



Staff Report to the Zoning Administrator

Application Number: **08-0092**

Applicant: William Rennie Boyd, Architect **Agenda Date:** January 16, 2009
Owner: Jeffery Crittenden **Agenda Item #:** **6.**
APN: 102-271-14 **Time:** after 10:00 a.m.

Project Description: Proposal to enlarge an existing garage (to result in a garage of 1,325 sq. ft.) at an existing single family residence, provision of an on-site parking pad for three cars and relocation of the water tanks, both adjacent to the right-of-way. Project includes removal of six Oak trees.

Location: Property located on the east side of La Cima Dr., about one quarter mile south from the intersection of La Cima Dr. and Hidden Valley Rd. (333 La Cima Dr.).

Supervisory District: First District (District Supervisor: John Leopold)

Permits Required: Amendment to Permit 05-0648

Technical Reviews: none

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0092, based on the attached findings and conditions.

Exhibits

- | | |
|---|---------------------------------------|
| A. Project plans | F. General Plan map |
| B. Findings | G. Zoning map |
| C. Conditions | H. Discretionary Application Comments |
| D. Categorical Exemption (CEQA determination) | I. Aerial photograph of property |
| E. Location map | |

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

Parcel Information

Parcel Size: 63,858 sq. ft.
Existing Land Use - Parcel: Single family residence
Existing Land Use - Surrounding: Residential
Project Access: La Cima Drive
Planning Area: Carbonera
Land Use Designation: RR (Rural Residential)
Zone District: RA (Residential Agriculture)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Geological and geotechnical reports on file
Soils: 115
Fire Hazard: Not a mapped constraint
Slopes: Over 30%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: Six Oak trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: Well
Sewage Disposal: On-site septic
Fire District: Central Fire District
Drainage District: N/A

History

A previous owner acquired a building permit in June 1977 to construct a two-story, five-bedroom single-family dwelling. In the course of construction, however, the work exceeded that allowed under the building permit and a "stop work" was issued. To resolve this, the owner applied for and was granted Discretionary Permit 78-07-U to allow for a third story and an increase of height to 30 feet with increased yard setbacks. The initial building permit was then revised to allow for a three-story, six-bedroom single-family dwelling with a height of up to 30 feet. This structure was finalized in 1980.

In December 2004, County staff responded to a complaint that work was underway at the subject parcel without benefit of a building permit. Upon investigation, staff verified that a substantial amount of work was done without a permit, and a violation was recorded. Subsequently, the property was sold and the new owner has undertaken the process to rectify the violation.

An Amendment to 78-07-U was required because the house now exceeds the 7,000 square foot threshold, which triggered a Large Dwelling Review, and a portion of the un-permitted addition exceeds the height limit.

Use Permit 05-0648 authorized the recognition of a remodel and additions to an overheight single-family dwelling with seven bedrooms and a fence/retaining wall of less than six feet within the front yard setback. Because the subject parcel is located in a seismically active area that is subject to landslides, a geology report and geotechnical update letter were required. A geotechnical update letter was submitted on August 22, 2006. In addition, staff required as a condition of approval that the owner record a Declaration of Geologic Hazards to ensure that future residents of the parcel are aware of the existing hazards.

NOTE: All Findings and Conditions of Approval of Use Permit 05-0648 apply, unless modified by this permit.

Project Setting

The subject parcel is down slope and east of La Cima Rd., the roadway providing access to the parcel. The front of the house, which faces La Cima Rd., is one-story in height. The three-story portion of the structure is at the rear of the house and is screened by a grove of mature oak trees. The surrounding neighborhood is characterized by large homes on large parcels.

Zoning & General Plan Consistency

The subject property is a 63,858 square foot lot, located in the RA (Residential Agriculture) zone district, a designation that 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 (RR) Rural Residential General Plan designation.

