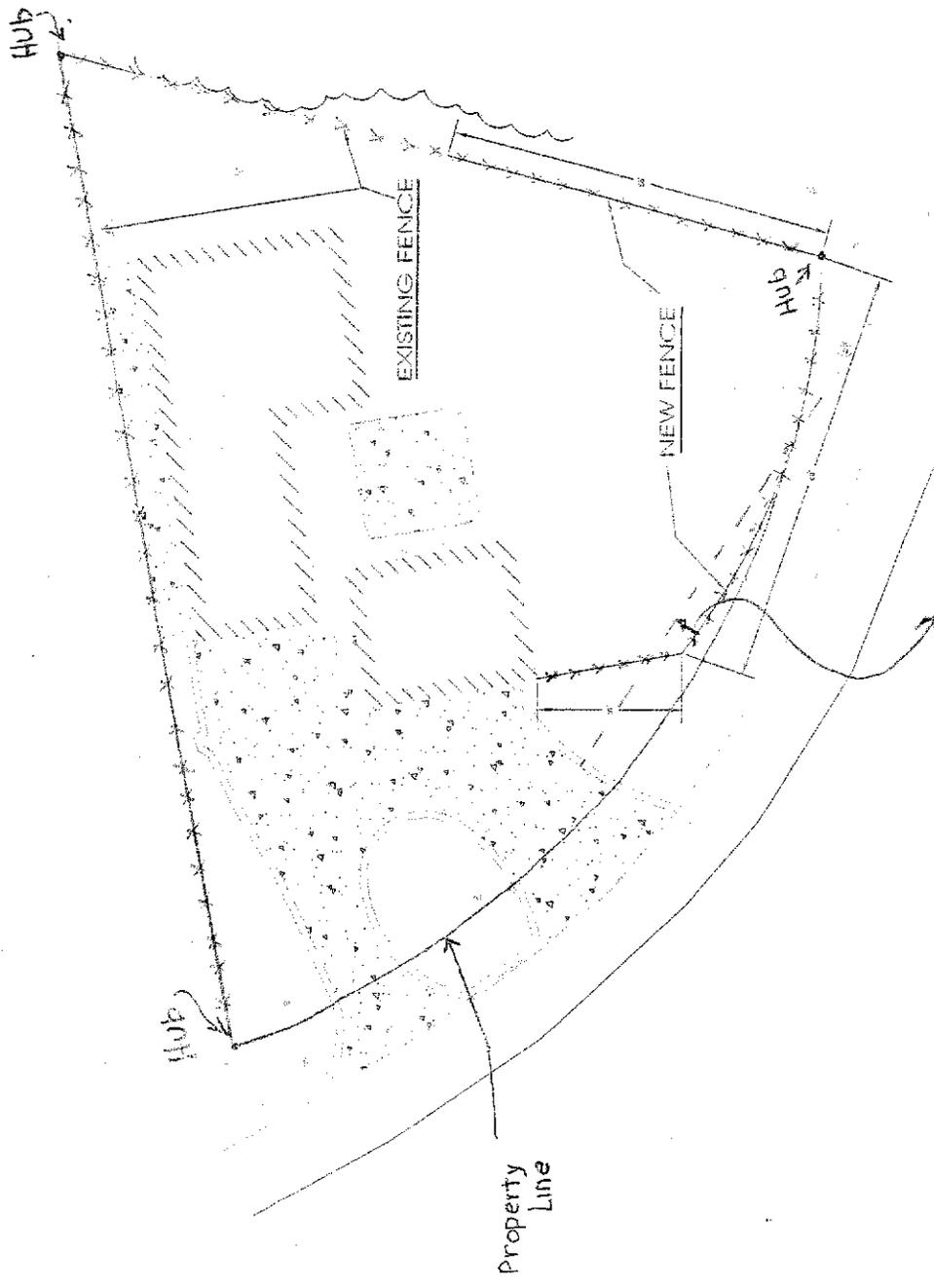
- **APPROVAL** of Application Number **04-0234**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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)

Report Prepared By: Karen McConaghy  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3134  
E-mail: [karen.mcconaghy@co.santa-cruz.ca.us](mailto:karen.mcconaghy@co.santa-cruz.ca.us)

Attn: Karen McConaghy  
From: Jarvis Henson



Relocate western corner of fence approx 5 feet to remove line of sight obstruction.

