



Staff Report to the Zoning Administrator

Application Number: **141052**

Applicant: Brett Brenkwitz
Owner: Robert & Mary Jane Prough
APN: 046-241-18

Agenda Date: August 15, 2014
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposal to construct a habitable accessory structure with a half bath above an existing detached garage in the RA zone district.

Location: Property located in the San Andreas Planning Area (185 Lindero Dr., La Selva Beach)

Supervisory District: Second District (District Supervisor: Friend)

Permits Required: Amendment to Coastal Development Permit 00-0287, Residential Development Permit to allow a half bath and exceed the 17-foot height limit allowed without a public hearing, and an Agricultural Buffer Reduction

Staff Recommendation:

- Determination that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 141052, based on the attached findings and conditions.

Exhibits

- | | |
|---|---|
| A. Categorical Exemption (CEQA determination) | E. Assessor's, Location, Zoning and General Plan Maps |
| B. Findings | F. Comments & Correspondence |
| C. Conditions | |
| D. Project plans | |

Parcel Information

Parcel Size:	16,160 square feet (estimate)
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential and agriculture
Project Access:	Lindero Drive
Planning Area:	San Andreas
Land Use Designation:	AG (Agriculture)

Zone District: RA (Residential Agriculture)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Soils report will be required with building permit
Fire Hazard: Not a mapped constraint
Slopes: 0-5%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not visible from the beach or San Andreas Road
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: Inside X Outside
Water Supply: San Andreas Mutual Water Company
Sewage Disposal: Septic
Fire District: Aptos/La Selva
Drainage District: Outside of Flood Control District

History and Project Setting

The subject parcel is located in the San Andreas planning area and sits on a gently sloping knoll overlooking Monterey Bay. Lindero Drive is a pocket of residentially-zoned land surrounded by Commercial Agriculture-zoned land. Coastal Development Permit and Agricultural Buffer Reduction 00-0287 allowed the construction of the existing house and detached garage. The proposed habitable accessory structure is to be located on top of the existing garage.

Zoning & General Plan Consistency

The subject property is approximately 16,306 gross square feet, located in the RA (Residential Agriculture) zone district, a designation which allows residential uses. The proposed habitable accessory structure is an allowed use within the zone district, and the zoning implements the site's Agriculture (AG) General Plan designation.

Because the subject parcel is less than 80% of the minimum parcel size of the RA zone district, County Code 13.10.323(D)2 allows the use of the zone district site standards which most closely correspond to the subject parcel's size. In this case, that zone district is the R-1-15 (Single-family residential with a 15,000 square foot minimum parcel size) zone district. The proposed development complies with the R-1-15 site standards, including lot coverage, floor area ratio, and setbacks. In addition, the project complies with the County Code parking regulations. The

habitable accessory structure requires two parking spaces which, when added to the parking requirement of the existing house, results in an overall parking requirement of five spaces. Ample parking to fulfill this requirement is available on-site. The proposed outdoor shower on the south side of the structure requires no discretionary approval.

The Assessor's parcel map shows a 10-foot right-of-way located along the rear 10 feet of the subject parcel. It appears to be intended for the electrical infrastructure serving Lindero Drive. Utility poles are located in this right-of-way along the rear property lines of the homes on Lindero Drive with electrical wires connecting the poles. Given that the right-of-way is just ten feet wide, and the utility poles appear to be placed within it, with residential fencing blocking the right-of-way at multiple points, it would be infeasible for a vehicle to use the right-of-way. County Code 13.10.323(E)(6)(e) allows detached accessory structures to be located no closer than three feet to an alley. This 10-foot right-of-way, due to its location at the rear of the parcel, can be considered to be an alley. The proposed accessory structure meets this setback criterion as it will be located ten feet from the edge of the right-of-way. It will also be setback 20 feet from the rear property line.

Because the subject parcel is located within a mapped groundwater recharge area, locating the accessory structure on top of the existing garage will allow for more infiltration of precipitation than if it were located somewhere else on the property.

Local Coastal Program Consistency

The proposed habitable accessory structure 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 and agricultural operations. Size and architectural styles vary widely in the area, with styles ranging from newer Mediterranean-style homes to older wood and stucco split level and ranch-style homes. The design submitted is consistent with the range of styles in the neighborhood and with the existing home on the subject parcel. The habitable accessory structure is designed to match the existing home. Since it is located at the rear of the parcel, the visual impact of the structure will be minimal when viewed from Lindero Drive.

The project site is located between the shoreline and the first public road and is therefore appealable to the Coastal Commission. It is not, however, visible from any beach or scenic road and is not identified as a priority acquisition site in the County's Local Coastal Program. No coastal access easements are known to encumber the parcel. Therefore, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Residential Development Permit

A residential development permit is required because the proposed habitable accessory contains a half bath and exceeds the 17-foot height limit that is allowed by County Code 13.10.611. In this case, a half bath is reasonable in that the intended use of the habitable accessory is to accommodate family visitors. Since the structure will be used for sleeping, it is reasonable to allow a bathroom so that guests do not have to walk 32 feet to the main house to use the

bathroom. To insure that any future owners of the property are aware that the habitable accessory structure is not a separate unit, a condition of approval is included requiring that the property owner record a declaration of restriction acknowledging that the structure is not a dwelling unit.

