



# Staff Report to the Zoning Administrator

Application Number: **04-0585**

**Applicant:** Janet Dows, Architect  
**Owner:** Jorge and Anne Sierra  
**APN:** 045-061-27

**Agenda Date:** March 18, 2005  
**Agenda Item #:** 7  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to construct a two story addition, including a one-car garage to an existing one-story single family dwelling; to demolish an existing one ~~car~~ garage, entry and utility porch and to construct a six-foot high fence within the required front setback.

**Location:** 6 Alta Drive, La Selva Beach

**Supervisory District:** Second District (District Supervisor: Ellen Pine)

**Permits Required** Coastal Development Permit and Residential Development Permit

### Staff Recommendation:

- Approval of Application 04-0585, 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. | General Plan map          |
| B. | Findings                                   | G. | Zoning map                |
| C. | Conditions                                 | H. | Aerial Photo              |
| D. | Categorical Exemption (CEQA determination) | I. | Comments & Correspondence |
| E. | Location map                               |    |                           |

### Parcel Information

Parcel Size: 14,766 sq. ft.  
Existing Land Use - Parcel: Single family residence  
Existing Land Use - Surrounding: Single family residences  
Project Access: Alta Drive and La Selva Drive  
Planning Area: La Selva Beach  
Land Use Designation: R-UL (Residential Urban Low Density)  
Zone District: R-1-9 (9,000 sq. ft. min. site area)  
Coastal Zone:  Inside  Outside  
Appealable to Calif. Coastal Comm.  Yes  No

Application #: 04-0585  
APN: 045-061-27  
owner: Jorge and Anne Sierra

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: 136 and 177  
Fire Hazard: Not a mapped constraint  
Slopes: NIA  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Within the viewshed of Highway One  
Drainage: Existing drainage adequate  
Traffic: N/A  
Roads: Existing roads adequate  
Parks: Existing park facilities adequate  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line:  X  Inside    \_\_\_ Outside  
Water Supply: Soquel Creek Water District  
Sewage Disposal: Santa Cruz County Sanitation District  
Fire District: Aptos/La Selva Fire Protection District  
Drainage District: 6

### History

This application was received on November 18, 2004 and deemed complete on January 31, 2005.

### Project Setting

The site is adjacent to the Highway One freeway exit at La Selva Drive. The parcel is unusually shaped in that it is on a peninsula formed by three streets (see Exhibit H – Aerial photo).

### Local Coastal Program Consistency

The proposed single family dwelling 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.

**Zoning & General Plan Consistency**

The subject property is a **14,766** square foot lot, located in the R-1-9 (9,000 sq. ft. min. site area) zone district, a designation that allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district and the project is consistent with the site's (R-UL) Residential Urban Low Density General Plan designation.

The existing residence extends fourteen feet into the front yard setback, making the structure non-conforming. The addition however, will meet all development standards as shown below.

**SITE DEVELOPMENT STANDARDS TABLE**

	<b>R-1-9 Standards</b>	<b>Proposed Residence</b>
<b>Front yard setback:</b>	20 feet	7'-0" (existing non-conforming)
<b>Street side yard setbacks:</b>	10 feet	10 feet / 22 feet
<b>Lot Coverage:</b>	<b>30</b> % maximum	18 %
<b>Building Height:</b>	28 feet maximum	24'-0"
<b>Floor Area Ratio (F.A.R.):</b>	0.5:1 maximum	.4
<b>Parking</b>	<b>3</b> bedrooms – 3 (18' x 8.5')	one in garage two uncovered

**Design Review**

The proposed single family dwelling is within the viewshed of Highway One and therefore subject to Chapter 13.11 for Design Review. The project complies, in that the proposed project will incorporate site and architectural design features such as change of materials and dropped eaves, to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The second story part of the addition is at the portion of the lot which is furthest from Highway One.

**Over Height Fence**

The property is surrounded on three sides by roadway and is facing a freeway overpass. A new six feet high fence is being proposed on the northern boundary of the property within the front setback. The unique location and shape of this property warrant a six-foot high fence.

