



Staff Report to the Zoning Administrator

Application Number: **05-0649**

Applicant: Dee Murray
Owner: Robert Packer
APN: 045-162-15, -16

Agenda Date: October 20, 2006
Agenda Item #: 1
Time: After 10:00 a.m.

Project Description: Proposal to demolish two existing single-family residences and one pool house, conduct a lot line adjustment, & construct one single-family dwelling of about 5,871 square feet on one parcel and a single-family dwelling & garage of about 1,668 sq. ft. on the other parcel. Requires a Coastal Development Permit, a Lot Line Adjustment, Design Review, a Soils Report Review, and Preliminary Grading Review.

Location: Property located on Arbolado Drive between Cresta Way and Margarita Road, with existing entrance on Cresta Way (at 24 and 28 Cresta Way).

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

Permits Required: Coastal Development Permit and a Lot Line Adjustment

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 05-0649, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|--|----|---|
| A. | Project plans | F. | Zoning and General Plan map |
| B. | Findings | G. | Urban Designer's comments |
| C. | Conditions | H. | Printout of Discretionary Application Comments, dated 7/5/06. |
| D. | Categorical Exemption (CEQA determination) | I. | Comments & Correspondence |
| E. | Assessor's parcel map | | |

Parcel Information

Parcel Size: 34,286 square feet (combined both parcels)
Existing Land Use - Parcel: Two single-family dwellings and an indoor pool house
Existing Land Use - Surrounding: Single-family dwellings, railroad right-of-way, beach access

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

Project Access: Arbolado Drive
Planning Area: La Selva Beach
Land Use Designation: R-UL (Urban Low Density Residential)
Zone District: R-1-6 (Single-family residential, 6,000 square foot min.)
Coastal Zone: Inside Outside
Appealable to Calif. Coastal Comm. Yes No

Environmental Information

Geologic Hazards: Coastal bluff setbacks apply.
Soils: Baywood Loamy Sand
Fire Hazard: Not a mapped constraint
Slopes: Range from 5% to over 50%
Env. Sen. Habitat: Mapped potential Monarch Butterfly habitat, no habitat found on site.
Grading: About 800 cubic yards of cut and 650 cubic yards of fill.
Tree Removal: No trees proposed to be removed
Scenic: Mapped scenic resource due to proximity to public beach
Drainage: Existing and proposed drainage system 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: On-site septic
Fire District: Aptos/La Selva Fire Protection District
Drainage District: N/A

Project Scope

The project site consists of two separate parcels (APN's 045-162-15 and 045-162-16), each with an existing single-family dwelling (24 and 28 Cresta Way). A pool house with an indoor pool currently exists at 28 Cresta Way as a habitable accessory structure to the existing residence. The property owner proposes to demolish all structures on both parcels, conduct a lot line adjustment, and construct two single-family dwellings, one on each parcel. One single-family dwelling will be 5,871 square feet with a basement and a partial second story, and the other dwelling will be 844 square feet house above a two-car garage. The property owner intends to use the smaller single-family dwelling as a caretaker's unit. No increase in the number of bedrooms is proposed, as both existing residences have three bedrooms each (according to County Assessor's records), and the two new residences will have a total of five bedrooms, four bedrooms for the new dwelling on parcel A and one bedroom for the new bedroom on parcel B. As no new bedrooms are proposed, no additional in-lieu fees will be assessed for child care, parks, or transportation/roadside improvement.

History

According to assessor's records, the existing residence at **28 Cresta Way (APN 045-162-16)** was constructed in **1950**, and the neighboring residence at **24 Cresta Way (APN 045-162-15)** constructed in **1954**. The pool house at **28 Cresta Way** was constructed in **1974**, with the benefit of a building permit. To recognize the location of the existing residences across multiple property lines, a lot line adjustment was approved in **2001** (application **01-0442**) to combine five parcels into the existing configuration.

Project Setting

The project site is located on the western end of La Selva Beach, in a neighborhood of single-family residences. The site is on a prominent bluff overlooking the beach, but due to the presence of the Southern Pacific railroad right-of-way and Margarita Road between the site and the beach, most of the site has been determined to be outside of the required coastal bluff setback.

The subject property is unique in the La Selva Beach neighborhood: it is considerably larger than surrounding properties, at **34,286** square feet for both **045-162-15** and **-16**, and is bounded by right-of-ways on four out of five sides. The majority of lots in the vicinity are between 5,000 and **10,000** square feet, with many double frontage and corner lots in the blocks bounded by Margarita Road and Arbolado Drive.

Zoning & General Plan Consistency

Lot Line Adjustment

The proposed lot line adjustment will alter the configuration of the lots, and will result in an increase of **21,296** square feet for parcel **046-162-15** (currently **24 Cresta Way**) to result in one lot of **28,194** square feet, and a corresponding decrease in size for parcel **046-162-16** (**28 Cresta Way**) to **6,092** square feet. The purpose of the lot line adjustment is to allow the construction of two single-family dwellings that have an accessible path of travel between both units, something not possible under the existing configuration of the lots and the existing residences.