The County Code requires that applications for habitable accessory structures that exceed the 17-foot height limit be heard at a public hearing to facilitate input by neighbors. In this case, the habitable accessory structure has been designed to minimize privacy impacts to neighboring properties as it will be located in the northern corner of the property where there is a vegetative screen. Only one neighbor has the potential to be affected and, given the existing vegetation, the privacy impacts are anticipated to be minimal. Noise impacts will be minimized by the floor plan of the structure. The bedroom and bathroom are located closest to the neighbor, with the playroom area and entrance to the structure located interior to the subject parcel.

Agricultural Buffer Reduction

County Code 16.50.095(B) requires a 200-foot wide agricultural buffer between habitable uses and properties with Type 1, 2 or 3 commercial agricultural land. The intent of the buffer is to minimize conflict between agricultural and residential land uses. The subject parcel is sandwiched between two CA-zoned parcels with Type 3 (coastal commercial agricultural lands) agricultural lands. One is located across Lindero Drive from the subject parcel and the other is located at the back of the subject parcel. Both of the adjacent agriculture lands are developed with a single-family dwelling, but appear to be fallow, as they were when the original Coastal Permit and Agricultural Buffer Reduction were approved in 2000. The subject parcel is just 195 feet long and is located entirely within the 200-foot agricultural buffer. There is not, therefore, an alternative location for the habitable accessory structure that would not also require an agricultural buffer reduction. The existing vegetative buffer, established with the original agricultural buffer reduction, adequately buffers the agricultural property from the proposed habitable accessory structure. Although previous property owners recorded a Statement of Acknowledgement acknowledging the adjacent agricultural properties, a new Statement of Acknowledgment is required to document the reduction of the agricultural buffer to 20 feet allowed by this application.

California Environmental Quality Act

This project is categorically exempt from additional environmental review as it is eligible for the Class 3 (New Construction or Conversion of Small Structures) Categorical Exemption. This exemption is appropriate when the proposed project is an accessory structure such as the habitable accessory structure proposed in this application.

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

- Determination that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **141052**, 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: Annette Olson
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3134
E-mail: annette.olson@co.santa-cruz.ca.us

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: 141052

Assessor Parcel Number: 046-241-18

Project Location: 185 Lindero Dr., La Selva Beach

Project Description: Construct a habitable accessory structure on top of the existing detached garage.

Person or Agency Proposing Project: Brett Brenkwitz

Contact Phone Number: (831) 662-8800

- 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).
E. ☒ **Categorical Exemption**

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

F. Reasons why the project is exempt:

Construction of a residential accessory structure in an area designated for residential uses.

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



Annette Olson, Project Planner

Date: 7/10/14

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 RA (Residential Agriculture), a designation which allows residential uses. The proposed habitable accessory structure is an allowed use within the zone district, and the zoning is consistent with the site's Agriculture (AG) 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 although there is a 10-foot wide right-of-way at the rear of the subject parcel, vehicular access to the right-of-way is impeded by the narrowness of the right-of-way, and the fact that utility poles and residential fences are located within the right-of-way. Therefore, the right-of-way more closely resembles an alley. County Code 13.10.323(E)(6)(e) allows detached accessory structures to be located no closer than three feet to an alley. The proposed accessory structure meets this criterion as it will be located ten feet from the edge of the right-of-way. This will insure that the right-of-way remains free and clear of permanent structures. Therefore, no conflict exists with this easement.

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 where there is a broad range; the residential properties along Lindero Drive are developed to a suburban density; the colors will be natural in appearance and complementary to the site; and 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 although the project site is located between the shoreline and the first public road, the habitable accessory structure will not interfere with public access to the beach, ocean, or any nearby body of water as the subject parcel is located about 2,200 feet from the beach and no coastal access easements encumber the property. 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

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scale, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the RA (Residential Agriculture) zone district, as well as the General Plan and Local Coastal Program AG (Agriculture) land use designation. Developed parcels in the area contain single family dwellings and agricultural operations. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles and the existing garage and house.

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 California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed habitable accessory structure 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 these amenities.

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 habitable accessory structure 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 as the primary use of the property will continue to be single-family residential. The proposed habitable accessory structure meets all current site standards for the zone district. Findings for an Agricultural Buffer Reduction are included to allow the required buffer to be reduced from 200 feet to 20 feet.

At the rear of the parcel is a 10-foot right-of-way which appears to be intended for the electrical infrastructure serving Lindero Drive. Utility poles are located in this right-of-way along the rear property lines of the homes on Lindero Drive with electrical wires connecting the poles. Given that the right-of-way is just ten feet wide, and the utility poles appear to be placed within it with residential fencing blocking the right-of-way at multiple points, it would be infeasible for a vehicle to use the right-of-way. Because of the right-of-way's location at the rear of the parcel it can be considered an alley. County Code 13.10.323(E)(6)(e) allows detached accessory structures to be located no closer than three feet to an alley. The proposed accessory structure meets this criterion as it will be located ten feet from the edge of the right-of-way. It will also meet the required setback of 20 feet from the rear property line.

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 Agriculture (AG) land use designation in the County General Plan.

The proposed habitable accessory structure will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and 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 habitable accessory structure will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed habitable accessory structure will be properly proportioned to the parcel size and 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 habitable accessory structure 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 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 habitable accessory structure is to be constructed on an existing lot developed with a single-family dwelling and detached garage. The expected level of traffic generated by the proposed project is anticipated to remain at one peak trip per day (one peak trip per dwelling unit). The project will comply with the California Construction Codes which requires utility efficiency.