**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 ~~an~~ exemption because the property is located with the Urban Services line, is already served by existing water and sewer utilities, and no change ~~of~~ use is proposed. No extenuating circumstances or special site conditions that would require ~~further~~ review under CEQA are evident in the proposed project.

### 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 **04-0585**, 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: Lawrence Kasparowitz  
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701 Ocean Street, 4th Floor  
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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-1-9 (9,000 sq. ft. min. site area), a designation, which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UL) Residential Urban Low Density 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 single family dwelling 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-1-9 (9,000 sq. ft. min. site area) 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. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

## 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 single family dwelling, with the proposed additions, will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. That the location of the project, with the proposed additions, 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 location of the single family dwelling, with the proposed additions, 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-1-9 (9,000 sq. ft. min. site area) zone district in that the primary use of the property will be one single family dwelling 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 the proposed residential use is consistent with the use and density requirements specified for the Residential Urban Low Density (R-UL) land use designation in the County General Plan.

The proposed single family dwelling, with the proposed additions, will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and the area of the additions meet 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 single family dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The single family dwelling, with the proposed additions, 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 single family dwelling, with the proposed additions, will comply with the site standards for the R-1-9 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in

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Owner: Jorge and Anne Sierra

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 additions are proposed for an existing single-family developed lot.

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 single family residence, with the proposed additions, is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single family dwelling is 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 single family dwelling, with the proposed additions, 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: Architectural plans prepared by Janet Dows, Architect, dated November 18, 2005.

- I. **This** permit authorizes the construction of a second floor addition to an existing single family dwelling. 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.
  - C. 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. Submit grading plan for review from Environmental Planning.
    3. Details showing compliance with fire department requirements.
    4. Environmental Health requirements:
      - a. Obtain Environmental Health building clearance at building permit phase of project.
    5. Environmental Planning requirements:
      - a. Identify the three Coast Live *Oak* trees along the front yard fence line and show how they will be protected during the construction activities.
      - b. Identify how the roof runoff will be handled (splash blocks or closed pipe to an energy dissipator).
      - c. Submit an erosion control plan for review.

6. Drainage requirements:
    - a. Clarify where the location of the discharge points will be. If discharge points are remote from the **structure**, show the routed locations and indicate how runoff rates will be held to pre-development levels.
    - b. Transfer and note the impervious areas from the survey sheet to the plan sheet.
    - c. Indicate how existing runoff leaving the site is routed to and/or along the existing road surfaces. Please describe this runoff routing to either a County maintained inlet or a natural channel. Indicate and problems that may exist along this path, and propose correction as warranted.
    - d. Provide drainage information to a level addressed in the "Drainage Guidelines for Single Family Residences" provided by the Planning Department and available online.
  
  - C. Meet all requirements of and pay Zone **6** drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
  
  - D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District Fire Protection District.
  
  - E. Submit **3** copies of a soils **report** prepared and stamped by a licensed Geotechnical Engineer, if required.
  
  - F. Pay the current fees for Parks and Child Care mitigation for one bedroom.
  
  - G. Pay **the** current fees for Roadside and Transportation improvements for one bedroom.
  
  - H. 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.
  
  - I. 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.
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- 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.
- C. The project must comply with all recommendations of the approved soils reports.
- D. 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.

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.

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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 two years from the effective date unless you obtain the required permits and commence construction.**

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

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

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

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Don Bussey  
Deputy Zoning Administrator

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Lawrence Kasparowitz  
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: 04-0585  
Assessor Parcel Number: 045-061-27  
Project Location: 6 Alta Drive, La Selva Beach

Project Description: Proposal to construct a two story addition, including a one-car garage to an existing one-story single family dwelling; to demolish an existing one car garage, entry and utility porch and to construct a six-foot high fence within the req. front setback.

Person Proposing Project: Janet Dows, Architect

Contact Phone Number: (831) 457-1346

- 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.  X  Categorical Exemption

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt: Addition to an existing single family dwelling in a developed area.