SITE DEVELOPMENT STANDARDS TABLE

| | RA Standards | Proposed Residence |
|----------------------------|---------------------------------------|---|
| Front yard setback: | 40 feet | 41+ ft. (west) |
| Rear yard setback: | 20 feet | 92+ ft. (east) |
| Side yard setbacks: | 20 feet | 20 ft. (north) 115+ ft. (south) |
| Lot Coverage: | 10% maximum | 9.7 % |
| Parking | 7 bedrooms = 6 (18' x 8.5') spaces | four spaces in garage three spaces at parking area |

Proposed Project Description

The applicant is proposing to add approximately 500 sq. ft. to the existing garage, providing covered parking for four cars. In addition to the enlarged garage, the applicant is requesting to construct a platform next to the driveway at the street for three additional parking spaces. The rationale for the additional parking is that if a car were parked within the driveway, it would be difficult for cars to exit from the garage.

Staff supports the revised parking arrangement. The existing residence is over 7,000 sq. ft. and contains seven bedrooms. Given the need for the parking for the residence, and the steepness of the site, it would be appropriate to keep the driveway as clear as possible. By providing open parking at the street level, there is an opportunity for guests to park without blocking the driveway.

Plans do not show the details for the parking area and the design of the retaining wall. The required railing and landscaping will be required to be reviewed and approved by the Urban Planner and the Zoning Administrator prior to Building Permit issuance.

The location of the water storage tanks was revised from the location shown on Exhibit A of Use Permit 05-0648. The fire marshal of Central Fire Protection District had requested the relocation to a higher point on the site for better pressure.

Grading and Tree Removal

This site is entirely sloping downhill and drops from front to back approximately ninety feet in elevation. The total amount of grading for the new parking pad and the water tank pad is 69 yards (58 cu. yds. of cut and 11 cu. yds. of fill). The maximum height of the retaining walls will be six feet. No detail of the retaining wall or the guardrail has been shown on the plans. A condition of approval has been added which requires review of the wall and rail. In addition, new landscaping will be required to minimize the impact of the walls. The condition of approval requires that the Urban Designer approve both the design of the wall, railing and planting.

There will be six Coast Live Oak trees (five exceed 15 inches in diameter) to be removed in order to provide for the proposed parking and water tank pads. The site is densely wooded with Oaks (see site plan A1.1 of Exhibit A) and staff is not requiring replacement planting.

Design Review

The addition to the garage has been designed to provide an accent to the end of the building. The garage addition is in keeping with the design intent of the existing residence, and complies with the requirements of the County Design Review Ordinance (Chapter 13.11).

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 already served by an existing well and septic system, no change of use is proposed, and the proposal is for an enlargement of an existing single-family dwelling.

Conclusion

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

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **08-0092**, 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

Report Prepared By: Lawrence Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-2676
E-mail: pln795@co.santa-cruz.ca.us

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. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed addition to the existing 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 that ensure access to light, air, and open space in the neighborhood.

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

This finding can be made, in that the proposed location of the addition to the existing 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 RA (Residential Agriculture) 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 the proposed residential use is consistent with the use and density requirements specified for the Rural Residential (RR) land use designation in the County General Plan.

The proposed addition to the existing single-family residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties. The proposed project meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the addition to the existing single-family residence 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 proposed addition to the existing 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 site standards for the RA zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result

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Owner: Jeffery Crittenden

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 this portion of the County.

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

This finding can be made, in that the proposed addition to the existing single-family residence is to be constructed on an existing 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 proposed structure is designed to complement the existing home, and the existing single-family residence 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 proposed addition to the existing single-family residence 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.

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Conditions of Approval

Exhibit A: Architectural plans prepared by William Rennie Boyd, Architect, undated.

- I. This permit authorizes the construction of an enlarged attached garage to an existing single-family residence, construction of a parking pad and placement of water tanks and construction of the pad adjacent to the right-of-way. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. All Findings and Conditions of Approval of Use Permit 05-0648 apply, unless modified by this permit.
- II. 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.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain a Grading 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.
- III. 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:

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1. Materials and colors shall match those that were approved with Use Permit 05-0648.
 2. Grading, drainage, and erosion control plans.
 3. Maximum building height is as allowed by Use Permit 05-0648.
 4. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
 5. Provide the details for the parking area and the design of the retaining wall, the required railing and landscaping for screening. Plans are required to be reviewed and approved by the Urban Planner and the Zoning Administrator prior to Building Permit issuance
- 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. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- E. Provide required off-street parking for six 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.
- F. 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.
- IV. 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

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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.

