



Staff Report to the Zoning Administrator

Application Number: **04-0456**

Applicant: Michael Moorish
Owner: Dale and Stacey Moring
APN: 045-142-01

Agenda Date: March 4, 2005
Agenda Item #: **6**
Time: After 10:00 a.m.

Project Description: Proposal to demolish an existing 609 square foot single-family dwelling and construct a new two-story single-family dwelling of 1,905 square feet with 3 bedrooms and 2-112 bathrooms.

Location: Property located on Lorna Ave. about 200 feet south of the intersection of Altivo Avenue and Lorna Avenue (at 50 Loma Ave.) in La Selva Beach.

Supervisory District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Coastal Development Permit

Staff Recommendation:

- Approval of Application 04-0456, 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 |
| C. | Conditions | G. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA determination) | | |

Parcel Information

Parcel Size:	4,920 square feet (staff and applicant's calculations)
Existing Land Use - Parcel:	One single-family dwelling
Existing Land Use - Surrounding:	Single-family dwellings
Project Access:	Loma Avenue- a County maintained road
Planning Area:	La Selva Beach
Land Use Designation:	R-UL (Urban Low Residential)

Zone District: R-1-6 (Single-family residential, 6,000 square feet minimum)
Coastal Zone: Inside Outside
Appealable to Calif. Coastal Comm. Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Elder Sandy Loam-Soils Index Number 130
Fire Hazard: Not a mapped constraint
Slopes: 5%
Env. Sen. Habitat: Potential Monarch Butterfly habitat-no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Within a mapped scenic resource area
Drainage: Existing and proposed drainage adequate
Traffic: Slight increase due to increase in number of bedrooms
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Environmental Health approved Septic System
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Not Applicable

History

The existing single-family dwelling on site was constructed in 1958 under building permit 2513 issued on August 12, 1957. No significant alterations have occurred since the issuance of this permit.

Proposal

The owner proposes to demolish the existing one-story single-family dwelling and construct a new single-family dwelling with a one-car garage, three bedrooms, and two-and-a-half bathrooms. The new dwelling will result in a net increase of two bedrooms.

Project Setting

The project site is located in La Selva Beach inland from San Andreas Road, in a neighborhood of one and two-story single-family dwellings. The project site is located about ½ mile from the beach, and will therefore not impede public access to the ocean. Due to the distance from the

beach and the topography of the neighborhood, the proposed new house will not be visible from the beach.

Zoning & General Plan Consistency

The subject property is a **4,920** square foot lot, located in the R-1-6 (Single-family residential, 6,000 square feet minimum) zone district, a designation which allows residential uses. The proposed single-family residence 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.

All R-1-6 zone district site standards will be met, as detailed in the following table:

	Standard	
Front yard setback	20' minimum	20'
Street side yard setback	10' minimum	12'-6"
Side yard setback	5' minimum	5'
Rear yard setback	15' minimum	29'-6"
Maximum height	28' maximum	25'-6"
Maximum % lot coverage	30% maximum	30%
Maximum % Floor Area Ratio	50% maximum	31.5%

The increase in bedrooms requires one additional parking space, for a total of three spaces as required under Section 13.10.552 of the County Code. Three parking spaces will be provided, with one in the garage and two in the driveway.

Local Coastal Program Consistency

The proposed single-family residence is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. 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 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.

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 **04-0456**, based on the attached findings and condihons.
- Certification that the proposal is exempt from **further** Enwonmental 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

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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 feet minimum), a designation which allows residential uses. The proposed single-family residence 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 no easements or special development restrictions encumber the property.

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 project meets the criteria outlined in the Coastal Zone Design Criteria in terms of neighborhood compatibility and building design. The proposed stucco siding and composition roof is consistent with the range of materials used in the neighborhood, and the design is similar to houses on neighboring properties as it incorporates a pitched roof and a partial second story.

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 residence 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 R-1-6 (Single-family residential, 6,000 square feet 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-family dwellings with a similar size and architectural style.

Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single-family residence will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks and site standards.

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 single-family residence 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-1-6 (Single-family residential, 6,000 square feet minimum) zone district in that the primary use of the property will be one single-family residence that meets all current site standards for the zone district.

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 one single-family dwelling 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 single-family residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, as it will meet all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance).

The proposed single-family residence 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 single-family residence will comply with the lot coverage and floor area ratio standards of the R-1-6 zone district, resulting in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for La Selva Beach.

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 adequate utility service will continue to be available to the site, and any additional traffic generated by the additional bedrooms will be minimal and easily absorbed into the existing street system.

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 design and materials complement the existing architectural mix of the neighborhood. The proposed house will incorporate a partial second story, similar to many homes in the neighborhood, and will be proportioned to the size of the lot.

Conditions of Approval

Exhibit A: Project plans, three pages, drawn by Michael Moorish, dated December 1, 2004.

- I. This permit authorizes the demolition and construction of a replacement single-family residence of two stories consisting of three bedrooms and 2 ½ bathrooms. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. 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 and erosion control plans. The drainage plan must demonstrate that existing drainage patterns will be maintained and drainage will not affect adjacent and/or downstream properties.
 3. Details showing compliance with fire department requirements.
 - C. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - E. Pay the current fees for Parks and Child Care mitigation for two additional bedrooms. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.