Subsequent to the adjustment, both parcels will be over the minimum **6,000** square foot size required for the **R-1-6** zone district. The land transferred from APN **045-162-16** will not reduce that parcel below the minimum **6,000** square foot size for the zone district.

The adjustment will not increase the development potential on either property beyond what currently exists under the present configuration. No new building sites will be created as a result of this application. No new parcels will be created.

General Plan

The proposed two replacement single-family dwellings are permitted uses within the zone district, as the project is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation. Both dwellings will result in a density of **2.5** units per acre (the same as the current development), below the R-UL density range of **4.4** to **7.2** units to the acre. The density range for the R-UL General Plan/LCP designation is not possible for new development in

Parcel A	R-1-6 Zone District Standard	Proposed
Front yard setback from Cresta Way	20'	About 55
Front yard setback from Margarita Rd.	20'	About 45'
Side yard setback	5'	11'
Street side yard setback from Arbolado Dr.	10'	10'
Street side yard setback from Margarita Rd.	10'	About 40'
Maximum height	28'	22' at highest point (most at 14')
Maximum % lot coverage	30%	25%
Maximum % Floor Area Ratio	50%	24%

Site standards for Parcel B, currently APN 048-162-16

Parcel B	R-1-6 Zone District Standard	Proposed
Front yard setback from Cresta Way	20'	20'
Side yard setback	5'	16'
Street side yard setback from Arbolado Dr.	10'	10'
Rear Yard setback	15'	30'
Maximum height	28'	18'
Maximum % lot coverage	30%	17%
Maximum % Floor Area Ratio	50%	24%

Local Coastal Program Consistency

The proposed demolition of two single-family dwellings and a pool house, lot line adjustment, and construction of two new single-family dwellings is in conformance with the County's certified Local Coastal Program, in that both structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding coastal neighborhood. Both residences will replace two existing residences, and both will be of a low-profile design to minimize the visual impact from the beach below. The site does not contain any easements for public access to the beach.

Design Review

The proposed two proposed residences comply with the requirements of the County Design Review Ordinance, as the design, materials, and colors of both residences will be compatible with the neighborhood and surrounding coastal environment. The primary residence on Parcel A will be larger than those on surrounding properties, but will be below the maximum lot coverage and floor area ratio standards for the zone district (the lot is the largest residential parcel in the immediate vicinity). If both existing residences and the pool house are combined, the total building area would be about 6,169 square feet. In contrast, both dwellings combined will result in about 7,539 square feet of structures, an addition of only 1,370 square feet over the existing structures on site. The proposed residence on Parcel A will be about 5,871 square feet in size (replacing an existing dwelling of about 3,800 square feet, including the garage), most of which is single-story with the second story portion only reaching a maximum height of 22 feet.

Despite its larger size, the proposed residence on Parcel A is compatible with the neighborhood in that it will be of a low profile (with a maximum height of 22 feet out of 28 feet), and will incorporate earth-tone colors and materials into the exterior design to reduce the visual impact of the home on the surrounding neighborhood and beach.

The proposed residence on Parcel B will be about 1,667 square feet, including a two-car garage on the lower level, and will have a maximum height of only about 18 feet. Therefore, the house will be of a comparable size, bulk, and mass to smaller homes in the La Selva Beach neighborhood.

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

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **05-0649**, based on the attached findings and conditions.

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 proposed lot line adjustment, demolition, and construction of two new single-family dwellings is permitted within the R-1-6 zone district with. The project will comply with the purpose of the R-UL General Plan/Local Coastal Program, in that the primary use of the property will be two single-family dwellings on two legal lots of record. The density of the site will be below the density range for the R-UL designation, but will remain the same density as the current conditions on site.

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 development restriction such as public access, utility, or open space easements 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 proposed lot line adjustment, demolition, and reconstruction of two single-family dwellings is in conformance with the County's Coastal Design guidelines, in that both structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding coastal neighborhood. Both residences will replace two existing residences, and both will be of a low-profile design to minimize the visual impact from the beach below.

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 through road (Margarita Road). Consequently, the two single-family residences will not interfere with public access to the ocean and beach. 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 proposed lot line adjustment, demolition, and construction of two new single-family residences is in conformance with the County's certified Local Coastal Program, in that both structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding coastal neighborhood. Both residences will

replace two existing residences, and both will be of a low-profile design to minimize the visual impact from the beach below. The site does not contain any easements for public access to the beach.

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 will comply with the required coastal bluff setbacks established by the project Geotechnical Engineer and accepted by the County Geologist. 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 two single-family residences will not deprive adjacent properties or the neighborhood of light, air, or open space, in that they will meet all current setbacks and site standards of the R-1-6 zone district, and will be of a low-profile design that is below the maximum height for the zone district.

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 two single-family residences 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 foot minimum) zone district in that the primary use of the property will be a two single-family dwellings on two lots of record that meet 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 requirements specified for the Urban Low Density Residential (R-UL) land use designation in the County General Plan.