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 located in a mixed neighborhood containing a variety of architectural styles, and the proposed habitable accessory structure is consistent with the land use intensity and density of the neighborhood. The habitable accessory structure will match the finish materials of the existing house approved under Permit 00-0287. Because the habitable accessory structure will be located behind the existing home, its visual impact when viewed from Lindero Drive will be minimal.

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 project is not subject to County Code 13.11 as it is not within a Coastal Special Community (it is outside of the La Selva Rural Services Line) and is not located on a sensitive site such as land located within the viewshed of a scenic road or on a coastal bluff.

Agricultural Buffer Reduction Findings Santa Cruz County Code Section 16.50.095(d)

Notwithstanding the provisions of Section 16.50.095(B) an agricultural setback distance of less than 200 feet may be established for developments involving habitable uses on existing parcels of record when one of the following findings are made in addition to the required finding in Section 16.50.095(E):

1. Significant topographic differences exist between the agricultural and non-agricultural uses which eliminates or minimizes the need for a 200 foot agricultural buffer setback; or
2. Permanent substantial vegetation (such as, a Riparian Corridor or Woodland protected by the County's Riparian Corridor or Sensitive Habitat Ordinances) or other physical barriers exist between the agricultural and non-agricultural uses which eliminate or minimize the need for a 200 foot agricultural buffer setback; or
3. A lesser setback distance is found to be adequate to prevent conflicts between the non-agricultural development and the adjacent agricultural development and the adjacent agricultural land, based on the establishment of a physical barrier (unless it is determined that the installation of a barrier will hinder the affected agricultural use more than it would help it, or would create a serious traffic hazard on a public or private right-of-way) or the existence of some other factor which effectively supplants the need for a 200 foot agricultural buffer setback; or
- 4. The imposition of a 200 foot agricultural buffer setback would preclude building on a parcel of record as of the effective date of this chapter, in which case a lesser buffer setback distance may be permitted, provided that the maximum possible setback distance is required, coupled with a requirement for a physical barrier (e.g., solid fencing and/ or vegetative screening) to provide the maximum buffering possible, consistent with the objective of permitting building on a parcel of record.**

The subject parcel is only 195 feet in length and is adjacent to Type 3 agricultural lands to the southwest and northeast. Thus, the imposition of the 200 foot buffer setback would preclude building on this parcel of record. The proposed buffer setback is reasonable given the small size of the lot. The proposed setback of 20 feet in conjunction with the vegetative screening required as a part of the Agricultural Buffer Reduction approved under Permit 00-0287 will provide sufficient buffering to protect the agricultural property and prevent conflicts between the residential uses and any potential future agricultural uses.

Conditions of Approval

Exhibit D: 5 Sheets by Brett Brenkwitz, architect, dated 3/18/14; Sheets A-2 and A-3 revised to 5/5/14

- I. This permit authorizes the construction of a habitable accessory structure. 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. 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, if required.
 - C. 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.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.
 2. Grading, drainage, and erosion control plans.

3. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet.
 4. Details showing compliance with fire department requirements.
- B. 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.
 - C. Obtain an approved Onsite Sewage Disposal Permit to upgrade the existing septic system and an Environmental Health Services Building Clearance from the Department of Environmental Health Services.
 - D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - E. Meet all requirements and pay any required fees to San Andreas Mutual Water Company.
 - F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer, if required.
 - G. Pay the current fees for Parks and Child Care mitigation for two bedrooms. Currently, these fees are, respectively, \$800 and \$109 per bedroom.
 - H. Provide required off-street parking for five 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.
 - J. Complete and record a Declaration of Restriction to construct and maintain a habitable accessory structure. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
 - K. Complete and record a Statement of Acknowledgment acknowledging the habitable accessory structure's proximity to agricultural land. Follow the instructions to record and return the form to the Planning Department.

- 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. Construction Hours: During construction, workers may assemble on-site as early as 7:30 AM, but no noise-generating activities may begin earlier than 8:00 AM. Noise-generating activities must cease by 6 PM. Workdays are limited to Monday through Friday. Should a circumstance arise in which a delivery can only be made on a weekend day, call Planning Staff (454-3134) for approval at least 24 hours in advance of the delivery.
 - B. All site improvements shown on the final approved Building Permit plans shall be installed.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The project must comply with all recommendations of the approved soils reports.
 - E. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, 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.
- 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 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.

Application #: 141052
APN: 046-241-18
Owner: Robert & Mary Jane Prough

Please note: This permit expires three 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: _____

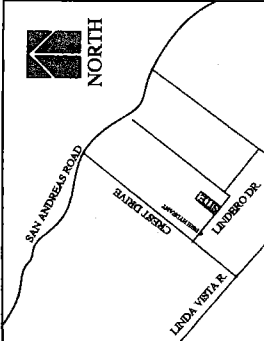
Wanda Williams
Deputy Zoning Administrator

Annette Olson
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.