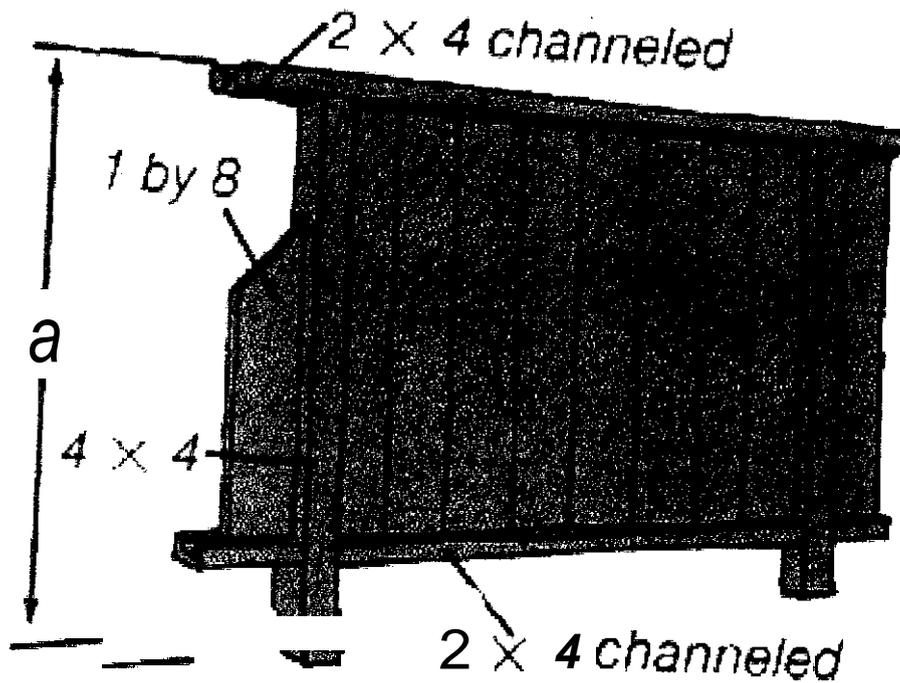
(not to scale)

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EXHIBIT A

Fence style for the extension of the existing  
fence at:

22      ti      Drive



## Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. The design of the fence will not utilize an excessive quantity of materials or energy in its construction or maintenance, in that the fence is a relatively insignificant structure that is accessory to the residential use allowed on the property. No motorized gates or lights are proposed.

The fence will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure is not significant in size and is set back from the road and nearby structures. The western corner of the fence will be relocated approximately 5 feet further from the road so as to not reduce sight distances for drivers exiting the subject parcel or driving along Pasatiempo Drive.

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 fence and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-20 (Single-family residential - 20,000 square feet minimum lot size) zone district in that the primary use of the property will continue to be one single-family dwelling that meets all current site standards for the zone district.

The fence is consistent with the specific regulations contained in section 13.10.525 in that existing sight distances will be maintained, the light and/or air available to neighboring properties will not be reduced, and the design of the fence is compatible with the visual neighborhood character of the Pasatiempo neighborhood.

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

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

The proposed fence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties. With the exception of the height of the fence, all site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance) are met.

The proposed fence 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), and will result in a structure 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.

The proposed fence will not utilize a significant amount of electricity and will not generate any additional traffic on the streets in the vicinity of Pasatiempo Drive, in that the fence does not contain any motorized gates or lights and a fence is not a use that generates or intensifies traffic.

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.