The proposed single-family residences will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and 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 two single-family residences 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 combined lot coverage and floor area ratio will be well below the maximum allowed for the zone district. Furthermore, the maximum height of the largest residence will be 22 feet, well below the 28 foot maximum for the zone district.

A specific plan has not been prepared for the La Selva Beach Area.

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 no additional utilities will be necessary to serve the site as the number of dwellings on site will remain the same, and the project will not result in a net increase in bedrooms.

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 project will be residential in character and will not alter the density of the project site.

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 two replacement single-family dwellings comply with the requirements of the County Design Review Ordinance, as the design, materials, and colors of the residences will be compatible with the neighborhood and surrounding coastal environment. The residence on Parcel A will be larger than those on surrounding properties, but will be of a low profile (with a maximum height of 22 feet out of 28 feet), and will incorporate earth-tone colors and materials into the exterior design to reduce the visual impact of the home on the surrounding neighborhood and beach.

Lot Line Adjustment Findings

1. The lot line adjustment will not result in a greater number of parcels than originally existed.

This finding can be made, in that there were two legal parcels prior to the adjustment and there will be two parcels subsequent to the adjustment.

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2. The lot line adjustment conforms with the county zoning ordinance (including, without limitation, County Code section 13.10.673), and the county building ordinance (including, without limitation, County Code section 12.01.070).

This finding can be made, in that no additional building sites will be created by the transfer as all parcels are currently developed, none of the parcels have a General Plan designation of 'Agriculture' or 'Agricultural Resource', none of the parcels are zoned 'TP' or have a designated Timber Resource as shown on the General Plan maps, and the proposal complies with the General Plan designation of the parcels ((R-UL) Urban Low Density Residential per 13.10.673(e).

3. No affected parcel may be reduced or further reduced below the **minimum** parcel size required by the zoning designation, absent the grant of a variance pursuant to County Code section 13.10.230.

This finding *can* be made, in that none of the parcels included in the proposal will be reduced below the minimum 6,000 square foot minimum parcel size required by the zone district as a result of this lot line adjustment.

Conditions of Approval

- Exhibit A: Project plans, 20 sheets, sheets A0 through A9 drawn by Stephanie Barnes-Castro, Architect and revised on September 18, 2006; sheets L1 through L2 drawn by Bernard Trainor and Associates and dated September 22, 2005 (revised September 15, 2006); and sheets C1-C9 drawn by Michael Beautz and dated September 2006.
- I. This permit authorizes the demolition of two single-family residences, a lot line adjustment between parcels 045-162-15 and 045-162-16, and the construction of two single-family residences, one on each lot. 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 a Grading Permit from the Santa Cruz County Building Official.
 - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site **work** performed in the County road right-of-way.
 - F. File deed(s) of conveyance (which must result in parcel configurations that match the approved Exhibit "A" for this permit) with the County Recorder to exercise this approval. Parcels or portions of parcels to be combined must be in identical ownership.
 - G. The deed(s) of conveyance must contain the following statement after the description of the property(ies) or portion(s) of property to be transferred:
 - 1. "The purpose of the deed is to adjust the boundary between Assessor's Parcel Number 045-162-15 and Assessor's Parcel Number 045-162-16 as approved by the County of Santa Cruz under Application 05-0649. This conveyance may not create a separate parcel, and is null and void **unless** the boundary is adjusted as stated."
 - H. Return a conformed copy of the deed(s) to the Planning Department.
- 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. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
1. Identify finish and color of exterior materials and roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format. Plan notes shall indicate all windows facing the ocean will incorporate non-glare or low glare glass.
 2. An engineered grading plan. Grading over 1,000 cubic yards will require an Amendment to this permit and Environmental Review.
 3. A drainage plan, showing the following details:
 - a. Describe how downspout runoff will be handled.
 - b. Show splashblock locations.
 - c. Show and provide notes, to the greatest extent feasible, indicating runoff from roof and concrete areas will drain to the pervious concrete driveway.
 - d. Notes on the plan detailing maintenance requirements for the pervious concrete.
 4. An erosion control plan.
 5. Submit revised landscape plans with no acacia in the planting list.
 6. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

- F. Submit **3** copies of a geotechnical report review letter prepared and stamped by the project Geotechnical Engineer, stating approval of the building, drainage, and improvement plans.
 - G. Provide required off-street parking for three cars **on** Parcel A and two cars on Parcel B. 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.
 - H. 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.
 - I. Provide a copy of a signed and recorded maintenance agreement for the proposed silt and grease traps and pervious paving.
- 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.
 - A. Pervious pavement shall be maintained per the plans submitted with the original

drainage plan. Manufacturer's specifications for power washing, vacuuming or other remediation shall be followed. A brief annual report shall be submitted to the Planning Department prior to October 15 of each year describing the maintenance that was completed in the previous year.