PROUGH RESIDENCE HABITABLE ACCESSORY STRUCTURE

185 LINDERO DRIVE
LA SELVA BEACH, CA.
95076



4 NTS PROJECT LOCATION

PARCEL #: 046-241-18
ADDRESS: 185 LINDERO DR., LA SELVA BEACH
ZONING: R-1 (10,000 S.F. REGULATIONS FOR LOT SIZE
AFTER DEDUCTIONS)
LOT SIZE: 14,306 S.F. OR 0.066, 14,218 S.F. NET
PROPOSED PROJECT:
HABITABLE ACCESSORY STRUCTURE ON
EXISTING LOT. MAX. HEIGHT REQUESTING
20' SETBACK FROM CA. PARCEL.
TOTAL EXISTING HEATED SPACE: 3,012 SQ. FT.
TOTAL PROPOSED HEATED SPACE: 3,012 SQ. FT.
TOTAL RESULTING HEATED SPACE: 3,012 SQ. FT.
LOT COVERAGE: 17% (0.288 SF STRUCTURES / 14,218)
(MAX. LOT COVERAGE = 40%)
FAR: 28% (0.580 HEATED = 0.24 SF UNHEATED, MINUS
235 SF GARAGE CREDIT = 3,979 / 14,218)
(MAX. F.A.R. = 0.09)
BUILDING CONST. TYPE: V.B. SPRINKLERED
R-3 OCCUPANCY
GRADING: NONE
WATER DIST: SAN ANDREAS MUTUAL WD
FIRE DIST: APTOS LA SELVA
DRAINAGE: NO NEW IMPERVIOUS AREA CREATED
PARKING REQUIRED: 3 FOR 10,000, 0.2 FOR PROJECT =
5 TOTAL. SEE SITE PLAN FOR LOCATION.

3 NTS PROJECT NOTES

OWNERS:
JANE AND ROBERT PROUGH
185 LINDERO DRIVE
LA SELVA BEACH, CA. 95076
(831) 219-9100
ARCHITECT:
FRANKS BRENKOWITZ & ASSOC.
PO BOX 597
APTOS, CA 95001
(831) 662-8800

2 NTS PROJECT DATA

SHEET #	DESCRIPTION
A-1	TITLE SHEET
A-2	SITE AND LANDSCAPE PLAN
A-3	PROPOSED FLOOR PLANS & EXT. ELEVATIONS
A-4	SECTION / NOTES
A-5	PROJECT PHOTOS



NORTH

C.A. ZONED PARCEL

81

PROPOSED NEW SEPTIC TANK FOR PROJECT RUN UNDERGROUND HARD PIPE TO (B) DIST. BOX

100% EXPANSION FOR (B) LEACH-FIELD

10'-0" RIGHT OF WAY (PG&E WIRES ABOVE)

REMOVE (B) PAVERS

EXISTING GARAGE 24'x26' BELOW WITH PROPOSED HABITABLE ACCESSORY STRUCTURE ABOVE

EXISTING APPROVED SHRUBS PER COUNTY FOR AG. BUFFER REDUCTION (LESS THAN 200')

ADJACENT RESIDENCE

FENCE / GATE

195.28'

TREES

CONC. PAD

LAWN

EXISTING SINGLE FAM. DWELLING

PAVERS

3% SLOPE

10'-0"

PROPRANE TANK 8'-0" AWAY

GATE

195.28'

NEIGHBOR'S TREE

-NOTE: ALL NEW SEPTIC LEACH LINES AND TANKS ARE MIN. 5' AWAY FROM PROPERTY LINES AND STRUCTURES. THERE IS TO BE ONLY ONE LEACH FIELD SYSTEM ON THE PROPERTY (A COMBINED LEACHFIELD SYSTEM). THE NEW PROJECT WILL ADD ONTO THE EXISTING LEACHFIELD SYSTEM, EVEN THOUGH THERE WILL BE (2) TANKS. ALSO, EXIST. WATER LINE WILL AVOID CROSSING THE LEACHFIELD AREA. THE PROPOSED LEACH AREA IS SCHEMATIC AND NEEDS TO BE FINALIZED AT THE B.P. STAGE.

5 CAR PARKING SPACES SHOWN: 2 IN GARAGE, 3 IN DRIVEWAY (2 ARE TANDEM).

ADJACENT RESIDENCE

(B) 1500 GALLON SEPTIC TANK FIELD VERIFY LOCATION

EXIST. SEPTIC LEACHFIELD / RISERS

WATER METERS WITH WATER LINE A

25' RIGHT OF WAY

PARKING AC PAVED

LOW ROCK WALL

PARCEL 046-241-18

PHOTO LOCATIONS- SEE SHEET A-5

APPROX. 13'-0" WIDE A.C. ROAD

A PROPOSED NEW LEACH-FIELD (ADDED TO EXIST.) IN GRAVEL TRENCHES UNDER DRIVEWAY

100% EXPANSION FOR (N) LEACH-FIELD A

-NOTE: SEE A-1 FOR FIRE HYDRANT.