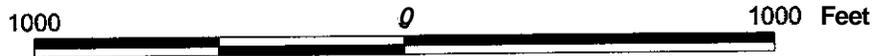
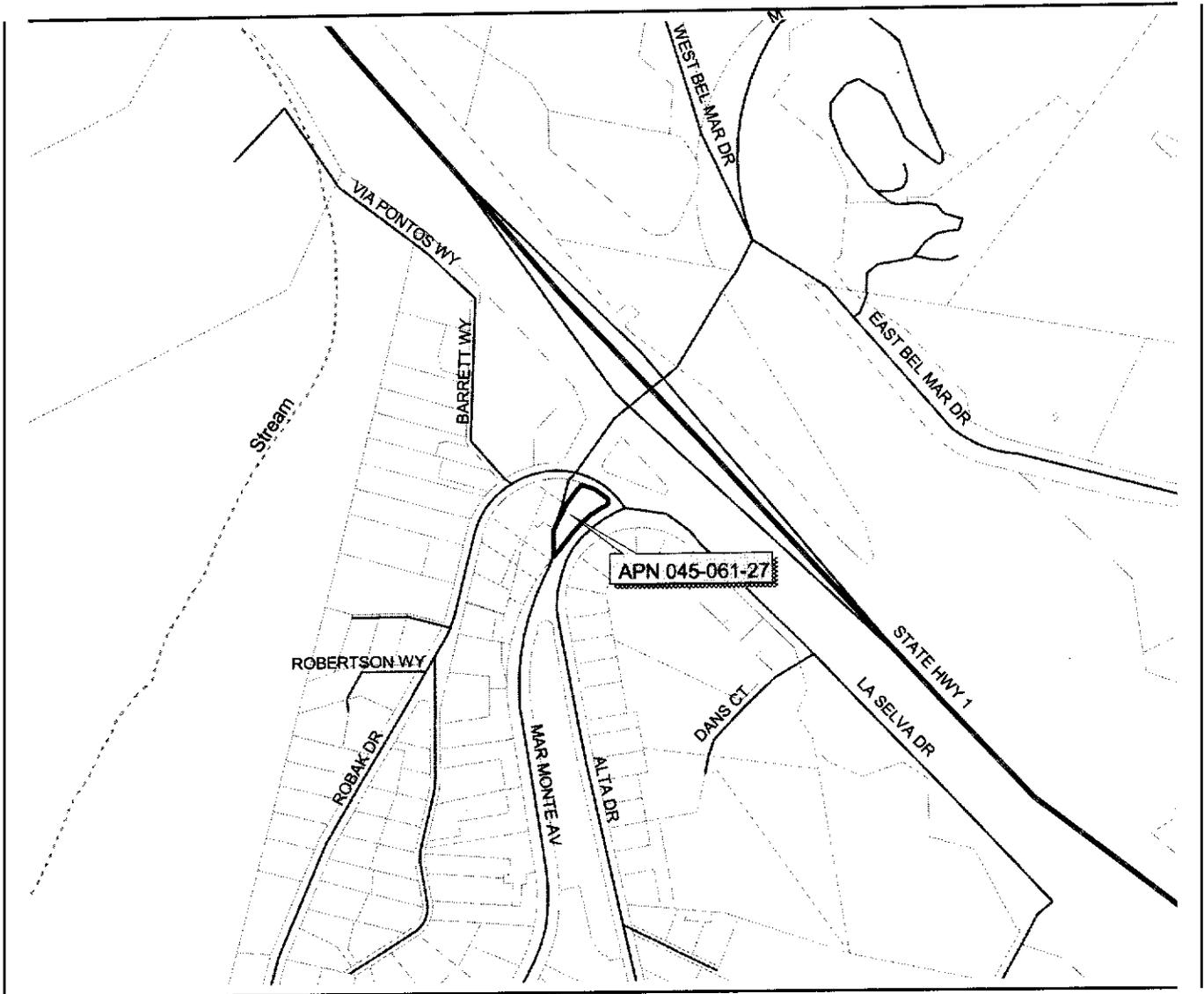
In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Lawrence Kasparowitz, Project Planner