- E. **All runoff shall be filtered through silt and grease traps prior to leaving the site.** The traps shall be maintained according to the following monitoring and maintenance procedures:
1. The traps shall be inspected to determine if they need cleaning or repair prior to October 15 of each year at a minimum.
 2. A brief annual report shall be prepared by the trap inspector at the conclusion of each October inspection and submitted to the Drainage Section of the Department of Public Works within 5 days of inspection. This monitoring report shall specify any repairs that have been done or that are needed to allow the trap to function adequately.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its **officers**, employees, and agents, from and against any claim (including attorneys' **fees**), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. **If** COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development

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approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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 on the expiration date listed below 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: 05-0649
Assessor Parcel Number: 045-162-15, -16
Project Location: 24 Cresta Way

Project Description: Demolish two existing single-family residences, conduct a Minor Lot Line Adjustment, and construct a two single-family dwellings (one on each lot).

Person or Agency Proposing Project: Dee Murray

Contact Phone Number: (831) 475-5334

- 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: 15302: Replacement or reconstruction of existing facilities

F. Reasons why the project is exempt:

Demolition and re-construction of two single-family dwellings

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

David Keyon, Project Planner

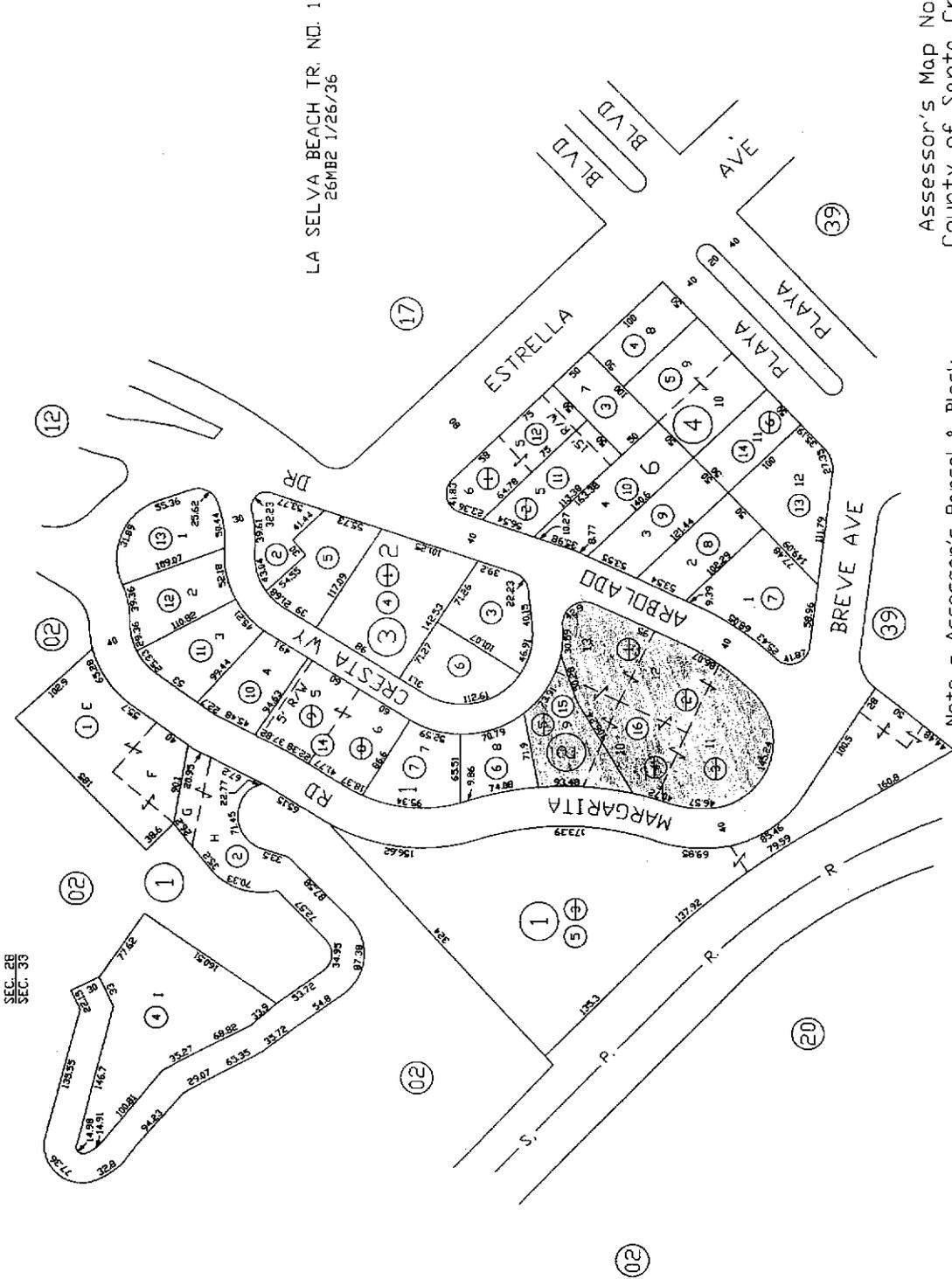
Date: _____

FOR TAX PURPOSES ONLY
 THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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POR. SAN ANDREAS RANCHO
 N.W. 1/4 SEC. 33, T.11S., R.1E., M.D.B. & M.