-NOTE: ALL FEATURES ARE EXISTING UNLESS NOTED OTHERWISE

Franks Brenkowitz & Associates
Architecture + Planning + Historical
P.O. BOX 397 APTOS, CA. 95001
(831) 662-8800

ROUGH RES. HABITABLE
ACCESSORY STRUCTURE
046-241-18

SITE / LANDSCAPE PLAN

REVISION:
A 5-5-14

DATE: 8-18-14



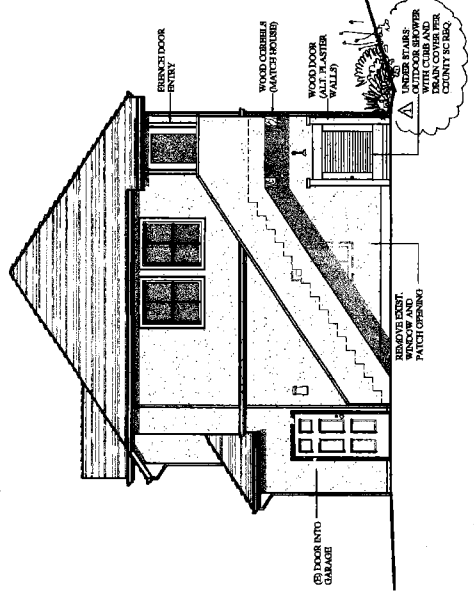
SCALE: 1"=20'-0"

SHEET NO.

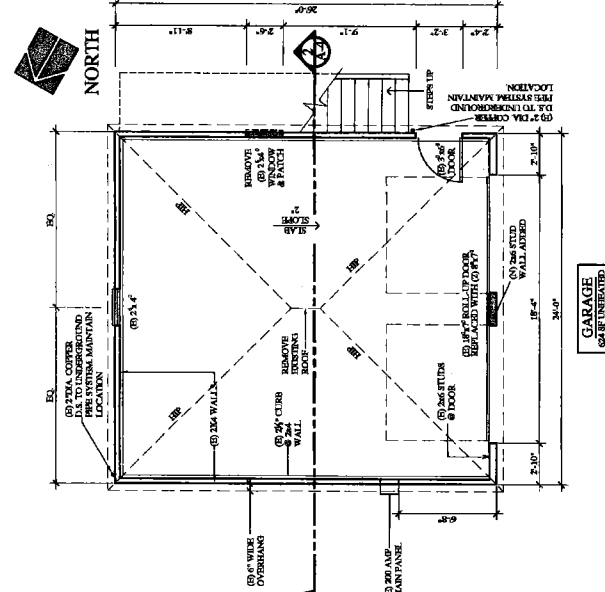
A-2

OF 5 SHEETS

1 1"=20'-0" SITE PLAN



SOUTH ELEVATION



1	1/4"=1'-0"	EXIST. GARAGE FLOOR PLAN WITH CHANGES
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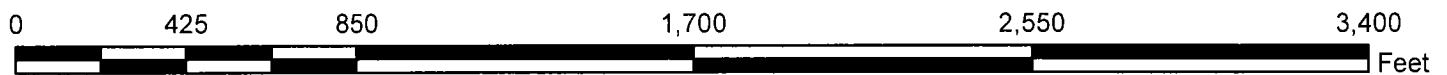
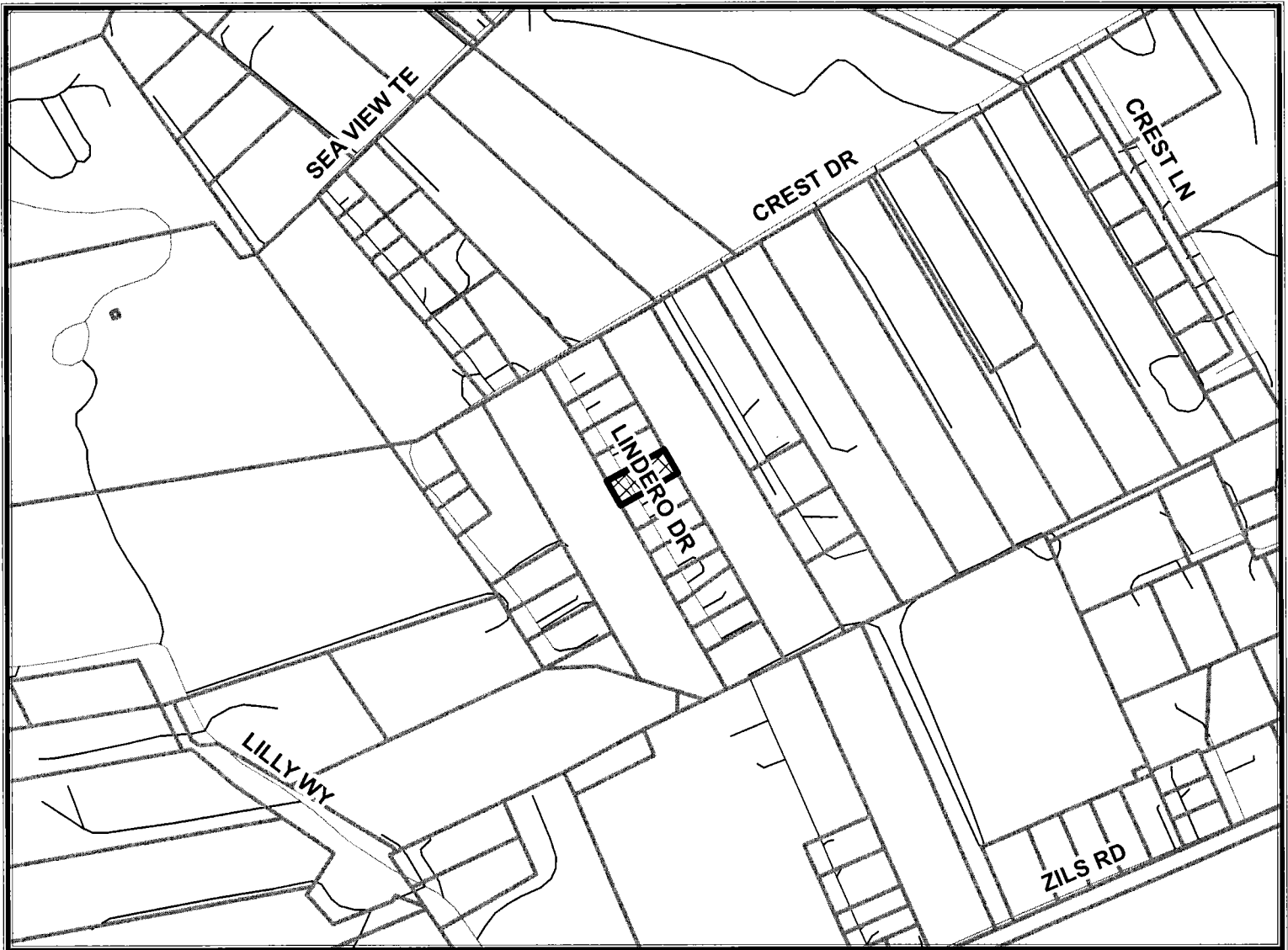