V. 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.

VI. 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 approval without the prior written consent of the County.

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- 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 two years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Lawrence Kasparowitz
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: 08-0092
Assessor Parcel Number: 102-271-14
Project Location: 333 La Cima, Soquel

Project Description: Proposal to enlarge an existing garage (to result in a garage of 1,325 sq. ft.) at an existing single family residence (by an approved use permit for an overheight and large dwelling), provision of an on-site parking pad for three cars and relocation of the water tanks, both adjacent to the right-of-way. Project includes removal of 6 Oaks.

Person Proposing Project: William Rennie Boyd, Architect

Contact Phone Number: (831) 465-9910

- 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 1 - Existing Facilities (Section 15301)

F. Reasons why the project is exempt:

Enlargement of an existing single family dwelling.

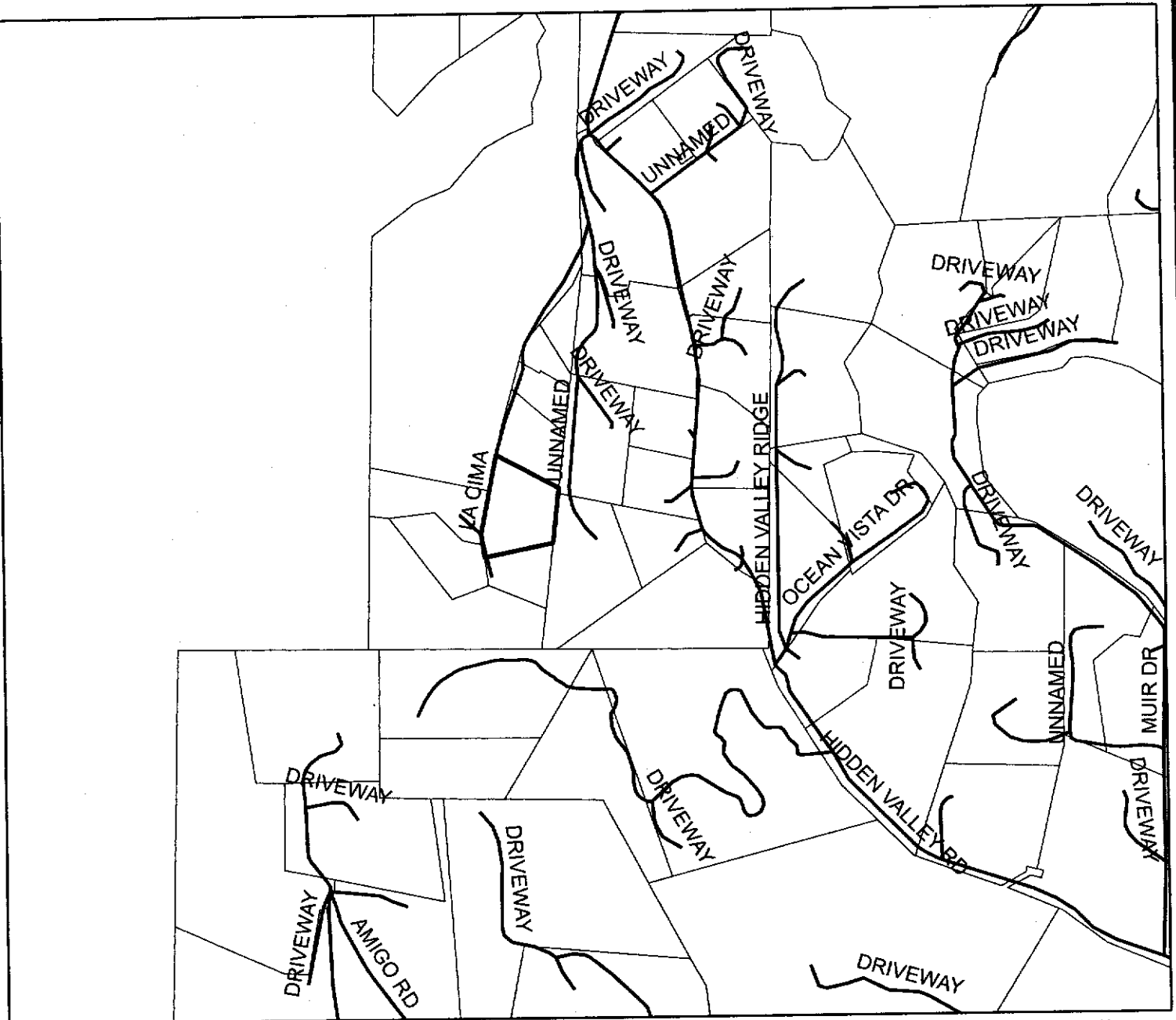
In addition, none of the conditions described in Section 15300.2 apply to this project.