Tax Area Code
 69-275

45-16

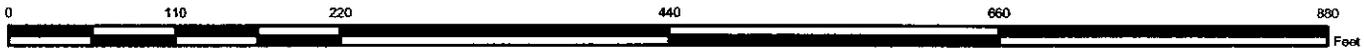
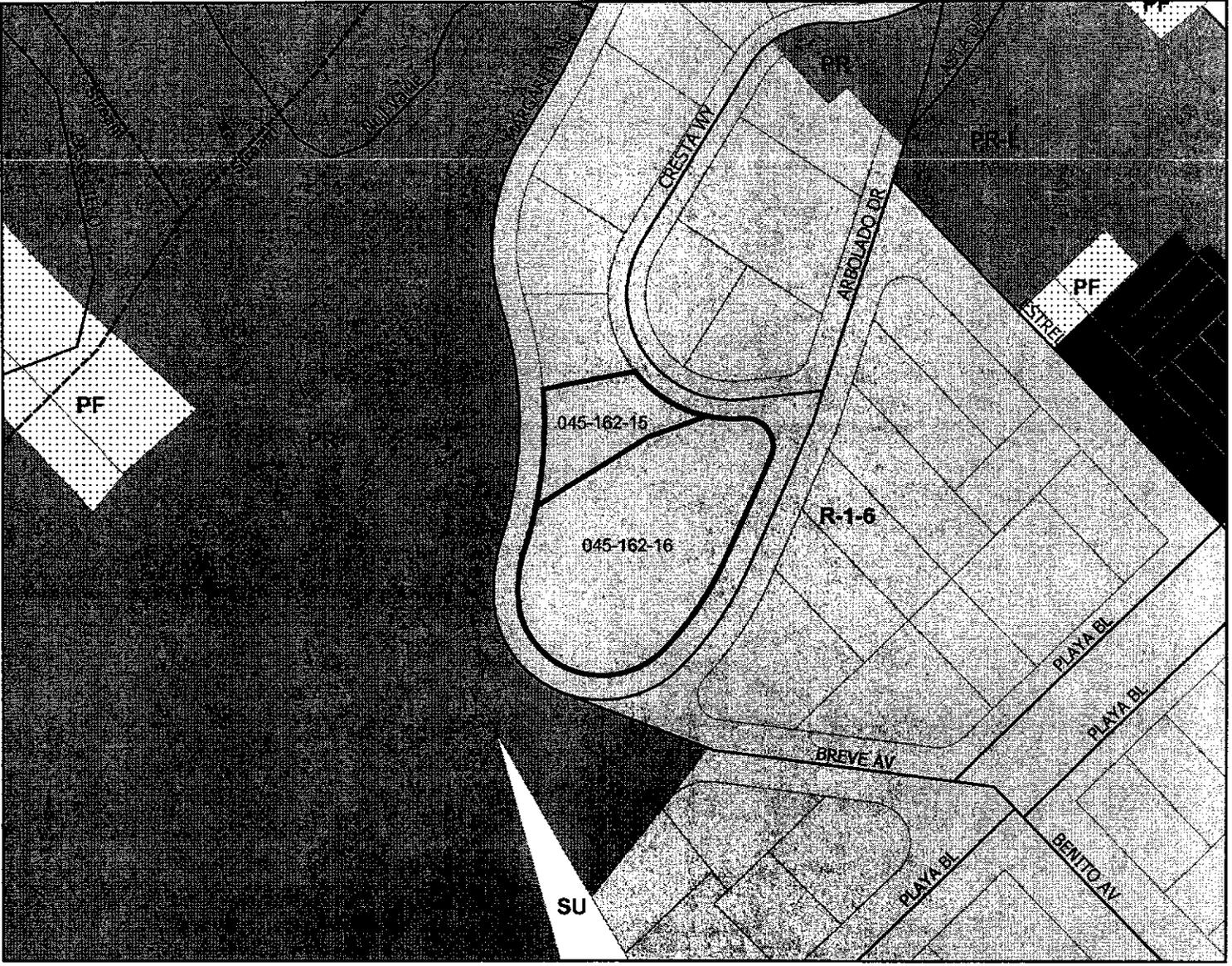


Assessor's Map No. 45-16
 County of Santa Cruz, Calif
 Jan. 2000

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

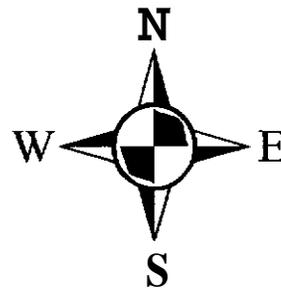
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 Rev. 11/13/00 GG (Remove element 4-1)
 Rev. 5/20/01 mm (Remove page ref)
 Rev. 4/14/04 DD (3-0117493 & 4, LBA 2-15 116)