1. COMP. SHINGLE OVER 30 LB. FELT
- COLOR: MATCH XIST. HOUSE
2. CONTINUOUS GUTTER AT NEW ROOF AREAS.
3. ALL ROOF FLASHINGS TO BE COPPER.
4. ALL GUTTERS TO BE TIED INTO (E) UNDERGROUND DRAINS.


OF 4 SHEETS

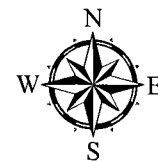


Location Map



LEGEND

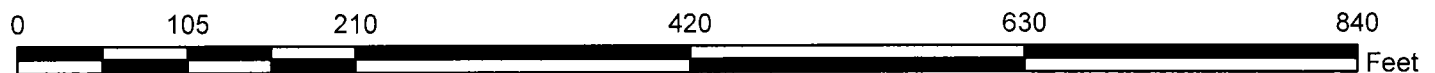
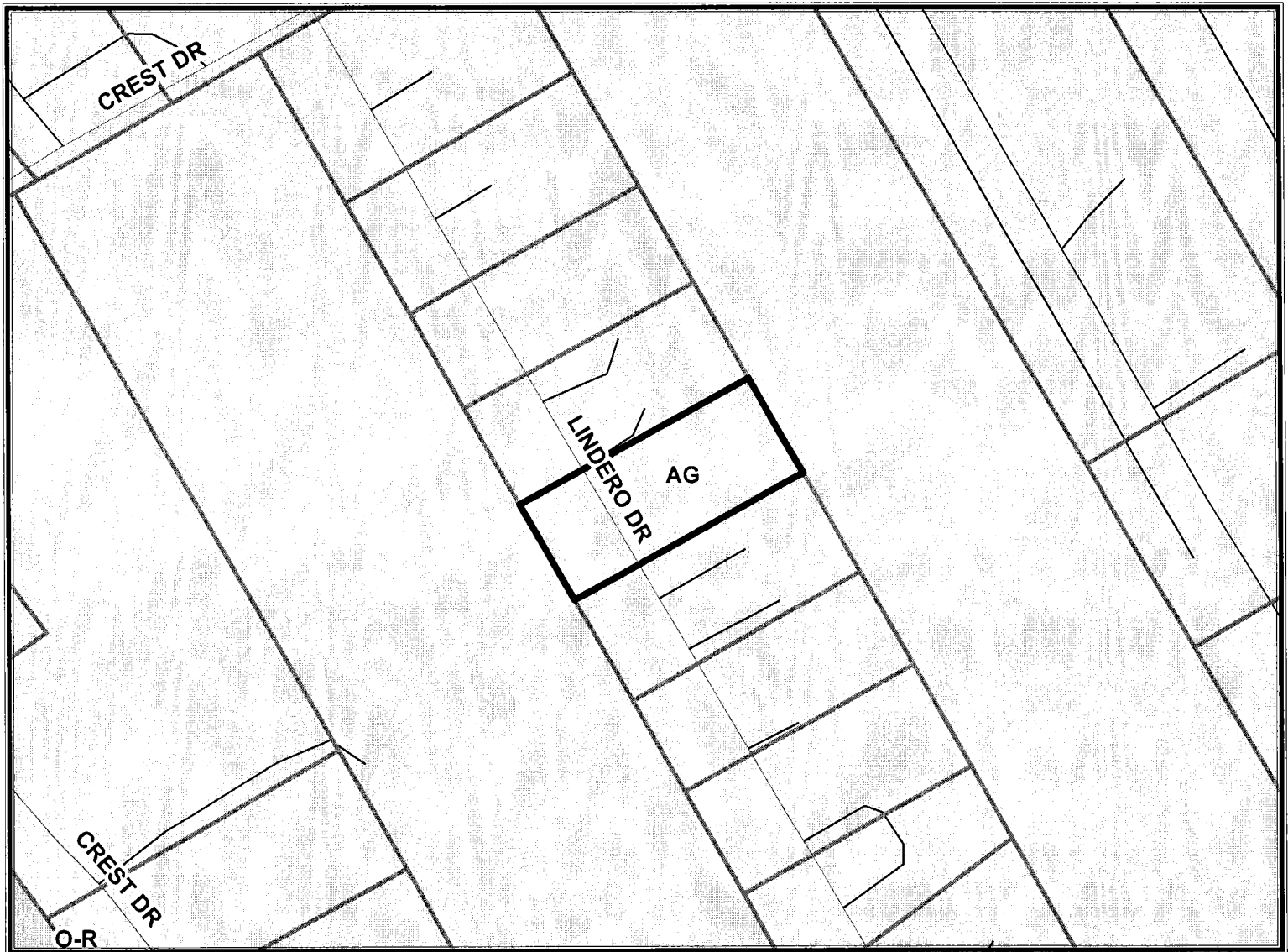
-  APN: 046-241-18
-  Assessors Parcels
-  Street