The location and design of the fence is compatible with the visual character of the Pasatiempo neighborhood, in that the fence does not impose upon the residential character of the neighborhood due to its height, design, and location, and many residences in the area have fences and/or mature vegetation of similar height and location. Landscaping between the fence and road and the natural color of the fence are compatible with the physical design aspects of the neighborhood. The design was viewed and approved by the Pasatiempo Homeowner's Association on November 5, 2003.

The fence does not alter or increase the density or intensity of residential use within the Pasatiempo 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 fence will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

## Conditions of Approval

Exhibit A: Site plan and fence style, 2 sheets, prepared by homeowner.

- I. This permit authorizes the construction of a 7 foot tall redwood fence within the front yard setback. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- II. All construction shall be performed according to the site plan and fence plan approved with this permit. The west corner of the existing fence shall be relocated 5 feet away from the road as marked on the site plan.
- III. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

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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 **180** days from the effective date unless **you** commence construction **to** relocate the fence.

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

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

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

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Don Bussey  
Deputy Zoning Administrator

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Karen McConaghy  
Project Planner

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

Application Number: 04-0234  
Assessor Parcel Number: 060-391-03  
Project Location: 22 Pasatiempo Drive

**Project Description: 7 foot tall redwood fence in the front yard setback**

**Person or Agency Proposing Project: Chris & Janie Hanson**

**Contact Phone Number: (831) 423-1914**

- A.  The proposed activity is not a project under CEQA Guidelines Section 15378.
- B.  The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).
- C.  **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- D.  **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

- E.  **Categorical Exemption**

Specify type: Class 3. New Construction of Small Structures (Section 15303)

**F. Reasons why the project is exempt:**

Construction of an accessory structure

In addition, none of the conditions described in Section 15300.2 apply to this project.

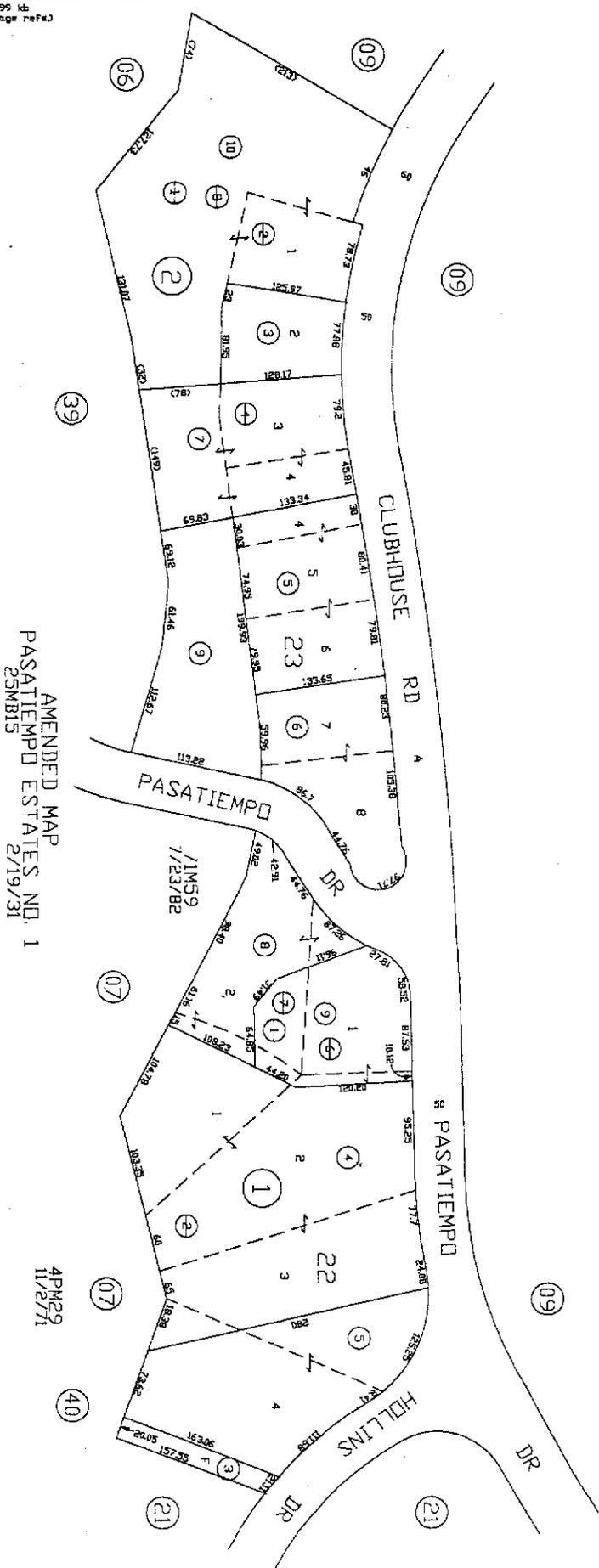
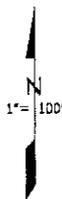
\_\_\_\_\_  
Karen McConaghy, Project Planner