Lawrence Kasparowitz, Project Planner

Date: _____






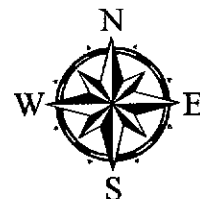
Location Map



0 445 890 1,780 2,670 3,560 Feet

LEGEND

-  APN: 102-271-14
-  Assessors Parcels
-  Streets

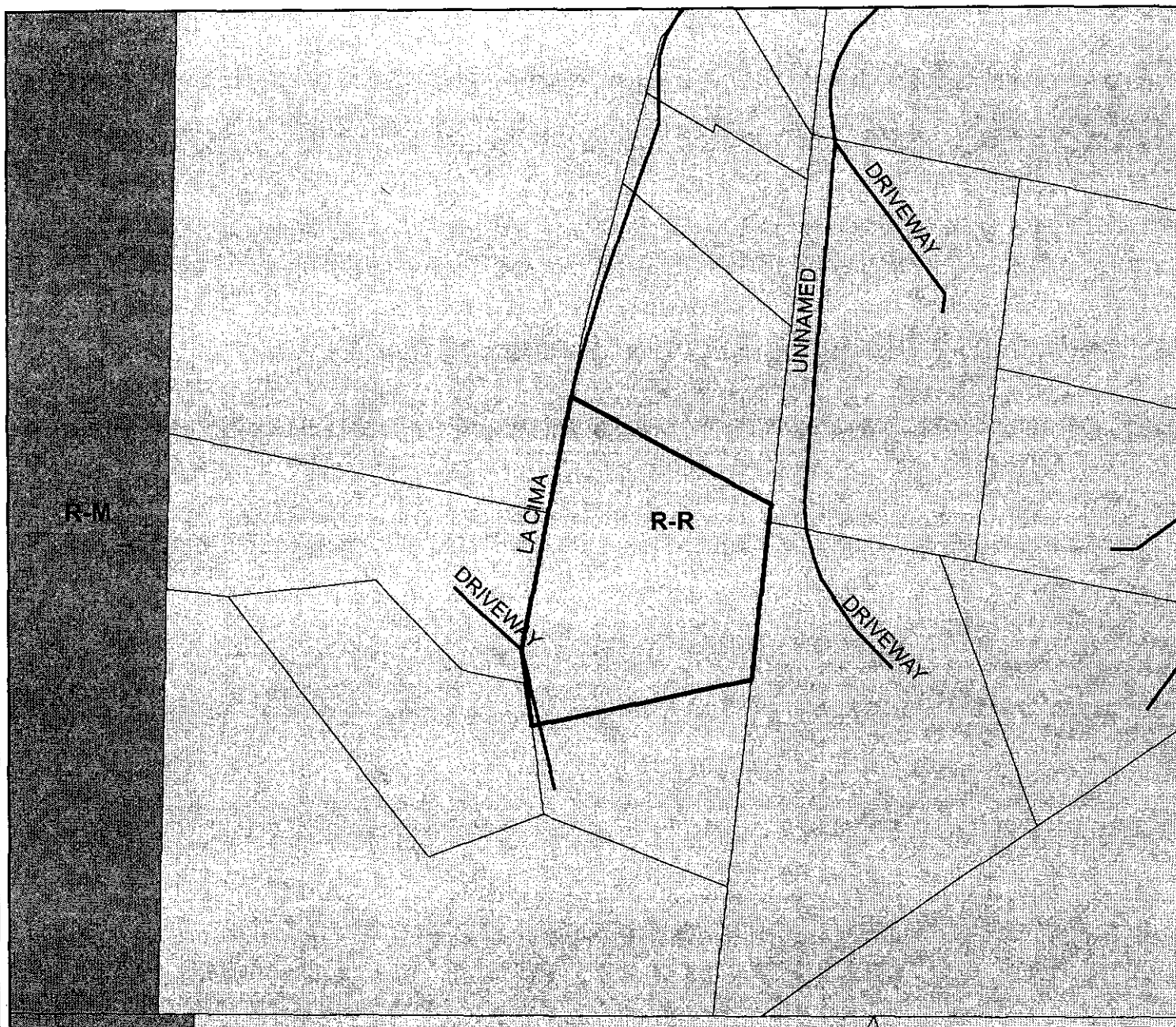


Map Created by
County of Santa Cruz
Planning Department
March 2008

EXHIBIT E








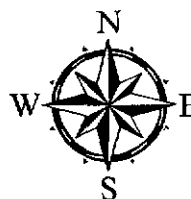
General Plan Designation Map



0 140 280 560 840 1,120 Feet

LEGEND

-  APN: 102-271-14
-  Assessors Parcels
-  Streets
-  Residential-Rural
-  Residential-Mountain