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

**EXHIBIT D**

# Location Map

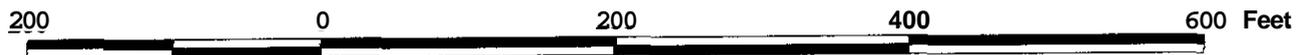
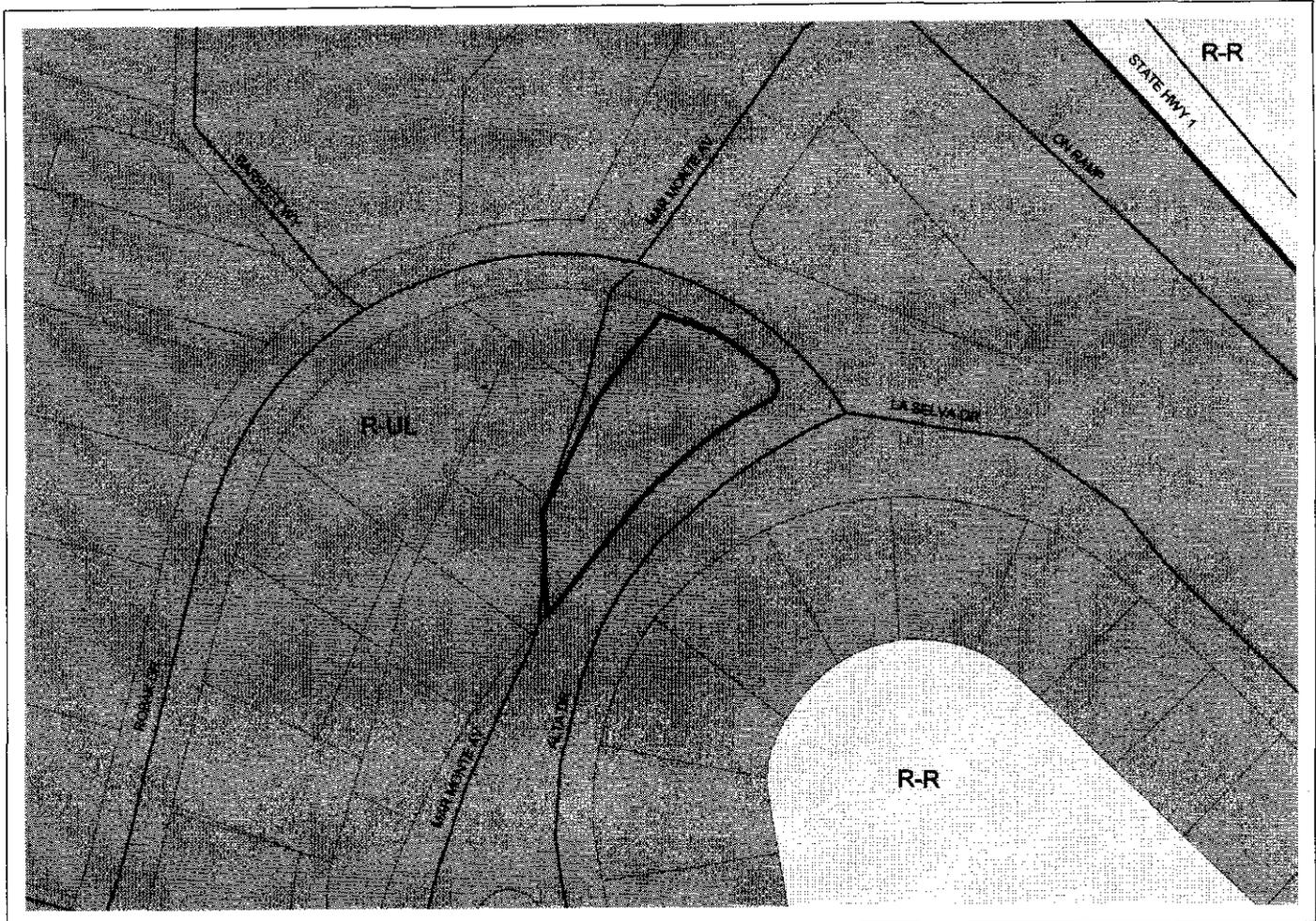