Zoning Map



Legend

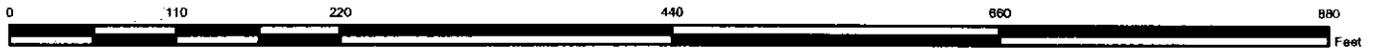
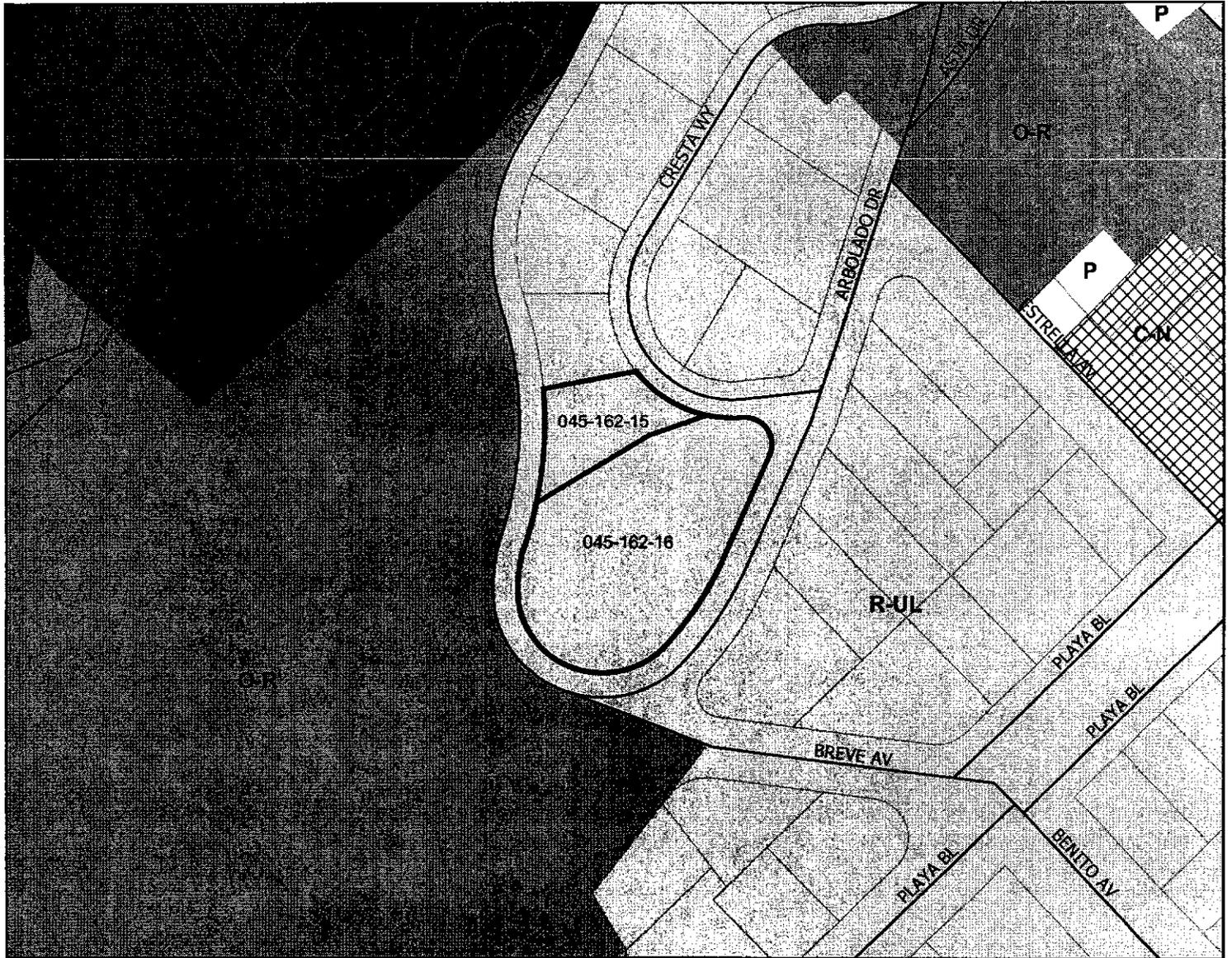
-  APN 045-162-15 & -16
-  Streets
-  Assessors Parcels
-  RESIDENTIAL-SINGLEFAMILY (R-1)
-  PARK (PR)
-  PUBLIC FACILITY (PF)
-  COMMERCIAL-TOURIST (CT)
-  SPECIAL USE (SU)



Map Created by
County of Santa Cruz
Planning Department
October 2005

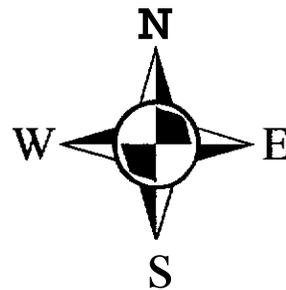


General Plan Designation Map



Legend

-  APN 045-162-15 & -16
-  Streets
-  Assessors Parcels
-  Residential- Urban Low Density (R-UL)
-  Parks and Recreation (O-R)
-  Urban Open Space (O-U)
-  Public Facilities (P)
-  Commercial-Neighborhood (C-N)