Map Created by
County of Santa Cruz
Planning Department
April 2014

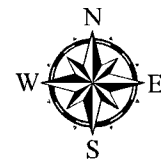


General Plan Designation Map



LEGEND

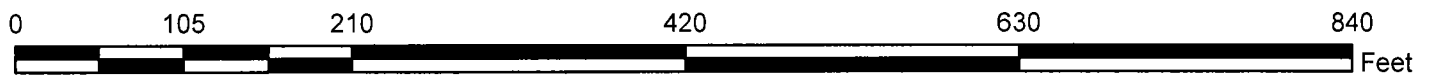
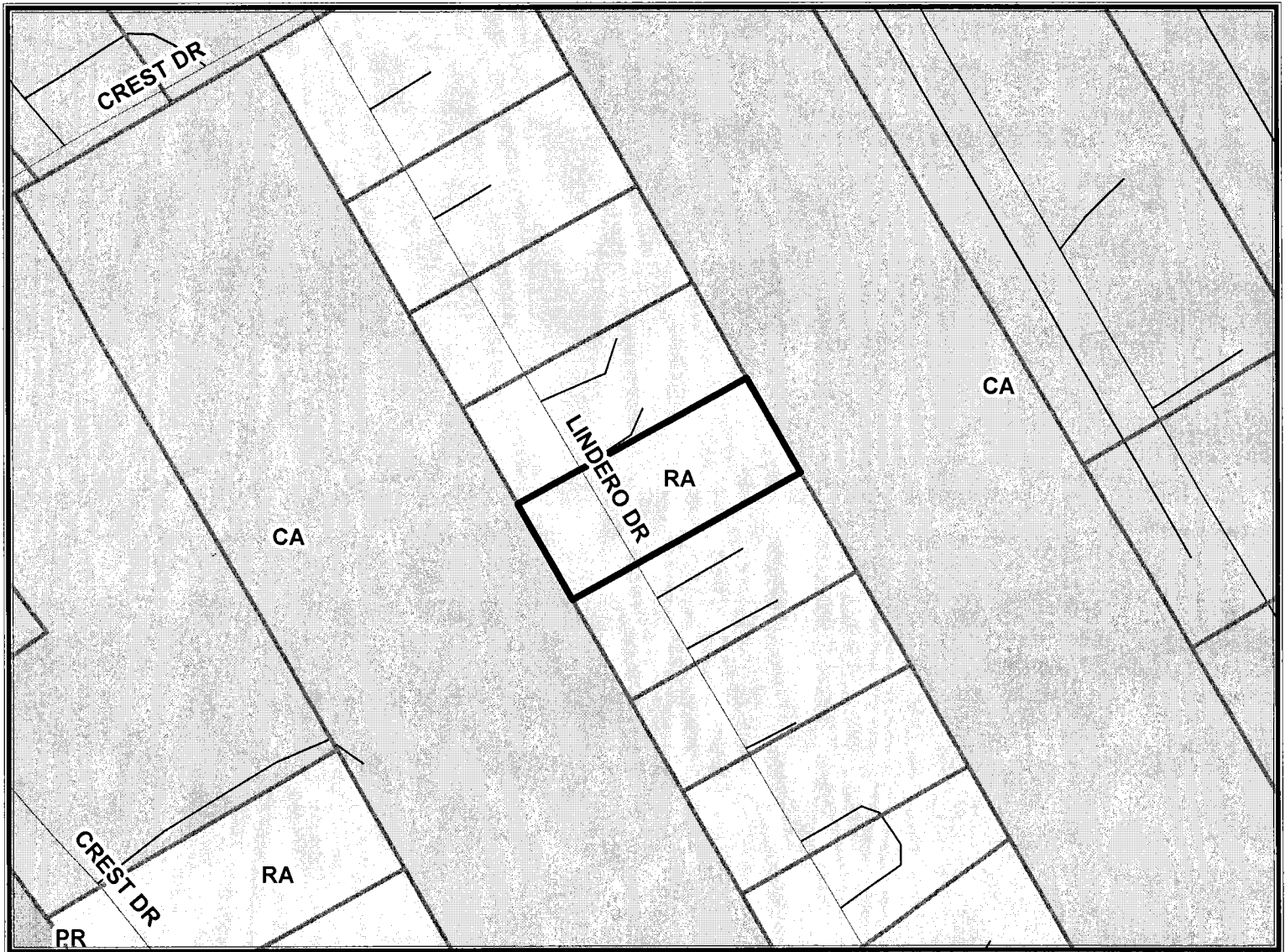
-  APN: 046-241-18
-  Assessors Parcels
-  Street
-  Agriculture
-  Parks and Recreation



Map Created by
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Planning Department
April 2014



Zoning Map



LEGEND



APN: 046-241-18



Assessors Parcels



Street



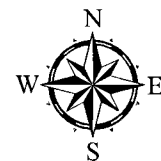
AGRICULTURE RESIDENTIAL



AGRICULTURE COMMERCIAL



PARK



Map Created by
County of Santa Cruz
Planning Department
April 2014



Discretionary Application Comments 141052

APN 046-241-18

Your plans have been sent to several agencies for review. The comments that were received are printed below. Please read each comment, noting who the reviewer is and which of the three categories (Completeness, Policy Considerations/Compliance, and Permit Conditions/Additional Information) the comment is in.