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

CRABUNKER RANCHO  
 PAR. SEC 1, T.11S, R.2W, M.D.B. & M.

Tax Area Code  
 94-012

60-08



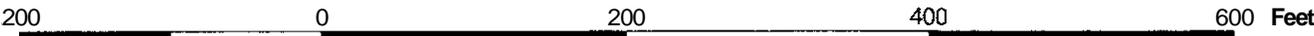
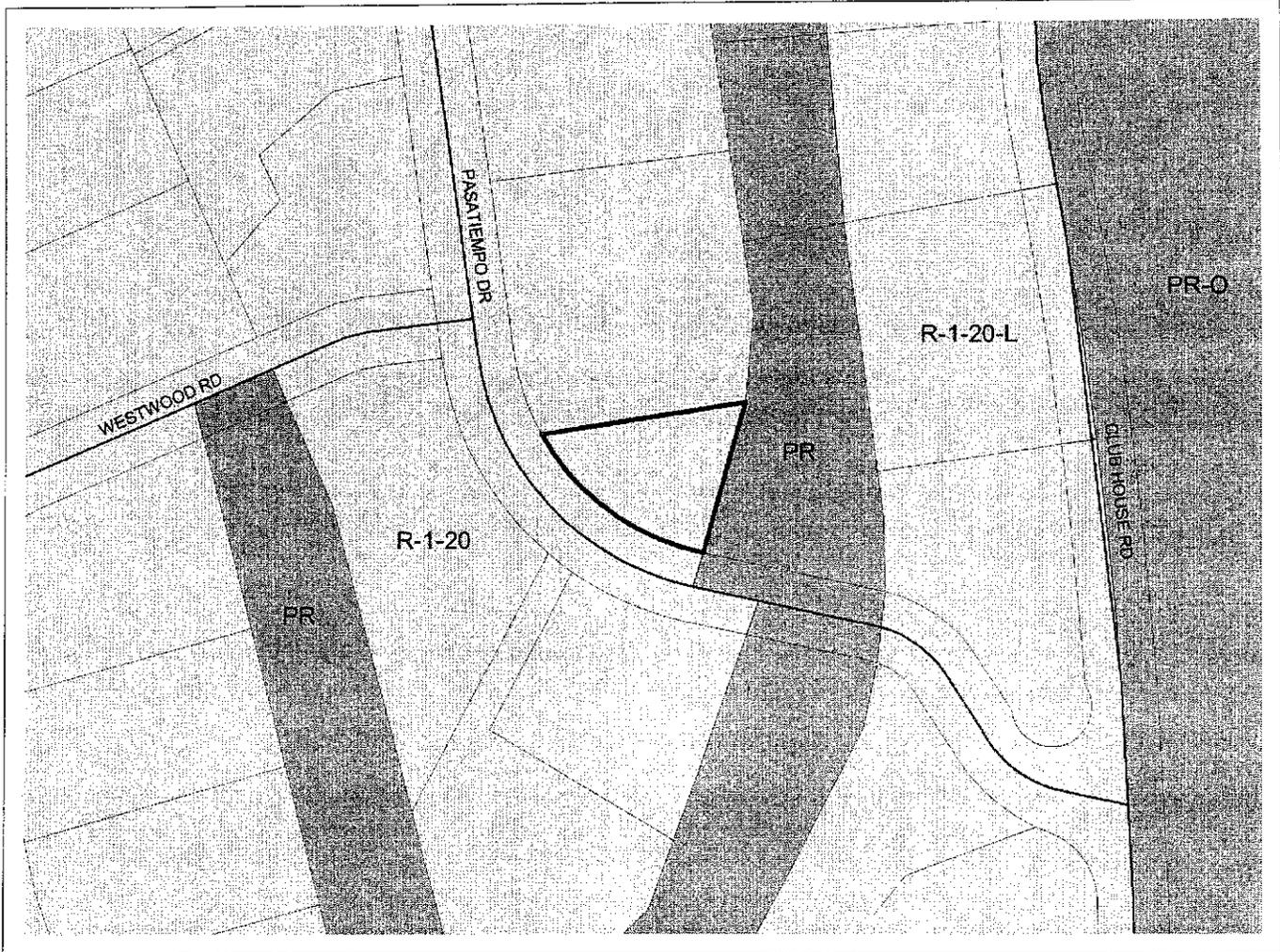
AMENDED MAP  
 PASATIEMPO ESTATES NO. 1  
 25MB15  
 2/19/31