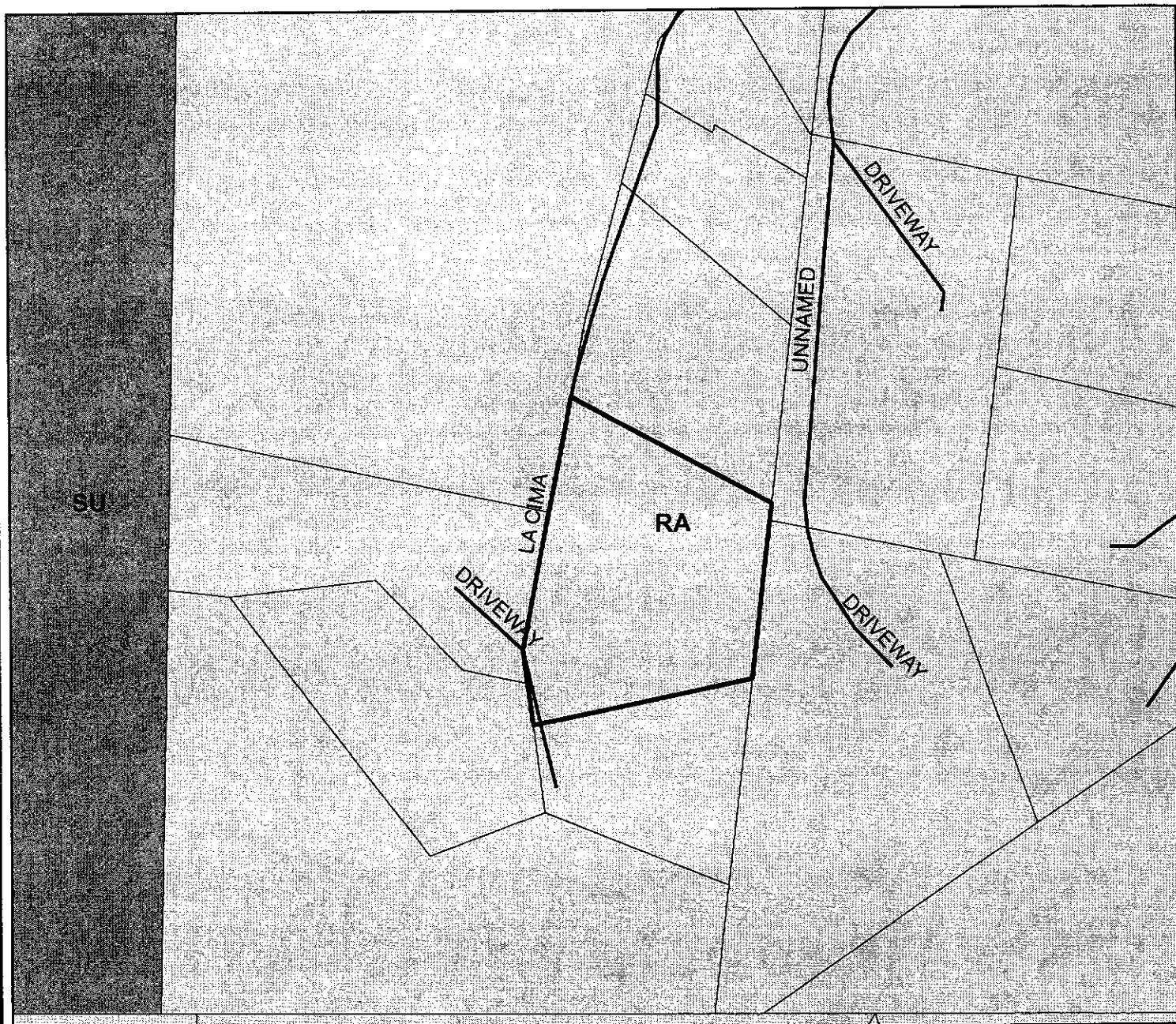


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Planning Department
March 2008

EXHIBIT F








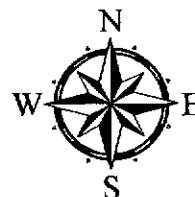
Zoning Map



0 140 280 560 840 1,120 Feet

LEGEND

-  APN: 102-271-14
-  Assessors Parcels
-  Streets
-  AGRICULTURE RESIDENTIAL
-  SPECIAL USE



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Planning Department
March 2008

EXHIBIT G

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: Larry Kasparowitz
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Date: October 7, 2008
Time: 13:13:48
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Environmental Planning Completeness Comments

===== REVIEW ON APRIL 1, 2008 BY ANTONELLA GENTILE =====
No completeness comments.

Environmental Planning Miscellaneous Comments

===== REVIEW ON APRIL 1, 2008 BY ANTONELLA GENTILE =====
Condition:

All conditions of approval from development permit 05-0648 shall apply to the approval of this amendment.

Dpw Drainage Completeness Comments

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

===== REVIEW ON MARCH 26, 2008 BY GERARDO VARGAS ===== The stormwater management plan is insufficiently developed, and complete review cannot be made as a result. The applicant remains subject to additional review comments.

1. Indicate on the plans the manner in which building downspouts will be discharged. Proposing downspouts as discharged directly to the storm drain system is generally inconsistent with efforts to hold runoff to pre-development rates.
2. Make clear on the plan how runoff from the proposed parking area will be handled.