Completeness: A comment in this section indicates that your application is lacking certain information that is necessary for your plans to be reviewed and your project to proceed.

Policy Considerations/Compliance: Comments in this section indicate that there are conflicts or possible conflicts between your project and the County General Plan, County Code, and/or Design Criteria. We recommend that you address these issues with the project planner and the reviewer before investing in revising your plans in any particular direction.

Permit Conditions/Additional Information: These comments are for your information. No action is required at this time. You may contact the project planner or the reviewer for clarification if needed.

Coastal Commission Review

Routing No: 1 Review Date: 04/17/2014

ANNETTE OLSON (AOLSON) : No Response

Environmental Health Review

Routing No: 2 Review Date: 05/28/2014

JIM SAFRANEK (JSafrank) : Complete

The applicant will need to obtain an approved Onsite Sewage Disposal Permit Application to upgrade the existing septic system, and an EH Building Clearance prior to issuance of BP.

Fire Review

Routing No: 1 Review Date: 04/10/2014

ERIN COLLINS (ECOLLINS) : Complete

Aptos/La Selva Fire Department has reviewed the plans for the above cited project and has no objections as presented.

A plan review fee of **\$50.00** is due and payable to the Aptos/La Selva Fire Department **PRIOR TO APPROVAL** of building application. **Reminder:** the enclosed Permit/Service Fees form must be submitted to the Aptos/La Selva Fire Department at time of payment.

- Any other requirements 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.



Fire Review

Routing No: 1 Review Date: 04/10/2014

ERIN COLLINS (ECOLLINS) : Complete

In order to obtain building application approval, we recommend you have the DESIGNER add appropriate NOTES and DETAILS showing the following information **on the plans that are submitted for BUILDING PERMIT**.

NOTE on the plans "these plans are in compliance with California Building and Fire Codes (**2013 edition**) and Aptos/La Selva Fire District Amendments".

NOTE on the plans "the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE / FIRE RATING and SPRINKLERED or NON-SPRINKLERED as determined by the building official and outlined in the California Building Code. (e.g. R-3, Type V-B, Sprinklered)"

NOTE on the plans "the **REQUIRED** and **AVAILABLE FIRE FLOW**. FIRE FLOW requirements for this project is 1,000 **gallons per minute**. The AVAILABLE FIRE FLOW information can be obtained from the water company. The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m²) shall be 1,500 gallons per minute (3785.4 L/min). Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5m²) shall not be less than that specified in Appendix Table B 105.1 of the California Fire Code".

SHOW on the plans a public fire hydrant within 600 feet of any portion of the building meeting the minimum required fire flow for the building. Hydrant shall be on a fire apparatus access road, as measured by an approved drivable route around the exterior of the facility or building.

NOTE on the plans "All buildings shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA 13-D, and adopted standards of the Aptos/La Selva Fire Protection District."

NOTE on the plans "the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Fire Sprinkler System to this agency for approval."

NOTE on the plans "an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY



Fire Review

Routing No: 1 Review Date: 04/10/2014

ERIN COLLINS (ECOLLINS) : Complete

HANDOUT. Underground plan submittal and permit, will be issued to a Class B, Class C-16, Class C-36 or owner/builder. No exceptions."

SHOW on the plans where the smoke alarms are to be installed according to the following locations and approved by this agency as a minimum requirement.

- One alarm adjacent to each sleeping area (hall, foyer, balcony, or etc.)
- One alarm in each sleeping room.
- One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder.
- There must be at least one smoke alarm on each floor level regardless of area usage.
- There must be a minimum of one smoke alarm in every basement area.

SHOW on the plans where the carbon monoxide alarms are to be installed according to the following locations and approved by this agency as a minimum requirement.

- One alarm adjacent to each sleeping area (hall, foyer, balcony, or etc.)
- There must be at least one carbon monoxide alarm on each floor level regardless of area usage.

NOTE on the plans "building numbers shall be provided. Numbers shall be a minimum of four (4) inches in height on a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street."

NOTE on the plans "the roof covering shall be no less than Class "B" rated roof."

NOTE on the plans "a 30-foot clearance shall be maintained with non-combustible vegetation around all structures or to the property line whichever is a shorter distance.

EXCEPTION: Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure."

NOTE on the plans, A MINIMUM OF 48 HOURS NOTICE to the fire department is required prior to inspection.

NOTE on the plans "the job copies of the building and fire systems plans and permits must be on-site during inspections."

Note: As a condition of submittal of these plans, the submitter, designer and installer



Fire Review

Routing No: 1 Review Date: 04/10/2014

ERIN COLLINS (ECOLLINS) : Complete

certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewer and reviewing agency.

Project Review

Routing No: 2 Review Date:

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