PARCELS SHOWN IN RED

Assessor's Map No. 60-08  
 County of Santa Cruz,  
 June, 1999



# Zoning Map



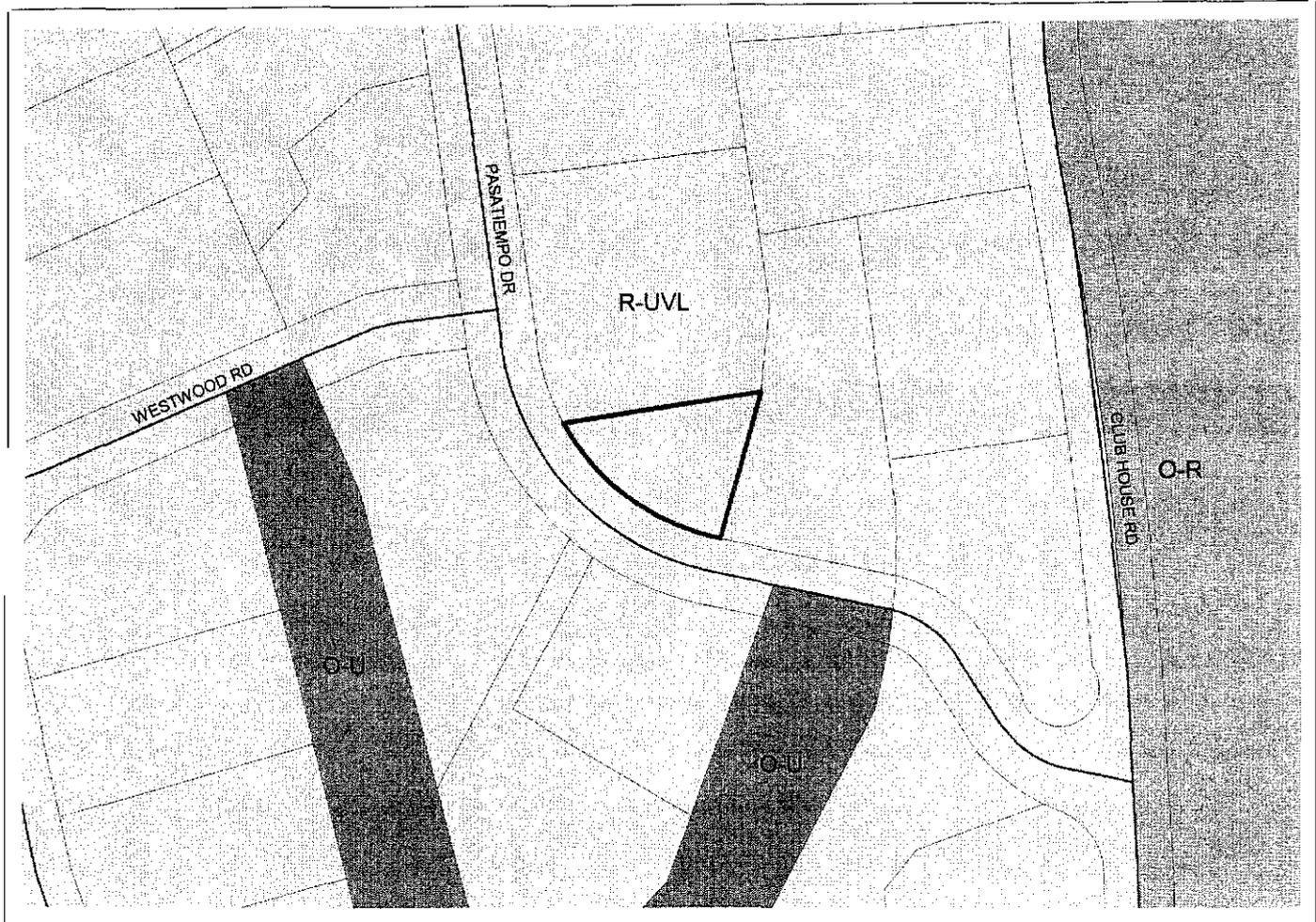
### Legend

	<b>APN 060-391-03</b>
	Parcel boundaries
	Streets
	Single-Family Residential (R-1-20)
	Parks, Recreation, and Open Space (PR)