Map Created by
County of Santa Cruz
Planning Department
October 2005

MEMORANDUM

Application No: 05-0649

Date: November 1, 2005

To: David Keyon, Project Planner

From: Lawrence Kasparowitz, Urban Designer

Re: Design Review for a new residence at Abolado Drive, La Selva Beach

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓	<i>E</i>	

Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			N/A
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			N/A
Landscaping			
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area	✓		
Development Visibility			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from Scenic road turnouts, rest stops or vista points			N/A
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative			N/A
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A
Building design			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			N/A

Natural materials and colors which blend with the vegetative cover of the site shall be used , or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			NIA
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Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			NIA
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			NIA
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			NIA
Restoration			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed			NIA
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			NIA
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			NIA
In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors			NIA

Beach Viewsheds			
Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive	✓		
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			NIA
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred	✓		

Design Review Authority

13.11.040 Projects requiring design review

- (a) Single home construction, and associated additions involving 500 square feet or more, within coastal special communities and sensitive sites as defined in this Chapter.

13.11.030 Definitions

- (u) "Sensitive Site" shall mean any property located adjacent to a scenic road or within the viewshed of a scenic road as recognized in the General Plan; ~~or located on a coastal bluff~~, or on a ridgeline.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria(+)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship			N/A
Street design and transit facilities			N/A
Relationship to existing structures			N/A
Relate to surrounding topography			
Relate to surrounding topography	3		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A
Views			
Protection of public viewshed	✓		
Minimize impact on private views	3		

Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles			N/A
Solar Design and Access			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
Noise			
Reasonable protection for adjacent properties	✓		

13.11.073 Building design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian interest	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		

Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		

C O U N T Y O F S A N T A C 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: David Keyon
Application No.: 05-0649
APN: 045-162-15

Date: July 5, 2006
Time: 16:44:40
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Environmental Planning Completeness Comments

===== REVIEW ON OCTOBER 27, 2005 BY KEVIN D CRAWFORD =====

10/27/05 - The location of this project is on or near a coastal bluff. The County Geologist has made a preliminary determination the northwest portion of the site meets the definition of a coastal bluff and therefore bluff setbacks would apply to the site. The project soils engineer and/or an engineering geologist must determine whether the bluff meets the Coastal Commission definition of a coastal bluff.

The project plans fail to show the location of the proposed septic system. The soils report contains a site plan that includes the septic system, which is located on the southwest part of the site on a slope of approximately 30%. This slope has been previously graded with fill material. Also it appears that a portion of the keyway for the newly engineered fill slope is located within the proposed septic drain field. The proposed septic system shall be clearly depicted on the plans and it shall be located somewhere other than the 30% slope and in an area not containing loose fill material and not proposed for additional grading activity or structural fill.

A quantitative slope stability analysis is required for the slopes in vicinity of the proposed overhanging deck near the slope and retaining walls on the slope.

If required by DPW Drainage, show any proposed on-site stormwater detention or retention facilities.

Grading volume calculations indicate an export of 150 CY. Show location for proposed fill or add note requiring export to landfill with provision of landfill receipts being given to grading inspector.

Please label Sheets C1-C8 with titles shown on Sht A1

Show Limits of Grading line around entire area of disturbance. Drainage energy dissipater is shown on 30% slope. Either provide written approval of this location from soils engineer, or relocate dissipater. Also the soils report specifies berms or V-ditches at top of slopes to divert surface drainage from slope faces. Show these berms or V-ditches on plans. Typical Sections B-B and E-E show columns from deck or walk to slope face. Indicate what these columns are and how they are supported.

The Soils Report by Dees & Associates has been reviewed and Not Accepted. See review letter in file. A slope stability analysis has been required for the northwest slope on the site. After the soils report has been accepted, a plan review letter from the soils engr is required prior to plan approval. Comments above by Kevin Crawford

===== UPDATED ON MARCH 8, 2006 BY JOSEPH L HANNA =====

Report by Dees and Associates unsigned. We can not review

Please have HKA submit cross-sections that demonstrate the location of Coastal Bluff in the vicinity of the arroyo. The cross-section must extend up to the knoll and building site.

Discretionary Comments - Continued

Project Planner: David Keyon
Application No.: 05-0649
APN: 045-162-15

Date: July 5, 2006
Time: 16:44:40
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The septic system must be relocated as previously indicated

The corner of the proposed improvements below 24 Cuesta appear to be located in the mapped Coastal Bluff.

Retaining system below proposed wall at 2 Cuesta must be evaluated to determine if the walls can support proposed improvements. ===== UPDATED ON MARCH 8, 2006 BY JOSEPH L HANNA =====

===== UPDATED ON JUNE 5, 2006 BY JOSEPH L HANNA =====

Issue with Coastal Bluff setback has been resolved. The grading plans are adequate and the preliminary grading review has been completed. Please condition the permit to require a full engineered grading permit with the building permit.