Map created by Santa Cruz County  
Planning Department:  
December 2004



EXHIBIT E

# General Plan Map



## Legend

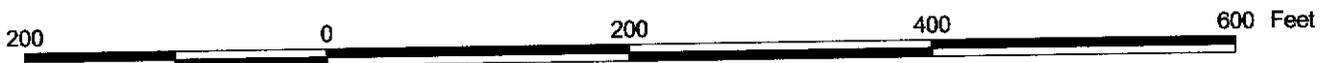
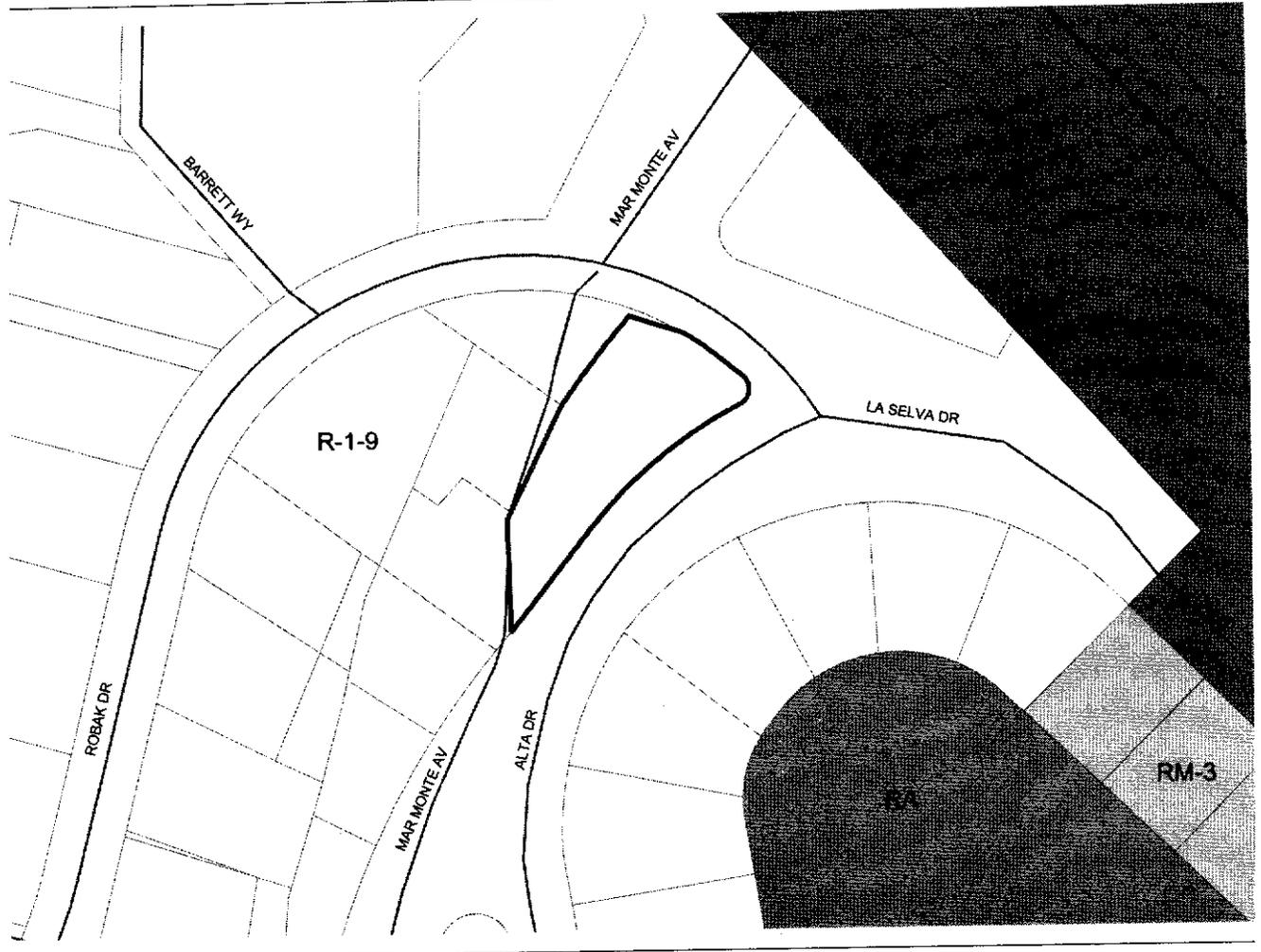
	APN 045-061-27
	Parcel boundaries
	Streets
	State Highway
	Rural Residential
	Residential - Urban Low Density