- F. Provide required off-street parking for three cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - G. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- 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 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.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

David Keyon
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 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: 04-0456
Assessor Parcel Number: 045-142-01
Project Location: 50 Loma Avenue

Project Description: Demolish existing one-story SFD and construct a two-story SFD

Person or Agency Proposing Project: Michael Moorish

Contact Phone Number: (831) 479-0995

- 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: 15303(a)

F. Reasons why the project is exempt:

Construction of one SFD in a residential zone.

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

David Keyon, Project Planner

Date: _____

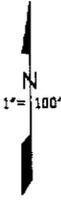
45-14

Tax Area Code
69-275

PDR, SAN ANDREAS RANCHO
SECS. 27, 28, & 33, T.11S., R.1E., M.D.B. & M.

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Electronically Prepared 1/20 KSA
REV 1/20 KSA GEN. FORM 1-50
REV 5/17/02 GEN. FORM 1-50
REV 6/25/02 DD (2-00)5296, COMB 1-50



Assessor's Map No. 45-14
County of Santa Cruz, Calif.
Jan. 2000

Note - Assessor's Parcel & Block
Numbers Shown in Circles.

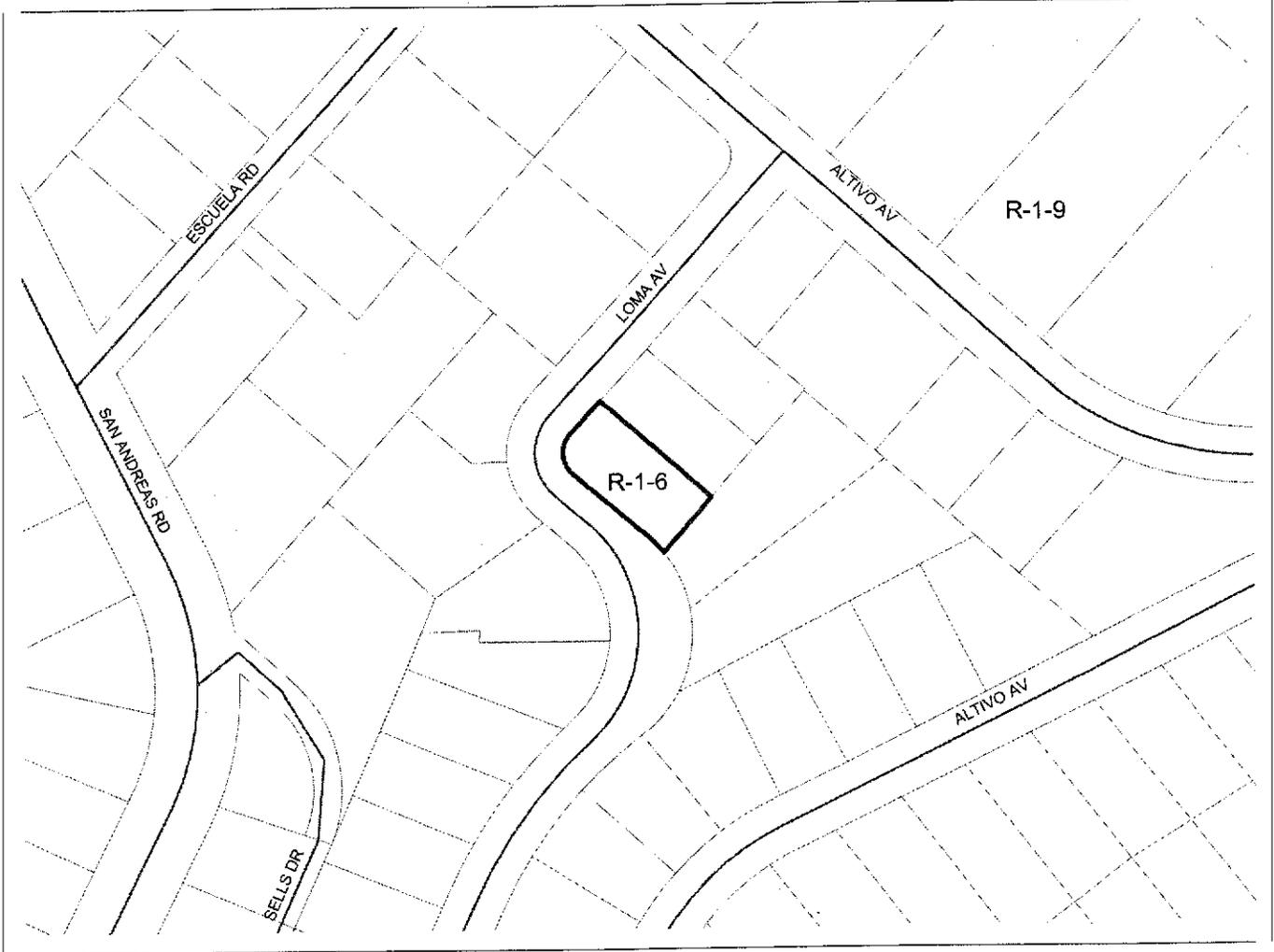
LA SELVA BEACH TR. NO. 1
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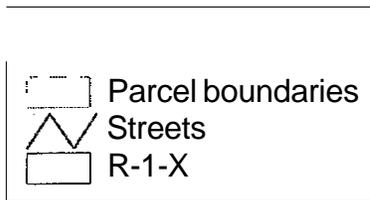
34128
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EXHIBIT

Zoning Map



Legend



Map created by Santa Cruz County
Planning Department:
September 2004