Environmental Planning Miscellaneous Comments

===== REVIEW ON OCTOBER 27, 2005 BY KEVIN D CRAWFORD =====

NO COMMENT ===== UPDATED ON OCTOBER 28, 2005 BY ROBERT S LOVELAND =====

1. Biotic Pre-Site completed. Mapped resource is not present on either parcel.

2. Prior to building permit submittal please remove acacia from the plant list shown on Sheet L2.0. Acacia is a highly invasive non-native tree. ===== UPDATED ON MARCH 8, 2006 BY JOSEPH L HANNA =====

Additional grading plan detail maybe required prior to issuance of the building permit.

Dpw Drainage Completeness Comments

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

===== REVIEW ON OCTOBER 24, 2005 BY ALYSON B TOM ===== Application with civil plans by Michael Beautz dated September 2005 has been received. Please address the following:

1) The project site drains to two private roads. Please provide an assessment of the downstream drainage paths. The assessment should either demonstrate that the existing drainage path is adequate to safely handle project runoff or include the replacement/ upgrade of any downstream facility\section that is not not adequate.

2) Please describe how and where the existing on-site drainage facilities discharge.

3) The plans call for a dissipator to be located outside of the subject property on the private road. Who owns/maintains this road? Applicant is responsible for obtaining any and all necessary easements for the installation and long term maintenance of the proposed facilities (this can be done prior to building permit issuance).

Please see miscellaneous comments for issues to be addressed prior to building permit issuance.

===== UPDATED ON FEBRUARY 23, 2006 BY ALYSON B TOM ===== Application with civil plans dated February 2006 has been received. Please address the following:

Discretionary Comments - Continued

Project Planner: Oavid Keyon
Application No.: 05-0649
APN: 045-162-15

Date: July 5, 2006
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1) Drainage assessment indicates that there are existing erosion problems on Margarita Road. This project should include work to repair these problems and provide facilities (swales, pipes, etc.) so that an adequate downstream path is provided to prevent future erosion due to runoff from the project site.

See miscellaneous comments for issues to be addressed prior to building permit issuance.

===== UPDATED ON MARCH 16, 2006 BY ALYSON B TOM ===== Previous completeness comment is not valid. The downstream assessment by the project Civil Engineer notes that the downstream path is not eroded

Application is complete with regards to drainage for the discretionary stage. Please see miscellaneous comments for issues to be addressed prior to building permit issuance.

===== UPDATED ON MAY 31, 2006 BY ALYSON B TOM ===== Application is complete with regards to drainage for the discretionary stage. Please see miscellaneous comments for issues to be addressed prior to building permit issuance.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON OCTOBER 24, 2005 BY ALYSON B TOM ===== The following items should be addressed prior to building permit issuance:

- 1) Provide a geotechnical review letter approving of the final drainage plan.
- 2) Update civil plans to describe how downspout runoff will be handled. Show splashblock locations.

Additional site specific comments may be asked in the building permit stage.

===== UPDATED ON FEBRUARY 23, 2006 BY ALYSON B TOM ===== Address the following in addition to previous miscellaneous comments prior to building permit issuance.

- 1) Applicant is responsible for securing the rights to install and provide future maintenance for the proposed outlets (and downstream drainage paths) proposed on private roads.
- 2) Please direct as much runoff from roof and concrete areas to drain to the pervious concrete driveway as possible. Provide notes on the final plans.
- 3) Provide a recorded maintenance agreement for the proposed silt and grease trap.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON OCTOBER 12, 2005 BY RUTH L ZAOESKY =====
No Comment, project adjacent to a non-County maintained road.

Dpw Driveway/Encroachment Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: David Keyon
Application No. : 05-0649
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===== REVIEW ON OCTOBER 12, 2005 BY RUTH L ZADESKY =====
Encroachment permit required for all off-site work in the County road right-of-way

Environmental Health Completeness Comments

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

===== REVIEW ON OCTOBER 20, 2005 BY JIM G SAFRANEK ===== A appl. to upgrade the septic system was submitted by is not approved. Approval is required for satisfaction of completeness.

===== UPDATED ON NOVEMBER 18, 2005 BY JIM G SAFRANEK ===== The septic application for this project is now approved. EH Completeness satisfied.

===== UPDATED ON FEBRUARY 22, 2006 BY JIM G SAFRANEK =====
NO COMMENT

Environmental Health Miscellaneous Comments

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

===== REVIEW ON OCTOBER 20, 2005 BY JIM G SAFRANEK =====
NO COMMENT

===== UPDATED ON NOVEMBER 18, 2005 BY JIM G SAFRANEK =====
UPDATED ON NOVEMBER 18, 2005 BY JIM G SAFRANEK =====

NO COMMENT

===== UPDATED ON FEBRUARY 22, 2006 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 NOVEMBER 9, 2005 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 NOVEMBER 9, 2005 BY ERIN K STOW =====

NO COMMENT