Map created by Santa Cruz County  
Planning Department:  
December 2004

EXHIBIT F

# Zoning Map



## Legend

-  APN 045-061-27
-  Parcel boundaries
-  Streets
-  State Highway
-  Residential Agriculture (RA)
-  RM
-  Single-family Residential (R-1-9)
-  Special Use (SU)



Map created by Santa Cruz County  
Planning Department:  
December 2004

EXHIBIT G

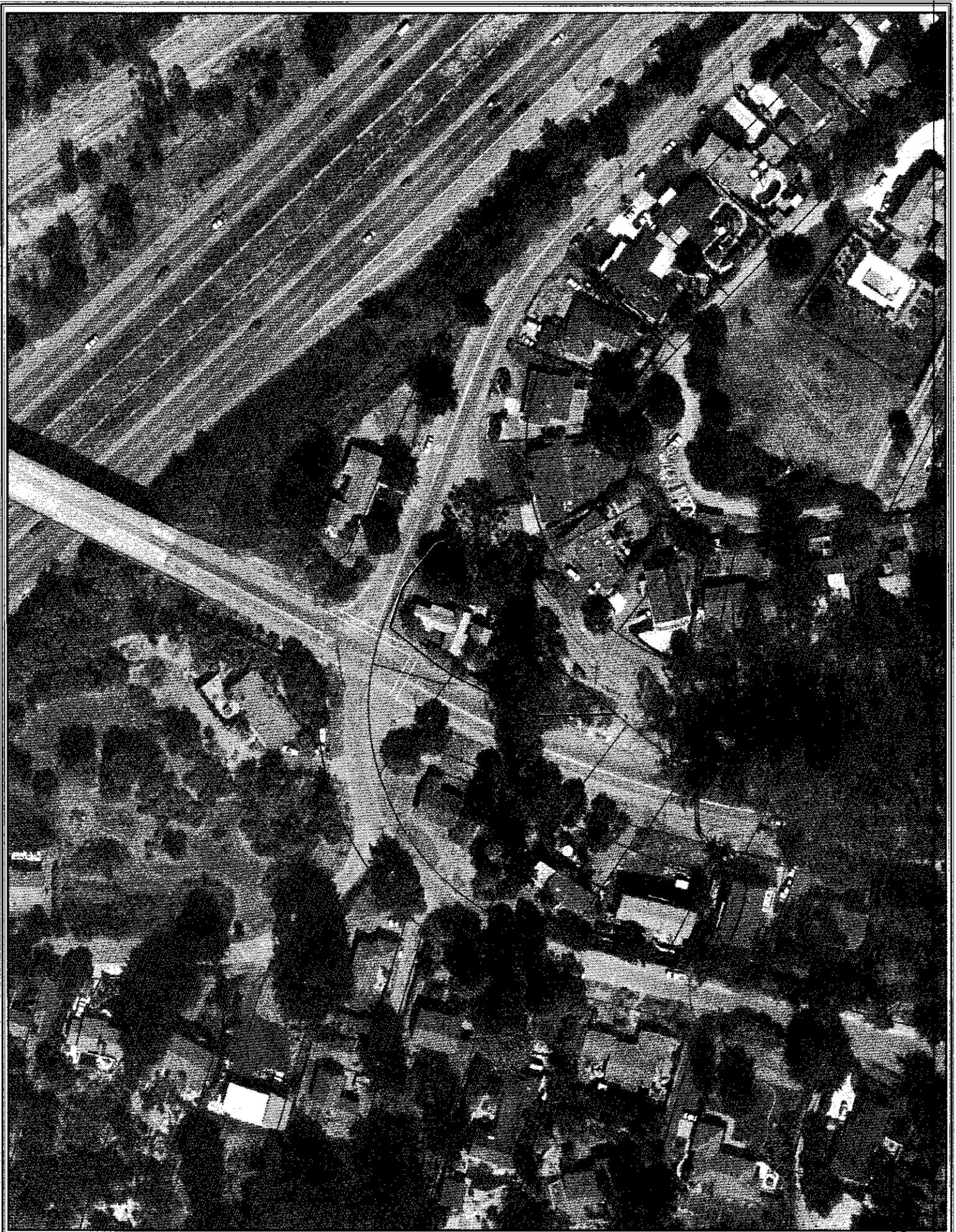


EXHIBIT H

C O U N T Y O F S A N T A R U Z  
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Larry Kasparowitz  
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Time: 12:08:57  
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Environmental Planning Completeness Comments

===== REVIEW ON DECEMBER 10, 2004 BY ROBERT S LOVELAND =====  
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON DECEMBER 10, 2004 BY ROBERT S LOVELAND =====

Conditions of Approval :

1. Identify the three coast live oak trees along the front yard fence line and show how they will be protected during construction activities.
2. Identify how the roof runoff will be handled (splash blocks or closed pipe to an energy dissipator).
3. Submit an erosion control plan for review,

Dpw Drainage Completeness Comments

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

===== REVIEW ON DECEMBER 13, 2004 BY DAVID W SIMS =====  
General Plan policies:

7.23.1 New Development 7.23.2 Minimizing Impervious Surfaces 7.23.5 Control Surface Runoff

A minimal stormwater management plan was submitted with the application, and was reviewed for completeness of discretionary development and compliance with County policies listed above. The proposed stormwater management plan is approved for discretionary stage Stormwater Management review. 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 DECEMBER 13, 2004 BY DAVID W SIMS =====  
Miscellaneous:

- 1) It is noted to provide energy dissipaters at the discharge of new downspouts. Clarify where the location of the discharge points will be. If they are in proximity of the house surrounded by substantial landscape areas, this will be considered adequate to hold runoff rates in check. If discharge points are remote from the structure, show the routed locations and indicate how runoff rates will be held to pre-development levels, meeting policy 7.23.1.