3. The relocation of the level spreaders will require an updated letter from the project Geotechnical Engineer approving the proposed location.
4. Please provide a detail describing how the parking area will conform to existing roadside facilities. Road drainage should not be blocked by the proposed parking area. Provide a typical cross section of the existing road swale (if any) and details describing how drainage will be accommodated across/under the proposed parking.
5. Projects are required to minimize impervious surfaces. The current project already has an extensive driveway. Please specify the need for adding the additional parking area.

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

===== UPDATED ON JULY 25, 2008 BY GERARDO VARGAS ===== Application 08-0092 is complete with regards to drainage for the discretionary stage.

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

Dpw Drainage Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
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Date: October 7, 2008
Time: 13:13:48
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LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON MARCH 26, 2008 BY GERARDO VARGAS ===== No Comment

===== UPDATED ON JULY 25, 2008 BY GERARDO VARGAS =====

No Comment

Environmental Health Completeness Comments

===== REVIEW ON MARCH 5, 2008 BY JIM G SAFRANEK =====

===== UPDATED ON MARCH 21, 2008 BY JIM G SAFRANEK ===== Project will require an approved Onsite Sewage Disposal Permit applbased on applicant's desire to relocate leachfield as shown on sheet A1.1. Contact the EH Specialist for permit appl details at 454-2705, Angela Gray.

Environmental Health Miscellaneous Comments

===== REVIEW ON MARCH 21, 2008 BY JIM G SAFRANEK =====

NO COMMENT