Map created by Santa Cruz County  
Planning Department:  
November 2004

# General Plan Map



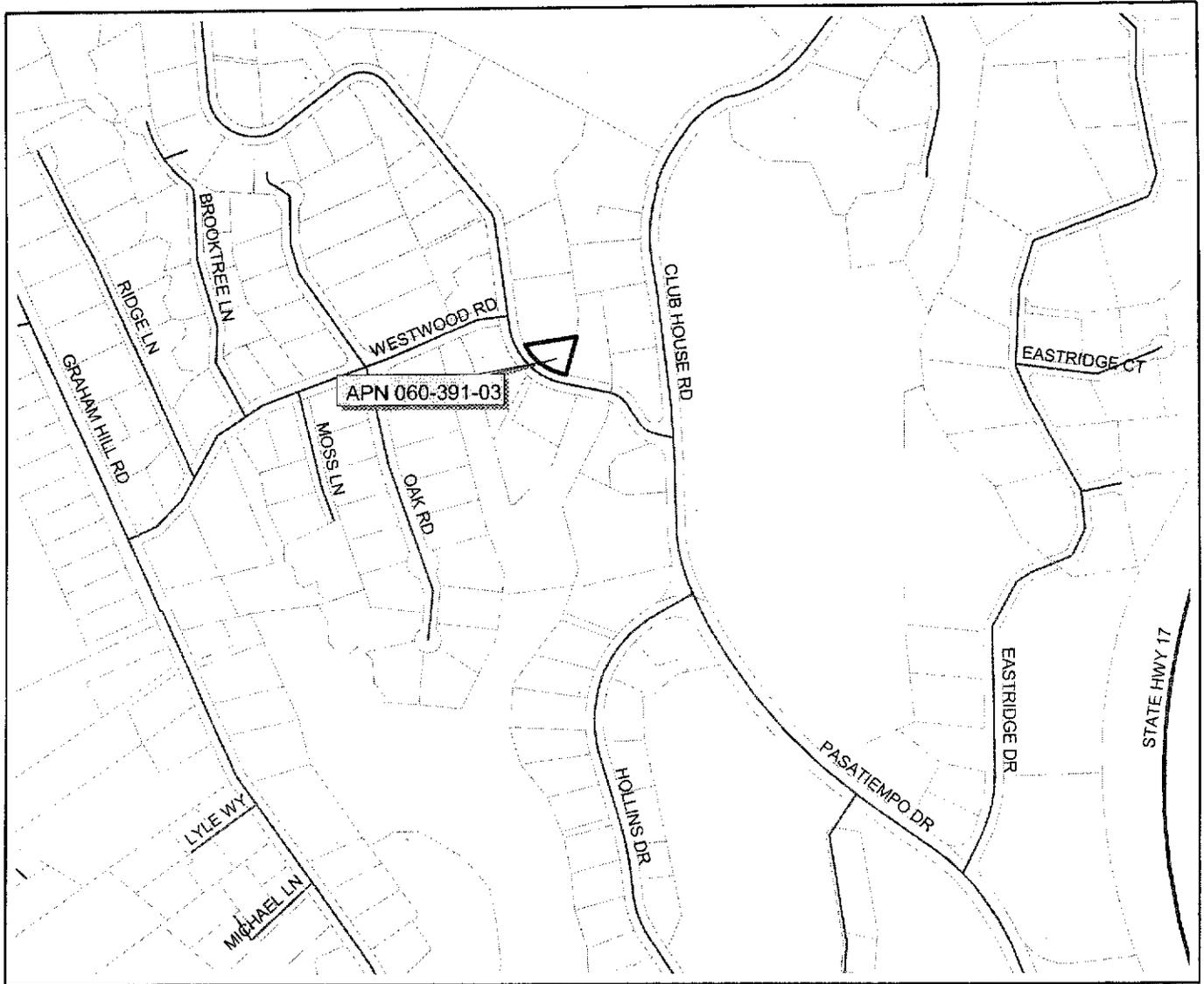
## Legend

-  APN 060-391-03
-  Parcel boundaries
-  Streets
-  Parks and Recreation (O-R)
-  Urban Open Space (O-U)
-  Residential - Urban Very Low Density (R-UVL)



Map created by Santa Cruz County  
Planning Department:  
November 2004

# Location Map



1000 0 1000 2000 Feet

Map created by Santa Cruz County  
Planning Department:  
November 2004





**Pasatiempo Board of Trustees**

P.O. Box 408

Aptos, CA 95001

(831) 688-1090

November 5, 2003

Chris and Janie Hanson  
22 Pasatiempo Drive  
Santa Cruz, CA 95060

APN: 060-391-03  
22 PASATIEMPO DRIVE, SANTA CRUZ, CA 95060

Dear Mr. and Mrs. Hanson:

I am writing to you on behalf of the Board of Trustees, Pasatiempo Homeowners Association regarding your application to extend fence along perimeter. Your application was previously approved subject to verification that there is no sight line obstruction. It is requested that the fence be located approximately three (3) feet inside its proposed location.

This letter of approval indicates that Pasatiempo Homeowners Association has reviewed and approved your fence application. Pasatiempo HOA is not approving/disapproving drainage, engineering, foundation work, etc.

If you have any questions, please contact our office.

Very truly yours;