- 2) A small portion of existing driveway is shown to be removed. and it appears from

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the survey sheet that a slab and walkway area is also to be removed. These removals help to minimize impervious coverage, addressing policy 7.23.2. Please transfer and note the impervious areas from the survey sheet to the plan sheet.

3) Indicate how existing runoff leaving the site is routed to and/or along the existing surrounding road surfaces. Please describe this runoff routing to either a County maintained inlet or a natural channel. Indicate any problems that may exist along this path, and propose correction as warranted.

4) Applicant should provide drainage information to a level addressed in the "Drainage Guidelines for Single Family Residences" provided by the Planning Department. This may be obtained online: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

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

**Environmental Health Completeness Comments**

===== REVIEW ON DECEMBER 10, 2004 BY JIM G SAFRANEK =====

Applicant provided a satisfactory septic tank pumper's report to demonstrate that the septic system is functioning. Contact Land Use staff of Environmental Health at 454-2749 (Jim SafraneK) if consultation is needed.

===== UPDATED ON JANUARY 12, 2005 BY JIM G SAFRANEK ===== Applicant can obtain EH Building clearance at building permit phase of project. No Further EH Disc. permit reqs.

===== UPDATED ON JANUARY 12, 2005 BY JIM G SAFRANEK =====

**Environmental Health Miscellaneous Comments**

===== REVIEW ON DECEMBER 10, 2004 BY JIM G SAFRANEK =====

NO COMMENT

**Aptos-La Selva Beach Fire Prot Dist Completeness C**

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

===== REVIEW ON DECEMBER 21, 2004 BY ERIN K STOW =====

DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED

All Fire Department building requirements and fees will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

**Aptos-La Selva Beach Fire Prot Dist Miscellaneous**

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

===== REVIEW ON DECEMBER 21, 2004 BY ERIN K STOW =====

NO COMMENT