Janette Drake

ANDERSON & COMPANY

cc: Board of Trustees

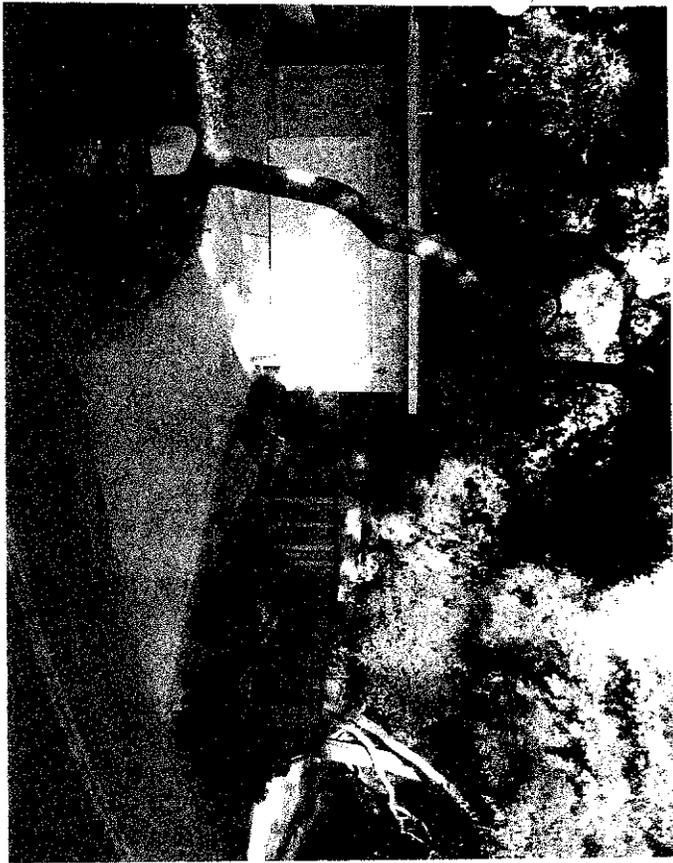
To: David Heinlein x2371

If applicant is planning to install a new fence or to maintain an existing fence on the subject property, the following criteria must be observed:

- a. County policies prohibit the installation of fences within the public Right of Way and
- b. For the installation of fences adjacent to the road and within the property line it must be verified that sight distance is not inhibited, otherwise installation won't be allowed.

Upon site visit on 6/17/04, I Tim Nguyen (Road Engineer), had found that the fence did reduce sight distance along Pasatiempo Drive. However, the sight distance to the entrance of the driveway was not good even before the fence was constructed. The sight distance does not affect neighboring properties and there is a stop sign located within 100' of the property. The sight distance does affect the property of 22 Pasatiempo Drive where the fence is located. Turning left out of their driveway, sight distance is reduced but they have constructed the fence in its current location.

Tim Nguyen - Road Engineer  
Dpw308@co.santa-cruz.ca.us  
(831)454-2371





72 PASATIEMPO

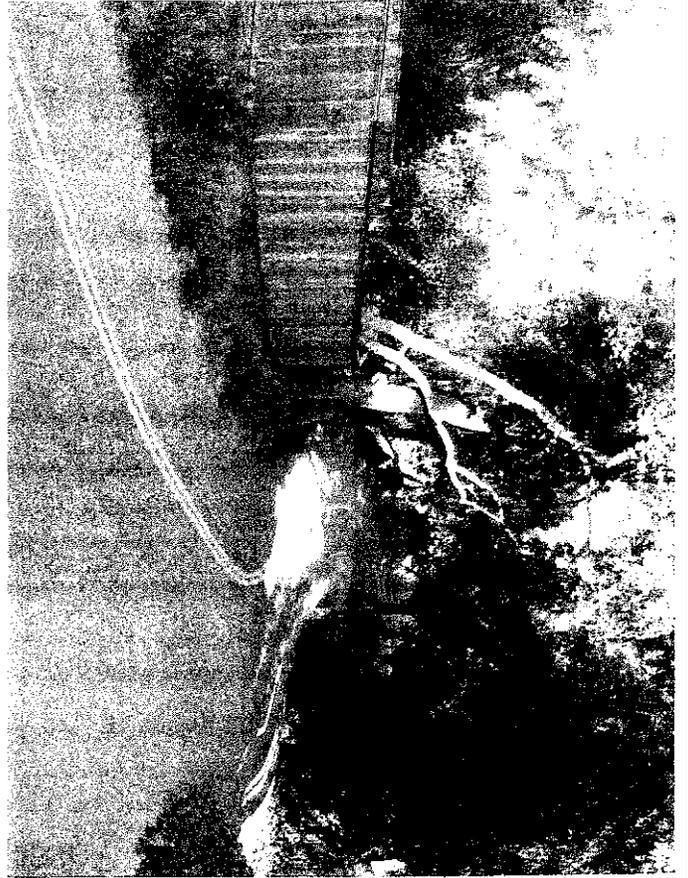


72 PASATIEMPO

MEHABAS ESILE



72 PASATIEMPO





NEXT DOOR NEIGHBOR'S FENCE

